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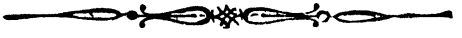
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# CALENDAR FOR 1938

## JANUARY

| | | | | | | |
|---|---|---|---|---|---|---|
| S. | ... | 2 | 9 | 16 | 23 | 30 |
| M. | ... | 3 | 10 | 17 | 24 | 31 |
| T. | ... | 4 | 11 | 18 | 25 | ... |
| W. | ... | 5 | 12 | 19 | 26 | ... |
| Th. | ... | 6 | 13 | 20 | 27 | ... |
| F. | ... | 7 | 14 | 21 | 28 | ... |
| S. | 1 | 8 | 15 | 22 | 29 | ... |

## FEBRUARY

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| S. | ... | 6 | 13 | 20 | 27 | ... |
| M. | ... | 7 | 14 | 21 | 28 | ... |
| T. | 1 | 8 | 15 | 22 | ... | ... |
| W. | 2 | 9 | 16 | 23 | ... | ... |
| Th. | 3 | 10 | 17 | 24 | ... | ... |
| F. | 4 | 11 | 18 | 25 | ... | ... |
| S. | 5 | 12 | 19 | 26 | ... | ... |

## MARCH

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| M. | ... | 7 | 14 | 21 | 28 | ... |
| T. | 1 | 8 | 15 | 22 | 29 | ... |
| W. | 2 | 9 | 16 | 23 | 30 | ... |
| Th. | 3 | 10 | 17 | 24 | 31 | ... |
| F. | 4 | 11 | 18 | 25 | ... | ... |
| S. | 5 | 12 | 19 | 26 | ... | ... |

## APRIL

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| S. | ... | 3 | 10 | 17 | 24 | ... |
| M. | ... | 4 | 11 | 18 | 25 | ... |
| T. | ... | 5 | 12 | 19 | 26 | ... |
| W. | ... | 6 | 13 | 20 | 27 | ... |
| Th. | ... | 7 | 14 | 21 | 28 | ... |
| F. | 1 | 8 | 15 | 22 | 29 | ... |
| S. | 2 | 9 | 16 | 23 | 30 | ... |

## MAY

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| S. | 1 | 8 | 15 | 22 | 29 | ... |
| M. | 2 | 9 | 16 | 23 | 30 | ... |
| T. | 3 | 10 | 17 | 24 | 31 | ... |
| W. | 4 | 11 | 18 | 25 | ... | ... |
| Th. | 5 | 12 | 19 | 26 | ... | ... |
| F. | 6 | 13 | 20 | 27 | ... | ... |
| S. | 7 | 14 | 21 | 28 | ... | ... |

## JUNE

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| S. | ... | 5 | 12 | 19 | 26 | ... |
| M. | ... | 6 | 13 | 20 | 27 | ... |
| T. | ... | 7 | 14 | 21 | 28 | ... |
| W. | 1 | 8 | 15 | 22 | 29 | ... |
| Th. | 2 | 9 | 16 | 23 | 30 | ... |
| F. | 3 | 10 | 17 | 24 | ... | ... |
| S. | 4 | 11 | 18 | 25 | ... | ... |

## JULY

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| S. | ... | 3 | 10 | 17 | 24 | 31 |
| M. | ... | 4 | 11 | 18 | 25 | ... |
| T. | ... | 5 | 12 | 19 | 26 | ... |
| W. | ... | 6 | 13 | 20 | 27 | ... |
| Th. | ... | 7 | 14 | 21 | 28 | ... |
| F. | 1 | 8 | 15 | 22 | 29 | ... |
| S. | 2 | 9 | 16 | 23 | 30 | ... |

## AUGUST

| | | | | | | |
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| S. | ... | 7 | 14 | 21 | 28 | ... |
| M. | 1 | 8 | 15 | 22 | 29 | ... |
| T. | 2 | 9 | 16 | 23 | 30 | ... |
| W. | 3 | 10 | 17 | 24 | 31 | ... |
| Th. | 4 | 11 | 18 | 25 | ... | ... |
| F. | 5 | 12 | 19 | 26 | ... | ... |
| S. | 6 | 13 | 20 | 27 | ... | ... |

## SEPTEMBER

| | | | | | | |
|---|---|---|---|---|---|---|
| S. | ... | 4 | 11 | 18 | 25 | ... |
| M. | ... | 5 | 12 | 19 | 26 | ... |
| T. | ... | 6 | 13 | 20 | 27 | ... |
| W. | ... | 7 | 14 | 21 | 28 | ... |
| Th. | 1 | 8 | 15 | 22 | 29 | ... |
| F. | 2 | 9 | 16 | 23 | 30 | ... |
| S. | 3 | 10 | 17 | 24 | ... | ... |

## OCTOBER

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| S. | ... | 2 | 9 | 16 | 23 | 30 |
| M. | ... | 3 | 10 | 17 | 24 | 31 |
| T. | ... | 4 | 11 | 18 | 25 | ... |
| W. | ... | 5 | 12 | 19 | 26 | ... |
| Th. | ... | 6 | 13 | 20 | 27 | ... |
| F. | ... | 7 | 14 | 21 | 28 | ... |
| S. | 1 | 8 | 15 | 22 | 29 | ... |

## NOVEMBER

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|---|---|---|---|---|---|---|
| S. | ... | 6 | 13 | 20 | 27 | ... |
| M. | ... | 7 | 14 | 21 | 28 | ... |
| T. | 1 | 8 | 15 | 22 | 29 | ... |
| W. | 2 | 9 | 16 | 23 | 30 | ... |
| Th. | 3 | 10 | 17 | 24 | ... | ... |
| F. | 4 | 11 | 18 | 25 | ... | ... |
| S. | 5 | 12 | 19 | 26 | ... | ... |

## DECEMBER

| | | | | | | |
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| S. | ... | 4 | 11 | 18 | 25 | ... |
| M. | ... | 5 | 12 | 19 | 26 | ... |
| T. | ... | 6 | 13 | 20 | 27 | ... |
| W. | ... | 7 | 14 | 21 | 28 | ... |
| Th. | 1 | 8 | 15 | 22 | 29 | ... |
| F. | 2 | 9 | 16 | 23 | 30 | ... |
| S. | 3 | 10 | 17 | 24 | 31 | ... |

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# Administration of India 1938

## Reigning Sovereign—His Majesty George the VI

### India Office

**Secretary of State for India**—Most Hon. the Marquess of Zetland, P. C., G, C. I. E., K. C. I. E

**Permanent Under-Secretary of State**—Sir F. Stewart, G. C I E, K. C S. CSI

**Parliamentary Under-Secretary of State**—Rt. Hon. Lord Stanley, M C., M P.

**Advisers to the Secretary of State**—Sir A. Ramaswami Mudaliar, Sir Horace Williamson, Sir Joseph Clay, Sir Henry Strakosch, Sir R. Glancy, Khan Bahadur Sir Abdul Quadir, Sir Allan Parsons, Sardar Bahadur Mohan Singh.

**High Commissioner of India**—Sir Feroze Khan Noon Kt.

**Trade Commissioner for India**—Dr. D. B. Meek.

### Government of India

His Excellency Victor Alexander John Hope, Marquess of Linlithgow, KT. G M.S I, G M.I.E., O B E., D.L., T D, *Viceroy and Governor General of India.*

His Excellency General Sir Robert A Cassels, G C.B., C.S.I., D.S.O., *Commander in Chief of India.*

**Members of Executive Council**

The Honourable Mr. A. G. Clow C.S.I, C.I.E., I.C.S. (Communications)

The Honourable Sir N. N. Sircar, K.C.S.I., KT., Bar-at-Law, (Law)

The Honourable Sir James Grigg, K.C.B., K.C.S.I., (Finance)

The Honourable Mr. R. M. Maxwell. C.S.I., C.I.E., I C.S. (Home)

The Honourable Sir Jagadish Prasad, KT., C.S.I., O.B.E., (Education, Health and Lands)

The Honourable Sir Muhammad Zafrullah Khan, KT., Bar-at-law, (Commerce and Labour).

### Government of Bengal

**Governor**—Lord Brabourne, G.C.S.I, G.C. I.E., M.C. (Appointed November 27, 1937.)

**Council of Ministers** (Coalition)

Hon. Mr. Abul Kasem Fazlul Huq, *Chief Minister* (Education)

Hon. Mr. Nalini Ranjan Sarkar, (*Finance*).

Hon. Sir Bijoy Prasad Singh Roy KT. (*Revenue*).

Hon Nawab Khwaja Habibullah Bahadur of Dacca (*Local Self-Govt.*)

Hon. Maharaja Srish Chandra Nandy, (*Communications and Works*).

Hon Mr. Husain Shaheed Suhrawardy, (*Commerce, Labour, Rural Reconstruction*)

Hon. Khwaja Sir Nazimuddin K.C I E, (*Home*)

Hon. Nawab Musharraff Hussain, Khan Bahadur, (*Judicial & Legislative*).

Hon. Mr. Prasanna Deb Raikut; (*Forest and Excise*).

Hon. Mr. Mukunda Behari Mallick (*Co-operative Credit and Indebtedness*).

Hon. Mr. Tamijuddin Khan (*Public Health, Constitution and Election*)

Hon. Mr. Samsuddin Ahmed (*Agriculture and Veterinary*)

**Numerical Strength of Parties**

(a) In Assembly

| | |
|---|---|
| *Govt. Supporters* :— | |
| Muslim Coalition consisting of Proja, Muslim League Parties | 90 |
| Scheduled Caste Group | 11 |
| European Group | 25 |
| Anglo-Indian Group | 4 |
| Hindu Nationalist Group | 7 |
| | 155 |
| *Opposition* :— | |
| Congress Party | 53 |
| Proja, Krishak Proja, Members belonging to no party, Scheduled caste group, Nationalists | 58 |
| | 111 |

(b) In Council.

| | |
|---|---|
| *Govt. Supporters* :— | |
| Unattached | 2 |
| Krishak Proja Party | 9 |
| League Party | 7 |
| European Group | 6 |
| No Party | 16 |
| | 38 |

(b) In Council

| | |
|---|---|
| *Congress Party* | 10 |
| *Opposition* :— | |
| Coalition Party | 11 |
| No Party | 6 |
| Muslim Independent Party | 3 |
| | 30 |

## Government of Assam

### Governor.

1. (i) Sir Robert Niel Reid, K. C. S I. K. C. I. E.

(ii) Sir Gilbert Pitcairn Hogg, C. S. I., C. I. E. Offg: Governor from June 25, (afternoon) 1938 to October 24, (afternoon) 1938.

### Council of Ministers (Congress)

2. (i) The Hon'ble Srijut Gopinath Bardoloi, M.A., B.L., Prime Minister, in charge of Home and Education Departments.

(ii) The Hon'ble Mr. Fakhruddin Ali Ahmed, Barrister-at-Law, Minister in charge of Finance and Revenue Departments.

(iii) The Hon'ble Babu Kamini Kumar Sen, B.L., Minister in charge of Legislative, L. S. G., Judicial and General Departments.

(iv) The Hon'ble Srijut Ramnath Das, B. L., Minister in charge of Medical, Public Health, Welfare of Labour, Boiler, Factories and Electricity Departments.

(v) The Hon'ble Babu Akshay Kumar Das, B. L., Minister in charge of Excise and Agriculture Departments.

(vi) The Hon'ble Maulvi Md. Ali Haidar Khan, Minister in charge of Public Works Department.

(vii) The Hon'ble Srijut Rupnath Brahma, B L. Minister in charge of Forest and Registration Departments.

(viii) The Hon'ble Khan Bahadur Maulavi Mahmud Ali, Minister in charge of Industries and Co-operative Departments.

### Numerical strength of Parties

In Assembly

| | | | |
|---|---|---|---|
| (i) | Assam United Party | 52— | 6 Hindus<br>29 Mahomedans<br>9 Europeans<br>8 Christians |
| (ii) | Congress | 32— | 31 Hindus<br>1 Mahomedan |
| (iii) | Independent | 14— | 10 Hindus<br>4 Mahomedans |
| (iv) | Tribal | 6 | |
| (v) | Constitutionalist Party | 3 | Hindus (Shedduled) |

## Government of the Punjab

### Governor

His Excellency Sir Henry Duffield Craik Bart, K.C.S.I., I.C.S.

### 2. Council of Ministers

The Hon'ble Khan Bahadur Major Sirdar Sir Sikandar Hyat Khan, K B E. *Premier*

The Hon'ble Sardar Bahadur Sardar Sir Sundar Singh Majithia, Kt., C.I.E , D O.L . *Minister of Revenue.*

The Hon'ble Rao Bahadur Chaudhri Sir Chhotu Ram, B A, L L. B.,—*Minister of Development.*

The Hon'ble Mr. Manohar Lal, M A.,—*Finance Minister.*

The Hon'ble Mr. Nawabzada Major Khizar Hayat Khan Tiwana—*Minister of Public Works.*

The Hon'ble Mian Abdul Haye—*Minister of Education*

### Parliamentary Secretaries

Khan Bahadur Mian Ahmad Yar Khan Daulatana—*Political and Chief Official Whip.*

Mir Maqbool Mahmood—*General.*

Sardar Bahadur Sardar Ujjal Singh, M. A.—*Home.*

Mrs Jahan Ara Shah Nawaz, M. B. E.—*Education, Medical Relief and Public Health.*

Raja Gaznaffar Ali Khan—*Revenue and Irrigation*

Chaudhri Tikka Ram, B. A., L. L. B.,—*Development*

Thakur Ripudaman Singh, B. A.—*Finance*

Shaikh Faiz Muhammad, B. A., L. L, B., M. B E.,—*Local self-Government and Public Works*

### Numerical Strength Parties

| | |
|---|---|
| 1 Ministerial Party | 118 |
| 2 Congress Party | 43 |
| 3 Independents | 11 |
| 4 Ahrar Party | 2 |
| | 174 |

## The Govt. of Central Provinces

### Governors

His Excellency Dr. Sir Hyde Clarendon Gowan, B. A. (Oxon) LL. D (Nag), K.C.S.I., C I E , V D., I.C.S., J.P.. (from 16-9-1933 to 2-3-1938).

His Excellency Mr. Hugh Bomford, B.A. C.I.E., I C.S. (from 3-3-1938 to 27-5-1938).

His Excellency Sir Francis Verner Wylie, K.C.S.I., C.I.E., I.C S., (from 28-5-1938).

**Council of Ministers** (CONGRESS)

1. The Hon'ble Dr. N. B. Khare, *Minister of Home affairs* (*Prime Minister*) (from 14-7-1937 to 20-7-1938).
2. The Hon'ble Pandit Ravi Shankar Shukla, *Minister for Education* (14-7-37 to 20-7-38).
3. The Hon'ble Pandit D. P. Misra *Minister for L. S. G.* (14-7-37 to 20-7-38).
4. The Hon'ble Mr. R. M. Desmukh, *Minister of Public Works* (14-7-37 to 20-7-38).
5. The Hon'ble Mr. M. Y. Shareef. *Minister of Law* (14-7 37 to 21-5-38).
6. The Hon'ble Mr. D. K. Mehta *Minister of Finance* (14-7-37 to 20-7-38).
7. The Hon'ble Mr. P. B. Gole, *Minister of Revenue* (14-7-37 to 20-7-38).

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1. The Hon'ble Dr. N. B. Khare *Minister of Home affairs* (*Prime Minister*) (from 21-7-38 to 29-7-38).
2. The Hon'ble Mr. R. M. Deshmukh, *Minister of Finance* (from 21-7-38 to 29-7-38).
3. The Hon'ble Mr. P. B. Gole, *Minister of Revenue* (from 21-7-38 to 29-7-38).
4. The Hon'ble Mr. Rameshwar Agnibhoj. *Minister of Agriculture.* (from 21-7-38 to 29-7-38).
5. The Hon'ble Thakur Piarelal Singh, *Minister of Education* (from 22-7-38 to 29-7-38).

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1. The Hon'ble Pandit R. S. Shukla, *Prime Minister of Home affairs* (30-7-38).
2. The Hon'ble Pandit D. P. Mishra *Minister of L S. G* (30-7-38).
3. The Hon'ble Mr. D. K. Mehta *Minister of Finance* (30-7-38).
4. The Hon'ble Mr. S. V. Gokhale *Minister of Revenue and Education* (30-7-38).
5. The Hon'ble Mr. C. J. Bharuka, *Minister of Industries and Public Works*, (30-7-38).

**Numercial Strength of Parties**

| | |
|---|---|
| Congress | 72 |
| Independent | 19 |
| United | 15 |
| | 106 |
| Unattached | 6 |
| | 112 |

## Government of Orissa

**Governor**—Sir John Austen Hubback, K. C. S. I., I. C. S. (Appointed April 1, 1937)

**Council of Ministers** (Congress)

(1) Hon. Sri Biswanath Das, B. A., B. L. Chief Minister (Home & Finance)
(2) Hon. Sri Nityananda Kanungo, B. A. B. L. (Revenue, Public Works and Develpment)
(3) Hon. Sri Bodhram Dube, M. A. B. L. (Education, Law and Commerce and Local Self-Government)

**Parliamentary Secretaries**

(1) Sri Jadumoni Mangaraj, B. Sc. (Nal) (Finance and Publicity)
(2) Sir Jagannath Misra, B. A., B. L. ((Revenue and Public Works)
(3) Sri Rajakrushna Bose (Education and Local Self-Government).
(4) Sri Radhakrushna Biswasroy. (Law and Commerce).

**Numerical Strength of Parties**

| | |
|---|---|
| Congress | 37 |
| Opposition | 23 |
| | 60 |

## Government of Sind

**Governor**—Sir Lancelot Graham K. C. S. I., K.C.I.E., I.C.S. (Appointed April 1, 1936)

**Council of Ministers**

(Sind United Party with Congress Support)
(1) Hon. Khan Bahadur Allah Baksh Haji Mohammed Umar O. B. E. *Prime Minister, Finance, Home, General, Legal Political* and *Miscellaneous Departments.*
(2) Hon. Pir Illahi Bakhsh Nawazalishah M. A., L. L. B., (*Revenue*).
(3) Hon. Mr. Nichaldas V. Visarani, (*Public Works, Public Health & Medical*)

**Numerical Strength of Parties**

| | |
|---|---|
| *Govt. Supporters* :— | |
| Sind United Party | 18 |
| Congress Group | 9 |
| Hindu Independent Party | 11 |
| European Group | 3 |
| Independent | 1 |
| | 43 |
| *Opposition* :— | |
| Democratic Party | 13 |
| Others | 2 |
| | 15 |

( On account of changing political situations, exact strength of each group can not be ascertained. )

Maler-Kotla, Nawab of
Mandi, the Raja of
Manipur, The Maharaja of
Morvi, The Thakur Sahib of
Narsingarh, The Raja of
Panna, The Maharaja of
Puddukotta, The Raja of
Radhanpur, Nawab of
Raigarh, The Raja of
Sailana, The Raja of
Samthar, The Raja of
Sirmur (Nahan), The Maharaja of
Sitamau, The Raja of
Suket, The Raja of
Tehri, The Raja of

**Salutes of 9 Guns**

Balasinor, Nawab of
Banganapalle, Nawab of
Bansda, Raja of
Baraundha, Raja of
Bariya, Raja of
Bhor, Pant Sachiv of
Chotta Udaipur, Raja of
Danta, Maharana of
Dharampur, Raja of
Dhrol, Thakur Saheb of
Jawhar, Raja of
Kalahandi, Raja of
Kenk Tung, Sawbawa of
Khilchipur, Rao Bahadur of
Kishan & Socotra, Sultan of
Lehaj, Sultan of
Limdi, Thakur Saheb of
Loharu, Nawab of
Lunawada, Raja of
Maihar, Raja of
Mayurbhanj, Maharaja of
Mong Nai, Sawabawa of
Mudhol, Raja of
Nagod, Raja of
Palitana, Thakur Saheb of
Patna, Maharaja of
Rajkot, Thakur Saheb of
Sachin, Nawab of
Sangli, Chief of
Sant, Raja of
Savantvadi, Sardeasi of
Sahapur, Raja of
Shehr & Mokalla, Sultan of
Sonpur, Maharaja of
Wadhwan, Thakur Saheb of
Wankaner, Raja Saheb of
Yawnghwe, Sawabwa of

# CHRONICLE OF EVENTS

## JANUARY—JUNE 1938

**3rd.** H. E. The Viceroy, Lord Linlithgow, opened the Silver Jubilee Session of the Indian Science Congress in Calcutta held under the presidency of Sir James Jeanes. In the course of his presidential speech, Sir James paid a glowing tribute to the Indian Scientists: Ramanujam in pure mathemtics, Sir Venkata Raman in Physics, Dr. Meghnad Saha in astrophysics, Chandra Sekhar in astronomy and late Sir Jagadish Chandra Bose.

Mr. F. V. Wylie succeeded Sir Hyde Gowan as Governor of the Central Provinces and Berar.

An optimistic reference to the new regime in the provinces was made by the Viceroy in a speech at a dinner of the European Association in Calcutta.

**4th.** An important measure of constitutional reform in the direction of associating the people directly with the administration of the State was announced by H.H. the Maharaja of Cochin at his birth-day Darbar. According to this announcement His Highness will nominate an elected member of the State Legislature to be the Minister for Rural Development and to assist the Dewan, holding office during His Highness's pleasure.

A Muslim Women's Conference and an Exhibition of Arts and Fancy Fair were held under the auspices of Majamaul Banat, Calcutta, under the presidency of Begum Mohammad Hasan, wife of the late Finance Minister of Rampur State.

The Congress Working Committee adjourned after resolving to enforce disciplinary action against Congressmen who do not adhere to the Congress ideal of Non-violence—special reference to the Bihar Kisan Sabhas.

The Cotton Committee appointed by the All India Congress Committee submitted its report.

Indian Roads Congress at Secunderabad suggested that the interests of the agriculturists should on no account be ignored in the matter of road construction.

**5th.** The question of relieving unemployment among the released detenus was discussed at a Conference held at Writers' Buildings, Calcutta, between representatives of Commerce and Industry and Bengal Ministers.

Mr. Jinnah speaking at Allahabad urged the settlement of the minorities issue —the first step essential for establishing communal harmony.

Mr. Nehru's statement on the minorities question was generally welcomed.

**6th.** Sir Mahomed Yakub appointed temporary member of the Viceroy's Council in the place of Sir Mahomed Zafrullah Khan.

Mr. Harold Butler, Director of the International Labour Office, Geneva, gave his impressions of the industrial conditions in India at a Dinner party in Bombay.

**7th.** Lord Brabourne opened the Indian Statistical Conference in Calcutta, and emphasized the importance of statistical analysis.

Dr. A. M. Heron, presiding at the Mining, Geological and Metallurgical Institute, pointed out that the chief aim of the Geological Survey of India was the development of the country's mineral resources.

The Congress Socialists, at a meeting in Bombay, expressed their dissatisfaction concerning the Congress Working Committee re. Congress Ministries and threats of disciplinary action.

The Hon. Mr. B. G. Kher presided over the Bombay Cabinet meetings: H. E. the Governor, foregoing his right of presiding over meetings of the Cabinet, asked the Prime Minister to preside over them as in England.

**8th.** The 4th session of the Bengal Labour Conference opened: facilities given for registration of Trade Unions were referred to by the Labour Minister.

**9th.** The Indian Science Congress concluded its session in Calcutta.

Indian Statistical Conference held in Calcutta urged the need of reliable statistical records for an effective economic planning of a country.

Jail Reforms Committee in the United Provinces submitted its report recommending to start a school for training the jail staff in mental science and diseases.

In response to the Congress President's appeal, the China Day was observed throughout India.

**10th.** H. E. the Viceroy arrived in State in Madras—Addresses were presented by the Europern Community and planters, the Chamber of Commerce and three

Muslim Associations. Replying His Excellency dwelt on Federation, importance of its early realisation and no change in Rupee ratio.

A peasants' march to the Council Hall in Bombay : a list of grievances placed before the Premier,

Death of Mrs. Matilal Nehru at Ananda Bhawan, Allahabad.

The Bombay Premier moved a resolution in the Assembly opposing the introduction of Federation.

Railway Board report for 1936-37 : the emergence of the railways in India from a long period of depression.

A suggestion was made for a joint session of the Assembly and the Council of State over the Insurance Bill and for the appointment of a Committee of officials and non-officials to examine books and periodicals banned under the Sea Customs Act since 1921.

**11th.** The Bombay Legislative Assembly by a big majority passed a resolution opposing the introduction of Federation.

Mr. Rajendra Prosad issued a statement on the Kisan Congress differences in Bihar.

The case for the Workers was presented at the renewed hearing of the labour inquiry at Cawnpore.

**12th.** Mr. Subhas Chandra Bose, interviewed in London, expressed the Congress attitude towards the Indian Constitution.

The Customs and Central Excise returns showed that Indian trade position was sound.

An important ruling, permitting Parliamentary Secretaries to reply to questions put in the Assembly, even when the Ministers concerned were present in the House, was given by Mr. Mavalankar, speaker of the Bombay Assembly.

**13th.** Sir David Meek's report on the working of the office of India's Trade Comissioner in London, showing that India shared in the world trade revival and that her economic position in 1936-37 was most reassuring.

The Reserve Bank report clarified the bank's constitution and functions.

Mr. K. M. Munshi, Home Minister, Bombay, in a statement in the Assembly defended the Government action at Ahmedabad and Sholapur and condemned violence.

A statement made by Mr. A. K. Fazlul Huq on the Bengal Education Bill to the effect that the draft was sent to the University for suggestions.

The Assam Premier issued a statement on the demand for a reduction in the land revenue of the province.

**14th.** The speaker of the Punjab Assembly referred to the problem of too many adjournment motions which hampered the legislative business of the House.

Nine of the accused in the Communist Conspiracy Case sentenced at Calcutta to various terms of imprisonment.

The employers agreed to submit information on the wage position to the Cawnpore Labour Enquiry Committee.

Mahatma Gandhi appealed to the hunger striking prisoners in the Punjab to give up their fast.

**15th.** Addressing the U. P. Liberal Association, Lord Samuel said he did not agree that the maxim--liberty, security and property of the Indian Liberals was adequate.

The U. P. Congress party executive's legislative plan : the Premier to decide the Chief Whip's position in the U. P. Legislature and the Chief Whip to nominate another whip to assist him in the Lower House.

Retaliation against any country which discriminates against Indians, is provided in the Overseas Indian Reciprocity Bill.

**16th.** Seven persons were killed and fourteen injured when an E. I. Rly. Express collided with a goods train near Allahabad.

Death of Mr. Heramba Chandra Maitra, a well-known Bengal Educationist.

Pandit Jawhar Lal Nehru, addressing the U. P. delegates to the Congress, condemned party squabbles in the United Provinces and referring to Mr. Jinnah's statement on the communal question said that Congress had its basic principles regarding minorities.

Death of Sj. Sarat Chandra Chatterjee, the well-known Bengali novelist.

Mr. Subhas Chandra Bose unanimously recommended by all Provincial Congress Committees, for the Presidentship of the Haripura Session of the Congress.

**17th.** The election of Nawab Sir K. G. M. Faroqui to the Bengal Assembly declared void by a special tribunal.

The Punjab Assembly passed the supplementary demand for grants for 1937-38.

The U. P. Sugar factories control Bill referred to Select Committee.

The Bombay Council adopted a resolution recommending the appointment of a Committee to inquire into the unemployment problem.

Slum conditions in Cawnpore were discussed at the resumed sitting of the Cawnpore Labour Inquiry Committee.

Forty members of the Orissa Provincial Congress Committee walked out of the meeting held to elect office-bearers.

Dr. Moonje, the Hindu Mahasabha leader in a statement, said that the Mahasabha must be consulted before any pact for Communal Settlement was made with the Muslim Leaguers.

Mr. Jai Prakash Narayan, Secretary of the All India Congress Socialist Party, addressing a meeting at Patna said that Gandhiji's ideas were too old and should be replaced by new ones.

**18th.** Mr. Subhas Chandra Bose elected President of the Indian National Congress.

Their Excellencies the Viceroy and Lady Linlithgow arrived at Hyderabad from Madras.

The Bombay Assembly passed a resolution expressing the opinion that the conferment of titles in the Presidency should be discontinued.

The Court Fees Amendment Bill was criticised in the United Provinces Assembly.

Lord Lothian met Mahatma Gandhi at Shegaon.

At a State banquet in Hyderabad given in honour of the Viceroy's visit, the Nizam referred to the All India Federation Plan—to the creation of a greater India.

**19th.** The Speaker of the U. P. Assembly, giving a ruling, stated that he would participate in politics, thereby following the French and American conventions and not the British convention. The Assembly passed an anti-titles resolution, following Bombay's lead.

**20th.** Provincial Financial Ministers confer with the representatives of the Finance Department of the Government of India at Delhi, presided over by Sir James Grigg, Finance Member, Government of India.

Mr. M. N. Roy, the well-known Socialist leader returned to Bengal after 25 years.

The United Provinces Assembly, after a heated debate, passed a resolution opposing the inauguration of the Federation.

**22nd.** Speaking at a lunch given in his honour at Madras, Sir Shanmukham Chetty, Dewan of Cochin, stated that the working of the dyarchy in Indian States was a stepping stone to full responsible Government.

An appeal for an honourable settlement of the Communal problem made by Maulana Shaukat Ali.

**23rd.** Mr. Subhas Chandra Bose's arrival at Karachi from England.

Lord Lothian described the Federal ideal as a boon to India in his Convocation address at Aligarh.

The Dacca University decided to establish an employment bureau.

**24th.** A refresher Course for teachers, the first of its kind ever held in Calcutta, opened at the St. Xavier's College under the presidency of Mr. J. M. Bottomley, Director of Public Instruction, Bengal.

Mr. Subhas Chandra Bose, reviewing the political situation in India, stated that he was not opposed to the idea of Federation on principle but he was opposed to the scheme of Federation as proposed in the Government of India Act, 1935. He wanted Federal Republic for India.

A bill to remove the disabilities of the Harijans in regard to worship in temples, was introduced in the Bombay Assembly.

**25th.** The Bengal Legislative Council passed a Bill seeking to set up a Famine Fund for the province.

The Punjab Assembly rejected a motion recommending the Government to take immediate steps "to concede the demands of the hunger strikers in the Punjab jails and to effect their release."

Mr. Subhas Bose and Mr. M. N. Roy had a long talk in Calcutta on the present political situation in the country.

A public meeting held in Calcutta protested against the Jinnah-Rajendra Prosad pact for a communal settlement.

**26th.** "Independence Day" was observed all over India.

Mr. Jawaharlal Nehru, in a speech at Bannu, criticised the 'forward policy' in the Frontier.

**27th.** The India Government addressed a letter to provincial Governments on the question of alteration of the system of recruitment to Government posts and the possibilities of alleviating unemployment.

The Madras Assembly rejected a proposal to defer consideration of the Agricultural Debt Relief Bill.

Lord Samuel, broadcasting from New Delhi, said that he found India seething with activity.

**28th.** The Bengal Legislative Council passed a resolution asking for the formation of a permanent Bengali unit in the Indian Army.

The Calcutta Corporation passed a resolution recommending to the Government that military training be given to Indians as a means of protection in case of foreign invasion.

**29th.** The Sugar Factories Control Bill passed by the United Provinces Assembly.

At a meeting of the Bengal Millowners' Association the Chairman described how labour strike had led to a considerable decrease in production.

The Central Advisory Board of Education concluded its session after appointing a sub-committee to report on the Abott Wood report and the Wardha scheme.

**30th.** The Bengal Provincial Conference adopted a resolution opposing Federation.

The Hon. Sir N. N. Sircar had discussions with the members of the Congress Party on the Insurance Bill.

**31st.** The Budget Session of the Central Assembly commenced.

Agriculturist Debt Relief Bill passed by the Madras Assembly.

## FEBRUARY. 1938

**Chief Events :—Hunger strike of political prisoners in several provinces—Congress Working Committee Opposition to Federation—Ministerial Crisis in Behar and United Provinces—Annual Session of the Indian National Congress at Haripura.**

**1st.** The Madras Council passed a resolution opposing the Federal scheme in the new constitution.

The Central Assembly passed the 3rd. reading of the Army Manoeuvres Bill. The House also passed the Companies Act Amendment Bill further amending the Indian Companies' Act with Mr. Bhulabhai Desai and other party leaders. The Bill sought to remove certain errors which had crept into the Act when it was extensively amended in 1916.

**2nd.** The Bengal Finance Minister made a statement in the Legislative Council on the subject of the agreement between the Government and the Reserve Bank.

The Minister for Agriculture and Industries said that the Bengal Government will take early steps to develop the use of jute in the handloom industry.

**3rd.** The Congress Working Committee met at Wardha under the presidency of Mr. Jawharlal Nehru. The Premiers of the seven Congress provinces, if they could con-

veniently come, were invited to attend. Sri Rajagopalachari and Sri N. B. Khare attended.

The Congress Working Committee considered the situation arising out of the hunger strike of the political prisoners in several provinces and passed a resolution to that effect: "The Committee trusts that with the strenuous and unceasing efforts of Mahatma Gandhi and the vigilance of public opinion, the question of release will be satisfactorily solved at an early date and hopes that all detenus and political prisoners will co-operate to this end by exercising patience and self-restraint and that the public will do likewise by maintaining an atmosphere of non-violence".

The Central Assembly passed Diwan Lalchand Navalrai's Child Marriage Restraint Amendment Bill which penalises British Indian subjects performing marriages of minors in territories outside British India.

**4th.** In the Central Assembly the need for the utilization of Indian talent in the development of the country's industries was emphasized in a resolution.

The Working Committee of the Congress passed a resolution reiterating its opposition to Federation.

**5th.** Mahatma Gandhi and Mr. Nehru, on behalf of the Congress, wrote to Mr. Jinnah asking for a definite statement of the League's demands.

The Congress Working Committee's resolution on Federation reiterated opposition to the scheme embodied in the India Act and called on the Congress Committee, the people and the Provincial Governments to prevent its inauguration.

The Orissa Premier speaking in the Assembly referred to the opposition move to wreck the Madras Estates Land (Orissa Amendment) Bill which was passed by the House.

Mr. Sarat Bose opening the Berar Political Conference criticised the constitutional position of Berar under which it owes allegiance to the Nizam but is included in the administrative system of C. P.

**6th.** The Working Committee of the Congress decided not to set up Congress organization in Indian States.

**7th** The C. P. Government made arrangements for imparting agricultural training in Schools.

The Sugar Factories Control Bill passed by the United Provinces Assembly.

The Women's Industrial Arts and Crafts Exhibition at the Nari Sikha Samiti, Calcutta, opened by the Lady Brabourne.

The Budget session of the Bengal Assembly opened.

Mr. Subhas Bose, in a statement, condemned the Bengal Ministry's refusal to allow the Calcutta Corporation to buy the electricity undertakings within the municipal limits.

**8th.** The Central Advisory Board discussed both the Abbot-Wood Report and the Wardha Scheme at Delhi.

The Central Assembly considered amendments to the Insurance Bill made by the Council of State. Congress party moved half a dozen amendments of which three were accepted.

The Imperial Indian Citizenship Association sent a telegram to the India Government on the reports about the reservation of the Kenya Highlands for European settlement.

**9th.** The Central Assembly adopted the motion for the circulation of the Bill to amend the Indian Railways Act.

Sir Thomas Stewart moved that the Bill to amend the Indian Railways Act of 1890 be taken into consideration. Sir Thomas explaining the object of the Bill, stated that it was intended to give the statutory recognition exercised by the Central Government to fix the maximum and minimum fares for railways.

**10th.** Mahatma Gandhi opened the All India Khadi and Village Industries Exhibition at Haripura.

The Central Assembly discussed the motion for circulation of the Bill to amend the Child Marriage Restraint Act. A large number of visitors, the majority of

whom being of the fair sex, heard a good deal about boys, girls, early marriage, consummation, puberty and so on, in this connection.

H. M. The King Emperor postponed His visit to India indefinitely.

**12th.** Ajmere Merwara to be amalgamated with United Provinces was the opinion of a Committee appointed by the Ajmere Marwara Provincial Congress Committee.

**13th.** Rousing ovation was accorded to Sj. Subhas Bose as he set out from Haripura to Vithalnagar in a historic chariot drawn by bullocks.

**14th.** The Railway Budget presented to the Central Legislature revealed a surplus of about Rs. 2 and three-fourth crores.

The Working Committee discussed proposals for certain changes in the Congress constitution.

The Bengal Legislative Council referred the Bengal Tenancy (Amendment) Bill to a select committee.

Mr. Jawharlal Nehru, in the course of his Annual Report of the Indian National Congress said that India would unhesitatingly join in economic sanctions against an aggressor nation, subject to the Congress policy of non-violence.

Hon. Mr. Srikrishna Singh ordered release of all political prisoners and suggested that the Ministry might resign if the Governor interfered with their decision.

**15th.** The Bombay Government started their six weeks' experiment of prohibition in Bardoli.

The Central Assembly carried a resolution demanding a standing committee of members of the Central Legislature to advise on Indian Army matters.

The Bihar and United Provinces Ministry resigned over the question of release of political prisoners. Opinion in the country was strongly backing the ministers who were being congratulated on their bold stand. The Governor-General interfered under section 126 of the Government of India Act which, according to him, authorises interference when there is a grave menace to peace and tranquility.

**16th.** The Jute restriction scheme was severely criticised in the Bengal Legislative Assembly.

Mahatma Gandhi issued a statement on the ministerial crisis in U. P. and Behar which was both an appeal and warning.

**17th.** The Subjects Committee of the Congress passed the resolution on Federation at Haripura: The Congress to reject the new constitution and declare that a constitution for India, which can be accepted by the people, must be based on independence and can only be framed by the people themselves by means of a constituent Assembly.

**18th.** The Congress Working Committee formed a Sub-Committee of four to discuss with Mahatma Gandhi the various aspects of the constitutional crisis.

**19th.** The Congress Working Committee passed a resolution on the constitutional impasse, requesting the Viceroy to reconsider his decision.

Mr. Subhas Chandra Bose's presidential address at the Indian National Congress held at Haripura in Gujarat.

**20th.** The open Session of the Haripura Congress passed resolutions relating to minority rights, States subjects, national education and Kenya.

All India Political prisoners' Conference at Haripura.

**21st.** Congress Session at Haripura concluded.

The Congress Subjects Committee concluded its session after discussing several changes in the constitution.

**22nd.** Mr. Subhas Chandra Bose addressed the All India Congress Committee.

The Bengal Budget was criticised in the provincial Assembly.

**23rd.** Mahatma Gandhi issued a reply to H. E. the Viceroy's statement on the Ministerial crisis in Bihar and U. P.

**24th.** The Viceroy had an investiture Durbar at New Delhi.

General discussion on the Bengal Budget concluded in the Assembly.

**25th.** The Constitutional crisis in the United Provinces ended following the meetings between the Governor and the Premier.

**26th.** The Bihar Cabinet withdrew its resignation.

**27th.** The Bengal Communal Unity Conference held at Murshidabad, under the presidency of Nawab of Murshidabad.

The Dewan of Travancore issued a statement regarding constitutional advances and the grant of responsible government in the State.

**28th.** The Bombay Provincial Moslem conference, held at Ahmedabad, asked for definite assurances from the Congress for safeguarding the rights of the community in its move for the settlement of the communal question.

The importance of Urdu to the culture of India was referred to in the Urdu Poets' conference held in Lucknow by Sir Tej Bahadur.

A large number of peasants decided to march on Lucknow on the 1st. of March, to place their grievances before the Premier.

Replying to a question on the demand made by certain Provinces for a Constituent Assembly, Earl Winterton said in the House of Commons : "The Imperial Government under the Government of India Act, continues to be responsible for determining the nature of the future Government of British India".

## MARCH 1938

**Chief Events :**—Financial statement of the year presented in Provincial Councils showing deficit in some and surplus in others—Storm over the Budget in the Central Assembly where 50 out of 80 demands for grants were rejected—Prohibition Bill introduced and passed in the provinces and States—Moslem agitation over the Calcutta University Crest—Mahatma Gandhi in Calcutta negotiating release of Political Prisoners.

**1st.** A political storm apprehended in the Central Assembly, following the Government's decision to omit the votable items in the current year's Budget, relating to defence and foreign affairs—opposition led by Mr. Bhulabhai Desai.

A peaceful Kishan demonstration in front of the Chamber in Lucknow : an exciting preface to the opening of the Budget Session of the U. P. Assembly.

The Federal Court was the subject of a question by Mr. Anantha Sayanam Ayyanger. Sir Henry replied by stating that the Court was engaged in framing its rules and met regularly to dispose of administrative matters.

The Orissa Budget estimates for 1938-39 presented by Mr. Biswanath Das, Premier & Finance Member, showed a deficit of Rs. 2,48 lakhs. The revenue for the year estimated at Rs. 192,08 lakhs and expenditure at Rs. 194,56 lakhs.

Bengal Legislative Assembly : the want of a proper appreciation of the powers and privileges of the two Houses of the provincial Legislature was evident in the Assembly, when the Famine Insurance Fund Bill and the Legislative Chambers (President's and Speaker's Salaries) Bill as amended by the Council came up before it for consideration.

The Madras Budget for the year 1938-39, presented by Mr. C Rajagopalachari revealed a surplus of Rs. 12,000 Revenue estimated at Rs. 15,98,21,000 and Capital expenditure at about Rs. 1,34,00,000 the Punjab Budget for 1938-39, presented by Mr. Monohar Lal, Finance Member showed a surplus of over Rs. 50 lakhs.

The N. W. Frontier Province Budget for 1938-39, showed a revenue deficit of Rs. 6.63 lakhs and expenditure at Rs. 186,68 lakhs.

Mr. Jawhar Lal Nehru, addressed 50,000 Kisans, who marched to the U. P. Assembly Chamber ; they were advised to be true to the tricolour.

**2nd.** The storm over the Budget burst in the Central Assembly. After consultations between various opposition groups, united action was decided upon as a protest against the decision to omit from the votable items in the Budget those relating to defence and foreign affairs. Mr. Bhulabhai Desai announced the common decision of the Opposition Groups to the effect that they would take no part

in the general discussion of the Budget, would without speaking vote down all demands for grants and follow the same course when the Finance Bill would come up for consideration.

In the Council of State (Delhi) an authoritative decision on the limitations imposed on the right of putting supplementary questions was announced by Sir Manekji Dadabhoy re: some questions of Pandit H. N. Kunzru. Sir Manekji stated that supplementaries were intended only to clear up any ambiguity in reply given or to extract any further information on the subject dealt with in reply.

The Indian Central Jute Committee's annual meeting concluded in Calcutta, after deciding the programme of work for the next official year.

The Central Provinces Budget showed a surplus of Rs. 81,000.

The Bengal Legislative Assembly passed the Cruelty to Animals (Amendment) Bill, which penalizes the practice of phooka.

The Assam Assembly passed the entire demands for grants under police, education, public health and registration.

**3rd.** Sardar Patel explained the Haripura Congress resolution on work in Indian States in Bombay. He said that there could be no Parliamentary activity of any kind in the name of the Congress in any State from the date of the passing of the resolution at Haripura.

A sum of Rs. 1 crore was announced to be spent by the U. P. Government on rural and nation-building schemes, according to the Budget.

The Bengal Assembly passed the Government Bill for the renewal of 4 of the 5 taxation measures passed in 1935:—the Electricity Duty Act; Indian Stamp (Bengal Amendment) Act; Court Fees (second Amendment) Act; and the Amusements Tax (Amendment) Act which are expected to yield a total revenue of Rs. 27 lakhs per annum.

In the Central Assembly, the Commerce Secretary Mr. H. Dow, replied to questions put by Mr. Avinashilingam Chettiar, about the difficulties felt by the Indian exporters. Mr. Dow stated, inter alia, that during the 9 months ended December 1937, the balance of trade with Japan was adverse to India by about Rs. 293 lakhs due mainly to heavy fall in India's exports of raw cotton to Japan.

**4th.** The Central Legislative Assembly concluded discussion of Mr. A. G. Dow's Workmens' Compensation Act Amendment Bill.

Professor Ranga's amendment proposing extension of the Act to persons employed in operations for catching or hunting of elephants or wild animals, was accepted by Government and passed.

The U. P. Assembly discussed the Premier's motion relating to the participation of the Speaker in politics. The Premier moved: "This House is of the opinion that any hon. member who is elected as its speaker should not be handicapped in his public activities in consequence of his election as speaker and that he should be free to take part in political affairs outside the House in his discretion".

The Secretary of the Bengal Council read a message from the Assembly to the effect that the Lower House had not agreed to the proposal to raise the Salary of the Upper House.

The Bengal Legislative Assembly passed the Public Demands Recovery (Amendment) Bill.

The Assam Assembly refused the supplementary demand for grant of Rs. 14,000 for the continuance of the two offices of the Divisional Commissioners.

In the C. P. Assembly, a Bill proposing new taxation on trades and professions was referred to a select Committee.

In the Council of State, the Finance Secretary revealed that the Finance Department had not been consulted on the change in the Finance Bill procedure.

Prohibition, as an experimental measure, was announced to be introduced in certain districts of the Punjab.

**5th.** The Central Assembly rejected 50 out of a total of 80 demands for grants, moved by Finance Member,—representing many crores of rupees of essential expenditure under various heads. On eight occasions the Government demanded a division and in each case the Opposition had a majority varying from 18 to 24.

The Bihar Budget presented in the Assembly showed a small net surplus of Rs

1 and one-fourth lakhs : expenditure had been kept down at a low level in order to secure a balanced Budget.

The U. P. Legislative Assembly, after debating the subject for two days, passed the resolution that the Speaker should be free to participate in political affairs outside the House in his discretion.

Sir Raza Ali, fromer Agent General to the India Government in South Africa, received a letter from General Smuts, re : Indian and South African problems and racial developments in the latter country. In his letter, General Smuts remarked, "When India in the near future takes her full place at the round table of the Commonwealth, she will afford yet another justification for our faith in human nature and in the ideal of democratic freedom, which are to-day somewhat under a cloud".

**6th.** Mr. Subhas Chandra Bose, Congress President, in a statement on the boycott of Zanzibar cloves, said : "I appeal to dealers in cloves, both wholesale and retail, to hand over to the Congress Committees any stock of cloves they might still be possessing."

Lt. Col. E. J. D. Colvin, Resident of the Gujarat States, at a States Banquet at Bansda, paid a tribute to the Ruler for his work for the moral and material progress of his people.

The Imperial Forest Research at Dehra Dun submitted a note to the Tariff Board urging the need for protection to the paper industry, laying special stress on the present position of the paper industry and the possibilities of its future development.

**7th.** In the Central Legislative Assembly, the Opposition rejected the remaining 90 out of the 80 demands, according to plan as a protest against the exclusion from the voted list of part of the expenditure on Defence and External affairs.

In the Legislative Assembly, Sir G. S. Bajpai (Secretary, Education, Land and Health Department) in answer to Mr. Avinashilingam Chetty, said that the Indian Central Cotton Committee set apart Rs. 30,000 to explore the possibilities of manufacturing artificial silk : how the money was proposed to be spent was a supplementary question.

In the Bihar Assembly Mr. Jugial Choudhury introduced the Prohibition Bill ; the Bill modelled on the Madras enactment.

In the Bombay Assembly, there was a discussion regarding the suspension of the prison sentence of two persons : the Governments' action was characterised by Mr. Jamnadas Mehta as "interfering with the independence of the High Court of Bombay"—Mr. K. M. Munshi, Minister for Law and Order said in his reply, that once a High Court had convicted a man he became a prisoner of the Government. The Government were authorised to release prisoners by suspending for the time their sentences, if a case for their release was made out.

The report of the Women's Education Committee published, on a reference by the Central Advisory Board of Education, as to what should be the curriculum of girls' primary schools in India.

In the House of Commons, Lord Stanley, under Secretary of State for India, stated in answer to Mr. Jagger, that he would not intervene in the dispute over the Budget procedure between the Govt. of India and the opposition parties, and that opportunities were still available for the Assembly to discuss and criticise defence policy and that the India Secretary, Lord Zetland saw no reasons for addressing the Govt. of India.

**9th.** The Central Legislative Assembly rejected the motion for the consideration of the Finance Bill after the Finance Member had announced that H. E. the Governor General had restored the Budget grants in full.

Sardar Vallabhbhai Patel, in the course of a statement, pleaded for the carrying out of the settlement arrived at between employers and labour at Ahmedabad.

In the Bengal Assemby, a motion for a token cut of Rs. 100 from the demand General Administration, sponsored by the Congress Party, was lost by 125 votes to 62. Mr. Pramatha Nath Banerjee, who proposed the cut, criticised the Government for its failure to effect retrenchment in the administration. He was supported by several Congress and Coalition members.

In the C. P. Assembly Dr. E. Raghabendra Rao, a former acting Governor of C. P., was asked by the Speaker of the Assembly to leave the chamber following his refusal to withdraw certain remarks.

**10th.** In the Central Assembly, a full statement as to the stage which has been reached regarding the possible accession of Indian States to Federation and the facts and considerations which govern the conduct of negotiations with the Rulers for this purpose, was made by Sir James Grigg, in the absence of Sir N. N. Sircar (Law Member). According to the provisions of the Government of India Act of 1935, ran the statement, the Federation of India Act can be established only if the requisite number of Rulers of States as laid down in the Act, accede by executing the Instrument of Accession, which His Majesty accepts, and after each House of Parliament has presented an address to His Majesty praying him to declare by proclamation that there shall be united in a Federation of India the Governors' Provinces and the acceding Indian States. It will then be lawful for His Majesty to make the proclamation establishing the Federation in which the Chief Commissioners' Provinces will also be included.

In the Council of State, there was a discussion on military expenditure: Pandit H. N. Kunzru and Syed Hosain Imam of the Progressive Party suggested several ways of redistributing defence expenditure and at the same time, work for a reduction of military expenditure.

In the C. P. Assembly, there was unanimous support for the Prohibition Bill.

The Indian Legislative Assembly rejected the Finance Bill recommended by the Viceroy by 68 votes to 46. This marked the end of the Finance Bill in the Lower House. The Bill was thereafter placed on the table of the Council of State with the certification of the Governor-General.

In the Bombay Assembly, an interesting point regarding the privileges of Parliamentary Secretaries was raised: the Speakar said that he had given his ruling that a Parliamentary Secretary with the authority of the Minister-in-charge could speak on behalf of the Government. But when the Minister was present and the Parliamentary Secretary had no authority to speak on behalf of the Government, he could speak in his individual capacity.

**11th.** In the Bengal Assembly, the plan of a Commission to inquire into Bengal's Land Laws was subjected to a close scrutiny. A debate was raised, criticising the constitutions and terms of reference of the proposed Land Revenue Commission. Mr. A. K. Fazlul Huq, the Premier, and Sir B. P. Singh Roy, the Revenue Member, explained how the matter stood and repudiated the suggestion that on this question the Government were proceeding in a hole and corner fashion.

In the Bombay Assembly, the Government spokesman, Hon. Mr. K. M. Munshi, Minister for Law & Order, stated that the proposed volunteer crops set up to assist the Police would not pursue Congress propaganda.

In the Bengal Legislative Council, keen resentment was expressed at the manner in which the Legislative Assembly had refused to consider the amendments proposed by the Upper House to the Bengal Legislative Chambers (President's and Speaker's Salaries) Bill.

Bhai Paramanand, the Hindu Mahasabha leader, addressing a gathering at Nagpur, said that the task of rejecting the Federal constitution was futile.

**12th.** The Calcutta University decided to modify the design of the University crest so as to represent a full blown lotus with a lotus bud in the centre, surrounded by the rays of the Sun, the whole encircled by the University motto, "University of Calcutta—Advancement of Learning."

Dr. P. F. Russel, Malaria Investigation officer, Rockfeller Foundation, in address the Madras Rotary Club on Malaria, emphasized the fact that it was devitalising the effect of malaria rather than its comparatively low fatality rate which made the disease the scourge of India.

**13th.** Mr. Subhas Chandra Bose in a speech in Calcutta said that the psychological moment had arrived when Indians should press their united demands on the British nation who, at the present moment, were powerless to resist them.

The Gwalior Legislative Council passed a Bill for the introduction of prohibition in the whole State.

**14th.** The Mysore Government formed a Political Affairs Committee to deal with questions relating to Mysore joining the proposed Federation.

All Bengal Political Prisoners' Day: In support of the Congress demand for the immediate and unconditional release of detenus and political prisoners, a demonstration was held in Calcutta, under the chairmanship of Mr. Subhas Chandra Bose, President of the Congress.

An account of the activities of the Anglo-Indians and Domiciled European Federation was given at the annual meeting of that body held in Calcutta.

Useful devices for improving agricultural methods and farming in India were discussed by the advisory body and ancillary Committees of the Imperial Council of Agricultural Research at Delhi.

**15th.** In the Bengal Assembly, the Home Member informed the House that terrorism was not quite dead, secret propaganda continued and arms remained hidden away.

The Bengal Legislative Assembly voted without a division the Home Minister's demand for the grant of Rs. 20,789,000 for expenditure under the head Police.

The Kathiawar States jointly considered the question of their entry into the Federation.

In the United Provinces, the establishment of 40 centres for spreading education in each district, according to a scheme being considered by the Education Minister.

**16th.** At the Behar Provincial Muslim League Conference, Mr. S. A. Aziz, President, made an appeal to Congress to meet the demands of minority communities.

In the Punjab Legislative Assembly, the Premier, in a statement, declared that the Cabinet were prepared to resign, if the verdict of the House went against them on the Shahidganj issue.

**17th.** In the Punjab Assembly, the Congress members walked out of the House, following a remark by the Premier that 90 per cent. of the bad characters had joined the Congress. This was subsequently repudiated by the Premier.

In the Bengal Assembly, considerable heat was introduced into the proceedings, when the demand for grant for Education came up for consideration: The occasion for this was a remark by Mr. Hasan Ispahani, a member of the coalition party, who alleged that the Vice-Chancellor of the Calcutta University grve important University posts to his relations, who drew between them a lakh of Rupees in salaries. This caused an uproar among Congress members.

In the Bombay Assembly, the Minister for Law and Order announced the unwillingness of the Government to remove the ban on books which directly incited communal bitterness.

**18th.** Mr. R B. Whitehead, in his addeess at a general meeting of the Indian Mining Association in Calcutta, made a survey of the problem of the coal industry.

In the Bengal Assembly, during the discussion on the Education Budget, the Premier declared that it was not possible to introduce free compulsory primary education in the province without imposing a tax.

In the Bombay Assembly, the Speaker gave a ruling to the effect that an amendment to a statute could not be suggested while a cut motion was under discussion.

The Central Assembly passed the Trades Disputes Bill (as amended) and the Bill to amend the Hindu Women's Right to Property Act of 1937.

Mahatma Gandhi and the Home Minister of Bengal had a long talk on the question of release of political prisoners in Calcutta—records were shown to the Mahatmaji.

**19th.** In the Sindh Assembly, the party leaders met the Governor and discussed the situation created by the Ministry's defeat in the Assembly.

In the Bengal Assembly, the Government plans for resuscitation of dying rivers and waterways were explained.

**20th.** Mr. Subhas Chandra Bose called the Congress Councillors in the Calcutta Corporation pseudo—Congressmen and called for purge at a Calcutta meeting.

Mahatma Gandhi continued his negotiations with the Bengal Home Minister for the release of the remaining detenus and political prisoners.

**21st.** Bengal Congress leaders conferring with the leaders of the secession groups of the coalition party regarding the formation of a new ministry.

In the Council of State, all sections contributed to the debate raised in order to find work for the Federal Court in the form of Civil and Criminal appeals.

The Sindh Ministry resigned following an adverse budget vote, and the leader of the United Party formed a new Ministry in coalition with the Hindu Independent Party.

In the Bengal Assembly, the competence of the provincial legislature to consider measures regarding stamp duty and duty on consumption of electricity was questioned.

The Government of India issued a communique giving further particulars of trade agreement with South Africa and the events necessitating such an agreement.

The steps taken by the C. P. Government to improve the condition of agriculturists were explained by the Education Minister in the Assembly.

Mahatma Gandhi had an interview with Lord Brabourne in Calcutta, re: release of Detenus and Political Prisoners.

**22nd.** In the Council of State, there was a disturbance when the Finance Bill was taken up for consideration—the Opposition made a final protest against the removal of certain defence and external affairs grants from the votable list.

In the Orissa Assembly, the Premier made an announcement regarding the industrial policy of the Ministry.

In the Bihar Assembly, a Parliamentary secretary made a statement regarding the question of inadequacy of representation of Anglo-Indians in the services and the strictness of domicile rules.

In the C. P. Assembly, the whole of the Budget was passed.

The Council of State passed the Finance Bill as recommended by the Governor General.

In the Bombay Assembly, the Speaker gave a ruling to the effect that a member who had been hitherto speaking in English, could speak in any other language provided he felt that he could express himself better on the subject in that particular language.

**23rd.** Death of His Highness the Maharaja of Patiala.

In the Bengal Council, the President gave an important ruling on the Province's powers in respect of taxation, during the consideration of the Expiring Laws Bill.

In the Bihar Assembly, the policy of the Bihar Ministry regarding the improvement of public health in the province was outlined.

**24th.** The Bengal Legislative Council passed the Bengal Expiring Laws Bill of 1938.

The All India Moslem League resolved to assert itself as a definite party in the politics of the Central Legislature.

In the Bengal Legislative Assembly, two important Budget demands, one relating to Debt Conciliation Boards and the other relating to the Co-operative Department were passed.

Mahatma Gandhi, before leaving for Orissa from Calcutta, made an appeal to workers and the public not to hold demonstrations and meetings and the like and to the prisoners and detenus to be patient while negotiations on the question of their release were going on.

**26th.** Sir Maurice Gwyer stressed the need for freedom of thought in the course of his address at the Convocation of the Delhi University.

Mahatma Gandhi made a statement in the "Harijan" to the effect that the communal riots in Allahabad—headquarters of the Congress—and the necessity for summoning the police and even the military show that the Congress is not yet fit to substitute British authority in India. "The Congress claims", continues Mahatma Gandhi, "to represent the whole of India, not merely those few who are on the Congress Register. It should represent even those who are hostile to it and who will even crush it if they could."

The Bengal Government secured a large majority of 133 votes to 97 on the issue of prohibition.

The Calcutta University Senate approved the modification in the University's crest designed to allay communal susceptibilities.

A reference to closer contact between the business community and the Calcutta University with a view to finding careers for educated youth was made at the Bengal National Chamber of Commerce meeting.

**29th.** In the Bihar Council, Mr. Srikrishna Sinha (the Premier) replying to the general discussion on the Budget said that resuscitation of the village panchayat system, with a view to making the villages autonomous and homogeneous units, was the ideal which the Government was striving to achieve.

The Orissa Assembly carried by a large majority a resolution against Federation moved by Mr. Nityananda Kanungo, the Revenue Minister.

In the Sindh Assembly, a statement of the policy which the Sindh Cabinet would pursue was made. The Premier assured the House, that they would be guided by the national aspirations of the people of this country in accordance with the peculiar needs and circumstances of the Province.

**30th.** In the Bihar Assembly, the Education Minister stated that the Premier and he himself had undertaken to teach a batch of 30 persons each as their contribution to the voluntary service scheme designed to remove illiteracy from the masses.

At the annual meeting of the British Indian Association, the Maharajadhiraj of Burdwan dwelt on the duty of landholders towards their tenants.

**31st.** The Central Assembly passed the third reading of Mr. B. Das's Bill to amend the Sarda Act by 87 to 13 votes.

In the Bengal Council, considerable progress was made with the Tenancy (Amendment) Bill, when most of the controversial provisions of the Bill were passed in the form in which they had emerged from the Lower House.

## APRIL 1938

**Chief Events:—Mahatma Gandhi's talks with the Bengal Home Minister on the release of political prisoners continued—C. P. Law Minister's resignation on the issue of the release of a non-political convict—Income-Tax Amendment Bill discussed in the Central Assembly—Gandhi-Viceroy interview at Delhi—Gandhi-Jinnah-Nehru talks and correspondence on Hindu-Moslem Unity—Constitutional crisis in Orissa over the appointment of Governor.**

**1st.** The arrival of Mahatma Gandhi in Calcutta from Berboi (Assam).

In the Central Assembly, Mr. Satyamurti moved the following resolution: "The Assembly recommends to the Governor General in Council that no steps should be taken to conclude a fresh Indo-British Trade Agreement or any trade agreement of a similar nature without first consulting the Assembly"—after some discussion the resolution was eventually passed.

The U. P. Government's Prohibition Scheme came into force in the Etah and Mainpuri districts.

The Federation of the Indian Chambers of Commerce and Industry opened its eleventh session at Delhi.

In Calcutta, the Congress Working Committee met to consider the possibility of the Congress forming a Coalition Ministry in Assam.

In the Bihar Assembly, the Premier moved a Bill to implement the Congress-Zamindar agreement and part of the Government programme to afford relief to the tenants.

The Central Assembly carried two resolutions against the Government, the first urging the establishment of a University for Peshawar and the second criticising the secrecy of the Indo-British Trade negotiations.

In the Cochin Council, the Dewan and President stated: "It is the intention of the Cochin Government to request His Highness to promulgate a comprehensive Constitution Act for the State. The Act under which the Legislative Council is now functioning is an act which deals exclusively with the powers and responsibilities of the Cochin Legislature. But the new Act, we contemplate,

will be a more comprehensive Act containing provisions for the constitution of the Cochin Government".

**2nd.** The Congress Working Committee, in Calcutta, adopted a resolution on the subjects of discrimination against commercial enterprises in India.

Mahatma Gandhi's views were embodied in the resolution, as stated in the "Young India" and then amplified in the "Harijan" : "India has the right to discriminate, if that word must be used, against non-national interests whenever and wherever the interests of India demand or require it."

The Cochin Legislative Council passed a resolution recommending the abolition of untouchability in the State.

An indication of the extent to which the landlord element in the United Provinces will accept the Ministry's rent and land revenue proposals was given by the Nawab of Chhatari at a meeting of the Rent and Revenue Committee of the Legislature.

A rift in the Congress Socialist party announced in Lahore with the resignation of 23 members of that Party.

**3rd.** Mahatma Gandhi deprecated certain inaccurate press reports on his talks with Khwaja Sir Nazimuddin, Home Minister, Bengal, in connexion with the release of political prisoners and detenus.

The Congress Working Committee discussed in Calcutta questions regarding the formulation of a practical scheme for minimising communal disturbances, and the evolving of a formula for the Congress party in the Bengal Assembly to enable them to work in collaboration with other progressive groups with a view to giving effect to the programme of the Congress Parliamentary Board. Mahatma Gandhi participated in the deliberations.

Mahatma Gandhi, in the course of a statement, contradicted a press report that he was asking for assurances from political prisoners.

**4th.** H. E. the Commander in Chief explained in the Council of State the circumstances leading to the discussion between the War office and the India Office.

Dr. Moonje, referring to Mr. Jinnah's demands, said to have been submitted to the Congress, said that any decision taken without the consent of the Hindu Mahasabha would be an exparte decision and that the Hindus would not be bound by them.

At the Lakhipur District Political Conference, Mr. V. L. Pandit, Minister for Local Self-Government, replied to Congress critics of the Congress. He observed, "The remedy lay not in the hands of the Ministry but in the hands of those who formed the party. If the Ministry had failed to come up to their expectations, Congressmen must share the blame for that failure because they had not perfected their influence in the local sphere with a view to changing the tone of administration and the outlook of public servants".

**5th.** The Congress Working Committee met the C. P. Law Minister Mr. Shareef, who resigned following the controversy over the release of a convict. The Working Committee decided to appoint an independent tribunal to advise the Committee whether the Law Minister's action in releasing a non-political prisoner was proper in the exercise of his powers of discretion.

**6th.** The Bengal Governor presided and made some suggestions regarding the future time of work at the joint annual meeting of the Red Cross and St. John Ambulance Organisations.

The Congress Working Committee decided to consult a legal expert before pronouncing on the C. P. convicts' release which led to the resignation of the Minister concerned.

The Council of State's amendment to the Trades Dispute Bill was accepted by the Central Assembly.

The Bombay Cabinet at their meeting approved of the draft of the Bill to amend the Bombay Village Panchayat Act.

The six days' session of the Congress Working Committee concluded.

On H. E. the Governor General going to England on leave for four months, H. E. Lord Brabourne to act as the Governor General.

**7th.** In the Central Legislative Assembly the Provincial Government, Chambers of Commerce and Commercial bodies expressed their views on the recommendations of the Income-tax Enquiry Committee.

In the Bihar Assembly, taxation of Moslem religious trusts formed the subject matter of discussions; the discussions arose out of a question of exemption of Wakf property from the operation of the Bihar Agriculture Income-tax Bill.

**8th.** Mahatma Gandhi, in connection with the discussions with the Government of Bengal about the release of political prisoners, interviewed 14 Regulation III prisoners and four women political prisoners at the Presidency Jail, Calcutta.

The Council of State passed the Bill to amend the Sarda Act.

In the Central Assembly, Mr. Ananta Sayanam Iyengar's resolution for a Retrenchment Committee to scrutinise Central expenditure was carried.

As a result of the activities of the Imperial Agricultural Research Institute, there has been tangible increase in the income of the cultivator.

**9th.** The Orissa Cabinet considered the report of the Orissa Secretariat Reorganization Committee and decided on a reallocation of portfolios.

In the Council of State, a statement was presented giving particulars of the course which the Government of India proposed to follow in regard to the recommendations adopted by International Labour Conference.

The Bombay Government approved of the suggestion of the Legal Education Committee for the establishment of a full time Law College in Bombay.

The Congress participation in the work of the Mysore Constitutional Reforms Committee to be decided at a meeting of the Congress Workers in the State.

**10th.** Mr. Subhas Chandra Bose urged mass contact with Moslems and scheduled castes in addressing the annual meeting of the Bengal Provincial Committee.

The Nizam's Government issued a communique deploring communal riots at Hyderabad.

The Orissa Secretariat Reorganization Committee's report was submitted to the Government with the observations: "A Secretary's work under Provincial Autonomy throws a greater responsibility upon him than he had under the old constitution; for the Minister to whom he tenders advice is entitled to rely upon him absolutely for his knowledge of the rules and existing practice and procedure, and for the knowledge which comes from administrative experience, whereas under the old constitution the Secretary was dealing with a superior who, very often, had a greater administrative experience and a greater knowledge of the rules and procedure than the Secretary himself".

In the Central Assembly, a compromise between the Congress Group and the Government arrived at regarding the further progress of the Finance Member's Income-Tax Amendment Bill.

Mahatma Gandhi and Sir K. Nazimuddin met again in Calcutta to discuss ways and means of accelerating the release of politicals.

**11th.** As a result of a compromise between the Opposition, in the Central Assembly, and the Finance Member, the Income-Tax Amendment Bill was circulated for eliciting public opinion.

The Bengal Government's plans for the rehabilitation of the Co-operative movement in the province were outlined by Mr. M. B. Mullick.

H. E. The Viceroy gave his assent to Mr. B. Das's Bill to amend the child Marriage Restraint Act.

**12th.** The Central Assembly agreed to the Finance Member's motion for reference of the Income-tax Amendment Bill to a Select Committee and adjourned *sine die*.

Mr. Jawahar Lal Nehru, in a statement, condemned exaggerated reports of the communal tension in Allahabad.

Mahatma Gandhi left Calcutta for Delhi to meet the Viceroy. Mahatmaji issued a statement on the efforts for the release of political prisoners. "I have now to write a letter to Sir K Nazimuddin summarising my suggestions, which, I am assured, will be considered by the Government as speedily as possible and definite decisions taken, a process, which it is expected, will be completed within one month. It is hoped, however, that decisions may be taken much earlier and if it becomes necessary for me to return to Calcutta I shall do so without hesitation, provided, of course, my health permits.

**14th.** Mr. Subhas Chandra Bose appealed to Moslems to join the Congress, in addressing a meeting at Contai.

A Gazettee of India extraordinary announced the restoration of some of the demands refused by the Central Assembly.

Mr. Jawharlal Nehru, in a statement, at Allahabad, deprecated repeated Kisan demonstrations, as, he said, they were being made cheap and ridiculous.

**15th.** His Excellency the Viceroy granted an interview to Mahatma Gandhi, which lasted for over 1 and a half hours. At the conclusion of the interview the following communique was issued : "Towards the end of March, H. E. the Viceroy wrote to Mr. Gandhi to say that it would give him pleasure to renew their acquaintance before H. E. moved to Simla, and suggesting that it might be convenient for Mr. Gandhi to pay him a visit if he could pass through Delhi on his way from Calcutta. His Excellency added that he had no special business to discuss with Mr. Gandhi, but would welcome an opportunity of seeing him again.

**16th.** The Committee appoined in the United Provinces to inquire into the Working of the local bodies, proposed drastic changes in their administration.

The Political Affairs Committee of Mysore held their inaugural session.

A joint session of the All-India Trade Union Congress and the National Trade Union Federation held at Nagpur. A resolution on unity was passed.

The President of the Bengal and Assam Lawyers' conferance in his address criticised the rules regarding recruitment of judicial officers.

**17th.** Mr. M. A. Jinnah, President, All India Moslem League, in his address at a special session of the League in Calcutta, appealed to both communities to realize their moral obligations to each other.

Five persons were killed and 70 injured in a communal riot which broke out in Bombay.

**18th.** "India was most probably heading towards a population record, but not towards a crisis", declared the Director of the All India Institute of Hygiene and Public Health, Calcutta, addressing a conference in Bombay.

A resolution on the Sahidganj mosque dispute had an easy passage at the Moslem League's sitting in Calcutta, the Punjab Ministry being given full authority to bring about a settlement with the Sikhs.

**19th.** Reference to the working of provincial autonomy and the proposed All India Federation was made by the Viceroy in replying to the Peshawar Municipality's address of welcome. His Excellency remarked, "on a broad view, we can claim that the first year of provincial legislatures have shown imagination and responsibility in a high degree".

40 out of 41 political prisoners released in Bihar.

A "Council of Action" consisting of seven of the leading taluqdars of Oudh formed to act on their behalf in regard to the Government's land revenue and rent proposals.

**20th.** Pandit Jawaharlal Nehru issued a statement on agrarian reform in the U. P. in which he commented on the abandonment of the proposed Kisan demonstration in Lucknow.

In the Bihar Assembly, the Agricultural Income-Tax Bill was vehemently opposed by some members.

In the U. P. Assembly, on a point of order raised over the introduction of the Tenancy Bill, the Speaker consulted the Governor regarding the question of his sanction to the measure.

Sir Henry Craik, Governor of the Punjab, addressing the Indian Chamber of Commerce at Lahore defended the rupee sterling ratio.

**21st.** Two persons believed to have been killed and 50 injured as the result of French Indian troops opening fire on a mob of strikers near Pondichery.

In the U. P. Assembly, there was a lively debate on the Non-official Members' Emoluments Bill.

There was an agreement in Allahabad, between the authorities and the Moslems regarding the observance of the Chehlum ceremony.

Death of Sir Mahomed Iqbal, the famous poet.

Mahatma Gandhi, opening the Vidya Mandir School at Wardha, said that while Herr Hitler was achieving his goal through the sword, he was doing so through peace.

At Kohat, H. E. the Viceroy, replying to joint address by the District Board and the Municipality, expressed appreciation of the marked interest of the Frontier Ministry in education.

**22nd.** In Lucknow, two persons were killed and 28 injured in a Shia-Sunni clash.

In Delhi, a clash occurred between the Police and the Shias and about 24 persons were injured.

In Lahore, twenty thousand Moslems prayed at the graveside of Sir Muhammad Iqbal who was interred in a grassy plot beside the historic building of the Badsahi mosque.

The existing concession to the glass manufacturing industry by way of a rebate duty on imported Soda ash extended for two years according to the Government of India resolution.

**23rd.** His Excellency the Viceroy emphasized the need for cheap electricity rates when he opened the Malakand Hydro-electric Scheme in the N. W. F. Province.

Mahatma Gandhi, in an article in the Harijan, enjoined upon Congress ministers strict observance of moral principles in the discharge of their duty.

In the Bombay Legislative Assembly, in the debate on the Education Bill, the House carried an amendment unanimously urging the appointment of men with educational experience on school boards.

In Allahabad, Pandit Jawharlal Nehru advised Kisans not to place any obstacle in the way of the smooth working of the Congress ministries.

**24th.** Lord Lothian concluded a series of articles entitled "New India" appearing in the "Observer". He remarked, "India is now strongly nationalist but she has yet to achieve that inner unity in spirit and language and mental confidence among her communities, States and provinces to enable her to stand firmly on her own legs."

The Bihar Premier stated at Patna that the zamindars had fallen from their ideal and quoted Mahatma Gandhi's view that they should act like trustees of their property.

The Bengal Hindu Sabha, at their meeting in Calcutta, appealed to Mahatma Gandhi not to conclude his negotiations with Mr. Jinnah without consulting the non-Congress political organizations.

The U. P. Government issued a notification dealing with a report of the Cawnpore Labour Inquiry Committee for eliciting public opinion.

Mahatma Gandhi attended the meeting of the All India Education Board and explained the fundamental principle of Basic Education, designed to solve all present evils in India. Its foundations, he said, were truth and non-violence. Indian civilization, being essentially a rural civilization, Basic Education aimed at the revival of rural civilization through village handicrafts.

**25th.** In the U. P. Assembly, the Premier made a statement threatening to take severe action against persons irrespective of their status and the prospect of the imposition of punitive police.

In the Bihar Assembly, Moslem members vehemently opposed the principle of taxing Moslem charitable properties, when the House resumed discussion of the Agricultural Income-Tax Bill.

Some troops moved to Sikar, near Jaipur, where the Rao Raja remained entrenched in his fort.

**26th.** A campaign against mass illiteracy inaugurated in Bihar.

The Bihar Assembly passed the Prohibition Bill.

Pandit Jawharlal Nehru's efforts to find a solution of the question of the Congress flag vs. the "Red" flag proved to be successful. All were agreed that there should be one flag, and that no flag which was a rival to the Congress flag should be patronized by the members of the "Kisan" Sabha.

About 500 Moslem women were present at a meeting of the provincial branch of the All India Moslem Ladies' Conference in Calcutta.

**27th.** The Federal Court of India likely to register its first case on a reference now under contemplation, about the act passed by the C. P. Legislature imposing a tax on the sale of petrol.

In the U. P. Assembly, the Speaker gave his ruling that a Minister had the absolute disoretion on the matter of replying to questions.

The Bihar Assembly discussed the Moneylenders' Bill which aimed at generally giving relief to rural debtors.

The Bombay Government decided: to restrict the scope of the City Police Act Amendment Bill to deal with communal disturbances.

**28th.** Mahatma Gandhi had an interview with Mr. Jinnah at Bombay regarding the communal question. A joint statement was issued : "we had three hours' friendly conversation over the Hindu Muslims question, and the matter will be pursued further."

The Mysore Government issued a communique giving a detailed account of the rioting on April 25, at Viduraswatham.

**29th.** In Orissa, a constitutional crisis apprehended over the question of appointment of Mr. J. R. Dain as the acting Governor. Mahatma Gandhi, in his statement re : the appointment, said : "The whole of the sting lies in a subordinate officer becoming the acting Governor of the Province, with whom the Ministers are expected to work and almost daily submit documents for his signature and have him to preside at their meetings. It is unbecoming and reduces autonomy to a farce".

Mahatma Gandhi issued a statement from Bombay re : Mysore riots. He said : "I suggest that the best and only remedy for the Maharaja and his advisers is to divest the Government of its autocracy and make popular representatives responsible for the administration in Mysore".

Mahatma Gandhi wired to Mr. Subhas Chandra Bose, to proceed to Bombay to continue the talks on communal issue with Mr. Jinnah.

**30th.** Following the settlement of the dispute between the Rao Raja of Sikar and the Maharaja of Jaipur through the personal intervention of Mr. A. C. Lothian, Agent to the Governor General, Rajputana States, Sikar was rapidly returning to normal. The terms of the settlement included the cancellation of the visit which was the immediate cause of the trouble. Others included the calling off of the strike at Sikar and the departure of Rao Raja to Ajmer and thence to Jaipur.

A final attempt was made by His Excellency the Governor, Sir John Hubback, to persuade the Ministry not to precipitate a crisis over the appointment of Mr. J. R. Dain as acting Governor of the Province.

The President of the Indian Roads and Transport Development Association referred to railroad rivalry, in reviewing the Association's activities at its annual meeting.

Pandit Jawaharlal Nehru in a press statement commented on the "failure" of the League of Nations to avert wars and to "check" the aggressor and protect the law-abiding among the nations. He further said : "A great country like India and an organization like the Indian National Congress must necessarily, at any time, pay attention to the international affairs and lay down their policy in regard to them".

In the Bihar Assembly, a compromise brought about between the Government and the Moslems by Maulana Abul Kalam Azad on the question of wakfs of a private nature, when the Agricultural Income-Tax Bill was being discussed.

## MAY 1938

**Chief Events** :—The constitutional crisis in Orissa over the appointment of Governor continued—Mahatma's extensive tour in the Frontier Province preaching non-violence—Flag controversy and Police firing in the Mysore State—Jinnah-Bose talks in Bombay on Communal Unity—Paralysing Mill Strike in Cawnpore.

**1st.** The Congress Party in the Orissa Assembly passed a resolution asking the Ministry to resign if the appointment of Mr. J. R. Dain, as acting Governor was not cancelled.

The Rao Raja of Sikar arrived in Jaipur and called on His Highness the Maharaja.

Proposals to regulate child labour in workshops expected to be formulated out of the replies received from the Provincial Governments and other interested bodies to the Government of India's circular letter on the subject.

Dr. Syed Mahmud, Education and Development Minister, Bihar, in opening a Conference of officials and non-officials said, "of the fundamental problems on the solution of which depends the agricultural prosperity of our province, the problems of fuel, fodder, fragmentation and finance appear to me to be basic ones".

Mahatma Gandhi, on arrival at Nowshera, 35 miles from Peshawar, was accorded a magnificent reception by Khan Abdul Ghaffar Khan and the Red Shirts.

**2nd.** The Orissa Premier announced that the Orissa ministry had decided to resign on the acting Governorship issue.

The Bombay Assembly passed all the three readings of the Bill to amend the Races Licensing Act.

The Bihar Assembly adopted an amendment to the Agricultural income-tax Bill according to which all trusts and endowments, whether Hindu or Moslem, for public purposes shall be exempted from the tax. In the case of Wakf-ul-Alaulad, the income of the beneficiaries is to be taxed, the tax being realized from the trustee.

The Bihar Premier made an important statement in the Assembly enunciating the principles governing appointment to public services in the province. The statement was made in response to a demand for representation of Chota Nagpur in the services.

The Orissa Assembly met to consider the Orissa Tenancy Act (Amendment) Bill.

The Premier, addressing a Bihar Police Conference, said that it was necessary for the force to have no part in politics.

The Bombay Legislative Assembly passed the Bill to amend the Bombay Primary Education Act.

The Chief Secretary of the Travancore Government and leader of the Deputation to the Commerce Member of the India Government urged the need for raising the import duty on copra from Ceylon for the protection of cocoanut industry of Malabar.

**3rd.** The Orissa Assembly passed the Tenancy Amendment Bill.

The Bihar Assembly passed the Agricultural Income-Tax Bill.

**4th.** Mahatma Gandhi had an interview with H. E. the Governor of the Frontier Province at Peshawar.

The Ministerial crisis in Orissa averted by the decision of Sir John Hubback to cancel his leave. Satisfaction provided all over India over the successful solution of the crisis.

In the Bihar Asembly, the evils of the dowry system were emphasized by several speakers when the Behar Dowry Restraint Bill introduced to eradicate the undesirable practice.

More amenities for political prisoners were proposed by the U. P. Jails Reforms Committee in its report. Among other things the Committee suggested that all political prisoners should be concentrated in one or more jails and that there should be freedom of association for political prisoners amongst themselves, a daily paper of their own choice should be provided at the cost of the Government and any other magazines and books allowed at their own cost.

Mahatma Gandhi, replying to an address of welcome at Peshawar, paid a tribute to Khan Abdul Gaffar Khan as the man who had taught non-violence to the Pathans.

**5th.** An extraordinarily large number (13,236) of Indian labourers returned home from Malaya—4940 were repatriated.

In the Bihar Council, the Prohibition Bill as passed by the Lower House was taken up for consideration clause by clause.

Mahatma Gandhi visited the Khyber Pass on a tour of the Frontier—he was greeted by the Afridis.

The Mysore Government defined their attitude to other than State flags and emblems. An official communique declared that the Mysore Government had no wish to interfere with the use of any colours, flag or other emblem used

either to indicate in a peaceful and unprovocative manner political opinions or proposals intended for the good of the subjects of the State, so long as those were not incompatible with loyalty to the Ruler and were advocated in a peaceful and loyal manner.

**6th.** The Bihar Assembly passed a resolution opposing the Federal Scheme for India.

Mahatma Gandhi left Peshawar on a two days' tour of the Frontier villages.

At a Bombay meeting of the Anglo-Indians and Domiciled European Association, the Premier, the Hon. Mr. B. G. Kher advised the Anglo-Indians not to cast longing glances at the West, but to throw themselves heart and soul into the life and movement around them.

Mahatma Gandhi, in the course of his Frontier tour, addressed a gathering of women whom he exhorted to take part in the freedom movement.

**7th.** Sardar Vallabhbhai Patel met the Dewan of Mysore with a view to arriving at a settlement between the State Congress and the Government—the flag controversy among the issues raised

Twenty thousand Pathans heard Mahatma Gandhi in pin-drop silence when he expounded at Mardan his creed of non-violence and praised the Khudai Khidmatgars, or Servants of God, men who under the leadership of Khan Abdul Ghaffar Khan, the Premier's brother, spread the message of the Congress in the Frontier Provinces.

The Employers' Association appointed a sub-committee to examine the report of the Cawnpore Labour Inquiry Committee on the textile dispute in that city.

**8th.** Presiding at the Jaipur State Subjects' Conference, Seth Jamnalal Bajaj expressed the Congress attitude towards Indian States.

Mahatma Gandhi concluded his tour of the Frontier. The flag controversy came to an end in Mysore.

**9th.** Sardar Patel addressed a meeting in Bangalore and explained why the activities of the All-India and State Congress organizations must be different.

In the U. P. Council, a Minister opposed his own parliamentary secretary on an official motion pleading for the ban on seditious speeches in the House.

**10th.** The Indo-British trade negotiations started at Delhi.

The Bihar Assembly referred the Tenancy Amendment Bill to a Select Committee.

Sir Chimanlal Setalvad, the liberal leader, warned the British Government from Bombay that Indian public opinion was not going to rest over the question of the I. C. S. Governors.

A Committee to be appointed by the Bengal Government to examine the records of political prisoners and to forward their view as to who should be released before the expiry of their term of imprisonment.

The Premiers of the Congress provinces and members of the Congress Working Committee with Mr. Subhas Chandra Bose in the Chair met at Bombay for important discussions re: revision of the rupee ratio for increasing the purchasing power of the masses.

**11th.** Mr. Subhas Chandra Bose, Congress President and Mr. M. A. Jinnah, President of the Moslem League had five hours' discussion at Bombay over the communal question. According to a joint statement issued by them to the Press the discussion was "friendly".

The U. P. Education Minister at a village conference in Benares district declared that the Congress Government had no desire to end the Zamindari system.

Mr. Jawahar Lal Nehru declared: "Unless and until full control is transferred to the public we can not solve the difficulties of the problems facing us", inaugurating the Mahakoshal Provincial Conference at Kareli.

A Mysore communique repudiated the suggestion that proper care was not taken of the injured on April 25.

**12th.** The Presidents of the Congress and the Moslem League resumed the discussion on the communal question at Bombay.

The Sub-committee of the non-official Indian advisers met the Lancashire Delegation. The fixing of a ratio between Lancashire's intake of cotton and India's import of Lancashire textiles was the main subject of discussion.

"Civil Liberties" was the subject discussed by the Premier's Conference at Bombay.

The Secretary of the Zanzibar Indian Association thanked India for the stand in the clove dispute in a letter to the Congress in which he gave details of the agreement between Indians and the Zanzibar Government.

In the Bihar Council, a statement was made on behalf of the Government, refuting certain Press allegations regarding the curtailment of civil liberties of Moslems.

**13th.** The Employers' Association of Northern India informed the U. P. Govt., that the employers were unable to accept the findings and recommendations of the Cawnpore Labour Inquiry Committee.

In Bombay, decisions involving the introduction of the Wardha Education Scheme in all the seven Congress provinces, were reached at a conference of the seven Congress Premiers and representatives of the Hindusthani Talim Sangh (the authors of the scheme).

**14th.** Swami Sahajananda Saraswati described the relation between the Kisan Sabhas and the Congress in his presidential address at the All India Kisan Conference at Comilla.

The Congress leaders drafted a memorandum in reply to Mr. Jinnah's point in connexion with the communal talks, and the Congress President took it to Mr. Jinnah when the talks were resumed—Mr. Jinnah to consult his colleagues regarding the Congress offer to a settlement.

The Faridpur District Moslem Conference passed a resolution expressing concern at the delay in His Excellency the Governor's assent to the Bengal Tenancy Amendment Bill, and satisfaction at the Premier's and some of his colleagues' decision to resign in case of assent being withdrawn.

**15th.** The Labour Sub-committee of the A. I. C. C. which met at Bombay reviewed the labour situation in the country and suggested adoption of a uniform labour policy by the Congress Governments.

**16th.** The Congress Working Committee in Bombay passed a resolution welcoming the formation of independent organisations for prosecuting the national struggle in the States but stating that it was undesirable to have the word "Congress" in the name of those organisations.

In Cawnpore, 25,000 mill-hands went on strike.

The Working Committee decided not to permit the Madras Speaker to resign, not to allow the Andhra Congressmen to lead a deputation to England on the separate province demand and left the C. P. Ministerial differences to be resolved at a meeting of the Congress Party in C. P.

**17th.** Optimism at the future of the Rotary movement and a belief that it can play an important part in establishing peace and goodwill among mankind were expressed by Mr. C. Warren Boulton, addressing the Calcutta Rotary Club.

The Bihar Retrenchment Committee made recommendation for reducing the expenditure of the Judicial Department.

The Congress Working Committee decided to expel Mr. S. C. Mitra, President of the Bengal Legislative Council, from the Congress, as a disciplinary measure.

A deputation of Cawnpore mill workers proceeded to Lucknow to request the Premier to intervene.

**18th.** The strike in the Cawnpore mills complete: almost the entire textile industry paralysed: the strikers were peaceful.

The search for a formula at the Indo-British trade talks at Simla on Cotton offtake and tariff reduction continued.

The Congress Working Committee discussed Mysore and Sikar affairs.

Sardar Patel said in a statement that the ban on cloves could only be lifted, only after the Colonial office ratified the Zanzibar Agreement.

**19th.** The Congress Working Committee ratified the Mysore settlement on firing in the Mysore State and hoped that the Maharaja should establish a responsible Government in his State.

The Working Committee called on Mr. Sharif, Law Minister of C. P., to resign.

The Cawnpore strike situation was peaceful, although the strikers were picketing the mill area vigorously. The strike was confined to the textile mills.

Mr. Subhas Chandra Bose, addressing a meeting of the Indian and European Progressive Groups, declared, "The Congress attitude towards the Federation can be summed up as one of uncompromising hostility".

**20th.** Mahatma Gandhi had a talk with Mr. Jinnah in Bombay.

Several members of the Bihar Council coalition Party were likely to resign from the party due to differences between them and the rest of the group on the question of the Congress Zamindari agreement over the Bihar Agricultural Income-Tax Bill.

The Cawnpore strike situation remained unaltered. Local Congressmen were actively concerting measures to relieve the distress of the strikers.

**21st.** The U. P. Council passed the Stamp Duty Bill.

With a sixth of its population idle, Cawnpore passed one of the quietest weeks in its turbulent history of industrial and communal strife.

**22nd.** The Congress President sent a message to the Orissa Political Conference for unity among Congressmen.

The U. P. Provincial Congress Committee appealed to Cawnpore employers to abide by the Government's decision on the labour inquiry report.

The need for funds for Compulsory Primary Education stressed by the Commissioners of the Assam Valley Division in his report on primary education under local boards for 1936—37.

Sardar Patel announced the formal withdrawal of the clove boycott and picketing, following the approval of the Zanzibar clove agreement by the colonial office.

**23rd.** The Orissa Political Conference passed a resolution protesting against keeping in abeyance the Madras Estates Land Act (Orissa) Amendment Bill, and requesting the Governor General to give his assent to the Bill.

The U. P. Council amended a Bill passed by the Lower House—the Bill in question referred to the emoluments of the members.

The U. P. Provincial Congress Committee issued statement clarifying the relations between Kishan Sabhas and the Congress.

**24th.** The Orissa Government decided to fight the opium evil.

Addressing a meeting of Bengalis at Jamshedpur, Mr. P. R. Das challenged the legality of the demand for domicile certificates.

Picketing in front of the Cawnpore mills intensified.

In Lucknow, the attitude of the Congress to peasants' organizations in the United Provinces was defined in a statement issued by the Council of the Provincial Congress Committee.—It was drafted by Pandit Jawaharlal Nehru.

The Employers' Association of Cawnpore denied that they declared a lock-out and expressed readiness to consider any "practical proposition" to bring about co-operation between employers and workers.

The breakdown in the cotton parleys at Simla, was the subject of questions in the House of Commons.

**25th.** The differences in the Central Provinces Cabinet made up: the Premier and other five Ministers agreed to work together in a "spirit of comradeship".

The Indian non-official advisers' report on the cotton negotiations was discussed at a meeting of the Viceroy's Executive Council.

47 picketers were arrested in Cawnpore. The strikers were firm, and the local Congress Committee actively supported the workers.

**26th.** Replying to a question in the Bihar Council, the Premier stated that domicile certificates were in the interest of the Bengali community.

In the course of the talks between Mr. Jinnah and Mr. Subhas Chandra Bose, Mr. Jinnah insisted that the preamble was to state clearly that the Congress on behalf of the Hindus entered into an agreement with the League representing the Muslims.

Women pickets were employed at mill gates at Cawnpore on behalf of strikers.

The Jaipur Government appointed a commission to investigate the causes of the situation in Sikar and to suggest appropriate measures to remedy it.

The Federation of Indian Chambers of Commerce and Industry sent a representation to the Government of India regarding certain difficulties of Indian insurance firms in Burma.

**28th.** Picketing at Cawnpore mills intensified.

A disturbance between Hindus and Moslems occurred at Allahabad over hoisting of Congress and Moslem League flags.

Addressing a meeting in London, Mr. Bhulabhai Desai deplored the slow progress of Army Indianisation and said that until this was effected, self-rule would be in name only.

The Government, in a communique on the strike situation in Lucknow, emphasised its peaceful character.

Sir Purushotamdas Thakurdas denied that the mill-owners were responsible for the breakdown of the cotton talks at Simla.

The Leader of the Lancashire trade delegation issued a statement clearing up misapprehension about their position.

The Hindu Mahasabha challenged the claim of the Congress in connexion with the settlement of the communal question.

**29th.** The Tezpur Congress Committee proposed to take up a scheme for educating youths in rural economy.

Oudh Zamindars to start a civil disobedience campaign if the U. P. Tenancy Bill were passed in its unmodified form.

A select committee of the Mysore Legislature considered a Bill regulating insurance business drafted on the lines of the British India Act.

The Federal Court to have its first case : The Governor General referred the C. P. Petrol Sales Tax Act to the Court for its opinion on the competence of the Provincial Legislature to levy the tax.

**30th.** The Bihar Legislator's Bill introduced by the Premier in the Assembly, provided for a salary of Rs. 75 per month to members.

**31st.** The Government of India decided, with the full approval of the Government of Madras, to prohibit assisted emigration to Malaya and asked the Malayan Government to repatriate surplus Indian labour there.

Pandit Jawaharlal Nehru declared at a meeting in Bombay : "Let not Lord Zetland and the British Cabinet have any illusions about the Congress attitude towards the Federal Scheme ; if there is one subject on which the entire country is united, it is the opposition to the Scheme."

The first open sitting of the Federal Court was held in the Chamber of Princes in New Delhi when the Court considered a reference made to it by the Governor-General relating to a new C. P. and Berar Taxation Act.

The Bihar Legislative Assembly passed an amendment to the Bihar Prohibition Act allowing Roman Catholic and Anglican Churches to brew, possess or use wine during their religious services.

## JUNE—1938

**Chief Events :—The Cawnpur Mill Strike continued—Labour Strike at Haripura and Kulti in Bengal—Prohibition inaugurated in Ahmedabad—Government of India's decision not to alter the rupee ratio—Resignation and reconstitution of Bengal Cabinet by Mr. Fazlul Haq with the omission of Mr. Nausher Ali—The Travancore National and Quilon Bank suspended business.**

**1st.** Picketing in connection with the general strike in Cawnpore directed against the clerks employed by the various mills.

The Bengal National Chamber of Commerce drew the attention of the Bengal Government to the serious situation arising out of the unprecedented fall in the price of rice and paddy.

The Deputy Commissioner of the Khasi and Jaintia Hills, Assam issued an executive order relating to measures for dealing with the usuary evil.

The Assam Education Minister addressed a public meeting at Shillong on his scheme of educational reconstruction.

The Bihar Council passed the Agricultural Income-Tax Bill and the Members' Salaries Bill, as modified by the Select Committee.

The first interim report of the Orissa Retrenchment Committee, appointed by the Orissa Government to consider and make recommendations for the reduction of expenditure, made available.

Mr. Jawaharlal Nehru, in the course of a message on the Cawnpore strike, said that millowners must change their attitude to workers and advised them to accept the Labour Enquiry Committee's recommendations.

If the Zamindars invited a conflict on the U. P. Tenancy Bill, they would have to struggle even to retain a semblance of Zamindari system, declared Mr. Jawaharlal Nehru in an interview on the speeches in the Zamindars' Conference at Lucknow.

**2nd.** In the Bihar Assembly, a resolution was passed for the appointment of a Standing Committee of the Bihar legislature to advise the Government in connection with its grid electrification scheme.

The All-India Congress Socialist Party's Executive Committee adopted a resolution "viewing with alarm" a suggestion made by Mr. Bhulabhai Desai in connection with the Federal Scheme.

Sixteen women were appointed to help the Cawnpore Police in their policing work in the mill area.

The Under Secretary of State for India stated in the House of Commons that no date had yet been fixed for the inauguration of Federation.

"Curfew" order enforced in Lucknow, due to the strained relations of shias and sunnis.

**3rd.** The U. P. Cabinet considered issues relating to the Cawnpore labour dispute. Ministerial quarters felt that the original attitude of the employers had already undergone a change for the better as indicated by their desire to submit the matter to arbitration.

**4th.** The labour situation in the Haripura and Kulti works of the Indian Iron and Steel Company in Bengal stated to be critical.

The Council of the Moslem League discussed the Congress memorandum regarding the communal peace terms, and authorized Mr. Jinnah to send a reply to the Congress President.

In the United Provinces, an interesting political development was the effort made by the Government to secure the support of the small Zamindars.

**5th.** The Government of India, Education Department, asked provincial Governments for their views on the resolutions passed by the Central Advisory Board of Education at its meeting in Delhi on January, 1938.

A feeling of resentment and indignation prevailed amongst the Zamindars of Oudh over the statement issued by Pandit Jawaharlal Nehru.

The Orissa Chamber of Commerce strongly criticised the Orissa Factories Bill.

**6th.** The Maharaja of Bikaner addressing a Committee of the Princes' Chamber at Bombay spoke on the need of more co-operation among the Princely order.

The request of Calcutta Corporation for the grant of facilities for military Training for the City's ratepayers was rejected by the Government of India as impracticable.

Cawnpore millowners wanted a judicial tribunal to inquire into the labour dispute in that City.

The Punjab Premier, at a function in Bombay, spoke on the subject of separate party or communal flags in India.

A Bombay Government Communique warned the local authorities that their grants-in-aid would be penalised if children were refused admission into schools on grounds of caste.

**7th.** A deputation of the strikers at Cawnpore to wait on the U. P. Premier to acquaint him with the conditions under which they could resume work. Smartly dressed women police made their appearance near the mills in Cawnpore where the strike situation remained the same.

The Government of India's decision to maintain the present exchange value of the rupee welcomed in banking circles as clearing the air and stabilizing conditions. Commenting, Mr. Subash Chandra Bose said that countrywide agitation

was necessary to make the Government accede to the demand for a lower rupee ratio.

More than 1000 workmen, engaged in the construction of the plant buildings of the Bengal Steel Corporation at Haripura, joined the strikers at Kulti.

**8th.** Negotiations held between some Indian States and certain Cawnpore mill-owners for the shifting of cotton mills from Cawnpore to the States.

The U. P. Government decided to appoint a Committee to inquire into the conditions of the tenantry on Government-owned estates.

**9th.** The meeting of the Chamber of Princes' Reorgnization Committee discussed the sub-committee's report on the scheme for the constitution of a committee to deal with matters relating to the proposed All India Federation.

The Employers' Association decided not to discuss the 15 demands of the strikers of the Cooper Allen Mills in Cawnpore until the men had resumed work.

**10th.** The Government of Bombay created an Industrial Advisory Board to advise them on all schemes and proposals relating to industrial development.

**11th.** India's greetings on the occasion of His Majesty's birthday were conveyed by the Viceroy in a special cable.

Mr Subhas Chandra Bose, addressing a meeting at Chittagong, made an appeal to youths to shun violent methods and strengthen the Congress in its work for the attainment of Swaraj. The Congress President in this connexion referred to the success of the non-violent movement in the North Western Frontier Province.

The U. P. Government decided on the question of the Status and duties of parliamentary secretaries, in the light of the experience gained in the province and in other provinces in India and also in the light of practice prevalent in the United Kingdom.

The Cawnpore mill strike continued its fourth week.

The Reorganization Committee of the Chamber of Princes decided to constitute a committee to deal with matters of common interest to the Indian States as regards Federation.

**12th.** The Re-organization Committee of the Chamber of Princes again discussed the reforms necessary to make all the States become members of the Chamber.

The gates of the Sikar city were opened and normal conditions were restored.

India's scientists to be officially represented for the first time at the annual meeting of the British Association to be held in Cambridge in August.

"China Day" was observed in Calcutta, Delhi, Madras, Nagpur and other important places—there were meetings in various places.

**13th.** Several important resolutions were passed by the Reorgnization Committee of the Chamber of Princes relating to certain Chamber reforms.

The Secretary of the Appointment's Board, Calcutta University in his report on the first year's working of the Board, said : "The impression that Bengalis are unsuitable for business careers is not a correct one".

The Bengal National Chamber of Commerce urged Government intervention in the dispute between the mills regarding a scheme of restriction for jute manufactures.

Mr. Subhas Chandra Bose, speaking at Comilla, refuted the allegation that the Congress was oposed to the Bengal Ministry because it consisted mostly of Mahomedans.

Mr. Subhas Bose, in an interview at Feni (Bengal), regarding the release of political prisoners, pleaded for patience as negotiations were going on between Mahatma Gandhi and the Bengal Government.

**14th.** Strong criticism of the existing legislature for the protection of children was made by Mrs. Marion Barwell at a meeting of the Bengal Presidency Council of Women.

**15th.** Mr. Aftab Ali, President of the Indian Seamen's Union and 15 others surrendered before a deputy magistrate of Alipore, in pursuance of a warrant

issued against them in connextion with the proceedings started against them on a police report.

The text of the Gandhi-Jinnah correspondence as well as the Jinnah-Nehru correspondence released.

**16th.** The Managing Committee of the Employers' Association considered the Government resolution on the Cawnpore Labour Inquiry Committee's report.

The Cawnpur City Congress Committee adopted a resolution expressing satisfaction at the Government resolution on the Labour Inquiry Committee's report. The Congress Committee was of the opinion that while the strikers' central committee had immediately accepted the Government's decision, the employers by adopting dilatory tactics, were committing a great mistake. If, in consequence of the employers' attitude, any breaches of the peace took place, the City Congress Committee would hold the employers responsible.

**17th.** The Maharaja of Cochin inaugurated the new Constitution of the State at a darbar at Ernakulam. His Higeness declared at the Durbar: "It is a genuine desire to share my authority with my people that has prompted me to take this step. The faith that underlies my action is that though I have sacrificed my power I shall be more than compensated by the devotion of my people."

The C. P. Government accepted the recommendations of the Textile Labour Inquiry Committee for a 60 p. c. restoration in the wage cuts of the textile workers.

A warning of the consequences of continued industrial trouble was given by Mr. A. R. Dalal in his presidential address at the Indian Chamber of Commerce.

**18th.** Dr. Syed Mahmud, Bihar Minister, invited Provincial Ministers for industries to a conference which he proposed to hold in Simla next.

Mahatma Gandhi, in the course of an article in the 'Harijan,' suggested a scheme for a voluntary "Peace Brigade", for dealing with communal and other riots.

**20th.** Sardar Vallabhbhai Patel and Mr. Subhas Bose called to Wardha te decide upon a reply to Mr. Jinnah's letter.

H. E. the Governor of the Punjab, addressing the Punjab Assembly, praised it for the spirit of harmony prevailing on communal issues.

Mr. E. I. Boag appointed to act as Governor of Orissa during the absence on leave of Sir John Hubback.

At the annual conference of the Institute of Railway Accountants and Auditors, various subjects relating to railway finance were discussed.

According to a Government of India report, no fewer than 8,982,000 working days were lost to India last year owing to industrial disputes and strikes.

The Sheriff of Bombay, Mr. Mahamedbhoy J. K. Rowji, in a statement disputed Mr. Jinnah's claim that the League was the sole representative of the Muslims.

**21st.** The Employers' Association proposed to open the Mills at Cawnpore: the end of the strike in sight.

The changes effected in the railway accounts system were discussed at the meeting of the Institute of Railway Accountants and Auditors.

In the Punjab Assembly, the Punjab Land Alienation Bill was passed.

A deputation of Cawnpore employers left for Nainital to discuss the strike with the Government. It was understood that they would accept the Government's plan if an assurance was given that there would be no lightening strikes in future.

**22nd.** A meeting of the Council Ministers in Bengal, H. E. the Governor presiding, discussed the Fazlul Huq—Nausher Ali impasse.

The Bengal Ministry having resigned, Mr. Fazlul Huq formed a new Cabinet in which all his former colleagues were included, with the exception of Mr. Nausher Ali.

The Chairman of the Indian Jute Mills Association at a special meeting in Calcutta, predicted an early end of the depression surrounding the jute industry in Bengal.

**23rd.** Mr. Subhas Chandra Bose, Congress President, resigned the leadership of the Calcutta Congress Municipal Party as well as the Aldermanship of the Corporation.

H. E. Lord Brabourne left Calcutta for Simla to take over the office of the Governor-General.

The Council of the National Liberal Federation in Bombay called for changes in the Federal Scheme.

The reconstituted Bengal Ministry took their oaths of office at Government House, Calcutta.

Congress opinion in the Jinnah-Bose talks was that the matter was one for consideration by the Congress Working Committee and should not be left to the decision of a few leaders.

**24th.** Discussions at Shegaon between Mahatma Gandhi and several Congress leaders were mainly devoted to the negotiations for a communal settlement and the Bengal prisoners' problem.

A "Kisan" rally was staged in every district town of the United Provinces.

The Labour Federation at Kulti rejected the managing agents' offer to submit the dispute to independent arbitration.

Mr. Subhas Bose and other leaders had discussions at Wardha with Mahatma Gandhi on the Congress League negotiations.

**25th.** Lord Linlithgow left Bombay for England ; Lord Brabourne became Viceroy of India and Sir Robert Reid and Mir. G. P. Hogg acting Governors of Bengal and Assam, respectively.

Nearly 120 men were arrested at Cawnpore, but the majority of them were later released when two Indian millowners were held up by pickets, as they were coming out of the mill gates.

Tributes to the services of Bankim Chandra Chatterjee, the composer of *Bande Mataram*, were paid at the novelist's birth centenary celebrations in Calcutta.

**26th.** An agreement reached between the employers and the U. P. Cabinet over the settlement of the Cawnpore Strike.

The President of the Marwari Chamber of Commerce, at the annual meeting held in Calcutta, said that the preliminary requisite for the solution of labour problems in India, was a sound development of indigenous industries.

The Indian Chamber of Commerce addressed the Government of India regarding the exchange value of the rupee.

The Bihar Education Minister appealed to students to work for the literacy drive in villages.

**27th.** There were two strikes in Karachi, the one by the warehouse and transport workers being called off after some of their demands has been conceded.

In the Bihar Assembly, the Bakasht Lands Restoration and Reduction of Arrears of Rent Bill was postponed owing to differences among the Congress party.

A communique issued by the Reserve Bank of India in connexion with the closing of a Bank in South India, said that there was no reason for any alarm because the banking system in the country was sound.

In the Punjab Assembly, a plea for a lower settlement of land revenue in the Punjab was made during the discussion on a demand for supplementary grants.

**28th.** In the United Provinces the progress with the prohibition campaign made in the two districts of the U. P. during April was reported to the Government by official agencies.

The first step by the U. P. Government in relieving unemployment among educated young men was the sanctioning of grants aggregating Rs. 31,000 to several applicants for starting industrial undertaking.

In the Punjab Assembly, the Premier stated that he would only introduce the Press Bill and would not proceed with the other stages at present.

**29th.** The Government of Bengal issued orders releasing more detenus.

Mr. Subhas Bose, who presided at a labour meeting in Calcutta, assured the gathering of the sympathy and support of the Congress in the workers' struggle for the vindication of their legitimate rights.

**30th.** Mr. Jawaharlal Nehru invited to meet Lord Zetland, the Secretary of State for India and Lord Halifax, Foreign Secretary.

# Notes on Indian History

and

# India In Home Polity

# Notes on Indian History

It has truly been said that a history of India that reveals the whole panorama of the vast millenia of her distinctive life and civilisation in its actual shape and colour and due proportion and perspective, still remains to be written. The materials for drawing such a vast outline and making such a comprehensive and connected sketch are not yet in hand. A fairly definite outline and connected sketch which gives the promise of being some day developed into what is called "scientific history" has, however, been steadily emerging out of the mist that veils the immensity of India's past—a mist which (thanks to the labours of the investigators) has perceptibly thinned without being as yet actually lifted as far as one can now make one's incursion into the age that saw the birth of Budhism and Jainism in India in the sixth century B. C. Beyond that there is still only "cosmic nebulae" relieved here and there by a few stray constellations of lucidly distinct historical facts. These "nebulae" have, probably, a depth and density to be measured only in terms of millenia. But from the position where we can now make our historical prospecting, these vast remote dark spaces of Indian history recede and shrink and fold up and, at last, look like a far-away blank, black spherule beyond the galaxy of human remembrance.

Ancient Indian history is, apparently, "full" of such gaps and blanks. Beyond the time when Alexander the Great invaded the Punjab (326 B. C), the galactical system of detailed and authentic Indian history does not far extend. There are too many unexplored blank spaces and unformed, chaotic nebulae beyond that time still. Beginning approximately with that period, we are furnished, sometimes in abundance, with fairly trustworthy material in the shape of contemporary Greek testimony bearing on Indian history, and also, as time rolls on, with inscriptional and other kinds of decipherable and dependable domestic evidence. Of course, an immense mass of "documentary" evidence and evidence in the more or less fluid, volatile state of tradition, hearsay and folk-lore (written or unwritten) have always lain by the side of the historian hitherto busy with his inscriptions, plates, coins, artefacts and any corroborative evidence that may be forthcoming from outside. And that mass of ancient Indian documentary evidence and tradition has, generally, lain neglected by his side. In has been, generally, of little help to him in reconstructing, "on scientific lines", the missing skeleton of ancient Indian History. It has been, however, of great use to the comparative mythologist, phylologist and anthropologist.

But even the historian who seeks to reconstruct on scientific lines the missing skeleton of ancient history, whether of India or of any other country, should do well to remember that the dry bones of the skeleton he may have been been able to put together will not be true, living history unless they can be made instinct with the touch of life which literature, art, tradition, 'myths', folk-lore, religious and social institutions in their earlier and later forms alone can give. From coins, tables etc., we can built a possible or even probable frame-work of chronology into which we can put our little bits of tested facts according to one possible plan or other. Such a mosaic of dates and facts (mainly relating to dynastic succession, war and conquest) is of course important as a necessary ground-plan of history. But it is not the completed structure of history. It is not history as an organic process of evolution. So we have to distinguish between structural or morphological history and organic, "physiological" history.

Now, India has been so far poor in comparison with some other ancient countries like Egypt, Babylonia and China in her "materials" for writing the first kind of history, and the available materials, as we saw, do not carry us much beyond the time of Budha and Mahavira in the sixth century B. C. Recently, however, a very old and, apparently, a high order of civilisation has been unearthed in the Indus Valley in the Punjab and in Sind, which, according to current official beliefs, is of the Sumerian pattern. The buried cities now discovered bring to light not only very interesting features of a civilisation thriving in the western part of India in so remote a past (when the Indo-Aryans had not, according to the common view, yet migrated into India), but they even put into our hands interesting clues that may eventually help us to unravel many of the riddles of our Vedic and post-Vedic history. The Tantrik cult, for instance, may have older and deeper roots in the soil of India than have so far been granted or suspected. Nothing contemporaneous with or earlier than the Indus Valley civilisation has yet been unearthed in other parts of the subcontinent. So the present trend of speculation is to regard the Indus Valley civilisation as a sort of wedge driven into western India—the whole of which was still at the low level of aboriginal darkness (with the possible exception of some parts that might have risen to the Dravidian 'light' level)—probably by the races and civilisation of Sumer.

We are still in the duskland of probabilities or even less than probabilities as to the dates, origins, early habitats and earlier forms not only of the Indus Valley but also of the Dravidians and Indo-Aryan people. We do not know for certainty when and from where the Indo-Aryans came into India. The fact of Aryan immigration into India itself, though generally accepted, is still disputed. And if immigration be admitted, we have, probably, to admit not one but several successive streams of immigration. Such a theory, apparently called for to account for some of the critical turnings and "sudden mutations" in our ancient historical evolution, will lead to many unexplored avenues of enquiry as to ages and dates, origins and characteristics.

THE RIGVEDA

The Rigveda—the earliest and the most informing and instructive "documentary-evidence that we possess—appears to set the stage amidst scenes which show the Aboriginal, Dravidian and Indo-Aryan factors fighting for supremacy first in the land of "Five Rivers" and in the Ganges Valley, and then gradually, beyond the Vindhya Range which with its impenetrable forest mantle, stood as a barrier between Northern India (Aryyavatta) and Deccan. Gradually we find the aborigines cornered and driven to the hills and forest where their descendants, more or less Aryanised, still continue to live. In considerable parts they were also absorbed into the fold of Aryan society and culture. And in being absorbed they did not fail to impart some little part of their own character of the Aryan complex. There was not so much of racial or even linguistic fusion as of cultural assimilation. The process of Aryanisation in language, culture etc. has been a process admitting, naturally, of different shades and degrees, leaving at the one end aboriginal races that have almost kept aloof from Aryan influence and having at the other others that have become part and parcel of the Aryan system. The Aryanisation of the Dravidian peoples, especially in religion, culture and civilisation, has been a much more perfected process. But on the other hand, the Dravidian impress on the Aryan system is also in many places, deep and unmistakable. The Dravidian is co-ordinated or even subordinated to the Aryan but not lost in the latter. This power of assimilation of alien races and cultures without losing the individuality of its own essential Type or Pattern and without at the same time making the diverse elements assimilated lose whatever is essential in them—has been a special characteristic of the Indo-Aryan race and culture-complex. This has meant organic unity or unity in diversity of a more fundamental and abiding nature than can, perhaps, be claimed for the political or national unity with which historians are commonly familiar. Historians, accordingly, commonly miss the unity which lies deep and sees only the diversity which lies on the surface. India to them is thus a veritable chaos of jarring elements of races, languages, religions, castes, sects and culture which have never known unity before the days of the unitary political rule of the British. Of course the introduction, in later times, of the Semitic religions—Muhammedanism and Christianity—disturbed to some extent the ages-long unity and balance of the Aryo-Dravidian culture and social system in India. But even these elements were in the process of being slowly drawn into the sphere of influence of what we may call the genius of India. In other words, a slow but sure process of cultural assimilation even of this "militant" factors was going apace. Buddhism, which had risen as a "revolt" against orthodox Hinduism—but yet as a revolt from within—and which dominated the situation in India for several centuries, ended in the land of its birth by being eventually absorbed and assimilated into the parent religion. Jainism and many other old or latter "revolts" have thus "squared their accounts" with the same parent religion, and have been for many centuries living peaceably side by side with one another and with the latter.

This power of assimilation and co-ordination in which all the components make their own contributions and are permitted to live side by side as members of a commonwealth of cultures, has been the secret of the wonderful resisting and staying power of the Indian culture-complex against such disintegrating forces as have smashed up many an old and glorious civilisation of the world. And it can be easily shown from facts that this staying power has been in evidence not only in the realm of cultural contacts and impacts but also in that of social and political ones. There have been many raids into India and invasions before and after Christ, but it is a travesty of facts to imagine that Indian resistance has always been weak and short-lived and that such invasions are typically like the raids of Mahmud of Gazni which ever swept away Indian armies and Kingdoms like cobweb or a house of cards. Before her final subjugation by the Mahammadean Power—and the final subjugation of the whole of India was anything like an accomplished fact only for a time

during the reign of the great Mogul Emperors—India had been, it should be borne in mind, a mighty Power and a Model of civilisation and culture for at least three thousand years. And it should be remembered further that when the British in India turned from trade to conquest (always with native help and alliance) they had to settle their accounts not only with Haidar Ali and Tipu Sultan in the South but mainly the Maharatta and Sikh Powers which had risen on the ruins of the Mahammedan Power in India.

### Unitary Indian Empire

But there were and still have been other factors which, to some extent, operated against India developing a compact and coherent political and military organisation, except occasionally like, for instance, the great Roman Empire of old or the British Empire in modern times. We possess, apparently, no connected retrospect of the remote past of which the Vedas, Epics and Puranas speak. But as far as appearances go, an unitary, centralised, Indian Empire was the exception and not the rule. In later times also, an Empire like that of Asoka was not a common achievement. As we said, India has possessed deep-laid cultural and institutional unity beneath all her diversities. India has fought, and fought bravely, for the integrity of her sacred Land, her sacred religion and tradition, and for their sacred visible Symbols and Embodiment. But she has rarely fought for the "State" as such or an Empire as such. The spirit of her culture did not favour the formation and consolidation of Nationalism in the sense it is commonly understood, and her basic institutions would hardly consist with many forms of centralised State control. The all-controlling and co-ordinating Principle was Dharma (the Principle of humam Values and Conduct) rather than any State agency. Each village, for example, was a self-contained commune and autonomous unit owing permaneut allegiance to the reign of Dharma and only temporary allegiance to any kingship that might function for the time being. So the village communities continued to live though kingdoms after kingdoms rose and fell. They were but little affected by the accidents and exigencies of politics.

Again, the spirit of Dharma (which should not be translated as religion) has definitely and systematically favoured all human or even all-living values and tendencies and a cosmopolitian outlook, and has opposed militant, aggressive "predatory", nationalism. The old Upanishads are clear and courageous in their conception of those higher values; and the Dharmashastras (or Codes laying down social and individual conduct) were bold and consistent in their execution of those ideas. Later, Budhism and Jainism and other "reforming" movements have tended only to stress such values as non-violence and fellowship with all men and all living being. These forces operating through the ages tended to produce in the Indian classes and masses a common disposition not quite favourable to the formation and consolidation of an unitary military state for purposes of offence and defence.

Of the immense back-ground of Indian History which is represented by the Vedas (Samhitas, Brahmans, Aranyakas and Upanishadas), the various Sutras (or Digests), Philosophies, Epics (the Ramayana and Mahavarata), Puranas and Tantras (our statement here is not anything like full), we possess (unless one is prepared to grant the claim of the Puranas recently put forth in their behalf that they do contain materials for reconstructing a fairly connected chronological history beginning with the very earliest times) very little precise and connected information for the purpose of writing a political history both copious and correct as to facts and their chronological order. But of the ideals and ideas, practices and institutions of the times we do possess a very full, informing and instructive presentation. And, after all, what is real history but this? Scholars have been busy with their sketches and drawings of the ancient orders and specimens of ideas, beliefs and practices that existed in India. But oftener than not their reviews and retrospects have been made from modern standpoints, with modern notions, criteria and standards of testing facts and appraising values. This has not enabled us, in any just measure, to understand much less appreciate a civilisation (not confined to India but, possibly, reaching some of its greatest heights in this country) which was essentially of a different kind, and cannot, therefore, be represented as only the first uncertain and timid steps taken on the road which has, through a long, long march, at last brought us to our present advanced stage. The ideology, plan and methods of that ancient civilisation we have yet not seriously studied and rightly understood. Much of that civilisation we still regard, without understanding, as consisting of "savage" magic, meaningless ritualism, "theological twaddle" and crude superstition. Side by side with all this we find, however, the highest philosophy, deepest mysticism and pure ethics. There is also

much that is of original and genuine value from the point of view of human material and mundane progress. This seems to us a curious medley of what is nearly the highest and what is about the lowest. But let us pass on.

Coming to "historical" times we find that the invasion by Alexander the Great of India proved in the result to be little more than a brilliant raid. His victorious armies could only cut off a small slice of North-Western India, and this little slice the Macedonian would ingest, but could not digest. His steam-roller of conquest speedily developed "war-weariness" on the plains of the Punjab, and he had to go back only adding a bit of India to his vast Empire. He had won some of his battles in India, but it had not been an "easy walk-over" with him.

### Chandragupta and Asoka

After his death shortly afterwards, the vast Macedonian Empire practically went to pieces. Chandragupta, who became the king of Magadha, proved himself too powerful for the Greek invaders who had violated the sanctity and integrity of the sacred Land of the Five Rivers. As the result of the formidable opposition by the armies of Chandragupta, a treaty was concluded between him and the Greek which made him the supreme, undisputed lord and sovereign of the Indian Empire. Megasthenes, who was sent by Seleucus as an ambassador to the court of Chandragupta, left a very valuable record of the times, of the customs and morals of the people, and of the administration, which, though unfortunately fragmentary, bears an eloquent and admiring testimony to the high order of material and moral civilisation attained by the Hindus centuries before the Christian era. And this high civilisation was evolved in India not in isolation but in commerce with other civilisations that flourished in ancient times such as the Babylonian, Greek, Persian and Chinese. Chandragupta's son was Bindusara who was succeeded by Asoka (269-231 B. C.), who was undoubtedly, one of the greatest rulers of men holding their sway for the material and spiritual good of mankind. Numerous edicts and inscriptions record the noble and glorious achievements of his reign which, in its later stages left the bloody path of war and conquest and devoted itself to the much more noble and fruitful task of the moral and spiritual conquest and redemption of ourselves and our fellow-being. With commendable catholicity and tolerance, not seeking to impose it upon others by his great imperial authority and power, he exercised that authority and power for the purpose of transforming Budhism, which had been more or less a local sect in the Ganges Valley, into one of the greatest and most potent living world religions. Asoka's reign is therefore rightly held to be an epoch in the history of the world. His edicts also show the man, his ideals and his methods. But all this had not allowed or favoured the cement of the great Maurya Empire setting into the requisite hardness. Independent kingdoms like Bacteria and Parthia took their rise in the border land, and the Greeks renewed their incursions. New races (the Yuen-chi) came in a surge of migration which swept all before them, and in the first century A. D. a considerable portion of North-west India came under their influence.

### Gupta Dynasty

Kanishka, who made Peshawar his capital, proved great as a ruler and as a patron and missionary of the Budhistic religion. Under him the Kushan branch of the Yuen-chi reached the zenith of its power. But this power fell as another power in middle India rose—the Andhra dynasty A peak like Amaravati or Ujjain would, some time, rise and shine in the midst of the moving vastness of Indian waters. In the beginning of the fourth century the centre of political influence in India was again shifted to Pataliputra in Magadha as the Gupta dynasty emerged into power. Samudragupta, who ruled for fifty years, and his son Chandragupta, greatly distinguished themselves not only in war but in the sphere of peaceful and fruitful administration, promoting general prosperity and giving liberal encouragement to art and literature, a glorious tribute to which was paid by the Chinese pilgrim Fa-hien. According to his testimony, their Empires were vast and their administration just, enlightened. Towards the end of the fifth century—when the White Huns from Central India began to pour themselves into India—the sun of the Gupta dynasty set (during whose regime, it should be noted, there had been a revival and reconstruction of ancient Brahmanism and Brahmanical culture as evidenced especially by the literature of the Purnas; but this reviving process was, very largely, a process of quiet adaptation and peaceful assimilation). More than a century had elapsed after the fall of the Gupta dynasty before there rose another great and enlightened monarch who could emulate with no mean success the greatest of the Indian rulers in historical times—Asoka. Emperor

Harsha, who consolidated his authority practically over the whole of Northern India in the beginning of the seventh century, was famous equally for his great prowess, his high intellectual attainments and for the broad catholicity of his religious outlook. An account of his times has been left by a Chinese, Huen Tsiang by name. In that, India is still painted in generally bright and even glowing colours.

### Mediaeval India

After the death of Harsha, and gradually with the emergence of India into what may be called the mediæval period, the conditions which had made the political unification of India sometimes possible in the past, nearly disappeared, and India was thrown into a state of political confusion and chaos in which petty kingdoms rose like mushrooms and constant internecine strife prevailed. Some outstanding figures like Vikramaditya would occasionally appear on the stage ; but such events were few and far between. In the south of India was being enacted a very interesting but involved drama in which the Andhras, Pallavas, Chalukyas and Cholas were the principal actors. Kashmere in the north, Kanauj in the Doab and Bengal in the east were also alive with many vivid and vital scenes and events of political, cultural and social interest. But we shall not try to make a review of them here. One outstanding event in the confusion and complexity of the general Indian situation which deserves notice even passing was the rise of the Rajput power upon which the mantle of the old caste Kshatrias (the warrior and ruling caste) fell. and which was the chief opposition that the waves of Mohamedan invasion coming one after another ever since the second quarter of the 7th century had to encounter and ultimately bear down. Guzarat, Malwa, Ajmer, Kananj and Delhi were the principal scenes of the new drama of Rajput ascendency— a drama so full of episodes of superhuman bravery, noble heroism and sacrifice for the sacred cause of religion and liberty that they have ever since lived in human memory as models which future generations of patriots in any country might well try to emulate. Though Rajput opposition was borne down in Northern India by the end of the twelfth century, Rajput bravery and the spirit that animated it survived the crash of the Hindu Empire of Delhi and Ajmere over which Prithvi Raj, the hero, the last of the Hindu emperors, though not the last of the Hindu rulers, had held sway. Rajput bravery and Rajput love of independence were still factors to reckon with in the days of the great Moghuls—Akbar, Jahangir, Shahjahan and Aurangzeb. Col. Todd and some others have narrated the story, and it constitutes one of the proudest annals in the vast archives of the Hindu glory in India. As to the conquest of Northern India by the Mohammedans, it should be noted, the great prize was not very easily or quickly won ; that the first Mohammedan impact was in the seventh century shortly after the passing away of the Prophet, and a Mohammedan kingdom in Northern India came into being towards the end of the 12th century. Even this did not mean either a complete or a final subjugation of India. And there is another thing to be noted. Hindu power fell not because its resistance was weak and its bravery and heroism in the field was not backed by adequate tact, strategy and discipline in diplomacy, planning and preparation.

The centuries of the mediaeval age in India were marked by a conspicuous lack of political unity and solidarity. But they were by no means unimportant and barren. It was not a "dark" Age. In the Gupta period and in the centuries before and after a marvellous process of social, cultural and religious reconstruction was going apace. The old Vedic scheme of social economy (involving as it did the four Varnas or "castes" and the four Ashrams or "stages" of life) was being transformed through a process of adaptation, assimilation and multiplication which made society more comprehensive and at the same time more complex. The influence of Buddhism, Hellenism and that of the Mongoloid races also led to adaptations and assimilations, in many important directions in the older order of Indian customs and institutions. The gradual assimilation of Budhism itself was a phenomenon of the greatest importance. The Vedic religion survived but it was transformed. The Puranas and Tantras renewed and gave a new expression to the Sanatana Dharma. In the domain of literature, art (both useful and fine), science and mathematics, philosophy and metaphysics, these centuries were also productive of fruits that were and still are of the greatest interest and value. Great poets like Kalidas and Bhavabhuti, and great philosophers like Shankaracharyya and Ramanuja and also other pioneers and masters in other fields formed a galaxy of men of genius and talents which showed that an age of political dis-equilibrium and confusion in India was yet not necessarily an age of cultural depression and darkness and social disruption. The soul of India could, apparently, function to its best advantage in spite of her troubled politics.

But whilst this was true for some time it could not be true for all time. Her politics at last began to tell on her constitution. We do not, however, propose to continue the story through the Mohammedan and British periods. The history of these periods is more settled and definite in features, and these are, generally, well-known. One special feature, which is not always clearly recognised and to which we should like to draw attention is this. From the twelfth century right up to the eighteenth, or even for some time later, the Hindu power of revival and regeneration, of initiation and execution, was never like dead or even dying. Independent and often powerful kingdoms like Vijayanagar in the South, those of Pratap, Shivaji and the Peshwas in the west (we do not mention some others e. g. those in Bengal) would, now and then, proudly lift their heads and challenge the authority of the great Moslem emperors. Under that authority, too, there flourished many great Hindu administrators, Ministers, governors, generals and financiers. In short, during the Mohamedan era the Hindu genius was not at its best but it was not quite decadent.

### The Mohammedan Rule

The Mohammedan conquerors, again, from Mahomed Ghori who wrested the sceptre of the kingdom of Delhi from Prithviraj after a first unsuccessful attempt, came to India as foreigners but they did not remain here as foreigners. India was the land of their adoption. Raids like those by Chengis Khan or Nadir Shah were rare and they did not represent the normal course of events. India suffered, and sometimes badly, no doubt, from the effects of the conquering ardour and proselytising zeal of some of the Mohammedan rulers. But the great Moghuls were as much "children of the soil" as the humblest of the Hindu "heathen". And this sharing together by the Hindus and Mussalmans of a common "hearth and home" naturally tended to breed a consciousness of community of interests in both as India's offspring. There was a steady assimilation of the semitic and Indo-Aryan cultures also and even a growing understanding and appreciation of one religion by the other. The religions touched and even blended with each other at their highest points—e. g. in Sufism and Vedantic mysticism. They also met and evolved a broad common "shrine" to which folk beliefs, practices and institutions would bring their united homage. Even a common dialect (Urdu or Hindusthani) was evolved between the two in Northern India which gradually blossomed into a fine literature. The patronage extended by the Mohammedan emperors to Music, Architecture etc. was also fruitful of very fine results. India's wealth attracted the trade and commerce of the whole civilised world. In fact, America or the West Indies was discovered in an attempt to discover an western route to the Indian market. British, French, Dutch and Portuguese traders all came and scrambled for market, and eventually, for political power in India. It is also worthy of note that even under the sway of such masterful monarchs as Sher Shah, Akbar or Aurangzeb, the government of the country was in the main, decentralised, allowing provincial and local autonomy—down to the autonomy of the village units—to adquately function. Even petty local chiefs—like the feudal lords of the mediaeval West—never unlearnt the art of fighting and governing. So it was always possible for a man of ambition and ability, like Shivaji for example, to evolve sanctions whereby he could implement his high political aspirations. It was the very large measure of local automony and local initiative that existed that rendered possible the rise of the Marhatta and sikh Powers and also of the kingdoms of Hyder Ali and the Nizam in the south. And British Power in India in its rise to paramountcy found its most formidable rivals or powerful allies in them.

In 1599, during the reign of Queen Elizabeth, some merchants of London formed an association for the purpose of trade with India, and this association was granted a royal charter of incorporation. At first this Company was purely a trading concern establishing factories in the east and west coasts of India and in Bengal and administering its affairs in the three "presidencies" which were at first independent of one another but subordinate to the Board of Directors at home. In course of time, however, chiefly with a view to preserving and consolidating its growing and extensive trade in India, in the face of the French rivalry and intrigue and the prevailing political anarchy and unrest in the land, it established military garrison of defence which soon became involved in hostilities that saddled it with territorial responsibilities. It fought some decisive battles in Madras and in Bengal, which raised a trading company to the status of a political Power in India. French intrigue failed and French rivalry practically died down in India. One of the most decisive battles fought was the battle of Plassey in 1757. The battle was won with the aid of faithful native battalions, and with the active or passive support of the

generals and noblemen of the unfortunate young Nawab of Bengal. It is worthy of note that the path of British supremacy in India, and often, its influence and prestige abroad, has been paved, amongst other things, with the consent, alliance and willing co-operation of the Natives of India. It was so even during the critical period of the Sepoy Mutiny, one hundred years after the battle of Plassey. It was again so during the "ordeal" of the last Great War. The machinery of administration by the East India Company was from time to time modified by acts of Parliament (1773, 1784; and the Charter Acts of 1793 and 1833). By these a Governor-General-in-Council was made the supreme administrative authority in India subject to a Board of Control at home. By the last Act, the Company ceased to be a commercial concern and became a political and administrative body only. After the Sepoy Mutiny another Act was passed by which the Government of India was transfered from the Company to the Crown, and henceforth the Governor-General was also the Viceroy of India. The functions of the Government of India are wide and its responsibilities heavy. But its responsibilities are to the Crown and the Parliament. It has not rested on an elective popular basis. There have been legislative bodies, but its motions, resolutions and votes have not, except as regards certain matters of secondary importance under the Act of 1919, a binding effect on the Government.

India's contributions and sacrifices in the Great War were great, but "reward" that come in the shape of the Parliamentary Declaration promising her a "a progressive realisation of responsible government", the stages and times of which were to be determined by the Parliament alone, was not comforting to her nationalist aspirations. And the Government of India Act of 1919, which is still in actual function though it has been, apparently, broadened and amplified in some directions by a recent Parliamentary Statute, did not not meet the wishes or expectations of India. By that Act dyarchy or a kind of dual responsibility was established ip the provinces, where the "nation-building" subjects were "transferred" to Ministers (not responsible however to the legislatures), whilst the more important subjects were "reserved". In practice the transference of certain subjects to Ministers (who were appointed by, held office under the pleasure of, and were responsible to, the Governor) meant little more than a complication of the administrative machinery which became, in consequence, more cumbrous and expensive. The Central Government continued to remain unitary under the scheme. The legislative bodies, both provincial and central, were expanded with non-official majorities, but this placed little power, for construction or even for obstruction in the hands of the popular parties. Whilst the liberals proceeded to work the scheme, the main body of nationalist forces, as represented by the Indian National Congress, would not first even look at it. But some time later, under the guidance of Mr. C. R. Das and Pandit Motilal Nehru, a Swaraj Party, analogous to the present Congress Parliamentary Party, was formed which entered the legislatures, both provincial and central, in telling numbers and by its obstructionist tactics caused not a little embarrassment to those entrusted with the work of day to day administration. In some provinces it was even able to "wreck" dyarchy for a time. Generally, however, the system has worked, though not satisfactorily even according to official appreciation. We need not in particular refer to the unwelcome labours of the All-White Statutory Simon Commission, to which even the habitually co-operating liberals refused to lend their co-operation. Meanwhile the Congress ideology was becoming bolder day by day, and the Lahore session adopted a resolution setting as the goal of India complete Independence or Purna Swaraj. A campaign of civil disobedience followed to create "sanctions under the leadership of Mahatma Gandhi who has been really at the helm of Congress affairs since the early twenties. The Round Table idea was broached rather too late; but Mahatma Gandhi after concluding, what is known as the Gandhi-Irwin Pact joined the Conference subsequently. The result of the deliberations of that body fell short of the Congress demand. And the Congress again withdrew its offer of co-operation.

# INDIA IN HOME POLITY

## JANUARY—JUNE 1938

# India in Home Polity

## INTRODUCTION

The year in India opened with a significant event, significant of the new place that our country occupied in the life and thought of the modern world. We refer to the Silver Jubilee Session of the Indian Science Congress sitting with the British Association for the Advancement of Science. India, one of the oldest countries of the world, home of one of the creative civilisations of the world, appeared on the stage of modern developments in the sciences and arts of life as a student in the primary classes. Though great she was in religion, in mysticism, in philosophy, in sculpture, in painting, and in architecture, she had somehow and somewhen been halted in applying the lessons and discoveries of the sciences in making life easier and comfortable to the commonalty of the realm. It is this maturity and immaturity combined in a single personality that is one of the riddles of Indian history. That riddle modern knowledge may or may not be able to explain. But the fact is patent that, after the sleep of ages, India is again on the march, and on the way to the renewal of the rich life that Bhrigu and Atri, Charaka and Susruta, Nagarjuna, Bhaskaracharya and Leelabati bore witness to. Somehow and somewhen that resurgent life had slipped down below the sands as the river Saraswati is said to have done. But Jagadish Chandra, Prafulla Chandra, Muhammad Sulaiman, Ramanujan, Raman, Meghnad Saha, Birbal Sahni, Kothari have shown by their achievements and aspirations that the stream of life has moved all these years, and, to-day, has bubbled into the life of the modern day.

**Indian Science Congress Silver Jubilee**

One of the earliest utterances of humanity issued out of the lips of one of our Aryan forefathers when they found themselves in a world where darkness, mental and material, seemed to brood over it and encircle it. "From the untrue lead me unto the true; from darkness lead me unto the light; from death lead me unto immortality". He did voice forth the yearning of humanity for the true, the good and the beautiful. In the second decade of the 19th. century one of the greatest names in German history did give expression, as the light of earth was fading from his eyes, to the same yearning as he uttered the words —"Light, more light!" Near or far, early or late, the quest of the human heart for a vision or for intimations of the Ultimate Reality has persisted since unremembered and unrecorded years. In this quest and journey, without beginning and without end, humanity has stumbled on truth and has tried to weave it into the habits and conduct of its daily life. In the flush of attainment it has, sometimes, twisted truth out of recognition or lost traces of it. But the eternal urge has not died within its heart.

**Quest for Ultimate Reality**

Under other suns and in different environments the quest has again stumbled on the same truth, in newer grab it may be, and with hints and suggestions, with indications and proofs of higher and wider altitudes of experience.

**India's Contribution to World Thought**

Thoughts like these stirred one's mind as this panorama of human journey through the ages unrolled before one. But stronger than this feeling of historic continuity was the fear that modern science by its discoveries and inventions has placed in man's hands instruments of destruction that can work havoc in the life of men and women, in the life of nations. It was also felt that India, one of the elder brothers of humanity, with the heritage of the centuries, described by William Durant, as—"the tolerance and gentleness of a mature mind, the quiet content of the unacquisitive soul, the calm of the understanding spirit, and a unifying love for all things"—India may have a message to the modern world to heal the sores, to still the discontents, and sublimate the greed and passions that have been threatening the bright prospect opened out by the sciences. To these hopes His Excellency Lord Linlithgow gave eloquent expression in his speech inaugurating the Silver Jubilee Session of the Indian Science Congress. Addressing the leaders of modern scientific thought and activities, these wise men of the East and the West assembled in the modern city of Calcutta in the heart of an old country, he said :

"Even the most enthusiastic believer in Western civilisation must feel to-day a certain despondency at the apparent failure of the West to evolve a form of society in which material progress and spiritual freedom march comfortably together. Perhaps, the West will find in India's more general emphasis on simplicity and the ultimate spirituality of things a more positive example of the truth which the most advanced minds of the West are discovering.

**Science and Modern Life**

For years since the horrors of the last Great War, leaders of science and philosophy in meetings and conferences have been feeling an atmosphere of gloom charged with the fear that the inventions and discoveries of the sciences which claimed to have been compelling Nature to lay bare the secrets of power appear to have more of destructive propensities in them. They have been feeling more increasingly their responsibility not only for the coming of knowledge but for the lingering back of wisdom—wisdom that can make proper use of the knowledge ; they have been becoming more conscious of their social duty in the matter of how the fruits of their labours are being used or utilised, whether or not these are being harnessed to purposes of good or to purposes of evil, to the service of human happiness spread among the widest commonalty or to inhuman and unworthy purposes of exploitation and domination. These questions, and the fears of which they are expressions, require and demand replies from the leaders of the modern world, scientists, philosophers, heads of organised religions, politicians and statesmen. The questions have invaded the hearts and minds of men and women in every clime, in every strata of society. H. G. Wells in his lecture on the *Idea of a World Encyclopaedia* gave expression to the change that has been happening in the minds of even the denizens of laboratories, men and women who

are supposed to live and work heedless of the world and unheeded by the world. Said he :

"Prominent men of science speak more and more frequently of the responsibility of science for the disorder of the world. And if you are familiar with that most admirable of all newspapers, *Nature* and if you care to turn over the files of that representative weekly for the past quarter of a century or so and sample the articles, you will observe a very remarkable change of note and scope in what it has to say to its readers. Time was when *Nature* was almost pedantically special and scientific. Its detachment from politics and general affairs was complete. But latterly the concussions of the social earthquake and the vibrations of the guns have become increasingly perceptible in the laboratories. *Nature* from being specialist have become world-conscious so that it is almost haunted week by week by the question : "What are we to do, before it is too late to make what we know and our way of thinking effective in world affairs ?"

**Responsibility of the West**

This awareness of the recluse of science of the discontents and maladies of the world is no phenomenon. In the millenial history of India it is on record that when the ideals and philosophies of social conduct decayed, and by their decay poisoned social life, the saints and sages of Hindusthan are known to have gathered in sylvan retreats—one of which, that of *Naimisaranya*, has a distinct place in the history of Hindu life and thought—to discuss the etiology of the diseases that had invaded the social body, and to think of and find remedies for the same. And in our own time, and in our country when the Indian Science Congress sat at Calcutta in a joint meeting with the British Association for the Advancement of Science, the expectation was natural that the leaders of science in India and Britain would give a turn to the philosophy of conduct that should guide the men whose labour has wrought the changes in our material existence and opened out vast and undreamt of possibilities for the enrichment of human life. Men and women have laboured and desired that this modern awakening may find fulfilment in increasing self-realisation, and in self-respect awakened in the hearts of the many. The material superiority of the West, the pre-eminence of the West in world affairs gained during the last one hundred and seventy-five years, the political domination of the world by Western peoples, have laid a special responsibility on them to work towards the consummation hoped for by prophets, and dreamt of by poets. It is being increasingly realised that it is common human effort that can bring nearer peace on earth and good will among men, that so long as one nation or people was left on the wayside uncared for, unfriended and slow, the progress of humanity would stand halted. Modern developments have made possible a common human effort, have laid down the material foundations of a common effort through erasing material distances between countries and peoples.

**—of India**

In days beyond memory and beyond record India had radiated shafts of good life to surrounding countries, and even to countries beyond seas and oceans. Buddhism had carried India's message to the East and West ; Persia through her centuries of contact with India had imbibed ideas and knowledge which she transferred to Arabia and Syria, Egypt and Greece ; the Arabs were the torch-bearers to the West of the light from India and Greece. That invasion of ideas created the Renaissance that was the starting-

point of modern civilisation. And the thought is not far-fetched that the West has been paying the debt, though in the process it has destroyed many things of value in the life of its ancient benefactors. The West has widened the bounds of knowledge in certain fields, enriched human personality in certain of its manifestations, imparted a new impulse to the efforts that would wrest her secrets from Nature. But it has been India's glory, her quest, to seek and find the unity and harmony that pervaded the diversities of creation. In thought and idea this unity was early perceived by philosophers in India. A modern Indian *savant*, Jagadish Chandra Bose, has presented this realisation to the test of our senses, helping to strengthen in us the sense of the universal. Speaking at the Royal Institute of London he thus spoke of these intuitions and perceptions of his ancestors :

"It was when I came upon the mute witness of these self-made records (of plants under fatigue, stimulants and poisons), and perceived in them one phase of a pervading unity that bears within it all things—the mote that quivers in ripples of light, the teeming life upon our earth, and the radiant sun that shines above us—it was then that I understood for the first time a little of that message proclaimed by my ancestors on the banks of the Ganges thirty centuries ago : "They who see but one, in all the changing manifoldness of the universe, unto them belong the eternal truth, unto none else, unto none else."

**Failure of Modern Science**

The intensification of this realisation during the sittings of the Indian Science Congress raised the expectation that the leaders of British scientific thoughts and activities who presided over the Congress as well as over many of its sectional conferences and participated in and enriched the discussions would be able to remove doubts and fears from the minds of the general public that modern scientific developments were terribly destructive and have not been able to evolve that moral order in the hearts of men and women that could control and regulate the vast powers discovered by modern science, and their use for the enrichment of human life. It may be the truth that the doctrines are twisted by the practical men of affairs to satisfy some temporary need, individual, communal or national, to get some quick results. The history of religious communities, of how the life and thought, the sayings and the practices of the Masters are distorted by the disciples, is full of such instances. So it is with science. The unity that pervades nature, the inter-dependence of the units for their own fulfilment and for the fulfilment of the purposes of the whole, this realisation may be transparently clear in the laboratory but not so in the habits of life. The powers that science has placed in man's hands are moved by impulses and passions that forget the unity of human relations. This forgetfulness is a strange phenomenon when science has demonstrated its presence and its place in holding together creation of which a mere speck is human society. And there is a mood of despair of 19th. century science that created high hopes of its being able to solve every problem that tortured human existence, that have produced abounding goods, mental and material, but have failed to distribute these equally. This despair has led to a spirit and practice of intolerance, to restriction and suppression of freedom on which the 19th. century had prided itself so much.

Men and women of today hold science to be responsible for these disappointments and failures. And they seek shelter from these disappointments and failures in some authority that can boldly assert that it is infallible, that it only can promise men and women all that they lack in their material life. Here is the seed plot, observers say, of that reversal of the social and political beliefs, of the evolution of modern civilisation. Here is the seed-plot, they say, of the dictatorship of classes, groups or individuals, that is a characteristic development of the after-war years. Many minds have set themselves to finding the causes of this profound misgiving and loss of nerves on the part of the present generation, to accounting for the retreat that we have been witnessing. One of these interprets it as such ; for, in spite of all the loud speaking what we are watching is a panic retreat.

**Rise of Dictatorship**

"The dictatorships are not the production of a sudden passion to explore and to open up a new age. They are indicative of a flight back to the smaller and less frightening past."

When one finds that in Germany they talk of recalling the days of Wotan, in Italy of reviving the glories of Scipio Africanus, the interpretation may not be wholly far-fetched. But the aggressiveness, dominance and enterprise of which we hear so much have all the appearance of a repudiation of things that have been valued by the Western world for fifteen centuries and more. And the bluster of this talk may suggest that an inner weakness is being propped up by loud-speaking. All this may be true. But there cannot be any manner of doubt that the leading nations of the world to-day are experiencing a terrifying sense of being at a loss. And the peoples who are less organised, who depend for their existence on the benevolent neutrality of the greater Powers are ill at ease, not knowing which way to turn for safety and self-respecting life.

We in India are also under the influence of this world-wide disappointment and fear. For about two centuries British methods of administration and enlightenment have established an order of things that is today threatened with disturbance both from inside and outside. Attacks on British Imperialism from Indian Nationalism, and on British supremacy in South East Asia from the rising Imperialism of Japan have put a new complexion on affairs in this region of the earth. India's struggle for independence, for the renewal of her national self-respect has thus gained an importance transcending her own borders, involving the fate and fortune of nearly half the population of the world. In the successive four volumes of the *Indian Annual Register*, those dealing with the years 1936 and 1937, an attempt has been made to understand and explain its meaning and significance. It is being influenced and affected by extra-Indian factors. the chief of which is the invasion of China by Japan and the disturbance in the balance of power precipitated by the success or failure of Japan's "mission" in rescuing Asia from the thraldom, political, economic and cultural, of the West. This is Japan's plea for extending her military operations throughout China, operations that started in the small affair at the

**Indian Nationalism & Japanese Imperialism**

Marco Polo bridge in July, 1937. But Japan's encroachments on the mainland of Asia has a longer history, a reference to which is necessary to understand the vast changes threatened in the politics and economics of the islands and countries in and around the Pacific Ocean.

**Meaning and purpose of Japanese aggression**

For the last six years since the occupation of Manchuria by Japan and the setting up of the kingdom of Manchukuo with the last of Manchu emperors of China, Pu-Yi, on the throne, much is being written and told of the ultimate results of Japanese activities and ambitions. If the imperialism of Dai Nippon, Great Japan, succeeds in realising its objective, it will wipe off China as an independent State; the illimitable resources, natural and human, of this country, controlled, organised and marshalled by Japan, will change the position of affairs in Asia, will give a new shape and form to international life. Put in simple language it will mean that the supremacy of Western Powers, east of the Suez, cannot last longer than two decades. Which, further analysed, will be found to indicate that China, Indo-China, Siam and Tibet would either form part of the Japanese Empire or be protected countries of this eastern Island Empire; that the islands near about would by the very force of the whirl-pool set up be sucked into the same State-organisation. Sir Ian Hamilton who was representative of the Indo-British Government with the Japanese army during the Russo-Japanese war in his "Scrap Book" and "The Soul of an Army" gave his impressions of the possibilities of the Japanese army and the spirit that animated the nation which poured out of its huts the soldiers of the Mikado. When Japan began to look westwards the most conspicuous phenomenon on the new horizon was the figure of Prussia rapidly mounting to a new seat of power in Europe, aggrandized by the three swift victories over Denmark, Austria and France. This was an example that Japan has cherished with the whole strength of her being, nursed and nurtured in the traditions of the Samurai.

"This penetration of the German ideal into the Farther East was military; it has yet to bear the fruits, and do not let us fall into the mistake of overlooking a principle because.....we had smashed those who had expounded it."

Sir Ian Hamilton's fears appear to becoming true; and he has lived to say in the beginning of this year in an army dinner in London that his sensing of the danger was right; that Japan would start from Hankow and halt at the conquest of Bengal, taking in the intervening countries in the process.

**The Yellow Peril**

The prospect traced above has not been quite an unfamiliar acquaintance with the world. Since the opening years of this century when small Japan defeated big Russia, "Yellow Peril" has been a disturbing element in the smooth working of State policies in Europe and America. Ex-Kaiser William has been credited with being the protagonist of the idea that Japan would lead the four hundred millions of yellow men to the conquest of the world. In his book—"My Memories," published from his exile home at Doorn, he speaks of utilizing

"Tsar Nicholas II's anxiety at the growing power of Japan to the advantage of Germany and general European culture." And speaking sorrowfully of white peoples inviting to their quarrels the new power of Japan he gave expression to a certain prophetic feeling in the following words :

"When once Japan has made a reality of her watch-wood—"Asia for Asiatics"—and brought China and India under her sway, England will cast her eyes about in search of Germany and the German fleet."

Though a writer, Sir Frederick Whyte, sometime President of the Indian Legislative Assembly, calls this adding up of the millions of China and India, multiplied by the power of Japan, as the "Arithmetic of Bedlam", developments since 1932 have not helped to sustain this confidence. The *New Satesman and Nation* (London Weekly) characterised in 1934 a certain Japanese move as "a challenge to the world and another step forward on the road of Japanese Imperialism" ; it declared further that Japan had taken the measure of European Powers, hopelessly divided against one another, and incapable of rescuing China from "the fate which Japan has marked out for her" ; and a leader of the British Conservative Party and a leader of the peace movement, Lord Robert Cecil, called out for a "common cause of the United States of America in face of Japanese challenge".

**Japanese "Monroe Doctrine"**

But Japan was not always as suspect as she is today. A British writer assessed the value of the Anglo-Japanese Alliance (1902) as follows : "on our side we have gained an ally whose political integrity is certainly equal to that of any power in the world, and whose co-operation is worth far more to us than a thousand Anglo-German and Anglo-Russian agreements." It was President Theodore Roosevelt who suggested in 1905 to Viscount Kaneka the plan that Japan should establish a Japanese "Monroe Doctrine" for Asia ; he had, of course, in mind the protection from European encroachments, not instigation of aggressive and imperialist desires. Japan's "paramount interest" in Korea was also recognised at that time, leading to the establishment of a "protectorate" in 1910, and absorption in the Japanese Empire in 1911. Secretary Bryan in the first Woodrow Wilson administration recognised in 1915 that "territorial continguity creates special relations between Japan and these territories" (south Manchuria and eastern Mongolia). Secretary Lansing in 1917 recognised that "Japan had special interests in China, particularly in the parts to which her possessions are contiguous" ; Ambassador Castle representing the U. S. A. at the Court of Japan, declared in 1930 that "Japan must be and will be the guardian of peace in the Pacific." These American recognitions of a sort of a Japanese "Monroe Doctrine" were all made on the assumption that Japan would not be bitten by imperialistic ambitions ; Great Britain also recognised the logic of the position.

**Evil Example of European Powers**

But there has been a change in the spirit of her dreams on the part of Japan. The example of the Western Powers with the honourable exception of the United States of America has been infectious. Japan could not long remain a hermit kingdom in spirit and fact. When she had defeated Russia British

writers in compliment called her the "Britain of the East". This compliment went into her head and she followed the example set by Britain, the pioneer of imperialistic aggression in the modern world. Japan has been a late comer in the field, a late arrival. Others had preceded her by about half a century.

**Western Powers Grabbing Chinese Territories**

The process began in 1840 when Britain extracted Hongkong as "reparation" for China's impudence in opposing the British right of introducing opium into Chinese territories; in 1860 Tsarist Russia signed a Convention with China by which she gained 3,60,000 miles of Chinese territory, including 600 miles of coast-lines on the Pacific on which stands the Vladivostock of to-day; in 1862 Britain annexed Lower Burma (a tributary to China); by the Chefoo Convention of 1876 "the virtual control of the Yang-tze Valley fell into her hands"; in 1884-85 Annam became a French "protectorate"; in 1886 Britain annexed Upper Burma; Portugal seized Macao in 1887; British overlordship over Sikkim was recognised by China in 1890; Great Britain and France declared Siam "independent" in 1893-94; and the "formal tribute" to China was stopped; in 1894-95 broke out the first Sino-Japanese war out of which Japan got Formosa, and Korea was declared "independent"; in 1898-'99 Russia, Great Britain and France reaped a bumper harvest of Chinese territories through leases terminable at the end of 25 or 99 years. Thus, to quote a Chinese writer, "by 1899, in all China's 3,000 miles of coast line, there was not a harbour she could mobilize her ships in without the consent of the.....foreigner"; in 1900 Russia occupied Manchuria; in 1904 Britain invaded Tibet, a Chinese dependency; in 1911 Japan annexed Korea. This lifting of Chinese territories on one excuse or other by Western Powers has been a bad example, a great temptation to Japan, a great threat to the integrity of her own life, to her political and economic interests.

**Japan's Imitation of that Example**

And it did not take Japan long to follow this example, to succumb to this temptation, and to set about strengthening her political and economic supremacy in Eastern Asia. During the last Great War when the Western Powers were all locked in a death struggle Japan had the chance of her lifetime to bring China under her control. This she sought to do by the 21 Demands presented to the President of the Chinese Republic on January 18, 1915. These affected China's political independence, and sought to establish a veiled overlordship by Japan over her territories. Without going fully into all the implications of all the Demands, the significance of one or two of them may be stressed here. Japan demanded that the Chinese Central Government shall give employment to influencial Japanese as advisers in political, financial and military affairs; that the Police Departments in important places should be jointly administered by the Japanese and Chinese; that China shall purchase from Japan a fixed amount of munitions of war (say 50 per cent or more of what is needed by the Chinese Goverment), and that there shall be established in China a jointly-worked Sino-Japanese arsenal, Japanese technical experts being employed and Japanese material being purchased. After four months of almost fruitless discussion China was

compelled under threat of an ultimatum, the threat of war, to sign acceptance of these demands on May 9, 1915. These 21 Demands gave notice to the world, to the Western Powers, that the days of their predominance in eastern Asia were almost gone, that in theory and in fact Japan must be accepted as "the guardian of peace in the Pacific". Britain, the United States and France recorded protests against the spirit and procedure of these demands. And there were no proof that Japan had recognised the validity of these protests. But at the Washington Conference (1922) Japan surrendered all the advantages economic, financial and political, that she had gained in and over China and the other Powers. Why did she do so has remained a mystery even today. The Chinese were weaker than what they have proved themselves to be today; the Western Powers were weaker also. Still Japan surrendered her advantageous position in China. Others in Japan's position have not been as magnanimous.

**Geneology of Japanese Imperialism.**

But racial memories, national ambitions, persist and survive; they may sink into the region of the unconscious, remain quiescent there for decades, even for centuries. But soon or late these erupt into consciousness, and seek and find fulfilment in the world of reality. In 1921 the then Japanese Premier Tanaka presented a memorandum to the then Emperor of Japan which described in full detail the successive stages of the victorious march of his armies over the mainland of Asia which will make *Dai Nippon* the greatest Power in the world. The memorandum may be regarded as the madness of Imperialist logic, but there is no indication that it did not represent the thoughts of dreamers, the aspirations of a considerable section of the higher civil and military bureaucracy of this island Empire in the Pacific, the "Britain of the East". And historians, Japanese and others, have related for the instruction of the world the story of the divine origin of the Japanese islands, emperors and people—the origin that must reach its destined goal in the Son of Heaven ruling over the fertile nations of the resurrected East. Will Durant in his *Story of Civilization* quotes the argument as it presented itself to Japanese society about two centuries back, as it was stressed by a racial enthusiast of that age :

"It is most lamentable that so much ignorance should prevail as to the evidences of the two fundamental doctrines that Japan is the country of the gods, and her inhabitants the descendants of the gods. Between the Japanese people and the Chinese, Hindus, Russians, Dutch, Siamese, Camodians and other nations of the world, there is a difference of kind rather than of degree.....The gods who created all countries belonged, without exception, to the Divine Age, and were all born in Japan, so that Japan is their native country.....Foreign countries were, of course, produced by the power of the creator gods, but they were not begotten by Izanagi and Izanami, nor did they give birth to the Goddess of the Sun, which is the cause of their inferiority."

Here is the tradition of Japan's right to hegemony in the world, the men and opinions that established in the 18th. century the Sonno Jo-i movement to "honour the Emperor and expel the foreign barbarians"; in the 19th. century that spirit and those opinions inspired the Japanese people to overthrow the Shogunate and restore the supremacy of the Divine House; and in the 20th. century have been driving the Japanese people on their mission of conquest and setting the world

aright by teaching it the "imperial way" of human conduct that alone can restore balance and happiness to humanity tossed on the discontents of the present age.

**Fear of Japan**

I have dealt with the Sino-Japanese in some detail in order to understand and explain the repurcussions of the events in China on the minds of the people of Siam, Burma, and India. It is useless to deny, it will be well to recognise, that the victorious march of Japan over China has disturbed the habits and thoughts of these peoples as never before since the days of the Napoleonic wars. To many of them events in Europe, the challenge of Germany and Italy to the imperialisms of Britain and France, have sounded as echoes of distant events, of battles far away. But Japan's march towards the heart of China, the long-range flights of her bombers, have set the bazars of Bangkok, Mandalay, Rangoon, Calcutta, Madras, Bombay and Delhi buzzing with gossip of a great change in Eastern Asia with which the fate and fortune of their own lives were intimately bound up. The retreat of Britain and France in Europe in face of the challenge referred to above, of Britain, France and the United States in face of Japan's aggression on their vested interests in China, of Russia's indistinct attitude towards the Sino-Japanese war—all these have created an apprehension in the minds of the peoples of the countries mentioned above that a new Power will be appearing in the horizon of their life eclipsing those that influence or hold them in subjection today.

**West prepared to accept defeat**

Specially has this apprehension been gaining strength in their minds when they find leaders of European and American thought almost prepared to recognise the inevitability of Japan's overlordship over the East. One of these, a sympathetic student of the culture of the Asiatic peoples, of wide knowledge of the causes of the rise and fall of nations, a publicist of the United States, writes :

"Having taught Japan the ways of industry and war we must be patient with the destiny that has named her for the moment as the economic and military mistress of the East. We need not grudge the children of the Sun their hour of power and glory, their fragile Empire and their uncertain wealth. There is room in the world for both of us ; and, if we will it, the seas are still enough to give us peace."

**India not so prepared**

Statements like these, and the patience of British and the United States diplomats and politicians under grave provocation from Japanese soldiers and officers flushed with victory in China, carry the message that the victorious West has been preparing herself to evacuate from her positions gained with blood and iron and by breaking every one of the Ten Commandments of the Bible. This prospect is not unwelcome to the people concerned. But the feeling is neutralized by the fear that in the great competition in arms and industry in the modern world they have been rendered weak and kept weak by the policy of the imperialist Powers that have been for centuries ruling over their destinies. Even the proverbial fatalism of Eastern peoples does not appear to be able to reconcile them to the change if Japan were successful in her invasion of China. Siam has made her peace with Japan ; Burma appears apprehensive more of

the hordes of Chinese rushing to her shores and threatening her economic life ; and if her press can be taken as a sure mirror of her feelings and sentiments she appears to be unconcerned with whether Britain or Japan dictates the policy of her administration hoping, perhaps, that Japan, an Asiatic nation and partly Buddhist, could not be worse than the Christian imperialism of the West. Indian revolutionaries who have found shelter in Japan entertain the idea that India should be neutral in feeling and attitude towards the Sino-Japanese war. But leaders of Indian thought and nationalism, Rabindra Nath Tagore and Mahatma Gandhi, have in unmistakable language expressed the real mind of India in its detestation and horror of this adventure of Japan's, directing a blow at the heart of China, on her self-respect as a nation, on the vast economic interests, the product of the life and labour of her industrious millions.

**Indian Admiration of Japan**

But, this change in Indian feeling and attitude is due to the ways of Japan's capitalist imperialism. Time was, not thirty years back, when Japan was an inspiration to us in our fight for national freedom. It is on record that Okakura, author of *The Ideals of the East*, inspired with his presence, with his talks and writings the leaders of the Indian Nationalist Movement in the opening years of this century. During the Russo-Japanese war, the sympathy of India was wholly with the small island people ; her victory set the hearts of subjects peoples in the East athrill with joy and pride, fired their ambitions and hopes for national freedom. We came to regard Japan as the leader of the awakened Asia, as the shield and bulwark of Asiatic freedom. Since those days Japan has been a place of pilgrimage to Asiatic patriots, an asylum to exiles from the many lands of Asia. But those feelings are changed to-day. And Asiatic peoples, people in India, do feel that there is little to choose between imperialism, Western or Eastern. It is under the impulse of this change that the President of the Indian National Congress, Sri Subhas Chandra Basu, called upon his people to celebrate the All-India China Day on the 18th June, 1938. Speeches delivered on the occasion expressed more the sorrow than an anger that China should be the victim of aggression by a nation that was by tradition and history kindred to her. The meetings repudiated Japan's fellowship with modern imperialism ; they helped to stir moral and spiritual help to China, to organise the material help that was necessary to make the Medical Mission to China, being organised on behalf of the Indian National Congress, a success.

**India's helplessness in defence**

Events in China have created fears in India that have made the problem of Indian defence a question of intense interest, and of keen controversy with the British bureaucarcy in India. The Press of Europe and the United States have rung with denunciations of Japan's methods of war, of their cruelty and horror. Indian papers have reproduced these, and created and extended the fear of developments in international affairs when nations seem to have lost their conscience, their honour, their respect for the sanctity of treaties and solemn covenents, respect for the value and worth of human life and the self-respect of fellow-beings.

The question is being increasingly framed in Indian minds, increasingly being given expression to—what will India do for the protection of her homes, for the defence of her shores and boundaries, for the freedom of the seas that surround her, for the freedom of the air that encompasses her ? Foreign observers have also asked Indian nationalists this question, hinting at the same time that India could not at this stage of her life do without British help in the opposition against attacks and invasions. One of these, Mr. James A. Mills, staff correspondent of the Associated Press of America, on his way home from China said in course of an interview :

"Perhaps the same calamity that has come to peace-loving, unoffending China, would overwhelm India's millions, who have such an innate hatred of force, war and bloodshed...Enemies lurk all round India. They will attack when India seems the weakest and her people the most inadequately prepared. The law of these predatory powers is the law of the jungle...I could give the Indian people a story of the horrors of being invaded by a powerful neighbour that would make them think twice before demanding that the British army withdraw from India, or that control of that army be lodged in their own untrained, untried hands."

**India's Poverty & her defence.**

In the last volume of the *Indian Annual Register* in this section of "India in Home Polity", we have tried to give a history of the failure of the British bureaucracy in India to remove the causes that have kept Indian minds and hands untrained and untried in the organisation of their own defence. There have been controversies with regard to the justice or injustice of the charges made against this policy of the British administration, and a "reciminatory examination" of the acts of omission and commission cannot now be helpful in solving the problem that confronts India today. For half a century and more Indian public men and publicists have been claiming on behalf of India their right to build up their own defence organisations. The Defence Sub-committee of the first Round Table Conference (1930) recognised on behalf of the British Government for the first time in their history that "with the development of the new political structure in India the Defence of India must to an increasing extent be the concern of the Indian people, and not of the British Government alone." The Indian people have no reason to feel or believe that the logic of this recognition has been accepted by the ruling authorities so far as it must result in positive action. Discussion in the Central Legislative Assembly started by Indian members for the Indianisation of the Indian Army call forth the old stereotyped replies about inefficiency, lack of technical equipment and skill, and the inelasticity of Indian finance which are said to be standing in the way of financing the needs and demands of a modern army, navy, and air craft. The suggestion is that it is modern industrialism that alone can create the wealth capable of upholding a modern nation in the competition of the armament race. And India being a pre-eminently agricultural country at present, she must be content with the defence arrangements made on her behalf by the British authorities at an expenditure of about 53 crores of rupees out of her revenues. The Defence Secretary, Mr. C. M. G. Ogilvie, in course of a discussion during the budget session of this year, March, 1938, said : "It is, I think, true to say that no agricultural country can possibly hope to compete with the colossal

burden entailed by modern defence armaments....." As against this, it is rubbed into Indian critics that in the single item of army expenditure the British exchequer spent more than 38 crores of rupees in 1934-35, and in 1938-39 has budgetted for nearly 150 crores of rupees.

**Britain's Responsibility for helplessness.**

The reply of Indian critics to this line of argument is that if India were relieved of the British scale of pay fixed by British administrators for themselves and for British soldiers and officers maintained at India's expense, the budget of India could finance a better and a bigger civil and military force and equipment. Another charge is pressed against Britain, and that is that she has been maintaining in India at the cost of India a bigger force of British soldiers than is required for the defence of India. Captain Liddell Hart, military correspondent of the London *Times*, referring to this matter pointed out how under "the influence of painful recollections after the Mutiny in 1857", it was felt necessary by the British administrators to fix the number of troops in India at 62,000 British and 125,000 Indian, one British soldier to two Indian. At present the number of troops in India are 57,000 British and 159,000 Indian. The reasons for this proportion as between British and Indian in the army in India were more political than military. Witnesses before the Peel Commission frankly discussed these which were inspired by distrust of Indian soldiers. Another reason was indicated by Captain Liddell Hart. Wrote he :

"the allocations of such a high proportion of British forces to the Army in India is only justifiable if a considerable part of this can be treated as part of the Empire's strategic reserve for the Middle and the Far East."

**British contingents unjustly imposed on India**

The significance of these words consist in this that India has to spend money for Britain's imperial interests outside her territorial boundaries. The majority of the 57,000 British soldiers and their officers, stationed in India and paid out of Indian revenues, can be treated "as part of the Empire's strategic reserve for the Middle and the Far East", to quote Captain Hart. And in justice and equity Britain should have borne the expenses of this part of the army in India. The Gurran Committee was appointed to discuss this matter of the allocation of the proportion of military expenditure between India and Britain. An estimate has it that about 10 crores of rupees would be saved the Indian exchequer if Britain bore the expenses of her strategic reserve for the Middle and Far East maintained at the expense of India in Indian soil. International complications in Europe and Asia compel Britain to concentrate on her own home defence, requiring that her Dominions, colonies and dependencies should depend for their own defence more on themselves than on the central power of the Empire. The logic of this situation is being recognised by the British Cabinet who have authorised consultations between British and Anglo-Indian military chiefs with regard to the possibilities of removing a few battalions of British soldiers from India, and thus relieving India of a part of the burden unjustly imposed on her. The British Secretary of State for War, Mr. Hore Belisha, during his last budget speech announced that four batta-

lions of British soldiers will be taken away from India. Estimates showed that each battalion of British soldiers cost 16½ lakhs of rupees per year. The process begun will, it is hoped, be continued till the stigma of India depending on British soldiers for the defence of her hearths and homes is entirely removed.

**India's Naval Defence**

Of the naval defence of India, of the defence of the more than 4,000 miles of her coast-line, British policy has been as negligent. The repetition of that history will simply inflame Indian feelings to-day. The neglect of India's mercantile marine, the recruiting field for sailors and naval officers, has been justified by British administrators on what they have described as the "fortunate" circumstance of Britain being the "mistress of the Seas"; and even in the year of disillusionment, 1938 of the Christian era, the Defence Secretary under Lord Linlithgow repeated the assurance that "India, in time of need, has a call on the British Navy and the British Air Force". The Indian Navy at present consists of six escort vessels, two of these modern, the rest being out of date, obsolete, and due to be replaced. The duty of an escort vessel is to escort convoys of merchant ships or transports, protecting them against attacks by submarines or light surface crafts and also keeping the approaches to ports clear of mines and submarines. During the last Great War one single German submarine, the *Emden*, threatened the whole trade that passed through the Bay of Bengal and attacked the port of Madras. This warning has not been able to rouse the British authorities who have undertaken of their free will the defence of Indian shores. And their invariable plea has been of finance, of India's agricultural economy being unequal to finding the appropriations for modern naval war insurance. On behalf of the Anglo-Indian bureaucracy an estimate was presented of the financial needs of a modern navy. Even the escort vessels, small ships in themselves, that do duty for the Indian Navy cost from 45 to 60 lakhs of rupees each. The cost of a modern battleship is about 8½ crores of rupees; the cost of a modern cruiser, a heavy cruiser, is rupees 2 crores and 60 lakhs or more; the cost of maintaining a heavy cruiser more than rupees 31 lakhs a year. In addition to the actual fighting ships, the vast and enormously costly shore establishments—docks, repair shops and ships, and the like—have to be taken into consideration. "We certainly would like to have bigger and larger ships but the cost of a modern navy, sufficient to protect India's shores, would be definitely entirely outside practical politics", declared the Defence Secretary in the Central Legislative Assembly. It follows, therefore, that India must consent to go without sufficient protection for her shores, and must be kept dependent on the British Navy for her own protection.

**Reasons for India's fears**

If this protection fails—not even the British Premier in this year can assert to the contrary—India must be the play-thing of international greed. Membership of the League of Nations of which India is by an accident an original member, binding covenants for collective security, have not been able to save Abyssinia, Spain, Austria and China from attacks and subjection to alien authority. And if it came to be put

to the supreme test no body in Britain can say, no body in India does hope, that India would be immune to attack or be free from another spell of alien subjection. These apprehensions sit heavily on the hearts of men and women in India who understand the significance of the events that have been happening in our neighbourhood in China, and looking towards the west in the countries bordering the Mediterranean Sea.

**For defence of British interests in Asia**

In this connection it is necessary to understand the measures which Britain proposes to undertake to protect her interests in the countries bordering on the Indian Ocean. The Mediterranean Sea was for long, for about two centuries, known as a British lake ; for the last fifty years an understanding between Britain and France has divided the southern and eastern shores of this inland sea between these two imperialist Powers. When Italy got hold of Tunis she was a junior member among the imperialist Combine, and her attempt at imperialism was accepted as a compliment, as a sincere form of flattery by the leaders. But since 1937 Italy has transformed the whole posture of affairs in the Mediterranean region ; and it appears that Britain and France are agreeable to accept the claim of her lien on the glories and powers of the Roman Empire. By that arrangement northern Africa, Syria and Palestine fall within the Italian sphere of influence or under her domination. This development threatens the safety of the route of Britain and France to their eastern dependencies, colonies and in the case of the former to her Dominions of Australia and the Newzealand. The rise of Germany compels Britain and France to concentrate their armies on their home defence and confine their navies to the home waters. Italian Somaliland, and the conquest of Abyssinnia introduce Italy into the Indian Ocean ; the rise of Japan calls for a new rearrangement for the defence of India, Burma, the eastern archipelagoes, and islands under British and Dutch control, and of Indo-China under French. The overlordship of the United States of America over the Phillipines makes it possible for Britain, France, Holland and the United States to combine their forces and resources for the protection of their economic and territorial interests in the Pacific. For the defence of the area in southern Asia stretching from Aden to Java, Britain will have to shoulder the heavier part of the burden. And in the building up of the Singapore Base the local chiefs of the Malaya archipelago, Britain and Australia have had to foot the bill. And though no treaty binds Britain, France and Holland to come to one another's help if any one of them is attacked in their territories in this part of the globe, there cannot be any manner of doubt that common interests will compel them to stand shoulder to shoulder with one another, specially when it is not Germany or Italy that can or need attack them but Japan far off from their centres of empire. This co-operation does not, however, relieve Britain of her special responsibility for the defence of her imperialist interests planted in south Arabia, India and Burma. Prior to the Great War, Britain was the "mistress of the Seas," and though the bulk of her naval forces had to to be kept in Eurpean waters, she could easily sweep

the ocean and seas clean of the sea dogs that dared distrub her supremacy. To-day the air arm has made Britain herself vulnerable, and forced on her the costly duty of duplicating her ground, water, and air forces. In the Indian ocean and its seas and bays the existing squadrons of cruisers will have to be strengthened by battle ships; the Singapore Base will have to be supported by other bases, naval and air, such for instance either at St. Mathew Island and Victoria Point off Burma at the mouth of the Kra Canal proposed to be constructed in Siamese territory at the instance and expense of Japan; or at Trincomalee in north-eastern Ceylon; or at the new port of Cochin; or at the port of Makala in the Hardamaut province quietly acquired by Britain in southern Arabia. A few contingents of the British army now stationed in India may be transferred to new and older garrison stations built in the different peninsulas, islands flanking the bays and seas of the Indian Ocean. These are the possible arrangements being made or to be made by Britain on her own account without reference to India, without consultation with India, without regard to the sensitiveness of Indian feelings

**Search for "scientific frontier"**

Alongside this bigger problem is India's perennial concern with affairs in the north-west frontier. It is a peculiar situation. For a century the British bureaucracy in India have been trying to civilise the inhabitants of the tribal areas; and impelled by this civilising mission they have thrown not less than 300 to 400 hundred crores of rupees into the work. In search of a "scientific frontier" they have wasted this huge amount. But the tribes people refuse to be civilised. If something like a Chinese Wall had been built for the protection of the "settled districts", the expenses in life and limb, in money, would have been much less. It was hoped that the discovery of aeroplanes would enable the Government in India to pursue the recalcitrant tribesmen to their native hills and teach them a lesson in progressive administration. That hope has failed to realise. And for the last four years almost we have been having a war against an elusive man known to the world as the "Fakir of Ipi." We are asked to believe that he is some sort of a "mad mullah", thirsting for the blood of infidels, of *Kafers*: operations against him called for the use of thousands of combatants; an offshoot of these operations—that in Waziristan during the last year—required that 40,000 soldiers, one-fifth of the Indo-British army, should be engaged in it, and at the expenditure of more than two crores of rupees. All this waste is due to this one man. But the present Congress Premier of the North-West Frontier Province, Dr. Khan Saheb, when he was member of the Central Assembly told the world that the "Fakir of Ipi" was no Fakir at all; he was the owner of Khaisora, possessing the dignified name of Hazi Mirza Ali Khan; and the cause of the trouble that has been draining the Indian exchequer and causing the loss of valuable lives, British and Indian, was "the building of a road from Mirali to Khaisora". This road building is part of the technique of imperialism of which Western historians have told us in connection with the methods of Rome's expanding empire; in India also the road from Peshawar to the Gangetic plains served the same purpose; and before the introduc-

tion of railways the country-side had also to be penetrated with roads. The North-Western border tribes understand the significance of these roads in disturbing their life and in robbing them of their freedom. Therefore have they been opposing the construction of such roads through their territories. And by the mishandling of their instincts and interests, the border people have been turned into enemies of India, though Indians are not responsible for this mad and blind policy.

**Tribal and settled areas inseparable**

The irritation kept up in this region by British policy is not only financially ruinous to India but is politically harmful to the abiding interests of India. During a century marked by failures, of waste of Indian money and loss of Indian and British lives, this policy has been tried. The sentiments of the tribes, of Indians, the interests of both, have not been consulted. Even now when "provincial autonomy" is said to be in action in the N. W. Frontier Province, the British administrators, the steel frame of imperialism in India, do not show any inclination that they are prepared to take counsel with the men who are at the helm of affairs in this province. The Central Government has been maintaining its own machinery of administration in the tribal areas at a cost of about two crores of rupees; the defence arrangements for this area specially cost as much. And the result is an indifferent success. An elected representative of the province in the Central Assembly, Mr. Abdul Qaiyum, raised the question why the p ovincial Ministry should not be called upon to administer the tribal areas when the people inhabiting this area and the settled districts are kindred in spirit and tradition with one another. The reply from the Government benches was evasive. But they cannot very long prolong this arrangement. Even distant observers recognise the inevitability of this development. A special correspondent of the *Manchester Guardian* wrote about it as follows:—

"In Peshawar, discussing the problem with the Congress Premier and his colleagues, I saw it in a new setting. The inseparability of the tribal areas and the settled districts is an axiom accepted from the days of Lord Lytton's viceroyalty, 60 years ago, and formed the basis of the report in 1924 of Sir Denys Bray's Committee. That axiom must be made real.....The autonomous provincial Government at Peshawar must be offered the opportunity of taking over.....the responsibility for the administration of the tribal areas. So long as the present policy lasts, and the Governor-General and the Governor of the Frontier Province regard the problem as exclusively concerning them, the present muddle must continue.....'

**Muslim Separatism**

It is not possible to say today whether or not this policy is directly responsible for the development of the Pakistan Movement, discussed in the last volume of the *Annual Register*. But it does not contradict human psychology if it is said that the grievances and the sufferings of the frontier people, predominantly Muslim, start an idea that the majority community in India will be as indifferent and inimical to Muslim interests in the future as the present Government is today; for, in the name of the defence of India has the vendetta against the tribes been waged all these years. Thus the defence of India becomes the enemy of Muslim interests. In the hills and dales of settled and tribal areas this interpretation is often angrily discussed and canvassed which percolate through the Khyber Pass to the Punjab. And there is built up

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the philosophy of separatist sentiments that teaches that India or Hindusthan is not or cannot be really and truly *Dar-ul-Islam*, a door or country of Islam. Since the inauguration of the "provincial autonomy" scheme of the Government of India Act of 1935, this separatist philosophy has gained in intensity and gained followers amongst the Muslim community. The Muslim League under the leadership and guidance of Mr. Mahommed Ali Jinnah has made itself the organ-voice of the "separate interests" of Muslims in a country which should have been as much theirs as of any other community in India, however vast or minute they may be. During the six months the events of which form the subject-matter of discussion in the present volume of the *Indian Annual Register*, the bitterness of communal feelings have halted many of the progressive measures that should be undertaken to transform India into a modern State, to enrich the life of the people with economic contentment, with knowledge, with wisdom. This is not possible today, for the Ministries on whom have devolved the responsibilities for these are not allowed to think of these, so pestered are they with the ebullitions of unreasoning fear and suspicion. For, it is these two feelings that are finding increasing expression in the Press and on the platform in India.

**Sense of responsibility created among Hindus**

Seven provinces in India are being administered by Ministries under Congress direction; in the other four Coalition Ministries with Muslim League members in the majority have been functioning. The supporters of the Ministries in the former have been disciplined by the fights that they have waged against the irresponsible authority of the State of India; these fights have given them a measure of their own powers, created in their leaders a sense of responsibility and in the followers a conviction of ultimate victory. The Hindu community who are predominantly represented in the Indian National Congress have undergone the same discipline in and through the many reform movements that have been endeavouring to shape them anew as fit vehicles for the reception of ideas and the growth of ideals in response to the modern spirit. The followers and supporters of the Congress, therefore, are free from the one-sidedness of socio-religious beliefs and practices characteristic of a mediaeval mind. The majority of the supporters of the Muslim League have not passed through any of the disciplines that mould modern men and women; therefore do they succumb to appeals to communal conceits that have not been subjected to the test of reason, to the test of criticism. The re-examination and re-interpretation of Islamic values in the light of universal experience, in the light of modern thought, in response to modern needs have not advanced in India to any appreciable extent. The defeat of Muslim policy, social and political, during the last one hundred and seventy five years ought to have raised questions in the minds of Muslim thought leaders that there must be something wanting in their thought and life, some inadequacy that was responsible for this debacle. The need of this healthy self-criticism must be keenly felt if society is to remain healthy and progressive. Muslim society does not welcome this criticism, does not tolerate such criticism. And to that extent it lacks the modern spirit

that is not afraid of subjecting its own values to criticism or having its values subjected to criticism even by unsympathetic alien observers. It reacts violently to such criticism.

**Its absence in Muslim League**

This unpreparedness, more than anything else, is responsible for the violence of language and controversy that characterise Muslim political activities in India today, leading to violence in action. It is this lack of training in democratic controversy that is responsible for the Premier of Bengal declaring from the platform of the Muslim League that he would undertake a *satana*, vendetta, against the Hindu minority in Bengal if the Muslim minority in other provinces are subjected to any administrative discrimination or oppression. Speeches and statements like these made by leaders of the Muslim League, challenges thrown out by Muslim leaders to Hindu conceits, pretences and ambitions fill the atmosphere with a unhealthy spirit of fear and suspicion. And nothing that the Congress could do seemed to be able to clear the atmosphere. Pandit Jawaharlal Nehru in his correspondence with Nawab Ismail Khan, Secretary of the United Provinces Muslim League, claimed that the Indian National Congress and the influences that gave it birth have been able to disable the Hindu Maha Sabha said to be representative of Hindu communalism. There is truth in this claim. But it is doubtful if for much longer this liberalism in the majority community in India will be able to stand the strain of the demands of the Muslim community—demands that threaten the integrity and unity of India. For, there cannot be any manner of doubt that the prospect of democratic self-government in the country in which the counting of heads plays a dominant part in influencing and guiding State policy has created fears in the minds of the Muslim community who are a minority in the country that their culture and particularistic institutions will be open to attacks from the laws of the country. No assurances on the part of the Congress that these are secure under the Fundamental Rights Resolution of the Congress passed at its Karachi Session (1931) appear to be able to allay suspicion and remove causes of fear.

**Muslim League—one and only representative institution among Muslims**

The correspondence between Pandit Jawaharlal Nehru and Mr. Jinnah, between Gandhiji and Mr. Jinnah, the interviews and discussions between Gandhiji, the Congress President, Sri Subhas Chandra Basu, and Mr. Jinnah as President of the All-India Muslim League, all these have been unavailing. If reports in the press are to be taken as a true reflection of the ideas and ideals that formed the subject of discussions between these representative men of India, it appears that the following claim of Mr. Jinnah's made through a letter to Gandhiji, dated March 3, 1938, was responsible for the break-down of negotiations that have been going on behind the scenes for months during 1937 and the first half of 1938. The part of the letter told India, though it was addressed to a person who was regarded as the power behind the Congress which alone could "deliver the goods", that :

"We have reached a stage when no doubt should be left that we recognise the All-India Muslim League as the one authoritative and representative organisation of

the Mussalmans of India, and on the other hand you represent the Congress and other Hindus throughout the country. It is on this basis that we can proceed further and devise a machinery of approach."

The reply of Gandhiji was that he could not fulfil the test laid down by Mr. Jinnah that he should be able to speak on behalf of "the Congress and other Hindus throughout the country'. Dr. B. Moonje, who may be taken as the representative of the Hindu Mahasabha, repudiated the right of the Congress to speak on behalf of the Hindus and suggested that the better course would be to "bring together the spokesmen of the Muslim League and the Hindu Mahasabha, and use its (Congress) influence to effect an impartial settlement between the two communities in respect of political. social and religious rights." The unwillingness or inability of the Congress to accept the condition laid down by Mr. Jinnah is due to the fact that the Congress would thereby reduce itself to a communal body belying its traditions of more than half a century. Another of the factors that influenced the Congress :reply to Mr. Jinnah was indicated by a Muslim public man, Mr. Asaf Ali, M. L. A. (central) in a letter to Mr. Jinnah. Said he :

**Unreality of the claim**

"If all Muslims of India cannot unite on the purely religious issues, and Sunnis, Ahl-i-Hadis, Shias, Qadyanis and numerous other sub-divisions must continue and break into riots, is there any real chance of a solidly united Muslim front against a political organisation which says, 'we want to fight the causes of your poverty, unemployment, indebtedness, land-lessness and so forth' ? It would be a weak cry—'Muslims unite against the Congress'—particularly when the Congress says, 'Preserve, your culture, your language, your religion and even your social structure. We will not interfere with you. It is your business and not ours. But if you want freedom.....we have to mobilise our forces, and move as one man under a unified command."

He remonstrated with Mr. Jinnah for ignoring the fact that in 10 out of the 11 Provinces "the substance" of his famous 14 Points had been conceded; that though the percentage in the services has been fixed it has brought no relief to the educated unemployed and those that are crushed under debts. In these major issues Hindus and Muslims sailed in the same boat. Taking the case of Muslims, Mr. Asaf Ali hazarded the guess that "about 33 per cent of rural indebtedness (roughly 300 crores of rupees) on an average rate of 9 per cent interest, covers the liabilities of the Muslim population of India. In other words, nearly 27 crores of rupees a year should be paid by Muslims to keep down interest only. More often than not 75 per cent of this interest is not paid regularly, and the accumulated liability converts owners of land into landless tillers—mere peasants on sufferance". To questions like these the Muslim League have appeared indifferent; not till the Lucknow session of the League (October, 1937) did they have any economic programme for the masses who are afflicted by the same disabilities, both Hindus and Muslims suffering from disease, dirt, poverty and untimely death. Their economic programme is also communal, ignoring the fact that there are no industries specially Muslim that could be supported by Muslim buyers alone.

**Common economic interests of Hindus and Muslims**

In the political programme also the Muslim League has not been helpful. In the constitution of electorates the Congress has always

been insisting on a joint voting list. In No. 5 of Mr. Jinnah's 14 Points it was laid down that "representation of communal groups shall continue to be by means of separate electorates as at present, provided that it shall be open to any community, at any time, to abandon its separate electorate in favour of joint electorates." At the session of the Muslim League which sanctioned and adopted these 14 Points, the session held in 1929, it was stated that "the Mussalmans will not consent to joint electorates unless Sind is actually constituted into a separate province, and reforms in fact are introduced in the N. W. F. Province and Baluchistan on the same footing as in other provinces." Sind is a separate province today ; the N. W. F. Province has a status equal to that of the other Indian provinces. But Muslim League insistence on separate electorates continues unabated. The Congress Ministry in Bombay introduced a Bill dealing with Local Self-governing institutions, urban and rural ; separate electorates were retained in it, but option was given to the people concerned to adopt joint electorate if and when they so chose. This was opposed by the Muslim members in the name of the Muslim League. These tactics go to show that the leaders of the Muslim League do not know their own minds ; that they are afraid to commit themselves to any definite and steady policy. This uncertainty and fear inspire them to put in claims that put difficulties in the way of building up in India a composite nationalism, in developing conditions favourable to the growth of a modern State in the country able to cope with the stresses and strains of modern life.

**Joint Electorates vrs. Separate**

The Press in India published the broad outlines of the demands said to have been presented by the Council of the All-India Muslim League in June, 1938, to the Congress Working Committee. It is necessary to incorporate these in this review of events and developments in India for ready reference, as also to understand the mind of the Muslim community in India as it is being moulded and fashioned by the present generation of Muslim leaders. The demands numbered 11, dealing with cultural, administrative, and political matters. They were :

**11 Points replace and modify the 14 Points**

That (1) The *Bande Mataram* song should be given up ;

(2) Muslim majorities in the provinces where such majorities exist at present must not be affected by any territorial redistribution or adjustment ;

(3) Muslims' practice of cow-slaughter must not be interfered with ;

(4) Muslim' right to call *Azan* and perform their religious ceremonies should not be fettered in any way ;

(5) Muslim personal law and culture should be guaranteed by a statute ;

(6) The share of Muslims in State services should be definitely fixed in the Constitution by a statutory enactment ;

(7) The Congress should withdraw all opposition to the Communal Award, and should not describe it as a negation of nationalism ;

(8) Statutory guarantees should be given that the use of Urdu shall not be curtailed or damaged ;

This argument between the Congress and Muslim League proceeded without previous consultation with the Hindu Mahasabha which claimed to represent the feelings and interests of the Hindus. It is not possible to ignore the fact any longer that the efforts of the Congress to come to an understanding with the Muslim League are being looked upon with suspicion by a growing section of the Hindus in the country. However true it may be that the Congress has disabled the Hindu Mahasabha as a political organ of the Hindus, the increasing insistence by the Muslims on their own separateness, more than any weakness on the part of the Congress, has made the Hindus insistent on their claims as the majority community in the country, the arbiter of the future and the destiny of India. This uniqueness of theirs as "being the bed rock of Indian life" is a fact of history that is still true when about ten or eleven crores of the thirty eight crores of the population of India belong to other faiths and cultures. The consciousness of this uniqueness has been vividly developed during the last seventy years since the Arya Samaj Movement initiated by Dayananda Saraswati began its work for the reconstruction of Indian life, of Hindu life in particular. It was part of the conceit which is nursed by every community which thinks that it is not as others are, that it has a special message for the world, a holy mission to reform and renovate the world. So far as one can understand from the writings and speeches of the leaders of Hindu society, conservative or reformers, there was no political or social ambition for supremacy entertained by them in thinking or speaking of the superiority of Hindu culture. Their assured majority might be responsible for this unconsciousness of the political or social questions implicit in their strivings for regaining the freedom of their country. It was territorial and regional patriotism that inspired them, not any communal or religious ambition.

**Hindus—"bed-rock" of India**

Up to 1906, leaders of Hindu society who were some of them also leaders of political life in India worked under the influences of this non-sectarianism. In that year was led the Muslim deputation to Lord Minto claiming separate consideration for Muslim interests, separate electorates for Muslims in the scheme of reforms then under consideration by the Government of India, proposals for which were being tossed between Calcutta, the then capital of India, and Whitehall where sat enthroned the Liberal Secretary of State for India, John Morley. Diehard British bureaucrats were anxious to set up a "native counterpoise" to the pretensions of Indian Nationalism voiced forth by Hindu politicians, more vocal and outspoken than any other class. Since then the crises through which Muslim countries in other parts of the world have been passing have created in Indian Muslims a new sensitiveness to the claims of their common faith, which came to be known as Pan-Islamism. Sultan Abdul Hamid of Turkey is credited with being the sponsor of this idea and ideal as an instrument of politics, as an armour against the encroachments of Christian Powers on the Empire of which he was ruler. He succeeded in creating this belief among Muslims all the world over, and an Indian Muslim, Maulana Zaffar Ali Khan of Lahore, recognised and acknowledged

**Pan-Islamism in Politics**

this to be the true object of the movement. Writing in Jalal Nuri's book —*Ittihad-i-Islam*—a special article on "Indian Mussalmans and Pan-Islamism—he wrote :

"The object of Pan-Islamism.....is not to cherish projects of an aggressive nature against Christendom in spite of all that it has done to exterminate Islam, but to act purely on the defensive and what little remains to the Moslems of their once splendid Empire, against further encroachments.

The consciousness of this fellow-feeling that bound the Turki Muslim and Indian Muslim separated by thousands of miles, and the political meaning imported into it, helped to breed a separate conceit in the latter, separate from his next door neighbour, the Hindu, who was nearer to him by blood relation even, and by the economic relations of every-day activities. The Non-co-operation Movement built on the twin grievances of the Punjab and the spoliation of Turkey intensified these separatist tendencies and feelings. Till today in the heart of the neighbouring community of the Hindus has been created a sense of separate conceit, separate ambitions. Pundit Madan Mohan Malaviya, Dr. B. Moonje have been organ voices of this development. Revolutionary patriots like Bhai Paramananda and Vinayak Damodar Savarkar who in their youth had worked for the freedom of their country unconscious of and unswayed by any communal ambitions, who had for fellow-workers Indians of all creeds, are found today as leaders of the Hindu Mahasabha and Hindu Sangathan movements. As strongly do Indian Muslims assert their separateness, and kinship with the peoples of countries outside the boundaries of India, so loudly do the leaders of the Hindu Mahasabha assert that the "bed-rock" of Indian life is the Hindu community. And between these two assertions the mind of India is being swayed to and fro, uncertain of itself and rendered helpless for any forward move.

**Hindu Separatism**

In the heat of controversy many things are being none:that separate, and extend the separation. And even words that try to clear the fog of misunderstanding, that call upon all, born in India, to think of a new brotherhood in thought and act, to forge new bonds of neighbourhood, even these words of wisdom are missed in the heat of controversy, and their significance ignored. This is the tragedy of the situation. This call for a new orientation of our thoughts came out of the lips of Vinayak Damodar Savarkar as President of the Ahmedabad session of the Hindu Mahasabha. This Marhatta public man is one of the most intrepid of the public men of India, a man who has at his back traditions of public service tested by every fire of sacrifice and suffering. He was young when the movement for political freedom gained a new meaning and a new purpose in the opening years of this century as an outcome of the Bengal movement started against the partition of the province in 1905 and the following years. A speaker and writer of power, a scholar who took infinite pains in his study, a revolutionary patriot who spent fourteen years in the Andamans, and almost as many years in internment, Vinayak Damodar Savarkar has brought an alert and original mind to the study of Indian conditions, to finding solution for the many problems that must be solved so that his mother-

**Vinayaka Damodar Savarkar**

land may come to her own as a free nation among the free nations of the world. To the general public, seldom caring to probe deep into the heart of problems, he is a fanatic Hindu.

But his speech as President of the Hindu Mahasabha should remove this impression. The Sabha in one of its earlier sessions had given a definition to the word Hindu—"any one who professes any religion of Indian origin." This would exclude the Muslims, Christians, Parsis and the Jews whom historical forces had brought to India and whose descendants have the same forces bound to the life that has been evolving in India through the centuries; the Chinese and the Japanese, millions of them, recognise Hindusthan as their Holy Land. That is the criticism that at the outset of his speech Vinayak Savarkar directed against the definition of the word "Hindu". And this criticism is true to the condition of life in India where men and women must strive to build up a composite nationalism; this criticism must lead to the success of that attempt at reconciliation between the conflicting thoughts and interests that has been testing the quality of statesmanship in India for many centuries. This criticism gives a new direction to the thoughts of Indian nation-builders, and offers a point on which Hindu and Muslim, Sikh and Christian, Parsi and Jew can concentrate to work out a new formula of nationhood. It should enable us to relegate creed and culture to the background and build anew on the large concept of the motherland. Every one who accepts Hindusthan as his or her motherland, has by right of birth a title to his or her legitimate place in the life of India, secured to him or her by every principle of equity and justice, whether he or she turns to Kashi or Sarnath, or Mecca or Jerusalem or Amritsar as the centre of his or her faith.

**A new formula Indian Nationalism**

This recognition is vivid in the new leadership of the Hindu Mahasabha that Vinayak Damodar Savarkar typifies. He is too much of a modern man to be nursing dreams of Hindu communal hegemony in the India of the future. But his difficulty is that when he came out of his prison and detention he found that the virgin enthusiasm of his India House days, of his fellow-workers of youth, of their dreams and aspirations for a free India reared on the common sacrifices and sufferings of all her sons and daughters of every race and creed—all these are in danger today by the rise and growth of a separatist feeling among a section of the Indian community. He feels that this conscious and unconscious Pan-Islamism of the Indian Muslim is a danger to India. But he forgets that when Indian Muslims supplied rulers to India they had no Pan-Islamist pretension to brag of, that more often than not they behaved as other humans had done in refusing to accept the plea of Islam as a curb on material ambitions even at the expense of a brother Muslim. The Indian Muslim seeks to find solace for his wounded self-respect in the thought of the Turk and the Arab comparatively freer than himself. This feeling creates complications in Indian life, sets up impediments to India's march to freedom. And in impatience the Hindu public man may be tempted to issue a challege

**A new attitude to Separatism**

as Vinayak Damodar Savarkar did from the platform of the Ahmedabad session of the Hindu Mahasabha—

"Henceforth the Hindu formula of Hindu-Muslim unity is this: 'If you come, with you; If you don't, without you; if you oppose, in spite of you, the Hindus will continue to fight for their national freedom."

This impatience may be natural. It may be explained by the position that has been created by historical forces for the Hindus of India.

**Hindu—Bed-rock of Indian life**

The history of the Hindus and their future are more inextricably bound up with the geography of Hindusthan, and her rise and fall affect them more intimately than any other of the numerous communities that find themselves in India. This fact was recognised by Maulana Shaukat Ali who in a recent speech declared that if Hindusthan be erased from the face of the earth there would be few to bear witness to the way and the life that the world knows as Hinduism, but Islam would live in other countries and would be not much of a loser as Hinduism would be. The significance of these words are more consciously realised by Hindus to-day that their Holy Land and their fatherland are one and undistinguishable. History and not the sentiments of men and women or the policy of Governments have been responsible for making the Hindu the bed-rock of Indian life. It is this development that has made the Hindu more sensitive to what affects the country and happens in India; it has also regretfully to be recognised that the Muslim in India does not have this feeling and is not as powerfully moved as the Hindu by the sentiments, the products of history, of conscious thought and the unconscious workings of forces that transcend human power and are unamenable to conscious political action. This is the strength of the position of the Hindu in India as well as of his weakness. For, he is more sensitive to all that concerns India, and this sensitiveness is a weakness under certain circumstances which may be exploited by others who have not the same feelings and sentiments for India. It is like the story of the two women who appeared before King Solomon each one claiming a boy for her son, and the way he tested their love. To every community such a test comes. It is a cruel test, but it is inescapable.

Thus does the Indian scene present a spectacle of a house divided against itself, the different members of the household wrangling with one another while common problems and common dangers call for united efforts to solve them and to meet them. These wranglings have become bitter because the little power that the Government of India Act of 1935 has placed in the hands of the representatives of the people finds itself unable to remove their causes. We are enabled to quarrel like this because we still entertain the idea that some power external to us would pull us out if we fell into the ditch, that it can be relied on at the last extremity. And though by the arrangements made under the recent Act this external authority appears to have retired from the field leaving us to mould our India as we liked, into any shape we liked, it has left certain remnants of its influence and power that has

**U. P. and Bihar Ministries resign**

been creating havoc in the internal economy of Indian life. The "Communal Award" is one of these instances. Indian statesmanship has failed to sterilize the evil effects of this decision of the MacDonald Cabinet. In other fields of national life also this external authority has not been able to cover up all its traces. This fact was brought out vividly into public discussion when in the middle of February, 1938, two Congress Ministries had to resign as a result of the use made by the Governor-General of his powers of interference. The two Congress Ministries of Bihar and the United Provinces had passed orders for the release of all prisoners convicted of violent crimes in the furtherance of political freedom. This release formed an item in the Election Manifesto of the Indian National Congress with which it had approached the electorate and sought the approval or disapproval of the Sovereign People. By returning in majorities the Congress candidates in these two provinces as well as in five others, the people set their seal of approval on the election programme of the National Congress. And it was the duty of Congress Ministries to give effect to the various items of that programme. When His Excellency the Governor-General in his statement of July 21, 1937 explained the constitutional powers and limitations of the Governors of Provinces, he said that the Parliament had "transferred the executive authority in the province in practice to the Ministers," and that in all matters in which the Governor is not specially required to exercise his individual judgment "it is mandatory upon the Governor to accept the advice of his ministers". It is these interpretations and assurances of non-interference implied therein that induced the Congress to authorise Congress members of the Provincial Assemblies where they were in a majority to accept the responsibility of Ministries. The United Provinces and Bihar Premiers were responsible for the peace and tranquillity of the provinces, and they pressed it on the attention of the Governors of these provinces that they fully accepted the implications of this responsibility, and therefore, proposed on February, 14, 1938, to order the release of the few remaining prisoners falling under this category—23 in Bihar and 14 in the United Provinces—on their own responsibility. The Governors on their part contended that they were prepared to sanction the release of these terrorist prisoners if on examination of their individual cases the release of each of them was deemed safe and not harmful to law and order in the provinces. The Premiers contended that "the duty and right of examination belong solely to the Ministers", that they had satisfied themselves by talk and discussion with the prisoners of their abjuration of the path and methods of violence in advancing the political progress of the country ; they had, therefore, ordered the release of these prisoners. At this stage the matter seemed to have passed out of the hands of the Ministers and the Governors concerned, passed into the hands of the Working Committee of the All-India Congress Committee, of the Governor-General. The latter supported the Governors in their contention that the release of these politicals will endanger not only the peace and tranquillity of the two provinces, but also of other parts of India. The names of Bengal and the Punjab with traditions of political terrorism in their history came prominently into the discussion. It was asserted in the Press that the Governments of

these provinces must have had impressed on the Governor-General the danger of such release. To quote from a paper,

"There are 350 prisoners in the former and 44 in the latter province. Bengal has been—at least was—the province of terrorism. The Punjab has always and had its very special difficulty of a triangular communal tangle. We do not know whether the Governor-General consulted the Governors of Bengal and the Punjab and or whether they addressed representations to him not to accentuate their and their (non-Congress) Ministries' difficulties by approving a general release in the two neighbouring provinces. It is probable that they did."

Anyhow the Governor-General looked at the issue raised by the two Premiers of the two Provinces from this point of view and asked the Governors to withhold consent to the release orders. He did it under Sec. 126 (5) of the Government of India Act, 1935, which reads as follows :

"Without prejudice to his powers under the last preceding sub-section, the Governor-General, acting in his discretion, may at any time issue order to the Governor of a province as to the manner in which the executive authority thereof is to be exercised for the purpose of preventing any grave menace to the peace and tranquillity of India or any part thereof."

The Governors in compliance with orders issued by the Governor-General rejected the advice of their Ministers tendered to them in regard to the release of political prisoners. And the Premiers on behalf of their colleagues offered their resignation.

**Arguments for & against the procedure**

This happened on the eve of the Haripura session of the Congress, at the moment when Gandhiji and members of the Working Committee were assembled at Vithalnagar. The first impression made on the public mind on receipt of this news was one of surprise and regret that a routine business of day-to-day administration should have been allowed to precipitate a constitutional dead-lock which might extend to the other provinces. If "provincial autonomy" was in action there was no reason for inte.ference, it was felt, either by the Congress Working Committee or by the Governor-General. The Governors could have proceeded under Sec. 52 (1) (a) of the India Act which had imposed upon them "special responsibility" for the "prevention of any grave menace to the peace and tranquillity of the province or any part thereof". In the use of this power the Governors have to obtain the consent of the Governor-General. This consent would not have been withheld, as the quick use by the later of his special power under Sec. 126 (5) went to show. But this use or misuse also suggested that the Governors were not sure if they could make out a case for the application of their own "special responsibility" calling for the use of emergency powers under Sec. 52 (1) (a). For, the release of 37 men could not threaten the peace and tranquillity of the two provinces or any part thereof. Therefore did the Governor-General take it out of their hands, and issued his orders on consideration of the "reaction on adjoin ng provinces of the release of these prisoners." But the more important consideration seemed to be "the interests of maintenance of the sanctions of law and authority and the position of courts." This contention seemed to suggest that executive interference with decisions of courts of law should not be encouraged on any

account. This principle, the Ministers claimed, has been modified in practice by every government on considerations of high state policy; they also hinted that it is this modification that has enabled Mr. De Valera, a rebel in the eye of British law, to become, and to be recognised as, the head of a sister State with Britain in the comity of nations that form the Empire.

**Congress Ministries "doing too well" for British taste**

This controversy continued for about ten days. Gandhiji in a statement issued on February 16 represented Indian public opinion when he said:

"The action of the Governor-General bewilders me and makes me suspect whether this proposal for discharging the prisoners in question was merely the last straw, and that the Congress ministries in general had fatigued the British authority."

A British paper, the London *Daily Herald*, organ of British Labour, expressed the same opinion:

"Indian Nationalists will see in the refusal to permit the elected Congress majorities to release all political prisoners the emergence once more of the autocratic imperialist hand. They will find one more evidence that Britain does not really mean India to govern itself. They may even feel that the opportunity has been seized to get rid of Congress Ministries which were doing too well for the taste of British authority.

**Governor-General's statement**

Gandhiji in his statement expressed the hope that it would be possible for "the Governor-General to retrace his steps and avert a crisis whose consequences no body can foretell." The failure of the Governors of the United Provinces and Bihar to get substitute Ministries, the possibility, even the probability, of the five other Congress Ministries making a common cause with those of the two provinces, created problems that the Governor-General had to take note of. Two other courses were open to the Governors—resort to Section 93 enabling them to assume all executive powers, and the dissolution of provincial legislatures followed by general elections. The latter course would result in the return of Congress Party members in larger numbers; resumption of power by the Governors postponed the appeal to the people for six months only, for eighteen months should the British Parliament decide to accept that method. But neither device, it was felt, could avoid the conflict, which was another way of saying that the constitution built by the Act of 1935 had broken down. No British politician could contemplate with complacence this prospect. For, it had been broadcasted to all the world by British propagandists that the Indian problem had been solved for a generation by the dragooning of the Willingdon regime combined with the left-handed concessions made in the constitutional changes. Considerations like these must have influenced His Excellency Lord Linlithgow to issue the statement which he did on February 22, ending with the words:

"I am glad to think that in no quarter is there manifest any disposition to extend the area of difficulty beyond the limits of the position which I described and it is my sincere and earnest hope that it may shortly be possible to return to normality, and that in the two provinces most concerned the Ministers in discussion with the Governors may find themselves able to resume their interrupted labours."

Gandhiji's reply to this statement of the Governor-General was regarded as in effect as a withdrawal from an untenable position ; it was, therefore, conciliatory. He recognised that the notices given by the Premiers of the United Provinces and Bihar were "sudden", a complaint made in Lord Linlithgow's statement—that on 14th February the demand was "tendered" for immediate general release of all prisoners classed as political ; in Behar the Governor received it at 1 P.M. calling for action by the Chief Secretary by 4 P.M. the same day ; in the United Provinces "the time limit set for compliance was brief to a degree". Gandhiji recognised this suddenness with the cryptic words—"because in the nature of things they had to be so." But he held out the olive branch :

**Gandhiji's conciliatory Reply**

"In my opinion the crisis can be avoided if the Governors are left free to give the assurance that their examination of the cases was not intended to be a usurpation of the powers of the Ministers.....I hope the Working Committee will leave the Ministers free if they are summoned by the Governors to judge for themselves whether they are satisfied by the assurances they may receive."

These words from Delhi and from Vithalnagar, the place at which the session of the Congress was being held, resolved the difficulty, and the constitutional dead-lock was at an end.

This Congress session had for its President, Sri Subhas Chandra Basu. The key-note of his speech is the following :

**Key-note of Congress President's Speech**

"Like the President of Eire, I should also say that we have no enmity towards the British people. We are fighting Great Britain, and we want the fullest liberty to determine our future relations with her. But once we have real self-determination, there is no reason why we should not enter into the most cordial relations with the British people."

About the internal reconstruction of life and thought in India that will transform her into a modern state, both during the struggle for and after the attainment of *Swaraj*, the President indicated the lines of planned life that will enable the people to attain that physical, mental, and spiritual fitness for maintaining and defending the independent life of the country in the competitions of modern life, that will make demands on the vigilance and endurance of the men and women who constituted the human wealth of the realm.

He concluded his speech with an appeal for unity which alone can carry the country through the difficult days ahead :

**Appeal for Unity**

"Inside the Congress there are differences between the Right and the Left which it would be futile to ignore. Outside, there is the challenge of British Imperialism.....what shall we do in this crisis ? Need I say that we have to stand four-square against all the storms that beset our path and impervious to all the designs that our rulers may employ ? The Congress today is the one supreme organ of mass struggle.....it is the common platform for all the anti-Imperialist organisations striving for Indian emancipation."

In the presidential speech of the Congress, in the resolutions passed by the Haripura session of the Congress, determined opposition of informed public opinion to the scheme of Federation was voiced forth in no uncertain language. While not opposed to the principle of Federation, Indian opinion found nothing to recommend the structure that had been sketched in the British Parliament for the benefit of the Indian people,

**Opposition to Federal Scheme**

to shelter the people from the complexities of international developments. The President made detailed references to the many safeguards that have been set up for the protection of Britain's particularistic interests built in India in course of two centuries, interests that have often been harmful to India's material interests. The Reserve Bank already functioning, and the Federal Railway Authority in the stage of incubation—these are regarded as strong-holds of British interests in the centre of State authority in the country. In many ways also limitations on the sovereignty of the people of India over their own State have been put in the shape of political, industrial and commercial safeguards for fear of discrimination from the Indian legislature. The inclusion of nominees of the rulers of the States in both the upper and lower Houses of the proposed Federal legislature is regarded with suspicion and fear.

**Due to new Ideas of Swaraj**

The rulers of the Indian States are Indians, their co-operation with the provinces making up British India in matters of common concern might at one time have satisfied Indian conceit by the thought that the authority of the State in India was being exercised by Indians, however limited that authority might be; the question of national self-respect might have been satisfied, in however small a measure, by the provisions in the India Act with special reference to the Federal part of the affair. Because the Federal Ministry will be chosen from the members of the Federal Council of State and Assembly, and they being Indians, whether prince or commoner, the centuries-old causes of resentment that foreigners were both in theory and practice ruling the country should be acknowledged as removed. Indians as Federal Ministers would stand before the world as symbols of *Swaraj* in India. This reasoning would have satisfied Indian feeling and sentiment half a century ago. But today the claim is not for *Swaraj* alone, but for democratic Swaraj, to quote the words used by the late Bipin Chandra Pal, to quote the words of the resolution passed at the last session of the Congress (February 19,20, and 21, 1938):

"The Congress is not opposed to the idea of Federation; but a real Federation must, even apart from the question of responsibility, consist of free units enjoying more or less the same measure of freedom and civil liberty, and representation by the democratic process of election. The Indian States participating in the Federation should approximate to the provinces in the establishment of representative institutions, responsible government, civil liberties and method of election to the Federal Houses."

**Congress Attitude to the States**

This resolution, and the demands impliedly made in it, make the setting up of Federation in India contingent on the initiation of representative institutions and responsible government in the Indian States. The Paramount Power being, or appearing as being, unconcerned in the internal affairs of the States, neither promoting not opposing the introduction of these organs of modern government in the States, the case for representative and responsible government in "Indian India" becomes a matter of contention between the ruling authorities of the States and of the peoples thereof. The Indian National Congress have been according moral support and sympathy to the endeavours of the States'

people for their own upliftment, for securing civil liberties for the protection of their honour and material interests. The name of the Congress and the example of its heroic fight against British bureaucracy have raised hopes and created assurance in the minds of the peoples in the States that in their difficulties they will have the help and direction of the national organisation. The growth of public life and the demand for freedom have created new problems and precipitated new conflicts in the hitherto placid life of the Indian States. To these the Indian National Congress cannot be indifferent, to their call for help it cannot remain unresponsive. This attitude was explained in the resolution on "Indian States" passed at its last session :

"The Congress stands for the same political, social and economic freedom in the States as in the rest of India, and considers the States as integral parts of India which cannot be separated. The *Purna Swaraj*.....which is the objective of the Congress, is for the whole of India.....,for the integrity and unity of India must be maintained in freedom as it has been maintained in subjection."

But the Congress did not want to force developments in the States which would be out of "tune with the conditions prevailing there." And in order to foster a spirit of self-help in the peoples concerned, to allow movements in the States to develop a momentum of their own, and the peoples to be disciplined under conditions of inveitable struggles with the irresponsible authority of the States under which they have been living for centuries, the last session of the Congress through the same resolution declared a sort of benevolent neutrality with regard to the States. This was an attitude which was difficult to be consistently maintained, as it was found during the period under discussion in connection with the States of Mysore and Travancore. Both these States have a reputation for progressive administration, for benevolent autrocracy it may be. Modern developments have raised ambitions in the minds of the peoples which it will take time to realise ; there are conflicts and confusions, both material and mental, through which rulers and the ruled must reach a harmony ; certain of these are unavoidable. But they play a part in the economy of human life which are ultimately beneficial. Impatience is the spirit that should be religiously avoided.

**The Paramount Power hard at persuasion**

While the contentions between the rulers and the ruled in the States have been continuing, the representatives of the Paramount Power have been striving with all their might to persuade the Princes to come in and occupy their rightful place in the Federation. "Instruments of Accession," conditions that will persuade them to come into the picture of Federations, drafts of these have been passing and repassing from London, Delhi—Simla, and the capitals of the Indian States. The public are being kept in the dark about the negotiations. The opposition of Indian public opinion as voiced forth through the Indian National Congress, the All India Muslim League, the National Liberal Federation, the All-India States' Peoples' Conference, may be responsible for the apparent indecision of the British Government ; the Princes also do not appear to be very enthusiastic in the matter. There is an impression that they have been bargaining with the Paramount Power for regaining certain of their

privileges and powers usurped by or lost to the Paramount Power ; they have been, it is believed, trying to have erected certain barriers against the rising tide of democracy that threatens to submerge many an ancient and cherished land mark. These are surmises, and the position has remained as obscure during these six months as even before.

**Autonomy Ministries & Social Reform in Hindu Society**

This obscurity makes it possibler for the "external authority" represented by Lord Linlithgow in India, to appear indifferent to the strains and stresses to which the internal life of India is being subjected. Federation is a far-off event. Meanwhile the "autonomy" governments in the provinces have to function, and so function that the more than century old grievances of the widest commonalty of the land, of the labourers and agriculturists, may be redressed, and the economic break-down caused by modern industrialism may be repaired. The question has also to be faced whether or not it is at all possible to repair the structure of social and economic relations that have been the warp and woof of Indian life for thousand of years. In social relations, the problem of untouchability in the bosom of Hindu society looms very large. And the Congress Ministries pledged to remove this and its various offshoots by their Election Manifestoes have been trying to give a lead to society, unprepared in idea, to accept the full implications of the reform, to practise in daily life what the people have in the enthusiasm of the moment accepted as a principle. One gets the impression from the movement of thought and activity among the "depressed" castes in Hindu society that they have been testing the possibilities opened out to them by the Poona Pact by which they gained a larger number of seats in the legislatures than promised them by the original "Communal Award" of Ramsay MacDonald. Members representing these classes in the provincial legislatures are, a few of them, Ministers and Parliamentary Secretaries. This position enables them to press their points of view from the inner mechanism of administration.

**Social Disabities in Muslim Society**

In the Muslim society in India also there are "depressed" classes not in the sense in which the adjective is used with reference to Hindu society. The Momins, who claim to be half the Muslim population of India, have social disabilities which have demanded redress and removal in meetings and conferences held in the United Provinces, Bihar and Bengal. In the Bengalee-speaking districts of Sylhet and Cachar for administrative reasons included in the province of Assam, there is a class of Muslims, known as *Maimals*, by occupation fishermen and boatmen, who have given organised expression through meetings and associations to the grievances caused by certain social disabilities. The higher classes in the Muslim community constituted by those whose ancestors came from out-side India—the Sayyieds, Sheiks, Pathans and Moghuls—have conceits of superiority that are in no way less proved than those found in the heart of Hindu society. The late Khondkar Fazli Rubee, Dewan to the Nawab Bahadur of Murshidabad, descendant of the family from whose hands had slipped the sceptre of rule

into the hands of Clive, in his book—*The Origin of the Musalmans of Bengal*—gives us an idea of this equality and unequality :

"From a religious point of view, of course, all Musalmans stand on a footing of equality. But according to usage and customs the social position and family rank of a man do not become altered by a change of religion.....a low caste person on his embracing Islam is not allowed to hold familiar intercourse with high-born Musalmans.....Rigid and scrupulous regard has ever been paid by the Musalmans to social and family dignity."

**Challenge of Modern life to Muslims**

The social democracy plea of Islam is not true to the facts of life as it is lived in Muslim society. Much is made of the equality that lines up the Nawab, the Muslim nobleman, with the Muslim porter in the Friday prayer in the mosque. The Hindus also, in Bengal at least, can show a similar habit of equality on the occasion of the *Kirtans*, devotional songs, when the Brahmin and the Dome (an *Avarna* caste man) sit or stand side by side and sing songs to the glory and beneficence of the Lord, penetrated with the belief in His words uttered to Narada —"Where two or three men are gathered together in my name, there I am in the midst of them." This equality on occasions is not potent enough to create that habit which is the bed-rock of the democracy which the modern times demand. This occasional equality does not satisfy the heart of the modern man and woman. Neither in Hindu society nor in the Muslim, do the average man and woman get the opportunities that will enable them to realise the rich possibilities of their nature, to devolop into healthy man and woman, their minds enriched by modern knowledge and guided by wisdom to the paths of fulfilment. Hindu society have for a century been trying to shake off its inner weaknesses. The challenge of modern life has not found Hindu society wholly unresponsive or unresisting. This response and resistance have enabled Hindu society to adapt itself to modern life. The same challenge has come to Muslim society today when it has opened its mind to modern education. To squarely meet that challenge, it is necessary that the Muslims should recognise that "the obvious decay of Islamic culture during the last few centuries is entirely due to the rigidity of conceptions about it", to quote the words of the editor of the *Islamic Culture*, the quarterly published under the auspices of the Muslim thought-leaders of the Nizam State. This recognition will enable them to throw off those habits of thought and life that have been keeping them disabled for playing their part in the making of the new India.

**Economic dissatisfactions & remedies**

The social disabilities that have maimed the general mass of every community in India, that have made them prisoners of crude thoughts and fanatical habits, are more cruelly pressing on their life on account of the break-down of old economic arrangements. That break-down has been responsible for a misery and a hopeless helplessness new in Indian history. And today men and women in despair are persuaded to believe that a class or classes of Indian exploiters—landlords, zemindars, money-lenders and industrialists—are mainly responsible for the unhappiness in their lives. This new interpretation of history, of the conflict

between men and men implicit in the older social organisations, is the seed-plot of the activities that are described in another part of this volume in pp. 349-359 in an article *specially contributed* by an intelectual leader of the Labour and Peasant organisations of India. The controversy with regard to the theory of class conflict, said to be implicit in the very make of human society so far evolved, has been ringing so loud and strong in almost all the countries in the world, that it is natural that we should hear of it more and more in this country. We do not propose to convert the pages of the *Indian Annual Register* into so many planks of an one-sided controversial platform. We are content to be observers of the causes of the diseases of the social mind and body, and of the consequences of the remedies suggested and administered for relief and recovery. It is undeniable that organised attempts to rouse passions in defence of vested interests, to inflame resentment against these vested interests, have become a normal feature of Indian life to-day. Regional and communal jealousies, anger of the poor against the rich and the comparatively well to-do, have erupted into social life. These do not promise that India will have a peaceful evolution towards an enriched modern life. The "cult of the Danda" made popular by Swami Sahajananda Saraswati, the Behar Kisan leader and President of the last session of the All India Kisan Congress held at the town of Comilla in the middle of May, 1938, is a pointer to the new developments that will be bursting upon the country in the near future. The efforts of the Ministries to remove the grievances of labourers and agriculturists do not appear to be satisfactory to them ; these do not assure to them those amenities of life hopes of which have been roused in the hearts and promises for which have been made to their ears. These complaints are increasingly being made by Labour and Kisan leaders, and the Ministries have to grin and bear. Impatience with these measures was demonstrated during the strike at Cawnpore, one of the biggest industrial centres in northern India, where the labourers went out of the control of their leaders and declared a strike involving more than 40,000 actual workers in the mills and factories of the city. The working days lost, the earnings lost by this strike, have not yet been estimated. But even this proved loss cannot intercept the tendency to resort to strikes and lock-outs as "a last resort". In 1932 there were 129 strikes involving 1,41,859 workers and a loss of 19, 28, 437 days ; in the next year the number of strikes rose to 154, the number of workers involved was 3,04,823, and the number of days lost 39,23,811. These figures are an indication of the havoc through which the country must pass on its goal of economic contentment and stability.

**Permanent Settlement under examination**

The economics of reconstruction of Indian life on a new foundation require that the land question—the position of landlords, that of the tillers of the soil, that of the State in relation to both in these interests—should be subjected to examination in the light of the experiences of the immediate past in our country, the past that was created by Lord Cornwallis' Permanent Settlement in Bengal (1793) and in Madras (1802). The controversy with regard to the ownership of the land, in whom did it vest, in the landlord or the tiller of the soil ?—is as old as the hills. Pre-

ceding the Cornwallis Settlement there was heated controversy between the Governor-General and John Shore in course of which all the issues involved in the question was discussed. Witnesses and evidences in sugport of or opposition to State landlordism, private landlordism, and peasant proprietorships were many and various. About the anthenticity of these the following from the pen of Sir William Hunter can be accepted as a true representation of the facts of those days :

"My own investigations point to an infinite gradation in the rights of the various classes interested in the land. In some districts the landholder was almost independent of the Muslim Viceroy, and seldom or never subjected to his interference ; in others he was only a bailiff appointed to receive the rents. In some districts, again, peasant rights were acknowledged, and the old communal system survived as a distinct influence, in others the cultivators were mere serfs ;....."

Confronted by these complexities, and the demands of an inexorable master, the East India Company, Lord Cornwallis made a settlement recognising a small body of men as landlords, owners of the land, who would be responsible for the payment of the revenues, whether or not the tillers of the soil paid them the rents. The consequences of that settlement can be described in the words of the same author :

".....those Collectors who had to deal with districts in which the landlords were the real owners of the soil, complained that the Permanent Settlement had stripped them of their rights and ruined them ; while those, who had derived their experience from parts of the country in which the Mussalman system had uprooted the ancient houses, objected that Lord Cornwallis had sacrificed the claims of the Government and the rights of the people to elevate a parcel of tax-gatherers and land-stewards into a sham gentry."

Even today when revolutions in economic thought call for a new economics of Land Settlement the old arguments are being heard. But it appears that the dominant school of political and economic thought in the modern world are in favour of resumption by the State of its rights over land. The social disruption that will follow such a measure has no terrors for the majority of the people who devote thought to the subject. Resumption of these rights by the State on payment of compensation, as it was done in Ireland, or without it as it has been done in Russia, this is the question that has been exercising or exciting the intellect or mind of politicians and administrators. In various provinces encroachments by processes of law on the rights of landlords have become the order of the day. Economic considerations influence these activities ; nor are communal considerations wholly absent. An instance of the latter is met with in the attitude of the Muslim members in Bengal and the United Provinces. In the former where the Muslim community is in a majority, where the cultivators are predominantly Muslim, the landlords and zemindars being predominantly Hindu, the Muslims are all for quick return to State landlordism which is supposed to be supported by Islamic State polity ; in the latter where the Taluqdars, landlords, are many of them, if not the majority of them, Muslims, and the tenantry are predominantly Hindu, Hindus being the majority community in the province, the Muslim League members are enthusiastic supporters of the existing system of private landlordism. In Bengal when the amending Bill introduced on behalf of the Ministry sought to put certain restrictions

on landlord rights, and by the weight of the votes of Muslim members carried it through, a leader of the landed interests, Maharaja Manmatha Nath Roy, retired from the Council, the Upper House, with his party after making a statement in which occur the following:

"We feel that we cannot remain here with any sense of self-respect as the majority are bent upon tyrannising over the helpless minority for political aggrandisement. We further feel that we cannot have any justice here, and that we must seek the protection of the Governor or the Governor-General, and if it need be, of the Federal Court, or of the British Parliament through the Right Hon'ble the Secretary of State. Above all, we shall take our stand upon the Instrument of Instructions, created by His Majesty the King-Emperor, for the vindication of the Permanent Settlement which is the bulwark of the economic structure of Bengal."

This protest appears to be a cry in the wilderness. For, more than any communal considerations, the dominant economic thought of the modern world is in support of extinguishing intermediate private rights in the soil of the countries. Against this historic development the fight organised by landlord interests in India, as in other countries, cannot avail anything. Measures like the Permanent Settlement have had their run; their usefulness has been tested; they have been found wanting after a trial of more than a hundred and thirty years. Even the parent of these measures, British rule in India, is in question, confronted by the challenge of the self-respect and self-confidence of a nation. In the awakening that has made possible this self-assertion, many forces have been created, many ambitions roused, many grievances newly understood. These call for a re-examination of many of the principles and policies of Indian social life, a testing on a new touch-stone of their value and utility. After a peaceful and placid life of a century and more imposed on the country by a foreign power, the mind of India demands that it should have a part in building the country anew. Controversies and contentions are inevitable in this process; uncharitableness, rancour and greed may complicate natural developments. These may delay the ultimate result; these cannot permanently put off the day when India will raise her head

"Into the boundless,
Into the generous light,
Into the air of freedom!"

*(Specially contributed by Sri Suresh Chandra Dey.)*

Proceedings of

# The Council of State

THE

# Central Legislative Assembly

AND THE

# Provincial Councils

AND

# Provincial Assemblies

*JANUARY—JUNE 1938*

# The Council of State

## LIST OF MEMBERS

*President* :—THE HONOURABLE SIR MANECKJI BYRAMJI DADABHOY

### Officials—10

1 HIS EXCELLENCY GENERAL SIR ROBERT A. CASSELS
2 THE HONOURABLE KUNWAR SIR JAGDISH PRASAD
3 THE HONOURABLE SIR GUTHRIE RUSSELL
4 THE HONOURABLE SIR JOHN NIXON
5 THE HONOURABLE MR. S. N. ROY
6 THE HONOURABLE MR. J. A. THORNE
7 THE HONOURABLE MR. M. SLADE
8 THE HONOURABLE MR. S. A HYDARI
9 THE HONOURABLE MR. D. N. MITRA
10 THE HONOURABLE MR. SHAVAX A. LAL

### Non-Official—16

1 THE HONOURABLE SIR DAVID DEVADOSS
2 THE HONOURABLE DIWAN BAHADUR SIR K. RAMUNNI MENON
3 THE HONOURABLE SIR A. P. PATRO
4 THE HONOURABLE SIR RAHIMTOOLA CHINOY
5 THE HONOURABLE SIR JOSNA GHOSAL
6 THE HONOURABLE RAI BAHADUR SATYENDRA KUMAR DAS
7 THE HONOURABLE RAI BAHADUR SIR SATYA CHARAN MUKHERJEE
8 THE HONOURABLE SIR MOHAMMAD YAKUB
9 THE HONOURABLE KUNWAR HAJEE ISMAIL ALIKHAN
10 THE HONOURABLE SIRDAR NIHAL SINGH
11 THE HONOURABLE RAJA CHARANJIT SINGH
12 THE HONOURABLE NAWABZADA KHURSHID ALI KHAN
13 THE HONOURABLE KHAN BAHADUR SHAMS-UD-DIN HAIDAR
14 THE HONOURABLE RAJA DEVAKI NANDAN PRASAD SINGH
15 THE HONOURABLE SIR MANECKJI BYRAMJI DADABHOY
16 THE HONOURABLE LIEUTENANT-COLONEL SIR S. HISSAM-UD-DIN BAHADUR

### Elected Non-Official—32

1 THE HONOURABLE RAO BAHADUR K. GOVINDACHARI
2 THE HON'BLE MR. M. CT. M. CHIDAMBARAM CHETTIYAR
3 THE HON'BLE MR. NARAYANDAS GIRDHARDAS
4 THE HON'BLE MR. V. RAMDAS PANTULU
5 THE HON'BLE SAIYAD MOHAMED PADSHAH
6 THE HON'BLE MR. GOVINDLAL SHIVLAL MOTILAL
7 THE HON BLE MR. SHANTIDAS ASKURAN
8 THE HON'BLE SIR PHIROZE C. SETHNA
9 THE HON'BLE SIRDAR SAHEB SIR SULEMAN CASSUM
10 THE HON'BLE KHAN BAHADUR ALI BUKSH MOHAMMED HUSSAIN
11 THE HON'BLE MR R. H. PARKER
12 „ MR. KUMARASANKAR RAY CHAUDHURY
13 THE HON'BLE KUMAR NRIPENDRA NARAYANA SINHA
14 THE HON'BLE MR. SUSIL KUMAR ROY CHOWDHURY
15 THE HON'BLE KHAN BAHADUR SYED IHTISHAM HYDER CHAUDHURY
16 THE HON'BLE MR. ABDOOL RAZAK HAJEE ABDUL SATTAR
17 THE HON'BLE MR. H. G STOKES
18 „ RAJA YUVERHJ DUTTA SINGH
19 THE HON'BLE PANDIT HIRDAY NATH KUNZRU
20 THE HON'BLE PANDIT PRAKASH NARAIN SAPRU
21 THE HON,BLE HAJI SYED MOHAMED HUSSAIN
22 THE HON'BLE CHAUDHRI NIAMATULLAH
23 THE HON'BLE RAI BAHADUR LALA RAMSARAN DAS
24 THE HON'BLE SARDAR BUTA SINGH
25 „ CHOUDHRI ATAULLAH KHAN TARAR
26 THE HON'BLE MAHARAJADHIRAJA SIR KAMESHWAR SINGH
27 THE HON'BLE RAI BAHADUR SRI NARAIN MAHTHA
28 THE HON'BLE MR. HOSSAIN IMAM
29 „ MR. V. V. KALIKAR
30 THE HON'BLE MR. BRIJLAL NANDLAL BIYANI
31 THE HON'BLE MAULAVI ALI ASGAR KHAN

# The Central Legislative Assembly

## LIST OF MEMBERS

*President*—THE HON'BLE SIR ABDUR RAHIM

**Elected Non-officials—102**

**(1) Madras—16**

1 S. SATYAMURTI
2 K. S. GUPTA
3 M. THIRUMALA ROW
4 PROFESSOR N. G. RANGA
5 M. ANANTHASAYANAM AYYANGAR
6 T. S. AVINASHILINGAM CHETTIAR
7 C. N. MUTHRANGA MUDALIAR
8 K. SANTHANAM
9 SHRIMATI K. RADHABAI SUBBARAYAN
10 SAMUEL AARON
11 UMAR ALY SHAH
12 MAULVI SYED MURTUZA SAHIB BAHADUR
13 H. A. SATHAR H. ESSAK SAIT
14 F. E. JAMES
15 RAJAH SIR VASUDEVA RAJAH
16 M. R. RY. SAMI VENKATACHALAM CHETTY GADU

**(2) Bombay—16**

17 DR. G. V. DESHMUKH
18 SIR COWASJEE JAHANGIR
19 DIWAN LALCHAND NAVALRAI
20 BHULABHAI JINANJI DESAI
21 HOOSEINBHOY A LALLJEE
22 KESHAVRAO MARUTIRAO JEDHR
23 N. V. GADGIL
24 S. K. HOSMAMI
25 MAHOMED ALI JINNAH
26 NABI BAKSH ILLAHI BAKHSH BHUTTO
27 SETH HAJI SIR ABDOOLA HAROON
28 J. D. BOYLE
29 LIEUT-COLONEL H. C. SMITH
30 MANU SUBEDAR
31 MIAN GHULAMKADIR MD. SHAHBAN
32 SIR H. P. MODY

**(3) Bengal—17**

33 N. C. CHUNDER
34 DR. P. N. BANERJEA
35 BABU AMARENDRA NATH CHATTOPADHYAYA
36 PANDIT LAKSHMI KANTA MAITRA
37 SURYYA KUMAR SOM
38 AKHIL CHANDRA DATTA
39 SIR ABDUR RAHIM
40 HAJEE CHOWDHURY MOHAMMAD ISMAIL KHAN
41 SIR ABDUL HALIM GHUZNAVI
42 CHOWDHURY SEKANDER ALI
43 K. AHMED
44 C. C. MILLER
45 T. CHAPMAN MORTIMER
46 A. AIKMAN
47 SRIJUT DHIRENDRA KANTA LAHIRI CHAUDHURY
48 BABU BAIJNATH BAJORIA

**(4) United Provinces—16**

49 DR. BHAGAVAN DAS
50 CHOUDHRI RAGHUBIR NARAIN SINGH
51 PANDIT SRI KRISHNA DUTTA PALIWAL
52 BADRI DATT PANDE
53 SRI PRAKASA
54 PANDIT KRISHNA KANT MALAVIYA
55 SRI MOHAN LAL SAKSENA
56 SIRDAR JOGENDRA SINGH
57 MAULANA SHAUKAT ALI
58 QAZI MOHAMMAD AHMAD KAZMI
59 SIR MUHAMMAD YAMIN KHAN
60 MAULVI ABDUL WAZID
61 DR. SIR ZIA UDDIN AHMAD
62 MOHAMMAD AZHAR ALI
63 J. RAMSAY SCOTT
64 RAJA BAHADUR KUSHAL PAL SINGH

**(5) Punjab—12**

65 SHAM LAL
66 RAIZADA HANS RAJ
67 BHAI PARMA NAND
68 SYED GHULAM BHIK NAIRANG
69 MAULANA ZAFAR ALI KHAN
70 H. M. ABDULLAH
71 NAWAB SAHIBZADA SAYAD SIR MOHAMMAD MEHR SHAH
72 KHAN BAHADUR SHAIKH FAZL-I-HAQ PIRACHA
73 KHAN BAHADUR NAWAB MUKDUM MURID HOSSAIN QURESHI
74 SARDAR MANGAL SINGH
75 SARDAR SANT SINGH
76 M. GHIASUDDIN

**(6) Bihar & Orissa—12**

77 SATYA NARAYAN SINHA
78 B. B. VARMA
79 B. DAS
80 PANDIT NILKANTA DAS
81 RAMAYAN PRASAD

82 Gauri Shankar Singh
83 Kailash Bihari Lall
84 Babu Ram Narayan Singh
85 Muhammad Nauman
86 Muhammad Ahsan
87 Maulvi Mohammad Abdul Ghani
88 Maharaja Bahadur Ram Ran Vijai Prasad Singh

**(7) C. P. and Berar—6**

89 Govind Vinayekrao Deshmukh
90 Seth Govind Das
91 Pandit Shambhudayal Misra
92 Khan Sahib Nawab Siddique Ali Khan
93 Seth Sheodass Daga
94 M. S. Aney

**(8) Assam—4**

95 Kuladhar Chaliha
96 Brojendra Narayan Choudhury
97 Abdur Rasheed Choudhury
98 P. J. Griffiths

**(9) Delhi—1**

99 M. Asaf Ali

**(10) Ajmere-Mewar—1**

100 Rai Bahadur Seth Bhagchand Soni

**(11) N. W. F. Pr.—1**

101 Abdul Qaium

**Nominated—39**

**(a) Officials—26**

102 The Honourable Sir Nripendra Sirkar
103 The Honourable Mr. R. M. Maxwell
104 The Honourable Sir Percy James Grigg
105 The Honourable Sir Thomas Stewart
106 S. P. Chambers
107 Sir Girja Sankar Bajpai
108 Sir Aubrey Metcalfe
109 The Honourble Sir Mohammad Zafrullah Khan
110 J. F. Sheehy
111 G. H. Spence
112 C. M. G. Ogilvie
113 A. H. Lloyd
114 E. Conran-Smith
115 P. A. Menon
116 Y. N. Sulxthankar
117 B. M. Staig
118 G. V. Bewoor
119 N. Mahadeva Ayyar
120 J. A. Mackeown
121 S. N. Roy
122 V. S. Sundaram
123 K. Sanjiva Row
124 A. K. Chanda
125 Rai Nepal Chandra Sen Baradur
126 Khan Sahib Shaikh Fazal-i-Illahi
127 G. D. Walker

**(b) Non-offcial—13**

128 Sardar Bahadur Sardar Sir Jawahar Singh
129 N. M. Joshi
130 Dr. R. D. Dalal
131 Dr. Francis Xavier DeSouza
132 Captain Sardar Sir Sher Nawab Mohammad Khan
133 Major Nawab Sir Ahmad Nawaz Khan
134 L. C. Buss
135 Khan Bahadur Sir Abdul Hamid
136 Hony. Captain Sardar Bahadur Dalpat Singh
137 Lieut.-Colonel Sir Henry Gidney
138 " M. A. Rahman
139 "Shams-ul-Ulama" Kamaluddin Ahmad
140 Rao Sahib N. Siva Raj

*Deputy President*—Akhil Chandra Datta
*Secretary*—Mian Muhammad Rafi

# The Indian Legislative Assembly

## Budget Session—New Delhi—31st. Jan. to 12th. April 1938

### Mechanisation of Br. Units of Indian Army

The Budget session of the Indian Legislative Assembly opened at New Delhi on the **31st. January 1938**, the Hon. *Sir Abdur Rahim* presiding. There was a lively debate on Mr. *Abinashalingam Chettiar's* adjournment over the proposal for mechanisation of the British units of the Indian Army. There was unanimous condemnation of the proposal by non-official Indian members, but the motion was not pressed to a division and was talked out.

All the speakers who took part in the debate, except of course the Defence Secretary, were unanimous in their condemnation of the so-called gift by His Majesty's Government of £600,000 towards the actual cost of Rs. 215 lakhs necessary for the mechanisation of the British units of the Indian Army. Why should the Indian taxpayer be called upon to pay this huge sum for mechanising an army of occupation, and not the Indian units who are really utilized for defence purposes? Even Sir *Muhammad Yamin Khan* did not relish the idea of mechanising the British units in the Indian army if it came to a question of their being sent somewhere for imperial purposes. What would happen to the tanks and armoured cars, etc? Would these mechanical paraphernalia remain in India or be sent along with those equipped with them? The motion was, however, talked out.

### Companies Act Amend. Bill

The House took up the consideration of Sir *N. N. Sircar's* Bill to further to amend the Indian Companies Act, as reported by the select committee, but the final passage of the Bill was postponed until to-morrow, when an agreed amendment in the place of the one proposed by the European group would be considered.

### Repeal of 500 Obsolete Acts

The *Law Member's Bill* to repeal certain enactments was next taken up and passed. The Acts sought to be repealed, either wholly or partly, number about 500. The mover explained that these had been rendered obsolete.

### Tea Control Bill

Mr. *H. Dow*, Commerce Secretary, moved the reference to a select committee of the Bill giving renewed recognition to the international scheme for the regulation of the export of tea and control of the extension of tea cultivation from April 1, 1938.

Professor *Ranga*, opposing the Bill, declared that the Indian growers were suffering from unfair treatment at the hands of the committee. Prof. Ranga explained of the "arbitrary power" of the Committee, which, he said, consisted of a majority of Europeans. The result of the activities, he feared, would be to squeeze out the small man and interfere with the economic life of the Indian peasantry, who though illiterate, were required to keep complicated accounts. Prof. Ranga also stressed the need for better distribution of tea cultivation among the provinces instead of the present concentration in Assam.

Two points of order were raised at this stage by Mr. *Sanatanam* and Mr. *Ananthasayanam* based on the powers of the provincial Governments under the present Act.

After Sir *Ziauddin Ahmed* had also spoken, Mr. *Dow* replied to the debate and pointed out that, considering the figures of British capital as against Indian capital employed in the industry, the Indian representation was very much greater.

### Companies Act Amend. Bill (Contd.)

**1st. FEBRUARY**:—The House passed the Bill further amending the Indian Companies Act with Mr. *Bhulabhai Desai* and other party leaders. The Bill sought to remove certain errors which had crept into the Act when it was extensively amended in 1936.

TEA CONTROL BILL (CONTD.)

Resuming his speech in winding up the debate on his motion for a select committee on the Tea Control Bill, Mr. *H. Dow*, Commerce Secretary, assured the House that the Government would be prepared to lend the fullest support to any re-drafting of the Bill in the select committee in the light of suggestions made in the course of the debate. The House adopted the motion.

MILITARY MANOEUVRES BILL

Further discussion was next taken up of the *Defence Secretary's* motion for consideration of the Bill to provide facilities for Military Manoeuvres and for field firing and artillery practice as reported by the select committee.

Mr. *Sanatanam* moved an amendment suggesting that the same area, or any part thereof, shall not ordinarily be utilised for manoeuvres more than once in any period of four years, instead of two years as provided in the Bill.

*Mr. Ogilvie* (Defence Secretary), opposing the amendment, said that it would definitely hamper the manoeuvres as such a long period would naturally restrict the field available for manoeuvres. Moreover, the amendment unduly fettered the discretion of local Governments.

Thereafter Mr. *Saxena* moved another amendment suggesting three years as the period. He emphasised that even in an advanced country like England no manoeuvres could be held in the same area for more than once in five years. India was a vast country and provided enough field for such practice. They wanted manoeuvres to be held in as many places as possible.

The *Defence Secretary* accepted the amendment which was carried.

The next amendment moved by the same member (*Mr. Saxena*) was that the local Government's notice of its intention to specify the area should not be issued until after the expiry of three months after its publication in the local gazette (instead of two months as suggested in the Bill). He pointed out that in view of the lack of literacy among the population, it was essential that the period of notice should be sufficiently long.

*Mr. Ogilvie* opposed the motion, which was pressed to a division and carried by 54 votes to 51.

Mr. *B. N. Chowdhury* moved an amendment urging that such military practices should not interfere with any springs, waterfalls, wells or tanks held sacred by any religious community. Mr. *Ogilve* pointed out that there was a provision to that effect in the original Bill, but the select committee had unanimously omitted it. Mr. *Ogilive* accepted the amendment, but the words "springs and waterfalls" were omitted. The amendment was passed.

The clause relating to the manner of determining the amount of compensation for damage arising out of manoeuvres evoked considerable discussion following the attempt made in the amendment moved by Mr. *Sanatanam* to provide that the amount should be fixed by summoning and hearing the claimant or his authorised agent.

*Mr. Sanatanam* and Mr. *M. S. Aney* argued that if the presence of the claimant was required, then why not give him a hearing so that there might be no future complaints of short payment? If he was not to be heard, why ask him to be present? Mr. *Ogilve* said he was prepared to accept the amendment to the extent of providing for hearing of the claimant, but not summoning him. The mover did not agree, and the amendment was passed to a division and lost by 48 votes to 41.

Mr. *Sami Venkatachalam Chetty* asked for permission to move an amendment for addition of the words "after hearing the claimant." Mr. *Ogilvie* explained he had made an offer to accept it, but the Opposition had "spurned" it and after losing the division they were trying to go back on the decision of the House. Mr. *Bhulabhai Desai* appealed to the Government not to regard it as a question of "amour propre", but as one of equity for the poor cultivator, whose land might be damaged by what amounted to criminal trespass. Mr. *Ogilvie* expressed his inability to take the initiative and set a new precedent in procedure by accepting, on behalf of the Government, an amendment which had once been rejected by the House. Although he admitted the amendment would do no damage to the Bill, Sir *N. N. Sircar*, Leader of the House, stated that in view of Mr. Ogilvie's statement that the amendment was not likely to do damage to the Bill, he saw no reason why it should not be accepted. The amendment was adopted. The Bill, as amended, was passed.

DESTRUCTIVE INSECTS AND PESTS AMEND. ACT

Sir *G. S. Bajpai* moved that the Bill further to amend the Destructive Insects and Pests Act, 1914, be taken into consideration. He explained briefly the object of the proposed Bill and urged the House to pass the Bill as it was essential and at the same time quite inoccuous. The motion was adopted and the House adjourned.

CHILD MARRIAGE RESTRAINT AMEND. BILL

**3rd. FEBRUARY** :—Instances of ingonious evasion of the Sarda Act were mentioned by Mr. *Lalchand Navalrai*, when he moved that the Bill to amend the Child Marriage Restraint Act, 1929, be taken into consideration He explained that the Bill was intended to end the practice of British Subjects going across the borders to neighbouring state territory and performing marriages in contravention of the Act and thereafter returning to British India. The Bill provided that the penal provisions of the Act shall apply also to offences committed by a British subject within State territories. Mr. Navalrai stated he knew of States which allowed these marriages to take place in their territory by charging Rs. 100 for each marriage. In Sind there were cases in which those who wanted to evade the law did not have to travel far. Khairpur State, for instance, was only divided from Sind by a small branch of the Indus river and all that one had to do was to have all preliminaries of wedding conducted in Sind territory and go in procession to the river, get into a boat and perform the actual marriage rite and then come back to Sind again. Mr. Navalrai said his Bill would remove doubts and differences of opinion between one High Court and another, such as Madras and Bombay, on the applicability of the Penal Code to offences of this nature under the Act committed in an Indian State.

Mr. *N. V. Gadgil* dealt at length with the marriage scramble that followed the passing of the Sarda Act and spoke of instances of "matrimonial alliance between a bride in embryo and a bridegroom in the cradle". Quoting the Census Report, he said the number of wives under 15 years of age had increased from over 85 and a half lakhs in 1921 to 123 lakhs in 1931. He dwelt on the "great corroding evil" of early marriage, both from the viewpoint of the mother and the infant, and said that the act would not be effective without extra-territorial application as provided in the amendment. He urged it was the duty of the Government itself to bring a Bill of a comprehensive character to declare that all marriages which contravened the Act were invalid and give power to courts to issue preventive injunctions. He declared that it was no good the Government saying that it might offend religious scruples. Religion had nothing to do with marriage as such (several Muslim members: "Question"). But if religion offended against morality, it was religion, not morality, that must give way. (Cheers).

Sir *Henry Craik* made it clear that the Bill had the sympathy of the Government who would support the motion for consideration, but would move amendments on one or two minor points, which he understood were acceptable to the mover. As regards Mr. Gadgil's remarks regarding the Government's duty of closing the gaps in the Sarda Act, Sir Henry Craik reminded the member that if he and his party (Congress) were really so eager to close the gaps, how was it that Mr. B. Das's Bill, which the Government were ready to support and which had two opportunities of coming up before the House and would have been passed by the House on both occasions, had been dropped because the Hon. Member, who devised the Bill, did not take the trouble to be here. This was slightly inconsistent.

Mr. *N. M. Joshi* said that, whether on this occasion it was the fault of Mr. Das or not, it was certainly the duty of the Government to have come forward to remove the defect in law, which had persisted all these years. The evil had been so great that it had generated a feeling of contempt for law and order. He added that the Government even now could bring forward a comprehensive measure to eradicate the abuse.

Sir *Nripendra Nath Sircar*, supporting the Bill, pointed out that much of to-day's discussion on religious and social matters was quite irrelevant to the motion before the House. As a result of the 1929 Act certain marriages were preventable, or at any rate punishable, but owing to oversight a slight error had crept in. The object of Mr. Navalrai's measure was simply to correct that error, namely, having regard to the 1929 Act, would they allow its evasion by allowing child marriages to be performed by travelling a few miles across the British Indian border into Indian States or foreign territory ? He did not agree with Mr. Ananthasayanam's view that these evasions were few as the speaker's experience in Bengal was quite different.

He had known the instance of his own relatives who owned houses at Chandernagore (French town) 22 miles away from Calcutta. Ten years ago they were not occupied, but they were now useful property as the demand for these houses there was very great after the passage of the Sarda Act by people, who go there to perform child marriages. With these examples before them, how could they oppose the Bill ?

After Mr. *Aney* had further supported the motion for consideration it was adopted.

Mr. *Thorne*, Home Secretary, moved an amendment to the effect that the provisions of the Act shall apply (a) to all British subjects and servants of the Crown in any part of India, (b) all British subjects who were domiciled in any part of India, wherever they may be. Mr. Thorne explained that his amendment would extend the application of the provisions to offences by British subjects in French and other foreign territory in India, while the Bill would have merely extended it to Indian States. Mr. Sanatanam, Mr. Thirumal Rao and Mr. Sri Prakasha supported the amendment, which was passed. The Bill was passed amid cheers.

INDIANS IN AIDED INDUSTRIAL CONCERNS

**4th. FEBRUARY** :—The day was devoted to the consideration of two resolutions. The first resolution was moved by Mr. *Sri Prakash* urging the Government to take effective steps to impose upon all industries which are or may be in receipt of aid or subsidy from the Central Government such conditions as may secure (1) employment of not less than a specified proportion of Indians in both the higher and other grades of their employ and (2) adequate wages and fair treatment of Indians employed in them.

Those opposing the resolution were *Sir Cowasjee Jehangir*, the Liberal leader and Mr. *Griffith* of the European group, who while professing genuine sympathy with the object underlying the Bill, did not see their way to support it in as much as the Government in their opinion, were doing their honest best in the direction.

The resolution was ultimately carried without a division.

STANDING COMMITTEE FOR INDIAN ARMY

The second resolution, which was moved by Mr. *Gadgil*, sought election of the standing committee of the Indian Army composed of elected members of the Central legislature. Those who took part in the discussion were Mr. *Abdul Quayum*, *Sardar Mangal Singh*, *Mr. Azhar Ali* and *Sir Sher Mahomed Khan*. The first three speakers whole-heartedly supported the resolution while the last named, who is a nominated member and an ex-army man, opposed it. The debate was unfinished when the House rose for the day.

DESTRUCTIVE INSECTS AMEND. BILL (CONTD.)

**7th. FEBRUARY** :—Further consideration of the Bill, amending the Destructive Insects and Pests Act was taken up to-day. Several amendments were moved on behalf of the opposition. The Congress Party's amendment deleting altogether imprisonment as punishment for any infringement of the provisions of the Act was accepted. Prof. *Ranga* suggested the lowering of the amount of fine from Rs. 2,000 to Rs. 1,000 for the same offence, but Sir *Girija Shankar* opposed the amendment, which was not pursued. Eventually the Bill was passed.

BILL TO AMEND LAW OF EVIDENCE

Mr. *Thorne* next moved the reference to a select committee of the Bill to amend the law of evidence in respect of certain commercial documents.

Explaining briefly the object of the Bill he said that certain commercial documents of various kinds were by the practice of merchants, accepted as evidence and taken "prima facie" as correct, but in a court of law, they could not, in the absence of the parties be admitted in evidence without testimony as to their genuineness or the correctness of statements made therein. Such documents were inadmissible in evidence under the Act without further proof, with the result that a party desirous of delaying proceedings could often insist on the other side getting commissions issued to take evidence as to the facts which were for all practical purposes sufficiently established by the documents in question. The present legislation was intended to provide for commercial documents being admitted in evidence without formal proof. A list of such documents prepared in consultation with commercial bodies and local Governments was appended as schedule to the Bill, power being reserved to the Government of India to add to the list from time to time and remove items from it. Mr. Thorne commended the Bill as a very useful and necessary measure.

The House agreed to the select committee motion.

DANGEROUS DRUGS ACT AMEND. BILL

Mr. *A. H. Lloyd*, member of the Central Board of Revenue, moved the consideration of the Bill to further amend the Dangerous Drugs Act of 1930, which was passed.

I. P. C. AND CR. PC. AMEND. BILL

Sir *Henry Craik* moved that the Bill further to amend the Indian Penal Code and the Code of Criminal Procedure, 1898, for certain purposes be taken into consideration. The object of the Bill was stated as follows :—Under sec. 565 of the Code of Criminal Procedure 1898, any person who has been convicted more than once of certain offences—for example, theft, robbery, dacoity and coining—and sentenced for a term of three years or upwards can be ordered to report his residence or any change of or absence from his residence to the police for a maximum period of five years after his release. A breach of this order is punishable under sec. 176 Indian Penal Code with simple imprisonment for a term which may extend six months or with a fine which may extend to Rs. 1,000 or with both. It has been recorded that this punishment does not act as a deterrent to habitual offenders and that orders under section 555, Criminal Procedure Code, are frequently contravened. The Bill proposed to amend sec. 176 I. P. C. so as to make specific provision therein for this offence and alter the punishment therefor into one of imprisonment of either description for a term which may extend to six months or fine which may extend to Rs. 1,000, or both.

On Mr. *Ananthasayanam Ayyangar's* motion the House agreed to the circulation of the Bill for eliciting public opinion before September 1, 1938. The House adjourned.

AMENDMENTS IN INSURANCE BILL

**8th. FEBUARY** :—The Assembly adjourned after two hours' sitting to-day. Sir *Nripendra Sircar* moved that the amendments made in the Council of State to the Bill to consolidate and amend the law relating to business insurance be taken into consideration. Sir Nripendra's motion was accepted and the Congress Party moved half a dozen amendments of which three were accepted (1) extending the total forms of Insurance obligation to file along with the application for registration, publish prosperous standard policy forms and assured rates etc, (2) extending the provision of clause 45 to the policy effected before the commencement of the Act and (3) providing that every rule made under the Act should be laid before the Central Legislature for one month while they were in session. The House adjourned.

RAILWAYS ACT AMEND. BILL

**9th. FEBRUARY** :—Sir *Thomas Stewart* moved that the Bill to amend the Indian Railways Act of 1890 be taken into consideration. Sir Thomas, explaining the object of the Bill, stated that it was intended to give statutory recognition to the power exercised by the Central Government to fix the maximum and minimum rates of fares for the railway. The necessity for the Bill arose because under the Act the power to legislate in order to regulate the maximum and minimum fares was vested in the Centre. Executive power was necessary in order to put into effect the relevent legislation. It followed that if there was no statutory enactment there could be no executive power and the result of that position would be that when the Federal Railway Authority was constituted it would be unable to carry out the functions, which the Act contemplated it should carry out.

Mr. *K. Sanatanam* moved an amendment that the Bill be circulated for the purpose of eliciting public opinion thereon by January 1, 1939. He said that the Bill appeared to be short, but, like a cobra, it was poisonous. They on his side of the House had been asking for information on the proposals about the Statutory Railway Authority, but it had been refused to them. They had been told that no proposals had been made about the Federal Railway Authority, but the Bill had now been brought forward to confer certain power on that authority. The Hon. mover of the Bill had not taken the House into his confidence about the time when the Federal Railway Authority would be brought into being and what the contract between the Government of India and the Railway Authority on important matters, including contribution to the general revenues. The Government of India had been exercising the power to fix the rates so long and the statutory authority would inherit it automatically. Whatever power the Government of India had not been exercising should not also be exercised by the Federal Railway Authority. Mr. Sanatanam contended that the Bill would take away the power of the Federal Government to retain in its hands the right to fix rates of fares as a matter of administration, not of policy.

Mr. *Bhulabhai Desai* supported the motion for circulation and declared that the Bill was the thin end of the wedge sought to be introduced by an apparently innocent looking method. The Government of India stood in the transitory stage and the section of the Act relating to the Federal Railway Authority had not been brought into operation. No difficulty had hitherto arisen in the exercise of the power to fix fares, and it would, therefore, appear to be an anticipatory preparation for an occasion of which, according to the Leader of the House, only an astrologer could fix the date. What then was the excuse for occupying the time of the House trying to confer one particular item of power on the Federal Railway Authority, which was yet to come into existence? Further, the Act itself contemplated that the question might early arise where a proper line was to be drawn between policy and executive authority. The provision, therefore, had been made in the Act that on this matter the opinion of the Governor-General should be accepted as final, but before that stage was reached, before the Federal Authority was formed and before the question had arisen, whether or not a particular matter was one of principle or executive authority, it was sought to define by this Bill that as far as fixing the maximum and minimum fares are concerned it was not a matter of policy but was a power to be conferred on the Federal Railway Authority without question or examination. Mr. Desai argued that if the question of rates and fares had been regarded as a matter of principle it would have found a place in the Act itself, and as it did not find a place it was clear it had been left within the sphere of the Federal Legislature. It was, therefore, rather premature to say how a particular power or authority would fit into the rest of the scheme. He concluded by declaring that no occasion had arisen for amendment of the Railway Act.

Sir *Thomas Stewart* regretted that the debate had developed on somewhat different lines from what he had anticipated. The issue which he had presented to the House was simple and he came forward with no such Machiavelian designs as the opposition had supposed. There was no principle involved in the Bill, as there was no fresh recognition of Federation and the railway Authority, because the Indian Railway Act already conferred the widest powers on the Government. Nor did he think there was any new principle involved in the process of fixing the maxima and minima rates of fares. Furthermore, there was no attempt on his part to demonstrate that in the present circumstances there was an omission in the Railway Act. All they were doing was to legislate for any future contingency. He was not at present in a position to say when that future contingency was likely to arise. Sir Thomas Stewart concluded: "I don't propose to follow the previous speakers in their defence or attack of the constitution of the Railway Authority. I am prepared to accept the motion for circulation."

At this stage Mr. *Jinnah* intervened and declared himself against the motion for circulation. Unless the Government placed before the House all their cards he was strongly opposed to the principle of the Bill. It was really surprising that the Government should have brought the motion for consideration so lightly, and it was even more regrettable that the Congress party should move for its circulation. There was a definite principle involved in this measure. The House had declared in unequivocal terms its stout opposition to the scheme of Federation. And here was the Government coming forward with a Bill which sought to give the future Federal Railway Authority power to fix the maxima and minima rates. It was a straight demand and he did not see what was there to get public opinion for? The question before the House, Mr. Jinnah continued, was whether they were going to be party, directly or indirectly, to any enactment of this nature, which would give effect to the entire Government of India Act, 1935. "So long as we are in this House," Mr. Jinnah said, "we can never agree to the Government imposing the whole scheme on us. I must oppose the Bill wholesale as it seeks, bit by bit and step by step, to bring into force, directly and indirectly, the Federal Act, to which we are stoutly opposed." The House adopted the motion for circulation and adjourned.

### Child Marriage Restraint Amend. Bill

**10th. FEBRUARY**:—A large number of visitors, the majority of whom being members of the fair sex, heard a good deal about boys, girls, early marriage, consummation, puberty, and so on, in connection with Mr. *R. Das's* Bill to amend certain defects in the Sarda Act. The sponsor of the Bill expressed optimism that inasmuch as the Government appeared to him to be sympathetic to social measures of this type, he would soon find the House full of half-men and half-women and apologised to the women of India for the many sins their men-folk had committed

against them. He then proceeded to mercilessly attack that champion of the Sanatanist cause, Mr. Baijnath Bajoria for his incorrigible orthodoxy, allowing the Calcutta member to remark "It is all arrant nonsense."

Pandit *Nilkantha Das* brought home his point to the House that the Bill was a good one, although Sir *Nripendra Sircar* enquired perplexedly of the Pandit whether he meant bulls while he was talking about agricultural science.

Although Sir *Nripendra Sircar* gave his support to the Bill, he put a damper on Mr B. Das's optimism with the observation that there would never be a gathering of half-men and women in the House. In that case marriage would no longer be necessary.

Speaking as a Sanatanist Muslim, Sir *A. H. Ghuznavi* opposed the Bill in so far as it related to his community. Sir A. H. Ghuznavi charged all his interrupters with "Colossal ignorance". In his attempts to prove the futility of the Bill he went to the underworld of Calcutta to cite the examples of sex "Goondas" when Sir Nripendra Sircar asked him "how do you know that they are Goondas ?" amidst defeaning laughter.

The last speaker was Mr. *Bajoria*, who, at the outset of his marathon speech lasting more than two hours, opposed the Bill, on "Religious, social, political, moral and medical grounds" and charged the Government with entering into an unholy alliance with the Congress but Sir N. N. Sircar assured Mr. Bajoria that the Sarda Act did not prohibit such an alliance. Mr. Bajoria fell like a deadly avalanche on Congress Ministries for sponsoring such measures as Temple Entry Bills etc., in the provinces and thundered : The Congress is now anxious to capture the Temples." Mr. Bajoria was pulled up by the President and at last sat down in disgust. The debate was adjourned to be resumed on the next non-official day and the House adjourned till the 14th.

RAILWAY BUDGET FOR 1938-39

**14th. FEBRUARY** :—Railway estimates for 1938-39 presented by Sir *Thomas Stewart* in the Assembly to-day forecast for 1937-38 a surplus of about 2 and three-fourth crores against a very small surplus of about 15 lakhs originally estimated, and for 1938-39 a surplus of 2 and a half crores.

Revised estimate of surplus on railways for 1937-38 exceeds the actual surplus of last year by 1 and a half crores. The improvement is due mainly to increase in traffic earnings. Total traffic receipts of State lines are expected to reach 94 and one-fourth crores—about 2 and a half crores more than last year and 3 and a half crores more than the original estimate. Total working expenses are a little over 62 crores including 12 and a half crores for depreciation, or 1 and one-third crores more than last year. Surplus of 2 and three-fourth crores will be paid to Central revenues. It will fall short of the full contribution by one and a half crores. The balance in the depreciation fund will stand at a little under 19 crores.

Budget estimate for 1938-39 assumes traffic receipts of 94 and one-fourth crores—the same as in the current year. The fall in traffic earnings since December last and the present world conditions make it extremely difficult to estimate forward with any certainty and preclude a more optimistic outlook. Total working expenses will amount to 62 and a half crores and will be a half crore more than in the current year. The increase is mainly due to increased cost of coal and other raw materials. Balance of depreciation fund at the end of the year will be a little over 24 and three-fourth crores. The gross total works programme is 12 and three-fourth crores. Of this amount, about half a crore is proposed to be spent on Sind Right Bank feeder lines and Pithoro Tando Mithakhan Railway alluded to last year. An extension is to be built to link up Khadro on the Mirpurkhas Khadro branch of the Jodhpur Railway with Nawabshah on the main line of the North Western Railway. Track renewals account for 4 crores, bridge work for three-fourth crore, other structural works for 3 crores and rolling stock for 4 and a half crores.

Programme includes provision of about 2,800 general service wagons to meet increase in traffic demands, of which about 2,100 are broad gauze general service wagons to be added to the pool. After deductions totalling 1 and three-fourth crores from the above gross figure for certain credits and for reduction in stores balance and an allowance (1 and a half crores), based on past experience for unforeseen delays in the execution of works or in obtaining supplies, the net amount of the programme is 9 and a half crores.

Referring to coal, Sir Thomas Stewart said that, apart from the increase in the cost, the question of adequacy of supply had been a source of great anxiety through-

out the year. Owing to acute shortage of labour in Raniganj and Jherria coalfields, Railways early in the year had to face serious depletion of stocks. Deliveries from market collieries were considerably in arrears. The general position in regard to supplies threatened to be critical not only for railways but also for industry in general. To meet this emergency, Government had decided to increase substantially the output from State-owned collieries to relieve the embarrassment of railways and also to release market supplies for the industrial user.

After referring briefly to the action taken in pursuance of the recommendations of the Railway Enquiry Committee presided over by Sir Ralph Wedgwood last cold whether, Sir Thomas Stewart alluded to road motor transport competition, and remarked that, with a view to creating additional traffic and winning back some of the passenger traffic which in recent years had been lost by railways to the roads, it had been decided to try rail cars on the North Western Railway where conditions appeared particularly favourable and, on a lesser scale, on the Bombay Baroda and Central Indian Railway. He also said that, as motor transport had come to stay and could, in certain circumstances, offer to the travelling public facilities and ameneties which the railways did not, it had been decided to provide experimentally for road services complimentary to the railway on the new road recently opened between headquarter towns of Lyallpur and Jhang Districts in the Punjab.

In regard to labour, he remarked that in this sphere, the maintenance of harmonious industrial relations was of cardinal importance, and it was necessary for railways, the largest individual employer of labour in India, to improve the machinery for the prevention and settlement of disputes. The Government of India had, therefore, appointed, as an experimental measure, a Conciliation Officer at Calcutta, who would be concerned for the present with railways having their headquarters at that place. His duty would be first to establish and maintain contact with railway administrations and their employees, and secondly, in the event of any actual or threatened dispute between these parties, to endeavour to maintain or restore harmonius relations. The intention was that after the Concilation Officer had completed his organisation, an Industrial Advisory Board under the Chairmanship of Sir Zahid Suhrawardy should be established to which the Concilation Officer could refer disputes which he found himself unable to resolve. This board would be charged with the duty of advising the Railway Board on the issues involved.

Referring to the popular error which regards railways as the relentless enemies of the development of other forms of transport, he made the position of railway and Government in this matter clear, and said, "Both the railways and the Government of India are no less alive than others to the economic advantages to themselves as to the community as a whole of a sane and orderly development of Road systems and road transport. They cannot for obvious reasons stand aside and watch the destruction through uneconomic competition of a national asset valued at over 750 crores; but they are at all times ready to co-operate in any scheme for the co-ordination of transport facilities which is to the ultimate economic advantages of the community. It was with a view to promote such co-ordination that the portfolio of Railways and Communications was created and, as first Member in charge of that portfolio, I wish to give the assurance that the endeavours of the departments within my charge will be directed towards that end". Sir Thomas concluded with a cordial expression of Government's sense of gratitude of those charged with the administration and operation of Indian railways, and of appreciation of their services.

STANDING COMMITTEE OF INDIAN ARMY (CONTD.)

**15th. FEBRUARY** :—By 53 to 45 votes the Assembly passed to-day the following resolution sponsored by the Congress Party :

"This Assembly recommends to the Governor-General-in-Council that in order to associate elected members of the Central Legislature with the Indian Army, an early provision should be made for the election of a Standing Committee of the Indian Army, provided that the functions of the said Committee shall include tendering advice to the Governor-General-in-Council on such matters as he may refer to the Committee from time to time with particular reference to (1) sending of Indian troops outside India, (2) new proposals involving additional expenditure and (3) Indianization of army."

When the Assembly resumed further discussion on Mr. *N. V. Gadgil's* resolution ing the election of a Standing Committee of the Indian Army for the Association lected members of the Central Legislature with the Indian Army, Mr. *Asaf Ali*

moved an amendment for the addition of the following to the original resolution :— "Provided the functions of the said Committee shall include tendering of advice to the Governor-General-in-Council on such matters as he may refer to the Committee from time to time with particular reference to (1) sending the Indian troops outside India ; (2) new proposals involving additional expenditure and (3) Indianization of the Army."

*Mr. Asaf Ali* claimed that his amendment removed the objections raised against Mr. Gadgil's resolution. A similar resolution was debated in the Assembly in 1936 and adopted unanimously, and since then the only action taken by the Government has been the appointment of some sort of an 'Ad hoc' Committee, which has been consulted on small and trivial matters. But from the international situation moving in the East anybody could see that the time had now come when a permanent committee was necessary for consultation on the vital problems of the defence of the country. Such consultation would allay suspicion and heartburning on questions like Indianization in which connection the feeling in the country was that only one-third of the present British Army was really required for purposes of internal security and the cost of the other two-thirds could not legitimately be charged in the Indian revenues.

Mr. *Ogilvie*, Defence Secretary, said that he was not concerned with any constitutional issue but only with the policy of the Defence Department. There was a misapprehension in the Opposition benches as regards the constitution and the function of the committee of Imperial Defence. The condition in England was quite different, and ordinarily the membership of the Committee was confined to a person who either achieved the Cabinet rank or became a member of the Government or the head of the fighting forces. Another allegation against the Government was that such a Committee was promised by his predecessor. After recalling the previous debate Mr Ogilvie declared that the Government on not a single occasion even hinted the possibility of appointing Standing Committee as suggested in the resolution. As regards the constitutional position, the Defence Secretary said that in no country in the world was the legislature allowed to encroach on the responsibilities of the Executive Government in regard to the administration of the defence services. Such a claim would be thoroughly unsound, impracticable and constitutional anomaly. At the same time the Government in the past had not been ignoring unofficial opinion on defence questions. To quote only a few instances, non-officials were associated with the Skeen Committee and the Shea Committee which dealt with territorial battalions. There is already a Public Accounts Committee of the Assembly which scrutinises every item of expenditure and any other committee for doing the same function will be superfluous. Whenever questions arose on which the Government thought that such consultations would be fruitful, they did have consultation in the past and would do so in future. Moreover, the Government were always keen on giving the fullest facilities to non-official members to interest themselves in numerous Government publications in this respect, which were always open to members and the public. If any member or group of members made suggestions or brought to the notice of the Government matters bearing on the Defence Department, such communications would be most carefully considered. He thought that the resolution was inopportune and he opposed it.

After Mr. *Gadgil* had briefly replied, the resolution, as amended by Mr. Asaf Ali, was put to the House and carried by 53 votes to 45.

### CHILD MARRIAGE RESTRAINT AMEND. BILL (CONTD.)

**16th. FEBRUARY** :—*Syed Gulam Bhik Nairang* resumed the debate on Mr. B. Das's Bill to-day, and said that the Muslims had opposed the Sarda Act from the beginning, as a result of which the Act remained a dead letter. As the representative of a Muslim Constituency, he opposed the strengthening of the Act, but would not stand in the way of the Hindus legislating in the matter for themselves.

Mr. *Thirumal Rao* supported the measure and rebutted the suggestion that it gave unrestricted power to the police and added that even if it erred in this direction, suitable modifications could be made in the Select Committee. Mr. *Umar Ali Shah* gave copius quotations from Sanskrit texts in support of the principles of the Bill, while Mr. *Ram Narain Singh* deprecated mixing up of religion and social reform, and attempting to thwart a social reform by a wrong interpretation of religion. Mr. *Badri Dutt Pande* and Mr. *B. N. Chaudhury* further supported the Bill.

Mr. *B. Das* replying to the debate thanked the supporters of his motion, particularly the Home Member and the Law member. He read a telegram from Captain

Ramrakhmal Bhandari, Lahore, received by himself, Mr. Bajoria and the Home Member, saying "As an humble and practical thanks-giving for the noble support by the Government, the Congress and other Members to Mr. Das's Bill to stiffen Sarda Act, I, on behalf of our daughters and sons, offer Rs. 5,000 for erecting a column on the Assembly ground for inscribing in gold the names of the benevolent supporters and in black the opposers for the posterity to know our saviours and destroyers.

Mr. Das's motion was carried amid cheers.

The House devoted the rest of the sitting to two Bills of Sardar Santsingh to amend section 103 and 167 of the Criminal Procedure Code. The first Bill was rejected without a division, while the discussion of the second had not concluded when the House adjourned.

GENERAL DISCUSSION OF RAILWAY BUDGET

**17th. FEBRUARY** :—The House took up general discussion of the Railway Budget to-day. Mr. *A. C. Dutta* opened it with a speech complaining against extravagance in the shape of air-conditioned coaches, while third class passengers were denied bare necessities and against the Railway collieries raising their output on the pretext of labour difficulty. The Railways were thereby entering into competition with private mine-owners, and he reminded the House that to hit a key industry such as the coal industry was to hit all the industry in the country. He also criticised the "unfair competition" of the Railways with motor transport industry.

Mr. *Sri Prakasa* congratulated the first Member for Communications on the optimistic tone of his speech and the windfall he had received in the first year of his term but regretted the absence of any reference to disasters in the part of the year. He complained that Railways in India were running too fast, considering the strain imposed on the track by the Indian climate.

Dr. *Ziauddin* criticised the present method of allocating one-sixtieth of the capital charge to the depreciation fund and urged that railway transport should be made more attractive to tradesmen and travellers.

Sir *Henry Gidney* strongly urged reduction in the interest charges and complained that the Railway Board was spending money on construction in the north and the west, while it was neglecting the south. He disapproved of the appointment of a Conciliation Officer at Calcutta. He vigorously pleaded for the rights of subordinate employees, such as a free pass, which had been curtailed on the ground of economy. Economy was a nice thing, but economy and efficiency were strange bed-fellows, and economy had been pursued in certain directions in order to give a surplus budget to the Finance Member, who, he said, had the "political face of the sanguinary Ghazi and methods of the super-modern Shylock.".

Mr. *Azharali* took the Railway Board severely to task for failure to encourage Trade Unions which had run on healthy lines, and declared that the Railway Member's desire for harmonious relations between labour and employers would not be fulfilled unless trade unionism of the right type was fostered.

Mr. *N. M. Joshi* pointed out the shortcomings in the Railway Board's annual reports and said that they had failed to give a complete picture; for instance, the reader did not get a full idea of how much money was available for the purpose of providing amenities to the travelling public and how much thereof was spent on each passenger. The Railways claimed to be run on commercial principles, but the first principle of giving the greatest attention to the best customer, namely, the third class passengers, was not followed. Mr. Joshi also referred to the neglect of the subordinate staff on whom the effect of fluctuations in revenue in the shape of retrenchment bore more severely than on the higher staff. He compared the wage bill of 135 crores of rupees on British Railways with a mileage of 20,000 and 559,000 men with 32 crores spent on this item on Indian Railways with mileage of 40,000 employing 597,000 men.

Sir *A. H. Ghuznavi* referred to the Bihta disaster and the strong comments made by Sir John Thom on the way his orders were being trifled with by Counsel for the Railway. He recalled the proposal made by him years ago, namely, that in case of railway accidents a Coroner's enquiry should be instituted and the bodies should be handed over to the relatives as far as possible. There should also be a judicial enquiry. He justified the Railways' action in increasing coal raisings and said that the mine-owners who failed to deliver the coal promised had no ground for complaint.

Mr. *S. K. Som* thought that the surplus this year was nothing for which the Railway administration deserved congratulation, considering that 750 crores of capital had been employed. He referred to the haste with which the authorities produced air-conditioned coaches for which there was little demand, with delay in produeing improved third class coaches of the type shown to the members as long ago as 1933.

Sir *Thomas Stewart* replied to the debate in detail. He explained that the absence of any reference to the Bihta or Barmrauli disaster in his speech did not imply lack of humanity on the part of the Government who expressed sympathy immediately after the occurrence. He refrained from alluding to it in his speech in presenting the budget inasmuch as the matter was subject to a judicial enquiry. He rebutted the charge of extravagance and manipulation of rates policy to subordinate Indian interests to that of foreign. As regards the question of corruption among the staff, it had been raised from year to year and he declared that the Government were as anxious as anyone else to remove this blot. "Let us have," he said, "specific information and we all follow it up relentlessly until the wrong-doer is severely punished." Referring to that complaint that the new type of third class carriages approved in 1935 had not been built he pointed out that the single standard type carriage in all Railways was not possible and it had been left to the Railways to adopt the standard to suit local conditions. The house then adjourned.

TEA CONTROL BILL (CONTD.)

**18th. FEBRUARY** :—Mr. *H. Dow* moved to-day that the Tea Control Bill as reported by the select committee be taken into consideration.

He dealt with the changes made by the select committee and said that the Government had no objection in principle to the suggestion that the members of the tea licensing committee should be elected and not nominated. The other proposal accepted by the select committee, namely, that the licensing committee should have an official chairman nominated by the central committee was according to Mr. Dow better, cheaper and more efficient than setting up an appeal board proposed by some of the amendments hitherto received. The object was that the small grower should feel that his application for the export quotas was being fairly dealt with and the Government thought that this object was better achieved by their proposal for the appointment of an official chairman than by an appeal board. If the Government's proposal was accepted, it was their intention to appoint to the post an Indian officer of the Government with some district experience and some experience of commercial matters. He opposed the other amendments regarding the representation of minor interests, because those amendments would result in the minority interests getting representation in excess of the majority interests. The House carried the motion and adjourned till the 21st.

VOTING ON RAILWAY BUDGET DEMANDS

**21st. FEBRUARY** :—The House to-day commenced discussion of demands for grants under the Railway Budget. Mr. *N. M. Joshi* moved two cuts of Rs. 100 each under Railway Board, one to discuss provident fund to low paid employees, and the other to discuss certain grievances of Railwaymen. Both were rejected.

Mr. Joshi moving the first motion dwelt on the urgent need of the provision of provident fund in accordance with the recommendation of the Labour Commission, which had suggested to be compulsory in the case of employees drawing Rs. 20 and above and voluntary in the case of those drawing less than Rs. 20.

Moving the second cut Mr. Joshi dealt at length with the grievances such as non-recognition of B. N. R. and B. B. & C. I. Railway Unions, hours of work, and employment of contractors for work such as cleaning of engines, which was essentially a departmental work. He declared that contract work was likely to result in deterioration of engines and exploitation of labour or corruption.

The decision of the Railway Board to increase the raising from their own collieries was discussed following a cut motion moved by Mr. *A. C. Dutta*. Mr. Dutta said that his main object in moving the cut was to suggest remedies for cut-throat competition and to solve the problem of conservation of coal. Railway contracts, he said, must be secured by all smaller collieries, and by many larger ones. Much could be done if the Railway Board consulted beforehand the trade interests regarding the particular coal requirements of railways for the coming year as well as with regard to the prospects of the industry generally during the next twelve months. He urged a re-examination of the present method of calling tenders.

*Sir Thomas Stewart*, replying to the debate, explained that the Government had entered into no absolute commitment not to raise any more coal. Sir Joseph Bhore had, in fact, stated in the Assembly that the Government were in a position to raise all railways' requirements from their own collieries at prices advantageous to themselves, but they adopted the self-denying course of action to restrict the output in order to assist the industry. He also pointed out that the announcement made in his Budget speech this year regarding the increase in output was new, but it was well-known to the industry. As regards Mr. Chapman Mortimer's speech Sir Thomas said : "I realise quite fully that our present tender system with its cumbrousness is undoubtedly a drawback to the coal industry as a whole. I do not know whether it can be improved, but I am prepared to take the Hon. member at his word and meet the representatives of the coal industry with a view to seeing whether we can devise any possible method of issuing our tenders which will ease the situation and make things easier for the coal industry as a whole."

In view of these assurances, Mr. *A. C. Dutta* withdrew his motion.

*Sir Henry Gidney* moved four cut motions. The first was moved to criticise the increasing practice of the railway administration of advertising for posts of drivers and guards instead of filling them by promotion from lower grades. This, he characterised, as an instance of "dishonest economy."

*Sir Thomas Stewart* explained that he had no information except what had been given by the mover. But the practice of advertising was in accordance with the wishes of the Assembly which recommended that certain communal proportion in the railway service should be maintained. The motion was rejected.

The second motion was intended to draw attention to the practice of the railway administration of reducing the grade of employees as a punishment for mistakes instead of imposing fines.

Mr. *A. G. Clow* gave an assurance that they had no intention to act outside the provisions of the rules. *Sir Henry Gidney* withdrew the motion.

The third motion was moved to urge the restoration of pass privileges. *Sir Thomas Stewart* stated that the question was receiving the attention of the Government. The mover thereupon withdrew the motion. He also withdrew the forth cut on Sir Thomas's promise to enquire into the complaint that many employees had been made to act for years without confirmation in their posts. The question of the composition of the staff attached to the office of the Conciliation officer in Calcutta was raised by Sir Henry Gidney by a fifth cut motion, the discussion on which had not concluded, when the house adjourned.

**22nd. FEBRUARY** :—Mr. *Clow* pointed out that a discussion on the merits of Colonel Wagstaff was irrelevant to the motion before the House. Government agreed that the work of the Conciliation officer which was in essence pioneer work in India could not be carried on without subordinates, and proposals in this respect had already been received from Colonel Wagstaff. The motion was negatived.

Sir *Henry Gidney* moved two more cuts, the first relating to the imposition of undue demands from employees of the G. I. P. Railway in respect of house rent, and the second relating to salaries of railway employees and apprentices who were in railway service before the introduction of coordinated rates of pay and the new scales of pay with special reference to the East Indian Railway. Both the motions were withdrawn on an assurance from Sir Thomas Stewart that the Railway Board would be prepared to go into the grievances if full details were given to them.

With regard to another cut by the same member on the difficulty of the staff in obtaining leave owing to inadequate leave reserve, Sir Thomas Stewart assured the mover that enquiries were already afoot to ascertain how far leave privileges were nullified by insufficient leave reserves. The cut was withdrawn.

Mr. *A. C. Dutta*, on behalf of the nationalists, moved a cut to discuss the policy regarding rate and freight affecting commerce and industry. He said that one of the main functions of railways in any country was to foster commerce and industry and it was regrettable that Indian Railways were not working up to the public expectations in this regard. The fact was amply borne out by remarks made by the industrial and fiscal commissions. Even the Public Accounts Committee which took the matter in 1935 had held the same view. The Speaker quoted views not of professional agitators or of irresponsible politicians but of different Chambers of Commerce who were competent to speak in the matter in support of his contention. He thought that there was considerable force behind the non-official opinion that the

railway freight policy, more and more tended to discourage Indian industry. A re-orientation of the railway policy was essential to rehabilitate Indian industries.

Sir *Thomas Stewart* explained at length the actions taken by the Government since 1934 to meet public demand in respect of the rates policy of the railways. The railway conference association in 1934 examined the question and felt the collection of mere statistics would cost no mean sum of twenty lakhs. Still later, the agents met the representatives of commercial and agricultural interests, and it was then ascertained that their demand was not an adjustment of rates, but a general reduction of existing rates. There was no denying the fact that the problem of rates was almost immense, and the railway Board came to the conclusion that more could be achieved by instructing the different railways to keep in touch with commercial and industrial interests, and adjust the rate structure bit by bit to suit local requirements, than attempt the immense task of complete revision. Alluding to the charge that the railway police discouraged the indigenous industry, Sir Thomas Stewart denied such allegation, and gave instances of steel, cement, glassware, machinery, piecegoods, sugar, confectionary as being some of the more important Indian manufactures which enjoyed concessional treatment at the hands of the railways. Furthermore, Railways were at all times conscious of the interests of agriculture, and definite instructions had been issued to agents to keep in closest touch with the Directors of agriculture and marketing officers of the various provinces, with a view to co-operating and co-ordinating their efforts to secure better and new markets for agricultural produce.

Mr. *Dutta's* motion was pressed to a division, and rejected by 42 votes to 35.

*Moulvi Abdul Ghani* moved a cut to discuss the failure of the Railway Board to enforce the recruitment of 25 per cent Muslims to the railway services. He explained that it would take at least ninety years to reach 25 per cent ratio if the present pace of recruitment was followed.

Sir *Thomas Stewart* said that the 25 per cent limit was fixed in 1934 and since then the policy of recruitment had been directed towards that end. But it was obviously impossible to have the same flat rate of percentage all over India owing to the uneven distribution of the Muslim population. For example, sixty per cent had been fixed for the North Western Railway while the percentage over total number of Muslims in the services did not till now by any means approach the figure of 25 per cent but there never was an undertaking given by the Government that this could be achieved immediately as if by magic. The Government realised that the process could only be very slow if they confined their recruitment to the lowest ranks only and fresh steps had now been taken to see that there was recruitment at intermediate stages up to the extent of twenty per cent of vacancies. The motion was withdrawn.

Mr. *Azhar Ali* moved the next cut urging a reduction by 33 per cent in expenses as a measure of economy in the traffic department. The debate had not concluded when the House adjourned.

**23rd. FEBRUARY**:—Mr. *Mahommad Azhar Ali's* cut motion moved yesterday urging reduction in the expenses of the traffic department by 33 per cent as a measure of economy was further discussed in the Assembly and eventually rejected.

Sir *Thomas Stewart* gave the assurance that railways were carrying out as much economy as possible but the truest economy might not always be reduction in expenditure but the undertaking of profitable expenditure that results in the expansion of revenue.

Mr. *Abdur Rasheed Choudhry's* cut motion to discuss the non-issuing of fortnightly, monthly and forty-five days' return tickets by the Assam Bengal Railway was next considered.

Mr. *De Souza* (Railway Board) explained that the issue of return tickets was governed by conditions of each railway and said that on the Assam Bengal Railway at present the Mela Bazar and week-end tickets were being issued which suited the conditions prevailing in the area served by the railway. Whether the issue of return tickets covering a longer period was possible, would depend on the additional revenue it was calculated to bring. He undertook to send the mover's observation during the debate to the agent of the railway for consideration and discussion with the local advisory committee.

The motion was pressed to a division and carried by 55 to 38 votes.

Catering arrangements on railways formed the subject of a keen debate in the afternoon, when Sir *A. H. Ghaznavi* moved a cut motion to discuss shortcomings in the existing methods of providing these amenities. Sir A. H. Ghaznavi traced most of the defects to the system under which sub-contracts were given by contractors.

Sir *Thomas Stewart*, replying, said that the Railway Board and the Government of India were full of sympathy for the motives which led to the moving of the motion. They agreed to the proposition that catering arrangements should be such as to provide the maximum of convenience and benefit to passengers at a reasonable cost. He pointed out that the subject had been engaging the Board's attention, and as a result of their investigation a large mass of documentary evidence had been accumulated which was under consideration. He said the debate was an opportune one and the speeches made on the motion would be placed before the Railway Board.

The mover accepted the assurance and withdrew the motion.

Sir *Zia Uddin* moved a cut motion to discuss the conditions of labour and the system of supplying coolies. The motion was supported by Prof. N. G. Ranga and and Mr. H. M. Abdullah, who all condemced the 'vicious' system of coolie contracts whereby both the poor coolies and railways were exploited. The contractors imposed various exhorbitant levies on the coolies and in support of their contention they read out memorials from coolies of the Lahore, Delhi and Howrah junctions.

Sir *Thomas Stewart* urged the members not to be prejudiced by the type of memorials submitted on behalf of the coolies ; it was possible that while the contractors took the trouble to collect coolies they incurred some expense which they realised from the coolies themselves. Railways did not come in the picture as the coolies were not the employees of the railways.

The motion was carried by 52 votes to 43. The House adjourned.

**24th. FEBRUARY** :—Most of the pre-lunch sitting of the Assembly was devoted to the debate on the Indianisation of railway services and the Railway Board on Mr. *Abdul Qaiyum's* cut motion. Mr. Abdul Qaiyum quoted a series of figures which, he said, showed that posts that really mattered, and which meant power to direct policy were held by Europeans who were safely entrenched in spite of the talk of Indianisation. He declared that the tendency was, with the approach of Federation, to use the centre as a haven of refuge for all European officers fo whom posts were being created on one pretext or another. The appointment of Indians were not a matter of argument. It was the right and necessary thing to do and the time had come for railway authorities to make a solemn declaration that all appointments would go to-Indians and not a single person would be recruited from abroad.

Sir *Thomas Stewart* said that the question had been debated often in the House. He referred to the policy adopted by Government in 1925-26, namely that recruitment in future should be 75 per cent Indians and 25 per cent Europeans and affirmed that this had been faithfully followed. (Voices : No No) "Figures said that during the ten years 1924-25 to 1936-37, the number of Superior Indian officers were increased from 320 to 500 simultaneously with a decrease of 257 European officers. Recruitment, during that period, had been 157 Indian Officers as against 38 Europeans or 34.2 against 74.8, but the mover of the cut relied on sentiment against which figures were of no avail. The annual recruitment of Europeans to the higher service was sometning like three per cent and the mover of the cut obviously did not want these three extra posts for Indians. What he seemed to want was the immediate demotion of so many European officers, who were at the head of services and their replacement by Indians. Sir Thomas Stewart said that that was his deduction and added that would be to undertake a process involving repudiation of terms of contract and he was sure that the House did not want it. He did not agree that any undertaking had been given regarding the appointment of Indian agents. Replying to a question at the end of his speech, Sir Thomas Stewart said that 25 per cent of recruitment was decided upon as the result of the investigation of the Lee Commission. He denied the charge of discrimination.

Mr. Abdul Qaiyum's cut motion was passed without a division.

Mr. *K. Sanatanam*, moving a cut to discuss the manufacture of locomotives in India, referred to the figures given by Sir Mahomed Zafrullah Khan last year. He said that 200 locomotives per year, which Sir Mahomed Zafrullah had said was the minimum production necessary to make a locomotive factory an economic success, was produced even in England by only one factory. Sir Zafrulla Khan's figure was,

therefore, excessive, but, declared the speaker, the annual requirements of India were 253 locomotives, besides the same number of boilers in normal times. These requirements no doubt had decreased now, but this was because the railways between 1925 and 1931 had purchased in excess of requirements of India 253 locomotives, besides the same number of boilers in normal times and also because, after the depression the necessity was felt of reducing the number of engines. He was sure that normal number purchases would restart within five years, which was the period required to install and put into working order a locomotive workshop in India. India was already producing metre gauge engines at Ajmer, and the only obstacle to the workshop there in supplying the needs of all railways was an Act of Parliament. What remained therefore, was to built a factory for broad gauge engines. He dwelt on the great technical and metallurgical skill involved in the manufacture of locomotive, which India would gain, and spoke on the advantage from the view point of imperial considerations of a locomotive workshop in India.

Mr. *Bhulabhai Desai*, in an impassioned speech, declared that the question was being brought before the House not as a mere matter of censure. "When we tell them (Government) what we want we know what we want and this House demands its fulfilment, not merely its recording". It is no use pointing out, as a member of the European group had done, the great strides made by Indian industry. For that no thanks were due to Government. The Tariff Board had declared the locomotive industry as one of the essential industries which must be started. The talk of making it a business proposition was all very well, but he asked whether railways built in India was a commercial proposition. The answer was no. They were political and military propositions. They were built in such a hurry following the mutiny that they cost three times what they should have cost as a business proposition. The manner in which the talk of a business proposition was indulged in had gone beyond a joke.

Sir *Thomas Stewart* replying pointed out that India could not be self-sufficient regarding at least 95 per cent of the manufacture of engines. He explained that the figures given by the mover were different from the estimate prepared by engineers. The mover reckoned the requirements as about 250 locomotives and the same number of boilers, but the engineers estimated that probable figures upto 1935 would be 33 broad gauge and 29 meter gauge engines per year. The average purchases in the past nine years had been 27 broad gauge and 33 metre gauge ones. There had been going on for sometime past a process of economical utilisation of locomotives and the locomotive situation, therefore, was obscure. It was impossible to say that the railways would buy anything like the number of locomotives the mover had indicated.

Mr. *Sanatanam's* motion was adopted without division.

Mr. *Manu Subedar* moved a cut to discuss the Railway Board's stores purchase policy and detailed the history of how the Stores Department was brought into existence and how the Government took five years to formulate a policy based on the resolution passed by the House. In his opinion, progress was very unsatisfactory. The Railway Board decided to purchase 30 per cent. through the Stores Department and the rest was left to the Store-keeper, but only 26 per cent. was purchased through the Stores Departmant. He pointed out that in this respect Company-managed railways were the greatest sinners. Every warning on the subject had been ignored by the Communications Department. Every year Rs. 5 crores worth of material was purchased from abroad in total disregard of the wishes of the commercial community. The Railway Department had failed signally to encourage Indian industry.

Mr. *Stewart*, replying, said that in the matter of stores purchase the Railway Board followed the policy laid down by the Government and did encourage Indian Industry whenever they could. Replying to Mr. Nilkantadas, he read a list of articles purchased in India. Every Company-managed railways to a large degree were bound by the policy laid down. As to price-preference, he said that once the Government gave preference it would be demanded by others. The Railway Board met the Chief Controller of Stores half-yearly to discuss stores purchase. The purchase in India by railways was increasing year after year. The Stores Department itself desired that the taking over of railway purchase should be gradual. The Railway Board was doing everything towards increased purchases through the Stores Department. There were signs too that Company-managed railways would also fall in line with State-managed railways in this mater.

The cut motion was passed without division. At 5 o'clock guillotine was applied and all the railway demands were passed. The House then adjourned.

INDIAN SCIENCE INSTITUTE INCIDENT

**25th. FEBRUARY**:—The Assembly had official Bills on the agenda but before they were reached a vigorous debate on the affairs of the Indian Institute of Science, Bangalore, arose on Sir *G. S. Bajpai's* motion for the election of the Assembly's representative on the Council of the Institute for 1938-40. An indication of a debate on this subject was given at question time when a series of questions were asked regarding the Acting Director of the Institute.

Immediately after Sir *G. S. Bajpai* had moved his motion, Mr. *Ayyangar* opposed it and declared that Sir C. V. Raman, the one man who had contributed to the growth of the Institute and of whom the country should be proud of had been sought to be removed from the Institute and from the shores of the country so that lesser men, who did not have the necessary qualifications, might run the show. What had the Government, he asked, which spent large sums on the Institute done to prevent this? The speaker declared that representation of the Assembly on the Council would be a sheer waste of money.

Sir *G. S. Bajpai* said that though the debate started with expressions of resentment it had served a useful purpose as it had enabled a representative of this House on the Council for the past three years (Mr. Deshmukh) to explain the inner working in a manner which the speaker could not have done. Referring to the reluctance of the Government to interfere in administrative matters such as the removal of the physics laboratory from its present position, Sir G. S. Bajpai explained that the House itself had been anxious to preserve the autonomy of their bodies receiving similar grants-in-aid such as the Benares and Aligarh Universities. He, therefore, was concerned more in safeguarding the autonomy of the Institute than in withholding from the House any information to which it was entitled. But if resentment had been caused thereby he gave the assurance that in future all questions which could be legitimately answered would be answered with a fullness that the honour and responsibility of the House merited. As regards the charge of withholding publication of the report of the Mysore Government and the observations of Sir C. V. Raman on the Irvine Committee report, Sir G. S. Bajpai explained that these documents revealed a spirit of quarrel and wrangle, to which Dr. Deshmukh had referred, and the Government were anxious to obliterate what had happened in the past and work for the peace and efficiency of the Institute in future. As for the complaint that the Government had entered into a conspiracy to get rid of Sir C. V. Raman, Sir G. S. Bajpai refuted the charge and declared that it was the Government who had stepped in when the Council decided to pay Rs. 1 lakh to Sir C. V. Raman and give him up. The Government of India had pressed for the retention of one, who had an international fame. Sir G. S. Bajpai added that scientists undoubtedly had remarkable qualities, but had temperamental defects and if Sir C. V. Raman had shown the forbearance which he himself had expected from them the affair would have shaped differently. The Government would endeavour to the extent they had control over the Institute's affairs to ensure that every research worker had a fair field and if Sir C. V. Raman, whose eminence had been recognised, would only decide to work in peace and harmony with his colleagues in the Institute, the speaker had no doubt that he would not only retain the laurels he had already won, but bring fame and credit to the Institute.

Sir *G. S. Bajpai's* motion was passed.

TEA CONTROL BILL (CONTD.)

The House devoted the rest of the time to discussion, clause to clause, of the Tea Control Bill, which was taken into consideration on February 18.

Mr. *B. D. Pande's* amendment suggesting the addition to the Tea Licening Committee of one Indian member nominated by the Central Government to represent tea estate labour was discussed at length and was eventually defeated by 55 votes to 46.

The House then adopted Mr. *A. Ayyangar's* amendment seeking to make clear that three representatives of the Indian planters of the Assam Valley, the Surma Valley and South India should be elected by and from among Indian owners. The Assembly also agreed to the addition of one member to represent Kangra, Dehra Dun, Kumaon, Bihar and other unrepresented tea estates.

A sub-clause providing for an official chairman of the Committee nominated by the Central Government was omitted by the House, which assented to an amendment in favour of a chairman elected from among the members. The changes made, however, left the number of members of the Committee unaltered at 13.

Considerable discussion arose over a lengthy amendment moved by Mr. *Choudhury*, suggesting a tribunal of appeals from the decisions of the Licensing Committee on the allotments of export quota. The amendment was rejected by 56 votes to 46. The House then adjourned till the 26th.

**Financial Statement for 1938-39**

**26th. FEBRUARY** :— The proposals outlined in the Finance Member's speech to-day introducing the Budget proposals for 1938-39 show that it has been possible to provide the cost of the introduction of Provincial Autonomy and the separation of Burma and the expenditure on the Waziristan operations, to make a start on the distribution of Income Tax to the Provinces to the amount of Rs. 1,38 lakhs in 1937-38 and 1,28 lakhs in 1938-39 and at the same time to show balanced budgets both in 1937-38 and in 1938-39 without the imposition of any new taxation.

The Finance Member, introducing the budget, said :—

India is a disappointing country for prophets. A very distinguished predecessor of mine described it to me as a land of unfulfilled prophecies. I don't know how far his experiences as Finance Member were responsible for this disillusioned judgment but I can certainly say in my own case that my record in what I once called that minimum of prophecy inseparable from budget making would certainly not justify my setting up as a seer in other spheres. In extenuation I plead that in India we have to present our budget a month before the year to which it relates even begins, that the supply of statistical information follows a considerable time after the events to which it refers, that the budget of an agricultural country which is in fact a continent and which relies for its revenue so largely on indirect taxation is particularly sensitive to economic fluctuations, that the world at large on which India depends for its export markets is in constant change and disturbance and last but not least that in India we have just introduced the first stage of a new Constitution which has involved innumerable financial and economic adjustments.

The financial year 1936-37 closed with a deficit of Rs. 1,79 lakhs an improvement of Rs. 13 lakhs on the revised estimates, due to the trade revival that showed itself especially in increased Customs receipts and Railway earnings, though the latter did not affect general revenues in that year.

IMPROVEMENT IN CURRENT YEAR

The continuation of these conditions into 1937-38 has raised the revised estimates of revenues by Rs. 3,90 lakhs. Against this, there has been an increase of Rs. 3,22 lakhs in expenditure, leaving a net improvement of Rs. 68 lakhs. By this the requirements from the Revenue Reserve Fund for the current year have been reduced to Rs. 1,09 lakhs, leaving the remaining Rs. 75 lakhs for the year 1938-39.

The extra liability incurred on the inauguration of Provincial Autonomy turned out to be Rs. 1,98 lakhs, made up of additional payments of Rs. 54 lakhs on account of the Provinces' share of the Jute duty, additional grants-in-aid to deficit Provinces amounting to Rs. 56 lakhs and reduction in interest receipts of about a crore, as compared with the estimate of Rs. 1,85 lakhs. At the same time the separation of Burma resulted in a net loss of Rs. 3.51 lakhs as against the expected figure of Rs. 2,33 lakhs.

The revised estimates for Customs and Central Excise duties show a total net improvement of Rs. 1,91 lakhs in spite of large decreases under imports of silver, 1,28 lakhs, cotton fabrics of British manufacture, 59 lakhs, and cotton fabrics not of British manufacture, 70 lakhs. The improvement is spread over a large number of articles included in the non-protective part of the tariff, but is mainly accounted for by increases in durable and semi-durable goods. Thus machinery is responsible for an additional 42 lakhs and motor vehicles for an additional 41 lakhs. There is also an increase of 45 lakhs under motor spirit.

TAXES ON INCOME

The total revised estimate for Taxes on Income is Rs. 15 crores an improvement of Rs. 70 lakhs. In order to arrive at the amount distributable to the Provinces it is necessary to deduct from this total (1) corporation tax, (2) taxes on the emoluments of officers serving under the Central Government, (3) taxes attributable to centrally administered areas and (4) cost of collection. The balance after these deduction is expected to be Rs. 11,55 lakhs. To this figure is added the amount of the railway surplus which is estimated at Rs. 2,82 lakhs, and under the Niemeyer award the Central Government retains Rs. 13 crores out of the combined total. Consequent-

ly the amount expected to be available for distribution to the Provinces is 11,55 plus 2,83 minus 13,00, i. e., Rs. 1,38 lakhs. A preliminary distribution will take place towards the end of March on the basis of the best forecast then possible, and adjustments will be made on the basis of audited accounts in the following year.

Simultaneously with this distribution to the Provinces those Indian States whose tribute amounts to more than 5 per cent. of their total revenue will have the excess over the percentage remitted. The Indian States Enquiry Committee of 1932 strongly recommended that such remissions should be granted as a first step towards redressing inequalities, irrespective of any arrangements which might be made in connection with the accession of the States to the Federation. The amount involved is about Rs. 9 lakhs.

Of the total increase of Rs. 3,22 lakhs in expenditure, Rs. 2,60 lakhs are on accounts of the Defence Services. This is made up of Rs. 1,76 lakhs for the military operations in Waziristan, Rs. 26 lakhs on account of the abandonment of the Lahore abattoir and cold storage scheme and the balance on a variety of smaller items.

The balance of Rs. 62 lakhs is accounted for by an increase under 'Interests', which is due to heavier encashments of Post Office Cash Certificates, and an increase under 'Tribal Areas' which is due to the construction of roads in connection with the Waziristan operations.

### Borrowing Programme

No Government of India loans matured during 1937-38 and the field was left clear for the five Provincial Governments who raised loans in the open market. Next year the Government of India 5 and a half per cent loan 1938-40 to the amount of 19 crores odd will mature. Debt to the amount of about four crores was repatriated during the current year by purchase of sterling securities and their subsequent cancellation or replacement by similar rupee securities, and £1 and a half millions of sterling railway debentures have been redeemed on maturity. In addition, £4 millions are expected to be transferred to the Commissioners for Family Pension Funds before the close of 1937-38, leaving a balance of about £6 millions to be transferred next year.

A net repayment of Rs. 4 crores in respect of Post Office Cash Certificates is expected this year and Rs. 3 and a half crores next year. Savings Bank deposits are expected to increase by Rs. 4 and a half crores in the current year and the forecast for next year has been put at 5 crores.

### Revenue Estimates for 1938-39

Apart from Rs. 75 lakhs available from the Revenue Reserve fund, the estimates of ordinary revenue for 1938-39 amount to Rs. 85,17 lakhs, a decrease of Rs. 37 lakhs on the revised estimates for the current year.

The previous upward tendency of Customs revenue seems to have been checked. This may be attributed to the setback which manifested itself primarily in the United States of America but which has also spread eastward. There has also been a decline in India's favourable balance of trade and there is now a tendency towards a decrease in prices. In view of these factors the maintenance of the current year's figures for Customs and Central Excise duties is not to be expected. There are however certain items which are likely to increase irrespective of general trade conditions. Motor spirit for example is almost certain to be an increasing source of revenue in view of the steady growth in the number of motor vehicles in use in India. Taking all factors into consideration, a net reduction of Rs. 60 lakhs has been assumed.

An improvement of Rs. 25 lakhs has been budgeted for under 'Taxes on Income' in view of the trade activity during the major part of the current year and in view of the efforts being made to tighten up the income-tax administration.

On the basis of the railway estimates, it is calculated that Rs. 1,28 lakhs should be available for distribution to the Provinces next year.

### Posts and Telegraphs

During the current year the Posts and Telegraphs Department is expected to contribute Rs. 43 lakhs to general revenues, but next year its revenue is expected to be just sufficient to balance its expenditure. The net cost of the Empire Air Mail Scheme will be about Rs. 11 lakhs, an extra Rs. 18 and a half lakhs is required for the payment of the commuted value of pensions and about Rs. 13 and a half lakhs for the partial repayment of accumulated losses on account of press telegrams.

A Special Telephone Capital Fund of Rs. 2 and a half crores is to be created to enable remunerative works connected with the expansion of the telephone system to be undertaken with the minimum of delay. This sum is expected to cover expenditure for the next five years, Rs. 40 lakhs being the estimate for expenditure in 1938-39.

### EXPENDITURE FOR 1938-39

The total provision for the Defence Services, Rs. 45,18 lakhs is Rs. 2.04 lakhs less than the revised estimate for the current year but Rs. 33 lakhs more than the budget estimate. By an agreement relating to the Naval expenditure just concluded with His Majesty's Government, the latter are to forego the contribution of £100,000 a year formerly paid towards the Naval Defence of India, on condition than the Government of India maintain a sea-going fleet of not less than 6 modern escort vessels which will be free to co-operate with the Royal Navy for the defence of India and in addition fulfil their responsibility for local naval defence of Indian ports. The contribution will cease as from April 1st. 1938.

In addition to the contribution of 27 lakhs from His Majesty's Government there will be a saving of Rs. 90 lakhs which is due to a temporary shortage of British troops in India. These items combined with the increase of 38 lakhs in the total provision give a sum of 155 lakhs available for additional items of expenditure. Of this Rs. 70 lakhs will be absorbed by an increase in the normal standing charges of the Army, and the balance of Rs. 85 lakhs is to be expended on the mechanisation of the British infantry and cavalry.

### MECHANISATION COST

In addition, expenditure on the mechanisation of certain Indian units, on improvements to coast defences and on the creation of a factory to make India self-sufficient in the matter of high explosives is to be financed to the amount of Rs. 80 lakhs from the remaining balance in the Defence Reserve Fund and by drawing on the balances in military expenditure equalisation funds which are not immediately required. The Finance Member said that last year he had warned the House that the net figure for defence expenditure had only been achieved by the help of a curtailment of services which were bound to be provided for sooner or later, and that His Excellency the Commander-in-Chief considered the provision to be seriously inadequate for the real needs of defence. In view of the present world situation and the large increase in defence expenditure of almost all other countries, it could not be considered surprising that some increase had also been found necessary in India.

There are three increases of expenditure which are definitely associated with corresponding revenue items, viz., Rs. 16 lakhs in the payments made under the Cochin Port Agreement due to the increase in Customs revenue collected at the port during the current year, Rs. 29 lakhs in the allocation to the Road Fund, based on the anticipated revenue from Customs and Excise duties on motor spirit and Rs. 10 lakhs in the provision for expenditure on sugar research.

Apart from these there is a net increase of Rs. 59 lakhs and this includes Rs. 15 lakhs on the re-construction of civil buildings at Quetta, Rs. 12 lakhs in the provision for the Stationery and Printing Department, and smaller items for Civil Aviation, Broadcasting, improved administration of the revenue producing departments and the Federal Court.

The total figures for 1938-39 are thus—

| | | |
|---|---|---|
| Revenue | ... | Rs. 85,92 lakhs. |
| Expenditure | ... | Rs. 85,83 lakhs. |
| Surplus | ... | Rs. 9 lakhs. |

The Finance Member stated that these figures showed that the greatest care would be necessary in conserving the Central revenues if the fulfilment of the Niemeyer programme is to be reasonably assured. For without the stability of the Central finances provincial advance or even stability is impossible. The fortunes of the Provinces are so inextricably mixed with those of the Centre that they cannot prosper without a willingness on both parts to co-operate for common ends. Though the result in a nominal surplus of only Rs. 9 lakhs was disappointing compared to earlier expectations, yet it was to be considered singularly fortunate that with no net increase, indeed with a net decrease of taxation in recent years, it had been possible to find all the money required to start the Provinces on their autonomous way.

After the flamboyant forecasts of some of our more imaginative journalists this result will appear somewhat disappointing. Certainly I myself am deeply disappointed. For one thing we are still apart from the carry forward in the Revenue Reserve Fund more than half a crore short of true equilibrium. Secondly, it is clear that the greatest care will be necessary in conserving the central revenues if the fulfilment of the Niemeyer programme is to be reasonably assured and finally there can be no immediate expectation of a devotion to the Provinces out of our present central resources beyond that provided for in that programme. During the current year there can clearly be no large central grants for social expenditure, but in any case with the inception of Provincial Autonomy I personally should be inclined to rank this objective after that of the provision of free money for the Provinces. But there is an objective even more important than that, namely, to ensure so far as is humanly possible the stability of our central finances. Without this Provincial advance or even stability is impossible and the fortunes of the Provinces are in the end so inextricably mixed with ours that they cannot prosper without a willingness on both our parts to co-operate to common ends.

I think I may claim that, while I have been in India, I have kept two main tasks in view: the financing of the new Constitution and the provision of money for rural development. The first involves an anxious regard to the health of our own finances. It also involves preparations for meeting smoothly the successive obligations which the new Constitution entails. We have found with no net increase, indeed with a net decrease of taxation, all the money required to start the Provinces on their autonomous way. During this year we have begun on the task of releasing to them 7 crores of income tax. At one time I hoped that it was going to be possible to speed up the performance of this task, but it now looks as if there will have to be a pause for the consolidation of our own position. Of course it might be argued that we should increase some of our staple taxes in order to make more money available for the Provinces. I do not however propose to do this, though in the case of income tax I hope to introduce an Amending Bill this session to carry out a number of the recommendations of the recent Expert Enquiry. In the present circumstances almost the whole of the increased yield resulting from these changes will accrue to the Provinces and I hope that I may on this account reckon on more support than might otherwise be the case. I offer this as an earnest of the sincerity of my desire to help the Provinces. As regards rural development I must now recognise that the main responsibility for this has been entrusted to the Provinces and central grants for the purpose must in large measure be postponed in favour of ensuring the due delegation of revenues. However much I regret this, I recognise the needs of the Provinces as a prior obligation.

I suppose that a budget which merely preserves the status quo will be characterised as a dull one. But it will be something to have achieved dullness in a world which is full of intense excitements—many of them of an extremely undesirable character. And if next year we are able to produce another dull budget providing for no spectacular increases in defence expenditure, no catastrophic falling off in revenue and further maintenance or even increase of our assistance to the Provinces, I shall be only too thankful.

## Tea Control Bill (Contd.)

**1st. MARCH** :—The Assembly devoted the whole of the sitting before lunch for the consideration, clause by clause, of the Tea Control Bill. The House agreed to Mr. *K. Sanatanam's* amendment suggesting that any person aggrieved by an order of the Licensing Committee in respect of the allotment of quota might appeal to the Central Government, or the High Court of the province in which the aggrieved parties of tea estates are situated (instead of only to the Central Government as provided in the original clause).

On Mr. *Anantasayanam Ayyangar's* motion it was agreed that subject to rules made under the Act, every owner of a tea estate to whom quotas were allotted should be entitled to inspect the records of the committee and, on the payment of the prescribed fee, should obtain copies of any proceedings or orders, of the Committee.

Mr. *B. N. Choudhury's* amendment to clause 8 that the committee should publish a summary of accounts along with the annual report, was accepted.

The House then rapidly passed all clauses up to clause 22. Mr. *B. N. Choudhury's* amendment suggesting a provision for the representation of the tea growers of India on the International Committee established under an agreement was held out of order

on the ground that the composition of the International Committee was not within the scope of the Bill and the Government could not do anything calculated to alter the agreement entered into by private interests.

Strong opposition was voiced to clause 26 which related to the methods of the control of the extension of tea cultivation. The effect of this provision was to prohibit the extension of tea areas beyond the areas of land planted with tea on March 31, 1938. Mr. *Kuladhar Chaliha* moved an amendment suggesting that the tea areas on March 31, 1933 (instead of 1938) should be taken as the limit. The European group as well as the Government opposed the amendment, which however was passed by 39 votes to 38.

Thereupon, when the whole clause 26 as amended was put to the house, Mr. *N. M. Joshi* opposing the entire clause said that India was not producing enough tea for her own consumption, and therefore restriction of the cultivation was undesirable. The industry was naturally opposed to the extension, because under the present conditions it could make huge profits without in any way taking the trouble of producing more tea. The House should not agree to restriction without proper investigation.

Mr. *Griffiths* of the European group pointed out that the potential production of tea was 52,00,00,000 lbs. annually of which 34,00,00,000 lbs. were exported leaving a substantial margin of 10,00,00,000 lbs. for home consumption. At present, the tea consumed in India was slightly less than 9,00,00,000 lbs. and was selling to consumers at less than the cost of production. The cost of production in Java was considerably less than in India and if the agreement was not implemented, Java could easily undersell India in the international market. The agreement with Ceylon and Java, while fixing the quota for export, also stipulated for the restriction of areas under tea. If India repudiated one part of the agreement, the whole would be destroyed. He asked if that would be in the interests of India and 8,00,000 labourers employed in the industry.

Mr *H. Dow*, Commerce Secretary, said that if this clause were rejected it would certainly mean an end of the international agreement under which Ceylon and Java had agreed to restrict the exports and cultivation. It had been suggested that even if the agreement was dropped, there was no fear of over-production in those countries. Mr. Dow pointed out that not long ago large quantities of foreign tea were imported in India. If the agreement was scrapped the House would be taking the grave risk of plunging the industry back to the place where it was before tea control was first introduced As regards the consent of provincial Governments he said that provincial Governments were consulted by the Government of India before and after the Congress Ministries came into power and there was no serious objection to the bill. Clause 26 was adopted.

Mr. *N. M. Joshi* moved an amendment to restrict the period of operation of the Act to one year instead of five years provided in the Bill. Mr. *H. Dow* opposed the amendment declaring that it was calculated to encourage speculation and to create confusion. The amendment was lost. The House then passed the third reading after a brief discussion and adjourned.

### General Discussion of Budget

**2nd. MARCH** :—Prior to the Assemely taking up the general debate on the budget to-day, Mr. *Bhulabhai Desai*, leader of the Opposition, gave a statement in the course of which he made it clear that the Congress party, Independents, Congress Nationalists, and democrats had agreed not to participate in the general discussion of the budget and as and when demands for grants were moved they proposed, without speech, to defeat them. (Cheers.) This decision, said Mr. Desai, was taken in order to protest against the Government's action in breaking a salutary, important and usual convention, which had been followed since 1924, of allowing the House to express itself by direct vote on the policy of the Government under the two heads, 'Defence' and 'External Affairs'. Mr. Deasi declared, 'The right of vote is a right to which the House attached a great value –greater value than to the right to express views—because the vote of the House repeatedly given against the Government has, in the words of a member of the House, an acidity which may dissolve a certain amount of rust in the minds of the irresponsible executive.' Where the legislature was in paramount control of the executive, added the leader of the Opposition, no vote might immediately be necessary, but in the case of an irresponsible executive, the vote became of paramount value and importance. Mr. Desai referred in this connection to the observation of the Joint Parliamentary Committee which stated that the danger of friction between the Governor-General and the Legislature over army bud-

gets undoubtedly furnished additional argument against responsibility at the centre in purely British India Federation. Mr. Desai added that the Assembly was functioning, in a sense, as the Federal legislature in certain respects and it seemed to be the Government's desire to accustom the future tame legislature to the habit of accepting the fact that even in the matter of vote they were not wanted. Mr. Bhulabhai Desai asserted that the question was not whether the Government had power to withhold certain items from the vote of the House. The question was whether they should and must have exercised the power given to them by law no doubt, but the power which was held in abeyance for a long period of years. 'Taking stock of the situation and considering the manner in which our vote has been responded to—or rather unresponded to—we do not wish to give the Government the pleasure of becoming parties to mere form without the reality of democratic government. We wish to point out that if the Government go on step by step in the direction in which they are going, the only remedy is their removal.' (Cheers.) In view of their decision to take no part in the discussion of the budget the members of the Opposition parties would give their attention to more profitable work to which they were decided. But he would be glad if other legislative business was brought up by the Government during the days allotted for the budget.

*Sir Cowasjee Jehangir*, *Sir Muhammad Yamin Khan*, *Mr. M. S. Aney* and *Sir H. P. Mody* associated themselves with Mr. Desai's observations.

*Sir Cowasjee Jehangir* said that a glance at the budget would show that the Defence department played a greater part now than it ever did before. Unfortunately, this House had been deprived of the privilege of moving direct cuts under that department and enabling the members to express opinions and makeg sugestions in concrete form. He declared : 'To deprive this House, at this stage, of the privilege of expressing its opinion on the defence proposals of the Government by direct vote is the most unwise policy on the part of the Government (Cheers.) It might be contended that the members had a right to express themselves, bnt there was a great difference between merely expressing an opinion and being able to find out whether the majority of the House endorsed that opinion by direct vote. He concluded : "The Government must answer to their masters as we have to answer to our masters, and I hope they will have a good answer for their masters. (Renewed cheers).

Sir *James Grigg*, Finance Member, declared amidst many interruptions that he did not know against what the protest was raised. If it was against the fact of defence expenditure which was outside the vote of the House there was nothing to be said. This was and had always been the case. If it was a demonstration against the Constitution, there was nothing for him to argue about because that, for the time being, was settled. If their case was that some change had occurred this year by which the Opposition lost something which they had before, then he wished to assure them that they were completely mistaken. The expenditure in question had been previously regarded as civil and subject to the vote of the House but the Governor-General had taken the view that under the conditions of the new Constitution it was mandatory to exclude the defence expenditure from the voted category. Sir James Grigg thought the whole grievance was entirely a manufactured and artificial one.

After *Sir James'* statement, the *President* said that the general debate on the budget would proceed but no member rose to speak. Sir *N. N. Sircar*, leader of the House afterwards suggested that if no member wished to speak during the two days allotted for the general debate, the House might take up some official Bill or supplementary demands for grants under 'railway'. No decision on the suggestion was taken and the President adjourned the House.

### HINDU WOMEN'S PROPERTY ACT AMEND. BILL

**3rd. MARCH** :—Barely thirty members were present when the Assembly met to-day to consider official Bills and certain supplementary grants in respect of Railways instead of holding a general debate on the Budget as usual. The decision of the Opposition parties not to take part in the debate on the Budget had resulted in this change in the day's agenda.

Sir *N. N. Sircar* introduced the Bill to amend the Hindu Women's Right to Property Act, intended to remedy the defects and difficulties of interpretation in the act of 1937. For instance, it was explained that if a Hindu had died a widower, the right of inheritance conferred on his widowed daughter-in-law could not under the Act as it stands, take effect. It was not the intention of the Act that this right should depend on the survival of widowed mother-in-law again. The Act is capable of interpretation as conferring a right on all lineal descendants of the deceased

including daughters or daughters' daughters to succeed along with the widow. This was also not the intention of the Act.

Attendance was fuller when the House took up legislative business. Sir *C. S. Bajpai* moved a motion for election of eight non-official members to serve on the Standing Committee on Emigration. The motion was adopted.

### B. N. RAILWAY STRIKE & SPECIAL POLICE

The employment of special police at a cost of one and a half lakhs of rupees at the time of the recent B. N. Railway strike was strongly criticised in the course of discussion of supplementary demands for grants in respect of railways. Mr. *Mohanlal Saksena*, moving the omission of this amount from the demand, said that the Government were pressed to intervene and secure the restoration of recognition to the B. N. Railway Union. Government stated that they did not wish to interfere in the internal management of the railway. If Government had refused to lend the services of the Special Police, they might, without direct interference in internal management, have induced the Agent to give recognition of the Union. The motion was negatived.

Demands aggregating over one crore and fifty-five lakhs were agreed to.

### WORKMEN'S COMPENSATION ACT AMEND. BILL

The House then took into consideration Mr. *A. G. Clow's Bill* to amend the Workmen's Compensation Act and had not concluded discussion of the clauses, when it adjourned.

**4th. MARCH** :—The Assembly to-day concluded discussion, clause by clause, of *Mr. Clow's* Workmen's Compensation Act Amendment Bill. *Prof. Ranga's* amendment suggesting inclusion of clerks among employees eligible for compensation under the Act was negatived.

Mr. *A. Ayyangar's* amendment for inclusion of bus conductors among persons entitled to benefit under Act was also lost.

*Prof. Ranga's* next amendment proposing extension of Act to persons employed in operations for catching or hunting of elephants or other wild animals was accepted by Government and passed.

During the third reading of the Bill, Mr. *N. M. Joshi* and *Prof. Ranga* urged that Government should bring forward more comprehensive Bill soon, as many provisions of the present Bill were either inadequate or out of date compared to English law. The third reading was passed.

### SALT-LAW (SIND) AMEND. BILL

*Mr. Lloyd* moved that the Bill to amend the law relating to salt as at present in force in Sind be taken into consideration. The statement of objects and reasons explains that the Salt Law Amendment Act 1925 passed for the purpose of amending law relating to salt so as to vest in the Central Government powers of control in respect of salt, which, being classified as Central subject, was not brought into force in Sind. When provincial autonomy, a part of Act, came into force, there were two versions of transport of salt Act and Bombay Salt Act, one version in force in Bombay Presidency excluding Sind and the other force in Sind. The adaptations made by the Government of India adaptation of laws order in overlooked this fact and the Bombay versions of the Acts have the effect of creating certain anomalies in the Sind versions. The present bill makes adjustments necessary to bring the two acts as at present in force in Sind into accord with the provisions of the Government of India Act, 1935. As there was no other business on the agenda the President adjourned the House.

### VOTING ON BUDGET DEMANDS

**5th. MARCH** :—The Assembly galleries were fully crowded when the House took up the demands for grants in respect of the general budget. *Sir James Grigg* moved the first demand under the head 'Customs'. Without moving any cut motion the Opposition challenged a straight division. The demand was defeated by 64 to 46 votes amidst thunderous cheers of the Opposition.

A scrutiny of the voting list revealed that all the elected members, 64 present, voted against the demand and the officials and nominated Europeans voted for it.

*Sir Henry Gidney* strongly criticised the Government's policy of recruiting nurses for army from England when qualified and trained nurses were available in India, particularly from the domiciled European and Anglo Indian community. He also animadverted to what he described as the neglect of naval and air defences of India and to the practice of 'exacting' tributes from Indian States particularly when they are expected to join Federation on an equal basis.

Mr. *C. M. G. Ogilvie*, defence secretary, pointed out that the system of recruiting nurses from England had to continue because Indian nurses of the standard required were not available and Anglo-Indian nurses were too few to go round. As regards defence, Mr. Ogilvie explained that no agricultural country could possibly bear the enormous burden of modern armaments and India was no exception but she had the advantage of forming part of the empire defence system.

When the division bell rang at the end of the debate, the Opposition members trooped in but the Government did not challenge a division and the demand was rejected. The next two demands relating to the Council of State and the Assembly were rejected nem con amid cries of 'Shut up the Assembly.'

On the demand for the Home department, Mr. *F. E. James* raised a debate on the Bureau of Public Information. He emphasised the paramount importance of publicity at the centre during the transitional period, when it remained bureaucratic, while in the provinces the popular Governments got a large amount of publicity in the daily press. He pleaded for full freedom to the department in the presentation of facts which after all were the best propaganda to ensure that the facts themselves were correct. He alluded to the differences between the prosaic presentation effected by Government departments and the attractive presentation by a journalist and said that the reader would be more interested to read 'Mr. Eden eats eels' or 'Sir Henry Craik consumes curry' or Sir N. N. Sircar snatches sandesh' (laughter) than merely that Mr. Eden or Sir Henry Craik or N. N. Sircar had his lunch. In this connection Mr. James referred to the information series published by the bureau and the attractiveness of its contents. He stressed the importance of contact, courtesy and confidence in their relation with the press and commended the example of Her Excellency Lady Linlithgow in holding a conference of press representatives on her anti-tuberculosis campaign and the striking results that followed. This he said was an illustration of the way in which the collaboration of the press could be obtained even by the highest in the land. He pleaded for better accommodation for press representatives at the office of the Bureau.

*Sir Henry Craik* said that he was grateful to Mr. James for giving him a chance to speak on the Bureau. He concurred practically with every word of Mr. James. He agreed with the remarks on the desirability of leaving the Bureau a free hand in regard to the presentation of facts.

Speaking on the demand for the Finance department, Mr. *F. E. James* vigorously pleaded for a downward revision of the incidence of import tariffs. He recalled the promise held out by the Finance Member in his budget speech when he took office that such a revision would be one of his earliest steps but said that there was no indication of any move in that direction even after his four years in office. The continuation of these high revenue duties, Mr. James stressed, was having a very serious effect on the retail trade in India. He was aware that several representation had been made to the Government of India in this connection. There was a general feeling in the country that duties on manufactured goods such as watches, clocks, etc., were far too excessive, for though some of these articles might be regarded as a luxury they had really become articles of necessity. He hoped that Sir James Grigg would fulfil his own promise before he retired.

*Sir James Grigg* said that disappointments were the lot of all Finance Members but it was more so in his case. For example, he was disappointed that Sir Cowasjee Jehangir was not in the House. He was disappointed at the recent speeches of Sir Yamin Khan. He was disappointed at his inability in the matter of revision of the tariff schedule. He was very much disappointed over the attitude of the Congress party towards stamp duty and the Unification Bill. But he was still living in hopes though as a matter of fact the experience of all Finance Members in this country and particularly of his was one long disappointment. As regards the question of tariff duties, Sir James Grigg said that everybody believed in lower tariffs on what they bought and higher duties on what they sold. These duties could not simultaneously please all. There had been a prolonged uncertainty about a substitute to replace the Ottawa Pact which had not been resolved. As soon as a new agreement had been

reached the tariff position would have to be reviewed. Therefore the present uncertainty involved some delay. Taking a long view of things it seemed inevitable that the first result of a revision of revenue duties would be a loss of revenue which they could not afford. Recently he noticed that the economic recession was taking place in America extending eastwards. It would be wrong at present for him to hold out expectations of any real downward revision of tariffs. The only consolation he could give was that he fully recognised that scientific revision of tariffs was desirable but it had not been possible for him to undertake it earlier.

The demand was rejected.

On the demand for the Commerce department, Mr. *Ramsay Scott* enquired as to why the report of the Sugar Tariff Board had not yet been published.

Mr. *Dow* said that the report was received only late in December and the Government had not yet formulated their conclusions thereon. He pointed out that action on the report had often involved alterations in tariff rates and the publication of the report obviously would be to invite a good deal of undesirable speculation. It had been the general practice of the Government not to publish a report until they were in a position to announce their conclusion thereon. He assured the House that there would not be any avoidable delay in the publication.

The demand was rejected.

On the demand for Communications department a division was challenged and the demand was rejected by 59 to 45 votes. The House then adjourned till the 7th.

**7th. MARCH** :—The first division challenged by the *Finance Member* in the Assembly to-day, when the budget demands were taken up, was in regard to Rs. 1,70,00,000, in respect of central road fund, which was rejected by 61 votes against 45. *Sir James Grigg* said that as the whole of the amount would go to the provinces, he would certainly divide the House.

The result was announced amidst thundercus cheers and cries of 'Resign.'

Thus, of the 30 demands for grants moved by the Finance Member to-day, two relating to the central road fund and grants-in-aid to the provincial Governments were rejected by 68 votes against 45 each, the rest being negatived without division.

Mr *F. E. James* was the solitary member to speak on the demand for grants-in-aid to the provincial Governments, when the Opposition members emptied the House.

All demands being thus disposed of, the House adjourned till the 9th.

**9th. MARCH** :—Moving for the consideration of the Finance Bill, Sir *James Grigg* announced that the Governor-General has restored the whole of the budget grants that were rejected by the House. In declaring this restoration of the budget grants by the Governor-General, Sir James Grigg said : 'Peter's wife's mother called Tabitha has arisen from the grave to which she was scandalously buried and she will be found to be no less beautiful than she was before and she will need no less sustenance.' The Opposition members shouted : "Resign, resign."

By 69 votes against 48, the Assembly rejected Sir *James Grigg's* motion for taking the Finance Bill into consideration. The Bill was thus killed in the consideration stage. The Opposition members greeted the result of the division with thundering cheers and shouts of 'Resign, resign'.

Mr. *L. C. Buss*, leader of the European group, Sir *Muhammad Yamin Khan*, leader of the Democrats, Sir *Zia-ud-din Ahmed* and Mr. *Muhammad Nauman*, Democrats were the only three members to speak on t he motion.

**10th. MARCH** :—By 68 votes against 46 the Assembly refused leave to Sir *James Grigg* to introduce the Finance Bill which came before the House this morning with the recommendation of the Governor-General that it be passed. This marked the end of the Finance Bill in the Lower House.

The announcement of the division result was greeted with thunderous cheers and cries of 'Resign'.

The Finance Bill was thereafter placed on the table of the Council of State with the certification of the Governor-General. The House then adjourned till the 17th. March.

### The Trades Disputes Bill

**17th. MARCH** :—Mr. *A. G. Clow*, moving for the consideration of the Trades Disputes Bill said that bills to promote harmony in industry seemed to have the opposite effect on those who discussed them. The Select Committee had not proved a Board of Conciliation ; the employers' advocates and the labour advocates had not

been brought to a common viewpoint. The main change made in the Select Committee was the restoration of the old section 16 of the Act dealing with general strikes, and the omission of the proposed new section. The Government still regarded the principle of the proposed section is sound, namely that there should be a truce while a dispute was being investigated by a competent Tribunal "A strike was a declaration of war," he said and "an appeal to force and you could not easily discuss peace terms without an armistice. But Government felt that the form of the proposed clause was unsatisfactory and that they could not fairly ask the House to accept a novel clause in addition to the old section without a fresh reference, therefore, to make a separate reference on the question of securing peace during the investigation of disputes". Mr. Clow added the most important clause of the Bill, as it stood was, the clause 10 relating to conciliation officers. There had been a tendency to concentrate too much on the settlement of strikes and too little on their prevention. It was far more difficult to effect a settlement after a strike declaration than before. If provincial Governments were enabled to appoint conciliation officers and appointed suitable men, a step would be taken towards promoting peace. Mr. Clow suggested in conclusion that the improvement of industrial relations was one of the vital needs of Indian industry and that the power of legislation in this sphere was very limited. A sympathetic appreciation of the other side's point of view and cordial relationship could not be secured by any statute. For the bigger changes, India must look to leaders of industry and leaders of labour and he hoped she would not look in vain.

Mr. *N. V. Gadgil* strongly criticised the proposed changes in clause 16 of the Act relating to general strikes and declared that the aim seemed to be to cripple organised labour. The clause in the original Act laid down that strikes calculated to cause "severe, general and prolonged hardship" to the community shall be declared illegal. The Select Committee had agreed to the deletion of the words "general and prolonged" and there was an official amendment for the deletion of the word "severe" also, so that any stike, which aroused hardship to the community could be declared illegal. Mr. Gadgil wanted to know if there could be any strike, which did not inflict hardship on the community. The object, therefore, was clearly to put down organised labour without imposing compensating duties and obligations on the employers. What provision had been made for redress of grievances, he asked. Strikes were not called except to get some sound economic grievance redressed and if strikes were to be penalised, then it was necessary that some machinery such as a standing court of enquiry should be established for enquiry into disputes.

Mr. *Abdul Qaiyum* declared that the provisions in the new Bill had been inserted with a view to strengthening the position of employers and weakening that of the labourers. On paper Government had tried to be impartial as between labour and capital, but in practice efforts to be impartial between two such parties were unjustifiable, because the employer had organisation and resources incomparably greater than the labourer. The attempt to make political strikes illegal was dangerous because a general political strike was the only weapon in the hands of the people to wrest power. Such a strike was, therefore, a necessity and a patriotic act. And, how was a political strike to be distinguished from an economic strike? Politics and Economics were so inextricably mixed that it was impossible to separate one from the other.

*Prof. Ranga* spoke at length on the rights of labour. He criticised the Bill as tending to help employers more than workers. He taxed the Government with failure to encourage healthy trade unionism in India as Government in Australia for instance were doing. The Government of India had not even tried to get recognition for G. I. P. and B. N. R. trade unions which were run on proper lines. He strongly objected to the provision making political strikes illegal. "It is only through a nation-wide effective political strike that we are going to get our grievances redressed," he declared and when such a strike was called, no laws could stand in the way. As regards public utility services and the attempts made to enlarge their definition, Prof. Ranga asserted that many of these were not public utility services. They were in the hands of private individuals who used the services for private gain. When the people wanted these services to be controlled by the Government there was no proper response to that demand but then it was a question of curbing labour and making it difficult for the labourer to use the only weapon of the strike. Then the Government were only too ready to take steps. He was sure that non-Indian interests were behind the move to include tramways and waterways among public services. Under the new Bill it was open to the police to declare a strike illegal even if one of the strike leaders uses certain political phrases in the course of his

address to the strikers. The danger arising from this was greater because those who were also interested in labour were also interested in the emancipation of the country and believed that it was impossible to do anything real for labour without getting political power.

Mr. *Chapman Mortimer* refuted the charges levelled against the employers generally that they were opposed to any kind of legislation for the amelioration of labour. Several labour laws were passed during the last few years and the attitude of the European group on those occasions conclusively proved that the charge of unsympathetic attitude towards labour was not correct. It had been suggested that this bill was promoted by the capitalists. Mr. Mortimer said this was not true. The Bill as it emerged from the Select Committee, had been radically improved upon and as such they supported it. He did not agree with those champions of labour, who wanted state control of public concerns. The speaker declared that public utility concerns need not necessarily be state-owned. Furthermore it had been said that the underlying principle of the present Bill was to stiffle the organisation of labour. Mr. Chapman Mortimer pointed out that this Bill had nothing to do with trade unionism and he was quite certain that it was far from the intention of a well-known friend of labour like Mr. Clow to place any difficulty on the way of the growth of labour organisations.

Dr. *B. N. Chaudhury* said every strike and in fact every process of bargaining was a form of warfare and whenever there was warfare, it happened that the third party namely, the community at large, suffered. If the community wanted to be protected it ought to see that there were no strikes. Since the community had not yet come to that stage of civilisation, it must be put to some inconvenience by strikes. He, therefore, opposed deletion of the words "severe general and prolonged."

The House passed Mr. *Clow's* motion for consideration of the Bill and thereafter took up the clauses.

An important amendment discussed was that of Mr. *N. M. Joshi* to exclude tramways from the definition of public utility services. Mr. Joshi said that he could not imagine how the public would be inconvenienced in any way by a strike on tramways. This was not the only means of support available to them. The mover said that on this amendment he would insist on a division as he wanted to test the sincerity of the House.

Mr. *Clow* replying pointed out that the clause in question left the discretion to the provincial Governments to decide whether a tramways service was a utility service, and he had no doubt that the provincial Governments would not issue the notification in this connexion unless they were satisfied that it was public utility service. He said that there were places where the tramways were still the cheapest form of transport.

The House divided and the amendment was defeated by 45 votes to 5, Mr. Joshi, Mr. S. K. Som, Mr. A. N. Chattopadhaya, Pandit K. K. Malaviya and Dr. Banerjee being the only members, who voted for the amendment. The Congress and the Independent parties remained neutral. The House then adjourned.

**18th. MARCH** :—The Assembly to-day resumed discussion of the Trades Disputes Bill clause by clause. The House accepted 'nem con' an amendment moved by Mr. *N. Mahadeva Ayyar* (official) for inclusion among public utility services of tramway service and inland water transport service "if the provincial Government by notification in the official gazette declares" these services as public utility services for the purpose of this Act.

*Prof. Ranga* moved an amendment intended to lay down that the only power supplied to a public utility service mentioned in the clause shall be included among public utility services for the purposes of the Act.

The amendment was pressed to a division and was lost by 47 votes to 45.

Mr. *F. E. James* moved an amendment drafted in agreement with the Congress Party to the effect that the word "prolonged" be dropped and only the words "severe and general" be retained among the adjectives qualifying hardship the inflotion of which would render a strike illegal.

Mr. *Joshi* expressed surprise that the Congress party had accepted the amendment because he thought they were likely to suffer most by the omission of the word "prolonged". Without that word the clause would make hartals illegal and hartals were a form of demonstration that the Congress party frequently used.

Mr. *B. J. Desai*, Leader of the Opposition] explaining the position of the Congress party said that it had opposed sec. sixteen of the original Act which prescribed that strikes calculated to inflict severe general and prolonged hardship on the community shall be illegal. He pointed out that the true effect of the section would remain even when the word "prolonged" was omitted. The Bombay High Court had held in the case of a strike which lasted four months that although it undoubtedly inflicted severe, prolonged and general hardship on those immediately concerned it had not inflicted such hardship on the community that is to say, on the city as a whole, and therefore it was not an illegal strike. The omission of the word "prolonged" thus would not make any difference so far as the clause acted as a curb on the powers of the executive to abuse its provisions.

Mr. *Clow* referred to the singular ineffectiveness of the clause and to the fact that many of the strikes at which it was aimed were strikes that brought sorrow to the strikers. The amendment was passed.

Before the clause 8 was put Mr. *K. Santanam* opposed the whole clause and declared it resulted in a wholly unwarranted and unjustifiable extension of executive powers. He contended no case had been made for a change in the present law. The clause was objectionable particularly because it would make sympathetic strikes called for a day or two illegal. The amendment and the discussion on it would, he thought, be themselves the cause of strikes in the country. The clause was passed without division.

Mr. *A. Aikman* moved an amendment to provide that a conciliation officer shall not disclose any information or the contents of any document if the party to the dispute giving the information or producing the document requests the same to be treated as confidential.

Sir *N. N. Sircar* advised the mover to withdraw the amendment which as Mr. Sanatanam had pointed out would prevent disclosure of relevant information to ministers. The House agreed to the withdrawal of the amendment.

All amendments having been disposed of Mr. *A. C. Clow* moved that the Bill as amended be passed. In a brief speech he referred to the tendency on the part of some members to assume that Government were injuring the cause of workers by placing unnecessary restrictions on strikers. He assured the House that it was not the intention of the Government to injure the workers. His experience had shown that the workers lost heavily in strikers and it would have been to the advantage of labour if they could prevent strikes occurring. He believed that in most of the cases checks on strikes would be as much in the interests of workers as any other party.

The Bill was passed.

### HINDU WOMEN'S RIGHTS TO PROPERTY ACT

The House then passed with two verbal amendments the Bill to amend the Hindu Women's Rights to Property Act, 1937, moved by Sir *N. N. Sircar*. The Bill was intended to remove certain difficulties experienced in the interpretation of the Act. For instance, as section 2 stands, if a Hindu dies a widower, the right of inheritance conferred on his widowed daughter-in-law by the provisions to section 3 could not take effect, which was not the intention of the Act. Therefore, in the present Bill the word "leaving a widow" shall be omitted. The Bill is to have retrospective effect as from commencement of the Act. The House then adjourned till the 21st. March.

### THE MOTOR VEHICLES BILL

**21st. MARCH** :—Moving reference of the Motor Vehicles Bill to a Select Committee to-day, *Sir Thomas Stewart* described the measure as a highway code and said : "This is the third time within the past ten years that the Government of India have brought before this House a legislative measure of major—indeed of prime importance. And when I use the term 'major', I do not mean merely to imply that this is a long and complicated Bill. I would claim also that in importance it is comparable with the Companies Act and the Insurance Act amendments which have so recently been placed upon the Statute Book, and I would even venture to suggest that it concerns and touches a much wider public than either of those two measures". Sir Thomas dealt at length with the genesis of the Bill and referred to the main objectives of the measure, which he labelled the "regulative" aspect and the "co-ordination" aspect. At first sight, he said, it might appear that the provisions for the issue and revocation of licences introduced a very high degree of regimentation and closely circumscribed the elementary rights of the individual. "Apart from the fact

that the individual has no elementary rights to be a danger to other individuals, I would refer, said Sir Thomas to clause 13—the appeal clause—which protects the individual against the arbitrations or vagaries of the executive authorities; and I would also point out that whatever there may be by way of regimentation,—and I feel certain that what we have proposed will be approved by every authority charged with the regulation and control of motor traffic—that regimentation will not be by the centre but by the provinces for whom under Clause 21, we propose a very liberal rule-making power in regard to procedure for the control of licensing."

A most important change proposed was contained in Clause 23, which provided that registration in any one province should be effective throughout the whole of British India. "I would, however, like to emphasise that this provision makes no invasion on the fiscal rights of the provinces, for the Clause makes it clear that the recognition of the validity of a Provincial Registration throughout India carried with it no exemption from taxation in other provinces. The Bill proposed to make obligatory upon provincial Governments to set up transport authorities. To this obligation exception had been taken in some quarters and an alternative had been put forward that the relevant clause should be framed in permissive rather than mandatory terms. "The Government, however, said Sir Thomas, attach the highest importance to the mandatory nature of the relevent provision. While we are happy to acknowledge the spirit of Co-operation which is being exhibited in the province we feel that unless the control of transport is on a secure basis—and such a basis can only be secured by a mandatory provision—proper co-ordination of road and rail transport can never be achieved." A notable part of Sir Thomas's speech related to compulsory third party insurance. He said: "The Government of India have felt it incumbent on themselves to propose some relief for those unfortunates who are involved in motor accidents. They could not ignore the fact that the death rate from motor accidents in India is very nearly twice that of any other country in the world and whereas in New Zealand 74 persons are killed for every 10,000 motor cars plying on the roads, in India, notwithstanding its vast area, the corresponding figure is hundred and when we consider that many, perhaps, most, of those who are injured are poor uneducated and in many cases the only support of a family, humanitarian grounds alone suggest that the case for insurance is strong. I realise the strength of the objections to compulsory insurance. It means extra operating cost for the motor car owner who so often has little margin to provide for additional working cost. But the findings of the insurance committee have encouraged us to think that the additional burden on the bus or lorry owners will not be too heavy. One anna per passenger per hundred miles or two annas per ton of goods carried each day cannot be regarded as excessive and the Government of India feel very strongly that the bus or lorry owner should shoulder this not excessive burden in the interests of his poorer and less fortunate brethren. The proposal to make insurance compulsory has received very widespread support and though all Provincial Governments are not unanimous on this issue we feel very strongly that it is one on which we should ask the support and approval of this House." Sir Thomas made it clear that compulsory insurance was not to be made obligatory until five years have elapsed since the commencement of this Act.

Mr. *H. Dow*, Commerce Secretary, introduced in the Assembly to-day a Bill to amend the Indian Coffee Cess Act 1935. It was explained that the Act provided for the representation on the Indian Coffee Cess Committee, inter alia, of three persons nominated by the Coffee Growers' Association. This Association had since been dissolved and the Indian Coffee Cess Committee had made recommendation that the power of nomination of members on the Committee should be transferred to certain planters' associations of South India. The Bill was intended to give effect to this recommendation.

The Bill provided that one person each would be nominated by the Coorg Planters' Association, the Mysore Planters' Association and the Indian Planters' Association. The House then adjourned.

**22nd. MARCH** :—Mr. *Ramnarain Singh* commenced to-day the debate on the motion for reference of the Motor Vehicles Bill to a select committee. He said that the need for the Bill was by no means proved. Had the Member in charge of the Bill, he asked, received any representation asking for the Bill either from Provincial Governments or from motor owners ? Was the Bill calculated to bring any more profit to motor owners or more comforts to passengers ? He contended that there was no

need for the constitution of regional authorities. The District Board could be entrusted with the duties that the authorities were expected to do. And why, he asked, should the Central Government be invested with more powers ? The country knew how the powers that the Government already had were used in 1932 when men wearing khadi were not allowed to get into buses.

Mr. *J. D. Boyle* (European Group) gave support to the general principles of the Bill, such as co-ordination, scientific control, codification of laws and also with the principle of third-party insurance. He thought that the provision by which the application of the provision regarding compulsory insurance would not be made effective for five years should go a long way towards overcoming objections. As regards the small man, who had figured rather largely in recent speeches, he agreed that it was the small man who was the pioneer of the bus service, and was till the back-bone of the system, but he was also the author of a great many of the evils such as overloading, reckless driving, inadequate attention to repairs and working the drivers for unconscionably long hours. For all these reasons, while everything should be done to safeguard the small man's interests, it was necessary that these interests should be sacrificed to the general interests of the public. As regards the application of the Bill being confined to British India, he hoped that the Government would not overlook, and would press for, reciprocal action by the States, so as to make the provisions of the Bill applicable throughout the whole of India. He voiced the European Group's objection to the principle of the clause relating to the fixing of maxima and minima rates. This they considered a dangerous principle and hoped that the select committee would find a suitable alternative.

Mr. *N. J. Roughton* (official) confined his attention to the criticisms against the provisions regarding insurance. He said that a majority against the provision belonged to a party which took particular interest in the welfare of the poor man and a party which he was confident would do its utmost to promote a measure which was so obviously intended to benefit victims of undeserved misfortune The question had been asked why not have old age pensions ? He agreed that old age pensions were a beneficent social measure, but were very expensive, whereas compulsory insurance was a measure, the cost of which was very low. As regards the objection to insurance being a Central subject, Mr. Roughton explained that in the interests of uniformity it must be a Central subject. Provincial variations in this matter were undesirable, and would only have the effect of hampering the purpose of insurance. On the general question of provincial prerogative, he pointed out that insurance was comparable to workmen's compensation. The provinces felt aggrieved because workmen's compensation was a subject of Central legislation. He gave three main arguments in favour of compulsory insurance, firstly, the appalling mortality from motor accidents. In Germany it was 46.6 per 10,000 vehicles, in Italy 59.4, while in India it was 9.3. Secondly, the complete failure of victims to claim compensation which was legally their due. The Insurance Committee had recorded the conclusion that in minor accidents, compensation though generally inadequate was paid without legal action, but such payments were rare in serious accidents. Thirdly, the small cost of one anna per passenger per hundred miles and two annas per ton of goods per day was well worth paying. These arguments taken together made an unanswerable case. It was better to prevent a fatality to the bread-winner than to pay compensation to his dependents. Mr. Roughton referred to the conditions prevailing in some of the main starting places of bus traffic, where some buses had to go for days without passengers and when passengers were at last available the buses raced along dusty roads reckless of the toll of death. He could give no better descriptions of such buses than to call them mechanised juggernauth cars crushing to death as they pass their unwilling victims.

*Sardar Sant Singh* agreed that some control on motor transport was necessary in order to prevent the large number of road accidents, but he wished that the Bill was simpler. Actually the provisions were so complicated as to hamper the free use of motor vehicles. The provisions limiting hours of work and distance, vesting too much discretionary power in the hands of traffic administration and the setting up of a multiplicity of licensing authorities were all objectionable. The licenses required by the Bill would appear to be a new form of taxation.

Mr. *Thirumala Rao* declared that the provisions such as those relating to the deposit of a lump sum of Rs. 1 lakh to cover insurance on an unlimited number of vehicles would have the effect of removing the industry from the hands of the middle classes and transferring it to foreign capitalists, who already had such a hold

on the transport industry through manufacture of vehicles. Referring to the third party insurance, he opposed it and asserted that it was not calculated to minimise the evils against which it was aimed. Railways, which were liable to compensation for accidents and were State-managed and controlled, had not succeeded in minimising casualties. He thought sickness insurance was a greater necessity at present than third party insurance, which would only bear heavily on the passenger.

**23rd. MARCH** :—*Mr. Bajoria* described the grievances of passengers who were often ill-treated and bullied by conductors and drivers. Referring to the need for a stricter examination of applicants before licenses were issued, he declared, "Those who drink wines and cocktails should not be given licenses (laughter). I think if we stop licenses to drunken drivers it will help the cause of prohibition". But licenses should not be refused on political reasons.

Mr. *Sri Prakash* kept the House interested and amused for nearly an hour by a series of quips and humorous sallies with which he mingled his plea that the Bill should deal more directly with the fundamentals of the situation. One of these fundamentals, he said, was the "unholy alliance between the policeman and the motor man" and he urged that "efforts should be made to break the alliance by measures stronger than the Sarda Act". A couple of provisions in the Bill to make clear that those in authority who misused power would be as severely punished as the reckless driver would have a salutary effect and would go a great way to dispel the impression that in this country the non-official was punished both for his own faults and for the faults of the official. Referring to co-ordination, he said railways themselves failed to co-ordinate their services with the result that the motor bus had the advantage. He suggested that officials themselves by patronising the railway instead of motor car could popularise railway travel among people who imitated those in authority. He made an interesting suggestion about speed control. He said, "Speed Governors" were as unnecessary as Provincial Governors' (laughter). If the rule was made that no cars should be fitted with a speed higher than the limit prescribed in the Bill, then there was no chance of anyone exceeding the limit. In Government's anxiety to preserve the monopoly of the railways, Mr. Sri Prakash saw the same old spirit of the East India Company who started with a monopoly in pepper. "They came to trade in pepper and remained to rule and we tried to drive them away with salt but failed". (loud laughter). But they now wanted a monopoly of everything.

Mr. *K. S. Gupta* challenged the statement that the Railways were a national concern ; it was national only to the foreigners. The Bill, he declared, failed to give protection to the pedestrian or the passenger, but only imposed stringent restrictions on motor vehicles. The railways, he said, were like "a step-mother who gave a stone to the daughter industry which cried for bread". For instance, in Andhra the freight rate between Vizianagram and Bimlipatam was two annas per ton by bullock cart and two and-a--half annas by rail. Naturally the bullock carried the bulk of the traffic until the railways stepped in and reduced their rates to two annas and even one-and-a-half anna, with the result that 3,000 bullock carts were thrown out of use which meant 6,000 bullocks and 3,000 drivers rendered idle. If, therefore, the railways were to have representation on transport authorities empowered to fix rates, they would fix rates, which would be detrimental to other forms of transport than railways. He also suggested that an institution should be set to train drivers scientifically.

Mr. *Kailash Behari Lal* referred to the volume of opinion which tended to support railways as a national industry. He agreed that railways were a national industry but the importance of motor transport ought not to be minimised. It was the general belief that this Bill was framed to favour railways and there was a good deal of ground for this suspicion.

*Maulana Zafar Ali* declared that in these days of unemployment the Bill would shut out a valuable avenue hitherto open to Indians. He said that voters had refused to go to polling booths by any other transport except by motor cars. This Bill, by putting restrictions on motor transport, might prove an impediment to successful elections and therefore the Bill was not in the interests of the Government of India itself (Laughter). He declared that a voice in fixing maxima and minima rates for a competing form of transport should not be given to railways.

Mr. *Chaliha* challenged the contention that motor competition was responsible for the losses on railways. He argued that motor transport had helped railways by bringing them passengers and goods from distances which railways could not other-

wise have reached. Regional control proposed would, in his opinion, cripple motor transport and deprive the travelling public of a means of communication which took up and set down passengers practically at their doors. The real remedy against losses on railways was improvement of service and better treatment of passengers.

Mr. *Ananthasayanam Ayyangar* said that the speeches hitherto had centred round the idea that railways as an important national asset would be seriously affected unless the Bill was pushed through. He suggested that the future lay with motor transport. From the point of view of investment, both the railways and roads were equal, the amount being Rs. 800 crores in the case of each, while from the point of view of revenue the railways contributed Rs. 8 crores to general revenues, while the Central Government got Rs. 5 crores to Rs. 7 crores by way of import duty from motor cars parts, etc. But it had been pointed out by Messrs. Mitchell and Kirkness that it was idle to think of railways being extended in any part of India consistently with economic management, and it might in fact be desirable to close certain light railways and branch lines. In the Madras Presidency there was only one mile of railway for every 50 square miles of area, while the roads were one mile for every four and-a-half square miles. There was more scope for expansion of roads, particularly to provide marketing facilities in rural areas and to connect villages which were now cut off from the main roads. Mr. Ayyangar had not finished his speech when the House adjourned.

**24th. MARCH** :—Mr. *Anantasayanam Ayyangar* resuming his speech pointed out that uneconomic competition between railways and motor transport was confined to areas where the railway line ran parallel to roads, that is about 48 per cent of railway mileage. On such roads, he suggested the railways might themselves run motor transport on condition that the rates charged did not bear harshly on the user. Let the Government try this method he said, and watch the result and then come to the House with a Bill. In framing the restrictions put upon private and public carriers, the author had given no thought to the effect of these restrictions on the improvement of the country's industry. He acknowledged the state of things he had seen in America and asked how it was that in this country the railways seemed to carry only a small number of passengers compared to the heavy rush at every station and on every train in India. One met on the American roadways four or five cars passing every minute of the day and in spite of all this one heard no such complaint as in India of railways failing to pay. The excitement in India over the failing of railway revenue struck him as the more curious when he remembered that nowhere was railway travel more comfortable than in India. (Cries of dissent).

*Prof Ranga* said that Mahatma Gandhi was right in condemning motor cars and railways. The increasing unemployment among the drivers of bullock carts that accompanied the spread of these modern transports, proved how right Gandhiji was. Prof. Ranga made a series of suggestions for securing proper training and treatment for motor drivers and regretted this omission from the Bill. He wanted that schools for training drivers should be started and when they were employed they should have security. Minimum wages and also maximum hours of work should be fixed not only per day but also per week. There should be a waiting list of drivers. Both those who had passed out of schools and those who had been thrown out of employment, employment should be given to them in the order of priority. He wanted an assurance that railways which were certain to get an accession of strength by the passage of the Bill would not take unfair advantage of its provisions. He suggested the establishment of a Communications Board in addition to the Railway Board and the future railway authority.

Mr. *Badridutt Pande* severely criticised the Bill as a measure calculated to oust the Indian, who owned the motor transport industry and to give a monopoly to the railways. He was opposed to the suggestion that the Government should also run motor transport, because those who mismanaged the railways were likely to mismanage motor transport as well. Further the experience of the Nizam's Government, who were running three hundred buses in the State, showed that the State could not run it without loss. He complained that the Government of India had not consulted the Provincial Governments, who were vitally concerned.

Mr. *Bhulabhai Desai* humorously referred to a great Bombay Judge, who had what he described as a "single-tract" eye and could, therefore, concentrate on what he liked and ignore what he did not like. It was possible to regard some of the provisions of the Bill in isolation in this way and say they were all right, but

viewing them in their perspective a different opinion might be arrived at. He divided the provisions of the Bill into what he would call safety provisions and economic and political provisions. Safety provisions such as those relating to ensuring road worthiness of vehicles would. he thought, be generally conceded as essential. But even in licensing of vehicles and drivers it was easy to have provisions so stringent as unnecessarily and wrongly to discourage legitimate means of transport.

It was then he came to the second category of provisions that difficulties arose. They had to deal with two forms of transport, one of which was owned by the taxpayer and with regard to the other it had to be remembered that they had to use material not manufactured in the country and therefore every pie of the Rs. 17 crores spent on it in recurrent charges yearly on spare parts and petrol, etc., went to the foreigner. The method of co-ordination suggested for the two forms of transport, amounted to domination by railways. The provision for equal representation of railways on the regional transport authorities meant nothing else? This was the most dangerous thing in the Bill and with it the House could not pass the measure. It was like a small grain of arsenic coated with much sugar. The provisions relating to compulsory insurance had been based on figures with which he confessed he was not impressed. The motor vehicle was not the only cause of death in India as the motor insurance committee seemed to make it appear. He did not mean that deaths due to the motor car were therefore negligible, but they ought to view them from the correct perspective. He repeated that even more than the provisions relating to insurance the danger of the Bill was in its provisions regarding co-ordination.

*Sir Thomas Stewart*, replying to the four days' debate, thought that most of the criticisms made had reference to points of detail which ought to have been left for consideration at a later stage. It had been said that regulation might go too far and that however desirable safety might be, it was possible to regulate an industry out of existence. But it was a question of fact whether the particular regulations for licence and registration provided in the Bill were of that nature or not, and it was a question of fact which might be debated in the select committee. He expressed agreement with the complaint of lack of adequate statistics and said that the Government of India were already in correspondence with the Local Government in this matter. It was one of the duties entrusted to the technical sub-committee of the transport advisory committee, and he hoped that adequate statistics would be available before long. As regards the complaint of oppression by the police, he was glad to hear from one of the speaker that under the present regime in some of the provinces the conduct of the police was improving, and he trusted that the improvement would continue. As for control, the need for it had been admitted. It was one of the evils of uneconomic competition that buses concentrated on the more populous parts to the entire neglect of other parts which were in need of developments. The needed to be corrected. Referring to the objection to regional authority containing representatives of railways, Sir Thomas said that the meaning of the section was that regional authority might be either an official body or a mixed body. If it contained representatives of one form of transport then it must contain representatives of the other form, but there was a possibility of neither of these representatives being present. The regional authority was a body that was to be chosen by the Local Governments, to whom one might safely leave it to defend the interests of motor transport within their jurisdiction. It had been alleged that the Bill was designed to strangle motor transport. He suggested there were easier ways of doing it than drafting an enormous Bill. He reminded the House of the sums that Government were spending on road development and maintenance and the Rs. 7 crores revenue that the motor industry brought to the Central revenues. If therefore, Government strangled the industry they would be guilty of the colossal foolishness of killing the goose that laid the golden egg. Government were not to kill motor transport; they recognised the usefulness of its function in developing the trade of India, but they believed that railways and motor transport could live best together if their activities were co-ordinated. Referring to compulsory insurance he was glad that no one had tried to make out that it would be an unreasonable burden on the industry, but he would be glad to consider any alternative scheme in place of the one framed in the Bill. He appreciated the non-party spirit in which the Bill had been considered and expressed the hope that the same spirit would continue in the select committee.

The House passed the motion for reference of the Bill to a select committee and adjourned.

SAFETY FOR WORKERS IN BUILDING INDUSTRY

**25th. MARCH** :—Measures for safety in the building industry were discussed in the Assembly to-day on a resolution moved by Mr. *A. G. Clow*, Secretary, Labour Department. The resolution ran :—

"This Assembly, having considered the draft convention and recommendations relating to safety in the building industry adopted at the 23rd session of the International Labour Conference, recommends to the Governor-General in Council :

(a) "That provincial Governments be consulted regarding the desirability and practicability of legislation to secure greater safety for workers in the building industry and

(b) That their attention be drawn to the recommendations concerning co-operation in accident prevention and vocational education."

Mr. Clow referred to the comparative absence of hazard in the great bulk of building operations in India where the great majority of buildings consisted of humble cottages. In the bigger cities where building operations required scaffolding and mechanical appliances they entered the region of hazard. They had no precise statistics, but it was reasonable to suppose that the number of accidents could be reduced by enforcement of suitable regulations. As regards the convention the preamble was vague, while the recommendations were so extraordinarily precise that it would be almost impossible to enforce them to any large extent at present.

Mr. Clow made it clear that, whatever form of legislation was adopted, the executive power would vest in the provinces and could not be assumed by the Centre, so that it was vital to ensure that if legislation was adopted the provincial Governments were ready to secure effective enforcement. That was why the provincial Governments were to be consulted. They were to be consulted on three particular questions, namely what was the extent and character of the hazard involved, how far these hazards were to be reduced by these provisions and which of these provisions the provinces were in a position to enforce.

Mr. *Sanatanam* moved an amendment to the effect that consultation with the provinces should be limited to legislation for safety of the building industry in Municipal areas.

Mr. *Clow* pointed out that the amendment would place a limit on the views of the provinces which, he thought, should be left free to consider the question of desirability of dealing with limited and well-developed areas.

Mr. *Joshi* moved an amendment to the effect that, after consultation with the provinces, Government would place their decision before the Assembly as soon as it was practicable.

Mr. *A. G. Clow*, replying to some of the points raised during the debate, referred to the complaint that there had been a change in the convention of placing international conventions before the House. He said that the Government of India had never claimed that they were going to decide which of the conventions should or should not be laid before the House. What was altered in certain respects was the procedure in laying the recommendations before the House. As regards the question of what the Government were doing with a large number of other conventions, he said that the Government hoped that before the end of the session they would be in a position to lay a statement on the table showing precisely what they proposed to do in respect of each of them. He accepted Mr. Joshi's amendment but the Government could not promise that they would move a resolution in a negative sense. It would be for members of the House if they were dissatisfied with the Government's decision to take such action as appeared appropriate to them. The resolution as amended was passed.

The cut motion moved by the Congress party reducing the demand for a supplementary grant not exceeding Rs. 43,000 in respect of the Central Board of Revenue by Rs. 34,800 (re : appointment of income-tax adviser and the employment of two advisers on special duty) was carried by 48 votes against 45.

The Assembly had carried an adjournment motion about the appointment of an income-tax adviser in the last Simla session.

**28th. MARCH** :—The practice of retired Government servants taking up appointments with firms with which they had dealings while in office was criticised in the

Central Assembly to-day in the course of a discussion on a Government demand for a supplementary grant not exceeding Rs. 65,000 in respect of 'currency'.

Mr. *N. M. Joshi*, speaking against the grant, referred to the condition of workers of the Nasik Printing Press and said the wages were low and their housing was defective. He also stated that a former master of the printing press was now a director of the firm which supplied paper to the press. This was a wrong thing to do and he wanted the Government of India to look into this matter, which was one of great public importance.

*Sir James Grigg*, Finance Member, said that he had already promised the House that the Government of India would re-examine in all its bearings the question of ex-Government servants taking up directorship of firms with which they had dealings while in Government service He did not want the idea to get about that the Government of India were indifferent to this question; but he reminded the House of the absence of adequate sanction in India. Even in England, where the control over the award of pension was greater than in India, the policy of His Majesty's Government had recently been stated to be to rely in the main on individual sense of right and wrong.

Mr. *Bhulabhai Desai* said it was time that in the terms of the service of covenanted servants a provision was made that if a member of the Civil Service or Military Service engaged in any employment or profession after his retirement, which the Government of India did not approve he would forfeit his pension. After all the salaries and pensions paid to the services were liberal enough to obviate the need for further emoluments.

*Sir Jamas Grigg* gave the assurance that the suggestion made by the Leader of the Opposition would be included in the scope of the re-examination of the question but as a distinguished lawyer the leader of the Opposition must know that any alteration of the terms could only be made in the case of future entrants.

The demand was eventually passed.

*Prof. Ranga* opposed the supplementary demand for Rs. 90,000 under "Miscellaneous" and condemned the expenditure incurred in illuminations and fire-works at the time of the Coronation. The illumination in the Imperial Capital at a time when the Gove nment of India had moved up to Simla could only have been for the benefit of the jackals, (Laughter), which were about the only living things there at that time of the year. The money should have been spent in food or medical aid to the poor.

*Sir Henry Craik* explained that the amount related to illumination of all public buildings of the Central Government in all important towns in India and was a moderate one considering the interest aroused by the historic ceremony. It would be ungracious to refuse this small sum because some members thought it might have spent in giving free meals and medical aid to the poor. That amounted to arguing that no kind of expenditure should be indulged that might better be spent on food.

The motion was pressed to a division and passed by 60 votes to 40.

## SUGAR PROTECTION CONTINUANCE BILL

Mr. *H. Dow*, Commerce Secretary, moved a Bill for continuance of sugar protection for one year from March 31, 1938. He said that the Bill proposed the extension of protection and also the amendment of Section 3 of the original Act. That was because the Government were of opinion that a proposal to continue the existing duty for one year, coupled with a statement of their intentions to consider further the duty for the period from March 1939, to March, 1946, and to lay their proposals before the legislature later in respect of that period, would not have been an adequate discharge of the obligation which was laid on them by Section 3 of the Act. Explaining the need for the measure, Mr. Dow said that the Tariff Board was unable to submit its report until late in December and the Government had not been able to consider the recommendations till now owing to their preoccupation with the Legislature.

*Prof. Ranga* drew attention to the original intentions of the Act which, according to him, were that both the manufacturer and sugar-cane grower should be benefited but the position appeared to be that only manufacturers were benefited by the protection, while the growers continued to suffer and often had to burn their cane because manufacturers would not purchase it.

*Dr. Banerjee* wished that the Tariff Board report had been presented and the House had all opportunity of discussing it. He wanted the assurance that nothing would be done to go back upon the policy of discriminating protection. But he thought it absolutely essential that all the different parties in the industry, the manufacturer, the grower, the labourer and the consumer, should benefit from the protection.

Mr. *Dow*, replying to the debate, assured the House that the Government would take into very careful consideration all the detailed points that had been urged in the course of the debate. The motion for consideration was thereafter passed.

At the final stage of the Bill, *Prof. Ranga* urged that all the Local Governments be made to enquire into the conditions prevailing in each of the sugar producing areas and a minimum price for cane be fixed. Over-production of cane beyond the marketable quantity should be restricted.

Mr. *S. K. Som* said the excise duty which was ingeniously passed on by the capitalists to the shoulders of the cultivator should be abolished. The International Sugar Convention, of which India was made a party against her will, was most inequitous to India.

Mr. *Dow* said that the delay in setting up a sugar committee was due to non-receipt of the reply to the Government circular issued in July last from the most important sugar producing province of U. P. Unless their reply was received it was not possible to proceed with the constitution of this committee.

On Mr. *Dow's* motion the House also passed the amendments made by the Council of State in the Workers' Compensation Act Amendment Bill. He said the amendments were purely corrections of grammatical mistakes and did not in any way alter the substance of the Bill.

### Salt Law (Sind) Amend. Bill (Contd.)

Mr. *Lloyd* then moved consideration of the Bill to amend law relating to salt at present in force in Sind, as reported by the select committee. Mr. *Anantasayanam Chettiyar* questioned the jurisdiction of the House to amend a provincial Act. Sir *N.N. Sircar* argued that as the Bill referred to a Bill dealing with exclusively Central subject the Assembly was within its rights to pass amending legislation such as the one proposed. The Bill was eventually passed.

### Indian Coffee Cess Act Amend. Bill

The last item on the agenda, namely, the Bill to amend the Indian Coffee Cess Act, 1935, provided for the representation on the Coffee Cess Committee, 'inter alia' of three persons nominated by the Coffee Growers' Association. This Association had since been dissolved and the Indian Coffee Cess Committee had recommended that the power of nomination of members on the Committee should be transferred one each to the Coorg Planters' Association, the Mysore Planters' Association and the Indian Planters' Association. The Bill was passed and the House adjourned.

**30th. MARCH** :—After question time *Sir James Grigg*, Finance Member, amid cheers, conveyed to the House that the Governor-General in the discharge of his responsibility had restored the supplementary demand in respect of the Central Board of Revenue (appointment of an income Tax Adviser), which was rejected by the House on Friday last.

### Child Marriage Restraint Amend. Bill

Mr. *B. Das* was cheered as he rose to move the Bill to amend the Sarda Act as reported by the Select Committee. He said that no elaborate speech was necessary as the Congress Party had decided to support the Bill and hoped that the House would speedily pass it so as to enable it to be immediately placed on the Statute Book

Sir *N. N. Sircar* explained that all arrangements were made for the nomination of a women member, but circumstances prevented her being present to-day. Supporting the Bill, Sir N. N. Sircar referred to Mr. Bajoria's opposition to it and to his claim to speak on behalf of the Marwari community and quoted from a resolution passed by the Marwari Trades Association heartily supporting the Bill. Similarly the Marwari ladies also held a meeting and gave their support to the measure. Referring to the changes made by the Select Committee, Sir N. N. Sircar dealt particularly with the omission of the provision empowering a court to issue an injunction 'ex parte' against a contemplated child marriage. If the provision remained it would have been possible for "any village barber to file an affidavit against the parent or guardian and get an injunction issued just before a marriage." The person on whom the injunction would be served would have no option but to stop the marriage although he would have incurred all the preliminary expenses. The injunction might later turn out to be unjustified, but the mischief would have already been caused. The harrassment would be worse because there is no provision for payment of wages.

Dr. *Bhagwandas*, in supporting the motion, spoke on the sociological and eugenic principles of marriage, but the president held that a discussion of these was not in order during the debate on a Bill which merely sought to amend the application of principles already agreed upon.

Mr. *Bajoria* also endeavoured to deal with certain general aspects of legislation affecting religion and was similarly held to be out of order. "I quite agree" he added, "that I do not represent the Marwari community or any community alone, but I represent millions and millions of Sanatanists (question) who hold that marriage is a sacrament with which this House, constituted as it is, has no right to interfere". He proceeded to say that the Marwari Trades Association, whose resolution was quoted by the Law Member, was a mushroom body. He agreed that the Bill had the support only of a few reformists in the community. A series of other general observations were ruled out by the President until Mr. Bajoria said he did not want to speak any further.

Sir *A. H. Ghuznavi* was interrupted by a series of points of order. He said that "this third edition of the Sarda Act" was as objectionable as the original Bill, which for all practical purposes was a dead letter. No case under the Act had been brought against a poor man, but only against wealthy men showing that the intention of those who used the Act was mere black mail. He also complained that the Government were placing all their resources at the disposal of Mr. B. Das, the mover, including permission to discuss the Bill on an official day such as to-day.

Mr. *F. E. James* said that the policy of aloofness adopted by Europeans in regard to legislation should not be interpreted as complete indifference on their part to important problems facing the country. On matters like the one before the House there was room for deep and honest difference of opinion. He would urge on the reformists to recognise the honesty of orthodox members who came forward to give expression to their views with courage. Questions of social reform could not be solved except by those who were affected thereby. But whenever the help of the European community was asked for, it would be given ungrudgingly and it was in that spirit he had agreed to serve on the select committee. There were some in the country who wanted to go much further and faster, but the Bill took a middle course and in doing so it really endeavoured to perfect the machinery whereby the principle underlying the Act could be effectively enforced. He congratulated the Law Member for giving a right lead in the select committee.

Division was again challenged on Mr. B. Das's motion for consideration and it was carried by 91 votes to 22.

Discussion of the clauses was then taken up, but when the House rose only nine out of 28 amendments tabled had been disposed of. *Mr. Bajoria* supported by Sir A. H. Ghuznavi fought every inch of ground.

Most of the amendments related to Clause 6 giving power to courts under certain conditions to issue an injunction prohibiting marriage in contravention of the Act.

Mr. *Bajoria* first moved the omission of the whole clause and quoted the views of the U. P. Government against it.

Several voices: Is it the old Government or the Congress Government?

Mr. *Bajoria* said he saw no date on the memorandum containing their views. He proceeded to say that even the mention of injunction in connection with an auspicious occasion like marriage stunk in his nostrils. Had they, he asked, heard of another country in which injunctions could be issued against marriage? He declared that he was suffering from the tyranny of the majority consisting of the Congress and the Government and complained that the Congress had engaged its members who were sitting like dumb cattle and would not answer his arguments. Nor were Government members trying to meet his contentions.

Sir *N. N. Sircar* said it was really a case of tyranny of minority (laughter). Government were not going to follow Mr. Bajoria's example of repeating the same arguments at every stage. As regards there being no other country where injunction against marriage could be issued he asked if they heard of any other country where there were hundreds of widows below the age of one? An unparalleled situation demanded an unparalleled remedy (cheers).

**Mr. *Bajoria's*** motion was rejected, as also another motion to restrict the source of information on which a Magistrate could Act in issuing an injunction. Further debate was adjourned

**31st. MARCH** :—After two days' heated debate the Assembly passed to-day **Mr. *B. Das's*** Child Marriage Restraint Act Amendment Bill by 87 votes against 16.

Before adjourning for lunch the Assembly devoted an hour to consider the bill and disposed of all the amendments moved thereto.

Mr. *Bajoria* moved six more amendments but all were rejected. His amendment to Clause 6 "providing that injunction against child marriage shall be issued at least seven days prior to the date of marriage' was strongly opposed by the Law Member The house rejected the amendment.

Similarly another of his amendments that the court should issue notice at least fifteen days before the date of marriage to the person concerned and afford him an opportunity to show cause against the issue of injunction was also rejected.

Mr. *Bajoria* was able to get the support of Mr. M. S. Aney and the Nationalists to his amendment that disobedience of injunctions should be punishable only with simple imprisonment.

Sir *N. N. Sircar* pointed out the necessity for rigorous imprisonment for offences such as the selling of a child of one or two years of age in marriage.

The amendment was pressed to a division and rejected by 74 votes to 24.

The House also rejected another of Mr. *Bajoria's* amendment to reduce the term of imprisonment from three months to two months.

Some amusement was caused when Mr. Bajoria moved the last of his amendments which, he said, was his trump card. The amendment introduced a new clause "that nothing contained in this Act shall apply to a person who by an affidavit solemnly affirmed before a magistrate of the first class declares the due performance of a marriage in conformity with the religious belief." He hoped that good sense would prevail on the House and his very modest amendment would be accepted.

Mr. *K. Santanam* raised a point of order that the amendment sought to alter the original Act and it did not arise from the amending Bill before the House. It was therefore out of order.

The *President* upheld the objection and the amendment was ruled out of order.

All amendments having been disposed of Mr. B. Das moved that the Bill be passed. The Bill was duly passed.

Mr. *Das* expressed his thanks to the members of the House for the way in which they had received the Bill and to the Government for their co-operation, without which it would not have been his good fortune to see this measure become law. The Congress Party was wedded to social reform which would raise to a higher plane the physical, intellectual and moral condition of the people. He took the opportunity to pay a tribute of admiration to Mr. Bajoria for the pertinacity with which he had defended his case. Mr. Das also thanked the various associations and individuals in India and England who had supported the measure and expressed the hope that the Government would give the assurance that the measure would be worked in the spirit in which it was conceived, and that ten or twenty years hence child widows would be unknown in India.

### Trade Pacts with other Countries

**1st. APRIL** :—Mr. *S. Satyamurti* moved the following resolution in the Central Assembly to-day :—"This Assembly recommends to the Governor-General in Council that no steps should be taken to conclude a fresh Indo-British trade agreement or any trade agreement of a similar nature without first consulting the Assembly."

Mr. Satyamurti said "I have made many speeches in this House and God willing I hope to make many more but I will make no speech to-day for I cannot. I merely express my earnest hope and conviction that the mute appeal of a sick man on behalf of his country will perhaps touch the hearts of my colleagues in this House better than the most eloquent speech which can be made on behalf of this resolution which I submit as a very modest and very reasonable one. I merely ask that Government shall conclude no Indo-British trade agreement without first consulting this Assembly."

Mr. *H. Dow*, Commerce Secretary, responding to the suggestion that the Government spokesman should state the Government case at this stage, said he had always felt there was a certain amount of unreality in a discussion of this nature. It was difficult for these major questions affecting the commerce Department to be dealt with really on merit because members opposite spoke not merely on the commercial, but on the constitutional issue. He quoted Sir Joseph Bhore's declaration that it would be an impossible position if the responsibility for administration rested with

the Government and they were required to accept and give effect to lines of policy laid down by a legislature which did not have the responsibility of carrying out that policy. Mr. Dow said that that really lay at the root of the whole discussion. One result of having an irresponsible Government was an irresponsible Opposition. He was sure that there had been many matters on which if the Opposition had had to take the responsibility of carrying out their decisions they would have decided otherwise than they actually did. Referring to the implications of the resolution, he said that some members had taken it to mean that the Government should conclude an agreement but should bring it before the House before giving effect to it. That was not the wording of the resolution, but that seemed to be assumed by some speakers. He said in so far as the agreement involved a raising of duties it is bound to be brought before the House. As regards the present negotiations the Government had at present no knowledge whether they would or would not result in a trade agreement, and it would be premature for the Government to make up their mind whether they would or would not bring the matter before the Assembly. He declared that there was no warrant for the suggestion that the Government had gone back on the previous undertaking nor had they any intention of going back.

After further discussion the resolution was eventually passed.

### INDIAN TARIFF ACT (1934) AMEND. BILL

**4th. APRIL** :—The Assembly to-day assented to the circulation of the Anti-Phooka Bill for eliciting public opinion thereon, and agreed to take up consideration of a Bill recommending the continuance of import duty on broken rice for one more year.

Sir *Mohammed* moved that the Bill to amend the Indian Tariff Act of 1934 in order to continue the import duty on broken rice for a year more be taken into consideration. Sir Mohammad claimed that the duty had not only been completely effective in stopping import of broken rice, but had also had some effect in keeping down imports of paddy and whole rice, which had been progressively smaller since the duty came into operation. Last year imports of paddy were negligible and those of whole rice were reduced to a comparatively insignificant figure. At the same time the price of rice in the Madras Presidency, where the prices had been most directly affected by the duty had for the most part been higher than a year ago though in the last few months there had been a downward tendency and wholesale prices were at present a little below what they were last year. But prices in Madras where they were affected more by imports of Burma rice than by imports of foreign rice, which had been very little indeed, so that on the whole the position was such that the duty might well have been dispensed with altogether. But a study of the forecast with regard to rice for the next year showed that there might possibly be an apprehension of greater imports if the duty were taken off altogether, and it was due solely to that possibility that the Government desired to continue it at its present rate for another year. The Government had power to adjust the duty to conditions which might develop, and where any such adjustment would still be possible during the year.

Sir *Mohammed Zafrulla* said that members had admitted that the import duty had served its purpose, but had gone on to point out that something more was necessary. He submitted that their suggestions were hardly germane to the Bill under consideration however necessary they might in themselves be. The Bill was eventually passed.

### ANTI PHOOKA BILL

Mr. *R. M. Maxwell* moved the circulation up to June 30th of the Bill to amend the law relating to prevention of cruelty to animals with special reference to the practice of "phooka", Mr. Maxwell referred to the unanimity of opinion on the need for the measure and said that the difference was only as regards the most effective and the most speedy means of realising its objects. All-India legislation had rested unchanged for nearly fifty years while the provinces, particularly Bengal and Bombay, had given a lead by adopting changes in accordance with public opinion; but he reminded the House that penal provisions against phooka existed in the original Act and had been strengthened in 1920 by the Bengal legislation: yet the practice had not been prevented; in fact the Anti-Phooka Association in Calcutta reported that the practice was increasing. That was a warning that mere legislation on paper had no effect. The subject was now in the concurrent list, said Mr. Maxwell and it had been ascertained that the large majority of the Provincial Governments were in favour of

an amendment of the Act by Central legislation; but circulation was necessary, firstly because authority rested with the provinces, who though they had been consulted, had not yet seen the Bill in its final form and, secondly, because public opinion needed to be mobilised by means of the greatest possible advertisement and any fresh suggestions for improvement should be considered. In view of the need for speedy action, he undertook to move the Select Committee motion at the commencement of the Simla session so that the committee could hold meetings during the session and the final stages of the Bill might be completed during the session.

Dr. *G. V. Deshmukh* thanked the mover for the assurance that the Bill would be enacted before the end of the Simla session. But he could not but regret to see how slowly the Government had moved in the matter. He maintained that where the people or the community was not advanced, and where there was not much public opinion, legislation should not be started as a mild measure and then grow more and more stringent, but the process should be reversed. Dr. Deshmukh drew attention to the fact that though the Government might not be responsible to the people, the House was a representative one. If the members were not representatives of the people and if their opinion was not to be taken as the opinion of the public then what were they in the House for? And sixty selected members had made an application to the Government for the introduction of this measure. The Government could, therefore, have gone on with the Bill a little quickly.

The Assembly agreed to the circulation up to June 30, of the Anti-Phooka Bill and adjourned till the 6th.

TRADES DISPUTES ACT AMEND. BILL

**6th. APRIL** :—The Assembly to-day passed, with a slight amendment of its own, the lengthy amendment made by the Council of State to the Trades Disputes Act Amendment Bill. The main purpose of the Council of State amendment is that if any person supplying information or producing a document to the conciliation officer requesting that the information in the document shall be treated as confidential the conciliation officer shall not disclose it except to the authority which appointed him or the parties concerned in the dispute for the purpose of meditating therein or for promoting a settlement thereof. A contravention of this provision shall be punishable with fine upto Rs. 100.

Sir *Mohammed Zafrullah Khan*, moving consideration of the amendment, referred to the fact that an amendment providing for the treatment of information given to conciliation officers as confidential was moved in the Assembly by the European Group, but was withdrawn on an objection raised by Mr. Santanam that it would prevent disclosure of information to the ministers of provinces concerned. The amendment in the form in which it had now been passed by the Council of State, however, was not open to that objection.

Mr. *N. M. Joshi* characterised the amendment as unnecessary, undesirable, crude and ill-thought-out. It was first an unwarranted expression of want of confidence in the conciliation officer even before he was appointed. While preventing the conciliation officer himself from disclosing information, it did not prevent either the appointing authority or the parties concerned from disclosing it. Then why, he asked, place a ban on the conciliation officer alone? With this ban he would feel weakened by the constant fear that if any information was published he alone would be held responsible for it, but what was there conspiratorial that the employers wished to hide? As for workers they had no fear of publicity.

Mr. *K. Santanam* expressed surprise at Mr. Joshi's opposition to an amendment which gave statutory right to the parties concerned to get information from the conciliation officer.

*Prof. Ranga* said he was surprised at Mr. Santanam's attitude (laughter). The exemption with regard to the parties concerned and the appointing authority came in only because the prohibition of discloser had been accepted. He was against such prohibition and was, therefore, opposed to the whole amendment which would have the effect of whittling down the Bill. When the Bill was debated in the Assembly the speaker had expressed the fear that the conciliation officer might be used as trade union breaker, but it was apparently now the turn of the employers to be afraid of the conciliation officer.

Mr. *J. D. Boyle* (European Group) expressed astonishment at the earlier speeches. He denied that it was the intention of legislature to whittle down the powers of the

conciliation officer. The intention was merely to safeguard the interests of parties to a dispute who, for instance, had a new process which it was necessary for the conciliation officer to know in detail in order to arrive at a correct judgment. Technical matters of this type should obviously be kept confidential.

*Prof. Ranga* moved an amendment to the effect that the request made to the conciliation officer to keep information or documents confidential should be in writing.

The Government did not oppose the amendment and it was passed.

### Delhi Water Board Bill

Sir *G. S. Bajpai* moved consideration of the Delhi Joint Water Board Amendment Bill to provide for the formation of a Joint Water and Sewage Board to take over control of the water supply and sewage.

Mr. Asaf Ali declared that the Government had failed to take a long range view. They would have brought the electricity generating agency also under the control of the proposed joint board. He complained that the Government had shown discourtesy to the local bodies concerned in not consulting them before bringing the Bill to the House.

The House passed the motion and carried the Bill with one or two minor amendments moved by Mr. Asaf Ali. The Assembly then adjourned.

### The Income-Tax Amendment Bill

**7th. APRIL**:—*Sir James Grigg* moved to-day reference of the Income Tax Amendment Bill to a Select Committee. In doing so, he explained some of the main provisions of the Bill and gave an estimate of the extra amount that the provinces would get as a result of the Bill. He said that the scale of taxation had been left to be dealt with in the Finance Bill next year, but on the assumption that the scale prescribed by the Income Tax Inquiry Committee was adopted, he was confident that at least Rs. 1 crore would accrue almost immediately. But apart from this another Rs. 1 crore might be obtained by giving effect to what he described as anti-tax dodging clauses of the Bill.

Assuming that under the Niemeyer Award the provinces would have got Rs. 2 crores for the first five-year period, namely up to 1941-42, then with the extra revenue following the enactment of the present Bill into law they would get Rs. 3 crores a year instead. For the next five years they would get Rs. 70 lakhs a year extra and for the third five-year period Rs. 50 lakhs a year extra. Apart from the provision of money for the provinces there were other reasons which made the Bill desirable.

One of these, said Sir James, was the necessity of making the income tax machinery more effective and more equitable and of correcting the present position under which the tax bore harshly on the poor and leniently on the rich. The effect of the Bill would be that two-thirds of the number of tax-payers, who were now subject to Income Tax, would pay less and one-third would pay more.

Sir James went on to refer to the Income Tax enquiry report published in January, 1937, and to the volume of opinion obtained on it from commercial and political bodies in the country and published in 500 closely printed pages. It was therefore somewhat surprising to conceive telegrams such as the one from the Indian Merchants Chamber, Bombay, suggesting that the Government proposed to introduce the Income Tax Bill.

As regards the suggestion made by the Federation of Indian Chambers of Commerce for a round-table conference of the interests concerned on the analogy of what was done with regard to the Insurance Bill and the Motor Vehicles Bill, Sir James said this was not a practical suggestion and that in matters of taxation there was no agreement possible if representation was given to those who paid tax except on the basis that no tax should be paid at all. (laughter). Sir James quoted from the speeches of the Finance Members of Madras, Bombay, the United Provinces, Bihar and the Central Provinces dwelling on the inelasticity of revenue and the impossibility of further social service and said that the sums accruing from these provisions of the Bill would go to the help of these Finance Ministers. He was therefore certain of what the provinces would say about the Bill.

Similarly those hundreds of thousands of tax-payers who, as he had already stated, would get relief from the Bill, surely formed an important body of opinion and if it could be collected it would be unanimously in favour of the Bill. He declared that the move for circulation before accepting the principle of the Bill was a snare. It

looked like the technique which big business and the very rich would invent to kill the Bill without opposing it frontally. If the motion was really to elicit public opinion, why not, asked Sir James, agree to a Select Committee now and he undertook to circulate the Bill by an executive order. By agreeing to a Select Committee now it would be possible to ensure that the Bill became law by March 31, but circulation was a wooden-horse which would cause the fall of Troy. There was some who would do their utmost to kill the Bill. If they succeeded they would have committed the crime of postponing social service which the provinces were clamouring for (cheers).

Mr. *A. C. Datta* moved an amendment that the Bill be circulated for the purpose of eliciting opinion thereon by September 15. He contended that the Income Tax Enquiry Committee, on whose recommendations the Bill was based had completed its task within a short period of time, which was hardly sufficient for a study of the intricate problems involved. Further not a single non-official Indian or an Indian business man or one who knew the law of the land had a place on the Committee. Now a bulky Bill based on the recommendations of such a committee had been placed before the House and they had been given just three days to study it.

An anomaly in the Bill, said Mr. Datta, was that while agricultural income in British India had been exempted from taxation, agricultural income from Indian States had been allowed to be taxed. He could not understand the contention of the Finance Member that circulation would kill the Bill, but if the Finance Member would convince him he would withdraw his amendment. He was firmly of opinion, however, that a measure of this kind should not be rushed through.

Dr. Banerji, supporting the motion for the circulation of the Bill, welcomed some parts of the Bill. He was in agreement with those provisions intended to afford relief to the poorer tax-payers and also those leading to shut down loop-holes through which evasion had been taking place. The Bill was a voluminous one, and without a minute examination of it, it was not possible to understand the implications of the clauses. It would have been more preferable if the Finance Member had introduced a consolidating Bill instead of an amending Bill. They were perplexed in reading the amending clauses with the relevant sections of the Act. Another important innovation in the Bill was the introduction of a slab system for the step system, and he wondered if any one except those of the Finance Department understood the difference between the two systems. Further there were some provisions relating to incomes from trust property and business, etc. Without violently disturbing the existing social structure it would be very difficult to introduce a new principle of taxation.

Mr. *Manu Subedar* declared that this particular Income Tax Bill would certainly not entitle Sir James Grigg to be a great Finance Member of this country. Sir James came out to India as an expert in Income Tax matters, but the main complaint of Indian commerce and industry was that Sir James used his expert knowledge at every opportunity in the service and advancement of the interests of his own Home country rather than those of India. Ever since assuming office the Finance Member had been effectively trying to create a murky atmosphere by sowing seeds of divisions and doubt and suspicion.

Mr. *M. A. Jinnah* made it clear that he was not committing himself in the slightest degree to any one of the clauses of the Bill. When the Bill emerged from the Select Committee he might have to strenuously oppose some of the clauses and ask the House to reject them altogether but that stage of course would come later. To-day they had the motion of the Finance Member and as against that, the motion for circulation moved by Mr. Datta. He recalled the declaration made by an earlier speaker that it was not the intention of any section of the Opposition to kill this Bill. "If that is so, then let us be friends," said Mr. Jinnah, addressing to Treasury benches "and let us agree to a time-table which will satisfy all sides. He did not think it would be possible for the Finance Member to proceed according to the time-table of having the Select Committee meetings in July, as a Bill of this character could not be expected to be studied with care by the public before them. It was one thing to get opinion on a whole Bill of seventy-five clauses. Then again there was no way in which a Select Committee motion could be refused.

Mr. *Bajoria* urged the need for circulation so that the members before they considered the select committee motion, would have the views of the public before them. Referring to the provisions of the Bill, he pointed out that the rates of taxation had not been mentioned in it, but since the recommendations of the Income Tax Enquiry Committee were going to e accepted for the purpose, the

result would be to make the present surcharge permanent. He declared that the measure was calculated to disrupt the Hindu joint family.

Mr. *Anantashayanam Ayyangar* severely criticised the clauses which discriminated in favour of foreigners, both individuals and companies. In the first place he objected to the definition of the terms "domicile" and "resident" according to which a foreigner could spend all his life in India and yet be not a domicile and therefore be exempted from taxation on his investments abroad whereas an Indian would be taxed on incomes earned both abroad and at home. The Income Tax Enquiry Committee had specifically recommended that foreign incomes of foreigners resident in India should be assessed. The speaker wanted to know why in this particular respect the Bill did not body the expert committee's recommendation. The Bill to all intents and purposes gave exemption to all foreign companies, as it laid down that foreign companies "centrally controlled and managed" were exempted. The speaker wanted a more comprehensive and consolidated measure. Mr. Ayyangar had not concluded when the House adjourned till the 11th.

**11th. APRIL** :—Mr. *Bhulabhai Desai*, Leader of the Congress Party, made a statement arising out of his conversations with the Finance Member, so that discussions on the Income Tax Bill might be largely confined to a specific programme to be followed with regard to further progress of the Bill. He made it clear that in moving for the circulation of the Bill their intention and object was that they should get some time after the sitting of the Simla session was over to study the opinions received on the Bill, in order that they might be well prepared for the work on the select committee. The select committee now appointed would not be called upon to meet till the middle of October, and after that assurance by the Government the Congress Party was agreeable for referring the Bill to a select committee. So far as discussion was concerned, in view of the large number of members who wanted to participate in it, it would continue till to-morrow afternoon when he would wind up the debate.

Sir *James Grigg* said that the outline of procedure chalked out by Mr. Desai was acceptable to the Government. He also assured the House that the Government had no intention to rush the Bill through without an adequate opportunity for expression being given to all shades of opinion. He fully appreciated the desire of the hon. members to have an opportunity of studying the opinions before the select committee actually met. He wished to make it plain that the select committee should conclude its work so as to enable the special session of the Assembly to meet in the first half of November in Delhi. He was glad to say that the Leader of the Opposition had assured him that the meeting of the committee should not be unduly prolonged and had further assured him of every possibility of the committee finishing its work within the time allowed for the special session to meet in November. The Finance Member was grateful to all the parties in the House for their co-operation and he was glad that the Bill was now assured of considerations with the maximum amount of co-operation and with the minimum amount of controversy.

Mr. *A. Ayyangar*, resuming his speech on the Income Tax Bill, pointed out that the double taxation relief convention was operating unfairly to India, which had to refund Rs. 1 crore and 16 lakhs to foreign companies. He criticised the provision regarding the aggregation of the income of a husband and wife as in his opinion it would discourage independent earning by women in a country, where women were just trying to come out of their seclusion and where divorce was rare.

Mr. *A. C. Datta*, in view of the statements made by the Leader of the Opposition and the Finance Member, asked leave to withdraw his motion for circulation.

The House agreed to his request.

Mr. *L. C. Buss*, Leader of the European Group, referring to the scene in the "Gilbert and Sullivan" opera, in which Sir Ruthven Murgatroyd tried to persuade his ghostly ancestors that he had lived up to the family reputation of being a bad baronet and informed them that recently he made a false income tax return. The ghosts of the four previous baronets replied one after another : That is nothing : nothing shall ; everybody does that ; it is expected of you." Mr. Buss also reminded the House of Burke's saying: "To tax and to please, no more than to love and to be wise is not given to men." He therefore warned the Finance Member, that he must not expect his popularity in this House not to suffer a reasonable decline in the course of the debate on this Bill.

Mr. *N. M Joshi* referred to the recommendations of the Taxation Enquiry Committee and said many of the provisions of the Bill were suggested by that committee.

The Government, he declared, had been very indifferent on the subject of income tax and very slow in giving effect to the suggestions of the Taxation Enquiry Committee. He refuted the argument that Income Tax would prevent the entry of foreign capital. If there were avenues of profitable investment in India foreign capital was bound to come in spite of income tax but he was not very anxious that foreign capital should come to India As regards the argument that heavy income tax would adversely affect trade and industry, he referred to the condition in England where trade and industry flourished in spite of the incidence of income tax being heavier there. He expressed himself in favour of the State taking away a good deal of the surplus from the rich because there would then be so much less temptation for people to squander money.

Mr *B. N. Chaudhury* contended that agricultural income had been left out because tax on agriculture would involve the planting community whom it was the Government's intention to save, but he declared that at least 60 per cent. of the income of planters thus went untaxed, resulting in a loss to his province of Assam of some Rs. 30 lakhs a year. He urged that retrenchment should go hand in hand with taxation.

Mr *Abdul Rashid Chaudhury* examined the Bill at length, and referred to the failure to amend the exemption clauses of the Act. The Finance Member had no doubt said in his speech that the exemption granted to leave salaries and pensions drawn abroad would go if the Bill was passed substantially in its present form, but the speaker would have liked a provision to that effect being incorporated in the Bill. He argued that British investments in India were producing an income of Rs. 65 crores a year and this amount was escaping taxation. It would have brought Rs. 1 and half crores if taxed.

Mr. *Avinashilingam Chettiar* urged the deletion of the exemption sections. Section 60 which empowered the Governor-General to exempt various classes of income from income tax was iniquitous and unheard of anywhere except in India. The Income Tax Enquiry Committee had held that the power given by this section was inconsistent with the Government of India Act 1935. He wanted to know why the Finance Member who had included most other recommendations of the committee in the Bill had left out this particular recommendation. He declared that the double taxation relief granted to Europeans was most unfair. British investors in China and Argentina who were as large in number as in India had been given no such exemption by those countries.

**12th. APRIL** :—The Assembly to-day agreed to *Sir James Grigg's* motion for reference of the Income Tax Amendment Bill to a select Committee and adjourned 'sine die'.

*Mr. Tirumal Rao* opined that executive and judicial functions should not be vested in the income tax officers as it was opposed to all cannons of jurisprudence and was not safe for the assessees. He related several cases of high-handedness of overzealous income tax officials who in their anxiety to show as large returns as possible, unscrupulously tyrannised over petty shop-keepers and money-lenders.

*Mr. Azahar Ali* urged that the Select Committee should thoroughly go into the grievances of the assessees and endeavour to eliminate undue hardship on them. He considered that the Bill sought to give unbridled authority and too much autonomy to the income tax authorities which was very dangerous.

Mr. *Ali Khan* spoke in favour of the continued inflow of external capital and declared that it was not merely not obtainable but a necessary and valuable factor in assisting the economic development of India. But even assuming this was not true, he said, the enormous holdings in the hands of non-Indian nationals could be taken over by Indian nationals either by compulsory expropriation, which he suggested no one proposed, or by purchasing these securities and investments at far below their present market value. The effect of this at once would be to depreciate in all the money markets of the world the credit of this country. It would be a blow that would fall equally on those non-Indian nationals, who had to realise their holdings and on those thousands of Indian nationals, who would have no direct association with the transactions.

Mr. *S. K. Som* declared that the proposals to aggregate the income of a husband and wife was iniquitous, particularly after the passing of the Women's Rights to Property Act. The proposal illustrated the ignorance of the members of the enquiry committee on the social and economic conditions of the country. The other proposal

relating to the undivided Hindu joint family was equally objectionable. Supposing ten members of a joint Hindu family earned Rs. 40 or Rs. 50 in different places and did not therefore live together but occasionally took help from the joint property, was it right, he asked, that the total amount of their salaries should be assessed on the plea that it exceeded the minimum tax-free income of Rs. 2,000. This in effect took away from these individuals the benefit of the exemption of incomes below Rs. 2,000. It meant taxing poor clerks drawing Rs. 40 or Rs. 50.

Mr. *B. D. Pande* declared that the exemption section let go the mightiest in the land and caught hold of even beggars. As regards financial help to the provinces which the Finance Member dangled before the House he thought that Sir James Grigg was like the father of ten children who pleaded he had ten children and therefore wanted more money. The speaker would ask: "Who asked you to breed so many children ?" (Laughter).

Mr. Pande, proceeding, asked the House to take it from him that the increased revenue from the tax would not be given to the provinces but would be used by the Centre. All sorts of duties had been imposed, he explained, only death duties and langoti and Gandhi Baba remain untaxed.

Mr. *K. S. Gupta* referred to the ruthless methods adopted by the Income tax authorities in the districts to hunt out more sources of income tax and related a number of instances of malpractices by income tax collectors in the villages. He said that the present Bill contained from the beginning to the end penalties, removing altogether the few privileges that were enjoyed by the assessees under the present Act.

Mr. *Abdul Ghani*, speaking in Urdu, criticised the provision granting unrestricted right to the income tax inspectors to search an assessee's house. Even in a criminal case when the police searched a house, it was required that witness should be present during the search, but there was no such provision in the case of searches for the purposes of income tax assessment. The speaker also objected to the section providing for the inclusion of the wife's income in that of the husband for the purpose of assessment. This was interference with the Muslim personal law.

Mr. *Bhulabhai Desai*, Leader of the Congress Party, winding up the debate on behalf of the Opposition lodged an emphatic protest against the Finance Member trying to justify his Bill on the ground of the Niemeyer ward. He was not prepared to accept the new taxation proposed on the ground that the proceeds went to the benefit of the provinces. Justification for this Bill must therefore be sought on an examination of the provisions of the Bill itself. He hoped that all interested persons might be able to express their views on the bill freely. The House would not agree assistance being given to the provinces by extractive methods of taxation which it appeared was the purpose of this Bill and the speaker described it as "robbing Peter to give Paul". The Finance Member had quoted eight provincial Finance ministers and showed considerable solicitude for the need of providing funds for the nation-building activities in the provinces. Mr. Desai said it was something pleasing to learn that the Government of India, at least so late as now, had realised this aspect of the problem. Being fully alive to the situation as depicted by the Finance Member, Mr. Desai warned the House against being misled with regard to the implications of the Bill. They must tread warily in considering the real meaning of the alluring phrase used by the Finance Member's "Anti-tax dodging-device.' If this phrase meant that the existing Act was defective and then there were weakness in the administrative machinery and that it required tightening up, he was entirely at one with him. But under cover of avoiding tax-dodging devices if it was intended to find new source of income which were not included in the original Act, he would have to think twice before agreeing to it

Here Mr. Desai drew the attention of the Government to the four main sources whereby the Indian exchequer at present lost considerable sums of money. Firstly, he asked why exemption should be allowed in respect of pensions and other payments made in England; secondly, notifications issued under Section 60 were most unjustifiable, thirdly, the omission of non-domiciled foreign assessees under the present Act and, fourthly, double taxation relief. Closing these loopholes the Finance Member could have another Rs. 1 crore. Mr. Desai pointed out that his suggestions were far more effective to fulfil Sir James Grigg's desire and solicitude to help the provinces than the extractive method of taxation of an already over-taxed Indian.

Mr. Desai then dealt with the various sections of the Bill. So far as the slab system was concerned he was sympathetic with the Finance Member and gave his support to it. On the question of submitting compulsory returns he preferred to be

cautious. There were numerous small assessees, he said, whose profits from business were on the border line of taxable income, which could not be measured in any scientific way, It would be unfair to tax them with penalty for failure to submit correct returns. Referring to the fear expressed in some quarters that foreign capital would fly out of India owing to excessive taxation, the speaker said he had no such apprehension at all. He hoped that the Select Committee would meet in good humour in Simla.

The House then adjourned *'sine die'*.

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57 GREAVES. MR J. B.
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86 KESHWAIN, MR. SHESHGIRI NARAYANRAO
87 KHEDGIKAR, MR. RAMCHANDRA ANNAJI
88 KHER, THE HONOURABLE MR. BAL GANGADHAR (*Prime Minister*)
89 KHIMJI, MR BHAWANJI A.
90 KILLEDAR, MR MAHOMED MUSA
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92 LALA, MR BHOGILAL DHIRAJLAL
93 LALCHAND HARICHAND, MR.
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95 MAGANLAL NAGINDAS, MR.
96 MANDLIK, MR. RAMCHANDRA NARAYAN
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98 MASTER, MR. NAGINDAS TRIBHUVANDAS
99 MAVALANKER, THE HONOURABLE MR. GANESH VASUDEV (*Speaker*)
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102 MIRZA, MR. AKHTAR HASAN
103 MITHA, MR. MAHOMED SULEMAN CASSUM
104 MOHAMADALLY ALLABUX, MR.
105 MORARBHAI KASANJI, MR.
106 MORE, MR. JAYANT GHANASHYAM

107 MUKADAM, MR. WAMANRAO SITARAM
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128 PATIL, MR. KALLANGOUDA SHIDDANGOUDA
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158 SUGANDHI, MR. MURIGOPPA SHIDDAPPA
159 TALKAR, MR KAMALAJI RAGHO
160 THAKOR, MR. BALVANTRAI PARMADRAI
161 THORAT, MR. RAO SAHEB BHAUSAHEB
162 THUBE, RAO BAHADUR VITHALRAO LAXMANRAO
163 THUSE, MRS LAKHMIBAI GANESH
164 TULPULE, MR HARI VITHAL
165 TYABJI, MRS. FAZI B.
166 VAGHELA, MR. BHAIJIBHAI UKABHAI
167 VARALE, MR BALWANT HANMANT
168 VARTAK, MR. GOVIND DHARMAJI
169 VINCHOORKAR, SARDAR NARAYANRAO GANPATRAO
170 VYAS, MR. ISHVARLAL KALIDAS
171 WADEKAR, MR. RAGHUNATH BALKRISHNA
172 WAGH, MR. PURSHOTTAM WASUDEO
173 WALVEKAR, MR. BALAJI BHAWANSA
174 WANDREKAR, MR. DATTATRAYA NATHOBA
175 YUSUF ABDULLA, KHAN BAHADUR

# Proceedings of the Assembly

## January Session—Bombay—10th. January to 5th. February 1938

### Official Bills

The January session of the Bombay Legislative Assembly commenced at Bombay on the **10th. January 1938.** Three Government measures, first a Bill designed to prevent the evasion of taxation, and two other Bills relating to the Bombay Municipal Act, were passed by the House. One of the measures sought to extend the life of the Corporation by a year in order to enable the Government to revise the constitution of the Bombay Municipality with the object of placing it on a more democratic basis.

### Official Opposition to Federation

Mr. *B. G. Kher*, the Premier, in moving next his resolution opposing Federation, requested the Central Government to request the British Government not to impose it on this Province. Mr. Kher in the course of a speech said that there were no two opinions in the country regarding the Federation and that all parties were unanimous.

Mr. *C. P. Bramble* (European) said that the question of Federation had been discussed at length. If it was not acceptable, he asked, what was the other alternative proposed. Personally, he believed that Federation would unite India more closely and firmly.

**11th. JANUARY**:—The Assembly to-day passed Mr. *B. G. Kher's* resolution opposing the introduction of Federation by a big majority. Members of the Moslem League, the Democratic Swaraj and Independent Parties supported the resolution while the Progressive Party opposed it.

Mr. *Jamnadas M. Mehta* raised a point of order and stated that the resolution was *ultra vires* as it was only four months since a similar motion was discussed and passed by the Assembly. Mr. Mehta said that the resolution of Mr. Kher at the Poona session on the Constituent Assembly provoked a similar discussion as a result of an amendment moved by a member. According to the Standing Order, Mr. Mehta said, no resolution which was substantially the same as moved twelve months before, should be passed by the House.

The *Speaker*, overruling the objection, held that the former resolution on the Constituent Assembly was different from the resolution on Federation. The amendment in question was merely incidental.

Mr. *K. M. Munshi*, Minister for Law and Order, supporting the resolution, contended that a Federation must essentially be a union of the people over whom the central power had authority. The Federal State must have direct legal relations with all citizens. They must enjoy equality of status and protection. Federation, he said, could be thought of in terms of the citizens who constituted the nation as a social unit consisting of human beings possessed of political rights. But the Federation contemplated by the India Act did not know the fundamental rights, for it had in it no citizens having direct relations with it. The residents of the provinces did not elect representives directly to the Federal legislature and the residents of the States had no *locus standi*. Further, important subjects like the Army, Foreign Affairs, the Reserve Bank and the Railway Board were not within its purview, while even in the limited field of its activities the power of the Governor-General was supreme. The country was now demanding a constituent assembly. Mr. Munshi warned the House that any attempt to impose Federation against the will of the people would be short-sighted statesmanship.

### Abolition of Titles

Mr. *Kher* next moved a resolution expressing the opinion that conferring of titles, honour and titular distinction on any person in the Province by His Majesty or the Governor-General be discontinued. He said that in the Dominions like Canada and South Africa titles have already been abolished. The bestowal of titles was a prerogative of the Crown, but it was for the Ministers to make recommendations. He said the practice of conferring titles was observed more often than not for political

purposes. And that this created unnecessary class consciousness and snobbery. In conferring titles there should be no consideration other than human. But this had not been the practice and therefore his Government was opposed to conferring of titles. The debate had not concluded when the House adjourned.

RECOGNITION OF TRADE UNIONS

**12th. JANUARY**:—Mr. *S. H. Jhabwala* moved to-day a Bill to provide for the recognition of registered trade unions in the Presidency. The statement of objects and reasons of the Bill said that the recognition of trade unions by the employers were bound to create a healthy atmosphere between employers and the employees.

Mr. *S. D. Saklatvala* and Mr. *Sankerlal Balabhai* (Bombay and Ahmedabad Millowners' representatives respectively) and Mr. *M. C. Ghia* of the Indian Merchants Chamber, opposed the Bill. They maintained that certain provisions such as the right to collect union subscription, the right to hold meetings within the premises, of employment and the right of unions to hold joint meetings with employers to discuss their grievances, were all impossible conditions, as they would obstruct the normal procedure of work. Furthermore, according to the existing law, seven persons could form a union and consequently an employer might be controlled with half a dozen unions.

Mr. *Gulzarilal Nanda*, parliamentery secretary to the Premier, on behalf of the Government opposed the Bill. He, however, said that the Government's opposition to the measure should not be construed as antipathy towards the principle of the measure It was his firm conviction, that if the Bill was passed it would defeat the very object of the mover, namely, the strengthening of the trade union movement. It would scatter the forces of labour and create disunity among workers. The Bill would also enable the employers to set one group of workers against another. He drew attention to the Government's policy already enunciated and the labour inquiry at present in progress and said that the Government hoped to place shortly before the House a comprehensive labour programme.

MINISTER CONDEMNS VIOLENCE

**13th. JANUARY**:—A defence of the Government's action regarding the measures taken at Ahmedabad and Sholapur to combat violence in connexion with the industrial trouble was made by Mr. *K. M. Munshi*, Home Minister, in the Assembly to-day. Mr. Munshi made it clear that the Government believed in *bona fide* trade unionism, which was absolutely necessary as an agency for collective bargaining, but he could not allow political vandalism to masquerade as trade unionism.

Replying to criticisms regarding the promulgation by the Government of section 144 of the Criminal Procedure Code and the Criminal Law Amendment Act in those two places, Mr. Munshi said that a series of violent incidents compelled the Government to take action. Attempts were made on behalf of the strikers at Ahmedabad to use violence so as to intimidate the workers. Cases of the loyal workers being beaten were reported and women carrying meals to the workers in one of the mills were abused and threatened by the people belonging to the Red Flag organisation.

Referring to the application of the Criminal Law Amendment Act, the Home Minister explained that this was the only means by which the police could have taken cognizance of the offence of criminal intimidation without the aggrieved party making a report on the incidents, which was always not likely. Mr. Munshi pointed out that even after the application of the Criminal Law Amendment Act criminal intimidation would have to be proved in the ordinary course before a proper tribunal.

Referring to Sholapur he said that the Criminal Tribes Act applied to certain classes of people who were addicted to systematic commission of non-bailable offences. The Government had appointed a committee to inquire into the question but meanwhile a virulent campaign inciting the inmates of the Settlement to break the laws was carried on. The speeches of these leaders made it clear that their object was not to alleviate the lot of the criminal tribes but to prepare the ground for a general strike to serve their political ends.

Mr. Munshi narrated how, when section 144 was relaxed, trouble again started and the Government were compelled to promulgate the order again.

After six hours' debate the Assembly postponed *sine die* Mr. *S. H. Jhabwala's* Bill to provide for the recognition of registered trade unions in the Presidency.

ABOLITION OF TITLES (CONTD.)

**18th. JANUARY** :—The Assembly to-day passed the resolution moved by Mr. *B. G. Kher*, the Premier on the 11th. expressing the opinion that the conferring of titles of honour or titular distinction on any person in the province by the King or the Governor-General should be discontinued.

Amendments to the proposition urging that the titles already bestowed should be surrendered, that the people retaining the titles should be deprived of the rights of citizenship and that the titles should not be indiscriminately conferred, were all thrown out.

After a heated debate, the motion was pressed to a division when 98 voted for the motion, none voting against it. Moslem League members, though they opposed the proposition and sought to amend it, did not participate in the voting.

LOCAL BOARD'S AMEND. BILL

A Bill seeking to abolish nomination to all local boards with provision for elective representation of Harijans and backward classes by reservation of seats on the population basis with joint electorates, and giving option to Moslems in any Moslem constituency to have joint electorates if they so desired, was moved by Mr. *L. N. Patil*, Minister, Local Self-Government.

Mr. *A. M. K. Dehlavi*, Leader of the Moslem League Party and *Dr. D. R. Ambedkar*, Leader of the Independent Labour Party, opposed the Bill. Mr. *K. M. Munshi*, Home Minister emphasized that the Bill did not run counter to the Communal Award. The discussions had not concluded when the House adjourned for the day.

MEMBERS' RIGHT TO ADJOURNMENT MOTIONS

**19th. JANUARY** :—That the right to move adjournment motions was not an absolute one which a member could exercise irrespective of and without reference to the rights and convenience of the whole House was the view expressed by Mr. *Mavalankar*, the Speaker, in the Assembly to-day.

The ruling was occasioned by Mr. *Jamnadas Mehta's* request to the Speaker to revise previous rulings with regard to the moving of such motions. Mr. Mehta's case was that the right to move an adjournment motion was a definite right. In the case of a resolution the right consisted only in tabling it, the acutal right of moving it being only problematic. The test of urgency as hitherto applied substituted a definite right by a problematic one. If the right to move an adjournment was denied the only course left open to a member was to move a motion of no-confidence in the Government.

Mr. *Mavalankar* in his ruling said that though the right to move an adjournment was considered one of the fundamental rights of a member, experience indicated the need of placing upon that power some restriction. The formal moving of adjournment was a tactical method of introducing a new matter into the day's work and had been gradually but steadily discouraged. The tendency in the various legislatures, including the House of Commons, had been to restrict it. While in the House of Commons adjournment motions were hardly more than six a year in number, the Bombay Assembly received 11 motions of adjournment during the first session and nine in the present session. The right to move an adjournment was a qualified right with the corresponding obligation of seeing that the mere desire to discuss the subject on the floor of the House—however important and far-reaching consequences it might have—should not interfere as far as possible with the fixity of the day's programme.

LOCAL BOARD'S AMEND. BILL (CONTD.)

**22nd. JANUARY** :—Three walk-outs were staged in the Assembly to-day when the Bill to amend the Bombay Local Boards Act came up for discussion.

Moslem League members, headed by *Sir A. K. M. Dehlavi*, staged a walk-out as a protest against the Bill to-day. They were followed by Dr. *Ambedkar* and members of the Independent Labour Party who were in turn followed by Mr. *D. W. Raut* and five members of the people's Peasants Party.

Mr. *G. K. Phadake* moved an amendment to delete the option clause. The amendment was defeated by 73 votes to 38. After this Sir *A. K. M. Dehlavi* made a brief statement opposing the Bill and led all the members of the Moslem League of the House.

Dr. *Ambedkar* took exception to the term Harijan in the Bill and said that as the wishes of the Independent Labour Party had not been ascertained, members of his party would walk-out.

Though the Premier, Mr. *B. G. Kher* gave the assurance that the Government were only attempting to remove certain obnoxious features and were always prepared to co-operate with all parties, Dr. *Ambedkar* stated that the word Harijan had now acquired an unwanted significance and the members of the party walked out as a protest.

Mr. *Raut* and his colleagues left as a protest against the rejection by the Government of an amendment to the effect that there should be a reservation of seats for minorities

After the walk-out by the Moslem members, the *Premier* explained that, though the Government had tried their best to accommodate the wishes of the Moslem League party and had offered fair and reasonable terms, they had all been turned down There was no justification for connecting the provisions of the Bill with the Communal Award. He also stated that when the principles of the Bill had been discussed the option clause had actually been suggested by the Moslem League members.

Mr. *K. M. Munshi*, Minister for Law and Order, deplored the attitude of the Moslem League members. During the past two days, he said, the Government had tried their utmost to bring about a satisfactory agreement.

### HARIJANS' RIGHT TO TEMPLE-ENTRY

**24th. JAUARY** :—The Assembly to-day referred to a select committee the Bill introduced by Mr. *K. M. Munshi*, Home Minister, seeking to remove the difficulties in the way of the trustees of Hindu temples to throw open temples to harijans. Mr. Munshi also introduced a Bill to provide relief to small holders.

**25th. JANUARY** :—A motion for the adjournment of the debate on the Bill to provide temporary relief to small holders of land was rejected this afternoon by the Assembly without a division. The mover of the motion submitted that he had given notice of two amendments which were before the Governor awaiting sanction, and until His Excellency's decision was received discussion of the Bill should not be proceeded with.

Mr. *K. M. Munshi*, Home Minister, opposing the adjournment, pointed out that as the Bill was being referred to a select committee all amendments could be considered by the committee.

The Bill was referred to a select committee. Representatives of the Moslem League, the Independent Labour Party and the Peasants' Party withdrew their names as a protest against the Government's refusal to include Mr. *S. V. Parulekar* on the committee.

### NON-OFFICIAL RESOLUTIONS

**27th. JANUARY** :—The Assembly passed with a minor amendment, Mr. *K. G. Gokhale's* resolution recommending to the Government to issue instructions to all Government and municipal bodies in the Presidency to insert in contracts and agreements with suppliers of stores a clause to the effect that the suppliers concerned shall afford every facility to Indian apprentices for practical training in factories, workshops and offices to enable the apprentice to acquire knowledge of the industrial technique.

A resolution recommending the Government to grant a sufficient number of scholarships to Mohammedan and scheduled class students in primary and other schools in the Presidency was also passed.

**28th. JANUARY** :—Mr. *I. H. Siddiq* moved a resolution to-day recommending to the Government that the knowledge of Moslem culture being essential to every Moslem in his or her daily life, the teaching of the *Quoran* and *Sunna* should be made compulsory for Moslem boys and girls in schools and colleges in the Presidency.

Mr. *Patel* (Congress), moved an amendment to the effect that the resolution should be so worded as to be applicable to all religions regarding respective cultures.

The House passed a resolution moved by Mrs. *Leelavati Munshi* urging the appointment of a committee to investigate the causes of the widespread unemployment in the Presidency, and suggest measures for immediate relief.

By 60 to 20 votes the House rejected Mr. *J. H. Jabhwalla's* resolution urging the establishment of employment bureaux whose function it should be to keep regular registers of the unemployed people in the Presidency and find out suitable employment for them.

**29th. JANUARY** :—The Assembly referred the Money-lenders' Bill to a select committee. Mr. *K.M. Munshi*, Home Minister, announced that the Bill be circulated among commercial bodies, workers' organizations and others to elicit opinion. The select committee has been asked to submit its report within two months.

BOMBAY RURAL RELIEF BILL

**4th. FEBRUARY** :—The Assembly held a twelve-hour session from 11 a. m. to 11 p. m. to-day with brief intervals, to dispose of the second and third readings of the Bill which provide temporary relief to small holders. All the 63 amendments tabled by the Opposition were defeated. The Bill provides relief to holders having six acres of irrigated land or eighteen acres of other land. The relief is pending the introduction of permanent measures to deal with rural indebtedness by staying for one year all decrees for the attachment of lands.

A RESUME OF THE SESSION

**5th. FEBRURRY** :—The Council was *prorogued* to-day after passing the Bill to remove certain disabilities of Harijans in the matter of worship in temples.

Seven official Bills were passed by the present session of the Assembly. The House, on several occasions, sat continuously for 12 hours.

Of the Bills passed three, namely, the Local Boards Bill, the Municipal Bill and the Bombay City Municipal Bill received the assent of the Governor.

The Money-lenders' Bill was referred to a select committee, while the Probationary Offenders' Bill was not yet passed by the Upper House.

The Temple-entry Bill was passed by both the Houses and was awaiting the Governor's assent.

## Budget Session—Bombay—25th. February to 6th. May 1938

FINANCIAL STATEMENT FOR 1938-39

**25th. FEBRUARY** ;—The Budget Session of the Assembly commenced at Bombay on the 25th February. Mr. *A. B. Lathe*, Finance Minister, Bombay, presented his Budget estimates for 1938-39.

The Budget shows a deficit of Rs. 40.81 lakhs, receipts being Rs. 1,209,09 lakhs and expenditure Rs. 1,249,84 lakhs.

The aims of the Government, said the Minister, had been to give relief to the impoverished masses to educate the ignorant and backward, to relieve them from causes of distress which were beyond their control and to enable them to acquire confidence in themselves. Whether it was the village panchayat or forest laws, whether it was education or agriculture, whether it was anti-drink measures or the tobacco duty, the principal object of the Budget was to improve the lot of the weak and to strengthen them in their struggle for a better life. The Government could not mint new rupees or print new currency notes. All the money they could get was by readjustment and by such taxation as only touched the pockets of those who could afford to pay.

Mr. Lathe expected an additional sum of Rs. 8 lakhs (Rs. 5 lakhs from the new electricity duty and Rs. 3 lakhs from the amendment of Stamp Duty). He stated that the Government were inquiring into the question of further taxation of the Western India Turf Club and the allied question of regulating the affairs of the club in the interest of the public. Though the inquiries were incomplete, the Government expected to get nearly Rs. 3 lakhs as revenue from this source.

The retail sales tax on tobacco, and the enhanced tobacoo-licence fee in Bombay and the urban areas were expected to bring in an additional Rs. 1 lakh thus making a total of Rs. 12 lakhs of additional revenue, which would be spent as follows: Education, Rs. 8,92,000, prohibition Rs. 1,50,000, agriculture and co-operation Rs. 1,80,000, industries Rs. 20,000 and ayurvedic and unani education Rs. 20,000.

Mr. Lathe, in conclusion, said :—"I trust that the House will not expect from its Government a transformation of age-long conditions by a magic wand. The only way open to the Government is the one we have taken and if the response we ask for from the public is as generous as we hope it will be, the educational and ameliorative schemes which the budget is designed to finance will create strength in our masses.

GENERAL DISCUSSION OF BUDGET

**26th. FEBRUARY** :—The shortest sitting of the Assembly, lasting only 20 minutes, was held this morning when members of the Opposition refused to discuss the Budget proposals and the Speaker, after waiting for a few minutes, adjourned the House until 1st. March.

**1st. MARCH** :—Severe criticism by the Opposition members of the first Congress Government's budget was the main feature of the first day's general debate in the Assembly to-day. Mr. *Jamnadas Mehta* characterized the budget as an attempt to finance the Congress Party rather than help the masses.

The Finance Minister's speech showed that he had made greater provision for expenditure than had been shown in the budget. The Opposition members, as the custodians of the interests of the people, could not agree to this last minute change. Mr. Mehta regretted that the Finance Minister had given a cold douche to the question of reduction of land revenue, compulsory primary education and village water supply.

Mr. *S. S. Jhabwala* said that whatever creditable points were noticeable in the budget went to the Opposition. Mr. *S. L. Karandikar* urged the speeding up of prohibition, and Mr. Akhtar Hassan Mirza objected to taxation of tobacco.

**2nd. MARCH** :—"If the Government have not been able to place before the House schemes for tackling the several problems before the provinces, it is because they are tackling for the first time great problems in a radical and in some cases a revolutionary manner," declared Mr. *A. B. Lathe*, Finance Minister, replying to the general debate on the budget in the Assembly to-day. Referring to suggestions for raising a loan in view of the cheapness of money, the Finance Minister said as long as Bombay was indebted to the Government of India—and this would continue to be so for forty-five years or more—they could not raise loans without the Government of India's permission. When their schemes for tackling different problems were ready they might approach the Government of India for floating a loan so as to effectively tackle these schemes.

Mr. *B. G. Kher*, Premier, pointed out how despite the fall in excise revenue the Government had provided an additional sum of Rs. 34 lakhs for education.

VOTING ON BUDGET DEMANDS

**7th. MARCH** :—The Assembly to-day rejected by 74 votes to 42 Mr. *Jamnadas Mehta's* adjournment motion to discuss the Government's action in "interfering with the independence of the High Court of Bombay" by suspending the sentence of two prisoners after the High Court had passed those sentences and had rejected the application made for their suspension.

The two prisoners in question were first convicted by the Chief Presidency Magistrate, Bombay, under the Prevention of Gambling Act, and fined Rs. 1,000 each. They appealed to the High Court, but the High Court enhanced the sentence, apart from the fine, to six months' imprisonment.

Mr. *K. M. Munshi*, Minister for Law and Order, in his reply, said that once a High Court had convicted a man he became a prisoner of the Government. The Government were authorized to release prisoners by suspending for the time their sentences if a case for their release was made out.

The two persons whose sentences were suspended for 15 days only had extensive business all over the country. They were released after good security had been obtained in order to enable them to settle their business affairs.

THE TOBACCO BILL

Earlier the House passed the first reading of the Tobacco Bill.

**8th. MARCH** :—Amid complaints and counter-complaints from Opposition and Government benches that neither party showed any consideration for the other, the

Bombay Tobacco Bill went through its second and third readings in the Assembly to-day. Sir *A. M. K. Dehlavi*, leader of the Opposition, opposed the third reading of the Bill and declared that the attitude of the Government was not one of "beg, borrow or steel, but give us money"

Mr. *Jamnadas Mehta* also opposing the Bill said that the Government did not disclose the purpose for which the tax was being levied.

Mr. *Morarji Desai*, Revenue Minister, refuted the charge that the Government were flouting the opinion of the Opposition. The Government were only carrying out the programme on which they entered office, and no member of the Opposition could with justification say that the Government should not carry out its programme whenever helpful suggestions were made by the Opposition, the Government always accepted them.

Replying Mr. *A. B. Lathe*, Finance Minister, warned the *Inamdars* that, unless they justified their existence in the present society, their days of possessing alienated lands were numbered. Mr. *Mahajani* (Poona) desired to know what the Government expected of the *Inamdars*. Mr. *Stone* (European) advised the *Inamdars* not to walk into the web woven by the Government. The *Finance Minister* declared that what he said to the *Inamdars* was as a friend and not as a believer in the theory that none should have private property.

VOTING ON BUDGET DEMANDS

**10th. MARCH** :—The Assembly after two days' debate voted the demand for a grant of Rs. 61 lakhs under general administration. *Sir A. M. K. Dehalvi*, the Leader of the Opposition, asked the Government to administer the province in the interest of all and not in the interest of the Congress only. Mr. *Jamnadas Mehta* declared that the Opposition was disappointed that the Government had failed to fulfil their election pledges. The *Premier*, replying, pleaded guilty to the charge if it meant that the Government were giving effect to projects which were dear to the hearts of the Congress Governments.

**11th. MARCH** :—An assurance that the taxpavers' money would not be spent on Congress propaganda was given by *Mr. K. M. Munshi*, Minister for Law and Order, in the Assembly to-day when replying to the debate raised by Sir *A. Dehlavi* on the proposed volunteer organization to be set up in the Presidency.

When Mr. *Munshi* moved for a grant of Rs. 1,32,66,000 for the Police Department. Sir *A Dehlavi* moved a cut motion seeking the deletion of the provision of Rs. 25,000 for starting a volunteer organization.

Sir *A. Dehlavi* said that at a time when there was no emergency or any internal disorders, such as the country had witnessed a few years ago, there should be no need for the proposed organisation. He asserted that the opposition rightly feared that this move formed part of one of the many attempts made by the Congress to further its own propaganda. Mr. *S. H. Jhabwala* supported the cut motion and said that he had his own doubt as to how the organisation would be utilised. The Government might freely utilize the force for breaking up strikes and other political and economic demonstrations with which the Government did not sympathize.

Mr. *Munshi* said there was no intention whatsoever on the part of the Government to spend taxpayers' money on a Congress volunteer crops. Nor was it the intention of the Government to place the force under a private agency. The proposed volunteer force would form part and parcel of the police force. The prime object was to help the police in times of emergency and, secondly, to associate the citizens in the work of maintaining civic peace. The proposed scheme had been welcomed by the general public and the Government of India themselves had sponsored a similar scheme some time ago. The object was, as explained in the Government of India resolution, "for the accession of strength and exploiting the educational value and co-operation of the public with a view to encouraging the civic sense." The recruitment to the volunteer organization would be made by the police authorities in the same way as police recruitment. The men of the crops would be controlled and drilled by the police. The details of the scheme were not yet complete. The Inspector-General of Police was being consulted and the Government would shortly publish the rules and regulations governing the recruitment and conduct of the members of the proposed organization.

The cut motion was defeated by an overwhelming majority.

**12th. MARCH** :—Speaking on a cut motion in respect of the grant for Bombay City Police in the Assembly to-day Mr. *K. M. Munshi*, Home Minister, appealed to

the House not to bring in communal considerations so far as the police were concerned. He said the only consideration for the police was efficiency. He added that compared with the police force in other big cities of India, the Bombay force was undermanned. Besides, many people did not realise that Bombay had its own underworld—insufficiently controlled—composed of classes of people who committed every sort of crime. It was, therefore, necessary to maintain a big police force.

*Sir A. M. K. Dehlavi*, who moved the cut motion, said that, whilst members from other minority communities had a fairly good representation in the police force, Moslems lagged behind. The cut motion was declared lost.

"The gramophone is certainly an instrument which sometimes leads to a terrible nervous breakdown. Sometime ago I was disturbed every morning by my neighbours," said Mr. *K. Munshi*, opposing another cut motion, moved to raise a debate on restrictions on city restaurants.

The Opposition urged the Government to remove the restrictions imposed on restaurants situated in the mill areas over opening and closing time and also over the playing of music.

**14th. MARCH** :—Mr. *Jamnadas Mehta* moved a cut motion (Rs. 100) in the Assembly to-day when the irrigation grant came up for discussion. He drew the attention to the need for incorporating in the Budget a brief balance sheet of various irrigation schemes every year.

Mr. *M. Y. Nurie*, Minister for Public Works, said that the Government had no intention to conceal any facts in the Budget and that they would do everything to go into the details of irrigation schemes within a resonable time, whereupon the motion was withdrawn.

**15th. MARCH** :—Mr. *M. Y. Nurie*, Minister of Public Works, moved for a grant of Rs. 32,510,00 under the head Irrigation. The demand was passed by 68 votes to 41.

Mr. *Jamnadas Mehta*, on behalf of the Opposition, contested the provision of Rs. 12,500,00 for various schemes of irrigation and public works on the ground that when definite schemes were ready, the Government could ask for supplementary grants. At present there were no definite schemes.

Mr. *Nurie*, replying, said that there was a possibility of famine breaking out in certain districts if the Government's schemes were hindered by refusal of the demand.

**22nd. MARCH** :—That a member who has been hitherto speaking in English can speak in any other language provided he feels he can express himself better in that language was the ruling given by Mr. *Mavalankar*, the Speaker, to-day, while a cut motion to discuss the road construction policy of the Government was under consideration.

Mr. *Ali Bahadur Khan* began to speak in Urdu. The Speaker desired to know if the member proposed to speak in future in Urdu. Mr. Khan replied that he could express himself better in Urdu so far as the subject under consideration was concerned. A member raised a point of order regarding a previous ruling that anyone who had once spoken in English could not speak in any other Indian language.

The *Speaker* said that recently a ruling on the matter had been given by the Speaker of the United Provinces Assembly and also by Speakers of other Provincial Assemblies, permitting members who had hitherto spoken in English to speak in any other language. Though he was not bound by these rulings he felt that he should consider the whole question afresh and give a final ruling in the matter. Meanwhile, he allowed Mr. Khan to speak in Urdu.

**24th. MARCH** :—Discussion on demands for further grants were taken up by the Assembly to-day. The amounts asked for in connexion with expenditure on education, medical relief, agriculture, co-operative societies, industries, etc. having been already voted upon, the Premier, Mr. *B. G. Kher*, rose to move under education, a further grant for 8.92 lakhs. Mr. *Jamnadas Mehta* raised a point of order as to whether a supplementary grant could be moved at this stage. He agreed that it could be moved provided it was a very important item omitted in the Budget or was urgent, and asked what was the urgency in the present case.

The *Speaker* ruled that neither the Chair nor the House was competent to decide and sit in judgment over a matter which had been considered urgent by the Governor.

**25th. MARCH** :—The Assembly to-day passed the demand for grant of Rs. 60,14,000 under the head "Land Revenue."

**Mr. *J. H. Jhabwala*** moved a cut to discuss the question of insufficiency of pay for the inferior staff in the department. He declared that recently when he led a deputation to the Premier, he was pleased to concede that the pay of the peons should be raised. Mr. B. G. Kher, replying, said it was his personal view. He did not commit the Government to that view point because the matter was for the Finance Department to decide. The cut motion was lost.

**Mr. *Jamnadas Mehta*** moved a cut motion to discuss "profiteering by Government in the rate of interest charged to cultivators." He said that Government gave loans to cultivators at the rate of 6 per cent, while they raised loans at 3 per cent.

The ***Revenue Minister*** stated that when he took office he found that his hands had been tied by Mr. Jamnadas Mehta, who before him held the portfolio of Finance and Revenue. The cut motion was pressed to a division and lost.

**Mr. *S. V. Parulekar*** moved a cut motion to discuss measures to be taken for bringing under cultivation private waste lands. On an assurance by Mr. Morarji Desai, Revenue Minister, the motion was withdrawn.

Guillotine was applied and all the demands were put to vote and carried.

**28th. MARCH** —Party bitterness came into play in the Assembly to-day when the Opposition moved a cut in the public works demand and characterized the building of a road to Haripura, during the Congress session, as "political nepotism." Treasury Benches in their turn accused the Opposition of attempts to "poison the minds of members."

**Mr *Abdul Latif Hazrat Khan***, who moved the cut, called the expenditure of Rs. 50,000 on the road as "misuse of money." The Government, he said, had attended to the repair of the road to Haripura in preference to roads which needed greater attention. Sir ***A. M K. Dehlavi*** said that as the Congress claimed to represent all shades of political opinion he would like to know if the Congress would have spent so much of the tax-payers money in constructing a road if it was in connexion with a Moslem League session. He characterized the construction of the road as "a great scandal." Mr. ***S. Patil*** (Congress) said that the Government had every justification for incurring the expenditure as it was on the principle of "greatest good for the greatest number." If such assemblages took place under the auspices of the Moslem League the Congress Government was bound to spend money in order to safeguard public health. Mr. ***C. P. Bramble*** (European) termed the expenditure on the road "political nepotism" and asked the Government to avoid such indulgence in future as that was the surest way to break the Congress organization and the shortest way to bring the Congress Government into disrepute.

**Mr. *Alibahadur Khan*** (independent) said that the opposition had no conception of the problem which confronted the Government regarding the Congress session. He did not think that it was up to Sir A. M. K. Dehlavi, leader of a communal party, to speak in the name of democracy.

**Mr. *Morarji Desai***, Revenue Minister, said that the opposition, finding that the Congress was growing in strength had become uncomfortable and desperate. They were therefore trying to "corrupt" the minds of the members of the House. Otherwise how could one justify such misrepresentation as had been made ? Huge gatherings of people were being emptied into the Madhi station by numerous special trains and these had to be taken to Haripura through road. It was the elementary duty of the Government to provide a suitable road and see that no accidents occurred.

**Mr. *K. M. Munshi***, Minister for law and order, declared that it was the duty of every government, no matter which party was in power, to afford all possible facilities to the public, whenever there was a large gathering. The United Provinces Government had spent money in making arrangements for the Kumbha Mela. "Can that be called political nepotism," he asked. He refuted the suggestion that the Congress was merely a party and said that the annual sessions of the Congress were national gatherings. If Haripura had decided otherwise than what it did, there would have been a revolution in the country. The opposition might be honest. The "little freedom" that they enjoyed to-day was because of the Congress.

**Mr. *M. Y. Nurie***, winding up the debate, regretted that the debate had been carried on party lines without much reference to the issue before the House. Any Government worthy of its name was bound to incur the expenditure the present Government had done. The cut motion was rejected by 78 votes to 43.

MUNICIPAL BOROUGHS AMEND. BILL

**30th. MARCH** :—A Bill seeking to amend the Bombay Municipal Boroughs Act was introduced in the Assembly to-day by Mr. *L. M. Patil*, Minister for Local Self-Government. It was designed to do away with nominations in cases of all municipal boards. Under the Bill elective representation by means of reservation of seats will be given to Harijans, backward tribes and women, wherever necessary. Reservation of seats will be on population basis. Also, there will be a provision giving option to Moslems to decide for themselves whether they would have joint electorates or separate electorates. The Minister stated that the provision did not take away the right of Moslems to have separate electorates. For the first time in the constitutional history of India an electorate was being given the right to declare by a referendum what kind of electorate it desired. The retention of separate electorates for Harijans would be against the spirit underlying the Poona pact. Joint electorates, he added, would bring higher and backward castes closer together and also curb communalism and foster a national spirit.

**31st. MARCH** :—*Sir A. M. Dehlavi* (leader of the Opposition), opposed the option clause and considered it as the "thin end of the wedge" seeking to circumvent the Communal Award. Mr. *Ali Bahadur Khan* supported the Bill and expressed surprise at the League members' attitude towards the Bill, and added : "Moslem League so long as they remain communal can never rule any province even if they wait till Doomsday."

Earlier, the house passed the first reading of the Bill seeking to register the names of all practitioners of Unani and Ayurvedic systems of medicine and referred the Bill to a Select Committee.

**2nd. APRIL** :—Six successive divisions, all ending in victory for the Government and a walk-out by 20 members of the Moslem League Party were the features of the discussion to-day on the first and second readings of the Bill to amend the Bombay Municipalities Act. The Bill provides for the abolition of nomination and introduction of joint electorates with reservation of seats to non-Moslem minorities and an option to the Moslems to declare in favour of joint electorates whenever they desire to do so. The Moslem League, particularly, sought the deletion of the option clause for the Moslems.

*Sir A. M. K. Dehlavi* stated that as an expression of the resentment at the attitude of the Government in not acceeding to the sincere attempts of his party to secure deletion of the clause, his party would walk-out of the House. The Premier, Mr. *B. G. Kher*, regretted that it was not possible for the Government to meet the point of view of the Moslem League in this matter.

Discussion on the second reading had not concluded when the House adjourned.

SEPARATE PROVINCE FOR KARNATAK

**4th. APRIL** :—The question of a separate province for Karnatak was discussed to-day. Mr. *Viswanath Jog* (Congress) moved a resolution recommending the creation of a new province, by amalgamating all Canarese speaking areas in Bombay, Madras, and Coorg. Mr. *G. V. Mavlankar*, the Speaker, ruled out of order two amendments, one seeking the creation of a province of "Maharashtra", by amalgamating certain districts from the Central Provinces and the another accepting the principle of distribution of various provinces on a linguistic basis.

**5th APRIL** :—The Assembly passed without a division Mr. *Viswanath Jog's* (Congress) resolution. Mr. *B. G. Kher*, Premier, explaining the attitude of the Government towards the resolution said that the Congress had accepted the principle of a formation of provinces on a linguistic basis. If no attention had been paid so far to this it was because there were more important subjects to be tackled.

SEVERAL BILLS PASSED

**6th. APRIL** :—The Assembly passed to-day the Bill to repeal the Bombay Special Emergency Powers Act, 1932.

Earlier, the Assembly also passed the Bill amending the Bombay District Municipal Boroughs Act without a division.

LUNACY ACT AMEND. BILL

**13th. APRIL** :—The Assembly passed the Bill to amend the Indian Lunacy Act. The Bill provides for the temporary release of lunatics with a view to seeing if a change of surroundings would better their condition.

PRIMARY EDUCATION AMEND. BILL

**23rd. APRIL** :—The question who was more honest, the educated or the uneducated, arose to-day when the Bill to amend the Bombay Primary Education Act was discussed. The question arose out of an amendment by Mr. *S. H. Jhabwala* who suggested that there should be more persons experienced in education on the school boards to be constituted in every district. Mr. *J. G. More* opposed the amendment, as this would bar minorities getting due representation. He said that experience had shown that educated people were more dishonest and what was required on the school boards was honesty and sincerity. Mr. *B. K. Gaikwad* was also opposed to the amendment. Experience of the working of the school boards, he said, showed that uneducated had done more earnest work in the spread of education than the educated members. Mr. *G. K. Phadke* strongly refuted the suggestion that educated people were dishonest. Mr. *R. B. Thorat* opposed the amendment and said that men like Sivaji, though not much educated, were leaders of men. Mr. *S. H. Jhabwala*, in replying, said that referring to Sivaji was as bad as the Premier quoting Mr. Gandhi. It was deplorable, he said, that a controversy should have been started as to who was more honest, educated or the uneducated.

Mr. *B. G. Kher*, the Premier, accepted the amendment on behalf of the Government. If education, he said, meant the growth of dishonesty then the House would do well to drop the Bill, as the measure was meant to spread education. The Premier acknowledged that some of the uneducated members of the school boards had done immense service and would continue to do so, but that should not mean that men with educational experience should not be members of the school board. The amendment was carried without a division.

**25th. APRIL** :—The House discussed to-day the clause in the Primary Education Bill disqualifying certain persons from becoming members of school boards. Mr. *S. L. Karandikar* (Democratic Swaraj Party), moved an amendment seeking to debar members of the provincial legislature from the school boards. He wanted this rule to apply to all parties, including the Congress, and asked the Congress members to be true to their pledge.

The *Speaker* gave an opportunity to Mr. Karandikar to withdraw his remarks but he refused to withdraw them. The Speaker then announced that with great regret he had to ask the member to withdraw from the House. Mr. Karandikar withdrew for the day. The House rejected the amendment.

BOMBAY CITY POLICE AMEND. BILL

Consideration of the Bill to amend the City of Bombay Police Act, with a view to controlling effectively the movements of goondas and hooligans, was postponed till the next day so that members of the Government and the Opposition could meet together and come to an understanding in regard to the details of the measure.

Mr. *K. M. Munshi*, Home Minister, moving the first reading of the Bill, assured the House that the measure was intended to deal only with undesirable persons.

**26th. APRIL** :—On the motion of the Home Minister, Mr. *K. M. Munshi*, consideration of the Bill to amend the City Police Act was postponed for another day.

Nearly 60 amendments had been tabled to the Bill. Dr. *B. R. Ambedkar's* amendment wanted that the measure should be in operation only during emergencies like communal riots. Mr. *Jamnadas Mehta's* amendment sought that the Act itself shall be in force only till the last day of the next session of the Assembly. Mr. *S. V. Parulekar* wanted that the Bill shall remain in force only till December, 1938.

The *Minister* stated that there were several amendments and he and the leaders of the various parties had yet to discuss a few more amendments before the final decision could be communicated to the House.

**27th. APRIL** :—Mr. *K. M. Munshi*, Home Minister, announced to-day that as a result of discussions, the Government had accepted Dr. *B. R. Ambedkar's* amendment seeking to restrict the scope of the Bill only to deal with communal disturbances.

Mr. *Munshi* described how communal riots had become an annual feature in the city and how the people were at the mercy of hooligans. Unless the Government had enough power they could not deal adequately with hooligans.

Dr. *Ambedkar*, moving his amendment, agreed that the hooligan element was the real danger to the peace of the city, and therefore the Government should be supported in their attempt to suppress hooliganism.

Sir *A. M. K. Dehlavi*, Leader of the Moslem League Party, opposed the measure and characterized the safeguards as mere eyewash. He was surprised that Congress which had been fighting for civil liberty should come forward with such a measure.

Mr. *Jamnadas Mehta* opposed the measure on the ground that it was too drastic and militated against the liberty of the citizens. Mr. Ali Bahadur Khan, supporting, said that those who had opposed the measure had not made any constructive suggestion to meet the situation. Mr. A. H. Mirza (League) opposed the Bill.

The House accepted Dr. Ambedkar's amendment and passed the first reading of the Bill by 72 to 20 votes. On the 30th. April the Assembly passed by 69 votes to 15 the third reading of the Bill.

### BOMBAY RACES LICENSING AMEND. BILL

**2nd. MAY**:—The Assembly passed all the three readings of the Bill to amend the Bombay Races Licensing Act of 1912. The measure sought to clear all doubts regarding the Government's right to impose conditions in granting a licence.

Introducing the Bill, Mr. *K. M. Munshi*, Home Minister, said that the Royal Western India Turf Club was a joint-stock company with 350 members, controlling the affairs of the Club. It received large sums of money to encourage India-bred horses but the past experience showed that the Club had not carried out this task satisfactorily. The majority of jockeys were imported from Australia or England. Only four per cent of the Rs. 17 lakhs stake money was allotted to Indian horses. The Government, therefore, had opened negotiations with the Turf Club with a view to seeking that proper encouragement was given to Indian horses. These negotiations were almost complete but the Government had brought forward the measure to clear all doubts regarding the Government's rights to impose conditions in granting a license. Messrs. *S.H. Jhabwalla* and *Ali Bahadur Khan* supported the measure.

Mr. *Munshi*, replying to the debate, said that the Government had been guided by two principles in bringing forward the measure, namely, to rectify the mistake of the Turf Club in not encouraging India-bred horses and seeing that the major portion of the Club's money was spent in India.

### PRIMARY EDUCATION AMEND. BILL

The House earlier passed the Bill to amend the Primary Education Act by 58 votes to 12. Mr. *I.H. Siddiqui* had moved an amendment to the effect that the *quoran* should be taught to Moslem boys and girls if the Moslems of the locality so desired.

Sir *A. K. Dehlavi*, supporting the amendment, said that if Government wanted to enforce compulsory education they ought to take up the question of religious education seriously.

Mr. *B. G. Kher*, the Premier, said that if the parents of the pupils belonging to the various communities wanted separate religious education, the Government would have to provide religious education of seven or eight different types. He referred to Turkey where the *quoran* was not taught in village schools. The State provided only secular education and even in an Islamic country like Turkey there was no provision for religious education by the State. The amendment was lost without division.

### BOMBAY MUNICIPAL AMEND. BILL

**3rd. MAY**:—The first and second readings of a Bill to amend the Bombay Municipal Act was passed in the Assembly to-day.

The measure sought to introduce adult franchise in 1942, abolition of nomination to the statutory committees of the Corporation, reduction of salaries to certain officials of the Corporation and the redistribution of the city wards.

There was general support for the measure from all sections of the House though two members opposed it as they considered the introduction of adult franchise premature.

Two amendments seeking to reserve two seats in the Corporation for the Bombay Municipal Workers' Union and the All-India Trade Union Congress were defeated.

**4th. MAY**:—An amendment to the effect that adult franchise should be introduced only when the Municipal Corporation decided in favour of it by a two-thirds majority was thrown out. Another amendment by Mr. *Parulekar*, that adult franchise be introduced in 1939 instead of 1942, was also lost.

Mr. *Ismail Chundriger* (Moslem League) said that Moslem Leaguers were not opposed to the principle of adult franchise. They were only afraid they would not get proper representation. Further, a large number of Moslem women would not

record their votes. If, however, the Government gave adequate safeguards by which Moslem interests would not suffer, the League party would support the measure.

Mr. *S. K. Patil* opposed the amendment. He said that in the interests of the masses the State must introduce adult franchise.

The Hon. Mr. *L. M. Patil*, Minister for Local Self-Government, declared that if adult franchise was introduced, the real representatives of the people would be in charge of the civic administration. The Government had taken the greatest care to see that the interests of the minorities were not adversely affected.

**5th. MAY** :—The Bill to amend the Bombay Municipal Act passed through all the stages in the Assembly to-day. An amendment fixing the maximum salary of municipal officials to Rs. 500 was lost. Mr. *S. H. Jhabwala*, who moved the amendment, said that the Ministry should apply the same principle by which they are guided with regard to salaries. Mr. *L.M. Patil*, Minister for Local Self-Government, said that while he appreciated the sentiments expressed by Mr. Jhabwala he could not expect the permanent servants to be guided by the same principle and spirit of service which guided the Ministers. He hoped, however, that such a time would gradually come.

### Cheap Electricity for Villages

**6th. MAY** :—The decision of the Bombay Government to electrify the rural areas was reiterated by Mr. *M. Y. Nurie*, Minister for Public Works, speaking on a Government resolution in the Assembly to-day.

The resolution referred to the utilizing of the Badghat Dam for generating electricity which will be supplied to the villages in Lonada, Government House in Poona and the Yervada Central Jail. Mr. *Nurie* added that the Government were considering the question of utilizing the irrigation "tail" water for the production of electric energy. The Government were anxious to make the cultivators electricity-minded by supplying them with power at cheap rates. The resolution was passed.

### Full Time Law Colleges

Another resolution to convert the part-time Law College in Bombay into a whole-time one was also carried by the Assembly.

Speaking on the resolution Mr. *B. G. Kher*, the Premier, said that in the interests of the legal profession and society, students should take to the study of law more seriously than they had done hitherto. An expert committee which the Government appointed some time ago, examined the question of legal education. The Committee had reported that the profession was overcrowded and also in certain cases the standard of legal practice had gone down. The Government hoped to remedy the evils to some extent by converting the part-time institution into a whole-time one.

The House also approved of an expenditure of Rs. 72,000 for carrying on research and experiments in the artificial silk industry.

### A Resume of the Session

The Assembly sat continuously from January 11 with a fortnight's break during the Haripura Congress, and passed several important legislative measure.

In connexion with the Government's new programme, some of the most important Bills passed by the session just prorogued were a Bill to amend the Primary Education Act, a Bill regarding the Bombay Municipality, one about Indianization of race-courses in Bombay, and another designed specially to deal with communal riots. It passed the Government resolution about the electrification of the rural area, a full time law college, and experiments in artificial silk.

# Proceedings of the Bombay Council

## January Session—Bombay—13th January to 5th. February 1938.

The January Session of the Bombay Legislative Council commenced at Bombay on the **13th. January 1930**. The Council passed without division, the Premier, Mr. *B. G. Kher's* motion against the introduction of Federation and adjourned till January 17.

### Unemployment Enquiry Committee

**17th. JANUARY** :—The resolution of Mr. *J. P. S. Joshi* recommending to the Government the appointment of a committee to inquire into the problem of unemployment among the middle and lower classes, was passed in the Council this afternoon.

Leave was also granted to Mr. *Joshi* to introduce a Bill to regulate the rents of premises in the Presidency.

### Conferment of Titles

**24th. JANUARY** :—The Council to-day passed without division the resolution moved by Mr. *B. G. Kher*, Premier, that the conferring of titles, honours of titular distinctions on any person in the province by the King or the Governor-General be discontinued.

### Local Board's Bill

**25th. JANUARY** :—*Sir Ibrahim Currimbhoy*, Leader of the Moslem League group in the Council, whose amendment for the deletion of the optional clause in the Local Boards Bill was thrown out without a division yesterday, walked out of the House followed by two other members of the League Party, immediately the House re-assembled after tea to-day. The clause sought to give the Moslem constituencies the option between joint and separate electorates.

Sir *Ibrahim Currimbhoy*, in a short statement to the Council, declared that the passing of this amendment was against the policy of the League, and the only way in which his party could mark its protest was by walking out.

The amendment of Mr. *M. R. Mahajan* for joint electorates without the optional clause, was also lost without a division. The Council later passed the third reading of the Bill.

### Small Landholders' Relief Bill

**4th. FEBRUARY** :—In the Council to-day, an attempt made by a member to postpone consideration of the Bill to give relief to small landholders was rejected by 13 votes to 8. A demonstration of 300 Sanatanists was held in front of the Council Chamber to-day.

The Sanatanists, shouting slogans, desired to see the Premier, in connection with the Temple-Entry Bill, but as Mr. *B. G. Kher* was not present, the procession moved off to the Secretariat. The demonstrators, however, dispersed without seeing Mr. Kher.

**5th. FEBRUARY** :—The Council was prorogued to-day after passing the Bill to remove certain disabilities of harijans in the matter of worship in temples.

## Budget Session—Bombay—5th. March to 6th. May 1338

### Financial Statement for 1938-39

"The question of alienated lands is at present under the consideration of the Government. Those in possession of such lands will have to give better justification for the continued possession of them than the mere fact that their forefathers owned the lands, or rendered certain services to the Government," said, Mr. *A. B. Lathe*, Finance Minister, in presenting the Budget to the Council to-day.

It was essential, he added, that *inamdars* should think in terms of what service they were rendering to the present structure of society, and he hoped that they consider how best to serve the public. If not, the Government would have to bring in legislation to impose some burden on those who possessed alienated lands.

DISCUSSION OF BUDGET

**7th. MARCH** :—The necessity of a united front against the imposition of the Federal Scheme was stressed by Sir *Currimbhoy Ibrahim* (Moslem League), in the course of the discussion on the Budget.

The suggestion was also made that the Provincial Government should go to the Federal Court to get the question of the sales tax settled, with a view to raising loans to meet the expenses to be incurred to finance the various schemes.

**10th. MARCH** :—The Council to-day after one hour's sitting, passed all the stages of the Bombay Finance Bill. The Bill provides for an enhancement of electric duty and stamp duty.

SEPARATE PROVINCE FOR KARNATAK

**18th. APRIL** :—The Council to-day passed without a division a resolution advocating the separation of Karnatak on the same lines as that passed by the Assembly.

Accepting the resolution on behalf of the Government, Mr. *A. B. Lathe*, Finance Minister, said that the best argument in support of the resolution was that if they wanted true responsible government to come into existence, the language used by the people outside should be the same as that used by members inside the legislature. Referring to a harbour and railway for Karnatak, the Minister pointed out that these were subjects which would not come into the hands of Karnatak even after separation as they were matters for the Government of India to decide. He added that there would be better chances of securing these if Karnatak remained a part of Bombay rather than as a small separate province. He hoped the Bombay Government's acceptance of the resolution would induce the Government of India to institute the necessary enquiries.

STOCK EXCHANGE

On the Premier's (Mr. *B. G. Kher's*) assurance that the Government were contemplating legislation on the Morrison Committee's recommendations regarding the Bombay Stock Exchange, Professor *S. R. Davar* withdrew his resolution urging that the Committee's recommendations be put into effect. Mr. Kher added that such of the recommendations as did not involve legislation had been already put into effect by the Government.

INDIAN LUNACY ACT AMEND. BILL

**25th. APRIL** :—The Council to-day passed all the three readings of the Bill to amend the Indian Lunacy Act as passed by the Assembly.

NON-OFFICIAL BILLS

**26th. APRIL** :—Two non-official Bills were considered by the Council to-day. A Bill moved by Mr. *S. C. Joshi* to regulate rents of premises in the presidency was lost without division. The object of the measure was to secure relief to the working and middle classes. Professor *S. R. Davar*, and Mr. *B. N. Karanjia* opposed the Bill.

Mr. *L. M. Patil*, Minister for Local Self-Government, stated that the Government had already appointed a committee to inquire into the question of rents and they would not take any action in the matter until the committee had reported. The motion for the first reading was lost without division.

Another Bill by Mr. *Joshi* to provide for the grant of annual leave with pay to certain classes of women workers in industries was withdrawn.

Mr. *Morarji Desai*, Revenue Minister, explaining the Government's position said that they were doing everything possible to carry out their declared policy of giving as many facilities to labour as possible. They, however, do not want to kill an industry by overburdening it. Further, the Government intended to bring legislation regarding pay for employees in case of leave due to sickness. Leave with pay during sickness was more urgent than holidays with pay. In view of the Government's assurauce Mr. Joshi withdrew the Bill.

OFFICIAL RESOLUTIONS

**6th. MAY** :—The Council passed to-day all the three Government resolutions passed by the Assembly—about the electrification of the rural area, a full time law college, and experiments in artificial silk. The House was then *prorogued*.

# The Bengal Legislative Assembly

## LIST OF MEMBERS

*Speaker*

1 The Hon'ble Khan Bahadur M. Azizul Haque

*Deputy Speaker*

2 Mr. M. Ashrafali

*Ministers*

3 The Hon'ble Mr. A. K. Fazlul Haq
4 The Hon'ble Mr. Nalini Ranjan Sarker
5 The Hon'ble Khwaja Sir Nazimuddin
6 The Hon'ble Sir Bijoy Prasad Singh Roy
7 The Hon'ble Nawab K. Habibullah Bahadur of Dacca
8 The Hon'ble Maharaja Sris Chandra Nandy of Cossimbazar
9 The Hon'ble Mr. H. S. Suhrawardy
10 The Hon'ble Nawab Musharraff Hossain, Khan Bahadur
11 The Hon'ble Mr. Prasanna Deb Raikut
12 The Hon'ble Ma. Mukunda Behary Mullick

*Members*

13 Mr. Jatindra Nath Basu
14. Mr. Santosh Kumar Basu
15 Mr. Iswar Das Jalan
16 Dr. J. M. Das Gupta
17 Mr. Jogesh Chandra Gupta
18 Mr. Sarat Chandra Bose
19 Mr. Barada Prosanna Pain
20 Mr. Tulsi Chandra Goswami
21 Rai Harendra Nath Chaudhury
22 Dr. Nalinaksha Sanyal
23 Mr. Surendra Mohan Maitra
24 Mr. Birendra Nath Mazumdar
25 Maharajkumar Uday Chand Mahtab
26 Mr. Pramatha Nath Banerjee
27 Dr. Sarat Chandra Mukherjee
28 Srijut Monindra Bhushan Sinha
29 Mr. Kamalkrishna Ray
30 Mr. Debendra Lall Khan
31 Mr. Kishori Pati Roy
32 Dr. Gobinda Chandra Bhowmic
33 Mr. Iswar Chandra Mal
34 Mr. Nikunja Behari Maiti
35 Mr. Dhirendra Narayan Mukerji
36 Mr. Sukumar Dutta
37 Mr. Manmatha Nath Roy
38 Rai Jogesh Chandra Sen Bahadur
39 Mr. P. Banerji
40 Mr. Haripada Chattopadhyay
41 Mr. Sasanka Sekhar Sanyal
42 Mr. Atul Krishna Ghose
43 Babu Nagendra Nath Sen
44 Mr. Satya Priya Banerjee
45 Mr. Atul Chandra Kumar
46 Mr. Nishitha Nath Kundu
47 Babu Khagendra Nath Das Gupta
48 Mr. Jotindra Nath Chakrabarty
49 Babu Narendra Narayan Chakrabarty
50 Mr. Manoranjan Bannerjee
51 Mr. Kiran Sankar Roy
52 Mr. Charu Chandra Roy
53 Mr. Birendra Kishore Ray Choudhury
54 Mr. Surendra Nath Biswas
55 Mr. Narendra Nath Das Gupta
56 Mr. Jogendra Nath Mandal
57 Mr. Dhirendra Nath Datta
58 Mr. Harendra Kumar Sur
59 Mr. Mahim Chandra Das
60 Mr. Damber Singh Gurung
61 Mr. Adwaita Kumar Maji
62 Mr. Banku Behari Mandal
63 Babu Debendra Nath Dass
64 Srijut Ashutosh Mullick
65 Mr. Krishna Prasad Mandal
66 Mr. Harendra Nath Dolui
67 Babu Radhanath Das
68 Mr. Pulin Behary Mullick
69 Mr. Hem Chandra Naskar
70 Mr. Anukul Chandra Das
71 Babu Lakshmi Narayan Biswas
72 Mr. Kirit Bhusan Das
73 Mr. Rasik Lal Biswas
74 Babu Patiram Ray
75 Mr. Tarinicharan Pramanik
76 Babu Premhari Barma
77 Babu Shyama Prosad Barman
78 Babu Upendranath Barman
79 Mr. Puspajit Barma
80 Babu Kshetra Nath Singha
81 Babu Madhusudan Sarkar
82 Mr. Dhananjoy Roy
83 Mr. Amrita Lal Mandal
84 Mr. Monomohan Das

85 Mr. Birat Chandra Mandal
86 Mr. Promatha Ranjan Thakur
87 Mr. Upendranath Edbar
88 Mr. Jagat Chandra Mandal
89 Mr. M. A. H. Ispahani
90 Mr. K. Nooruddin
91 Khan Sahib Maulvi Md. Solaiman
92 Maulvi Abul Hashim
93 Maulvi Md. Abdur Rasheed
94 Dr. Syed Muhammad Siddique
95 Khan Bahadur Maulavi Alfazuddin Ahmed
96 Maulvi Abul Quasem
97 Khan Sahib Maulvi S. Abdur Rauf
98 Mr. Jasimudin Ahmed
99 Yousuf Mirza
100 Khan Bahadur A. F. M. Abdur Rahaman
101 Mr. Shamsuddin Ahmed
102 Mr. Mohammad Mohsin Ali
103 Maulvi Aftab Hosain Joardar
104 Maulvi Abdul Bari
105 Sahibzada Kawan Jah Syed Kazem Ali Meerza
106 Mr. M. Farhad Raza Chowdhury
107 Mr. Syed Nausher Ali
108 Maulvi Waliur Rahman
109 Mr. Serajul Islam
110 Khan Bahadur Maulana Ahmed Ali Enayetpuri
111 Mr. Abdul Hakeem
112 Mr. Syed Jalaluddin Hashemy
113 Mr. Syed Mustagawsal Haque
114 Maulvi Mamiruddin Akhand
115 Maulvi Mohammad Amir Ali Mia
116 Maulvi Moslem Ali Molla
117 Maulvi Mafizuddin Choudhury
118 Maulvi Hafizuddin Choudhury
119 Maulvi Abdul Jabbar
120 Khan Bahadur Maulvi Mahtabuddin Ahmed
121 Khan Bahadur A. M. L. Rahaman
122 Haji Safiruddin Ahmed
123 Mr. Shah Abdur Rauf
124 Kazi Emdadul Haque
125 Mr. Mia Abdul Hafiz
126 Maulvi Abu Hossain Sarker
127 Mr. Ahmed Hossain
128 Maulvi Rajibuddin Tarafdar
129 Maulvi Mohammad Ishaque
130 Dr Mafizuddin Ahmed
131 Khan Bahadur Mohammad Ali
132 Maulvi Azhar Ali
133 Mr. A. M. Abdul Hamid
134 Mr. Abdur Raschid Mahmood
135 Mr. Abdulla-Al-Mahmood
136 Mr. Mohammad Barat Ali
137 Maulvi Zahur Ahmed Chowdhury
138 Maulvi Idris Ahmed Mia
139 Mr Khwaja Shahabuddin
140 Maulana Muhammad Abdul Aziz
141 S. A. Salim
142 Maulvi Mohammad Abdul Hakim Vikrampuri
143 Mr. Razaur Rahman Khan
144 Maulvi Aulad Hossain Khan
145 Maulvi Abdul Latif Biswas
146 Maulvi Mohammhd Abdus Shaheed
147 Khan Bahadur Syed Abdul Hafeez
148 Mr. Fazlur
149 Mr. Mahammad Abdul Jabbar Palwan
150 Mr. Giasuddin Ahmed
151 Mr. Abdul Karim
152 Maulvi Abdul Majid
153 Maulvi Abdul Wahed
154 Maulna Shamsul Huda
155 Maulvi Abdul Hakim
156 Maulvi Masud Ali Khan Panni
157 Mr. Mirza Abdul Hafiz
158 Mr. Syed Hasan Ali Choudhury
159 Khan Bahadur Maulvi Kabiruddin Khan
160 Mr. Abul Hossain Ahmed
161 Maulvi Mohammad Israil
162 Maulvi Abdul Hamid Shah
163 Khan Sahib Hamiduddin Ahmad
164 Mr Shamsuddin Ahmed Khandakar
165 Maulvi Ahmed Ali Mridha
166 Maulvi Tamizuddin Khan
167 Mr. Yusuf Ali Choudhury
168 Mr. Mahammad Abul Fazl
169 Al-Hadj Gyasuddin Ahmed Choudhury
170 Mr. Abdul Kader alias Lal Meah
171 Khan Sahib Maulvi Hatemally Jamadar
172 Khan Sahib Maulvi Syed Muhammad Afzal
173 Khan Bahadur Maulvi Hashem Ali Khan
174 Mr. Sadaruddin Ahmed
175 Mr. Abdul Wahab Khan
176 Maulvi Mohammad Mazammel Huq
177 Haji Maulvi Tofel Ahmed Choudhury

178 Maulvi Mustufa Ali Dewan
179 Nawabzada K. Nasarullah
180 Mr. Maqbul Hosain
181 Maulvi Mafizuddin Ahmed
182 Mr. Ramizuddin Ahmed
183 Mr. Asimuddin Ahmed
184 Maulvi Mahammad Hasanuzzaman
185 Maulvi Jonab Ali Majumdar
186 Khan Bahadur Maulvi Abidur Reza Choudhury
187 Mr. Shabedali
188 Maulvi Mohammad Ibrahim
189 Maulvi Aminullah
190 Mr. Shah Syed Golam Sarwar Hosaini
191 Mr. Syed Ahmed Khan
192 Mr. Syed Abdul Majid
193 Maulvi Abdur Razzak
194 Khan Bahadur Maulvi Jalaluddin Ahmed
195 Khan Bahadur Mohammad Anwarul Azim
196 Maulana Mahammad Maniruzzaman Islamabadi
197 Al-Haj Maulana Dr. Sanaullah
198 Khan Bahadur Maulvi Fazlul Qadir
199 Miss Mira Dutta Gupta
200 Mrs. Hemaprova Majumdar
201 Mrs. Hasina Murshed
202 Begum Farhat Bano Khanam
203 Miss P. B. Bell-Hart
204 Mr. J. W. Chipendale
205 Mr. L. T. Maguire
206 Mr. C. Griffiths
207 Mr. W. L. Armstrong
208 Mr. J. R. Walker
209 Mr. R. J. Hawkings
210 Mr. F. C. Brasher
211 Mr. C. Millar
212 Sir George Campbell
213 Mr. G. Morgan
214 Mr. R. H. Ferguson
215 Mr. W. C. Patton
216 Mr. J. W. R. Steven
217 „ L. M. Crosfield
218 Dr. H. C. Mukherjee
219 Mr. S. A. Gomes
220 „ P. F. S. Warren
221 Mr. L. M. Blomenstok
222 Mr. M. A. F. Hirtzel
223 Mr. F. T. Homan
224 Mr. R. M. Sassoon
225 Mr. W. C. Wordsworth
226 Mr. K. A. Hamilton
227 „ H. R. Norton
228 „ W. A. M. Walkar
229 „ I. G. Kennedy
230 „ H. C. Bannerman
231 „ G. G. Macgregor
232 „ R. B. Whitehead
233 Sir Hari Sankar Paul
234 Mr. Debi Prasad Khaitan
235 Rai Moongtu Lall Tapuriah Bahadur
236 Mr. Abdur Rahaman Siddiqi
237 Kumar Shib Shekhareswar Ray
238 Maharaja Sashi Kanta Acharya Choudhury, of Mymensingh
239 Rai Kshirod Chandra Roy Bahadur
240 Mr. J. N. Gupta
241 Mr. Aftab Ali
242 Dr. Suresh Chandra Banerjee
243 Mr. Niharendu Dutta Mazumdar
244 Mr. Sibnath Banerji
245 Mr. A. M. A. Zaman
246 Mr. B. Mukherji
247 Babu Litta Munda Sirdar
248 Mr. Syamaprasad Mukherjee
249 Mr. Fazlur Rahaman
250 Sir Asoka Kumar Roy (*Advocate General*)

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# The Bengal Legislative Council

## LIST OF MEMBERS

1 Mr. D. H. Wilmer
2 Mr. E. C. Ormond
3 Mr. T. Lamb
4 Rai Radhica Bhusan Roy Bahadur
5 Mr. Naresh Nath Mookerjee
6 The Hon'ble Mr. Satyendra Chandra Mitra, (*President*)
7 Mr. Narendra Chandra Datta
8 Mr. Nagendra Narayan Roy
9 Raja Bhupendra Narayan Sinha Bahadur
10 Mr. Sachindra Narayan Sanyal
11 Mr. Bankim Chandra Datta
12 Dr. Radha Kumud Mukherjee
13 Mr. Saileswar Singh Roy
14 Mr. Kamini Kumar Dutt
15 Maharaja Sir Manmatha Nath Roy Chaudhury

16 RAI SURENDRA NARAYAN SINHA BAHADUR
17 SETH HANUMAN PROSAD PODDAR
18 KHAN BAHADUR M. SHAMSUZZOHA
19 MR. MESBAHUDDIN AHMED
20 KHAN SAHIB SUBID ALI MOLLA
21 MR. MUHAMMAD HOSSAIN
22 MAULANA MUHAMMAD AKRAM KHAN
23 MR. HUMAYUN KABIR
24 MR. KADER BAKSH
25 NAWABZADA KAMRUDDIN HAIDER
26 MR. HAMIDUL CHOWDHURY, (*Deputy President*)
27 KHAN BAHADUR SYED MUAZZAMUDDIN HOSAIN

# Proceedings of the Assembly

## Budget Session—Calcutta—7th. February to 8th. April 1338

With a large contingent of police guarding all the approaches of the Assembly House, the Bengal Legislative Assembly commenced its budget session at Calcutta on the **7th. February 1938** with a very large attendance of members. In contrast, the galleries were sparsely occupied. The House adjourned till the next day after half an hour's sitting. The *Finance Minister* presented the supplementary budget estimates for current year amounting to Rs. 3,42,000 of which Rs. 98,000 were votable.

### MUNICIPALISATION OF ELECTRIC SUPPLY

**8th. FEBRUARY** :—By 122 votes to 80 the House defeated today the adjournment motion of Mr. *Jalaluddin Hashemy* to discuss the situation arising out of the refusal of the Government to accord sanction to the Corporation of Calcutta to exercise its option in purchasing such parts of the Electric Supply undertakings as lay within the Municipal limits of Calcutta. The supporters of the motion consisted of the Congress block and members of the Krishak Praja Party. The *Maharaja of Mymensingh* and three members of the coalition group did not take part in the voting. The debate lasted for nearly two hours. After the closure was adopted the House voted down the motion.

The debate warmed up towards the end when following the speech of the Hon. *Minister-in-charge of Commerce and Industry*, Mr. *Shyamaprasad Mukherjee* asked a pointed question as to what steps the Government were taking in regard to the question of renewal of license to the Calcutta Electric Supply Corporation for the next ten years. There was no reply to this query but the Hon. Finance Minister interrupting declared that the policy of the Government was to nationalise industry and that from this year. A significant feature of the debate was that no European member took part though in a body they voted against the motion.

### HARENDRA MUNSHI'S DEATH

**9th. FEBRUARY** :—The death of Harendranath Munshi, the hunger-striking prisoner in the Dacca Central Jail was discussed by way of an adjournment motion to-day. The motion was defeated after full two hours' discussion by 119 to 74 votes.

Mr. *T. C. Goswami* who moved the adjournment motion, said that he did not bring it forward from any desire to embarass the Ministry but he would be satisfied if by the self-immolation of the youngmen the Ministry was moved to pity and took immediate steps to improve the conditions in jail. Sir *George Campbell*, the leader of the European group, said that they all felt deep sympathy for the unfortunate youngman but appealed to Mr. Goswami not to divide the House on this matter. Their presence in the lobby with the Government, whom they supported from the general principle of law and order, might be construed as showing lack of sympathy. Mr. *Shyamaprasad Mukherjee* in a vigorous speech condemned the action of the local authorities. *Sir Nazimuddin* repeated the arguments which were advanced by him in connection with a similar motion in the Upper House.

ENQUIRY INTO RENTS

The Assembly next adopted a non-official resolution, moved by Maulvi *Abdul Bari* of the Coalition Party, urging the immediate appointment of a committee of not more than nine members, both officials and non-officials, of whom five at least should be members of the Assembly to enquire into the existing rents with a view to devising ways and means for a proper reduction of rents. The Committee would be asked to submit its report in the course of six months.

The hon. Mr. *A. K. Fazlul Huq*, Premier, accepting the resolution, made it clear that if it was found that legitimate dues to landlords were being withheld by tenants, the Government would at once stop the operations under Section 112 of the Tenancy Act and also suspend the enquiry in areas where it was found that tenants were dodging payment of legitimate dues. The House adjourned till the 14th.

MEMBERS' PRIVILEGES BILL

**14th. FEBRUARY** :—The Assembly unanimously adopted a motion for the appointment of a committee to report on the present position of the privileges of the members of the Legislature and finally to draft a bill embodying the privileges recommended by the Committee. The motion which was moved by Mr. *Abdur Rahman Siddique* had the unstinted support from every section of the House and was welcomed by Government. Hon. *The Speaker* in this connection gave an important ruling regarding the privileges of the Members of the House and held that whenever a member of the House was detained or arrested which might enforce his absence from the scene of the House, the fact should be immediately communicated to the Speaker.

DEMAND FOR SUPPLEMENTARY GRANTS

**15th. FEBRUARY** :—The recent tours undertaken by the ministry were sharply criticised in connection with the demands for supplementary grants made by the Hon. the *Finance Minister*. The grants included a sum of Rs. 25,000 for travelling allowance. The oppositionists characterised such tours as "political tours" while the *Chief Minister* as well as the *Finance Minister* justified them on the grounds that they enabled the ministry to come directly in touch with the people.

Incidentally the assault made on Mr. *Abdul Wahed Bokai Nagari*, a member of the House, at Ishargunje at a public meeting in which the Chief Minister was present was referred. In giving his version of the incident the Chief Minister said that he welcomed the opportunity to contradict the malicious lies that were being circulated throughout the country by the "reptile press" on the basis of which motions for adjournment were tabled by several members of the House. The Chief Minister denied that Mr. Bokai Nagari was beaten at his instance. Following interruptions, Mr. Bokai Nagri in course of his personal explanation said in Bengali that he would blame the Chief Minister for the incident.

**16th. FEBRUARY** :—The Government's jute restriction propaganda came in for a good deal of criticism during the discussion on demands for supplementary grants.

To the Hon'ble *Nawab Habibullah Bahadur's* demand for Rs 15,000 under the head 'Agriculture'. Dr. *Nalinakshya Sanyal* moved a cut of Rs. 100 to raise a discussion on the failure of Government's jute propaganda. A debate followed, which came to end by application of guillotine. This was pressed to a division and the cut motion was defeated by 58 to 104 votes. The House then agreed to the demand of the Nawab Bahadur. The House also voted the supplementary demand made by the Hon'ble Mr. A. K. Fazlul Huq under the head Registration amounting to Rs. 32,000.

RHINO PRESERVATION BILL

The Bengal Rhinoceros Preservation (amendment) Bill was then passed. Referring to the Bill, Mr. *J. C. Gupta* said they were doubtful if any rhinoceros existed in Bengal at all. He did not know how many animals would benefit by the passing of the bill and wittily remarked that if by rhinoceros the Hon'ble Minister wanted to include all animals, including human beings, who were thick-skinned and not susceptible to insults, it would benefit many.

THE TOUTS BILL

The Bengal Touts Bill moved by the Hon'ble *Nawab Musaraf Hussain* was circulated for eliciting opinion. The object of the Bill was to regulate the employment of clerks of legal practitioners and also to suppress touts in courts and certain offices of

Bengal where they frequent without interfering with the legitimate work of persons engaged in bonafide and necessary business. The House at this stage adjourned.

### Financial Statement for 1938-39

**17th. FEBRUARY** :—The Budget for the year 1938-39 was presented to the House to-day by the Hon. Mr. *Nalini Ranjan Sarkar*, the Finance Minister who said, among other things :—

"I will begin my statement with the good news that the actuals for 1936-37 are better than seemed possible two years ago or even a year ago. The House will remember that under the terms of the Niemeyer Settlement, while we would have been obliged to take a loan to cover any working deficit for 1936-37, should it have ended in one, any surplus would only have been written off as an incident of the cancellation of our debt to the Centre as it stood on 31st March, 1937.

"Our interest therefore was confined to the avoidance of a deficit, which would have meant starting on our regime of provincial autonomy with a debt on our hands To sentiment and self-interest alike, this would have been distasteful ; and we may well congratulate ourselves on the fact that we have avoided it."

Hon'ble members will also be glad to learn that the improvement evident in 1936-37 gained such strength during the first half of the current year that, despite a set-back during the past few months, the revised estimates for 1937-38 are well above the estimates which I presented six months ago. I shall come to details later but at this stage I should like to mention the two heads which have mostly contributed to the improvement. These are the jute export duty and income-tax. The former is likely to exceed our original estimate by 33 lakhs, and the latter, for which we estimated nothing at all, by 27 and a half lakhs. But I am giving no secrets away when I say that these figures would have been many lakhs higher but for the distributing drop in trade figures that set in about two months ago. The case of income-tax is the most noticeable. As the House is aware, during the first five years of the constitution the amount of income-tax receipts assignable to the Provinces depends not merely on the yield of income-tax but also, and indeed mainly, on the yield of Railway earnings ; we can get nothing unless the Railways prosper. Well, they did prosper in the first half of the year and if the improvement had been maintained, we should have got about 40 lakhs from income-tax. But Railway earnings have fallen off so badly during the last two months that, instead of 40 lakhs, we shall only get 57 and a half lakhs. Our receipts from jute export duty would also have been higher if the improvement in jute exports evident in the first half of the year had been maintained. The deterioration in both cases is due to conditions outside Bengal and, indeed, outside India. It is important for us to realise that our acquisition of an interest in jute exports, in the yield of income-tax and in the yield of Railway receipts has forged a further link between our financial fortunes and trade conditions in the world at large. The same process will be carried a step further when we come to acquire an interest in those other federal taxes mentioned in sections 137 and 140 of the Act which are assignable in whole or in part, to the Provinces, and when we come to impose taxes of our own, such as sales taxes, whose yield in one degree or another will depend upon economic conditions at large. Provincial estimates have now to be framed against a wider background than hitherto.

According to the original estimate this year was to start with an opening balance of 98 lakhs and end with a closing balance of one crore and 38 lakhs. The revised estimate places the opening balance at one crore 6 lakhs and the closing balance at 1 crore 91 lakhs. This improvement by 53 lakhs is the net result of the following : an increase of 8 lakhs in the opening balance ; an increase of 88 lakhs in our revenue receipts ; a decrease of 14 lakhs in our expenditure on revenue account ; and a decrease of nearly 57 lakhs in the balance outside the revenue account ; that is to say, in the working of Capital and Debt Deposit section of the Budget. I will now give a brief explanation of each of these changes.

The opening balance, as I observed in my last Budget speech, represents the amount which was to be given to us by the Government of India in order to enable us to meet certain liabilities. Their description will be found at the foot of page 2 of the Civil Budget Estimate. This amount was expected to be 98 lakhs, but when the accounts for 1936-37 were closed, it was found to be 106 lakhs. The improvement of 8 lakhs occurred mostly in the figures of subvention from the Central Road Development Account and the figures of the Deposit Account of the grant for

development and improvement of rural areas. In other words, we spent less out of these accounts in 1936-37 than was expected.

The increase of 88 lakhs in revenue in receipts is mostly due to an increase of 33 and a half lakhs under Jute duty, 27 and a half lakhs under Income-Tax, 12 lakhs under Land Revenue, 17 lakhs under Excise, 3 lakhs under Electricity Duty and 3 lakhs under Civil Works, offset in part by a fall of 11 lakhs under "Stamps". The increase under Jute duty is due to general improvement in the trade. As I have already explained, when the Budget was framed it was not expected that any share out of income-tax receipts would be available for distribution to the provinces; but it has been ascertained on recent advice from the Government of India that we may expect 27 and a half lakhs under this head in the current year. The increase under Civil Works is due to certain abnormal receipts while the increase under the remaining heads is due to improved economic conditions. The decline under "Stamps" is explained by a drop of 19 lakhs under "Court fees" compensated by an improvement of 8 lakhs under "None-Judicial". The causes of the decline under "Court-fees" are under investigation, but it seems probable that the drop is mostly due to the working of the Debt Conciliation Boards and consequent reduction in civil litigation.

The reduction of 14 lakhs in expenditure revenue account is the net effect of excesses and savings spread over a large number of heads, the details of which are furnished in the Red Book. I shall confine myself to the more important variations. Savings of nearly 4 lakhs occur under "Land Revenue" mainly as a result of abandonment of Revisional Settlement operations as desired by the Assembly, There is a decrease of over 2 lakhs under "Irrigation" owing to non-establishment of the Waterways Board. The Police Budget shows a savings of over 3 lakhs owing to retrenchment, and more than 2 lakhs have been saved under "Jails" owing to the closure of Deoli Jail and a general decrease in Jail population. The release of detenus accounts for a reduction of nearly 2 lakhs under "miscellaneous". A decrease of about 6 lakhs under "Civil Works" is attributable to smaller expenditure on Roads Development Works and other original works owing to late voting of the Budget and other causes. On the other hand there is an increase of nearly 5 lakhs under "General Administration" as a result of legislation relating to the emoluments of Ministers and of members of the Legislature which was passed after the presentation of the Budget.

### General Discussion of Budget

**21st. FEBRUARY :—**The Assembly took up the consideration of the budget proposals of the Finance Member for the year 1938-39. Mr. *J. C. Das Gupta*, who initiated the debate, said that the provisions of the budget were an excellent example of the divergence between profession and practice and he had precious little to say in defence of these provisions except the assurance that the Congress block would be but too ready to help the Government with suggestions to resurrect the masses.

The whole tenor of the debate was but one echo and re-echo of the same spirit of dissatisfaction and disfavour, either for want of a clear formulation of policy by the Government for the amelioration of the lot of the masses, or insufficient contribution towards the vital needs of the province.

**22nd. FEBRUARY :—**To-day's discussions were much the same in spirit as in the previous day's. Mr. *Monomohan Das*, (Scheduled Caste), lodged a strong protest against the way in which the claims of his community had been ignored by the Government and pointed out that Gandhiji and the Congress had after all done more for their uplift.

**23rd. FEBRUARY :—**Trenchant criticisms of the budget proposals of the Government came from members of the Coalition Party. Speeches indicating some amount of restiveness were made by some Coalition Party members for not formulating a comprehensive scheme to deal with primary education.

In reply to a criticism that they had no constructive programme, Mr. *S. N. Biswas* (Congress) offered a scheme by which Government were to acquire all landed interests of the province above those of the cultivating tenants and out of the additional nett revenue Re. 1 crore were to be set apart for primary education and Rs. 50 lakhs for charitable dispensaries. His proposal was supported by Khan Bahadur *Syed Abdul Hafeez*.

**24th. FEBRUARY** :—"A patronage budget, reflecting the character of the Coalition that had to depend on doles, patronages and promises"—that was how the Congress members of the Assembly characterised the budget, the general discussion on which concluded to-day. They said that it lacked a comprehensive scheme to tackle any one of the vital problems of the Province.

This complaint was also voiced by several members of the Coalition group (supporters of the present Ministry), at whose hands the absence of provisions for the immediate introduction of free and compulsory primary education came in for particular criticisms. The Scheduled Caste members were also aggrieved that their loyal cooperation was not being rewarded but the Europeans congratulated the Finance Minister on his "satisfactory, well-balanced and straightforward budget."

The Finance Minister, the hon. Mr. *Nalini Ranjan Sarkar* told the House that he had not attempted to achieve anything spectacular. All he had attempted was to lay the foundation for many schemes, on which a super-structure might be built in the future for the benefit of the man behind the plough. He said that free and compulsory primary education had been started in one district. The Government proposed to introduce it in three or four districts in the current year.

### President's and Speaker's Salary Bill

**1st. MARCH** :—The Government sustained a surprise defeat in the Assembly to-day in respect of the Bengal Legislative Chambers (President's and Speaker's Salaries) Bill of 1937. The Bill, originally passed by the Assembly in the last session, provided a salary of Rs. 1500 a month for the President of the Council, Rs. 2,000 a month for the Speaker, Rs. 2,000 a year for the Deputy President and Rs. 3,000 a year for the Deputy Speaker. The Upper House amended the Bill, making the salaries of the President and the Deputy President equal to that of the Speaker and the Deputy Speaker respectively.

The *Finance Minister* moved to-day that the Bill, as amended by the Upper House, be taken into consideration and when the motion was put to vote, the "yes" from the members on the Government side was drowned in the din of "No" from the Opposition. The Speaker declared the motion lost.

When the Speaker announced that the Government motion for the consideration of the Bengal Legislative Chambers Bill was lost, the Home Minister, apparently taken by surprise, rose in his seat and tried to address the Speaker but his voice was drowned in the applause from the Opposition benches.

The Speaker then declared that the sum total of refusal of the House to take the amendments made in the Bill by the Upper House into consideration was that the House did not agree in substance with any of the amendments proposed by the other Chamber. He would, therefore, send a message to the Upper House to the effect, that the Assembly disagreed with the amendments proposed in the Bill by the Council. If, however, the Government wanted to take up the matter further, added the Speaker, they might take any course that was provided in law.

### Famine Insurance Amend. Bill

Earlier, the Assembly agreed to an amendment made by the Council in the Bengal Famine Insurance Fund Bill of 1937, passed by the Assembly in its last session, to the effect that instead of the Government making an initial contribution of five lakhs as provided by the Assembly, the Government should make an annual contribution of ten lakhs to the Bengal Insurance Fund which the Provincial Government were going to establish for expenditure upon relief of and insurance against the famine and distress caused by serious drought, flood or other natural calamities.

### Public Demands Recovery Amend. Bill

**2nd. MARCH** :—There was trial of strength between the Government and the Opposition in the Assembly to-day over the question of referring the Bengal Public Demands Recovery Amendment Bill, 1937, to a select committee. The Government's motion to circulate the Bill was carried by 115 to 87 votes, the Opposition demand for reference of the Bill to a select committee being defeated.

### Prevention of Cruelty to Animals Bill

On the motion of Dr. *Nalinaksha Sanyal*, the Assembly agreed to the Bengal Prevention of Cruelty to Animals Bill, passed by the Upper House, which makes the practice of *phooka* a legal offence.

SWEEPSTAKES BILL

The House declined by 117 to 6 votes to refer to the Select Committee the Bengal Sweepstakes Bill, introduced by a Congress Member, seeking to legalise the running of sweepstakes in aid of public institutions.

MONEY-LENDERS' AMEND. BILL

The Bengal Money-lenders' (Amendment) Bill, which brings within the purview of the Bengal Money-lenders' Act of 1933 the advancing of loans of grains at excessive rates of interest, was referred to a select committee.

BENGAL EXPIRING LAWS BILL

**3rd. MARCH** :—The Assembly passed to-day the Bengal Expiring Laws Bill, introduced by the Government. The Bill provided for a continuance of the Bengal Electricity Duty Act, the Indian Stamp (Bengal Amendment) Act, the Court Fees Bengal Amendment Act, and the Bengal Amusement Tax Amendment Act, which were enacted in 1935 to fetch a total revenue of Rs. 500,000.

The opposition criticised the attitude of the Government in renewing the measures as unfair in view of the prosperous financial position of the country. On behalf of the Government, the *Finance Minister* pointed out that for extending the nation-building activities and also to meet the liabilities to be caused by the suspension of the Recovery Act and the new Bengal Tenancy Bill these measures ought to remain there and he quoted the views of the Finance Minister of the Government of Bombay in this respect. He however assured that if the Government noticed that the Bill affected the people heavily or that it retarded the industrial and agricultural development of the province the Government would either modify the Bill or repeal the same. Mr. *H. R. Norton*, who had a mandate from his constituency in respect of the Bill, said that Electricity Tax was one of the most unfair taxes that have ever been enacted in Bengal. Electricity was as much a necessity for them as it was to the industrialists. He asked that 20 units should be allowed free of tax but this had been turned down. The amendments were however defeated and the Bill was carried by the House.

PUBLIC DEMANDS RECOVERY AMEND. BILL

**4th. MARCH** :—Land mortgage banks are to have special summary powers for speedy recovery of their outstanding dues from defaulting members when necessary, according to the Bill, called the Bengal Public Demands Recovery Amendment Bill, which was passed by the Assembly to-day. Opposition attacked the Government for invoking powers for land mortgage banks which they would like to deny to other creditors. Bitter speeches were made, particularly from Krishak Praja benches, against the Ministry and the Speaker intervened and asked a member to confine his remarks to the points at issue instead of starting party recrimination which as he had observed for the last few days was quickly taken up by others. A motion for circulation for the purpose of eliciting opinion sponsored by the opposition was pressed to division and was defeated by 98 to 66 votes. The House then adjourned till the 9th.

VOTING ON BUDGET DEMANDS

**9th. MARCH** :—Voting on Budget Demands commenced to-day. The failure of the Government to effect economy in the general administration was severely criticised by the Opposition and two members of the Coalition Party (supporters of the present Government) when the House discussed the budget demands for the grant under General Administration.

The hon. Sir *K. Nazimuddin*, Home Member, moved that a sum of one crore, fourteen lakhs and eight thousand rupees be granted for the expenditure under the head General Administration. Mr. *Pramathanath Banerjee* (Congress) moved a cut motion, criticising the Government's failure to effect economy in the general administration. The hon. Mr. *A. K. Fazlul Huq*, Premier, speaking on the cut motion, said that if the motion was carried, it would amount to a censure on the Ministry. He said, "What will happen if this Ministry resigns ? The only alternative is a Congress Ministry. I can tell you that I am not afraid of it." (Cries of "Hear, hear" from Coalition benches and ironical cheers from Congress.) Continuing, the Premier quoted a portion from the speech of the Finance Minister of Bombay and remarked that he echoed what he had said, namely, "We have not got a magic wand so that we may be able to change age-long conditions in a single day." After a heated debate for two hours, the cut motion was rejected by 125 votes to 62.

Earlier, another cut motion, moved by Dr. *Suresh Chandra Banerjee*, criticising the labour policy of the Government, was rejected without a division.

**10th. MARCH** :—There was a dramatic turn in the proceedings when the Congress and Krishak Praja party members constituting the Opposition staged a walk out, following a disagreement with the Speaker in the matter of precedence to initiate discussion on cut motions on the budget demands for grants. By arrangement four cut motions on general administration were allotted to the Congress party. After two had been moved by them, the third was moved by the Praja Party who were also in the Opposition. After the disposal of the third motion, the *Speaker* called upon a member of the Coalition party to move the motion standing in his name. Objection was taken by Dr. *Nalinakshya Sanyal* (Congress) to this cut motion being taken up for discussion in preference to their own. Dr. Sanyal maintained that it was the inalienable right of the Opposition to initiate discussion on cut motions according to Parliamentary practice.

**11th. MARCH** :—The whole demand for grant under 'Land Revenue' amounting to Rs. 30,85,000 moved by the Hon'ble *Sir B. P. Singh Roy*, Minister in charge, was passed to-day. The House divided on the question of constitution and terms of the proposed land revenue commission, cut motion being moved by a member of the coalition group, but the Government defeated the motion by 120 to 79 votes.

The Chief Minister made a statement in a very congenial fashion but it did not satisfy the champion of the tenants, Mr. *Tamijuddin Khan*, who immediately after rose to his feet and in course of an analytical speech scanned the speeches of both the Prime Minister and the Revenue Minister to prove that they contained nothing. He went so far as to entertain doubts about the honesty of the Government in deciding upon the appointment of a Commission.

The Congress and opposition Praja party members came back to the House. Mr. *Sarat C. Bose*, leader of the Opposition, was absent and in his absence Mr. *T. C. Goswami*, Deputy leader, made a statement on behalf of the party.

**14th. MARCH** :—There was subdued excitement when the Assembly met in view of the reported defection of a section of Coalitionists, led by Mr. *Tamizuddin Khan*. The anxiety felt by supporters of the Government was given expression to by Mr. *Abdul Bari* and Mr. *Abdur Rahman Siddique*, who enquired of the Hon. Speaker what would be the position of the ministry if a cut motion was carried.

The *Speaker* replied that it was a very important matter. He would give his decision at a later day. According to Parliamentary practice, any defeat for the Government on a matter of importance tantamounted to a vote of no-confidence on them. It was for the Government to decide which matter they considered important and defeat in respect of which they would consider as having demonstrated their losing the support of the majority of the House.

The Oppositionists had a trial of strength with the Government on the motion of Mr. *Sasanka Sannyal* but the Government won by a rather comfortable majority of 129 to 83 votes. Mr. *Tamizuddin Khan* and his group went to the Opposition lobby. The lobby was full of talks about much activities behind the scenes and protracted party meeting.

**15th. MARCH** :—The entire demand for police grant amounting to Rs. 2,07 89,00 was agreed to and the House also voted the grant for administration of justice amounting to Rs. 77,14,000.

In contrast to previous day's alarums and excursions the proceedings to-day were rather devoid of interest. The Opposition which had received accession of strength by the defection of Mr. *Tamizuddin Khan's* group seemed to-day to be marking time and did not at all challenge division. So the Police and Justice grants were passd without division.

Earlier in the day *Sir Nazimuddin* delivered a vigorous speech defending the expenditure on special and intelligence branches of the police while the speech of *Nawab Mussaraff Hossain* towards the fag end in connection with the demand for grant for administration of justice provided the anti-climax. The Nawab Bahadur has a peculiar way of delivering his speech. His imperturbability in the midst of interruptions, retorts and essays at witticism produced great mirth in all sections of of the House. During the period he was on his legs the whole house rocked with laughter. He put the House in such good humour that when the demand was put to

vote the opposition in consideration of the enjoyment he had provided did not cry "Noes" but allowed the demand to be passed without any opposition.

**17th. MARCH** :—A great deal of heat and warmth was introduced when during the discussion on Educational grants on a cut motion by *Mr. Abdul Bari*, a member of the Coalition group, Mr. *A. H. Ispahani*, another member of the Coalition, made a bitter and personal attack on the Vice-Chancellor of the Calcutta University. Mr. Ispahani's speech provoked hot protests from the Congress benches and following pulling up by the Chair, *Dr. Nalinakshya Sanyal* left the Chamber.

Mr. *W. C. Wordsworth*, in a reasoned speech, said that in the University they did not arrive at a policy on communal vote. They dealt with educational problems as educationists in traditions of scholarship detached from communal rivalry, no matter which community was in the majority. Mr. *Syamaprosad Mukherjee*, following, made a spirited reply. He challenged Mr. Ispahani to repeat his allegations outside the Chamber and he would take him to the proper place for remedies. Mr. *Sarat Chandra Bose*, Leader of the Opposition, regretted that such a speech was allowed to be made and asked Mr. Ispahani if he was a man of courage to take up the challenge. The hon. Mr. *A. K. Fazlul Huq* delivered a calm speech which had a sobering effect on the House, and Mr. *Abdul Bari* withdrew his motion.

**18th. MARCH** :—That a supplementary demand for the grant of Rs. 5 lakhs for the spread of education among the Scheduled Castes would be brought up by the Government in the next session of the Assembly, stated the hon. Mr. *A. K. Fazlul Huq*, Premier and Minister of Education, during the discussion on a cut motion under the head Education moved by a Scheduled Caste member.

The Prime Minister said, "It is the declared policy of the Government to do its utmost for the education of the Muslims and the Scheduled Castes in order to bring them into line with the other advanced communities." He pointed out that the amount spent for the education of the Scheduled Castes compared favourably with that spent in any other Province, except Madras. The Premier told the House that the Government proposed to appoint three special committees for North Bengal and West Bengal. The cut motion was withdrawn.

Another cut motion, which sought to criticise the Government's policy with regard to primary education, was defeated by 121 votes to 88, after the Prime Minister's statement that, in view of the universal demand for primary education, he preferred to introduce the same with the minimum of taxation.

**19th. MARCH** :—The Assembly voted to-day without division the demands of the Minister for Works and Communication, the hon. *Maharaja Srishchandra Nandy* of Kasimbazar, for a sum of Rs. 34,11,500 under the head Irrigation and Rs. 1,34,59,000 under the head Civil Works.

**21st. MARCH** :—The entire jail and convicts settlements grants amounting to Rs. 36,31,000 were voted. All the cut motions were defeated but no divisions were called. Before the Assembly met the lobby was full of talks about a leader of a seceding group having received a threatening letter. But in responsible quarters there was no disposition to attach any great importance to it.

After the question hour, Mr. *Jalaluddin Hashemy* attempted to move an adjournment of the House regarding the disturbance in the mill area in the course of which one man died, several were injured including a member of the Upper House. Sir *Nazimuddin* informed that the number of persons dead was two. As Mr. Hashemy had not brought any fresh reason showing why the adjournment was imperative and in view of the great pressure on the time of the legislature when it was discussing the budget, the Hon'ble Speaker disallowed the motion.

**22nd. MARCH** :—A further accession of strength to the opposition in the Assembly was marked this evening when the House divided on the cut motion to the budget demand for a grant under the head Medical. While the highest number of Opposition votes on any division up till now had been 88, to-day's division recorded 96 Opposition votes as against 112 on the side of the Coalition (Ministerial) Party. The cut, which was sponsored by *Maulavi Ahmed Ali*, wanted one village dispensary for every union board.

Two other cut motions were rejected without a division and the entire demand of Rs. 50, 92,500 was voted.

The fact that a defeat for the Government was avoided by 18 votes cast in their favour by the European Group was significant and showed that the Opposition and the Ministerial Party were now more or less evenly balanced, the European group holding the balance of power.

**23rd. MARCH** :—There was a fresh trial of strength to-day and the result of the division was : Government 131 : Opposition 98.

The House met in an excited atmosphere. The Whips of different groups were busy and Ministers were seen going round to different benches. From the start it was evident that both sides were marshalling their strength to their utmost capacity.

At the commencement of the discussion on the demand for Agricultural grants, the Hon'ble Mr. *Speaker* announced that the particular debate would continue till 7-15 p. m.; so both sides had an idea when the House would be dividing. Near about 7 p. m. Whips were busy on telephones sending S. O. S. to supporters. The European group, among whom there were a large number of absentees on the previous day, were in full strength in the House by the time the Minister of Agriculture was on his legs replying to the debate.

In a tense atmosphere the House divided. The Speaker ruled that in order to avoid inter-crossing members should walk straight to respective lobbies and should not indulge in any canvassing in the House.

When the result was announced, it was seen that compared to previous day's voting the Opposition had added two more to their strength, while the Government had whipped round the support of 19 more. The fact now emerged that the Government was now absolutely dependent for their life on the support of the Europeans, who held the key position at the present moment in a truer sense than ever before.

**24th. MARCH** :—The demands for grants in regard to Debt Conciliation and co-operation were voted to-day. The otherwise dull proceedings—manuscript eloquence being the order of the day—were however enlivened by a battle of wits which ensued when the demands were put to the vote.

There not being a most suitable question on which to pillory Government with great effect with regard to the demands, the Opposition whips were evidently relaxed, decision being to postpone the trial of strength to a more appropriate occasion in the future. But their opponents were anxious to seize upon the opportunity to make a demonstration of their strength.

**25th. MARCH** :—The demands for grants concerning the Departments of Forests and Industries were considered by the House to-day. Both the demands were voted in their entirety. The cut motions for reduction were lost and none was pressed to a division.

The Hon'ble Mr. *Prasanna Deb Raikut* moving his demand under Forests referred to the progressive denudation of forests in West Bengal. He said that a representative committee would shortly be appointed to investigate the matter with a view to preventing this grave threat to the prosperity of the countryside.

The Hon'ble *Nawab Bahadur of Dacca* in a statement unfolded the Government plan for the industrial development of the Province which included among other things the reorganisation of the whole system of training provided in the Government Weaving Institute at Serampore, the Silk Weaving Institute at Berhampore, the Bengal Training Institute, the Peripatetic Weaving Schools and the various demonstration parties.

**26th. MARCH** :—The Bengal Ministry tided over what was described by the Chief Minister himself afterwards, a critical division when the Excise grants were under consideration to-day. The House divided on the issue of Government's failure to enforce prohibition, which was raised by a cut motion of Mr. *Abu Hossain Sarker* of the Krishak Proja party and the cut motion was defeated by 97 to 133 votes.

It was in an atmosphere of intense excitement that the Assembly met, for it was no secret that the Opposition would mobilise all their available forces to have another trial of strength with the Ministry on the question of prohibition. The consideration of budget demands was concluded on the **28th. March**. No division was called.

### Bengal Expiring Laws Bill

**29th. MARCH** :—The Hon. Mr. *N. R. Sarker*, Finance Minister, introduced to-day the Bengal Expiring Laws Bill as amended by the Upper House.

A point of order was raised by a Congress member objecting to the Bill being considered by the House on the ground that some of the items included in the scope of the Bill were *ultra vires* of the Provincial legislature, these being included in the Federal Legislative list.

The *Speaker*, however, ruled that it was entirely within the competence of the Bengal Legislature to legislate on these subjects. It was open, he said, to the Federal Court to clarify the anomalous position and give a definite interpretation on Section 100 of the Government of India Act, which was relied upon by the hon. member who raised the objection.

### Rent Collection in Midnapur

**30th. MARCH** :—The Congress Party's adjournment motion, given notice of yesterday, to discuss the situation arising out of the promulgation of Section 144, Cr. P. C., in Contai sub-division (Midnapore District) in connection with the realisation of rent was withdrawn to-day after the Revenue Minister, the hon. Sir Bijoy Prasad Singh Roy, made a statement explaining the position.

Earlier, the hon. Sir *K. Nazimuddin*, Home Minister, had a conference with the Opposition Leader, Mr. Sarat Chandra Bose, and ten representatives of the Midnapore situation at which an agreement was arrived at. It was stated that the Opposition had decided to withdraw their adjournment motion.

The *Revenue Minister*, in a statement, said that the Home Minister, the Finance Minister, and himself had met the Leader of the Opposition, discussed this question and arrived at a satisfactory settlement. The Government would very soon issue a communique, declaring the Government's policy with regard to the remission of the enhanced rent on all Khasmahal estates in Midnapore District and the Sub-Divisional Officer of Contai would issue orders withdrawing notices of orders under Section 144, Cr. P. C. prohibiting meetings and conferences in that area.

Mr. *Sarat Chandra Bose*, Leader of the Opposition, expressed satisfaction at the termination of the dispute in the Sub-Division. He gave this assurance to the Revenue Minister that as soon as the Government orders were issued regarding the remission of the enhanced rent in respect of the Government dues in Midnapore District, Congress M. L. A.'s in Midnapore would issue leaflets, calling upon the tenants to pay the rent at the old rate.

### Calcutta Official Receiver Bill

The Assembly next passed the Calcutta Official Receiver Bill which provided for the administration and control of the Official Receiver by the High Court at Calcutta.

### Echo of Ministry Day

**1st. APRIL** :—Without a single dissentient the members of the Assembly referred the privilege motion of Mr. *Syed Jalaluddin Hashemy* relating to the treatment to which certain members of the House were subjected in connection with the observance of the Ministry Day on the 27th March last to the Privileges Committee for devising necessary measures to be taken in the matter.

### Bills Disposed of

In course of the day the Assembly passed the Bengal Rates of Interest Bill and the Bengal Tenancy (Second Amendment) Bill and referred other bills, namely Bengal Local Self-Government (Amendment) Bill, Bengal Municipal (Amendment) Bill, Bengal Village Self-Government (Amendment) Bill and the Bengal Dentists Bill to Select Committees.

### Land Revenue Commission

**7th. APRIL** :—Proceedings of the Assembly to-day were very lively when an adjournment motion moved by Mr. *Tamijuddin Khan*, the leader of the Independent Proja Party to censure the Government on the appointment of the chairman of the Land Commission was discussed.

The adjournment motion was talked out. At the end of two hours' discussion a member from the Opposition bench moved a closure motion, which was opposed by the supporters of the Government. The House divided on the closure motion which was defeated by 136 to 91 votes. The adjournment motion was therefore talked out.

BENGAL TENANCY AMEND. BILL

The Bengal Tenancy Amendment Bill as passed by the Upper House was passed by the Assembly without any change whatsover.

**8th. APRIL** :—The budget session of the Assembly came to an end to-day. At the conclusion of the session the Hon'ble Mr. Speaker read a message from His Excellency the Governor *proroguing* the Assembly.

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# Proceedings of the Bengal Council

## Budget Session—Calcutta—24th. January to 2nd. April 1938

FAMINE INSURANCE FUND BILL

The Budget Session of the Bengal Legislative Council commenced at Calcutta on the **24th. January 1938** under the presidency of the Hon'ble Mr. *Satyendra Chandra Mitra*. After the question-hour, the Council proceeded to consider the Bengal Famine Insurance Fund Bill as passed by the Lower House and had to be adjourned after two hours and 45 minutes' sitting owing to the failure of the supply of electric current inside the chamber.

**25th. JANUARY** :—The Council passed to-day the Bengal Famine Insurance Fund Bill, 1937, as passed by the Lower House. The Bill provides for the establishment and maintenance of a fund for expenditure upon relief and insurance against famine, distress caused by serious draught, flood, earthquake and other natural calamities. According to the Bill, the Government are to contribute annually Rs. 5 lakhs to the Fund until it is raised to the maximum of Rs. 12 lakhs.

HUNGER-STRIKE IN DACCA

**26th. JANUARY** :—Ten convicts—nine terrorist and one ordinary—in Dacca Central Jail are on hunger-strike. This was admitted by the Home Minister, the hon. *Sir K. Nazimuddin* replying to a short-notice question by Mr. *K. K. Datta* (Congress) this afternoon.

The Minister enumerated the grievances and demands of the hunger-strikes, which varied in individual cases but included the release of all terrorist convicts, the release of detenus, the repeal of all special laws and enactments which controlled terrorism, and the repatriation of all convicts from the Andamans. He added that before the hunger-strike commenced, orders had been passed by the Government, which had resulted in a classification of all terrorist convicts from the Andamans.

Sir K. Nazimuddin was glad to announce that two hunger strikers had since given up the fast and he added that every step was being taken by the authorities to preserve their lives. Concluding he declared that the Government were not prepared to treat persons convicted to murder and dacoity as distinct from other offenders. The Home Minister stated that one hunger-striker had been fasting for fifteen days, three for nine days, one for eight days, two for seven days and three for five days. He added that the rules for the treatment of Division II prisoners (nine hunger-strikers being such prisoners) had made every reasonable provision for their treatment. The prisoners had been warned that they would render themselves liable to prosecution for refusing diet and the necessary steps were being taken by the medical authorities to preserve their lives. The Government trusted that reasonable persons would refrain from encouraging in any manner the persistence of these convicts in their course, which would be as disastrous as it was unjustifiable.

BENGALIS FOR MILITARY TRAINING

**28th. JANUARY** :—A non-official resolution expressing the opinion that the Government of India should be moved by the Local Government to admit Bengalis

for military training so as to form a permanent unit of the Indian Army was unanimously passed this evening.

Rai Bahadur *K. C. Banerjee* said that Provincial Autonomy presupposed a capacity for self-defence and that reforms would be a mere sham and the Autonomy a mockery if the defence of the country were not left to children of the soil. Bengal, with a population of five crores, was undoubtedly capable of putting into the field fifty lakhs of able bodied youths. Properly trained and equipped with modern armaments, what an asset would such an army be to the Government in the defence of the Empire ?

Mr. *W. B. G. Laidlaw*, on behalf of the European Group, supporting the resolution, observed that it was nonsense to say that the Bengali was physically unsuitable for military training.

Replying to the debate the Home Minister, the hon. *Sir K. Nazimuddin*, said that the Army was one of the subjects reserved for the Central Government and was not the primary concern of the Provincial Governments. Therefore, in this case, the Bengal Government would forward the proceedings of the day, with all the speeches on the subject, to the Government of India without themselves expressing any opinion on the matter.

### HARENDRA MUNSHI'S DEATH

**2nd. FEBRUARY** :—Moving an adjournment of the House to consider the situation arising out of the death of the political prisoner, Harendranath Munshi, in the Dacca Central Jail owing to hunger-strike and the apprehension of further deaths owing to continued hunger-strike in the Dacca Jail, Mr. *Narendranath Dutt* (Congress) said to-day that the cause of the hunger-strike was that ten political prisoners in the Dacca Jail had submitted to the Government a list of their grievances, which the Government did not try to remove, and those prisoners were subjected to inhuman and insulting treatment.

Mr. Dutt recalled in this connection the Home Minister's reply to a short-notice question in the House lately, in which the latter had said that steps would be taken by the Government with this end in view. He emphasised that death was due to the fact that Munshi was suffering from a weak heart and that, without knowing this serious defect, artificial feeding by force had been resorted to. This, the mover added, was the third case of death by hunger-strike in the Dacca Jail in the course of the last three years. The whole country, he concluded, demanded that the Government should take steps, whenever there was a hunger-strike, for the preservation of the lives of the strikers.

Replying to the debate, the hon. Sir *K. Nazimuddin*, the Home Minister, said that the Government extremely regretted the unfortunate loss of life which could not be foreseen. There was nothing to show that the person was going to collapse so suddenly. The Government sympathised with the relations of the deceased, but at the same time they would like to point out that this should be an object-lesson to all who went on strike and also those who encouraged, directly or indirectly, the continuance of the hunger-strike or at least did not attempt to discourage such hunger-strikes by convicted prisoners. He reminded the House of his speech in the last Assembly session in connection with the Andamans hunger-strike, in which he had said that if the Government did not take a determined attitude, hunger-strikes would be frequent occurrences. The Home Minister then referred to the post-mortem examination on the death of Munshi, which revealed that death was due to heart-failure and probably due to starvation and he denied all allegations of ill-treatment in jail. The Minister asserted that death was not due to forced feeding and regretted that members of the House should have made statements without a proper verification of facts.

Sir K. Nazimuddin informed the House that he received last night a representation by wire containing a list of twenty complaints made by the prisoners after all of them had made together. He maintained that 90 per cent of these grievances could be made by every terrorist prisoner in every jail. These grievances were not local but common and could be made by prisoners all over India. These required a thorough investigation before the Government could come to any decision.

Sir K. Nazimuddin emphasised that the Government had taken all reasonable steps and precautions to save the life of the hunger-strikers. He analysed the causes of the strike and said that "Sarkar salam" was not one of them, as mentioned by some speakers. He assured the House that if the Government were satisfied that the

prisoners had been frivolously punished or any unfair treatment had been meted out to them, the Government would take suitable steps.

After a discussion lasting for over an hour and a half, the Council rejected the adjournment motion by 36 votes to 8.

BENGAL TENANCY ACT AMEND. BILL

**8th. FEBRUARY** :—The Council to-day debated the Bengal Tenancy Act Amendment Bill as passed by the Lower House. The hon. Sir *B. P. Singh Roy*, Revenue Minister, moved that the Bill be taken into consideration.

Maharaja Sir *Manmatha Nath Roy* Choudhury of Santosh, Leader of the Progressive Party, moved an amendment suggesting that the Bill be circulated for eliciting public opinion thereon by April 30 next. The amendment was under discussion when the House adjourned.

**14th. FEBRUARY** :—By 37 to 13 votes, the Council to-day referred the Bengal Tenancy Act Amendment Bill to a Select Committee of 28, the Committee to submit its report before February 28.

Some members of the Proja Party accused the Government of having adopted dilatory tactics as regards the passing of the measure Otherwise, they asked, why did the Revenue Minister sponsor the Bill and agree to accept the motion for a Select Committee in spite of the fact that the Bill had been passed by the Lower House and the Government did not bring forward any motion for reference to the Select Committee?

Explaining the Government's attitude, the Finance Minister, the hon. Mr, *N. R. Sarkar* maintained that the Government were as anxious to pass the measure as anybody else. He assured the House that the Government would see to it that the Bill was passed into law this session.

FINANCIAL STATEMENT FOR 1938-39

**18th. FEBRUARY** :—The Bengal budget was presented to the Council to-day.

Addressing the House, the Finance Minister, the hon. Mr. *N. R. Sarkar*, said that it was true that the Council was not called upon to vote on the budget and for that reason, it might be thought by some that this House was not required to feel the same sense of responsibility towards the budget as the Lower House. This was not the view he took of the situation, for it never was, and never could be, the intention to treat the views and suggestions of this House lightly. He assured the members of the House that their views and suggstions would be regarded with the greatest attention and respect. "It must be remembered that this is a House of Elders, of people with special knowledge and experience, whose opinon can be of very considerable assistance in guiding us in our actions."

COUNCIL REJECTS FEDERATION

**24th. FEBRUARY** :—The Council adopted a resolution to-day that Part II of the Government of India Act of 1935 be not brought into operation, it being highly detrimental to the best interests of the people of India, and hoping that the British Government would respect the wishes of the people of India and immediately devise means even for the transitional period to evolve a government free from the objectionable features of the Federation Scheme as embodied in the Government of India Act, this to be framed in consultation with all responsible leaders representing all communities in India. The European Group opposed the resolution.

The resolution was carried without a division but the Europeans were against it.

Explaining the attitude of the Government on this matter the Home Minister, the hon, *Sir K. Nazimuddin* said they would neither express any opinion nor take part in the debate. He assured the House that the Government would forward the proceedings to the proper quarters.

The mover, Mr. *Lalit Chandra Das* (Congress) said that the people of India wanted a Constituent Assembly based on adult suffrage in order to frame their own constitution. A Federation such as was contemplated, was not wanted by Indians.

Mr. *Nur Ahmed* said that Indians were not opposed on principle to the scheme of full-fledged Federation but they vehemently opposed the particular scheme as embodied and visualised in the Government of India Act.

*F. C. Ormond*, on behalf of the European Group, said that it was too late in the day to make any objection to the scheme of Federation after having enjoyed the amenities of Provincial Autonomy. The Europeans believed that the Act constituted a real advance towards Responsible Government.

ELECTRIC SUPPLY FOR CALCUTTA

**25th. FEBRUARY** :—The action of the Bengal Government in refusing sanction to the Calcutta Corporation to purchase the undertakings of the Calcutta Electric Supply Corporation within the municipal limits of Calcutta was severely criticised by several members of the Council to-day.

The matter arose from a special motion moved by Mr. *Lalit Chandra Das* (Congress) which pointed out that this action on the part of the Government was "detrimental to the best interests of the people of Calcutta and fraught with possibilities retarding the economic development of the Province and should not be persisted in." The resolution urged that the continuance of the present arrangement with the Calcutta Electric Supply Corporation should be stopped and that the Government may be pleased to recommend that the opinion of the House be fully considered in the Council of his Ministers before any final decision was taken about the continuance of the electric supply license of the Supply Corporation.

The resolution was rejected by the House by 23 votes to 10. The Congress and Proja Parties supported the resolution while Europeans and the Coalition Party opposed it.

**2nd. MARCH** :—The Council adopted a resolution without division, expressing the opinion that the Government should take immediate steps for the construction of a separate building suitable for the needs of the Bengal Legislative Council and provide the necessary funds for the purpose in the next year's budget.

TREATMENT TO REPATRIATED

**4th. MARCH** :—The Home Minister, the hon. Sir *K. Nazimuddin* replied to a number of questions to-day, regarding the recent hunger-strike in Alipore Central Jail and the treatment meted out to repatriated Andamanites.

Sir K. Nazimuddin said that 67 prisoners, both political and ordinary, had gone on hunger-strike in Alipore Jail between February 7 and 18, but had since abandoned their attitude. They had demanded approximation of their diet, clothing and privileges to the scales accorded to Division II prisoners.

Questioned regarding the monthly allowance to the detenus, the Home Minister said that the monthly allowance of Rs. 15 was not being paid to all released detenus. With the exception of 1,106 detenus released in accordance with the announcement in November last, the merits of each individual case would be examined and allowances of varying amounts would be given as necessary. In the cases of the 1,106 detenus released within a very short period of time, it was impossible to conduct such enquiries and allowances had been granted at a flat rate without further examination. Those released from home domicile were allowed to continue to draw the allowances sanctioned for them in such domicile.

Replying to Mr. *Kamini Kumar Dutta*, Deputy Leader of the opposition, Sir *K. Nazimuddin* said that he was aware that dissatisfaction had been expressed in certain quarters at the treatment meted out to repatriated Andamanites, but it was not a fact that these prisoners had no proper clothing in winter and also that the jail treatment had undermined the health of the prisoners.

The Council had a brief sitting this afternoon when it passed the Bengal Rhinoceros Preservation (Amendment) Bill as passed by the Lower House.

BENGAL EXPIRING LAWS BILLS

**21st. MARCH** :—A surprise was sprung on the Treasury Benches to-day when Prof. *Humayun Kabir*, a member of the Proja Party, raised an important point of order questioning the competence of the Provincial Legislature to consider any Bill proposing taxation on the consumption of electricity, which, he contended, was a subject included in the Federal list of subjects as per the Seventh Schedule of the Government of India Act. The occasion for the point of order arose when the *Finance Minister* moved for consideration in the Upper House of the Bengal Expiring Laws Bill of 1938, which sought to make permanent Bills imposing taxation on (1) consumption of electricity ; (2) entertainments ; (3) Stamp Duty ; and (4) Court Fees.

Elaborating his argument that the consideration of the Bengal Expiring Laws Bill was *ultra vires* of the House, *Prof. Kabir* said that the duty on the consumption of electricity was an Excise Duty and, as such, exclusively reserved for the Federal Legislature. Similarly, the rate of Stamp Duty in respect of bills of lading was also exclusively a Federal subject.

The hon. the *President*, while reserving his ruling on the point of order, expressed the opinion that the discussion on the merits of the Bill might go on. In case he was convinced that the consideration of the Bill was *ultra vires* of the House, the Chair was empowered under the Standing Rules not to put the matter to the vote of the House.

**22nd. MARCH** :—A warning, that if the conveniences about which members had complained, such as inability to get books from the library, lack of drinking water etc., were not remedied, he would be compelled to adjourn the House from time to time, was given by the *President* to-day. The President suggested that instead of "begging the Ministers" the members might move a resolution and settle the matter once for all.

The hon, *Nawab Musharruf Hussain*, Minister in charge of the Legislative Department, assured the House that he would immediately remedy the grievances.

By 31 votes to 10, the House took the Bengal Expiring Laws Bill into consideration. The point of order raised by Professor Humayun Kabir, on Monday last, that the Bill was *ultra vires* and illegal as it violated certain provisions of the Government of India Act was being discussed by the members when the House rose for the day.

**23rd. MARCH** :—The *President* gave his ruling to-day on the point of order raised by Prof. *Humayun Kabir* questioning the competence of the Bengal Legislature to legislate for imposing a tax on the consumption of electricity as was sought to be done through the Bengal Expiring Laws Bill of 1938.

While expressing grave doubts about the competency of the local Legislature to deal with the subject matter of the Bengal Expiring Laws Bill, the President preferred to follow the procedure adopted by the Canadian and Australian Parliaments in similar circumstances and left it to the House to decide whether it was competent to pass the Bengal Electricity Duty Act.

The President hoped the Federal Court would clear up the constitutional point involved in the point of order raised.

BENGAL TENANCY ACT AMEND. BILL

**25th. MACRH** :—The consideration of the Bengal Tenancy Amendment Bill as reported by the Select Committee was held up to-day on account of a technical flaw in the report.

Maharaja *Manmathanath Roy*, Leader of the Progressive Party, rising on a point of order, said that under sub-section Three of Section 61, Bengal Council Rules Standing Orders, it was obligatory on the Select Commmittee to state whether or not the Bill had been so altered as to require republication, but this had not been done.

The *Revenue Minister* and the *Home Minister*, while admitting the technical flaw, argued that the House could condone the error.

The *President* also held that while the rule was mandatory, the irregularity had not vitiated the Bill.

However, on the President's suggestion, the Home Minister moved a short notice amendment to send back the report to the Select Committee with instruction to rectify the flaw which was agreed to and the Council adjourned. The Bill, it will be recalled, was passed by the Assembly during the last session.

**28th. MARCH** :—The Council had ten minutes' sitting this afternoon. After the Council had passed Clause 1 of the Bengal Tenancy Act Amendment Bill, the Hon. Sir *Bejoy Prasad Singh Roy*, Revenue Minister, suggested to the President to adjourn the House to enable the leaders of the different parties to meet and arrive at an agreement over the different amendments moved in respect of the clauses of the Bill.

**30th. MARCH** :—The report of the Privileges Committee of the Council was presented to-day in the Council, recommending that no further action be taken in connection with the decision of the President of the Council to leave a certain point of order and the Bengal Expiring Laws Bill to be decided by the vote of the House.

Two amendments were moved, one characterising an editorial comment as an indirect insinuation against the Chair and as such, reprehensible and deserving severe condemnation by the House, the other suggesting that the report be referred back

to the Privileges Committee for re-examination to enable the Committee to take evidence, particularly of the editor of the paper concerned.

The *Maharaja of Santosh*, Leader of the Progressive Party, pointed out that they had no authority to summon the editor to appear before them and averred that it must have been furthest from the editors' intention to cast any reflection on the Chair. He suggested that the matter be dropped.

Agreeing with the suggestion, the *President* asked the mover of the report of the Privileges Committee as also the movers of the amendments to withdraw their motions, which they did.

**1st. APRIL** :—Following five hours' discussion, the Council passed the Bengal Tenancy Amendment Bill this afternoon in practically the same form in which it emerged from the Lower House last year.

The Progressive Party (the Landlords Group), under the leadership of the Maharaja of Santosh, staged a walk-out when the House took up the final reading of the Bill.

The Leader of the Congress Party observed that although it was a half-hearted measure and did not go far enough to ameliorate the conditions of the cultivators, his party was not prepared to oppose its passage inasmuch as it had some elements of good for the cultivating masses.

The passing of the Bengal Tenancy Act Amending Bill with only a few minor modifications by the Upper House in spite of vigorous opposition by the landlords in the province marks an important stage in the history of land laws in this country. The landlords' transfer fee known as *Salami*, their right of pre-emption and right to realise rent by certificate procedure were abolished. The tenants were given the right to recover the diluvial land within 20 years on payment of only four years' rent, while at the same time the under-ryot with occupancy rights, who came into existence either before or after 1928, were given rights similar to those enjoyed by the occupancy ryot, including the right to surrender his holding. The rate of interest payable by ryots on arrears of rent were reduced from 12 and a half per cent to 6 and one-fourth per cent. All the provisions under the Bengal Tenancy Act concerning the enhancement of rent, including Section 52 of the Act, which conferred on a landlord the right to receive additional area, were suspended for a period of 10 years. Last but not least, facilities were given by the Bill for tenants to sub-divide their holdings.

It was this Bill that had been the cause of discord even in the Ministry. Months ago, at a time when the Bill was on the anvil, the hon. Sir Bijoy Prasad Singh Roy, Minister for Revenne, it was said, found it hard to agree to provisions in the Bill which went not only against his convictions in the matter but against the interests of the constituency which he represented in the Assembly. He was in the Legislative Assembly as the representative of landlords and the entire landholding community had with one voice raised a storm of protest against any Bill savouring of expropriation, Sir Bijoy, however, reconciled himself to the inevitable and agreed to get along with the Ministry, in spite of many clauses in the Bill which were bound to affect his own and his community's interests.

The Maharaja of Santosh made on the floor of the Council before staging a walk-out with the members of the Progressive Party a protest against the Bill as amended by the Council. The Maharaja explaining the reasons for walking out said : "We cannot remain here with any sense of self-respect as the majority are bent upon tyrannising over the helpless minority for political aggrandisement. We further feel that we cannot have justice here and that we must seek protection from the Governor or the Governor-General, or from the Federal Court, or from the British Parliament through the Secretary of State if need be. Above all, we shall take our stand upon the Instrument of Instructions created by His Imperial Majesty the King-Emperor for vindication of the Permanent Settlement which is the bulwark of the economic structure of Bengal."

PUBLIC DEMANDS RECOVERY AMEND. BILL

**2nd. APRIL** :—The Council was prorogued to-day after the House passed the Public Demands Recovery (Amendment) Bill extending the powers under certificate procedure of land mortgage banks in respect of realisation of dues in the form in which the measure emerged from the Lower House. The Congress Party opposed the consideration of the Bill but the Revenue Minister's motion for consideration was carried by 26 to 9 votes.

# The Madras Legislative Council

## LIST OF MEMBERS

1 Abdul Wahab, Munshi
2 Abdul Wahab Bukhari, Syed
3 Ahmed Meeran, S. K.
4 Alaganan Chettiyar, Rao Sahib A. S.
5 Bheema Rao, B.
6 Daivasigamani Mudaliyar, Diwan Bahadur K.
7 Ganga Raju, V. alias Gangayya
8 Gonsalves, S. J.
9 Ghulam Jilani Quraishi, Khan Bahadur Moulavi
10 Hamid Sultan Marakkayar. Khan Bahadur
11 Hensman, Mrs. M.
12 Kumaraswami Mudaliyar, Medai Dalavoi
13 Madhava Menon, K.
14 Mallikarjunudu, K. P.
15 Mammu Keyi, C. P.
16 Manjaya Hedge, D
17 Moidu, Khan Bahadur T. M.
18 Narayana Menon, M.
19 Narayana Rao, M.
20 Narayanaswami Nayudu, B.
21 Peddi Raju, P.
22 Perumalswami Reddiyar, C.
23 Rajan, The Hon. Dr. T. S. S. (*Minister*)
24 Ramakrishna Reddi, Rao Bahadur M.
25 Ramalingam Chettiyar, T. A.
26 Ramalinga Reddi, C.
27 Raman, Rao Bahadur M.
28 Ramnatham Chettiar, S. A. S. Rm.
29 Rama Rau, The Hon. Dr. U. (*President*)
30 Rangaswami Ayyangar, A.
31 Reid, D. M.
32 Rungnathan, Diwan Bahadur S. E.
33 Saldanha, Jerome A.
34 Samiappa Mudaliyar, Rao Bahadur N. R.
35 Sankara Reddi, N.
36 Satagopa Mudaliyar, S. K.
37 Sivasubramania Ayyar, K. S.
38 Srinivasa Ayyangar, K. V.
39 Srinivasa Ayyangar, R.
40 Srinivasa Ayyangar, T. C.
41 Srinivasan, Diwan Bahadur B.
42 Srinivasa Sastri
43 Sriramamurti, D.
44 Subba Raju, Nadimpalli
45 Subbarama Reddi, L.
46 Subba Rau, L.
47 Thomas, Dr. P. J.
48 Usman, Khan Bahadur Sir Mahomed
49 Vasanta Rao, Rao, Bahadur V.
50 Veerabhadraswami, P.
51 Venkatachalamaji, N.
53 Venkata Jogayya Pantulu, V.
54 Venkta Reddi Nayudu, Dr. Sir Kurma
55 Venkataswami Nayudu, K. (*Deputy Preisdent*)

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# The Madras Legislative Assembly

## LIST OF MEMBERS

1 Abdul Hameed Khan
2 Abdur Rahaman Ali Rajah, Arakal Sultan
3 Abdur Rahiman Khan, K.
4 Abdul Rawoof. D.
5 Adikesavalu Naicker. P. M.
6 Adimoolam, Jamedar
7 Ahmad Thambi Muhammad Mohideen Maracair (*Parliamentary Secretary*)
8 Ahmed Badsha Sahib, M.
9 Ammanna Raja, Srimathi G.
10 Anantachar, B.
11 Anjalai Ammal, Srimati
12 Annamalai Pillai, N.
13 Appadurai Pillai, Diwan Bahadur A.
14 Ari Gowder, H. B.
15 Arunachalam Chettiar, Muthu

16 Attakoya Thangal, Khan Bahadur P. M.
17 Balakrishnan, S. C.
18 Bapineedu, M. (*Parliamentary Secretary*)
19 Basheer Ahmed Sayeed
20 Bhaktavatsalam, M.
21 Bhakthavtthsalu Nayudu, B.
22 Bhashyam Ayyangar, K.
23 Bhaskara Rao Mahasayo, Sriman Y. V. A.
24 Bhuvarahan, V.
25 Bower, E. H. M.
26 Brock, C. H.
27 Buchapha Nayudu, P.
28 Chandoo, Arangil
29 Chandramouli, K.
30 Chelvapathi Chetti, G.
31 Chengam Pillai, O.
32 Chidambara Ayyar, S.
33 Chinnamuthu, P.
34 Chockalingam Pillai, T. S.
35 Damodaram, M. P.
36 Dennison, R. D.
37 D'Mello, E. M.
38 Doraikannu, M.
39 Doraiswami Nadar, A. R. A. S.
40 Ghouse Mohideen, S.
41 Giri, The Hon. V. V. (*Minister*)
42 Gopala Reddi, The Hon. B. (*Minister*)
43 Govinda Doss, D.
44 Govindan Nayar, C. K.
45 Gupta, V. J.
46 Guruvulu, Saketi
47 Halasyam Ayyar, N.
48 Hodgson, G. H.
49 Hussain, H. S.
50 Issac, D. R.
51 Ishwara, K.
52 Jebamoney Masillamoney, Mrs.
53 Jogi Nayudu, Allu
54 Kaderkutti, A. K.
55 Kadirappa, D.
56 Kaleswara Rao, A. (*Parliamentary Secretary*)
57 Kamaraj Nadar, K.
58 Kannan, E.
59 Karant, K. R.
60 Karunakara Menon, A.
61 Khadija Yakub Hassan, Mrs.
62 Khalif-ul-lah, Khan Bahadur P.
63 Kolandavelu Vayanar, K.
64 Koti Reddi, K.
65 Krishnamachari, T. T.
66 Krishnamurti, G.
67 Krishnan, S.
68 Krishna Rao, G.
69 Krishnaswami Bharathi, L.
70 Kulasekaran, K.
71 Kumararaja M. A. Muthiah Chettiytr
72 Kumaraswami Raja, P. S.
73 Kunhammad Kutty Hajee, P. I.
74 Kuppuswami Ayyar, K.
75 Kurmayya, V.
76 Kuttimalu Amma, Srimathi A. V.
77 Laijan, S. M
78 Lakshmanaswami, O.
79 Lakshmanaswami, P.
80 Lakshmi Ammal, Srimathi V.
81 Lakshmi Ammal, Srimati K.
82 Lakshmi Devi, Dr. N.
83 Luker, F. G.
84 Madhavan, P.
85 Mahboob Ali Baig
86 Manickam, R. S.
87 Mariemuthu, M.
88 Marimuthu Pillai, S. T. P.
89 Maruthai, R.
90 Mir Akram Ali
91 Moideen Kutty, P. K.
92 Muhammad Abdul Kadir Ravuttar, K. S.
93 Muhammad Abdur Rahaman
94 Muhammad Abdus Salam, Dr.
95 Muhammad Schamnad Khan Bahadur
96 Muhammed Rahmatullah, K.
97 Muniswami Pillai, The Hon. V. I. (*Minister*)
98 Murti, B. S.
99 Muthuramalinga Tevar, U.
100 Nachiyappa Goundar, K. A.
101 Nadimuthu Pillai, A. Pi. N. V.
102 Nagappa, S.
103 Nagaraja Ayyangar, N.
104 Nagiah, S.
105 Nanjappa Gounder, K. N.
106 Narasimha Raju, D. L.
107 Narasimha Raju, P. L.
108 Narasimham, C.
109 Narasimham, V. V.
110 Narayana Raju, D.
111 Narayana Rao, K. V.
112 Natesa Chettiar, M. G.
113 Natesa Mudaliar, P.
114 Nuttall, J.
115 Obi Reddi, C.
116 Orchard, G. L.
117 Palaniswami Gounder, V. C.
118 Palaniswami Gounder, V. K.
119 Palat, R. M.
120 Pallam Raju, M.
121 Pannir Selvam, Rao Bahadur Sir A. T.
122 Parthasarathi Ayyangar, C. R.
113 Pedda Padalu, P.
124 Periaswami Gounder, K. S.
125 Pesivaswami Gounder, K.
126 Periyaswami, M. P.
127 Perumal Chettiar, V. R.
128 Perumalla Nayudu, B.
129 Ponnuswami Pillai, R.

130 PRAKASAM, THE HON. T. (*Minister*)
131 PRASAD, D. S. (SRI RAJA VASI REDDI DURGA SADASIVESWARA PRASAD BAHADUR, MANNE SULTAN)
132 RAGHAVA MENON, R.
133 RAJAGORALACHARI, THE HON. C. (*Prime Minister*)
134 RAJAH, RAO BAHADUR M. C.
135 RAJA RAO, J.
136 RAMACHANDRA REDDIAR, A K. K.
137 RAMAKRISHNA RAJU, R B
138 RAMAKRISHNA REDDI, T. N.
139 RAMALINGA REDDIAR, D.
140 RAMALINGAM, A.
141 RAMAN MENON, THE HON. K. (*Minister*)
142 RAMANATHAN, THE HON. S. (*Minister*)
143 RAMASWAMI, D. V.
144 RAMASWAMI GOUNDER, K S.
145 RAMASWAMI MUDALIAR, V. M.
146 RAMASWAMI NAYUDU, N. G.
147 RAMI REDDI, A.
148 RANGA REDDI, N
149 RANGIAH NAYUDU, G.
150 RATNAVELU TEVAR, P.
151 READE, G. B.
152 ROCHE VICTORIA, J L. P.
153 RUKMINI LAKSHMIPATHI, MRS. A. (*Deputy Speaker*)
154 SAHAJANANDA, SWAMI A. S.
155 SAIYED IBRAHIM, D.
156 SAKTHIVADIVELU GOUNDER, K.
157 SAMBAMURTI, THE HOR. B. (*Speaker*)
158 SAMU PILLAI, V. J.
159 SAMUEL. DR. M. J.
160 SARMA, P. R. K.
161 SAPTHARISHI REDDIAR, K. C.
162 SATTANATHA KARAYALAR, I.
163 SESHADRIACHARIYAR, B. T.
164 SHAIK ROWTHER, S. K.
165 SHANMUGAM, K.
166 SHANMUGA MUDALIAR, K. A.
167 SHEIK DAWOOD, KHAN SAHIB K. A.
168 SHEIK MANSOOR THARAGANAR,
169 SHETTY, A. B.
170 SITARAMA REDDI, H.
171 SITARAMA REDDIAR, K.
172 SIVASHANMUGHAM PILLAI, J.
173 SRINIVASA AYYAR, D.
174 SRINIVASA AYYAR, P. S.
175 SUBBA RAO, KALLUR
176 SUBBA RAO, KARUNAKARAM
177 SUBBA RAO, MARINA
178 SUBBARAMAN, N M R.
179 SUBBARAYAN, THE HON DR. P. (*Minister*)
180 SUBBIAH, P.
181 SUBBIAH MUDALIAR, C. P.
182 SBBARAYA CHETTIAR, A. M. P.
183 SUBRAMANIAN, A.
184 SWAMI, K. V. R.
185 SYAMASUNDARA RAO, P.
186 UNNIKAMMOO, KHAN SAHIB V. K.
187 VILLIAPPA CHETTIAR, V. S. R. M.
188 VARADACHARIAR, K.
189 VARADACHARI, N. S.
190 VARKEY, C. J.
191 VEDARATNAM PILLAI, A.
192 VENAUDAYA GOUNDER, S. V.
193 VENKANNA, G.
194 VENKATA REDDI, GOPAVARAM
195 VENKATA REDDI, GRANDHI
196 VENKATA REDDI, K.
197 VENKATACHALAM PILLAI, B.
198 VENKATACHARI, P. T.
199 VENKATANARAYANA REDDI, B.
200 VENKATAPPA CHETTIAR, S. C.
201 VENKATAPPA NAYUDU, R.
202 VENKATAPPAYYA PANTULU, K.
203 VENKATARAMA AYYAR, P.
204 VENKATARAMIAH, R. S.
205 VENKATARAO BALIGA, B.
206 VENKATA RAO, KALA
207 VENRATASUBBA REDDIAR, R.
208 VENKATASUBBAYYA. V.
209 VISWANATHAM, T. (*Parliamentary Secretary*)
210 YAGNESWARA SARMA, K. P.
211 YAKUB HASSAN, THE HON. (*Minister*)
212 ZAMINDAR OF BODINAYAKKANUR (T. V. K. KAMARAJA PANDIYA NAYAKAR)
213 ZAMINDAR OF CHALLAPALLI (ZABDATUI AQRAN SREEMANTHU RAJAH YARLAGADDA SIVA RAMA PRASAD BAHADUR ZAMINDAR)
214 ZAMINDAR OF CHEMUDU (VYRICHERLA NARAYANA GAJAPATHI RAJU BAHADUR)
215 ZAMINDAR OF MIRZAPURAM (SRI RAJA MEKA VENKATARAMIAH APPA RAO BAHADUR)

# Proceedings of the Assembly

## Winter Session—Madras—27th. January to 1st. February '38

### The "Bande-Mataram" Controversy

The Budget session of the Madras Legislative Assembly commenced on the **27th. January 1938**. After formal business the "Bande Mataram" controversy assumed an ugly turn when eight Muslim members, headed by Mr. *Abdul Hamid Khan*, leader of the Muslim League Party, walked out of the House as a protest against the singing of the song.

Soon after the Speaker took chair and called for prayer, Mr. Khan lodged a protest to the Speaker that "Bande Mataram" should not be sung, but on the Speaker not paying heed to his protest, he, along with seven other Muslim members, staged a walk-out. Thereafter the song was as usual sung and for the first time this was followed by the Speaker offering prayer to the Almighty in English.

Winding up the day's proceedings and adjourning the House to meet on the next day the Hon'ble Mr. Sambamurthi, Speaker, referred to the commotion created in the House to-day, by the walk-out of a body of Muslim members and said that he fully sympathised with the feelings of the Muslim members in respect of Bandemataram' song, but felt that such spectacular demonstrations were not indispensable to exhibit the feelings. They might as well have stayed away during the prayer time since it was not obligatory on the part of any member of the House to remain in the House at prayer time. He felt that some form of prayer was always necessary in every parliamentary body as was the practices in many foreign countries and he hoped to evolve a suitable form of prayer agreeable to all communities shortly in consultation with representatives of the various selections in the House.

Concluding the Speaker announced that to-morrow being Friday, a day auspicious to the Muslims, a stanza from the Quoran would be sung first during the prayer time and this would be followed by a prayer in English. "Bandemataram" would not be sung to-morrow.

### Debt Relief Bill

Immediately after the Premier had presented the Select Committee report on the Debt Relief Bill, a point of order was raised by the Opposition member whether, according to the Government of India Act, previous sanction of the Governor had been obtained. The Premier said that the Bill was in the name of the Government which included the Governor. He also added that the Governor's previous sanction had been obtained.

Several members moved for adjournment of the Bill.

Replying to the criticisms, the Premier thanked Mr. Langley, of the European group, for the goodwill he had for the present Government but said that they were not concerned with whether the Bill would help them (the Congress) to continue in office or not. The point was whether the measure was good or bad. Referring to the threat that the Congress would be thrown out of the office on account of this Bill, he said, that "any prospective political losses or gains would not divert them from pursuing this Bill. If the Bill was bad, nothing could be gained by postponing it and it would be better to reject it even now instead of allowing it to hang on.

Referring to the criticism that the agricultural credit would be spoiled, the Premier said that he did not believe that any land would remain uncultivated nor any agriculturist would go for want of a loan of seed for sowing. Referring to the suggestion to follow the lead of Bombay, the Premier humorously said that the Bombay Government was also a Congress Government and the Congress was one indivisible whole. They would be willing to take the lead from any good Government. They were experimenting on different methods and one would be benefited by the experience of the other. The argument that the country was against the Bill was totally incorrect.

Kumara *Raja Muthia Chetiy* of the Opposition moved an amendment, recommending that the Bill be referred to the Select Committee again for further consideration. The amendment was lost by 142 votes against 21.

A third poll was demanded on *Sir A. T. Pannirselvam's* amendment which the Premier did not accept and it was negatived by 41 votes against seven. The House then adjourned.

THE BANDE MATARAM INCIDENT

**28th. JANUARY** :—When the Assembly re-assembled this morning, in accordance with the statement made by the Hon'ble *Speaker* yesterday, a Muslim member sang some stanzas from the Quoran. In spite of this, those Muslims who staged a walk-out yesterday during the prayer time were not present in the House and came in only after prayer time.

DEBT RELIEF BILL (CONTD.)

**29th. JANUARY** :—The Speaker Mr. *Sambamurti* adopted a rather unusual procedure to-day for taking a poll demanded by an Opposition Member on an amendment on the Agricultural Debt Relief Bill. The Speaker ordered all galleries to be cleared including the press, and all the doors of the Assembly Chamber were closed for quarter of an hour. Visitors and pressmen had to stand outside on the Assembly veranda. One veteran legislator, a member of the Upper House, who had also withdrawn, told that the Speaker presumably wanted to impress on the members the inconvenience and waste of time that would be caused by taking a regular poll, so that they might think twice before demanding a poll.

It may be stated that this was the third poll demanded by the Opposition Members in an hour's time this morning. The amendment which sought for the exclusion of charitable institutions from the operation of the Bill was rejected by 137 votes to 27.

A second walk-out was staged to-day when four Muslim Members headed by Mr. Abdul Hamid Khan walked out of the House as a protest against the singing of the "Bande Mataram" song and returned after the prayer time.

**31st. JANUARY** :—After five days' debate the Assembly to-day passed the Agriculturist Debt Relief Bill without a division.

All amendments having been disposed of the Premier moved that the Bill be passed into law. Sir A. T. Pannirselvam stated that under section 93 clause 2 of the Government of India Act the Bill should not be passed into law at the same sitting and appealed to the Speaker to safeguard the rights of the House.

After the Premier had replied the Speaker overruled the objection, and the Premier's motion that the Bill be passed into law was carried.

FEDERATION OPPOSED BY GOVERNMENT

The *Premier* then moved the resolution opposing the introduction of the Federation.

Mr. *W. K. M. Langley*, Leader of the European Group, opposing the motion, said that he disagreed with the Premier that the mixture of representatives of "undemocratic" Indian States and autonomous provinces would bring about disharmony. He quoted the opinions of well-known Congress leaders who were loud in their praise of Indian States, and advocated a fair trial being given to Federation.

Earlier, Moslem members, headed by Mr. *Abdul Hamid Khan*, again walked out protesting against the singing of Bande Mataram.

After prayer, the *Speaker* announced that in future such conduct affecting the solemnity of prayers would be construed as a gross disorderly conduct. Mr. Laljan. a Moslem member, interjected that they were prepared for the worst.

**31st. JANUARY** :—Mr. *C. Rajagopalachariar* in moving the resolution condemning the imposition of the Federal part of the Government of India Act said: "The signs are not wanting that the Government of Britain is realising the difficulties of the situation, and, therefore, we must express our views. This is not merely a reiteration of the Congress dogma, but it is an expression of the people as a whole. Continuing, he said, "Life is one and united. All India is united and one. But what we want is a workable political constitution. We find that the wrong thing is called an All-India unit. The proposed unity is a counterfeit one. In the matter of defence

combination is possible. But internal government is difficult, unless it is homogeneous." Concluding the Hon. Premier said: "As wise men of affairs, let us unite and say that this mixture—which does not even present the budget before the people and wants to have everything upon compulsion is not wanted by us." At this stage the House adjourned.

**1st FEBRUARY** :—Mr. *Abdul Hamid Khan*, leader of the Moslem League Group, characterized the resolution as nothing but a "climb down tantamount to the Congress giving up their claim for a Constituent Assembly. The Moslem League was the only organization that had consistently opposed Federation and would continue to do so.

Mr. *Yakub Hassan*, Minister for Public Works, stated that seven provincial Governments would be adopting the resolution. India would watch with interest whether the four other provincial governments headed by Moslem Premiers would also adopt resolutions similar to that moved by the Madras Premier.

*Kumararaja Muthia Chetty*, leader of the Opposition, opposing the resolution, said though the Justice Party had unequivocally declared that the Government of India Act had fallen short of expectations still the time would be better spent working the Federation than discussing whether Federation was workable or not. The resolution was carried without discussion and the Assembly adjourned till the 1st. March.

## Budget Session—Madras—1st. March to 30th. March 1938

FINANCIAL STATEMENT FOR 1938-39

The Congress Ministry's second budget for the year 1938-39, was presented by the Hon'ble Mr. *Rajagoplachari*, the Premier on the **1st. March**. It revealed a small surplus of Rs. 12,000. The following are details :

Revenue for the next year is estimated at Rs. 15,98,21.000, which is less than the revised estimate for the current year by about 15 lakhs. The fall is mainly due to (1) smaller income-tax assignment anticipated for the next year, (2) reduction of rates of grazing fees in Government forests by 50 percent with effect from April 1, 1938 and (3) contemplated extension from October 1 next of Prohibition to two districts, close to the Salem district, where it was introduced last October. Reduction of grazing fees and extension of Prohibition involves a loss of about 11 lakhs next year and 19 lakhs in future years. Allowance has also been made for land revenue concessions, involving a loss of over 73 lakhs. The expenditure charged to revenue is estimated at Rs. 15,98,09,000 leaving a small surplus of about Rs. 12,000.

Retrenchment under hill journey charges, release of prisoners before their time, recent revision of pay of Government servants and replacement of salaried medical officers by honorary officers in Government institutions account for saving of about Rs. 1,50,000 while abolition of re-settlement has resulted in a saving in expenditure by about Rs. 3,50,000.

Provision has been made for new expenditure involving an annual cost of about Rs. 5 and a half lakhs and non-recurring expenditure of ultimately Rs. 36 lakhs. Provision made for the next year under both heads is about Rs. 18 lakhs. Rs. 16 and a half lakhs of this are for development service, such as teaching of Hindusthani in secondary schools, development of hand-spinning and khadi manufacture, water supply and drainage schemes. both urban and rural, anti-malarial measure and mesures for control and eradication of plague, improvement and expansion of rural dispensaries, introduction of cancer treatment in several hospitals, ameliorative measures for depressed classes, experiments of fruit culture and nurseries and expansion of the Veterinary Department.

Larger increases as compared with 1936-37 occur under education Rs. 5,25,000, under medical relief Rs. 5 lakhs, under public health Rs. 20 lakhs, under scheduled classes Rs. 2 one fourth lakhs, under Agriculture, Veterinary and Co-operative Credit Rs. 4 lakhs. This has been done in spite of the sacrifice of considerable amount of revenue in 1938-39 as compared with 1936-37 viz. Rs. 34 lakhs under Exoise revenue, Rs. 18 lakhs under Land Revenue and Rs. 3 lakhs under forest revenue, or Rs. 50 lakhs in all.

Capital expenditure is estimated at about Rs. 1,34,00,000 and is most for remunerative irrigation and electricity schemes, hospital buildings and payment of commuted value of pensions, which had been provisionally provided for under capital.

For loans to agriculturists, local bodies and others, provision has been made for about Rs. 1 crore 18 lakhs. Out of this sum Rs. 50 lakhs are to enable the agriculturists to take full advantage of relief open to them under Agriculturists' Debt Relief Measures and about Rs. 7 lakhs are for loans to them for other purposes including construction of dwelling houses.

Rs. 53 lakhs are provided for loans to local bodies, mostly for water-supply, drainage, housing, electricity and other capital expenditure and about Rs. 8 lakhs for advances to industrial concerns, co-operative societies and others.

It is proposed to raise in the open market a loan of Rs. 1 and three fourth crores to finance the remunerative capital expenditure and for re-lending.

The closing balance at the end of the year exclusive of the securities in the Famine Relief Fund and Pykara Electricity Funds, is estimated to stand at Rs 64,57,000.

Capital liabilities and assets of the province at the end of the current year are estimated at Rs. 17 and half crores and Rs. 30 and three-fourth crores respectively, corresponding figures at the end of the next year being Rs. 19 and one-fourth crores and Rs, 32 and half crores respectively.

The Budget for 1938-39 at a glance :
Revenue—Rs. 15,98,21,000.
Expenditure—Rs. 15,98,09.000.
Surplus—Rs. 12,000

Transactions outside revenue Account :
Receipts (open market loans) Rs. 1,75,00,000.
Total disbursements—Rs: 2,20,43,000
Excess of disbursements over receipts Rs. 45,43,000

Balances :
Opening Balance—Rs. 1,09,88,000
Closing Balance—Rs. 64.57,000

Capital Liabilities and Assets :
Total Liabilities—Rs. 19,17,57,000
Total Assets—Rs. 32,48,07,000.
Excess of Assets over Liabilities—Rs. 13,30,50,000

Famine Relief Fund :
Opening Balance—Rs. 61,11.000
Closing Balance—Rs. 57,49,000

Electricity Reserve Funds :—
Opening Balance—Rs. 5,73,000
Closing Balance—Rs. 12,40,000

### The Motor Vehicles Taxation Bill

After the presentation of the Budget, the Motor Vehicles Taxation Act Amending Bill empowering local bodies to receive taxes direct from the payers to compensate for the loss of toll income was passed into law.

### Release of Convicts

**2nd. MARCH** :—The Premier explained to-day the Government's policy with rvdard to the release of convicts. Mr. C. Rajagopalachari said they had eogded to follow a policy of conditional release in favour of prisoners conioicited of crimes other than those which indicated that such clemency might prove dangerous to the community. Such a policy, he said, had been long overdue and the cases of all convicts sentenced to terms of six months and upwards who, in the Government's opinion, could be released without danger to society, were being examined. They were to be given generous remissions and were to be released in batches subject to their good behaviour after release. This policy besides furthering the movement for the reformation of criminals would, by effecting a large reduction in jail populations, result in reduced expenditure on that department. In anticipation of this, provision had been made in the budget for a saving of Rs. 50,000 on this account.

### Traffic Control Bill

The Assembly next passed the Madras Traffic Control Bill.

When the Minister-in-charge of the Bill moved that the Bill be passed, Sir *A. T. Pannirselvam* said : "It would be a mockery to call the House a deliberative body if

measures of far-reaching importance are hustled through in undue haste which is contrary to the assurance given by the Premier in the Upper House while discussing the Debt Relief Bill." The *Premier*, in reply, drew distinction between quickness and haste. He maintained that centralized control was impossible unless certain imaginary powers of local bodies were curtailed.

GENERAL DISCUSSION OF BUDGET

**3rd MARCH** :—The Assembly commenced to-day the general discussion of Budget. The opposition was caught napping, when, at 7-25 p. m., the *Speaker*, finding no one rising to speak, called the Premier to reply to the debate. An opposition member represented that several members of his side who had intended to speak had thought that they could speak on the next day as three days had been allotted for discussion of the budget. The Speaker allowed him to speak and also another member after which no one rising, the Premier began replying but had not concluded when the house adjourned.

Mr. *E. H. M. Bower* (Anglo-Indian) speaking first congratulated the Premier on the surplus budget without imposition of additional taxation. Sir *William Wright* considered the Premier's budget speech disappointing and wanted the premier to establish a better convention by which all the proposed taxation bills would be outlined in the budget, so that the business and industrial interests might know the exact position in the coming year, and be enabled to regulate their commitments. He paid a compliment to the premier for his sound loan policy and assured the European group's support for loans in furtherance of sound economic and remunerative schemes. The speaker struck a note of pessimism with regard to the success of the Wardha scheme.

**4th. MARCH** :—An important ruling was given by the Speaker, Mr. *B. Sambamurthi* when the Assembly resumed the general debate on the Budget to-day.

An Opposition member raised a point of order as to whether it would not be contrary to Parliamentary practice to allow other members to speak when the Finance Minister had half finished his reply on the Budget debate.

The *Speaker* ruled that as the House had still the plenary powers of rule-making in regard to the procedure and as those rules of the House did not conflict with the rules made by the Governor for the completion of financial business under section 81 of the Government of India Act, the House had ample discretion to suit the exigencies of the situation when the elasticity of procedure warranted. He therefore ruled that the other members would be allowed, as a matter of indulgence, to speak on the Budget, and the Premier would complete his reply at the end of the discussion.

Mr. *W. K. M. Langley* (leader of the European Group) described the Budget as a good one, containing provisions which went a great way to increase the health and efficiency of the people. Mr. *A. T. Pannirselvam*, an ex-Minister, characterised the Premier's Budget speech as "more fitted for the Congress House than for the Assembly.

*Srimati Lakshmidevamma* paid a compliment to the Premier for his well thought-out Budget. She pleaded for revision of the Famine Code.

**9th. MARCH** :—Good humour prevailed when Mr. *C. Rajagopalachari*, the Premier, stood up to reply to the Budget debate to-day. He reiterated his faith in prohibition and refuted the allegation that the Salem collector's report on the success of the scheme was exaggerated. He assured that he would not hide any evidence given against the success of prohibition and expressed thankfulness for the very generous manner in which the Leader of the Opposition had approved of the Budget and given expression to his unqualified approval of several parts of it.

Dealing with Hindi he said that Hindi or Urdu should not be mixed up with religion. It was the language of Hindus and Moslems in India. There was a quarrel over Hindi and Urdu in North India. He wished that those who had anything to do with politics would not borrow quarrels from the north and add to their difficulties in the south. This, however, was being done unwittingly.

VOTING ON BUDGET DEMANDS

**14th. MARCH** :—The House assembled to-day for voting on demands for grants.

Sir *A. T. Pannirselvam* (Justice Party) moved a cut of Rs. 100 in the demand of Rs. 23,87,900 under "land revenue", to urge the inadequacy of the relief proposed by way of land revenue remission.

Most Opposition members who participated in the debate said that the Debt Relief Bill could serve only as a palliative. It could not cure the burden of over-taxation under which the agriculturists suffered.

The *Premier* said that it was not possible to change all of a sudden a land revenue policy which had been in operation for more than 150 years. There was such a thing as tradition, to get out of which would necessarily involve time.

The motion was pressed to a division and lost 18 voting for and 108 against it.

**15th. MARCH** :—During discussion on the excise demand to-day, Mr. *K. Abdur Rahman Khan* suggested that the Government should organize peaceful picketting of "toddy" and "arrack" shops and thus prepare the ground for the introduction of complete prohibition by stages. Mr. *R. M. Palat*, ex-interim Minister, suggested a plebiscite before prohibition was introduced.

Mr. *C. Rajagopalachariar*, the Premier, replying, stated that the temperance measures adopted by previous Governments had failed miserably. That was why the Congress Ministry believed in complete prohibition in place of piecemeal measures. Referring to the allegation that the report of Mr. A. F. Dixon, collector of Salem, on the working of prohibition was an exaggeration, the Premier declared : "Mr. Dixon has become an enthusiast only on sufficient grounds and evidence. I too am enthusiastic about prohibition. His conclusion about the success of prohibition tallies with mine, and that was why I quoted his observations."

Mr. *B. Sambamurthi*, Speaker gave an important ruling when he said that the question of amending any clause of any existing act could not be raised through a cut motion on demand in respect of that department, and only the policy and details of administration of Government could be discussed.

**18th. MARCH** :—Intervening in the debate on a motion to-day, the *Premier* said that members of the Services should be responsible to the Ministers and the Government, and should not become the customers of clients of members of the House. The statement was made in criticism of the policy of the Registration Department in the Assembly.

**19th. MARCH** :—"I do not think that any section of the House is in good mood ; is it worth while to take the poll now ?" With these words the Premier, Mr. *C. Rajagopalachari* to-day eased a tense atmosphere, which might have developed into an unpleasant incident, when on the demand for adjournment of the Assembly at 7-30 p. m, which was lost, a poll was demanded. The Premier's words had the desired effect and both the adjournment as also the demand for a poll were withdrawn.

Earlier Sir *A. T. Panniselvam's* token cut urging the necessity of rescinding the Government order of reclassifying irrigation sources in Tanjore district on the ground that Tanjore paid the highest amount of land revenue in the world, while it sold paddy at the lowest figure obtainable in the market, was negatived by 9 votes to 103.

**19th. MARCH** :—Scenes similar to those enacted by the Congress and other Opposition parties in the Central Legislative Assembly in course of the discussion of the Finance Bill were witnessed to-day, when the Opposition consisting of the Justice, the Muslim League and the Independent parties withdrew their cut motions without any speech. About 100 cut motions were given notice of by them under various budget demands to discuss such important subjects as separation of the Executive and the Judiciary, jail reform, wholesale release of prisoners, the question of retaining the criminal intelligence department and the like and the House granted five major demands in one hour. One solitary Muslim member of the Opposition alone moved a few cut motions.

This attitude of the Opposition which had all along been criticising the policy and acts of the Congress Government through numerous cut motions during the past few days was significant. Lobby talks indicated that as the Opposition felt that they were not given sufficient opportunity to ventilate their grievances they thought it better to keep silent over the voting on grants.

A clue for this was obtained when Sir *A. T. Pannirselvam* of the Justice Party who was first called upon to move his cut motion on demand under Head "District Administration" said that since he happened to transgress the relevant limits in course of his speech and too many points of order were raised during the same, he thought it wise not to move or speak on his cut motions.

Dewan Bahadur *Appadurai Pillai* who was to next move his cut also gave a similar reason for his not moving the same. Then in succession the Opposition members who had tabled cuts under various demands all withdrew their motions without any speech. After passing five demands the House adjourned till the 21st.

**21st. MARCH** :—"I am not moving my cut motion, sir," was the reply given one after another by several members of the opposition, excepting the Moslems, who tabled cut motions as the *Speaker* called out their names after the Education Minister had moved demand for a grant of Rs. 19,949,400 under the head "Education" to-day.

Sir *A. T. Pannirselvam* to-day gave lead in this attitude which the opposition adopted last Saturday in moving cut motions. Dr. *Subbaroyan*, moving the demand, claimed that in the year 1938-39 the Government were spending much less than in the previous years on inspection, and added that Rs. 20,000 were provided for the teaching of Hindi in secondary schools. The Minister regretted that owing to paucity of funds the building grants that had been promised could not be provided.

The proposed introduction of compulsory study of Hindi in schools was next severely criticised by Moslem members.

Khan Bahadur *Khalifulla*, ex-Minister, who was a staunch advocate of Urdu, said that Sir Tej Bahadur Sapru a week ago had stated that Urdu was the most suitable common language in India. Mr. Khalifullah was afraid that Moslem culture would be lost if text books were written in Hindi.

Mr. *Abdul Hamid Khan* welcomed the Premier's announcement that the Government were willing to spend money like water on Moslem education, and suggested that the Premier might grant a lakh of rupees for scholarships to Muslim pupils in the presidency. Referring to the Wardha Scheme he said that it was not possible to make the scheme self-supporting unless the Government spent larger sums of money.

**23rd. MARCH** :—Moving the Public Health demand to-day, Dr. *T. S. S. Rajan* said that the Government had provided Rs. 6 lakhs more than last year's provision for public health. An Opposition member asked for adequate provision for the conduct of a vigorous campaign against malaria. Referring to the honorary medical system, Dr. *Rajan* said that the system had been in existence for 12 years, and that at present there were 165 honorary practitioners associated with hospitals.

**24th. MARCH** —During the debate on the Public Health demand, the *Premier* referred to the incidents connected in the Salem Municipality's waterworks tender, which had led to the resignation of the chairman and some other councillors of the municipality. The Premier said that the Government were entitled to give direction to the municipality on the kind of material to be used in waterworks. There was absolutely no question of interference with the rights of a municipal council.

**25th. MARCH** :—"I support collective bargaining, which is a British heritage for us," said Mr. *C. Rajagopalachari*, the Premier, intervening to-day in the debate on the industries demand. Personally, however, the Premier did not believe in collective or individual bargaining. It was a necessary evil for settling labour disputes. He appealed to employers to recognize trade unions. Non-recognition was tantamount to isolation and would be unsocial.

There was no need for alarm regarding the labour situation. The Minister for Labour (Mr. *V. V. Giri*) had settled no fewer than a dozen disputes. That showed fundamental good feelings without which the disputes could not have been settled. It was regrettable that the existing two or three disputes could not be settled, but the Premier was not without hope.

Mr. *Giri*, the Minister in charge, moving the demand for industries and labour declared that he believed in the complete nationalisation of key industries and referred to the nationalisation of transport in Hyderabad, which, he said, was a great success. He also believed in State-aid to industries.

The European group did not believe in such nationalisation nor did they believe in the Government carrying on large scale industries ; such things should be left to private enterprise, observed *Sir William Wright*.

During the debate on the fisheries demand, one section of the opposition suggested its transfer to the Industries or Agricultural Department, while another urged its retention as a separate department. The Minister in Charge, replying, explained the useful work carried on by the department, though the Government had not profited by it.

The Assembly voted three more demands, all without cuts.

**26th. MARCH** :—The Speaker's visit to Europe was discussed to-day when the Premier, Mr. *C. Rajagopalachari* moved a token demand for the purpose.

Leaders of all groups supported the demand. Mr. *A. Panniselvam* hoped that the Speaker would after his return set "healthy, satisfactory and illuminating precedents for future Speakers." Mr. *W. K. M. Langley* (European Group), said that nothing but benefit would be derived by the Speaker's visit to countries where democratic institutions existed.

Mr. *Sambamurthi*, the Speaker thanked the House for the wholehearted support and said that he did not intend to be away for more than four months.

The House voted this and other supplementary demands amounting to Rs. 2,998,500.

Earlier, moving a cut motion, Mr. *J. Nuttall* referred to the seriousness of the labour situation. He particularly referred to the stoppage of work in cotton mills. The mover drew the Government's attention to the danger of introducing provincial legislation which should rightly be the concern of the Central Government. Mr. Nuttall agreed that properly constituted trade unions should be recognized. It would then be possible to bargain collectively without the interference of outsiders. He suggested the establishment of a Labour Office similar to that in Bombay.

Mr. *T. T. Krishnamachariar* (Indian Commerce) said the psychology behind labour trouble was that the advent of popular government had created a greed in the minds of certain people who thought they could even ask for the moon.

Speaking on Mr. Nuttall's cut motion which he suggested should be withdrawn as an acknowledgment of the attitude adopted by the Labour Minister, Sir *William Wright* said that the employers had no quarrel with collective bargaining. They welcomed trade unions which were properly led and actuated by a sense of responsibility. Both the employers and workers had reason to be grateful to the Government for its labour policy. The Government's communique of last October, he said, had not fallen on deaf ears where employers were concerned. They felt a definite responsibility to all in their employment. The most disturbing feature of the present situation was the increasing indiscipline among labour ranks directed not only against the employers but their own union leaders.

**28th. MARCH** :—"I want commutation of pensions to stop and I am glad that the Chief Whip of the Justice Party is with me, though its leader is against it," declared the Premier, Mr. *C. Rajagopalachari*, replying to a cut motion to-day to reduce the allotment under pensions.

"I welcome the motion," the Premier added, "but I request the mover to withdraw it with the full assurance that I am entirely with him. It is not because of the criticism raised in the House on the system of accounting that I want commutation to go, but because our revenues cannot stand this strain."

The motion was withdrawn and the entire demand voted.

### Immoral Traffic Suppression Bill

**29th. MARCH** :—Mr. *Raman Menon*, Minister for Courts and Prisons, moving that the Madras Suppression of Immoral Traffic (Amendment) Bill, as passed by the the Legislative Council, be taken into consideration, said that the Act in force was not sufficiently strong to bring about the desired effect, namely, the complete suppression of traffic in women. By the amending Bill, it was sought for the first time, to make third-party earnings an offence. The Bill was passed into law amidst cheers from a large number of women in the Speaker's box. The House then adjourned till the next day, the **30th. March** when after 100 question were answered, it was *prorogued*.

# Proceedings of the Madras Council

## Madras—31st. January to 31st. March 1938

### Govt. Opposition to Federation

A three days session of the Madras Legislative Council commend on the **31st. March 1938** when after formal business Dr. *T. S. S. Rajan*, Minister for Public Health moved a resolution of Federation. In doing so, he declared:—

"The patching up of irresponsible autocracies, benevolent monarchies and fairly responsible governments into a Federation and evolve a scheme based on it is unheard of in history. This sort of mixture will not only be indigestible, but will act as a poison in the body politic of nation. The scheme, far from promoting unity, will only set up forces of conflict between States and British Indian units."

Doctor Rajan continuing said that the Congress accepted the Federation as a principle, but it is opposed to the scheme envisaged by the Government of India Act, 1935. The scheme was a misfit and utterly unacceptable. "This is the considered public opinion of this province", said the Hon'ble Minister, "and I trust other Provincial Governments would also follow suit and lodge their protest."

Sir *Mahommed Usman*, Sir *K. V. Reddi*, Rt. Honourable *Srinivasa Shastri* and several others spoke on the resolution.

Sir *Kurma Reddi* in his speech dwelt at length on the gradual climb down of the Congress in the matter of accepting office, and declared it would be doing dis-service to the country if they failed to work the Federation for what it was worth.

The Hon. *Dr. Subbarayan*, Education Minister, speaking next, refuted Sir K. V. Reddi's statement and said "the acceptance of office by the Congress does not mean acceptance of the Government of India Act. As was made clear in the Election Manifesto its policy was, is and will ever be the combating and ending of the present Act. The Congress has not a whit moved from its position. It is an imposed constitution, and the Congress will never be a party to the working of any constitution which is not framed by the accredited representatives of the Indian nation. The resolution has been purposely wildly-worded with a view to carry the opposition with us in supporting it, and in our fight for Swaraj."

The Rt. Hon. *Srinivasa Shastri* supported the resolution, but held that the Congress should accept office under the Federation also and agitate for further reforms.

The resolution was passed by an overwhelming majority, Sir *K. V. Reddi* and Sir *Muhammad Usman* opposing the resolution.

A walkout was staged in the Council to-day by 12 members of the Opposition led by Sir *K. V. Reddi* as a result of the refusal of the Government to accede to the request of the Opposition to postpone consideration of the Agriculturist Debt Relief Bill. Three separate amendments to this effect were rejected by the House and the Premier's motion that the Bill as passed by the Assembly be taken into consideration was carried by 28 votes to 16. The House then adjourned till the 1st. March.

### Civil Courts Amend. Act

**2nd. MARCH**:—The Council to-day refused permission to Mr. *J. A. Saldhana* to introduce his Bill to amend the Madras Civil Courts Act with a view to allow Catholics being governed by Canon Law instead of by usage and custom.

The *Premier* pointed out that the Bill was, beyond the well-known principle of usage, ordinarily being the personal law of communities.

### Separation of Executive and Judiciary

Mr. *Ahmed Meeran* moved a resolution urging separation of the subordinate criminal judiciary from the executive.

Another member, opposing, said that when the Congress was fighting against the Government of India Act they should not fritter away their energies in such minor issues involving additional cost which the Congress Government could not bear in view of the ameliorative measures they had taken in hand.

The House at this stage adjourned till March 7.

### Voting on Budget Demands

**7th. MARCH**:—Voting on Budget demands commenced to-day. Mr. *J. A. Saldanha* (Indian Christian ropresentative) described the budget as a "grandiloquent and

voluntary abdication" of excise revenue, and doubted if prohibition would prove a success. He suggested that title-holders should be taxed, and taxes be imposed on racegoers and owners of racehorses. Lotteries, Mr. Saldhana said, should be conducted on behalf of hospitals and charitable institutions.

Mr. *M. Ramakrishna Reddi* urged reduction in the land revenue assessment by at least one-third. He pointed out that while in the United Kingdom the tax amounted to only 8·8 per cent of the gross yield, in Madras it was over 20 per cent.

**8th. MARCH** :—Speaking on the Budget to-day, the Rt. Hon. *V. S. Srinivasa Sastri* said that the success of prohibition in Salem, which had been beyond expectasion, fully justified its extension to other districts. He was happy that the Government were proceeding with the introduction of prohibition with due caution.

One urgent matter to which the Government should pay attention was improving the lot of the low paid village officials like policemen, who were leading lives of comparative penury. As regards the Wardha scheme, Mr. Sastri said that a moderation and restriction of the scheme was called for and like Hindi, it should be tried only as an experimental measure.

*Sir K. V. Reddi* objected to the extension of prohibition to two more districts, remarking that he did not admit the efficiency of the working of the Prohibition Act in Salem. He added that the district collector's report regarding its success was exaggerated. He also objected to the compulsory introduction of Hindi in certain schools.

**9th. MARCH** :—He so much believed in Prohibition that the fact going against its success he was not afraid of, thus said the *Premier* dwelling lengthily on Prohibition in reply to the general debate on the budget this afternoon.

Refuting the allegation that the Salem Collector's Report on the success of Prohibition was exaggerated, the Premier referred the House to the Opposition leader's comment that the report was not exaggerated. Mr. Rajagopalachariar assured the House that he would not hide any evidence given against the success of Prohibition. He expressed thankfulness for the very generous manner in which the leader of the Opposition had approved of the Budget and given expression to his unqualified approval of several parts of it.

**23rd. MARCH** :—Questioned as to wheter the Government intended to take steps to ban the publication or sale of news-sheets containing acceptances of horses in races conducted outside the Province, the Government stated that they would consider whether the suggestion was practicable.

The Government further stated that they would consider whether the Madras Betting Tax Act should be extended to the Ootacamund races.

The *Minister for Courts and Prisons* presented the Select Committee's report on the Bill to further amend the Madras Suppression of Immoral Tarffic Act. The Bill was passed. Sir *Mahomed Usman*, Leader of the Opposition, urged the need for establishing a large number of rescue homes.

**25th. MARCH** :—The need for the improvement of rural water-supply and the superfluity of the existence of two Government Houses in Madras were stressed by several members during the general discussion of supplementary demands for grants to-day. Another member said that the proposal to send the Speaker of the Assembly abroad would create a precedent for future.

The *Premier*, replying, suggested that members should co-operate by drawing up a priority list of the areas among themselves for the extension of improvement of water-supply and that the Government would attend to their needs. As regards the Government Houses, the Premier said that the Order-in-Council of December, 1936 made them powerless. Adverting to the Assembly Speaker's voyage abroad, the Premier said that any amount of study of Parliamentary procedure from far away was not equal to practical observation, and the fear of settling up a precedent was not justified, because what was done for the infancy of an institution went a long way towards laying a strong foundation for it. The House adjourned till the 31st. March.

**31st. MARCH** :—The Council passed this afternoon after three hours' discussion the resolution on linguistic provinces on the lines of the resolution adopted by the Assembly yesterday. Thereafter in pursuance of the message from the Governor, the House was *prorogued sin die.*

# The U. P. Legislative Council

## LIST OF MEMBERS

*President*—Hon'ble Dr. Sir Sita Ram
*Deputy President*—Begum Aizaz Rasul

1 Mr. Baij Nath
2 Rai Amar Nath Agarwal
3 Rai Bahadur Brijendra Swarup
4 Mr. Mohan Krishna Varma
5 Mr. Chandra Bhal
6 Rai Sahib Lala Mathura Das
7 Lala Janardan Sarup
8 Lala Babu Lal
9 Mr. Lakshmi Narayan
10 Lala Har Sahai Gupta
11 Lala Radhey Raman Lal
12 Thakur Gopal Singh
13 Mr. Ratan Lal Jain
14 Rai Bahadur Chaudhri Badan Singh Tewari
15 Rai Sahib Lala Roop Chandra Jain
16 Kunwar Rameshwar Pratap Singh
17 Mr. Badri Prasad Kakkar
18 Pandit Beni Madho Tiwari
19 Rai Bahadur Thakur Lakshmi Raj
20 Mr. Ram Chandra Gupta
21 Rai Bahadur Lala Raghuraj Singh
22 Lala Mohan Lal Sah
23 Rai Bahadur Seth Kedar Nath Khetan
24 Raja Ashtbhuja Prasad, Rai Bahadur
25 Mr. Madho Prasad Khanna
26 Dr. Ram Ugrah Singh
27 Pandit Rama Kant Malaviya
28 Rai Bahadur Thakur Hanuman Singh
29 Raja Sri Ram, Taluqdar
30 Kunwar Diwakar Prakash Singh Taluqdar
31 Rai Bahadur Mohan Lal
32 Mr. Rup Narayan
33 Bhaiya Durga Prasad
34 Rai Bajranga Bahadur Singh
35 Nawab Islam Ahmad Khan
36 Mr. Muhammad Faiyaz Khan
37 Dr. Mahmud Ullah Jung
38 Khan Bahadur Syed Ahmad Husain Rizvi
39 Khan Bahadur Muhammad Zaki
40 Syed Agha Haider
41 Khan Bahadur Syed Akbar Ali Khan
42 Mr. Muhammad Abid Khan Sherwani
43 Khan Bahadur Shaikh Masood-uz-Zaman
44 Hafiz Ahmad Husain
45 Mr. Waheed Ahmad
46 Mr. Muhammad Faruq
47 Khan Bahadur Haji Maulvi Muhammad Nisarullah
48 Syed Kalbe Abbas
49 Begum Aizaz Rasul
50 Choudhury Akhtar Husain
51 Mr. Izhar Ahmad Faruqi
52 Mr. C. W. Tosh
53 The Hon'ble Dr. Sir Sita Ram
54 Mr. C. St. L. Teyen
55 Mrs. Mona Chandravati Gupta
56 Rai Bahadur N. K. Mukerji
57 Risaldar Major and Honorary Captain Amir Muhammad Khan
58 Mr. Ram Sahai
59 Lady Wazir Hasan
60 Pandit Harihar Nath Shastri

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# The U. P. Legislative Assembly

## LIST OF MEMBERS

*Speaker*—The Hon'ble Shri Purushotamdas Tandon
*Deputy Speaker*—Mr. Abdul Hakeem

*Ministers* :—

1 The Hon'ble Pandit Govind Ballbh Pant. (*Premier*)
2 The Hon'ble Mr. Rafi Ahmad Kidwai (*Minister for Revenue*)
3 The Hon'ble Dr. Kailas Nath Katju( *Minister for Development & Justice*)

4 THE HON'BLE MRS. VIJAYA LAKSHMI PANDIT (*Minister for Local Self-Government*)
5 THE HON'BLE SHRI SAMPURNANANDJI (*Minister for Education*)
6 THE HON'BLE HAFIZ MUHAMMAD IBRAHIM (*Minister for Communications*)

*Parliamentary Secretaries*: —

7 MR. AJIT PRASAD JAIN
8 ACHARYA JUGAL KISHORE
9 SRI ATMARAM GOVIND KHER
10 THAKUR HUKUM SINGH
11 SRI KARAN SINGH KANE
12 PANDIT VENKATESH NARAYAN TIVARY
13 MR. BIHARI LAL CHAUDHRI
14 MR. MUHAMMAD SULEMAN ANSARI
15 SRI GOPI NATH SRIVASTAVA

*Members* :—

16 MR. CHANDRA BHAN GUPTA
17 MR. NARAIN DAS
18 DR. JOWAHAR LAL ROHATGI
19 BHAGAT DAYAL DAS JI
20 SETH ACHAL SINGH
21 THE HON'BLE SRI PURSHOTAMDAS TANDON
22 MR. HARI
23 PANDIT PYARE LAL SARMA
24 PROFESSOR RAM SARAN
25 ACHARYA NARENDRA DEV
26 BABU BINDHYABASINI PRASAD VERMA
27 PANDIT MAHABIR TYAGI
28 THAKUR PHOOL SINGH
29 CHOUDHRI MANGAT SINGH
30 BABU KESHAV GUPTA
31 SRIMATI SATYAVATI DEVI
32 MR. CHARAN SINGH
33 CHOUDHRI KHUSHI RAM
34 CHOUDHRI RAGHUVANSH NARAYAN SINGH
35 CHAUDHRI VIJEYPAL SINGH
36 MR. BRIJ BEHARI LAL
37 THAKUR MANAK SINGH
38 CHOUDHRI BHIM SEN
39 THAKUR TODAR SINGH TOMAR
40 MR. JWALA PRASAD JIGYASU
41 THAKUR MALKHAN SINGH BHAL
42 PROFESSOR KRISHNA CHANDRA
43 CHAUDHRI SHIVA MANGAL SINGH
44 MR. RAM CHAND PALIWAL
45 DR. MANIK CHAND JATAV VIR
46 PANDIT JAGAN PRASAD RAWAT
47 PANDIT JIVA LAL
48 CHAUDHRI MIJAJI LAL
49 CHAUDHRI BIRESHWAR SINGH
50 MR. BABU RAM VERMA
51 SHRIMATI VIDYAVATI RATHORE
52 KUNWAR SHAMSHER JANG alias KR. CHARAT SINGH
53 CHAUDHRI KHUB SINGH
54 MR. DAU DAYAL KHANNA
55 PANDIT SHANKAR DUTT SHARMA
56 THAKUR PRITHIVI RAJ SINGH
57 PANDIT DWARKA PRASAD
58 PANDIT DEO NARAYAN BHARTIYA
59 THAKUR SADHO SINGH
60 KUNWAR RUKUM SINGH RATHOR
61 MR. LAKHAN DASS JATAVA
62 CHAUDHRI BADAN SINGH
63 THAKUR BHAGWAN SINGH
64 PANDIT RAMESWAR DAYAL
65 MRS. UMA NEHUU
66 MR. BALWANT SINGH
67 CHAUDHURI BUDHU SINGH
68 BABU HOTI LAL AGARWAL
69 BABU RAM SARUP GUPTA
70 DR. MURARI LAL
71 SRI BANSHGOPALJI
72 PANDIT SHEO DAYAL UPADHYA
73 MR. R. S. PANDIT
74 MR. LAL BAHADUR SHASTRI
75 PANDIT R. V. DHULEKAR
76 PANDIT BHAGWAT NARAYAN BHARGAWA
77 PANDIT MANNI LAL PANDEY
78 CHAUDHRI LOTAN
79 DIWAN SHATRUGHAN SINGH
80 THAKUR KESHAVA CHANDRA SINGH
81 THAKUR HAR PRASAD SINGH
82 PANDIT YAJNA NARAYAN UPADHYAYA
83 PANDIT KAMALAPATI TEWARI
84 MAHARAJ KUMAR SIR VIJAYA OF VIZIANAGARAM
85 BABU VISHWANATH PRASAD
86 RAJA SHARDA MAHESH PRASAD SINGH SHAH
87 PROFESSOR BIRBAL SINGH
88 PANDIT KESHAVA DEVA MALAVIYA
89 MR. PARASRAM RAI
90 PANDIT INDRADEO TRIPATHI
91 THAKUR RADHA MOHAN SINGH
92 THAKUR SURYA NARAYAN SINGH
93 THAKUR SINHASAN SINGH
94 PANDIT MOHAN LAL GAUTAM
95 MR. BISWANATH MUKHERJI
96 THAKUR PRAYAG DHWAJ SINGH
97 PROFESSOR SHIBBAN LAL SAKSENA
98 MR. PURNAMASI
99 PANDIT RAM DHARI PANDE
100 MR. KASHI PRASAD RAI
101 PANDIT RAM KUMAR SHASTRI
102 PANDIT SITA RAM SHUKLA
103 MR. HARNATH PRASAD
104 PANDIT RAM CHARITRA PANDE
105 MR. SITA RAM ASHTHANA
106 MR. GAJADHAR PRASAD
107 PANDIT RADHA KANTA MALAVIYA

108 Pandit Algu Rai Shastri
109 Kunwar Anand Singh of Kashipore
110 Pandit Har Govind Pant
111 Mr. Ram Prasad Tamta
112 Thakur Jagmohan Singh
113 Pandit Anusuya Prasad Bahuguna
114 Pandit Vishwambhar Dayal Tripathi
115 Pandit Jata Shankar Shukla
116 Lal Surendra Bahadur Singh
117 Mrs. Shunitidevi Mittra
118 Mr. Bhawani
119 Pandit Lakshmi Shankar Bajpai
120 Mr. Chheda Lal Gupta
121 Pandit Shanti Swarup
122 Rai Shib Thakur Bibhuti Singh
123 Pandit Shiva Ram Duvedi
124 Mr. Paragi Lal
125 B. Jagannah Prasad *alias* Jagan
126 Thakur Lalta Buksh Singh
127 Pandit Banshi Dhar Mitra
128 Kunwar Kushwaqt Rai *alias* Bhaiya Lal
129 Shri Shri Ratna Shukla
130 Pandit Krishna Nath Kaul
131 Mr. Paltu Ram
132 Thakur Ram Naresh Singh
133 Raj Kumar Jang Bahadur Singh
134 Mr. Sundar Lal Gupta
135 Pandit Bhagawan Din Misra
136 Sriyut Lal Behari Tandon
137 Mr. Ishwar Saran
138 Kunwar Raghvendra Pratap Singh
139 Rai Sahib Hari Prasad Tamta
140 Pandit Harish Chandra Bajpai
141 Pandit Govind Malaviya
142 Mr. Krishnanand Nath Khare
143 Shrimati Rajmata Parbati Kunwari
144 Mr. Chet Ram
145 Mr. Muhammad Ismail Khan
146 Shaikh Ghalib Rasul
147 Khan Bahadur Hafiz Ghaznafarullah
148 Mr. Aziz Ahmad Khan
149 Maulvi Karimul Raza Khan
150 Khan Bahadur Mr. Akhtar Adil
151 Captain Haji Nawab Bahadur Muhammad Abdus Sami Khan, Khan Bahadur
152 Dr. Abdus Samad
153 Mr. Zahur Ahmad
154 Mr. Muhammad Ekram Khan
155 S. M. Rizwan Allah
156 Chaudhri Khaliq-uz-zaman
157 Mr. Muhammad Wasim
158 Qazi Abdul Wali
159 Maulvi Munfait Ali Sahib
160 Khan Bahadur Shaik Muhammad Ziaul Haq.
161 Sahibjada Sayed Hasan Ali Khan
162 Nawabzada Muhammad Liaquat Ali Khan
163 Mr. Tahir Hussain
164 Captain Nawab Muhammad Jamshed Ali Khan
165 Mr. Muhammad Shaukat Ali Khan
166 Nawab Dr. Sir Muhammad Ahmad Said Khan
167 Khan Bahadur Haji Muhammad Obaidur Rahman Khan
168 Khan Bahadur Badruddin
169 Mr. Mohammed Jan Khan
170 Khan Bahadur Sheikh Khalilluddin Ahmad
171 Khan Bahadur Muhammad Raja Khan
172 Chaudhri Islam Ullah Khan
173 Mr. Akhtar Hasan Khan
174 Chaudhry Jafar Hasan Khan
175 Maulana Muhammad Ismail
176 Sh. Zainul Abedin
177 Khan Bahadur Maulvi Muhammad Fasih-ud-din
178 Khan Bahadur Mr. Muhammad Fazl-ur-Rahaman Khan
179 Khan Bahadur Shaik Muhammad Imtiaz Ahmad
180 Khan Bahadur Lieutenant M. Sultan Alam Khan
181 Mr Nafisul Hasan
182 Mr. Mahmud Hussain Khan
183 Nawab Sir Muhammad Yusuf
184 Mr Rafi-uddin Ahmad
185 Khan Sahib Maulvi Muhammad Hasan
186 Mr. Muhammad Athar
187 Mr. Muhammad Farooq
188 Mr Zahirul Hasnain Lari
189 Qazi Muhammad Adil Abbasi
190 Mr. Abdul Hakeem
191 Mr. Muhammad Ishaq Khan
192 Maulvi Iqbal Ahmad Khan
193 Shaikh Zahiruddin Faruki
194 Raja Saiyid Ahmad Ali Khan Alvi
195 Chaudhri Hyder Husain
196 Mr. Mubashir Husain Kidwai
197 Saiyid Aizaz Rasul, Taluqdar
198 Raja Syed Sajid Husain

199 Raja Syed Mohammad Mahdi
200 Mirza Mahmud Beg
201 Mr. Ghulam Hasan
202 Raja Syed Muhammad Sa'adat Ali Khan
203 Raja Muhammad Ahmad Ali Khan
204 Khan Bahadur Shaikh Said Uddin Ahmad
205 Raja Sir Mohammad Ejaz Rasul Khan
206 Dr. Bolar Thungamma
207 Srimati Prakash Vati Sud
208 Srimati Lakshmi Devi
209 Begum Habibullah
210 Begum Sahid Hussain
211 Mr. H. G. Walford
212 Mr. Desmond Young
213 Captain S. R. Pocock
214 Kunwar Sir Maharaj Singh
215 Mr. S. C. Chatterji
216 Dr. Sir Jwala Prasad Srivastava
217 Mr. Edward M. Souter
218 Lala Padampat Singhania
219 Rai Bahadur Lala Prag Narayan Talugdar
220 Shaikh Muhammad Habibullah
221 Raja Jagannata Bakhsh Singh
222 Raja Bisheshwar Dayal Seth
223 Major Raja Durga Narayan Singh
224 Rai Govind Chandra
225 Pandit Raja Ram Shastri
226 Pandit Suraj Prasad Avasti
227 Mr. B. K. Mukherjee
228 Dr. Syed Husain Zaheer

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# Proceedings of the Assembly

## Winter Session—Lucknow—17th. January to 7th. February 1938

The winter session of the U. P. Legislative Assembly commenced at Lucknow on the **17th January 1938**. After the *Speaker* had paid a feeling tribute to Mrs. Swaruprani Nehru, wife of the Late Pandit Motilal Mehru, an adjournment motion was moved by Mr. *Zahirul Hasnain Lari* to discuss the unconstitutional and partisan methods and principles adopted by Government in the appointment of Mr. Paliwal and his subordinates in the Rural Development department. The motion was opposed by Government and ruled out.

After lunch the chamber echoed with the cries of the Madhe Sahaba demonstrators reported to be 150 in number who were, however, prevented from entering the lobbies. There was another demonstration staged by the kisans of Lucknow district who alleged police high-handedness.

The Sugar Factories Control Bill on the motion of Dr. *K. N. Katju* was referred to a Select committee.

### Court Fees Amend. Bill

**18th. JANUARY** :—The Court Fees Amendment Bill which was referred to a select committee was the subject of strong criticism from the Opposition benches. Dr. *Katju*, replying to the debate, made a vigorous speech amidst interruptions which resulted in some heat on both sides of the House.

Other bills introduced and referred to select committees were the Stamp Amendment Bill and the Maternity Benefit Bill. The report on the former was to be submitted not later than March 1 and on the latter by Jan. 22.

### Abolition of Titles

**19th. JANUARY** :—It was a non-official day and the debate dragged on till about five on the resolution recommending the abolition of the practice of conferment of titles and decorations. The *Premier* in the course of his speech characterised the titles as a tainted thing and said that Government had already taken steps through proper channels to acquaint the proper authority that they did not want titles to be conferred on any officials or non-officials. He would be glad if the House would ratify what Government had already done. He further said that they had no share or voice in the conferment of titles in the last honours list.

### Non-official Resolutions

The second resolution recommending the extension of the Khaddar Name Protection Act of 1934 in the province lapsed due to the absence of Rajmata Thakurani Parbati

Kunwar but Dr. *Katju* announced that the action recommended had already been taken.

Mr. *Muhammad Wasim* moved that pending consideration of the Debtors' Relief Bill necessary steps should be taken to stay the execution of civil decrees in cases where judgment-debtors were not agriculturists.

FEDERATION OPPOSED

**20th. JANUARY** :—Mr. *Mubashir Hussain Kidwai's* resolution asking the Government to intimate to the Central Government its firm resolve not to be a party to the inauguration of the proposed Federation and futher that no money should be spent out of the provincial revenues and no arrangement be made by the provincial Government in connection with the inauguration of the Federation, whether in the matter of holding elections to the Federal Legislature, or other matters connected therewith, occupied the greater part of the day.

Dr. *Katju*, replying on behalf of Government, heartily accepted the resolution. They would take not only the step recommended but all the other methods possible to resist the Federation and hoped that those on the opposite benches who participated in the debate would then join hands with the Government. The resolution was adopted.

COLOURISATION OF ARTIFICIAL GHEE

**21st. JANUARY** :—*Prof. Krishna Chandra* introduced a Bill for the colourization of all artificial ghee and moved its reference to a select committee.

Dr. *K. N. Katju*, Minister, speaking for Government, suggested for the consideration of the select committee that they might remedy the situation by declaring that none but pure ghee should be named ghee, and that vegetable products should have some other name. After another hour of debate the House agreed unanimously to the reference of the Bill to a select committee.

RELIEF TO DEBTORS BILL

Two-and-a-half hours were next devoted to the debate on urban indebtedness on the motion of Mr. *Zahirul Hussain Lari* to refer to a select committee his Bill to provide relief to debtors. Mr. Lari said that the Government was confining its attention to rural indebtedness and was not tackling a similar question in urban areas. The mover hoped that the Congress Ministry would not take a stand on the sanctity of contract, a principle introduced by British rulers but take a stand on Manu's law of *damdopat*. He also hoped that political strategy would not determine the Ministry's attitude towards the Bill.

Mr. *Laxmi Shankar Bajpai* moved the circulation of the Bill by April 13. *Seth Achal Singh* (Congress) opposed the Bill as it would gravely affect the trading community, who were already hard hit by the Encumbered Estates Act and the Agriculturists Relief Act. Mr. *E. M. Souter*, voicing the opinion of the Chamber of Commerce, supported Mr. Achal Singh's view and expressed the opinion that the proposal of Mr. Lari for fixing a maximum rate of interest for the secured and unsecured debts would ruin the Credit Bill.

Mr. *Mangat Singh* (Congress) preferred cancellation of all debts, and regretted that the Congress Ministry had not yet done what it had come to office to do, namely pass debt and rent legislation. (Opposition (cheers.) *Kunwar Sir Maharaj Singh* suggested that the Government should adopt the straightforward course of either opposing the Bill or get the circulation by March 15.

Dr. *Katju*, replying to the debate, declared that the Government did not like such a complex problem to be dealt with peacemeal. They must draw a distinction between indebtedness for business and indebtedness of the poor, and they must give consideration to the fact that as the large part of India's capital was invested in land, credit should not be made difficult for those possessing land. The mover, the Minister declared, had not understood the law of *Damdopat* nor appreciated the position that if there was to be socialization, then all form of capitalism, whether of moneylenders or of zemindars, must be dealt with.

The debate had not concluded when the House adjourned.

TRADES DISPUTES BILL

**22nd. JANUARY** :—Some provisions of the Trades Disputes Bill came in for severe criticism from both the Congress and Opposition benches, though there was an agreement with the principle underlying the bill. *Acharya Narendra Dev* (Congress)

said that if the labour officer was allowed to negotiate on behalf of the worker directly with the employer the trade unions would be weakened. Similar apprehensions were expressed by some other Congress members. Mr. *Rajaram Shastri* said that the bill in the present form could never be acceptable to labour. Dr. *Katju*, replying, assured that it was not Government's intention to 'torpedo' the trade union movement and said that all suggestions would be examined by the select committee.

Sir *Maharaj Singh* again protested to-day against the procedure of rushing bills through select committees. He moved an amendment that the bill be circulated for eliciting public opinion till Feb. 21 next. *Dr. Katju* accepted the amendment as it would be of little practical difference in respect of time in view of the likely dates of the Assembly meetings. The motion for reference was adopted.

The Court of Wards Amendment Bill which was introduced in September last was referred to a select committee, the latter to report not later than Jan. 25 next.

MELA CONTROL BILL

**24th. JANUARY** :—A criticism that the Cabinet was rushing through legislative measures at great speed, was made to-day in the course of the debate on the *Premier's* motion to refer the Mela Control Bill to a select committee. The Bill proposed the appointment of a committee of non-officials to assist the mela officer.

The Opposition demanded its circulation but on Pt. *Govind Ballabh Pant's* closing remarks that he wanted to economize time and was prepared to allow two months to the select committee, the Opposition withdrew the motion for circulation. The Premier explained that the Bill was intended to be compulsory for the Allahabad Magh Mela and optional in other cases.

Mr. *Yagyanarayan Upadhaya* said that legislation was necessary with a view to checking activities of kipnappers and other undesirable persons.

Sir *J. P. Srivastava*, a former Minister, was bewildered at the mass of legisiation the Congress was putting through at break-neck speed and remarked : "I see that from law-breakers they are becoming law-makers. Mr. *Haris Chandra Bajpai* retorted that the necessity of introducing legislation at this speed had arisen because the previous Government had not performed its duty. *Pandit Pant* agreed with the House that the powers of magistrates should be regulated. He assured the House that regarding "urs" and other religious fairs he would accept any suggestions made.

SUGAR FACTORIES CONTROL BILL

**25th. JANUARY** :—The Assembly to-day after having referred the Borstal Bill and the First Offenders' Probation Bill to select committees continued consideration of the Sugar Factories Control Bill as amended by the select committee. On a motion by a Congress member, the House adjourned till the 27th. to enable members to visit their constituencies to-morrow for the "Independence Day."

**27th. JANUARY** :—The first division of the Assembly took place to-day on the Sugar Factories Control Bill and indicated to the Opposition parties the strength they could mobilize in contesting Government proposals. *Sheikh Mohammed Habibullah* moved an amendment which purported to subject the order of cancellation to the approval of the two-third majority on the Sugar Board. Dr. *K. N. Katju*, Minister, replied that the Government could not share the responsibility with the Sugar Board. Sir *J. P. Srivastava* commented on this statement by a remark that no bureaucratic Government could have stated more. Dr. *Katju* replied that the ex-Minister was thinking of "a despotic" Government, but the present Government meant a popular Ministry, subject to the vote of the legislature which represented the people of the province as against the special interests on the Sugar Board.

The Amendment was put to vote and defeated by 111 votes to 25.

**28th. JANUARY** :—The prospect of a night sitting helped to expedite the discussion of the amendments on the Sugar Factories Control Bill to-day.

The main discussion centred round Sir *J. P. Srivastava's* amendment for the deletion of the provision inserted by the select committee that, in case of the failure to purchase the minimum quantity of cane, a factory owner will be liable to pay damages to the amount calculated at two annas per maund of cane. Sir Jawala Prasad said that such a provision did not exist in the Bihar law. He enumerated the various difficulties which would be caused by the proposed penalty. The penalty, he maintained, was entirely one-sided in that the cane grower was not penalized for

not supplying cane. Moreover, the Government having already a "big stick" of refusing the license, should need no further power.

Dr. *K.N. Katju*, Minister, agreed to accommodate the view of Sir J. P. Srivastava and moved an amendment which the House adopted. It proposed that the penalty on a factory owner be imposed only if a "wilful" failure was proved and the penalty which was originally put at two annas a maund was reduced to "not exceeding one anna per maund." It was also made clear on the suggestion of Mr. *Muhamad Ishaq* that the punishment of imprisonment on a purchaser for defying the law would not be imposed unless it was proved that the law has been broken "knowingly."

A lively discussion, issuing three hours, took place on the clause imposing the sales tax. The Government who had originally worded the tax as being on factory owners had to alter its phraseology to get round the Government of India Act. It was changed to a tax on the sale of sugarcane and, as such, would fall on the cultivator.

The Opposition took advantage of this position and attacked the Government for letting down the cultivators, who had returned them to the House. Dr. Katju pleaded that actually the tax would come out of the factory owners' profits and was a concession which was agreed to by the owners at a conference.

The House rejected by 106 votes to 36 *Shaik Mohamed Habibullah's* motion for the deletion of the tax and adopted the clause imposing the tax.

**29th. JANUARY**:—The Assembly passed the Sugar Factories Control Bill to-day. Four amendments, including three from two Congress members were accepted by the Government. They wanted rules to be made for proper shelter at factories for cultivators, cartmen and bullocks and for satisfactory disposal of sullage water and damaged cane.

When the hon. *Dr. K. N. Katju* rose to move that the Bill be passed Sir *J. P. Srivastava* raised the issue relating to the suspension of the Standing Order to give effect to yesterday's understanding between the Government and the Opposition.

A prolonged debate next ensued on the point of order raised by *Khan Bahadur Shaik Muhammad Habibullah* who said that without the Governor's recommendation the Bill should not have been introduced at all. The Opposition tried to make out that the whole proceedings relating to the Bill were null and void. The debate rolled on till after lunch in the course of which Chaudhri Khaliq-uz-zaman accused Dr. Katju of losing temper.

The *Speaker* disallowed the point of order and said that here the Government meant the Executive. Any definite document making a definite recommendation to the House as desired by the Opposition was not necessary at all. If the objection was allowed it would have the effect of further restricting the already restricted powers of the people under the Act. The Speaker's ruling was received amidst loud cheers.

### WOMEN & HONORARY MAGISTRATE

**1st. FEBRUARY**:—A feature of to-day's proceedings was a discussion on the rule relating to the appointment of honorary magistrates, with particular reference to the appointment of women. Dr. *K. N. Katju*, Minister of Justice, brought to a happy close a lively debate on the merits of the sexes to serve as honorary magistrates by declaring that the Government would make no distinction in the matter between men and women.

### CONGRESS PRIVILEGE CRITICISED

**2nd. FEBRUARY**:—Question time provided the main interest in to-day's proceedings of the Assembly. The Premier, who had been keeping away from the House on account of his pre-occupation with the Budget, answered several important questions.

The Opposition brought up three main issues: the recruitment of the rural development staff, the Chief Secretary's circular to district magistrates urging co-operation with Congress organizations, and the Dadri riots.

Dr. *K. N. Katju* faced for half an hour supplementary questions regarding rural development and attacks and repartees provoked many cheers and counter cheers. The allegation of the Opposition was that the Congress Ministry had recruited only Congressmen for rural development work. Dr. Katju claimed that no test except that of efficiency was applied. An inquiry from a Congress quarter as to what was

the test applied by the previous Government made Dr. Katju charge his predecessors with having made these appointments on "pure favouritism."

The next subject of grievance was that the Chief Secretary's circular to district magistrates had discriminated against the Liberal Federation and the Moslem League, by asking officials to seek help and co-operation from Congress organisations only. The Premier defended the circular, by stating that officials and Congressmen had for years been opposed to each other, and it was necessary to remove a mutual suspicion. No such difficulty had been felt regarding other organizations. Mr. M. Farooq commented on this as creating a privileged position for Congressmen. The Premier retorted that the circular imposed a privileged duty on Congressmen to help the Administration.

As for the Dadri riots, the Premier read out a note he had written on the official file immediately after the riot broke out. It stated that Ballia Hindus and Moslems were satisfied with the manner in which the situation had been handled. He added that, whereas Hindus and Moslems in Ballia had the friendliest relations, excitement was noticeable only outside Ballia Finally, the Premier remarked : "It is unfortunate that the interest which the Government has been taking in the matter has not been appreciated in the least."

### Court of Wards Amend. Bill

The Court of Wards Act Amendment Bill providing for employment of Government auditors to audit the Court of Wards account was passed to-day. The discussion on the Bill was made the occasion for speeches by two dozen members, who criticised the administration of the Court of Wards. All, however, agreed with the necessity for Government audit.

### Change in Service Recruitment

**3rd. FFBRUARY** :—Normal controversies having been laid aside for the day, all sections of the Assembly supported to-day *Kunwar Sir Maharaj Singh's* resolution requesting the Government of India to move the Secretary of State to provincialize at an early date the Indian Civil Service, the Indian Police Service and the Indian Medical Service. The resolution was unanimously passed. The Assembly is the first in India to have made a move in the matter.

The Government view was expressed by Mrs. *Vijayalakshmi Pandit* and Pandit *Govind Vallabh Pant*. Mrs. Pandit, Minister for Public Health, dealt with the unfairness of the arrangements regarding the Indian Medical Service which took no note of the financial circumstances of the province and imposed on the provincial Government a large number of European I. M. S. officers and even took up the absurd position of extending this reservation to specialist posts. All provincial Governments, she said, had decided to fight the resolution of the Central Government.

The *Premier*, replying to the debate, said that the present system of recruitment of the three services was "outrageous", and gave an idea of the "hollowness" of the so-called provincial autonomy. Asking members not to make any inferences about the attitude of the present members of the services, the Premier remarked that even if members of the services showed enough accommodation, "it is not enough that they accommodate the Government. The Government which depends on accommodation cannot live. It cannot govern if it cannot govern an agency through which it governs. The time has come to take up the matter in an earnest manner. So far as the Congress are concerned, we do no care to seek an amendment of the Act here or there. We want to throw it off. We want to trample upon it." The resolution was passed unanimously.

### Speaker and Politics

**4th. FEBRUARY** :—After a dull question hour the Assembly witnessed an interesting debate on a point of order raised by **Mr. *Lari*** (Muslim League) objecting to a discussion today of the Premier's motion that any member who was elected as Speaker should be free to take part in political affairs outside the House in his discretion. Mr. Lari's chief grievance was that the matter was being taken up at the fag end of the session when the Opposition party leaders were away. The *Premier* submitted that he thought it would not be a thankless task to give the Opposition an opportunity to discuss a matter which they sought to raise through an adjournment motion two weeks ago. That motion he took as an indirect request to Government to facilitate a discussion of the subject in the House.

The hon. Mr. *Tandon*, the Speaker said that to-day's motion concerned a principle which, though enunciated by him, the Government wanted to emphasise, while Mr.

Lari's adjournment motion concerned the Speaker. He disallowed the objection as far as it related to the rules, but the argument that the party leaders were away appealed to him. He, therefore, refused to allow a discussion of the resolution to-day. This was received amidst loud cheers on the Opposition benches.

SUGAR FACTORIES CONTROL BILL

The House re-assembled at 4 p. m. and adjourned till the 7th instant, as the Sugar Factories Control Bill was still being discussed in the Upper House.

**7th. FEBRUARY** :—The Assembly met to-day at 2 p. m. to receive from the Upper House the Sugar Factories Control Bill as amended by the House. After a brief discussion the Assembly agreed to the amendment without any dissentient voice. The House then adjourned till to 1st. March.

## Budget Session—Lucknow—1st. March to 27th. April 1938

PREMIER ON MINISTRY RESIGNATION

An exciting preface to the opening of the Budget session of the Assembly on the **1st. March** was a peaceful Kisan demonstration in front of the Chamber.

The *Speaker*, before taking up business, said : "You are aware that as a result of certain political differences over interpretation of a particular section of the Government of India Act, a serious situation arose in the province and led to the resignation of the Ministry. The crisis, which has ended happily, has only helped to clarify the political situation. A problem which appeared difficult has been solved and a step further has been taken in the political progress of the country."

The *Premier* then read out a statement which had been issued jointly by the Governor and himself and called attention to "the White Paper" circulated to members, publishing all relevant matters on the subject. He concluded : "As the controversy has now been settled, I do not think the House would desire me to discuss merits any further."

FINANCIAL STATEMENT FOR 1938-39

**3rd. MARCH** :—Believing firmly that a reasonably small Budget deficit serves a wholesome purpose as it places the need for economy constantly before the spending departments, the Premier and Finance Minister, *Pandit Govind Ballabh Pant*, presented his Budget statement to-day in the Assembly.

The statement showed a deficit for 1936-37 of Rs. 37 lakhs, a deficit of Rs. 7 and one fourth lakhs for 1937-38 and an estimated deficit of Rs. 15 lakhs for 1938-39. The Premier declared that the figure of 15 lakhs was not formidable and in any case, it made a better showing than the last five years when the deficits averaged Rs. 32 lakhs a year.

The Minister proposed to spend Rs. 1.10 crores on rural and nation-building schemes, and this large amount was made available by the ingenuity of the Premier and of his financial staff. The economy campaign yielded more than 20 lakhs by way of reduction in expenditure.

Compared with the Budget for 1937-38 revenue expenditure increased by 70 lakhs and the revenue increased by 63 lakhs. Of the former, new expenditure amounted to 50 lakhs of which 6 lakhs was recurring. Similarly on the revenue side only 26 lakhs out of 62 lakhs was a permanent improvement, of which 10 lakhs depended on the passing of the Stamp and Court Fees Amendment Bills, pending before the Legislature.

There were certain aspects of the Budget which might draw special attention. For instance the grant for the Scout movement was maintained but it was not reserved for the Baden Powell Association. A sum of Rs. 50,000 was provided as a recurring charge for military and physical training. It was expected that the help of the military authorities would be sought in the first instance to prepare a scheme for the purpose. Another Rs. 50,000 was set apart as recurring cexpenditure for the promotion of education among the depressed classes and Rs. 30,000 was reserved for water supply to these classes.

Prohibition was launched in two districts at a cost of Rs. 15 lakhs to the revenues. In the programme of nation-building expenditure of 110 lakhs, Rs. 35 lakhs was provided for a special rural uplift scheme. This amount was to be utilized for advances for the purchase of seeds, fertilizers and implements to cultivators and for

the purchase of raw materials for the cottage industry and of seeds. Seven lakhs would be the recurring cost of the administrative agency for this agricultural scheme. Five hundred seed stores were to be set up as also a marketing organisation. A sum of Rs. 1 and half lakhs was provided for awarding ten rupees a year to 1,500 kamdars who would conduct demonstrations.

There was a provision of Rs. 1 / lakhs for the education of the masses under the Wardha scheme. Four lakhs was to be spent on medical relief in rural areas. Most of it was to be used for organizing 200 rural dispensaries on indigenous lines and in subsidizing *vaids* and *hakims*. Four lakhs was to be spent on cattle welfare.

Three lakhs of rupees will finance water supply schemes, and Rs. 16 lakhs will go towards road development. One lakh was to be spent on giving a push to the co-operative movement. Of this Rs. 25,000 was allotted to the Central Co-operative Union for marketing purposes and Rs. 75 000 would constitute a nucleus to help the promoters of rural credit facilities. One lakh was to be spent on improving the conditions of the tenants of Government estates so as to give a lead to the zamindars.

Experiments in improved methods of gur manufacture having proved successful one lakh was to be spent next year for this purpose.

The Ministry's desire to move with the times was shown by the provision of Rs. 6,000 for an aerial survey of the province and for the training of five or six pilots.

As regards reduction in expenditure on the police the Premier stated that the savings would be used on schemes designed to improve the efficiency and reputation of the force by training in special institutions. C. I. D. officials were also to receive special training in detective work.

### Speaker and Politics

**4th. MARCH** :—After the *Premier* and a few other members, including *Sir Maharaj Singh*, had paid graceful tributes to the memory of Sir Harcourt Butler in the Assembly to-day, discussion was initiated by *Pandit Govind Ballabh Pant* on the resolution moved by him last month that any member elected as the Speaker should not in consequence be handicapped in his public activities and that he should be free to take part in political affairs outside the house in his discretion.

A lively and animated debate ensued on the resoluion and it was strongly opposed by members not belonging to the Congress party. An interesting suggestion was made by the Anglo-Indian representative, Mr. *H. G. Walford*, that the only way to end the controversy between the majority and the minority parties in the house was to elect as the Speaker a member who did not belong to any party.

Naturally the resolution found no support whatever outside the Congress party. The debate was not over when the House adjourned.

### General Discussion of Budget

**7th. MARCH** :—The general discussion of the budget commenced to-day and all sections in the house joined in voicing the demand that two days allotted for this discussion were quite inadequate as at most not more than 40 out of 228 members could have the opportunity to have their say. While no time limit was prescribed for speeches in the forenoon, the Deputy Speaker in the afternoon allowed not more than fifteen minutes for each speech.

While the Congress party members generally praised the budget, the members of the Muslim League party strongly criticised the rural development scheme of the Government. Mr. *Zahiruddin Faruqi* said that the agency for working the scheme did not inspire universal confidence and the entire scheme was meant to strengthen the Congress organization, the district Committees being packed. The discussion was opened by Sir *Maharaj Singh*. He sincerely congratulated the Premier on being in office to present the Budget and for the spirit underlying it, namely the amelioration of the economic and social lot of the rural classes. He lodged, however, an emphatic protest against the fact that most of the schemes included in the Budget were included without submission to the Finance Committee, and without giving any details of how many lakhs of rupees were to be spent, through what agency and in what manner. He also pleaded with the Premier to hasten slowly, for two crores of debt would be added within two years due to the finance schemes of the Ministry. He admitted that the old regime had not exercised sufficient control on administration and felt there was further scope for economy. Referring to the details of the Budget, he expressed surprise that nowhere had it made provision for women. There was a crying need for midwives for instance, and there was no big grant for the purpose.

Mr. *Sitaram Shukla* considered the rural programme the best feature of the Budget. Lieutenant *Sultan Alamkhan* was relieved to find that there was no salary cut and no extra burden. Mr. *B. N. Bhargava* hoped women would be trained for the scheme of extending treatment to rural areas. Mr. *Walford* did not think two days were enough for general discussion. He asked why the Government had failed to fulfil its promise of separating judicial from executive functions and what was meant by military training for which Rs. 50,000 had been earmarked. Mr. *Abdul Abasi* wanted provision for Moslem women's education in the manner provided by the Bombay Ministry. Mr. *Khub Singh* testified to the countryside's satisfaction with the Budget Mr. *Aziz Ahmed* thought the Budget had won a cheap popularity and ignored long-standing promises of reforms.

**8th. MARCH** :—The general discussion of the budget concluded to-day and the Assembly adjourned until March 18 when voting on demands commenced. All the Ministers with the exception of the Revenue Minister replied to criticisms in the afternoon. The *Premier* emphasized that the sole criterion in making appointments in the Rural Development department was missionary zeal and the spirit of service. He quoted Lord Hailey and Mr. Brayne of the Punjab in his support. As regards communal considerations imported in the debate he cited figures showing that the Government had been very generous to Muslims and challenged the Opposition to point out any other province where they had been treated with equal generosity.

The U. P. Legislative Chambers (Members' Emolument) Bill was then referred to a select committee.

VOTING ON BUDGET DEMANDS

**18th. MARCH** :—The excise policy of the Government came in for severe criticism when the Assembly met to-day. A long discussion ensued on the cut motion of *Qazi Muhammad Adil Abbasi* who wanted to draw the attention of the Government to the inadequacy of the measures adopted for prohibition and also point out the defects in the scheme. Khan Bahadur *Shaikh Muhammad Habibullah* who had a similar motion characterized the scheme as fantastic. He was of opinion that the prohibition policy would not be a success. *Kunwar Sir Maharaj Singh* pointed out the considerable practical difficulties which the Government would have to face. He challenged the Government to be able to say at the end of 12 months that this experiment should not prove a costly one. He protested strongly against the lump provision of Rs. 1,25,000 (with no explanation or details) for state management of shops. Mr. *H. G. Walford* thought they could achieve success only by moral persuation and not by legislation. Choudhary *Khaliq-uz-Zaman's* grievance was that this Government had not yet made up its mind to carry out the policy of total prohibition. He wanted the Minister in charge to make a clear statement on the subject. The *Nawab of Chattari* remarked that prohibition should be self-imposed and it should come from within. He paid a great tribute to Dr. C. Y. Chintamani, pointing out how under the surcharge system introduced by him, excise revenue went down from year to year. He doubted whether the two districts selected would become genuinely dry. He also severely criticised the state management of shops and echoed the sentiments given expression to by Kunwar Sir Maharaj Singh in regard to lump provisions in the budget without any explanation.

The *Minister for Justice* made a long and comprehensive statement explaining the new excise policy of the Government. He assured the House that the Government were determined to achieve the goal of total prohibition. They had in their mind a sort of four year plan during which they hoped that this curse would disappear from their province. The Minister explained the rules to make the operation of prohibition in the two districts as complete as possible. He said that under the state-managed system private incentive to profit would be eliminated. This had been most successful in Canada, Scotland and other parts of the world.

The debate had not concluded when the House rose for the day.

**19th. MARCH** :—Under the Land Revenue demand several cut motions were made by members of the Opposition. The *Revenue Minister* in the course of his reply made an observation that all lands belonged to the State and that zemindars were merely rent collectors. Strong exception was taken to this remark by Nawab *Sir Muhammad Yusuf* and the *Nawab Saheb of Chhattari*. The latter said that such loose remarks would bring discredit to the policy of the Government.

Two grants had to be guillotined as there was no time to discuss them.

**21st. MARCH** :—The whole day was occupied in discussing cut motions of the medical grant. There was a heated debate on Mr. *Ghulam Husain's* cut motion drawing the attention of the Government to the inadequate provision made in the budget to the Dufferin Fund. While all the members of the Opposition urged that increased grant should be given to the Dufferin Fund, as it was the only organization which maintained hospitals for women in the province all the Congress members vehemently opposed it because in their opinion this institution did not deserve any encouragement at the hands of Government.

The hon. Mrs. *Vijay Lakshmi Pandit*, Minister in charge, replying to the criticisms pointed out that Government had no enmity or hostility to the fund but at the same time she expressed her personal opinion that the Dufferin hospitals had not been working properly in the recent years, the nursing arrangement was bad and the hospital staff were incivil to those who went to those hospitals. She expressed her keen desire to improve these institutions. With this end in view she proposed to tour in the near future to find out the working of these institutions.

Another long discussion ensued on Sir *Maharaj Singh's* cut motion who wanted to elicit information from the Government regarding their policy towards Ayurvedic and Unani systems of medicine and also wanted details regarding the proposal to start 300 rural Dispensaries. He was at a loss to know why all those who passed out from the Ayurvedic colleges were Hindus and every person who passed out of Unani college was a Muslim. He also suggested that Government should continue their research into the efficacy of indigenous drugs and standardise them. Several Congress members expatiated at length on the usefulness of Ayurvedic and Unani systems of medicine, The debate had not concluded when the House rose for the day.

**22nd. MARCH** :—The adjournment motion moved by Mr. *Zahiruddin Faruki* to-day to discuss the failure of the Government to maintain law and order and protect life and property during the recent communal riots was rejected without division to-day. In the course of the debate, members of the Opposition benches were vehement in their denunciation of the Government's failure to maintain law and order. There were frequent shouts of 'shame, shame' and 'order, order' and at one stage it looked as if pandemonium reigned supreme.

The *Premier* replied to the debate. He deplored the motion. He asked whether that was the way to create greater confidence in officers who were engaged in the difficult and delicate task of protecting human lives amidst communal frenzy and who had spent sleepless nights. There was the determination, the Premier said, to create some short of prejudice against the Government. Unfortunately this year, *Holi* and *Muharram* fell simultaneously, but there was an additional factor.

The Muslim League had been carrying on a vigorous propaganda all over the province. The real and essential feature of this propaganda was that the Hindus had their interest separate from Muslims. The League propaganda had accentuated the communal spirit in the Muslim mind, and it had gone to the length of characterizing as kaffirs even the Muslim members of the present Government. The Premier claimed credit for the splendid way in which the situation had been brought under control in three days. Replying to the charge of communal bias, the Premier pointed out that the number of Hindus killed at every place was greater than that of Muslims.

**23rd. MARCH** :—The demands for grants relating to education were considered to-day. The *Minister* was very conciliatory in his replies and the movers of cut motions seemed to be so pleased with his replies and his answers that they begged leave to withdraw their motions. The Minister made his position very clear that he was not one of those who decried university education. He believed that the progress of our country culturally and industrially was bound up with the expansion of university education. Many members spoke strongly advising the Government not to give grants to denominational institutions. The debate took place over the cut motion moved by Khan Bahadur *Lieut. Sultan Khan* who urged that the Intermediate Girls' College of Aligarh be raised to a degree college.

Mr. *Ghulam Hussain* moved a cut drawing the attention of the Government to the undesirability of university teachers taking active part in politics or becoming members of legislatures in this and other provinces. He pointedly remarked that it was a gross abuse of power on the part of the Lucknow University to have permitted Dr. Radha Kumud Mukherjee, head of the department of Indian history, getting a fat salary of Rs. 1,200, to get himself nominated to the Bengal Legislative Council and

further to have allowed himself to be nominated as the leader of the Congress party in that body. The mover categorically stated that Dr. Mukherji often absented himself from his work and took French leave. Such a thing was detrimental to the interests of the university. He requested the Government to look into the matter and not to express their inability to interfere.

The Minister in his reply pointed out that Government could interfere only when things went seriously wrong, but anyhow promised to make inquiry into this case and the motion was withdrawn. The House then adjourned.

**24th. MARCH** :—Many demands under 'education' had to drop out to-day because until 4 o'clock only the items concerning university education were discussed and those relating to secondary and primary education could not be reached.

The *Education Minister* made a statement regarding the allegations made yesterday by Mr. Ghulam Husain that Dr. Radha Kumud Mukerji frequently absented himself from the university in order to attend the meetings of the Bengal Legislative Council. The Minister read the statement received by him from the vice-chancellor of the Lucknow University on this subject, adding that the allegations made against Dr. Mukherji had absolutely no foundation in fact. Immediately rose Mr. Ghulam Husain and challenged the Minister's statement. Premier Pant explained that when the information received from an authoritative quarter was placed before the House they must accept it as correct. The Minister of Education also gave an indication on the cut motion moved by Mr. Ghulam Husain how the Government was going to introduce changes with regard to the universities in the province. He read out the terms of reference of the committee appointed by the Government to enquire into the matter.

*Begam Shahid Hussain* moved a cut urging the Government to give encouragement to women pilots to which the Minister for justice agreed and added that there would be no discrimination as against women.

**25th. MARCH** :—That the irrigation and canal rates are high was the burden of all the speeches made this day when the irrigation demand was under discussion. Out of 13 cut motions on the agenda under this demand as many as eight related to reduction of rates only.

*Hafiz Mohamed Ibrahim*, Minister in charge, in his speeches explained what this grant meant and what the Government proposed to do with regard to the eastern grid scheme. He assured the House that not a pie would be wasted on any unproductive scheme and added that Government would consider all the proposals which the committee they had appointed would recommend.

The *Nawab of Chattari* remarked that committees were sometimes appointed to solve a question and sometimes also to shelve it. He hoped that Government would not take shelter under the pretext that they had appointed a committee which was going into the question thoroughly. Mr. *Mubashir Husain Kidwai* pointed out that since the introduction of the canal system villagers were becoming poorer every day. *Captain Jamshed Ali Khan* observed that where there is a will there is a way. *Raja Jaganath Baksh Singh* quoted some figures to show that irrigation rates were excessive and the department was making a large profit. Some Congress members who spoke on the motion were of the view that the Irrigation department should not be treated as a commercial department but as a utility department yielding benefit to the peasantry who had not enough to eat. As many expressed their desire to speak on the motion the debate was adjourned.

**26th. MARCH** :—The division challenged by Nawabzada *Liaqat Ali Khan* which resulted in defeat by 90 votes against 32 on the cut motion of Maulvi *Karimur Raza Khan* urging substantial reductions in the irrigation rates without delay was the only incident in the otherwise dull proceedings of the day. Both the Opposition and the Treasury Benches did not seem to take much interest in the demand under discussion, namely, irrigation and hydro-electric works, as was evident by the fact that the attention of the Chair had to be drawn twice that there was no quorum in the House.

*Hafiz Mohammad Ibrahim*, Minister, gave an exhaustive reply meeting the criticisms of all the speakers who wanted reduction in the irrigation rates. He reiterated again and again that there had been a dispute without difference. It was the definite policy of the Government to reduce the rates but they could not do it by a stroke of the pen. It could only be done after taking into consideration all the practical difficulties in their way. In order to show their earnestness in the matter the Minister

pointed out that they had retrenched three high posts, namely one chief engineer and two superintending engineers. The Opposition members had been criticizing the Congres Government for the sins of the previous Governments. That was not fair.

Mr. *Zahiruddin Faruqi* deplored that the eastern districts had been treated in a step-motherly fashion because Government did not see their way to extend the eastern grid scheme to the districts of Ghazipur, Azamgarh, Ballia and Benares.

The *Minister* assured him that the present Government had no such idea in their mind. They wanted to give relief to all parts of the province. They would introduce this scheme after scrutinizing it carefully and taking the verdict of the House whether such a scheme was feasible or not.

With this assurance Mr. *Faruqi* was satisfied and withdrew the motion.

**29th. MARCH** :—There were some amusing incidents to-day on the cut motions of Mr. *Muhammad Ishaq Khan* and Captain Nawab *Jamshed Ali Khan*. The former wanted to discuss the status and functions of parliamentary secretaries whose appointment, in his opinion, was illegal and ultra vires. This evoked a long debate in which the Premier, Kunwar Sir Maharaj Singh, the Nawab of Chhatari and others took part.

The *Premier* emphasized that the appointment of parliamentary secretaries was constitutional and legal. He paid a handsome tribute to parliamentary secretaries who, he said, had been discharging their duties very satisfactorily.

Kunwar *Sir Maharaj Singh* recognized the difficulty one had had to undergo in answering questions. He made two suggestions as to how questions could be answered in a better manner. At the same time he did not desire to criticize parliamentary secretaries, many of whom were young and inexperienced.

The *Nawab of Chhatari* remarked that it was not the intention of the mover to cast reflections on the parliamentary secretaries personally. Incidentally he praised the work of Mr. Ajit Prasad Jain whose knowledge of files was good and satisfactory.

Pandit *Venkatesh Narayan Tiwary* did not seem to brook the expression of Kunwar Sir Maharaj Singh that many of the parliamentary secretaries were young and inexperienced.

**30th. MARCH** :—Speaking on a cut motion relating to the policy of the Government regarding forests in Kumaon and Chakrata, the Premier said that he had been regarded as one of the incorrigible and chronic critics of the Forest department and therefore, they could depend upon his sympathy. The forests belonged to the people and the Government belonged to the people and there was no conflict between the two. He personally held the opinion that the Forest department was a commercial department and, as such, it must try its best to win the goodwill of its contractors and customers who were entitled to be treated courteously and politely.

There was severe condemnation from all sides of the House of the system of appointing assesors in criminal cases.

*Sir Maharaj Singh* strongly urged that the system of assessors should be completely done away with because they were irresponsible advisers of the judge. He would prefer an extension of the jury system. The *Minister for justice* explained that in response to a circular letter issued by the Government soon after the budget session in September last on the question whether assessors should be retained or abolished, they had received valuable opinions. He assured the House that his question was engaging their attention and they were not sleeping over it.

Mr. *Ghulam Husain* wanted by his cut motion to have a handwriting expert appointed by the local Government. The *Minister* pointed out that the present system was most economical and reasonable. The mover did not press his motion.

There was a long debate on a cut motion moved by Mr. *Aziz Khan* urging the abolition of trial by jury in sessions cases. In his view jurors were open to all sorts of influences and were incapable of understanding their responsibility. Mr. *Walford* strongly opposed the cut motion because he was convinced that the country was not bankrupt of honest and intelligent people.

The *Minister* for Justice in his reply observed that the system of trial by jury was really an extension of the doctrine of citizenship. He reminded the House that it was really not a communal matter. According to him it would be all to the good if this system was extended as widely as possible. The Government was considering the whole question carefully and as soon as they had arrived at a decision they would place it before the House. The motion was withdrawn. The House then adjourned.

**31st. MARCH** :—After a strenuous discussion of 12 days, the motions for grants in the budget were concluded to-day. As many as eleven grants were voted without discussion. The much vexed question of the separation of judicial and executive functions was after all settled to-day by the *Minister of Justice* announcing a scheme prepared by him. The debate on this subject was initiated by Mr. *Karimur Reza Khan* and he was supported by Mr. *Walford*, Mr. *Zahirul Hasnain Lari* and Sir *Maharaj Singh*. Sir Maharaj Singh made two useful suggestions : firstly, that the trying magistrate should have no connection whatever with the police ; secondly, the appointment of magistrates should rest with the High Court or the Chief Court as proposed by the Stuart Committee in 1922.

SESSION AT NAINI TAL

The *Minister* gave a brief outline of the scheme. He pointed out the constitutional difficulty, namely, that under the Government of India Act, the Government could not ask the High Court to appoint these magistrates. According to his scheme there would be two sets of magistrates, executive magistrates and judicial magistrates. Judicial magistrates would have nothing to do with the police. They would sit and try criminal cases like munsifs. They would have no administrative work. For leave and inspection they would be under the control of additional district magistrate having equal status with the district magistrate. Reports on their work would be made by the sessions judges who would be acquainted with their work. The Minister assured the House that this question would not be treated as a party question. He would take every section of the House into his confidence. For that purpose he would appoint a small committee and he would be guided by the advice of that committee.

RELIEF TO DEBTOR'S BILL

**1st. APRIL** :—Today being a non-official day, discussion was resumed on the amendment moved by Pandit *Lakshmi Shanker Bajpai* on January 21 to the Debtor's Bill introduced by Mr. *Zahirul Hasnain Lari* on that day. The amendment which was to the effect that the Bill be circulated for eliciting opinion before April 30, was carried without division.

SESSION AT NAINI TAL

There was a long debate over the resolution moved by *Khan Bahadur Fasihuddin* urging the Government to hold at least one session of the Legislature at Naini Tal in the month of August or September. Many members spoke on behalf of the overworked secretariat staff and pointed out Government work would deteriorate if the hill exodus was abandoned. Some members pleaded the cause of the people of Naini Tal and said that they would be ruined if the Government remained on the plains. Sir *Jwala Prasad* remarked that the abandonment of the exodus would be a penny wise and pound foolish policy. The interim Ministry, he said, fell a victim to the temptation of securing popular applause by abandoning the move to the hills, but they found that the experiment did not prove successful. The *Premier* made smashing reply by pinning the speakers to the terms of the resolution. He regretted that the speakers had introduced irrelevant topics into the debate.

ADOPTION OF MUSLIM CONFERENCE RESOLUTIONS

The House was discussing the resolution moved by *K. B. Fasihuddin* requesting the Government to give effect to the resolutions adopted by the Muslim Educational Conference held in 1934 when it rose for the day.

**4th. APRIL** :—The *Minister for Education* explained to-day what the Government had done and what they were going to do for Muslim education in the province. Instead of showing scant regard for the resolution, as suggested by a member on the ground that the proposals were of a communal nature, the Minister gave the assurance that most of the recommendations made by the member were under the consideration of the Government. This, because he was convinced that the progress and prosperity of this province and of this country was bound up with the progress and enlightenment of Muslims, Hindus and other classes of the community. He pointed out that it was not possible for the Government to set apart seats for Muslims on the Intermediate Board as the Board itself was in the melting pot. He quoted Sir Ziauddin's remarks to impress on members that *maktabs* were really not educational institutions at all.

Mr. *Mahabir Tyagi* criticised the Minister for making concessions to communalists though he was a socialist. Muslim members stressed the usefulness of *maktabs* and Islamia schools where Muslim boys imbibed the Muslim culture, a culture distinct from other cultures. Dr. Husain Zahir, however, strongly opposed the resolution,

Muslim education, he said, was not as backward as it seemed to be. He urged that every effort should be made to wean away boys from *maktabs* and Islamia schools in which the quality of instruction was not as good as in other schools.

NON-OFFICIAL BILLS

**5th. APRIL** :—*Shri Lalbahadur Sastri* introduced his Bill to amend the Allahabad Uuiversity Act. Sir *J. P. Srivastava* introduced the Hindu Dharmadaya Bill to regulate Hindu religious trusts. His motion for reference of the Bill to a select committee was opposed by the Congress benches, on whose behalf Mr. *Sadhu Singh* moved for circulation of the Bill.

Mr. *Sampurnananda* pointed out the legal difficulties raised by Sir Jawala Prasad's Bill as it stood, and announced that the Government already had under preparation their own legislative proposals for dealing with the various types of Hindu religious endowments and trusts. The motion for circulation was carried.

Thereafter, the House accepted motions for circulation of three private Bills, namely that of Mr. *B. K. Mukherji* relating to the conditions of service of shop assistants, that of Mr. *Charan Singh* relating to the Agricultural Produce Market Bill and that of Mr. *Raja Ram Shastri* relating to the Trade Union recognition. The House then adjourned.

STAMP ACT AMEND. BILL

**6th. APRIL** :—The Minister of Justice, Dr. *K. N. Katju* moved to-day consideration of the U. P. Stamp Act Amendment Bill. Chaudhuri *Khushi Ram* moved deletion of the new clause which did away with the existing legal requirement of certain documents bearing one-anna stamps before becoming legally valid. Dr. Katju replied that the select committee had, after full consideration, added the new clause as it felt that there was no risk of forgeries occurring.

Another amendment by the same member dealing with the deficiency of stamps was also debated and as the mover, who was a member of the Congress Party, did not withdraw the amendment, the Opposition took advantage of the situation and called a division. According to party discipline the mover could not vote even for his own amendment and kept neutral. The Opposition in the lobby numbered 30 against Government's strength of 114, and the amendment was negatived.

The Opposition which kept silent during the second reading of the Bill raised a a voice of protest when the third reading was moved. Mr. Ishaq Khan charged the Miuistry with burdening the poor people permanently with taxation which had been impossed by the previous Government specifically for two years.

The Bill was passed by 106 votes to 30.

COURT FEES AMEND. BILL

Dr. Katju next moved consideration of the U. P. Court Fees Act Amendment Bill. Mr. Ishaq Khan asked for its republication as the Bill had been radically altered. The Minister-in-charge objected to the motion, stating that, as the changes made by the select committee were all for the reduction in fees proposed in the Bill originally, there was no need for republication. The House then discussed the various amendments.

**7th. APRIL** :—There were 51 amendments to the Bill, of which 37 were disposed of to-day. Most of the amendments were moved by Mr. *Mubashir Husain Kidwai* and he was supported by Mr. *Muhammad Ishaq Khan* and *Quazi Muhammad Adil Abbasi*.

THE U. P. TENANCY BILL

**20th. APRIL** :—The proceedings were dull when the Court Fees (Amendment) Biil was under discussion to-day. It became enlivened when the *Minister of Revenue* sought the leave of the House to introduce the United Provinces Tenancy Bill which was placed on the members' tables this morning.

The *Nawab of Chhatari*, leader of the Opposition, wanted to know whether the previous sanction of the Governor was obtained before introducing the Bill as required under sec. 299 Clause 3, of the Government of India Act. The *Minister of Revenue* did not know how this Bill was governed by sec 299. The *Speaker* asked as to who should decide whether the Bill did or did not require the previous sanction of the Governor. He did not want to make his ruling cheap. Raja *Bisheshwar Dayal Seth* suggested that the question might be referred to the Governor as to whether this Bill had been sanctioned by him.

The *Premier* asserted that they had a right to introduce the Bill and they were entitled to do it without referring to any other person. Incidentally he remarked that it was their privilege and it must be the natural desire of every sensible patriotic member of this House to enlarge their rights and privileges.

The *Nawab of Chhatari* pointed out that when the Government said that they were working under the limitations of the Government of India Act, they must follow it in word and spirit.

At the request of the Speaker, the *Advocate-General* gave his opinion that no sanction was necessary and that the Speaker was not bound to give a ruling on the point.

After hearing all the speeches, the *Speaker* came to the conclusion that he must refer the question to the Governor and his opinion was read out to the House before it adjourned. The Governor stated that the question appeared to be of great doubt and he was of the view that previous sanction was necessary and he, therefore, accorded his sanction to the introduction of the Bill.

The *Minister* then introduced the Bill. At this stage the House adjourned.

### MEMBERS' EMOLUMENTS BILL

**21st. APRIL** :—The whole day was devoted to a discussion of the Members' Emoluments Bill, while one amendment occupied the attention of the House for more than six hours. The *Nawab of Chhatari* had moved an amendment yesterday to the effect that the travelling allowance to members should be the same as was admissible to Ministers. During the course of the debate all the members who spoke from the side of the Opposition urged that there should be no differentiation between Ministers and other members in the matter of travelling allowance. Mr. *Ishaq Khan* quoted figures to show that the present Ministers were drawing more by way of allowance than their predecessors and that there was a great difference between their profession and practice. He also quoted from the *Harijan* an article of Mahatma Gandhi in which the latter had said : The Congress President travelled third class, will the Congress ministers travel first ?

*Sir Jwala Prasad Srivastava* also asked them to follow Mahatma Gandhi faithfully, who always travelled third class. Those who spoke on the Congress side stated that Ministers were hard worked people and therefore reasonable comfort should be given to them while travelling. When the *Minister of Justice* moved for the third reading of the Bill, Nawabzada *Liaqat Ali Khan* opposed it on the ground that it was an insult to the dignity of the members of the House as many were inclined to speak. The debate was adjourned till the 25th.

**25th. APRIL** :—The third reading of the Members' Emoluments Bill was not passed to-day without a division being challenged, though it was carried by a thumping majority. The Opposition could muster only 29 members as against 110 on the Government side. The same arguments were advanced by the Opposition as they used on Thursday last, namely, the receiving of a salary was derogatory to the dignity of the House and the penalty clause was an insult to members who were brought to the level of Government servants.

*The Minister of Justice*, in winding up the debate, as well as the Premier, who spoke before lunch, made dignified speeches assuring the House that it was not the intention of the Government to lower the dignity of hon. members in any manner.

The *Premier* remarked that members being their masters, it would recoil on them if their status was reduced. He, however, assured them that a small committee would be appointed to examine these rules.

*The Minister of Justice* pointed out that this Bill related only to members and not to Ministers and he did not know why so much heat was imported into this debate. Further, this was not the stage when objections should have been raised. If any objection was taken to any of the provisions of the Bill it should have been done at the second reading. He justified the inclusion of the penalty clause which, in his opinion, was a just and equitable provision. He told the House that there was no desire on the part of the Government to make these rules without consulting the House or acquainting it with draft rules.

### COURT FEES AMEND. BILL

**26th. APRIL** :—The Court Fees Act amendment Bill was passed to-day by a large Congress majority. Mr. *Ishaq Khan* not only opposed the third reading but challenged a division which resulted in 108 voting for the bill and 43 against it. He

characterised the bill as obnoxious and undemocratic and urged the house that it should not be placed on the statute book. He was the only speaker to-day on the motion, after which the *Minister of Justice* made an apologetic reply, assuring the house that this was not going to be a permanent measure and its duration would be till 30th. June 1941.

LAND REVENUE ACT AMEND. BILL

The house then passed without any discussion the Bill to amend the U. P. Land Revenue Act of 1901.

MATERNITY BENEFIT BILL

The *Minister for Justice* next moved the Maternity Benefit Bill for consideration of the house. Mr. *E. M. Souter* was the only one who moved a number of amendments, two of which were pressed and rejected and others were withdrawn. There was some discussion over the rate of daily allowance to be given to a woman for four weeks after confinement. The allowance proposed by the select committee was eight annas which was objected to by Sir Maharaj Singh, Mr. Souter and Mr. Walford. The amendment was eventually defeated by 190 votes to 18, a feature of the voting being that many members of the Opposition voted against the amendment, though it was sponsored by Sir Maharaj Singh. Further discussion on the bill was adjourned.

**27th. APRIL** :—The house passed the Maternity Bill to-day. The *Minister of Justice* appealed to the employers to be a little generous. After all, it would not cost them more than a few hundreds if the Bill became law. Sir *Maharaj Singh* gave his strong support to the Bill. The *Minister for Local Self-Government* said that the Government had issued a circular to all commissioners to request the municipal boards to see that maternity benefit on the lines of this bill should be given to women sweepers employed by them.

TENANCY ACT AMEND. BILL

The motion to refer the Tenancy Bill to a select committee was carried unanimously.

The *Minister of Revenue*, in making his motion to refer the bill to a select committee, assured the House that they were not abolishing the *sir* rights of the zemindars. The proposals contained in the Bill would affect only about two lakhs of zamindars out of a total of 12 lakhs. He claimed that the proposals with regard to distraint and ejectment received almost universal support. The Government had, however, an open mind and would be glad to consider any proposals brought forward before them.

*Chaudhri Khaliquzzman*, on behalf of the Muslim League Party, stated that the Bill was a compendious one, and sufficient time should be given to consider the proposals contained therein. He said that nobody would deny that the time had come for a readjustment of the relations between landlords and tenants, because the present economic conditions demanded that some relief should be given to tenants.

The *Nawab of Chhatari* was of the opinion that large-scale farming would become an impossibility under the provisions of the Bill. Secondly the zemindars who felt keenly about *sir* rights could not understand the principle underlying it in the Bill. The method proposed according to the Bill, would not facilitate the collection of rents, which in the long run would not prove beneficial even to tenants.

*Raja Jagannath Baksh Singh* asserted that the land belonged to them by sanads and no changes should be made without consulting then.

The Budget session of the Assembly concluded and the House adjourned *sine die.*

# Proceedings of the U. P. Council

## Winter session—Lucknow—27th. January to 7th. February 1938

### Non-Official Bills & Resolutions

The winter session of the United Provinces Legislative Council commenced at Lucknow on the **27th. January 1938**, *Lala Sir Sitaram* presiding. The session did not start auspiciously for the Government, who suffered their first defeat.

The House referred to a select committee the Encumbered Estates Amending Bills, moved by Messrs. *Ramchandra Gupta* and *Mohan Lal*, as also the Children Bill, moved by Dr. *Ram Ugrah Singh*.

The Government opposed the reference to a select committee of the Children Bill and moved that it be circulated but lost the division by 14 to 23 votes. The Children Bill makes further provision for the custody and protection of children and for the custody, trial and punishment of youthful offenders.

Having disposed of non-official Bills, the House took up discussion of non-official resolutions.

The Council passed three non-official resolutions. The first moved by Begum *Aizaz Rasul*, Deputy President, recommended to the Government to take immediate steps to improve village sanitation and provide adequate medical aid in rural areas.

The second expressed the opinion that all zamindars and tenants paying land revenue or rent of more than Rs. 100 a year and all persons paying income-tax on an income of more than Rs 3,000 a year should be exempted from the obligation of taking licences under the Indian Arms Act for firearms which they wish to keep.

The third resolution recommended the taking of immediate measures for the reorganisation and rehabilitation of rural credit in the Province.

### Naik Girls' Protection Amend. Bill

**28th. JANUARY** :—When Dr. *Ram Ugrah Singh* moved an amendment to the Naik Girl's Protection Act of 1929, Mr. *Ramakant Malaviya*, Leader of the House complained that the notice of the amendment had been received only a few minutes earlier and as soon as it was received, it was sent to the Premier but no reply had yet been received.

This brought a remark from the *President*, who said that it was a serious state of affairs. The Government were supposed to be represented in this House and business could not remain suspended because some superior authority was being consulted. The Government should be ready with the business that was before the House and the President hoped that it would not be said times out of number in the Council that the Government were not represented. The Government were part of the House and as much responsible to this House as to the other.

**29th. JANUARY** :—Sir *Sitaram* disallowed an adjournment motion given notice of by Rai Bahadur *Mathuradas* to discuss the "distressing and panicky state of sugar-cane growers in Roorke due to certain restrictions imposed by authorities on the sale of sugarcane as a result of which sugarcane, approximately sixty lakhs of maunds, remains unsold, and consequently cultivators and zamindars find it difficult to pay rents and revenue. The President advised that the matter be given expression to in the form of a short notice question.

The House thereafter discussed rules regarding the appointment of Honorary Magistrates.

**1st. FEBRUARY** :—The Council spent to-day in discussing rules for appointment of Honorary Magistrates.

Mr. *Janardan Sarup* moved an adjournment of the House to discuss the recent orders of the U. P. Government, issued by the Collector, to realise progressive enhancement of land revenue which was hitherto postponed.

Mr. *Malaviya* opposed the motion on the ground that notice was received only after the House met; therefore, it was impossible for him to say anything. The

President Sir *Sitaram* withheld consent for the day, however, repeating the remark that the Government were expected to be represented in the House.

**2nd. FEBRUARY**:—The house concluded discussion on the rules regarding the appointment of honorary magistrates.

SUGAR FACTORIES CONTROL BILL

In deference to an opposition member's desire the consideration of the Sugar Factories Control Bill was postponed until to-morrow. Explaining the urgency of the measure and need for suspension of the standing order by the chair which requires seven days' interval between the passing of the Bill by the lower house and its introduction in the upper house, Dr. *Katju* said that an identical measure had been passed by the Governments of Bihar and U. P. who were moving in closest co-operation in the interest of the industry. Factory owners had represented to the Government that either the Bill should be passed immediately or an ordinance promulgated giving effect to the Bill. The Government however did not desire to take the latter step which was not in keeping with the dignity of the house. The delay in the passage of the Bill would cause confusion to the industry.

**3rd. FEBRUARY**:—The *President* suspended the standing orders and discussion of the Sugar Factories Control Bill was taken up. Mr. *Janardan Sarup* withdrew his adjournment motion relating to the collection of enhanced revenue on an assurance by the leader of the House that the Minister for Revenue on return from leave would look into the matter.

**4th. FEBRUARY**:—The Council found its galleries crowded by members of the Assembly and by visitors to hear the debate on the Sugar Factories Control Bill. Although the majority of the House had come to an understanding the minority persisted in moving amendments and succeeded in its dilatory tactics by holding the Bill up till the 7th.

**7th. FEBRUARY**:—The Sugar Control Bill was passed by the Council and was brought back to the Assembly which met at two in the afternoon for the purpose. A fact of special importance about the proceedings in the Upper House was that the Opposition being in the majority, could have delayed the measure and altered it radically but the Opposition knowing that the Government had an ordinance in readiness and would have a majority in a joint session took a reasonable attitude and came to a lobby understanding with the Government.

This understanding, however, provoked dissent among three members of the Opposition who left the ranks of the Nationalist Party, and were mainly responsible for dilatory tactics which prolonged the session.

The third reading speeches in the Council to-day were generally concerned with "domestic matters" and either side charged the other with having committed "insurance acts." *Lala Baboolal*, secretary of the Nationalist Party, contended that the agreement with the Government had been reached "amicably, quietly and calmly" so that the Sale Tax would not be put at six pies without the consent of the Legislature and rules under the Act would be discussed by the Legislature. There were valuable concessions. Mr. *Bajindra Sarup* of Cawnpore testified to a "merciless scrutiny of the Bill by the House," and advised acceptance of the measure as "in this imperfect world nothing can be perfect".

Rai Bahadur *Mohan lal*, leader of the Opposition, blessed the Bill and supporting the Sales Tax said the Government could not do wonders without funds. He hoped, however, that the provisions regarding labour and sheds for carts would be allowed to remain dead letters. He asked Sri K. N. Katju amidst laughter, "Did the Minister of Justice provide sheds in his house for his numerous clients ?

*Begum Aizaz Rasul* joined the "chorus of congratulations showered on the Minister of Justice". Dr. Ram Ugra Singh, Khan Masooduzaman and Mr. Akhtar Hussain struck a different note. While the first two bitterly spoke about "compromise in camera" and were content to support the passage of the Bill, Mr. Akhtar Husain was the only speaker who opposed the third reading.

Dr. *Katju* explained that the right of appeal against penalties in the Bill was ensured by provisions of the Criminal Procedure Code. He attached great importance to the labour cause. The Bill was not a partisan measure and would not be worked in that spirit. The House passed the Bill and adjourned *sine die*.

## Budget Session—Lucknow—2nd. March to 8th. March 1938

The Budget session of the Council commenced on the **2nd. March 1938.** Replying to Mr. *Janardan Sarup's* question if the special Corruption Control Officer had been able to find out specific cases of corruption, Dr. M. Jung, Parliamentary Secretary, said that the charges against four police officers had been established and action taken against them. Enquiries were being made in the following cases: Police Department 13, Excise 2, Education 2, Audit 1, Revenue 1 and Soldiers' Board 1.

After the presentation of demands for supplementary grants for 1937-38, the Council adjourned till the next day when the budget was presented by the *Premier.*

**5th. MARCH** :—Before the discussion on supplementary estimates was taken up to-day, Dr. *Ram Ugrah Singh* raised a point of order under Rule 54 (2) that three days should elapse between the presentation and the discussion of the estimates.

The hon. Dr. *K. N. Katju*, replying, said that the Government had allotted the days in his individual judgment.

The *President* said that if the House was anxious to discuss the estimates later, he would request the Governor to fix Monday for discussion.

As the House was not anxious to discuss them on Monday, they were taken up to-day and approved. The Council then adjourned till Monday.

**7th. MARCH** :—A "birth tax" was suggested to-day by a member when the Council took up the general discussion of the Budget.

*Begum Aijaz Rasool*, Deputy President, asked the Govergment to impose such a tax as the population was increasing at an "alarming" rate. She added that her proposal would prove a check on population and lead to social improvement.

During the debate the Opposition in general depreciated the huge rural reconstruction programme from borrowed funds. They thought that the financial implications of the Budget were serious and advised caution.

The discussion was adjourned till the next day, the **8th. March** when the House was adjourned *sine die.*

## May Session—Lucknow—6th. May to 25th. May 1938

The May session of the Council commenced at Lucknow on the **6th. May 1938.** Strong resentment was expressed by the landlord members of the Council at the unmerited slur cast upon their order by the *Revenue Minister*, who had described them as mere rent collectors and not as owners of land and notice was given of an adjournment motion by Mr. *Muhammad Abid Khan Sherwani.*

The *President* overruled the objection of Mr. *Chandra Bhal*, Parliamentary secretary, that the remarks made in the Lower House could not form a subject of discussion of the motion tonight as the Revenue Minister had agreed to allot a day for discussion on his remarks during the course of this session.

The House rejected by 21 votes to two an amendment to the draft rules of the Council, seeking to take away the President's power of nominating a panel of chairmen and empowering the House to elect them.

### LANGUAGE OF LEGISLATURE

**7th. MAY** :—The language controversy loomed large in to-day's Council in connection with the discussion of the draft rules. An amendment moved by Mr. *Chandra Bhal*, parliamentary secretary, to rule 19 so that any member might address the Council in Hindi or Urdu was ruled out by the President who agreed with the view expressed by the Advocate-General that it was inconsistent with section 85 of the Government of India Act which did not allow those members who were sufficiently acquainted with English language to speak in Hindi or Urdu.

Another amendment for substitution of the word Hindustani for the words Hindi or Urdu occurring in rule 19 was also rejected by the House by 24 against 9 votes.

The provision to the rule empowering the President at his discretion to permit or call upon any member to speak in Urdu, Hindi or English was sought to be deleted on the ground that it was inconsistent with section 85 of the Government of India Act. The *President*, after hearing the Advocate-General and certain other members, held that the proviso was absolutely consistent with the Act, whereupon the amendment was withdrawn.

### Discussion on Draft Rules

**9th MAY**:—A more rapid progress was made in connection with the discussion on the draft rules today in the Council. Whether a member could reflect upon the conduct of any judge or court of law having jurisdiction in any part of the British empire in the exercise of his or its judicial functions, was discussed at length on an amendment moved by Mr. *Lakshmi Narayan*, parliamentary Secretary, to substitute 'India' for the word 'empire'. He urged that the House had no reason to show any consideration to other parts of the British empire. A contrary view was expressed from the Government benches by the Minister of Communications, *Hafiz Muhammad Ibrahim* who thought that it would be very pernicious to discuss the judgments and judicial orders passed by the judges, and added that it would be highly improper to discuss questions coming before the courts of the Empire where individuals belonging to India might be concerned.

The House adopted another amendment deleting a clause to the effect that a member while speaking must not utter treasonable, seditious or defamatory words, but he may quote them for the purposes of his argument.

The House rejected an amendment moved by Mr. *Chandra Bhal*, formerly parliamentary secretary, for the deletion of the rule against any discussion in the Council being permitted in respect of any order of the Government or of the President disallowing a motion.

### Maternity Benefit Bill

**10th. MAY** :—The Council passed into law to-day the Maternity Benefit Bill. One member of the Opposition asserted that the Bill was a piece of party propaganda and the Congress Government after destroying the zamindars, wanted to destroy the millowners.

Some amendments moved to enlarge the scope of the Bill were ruled out by the *President* who held that as the Bill was for a particular object, amendments must be within its scope and conform to its framework. The President added that if the House thought that the Bill was too restricted, the only constitutional remedy open to the House was to throw out the Bill.

### Land Revenue Amend. Bill

The Land Revenue (Amendment) Bill was vehemently opposed by certain landlord members and at one stage it looked as though the fate of the Bill was hanging in the balance. Brisk canvassing was then started by Congress members of the House and very soon it appeared that the issue was no longer in doubt. A number of members including R. B. *Babu Mohanlal* who opposed the motion remained neutral, with the result that the motion for second reading was carried by a majority of eight votes.

### Official Bills

**11th. MAY** :—In its role as the revising Chamber, the Council to-day amended three Bills relating to prison reform as passed by the Assembly and they would now go back to the lower house for reconsideration. These bills were (1) the Borstal Bill (2) the Prisoner's Release on Probation Bill and (3) the First Offenders' Probation Bill.

One of the amendments was carried in the teeth of opposition from Government benches. The House passed the three bills as amended as well as the Land Revenue Amendment Bill, in respect of which there were no new amendments. The House then adjourned till May 16.

### Discussion of Draft Rules

**16th. MAY** :—After prolonged discussions to-day the Council completed consideration of the draft rules governing the conduct of business. The Lower House had yet to discuss its rules.

The rules committee of the Upper House consisted of the President Sir Sita Ram, the deputy President Begum Aizaz Rasul, two Congress members Babu Baijnath and Mr. Ratanlal Jain, and others, viz, Kai Bahadur Mohanlal, Mr. Waheed Ahmad, Lala Mohanlal Sah, and Chaudhari Akhtar Hussain. The committee was representative of all parties in the House and its report was unanimous, there being no notes of dissent. It held altogether ten sittings in 1937 and 1938.

In the rules recommended for adoption by the Council a few salutary changes have been introduced, though many of the previous rules and standing orders have been preserved. Some of them have been modified, while a few new rules have been introduced. The existing distinction between the rules and standing orders have been done away with.

The noteworthy changes introduced deserve to be mentioned. Every Thursday during the session of the Council will hereafter be devoted to the transaction of non-official business and it shall have precedence over other business unless the Precedent otherwise directs. On other days Government business shall have precedence. This means that non-official business will be transacted in every session even if Government allot no day for it, as they have not during the present session. The rights of the Council to regulate its own business have thus been enlarged by the rules committee.

Answers to questions asked by the members will hereafter be printed thus restoring the previous practice before the inauguration of the present constitution. Not a little inconvenience was felt by the members and the press reporters owing to the new practice of supplying a typed answer only to the member putting a question. It is hoped that the Assembly will follow in the footsteps of the Council in this regard.

The rules provide for joint select committees and joint conferences which it is confidently expected would obviate friction or want of harmony between the two Houses.

No far-reaching changes have been made during the passage of the rules in the Council. The attempt to delete the provisions for joint conference made by a Congress parliamentary secretary, despite the support of the Minister for Communications, Hafiz Mohammad Ibrahim, met with failure. These rules provide that any member, with the consent of the Minister in charge of the department to which the matter relates, may move that it is expedient that any matter of public importance other than a bill be referred to a joint conference of both chambers consisting of a specific number of members and with instructions to report before such date as may be specified in the motion. The Council has, also, got power of referring a bill (passed by the Lower House) to a select committee of its own in case it was not referred to a joint select committee.

The rules give complete liberty of action to the Council in connection with the conduct of its business and the prestige and dignity of the Upper House have been greatly enhanced.

**17th. MAY** :—The House will have power to bring a motion of no-confidence against the Ministry when the new Council rules which were passed by the Council last night, come into force in June next.

A Congress member moved an amendment urging the deletion of the rule conferring such power on the Upper House. The amendment was supported by Dr. Katju and others on behalf of the Government but was lost by 27 to 12 votes.

### Question of Zemindar's Status

**18th. MAY** :—After a discussion lasting three and half hours, the Council adopted without division to-day a resolution moved by Mr. *Muhammad Abid Khan Sherwani* that, while taking exception to the remarks repeatedly made by the hon. Minister for Revenue that zaminders were only rent-collectors and *Thekedars*, the house was of opinion that zamindars and taluqdars were the owners of the land in the United Provinces.

The chief spokesman for the Government was the Minister for Communications, Hafiz Muhammad Ibrahim, who pointed out that the statement made by the Revenue Minister in no way affected the position occupied by the zamindars before the Congress assumed office on July 17, 1937. He added the Revenue Minister's statement was based on a historical fact.

The consensus of opinion among the members and other Congressites was so strong that the Government dared not challenge a division when the resolution of disapproval of the Minister's statement was declared carried.

### Members' Emoluments Bill

**19th. MAY** :—Dr. *K. N. Katju*, Minister for Justice, moved to-day for consideration of the U. P. Legislative Chambers Members' Emoluments Bill.

Rai Bahadur *Mohanlal* moved an amendment that double second class fare be allowed to members instead of double inter.

Dr. *Katju* raised a point of order that this amendment could not be moved without the sanction of the Governor under Section 82 (3) of the Government of India Act.

The Opposition did not agree with the Minister's contention.

Mr. *Mohanlal Sah* read out a letter received by a member of the Council from Mr. J. C. Donaldson, Secretary to the Government, saying that recommendations were made by H. E. the Governor on the advice of his Ministers and if a recommendation was necessary they should apply to the Minister concerned.

The reply further added that from a preliminary reading of Section 82, it did not appear likely that a recommendation was required for amendments of this nature since they did not affect the salaries of such persons who were charged under Section 78 of the Act. The President reserved his ruling.

STAMP ACT AMEND. BILL

**20th. MAY** :—'The Minister has really given us a sermon on democratic principles and he has asked us to blindly ditto the decision of the lower house.....We have had a lecture from the Minister of Justice on our rights and duties and we have been told to be sincere.....Some ill-digested constitutional doctrines have been inflicted upon us and we are told that in money bills we should not interfere.' Such were the sentiments expressed by leading members of the Opposition in the Council today with reference to the speech made by Dr. *Katju* on the second reading of the Stamp Amendment Bill.

In the course of his speech which provoked strong criticism the *Minister of Justice*, despite the declared intention of the Congreess party to wreck the constitution framed by the British Parliament, strongly urged that the upper house like the House of Lords should not interfere in money bills and proposals about taxation emanating from the lower house and advocated a convention which had grown under the English constitution. He considered that the power of voting demands for grants was not given to the Council, interference with details of taxation proposals would only lead to confusion in the management of public affairs.

The Minister's view of the role of the upper house in connection with taxation measures framed by the Government found no support in the House and it was held that it was the bounden duty of the Council to examine every taxation measure in a reasonable sprit and expressed its considered opinion in an unequivocal manner.

In the course of the interesting debate that followed, one member denounced the Congress Government for being 'extremely unresponsive to public opinion' and stated that public moneys were being wasted for party propaganda while another member said that the Government must necessarily be democratic before they asked the House to follow democratic traditions. There are no less than 100 amendments tabled to the Stamp Amendment and Court Fees Amendment Bills and it is fairly certain that these measures would not have a smooth passage in the Upper House.

The net result of the amendments tabled to the Stamp Amendment Bill, said Dr. Katju, would be complete rejection of the Bill.

COURT FEES ACT AMEND. BILL

**23rd. MAY** :—The Council returned to the Lower House the Court Fees Act Amendment Bill, Mr. Ram Chandra Gupta's amendment being carried by 13 to 11 votes.

The *President* gave his ruling on the point of order raised by Dr. Katju on May 19. He recalled sub-section 82 (3) of the Government of India Act quoted by Dr. Katju during discussion in the Legislative Chambers Members Emoluments Bill when the Opposition sought to move an amendment that double second class fare be allowed to the members instead of double inter class. Sir Sitaram, President, agreeing with the Advocate-General and the Opposition, said that to uphold this contention would be tantamount to restricting the scope of these rules considerably and leave a serious gap in cases of Bills other than non-official bills introduced in the Council for which no provision will have been left.

**24th. MAY** :—All the past records were broken by the Council to-day in the number of defeats inflicted on the Government in rapid succession in connection with consideration of the Court Fees (Act) Amendment Bill. Government benches looked discomfited and disconsolate when amendment after amendment was carried by the Opposition reducing provisions of the biil almost to a nullity. No less than six amendments were adopted by the House in the teeth of the opposition of the Minister for Justice. There were five divisions in all in four of which Government were defeated. The last division resulted in a tie, the voting being 15 for and 15 against. The President was called upon to exercise his casting vote and acting on certain principles where the *status quo* had been maintained he voted against the amendment moved by Mr. *Ram Chandra Gupta* for the deletion of the clause. This gave

the Government an unexpected victory over the Opposition. The President's decision about this casting vote was received with cheers from the Congress benches. During one of the divisions Lady Wazir Hasan, who was the consistent supporter of the Government, was shut out as she arrived when the doors had been closed after the division bell rang.

When Dr. *Katju* was called upon to move the third reading of the Bill after all the amendments on the order paper were disposed of by the House, he said : 'I am not completely satisfied with the result of the debate. I am making this motion so that the Legislative Assembly might have an opportunity of expressing its own views on the decision taken here'. This was an open hint that the amendments passed by the Upper House would be turned down by the Lower House.

Both yesterday and to-day the House had carried seven amendments to the Court Fees bill as passed by the Assembly and this was the fifth bill which would go back to the Assembly for reconsideration. Owing to the wide divergence of opinion on a number of bills a joint session of the two Houses of Legislature had now become inevitable.

### MEMBERS' EMOLUMENTS BILL

**25th. MAY** :—But for a little heat engendered in today's Council by an exchange of some unpleasant epithets between a Minister and a member of the Opposition there was nothing exciting in connexion with the discussion of the amendments to the United Provinces Legislative Chambers (Members' Emoluments) Bill which was finally passed into law in the form in which it was sent from the Lower House. On the assurance given by the Minister of Justice that the provision for two inter class fares was by no means meant to be derogatory to the members of the House, the amendment substituting double second class fare was withdrawn. The other amendments were similarly withdrawn and there was no occasion for a division.

In connection with the incident between a Minister and a member of the Opposition, the President earnestly requested the hon. member to preserve the dignity of the House which was in thdir own hands and urged that they should disperse in good humour on the last day of the session. He added : 'Let us in the name of the dignity of the house desist' from such attacks either on one side or the other. I shall not, therefore, allow any reference to this incident which I hope will be closed once for all.'

After the Bill was passed into law, the House adjourned *sine die*.

# The Behar Legislative Council

## LIST OF MEMBERS

*President*—The Hon. Mr. Rajiv Ranjan Prasad Singh

*Deputy President*—Mr. Saiyid Naqi Imam

1 Raja Bahadur Harihar Prasad Narayan Singh
2 Mr. Bishwanath Prasad Narayan Singh
3 Mr. Maheshwar Prasad Narayan Singh
4 Mr. Ganga Nand Singh
5 Rai Bahadur Deonandan Prasad Singh
6 Kumar Ramanand Singh
7 Mr. Bishunlal Singh
8 Mr. Nalini Kumar Sen
9 Khan Bahadur Saiyid Muhammad Ismail
10 Mr. Jamilur Rahaman
11 Mr. Saiyid Mobarak Ali
12 Mr Alan Campbell Combe
13 Mr. Abdul Ahad Muhammad Noor
14 Mr Baldeo Sahay
15 Mr. Balram Rai
16 Mr. Bansi Lal
17 Mr. Gajindra Narayan Singh
18 Mr. Kamaleshwari Mandal
19 Mr. Nageshwar Prasad Singh
20 Mr. Puneydeo Sharma
21 Mr. Saiyid Muhammad Hafeez
22 Rai Bahadur Satis Chandra Sinha
23 Khan Bahadur Nawab Saiyid Shah Wajid Hussain
24 Mr. Tribeni Prasad Singh
25 The Hon'ble Mr. Gur Sahay Lal
26 Mr. Samuel Purti
27 Mrs. Malcolm Sinha

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# The Behar Legislative Assembly

## LIST OF MEMBERS

*Speaker*:— The Hon. Mr. Ramdayalu Sinha

*Dy. Speaker*:—Mr. Abdul Bari

1 Mr. Sarangdhar Sinha
2 Mr. Jagat Narayan Lal
3 Mr. Vindheyshvari Prasad Varma
4 Upendranath Mukharji
5 Mr. Jimut Bahan Sen
6 Mr. Indra Dewan Saran Singh
7 Mr. Shayam Nandan Sinha
8 Pandit Sheel Bhadra Yajee
9 Mr. Shyam Narayan Singh
10 Mr Ram Prashad
11 Mr. Birendra Bahadur Sinha
12 Mr. Sukhari Ram Madhubrat
13 The Hon'ble Mr. Anugrah Narayan Sinha (*Finance Minister*)
14 Mr. Jamuna Prashad Sinha
15 Mr. Bundi Ram
16 Mr. Jugal Kishore Narayan Sinha
17 Mr. Hargobind Misra
18 Pandit Gupteshwar Pandey
19 Mr. Harinandan Singh
20 Mr. Budhan Rai Verma
21 Mr. Jagjivan Ram
22 Mr. Harihar Sinha
23 Mr. Biresh Dutt Sinha
24 Mr. Dwarkanath Tiwari
25 Mr Narayan Prasad Sinha
26 Mr. Shiveshvar Prasad Narayan Sinha Sarma
27 Mr. Prabhunath Sinha
28 Pandit Gobindpati Tiwari
29 Mr. Ram Basawan Rabidas
30 Mr. Ganesh Prashad
31 Mr. Gorakh Prashad
32 Mr. Harivans Sahay
33 Pandit Baidyanath Misra
34 Mr. Vishwanath Singh
35 Mr Balgobind Bhagat
36 Mr. Mahesh Prashad Sinha
37 Mr. Shivanandan Ram
38 Mr. Brijnandan Sahi
39 Mr. Ramdayalu Sinha
40 Mr. Rameshvar Prashad Sinha

41 Mr. Dip Narayan Sinha
42 Thakur Ramnandan Sinha
43 Mr. Ramashis Thakur
44 Mr. Rajendra Narayan Choudhri
45 Mr. Chaturanan Das
46 Mr. Jamuna Karjee
47 Mr. Suryyanandan Thakur
48 Mr. Keshvar Ram
49 Mr. Rajeshvar Prashad Narayan Sinha
50 Mr. Ramcharan Sinha
51 Mr. Sunder Mahto
52 The Hon'ble Mr. Shri Krishna Sinha (*Premier*)
53 Dr. Raghunandan Prashad
54 Mr. Nirapada Mukharji
55 Mr. Ramcharitra Singh
56 Mr. Brahmadeo Narayan Singh
57 Kumar Kalika Prashad Singh
58 Pandit Mewalal Jha
59 Mr. Shivadhari Sinha
60 Mr. Harikishore Prashad
61 Mr. Rajendra Misra
62 Mr. Shivanandan Prashad Mandal
63 Mr. Ram Baras Das
64 Mr. Ramdin Tiwari
65 Mr. Kishori Lal Kundu
66 Mr. Dheer Narayan Chand
67 The Hon'ble Mr. Juglal Chaudhuri ( *Excise Minister* )
68 Mr. Binodanand Jha
69 Mr. Buddhinath Jha
70 Mr. Bhagban Chandra Das
71 Nr. Charan Murmu
72 Mr. Brijlall Dokania
73 Mr. Debu Murmu
74 Mr. Krishna Ballabh Sahay
75 Mr. Hopna Santal
76 Mr. Sukhlal Singh
77 Mr. Karu Dusadh
78 Mr. Deoki Nandan Prashad
79 Mr. Ram Bhagat
80 Bara Lal Kandarp Nath Shah Deo
81 Mr Boniface Lakra
82 Mr. Purna Chandra Mitra
83 Mr. Rajkishore Sinha
84 Mr. Jitu Ram
85 Mr. Jadubans Sahay
86 Mr. Upendra Mohan Das Gupta
87 Mr. Tikaram Majhi
88 Kumar Ajit Prashad Singh Deo
89 Mr. Gulu Dhopa
90 Mr. Ambika Charan Mallik
91 Mr. Pramatha Bhattasali
92 Mr. Devendra Nath Samanta
93 Mr. Rasika Ho
94 Mr. Saiyid Abdul Aziz
95 Mr. Hafiz Zafar Hasan
96 Mr. Abdul Jalil
97 Khan Bahadur Nawab Abdul Wahab Khan
98 Mr. S. Mohiuddin Ahmad
99 Mr. Muhammad Yunus
100 Mr. Sharfuddin Hasan
101 Mr. Saiyid Najmul Hasan
102 Mr. Muhammad Latifur Rahman
103 Chaudhuri Shabafat Husain
104 Mr. Nur Hasan
105 Mr. Muhammad Qasim
106 Khan Bahadur Saghirul Haqq
107 The Hon'ble Dr. Saiyid Mahmud (*Education Minister*)
108 Mr. Muhammad Abdul Majeed
109 Mr. Hafiz Shaikh Muhammad Shani
110 Khan Sahib Muhammad Yakub
111 Mr. Badrul Hasan
112 Mr. Tajamul Husain
113 ,, Muhammad Shafi
114 ,, Ahmad Ghafoor
115 ,, Sayeedul Haqq
116 ,, Muhammad Salim
117 ,, Chaudhuri Mahammad Nazirul Hasan
118 Md. Saiyid Rafiuddin Ahmad Rizvi
119 Mr. Muhammad Mahmud
120 Mr. Saiyid Muhammad Minnatullah
121 Mr. Shaikh Ziaur Rahaman
122 ,, Zaimuddin Hosain Meerza
123 ,, Shaik Fazlur Rahman
124 ,, Muhammad Islamuddin
125 ,, Shaik Shafiqul haqq
126 ,, Muhammad Tahir
127 ,, Saiyid Ali Manzar
128 ,, Abdul Bari
129 ,, Abdul Majid
130 ,, Shaik Rahaman Ali
131 ,, Shaik Muhammad Husain
132 Qazi Muhammad Ilyas
133 Srimati Kamakhya Devi
134 Srimati Sharda Kumari Devi
135 Srimati Saraswati Devi
136 Ladi Anise Imam
137 Mr. A. M. Hayman
138 ,, E. C. Danby
139 ,, J. Richmond
140 ,, Ignes Beck
141 ,, Chakreshwar Kumar Jain
142 ,, W. H. Meyrick
143 ,, E. A. Paterson
144 ,, Manindra Nath Mukherji
145 Sir Ganesh Dutta Singh
146 Mr. Chandreshvar Prasad Narayan Singh
147 Mr. Surya Mohar Thakur
148 Maharaj Kumar Rajkishore Nath Shah Deo
149 Mr. Natha Ram
150 Mr. Harendra Bahadur Chandra
151 Mr. Khetra Nath Sen Gupta
152 Mr. Sachidanand Sinha

# Proceedings of the Bihar Assembly

## Budget Session—Patna—5th. March to 31st. March 1938

FINANCIAL STATEMENT FOR 1938-39

The Congress Ministry's Budget for 1938-39 was presented in the Bihar Legislative Assembly at Patna on the **5th. March 1938.** It showed a small surplus.

Mr. *Sri Krishna Sinha*, the Prime Minister, read the budget speech of the Finance Minister, Mr. *Anugraha Narayan Sinha*, who was still in hospital for treatment of injuries received in December in a motor accident.

The Finance Minister, in the speech, said : "Our next expenditure is all intended to improve the people's condition mentally, morally, physically and materially. When all our schemes have been fully at work, we hope we shall have the satisfaction of seeing the people fairly advanced on the way to prosperity."

After dealing with the revised estimates for 1937-38, the Finance Minister said that from the financial point of view the results of 1937-38 were likely to be satisfactory and the financial position of the province would slightly improve that year, but this was solely because the expenditure was kept down to an impossibly low level in order to secure a balanced budget.

For 1938-39 the Minister estimated that Rs. 505 and one-fourth lakhs was available for expenditure. The expenditure charged to revenue, including the reserve of eight lakhs to meet new schemes which are in course of preparation, comes to Rs. 502 lakhs while the expenditure not charged to revenue comes to one lakh seventy six thousand making a total of Rs. 504 lakhs. The budget therefore shows a surplus of Rs. 297,000 of which Rs. 1,76,000 will be used for meeting capital expenditure and Rs. 1,20,000 will be taken for the ordinary balance.

The Finance Minister, therefore, claimed that this year the province again has a surplus budget although he was not satisfied with this. "It is clearly necessary, if the schemes which my colleagues and I have in mind are to be financed, retrenchment should ruthlessly eliminate items of unnecessary and extravagant expenditure and new sources of revenue should be fully developed."

The revenue side of the budget this year includes fresh sources of revenue. About three and half lakhs have been added to the revenue under stamps as anticipated from the extra income derived from the enhancement on non-judicial stamps. A small provision of thirty thousand rupees has been included as the estimated receipts from the entertainment tax. The budget also includes provision of nearly thirteen lakhs as the estimates receipts from the Government of India as the province's share of income-tax.

Regarding the remaining figures the Minister estimates a drop of about two and half lakhs under land revenue. There were increased receipts of six lakhs under civil works. He drew attention to two items, particularly excise and irrigation. Under excise he has budgetted for a drop of seventeen lakhs from the figure taken in the revised. Out of this, six lakhs represents the loss which he anticipates in the ordinary course of auctions and the remaining eleven lakhs is due to the deliberate policy of the Government in encouraging temperance and enforcing prohibition. Six and half lakhs of this is the estimated cost of prohibition in Saran district and the remainder, cancellation of the settlement of some 450 shops situated in unsuitable places and complete closing of shops in other areas. The last is estimated to reduce the revenue by seventy-five thousand. Under irrigation, he had allowed for a reduction of two lakhs.

Dealing with expenditure, he referred to the question of retrenchment. The estimates do not provide considerable items of retrenchment. "A province like Bihar, where the expenditure is already at so low a figure, where such a large percentage of expenditure is spent on salaries of officials, it is difficult to arrive forthwith at any striking economies. Provisions for economies, however, have been introduced in this budget." The reduction of travelling allowance is under consideration by which he hoped to save approximately one lakh, yearly. The provision for the Ranchi exodus has also been omitted and other minor retrenchments have been provided. The two taxation measures which the legislature adopted were not calculated to yield more

than four lakhs yearly and no hope could be built thereon for a substantial improvement in the province's financial position. "Our sheet anchor for the time being is the proposed tax on agricultural income." The Bill in this connection, which is pending before the House, when enacted, is expected to yield forty to fifty lakhs yearly.

The Minister stressed the importance of the problem of poverty, unemployment and indebtedness of the peasantry and stated that detailed schemes have been already undertaken or are under consideration for solving these. He referred to the legislative enactments designed to afford relief to agriculturists in various directions and to other schemes for the amelioration of the lot of the masses, the economic uplift of the province generally, including measures to combat floods, which have been under consideration, and others providing for irrigation facilities, encouraging industrialisation improving jails, improving education including experimenting with the Wardha scheme, consideration of problems relating to a common language as the medium of instruction, military training, medical relief, public health, labour welfare, unemployment, corruption in Government offices, and introduction of prohibition. The new provision for a nutrition scheme costing Rs. 6,000 is to suggest an adequate diet at a minimum cost and advise the best possible diet for the money spent by the population at large.

Other provisions for new schemes includes Rs. 9,450 for special scholarships to Harijans, Rs. 10,000 for scholarships to Momins (backward Moslems), Rs. 3,420 for special scholarships to aboriginals, Rs. 1 and one-fourth lakhs for a grant to district boards for rural water-supply, Rs. 44,000 for improvement in the equipment of hospitals and dispensaries, Rs. 20,000 for medical relief in rural areas Rs. 28,000 for the prevention and cure of cholera and Rs. 50,000 for improvement of communication in Chotanagpur.

### Chota Nagpur Tenancy Amend. Bill

After the presentation of the Budget, the House took up consideration of the Chota Nagpur Tenancy Amendment Bill, which was intended to improve the condition of the tenantry of the Chota Nagpur area, and passed the Bill, as reported by the select committee, in less than an hour. The House then adjourned till March 7.

### The Prohibition Bill

**7th. MARCH** :—The introduction of the Prohibition Bill by Mr. *Juglal Choudhury* Excise Minister, was the main business transacted by the Assembly to-day. The Bill was modelled on the recent Madras enactment and empowered the Government to introduce prohibition, in selected areas, of one or more excisable articles and extend it to other areas.

The Bill, however, provided for the following exemptions: (1) Rectified spirit and drugs required for medical, scientific and industrial purposes, (2) grants of personal permits to those who in the opinion of the Government may be specially exempted and permitted to keep or consume liquor or drugs, (3) issue of licences to clubs and other institutions and to their members to possess liquor and (4) liquor required for bonafide religious purposes. The Bill further provided for effective prevention, detention, investigation and prosecution of an offence against the Act and also for collaboration of anti-drink committees and honorary workers with officers charged with the duty of the administration of the act.

### General Discussion of Budget

**8th. & 9th. MARCH** :—The general discussion of the budget was held on these two days. A feature of the debate was the argument about the relationship between Bengalis and Biharis in the province. A point was raised on the 8th. by Mr. *Manindra Nath Mukherjee* who, replying to a complaint that Bengalis preponderated in Government services and private concerns, had characterised Biharis as incompetent and unenterprising. He objected to Mr. Krishna Ballabh Sahay's reference to Bengalis as foreigners in a speech in the last session. Dr. *Sachidananda Sinha*, replying to Mr. Mukherji, said, that the references to Mr. Krishna Ballabh Sahay were unparliamentary. It was a fact that Bengalis preponderated in the services and other concerns, and this the Government could not prevent. As for Biharis being incompetent and unenterprising, he quoted Sir P. C. Ray's book wherein the author had characterised Bengalis similarly, and hoped that such inflammatory speeches would not be indulged in the future.

After several members had spoken, some of whom pointed out the need for the provision of greater educational facilities, others on effecting economy in expenditure and one on protecting the province from air attacks, Srimati *Saraswathi Devi* stressed the need for women's uplift.

Replying on behalf of the Government Mr. *Jagatnarain Lal*, Parliamentary Secretary, said that the budget represented the efforts of the Ministry to implement the Congress programme and while working the Act, their ultimate aim was to wreck it. Turning to prohibition he said that the scheme was generally favoured throughout the country and hoped that the Government would receive their wholehearted support in this holy cause. The Government were doing their best to improve irrigation with which was connected the electrification scheme, for which a preliminary survey was being made. The Government would try to raise a loan for implementing the constructive schemes but had to move with caution. Provision for scholarships for military training had been made to see how far the people availed themselves of this opportunity. The question of air raids did not arise so far as Bihar was concerned. The Government sympathised with the grievances of the backward classes and would try to redress them as far as resources allowed. The House then adjourned until the 19th.

THE PROHIBITION BILL (CONTD.)

**19th. MARCH** :—Mr. *Juglal Choudhury*, Excise Minister, moved to-day that the Prohibition Bill be referred to a select committee. Sir *Ganesh Dutt Singh* moved that the Bill be circulated for the purpose of eliciting opinion by April 15. The motion was lost.

Replying to the debate, Mr. *Sri Krishna Sinha*, Premier, said that the Government would tap every source of revenue to make up the loss resultant from Prohibition. It was the duty of the Government to intervene and save the people from things which were dangerous to their health and drained out their money. Government did not stand in the way of enjoyment of the people but wanted that they should spend money for useful things. He pointed out that the material condition of the people had improved in areas in Madras where Prohibition had been introduced.

VOTING ON BUDGET DEMANDS

**21st. MARCH** :—The House took up the voting on demands for grants to-day. Several token cuts were moved on the demand under the head General Administration for a sum of Rs. 50,70,946, one of which evoked prolonged discussion on the flood problem in North Bihar and the irrigational facilities. The Prime Minister, the hon. Mr. *Srikrishna Sinha* replying, pointed out the difficulties encountered by the Government in this matter and said that they, however, were doing their utmost as far as practicable with their financial resources.

**22nd. MARCH** :—Discussion continued to-day on the flood problem and irrigational facilities, with a view to discussing the Government's irrigation policy and allied matters. Replying to the debate, the hon. Mr. *Sri Krishna Sinha*, Prime Minister stated that the Government were fully aware of the gravity of the situation caused by occasional floods and were doing everything possible to alleviate the suffering and distress caused thereby, together with improving irrigation in the province.

The proceedings were enlivened by a debate on the discontinuance of the exodus to Ranchi this year, raised by another token cut. Chota Nagpur members voiced strong resentment against the decision and pointed out that the interests of that area were being neglected, especially as it was unrepresented in the Cabinet. They stressed the importance of Chota Nagpur, which was different from the rest of the province for which reason it was desirable that the Government should maintain a closer contact with it.

The motion was opposed by Congress members. Mr. *Binodananda Jha*, Parliamentary Secretary, explained that the interests of Chota Nagpur were not neglected by non-representation in the Cabinet. The various ameliorative measures undertaken by the Ministry for the masses applied equally to Chota Nagpur where, if necessary, different legislation would be taken up. Among the difficulties of going to Ranchi, the question of finance was not the least.

Chota Nagpur members were still dissatisfied with the reply and the Premier assured them that he would consider with his colleagues the possibility of meeting their grievances. The demand under General Administration was passed by the House which then adjourned.

**23rd. MARCH** :—Several members, through cut motions to-day, ventilated their grievances regarding the drainage system in specified areas, the prevalance of disease. etc. They also came forward with proposals for improving the health of the province by the establishment of gymnasia throughout the province, the formation of health associations etc. It was stated on behalf of the Government that they were anxious to prevent epidemics but the budget provision did not permit the proposals outlined by the members being carried out immediately. They had several schemes under consideration, which would be put into effect in due course.

The increase of mosquitoes in parts of North Bihar and the prevalance of plague in Bettia were discussed through other cuts and the Government in reply explained that mosquito problem was not easy to solve, but would require investigation and large sums of money. As for plague, inoculation treatment was being carried on at Bettia and Government had also approached the Haffkine Institute, at Bombay, for plague serum, but the latter could not give them supplies as the work was still in an experimental stage.

**24th. MARCH** :—The need for taking effective measures by the Government for stopping the sale of adulterated and unwholesome foodstuffs in the towns and railway stations in the Province and the general public health policy were discussed through a number of cut motions to-day.

Replying on behalf of the Government, Mr. *Binodananda Jha*, Parliamentary Secretary, said that with a view to preventing the adulteration of food-stuffs. the present legislation would be amended and with the co-operation of railway authorities, municipal and local bodies and the public, it would be possible to bring about an improvement in the quality of the foodstuffs sold. As regards the public health policy which had been criticised as being unable to eradicate epidemics and improve the health of the Province, it should be understood that the Public Health Department was an advisory department and had no hand in the executive administration which was carried out by municipalities and district boards under whom the department placed many of their staff when required, some even permanently. The department was concerned more with preventive than with curative measures. The Government, however, had several schemes regarding the combating of various diseases, which would come into effect in due course.

**25th. MARCH** :—For the first time in the budget session of the Assembly to-day a division was called on a cut motion which was lost by 77 to 15 votes. The cut was moved by Sir *Ganesh Dutta Singh* on the supplementary demand under the head Agriculture for acquiring the Sugarcane Research Station at Musheri, belonging to the Imperial Council of Agricultural Research Station at Musheri, for starting a seed nursery. The Government in reply stated that Pusa was situated at a distance from Muzaffarpur and the sugarcane crop at Pusa would be unable to meet the seed requirements of the Darbhanga and Muzaffarpur districts. The entire cost would have to be met from the grant out of the Sugarcane Excise Fund.

The rest of the supplementary demands, numbering twenty, under various heads, was passed after discussion.

**26th. MARCH** :—The Assembly devoted a day-long discussion raised by a single cut motion on the demand under the head Agricultural improvement. Dr. *Syed Mahmud*, Development Minister, replied that the point raised by the speaker had already been given effect to or was under consideration. The Minister announced that the Government of India had agreed to the establishment of a broadcasting station at Patna very soon, which would serve for propaganda purpose also.

**28th. MARCH** :—The Department of Agriculture was severely criticised as being a top-heavy administration, serving no useful purpose in connection with cultivation, through a series of cut motions, including some by congress members. The budget demand under the head Agriculture was, however, ultimately passed after the cut motions were withdrawn.

A few constructive suggestions were also offered for improving the agricultural conditions, such as the distribution of improved varieties of seeds, scientific manuring, the use of modern implements, the improvement of breed and draught bullocks and the establishment of a college for agricultural teaching. Mr. *Jagjiwan Ram*, Parliamentary Secretary, said that the criticisms made had been generally destructive while

he had hoped that more constructive suggestions would be placed. The Government could not effect a drastic cut on the salaries of high officials of the Department. The activities of the Department covered most of the points raised by the members. The Government realised the need for establishing an Agricultural College, but were prevented from doing so immediately for financial reasons.

**29th. MARCH** :—The Assembly passed to-day three Budget demands under the heads Veterinary, Co-operative and Industries.

A cut motion moved to discuss the necessity of maintaining the Veterinary College was withdrawn after the Government reply emphasising the importance of cattle in a primarily agricultural country for which a Veterinary College was essential.

Cut motions on "Co-operation" referred to the Government's "apathy" to the co-operation movement and were withdrawn after Dr. *Mahmud*, Development Minister had replied that the Government was doing every thing possible to rehabilitate the movement.

Cut motions on "Industries" were withdrawn after the Government had replied explaining the measures taken in connexion with the industrial development of the Province.

**30th. MARCH** :—The Assembly passed the Budget demand under the head Education for a sum of Rs. 67,49,895 after a day long discussion raised through a cut motion urging the reduction of the salaries of college professors. Other subjects discussed were unemployment, the introduction of free and compulsory primary education and the encouragement of women's education and Oriental studies. The Government spokesman stated that the whole question of retrenchment was being examined and a committee would be appointed shortly in this connection. The hon. Dr. *Syed Mahmud*, Education Minister, winding up the debate, referred to the language problem, which the Congress Government, through the assistance of Babu Rajendra Prasad, had solved to a great extent and he said a committee had been appointed to evolve a common language. As the problem of script was very difficult at present the Government had decided to retain both the Hindi and Urdu scripts. The Government would also reorganise the system of teaching of classical and Oriental subjects. The Government themselves were anxious to remove illiteracy from the Province and would give every consideration to the various proposals offered by the members.

**31st. MARCH**:—The guillotine had to be applied at 5 p. m. for passing all the Budget demands which had been left over while the discussion on the demand under the head Police was in progress to-day.

In a spirited reply to a heated debate on the Police demand, raised through a cut urging the necessity for exercising greater vigilance with a view to stopping corruption in the Department among the lower ranks, the hon. Mr. *Sri Krishna Sinha*, Premier of Bihar, said that he had made it clear on various occasions that he had identified his honour with that of the police and any aberration on the part of the police pained him greatly. After being entrusted with the charge of the Department for eight months, he fully understood the sacredness of the duties of the police. No doubt a change in heart had to be brought about in police officers, in which he expected the co-operation of the public. The Premier said that he had appealed to the entire force to that effect at the last Police Conference and Parade and he believed that the appeal had not been made in vain. He was sanguine that if his Government continued for a reasonable length of time, the necessary change in outlook would be accomplished. The police force after all consisted of human beings who were exposed to numerous temptations and had to carry out their duties in the face of grave danger. The Premier believed that he would have the support and co-operation of the superior officers in stamping out corruption. A Committee had been appointed in this connection, which he hoped would evolve ways and means of reducing corruption. An Opposition member had pointed out that there had been an increase in crime since the Congress accepted office. This, the Premier said, was not true and the figures showed that the crime wave reached its greatest height in 1936 within recent years. His Government had been unfairly accused of negligence in allowing murders being committed freely. On the contrary every case of violence was investigated and dealt with according to law. Reference had been made to politicals and the Government were criticised for their

release as a false step. He had not released the politicals until he was confident that they would not resort to violence. He had consulted Mr. Gandhi himself before the release and the latter had told him that he should satisfy himself of their good faith.

The cut motion was withdrawn and the rest of the demands including the heads Medical, Jails, Administration of Justice, Land Revenue and Excise fell under the guillotine and were passed within fifteen minutes. The House then adjourned.

## April—June Session—Patna—1st. April to 29th. June 1938

BEHAR TENANTS' RELIEF BILL

**1st. APRIL** :—The Assembly to-day discussed the Bihar Restoration of Bakasht Lands and Reduction of Arrears of Rent Bill, introduced and moved for reference to a Select Committee by the hon. Mr. *Sri Krishna Sinha*, the Premier. The Bill was a supplementary measure to the tenancy legislation recently enacted and was designed to afford further relief to the tenantry by providing for the restoration of lands sold in execution of decrees for arrears of rents.

Sir *Ganesh Dutta Singh*, former Minister, moved for the circulation of the Bill for eliciting public opinion. Opposition members representing zamindari interests, pointed out that the Bill would operate harshly on the petty zamindar while the Congress members supported the measure energetically.

The Prime Minister, the hon. Mr. *Sri Krishna Singh* introducing and moving a reference to the select Committee of the Bill said that the Bill was designed at the restoration of Bakasht lands to the original tenants and the reduction of arrears of rents in certain cases. Explaining the need for this measure the Prime Minister said that when prices were high there was an artificial increase in the income of the people including the agriculturists, but when prices came down every section of the people was hit and the agriculturists were hit the hardest and tenants were put to real difficulty and hardship. Consequently most tenants could not pay their rents, which resulted in a number of rents suits. It was therefore necessary in such cases of hardship to tenants arising out of circumstances over which they had no control, that relief should be given to them. If good feeling was to be restored between landlords and tenants, lands which had passed out of the hands of the tenants should be restored to the latter. Therefore, an attempt was made in this Bill to restore such lands to the original tenants under certain conditions. One of the conditions for the restoration of bakasht lands was that half the decretal amount should be paid to the landlord. But it was difficult to pay even this half in one lump. Therefore the tenants had been given the right to pay in five equal instalments spread over five years. Failure to pay instalment for two consecutive years would entitle the landlord to apply for a restoration of the land. With regard to the smaller landlords the Premier said that they stood on a different footing because they were landlords only in a technical sense and were dependent for their livelihood on cultivation and, therefore, exemption had been made in the case of such landlords whose income was up to a certain level. The second principle embodied in the Bill, the Prime Minister explained, was the scaling down of arrears of rent. During a period of low prices it became difficult for tenants to adjust their needs to their income and they fell into arrears of rents. Although no regular economic enquiry had been made it was admitted that tenants were heavily indebted owing to the fall in prices and other reasons and their condition was verging on insolvency. The arrears of rent were a sort of debt and it was necessary, therefore, to save the tenants and reduce their arrears by law. There were two classes of arrears ; one class was to be reduced while the other was to be wiped off. Therefore, the tenants were given the right to apply to the Collector for wiping off or reduction of arrears on certain conditions. Mr. Sri Krishna Sinha concluded that salutary checks were also provided in the Bill on this power given to the Collector.

Mr. *C. P. N. Sinha*, Leader of the Opposition, agreeing that the measure would provide relief to the tenantry, said that zamindars did not want to stand in its way. He supported the Premier's motion for reference to the select committee. Discussion had not concluded when the House adjourned till the 4th.

**4th. APRIL** :—While the members representing landed property interests criticised the Bill as entailing hardship on the Zamindars, the Congress members, Scheduled Caste and Kisan spokesmen urged a widening of the provisions of the Bill in order

to accord greater facilities to the tenantry. Mr. *Baldeva Sahay*, Advocate-General, on behalf of the Government, explaining the legal aspect of the Bill, replied to the objections raised by the Opposition members. The House then adjourned.

**5th. APRIL** :—'Within the ambit of the Government of India Act, the Provincial Legislature had power to enact legislation of the most revolutionary character. It could abolish the Zamindari system itself made under the Permanent Settlement. When there is the support of public opinion, the Governor-General would have to grant his sanction to such a measure if attempted to be enacted', said Mr. *Sri Krishna Sinha*, Prime Minister, replying to the debate to-day.

The motion for circulation was negatived, while the Prime Minister's motion was carried without a division.

AGRICULTURAL INCOME-TAX BILL

The *Prime Minister* then moved for consideration of the Bihar Agricultural Income-tax Bill as reported by the Select Committee.

*Sir Ganesh Dutt Singh* moved for recirculation of the Bill for eliciting public opinion as certain new provisions had been added to the Bill by the Select Committee. The *Premier*, replying, pointed out that the Bill had been discussed threadbare by the Committee which had power to add clauses. There was no necessity for eliciting public opinion.

The Bill was then taken up for consideration clause by clause. A large number of amendments had been tabled. A discussion arose on taxing income of religious institutions and charitable endowments. The Moslem members resented strongly any attempt to include such an income in the purview of the Act and said the Congress Government would do well not to interfere with religious matter. The House then adjourned.

**7th. APRIL** :—Discussion was continued yesterday and today over the amendment, in the course of which several members, mostly Moslems, expressed vehement opposition and the Assembly adjourned again to resume discussion on the 11th.

Mr. *Baladeva Sahay*, Advocate-General, replying to the debate, said that taxation of agricultural income of Wakfs was not repugnant to Islamic laws and the Quoran did not contain injunctions prohibiting taxation of Wakfs. The Government had no intention to interfere with the religious right, neither was this taxation an infraction of the personal laws of Moslems. If the present clause was not wanted the Government were willing to insert another clause providing exemption of Wakfs meant for religious and charitable purposes and whose income was spent on those objects alone.

Mr. *C. P. N. Sinha*, Leader of the opposition, made a vigorous plea for exemption of religious trusts from the operation of the measure unconditionally. Hindu endowments were made purely for religious purposes and the incomes of such endowments would not be utilized for personal expenditure. As the endowments could not be spent by the successors of those who endowed the property, there was no need for putting any conditions.

**11th. APRIL** :—The proceedings took a new turn to-day when Moslem Opposition against taxation of charitable endowments reached a climax. Ultimately, however, it proved ineffective, and the amendment moved by a Congress member for deletion of clause 3 of the Bill was passed after being pressed to a division. The clause wanted exemption of Moslem wakfs from taxation.

The Moslem members of the opposition in a joint statement unaniously declared their emphatic protest against taxation of charitable endowments, public or private, and held that since the Government had disregarded their sentiments which were based on religious grounds, they would oppose the Bill throughout clause by clause.

Referring to the telephonic conversation held between the Premier and Maulana Abul Kalam Azad, of the Congress Parliamentary Board, regarding taxation of Moslem charitable property after which the Premier had accepted the view that trusts of a public nature should be exempted, Mr. *C. P. N. Sinha*, Leader of the Opposition said that he did not agree with the view of the Government and maintained that charitable endowments of all kinds should be exempted from taxation.

The *Premier* explained that the State was the supreme body which held the final responsibility for safeguarding rights and property. Certain economic adjust-

ments had to be made. The Government did not intend to wound the religious susceptibilities of the Moslems. The latter should have no hesitation in allowing endowments of a private kind being taxed. While the amendment under discussion wanted deletion of the clause providing exemption from taxation of charitable trusts, the position had now changed and a fresh amendment would be brought in embodying the proposal which he put forward.

The amendment was carried by 75 votes to 33. Two other amendments from the opposition members, one for altering the rate of taxation on high income and another for reducing all rates and exempting income below Rs. 10,000 from taxation, were lost when pressed to a division. The House then adjourned.

### National Militia for Behar

**12th. APRIL** :—The Assembly devoted almost the entire day to discussion of an unofficial resolution recommending to the Government to take necessary steps to organise a National Militia for Bihar on the lines of the Indian Territorial Force and maintain a trained volunteer corps as reserve force ready for mobilisation in times of emergency, the Militia consisting of five hundred cadets from each district The resolution suggested that training, uniform equipment and allowances shall be provided by the Provincial Government and a committee be appointed to frame rules to work out details in this connection.

The resolution, which received general support, was passed in a slightly amended form, namely, deleting the later half of the resolution after the word emergency and adding that provision be made for military training in schools and colleges and the establishment of a separate military training school. During the discussion the British Government were severely criticised by various members "for supplying the military spirit of Indians", which was recognised in ancient days all over the world, and reducing them to a state of dependence on foreign power for the defence of the country. The necessity for reviving the martial spirit, inculcating self-reliance through military training in order to defend the country in view of the war menace, was stressed by other members.

### Employment of Beharis in Industries

**14th. APRIL** :—"The next two years would witness an enormous industrial development in this province and mineral and other resources would be exploited for utilisation on a scale never undertaken before. It was up to Biharis to show enterprise and make serious efforts to take full advantage of the growth of industries and make up their inadequate representation of employment therein", said Dr. *Syed Mahmud*, Development Minister, replying to the debate raised by an unofficial resolution by a Congress member urging the Government to take steps to secure employment of at least eighty percent of Biharis in all classes of employment in industrial concerns aided by the Government.

Dr. *Mahmud* said while the Government sympathised whole-heartedly with the spirit of the resolution, the Government could not compel by law the industries to increase employment of Biharis. Biharis themselves were greatly responsible if they were insufficiently represented in industries, since they had not been enterprising enough while capitalists from outside the province came forward to meet the situation. Certain industries like coal were mostly owned by foreign concerns in possession of long-term leases while others like sugar were protected industries and could not be compelled to increase the number of Biharis employed by them. In a concern like the Tatas' some amount of pressure could be applied so far as unskilled labour was concerned, but they complained that sufficient number of skilled workers were not available among Biharis.

A scheme was being prepared whereby training in civil engineering would be reorganised in order to turn out larger number of engineers in technical subjects, for which a separate college would be opened. He assured that the Government would do everything possible to meet the demand of the members.

The resolution which was vigorously supported by the Congress members, was withdrawn after the Minister's reply.

### Farm Labour in Bihar

The next resolution, also moved by Congress members, recommended the appointment of a committee of members of the House and other experts to investigate condition of agricultural labour in the province and make recommendation within six months. Discussion had not concluded when the House adjourned till the 19th April.

**19th. APRIL** :—The resolution evoked prolonged discussion to-day and was widely supported by Congress members, who pointed out the hardships under which agricultural labourers suffered and urged the necessity for ameliorating their economic condition. Mr. *Jagat Narain Lal*, Parliamentary Secretary, replying to the debate, said that the several legislative measures undertaken by the Government would prove beneficial to agricultural labourers also and hence the appointment of a Committee at present was not feasible. After further enquiry into the condition of the agricultural labourers, ways and means would be devised to improve their lot. Mr. *Gorakh Prasad*, mover of the resolution, being satisfied with the Government reply, wanted to withdraw the resolution but withdrawal was opposed by Sir *Ganesh Dutt Singh*, who challenged the motion to a division whereupon the resolution was lost by 78 to 23 votes.

AGRICULTURAL INCOME-TAX BILL (CONTD.)

**20th. APRIL** :—The Assembly to-day resumed consideration of the Bihar Agricultural Income-tax Bill. Opposition to the Bill was strengthened by Moslem members, issuing a joint statement a few days ago, that they would oppose the Bill at every stage, owing to Moslem private charitable endowments being included within the purview of the Bill.

To-day there was a rift in the opposition when Mr. *C. P. N. Sinha*, Leader of the Opposition moved an amendment to the clause relating to rates of Taxation proposed in the Bill. Mr. *M. Yunus*, Leader of the Moslem Independent Party, opposed the amendment stating that he believed it was the result of compromise between Zamindars and the Ministry. The amendment lightened the load on the big landlords at the cost of smaller ones. The *Premier* said that the question of compromise did not arise. Eventually the discussion on the clause had to be postponed. The Moslem members led by Mr. *Yunus* continued obstructionist tactics in pursuance of their declaration to oppose the Bill and challenged divisions on the next two clauses, which were passed by 80 to 25 and 72 to 30 votes.

**21st. APRIL** :—Only one clause relating to the determination and computation of agriculture income was passed to-day. Moslem members of the Opposition did not move the amendments standing against their names in pursuance of the policy of opposing the Bill on principle and when the entire clause was put to vote a division was challenged by them. The clause, however, was passed by a large majority.

When the next clause was taken up an amendment was moved by a Government member providing the addition of a new clause thereto excluding the income of charitable and religious trusts of a public character from the jurisdiction of the Bill. Mr. *Yunus* moved an amendment for the exclusion of income of all Muslim trusts from the purview of the Act.

A prolonged discussion was again raised on the principle of taxing Moslem charitable endowments. It may be recalled that when Moslems protested against taxation of Muslim Wakfs, the Premier had given an assurance that those of a public nature would be excluded from taxation but not those of a private character.

Mr. *Yunus* pointed out that according to Islamic law, no distinction could be made between public and private charitable endowments and quoted authorities in support of his argument. He appealed to the Government not to disregard Moslem religious sentiments. The discussion had not concluded when the House adjourned till the 25th.

**25th APRIL**—Mr *Jagatnarayan Lal*, Parliamentary Secretary moved for the addition of a new clause on 21st April providing for the exemption of only public charitable trusts from the operation of the Act. The entire day to-day was taken up by Muslim members, the vehemence of whose opposition to the principle of taxation of any kind of Muslim charitable trusts continued undiminished.

Member after member from different groups joined hands in opposing the proposal to tax private charitable trusts such as Wakf Alalaulad and pointed out that the measure would be an interference with Muslim religious matters and the religious susceptibilities of Muslims would be deeply wounded thereby. Texts from Koran and other religious works and authorities were quoted extensively by members in support of their arguments.

*Lady Imam*, the only women member in the Opposition benches, said that she voiced the feelings of all Muslim women, who resented the proposed measure to tax trusts on principle. Other members stated that no distinction could be made between

public and private trusts since under Muslim Law both had a definite religious character and could not be taxed. Discussion had not concluded when the House adjourned.

THE PROHIBITION BILL (CONTD.)

**26th. APRIL** :—The Assembly to-day passed the Bihar Prohibition Bill, modelled on the corresponding legislation enacted by the Madras Legislature giving Government the authority to introduce Prohibition in selected areas in respect of one or more excisable articles, with power to extend it to other areas all over the Province and providing certain exemptions for the use of intoxicants for specific purposes.

Clause after clause was passed in rapid succession, a few minor amendments being rejected. An amendment was moved by a Chota Nagpur member representing the aborigines, seeking provision for the brewing of pachwari (local indigenous drink) by the backward tribes, Chota Nagpur being exempted from all the provisions of the Act. He was strongly supported by a few other members from Chota-Nagpur who pointed out that the use of indigenous intoxicants was intimately associated with the religious observances of the backward tribes. If the Government did not exempt the use of pachwari by the backward tribes, the latter would take the law into their own hands, resulting in an increase of crime. The use of intoxicants by backward tribes was no luxury but a necessity.

The amendment was pressed to a division and was lost by 88 to 9 votes.

The hon. Mr *Jaglal Choudhury*, Minister for E[illegible]then moved the third reading of the Bill which was finally passed without any [illegible]position. The entire Bill went through the legislative anvil in less than three hours. The House then adjourned.

THE MONEYLENDERS' BILL (CONTD.)

**28th. APRIL** :—The Assembly continued consideration of the Bihar Moneylenders' Bill, several more clauses of which were passed to-day, after which the House adjourned till the 29th. April.

ELECTRICITY IN BIHAR (GRID SCHEME)

**29th. APRIL** :—"The Government's intention in launching a scheme for the electrification of the rural areas through the grid system was to raise the economic level of the country, which could be achieved by improving agriculture by better irrigation", said Mr. *Jimut Bahan Sen*, Parliamentary Secretary, during the discussion of the cut motion moved by Sir *Ganesh Dutta Singh*, on a supplementary budget demand for a grant of Rs. 4,200 to defray the charges in respect of civil works, moved by the Premier, Mr. *Sri Krishna Sinha*, in the Assembly to-day. Mr. *Jimut Bahan Sen* stated that the demand was made for the employment of necessary staff to carry on preliminary investigation.

The *Premier*, explaining the objects of the scheme, said that North and South Bihar presented different irrigational problems. South Bihar rivers dried up after the rains and if tube wells could be sunk in river beds, it was considered possible to keep up a good supply of water for irrigation purposes. Power would be obtained by electricity generated from coal, of which South Bihar had good deposits. It was believed the cost would be cheap. The same power could be utilised for industrial purpose.

DEHRA DUN COLLEGE

The *Premier* moved the next demand for Rs. 10,424 under the head Forest. He announced that in view of the demand for nationalisation of services, it had been decided to discontinue recruitment to the Imperial Forest Service and to have only a Provincial Forest Service. The College for imparting training in forestry would be re-established at Dehra Dun following the deliberations at the Forest Conference at Delhi sometime past and candidates would be recruited from the provinces.

Sir *Ganesh Dutta Singh* moved a cut to discuss the qualifications of the candidates and their appointment, while Chota Nagpur members represented the claim of that area for facilities in training in Forestry.

The *Premier*, replying, said that the claims of Chota Nagpur would not be ignored. In making appointments to the servi[illegible]fficiency should not be sacrificed. Already there were the numerous claims of a large number of castes and communities. As far as the people outside the province were concerned, no distinction would be made between Biharis and others if the latter adopted Bihar as their home permenently. The cut was withdrawn and the demand passed.

THE MONEYLENDERS' BILL (CONTD.)

The House then took up discussion of the Bihar Moneylenders' Bill clause by clause untill the entire Bill was passed. The House thon adjourned till the 2nd. May.

AGRICULTURAL INCOME-TAX BILL (CONTD.)

**2nd. MAY** :—The Assembly to-day resumed consideration of the Bihar Agricultural Income-tax Bill, which had been postponed for the past few days due to Moslem opposition to Moslem charitable trusts of a private nature, known as Wakf Alalaulad, being included within the purview of the Bill. *Maulana Abul Kalam Azad* specially came to Patna in order to effect a compromise between the Government and the Moslem legislators.

A compromise was brought about after two days' discussions between Maulana *Abul Kalam Azad* and Moslem legislators, which laid down that beneficiaries of Wakf Alalaulad would not be exempted from taxation under the Bill and the tax would be realised from trustees of such Wakfs.

Contrary to expectation, prolonged discussion again ensued on the subject when Mr. *Jagat Narain Lal*, on behalf of the Government, moved an amendment making the necessary alterations in the clause concerned, in view of the compromise. Mr. *Yunus*, Leader of the Moslem Independent Party, objected to a portion of Mr. Jagat Narain's amendment, stating [redacted] was contrary to the spirit of the compromise. Prof. *Abdul Bari* (Congress), Deputy Speaker, argued that the Moslems were adopting an antiquated attitude towards the matter. Other Islamic countries had allowed taxation of Wakfs. Mr. *Yunus* moved an amendment to Mr. Jagat Narain's amendment, which the latter withdrew, substituting a fresh one.

Mr. *Baldev Sahay*, Advocate-General, on behalf of the Government, again explained the Government view-point on the principle of taxation of Moslem trusts. He said the Government could not concede to Moslems more than they had already done. The Government had power to levy taxes of any kind on property, religious or otherwise. Quoting Muhammadan law books, he said Wakfs were taxable. The Government's attitude was based on reason and conscience. He referred to the Karachi resolution on Fundamental Rights and said that it contained no guarantee that everything passing under the name of law as enunciated in early Islamic history should be left untouched.

Mr. *Yunus* objected to the Advocate-General's arguments, saying that they were decidedly contrary to the compromise effected by Maulana Abul Kalam Azad, in which the principle of taxation of Wakfs had been settled. The Advocate-General's arguments were based on Anglo-Islamic laws and not Islamic laws.

Finally the following amendment, moved by Mr. *Yunus*, was passed: "All agricultural income of Moslem trusts referred in Section 8 of the Mussalman Wakfs Validating Act of 1913 created before the commencement of this Act shall be excluded from the operation of the Act, provided the share of a beneficiary under the aforesaid Act, commonly known as Wakf Alalaulad, shall not be exempted and tax may be realised from Motawalli (trustee) and the basis of taxation shall be the share of each beneficiary, beneficiary meaning family, children and descendants of settler."

The clause was passed. The House then adjourned.

**3rd. MAY** :—The Opposition gained strength by reason of the Muslims not agreeing to the taxation of Muslim charitable trusts of a private nature, which though not included in the Bill originally, was added subsequently to the provisions and was the subject of heated discussion for about ten days, the clause being passed only yesterday.

To-day the most contentious clause was contained in the schedule of taxation of income. The schedule as returned by the Select Committee provided taxation of agricultural income exceeding five thousand rupees at nine pies per rupee, proportionately increasing it to four annas in the rupee on incomes of fifteen lakhs and upwards. Consideration of this clause was postponed for the last few days, the Opposition members representing that the Zamindari interests were opposed to the rates.

Finally an amendment substituting another schedule was brought forward to-day by the Leader of the Opposition, Mr. *C. P. N. Sinha*, providing rates of taxation on income exceeding five thousand at six pies in the rupee, increasing the rate to a maximum of thirty pies on incomes above fifteen lakhs. The schedule was accepted by the Government and the clause and the entire Bill were passed.

NON-OFFICIAL BILLS INTRODUCED

**4th. MAY** :—The evils of the dowry system were emphasized by several speakers when a non-official Bill, to eradicate the practice, was moved to-day.

Four non-official measures were introduced—the Bihar Hindu Religious Endowment Bill, moved by Mr. *Biresh Dutta Sinha*, the Bihar Stamp (Amendment) Bill, moved by *Syed Rafiuddin Ahmed Rizvi*, the Bihar Dowry Restraint Bill, sponsored Mr. *Sukhlal Sinha* (Congress) and the Bihar Tenancy (Amendment) Bill, brought by Mr. *Mohammed Abdul Majeed*.

The religious Endowment Bill aimed at ensuring the better management of Hindu religious endowments ; while the Stamp Amendment Bill, (which, perhaps, is the shortest Bill introduced in the House and which was passed in a few minutes), sought to exempt from the provisions of the Indian Stamp Act the instrument of divorce whereby a Moslem effects the dissolution of his marriage, on the ground that it conflicted with the personal laws of the Mohammedans. The Bihar Tenancy (Amendment) Bill intended to give relief to tenants and to put a stop to illegal customs, usages and rights of landlords, and to give to cultivators all just, rational and humanitarian benefits and advantages which can be derived from the land.

A prolonged discussion ensued on the Bihar Dowry Restraint Bill when it was taken up for consideration. Mr. *Prabhunath Singh* (Congress), moved that the Bill be circulated for eliciting public opinion. Mr. *C. P. N. Sinha*, leader of the Opposition said that this would amount to dilatory tactics.

The House eventually agred to the circulation of the Bill for public opinion.

FEDERATION OPPOSED

**6th. MAY** :—The Assembly to-day passed, without a dissentient voice, a resolution opposing the present federal scheme for India couched in terms of similar resolutions passed in other Congress Provinces.

Moving the resolution the Premier, Mr. *Srikrishna Sinha*, said that the scheme had not been accepted by any political party in India. The Dominions had much greater powers than had been accorded under the proposed Federation. Parliament could not legislate on matters relating to any Dominion without the consent of the Dominion concerned, but in India the Federal Legislature would not have powers even to amend the constitution or frame laws on matters vitally affecting the people. The supreme authority was still vested in Parliament while the Governor-General had been given unheard of powers of interference with the decisions of the provincial Governments. He had executive powers to prevent discrimination against Britain. The Federal Legislature would not be able to affect the existing policy regarding the army, currency and trade relations with foreign countries. The Ottawa pact showed that Indian interests could be ignored where Imperial interests were concerned.

It was absolutely essential that the Federal Legislature should be composed of members returned by direct election. Under the scheme it would be impossible to have a stable Government since the majority party would have to depend upon the Governor-General for support in every action.

The introduction of Federation in India would differ in circumstances from such changes brought about in other countries. Indian policy was being developed on feudatory lines. Both autocratic and democratic units were being sought to be brought together under the scheme. While the autocratic units had been given a certain amount of option in joining the Federation the so-called democratic units namely, British India provinces, were being compelled to do so, the idea behind this was that the autocratic units would exercise influence over the others and prove an obstacle to the advancement of India on national lines.

After a Congress member had spoken in support of the resolution, Mr. *Mohammad Shafi* sought to clarify certain ambiguities in the text of the resolution. He said that the resolution stated that national leaders should be consulted before the constitution of any form of federal Government. The term national leaders could be variously interpreted. He suggested that representatives of the different communities and interests should be consulted on the matter.

Mr. *C. P. N. Sinha*, Leader of the Opposition, pointed out that the federal scheme was a sincere attempt to bring about unity and a united India. He, however, agreed that the scheme was incapable of meeting the ambition of Indians, who should unite in opposing it.

Mr. *Mohiuddin Ahmed* said that he was disappointed at the spirit underlying the resolution. It lacked strength and decisiveness. The Congress was not the only organisation which was opposed to the Federation.

ABOLITION OF TITLES

The *Premier* next moved a resolution urging discontinuance of the conferment of titles, after which the House adjourned till May 9.

**9th. MAY**:—The House passed two official resolutions to-day, one regarding the discontinuance of the conferment of titles and the other for regulating matters enumerated in the provincial legislative list by an act of the Federal Legislature namely statistics of employment.

BEHAR TENANCY AMEND. BILL

**10th. MAY**:—*Mr. Sri Krishna Sinha* moved to-day that the Behar Tenancy Amendment Bill be referred to a Select Committee. The Bill provided amongst other things for the repeal of sections of the Behar Tenancy Act dealing with the right of the landlords to take out certificates for recovery of arrears of rent, abolition of transfer fee and definition of rights of ryots in trees, plantations and ponds in their holdings. Dealing with the salient features of the Bill, the Premier said it sought to confer absolute recognition by the landlord on any transfer. All that the tenant had to do after transferring the land was to pay the registration fee of two rupees to the landlord to make the necessary changes in the records and a distribution fee at the rate of four per cent in order to get the landlord's recognition and distribution of rent consequent on the transfer. The Collector had been empowered to order a fair distribution of rent and valuation of land as mentioned in the deed, in case the landlord objected. Inspite of any record of rights, the Bill conferred absolute rights on the tenants regarding trees, plantations and ponds in the holdings. Proceeding, the Premier said, it had now come to be recognised that the actual tiller of the soil must be protected and safeguarded and he was sorry that nothing more could be done in the Bill for under-tenants than conferring occupancy right on them in case of cultivation for twelve years. Refering to some other provisions in the Bill, he said last but not least, the Bill sought to abolish the grant of powers to abolish the certificate procedure. He added the Government had already stopped the granting of certificates to landlords and the Bill merely legalised the Government's executive action.

The Bill was criticised both by Congress (Kisan) members and the Opposition. It was pointed out that the Bill had not provided sufficient facilities to tenants. Mr. *C. P. N. Sinha*, Leader of the Opposition, said that Zamindars could state equally strongly that their privileges were being encroached upon. The Bill only implemented the provisions of the Congress-Zamindar agreement.

The *Premier*, meeting the objections raised against the Bill, stated that the Government did not intend to sacrifice the interests of one community for another. The Bill eventually was referred to a Select Committee and the House adjourned till the 30th. May.

THE PROHIBITION BILL (CONTD.)

**30th. MAY**:—The visitors' galleries were crowded to-day with Anglo-Indians and Indian Christians, including a large number of ladies when the Prohibition Bill was taken up to-day. It may be recalled that the Christian community had been agitating for statutory exemption from the operation of the provisions of the Bill the use of sacramental wine in the Church. The Bill originally provided for exemption of use of wine for religious purposes by a notification, while by an amendment in the Upper House, in which the Government suffered a defeat, exemption was provided for brewing and stocking wine used for Mass and Holy Communion in Christian Churches.

MEMBERS' EMOLUMENTS BILL

The Premier, Mr. *Sri Krishna Sinha* next introduced the Bihar Legislature (Members' Salaries and Allowances) Bill, 1938, providing a salary of Rs. 75 monthly to the members with a daily allowance of Rs. 2-8 during the session and one and half intermediate railway fare as travelling allowance. The Premier said the principle of giving emoluments to a legislator was recognised in other countries of the world. This Bill had been brought forward with a view to relieving the members of financial worries in order that they might perform their duties whole-heartedly. The Premier added that the Government would not gain much by the measure financially.

The Bill, after further discussion, was referred to a Select Committee.

BEHAR CESS AMEND. BILL

The *Premier* next introduced the Behar Cess Amendment Bill aiming at the reduction of rate of interest on arrears of cess payable direct to the Government by proprietors or by tenure-holders to proprietors in view of the reduction effected in the interest payable by tenants to landlords in accordance with the recent Bihar Tenancy Act.

THE PROHIBITION BILL (CONTD.)

Amendments made by the Upper House to the Bill were next taken up for consideration and several of them were passed.

Prolonged discussion ensued on an amendment to the clause relating to exemption of liquor required for religious purposes. The amendment provided exemption to Christian churches from the provisions of the Act regarding the use of wine for Mass and Holy Communion. Members representing the Indian Christians made a vigorous plea for the acceptance of the amendment by the House, asserting that the Christian community resented strongly any interference with religious rights and privileges in regard to the use of wine in the church.

Three Muslim members supported the amendment urging the Government to show tolerance to the religious susceptibilities of other communities. Congress members opposed the amendment saying that the Bill already provided exemption to use of liquor for religious purposes by a notification in specific cases and the Government reserved to itself the right to enquire whether intoxicants were actually required for religious purposes or not. Discussion had not concluded when the House adjourned.

**31st. MAY** :—An amendment to the clause on the Bill relating to exemption from the operation of the Act of churches in regard to the use of wine for religious purposes was discussed and passed in a slightly altered form to-day. The *Prime Minister*, replying to the debate, said the Government conceded the wishes of Christians since the Congress was pledged to tolerance and non-interference in religious rights of the different communities and so the charge might not be levelled against the Government that they neglected the minority interests in any way. The House then adjourned.

THE MONEYLENDERS' BILL (CONTD.)

**1st JUNE** :—The Assembly to-day considered amendments to the various clauses in the Bihar Moneylenders' Bill made by the Upper House, all of which were accepted.

MEMBERS' EMOLUMENTS BILL (CONTD.)

The Assembly next considered and passed the Bihar Legislature Members' Salaries and Allowances Bill as returned by the Select Committee. The Committee made certain changes in the Bill the chief of which was the addition of a proviso on the lines made in the U. P. Legislature to prevent the continued absence of members from the session. The rate of daily allowances has also been raised from Rs. 2 and half to 3 while a travelling allowance of four third class railway fares has been provided instead of the one and a half intermidiate fares, originally provided. The Committee also made it clear that the Deputy Speaker and the Deputy President would be entitled to a daily allowance, but not the Speaker and the President.

Replying to an Opposition member why four third class fares had been allowed, the Prime Minister, the Hon. Mr. *Sri Krishna Sinha* stated the idea was that those who choose to travel in third class could carry two servants with them while one fare could meet their coolie and other charges. Four third class fares amounted to a little more than one second class fare. Hence those who were accustomed to travel in second class could also do so. The Bill was passed and the Assembly adjourned.

ELECTRIC GRID SCHEME

**2nd. JUNE** :—The Assembly to-day passed the official resolution recommending to the Government to appoint a Standing Committee of both Houses of the Legislature, in the proportion of eight and four members of the Assembly and the Council respectively, in order to advise the Government from time to time on matters connected with the electric grid scheme and further to appoint such members of the Government as may be necessary to be ex-officio members of the Committee.

Moving the resolution, the Government spokesman pointed out that the proposed scheme was connected with various problems on which the Government had felt

necessary to be guided by public opinion through the representatives in the Legislature. The House then adjourned till the 24th. June.

BEHAR TENANTS' RELIEF BILL

**24th. JUNE** :—The Prime Minister, the hon Mr. *Sri Krishna Sinha*, thereafter moved for consideration of the Bihar Restoration of Bakasht Lands Bill, as reported by the Select Committee. The Bill aimed at the restoration to tenants of the lands sold in execution of decrees for arrears of rent and provided that the existing arrears of rent should be partially liquidated and arrangements made for the easy realisation of reduced arrears.

Mr. *C. P. N. Sinha*, Leader of the Opposition, criticising the Bill, said that zamindars had made considerable sacrifices in order to assist the Ministry in enacting measures designed to afford relief to tenants. But zamindars' interests had been neglected altogether, and the zamindars had found it increasingly difficult to realise rent. The assurance held out to zamindars for the speedy realisation of rent and the provisions of the Congress-zamindar agreement in this connection had not been implemented since the provision in the Bill for the speedy realisation of rent was wholly inadequate. If the Government would not adopt measures for the speedy realisation of rent, members representing zamindari interests would not participate in the progress of the Bill.

After some more Opposition members had criticised the Bill as ignoring the interest of zamindars, a Congress member pointed out that the Bill was not in violation of the Congress-zamindar agreement, but rather an outcome of it, and there should not, therefore, be any objection to it on principle.

**25th. JUNE** :—The kisan spokesman refuted to-day the opposition criticism made yesterday that the Bill ignored the zamindars' interest. On the other hand, they said, kisans had gained little by the measure. Mr. *Baldeva Sahay*, Advocate-General, said that the proposals made by the zamindari representatives to Congress regarding the simplification of rules relating to the conduct by rent suits and speedy realisation of rents had been carefully examined by the Government and such of them as could be accepted with equity and justice both to zamindars and kisans had been embodied in the Bill. The Prime Minister, the hon Mr. *Sri Krishna Sinha*, said that it was not the policy of the Government to cause the least harm to zamindars who played an important role in the economic system of the country. The Government, therefore, needed their co-operation as much as that of kisans. The Government had adopted measures in accordance with the Congress-zamindar agreement to ensure 'speedy realisation of rents. The discussion had not concluded when the House adjourned.

**27th. JUNE** :—Further consideration of the Bihar Bakashat Lands Restoration and Reduction of Arrears of Rent Bill, was postponed till June 29 owing, it was understood, to differences of opinion among members of the Congress Party in the Assembly over some of its clauses.

AGRICULTURAL INCOME TAX BILL

Thereafter, consideration of the Bihar Agricultural Income-tax Bill, as returned by the Upper Chamber, was proceeded with.

**29th. JUNE**:—Owing to an etirely unexpected development, the Assembly adjourned *sine die* soon after meeting this morning.

After question-time, the Leader of the Opposition made a submission that he had received a telegram from Maulana Abul Kalam Azad seeking information regarding the reported breakdown of the Congress-Zemindar agreement in Bihar.

Mr. *C. P. N. Sinha* said that in view of the development he would request the Leader of the House to consider whether they should proceed with the Bills at present before the House or place the matter before Maulana Azad and Babu Rajendra Prasad at whose instance the Congress-Zemindar agreement was evolved.

The Prime Minister, agreeing, requested the Speaker to adjourn the House *sine die*. Accordingly, the discussion of the Bihar Tenancy and the Bakhast lands and Reduction of arrears of rent Bill was adjourned.

# Proceedings of the Behar Council

## Budget Session—Patna—21st. March to 2nd. June 1938

The Budget for 1938-39 was presented in the Bihar Legislative Council, which commenced its session at Patna on the **21st. March 1938.** A reference was made by the President to the recent Constitutional crisis. The chair expressed gratification at its happy termination.

GENERAL DISCUSSION OF BUDGET

**25th. MARCH** :—The General discussion of budget commenced to-day. Mr. *Bansilal* initiating the debate thanked the Finance Minister for presenting a well-balanced budget. He felt pleasure to see that provisions for various reliefs were made in the budget. He appealed to the Government to make arrangements for educating Purdanashin ladies. Concluding he suggested the ministry to do more for development of industries.

Rai Bahadur *Satish Chandra Sinha* criticised the Government for showing indifference to Bengali interests and said that the step-motherly treatment towards the Bengalis did not behove the Congress Ministry. He highly condemned the Government for their behaviour in injuring the interests of Bengal in Bihar. Turning to the budget he said, there was no provision in it for granting relief to the people of Manbhum District. He pleaded for more money for improving sanitary condition of rural areas.

Mr. *Naqui Imam* found the budget speech of the Finance Minister quite different from that of the past Government. This departure from the old practice was good and interesting. The Finance Minister had done well to relate in his speech what steps he was going to take for the amelioration of the conditions of the masses. He thanked the Minister for this. He suggested the Government to find out ways and means to exploit the mineral resources of Chhotanagpur. He urged the Government to bear in mind the importance of Chhotanagpur so far as this question was concerned. He further suggested that Chhotanagpur was badly in need of irrigation. He admitted that provision of irrigation facilities would cost much to the Government and they could not meet expenses at present but at the same time he suggested the ministry to make a beginning in the matter. He next pleaded for taking measures for prevention of flood which caused much havoc to life and property.

**28th. MARCH** :—Mr. *Mobarak Ali* wanted permission of the House to-day to move an adjournment motion to discuss the situation arising out of the brutal murder of a Zemindar in Gaya District. The *Prime Minister* objecting said that the matter was not of public importance and it was not desirable that cases of murder should be discussed in the House. Mr. *Baldev Sahay*, Advocate-General pointed out that the matter was 'sub judice' and should not be discussed in the interest of persons concerned in the case. *Khan Bahadur S. M. Ismail* said that the matter was of urgent public importance. Series of crimes were being perpetrated in which Zemindars were the worst sufferers. Government ought to take steps so that such occurrences might not take place in future. The objections raised on behalf of the Government were not maintainable. Mr. *Gursahai Lal* said that it was not mentioned in the notice of the motion of adjournment that murder took place out of agrarian riot. He supported the objections raised by Government and said that it was not at all an important issue. The *President* held that the matter was 'sub judice' and disallowed permission to move adjournment motion.

**29th. MARCH** :—Resuscitation of the village *panchayat* system with a view to making the village autonomous and homogeneous units, able to manage their own affairs and promote the welfare of the people in every sphere of life, was the ideal which the Government was striving to achieve, said Mr. *Srikrishna Sinha* (the Premier), replying to the general discussion of the Budget to-day. The Government, he said, was severely criticised for being unable to do numerous things, from primary education to changing the course of rivers. All

this could not be accomplished by a magic wand. They needed time, labour and an enormous amount of money. The Government was, however, not discouraged by the magnitude of the proposals. They were rather extremely anxious to execute them through various schemes, large and small, already undertaken or under consideration. As far as was humanly possible, all would be done, and where funds were required they would be raised. Any measure they took up was based on the policy of according the maximum benefit to the largest number of people.

Khan Bahadur *S. M. Ismail*, leader of the Opposition, referring to the tenancy legislation, criticized the Government for taking away what he termed the legitimate rights of the zemindar. He said that the agreement for the speedy realization of rents had not been implemented, and strained relations existed between zemindars and tenants. The Government, he added, proposed further to tax zemindars without taking measures for increasing their income. He criticised the public speeches delivered by provincial Congress leaders which, he said, had aggravated the relations between zemindars and agriculturists. He stressed the need for reducing expenditure by retrenchment and other means.

**30th. MARCH** :—When important constitutional issues were being discussed, unavoidable references to the Viceroy or the Governor could not be considered to be out of order; at the same time personal references against either were to be depreciated because of the convention that persons, who were unrepresented in the House and therefore not in a position to defend themselves, should not be criticized.

This ruling was given by the President on a point of order raised by the Leader of the Opposition during the general discussion of the budget to-day when certain references were made to the Viceroy by Mr. *Naqui Imam*, speaking on the recent constitutional crisis.

Another ruling given by the *President* was on a point raised previously, namely, whether the mover of a resolution could vote against his own motion. The President said that it was laid down in May's "Parliamentary Practice" that a mover could only withdraw his motion by leave of the House without any negative vote. By tradition a member was at liberty to change his opinion upon a question. A member who had made a motion was afterwards entitled to vote against it provided he had given his voice with the "Noes" when the question was put from the Chair. Citing an instance from the Central Assembly, he gave his ruling that there was no objection to a member who had moved a motion voting against his motion if he declared and shouted with the "Noes."

**31st. MARCH** :—The Hon'ble Mr. *Sri Krishna Sinha*, at the conclusion of the general discussion of the Budget to-day, made a long and important speech in which he reiterated once again the policy of the Government on the Bengali-Bihari question on the agrarian problem and other important matters engaging public attention at the present moment. He very much regretted that the Government was being misrepresented by a very enlightened community inhabiting this province from whom he expected every co-operation and help. He straightway declared that he made no distinction between a Bihari and a Bengali who had adopted Behar as his home. Those who were born in this province and those who were domiciled in this province were Biharis in the actual sense of the term and in the matter of appointment no distinction was to be made between Beharis and such Bengalis, but they were greatly mistaken if they thought that in every province of India any people from any province could rush in at any moment and could have any post under the Government of that province. In every province provincial services were manned by men of that province. But sometimes attempts were made here to prevent those who were really the men of the province from getting into the services. Therefore something had to be done, some test had to be laid down in order to know whether the man seeking service was really the man of this province. It was with that end in view that the domicile rules were framed. He would do away with the rule of domicile if by so doing they could prevent the outsiders coming into this province.

### Travellers' Transport Regulation Bill

**1st. APRIL** :—The Council to-day passed the Troops, Transport and Travellers Assistance Regulation (Amendment) Bill as passed by the Assembly. The Bill provided for doing away with impressment of transport for private persons and civil officers when journeying in the mofussil, as contained in the Regulation.

NON-OFFICIAL BILLS INTRODUCED

**25th. APRIL** :—The following non-official Bills were introduced to-day: The Tenancy Amendment Bill; the Land Revenue Sales Amendment Bill; the Cess Amendment Bill and the Tenancy (Second) Amendment Bill.

The Chota Nagpur Tenure Holders' Rent Account Amendment Bill was referred to a select committee.

It was decided to circulate the Hindu Religious Endowment Bill to elicit public opinion.

SUPPLEMENTARY BUDGET DISCUSSED

**26th. APRIL** :—The Council met this morning for half an hour and adjourned till the 30th. after the Premier had presented the supplementary budget for 1938-39.

**30th. APRIL** :—The Council to-day held a brief sitting when supplementary budget demands for grants under heads "civil works" and "forests", which were passed by the Assembly yesterday, were discussed.

The Premier, Mr. *Srikrishna Sinha*, explained the objects of the demands, which included the appointment of the necessary staff to carry on preliminary investigation in connexion with the proposed grid electrification scheme and the recruitment of candidates for the Forest Service.

**2nd. MAY** :—The Council held a brief sitting to-day, and after interpellations adjourned till the 4th. May.

The only business on the agenda was an official resolution stating that offences against and jurisdiction and powers of courts in respect of an Act of the Federal Legislature should be regulated in this province by an Act of the Federal Legislature, being a matter enumerated in the Provincial Legislature list. The resolution was postponed.

STATISTICS OF EMPLOYMENT

**4th. MAY** :—The Council passed an official resolution to-day stating that the question of collection of statistics of employment should be governed by a Federal Act. Opposition members raised an objection to the resolution as not being consistent with the Congress opposition to the Federation and that in the absence of a Federal Legislature the Central Legislature could not undertake such a measure. The *Advocate General* replied that a transitory provision had empowered the Central Legislature to act like a Federal Legislature during the transition. Agencies like the Railways could not be compelled by provincial governments to furnish information and therefore it was preferable to have a central legislation on the matter.

THE PROHIBITION BILL

**5th. MAY** :—The Prohibition Bill as passed by the Lower House was taken up for consideration clause by clause to-day.

During the general discussion Khan Bahadur *S. M. Ismail*, Leader of the Opposition, said that the entire credit for bringing forward the much needed measures of reform could not go to the Congress government. Attempts had been made in the past to stamp out the evil of drink, though unsuccessfully. Legislative measures too had been discussed both in the Provincial and Central Legislatures. He however welcomed the measure not on religious or communal grounds but in the interests of "morality."

Mr. *Mobarak Ali* characterized the measure as half-hearted. It contained no provision for thousands of *pasis* (toddy tappers) who were being thrown out of employment.

During detailed discussion, Mr. *Gursahay Lal* moved an amendment to clarify the definition of the term export (of excisable articles). It was lost. Mr. *Maheshwar Prasad Narain Singh* moved an amendment for the exclusion of toddy from the operation of the act. He said that toddy was more a food than an intoxicant. The amendment was withdrawn after the *Advocate-General* had pointed out that the present one was not the proper stage to move such an amendment.

Mr. *Gursahay Lal* moved an amendment for omission of the definition of toddy as fermented and unfermented as he believed it was superfluous. This view was accepted.

After a number of clauses had been passed, Mr. *Maheshwar Prasad Narain Singh* moved an amendment to the clause relating to punishment, which he wanted to be

reduced as the measure was a novel one and the people were ignorant. Mr. *Jaglal Choudhury*, Excise Minister, replied that the Bill was a reformative measure, intended to cure addicts of their habit of drinking. The punishment provided was intended to strike terror into the hearts of addicts. The *Advocate-General* in his speech said that a penal clause was provided in the Excise Act also. It was proper that in legislation of this nature the penal section should correspond to that of the Excise Act. The amendment was withdrawn.

Mr. *Samuel Purti* (Chotanagpur) moved for exemption of *pachwai* (indigenous aboriginal drink) from the operation of the Act. The *Advocate-General* replied that the Bill empowered the Government to grant exemption for specific purposes. The amendment was withdrawn. Mr. *Maheshwar Prasad Narain Singh* moved for the omission of *talras* (sweet toddy) from the operation of the Act since sweet toddy was a "nutritious drink." The proposal would save a number of men from unemployment. The amendment was rejected.

When the clause relating to advertisements in newspapers was taken up, Mr. *Gursahay Lal* said that newspapers published outside Bihar should not be banned from publishing advertisements of wines and liquors. The *Advocate-General* replied that the Government did not want to discriminate between newspapers of the province and those outside. The amendment was lost.

When the clause was pressed to a division a Congress member, by mistake, voted in the "noes" lobby. The President reserved his ruling and the House adjourned.

**6th. MAY** :—When the House resumed consideration of the Bill to-day, Mrs. *Malcolm Sinha* moved an amendment for the incorporation of a new clause, seeking exemption of all Christian churches and their clergy from the operation of the Act in the matter of possessing or brewing of wine in such prescribed quantities as would be required for religious and sacramental purposes. Mr. *Baldev Sahay*, the Advocate-General, said that the amendment demanded the grant of a *magna charta* for the free use of wine in Churches. The amendment was lost by 9 votes to 8.

**9th. MAY** :—The Council to-day passed the Bill with an amendment. The Government suffered a defeat on an amendment moved by an Opposition member, which the Government opposed, but was passed by 11 to 10 votes. The amendment sought exemption for all Christian churches and their clergymen from the provisions of the Act for possessing or brewing wine in such quantity as may be prescribed, which was required for purposes of mass holy communion.

In the final reading of the Bill, Mr. *Jaglal Choudhury*, Excise Minister, assured the House that the Government were investigating ways and means to effect economies and raise the revenue in order to set off the deficit caused by the introduction of Prohibition.

### The Moneylenders' Bill

**10th. MAY** :—The Council considered the Bihar Money-lenders' Bill as passed by the Assembly. The Bill was welcomed by all parts of the House, the only jarring note being sounded by Mr. *Bansi Lal* (Congress) who advocated the exercise of restraint and moderation by the Upper House and warned it against the provisions of the Bill as well as against giving too much to popular opinion.

The chorus of welcome was joined with Khan Bahadur *S. M. Ismail*, Leader of the Opposition who with Mrs. *Malcolm Sinha* (Coalition), Mr. *Ahmad Mohammad Noor* (Congress), Mr. *Puneydeo Sharma* and others thought that the Bill did not go the whole length in affording relief to the distress of the indebted agriculturists. In their opinion the Bill fell short of expectations in the following respects particularly.

The last three speakers of the day, Mr. *Kamaleswari Mandal*, Mr. *Puneydeo Sharma* and Mr. *Ahmad Mohammed Noor* wanted the Bill to be more drastic. The first speaker asked for the changing of an excessive rates of interest to be made a penal offence. Mr. *Ahmad Noor* after finding several shortcomings with the Bill, concluded that it was a step in the direction of affording relief to indebted agriculturists and thanked the Government for introducing this much needed measure. At this stage the House rose for the day.

**11th. MAY** :—Replying to-day Mr. *Baldeva Sahay*, the Advocate-General said that while drafting the Bill the Government aim had been to regulate the moneylending business and control the contracts entered into by creditors and debtors and get value for the

debtors property. Incidentally, the Bill gave relief to debtors. No drastic changes were contemplated.

**17th. MAY** :—Several clauses were passed to-day with the amendments tabled thereto, mostly without discussion. Division was challenged in several cases, the majority of which were by Mr. *Gursahay Lall*. Two amendments when pressed to a division were carried by 12 votes to 4 and 11 votes to 6. Two others were lost.

Discussion on an amendment moved by Mr. *Ganganand Sinha* to the effect that the same restrictions and limitations which were imposed on money-lenders of this province should be imposed on money-lenders outside the province, had not concluded when the House adjourned.

**18th. MAY** :—The Bill was passed by the Council to-day with a few amendments. Few changes were effected in the final clauses, which were considered to-day. Only three amendments to the remaining clauses were adopted by the House, the Opposition suffering several defeats.

Before the final reading of the Bill, two out of the several new clauses tabled in the form of amendments were the subject of a keen debate. These referred to the exemption of residential house from being attached or sold for satisfaction of decrees. Mrs. *Malcolm Sinha* made a plea for exemption of residential house and criticised the Government's policy. When the Advocate-General opposed the amendments on the ground that in the absence of real property as security loans will not be coming, she accused the Government of being in league with capitalists and money-lenders.

Mr. *Sri Krishna Sinha*, the Prime Minister, replying said the Government must look impartially after the interests of all classes. They were not in league with any class. The money-lender was welcome at a time of financial crisis and was equally repugnant at the time of repayment of loans. It was unjustifiable to shut out outlets for business by lowering the value of good securities. The Premier declared that the Bill was meant only for regulating the money-lending trade and afford relief incidentally to agriculturists.

Pressed to a division both the amendments were negatived by a substantial majority.

### Agriculturist Income-tax Bill

The Bihar Agriculturists Income-tax Bill, as passed by the Assembly, was introduced next after which the House adjourned.

**19th. MAY** :—The Council to-day took up the general discussion of the Bill. The Bill met with stiff opposition from members representing the landholders' interests.

Kumar *Ganganand Singh* said that the levy of agricultural income-tax was in contravention of the assurances given at the time of the Permanent Settlement and disregarded the economic condition of the landholders, which had recently deteriorated enormously. The Zamindari system existed even before the Permanent Settlement was established which the present legislation sought to alter. In his opinion the Governor-General's exercise of his reserve powers would be necessitated to safeguard the rights of landlords.

Rai Bahadur *Satishchandra Sinha* said that he was opposed to the Bill on principle. The Government, instead of making drastic economy in administration, were sacrificing revenue by the introduction of Prohibition. If the present Bill was enacted, the zemindars would not be able to carry out ameliorative measures for their tenants.

Khan Bahadur *S. M. Ismail*, Leader of the Opposition also stated that the Bill violated the principles of the Permanent Settlement and was therefore illegal. There was no need for fresh taxation since the Government had been having a balanced budget for a number of years. Apparently the Bill was intended to make up the deficit which would be incurred owing to Prohibition. Landlords' opposition to the Bill was due not to their unwillingness to bear the burden of extra taxation, but to their inability to bear it.

The Leader of the Opposition had not finished his speech when the House adjourned for the day.

**20th. MAY** :—The Bill received vigorous opposition from representatives of the Zamindari interests to-day also.

The Leader of the Opposition challenged the legality of the measure, saying that it was opposed to the Permanent Settlement. He quoted the preamble to Regulation 1 and 2 of 1793 to show that public assessment on Zamindars was not permissible.

Mr. *Naqui Imam*, Deputy President, refuted the Leader of the Opposition's arguments regarding the illegality of the measure and said that the present Constitution empowered the provinces to tax agricultural income and even after the Permanent Settlement. He was, however, against the Bill if it was meant to make up the deficit caused by the introduction of prohibition. At this stage, the House adjourned.

**23rd. MAY** :—The Council to-day continued general discussion of the Bill. The Opposition arguments, which were on lines similar to those of the first two days, were refuted by the Congress members who attempted to justify the measure.

Mr. *Mobarak Ali* and *Shah Wazid Hussain* (Opposition) questioned the legality and expediency of the Bill and stated that the Bill was *ultra vires* in view of certain sections of the Government of India Act. To over-ride the Permanent Settlement would seriously affect the landlords, whose economic conditions did not admit of fresh taxation.

Congress members pointed out that land revenue was no tax since the land belonged to the State. The Government were justified in taxing zamindars' profits. It was no new taxation and had been resorted to in the past prior to the Permanent Settlement. The House then adjourned.

**24th. MAY** :—The general discussion of the Bill was concluded to-day. A large number of amendments had been tabled and these were taken up for consideration clause by clause on the next day.

**25th. MAY** :—The House took up consideration, clause by clause, of the Bill to-day. Discussion on the clause containing the schedule of rates of taxation on agricultural incomes took up most of the time. This clause was one of the most controversial clauses in the Bill and was passed by the Lower House only after a compromise was reached between the Government and the Opposition members representing zamindari interests substantially altering the rates of taxation on higher incomes from those originally provided in the Bill.

Three amendments were moved to-day seeking to alter the rates of taxation, all of which were negatived and the clause concerned was passed in the form in which it had emerged from the Lower House.

An amendment fixing the minimum limit of taxable cultivated lands at 200 acres instead of 100 acres as provided in the Bill was adopted. The House then adjourned.

**26th. MAY** :—Out of five Muslim members present in the Council to-day, three, including *Khan Bahadur Ismail*, Leader of the Opposition, walked out at the close of the sitting as a protest against the non-acceptance of an amendment to the Bill moved by Mr. *Mobarak Ali* requiring the exemption of all religious, charitable or public endowments from the operation of the Act.

The House devoted almost the entire day to two amendments on the exemption issue. A second amendment sought the extension of the exemption to trusts and Wakfs created even after the commencement of the Act. Both the amendments were defeated by 15 votes to 5.

**27th. MAY** :—The entire day to-day was taken up by discussion on a single clause relating to Muslim Wakfs.

The original clause, it may be recalled, evoked prolonged controversy and vehement opposition from Muslim members of the Lower House and eventually a compromise was reached between the Government and Muslims through the mediation of Maulana Abul Kalam Azad by which the Government exempted from the operation of the Act Muslim Wakfs created before the commencement of the Act but did not exempt the shares and beneficiaries of Wakf Alalaulad from taxation.

Two amendments moved to-day by Muslim members seeking exemption from taxation of Wakf Alalaulads, which might be created after the commencement of the Act, were negatived by substansial majorities. The Opposition members accused the Government of following a policy advocated by people who had no regard for religion or who considered religion an obstacle to the country's progress.

The Prime Minister, Mr. *Sri Krishna Sinha* replying said that he believed in religion since his leader Mr. Gandhi was a religious man, but the Government believed that the present measure did not amount to an infringement of religion as the Islamic scriptures nowhere laid down that Wakfs should not be taxed. Regarding violation of the wishes of creators of Wakfs he said the Government had allowed exemption to existing private and public Wakfs. The question of infringement did not arise in the case of Wakfs created hereafter because the creators would have cognisance of the tax which the properties would have to bear. The House then adjourned till the 30th.

**30th. MAY** :—The Bill made considerable progress in the Council to-day, several clauses being passed without substantial changes in the provisions.

Two clauses concerning assessment on income of Wakf Alaulalad and Hindu joint families were also passed without any change. An amendment to the clause relating to general assessment of tax was carried. The amendment allowed fifty per cent relief to assessment for the financial year 1938-39.

**31st. MAY** :—The Council to-day possed several clauses of the Bill. Discussion of a few clauses of a controversial nature was postponed till the next day.

**1st. JUNE** :—The Council to-day passed the Agricultural Income-Tax Bill and then adjourned. An understanding was reached between the Government and the Opposition on the clause forbidding the disclosure of information on private incomes, which was eventually defeated and a new clause inserted. According to the new clause private papers dealing with the incomes of people would not be made public except the papers concerned dealing with the assessment of incomes for the purpose of the tax.

The deductions allowed under the head "collection charges" were raised from 10 per cent to 12 and a half per cent by another amendment, while deductions were also allowed on interests paid for loans contracted under the Bihar Natural Calamities Act.

The House also passed the Stamp Amendment Bill which was a non-official measure, exempting the documents of Moslem divorce from stamp duty.

**2nd. JUNE** :—The Council finished its business in a few minutes to-day and adjourned till July.

The Bihar Legislature Members' Salaries and Allowances Bill, passed by the Assembly, was laid on the table.

Thereafter, the House was informed that the amendments made by the Council to the Money-lenders' Bill had been accepted by the Lower Chamber.

All the amendments made in the Prohibition Bill had been accepted, except one relating to the exemption of Christian Churches regarding the use and possession of wine for religious purposes, which had been substituted by another in an altered form.

# The Assam Legislative Council

## LIST OF MEMBERS

*President*—The Hon'ble Rai Bahadur Monomohan Lahiri

1 Mrs. Zubida Ataur Rahaman
2 Rai Bahadur Heramba Prosad Barua
3 Rai Sahib Sonadhar Das Senapati
4 Babu Apurba Kumar Ghose
5 Babu Satyendra Mohan Lahiri
6 Babu Jatindra Chandra Mitra
7 Rai Sahib Balabaksh Agarwalla Hanchoria
8 Babu Gazanand Agarwalla
9 Rai Bahadur Rameswar Saharia
10 Rai Sahib Hem Chandra Dutt
11 Mr. Sarat Chandra Bhattacharya
12 Babu Man Mohan Chaudhury
13 Babu Suresh Chandra Das
14 Maulvi Abdul Hai
15 Khan Sahib Maulvi Rukumuddin Ahmed
16 Maulvi Md. Asad-uddin Chaudhury
17 Khan Bahadur Maulvi Gous Uddin Ahmed Chaudhury
18 Maulvi Golam Mastafa Chaudhury
19 Maulvi Abdur Rahim Chaudhury
20 R. Petgrave Jhonson
21 Mr. W. E. D. Cooper

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# The Assam Legislative Assembly

## LIST OF MEMBERS

*Speaker*—The Hon'ble Mr. Basanta Kumar Das

*Deputy Speaker*—Maulvi Muhammad Amiruddin

*Ministers* :—

1 The Hon'ble Maulavi Saiyid Sir Muhammad Saadulla
2 The Hon'ble Maulavi Munawwar Ali
3 The Hon'ble Rev. J. J. M. Nichols-Roy
4 The Hon'ble Srijut Rohini Kumar Chaudhuri
5 The Hon'ble Maulavi Abdul Matin Chaudhury
6 The Hon'ble Babu Akshay Kumar Kumar Das

*Members* :—

1 Kumar Ajit Narayan Dev
2 The Hon'ble Babu Akshay Das
3 Mr. Arun Kumar Chanda
4 Mr. Baidyanath Mookerjee
5 Babu Balaram Sircar
6 The Hon'ble Mr. Basanta Kumar Das
7 Srijut Beliram Das
8 Srijut Bepin Chandra Medhi
9 Srijut Bhuban Chandra Gogoi
10 Babu Bipin Behari Das
11 Srijut Bishnu Ram Medhi
12 Babu Dakshinranjan Gupta Chaudhuri
13 Srijut Debeswar Sarmah
14 Srijut Ghanashyam Das
15 Srijut Gauri Kanta Talukdar
16 Srijut Gopinath Bardoloi
17 Srijut Haladar Bhuyan
18 Babu Harendra Narayan Chaudhuri
11 Badu Harendra Chandra Chakravarty
20 Srijut Jadav Prasad Chaliha
21 Srijut Jogendra Chandra Nath
22 Sj. Jogendra Narayan Mandal
23 Srijut Jogendra Gohain
24 Babu Kalachand Roy
25 Srijut Kameswar Das
26 Babu Kamini Kumar Sen
27 Babu Karuna Sindhu Roy
28 Mr. Kedarmal Brahmin
29 Srijut Krishna Nath Sarmah
30 Srijut Laksheswar Borooah
31 Babu Lalit Mohan Kar
32 Srijut Mahadev Sarma

33 Dr. Mahendra Nath Saikia
34 Srijut Mahi Chandra Bora
35 Mr Naba Kumar Dutta
36 Srijut Omeo Kumar Das
37 Srijut Paramananda Das
38 Rai Bahadur Promode Chandra Dutt
39 Srijut Purandar Sarma
40 Srijut Purna Chandra Sarma
41 Babu Rabindra Nath Aditya
42 Srijut Rajani Kanta Barooah
43 Srijut Rajenura Nath Barua
44 Srijut Ramanath Das
45 Srijut Rohini Kumar Chaudhuri
46 Srijut Sankar Chandra Barua
47 Srijut Santoshi Kumar Barua
48 Srijut Sarveswar Barua
49 Babu Shibendra Chandra Biswas
50 Srijut Sidhi Nath Sarma
51 Maulvi Abdul Aziz ·
52 „ Abdul Bari Chaudhury
53 Maulana Abdul Hamid Khan
54 Khan Bahadur Hazi Abdul Majid Chaudhury
55 Maulavi Abdul Matin Chaudhury
56 Maulvi Abdur Rahman
57 „ Syed Abdur Rauf
58 „ Md. Abdus Salam
59 „ Dewan Muhammad Ahbab Chaudhury
60 Maulvi Md. Ali Haidar Khan
61 „ Dewan Ali Raja
62 „ Muhammad Amiruddin
63 „ Muhammad Amjad Ali
64 „ Ashrafuddin Md. Chaudhury
65 Maulvi Badaruddin Ahmed
66 Khan Bahadur Dewan · Eklimur Roza Chaudhury
67 Md. Fakhruddin Ali Ahmed
68 Maulavi Ghyasuddin Ahmed
69 „ Jahanuddin Ahmed
70 Khan Bahadur Maulavi Keramat Ali
71 Maulavi Muhammad Maqbul Hussain Choudhury
72 Khan Bahadur Maulavi Mahmud Ali
73 Maulavi Matior Rahman Mia
74 „ Mabarak Ali
75 Khan Sahib Maulavi Mudabbir Hussain Chaudhuri
76 Khan Bahadur Maulavi Mufizur Rahman
77 The Hon'ble Maulavi Munawwar Ali
78 Maulavi Muzarrof Ali Laskar
79 Maulavi Namwar Ali Barbhuiya
80 Maulavi Naziruddin Ahmed
81 „ Sheikh Osman Ali Sadagar
82 The Hon'ble Maulavi Saiyid Sir Muhammad Saadulla
83 Khan Bahadur Maulavi Sayidur Rahman
84 Sham-sul-Ulama Maulana Abu Nasr Muhammad Waheed
85 Col. A. B. Beddow
86 Mr. A F. Bendall
87 „ J. R. Clayton
88 „ W. R. Faull
89 „ H. F. Clark
90 „ F. W. Blennerhasset
91 „ F. W. Hockenhull
92 „ B. D. H. Moore
93 „ R. A. Palmer
94 Miss Mavis Dunn
95 Mr. Benjamin Ch. Momin
96 Srijut Bhairab Chandra Das
97 „ Bideshi Pan Tanti
98 „ Binode Kumar J. Sarwan
99 „ Dhirsingh Deuri
100 Rev. L. Gatphoh
101 Mr. C. Goldsmith
102 Mr. Jobang D. Marak
103 The Hon'ble Rev. J. J. M. Nichols-Roy
104 Srijut Karka Dalay Miri
105 „ Khorsing Terang Muradar
106 Mr. P. Parida
107 Srijut Rabi Chandra Kachari
108 „ Rupnath Brahma

# Proceedings of the Assam Assembly

## Budget Session—Shillong—15th. February to 5th. March 1938

### Financial Statement for 1938-39.

The Assam Budget for the year 1938-39 was presented by *Sir Muhammad Saadullah*, the Premier, when both the Chambers of the Legislature met at Shillong on the **15th. February 1938.** It revealed a deficit of Rs. 4,62,000.

It was estimated that the year will begin with an opening balance of Rs. 33,34,000. Rs. 1,20,70,000 had been estimated as receipts from land revenue or very nearly a drop of 12 and 6 lakhs of the budget and revised estimates respectively of the current year. Only other drop in revenue was to be noted under Civil Works and this was explained away by the fact that the budget provided for credit of Rs. 1,80,000 for petrol tax projects as against the revised estimates of Rs. 10,71,000 for the current year. The total receipts from revenue during 1933-39 were expected to be Rs. 2,64,24,000 as against the revised estimates of Rs. 2,78,67,000 for the current year. This drop in income was partially counterbalanced by less expenditure from revenue namely Rs. 2,68,86,000 as against the revised estimates of Rs. 2,81,41,000 for the current year. According to the estimates the budget will show a deficit of Rs. 4,62,000.

Taking both revenue and capital receipts and similar expenditure the closing balance of Assam for 1938-39 was expected to be Rs. 40,48,000. But this surplus figure will be reduced by about 4 lakhs if the loan to pay off the deficit of 1936-37 is not taken in the next financial year.

Similarly the revenue deficit will be reduced by about Rs. 90,000 as the budget estimates include figures for brokerage for loan and payment of interest in the next financial year. The revenue deficit will further be reduced by a probable further receipt of Rs. 2,56,000 from the India Government under the Niemeyer Award.

In his budget speech the Finance Minister said that he argued with the authorities at Delhi about Assam's claims for a share in the excise duty on petrol produced within Assam's boundaries but was told that under the present Government of India Act the centre cannot give to Assam as a producing province any special share of the proceeds of petrol and kerosene excise duties.

He however concluded by saying that the ministry was doing its level best in various ways to meet the insistent demand for improving the educational, hygenic and economic improvement of the masses.

### Assam Municipal Amend. Bill

**18th. FEBRUARY**:—The House rejected to-day by 10 to 6 votes Rai Sahib *Hemchandra Datta's* Assam Municipal (Amendment) Bill seeking to do away with nominations to Municipal Boards so that they might be constituted with elected representatives of rate-payers. All elected Hindu members barring one who remained neutral voted for the Bill while the Government along with the Muslims en bloc and two nominated Hindus voted against.

### General Discussion of Budget

In course of his reply to the Budget debate *Sir Muhd. Saadulla*, Chief Minister, gave an indication of improving provincial finances when he said that the opening up of even one-fourth of Assam's vast waste land measuring about 8 and half lakhs of Bighas would bring Rs. 10 to 15 lakhs to the depleted Exchequer.

The Chief Minister also said that a Committee would shortly be appointed to revise the curriculum of secondary primary schools in Assam when the question of separating the girls' curriculum from that of the boys would be considered.

**19th. FEBRUARY**:—The budget discussion concluded to-day, many members criticising the budget as disappointing. Mr. *F. W. Hockenhull*, Leader of the European Group, wanted to have self-reliant, strong and independent agriculturists. He wanted a Ministry of Communications to improve communications. Mr. *Gopinath Bardoloi*, Leader of the Congress Party, pointed out that party Government had failed in Assam and that the Ministry was clinging to office in spite of defeats. The

hon. Sir *Mahommed Saadullah*, Prime Minister, stated that with the limited funds, nothing better could be done.

### SYLHET TENANCY BILL

To give protection to certain classes of tenants within the municipal limits of the town of Sylhet, Babu *Karuna Sindhu Ray* introduced a bill known as Sylhet Town Tenancy Bill during the last winter session of the Assembly. The Bill was considered by a Select Committee and several clauses of the Bill were also passed in the last session. To-day the remaining clauses were considered and the Bill was passed.

Mr. *Dakshina Ranjan Gupta Choudhury's* amendment to clause II of the Bill empowering the Government to extend the operation of this Act to any other municipal areas, in the district of Sylhet by a previous notification published in the "Assam Gazettee" was lost by the casting vote of the Hon. Speaker.

Babu *Rabindra Nath Aditya* (Congress) moved an amendment in the definition of 'tenant' as amended by the Select Committee and it was passed. Moulvi *Mobarak Ali* moved another amendment to clause 5(a) of the Bill which was passed. His amendment sought application of this act to tenancy of land created before or after the commencement of this Act provided the temporary settled Government lands were excepted.

The *Hon'ble Mr. Chaudhury* opposed the amendment and said that the House should be very careful in passing this amendment for this was a special form of legislation in the whole of India and the House should think twice before they empowered the Government to extend it in other sub-divisional towns.

The amendment was, however, lost by the casting vote of the Hon'ble Speaker. The Bill was then passed.

### ASSAM MUNICIPAL AMEND. BILL 1937

Mr. *Rajendra Nath Barua's* motion referring the Assam Municipal (amendment) Bill, 1937, to a select committee was lost by 51 to 43 votes. The object of the Bill was abolition of nomination by Government members in municipal bodies.

### CABINET CHARGES—EX-MINISTER'S STATEMENT

Mr. *Ali Haider Khan*, one of the two ex-Ministers, next made a statement on the circumstances leading to the reshuffling of the Assam Ministry. He said :

"The Ministerial Party was a Coalition party, consisting of Sir M. Saadulla's Party, Mr. Rohini Kumar Chowdhury's party, Rev. Nichols Roy's party and the Surma Valley United Muslim Party, the largest single group next to the Congress party. The small Muslim League group was never popular with this party. Towards the close of the last session, Sir M. Saadulla informed us of a requisition for reshuffling of the Ministry to replace two of us selected originally from the United Muslim Party. At a formal meeting, the United Muslim Party passed a resolution protesting against the proposal for reshuffling, but it was not a revolt against Sir M. Saadulla's leadership. The Chief Minister met the party on the 19th February and assured the members that his own party had signed the requisition without his knowledge and that if any proposal for reshuffling ever came up, he would instruct his party to remain neutral. He also said that he would write to all Muslim members asking for their opinion on the question of reshuffling. But, as it became clear that very little support for reshuffling was forthcoming, he tendered his resignation leading to automatic dissolution of the Cabinet, and arranged to be called upon to reform the Cabinet with two of us replaced. We made statements of facts briefly as they are, and do not desire to proceed further."

### NO-CONFIDENCE IN MINISTRY

**21st. FEBRUARY** :—The defeat of the "no-confidence" motion tabled against the re-formed Saadullah Ministry by the narrowest margin possible revealed the instability of the present Ministry and the possibility of its being ousted from office.

In the course of a good fighting speech, Maulvi *Abdur Rahaman*, the mover of the "No-Confidence" resolution, showed how incompetent the present Ministry was. He said, "I had fondly hoped that Sir Mahomed Saadullah would at least after the eleven successive defeats last year at the hands of the Opposition, see the decency, if not the wisdom, of vacating the ministerial gadi. But such, Sir, is the greed for office and power that the defeats heaped upon his head have been swallowed without any sense of shame or disgrace. Such is also the luck that, in spite of this series of

reverses, he remains the prize-boy of the Governor. "We have recently seen how the Chief Minister has kicked the ladder that helped him to rise to power. All this skill he has shown only to keep his own power and place. He had done nothing to serve the cause of Assam. He has given the House for one year no idea of his policy except the policy to keep himself in power. "I beseech the House to rid the country of a Ministry which has no plan, no programme or policy except for selfish ends. The Ministry has nearly swallowed one lakh of rupees during the last twelve months. Has the country seen the opening of a single project ?"

A number of persons spoke on the motion for and against. The *Prime Minister*, replying, surveyed the work done by his Ministry and added, "The so-called defeats were nothing but a sort of propaganda in the Calcutta papers". He said that he held that those defeats were not real. Continuing, the Premier said that he had great regard for self-respect and honour and if he found he could not carry on with them he would be the first person to tender his resignation.

The motion was defeated by 50 votes to 49. The European Group voted against the motion.

VOTING ON BUDGET DEMANDS

**22nd. FEBRUARY** :—Voting on Budget Demands commenced to-day. Mr. *Abdur Rahaman's* cut motion, refusing Rs. 78,023 for the establishment of the divisional Commissioners, was passed without a division, the Ministerial Benches remaining neutral.

Mr. *Rabindranath Aditya's* cut motion for reducing by Rs. 35,300 the total grant of Rs. 20,97,300 for the Ministers was lost by 46 to 49 votes.

The Assembly passed the entire demand for general Administration minus Rs. 78,023 for the Commissioners' Establishment. The cut motions were either withdrawn or lost.

The hon. Sir *Mahomed Saadulla*, the Prime Minister, explaining the Ministry's position, stated that they would remain neutral pending the Secretary of State's decision on the Ministry's recommendation for the abolition of the Commissioners' posts. He further stated that the Governor had accepted the Ministry's recommendation.

**23rd. FEBRUARY** :—Except the cut motion brought by Sj. *Rabindranath Aditya* with the object of refusing the grant for the establishment charges of the Hon'ble Ministers which was rejected by the house by 49 to 46 votes, all other cut motions were withdrawn after some discussions.

Mr. *Arun Kumar Chanda's* cut motion criticising the Government in not releasing the political prisoners evoked considerable discussion which mainly centred round the one point. This was whether persons committed of dacoities in open day-light could be styled as political prisoners. A member from the Congress bench having said whether it was not a fact that Government themselves had termed these prisoners as such, the Hon'ble *Sir Saadulla*, Home Minister, said that the term was used only to facilitate classification in jail so that they might have got better treatment.

**25th. FEBRUARY** :—The Assembly passed to-day the demands under Land Revenue and the Administration of Justice. Most of the cut motions were either withdrawn or lost.

Mr. *Arun Kumar Chanda's* cut motion to criticise the Government for their failure to repeal the repressive laws elicited an assurance from the hon. *Sir Mahomed Saadullah* that no misuse or abuse of those laws would be made and that he would come in with the necessary amendments to those laws as soon as circumstances warranted such a procedure.

It was stated on behalf of the Government in reply to a question by the same member that only one person belonging to Assam was serving his sentence outside Bengal for offences of a political nature, one was restrained under the Bengal Criminal Law Amendment Act and one was externed from Assam under the same Act.

**26th. FEBRUARY** :—A sum of Rs. 3,20,265 was passed to-day under different demands for grant viz., (1) Excise, (2) Stamps, (3) Navigation (4) Railways, (6) Ports and Pilotage, (6) Education (European), (7) P. W. D. (8) Pensions (9) Stationery and Printing (10) Famine Relief and (11) Scientific Departments etc.

The Oppositionist had not been able to pass a single cut motion and they escaped unhurt though severely criticised for their policy and action. Only ten cut motions were discussed but these were subsequently either withdrawn or lost.

HITCH OVER MINISTERS' SALARIES

**1st. MARCH** :—The Assembly discussed to-day whether Ministers, after the resignation of their office, were justified in drawing salaries according to the old Act passed by the Legislature.

The hon. *Sir Mahomed Saadulla*, Prime Minister, held that they could draw the salaries according to the old Act until that was repealed while Mr. *Kamini Kumar Sen* and others held the contrary opinion.

The piquant situation was created as the Ministers of the Assam Government could not draw their salaries to-day for February, because the Treasury Officer of Shillong refused to make the necessary payment. It transpired that the Comptroller of Assam issued the salary slips in accordance with the Ministers' Salary Act at the rate of Rs. 2,500 for the Prime Minister and Rs. 1,500 for the other Ministers, while the Government billed at four graded rates with a view to keeping the collective amount of the salaries of the six Ministers within the budget provision originally made for five, prior to the Cabinet re-shuffle.

**2nd. MARCH** :—The demands for grants under the various heads were passed to-day. The cut motions were either withdrawn or defeated.

Mr. *Rabindranath Aditya's* cut motion under the head Education was defeated by 62 to 40 votes. The mover contended that the Government had not taken adequate action among the Scheduled Castes and tribal people.

In the course of the discussion to-day, the Hon'ble *Maulvi Munawar Ali*, Minister for Education, assured the Assembly that he would call a conference of representatives of the Legislature and other prominent people to discuss the question of establishing a university. The Minister said that he would like that the seat of the University should be Shillong.

**3rd. MARCH** :—Trenchant criticism of the Assam Government was levelled to-day during discussion on Mr. *Rabindranath Aditya's* cut motion under agricultural grant. *Maulvi Abdul Matin Choudhuri*, Minister for Agriculture who was also the President of the Assam Branch of the Muslim League replying to Congressite critics said that virtually there was no difference between the Muslim League and the Congress re-garding the policy and programme in these matters. He also said that he intends instituting agricultural survey with a view to exploring possibilities of improving the agricultural land in Assam.

"The function of the Government is not the establishment of industries but to afford all necessary facilities towards that end," said the Hon'ble *Maulvi Abdul Matin Chowdhuri*, Minister for Industries, replying to the criticisms made against the general policy of the Department of Industry during discussion of Mr. *Rabindra Nath Aditya's* cut motion under Industries grant to-day. He repudiated the usual charge that the Department had no policy and programme and said that there was one and it was directed towards fostering small scale industries as had been followed for the several years past. Mr. Chowdhury did not reply to Mr. Aditya's query if the present Government had nothing to improve upon the policy hitherto followed by the Governments prior to Provincial Autonomy. Mr. Chowdhury however assured favourable consideration of suitable applications for industrial loan.

The motion was lost without division and the original grant was voted.

The Assembly also voted in course of the day grants under heads Agriculture, jails, Civil Works etc.

SUPPLEMENTARY DEMANDS

**4th. MARCH** :—The Assembly refused to-day the supplementary demand for a grant of Rs. 14,000 for the continuance of the two offices of Divisional Commissioners for the remainder of the financial year, that is, January to March, 1938.

The demand was presented under Section 78 (2) Government of India Act, for the due discharge of the special responsibility of H. E. the Governor.

The other supplementary demands for grants under various heads amounting to Rs. 6,35,000 were passed without discussion. The grants under the heads Veterinary, Co-operative Credit and miscellaneous departments were passed.

HIGH COURT IN ASSAM

**5th. MARCH** :—The motion for the presentation of an address to His Majesty the King for the establishment of a High Court in Assam was passed in the Assam

Assembly to-day by 40 to 16 votes. The Congress party, tribal members and some Surma Valley Moslems remained neutral.

The amendment of Sj. *Lakeswar Barua* (Congress) for the location of the High Court at Gauhati was lost by 53 to 43 votes.

The Congress members walked out of the Chamber as a protest when the authenticated schedule of authorised expenditure in relation to supplementary demands for grants for 1937-38 for the Commissioner's establishment was refused by the House.

The Assembly also passed the Assam Good Conduct Prisoners' Probational Release Bill.

The Assembly then *prorogued.*

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# Proceedings of the Assam Council

## Budget Session—Shillong—16th. February to 19th. February 1938

GENERAL DISCUSSION OF BUDGET

Strong criticism of Assam's budget was voiced in the Assam Legislative Council by Mr. *Suresh Chanda Das* who opened the discussion on the budget when it was taken up by the House on the **16th. February 1938**, presided over by Mrs. *Zubida Ataur Rahaman*, the Deputy president.

"A little tinkering has been done here and there", he said, "and the whole measure has been bolstered up by the old process of appearing before the Central Government with a begging bowl. He wanted to know how long this "spoon-feeding" was to continue. Mr. Das was, however, glad to see that the demands were less by about Rs. 10 and a half lakhs compared with last year. The police, he was also pleased to see, were to get Rs. one lakh less. The decrease in the grants to public health, agriculture, co-operative credit and industries he characterized as inexcusable.

Mr. *W. E. D. Cooper* said that in view of what remissions in land revenue has cost the Government, there was every need for cutting expenditure to a minimum. They could however go too far in this respect and he was glad to see that doctors were being subsidized for the benefit of ryots. Mr. Cooper thought that the province should have a minister for Communications.

Mr. *Satyendra Mohan Lahiri* regretted that no economy had been attempted by the Government in any of its departments. Rather a new post of Deputy Secretary had been created and another Minister added to the Cabinet.

Rai Bahadur *Heramba Prosad Barua* urged the establishment of travelling dispensaries to bring medical relief to villages and pressed for the improvement of village roads in the province. An industrial survey of the province he thought should be undertaken before Government aid was given to any industry.

Mr. *Gazananda* thought the Government should start research work into the problems of agricultural improvement and the sugar industry.

Mr. *Sarat Chandra Bhattacharyya* strongly opposed the passing of any Bill on the lines of the United Provinces Bill for preventing the execution of decrees on ryots for the non-payment of debts. Any such measure would make capital shy and the cultivator would be hard pressed in time of need. Mr. Bhattacharyya suggested the starting of prohibition in certain selected areas of the province.

The House was adjourned till the next day.

DEATH OF THE PRESIDENT

**17th. FEBRUARY** :—Rai Bahadur *Monomohan Lahiri*, *President* of the Council, died of heart failure at 4 a. m. to-day. He was 72 years old. Reference to the death of the Rai Bahadur was made to-day, and the House was adjourned as a mark of respect to the memory of the deceased.

Mrs. *Zubeda Ataur Rahman*, Deputy President of the Council, presiding said Mr. Lahiri was respected by all who knew him. He was an eminent lawyer,

Sir Mohammad Saadulla, Premier, Maulvi Abdur Rahim Chaudhury, Rai Bahadur Heramba Prosad Barua, Mr. H. P. Gray, Mr. Gazananda Agarwall, Mr. Suresh Chandra Das, Rai Sahib Sonadhar Das Senapati, Mr. Sarat Chandra Bhattacharya and Maulavi Mohammad Asaduddin Chaudhury also joined in paying tributes to the deceasd.

### High Court for Assam

**19th. FEBRUARY**:—The Council on the motion of Sir *Mohamed Saadullah*, Premier, to-day passed a resolution deciding to address His Excellency the Governor for submission to His Majesty the King, for the establishment of a High Court for Assam. The House also passed the Assam Legislative Chambers (Members' Emoluments) Bill.

Sir Mohomed Saadullah said that a High Court would be a paying proposition. Since 1921 Assam, he said, had to make an annual contribution to the Bengal Government which during the last five years averaged at 1 and one-fourth lakh of rupees a year for the province's share of work in the Calcutta High Court.

After referring to the license fees of lawyers and court fees, the Premier said that the province could easily provide for a High Court with three judges, and after paying all expenditure, have a saving of half a lakh of rupees a year.

During the debate, Mr. *Suresh Chandra Das* pointed out that the people of Sylhet were definitely against the move for a High Court, while Rai Bahadur *Heramba Prasad Barua* held that provincial autonomy ceased to have any meaning without a High Court.

Mr. *H. P. Gray* (European Planters' representative) supported the motion.

Mr. *Sarat Chandra Bhattacharya* said that as both the Assam Valley and the Surma Valley people were clamouring for the separation of Sylhet from Assam it would be premature to discuss the question.

After Sir *Mohamed Saadullah* had replied, the motion was put to the vote and carried by a majority.

### Members' Emoluments Bill

The motion for the consideration of the Members' Emoluments Bill, also moved by the Premier, was carried by 7 votes to 4. Four members remained neutral.

The Bill provides for giving Rs. 100 a month as salary to a member of both Houses of the Legislature, in addition to travelling allowances.

The Bill, it will be remembered, was passed by the Lower House, but the salary clause was turned down by the Council. The Bill was again passed by the Assembly. The Council was then *prorogued.*

# The Punjab Legislative Assembly

## LIST OF MEMBERS

*Speaker*

THE HON'BLE CHAUDHRI SIR SHAHAB-UD-DIN

*Deputy Speaker*

SARDAR DASAUNDHA SINGH

*Ministers*

THE HON'BLE KHAN BAHADUR MAJOR SIRDAR SIR SIKANDER HYAT KHAN
THE HON'BLE SARDAR BAHADUR DR. SARDAR SIR SUNDAR SINGH MAJITHIA
THE HON'BLE RAO BAHADUR CHOUDHURI SIR CHHOTU RAM
THE HON'BLE MR. MANOHAR LAL
THE HON'BLE NAWABZADA MAJOR KHIZAR HAYAT KHAN TIWANA
THE HON'BLE MIAN ABDUL HAYE

*Advocate-General*

MR. M. SLEEM

*Parliamentary Secretaries*

KHAN BAHADUR MIAN AHMAD YAR KHAN DAULATANA
MIR MAQBOOL MAHMOOD
SARDAR BAHADUR SARDAR UJJAL SINGH
MRS. JAHAN ARA SHAH NAWAZ
RAJA GHAZANFAR ALI KHAN
CHOUDHURI TIKKA RAM
THAKUR RIPUDAMAN SINGH
SHAIK FAIZ MUHAMMAD

*Parliamentary Private Secretaries*

SAYED AMJAD ALI SHAH
BHAGAT HANS RAJ
SARDAR JAGJIT SINGH MAN
SIR WILLIAM ROBERTS
RAI BAHADUR CHOUDHRI SHAM LAL
NAWABZADA MUHAMMAD FAIYAZ ALI KHAN
KHAN BAHADUR MIAN MUSHTAQ AHMAD GURMANI
SARDAR GOPAL SINGH

*Members*

1 ABDUL AZIZ, MIAN
2 ABDUL HAMID KHAN, SUFI
3 ABDUL RAB, MIAN
4 ABDUL RAHIM, CHAUDHRI
5 ABDUL RAHIM, CHAUDHURI
6 AFZAALALI HASNIE, SAYED
7 AHMAD YAR KHAN, CHAUDHRI
8 AJIT SINGH, SARDAR
9 AKBAR ALI, PIR
10 ALI AKBAR, CHAUDHRI
11 ALLAH BAKHSH KHAN, KHAN BAHADUR NAWAB MALIK
12 ANANT RAM, CHAUDHRI
13 ASHIQ HUSSAIN, CAPTAIN
14 BADAR MOHY-UD-DIN, QADRI, MIAN
15 BALBIR SINGH, RAO BAHADUR CAPTAIN RAO
16 BALDEV SINGH, SARDAR
17 BALWANT SINGH, SARDAR
18 BARKAT ALI, MALIK
19 BHAGAT RAM CHODA, LALA
20 BHAGAT RAM SHARMA, PANDIT
21 BHAGWANT SINGH, RAI
22 BHIM SEN SACHAR, LALA
23 BINDA SARAN, RAI BAHADUR
24 CHAMAN LALL, DIWAN
25 CHANAN SINGH, SARDAR
26 DESHBANDHU GUPTA, LALA
27 DEVA RAJ SETHI
28 DINA NATH, CAPTAIN
29 DUNI CHAND, LALA
30 DUNI CHAND, MRS.
31 FAIZ MUHAMMAD KHAN, RAI
32 FAQIR CHAND, CHAUDHRI
33 FAQIR HUSSAIN KHAN, CHAUDHRI
34 FARMAN ALI KHAN, SUBEDAR MAJOR RAJA
35 FATEHJANG SINGH, 2ND LIEUT., BHAI
36 FATEH KHAN, KHAN SAHIB RAJA
37 FATEH MUHAMMAD, MIAN
38 FATEH SHER KHAN, MALIK
39 FAZAL ALI KHAN, KHAN BAHADUR NAWAB CHAUDHRI
40 FAZAL DIN, KHAN SAHIB CHAUDHRI
41 FAZAL KARIM BAKHSH, MIAN
42 FEW, MR E.
43 GHULAM MOHY-UD-DIN, MAULVI
44 GHULAM QADIR KHAN, KHAN BAHADUR
45 GHULAM RASUL, CHAUDHRI
46 GHULAM SAMAD, KHAWAJA
47 GIRIDHARI DAS, MAHANT
48 GOKUL CHAND NARANG, DR. SIR

49 Gopal Das, Rai Bahadur Lala
50 Gopi Chand Bhargava, Dr.
51 Gurbachan Singh, Sardar Sahib Sardar
52 Habib Ullah Khan, Malik
53 Haibat Khan Daha. Khan
54 Hari Chand, Rai
55 Hari Lal, Munshi
56 Hari Singh, Sardar
57 Harjab Singh, Sardar
58 Harnam Das, Lala
59 Harnam Singh, Captain Sodhi
60 Het Ram, Rai Sahib Choudhri
61 Indar Singh, Sardar
62 Jafar Ali Khan, M.
63 Jagjit Singh Bedi, Tikka
64 Jalal-ud-Din Amber, Chaudhri
65 Jogindar Singh Man, Sardar
66 Jugal Kishore, Chaudhri
67 Kabul Singh, Master
68 Kapoor Singh, Sardar
69 Karamat Ali, Shaikh
70 Kartar Singh, Chaudari
71 Kartar Singh, Sardar
72 Khalid Latif Gauba, Mr.
73 Kishan Dass, Seth
74 Kishan Singh, Sardar
75 Krishna Gopal Dutt, Chaudari
76 Lal Singh, Sardar
77 Mazhar Ali Azhar, Maulvi
78 Mohy-ud-Din Lal Badshah, Sayed
79 Mubarik Ali Shah, Sayed
80 Muhammad Abdul Rahaman Khan, Chaudhri
81 Muhammad Akram Khan Khan Bahadur Raja
82 Muhammad Alam, Dr. Shaik
83 Muhammad Ashraf, Chaudhri
84 Muhammad Azam Khan, Sardar
85 Muhammad Hassan, Chaudhri
86 Muhammad Hassan Khan Gurchani, Khan Bahadur Sardar
87 Muhammad Hassan, Khan Bahadur Makhdum Sayed
88 Muhammad Hayat Khan Noon, Nawab Sir Malik
89 Muhammad Husain, Sardar
90 Muhammad Husain, Chaudhri
91 Muhammad Iftikhar-ud-Din, Mian
92 Muhammad Jammal Khan Leghari Khan Bahdur Nawab Sir
93 Muhammad Nawaz Khan, Major Sardar
94 Muhammad Nurullah, Mian
95 Muhammad Raza Shah Jeelani, Makhdumzada Haji Sayed
96 Mahammad Saadat Ali Khan, Khan Sahib Khan
97 Muhammad Sadiq, Shaikh
98 Muhammad Sarfraz Khan
99 Muhammad Sarfraz Khan, Raja
100 Muhammad Shaif Ali Khan Sahib Chaudhri
101 Muhammad Wilayat Hussain Jeelani, Makhdumzada Haji Sayed
102 Muhammad Yasin Khan, Chaudhri
103 Muhammad Yusuf Khan, Khan
104 Mukand Lal Puri, Rai Bahadur Mr.
105 Mula Singh, Sardar
106 Muni Lal Kalia, Pandit
107 Muzaffar Ali Khan Qizilbash, Sardar
108 Muzaffar Khan, Khan Bahadur Captain Malik
109 Muzaffar Khan, Khan Bahadur Nawab
110 Narendra Nath, Diwan Bahadur Raja
111 Nasir-ud-Din, Chaudhri
112 Nasir-ud-Din Shah, Pir
113 Nasrullah Khan, Rana
114 Naunihal Singh Mann, Lieutenant Sardar
115 Nawazish Ali Shah, Sayed
116 Nur Ahmad Khan, Khan Sahib Mian
117 Pratab Singh, Sardar
118 Pir Muhammad, Khan Sahib Chaudhri
119 Prem Singh, Chaudhri
120 Prem Singh, Mahant
121 Pritam Singh, Siddhu, Sardar
122 Raghbir Kaur, Srimati
123 Ram Sarup Chaudhri
124 Ranpat Singh, Chaudhri
125 Rashida Latif Baji, Begum
126 Riasat Ali, Khan Bahadur Chaudhri
127 Rur Singh, Sardar
128 Sahib Dad Khan, Sahib Chaudhri
129 Sahib Ram, Chaudhri
130 Samparan Singh, Sardar
131 Santokh Singh, Sardar Sahib Sardar
132 Sant Ram Seth, Dr.
133 Satya Pal, Dr.
134 Shahadat Khan, Khan Sahib Rai
135 Shah Nawaz Khan, Nawab Khan
136 Shri Ram Sharma, Pandit
137 Singha, Mr. S. P.
138 Sita Ram, Lala
139 Sohan Lal, Rai Sahib Lala
140 Sohan Singh Jodh, Sardar
141 Sudarshan, Seth
142 Sultan Mahmud Hotiana, Mian
143 Summer Singh, Chaudhri
144 Suraj Mal, Chaudhri
145 Talib Hussain Khan, Khan
146 Tara Singh, Sardar
147 Teja Singh, Sardar
148 Uttam Singh Jugal, Sardar
149 Wali Muhammad Sayyal Hiraj, Sardar

# Proceedings of the Punjab Assembly

## January Session—Lahore—10th. January to 28th. January 1938

### Change of Draft Rules

The Punjab Legislative Assembly, which had been specially summoned to discuss the draft rules of procedure of the House, began its ten-day's session at Lahore on the **10th. January 1938.**

The House disposed of four of the 20 adjournment motions tabled by the Congress Party. Four motions were disallowed by the *Speaker*, while the fifth which referred to "a raid" by a police party at Katani, Amritsar district in November last, was admitted for discussion at a later stage.

The draft rules of procedure of the House were then introduced and 13 out of the 149 clauses were disposed of during the day, the Opposition amendments being withdrawn or rejected. The House was divided in regard to two amendments. Mr. *Manilal Kalia's* amendment which was rejected by 76 votes to 44, demanded that on notice being given at question time, the assent of 30 members should be sufficient to discuss a matter of urgent importance in the House on any day for half an hour. The rule laid down that the majority of members present should decide the question.

The second amendment which was defeated by 71 to 36, wanted at least 25 per cent of the number of sittings to be set apart for non-official business. The Government spokesman said that no such rules were necessary. When there was no pressure of Government business the above practice had been adhered to.

### Police Raid in Katani

**11th. JANUARY** :—The Government won their third victory to-day when *Lala Dunichand's* adjournment motion on the police raid in Katani village near Amritsar in November last was defeated by 79 votes to 31.

*Lala Dunichand* (Congress) in the course of his speech declared that the whole population of the village was Congress-minded and "the only object of the raid was to terrify Congressmen."

*Mir Maqbool Mahmood*, Parliamentary Secretary, said that Katani was the worst village in respect of crime in the whole district and the Government was compelled to organise a campaign of raids and the raid on November 29 was one of a hundred raids carried out during two months last year. During the particular raid, Mr. *Mahmood* said, the houses of only three persons were searched. The police party which was headed by a gazetted officer consisted of Hindus, Sikhs, Moslems and Europeans and from such a body nobody could expect any form of tyranny.

*Sardar Ujjal Singh*, Parliamentary Secretary, contradicting the statement made by *Srimathi Raghbir Kuar* that women were taken out from their houses and beaten by the police said that the Deputy Commissioner who made an inquiry into the incident was satisfied that the allegations contained in the motion were baseless. Concluding, he said that under the changed circumstances the public should revise their attitude towards the police.

Another adjournment motion was admitted to-day and it was agreed that it should be discussed on Thursday. The motion was sponsored by Mr. *Sohan Singh Josh* to discuss "the failure of the Government to give relief to peasants of about seven villages of the Amritsar district where crops of paddy cotton and maize had been damaged by hailstorm and the Government had exacted full revenue from them."

The Speaker announced that apart from the 15 adjournment motions left over from yesterday, he had received notices of 20 more adjornment motions. Several motions for adjournment were then disallowed.

Slow progress was made with the disposal of rules of procedure to-day. Only five clauses were passed with minor amendments.

### Relief to Peasants in Amritsar District

**13th. JANUARY** :—*Mr. Sohan Singh* Josh's adjournment motion on "the failure of Government to give relief to peasants" of seven villages in the Amritsar district where crops had been damaged by hailstorm was rejeced to-day by 86 votes to 33.

*Sir Sundersingh Majithia* opposing the motion said that the total area sown in these village was 3,025 acres, and of that the hailstorm had damaged 170 acres. The total revenue derived from the damaged area was Rs. 5,155 and the Government on learning of the damage had remitted Rs. 327. The Government, he said, had already given about Rs. 13 lakhs in takavi loans Rs. 7 lakhs by way of remissions and suspension of land revenue to the extent of Rs. 13 lakhs.

Mr. *Partab Singh*, supporting the motion, described the hardship of the peasants in the affected ares.

*Raja Ghanznafarali Khan*, parliamentary secretary, opposing the motion appealed to the mover to withdraw the motion in view of the fact that the Government had already helped the ryots by granting adequate remissions in land revenue. Referring to the preferential treatment to the Unionist constituencies as alleged by Mr. Josh he said that if the Government had been liberal in such constituencies it could be claimed that they had been liberal all over the province for there were a few rural constituencies which were not represented by the Unionists.

*Chowdhari Kartar Singh* (Congress) asserted that the Government's treatment of the non-Unionist areas was step-motherly and added that an inquiry should be held into the matter.

### Change of Draft Rules

Only one clause of the draft rules regulating the procedure and conduct of business of the House was disposed of to-day. An amendment to the definition of a question moved by *Lala Dunichand* (Congress) in order to retain the existing privilege of requesting the Government "to take action" on the suggestion contained therein was defeated by 87 votes to 29.

### Adjournment Motions Discussed

**14th. JANUARY** :—Reference to the large number of adjournment motions which had been figuring everyday on the agenda and hampered the business of the House, was made by *Chaudhuri Sir Sahab-ud-Din*, Speaker, at to-day's meeting of the Assembly. The Speaker sought the help of the members for finding a way out of this difficulty.

The *Speaker* quoted Standing Orders and pointed out that while technically the motion received half an hour before the sitting of the House would be in order, it was necessary to emphasize that the matter must be definite, urgent and of public importance. He particularly laid stress on matters being urgent which clearly they could not be when notices of such motions were given days and even weeks ahead. In this connexion he referred to the procedure in the House of Commons and added that he was unable to find any precedent to guide him in this matter.

Dr. *Gopichand Bhargava*, Leader of the Opposition, said that as a way out of the immediate difficulty, the Opposition would be ready to give up a number of adjournment motions selecting only a few which they wanted to be discussed. Eventually it was agreed that the matter would be considered by the Speaker in consultation with the Opposition Leader and the Leader of the House.

The House then took up five adjournment motions selected by the Opposition Leader and two others out of the 18 on the agenda with the exception of two, on the recent hunger-strike by political prisoners in the Punjab jails ; the rest were rejected or withdrawn. By agreement with the Government, the Opposition did not, however, move the above two motions but decided to bring them up as substantive resolutions later.

The Assembly discussed Mr. *Hari Singh's* adjournment motion regarding the lorry drivers' strike on New Years Day resulting in complete dislocation of traffic. The motion was rejected by 83 votes to 29. The House then adjourned till Monday.

### Supplementary Demands

**17th. JANUARY** :—The supplementary demands for grants for 1937-38 were passed to-day. The Opposition members had tabled a large number of cut motions. Many of these were ruled out of order while others were defeated.

The House divided on Mr. *Hari Singh's* motion reducing the item of Rs. 15,100 under the head "land revenue committee" to criticize the terms of reference to the committee. The motion was lost by 75 votes to 36. The rest of the demands were passed, guillotine having been applied.

ENDOWMENT FOR BADSHAHI MOSQUE

**18th. JANUARY** :—After a debate lasting for over three hours, the Assembly unanimously passed a resolution moved by the Premier, *Sir Sikandar Hyat Khan* approving the proposal to raising an endowment fund for repairs and maintenance of the Badshahi Mosque, Lahore. The resolution also recommended that the Government should, if necessary, undertake legislation for the imposition of a cess of one pice per rupee on all land revenue paid by Moslems in the Punjab for not more than two harvests.

Replying to the debate the Premier said that it was a religious matter and the poor Moslem peasants would be happy to contribute their share. The Premier then referred to the machinery for the administration of the fund. Sir *Sikandar Hyat Khan* said that Rs. 11 lakhs were needed for the purpose and the Government of India had promised Rs. 2 lakhs on condition that the balance was forthcoming and the Endowment Fund thus set up would be managed by a special committee under a Moslem Minister of the province. He announced that the Nizam of Hyderabad had promised Rs. 2 lakhs.

EXEMPTION OF AGRICULTURAL INCOME

**20th. JANUARY** :—Congress members staged 'a walk-out to-day following their inability to apply the closure to the discussion of a resolution moved by a member of the Ministerial Party which was generally accepted by the House.

The resolution, which sought that a certain proportion of the agriculturists income be declared exempt from attachment in the execution of decrees, had been discussed for an hour revealing unanimity of opinion regarding its acceptability.

Congress members desired closure of the discussion in order to discuss the next resolution standing in the name of a Congress member recommending to the Government to discontinue the practice of nominating members to municipal and district Boards.

The Deputy Speaker who was presiding directed a division on the motion which the Congress Members did not want resulting in the closure motion being rejected. Only the Ministerial Party took part in the voting.

**21st. JANUARY** :—The Assembly had a lively sitting to-day. The House divided on ten occasions, and a mistake in the procedure committed by the Deputy Speaker (*Sardar Dasaundha Singh*), was later corrected by the House. With the exception of one Bill, nine others tabled by the Opposition members wers refused leave of introduction.

REMOVAL OF BEGGARY

The *Deputy Speaker* forgot to put the question to the House whether *Lala Dunichand* be given leave to introduce his Bill for the Removal of Beggary in the Punjab. The Opposition members claimed that the mistake having been committed the Bill be considered as introduced, while the Premier declined to accept the position.

The speaker (*Chaudhuri Sir Sahabuddin*) who, in the meantime, had arrived, took the sense of the House. On a division the House decided by 77 votes to 29 to correct the mistake. The House again divided and, by 69 votes to 30, refused leave for the introduction of Lala Dunichand's Bill.

Mir *Maqbool Mahmood*, parliamentary secretary, was not allowed to move a Bill on the strength of an earlier ruling given by the Speaker that parliamentary secretaries, being members of Government, could not ask questions or introduce motions, specially on a non-official day.

The only Bill introduced was *Diwan Chamanlal's* Anti-Phook Bill. The House then adjourned till Monday.

MOTOR TRAFFIC AND LAND ALIENATION BILLS

**24th. JANUARY** :—The House referred to the Select Committee two Government measures, the Motor Traffic Offence Bill and the Alienation of Land Amendment Bill. The former obviates the necessity of the motorist being present or being represented in court by a pleader on the commission of a minor offence away from his home town while the latter Bill prohibits the destroying, by digging, of land by a lessee or a Mortgagee.

Rapid progress was made with the draft rules regulating the procedure of the House, all the 17 clauses relating to interpellations being disposed of.

CHANGE OF DRAFT RULES

There was a lengthy discussion on Mr. *Hari Singh's* amendment, adding new clause to the effect that answers to questions shall be direct, clear, definite, and relevent and not evasive.

The Government opposed this on the ground that answers were as clear and direct as was possible in the public interest and that it would be difficult in practice to decide whether an answer was evasive.

The amendment was rejected and the House adjourned.

RELEASE OF POLITICALS

**25th. JANUARY** :—A debate regarding the hunger-striking political prisoners was held to-day on the motion of Dr. *Gopichand Bhargava*, recommending to the Government to take effective and immediate steps to concede the demands of the hunger-strikers in the Punjab Jails and to effect their release. Dr. Bhargava said that there could be no objection to their release when they had given an assurance that they no longer believed in the cult of terrorism.

As regards the argument that the Congress Ministries had not released the prisoners yet, Dr. Bhargava said that the Congress Ministries had publicly declared that they had no powers. But the Punjab Ministers declared that they had all the powere of an Autonomous Province. Why did they not then release the prisoners and satisfy the public ? It was no use of keeping patriots in jails when two Ministers of the Punjab Government had had a taste of jail life. His information was that the Premier wanted to release them but there was an invincible power which prevented him from taking that action. It was that power which was increasing the number of political prisoners in the Punjab.

After some members from the Opposition and the Treasury Benches had spoken on the motion, the hon. *Sir Sikander Hyat Khan*, the Premier, replied to the debate. He said that they must differentiate between those prisoners who were convicted of violence and others who were not guilty of violence.

Relating to the charges against the hunger-striking prisoners, the *Premier* said that some were convicted of murders and dacoities and others for organising a body of bomb-traps in which two policemen were killed and some others were injured. He asked the House whether it would be justified in releasing such prisoners. If he would release them, would he be justified in keeping behind bars those who had committed murders of religious leaders and money-lenders ? Referring to those political prisoners already released after their giving undertakings, the Premier pointed out that some of them were not fulfilling their pledges. He feared that he might have to send them back to jail if they continued breaking them. As regards the statement of the Opposition Leader that there was an invincible power, preventing him from releasing the prisoners, the Premier said that there was not a single case of obstruction or interference by the Governor. The Government could not show clemency to those guilty of violence. He made it clear that the assurance given by him at the Simla session of the Assembly that political prisoners could secure their release by giving an undertaking that they would not indulge in subversive activities still stood. Concluding, he emphasised that his Government would not allow any movement to disturb the public tranquillity.

The motion when put to vote was rejected by 80 votes to 33.

**27th. JANUARY** :—By a majority, the Assembly agreed to-day that leave to move motions of "no-confidence" in a Minister or Ministry as a whole should be granted only if the motion was supported by 50 members and leave to move an adjournment motion should be granted if the motion was supported by 35 members. The number of Opposition members in the Assembly is 45.

The conduct of the processionists, who marched on the Assembly Chamber, on January 24, in defiance of the order under Section 144, Cr. P. C., was severely criticised by the Assembly on the motion of a Unionist member Mr. *Fateh Khan*. The mover said that it was the first shameless procession of this kind in the Province and it was a slur on the fair name of the Punjab.

The Premier, the hon. *Sir Sikandar Hyat Khan* winding up the debate, declared that he had followed the practice of the British Parliament by promulgating the order under Section 144, Cr. P. C. His grievance was against those who organised the demonstration to defy the order. It was against the Congress creed. The demonstrators had rejoiced over defying a Government order. He would say that

they had defied not the order of the Government alone, but also the order of Mr. Gandhi and Mr. Nehru. Concluding, the Premier advised the students not to take part in such hooliganism. The motion was carried with a division.

**28th. JANUARY** :—The Assembly adjourned *sine die* to-day without passing all the Draft Rules regulating the procedure and business of the House. The remaining rules will be considered at the Budget session.

Before the adjournment the House unanimously instructed the Premier to represent to the Government of India to amend Section 85 of the Government of India Act in order to enable members to speak in the House in English, Urdu or Punjabi.

The Premier, the hon Sir *Sikandar Hyat Khan*, informed the House that a representation was made some time ago to the Government of India and he promised to press for an early amendment.

## Budget Session—Lahore—23rd. February to 11th. April 1938

### Mr. Ranga's Entry into Punjab

The Budget session of the Assembly commenced on the **23rd. February 1938.** After question hour. Mr. *Hari Singh* asked leave to move an adjournment motion to discuss an order recently on Professor Ranga, a member of the Central Assembly and President of the All India Kisan Committee prohibiting his entry without permission into the Punjab for one year. The *Speaker* allowed the motion and fixed its discussion for the next day.

The House then discussed the draft rules of procedure and 15 of these were passed, all the Congress amendments being defeated.

**24th. FEBRUARY** :—After two hours' discussion the Assembly to-day rejected by 61 votes to 22, Mr. *Hari Singh's* adjournment motion criticizing the order prohibiting the entry without permission of Professor Ranga. Mr. Hari Singh (Congress) in criticizing the Government action, held the order to be unjustifiable.

The *Premier*, in opposing the motion, said that he was unable to divulge the reasons on the floor of the House which would explain why he had agreed to an order against Prof. Ranga's entry into the province. He was not sure whether Mr. Ranga himself knew that certain organizations in the province had arranged to hold meetings for accentuating mass feeling where they wanted Mr. Ranga to speak. It was to stop holding of these meetings that his entry to the province was banned. Any movement which was designed to overthrow the society by violent action was, said the Premier, to be opposed.

### Adjournment Motions Discussed

Four other adjournment motions were tabled, of which two fell through lack of support while two others standing in the names of *Lala Dunichand* and *Begum Rashida Latif* were ruled out of order. Begum Latif's motion sought to discuss the satyagraha that is being offered by Moslems in connexion with the Shahidganj dispute.

*Lala Dunichand* (Congress) read out his motion over the crisis created over the release of political prisoners. The mover held that the crisis had affected every part of the country especially the Punjab where several prisoners were yet to be released. The motion was disallowed by the Speaker.

### Financial Statement for 1938-39

**1st. MARCH** :—The sound state of the Punjab's finances, with an estimated surplus of over Rs. 50 lakhs, to which must be added the Government of India contribution of Rs. 11 lakhs, was revealed by the Hon. Mr. *Manohar Lal*, Finance Minister when he introduced the Budget for 1938-39 to-day.

The surplus was the more creditable in that exceptional expenditure had to be met consequent upon the introduction by the Ministry of the reforms, which could not be included in the Budget last year.

Referring to the situation which faced him at the close of the year 1936-37 the Minister said :

"At the time when the Budget was presented in June last year, the year had already closed but the final accounts had not been made up and only revised figures were available. In the Budget for the year Revenue receipts had been estimated at Rs. 10,44,20,000 and revenue expenditure at Rs. 10,60,58,000 showing a deficit of a little over Rs. 16 and one-third lakhs. But the year's working proved favourable and the revised figures showed an improvement of Rs. 42 and one-third lakhs in revenue receipts while revenue expenditure increased only by a little over three lakhs—a total net improvement of 39 and one-fourth lahks—covering a budgeted deficit of Rs. 16 and one-third lakhs into a surplus of Rs. 23 lakhs.

"When the Government realized a couple of months ago", the Finance Minister later remarked "that a substantial surplus was likely to emerge though nothing like the present figure could then be in view of the estimates, have improved literally from fortnight to fortnight—it began seriously to examine the best method of dealing with the surplus. The plan is the simple one of converting nearly the whole of the estimated surplus of Rs. 61 lakhs, composed of our revenue surplus of Rs. 50 lakhs and the Government of India contribution of Rs. 11.04 lakhs into a Special Fund available for use and at our disposal in the future. Honourable members have no doubt remarked that a supplementary estimate for the creation of this Fund has already been presented to the Assembly. The object of this Fund is the prosecution of an intensive policy of development and reconstruction all along the line mainly in rural areas.

The amount to be devoted to the Special Fund would be Rs. 55 lakhs. The whole of the revised surplus would have been used, were it not for the fact that the full optimism of that estimate might not be realized. The net surplus shown was therefore Rs. 6,24 lakhs.

Pointing out that, unlike last year when expenditure was authorized for four months by the Governor under the Transitory Provisions Order, for the present Budget the Ministry was wholly responsible, the Minister said.

The estimates for 1938-39 are revenue receipts Rs. 11,41,56,000. revenue expenditure Rs. 11,38,42;000.

### SUPPLEMENTARY DEMANDS

**2nd. MARCH** :—"If the Congress is a non-communal body it should come forward to solve the Shahidganj problem. My services will be at its disposal." This statement was made by Sir *Sikandar Hayat Khan*, the Premier to-day, replying to criticisms on the provision for additional police in the supplementary estimates.

Sir Sikandar said that the employment of additional police was due to the existence of communal tension. In every session he had appealed to the House as well as the public to help the Government in improving the communal atmosphere so that the additional police force could be dispensed with, but there had been no signs of improvement. Even now the Shahidgunj agitation was continuing. The Premier, continuing, said that those who had aroused the feelings of the Moslem public were responsible for the communal tension to-day.

*Dr. M. Alam* protested against the remark and the Premier said that it appeared to be a case of guilty conscience. The *Speaker* asked Sir Sikander Hyat Khan to withdraw the remark which the latted did.

### VOTING ON BUDGET DEMANDS

Voting on demands for grants was then taken up and 16 out of 20 demands were accepted, many of them without any opposition. About a score of cut motions had been tabled, but all excepting those relating to the head "miscellaneous," were ruled out of order.

**3rd. MARCH** :—Discussion was resumed to-day on Mr. *Mohammed Hassan's* token cut motion seeking to reduce the item of Rs. 8,300 on account of durbar charges by Rs. 100.

Several members participted in the debate amidst frequent interruptions by the Speaker who warned members against repetition.

The *Premier*, winding up the discussion, said that, if calculated the amount of money spent in discussing a small supplementary grant, would be found to be more than the grant itself. He added that it was most undignifying for members to have opposed this expenditure which was incurred during the visit of the Viceroy to Lahore, especially as His Excellency, being the representative of the King, had a direct connexion with the country, and members of the House had taken the oath

of allegiance to the King-Emperer. When Opposition members did not mind spending money in welcoming other leaders, why did they grudge this small expenditure most of which had been spent in renovating the ancient durbar hall in Lahore Fort ?

*Diwan Chaman Lal* asked if the Premier had ever thought of spending that money on a reception for Pandit Jawaharlal Nehru.

Continuing, the *Premier* referred to the martial traditions of the Punjab, and said that members who had spoken against Punjabis joining the Army, did not realize the feelings of the proud military people of the province. He, however, assured the House that the Durbar was not held to give a fillip to recruitment.

The cut motion when put before the House was lost by 90 votes to 28.

An interesting legal point was next raised on Mr. *Hari Singh's* motion proposing to reduce the item of Rs. 55 lakhs on account of the constitution of the Special Development Fund by Rs. 100.

Mr. Hari Singh's cut motion was then briefly discussed, only Diwan Chaman Lal and the Premier speaking on it, and lost. The guillotine was applied to the discussion and the rest of the grants were passed.

### Prohibition Move in Punjab

**4th. MARCH** :—The resolution moved by *Raja Farman Ali Khan* recommending to the Government that prohibition be introduced in five districts of the province on the experimental basis was passed by the Assembly to-day.

Mr. *Manilal Kalia*, a Congress member moved an amendment to the effect that immediate steps be taken to introduce prohibition on an experimental basis, in all one important district in each of the five divisions of the province, that the sale of liquor be prohibited ; that licenses, if granted, be cancelled or not renewed in any village or town where the residents objected to the continuance or opening of liquor shops ; and that a province-wide temperance movement be started.

Members from all sections of the House spoke in favour of prohibition on economic, moral and humanitarian grounds. Members of the Opposition accused the Government of deliberately delaying the introduction of prohibition at a time when the Congress Governments had already taken steps in that direction and had succeeded.

The Premier, Sir *Sikander Hyat Khan*, ridiculed the prohibition now in force in Madras which permitted the tapping of toddy trees.

Sir *Sundersingh Majithia*, Minister for Excise, said that the Government's policy in the matter of prohibition was the same as that of the Government of India. In order to enforce complete prohibition they would have to part with nearly one-eleventh of their total revenue. The Local Option Bill had been applied to 46 districts which were at liberty to go dry. Concluding, Sir Sundersingh said that the Government had under consideration proposals enforcing prohibition in one district, and of slowly extending it to other districts.

Mr. Kalia's amendment was lost by 35 to 89 votes, and the original resolution was passed.

**7th. MARCH** :—Political, social and economic problems of the Punjab were discussed to-day. Mr. *Gopichand Bhargava*, leader of the Opposition, said that the economic condition of the zamindars had not improved ; nevertheless, the Government had painted a bright picture of the agriculturist in order to avoid a reduction in land revenue. The Punjab Government did not believe in the Indianization, for the post of Vice-Chancellor of the University had recently been filled by a European.

Mr. *Abdul Haye*, Minister of Education, intervening, pointed out that the post was not filled by the Punjab Government. It did not lie in their power.

Continuing, Mr. *Bhargava* said that the Rs. 50 lakhs, which had been utilized as a development fund, would be "eaten away by travelling allowances." He criticized the Government's policy in the matter of releasing political prisoners and declared that in the Punjab there had been no change in the system of government.

**8th. MARCH** :—A thorough overhaul of the Government machinery in order to effect an all-round improvement was suggested by *Pir Akbar Ali*, a Unionist, to-day.

He warned the Government that if they did not wake up the Congress would capture power. Congress opinion was voiced by *Lala Dunichand* who said the Budget did not contain any proposals for improvement in any direction. *Khwaja Ghulam Hussain*, an Ahrar member, congratulating the Finance Minister on the Budget suggested that special development fund should be devoted towards removing illiteracy.

*Sardar Hari Singh* (Congress) said that out of a budget of Rs. 11 crores, a sum of about Rs. 2 crores was non-votable. He wanted to know whether the Punjab Government had protested againt this provision in the Government of India Act.

Mr. *Fazal Ellahi* (Unionist) congratulated the Finance Minister on presenting a balanced budget. He said that the Government had worked a miracle in a short period.

Mr. *Kabul Singh* (Congress) opposed the proposal to spend two lakhs of rupees for the construction of residences for Ministers. He wanted that more money should be spent for the welfare of peasants.

PRIMARY EDUCATION BILL

**10th. MARCH** :—After a full day's debate to-day the Assembly referred the Punjab Primary Education Bill to a select committee. Mr. *Abdul Haye*, Minister for Education, moving the Bill, said the 1919 Act had not proved very successful. The compulsion had been nominal. There had been very few prosecutions and the punishment negligible. The proposed measure sought to make girls' education also compulsory, empowering the Government to compel local bodies to impose taxation for compulsory education, and in those areas, where compulsion had not been introduced, to compel a boy, if once sent voluntarily by parents to school, to complete primary education and to extend the period of compulsion to five years.

*Sardar Kapoor Singh* moved an amendment that the Bill be circulated. He and several Opposition members argued that the Bill contained taxation proposals and sought to coerce parents into sending their daughters to school at an age when ordinarily strict *purdah* was observed in certain communities. The amendment was withdrawn. The House then adjourned till March 14.

MINISTERS' TOUR

**14th. MARCH** :—The allegation that the Ministers were sent on their tour of villages not for improving the Administration but for doing propaganda for the Unionist Party was made by Dr. *Mahomed Hussain*, who moved a cut motion to the demand under General Administration.

*Chaudhri Riasat Ali*, opposing the motion, pointed out that the Punjab Government were spending the largest amount of money on the benevolent departments as compared with other Provinces.

Mr. *Harilal*, Congress member, said that no Administration, least of all, the Punjab Government, would democratise itself when the Judiciary was subordinate to the Executive. Discussion was proceeding when the House adjourned till March 16.

SHAHIDGUNJE MOSQUE RESTORATION BILL

**16th. MARCH** :—A dramatic statement was made to-day by the hon. *Sir Sikander Hyat Khan*, Prime Minister, that the Punjab Cabinet was prepared to tender its resignation if the verdict of the House went against it on the Shahidganj issue. This was followed by the House refusing leave for the introduction of the motion of "no confidence" in the Ministry, sought to be moved by the Opposition member, *Khwaja Ghulam Hussain*.

The Prime Minister announced that in the interests of the Province as well as in the interests of the Muslims of other Provinces, the Ministry had advised H. E. the Governor of the Punjab against giving sanction to the introduction of Malik Barkat Ali's Bill seeking *inter alia* the restoration of the site of the Shahidgunj mosque to Muslim and the protection of such mosques. The Premier, in the course of his statement, said that the Bill raised constitutional and other issues of a far-reaching character. If the Governor were to give his sanction for the introduction of such a measure here (Punjab), it would provoke similar Bills in those Provinces where non-Muslims were in a majority for the restoration of many historic and important places of worship, originally belonging to them. The device proposed by Malik Barkat Ali was not going to restore Shahidgunj to the Muslims. It would only increase the bitterness and remove for all time the prospect of an amicable settlement. It was with these considerations that the Ministry had tendered advice to the Governor to withhold sanction for the introduction of the Bill. Sir Sikander continued: "Nevertheless, in view of the special circumstances in this case, my colleagues are prepared to abide by the verdict of the House in this issue. The Cabinet as a whole is ready to tender its resignation if the verdict of the House went against it. We are even ready to resign if the verdict of a majority of the Muslim members disapproves of our action. If our resignation could restore the Shahidgunj mosque to Muslims we are prepared

to resign." The Premier appealed to his Sikh friends to reconsider the whole situation, remarking that the reasonable attitude taken over this Bill by the accredited representatives of the Muslim community who constituted the majority in the Legislature called for a reciprocal gesture from their (Sikhs') side. He assured the House that failing mutual agreement in the Shahidgunj dispute by the parties concerned, the present Government would not fail to exhaust all the constitutional avenues open to them to find a satisfactory and just solution of this problem. The Premier announced that the Government had under consideration means to ensure the due protection of all places of worship, so that a repetition of the incidents like Shahidgunj would be impossible in future. To this end, it was proposed to appoint a small informal committee of members of the House to advise the Government with regard to the proposals for legislation. In conclusion, the Prime Minister appealed to all patriotic persons to help the Government to find a solution of the problem.

### The Fatehwal Incident

Discussion on the adjournment motion moved by *Mian Iftikaruddin*, Secretary of the Congress Party, on the "failure of the Police to maintain order at the public meeting at Fatehwal near Amritsar on Sunday last and to protect the lives of the people assembled there, although due notice had been given to the police of impending truble", gave raise to such confusion that the Speaker had to adjourn the House before a verdict was obtained on the motion. Stormy scenes marked the course of the debate.

*Sardar Sohan Singh Josh*, Socialist, declined to withdraw certain allegations he had made against a member of the Unionist (Ministerial) Party and was expelled from the House.

Repiying to the debate, the Premier, the hon. Sir *Sikander Hyat Khan*, stated that the Police had not been sent to the village owing to police preoccupations with the Mohurram and also as trouble was not anticipated by the Government. The Premier requested the Leader of the Opposition to see that those Congressmen, who participated in the disturbances and were responsible for the murder of two men, were ostracised from the party. The Premier went on to say that 90 per cent of the badmashes had become four anna members of the Congress. The statement occasioned such an up-roar that the Speaker was unable to maintain order and adjourned the House, saying "I cannot allow disorder".

Sometime after the Assembly dispersed the Chamber bell called in the members again.

The House was half empty when the *Speaker* said that he had sent for the members to take a final opportunity as the Speaker of the House to address them as he was not prepared to continue as Speaker when the dignity of the Chair was not being maintained. He said that whether a person was a thief or a dacoit, he was at liberty to join any political party. Where, then, was the cause for creating an uproar on the utterence of such words as the Premier said.

The Premier, Sir *Sikander Hyat Khan*, explaining, said that he had been misunderstood. He did not mean when he said that 90 per cent of badmashes had joined the Congress, that 90 per cent of Congress members were badmashes.

*Dewan Chamanlal* declared that the Premier had made an uncalled-for attack on the Congress and if he did not withdraw those words, the Opposition members would not participate in the proceedings and, thereafter, he with the Opposition members walked-out.

The *Speaker* said that he had no other alternative but to resign.

The *Premier* assured him that, so far as the Ministerial Party was concerned, he could expect from it the fullest co-operation.

The adjournment motion of *Mian Iftikharuddin*, which was the cause the earlier uproar in the House, was rejected unanimously.

### Voting on Budget Demands (Contd.)

**18th. MARCH** :—A vow to eschew every item of the "rich man's" menu, and to live only on the diet of the poor was taken by a member to-day during a debate on the demend for grants on general administration.

The member, Mr. *S. P. Singha*, who represented the Indian Christian community in the Assembly, took the vow when he was voicing the grievances of certain Christian occupancy tenants of the Montgomery district on whom, he alleged, a Malkana tax had been levied which, Mr. Singha said, was operating harshly on them. After

appealing to the Revenue Minister to remove the grievance Mr. Singha said : I am in deadly earnest. I shall not rest until this moral injustice to humanity is removed and lest I falter or grow careless, I take a solemn vow on the floor of this House that I shall not taste the rich man's food and shall live on the simple diet of the villager until I have succeeded in getting the tax removed."

**24th. MARCH** :—The need for an expert industrial survey of the Province and the inculcation of a national outlook in industry, supported by the principle of Swadeshi in all its aspects, was stressed by several speakers at to-day's debate when the demand for a grant of Rs. 20 lakhs for the Industries Department was discussed.

The mover of a cut motion, Rai Bahadur *Mukundlal Puri* maintained that the success of the industrialisation depended on the standard of living of the rural population, but he regretted that the Industries Department was unhelpful to a degree.

*Choudhury Tikaram*, Parliamentary Secretary, emphasised that the previous speakers had failed to take into account the Government's generous apportionments for every industry as well as their provision of technical and whole-time exports for such industries, as textile weaving, hosiery, tanning and dyeing. There was the Industrial Research Laboratory and special arrangements had been made to guarantee a minimum return on outlay in all approved trades. A Special Development Fund had also been established and everything possible was being done, calculated to satisfy all except those who expected a new heaven and an earth within one year.

**25th. MARCH** :—The debate on the cut motion to the demand under the grant for the Industries Department concluded to-day after the Minister for Development, the hon. *Chaudhuri Sir Chottu Ram* had replied to the debate. The cut motion was lost by 74 votes to 23.

To-day's speakers mostly dealt with the general aspect of industrialisation and the debate was enlivened only by the reply of the *Development Minister*. The latter gave copius figures both about the Punjab and the United Provinces and demonstrated that the Punjab was spending a higher percentage of its financial revenues on industries than the neighbouring provinces. The Punjab was also spending more per head of the population than the United Provinces. Everything possible was being done within the Financial resources of the province to promote both the spirit as well as the practical side of industrialisation as the Government fully believed that the future even of agriculture depended upon the prosperity of small industries.

THE HISSAR RIOT

**28th. MARCH** :—Considerable heat was engendered this evening when the Congress Party sponsored an adjournment motion to discuss "the failure of the authorities to prevent a recurrence of the communal riot and the consequent bloodshed at Hissar on March 26." After a full debate, the motion was defeated by 96 votes to 31.

Dr. *Gopichand Bhargava*, Leader of the Opposition, who said that he was present at Hissar on the day of the rioting, stated that his party was not trying to make political capital out of the incident but wished that officials, if their negligence was proved, should be punished regardless of their position and party affiliation.

The Premier, the hon. Sir *Sikandar Hyat Khan*, in his reply, assured the House that if on investigation, any official was found guilty of negligence, they would be severely punished. Referring to the criticisms about the Unity Conference summoned by him, the Prime Minister said that if he had summoned communalists to the conference, it was because every side had to be heard. The Premier added that the danger to the Province was not so much from those who were open communalists, because they could be dealt with without any difficulty, but from those pseudo-nationalists, who were creating communal trouble from behind the scenes while having the words of nationalism on their lips.

**29th. MARCH** :—The guillotine was applied and the Assembly passed to-day 81 demands for grants, amounting to Rs. 10 and a half crores.

The Premier, the hon. Sir *Sikandar Hyat Khan*, speaking on the Land Revenue demand, pointed out that in the Punjab 80 per cent of Zamindars paid land revenue

below Rs. 10. If the Government would reduce the land revenue by 50 per cent. zamindars would not get more than five pice per head per month. That relief, he said, was negligible and besides there would be a great loss to the Government. Genuine relief could be given to zamindars by raising the price of commodities. This would be done by enacting a Marketing Bill. The Premier calculated that by raising the price by two annas per maund of agricultural produce, there would be seven crores of additional income to zamindars of the Province.

SEDITION LAW REPEALING BILL

**1st. APRIL**:—There were about a dozen non-official Bills on the agenda. One of these was *Lala Duni Chand's* repealing the law of sedition.

The Premier, Sir *Sikandar Hyat Khan*, opposing the Bill, said that he wished that there was no need for a sedition law, but the position in the Punjab was quite different. He assured the House that he would not use the power unless it was found absolutely necessary to do so. During the last twelve months, he had received recommendations for proceeding against about two dozen individuals, but had taken action against only one person. The Bill was, thereupon, thrown out.

ANTI-PHOOKA BILL

The Assembly next passed the motion for circulating *Diwan Chaman Lal's* Anti-Phooka Bill for eliciting public opinion. When the House met to-day for discussion for the first time in this session of non-official Bills, Diwan Chaman Lal moved that the Anti-Phooka Bill be referred to a Select Committee.

*Lala Gopal Das*, member of the Ministerial Party, moved that the Bill be circulated for public opinion. He said that Punjab should wait to see the form in which such a Bill was passed by the Central Assembly. After the Bill was passed, they could make necessary improvements in Diwan Chaman Lal's Bill.

The motion was supported by *Raja Narendranath* and passed by 87 votes to 33. The House then adjourned.

MUSLIM WAKFS BILL

**4th. APRIL**:—The Assembly without much discussion carried the motion moved by Mr. *Maqbool Mahmood*, Parliamentary Secretary, to circulate for public opinion his Bill entitled the "Muslim Wakfs Bill". The aim of the Bill was to establish better control of Muslim religious endowments and to regulate the use of their incomes.

Mr. Maqbool Mohmood defended his Bill but added that he was willing to accept an amendment in any direction in which public opinion might consider it necessary.

Explaining the attitude of the Government, the hon. *Mian Abul Haye*, Minister for Education, said that the Government would support the Bill if public opinion was found to be in its favour. Special attempts would be made to ascertain the opinions of Ulemas. Meanwhile, the Minister concluded, the Government were not committing themselves either way. The House then adjourned.

UPROARIOUS SCENES IN ASSEMBLY

**7th. APRIL**:—Uproarious scenes marked the proceedings to-day when the Speaker had to adjourn the House two hours before time because of confusion and disorder.

After a lively question hour, *Lala Dunichand* wanted to move an adjournment on the propaganda carried on by official agencies in favour of Sardar Ganga Singh against Dr. Satyapal in the Assembly by-election in the Sialkot constituency. Mr. *Amjadali*, Parliamentary Secretary, wanted to know if the Congress did not use the full Congress machinery in the Bijnor by-election in the United Provinces.

At this stage, Raja *Narendra Nath* intervened to move an adjournment motion on Federation which was to come up before the Assembly on the next day. The Lala maintained that he was in possession of the House and the Raja could not interfere.

The *Speaker* ruled that Lala Dunichand's motion was out of order, as the Government had issued introductions to officials not to interfere in the elections and could do nothing more if in spite of that any Government servant worked against the instructions.

The *Raja* then pressed his motion when Opposition members described the motion as vague, frivolous and absurd. No urgency, they said, had been established.

The *Premier* intervened twice to support the Raja's motion which he said was not so absurd as described by the Opposition.

A voice: "It is absurd after all."

*Dr. Gopichand Bhargava*, Opposition Leader, pointed out that notice of the resolution had been received by the members on April 1. If it was urgent the Treasury Benches should have moved the adjournment earlier.

*Dewan Chamanlal* said that if the Party could not make up its mind on a particular resolution there was no reason why it should waste the time of the House by holding up its proper business.

*Malik Barkatali* submitted that the House possessed inherent rights to adjourn without assigning reasons.

The *Speaker* was upholding Malik Barkatali's viewpoint when *Diwan Chamanlal* pointed out that the Chair had twice ruled out the Raja's motion and it was only on the Premier's intervention that the Chair had revised its ruling. The Premier described Dewan Chamanlal's statement as impudent.

This was the signal for disorder and confusion amidst which Diwan Chamanlal was heard to say, "It is not a House, it is a *tamasha*." The Speaker asked the Diwan to explain what he said upon which he asked the Speaker to address the Treasury Benches for explanation. Confusion and noise increased and the Speaker abruptly adjourned the House

### Federation Resolution Passed

**8th. APRIL** :—By 99 votes to 33, the Assembly to-day passed a resolution opposing the present federal scheme and asking for its revision.

The resolution was an amendment moved by the Premier, *Sir Sikander Hyat Khan*, to a resolution by *Lala Sudarshana*, a Congress member. The Premier's resolution was as follows: "The Assembly considers that the Federal scheme formulated in the Government of India Act 1935 is unsatisfactory, and in view of the urgency of the problem recommends to the Government that the earliest possible steps be taken radically to revise the scheme in full consultation with all sections of the people concerned."

### Land Alienation Amend. Bill

**11th. APRIL** :—The Budget session of the Assembly concluded to-day after passing the Alienation of Land (Amendment) Bill and certain rules of procedure. The remaining rules have been left for consideration during the Simla session.

The House was then *prorogued*.

# The C. P & Berar Legislative Assembly

## LIST OF MEMBERS

THE HON'BLE DR. NARAYAN BHASKAR KHARE (*Premier*, Resigned)
MR. L. N. HARDAS
MR. CHATURBHUJBHAI JASANI
MR. KHUSHALCHAND GHASIRAM KHAJANCHI
MR. NARMADA PRASAD MISHRA
MR. KESHAORAO RAMCHANDRARAO KHANDEKAR
DR. JAGANNATH GANPATRAO
MR. PYARELAL SINGH
THE HON'BLE MR. SAMBHAJIRAO V. GOKHALE (*Minister*)
THE HON'BLE MR. P. B. GOLE (*Minister*)
" BAJRANG THEKEDAR
" SITARAM LAXMAN PATIL
" BHIKULAL LAXMICHAND CHANDAK
" A. N. UDHOJI
" T. J. KEDAR
" PUKHRAJ KOCHAR
" DASHRATH LAXMAN PATIL
" R. S. DUBE
" D. B. KHOBERGADE
" NILKANTH YADAORAO DEOTALE
" DHARMARAO BHUJANGRAO
" SETH DIPCHAND LAKSHMICHAND
" BIHARILAL DEORAO PATEL
" GULAB CHAND CHOUDHARY
" G. R. JAMBHOLKAR
" PRABHAKAR D. JATAR
THE HON'BLE MR. DURGASHANKAR KRIPASHANKAR MEHTA (*Minister*)
THE HON'BLE PANDIT DWARKA PRASAD MISRA (*Minister*)
MR. MATUA CHAITU MEHRA
" KASHI PRASAD PANDE
" N. HANUMANTHA RAO
" G. K. LOKRAS
" JALAM MOTI
" VASUDEORAO VENKATRAO SUBHEDAR
" PREMSHANKAR LAXMISHANKAR DHAGAT
" BHAGIRATH RAKHAN CHAUDHARI
" MAHENDRALAL
" LAL CHOODAMAN SAH
" LALA ARJUN SINGH
" DATTATRAYA BHIKAJI NAIK
" SHANKERLAL CHAUDHARI
" RAMESHWAR AGNIBHOJ
" BHAGWANTRAO ANNA BHOW MANDLOI
" M. R. MUJUMDAR
" ANANTRAM
MAHANT PURANDAS SUDDIN SATNAMI
MAHANT LAXMINARAYANDAS BAIRAGI
THE HON'BLE PANDIT RAVI SANKAR SHUKLA (*Premier*)
MAHANT NAINDAS RAJARAM SATNANI
MR. JAMUNALAL TEJMAL CHOPDA
DR. E. RAGHAVENDRA RAO
MR. SUKRITDAS
" RAMGOPAL TIWARI
" MUKTAWANDAS AJABDAS
SARDAR AMARSINGH BAIJNATHSINGH SAIGAL
THAKUR CHHEDILAL
MR. BAHORIK LEDWA RABIDAS
MR. MOHANLAL PREMSUKH KHANDELWAL
" POSU SATNAMI
" VISHVANATHRAO YADAORAO TAMASKAR
THE HON'BLE MR. GHANSHYAM SINGH GUPTA (*Speaker*)
MR. KANHAIYALAL
SETH BADRINARAIN AGARWAL
MR. GANPATRAO PANDE
" RAGHOBA GAMBHIRA GHODICHORE
" V. M. JAKATDAR
" SUGANCHANDRA CHUNNILAL
" R. A. DESHMUKH
" GANESHRAO RAMCHANDRA DESHMUKH
" LAXMAN NARAYAN NATHE
" GANESH AKAJI GAVAI
" BHIMSINGH GOVINDSINGH
" KESHAO JANUJI
" UMEDSINGH NARAYANSINGH THAKUR
" VITHALRAO NARAYANRAO JAMADAR
RAO SAHIB DINKARRAO YADAORAO RAJURKAR
MR. BHIMRAO HANMANTRAO JATKAR
" DAOLAT KISAN BHAGAT
" NARAYAN BALAJI BOBDE
" M. P. KOLHE
" PANDHARI SITARAM PATIL
" LAXMAN SHRAWAN BHATKAR
" TUKARAM SHANKAR PATIL
" KRISHNARAO GANPATRAO DESHMUKH
KHAN SAHIB SYED MUZAFFAR HUSSAIN
MR. MOHAMMAD MOHIBBUL HAQ
THE HON'BLE MR. MOHAMMAD YUSUF SHAREEF (*Minister*)
KHAN SAHIB SYED YASIN
MR. ABDUL RAZAK KHAN
" IFTIKHAR ALI
" MAJIDUDDIN AHMAD
KHAN BAHADUR SYED HIFAZAT ALI
MR. S. W. A. RIZVI
" MOHIUDDIN KHAN

MR. HIDAYAT ALI
KHAN BAHADUR MIRZA RAHMAN BEG
MR. SYED ABDUL RAUF SHAH
KHAN SAHIB ABDUR RAHMAN KHAN
MRS. ANASUABAI KALE (*Deputy-Speaker*)
„ SUBHADRA KUMARI CHOUHAN
„ DURGABAI JOSHI
THE REVD. G. C. ROGERS
MR. L. H. BARTLETT
MR. UDEBHAN SHAH

THE HON'BLE MR. CHHAGANLAL JAIDEO PRASAD BHARUKA (*Minister*)
SETH GOPALDAS BULAKHIDAS MOHOTA
BEOHAR RAJENDRA SINHA
MR. MADHAV GANGADHAR CHITNAVIS
THE HON'BLE MR. R. M. DESHMUKH (*Minister*)
„ GANPATI SADASHIV PAGE
„ V. R. KALAPPA
„ B. G. KHAPARDE

# Proceedings of the C. P. Council

## Budget Session—Nagpur—1st. March to 31st. March 1938

FINANCIAL STATEMENT FOR 1938-39

The Budget session of the C. P. & Berar Legislative Assembly commenced at Nagpur on the **1st. March 1938.** The Budget for 1938-39 was presented on the next day, the **2nd. March**, by the Finance Minister, the Hon'ble Mr. *D. K. Mehta.* In doing so, the Hon. Minister said :—

"A budget of Rs. 4 and three-fourth crores is all too small for the needs of the province with a population of 16 millions, but within the time and the resources available to us we have endeavoured to minimise waste and readjust the burden of taxation, and maximise social dividend from public expenditure. Given better criticism from within and interference in the name of the Constitution from without, there is no reason why we should not face the future in a spirit of subdued optimism."

The Budget shows a surplus of Rs. 80,000, receipts being Rs. 481.00 lakhs and expenditure Rs. 481.18 lakhs.

Striking a note of warning to the friends of the Government, Mr. Mehta said that he noticed signs of impatience and dissatisfaction at things not done to their order. He appealed to them to bear with them in the difficulties which were none of their making. "By their impatience" the minister added, "they unwittingly play into the hands of those who never wished well of us or of the great institution under whose direction and control we have undertaken the responsibility of Governance'.

The revised estimates for 1937-38 shows a deficit of Rs. 8.16 lakhs instead of a small surplus of Rs. 77,000 which was anticipated, due to an adverse seasonal fall of Rs. 10 lakhs under the head of land revenue. The excise revenue estimates for 1938-39 allows a loss of Rs. 6 lakhs owing to the extension of prohibition of liquor.

Dealing with new expenditure, Mr. Mehta said that out of a total amount of Rs. 24.35 lakhs, Rs. 10.10 lakhs represented the usual commitments, Rs. 7.54 lakhs the usual expansion of departmental activities and Rs. 6.71 lakhs for economic development and improvement of rural areas which they proposed to undertake in fulfilment of the intention to set aside a part of the revenue for rural welfare. Rs. 2 lakhs for improvement of rural development and Minister's Vidyamandir scheme, Rs. 1.7 lakhs for the introduction of compulsory education in Betul and other districts and substantial funds had been allotted for extending medical facilities in rural areas.

Alluding to the special rural reconstruction schemes, the Finance Minister stated that the Budget provided Rs. 2 lakhs for improvement of rural communications, Rs. 1 lakh for water supply, in addition to Rs. 4 lakhs from the Government of India grant, Rs. 24,000 for agricultural demonstrations, Rs. 22,000 for the encouragement of khadi, Rs. 70,000 for extension of medical relief and Rs. 26,000 for creating

50 rural uplift centres in accordance with the scheme of the All-India Village Industries Association, besides Rs. 25,000 for an industrial survey of the province.

Referring to economy effected, he said that the total saving in 1937-38 amounted to Rs. 9-1-2 lakhs, besides Rs. 3 lakhs resulting from measures taken on the recommendations of the Retrenchment Committee and possible further economies would yield another Rs. 6 lakhs.

Mr. Mehta, proceeding, said that they were resorting to fresh taxation only for the purpose of financing the scheme of development, and claimed that the burden of taxes would fall on the shoulders of those capable of bearing it. He estimated Rs. 2 lakhs on account of enhancement of zamindari land revenue for part of the year, Rs. 3 lakhs in motor spirit lubricants tax and Rs. 2 and a half lakhs from employment tax.

The Minister detailed the land revenue and forest concessions given to the peasantry and said that the remission of 12 and a half per cent in rents to small holders in the province would benefit nearly half the agricultural population and would cost Rs. 4 lakhs to the exchequer. The agricultural debt relief measure was at present under consideration. They also had adopted special measures to ameliorate the condition of the aboriginal population of two and a half millions, out of a total of 16 millions in the province by opening 36 special schools in the course of the next three years and by granting concessions in forest produce.

### Motor Taxation Bill

After the presentation of the budget, the Assembly devoted the whole day to a discussion of official legislative business.

The hon. Dr. *N. B. Khare's* C. P. and Berar Motor Vehicle Fees Bill, reviving the C. P. and Berar Motor Vehicles Act, 1932, which expires on March 31 next, was introduced, considered and passed into law, without discussion.

### Motor Spirit Taxation Bill

The hon. Mr. *P. B. Gole's* C. P. and Berar Motor Spirit and Lubricants Taxation Bill was responsible for a prolonged debate, the Opposition attacking the measure, firstly, on the ground of law, and secondly, on the fact that a Congress Ministry, pledged to give relief to people, was bringing forward a measure, which would cause more unemployment, say the motor transport industry and create monopolies where none existed. After a debate lasting over two hours, the measure was referred to a select committee by 62 votes to 26.

### Bill Imposing Tax on Professions

Dr. *E. Raghavendra Rao*, former Premier of the Central Provinces and an Ex-Governor led the attack on the hon. Mr. *P. B. Gole's* next Bill, which sought to impose a tax on professions, trades, callings or employment. He contended that the Bill was a discriminatory legislation as the Government did not tax all persons prosecuting a certain profession but singled out only those who were assessed to income-tax, for the payment of an additional tax of Rs. 7 per quarter. This tax was, in effect, a surcharge on the income-tax and was, therefore, *ultra vires* of the Legislature as only the Federal Government could impose it. The Speaker reserved his ruling.

### General Discussion of Budget

**3rd. MARCH** :—The House began a general discussion of the Budget to-day. Mr. *Abdul Razak Khan*, deputy leader of the Opposition, criticized the taxation measures.

Messrs. *Hidayat Ali* and *K. S. Abdul Rahman* (Moslem League) complained that the rights of Moslems were not being adequately protected. The *Premier*, replying, assured them that the Congress Ministry would never be unfair to any community or organization. The Ministry was taking action against Congressmen, Labour spokesmen, Hindus, Moslems and persons of all communities, who infringed the law. Members of the Hindu Sabha and some newspapers had also been warned, and some prosecutions were under contemplation. Pandit *R. S. Shukla*, Minister for Education, said that the suggestion that the Ministry was trying to strengthen its hold by making grants to certain institutions was baseless. Applications of five schools run by Congressmen had been rejected. Mr. *D. K. Mehta*, replying to the debate, said that the economy committee appointed by the Government had not yet concluded its work. Its *ad interim* recommendations suggesting savings to the extent of Rs. 9 lakhs had been accepted by the Government. The Assembly then adjourned.

THE C. P. BERAR FINANCE BILL

**4th. MARCH** :—By 63 votes to 36 the Assembly carried to-day the hon. *Mr. Gole's* motion for reference of his C. P. and Berar Finance Bill to a Select Committee. Discussion centred on the point of order raised by Dr. *Raghavendra Rao* that the Bill was *ultra vires* of the Assembly since it sought to introduce discriminatory legislation.

The *Speaker* ruled that the Bill did not impose a tax on income but aimed at taxing professions and held the same was in order.

Messrs *G. S. Page*, *W. Bartlett* (European), *Abdul Razaque*, Deputy Leader of the Opposition, and Rao Saheb *D. D. Rajurkar*, Leader of the Opposition, Mr. *Pandhari Patil*, all opposed the Bill strongly on two grounds, that the Bill was unwarranted and that the incidence of taxation was inequitable. The last-named speaker even went to the length of characterising the measure as legalised loot.

Rao Saheb *D. D. Rajurkar*, Opposition Leader, opposing the Bill protested against the imposition of fresh taxation which he thought was unjust and unfair to tax-payers who were already bearing the burden of several taxes. The Congress Government, instead of reducing the heavy burden, now came forward with fresh taxation measures for which they would have to repent later. He concluded by voicing strong protest against the new tax sought to be imposed on professions.

Mr. *M. P. Kolhe* (Congress) asked the Minister to ensure that the rural population was exempted from the operation of the present measure. He pleaded that the agriculturists of the province should not suffer in consequence of new taxation measures.

The *Revenue Minister*, replying, stressed that they were taxing only those who were able to bear the burden. There could not be reasonable objection to the Bill as peasants ordinarily remain unaffected by the provisions of the Bill. The House assented to the Select Committee motion but Mr. Rajurkar claimed a division, which resulted in the voting as stated above.

VOTING ON BUDGET DEMANDS

**5th. MARCH** :—Voting on Budget Demands commenced to-day and the Assembly voted the entire demand under the head Jails and Convict Settlements, on the motion of the *Premier*. Two token cut motions were withdrawn after 4 and a half hours' discussion.

The question of jail reform was raised with special reference to the classification of politicals, amenities to prisoners and the right of M. L. A.'s to inspect jails. The debate revealed unanimity of non-official opinion regarding the necessity for the Government undertaking reforms in respect of the supply of food and the general treatment meted out to convicts, specially politicals. (It is noteworthy that at present there are no politicals in this province). Congress and non-Congress members described the conditions as unsatisfactory, some Congress M. L. A.'s recounting their own experiences in prison during the Civil Disobedience movement five years ago.

The Premier, the hon. Dr. *N. B. Khare*, declared that whatever had been the conditions of the past, at present the position was undoubtedly better. He himself had been in jail and might have to go there again. There was no doubt that the thousands going to jail in pursuance of the Congress Civil Disobedience programme six years ago had exercised a beneficient effect on the jail administration in the country. He was convinced that the desired reforms would take a long time. However, he intended to take up the question shortly. Continuing, the Premier said that he felt strongly that politicals should be classed separately from ordinary convicts and there was no need for distinctions of any kind among politicals, (such as, A B and C classes). He hoped to undertake legislation for this purpose.

**8th. MARCH** :—The Assembly witnessed the heckling of Ministers by members of the Congress Party, two of whom were also joined by Opposition members and there was some angry exchange of words between the Premier, the Hon'ble. Mr. *N. B. Khare*, and Mr. *E. Raghavendra Rao*.

Mr. *Lokras* (Congress) asked if the Government would issue instructions to district officers that they should supply information to members of the Assembly which the latter would seek, in the same manner as the Government supplied information to members on the floor of the Assembly.

The *Premier* replied that the Government did not consider it necessary to issue such instructions.

Mr. *Amar Singh* (Congresss) said that the C. P. Government, when Sir Montagu Butler was Governor of the province, had issued a circular urging district officers to grant similar facilities. Why should the present Government not issue a similar circular, he asked.

Dr. *Raghavendra Rao*, intervening, said the present Government was more servile in mentality than the Goverment of Sir Montagu Butler.

The *Premier* took strong exception to the remark of Dr. Rao and urged the Speaker to expunge that portion from the proceedings.

The *Speaker* said he would consider the matter.

A volley of supplementary questions was stopped only when the Speaker refused to allow more questions and passed on to the next question.

The reply of the Premier to the question whether the Government would take steps to get January 26 declared as a public holiday in view of its national importance consisted of one word, "no." This curt reply offended some members of the Congress Party and they put in a series of supplementary questions.

The *Premier* then held informal discussions with members of the Congress Party and explained the position.

The Assembly had, so far, disposed of two demands for grants, viz., Jails and Police, and the demand under Education was still under discussion when the House adjourned.

**9th. MARCH** :—Dr. *E. Raghavendra Rao*, was to-day asked to leave the House by the the Speaker following refusal to withdraw certain remarks, made yesterday, to which objection had been taken by Congress members.

On being asked by the *Speaker*, Dr. *Rao* said that the official report of his speech was correct. He still believed in what he had said yesterday. No personal attack on the Premier was meant. If ordered to withdraw the remarks he would do so.

This did not satisfy the Congress benches and the Speaker said that if he were in Dr. Rao's place he would certainly apologize ; but he could not extract an apology from an unwilling member.

### Postponement of Execution of Decrees Bill

The hon. *Mr. P. B. Gole's* C. P. and Berar Temporary Postponement of Execution of Decrees Bill was, after some discussion, referred to a Select Committee. The Bill was opposed by the members representing landholders and commerce constituencies, who alleged that it was aimed at uprooting the money-lending class. The Minister stated that the fears were unfounded.

The hon. Mr. *Gole* presented the select committee's report on the C. P. and Berar Motor Spirit and Lubricant Taxation Bill.

### Estates Revenue Bill

The House also discussed the C. P. Revision of Land Revenue of Estates Bill, which evoked a storm of opposition from the zamindars. The motion for the reference of the Bill to a select committee was still under consideration, when the House adjourned.

### The Prohibition Bill

**10th. MARCH** :—The Assembly to-day passed the Prohibition Bill amidst congratulations to the Revenue and Excise Minister, Mr. *P. B. Gole* from all sections of the House. The Minister announced that the Act would come into force from April 1. Presenting the Bill as it had emerged from the Select Committee he stated that the prohibition policy of the Government had received the support of all section of the public.

The Rev. *G. C. Rogers*, who was the only member to oppose the Bill when it was referred to the Select Committee, said that, although he still considered that the Bill was an encroachment on individual liberty he had no desire to oppose it since the whole country wanted the measure. He promised that Christians would co-operate with the Government in making a success of prohibition.

"As a medical man," said the Premier (Dr. *N. B. Khare*), "I declare that liquor acts as a poison." He congratulated his colleague on the success of the measure.

### Estates Revenue Bill (contd.)

The C. P. Revision of Land Revenue of Estates Bill, introduced yesterday, evoked opposition from jagirdar and zamindar members as it aimed at enhancing land

revenue in jagirdari and zemindari villages. It was contended that the sanctity of contract had been broken and that it was unjust to treat jagirdars and zemindars as ordinary citizens. Mr. *Gole* said that this contention was untenable and added that the Privy Council in a decision given in 1912 had declared that the person concerned were ordinary citizens. The Government were not claiming a full share of what they were entitled to receive from the assets.

The House agreed to refer the Bill to a Select Committee by 60 votes to 26.

### REDUCTION OF INTEREST BILL

Mr. *M. Y. Shareef*, Law Minister, introduced the C. P. Reduction of Interest (Amendment) Bill which sought to help the debtor class by further scaling down the rates of interest on secured as well as unsecured debts. The Minister said that in view of the present bad times the Bill was a necessity. Describing it as a measure calculated to excite class war and criticizing the policy of the Government in introducing a series of measures during the three or four years to uproot the moneylender class, Mr. *M. G. Chitnavis* (south landholders) strongly resisted the motion for a Select Committee and urged for its circulation for eliciting public opinion. Mr. *Gopal Das Mohta* (Berar commerce) joined him and suggested that instead of bringing forward a measure of this kind the Provincial Government should move the Central Government for a change in the exchange ratio. Opposition members were however divided on the Bill. The House agreed to the select committee motion without a division.

### POSTPONEMENT OF EXECUTION OF DECREES BILL

The temporary postponement of the Execution of Decrees Bill was referred to a select committee. The Bill was opposed by members representing landholders and commerce constituencies who alleged that it aimed at uprooting the moneylending class. Mr. *P. B. Gole*, the Minister in charge, said that these fears were unfounded. He also presented the select committee report on the Motor Spirit and Lubricant Taxation Bill.

### "VIDYA MANDIR" SCHEME EXPLAINED

**18th. MARCH** :—Opposition to the "Vidya Mandir" (temples of learning) scheme drawn up by Mr. *R. S. Shukla*, Minister for Education, was voiced to-day when *Rao Saheb Rajurker*, Leader of the Opposition moved a cut of Rs. 1,99,000 under the demand for education.

He contended that the scheme was impracticable and proposed that only Rs. 1,000 should be set apart for experimental purposes. He was supported by Mr. G. S. Page, Mr. K. S. Abdul Rahaman, Khan Bahadur Mirza Rahman Beg, and Mr. M. M. Huq, while Mr. V. R. Kalapa opposed the cut,

The Moslem members stated that the name "Vidya Mandir" was unacceptable to them as it constituted an attack on Islamic culture. Khan Bahadur Rahman Beg said that if the Ministry persisted in "foisting" the scheme on the Moslems they would have to appeal to the Governor to exercise his special responsibility for the protection of the minorities.

The Rev. *G. C. Rogers* said that although he had yet to learn that the scheme had the blessings of the Congress "high command" or that it was considered practicable by educational experts, he was in favour of giving it a chance.

Mr. *Shukla*, replying to the critics, pointed out that there were as many as 16,000 villages in the province without educational facilities. The scheme was an attempt at liquidating illiteracy. He conceded that it was an experiment but he had consulted the Finance Department who were clearly of opinion that it was cheaper than a scheme for compulsory primary education.

The scheme was prepared by him in consultation with educational experts, all of whom except three had testified to its practicability. It was not inconsistent with the Wardha scheme and the Government had recently appointed a committee to draw up a syllabus for the "Vidya Mandir" schools on the lines of the Haripura resolution, having regard to the Wardha scheme as well. As to the Moslem objection to the name, he said that the Ministry would not insist on giving the name "Mandir" to Urdu schools but would give such a name as was acceptable to the residents of the localities concerned. He had toured different parts of the province for five months and drawn up the scheme after consulting leaders of public opinion.

The motion was pressed to a division and lost by 53 votes. Eight members from the Opposition benches remained neutral The entire education demand was then voted. The House then took up the medical demand.

**19th. MARCH** :—Lepers and the dangers which arise from their moving in society in an unrestricted manner were referred to the members in the Assembly to-day when Mr. *M. P. Kholhe* (Congress) moved a token cut drawing the attention of the Government to the problem and the need for urgent legislation for their compulsory segregation. Mr. Kholhe said that during recent years there had been an abnormal increase in the number of lepers, particularly in Berar, and the contagious character of the disease was impairing the health of the people.

Mr. *Tamaskar* (Congress) supporting the cut said that both rich and poor alike were affected in Chhatisgarh and while cases in the poorer classes were detected without difficulty those amongst the richer classes remained hidden for a long time. It was not only necessary to segregate persons but it was also essential to see that the common village servants like barbers, washermen, water carriers, did not serve such persons so as to prevent the spread of disease.

Mr. *Abdul Razaque Khan*, Deputy Leader of the Oppositiou, pointed out that most of the institutions treating lepers were run on a charity basis. In Nagpur itself the menace of lepers was on the increase and he felt that in order to avert the danger of such persons using public places, like refreshment rooms, it was necessary to enact legislation for their compulsory segregation.

The Hon'ble *Pundit Mishra*, Minister for Medical and Public Health Department, replying said that the Government had received reports of the increase in the number of lepers almost in all parts of the Province. The Government fully recognised the growing danger, but as members knew, it was difficult to detect disease in the early stage, particularly in the case of well-to-do persons. In certain cases segregation would involve hardship as the earning member of a family may be involved and his segregation would render his family liable to stravation. The Government was examining what steps should be taken short of segregation, to prevent the spread of disease. He, however, assured the House that the Government would not hesitate to legislate for compulsory segregation of leper if it came to the conclusion that no other course of action was open to it.

**21st. MARCH** :—The steps taken by the Government to improve agriculture were explained by Pandit *R. S Shukla*, Minister in-charge, during the debate on a token cut moved by Mr. *Abdul Razaque*. Citing the example of Soviet-Russia and referring to the efforts made in America at restriction of crops with a view to stabilizing prices, the mover urged speedy action not only to industrialize agriculture with the help of implements like tractors but also to make it an economic proposition. Pandit Shukla said that the Government were not oblivious of the need for improving the quality of agricultural produce. The research laboratory at Nagpur was carrying on work on cotton, rice, fruit and oil-seeds. Alternative crops, in view of the fall in the prices of cotton, were also being investigated, and in some cases they had found groundnut a suitable alternative. The Government had purchased a tractor which was available to those who wished to employ it and this year they had reduced its charges to the actual working expenses. The economic condition of the cultivators had, however, precluded them from making a more liberal use of machinery.

The activities of the department were expanding and in conjunction with the *vidya mandir* scheme of education 86 new demonstration farms would be established. As for economies in the department the Government were awaiting the report of the committee of 1937.

The Government would open godowns at several centres to facilitate the marketing of crops. The crops would be graded according to quality and steps would be taken to eliminate middleman's profit and to ensure that the cultivator got the maximum return for his outturn. A majority of cultivators possessed uneconomic holdings and the Ministry stood committed to improving their condition.

The motion was withdrawn and the House adjourned.

**22nd. MARCH** :—The thin attendance in the Opposition benches, when the Assembly met after tea to-day, indicated that interest in the proceedings had waned. The clock struck five when the Veterinary demand discussion was concluded, with the result that the rest of the demands for grants, including some major heads like General Administration, Land Revenue, Excise and Forest, were guillotined and voted without discussion.

During the debate on the demand under the head Agriculture, speakers, (Congress and non-Congress), pleaded for a drastic overhaul of the activities of the Agricultural Department for the purpose of securing the maximum possible benefit to the ryots.

When the Veterinary grant was next taken up, Mr. *Abdur Razak Khan* through a token cut, drew attention to the imperative necessity for a good breed of cattle. There were, he said, two million inefficient cattle in the province. These should be transported to tracts where they would not be a burden. He also urged the Government to start livestock improvement associations.

The necessity for greater collaboration and co-operation in the activities of the Veterinary and Agricultural Departments was emphasised by Mr. *Beohar Rajendra Singh* (Congress) who moved next a token cut. He said valuable results were possible only if efficient hands were employed in these departments. He desired the Ministers to consider the advisability of amalgamating both the departments into one under the control of the Director of Agriculture.

Pandit *R. S. Shukla* (Minister), replying, said that while there was much that was common in the activities of the two departments, the Veterinary Department looked to the welfare of animals other than agricultural cattle. The Royal Agricultural Commission had also recommended, he said, that both the departments should carry on their activities separately. However, he would examine the proposal.

The cut was withdrawn and the entire demand voted. The House then adjourned till 24th. March.

### WARDHA RAPE CASE EPISODE

**24th. MARCH** :—The resentment caused in political circles during the week-end over the release by the Ministry of a non-political prisoner, convicted in what was known as the "Wardha rape case", culminated to-day in demonstrations outside the Assembly and in commotion inside the Chamber.

In the morning a procession, carrying black flags and placards denouncing Mr. *M. Y. Shareef*, Minister for Law, and also his colleagues, started from the City and by the time it had reached the Assembly hall it had swelled into a gathering of 500 women and 2,000 men.

The processionists tried to enter the Assembly premises but the police prevented them from doing so. Police Officers and the District Magistrate, who were present, tried to persuade the people not to rush in but a section jumped over the fencing and marched towards the porch with black flags. Messrs. C. M. Trivedi and R. N. Banerjee, Chief Secretary to the Government and Secretary to the Governor respectively, watched the crowd.

The Premier, Mr. N. B. Khare, received Dr. Paranjpe. Mrs. Ramabai Tambe, Mrs. Sushilabai Kothiwan, Mrs. Vimalabai Deshpande and Mr. H. N. Gokhale, who formed the vanguard of the procession and assured them that as soon as his work in the Assembly was over he would meet them. After 25 minutes, the Premier and the Finance Minister. Mr. D. K. Mehta, accompanied by Mrs. Kale, received the deputationists in the Premier's room which was guarded by the police.

With the crowds outside the gates members showed considerable agitation and reluctance to attend to the business of the day. Messrs. *Khaparde* and *Rajurker* suggested that the business of the House be suspended to enable the Premier to meet a deputation from the demonstrators. The Speaker, however, did not agree to this and said that the legislative business was short and would soon be finished.

The *Premier* left the chamber as soon as his motion for the circulation of the Prisons Amendment Bill was agreed to.

At the interview with the deputationists, it was understood, demand was made for the resignation of Mr. Shareef and for an assurance from the Premier that similar "lapses" would not occur in future. It was also urged that these demands should be sent by the Ministry to the Congress Working Committee.

The Premier was stated to have informed the deputationists of the circumstances under which the release of the prisoner was ordered and the reasons that had led the Ministry to exercise clemency in this case.

The Premier was reported to have added that the matter was one which related to day to day administration. He agreed that there might be two opinions as to whether this was a fit case for the exercise of clemency under the powers conferred by law, but then there would be a difference of opinion regarding every case.

As regards the demand that Mr. Shareef should be called upon to resign, the Premier stated that the Ministry was in the first place responsible to the Congress Party in the Assembly and, through it, to the Congress Working Committee.

JUBBULPORE RIOTS

Another feature of to-day's proceedings was a debate on the Jubbulpore riots raised through an adjournment motion by a Congress member, Mr. *N. P. Mishra*, who contended that police officers failed to take adequate measures to prevent rioting or to afford adequate protection to citizens and alleged that the arrangements on the occasion of *Holi* were not as efficient as during *Mahurram*.

The *Premier* expressed his deepest concern over the matter and deploring the events which he characterized as symptoms of a disease in the body politic of the province, undertook to investigate the matter and deal suitably with those who might be found responsible for the events. As for the inquiry conducted by him regarding the Jubbulpore riots during *Dusserah*, the Premier said that he had not come to any conclusions owing to pressure of work but the report would soon be available.

Mr. *Mishra* then wished to withdraw his motion. Some Opposition members did not agree to this and the matter was pressed to a division when, by 66 votes to 30, the House granted leave for its withdrawal.

C. P. PRISONERS ACT

The House next voted supplementary demands and agreed to a motion for the circulation of the Bill which sought to amend the C. P. Prisoners Act in order to place political prisoners into a category separate from ordinary convicts and to grant them special facilities in respect of food and other prison amenities.

The Assembly, in all, passed into law five Bills, two of which were of interest. The first was that of Mr. *M. Y. Shareef*, which sought to prevent champertous litigation. The second related to revenue assessments in Berar, which would be postponed for five years to enable the Government to revise their land revenue assessment policy.

WARDHA RAPE CASE EPISODE (CONTD.)

**25th. MARCH**:—With yesterday's demonstration fresh in their memory three members of the Assembly sought this morning to discuss the Ministry's action in releasing Jaffar Hussain, who had been convicted along with another in what was known as the "Wardha rape case."

Messrs. *G. A. Gavai* and *Ghodicor* (Harijan representatives) and Mr. *M. G. Chitnavis* (President of Provincial Hindu Mahasabha) tabled adjournment motions.

Replying to the Speaker as to how the matter could be described as urgent Mr. *Gavai* said that the news of the release had been kept a secret by the Law Minister (Mr. M. Y. Shareef). He came to know of it only yesterday.

The *Law Minister* stated that Jaffar Hussain was ordered to be released on February 10 while the co-prisoner's release orders were passed on January 31.

The Premier, Dr. *N. B. Khare*, objected to the motions and said that the matter was not of recent occurrence.

Dr. *E. Raghavendra Rao* (leader of the Opposition), intervening, said that the question was one of constitutional importance, in that the policy now being pursued by the Ministry might lead to its dismissal or resignation or to a constitutional crisis. He submitted that the Government's policy in this respect had shaken respect for law and order as also the foundations of society and its morals. Therefore, before anything happened, the House should get an opportunity of discussing the matter. He suggested that the Government should allot a special day for such discussion and the Premier replied that it was always open to the Opposition to table a vote of no confidence. Dr. Rao said that it was not always necessary to table motions of no confidence. A courageous Government would always face its Opposition. The Premier retorted that a courageous Opposition would always move a vote of censure.

The Speaker, Mr. *G. S. Gupta*, conceded that the release of Jaffar Hussain had become a matter of great public importance. It was not only a matter of provincial importance but, in certain respects, of all-India importance. He was, however, constrained to hold that it was not urgent in the sense in which adjournment motions were to be brought before the House. The motion could have come up earlier, even on the first day of the session. He, therefore, ruled the motion out of order, and cited a ruling given by the late Mr. V. J. Patel when he was the President of the Central Assembly.

RESOLUTION ON FEDERATION

When the storm over this incident and the adjournment motions had subsided the House proceeded to discuss the resolution on Federation, tabled by the *Premier*.

The resolution stated that the Federal scheme "would, far from bringing about all-India unity, provoke forces of conflict between the provinces and the Indian States; and that this Assembly hopes that the Government of Great Britain will respect the wishes of the people of India and immediately devise means, even for transitional purposes, to set up a Central Government free from the objectionable features of the Federal scheme of the Government of India Act, to be evolved in consultation with the responsible provincial governments and national leaders."

The Premier, in his speech, said that it seemed to him that Great Britain could be made to realize the difficulties in the way of bringing Federation to fruition. He referred to two conflicting statements, one by Lord Lothian, that the constitution was far from rigid and the other by Sir Samuel Hoare, that it was rigid and inflexible. Nobody was opposed to the idea of Federation but the greatest defect in the present scheme was that it tried to weld together British India and Indian States, comprising as they did, different political developments. It was incompatible with democracy and responsible Government. The scheme had largely been evolved by a desire to avoid the issue of extending responsible Government to the Centre.

Mr. *T. J. Kedar*, supporting the resolution, referred to Lord Reading's speech at the first Round Table Conference which "clearly showed that the underlying idea behind the scheme was fear of the Congress as also the fear caused by the demand for independence and the right to secede from the Empire. In all 13 members spoke and the debate was in progress when the House adjourned.

Describing the Premier's resolution as a garland threaded with the fading flowers of liberalism picked up in the backyard of Mr. Sastri, Dr. *E. Raghavendra Rao* made a trenchant attack on the Congress attitude towards Federation. The resolution, he added, was full of the spirit of rancourous mendicancy, which stood in strange contrast with the insurrectionary psychology of the resolution on Constituent Assembly which the House passed last year. Dr. Rao felt that the resolution clearly indicated that the Congress birds, after six months of hybernation, were inclined to accept the logic of the Government of India Act. The glittering generalities of the Congress Manifesto were being explained away by ingenuous arguments, backed by their drilled majority in the provinces. The fact of the matter was that with power and responsibility Congress Ministers had changed their political outlook towards the Constitution, although they still seemed to him to be suffering from the effects of political alcoholism following an unexpected victory at the polls.

Dr. Rao did not think that the difficulties created by the coming in of the States as undemocratic units of the Federation were so great as either to necessitate abandonment of the Federal plan or the enactment of a new Constitution for the Central Government for transitional purposes. He did not think that the States, at any rate the most progressive of them, had not imbibed Federal spirit. Much of the trouble, he said, was due to the failure of the Congress to reconcile its differences with the Muslims and other minorities and the Rulers of Indian States. To exclude the States even for transitory purposes was to provoke a civil war in India. As the provinces had no enforceable sanction to create another structure in the place of the Federation, it would be folly to attempt to wreck it. He, therefore, suggested that "in view of the declared attitude of the Indian Congress, the Muslim League and other political organisations towards the scheme of Federation and in view of the practical difficulties to start the new Federal Government on a stable basis, the British Government should authorise the Governor-General and the Crown representative to call into conference, at an early date, representatives of the States, the provinces and leaders of Indian opinion for the purpose of resolving the existing differences and for determining the course to be pursued in the light of the prevailing political circumstances" and moved amendment to that effect.

RELEASE OF CONVICTS

After nearly two hours' debate the Assembly rejected by 65 votes to 10, Mr. *B. G. Khaparde's* adjournment motion to discuss the policy of the Government in releasing 65 convicts undergoing imprisonment for various offences. Mr. Khaparde (University representative), the mover said that the powers conferred on the Government under section 401 of the Criminal Procedure Code did not empower it to act as a Court of revision, but to exercise it in exceptional circum-

stances only. By releasing persons whose offences ranged from grievous hurt to offences against women and murder, the Government had interfered with the administration of justice.

Mr. *T. J. Kedar* (Congress), opposing the motion, pointed out that in England the prerogative to exercise clemency was a matter exclusively within the jurisdiction of the Home Secretary and had nothing to do with the Cabinet. The Government had acted strictly in a legal manner.

Dr. *N. B. Khare* (Premier), in the course of a spirited defence of the Ministry's action, claimed that the Government had not done anything beyond the powers vested in it. The powers under that section had been enlarged by an amendment in 1923 and this had enabled the Government to exercise its discretion in a wider sphere. The Government had acted absolutely fairly and no partiality was shown to prisoners from any particular place. The releases had not caused any breach of the peace. The Premier stated that between July and November last year the Government had released 58 prisoners as against 55 released by the previous Government during the same period in 1936. This showed that there had been no deviation from policy. After quoting figures of the number of prisoners released each year from 1933, Dr. Khare stated that those who accused the Government of indiscriminate releases were doing so for political purposes.

At this stage Mr. *Amarsing Saigal* demanded the closure of the debate but Rao Saheb *D. Y. Rajurkar* insisted that as the leader of the Opposition he should be allowed to speak.

The Speaker said that the closure would be applied after Mr. Rajurkar had spoken.

Mr. *Rajurkar* attacked the Minister's policy and claimed that the courts had not been consulted in every case as required under clause 2 of the section.

The *Premier* asserted that courts had been consulted in each case, but Mr. *Rajurkar* maintained that at least in one case the court's consent to release had not been taken. Mr. Rajurkar further asked why the Law Minister, Mr. Shareef, had been asked to apologize by the Congress Party if the requisite consent of the courts had been obtained in each case.

On a member objecting to the reference to incidents at the party meeting, Mr. Rajurkar said, "the whole world knows it." He also referred to the Press report that Sardar Vallabhbhai Patel had to rush to Nagpur in order to prevent the Ministry from effecting further releases.

Mr. *Shareef* said that the Opposition had not shown a single case in which it could be stated that clemency was wrongly exercised with regard to murder cases. The Government exercised clemency in cases in which the accused were of tender age or had received provocation of which the courts could not take judicial notice.

### Resolution on Federation (Contd.)

**28th. MARCH**:—The House concluded the three-day's debate on the Premier's resolution relating to Federation. The *Premier*, replying to the debate, announced that he had accepted the Muslim League amendment, moved by Mr. M. M. Huq, as a token of goodwill as he felt that it did not run counter to the Congress demand for a Constituent Assembly and also for the sake of unanimity of opinion.

The Assembly rejected Dr. Raghavendra Rao's amendment, 9 voting for and 67 against it.

The House then carried the Premier's resolution as amended, incorporating the Muslim League amendment, by an overwhelming majority, only ten members from the Opposition benches rising on their seats to oppose it. The Oppositionists included Dr. E. Rao and non-Congress Harijan members belonging to the Independent Labour Party.

### Abolition of Titles

Following another division the House accepted the Premier's resolution intimating the desire that titles should not be conferred on any person in the Province.

### Provincialisation of Services Demand

The Assembly was discussing the Premier's third resolution, urging provincialization of all services, including the I. C. S. and I. M. S. when it adjourned.

**29th. MARCH**:—The Assembly passed without division the Premier's resolution recommending to the Government to request the authorities concerned to take steps to provincialize, at an early date, the Indian Civil Service, the Indian Police Service, and the Indian Medical Service.

The resolution was meant neither to cast a reflection on past or present members of the Services, nor did it imply that the relations between the members of the Services and the present Government had been anything but generally cordial, observed the Premier (Dr. *N. B. Khare*). He said : "We have in fact been generally receiving loyal assistance from them. My quarrel is with the system of recruitment and the control of the services by the Secretary of State, which has been foisted on us by the Government of India Act. If we are going really to have a change in the administration of India, making her self-governing, then it is absolutely anomalous to vest the recruitment and control of the Services in the hands of the Secretary of State for India. It is absolutely inconsistent with the position we are claiming for India."

### The C. P. Finance Bill (contd.)

The House then considered the C. P. and Berar Finance Bill, which imposed a tax on profession, trade, calling or employment as reported by the select committee. The Bill was, after some discussion, passed into law.

### Land Revenue Estates Bill (contd.)

**30th. MARCH** :—The Assembly passed into law the Revision of Land Revenue Estates Bill on the motion of the Revenue Minister, Mr. *P. B. Gole.* The object of the Bill was to enlarge the financial resources of the Province enabling the Government to meet the expenditure on the growing needs of the rural population.

The Bill empowered the Government to increase the revenue payable in nearly 105 Zamindari estates to the extent of Rs. 3,00,000. Opposition attempts to reduce the amount failed.

### Reduction of Interest Bill

Discussion on the reduction of Interest Bill was in progress when the House adjourned.

**31st. MARCH** :—The Assembly came to a close to-day after the House had passed two Bills and circulated a third for eliciting public opinion.

Ths first, the Reduction of interest Bill, substantially reduced rates of interest on secured and unsecured debts.

### Suspension of Execution of Decrees Bill (contd.)

The second, the Temporary Suspension of Execution of Decrees Bill aimed at preventing money-lenders and others from trying to take possession of an indebted agriculturist's property pending legislation to relieve distress.

### Agriculturists Relief Bill

Mr. *P. B. Gole*, the Revenue Minister, introduced the third Bill, to make provision for the relief of agriculturists. The Bill while retaining the main features of the Debt Conciliation Act, sought to remove its weak points by conferring sufficient powers on debt relief courts to deal with recalcitrants. The courts established under the Act were entrusted with the duty of reducing principal on a graduated scale according to the fall in land values. Debtors who wished the decrees against them reopened and scaled down would benefit by the new measure.

Moving for circulation of the Bill, Mr. *Gole* said that the problem of agricultural indebtedness fell roughly into three stages, first, relief of excessive indebtedness ; second, provision thereafter of the minimum credit necessary for the continuation of cultivation, and thirdly, establishment of the habits of thrift and better methods of cultivation and improvement of marketing facilities. The present Bill dealt with the first of these problems.

A feature of the Bill was its application with retrospective effect and the scaling down of principal and interest by 30 per cent for debts incurred before December 31, 1925 : by 30 per cent for debt incurred between January 1, 1926 and September 30, 1929 ; by 15 per cent in the case of all debts from October 1929 to January 1, 1931.

# The Orissa Legislative Assembly

## LIST OF MEMBERS

1 HON'BLE MR. MUKUNDA PRASAD DAS (*Speaker*)
2 HON'BLE MR. BISWANATH DAS (*Premier*)
3 HON'BLE MR. NITYANANDA KANUNGO (*Minister*)
4 HON'BLE MR. BODHRAM DUBE (*Minister*)
5 SJ. NANDA KISHORE DAS
6 „ BICHITRANANDA DAS
7 „ JADUMONI MANGARAJ
8 SRIMATI SARALA DEVI
9 SRIMATI A. LAKSHMI BAI
10 SJ. GODAVRIS MISRA
11 „ JAGABANDHU SINHA
12 „ CHARU CHANDRA RAI
13 „ JAGANNATH MISRA
14 „ JAGANNATH DAS
15 „ NABAKRUSHNA CHOUDHURY
16 „ DWARIKANATH DAS
17 „ RAJKRURSHNA BOSE
18 „ DIBAKAR PATNAIK
16 „ LOKENATH MISRA
20 „ RADHA KRUSHNA BISWAS ROY
21 „ PRANNATH PATNAIK
22 „ PYARI SANKAR ROY
23 „ SADHU CHARAN DAS
24 „ ATUL BEHARI ACHARYA
25 „ RADHAMOHAN SAHU
26 „ GIRIJA BHUSAN DUTTA
27 „ MOHAN DAS
28 „ CHAKRADHAR BEHERA
29 „ NIDHI DAS
30 „ SADASIV TRIPATHI
31 „ PUNYA NAIKO
32 „ SETH PRAHLAD RAI LATH
33 „ BISWANATH BEHERA
34 „ GOVIDA PRADHAN
25 „ FAKIR BEHERA
36 CAPTAIN MAHARAJA SRI SRI SRI KRISHNA CHANDRA GORACHAND NARAYAN DEO
37 SRIMAN MANDHATA GORACHAND PATNAIK MAHASAYO
38 MAULVI MUHAMMAD LATIFUR RAHAMAN
39 BABU RANG LAL MODI
40 „ BRAJA NATH MISRA
41 „ BIRAKISHORE BEHERA
42 RAJA BAHADUR SRI RAM CHANDRA MARDARAJA DEO GARU
43 BABU BISI BIBHAR
44 VYSVARAJU KASI VISWANADHAM RAJU
45 LAL ARTATRAN DEO
46 SRIMAN RADHAMOHAN PANDA
47 „ BALABHADHRA NARAYAN SAMONTHROY
48 BABU BRAJA SUNDAR DAS
49 „ NRUPALAL SINGH
50 RAJA KRISHNA CHANDRA MANSING HARICHANDAN MARDARAJ BHRAMARBAR RAI
51 SRI GOBIND CHANDRA THATRAJ BAHADUR
52 BABU BIRABAR NARAYAN CHANDRA DHIR NARENDRA
53 BABU RAM CHANDRA DUBE
54 SAIYID FAZLE HUQUE
55 MAULVI ABDUS SOBHAN KHAN
56 MR. PREMANAND MOHANTY
57 KHAN BAHADUR SAIYID AHMAD BAKSH
58 REV. E. M. EVANS
59 MR. HARI PANI JENNAH
60 BABU KANAI SAMAL

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# Proceedings of the Orissa Assembly

## Winter Session—Cuttack—24th. January to 5th. February 1938

MADRAS ESTATES LAND (ORISSA AMEND.) BILL

After a strenuous sitting for 11 days the second session of the Orissa Legislative Assembly, which met on the **24th. January 1938**, was adjourned till the 25th February. During these few days the Hon. Mr. *Biswanath Das*, *Premier*, successfully piloted the Madras Estates Land (Orissa amendment) Bill.

On three different occasions the Hon. Mr. *Mukunda Prosad Das*, the speaker, was called upon to give his rulings during the discussion of this Bill. On the first occasion the *Raja Bahadur of Khallikote* wanted that the discussion of this Bill should be postponed till the Select Committee's report on a similar Bill of Mr. *M. G. Patnaik* was available. This was ruled out of order. On the second occasion, on a point of order raised by the *Premier*, the *Speaker* ruled that Mr. *M.G. Patnaik's* amendment to Clause 6 of the Bill was perfectly in order if a portion of the last sentence be taken out. On the third occasion the amendment of the *Raja Bahadur* of *Khallikote* empowering a landholder to recover from his ryot the entire amount of cesses payable under the Madras Local Board's Act was ruled out of order. The speaker's rulings satisfied all sections of the House.

For the opposition Mr. *M. G. Patnaik* and the *Raja Bahadur of Khallikote* contested almost every clause of the Bill tooth and nail. Mr. Brojasundar Das, Mr. Latifur Rahman, Mr. Beerakishore Behera and the Raja of Badokhemidi were also very keen in opposing the measure.

Mr. *B. K. Roy*, the Advocate General, had to address the House twice during the discussion of the Bill. He clearly explained the legal significance of the amending clauses and successfully refuted the charges that the Bill would make the untouched sections of the Act unworkable and would give rise to unnecessary litigation.

### The Aul Palace Murder Case

An adjournment motion was moved on the **2nd. February** by *Pandit Godavaris Misra* for discussing a gross slur on the British administration and character of Oriyas as a people as had been pointed out in a judgment of the Patna High Court arising out of the appeal preferred by Sj. *Nanda Kishore Das* and others against the decree of a sub-judge awarding damages to the Raja of Aul and others.

Great indignation prevailed in the House when Pt. *Godavaris Misra* gave a vivid description of the "pitiful and appalling" story of the death of the unfortunate girl "Kanak" in the "dark dungeon of the Raja's Palace."

Swami Bichitrananda Das, Sj. Pyari Sankar Roy, Sj. Nabakrishno Choudhury, Raja of Badokhemidi, Mrs. Sarala Devi and Sj. Lokenath Misra, who spoke on the motion, complained about the Police and the Magistracy taking sides with the landed aristocracy. After a full debate for an hour and a half the motion was withdrawn after the Premier had given an assurance that he would examine all legal questions to see that such unfortunate incidents did not occur in future.

### Legislation in the Session

Legislation during the period was both important and varied. Three Bills were passed while two others, the Bill to amend the Orissa Tenancy Act and the Orissa Midwives' and Nurses' Qualifications Bill, were taken up in the Budget Session.

Of these the most important was the Madras Estates Land (Orissa amendment) Bill, which was also the first tenancy legislation of the Congress Ministry in Orissa. The Bill was introduced in the September session of the Assembly and referred to a Select Committee. The Bill, which had been necessitated for giving relief to the ryots of private proprietory estates in the area that had been ceded to Orissa from Madras, by fixing a fair and equitable rent, was passed by the Assembly on the 5th.

The rent on private proprietory lands in the ex-Madras area ('Rajabhagam' as it is called), was generally calculated on the basis of the cash equivalent of half the gross produce while of ryotwari (Government) lands it was half the net produce. The present Bill made it imperative on the Collector settling rents to have regard to the rates of rent prevailing in the nearest ryotwari area for similar lands with similar advantages. The Bill also allowed a margin of two annas in the rupee for zemindary rents over those of ryotwari areas. In its operative part, the Bill allowed any tenant to apply within three years of the passing of the present Bill into law for revision of his rent on the ground that it was higher than it should be. And the Collector would thereafter scale it down to the proper level, an appeal, however, lying from him to the Revenue Commissioner.

One of the most difficult amendments that was disposed of was moved by the *Raja Bahadur of Khallikote*. It proposed that as the ryot in private proprietory estates would not pay to his landlord more than two annas in the rupee in excess of the rates prevailing in ryotwari lands in the neighbourhood, so the under-ryot or the tiller of the soil should not also pay to the ryot anything in excess of the

margin of two annas in the rupee over the rent which such ryot would be liable to pay to the landholder. The amendment also provided that the ryot should not collect any additional fees or mamuls and should be liable to pay a fine not exceeding two hundred rupees on proof of a demand or collection in excess of the rent so settled. In fact the amendment proposed that the benefit contemplated in this Bill for the ryot as against the landholder of reduced rent should not stick with him but should filter down to the under-ryots or the tillers of the soil.

Sj. *Chakradhar Behara*, one of the staunch fighters of the tenants' cause, lost no time in pointing out that the amendment had been brought forward for straining the relations between the ryots and the under-ryots. Unless and until the rights of these tillers of the soil had been clearly defined such amendments were sure to give rise to unnecessary litigations.

The *Premier* also described the amendment as a Damocles' sword and exposed the hidden purpose behind it. He admitted that one member of the Congress Party took a different attitude in the Select Committee but that was because all facts were not available then. In conclusion the Premier asked when did they develop this sense of responsibility for the tillers of the soil and what did they do during these long period for those for whom they were anxious now.

After the conclusion of the third reading of the Bill, while thanking the House for passing this useful measure, the Premier declared that the ideal of giving relief to the suffering ryots had prompted the Congress Ministry to sponsor the Bill.

When the Bill was passed, the question arose whether the rate of rent prevalent in the ryotwari area was fair and equitable. Eminent scholars expressed the opinion that it was not. Next question was whether the allegations made on the floor of the House about exploitation of tillers of the soil by the ryots were true. Rev. *E. M. Evans* in his straightforward way demanded an enquiry into these charges.

The *Chief Minister* declared that the Government would appoint a Committee ( Rates and Rent Enquiry Committee ) which would examine these questions threadbare. It was in fitness of things that the Congress Party, which, in the words of Mr. *Evans*, "consisted of apostles of two-meals-a-day" were anxious to take early measures for giving relief to under-ryots also.

Of the two other Bills, that were passed by the Assembly during this period, the Co-operative Land Mortgage Bill aimed at facilitating the establishment of a Provincial Co-operative Land Mortgage Bank of Orissa to supply the needs of the people for long term loans.

The other Bill fixed the salaries and allowances of the members of the Legislative Assembly.

Several private members' Bills were introduced in this session. Mrs. *Sarala Devi* introduced the Child Marriage Restraint Act (Orissa Amendment) Bill ; *Pandit Godavaris Misra* introduced Orissa Homoeopathic Faculty Bill ; Mr. *M. G. Patnaik* introduced the Tonki Bill, and Mr. *Pyari Sankar Roy* introduced three Bills, one to amend the Factories Act of 1934 ; another to fix the wages of labourers in factories and the third, the Orissa unregulated Factories Bill.

*Pandit Godavaris Misra's* Hindu Religious Endowments Bill and Mr. *M. G. Patnaik's* Puri Jagannath Temple Bill were referred to Select Committees.

Mr. *M. G. Patnaik's* motion for Select Committee for his Orissa Money Lenders' Bill was rejected by the House.

Notices of more than 150 non-official resolutions were received but only one resolution could be disposed of on the floor of the House. This was the resolution of the *Raja of Parikud* for suspension of realisation of Chaukidari Tax for one year in view of the present financial condition of the people.

Mr. *Latifur Rahman* moved an amendment for its abolition and the revival of the old system.

The Hon. Mr. *Nityananda Kanungo* in replying said that the present Government were pledged to develop autonomous villages. What necessity was to rationalise the system now. Both the resolution and the amendment were lost by a huge majority and the House adjourned till the 25th. February.

## Budget Session—Cuttack—25th. February to 5th May 1938

### Orissa Tenancy Act Amend. Bill

The Budget session of the Assembly commenced on the **25th. February 1938.** Mr. *N. Kanungo* (Revenue Minister) moved consideration of the Select Committee's

report on the Orissa Tenancy Act Amending Bill for consideration. The Bill aimed at the abolition of the mutation fee, giving tenants the right to cut trees, reducing interest from 12 and half per cent to 6 per cent and abolishing all the illegal levies.

Mr. *Brajasundar Das* moved the re-circulation of the Bill, as reported by the Select Committee for obtaining further opinion. Mr. *Kanungo*, opposing Mr. Das's motion, saw no ground for circulation. The measure which was long overdue should not be delayed, said the Minister. Mr. *E. Rahman* supported the motion for circulation. Mr. *Pyarisanker Roy* stated that the Bill did not propose the abolition of landlords as a class, but proposed to take away the rights from the zemindars to which they were not entitled. He wanted the zemindars to adjust themselves to the changed conditions.

The *Zemindar of Madhupur* and Khan Bahadur *Ahmad Bux* supported the circulation motion. Mr. *Bichitrananda Das* stated that the Congress was pledged to do good to the greatest majority and extended protection to every class. Mr. *Biswanath Behra* (Depressed class representative), opposed the motion and stated that the measure will be a great boon to ryots. The discussion had not concluded when the House adjourned.

**26th. FEBRUARY** :—Stating the Government's position, Mr. *Biswanath Das*, the Premier, said that it was the intention of the Government to make the ryot feel that he was the owner of the holding he cultivated. There had been an unnecessary cry to the effect that the Bill was expropriatory and revolutionary. The Government only proposed to give back to the ryots their natural rights and were alive to the difficulties of zamindars in introducing this legislation. The Orissa Government, he said, were more sympathetic to the landed aristrocracy than other provincial Governments. While other provinces had been launching legislation to levy death duties, succession duties, and agricultural income-tax, the Orissa Government had not thought of these. The motion for circulation was put to the vote and lost.

Mr. *Brojasundar Das* moved another motion for recommitting the Bill to a Select Committee for reconsideration. In moving the motion Mr. Das said that the principle involved in the Bill had not been sufficiently discussed by the previous Select Committee.

Sj. *Nityanando Kanungo* said that the House was committed to the principle of the Bill when it referred the Bill to the Select Committee. As regards the transferability of the holding 21 amendments were discussed in the Select Committee. If this had in any way impaired the proprietory right of landlords it should be discussed when the relevant section would come up before the House.

The Bill proposed to give the ryots back what was their due. The wishes of the majority, Mr. Kanungo continued, must be respected and the greatest good of the great number must be achieved. The society must accordingly be adjusted on that basis. There was no question of extinguishing any section. There must be readjustments of rights and there was no question of sentimental outbursts of seeing ghost where there was none.

The *Raja of Madhupur* rose to support the motion. When he was reading extracts from proceedings of the Select Committee, the *Speaker* drew his attention to rules which did not permit discussion of anything except what had appeared in the report of the Select Committee.

At this stage Mr. *Premananda Mohanty* referred to the Revenue Commissioner's opinion on the Orissa Tenancy Act Amendment Bill in course of which it had been stated that this Bill would extinguish thousands of small landlords. He wanted to know what was really meant by small landlords.

*Pandit Godavaris Misra* also requested the Revenue Minister to enlighten the House as to what was the line of demarcation between small and big landlords. In reply the *Revenue Minister* stated that it was impossible to say as to what was really meant by small landlords. But he said that there were 11,328 temporary settled estates in the Province of Orissa. The Hon. Mr. *Nityanando Kanungo* then strongly repudiated the insinuations of the mover of the motion that the strings of the Government were pulled from somewhere else. They had their party and their constituency to which it had been always their endeavour to be faithful.

Continuing the Hon. Mr. Kanungo said that there had been much discussion about the utility of transferablility or non-transferability of occupancy holdings. But it had been incorporated in the present Tenancy Law that occupancy holdings were freely transferable subject to payment of certain fees. In conclusion the Hon. Mr. Kanungo said that it had been contended that land laws had their basis on social and traditional customs. That was what they were going to do. They expected everyone to

be a useful member of the society contributing as best as possible to the welfare of that society. If the interest of a few conflicted with the interest of the larger number then that interest ought to be sacrificed.

The House again divided and Mr. *Brajo Sundar Das's* motion for recommittal of the Bill to a Select Committee for reconsideration was lost by 11 to 30 votes.

The motion for consideration of the Bill was then passed without any division and the Bill was taken up clause by clause. The Assembly then adjourned till the 1st. March.

### Financial Statement for 1938-39

**1st. MARCH** :—The Orissa budget estimates for 1938-39 was presented in the Assembly to-day by Mr. *Biswanath Das*, the Premier. It showed a deficit of Rs. 2.48 lakhs. The revenue for the year is estimated at Rs. 192.08 lakhs and expenditure at Rs. 194.56 lakhs.

The features of the Budget include provisions for remedying the flood menace, rural development, medical relief, the reduction of the irrigation cess in North Orissa, the abolition of fees in elementary schools in North Orissa and the introduction of prohibition of opium in Balasore district.

Mr. Das said that a serious attempt was made to close the current year with a surplus by practising rigid economy.

The Premier stated that provision has been made for sinking 1,000 wells annually in the villages. A marketing officer has been appointed and the system of subsidized farms would soon be instituted. The Department of Agriculture was introducing new crops, and a three-year programme had been drawn up for fruit cultivation.

The loss on the prohibition scheme in Balasore was estimated at rupees one lakh next year. The Budget has provided Rs. 5 lakhs for communications. In conclusion Mr. Das said : "We tried in our humble way to give effect to the constructive programme that had been laid down by the Congress during the past few months that we had been in office. The difficulties of the problems of Orissa are inherent in themselves. Our wants are many but the resources limited. The evolution of a new system of administration under widely different conditions requires careful thinking."

### General Discussion of Budget

**2nd. MARCH** :—The general discussion of the Budget commenced to-day. Mr. *Latifur Rahman*, in opening the discussion, said that the Budget had been prepared with a view to help the people in general. But he was srroy that nothing had been done for Muslims. It seemed the Government were keen to protect the canal system, but no serious attempts had been made for protecting the flood affected areas.

Mr. *Evans* congratulated the Finance Minister for the budget as a whole. He was surprised to see that no mention had been made in the budget about the new Capital and the construction of the bridge. He also congratulated the Government for bringing no new tax proposals and also for the decision to help the industry. Khond hills were neglected before and they had been abandoned now. While lakhs of rupees would be spent for Koraput Agency, proper attention had not been given to Ganjam Agency. Before granting more power to local bodies, Mr. Evans pleaded for a thorough enquiry into the working of the local, district and Union Boards.

Sj. *Sadhucharan Das* (Congress), while appreciating the budget, pleaded for more attention to flood-affected areas.

Sj. *Beerakrishore Behera* did not consider the Budget to be a satisfactory one. No attempt had been made to redeem the pledge given by the Congress during elections.

Sj. *Brojosundar Das* next rose to speak on the Budget. He did not see any new orientation in it and found the same old autocratic hands in the Budget. He complained about the treatment meted out to landlords, and specially criticised the Tenancy measures brought forward by the Government.

Mr. *Abdus Sobhan Khan* said that his community was educationally backward, financially poor but politically a potential power. He regretted that no provision had been made in the budget for the education and uplift of the Muslims. He was glad that provisions had been made in the Budget for combating leprosy and malaria in the province. He pleaded for pure water for Cuttack and High Court for Orissa.

Sj. *Pyari Sankar Roy* (Congress Labour) in meeting some of the criticism advanced by the opposition said that there was ample proof to show that the present Budget had been framed for doing good to the people. By reducing water cess and exempting primary school students in North Orissa from paying fees the Congress

party had redeemed some of the election pledges. He also congratulated the Premier for the Tenancy Laws for giving relief to tenants.

In conclusion Sj. Roy pleded for appointment of staff for inspection of factories in Orissa as they were not getting justice under present arrangement. He pleaded for immediate application of the Payment of Wages Act in the province. He also appealed to the Government to do away with the system of pressing oil by human labour in jails.

Mr. *M. G.Patnaik* described the Budget as an electioneering campaign. He was in possession of the House when it rose for the day.

**3rd. MARCH** :—*Mr. M. G. Patnaik* resuming the general discussion of the Budget pleaded for the introduction of lift-irrigation as without storage irrigation would not be successful. Referring to the abolition of fees in primary schools of North Orissa Sj. Patnaik wanted to know what compensation they were going to give to the poor teachers. He accused the Government with suppression of facts as the fact of resignation of Cuttack members, who were appointed to help Dewan Bahadur Devasikhamoni Mudaliar in his co-operative enquiry, had not been mentioned in the budget speech. Sj. Patnaik further stated that the system of administration of water rates was unsatisfactory in North Orissa. Rates were often collected without water being supplied in time of need. As regards reduction of rents and taxes, Sj. M. G. Patnaik said that Ministers were being pulled on one side by their party and on other by their officials. He said last year some remissions were granted to South Orissa but nothing had been done this year although prices of produce had remained unchanged.

Sj. *Sadasiva Tripathi* (Congress), after narrating the difficulties of the partially excluded areas, complained that conservation of forest by the Manaraja of Joypore was a source of harrassment to the people and means of profit to contractors and companies. He pleaded for modification of forest laws for the benefit of raiyats and appointment of a committee for tackling special problems of Kotaput districts.

*Sj. Haripani Jena* pleaded for the development of agricultural and horticultural development in Agency Areas.

Sj. *Premanando Mohanty* wanted more money for medical aid for women and people in general and more facilities for the employment of educated young men of aborginal tribes.

### ORISSA TENANCY ACT AMEND. BILL

**4th. MARCH** :—The Assembly to-day resumed consideration of the Orissa Tenancy Act amending bill. After interpellations clause 3 which recommended some minor changes was adopted without any division.

Mr. *M. G. Patnaik* requested the Speaker to take up consideration of Clauses 4 and 5 of the Bill together. The *Speaker* desired to follow the practice of considering every clause separately. The Leader of the House too supported this veiw. But after some further discussion the Speaker decided that having regard to intimate connections between clauses 4 and 5 which seemed to be one and same both clauses should be considered together in order to avoid waste of time and repetition of facts.

Clause 4 of the Bill proposes to amend Section 27 of the Orissa Tenancy Act while clause 5 proposes to insert new section (Section 27 A) in the Act. The present section 27 enunciates that an occupancy raiyat may use land in any manner which does not materially impair value of the land or render it unfit for the purposes of tenancy but shall not be entitled to cut down trees in contravention of any local custom. Clause 4 proposes to amend this section by omitting sentence beginning from word "but" and ending in "custom" thus removing all restrictions of trees. Clause 5 of the Bill proposes to insert new section 27 A in the Act conferring on occupancy raiyats full rights in trees on lands in their holdings. An express provision has also been added making it clear that such enjoyment by planting, felling etc. of trees should not render occupancy raiyats liable to ejectment under Section 29 of the Orissa Tenancy Act.

Mr. *Brojasundar Das* moved an amendment for Deletion of clause 4 of the Bill. In moving the amendment Sj. Das said that in determining the rights, reliance must be put on customs. He characterised the records of rights as prepared during the settlement as records of wrongs. Those records of rights were incorrect and had made the issues complicated. So, in giving occupancy tenants the rights over trees, custom should be taken into consideration. Sj. Das raised a point of order that the addition of provision in clause 5 exempting tenants from ejectment under section 29

was ultra vires. That provision was never in the Bill and the Select Committee had gone beyond its jurisdiction by adding that provision.

The Hon'ble Sj. *Nityanando Kanungo*, Minister said that in view of proposed amendments giving tenants the rights in trees, that provision was consequential and so the Select Committee had power to that.

*Swami Bichitra Nando Das* said that the provision was not out of order as it was necessitated by the amendments proposed. The Select Committee had every right to add that provision.

The *Premier* pointed out that the clauses are inter-related and inter-dependent. So the provision was not out of order.

The *Speaker* in ruling out Sj. Brojasundar Das's point of order said that the matters were so intimately connected that the subject-matter of the new provision could not be said to be outside the provision of the amending bill.

Mr. *M. G. Patnaik* then moved his amendment that right to trees should be governed by customs. He characterised the new section as expropriatory.

**7th. MARCH** :—The Assembly to-day passed clauses 4 and 5 of the Bill with a new amendment. The clauses with the amendment confer absolute rights upon occupancy tenants over plant, flowers, fruit and other products and to fell, utilize or dispose of timber on any tree on their lands. Only in cases where the rights of landlords have been recorded in settlement or been established in civil courts, will the tenants have to apply to the collector and pay reasonable compensation.

The Premier, Mr. *Biswanath Das* said that such rights had been conferred on ryots in other provinces too. He added that the bogey of expropriation had been raised only for the purpose of misleading the public.

NON-OFFICIAL BILLS

**8th. MARCH** :—The Assembly to-day discussed non-official business. Mr. *Prannath Patnaik* (Socialist) introduced a Bill to provide for the better administration of the Puri Jagannath Temple. The Bill to amend the Legal Practitioners' Act 1879 standing in the name of Mr. *G. C. Thatraj Bahadur*, was also introduced.

Mr. *Pyari Sankar Roy* moved that the Factories (Orissa Amendment) Bill be referred to a select committee. Mr. *Bodhram Dube*, Minister, moved for the circulation of the Bill for eliciting public opinion. Mr. *Godavaris Misra* suggested reference of the Bill to economists of the province. The Rev. *E. M. Evans* supported the mover. The mover accepted the Government amendment for circulation.

*Mr. Roy* next moved that the Bill for fixing the rates of wages be referred to a select committee. On Mr. *Dube's* suggestion it was decided to circulate the Bill for eliciting public opinion.

ORISSA TENANCY ACT AMEND. BILL (CONTD.)

**10th. MARCH** :—Feelings rose high to-day, during the course of discussion on the Orissa Tenancy Act Amendment Bill which resulted in a walk-out of seven members of the Opposition. The Assembly took up clause six which aimed at conferring the right of free transfer without mutation fee. Mr. *Rahman* moved an amendment suggesting some restrictions in the transfer. When Mr. *M. G. Patnaik* was speaking on the amendment the Speaker pointed out that his speech was irrelevant, and old grounds were now being repeated. This was followed by an exchange of hot words and Mr. Patnaik threatened to walk out. The atmosphere however cooled down and Mr. Patnaik continued for about an hour. The amendment (a part of which Mr. Rahman withdrew) was lost without division.

It was then past four o'clock. The *Speaker* announced that in view of the slow progress made, discussion would be continued till clause six was finished.

The *Premier* stated that the Assembly was sitting for the longest hours in the day of all the Assemblies in India. Mr. *Patnaik* objected to the continuation and walked out with Mr. Brajasundar Das, Raja of Madhupur, Mr. Latifur Rahman, Khan Bahadur Ahmadbux, Mr. Birobehra and Mr. F. Haq. The Premier regretted the opposition's attitude and requested the Speaker to postpone the proceedings.

The Speaker did not agree, but wanted continuation of business. As Mr. Brajasundar Das and the Raja of Madhupur walked out the amendments to clause six could not be moved and the clause was passed.

**11th. MARCH** :—The Assembly to-day resumed discussion of the Tenancy Bill. Several amendments were moved. Mr. *Biswanath Das*, Premier,

objected to the amendment moved by Mr. *B. R. Das* which urged that stamp duty on registration fee should not be levied on sale deeds.

The *Premier* held that the amendment really sought to modify the Stamp Act and the Registration Act.

The *Speaker* upheld the Premier's contention, and ruled the amendment out of order.

Features of to-day's proceedings were about six points of order and discussion on legal points between lawyer members. Practically the whole day was devoted to these points of order and Clause VII had not finished when the House rose for the day.

VOTING ON BUDGET DEMANDS

**18th. MARCH** :—Voting on demands for grants was taken up to-day when the Assembly met after holidays. Mr. *Latifur Rahman* moved two cut motions regarding land revenue demands for discussing difficulties of Zemindars in paying revenue and process fees, and another for discussing the management of Government estates. The Government assuring to consider these, Mr. Rahman withdrew the cut motions.

Mr. Rahman moved another cut motion for bringing to Government's attention various 'oppressions' by collectors of rents in Government estates.

The Hon. Minister *Kanungo* replying stated that the Government were examining the question and the most equitable solution would be suggested. Mr. Rahman withdrew the motion.

**19th. MARCH** :—Revision of the 'Sun set law." under which the Government could auction a zemindary estate if the land revenue was not paid before nightfall on the due date, was urged in the Assembly to-day by the *Raja of Madhupur*, who moved a cut in the revenue administration demand to draw attention to the hardships of the landlords, following the depression and the non-payment of rent by the tenants.

Mr. *Nityanando Kanungo*, Minister-in-Charge, said that 50 per cent gross collection should be considered ample to compensate the landlords for the trouble taken in the collection of rents from tenants. He also said that the zemindars had been improvident and unbusinesslike. They ought to have provided for the 'rainy day." It was true that the "Sun set law" existed but it had not been enforced lately. He described land as a national asset which ought to belong to the State. It was a great tragedy that the bulk of land in India was owned privately. Sudden changes, however, were impossible.

**22nd. MARCH** :—An announcement was made this morning regarding the industrial policy by Mr. *Biswanath Das*, the Premier, during discussion on demands for grants.

Mr. *Bodhram Dube* (Minister for Local Self-Government and Commerce) asked for Rs. 2.28 lakhs under "Industries" when the *Raja of Madhupur* moved a cut, complaining that industries had not been given adequate attention. Mr. *Latifur Rahman* asked the Government to follow the example of Japan. Mr. *E. M. Evans* opposing the cut, said that Japan destroyed village industries, but the main problem of India was their revival.

The *Premier*, replying on behalf of the Government, explained that big industries had not been ignored. Conveniences had been afforded for starting a paper mill at Sambalpur, chemical works were under contemplation, and also a sugar factory. But the main attention of Orissa should be given to small industries.

The Government have provided Rs. 43,000 in next year's Budget for starting a Village Industries Institute at Cuttack. Mr. Evans was perfectly right in objecting to Japan's example. The Government were paying unceasing attention to all kinds of industries in Orissa. Big industries would be helped but the Government would not start them. Small industries would be started or be revived.

The *Raja of Madhupur* withdrew his cut and the entire demand under "Industries" was passed. The entire grant under "Civil Works" was next passed.

The following demands were then voted successively :—Rs. 3.85 lakhs expenditure for the Capital construction ; Rs. 6.43 lakhs for Public Works ; Rs. 35,000 for Famine Relief ; Rs. 4.13 for pensions ; Rs. 3.52 lakhs for Stationery and Printing, Rs. 1.05 lakhs for Miscellaneous.

Mr. *Latifur Rahman* congratulated the Premier on the passage of the Budget, which showed the confidence of the House in him. The House then adjourned.

ORISSA TENANCY ACT. AMEND. BILL (CONTD.)

**1st. APRIL** :—The Assembly to-day passed Clause 10 of the Orissa Tenancy Act Amendment Bill. The clause aimed at reducing the rate of interest on arrears of rents from 12 and a half per cent. to 6 per cent.

An amendment to reduce the rate of interest to 9 per cent, moved by Khan Bahadur *Ahmad Bux*, was rejected by a large majority.

Clause 11 of the Bill was under discussion when the House rose for the day.

**2nd. APRIL** :—The Assembly to-day took up clauses dealing with illegal exactions. The clauses aimed at declaring illegal exactions void and provide for summary trial by the collector or the deputy collector and prescribe a fine for such exactions.

Mr. *Nityanando Kanungo*, Minister, stated that everyone was agreed that in spite of the existence of certain provisions in the Tenancy Act during the past 50 years illegal exactions continued and that there had been no conscious effort, even among educated zemindars, against this evil.

Mr. *Nabakrisna Choudhury* (Socialist) sought the insertion of "levy" in place of "exaction" in the clause. Discussion on his amendment was proceeding when the House rose and adjourned to May 2.

**2nd. MAY** :—The House took up to-day the consideration of the Orissa Tenancy Act (Amendment) Bill. The point discussed related to illegal exactions by landlords from tenants.

Mr. *Nabakrishna Chowdhury* (Congress Socialist) suggested the substitution of the word "levies" for "exactions," and the House agreed to it.

Mr. *Brojosundar Das* (Landholders), objected to the provision of summary trial of landlords guilty of illegal levies.

Mr. *Nityananda Kanungo*, Revenue Minister, on behalf of the Government, agreed to the substitution for it of regular trial but on condition that there should be a provision of imprisonment for a delinquent landlord as in other provinces.

The Opposition agreed to it, and a provision of a fine of Rs. 500 or simple imprisonment not exceeding six months was made in the Bill. It was further agreed that the provision of a time limit of six months for a tenant making complaint should be cancelled.

**3rd. MAY** :—The Orissa Tenancy Act Amendment Bill and the Orissa Small Holders' Bill were passed to-day.

The Orissa Tenancy Act Amendment Bill which sought to give the tenants right to trees and free transfer of occupancy holdings and reduce the rate of interest on arrears of rents to 6 per cent and make all illegal levies punishable under law, was introduced on the 25th February last. Discussion continued throughout the month of March and a large number of amendments was disposed of.

To-day Mr. *Brojosundar Das's* amendment for excluding the temporary settled estates from the operation of the Bill was defeated.

The third reading was oppossed by Mr. *Brojosundar Das* and the *Raja of Madhupur*. In replying to the debate the Hon. Mr. *Kanungo*, Revenue Minister, refuted the charges,levelled by opposition members that the Bill had been hurried through.

The sole purpose of the Government in enacting the measure, continued Mr. Kanungo is to do greatest good to greatest number. Their sole purpose was that body politics in India should grow up as one nation and as one homogeneous whole. This piece of legislation, the Revenue Minister hoped, would help in creating better relations between landlords and tenants. The Hon. Mr. Kanango continued : This piece of legislation was not complete by itself. Further the Government of India Act did not permit any radical change in social structure. Concluding, the Revenue Minister said that when the Bill would be passed into law it would serve the best purpose for which it had been intended. At 8-30 p. m. the Bill was put before the House and passed without any division.

ORISSA SMALL HOLDERS' BILL

The Honourable Mr. *Biswanath Das* then introduced the Orissa Small Holders' Bill.

Owing to the continued economic depression, there were indications that the condition of the vast mass of small peasant-proprietors and agricultural tenants was

deteriorating. Government were contemplating taking steps for the introduction of legislation to afford permanent relief to this class of agriculturists. But this required time and careful consideration. Pending the consideration of such permanent measure of relief Government were desirous of preventing the eviction of small holders from their lands and also the attachment and sale of their movable property as a result of decrees now pending or that may be obtained during the period for which this Bill would be in force, within which time Government hoped to introduce legislation for the permanent relief of this class of agriculturists. This Bill was designed to secure this object.

As there was no objection the Bill was introduced and consideration of the Bill, clause by clause, was taken up. With slight amendments proposed by Sj. *Jagabandhu Singh* to clause 2 of the Bill, all the clauses were passed.

In moving the third reading of the Bill the hon. Mr. *Biswanath Das* refuted the charge made by the Raja Bahadur of Khallikote that the Bill was being hurriedly rushed through. He said that the Bill closely followed the Bombay Small Holders' Act. Further the Premier called conference of leaders of all parties and discussed provisions of the Bill. Thus although technically the Bill had not gone through the Select Committee it had the effect of being examined by a Select Committee.

Concluding the *Premier* said that members of his party were not at all sstisfied with the small provisions of the Bill. They wanted to go further, in fact nothing more than moratorium for a year had been granted by this Bill to agriculturists.

The third reading was then passed without any opposition.

In thanking the members for passing the Bill the *Premier* said thai it would give some relief to poor agriculturists. The House then adjourned.

### Legal Practitioners' Act Amend. Bill

**4th. MAY** :—Mr. *M. G. Patnaik* objected to the consideration to-day of the Bill to amend the Legal Practitioners' Act which aimed at allowing Mukteers from Madras to practise in the South Orissa. Mr. Patnaik's objection was based on the ground that the Bill, according to the programme, was fixed for discussion to-day.

### The Premier on Ministerial Crisis

In the afternoon the Premier, Mr. *Biswanath Das*, made a statement detailing the circumstances leading to the feared ministerial crisis and explaining how ultimately it was averted.

"You are aware of the fact," he said. "that His Excellency Sir John Hubback was to hand over charge on May 4 to Mr. J. R. Dain, Revenue Commissioner, who was to act as Governor in his place. It was notified on March 7. I got the information three days before the publication of the notification and lodged our protest against the appointment of the officiating Governor on the ground that an officer serving in the machinery of administration of the Provincial Government had been elevated to the position of Governor without the knowledge of the Ministry responsible for the administration of the machinery; secondly, that the office of Governor which at the present time is one of prestige and authority should not have fallen on one who was an officer serving under the Ministry. Added to this protest, the determination of the Ministry to resign its office was also communicated to His Excellency in due course.

"Some correspondence between His Excellency the Governer and myself passed and this is not proposed to be placed before the public. Till 9-45 A. M. to-day, the situation was gloomy. My colleagues and Parliamentary Secretaries had submitted their resignations to me and when I with the letters of resignation was actually on the point of starting from Puri I received a telephone message from His Excellency the Governor to the effect that he had cancelled his leave and from Mr. Bowstead, Secretary to His Excellency the Governor that he had received the followlng communique :—

In view of the instability of the political situation which he would be bound to leave to his successor, His Excellency the Governor of Orissa does not feel justified in proceeding with his original plan and considers that he has in the interest of the province no option but to ask for the cancellation of the leave granted to him. The Secretary of State has acceded to his request with the concurrence of the Governor-General.

"The communique", Mr. *Das* continued. "explains how His Excellency the Governor has tactully handled the situation and avoided a crisis which all concerned

would have deplored. Mahatma Gandhi, in his epoch-making statement, said that there were very grateful ways provided there was a will. It must be said to the credit of His Excellency that in spite of considerations of health he has prepared to cancel his leave to avoid a crisis.

I shall be failing in my duty if I do not mention anything about Mr. *Dain* who was to succeed His Excellency Sir John Hubback. He is an old and experienced officer serving under the province of Bihar and Orissa and has chosen to serve Orissa to the best of his ability. It must be clearly understood that we have no personal grievance against him. And we also recognise the services he has been able to render to Orissa in the course of his tenure of office as Revenue Commissioner. The Ministry is also thankful to the Parliamentary Sub-Committee of the Congress Working Committee for the helpful advice and guidance they have given all along in this matter. But for their advice the crisis would have been precipitated much earlier. I appeal to the Honourable Members to take all that has happened in a prayerful spirit. We are grateful to God for having found solution for a problem which was beset with so many difficulties.

### Legal Practitioners' Amend. Bill (contd.)

**5th. MAY** :—The Assembly concluded its session to-day after passing the Bill to amend the Legal Practitioners Act and the Nurses and Midwives Registration Bill.

The first measure sought to allow mukteers from the Madras area to practice in south Orissa, while the second Bill provided for the registration and better training of nurses.

Mr. *M. G. Patnaik* moved for reference of the Legal Proctitioners Bill to a select committee which was opposed by Mr. *Bodhram Dube*, Minister-in-charge. The Bill was passed.

### Nurses & Midwives Registration Bill

The Nurses and Midwives Registration Bill was then introduced. The amendments moved by Mr. *Premananda Mahanti*, aiming at the Council being more representative and to insist on the *dais* and nurses now practising to qualify themselves before they could be registered, were accepted by the Government and the Bill was passed without much discussion.

The House at this stage was *prorogued*.

# The Sind Legislative Assembly

## LIST OF MEMBERS

1 Abdul Majid Lilaram
2 Abdul Satar Abdul Rahaman
3 Akhji Ratansing Sodho
4 K. S. Allah Bakhsh Khudadad Khan Gabole
5 K B Allah Bakhsh Muhammad Umer
6 S. B. Mir Allahdad Khan Imam Bakhsh Khan Talpur
7 K. B. Haji Amir Ali Tharu
8 Arbab Togachi Mir Muhammad
9 Hon'ble Mir Bandeh Ali Khan Mir Haji Muhammad Hossain Khan Talpur (*Minister*)
10 The Hon,ble Dewan Bhojsing G. Pahalajani (*Speaker*)
11 Dialmal Doulatram
12 Doulatram Mohandas
13 Ghanshyam Jethanhnd Shivdasani
14 Ghanumal Tarachand
15 Mir Ghulam Ali Khan Bundeh Ali Khan Talpur
16 Mir Ghulam Allah Khan Mir Haji Hussain Bakhsh Khan Talpur
17 Hon'rle Sir Ghulam Hussain Hidayatullah (*Minister*)
18 Makhdum Ghulam Hyder Makhdum Zahir-ud-din
19 Pir Ghulam Hyder Shah Sahibdino Shah Bulri
20 Ghulam Muhammad Abdullah Khan Isran
21 Sayed Ghulam Murtaza Shah
22 K. B. Sayed Ghulam Nabi Shah Moujali Shah
23 Hon'ble Mukhi Gobindram Pritamdas (*Minister*)
24 R S. Gokaldas Mewaldas
25 Hassaram Sunderdas Pamnani
26 Hemandas Rupchand Wadhwani
27 Diwan Bahadur Hiranand Khemsing
29 Hotchand Hiranand
29 Pir Illahi Bakhsh Nawaz Ali
30 Issardas Varandmal
31 K. S. Jaffer Khan Gul Muhammad Khan Burdi
32 S. B. Jamshed Nusserwanjee Mehta
33 Jam Jan Muhammad Khan, Muhammad Sharif Juneje
34 Mrs. Jenubai Ghulam Ali
35 Miss Jethibai Tulsidas Sipahimalani
36 K. B. Kaiser Khan Ghulam Muhammld Khan
37 Sayed Khair Shah Imam Ali Shah
39 Col. H. J. Mohan
39 Miran Muhammad Shah Zainulabdin Shah
40 Sayed Muhammad Ali Shah Allahando Shah
41 K. B. Muhammad Ayub Khan Shah Muhammad Khan Khuhro
42 Muhammad Hashim Faiz Muhammad Gazdar
48 Mir Muhammad Khan Nawab Ghaibi Khan Chandio
44 Muhammad Usman Muhammad Khan Sumro
45 Muhammad Yusif Khan Bahadur Khan Muhammad Khan
46 Naraindas Anandji Bechar
47 Newandram Vishindas
48 Nihchaldas Chatumal Vazirani
49 Sayfd Nur Muhammad Shah Murad Ali Shah
50 J. J. Flockhert
51 Partabrai Khaisukhdas
52 Dr Popatlal A. Bhoopatkar
53 Raschen, G. H.
54 Rasul Bakhsh Khan Muhammhd Bakhsa Khan Uner
55 K. S Rasul Bakhsh Shah Mahbub Shah
56 Rustomji Khurshedji Sidhwa
57 Shamsuddin Khan Abdul Kabir Khan
58 Sitaldas Perumal
59 K. S. Sohrab Khan Sahibdino Sarki
60 Mir Zenuddin Khan Sunder Khan Sunderani

# Proceedings of the Sind Assembly

## Budget Session—Karachi—26th. February to 31st. March 1938

FINANCIAL STATEMENT FOR 1938-39

The Budget Estimates for 1938-39 which were presented to the Sind Legislative Assembly which commenced its Budget session at Karachi on the **26th. February 1938** by Sir *Ghulam Hussain*, the Chief Minister revealed a surplus of Rs. 1,55,000, the Revenue Receipts being Rs. 3,60,67,000 and the Expenditure debitable to revenue, Rs. 3,59,12,000.

The short interval which elapsed between the passing of the current Budget in August last and the date on which proposals for new expenditure in 1938-39 had to be sanctioned for inclusion in the budget, allowed of very little time for the consideration of many schemes which are before the Government. It has been found possible, however, to formulate completed proposals and to make the necessary Budget provision in respect of a number of new items, directed towards the development of the Province and its social welfare.

Of these new items the most important are the scheme for irrigated forest plantation in Sind at a cost of Rs. 9,000; grants to Anglo-Vernacular Schools Rs. 10,000; grants to non-Government Secondary Schools, Rs. 7,000; grants to local bodies for compulsory, primary education Rs. 55,000; grant for the training of apprentices in various industries Rs Rs. 5,000; grant for increasing the supply of school mistresses in rural areas Rs. 13,000; grant for a survey of unemployment among educated middle-class youths, Rs. 5,000: reservation of seats and the creation of scholarships at the Victoria Jubilee Technical Institute, Bombay, Rs. 1,000; scheme for the appointment of a livestock officer and the necessary establishment Rs. 15 000; continuance of the Physiological section at the Agricultural Research Station, Sakrand, Rs. 4 000; opening of two veterinary dispensaries Rs. 5,000 and opening of two grant-in-aid veterinary dispensaries and appointment of Government Veterinary Assistant Surgeon at Islamkot Rs. 3,000, totalling Rs. 1,33,000.

Furthermore, increased budget allotment have been made to provide for improved diet in jails, Rs. 11,000; the establishment of model villages Rs. 15.000; the purchase of bulls Rs. 7,000 and additional grants to local bodies for the improvement of village water-supply Rs. 10,000, totalling Rs. 43,000.

No account has been taken in the estimates of the receipt of a share in the Income Tax, although it is possible that the Central Government may be able to effect a distribution. Nor has any account been taken of any savings which may eventuate from the labours of the Reorganisation Committee or from the working of the Betting Tax Bill which will be brought before the Legislative Assmbly, in the present session.

As against these have to be reckoned the proposal to establish an Agricultural College, which will apart from the capital expenditure, involve a recurring expenditure of some Rs. 50,000 per annum; strengthening the office of the Revenue Commissioner and guaranteeing of approximately Rs 40 000 a year in respect of the Khadro-Nawabshah Railway extension. Further, in addition to the loan already sanctioned to the Sind Provincial Co-operative Bank, Government may find it necessary to provide further financial aid to the institution.

As regards the debt position, Sind's debt to the Central Government on April 1, 1937 stood at a total figure of Rs. 2,927 lakhs and this will, according to the present estimates, be reduced by March 31, 1938, to Rs. 2,907 lakhs.

Certain sources of provincial revenue would come to an end on March 31, 1938 and in order to provide for their continuance, legislation will be brought before the Assembly in the Budget session. The Stamp duties, Court Fees and the Electricity Duty will be the subject of a Finance Bill and the Tobacco duty, the subject of a separate Tobacco Taxation Bill. Their estimated return has been included in the present Budget.

According to the final accounts figures, the opening cash balance for 1937-38 was Rs. 1,40,73,000 and according to the revised estimates the closing balance for the

year is expected to be Rs. 5,66,000. Besides this cash balance, the Province possesses about Rs. 12 lakhs worth of Central Government securities in the Famine Fund, Rs. 110 lakhs in Government of India Treasury Bills, the minimum balances with the Reserve Bank and the District Treasuries and the balance of Rs. 16 and one-fourth lakhs in the Building Fund.

GENERAL DISCUSSION OF BUDGET

**1st. MARCH** :—General discussion on the budget ensued to-day when Mr. *R. K. Sidhwa* (Congress) congratulated the Government on presenting a surplus budget, but expressed disappointment at the inadequacy of funds earmarked for nation-building departments.

Mr. *G. H. Raschen* (European Group) stressed the need for improving the means of communication in the barrage area and warned against the consequences of retrenchment in the Department of Public Works, holding that it would be "anna wise and rupee foolish."

**2nd. MARCH** :—Replying to the budget the Premier and the Finance Minister, the hon. *Sir Ghulam Hussain Hidayatullah* said that they were undertaking a survey of the mineral wealth of Sind. The Province was indebted to the tune of twelve times its annual revenue. He had ear-marked Rs. 30 lakhs for nation-building departments, including four lakhs for village improvement. He assured the House that the Government would give careful consideration to the recommendations of the members. The hon. Dr. *Hemandas Wadhwani*, Minister for Public Health, declared that he was working out schemes for introducing drastic reforms in the Medical Department.

FINANCE ACT AMEND BILL

**3rd. MARCH** :—The *Premier* moved an official Bill to-day amending the Bombay Finance Act so as to have the proceeds of the electricity duty transferred to Sind. It was adopted.

TOBACCO ACT AMEND. BILL

The House then discussed another official Bill to amend the Bombay District Tobacco Act, under which a duty of Rs. 50 per annum would be levied on wholesale dealers.

THE KARACHI CORPORATION BILL

**4th. MARCH** :—The Bill to extend the Karachi Municipal Corporation's life from three to five years was discussed to-day.

Mr. *M. G. Gazdar*, introducing the Bill, observed that in view of the important schemes, such as water supply and drainage, launched by the Corporation, three years proved insufficient. He urged the House to accept the Bill to enable the Government to introduce reforms like joint electorates in local bodies.

The Congress benches, vehemently opposing the Bill, characterised it as playing with the citizen's right to elect representatives and demanded that the Government should first introduce a Bill to set up joint electorates.

**5th. MARCH** :—The Assembly to-day passed Mr. Guzdar's Bill. In the course of the discussion Mr. *R. K. Sidhwa* (Congress) remarked that there was no hope for justice and equity in the House to which the Treasury benches took exception and Mr. Sidhwa withdrew his offending remarks. The Premier, the hon. Sir *G. H. Hidayatullah* stated that the draft Bill for the introduction of electorates in Sind was now ready and would be introduced shortly.

VOTING ON BUDGET DEMANDS

**7th. MARCH** :—As many as 176 cut motions, mostly under the demands for Education, Excise, Police and General Administration, came up for consideration to-day.

The Premier, the hon. Sir *Ghulam Hussain Hidayatullah* pointed out that the motions were out of order in as much as under the new Constitution no cuts could be moved under minor heads. The *Speaker* agreeing with the contention allowed the members to re-draft their motions in conformity with the rules.

**9th. MARCH** :—Dr. *Popatlal* (Congress) moved to-day a token cut of Rs. 100 under Excise. In the course of the discussion which lasted throughout the day, the Opposition benches criticised the Government's excise policy.

**10th. MARCH** :—Replying to the debate on a cut motion under Excise, the hon. Sir *Ghulam Hussain Hidayatullah*, Prime Minister, announced the Government's readiness to introduce total Prohibition of *charas* with effect from 1939-40. This would entail a loss of Rs. 4 lakhs in revenue besides another half a lakh in preventing smuggling. In this connection the Government were prepared to appoint a committee to suggest ways and means of meeting this deficit.

A breeze occurred while the House was discussing the Excise Budget.

Dr. *Popatlal* (Congress) said that the Premier was misleading the members of the House. The *Premier* protested and Dr. Popatlal was asked to withdraw the remark. The latter at first persisted that he had a right to say so but subsequently withdrew his words.

The cut motion of Rs. 100, in the Excise amount of Rs. 3,14,000 moved by the Congress Party, was lost.

### The Ministerial Crisis

**18th. MARCH** :—The Government sustained their first defeat to-day when a token cut motion was carried by 23 votes against 22. A tense atmosphere prevailed and the result of the voting was received by deafening cheers by the Opposition.

The seven Congressmen present, eight Hindus and eight United Party members, voted for the cut, three remaining neutral. Congress cirles were jubilant.

The *Premier*, replying to the debate, said that the Ministers were as responsible as any others for their achievements, including detailed work on the various committees, on employment, education, etc. They had also appointed a committee to go into the question of recoveries of water-course charges, which had been agitating the agriculturists for some time. The Premier undertook to consider Congress grievances, if they represented.

The Cabinet crisis was foreshadowed in lobby circles as it was evident that if the nine seceders from the Coalition Party joined hands with the Congress Party and the Hindu Party, numbering seven and nine respectively, the cut motion would be passed as only 47 members were present in the House to-day,

Things had been moving fast in the last two days in Assembly circles. The Opposition concentrated on the head General Administration, for which a grant of Rs. 1,614,000 was demanded. The adoption of the token out was taken on all hands as a motion of "no-confidence" in the present Ministry.

After the adoption of the cut, the entire demand under General Administration minus rupee one was put to vote and was also rejected by 23 votes to 22.

Thereafter, the House voted the remaining heads including Police, Education, etc.

### The New Ministry

**21st. MARCH** :—The hon. *Sir Ghulam Hussain Hidayatullah* called on H. E. the Governor first at noon and again half an hour later, along with his two colleagues on the Cabinet, and the Deputy President. Emerging from Government House a second time, Sir Ghulam told the pressmen : "Well, gentlemen, we have sent in our resignations despite our majority and we challenge any other party to form a Cabinet."

*Khan Bahadur Allahbux*, who interviewed the Governor at 3 p. m., was invited to form a Cabinet and he chose *Pir Elahibux* and Mr. *Nehchaldas* as his colleagues, with himself as Premier.

The week-end was marked by intense political activity in Karachi and in the districts consequent on endeavours by different parties to consolidate their strength. Ministerial circles held that the present Government had suffered a little setback by the defection on the part of the United Party and still remain the dominant party in the House. Hence the talk of formation of a new Ministry was premature.

Few had anticipated that the Congress Party with its strength of eight would launch upon the formation of a Coalition Ministry, and following a telephonic conversation last night between Mr. Jairamdas Daulatram and and Sardar Vallabhbhai Patel, this question was shelved for the present.

The United and Hindu Parties' combination, with a total strength of 22, urged the Congressites to afford them, if called upon to form the Government, an opportunity to work on broad national lines for the welfare of the people of the Province and

not to join hands with the oppositionists in wrecking it. The Congress Party expressed readiness to allow this respite for a reasonable period while adhering to their general policy of opposition and carrying out the Congress programme.

**22nd. MARCH** :—The new Ministers assumed charge of their respective departments this morning. This new party was christened the Nationalist Party.

**25th. MARCH** :—After a four-days' prorogation, the Assembly met to-day when the new Cabinet, with their party including two more Hindus, occupied the Treasury Benches while Sir Ghulam Hussain's party went over to the Opposition. The Congress Party remained where it was.

ALLEGATIONS AGAINST OFFICERS

Mr. *R. K. Sidhwa* moved the adjournment of the House to discuss the alleged interference and personal canvassing by Government officials on March 18 when the former Cabinet was defeated.

The hon. *Khan Bahadur Allahbux*, Prime Minister, made statement expressing agreement with the mover and holding that it was not only most important for members of the public Services not to intefere in political matters but that such action constitute a gross and reprehensible interference with the privileges of the members of the Assembly in the exercise of their individual judgment. The Premier proposed to bring cases of such interference to the attention of the Heads of Departments so as to enable them to take appropriate action. He urged the mover to withdraw his motion, which Mr. Sidhwa did.

The grant under the head General Administration, which was refused by the House on March 18, was brought to-day as a supplementary statement of expenditure for 1938-39. The House adjourned till March 29.

PROGRAMME OF THE NEW MINISTRY

**29th. MARCH** :—A statement of the policy which the new Cabinet would pursue was made in the Assembly this evening. The Premier, the hon. *Khan Bahadur Allahbux* assured the House that they would be guided by the national aspirations of the people of this country in accordance with the peculiar needs and circumstances of the Province. The programme of the National Congress and the parties which helped to form the Government had long been before the people of this Province and there were many points in them which the public of Sind would appreciate and support. It would be the duty of the new Government to give effect to these, having regard to the circumstances of the Province.

The Premier added that his Government had come into being on no terms of bargaining with any other party. Their undertaking was to run the administration on brand national lines so as to enable the people to enjoy the fruits and benefits of the transference of power from an irresponsible executive to the representatives of the people. Detailing their programme, the Khan Bahadur said that the figures on which the subvention was based had already been proved to be incorrect and a further enquiry was necessary to ascertain what was the utmost payment that could fairly be demanded from Sind. The Government proposed to place their views before the Government of India and the Secretary of State. Further, the Government proposed to improve the lot of the landholders and agriculturists of the Province. It was their intention to study the report of the Reorganisation Committee and to take immediate action thereon as far as possible.

As regards the recovery of fines, in default of payment of which sentences of imprisonment had been undergone, the Government proposed to instruct the District Magistrates to bring to the attention of the courts concerned that the Government did not desire such recoveries to be made.

The Government proposed to abolish the system of Honorary Magistrates and the nominations to Local bodies and also the practice of holding Collectors' and Commissioners' Darbars. They were seriously considering the question of the release of Hansraj Wireless and would recommend to the Government of India, indicating that the Sind Government would not object to Moulvi Obeidullah's return from exile. Village industries would be increased and labour problems dealt with sympathetically and a Committee was to be appointed to consider the withdrawal of the Sind Frontier Regulation. The minorities' legitimate interests will be safeguarded.

VOTING ON BUDGET DEMANDS ( CONTD. )

**30th. MARCH** :—When the Assembly met this morning to vote on demands for grants under the head General Administration, in the Supplementary Budget, which was rejected previously by the House culminating in the resignation of the Hidayatullah Ministry, Mr. *M. H Gazdar*, belonging to the party of Sir Ghulam Hidayatullah, moved a token cut to censure the Government.

Attacking the Government, Mr. Gazdar characterised its programme as a signal of bankrupt statesmanship. Following this, the Muslims were going to be wiped out. There was, he said, a conspiracy to establish 'Ram Raj'. The United Party had surrendered to the Hindus and the Congress Party, which was a body of capitalists. He challenged Muslim members of the United Party to resign and see if they could get re-elected on that programme.

A breeze ensued when Mr. *Isser Das Varandmal*, a Congressite, declared that a certain statement made by Mr. Gazdar on the floor of the House was a lie, whereupon Mr. *Gazder* retorted "You are a liar." The Speaker called the latter to order. Mr. *G. M. Syed* opposed the cut.

*Sir Ghulam Hussain Hidayatullah* criticised the new Government's programme and doubted whether they would succeed in achieving what his Government had achieved so far. Further, those who had not been true to their own people would be true to none.

Replying to the debate, the Premier, the hon. *Khan Bahadur Allahbux* said that his statement of policy had not covered the whole field as they had taken office only a few days back. They proposed to bring in progressive legislative measures. He informed the House that Mr. *G. F. S. Collins*, Revenue Commissioner, Sind, and Mr. A. Gordon, P. W. D., Secretary, were leaving for Delhi to-night to confer with the Government of India regarding the subvention. He asked for six months' time for the new Government to carry out their programme.

All the seven cuts, including Mr. Gazdar's token cut, were withdrawn and the House voted the entire demand under the head General Administration, amounting to Rs. 16,14,000.

**31st. MARCH** :—The Speaker announced to-day that H. E. the Governor had assented to the Tobacco Bill which would come into force to-morrow.

Thereafter, the Schedule of authorised supplementary expenditure for 1937-38 and 38-39 was laid on the table and the House adjourned *sine die*.

## Third Session—Karachi—19th. May to 1st. June 1938

MEMBERS' SALARIES BILL

The third session of the Assemby commenced at Karachi on the **19th. May 1938** when Mr. *M. H. Gazdar* moved adjournment of the House to discuss the supersession of certain P. W. D. officials and the transfer of certain police officials. The Speaker ruled it out, holding that the motion was not definite.

The Leader of the House then moved the official Bill relating to Members' Salaries and Allowances. After four hours' discussion of the clause relating to the members' salaries, the House fixed the same salary for the Sind M. L. A's as was permitted in Congress provinces, namely, Rs. 75 per mensem. The House also allowed the Deputy Speaker to draw the ordinary member's salary as well as the salary of Deputy Speaker when the Assembly was in session.

**20th. MAY** :—A Congress member's amendment to the Members' Salaries Bill fixing the members' travelling allowance as double third class was lost. The House fixed one and half second class fare as travelling allowance. A daily allowance of Rs. 3-6 was decided upon. Mr. *M. H. Gazdar's* amendment that members be paid allowance from 1st April instead of 1st August, when pressed to a division, was lost by 16 votes to 28, the Congress members voting with the Government.

MINISTERS' SALARIES BILL

**21st. MAY** :—The *Premier* introduced to-day the Government Bill on salaries for Ministers. The Bill provided for the same scale of salaries as in the Congress provinces. The Bill was discussed for three days till the **24th. May** when the Assembly passed the Bill fixing the salary at Rs. 500 a month apart from free fur-

nished quarters and provision for conveyance. About twenty amendments, which had been tabled, were either withdrawn or defeated.

SIND LOCAL BODIES BILL

**25th. MAY** :—The system of nomination was an evil which they had been fighting for the last thirty-five years and nominated members were abusing their powers, declared Mr. *R. K. Sidhwa* supporting the Government Bill for abolishing nominations in municipalities and local boards and providing for the constitution of elected committees in notified areas. Mr. Sidhwa added that the Bill had been moved by the Government in pursuance of their progressive policy.

Earlier the House passed the Government Bill to amend the Sind Assembly Removal of Disqualifications Act.

**26th. MAY** :—The Assembly to-day adopted the Bill. In the course of the discussions, Sir *Ghulam Hussain*, Leader of the Opposition, narrated how his Government did not lag behind the present one inasmuch as they had drafted such progressive measures as these for the introduction of joint electorates, adult franchise and abolition of nominations, but could not proceed with them owing to certain technical difficulties. Sir Ghulam went on to refer to the attitude of the Congress groups towards the Bill for Ministers' salaries, to which the hon. Mr. *Nehchaldas*, P. W. D. Minister raised an objection. But the *Speaker* ruled that it was customary to allow a certain amount of latitude to the Leader of the Opposition.

The House then passed the Bill to amend the Bombay Weights and Measures Act, the Bill to amend the Bombay Co-operative Societies Act and proceeded to discuss the Bill to amend the Bombay Entertainment Duty Act.

**27th. MAY** :—The *Speaker* took up to-day Mr. *Gazdar's* adjournment motion to discuss the agrarian situation in Tando division. The Speaker said that the motion having reached him late yesterday, he had not considered it and promised to do so to-day.

ENTERTAINMENT DUTY AMEND. BILL

The House then passed the Government Bill amending the Entertainment Duty Act. A Congress amendment thereto that military and naval officers should be charged full entertainment duty was ruled out by the Speaker who held that the amendment was outside the scope of the Bill.

BETTING TAX BILL

The House passed next the Bill imposing tax on certain forms of betting. An amendment moved by the European Group, which sought to reduce the totalisator tax to 2 and half per cent from 4 per cent was lost. The discussion had not concluded when the House adjourned.

AGRARIAN UNREST IN TANDO

**28th. MAY** :—Mr. *Gazdar's* adjournment motion to discuss the agrarian unrest in Tando division was ruled out by the Speaker in view of the assurance given by the Leader of the House that no serious situation existed there. The Leader of the Congress Party, supporting the motion, declared that the unrest was due to the dilatory policy of the Government.

The *Premier* explained that the Government pursued a uniform policy both in the barrage and non-barrage areas and could not be carried away by the efforts of certain zamindars to influence the Government policy for their benefit.

BETTING TAX & LOCAL BODIES BILLS

Official business concluded to-day with the adoption of two Bills, the Bill for imposing tax on certain forms of betting and the Bill for abolishing nominations to local boards.

The betting Bill imposed four per cent tax on monies put into totalisators on the race course. This would bring in a revenue of over Rs. 70,000 annually to the Government. A clause seeking to reduce the entertainment tax was dropped as it encountered opposition.

The last Bill, abolishing nominations, was also opposed by the M. L. A.'s who were also municipal corporators, but after six amendments had been ruled out by the Speaker, the Bill was adopted.

RESOLUTION ON FEDERATION

**30th. MAY** :—The Assembly discussed to-day the Congress resolution strongly opposing the Federation and urging the British Government not to force the scheme on the province. The resolution on Federation stated that the Assembly, being of the opinion that the people of Sind were strongly opposed to the scheme of Federal Government under the Government of India Act and would protest against its inauguration against the declared will of the people, recommended to the Government to convey the feelings of the House to the British Government and urge them not to impose the scheme on this province.

*Sheikh Abdul Majid* moved an amendment seeking to add at the end of the resolution the words: "Replace it by a scheme conferring full independence on India in the form of a Federation of free democratic States wherein the rights and interests of minorities are adequately and effectively safeguarded in the Constitution."

**1st. JUNE** :—*Sheikh Abdul Majid's* amendment being accepted by the Congress Party, the Assembly to-day adopted the Congress resolution on Federation, one Indian member and two Europeans dissenting.

Sir *Ghulam Hussain Hidayatullah*, former Premier, supporting the resolution, said that Federation did not give power to Indians, the power still remaining in the hands of foreigners. The following is the text of the resolution as amended and passed:—

"This Assembly being of opinion that the people of Sind are strongly opposed to the scheme of Federal Government under the Government of India Act and protest against its inauguration against their declared will, recommends to the Government to convey the feelings of the House to the British Government and urge the British Government not to impose the scheme on this province and to replace it by a scheme conferring upon India full independence in the form of a Federation of free democratic units, in which the rights and interests of the minorities are adequately and effectively safeguarded in the Constitution."

Only one member, Dewan *Dialmal Daulatram* (Hindu Sabha) dissented.

SIND FRONTIER REGULATIONS

*Khan Sahib Gabol*, Deputy Speaker, moved a resolution to repeal the Sind Frontier Regulations. The Premier, the hon. Khan Bahadur *Allah Bux* announced that a committee would be set up for the purpose of examining the working of the regulations and he assured the House that he would consider the question of repealing them if the Committee so recommended. The resolution was withdrawn.

FREE LAND GRANT TO POORS

Another resolution that the Government should give free grants of land to poor residents of the Lyari slum area was also withdrawn after the Premier's assurance that the Government would communicate with the Corporation in connection with the conditions governing the grants of lands.

REPEAL OF CRIMINAL TRIBES ACT

*Sheikh Abdul Majid* moved a resolution, recommending the repeal of the Criminal Tribes Settlement Act of 1924. The *Premier* assured the House that the Government felt that the section of the Act compelling certain citizens to report themselves to the police did entail hardship and that the Government had instructed District Magistrates and Superintendents of Police to go into the question and reduce the number of persons affected by this provision, in which connection the representatives of the people in the districts concerned would be consulted. After the elimination of cases, the residuary number would be referred to a Committee whose proposals would be placed before the House.

*Sheikh Abdul Majid* declined to withdraw the resolution, which was talked out. the House was then *prorogued.*

# The N. W. Frontier Legislative Assembly

## LIST OF MEMBERS

1 THE HON'BLE MALIK KHUDA BAKHSH KHAN (*Speaker*)

1 MR. ABDUL RASHID (*Deputy Speaker*)

*Ministers*

3 THE HON'BLE DOCTOR KHAN SAHIB
4 THE HON'BLE LALA BHANJU RAM
5 THE HON'BLE QAZI ATTA ULLAH KHAN
6 THE HON'BLE KHAN MUHAMMAD ABBAS KHAN

*Members*

7 KHAN ABDULLAH KHAN
8 KHAN ABDUL AZIZ KHAN
9 KHAN ABDUL GAFOOR KHAN
10 ARBAB ABDUL GHAFOOR KHAN
11 RAJA MANOCHDER KHAN
12 ABDUL RAB KHAN NISHTAR
13 KHAN SAHIB RAJA ABDUR RAHAMAN KHAN
14 ARBAB ABDUR RAHAMAN KHAN
15 KHAN SAHIB ABDUL MAJID KHAN
16 S. AJIT SINGH
17 KHAN AKBAR ALI KHAN
18 NAWABZADA ALLAH KHAN
19 KHAN AMIR MUHAMMAD KHAN
20 KHAN SAHIB SARDAR ASADULLAH
21 K. ALLADAD KHAN
22 CAPTAIN NAWAB BAZ MUHAMMAD KHAN
23 RAI BAHADUR LALA CHIMAN LAL
24 KHAN FAIZULLAH, GHAZNI KHEL
25 M. FAQIRA KHAN
26 DR. C. C. GHOSH
27 LALA HUKAM CHAND
28 RAI BAHADUR LALA ISHAR DAS SAWHNEY
29 MIAN JAFFAR SHAH
30 SARDAR JAGGAT SINGH, NARAG
31 PIR SYED JALAL SHAH
32 LALA JAMNA DASS
33 RAI SAHIB LALA KANWAR BHAN, BAGAI
34 KHAN MALIK-UR-RAHAMAN KHAN
35 RAI BAHADUR MEHR CHAND KHANNA
36 KHAN MUHAMMAD AFZAL KHAN
37 KHAN SAHIB MUHAMMAD ATTAI KHAN
38 SARDAR MUHAMMAD AURANGZEB KHAN
39 PIR MUHAMMAD KAMRAN
40 NAWABZADA MUHAMMAD SAID KHAN
41 KHAN MUHAMMAD SAMIN JAN
42 NAWAB MUHAMMAD ZAFFAR KHAN WALIWAL
43 LIEUTENANT M. MUHAMMAD ZAMAN KHAN
44 KHAN NASRULLAH KHAN
45 RAI SAHIB PARMA NAND
46 M. PIR BAKSH KHAN
47 L. TEK CHAND DHIGRA
48 KHAN BAHADUR SADULLAH KHAN
49 KHAN ZARIN KHAN
50 K. KAMDAR KHAN

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# Proceedings of the Assembly

## Budget Session—Peshawar—1st. to 25th. March 1938

FINANCIAL STATEMENT FOR 1938—39

The Budget Session of the N. W. Frontier Legislative Assembly commenced at Peshawar on the **1st. March 1938.** After formal business and interpellations Sardar *Ajit Singh* sought leave of the House to move an adjournment motion with a view to drawing the attention of the Government to the grave situation that had arisen consequent upon the recent "brutal murders of innocent Sikhs in Peshawar

and Mayar" which had caused great consternation amongst the Hindus and the Sikhs of the province.

The Minister of Education assured the House that Government regarded the murders with horror and would leave no stone unturned to bring the culprits to book. He requested the mover to withdraw the adjournment motion as such discussion would excite communal feelings; also the incidents were sub judice. The motion was withdrawn.

The Minister for Finance (Mr. *B. R. Gandhi*) next presented the Budget for 1938-39. In doing so he said—: The total revenue during 1938-39 was estimated at Rs. 180.05 lakhs and expenditure at Rs. 186.68 lakhs, which amounted to a revenue deficit of Rs. 6.63 lakhs.

"The total revenue is not keeping pace with expenditure, which is growing from year to year owing to normal expansion and new items of expenditure on beneficent activities", declared the Finance Minister adding that the revenue deficit would be covered by drawing on accumulated balance. The net loan outstanding on 1st March 1938 will be Rs. 60.46 lakhs being the loan floated in open market in 1937-38 for repayment of the earlier loan from the Government of India of Rs. 35 lakhs to meet capital expenditure on the Malakand Hydro-electric scheme and also for further outlays on the Hydro-electric scheme and other civil works.

Mr. *Bhanjuram Gandhi* added that in the revised estimates presented last summer it was estimated that the year 1936-37 would close with a balance of Rs. 7.61 lakhs in the revenue account and a total balance of Rs. 14.07 lakhs including debt and deposit heads. Actually the year closed with balances of Rs. 9.37 lakhs and Rs. 25.41 lakhs respectively. The improvement of Rs. 1.76 lakhs in the revenue section was the outcome of a saving of Rs. 37 lakhs in expenditure and a rise of 1.39 in revenue under excise stamps and irrigation. The increase in total balances was further due to net oredit of Rs. 9 lakhs received from the Central Government on decentralization of balances, debt and deposit heads.

### Repeal Of Repressive Laws

**3rd. MARCH** :—The Assembly passed to-day Mr. *Abdur Rab's* Bill which *inter alia* repeals Section 124-A, I. P. C., Section 108, Cr. P. C., the Press Emergency Powers Act and the Frontier Crimes Regulation and amends Section 144, Cr. P. C., exeluding political operations from its provisions.

### Non-Official Bills

The Frontier Province Primary Education Bill, 1938, moved by *Pir Bakhsh Khan*, was referred to a Select Committee on the motion of the Education Minister.

*Rai Bahadur Hemchand Khanna*, while supporting the Bill, urged its extension to girls also. The mover replied that the conditions in the Province were not favourable for such a step at present.

The Assembly also passed *Abdur Rab Khan Mishtar's* Bill, removing the nominated element from local bodies and making compulsory provision for the election of Chairmen.

### House Searches in Peshawar

**4th. MARCH** :—The adjournment motion moved by Mr. *Mahomed Aurangzeb Khan* to-day to discuss house searches by the police in Peshawar in connection with the recent murders of Sikhs, was lost by 29 votes to 17. Almost all non-Congress Muslims voted for, while the Hindu-Sikh Party voted against the motion.

The mover declared that no one commended wilful murders but unreasonable house searches of respectable citizens must equally be condemned. A lengthy debate then took place, in the course of which the supporters of the Government justified the searches on the ground that the ensuring of peace and the safety of citizens should be the object of Government. Some Muslim League members alleged that the searches were directed against their organisation.

The Premier, the hon. Dr. *Khan Saheb*, opposing the motion said the motive behind it was not only to criticise the searches but something else—which altogether upset the Opposition Leader. He declared that Peshawar was terrorised by a lot of people and that the Government had made up their mind to rid the city of that menace.

GENERAL DISCUSSION OF BUDGET

**7th. MARCH** :—The Assembly spent the whole of to-day to a general discussion of the budget, *Rai Bahadur Ishwardas* said that unless something good suddenly turned up, the Frontier Province was heading to insolvency. It was unfortunate that the Frontier's deficit should continue to increase. A substantial increase in the subvention was necessary if the Central Government wished the Frontier to progress. Otherwise, they should be prepared for a growing demand for amalgamation with the Punjab. Mr. *Aurangzeb Khan* emphasised that it was the duty of the Central Government to provide the Frontier Government with the wherewithal for their existence as they had detached the Frontier for imperialistic purposes.

*Rai Bahadur Meher Chand Khanna* congratulated the Finance Minister on his labours in connection with the budget but it revealed an unhappy state of affairs. He welcomed the Premier's bold stand for suppressing lawlessness and for the protection of minorities. *Pir Baksh Khan* trenchantly criticised the budget and expressed the opinion that the Minister was under somebody's thumb.

**8th. MARCH** :—The Assembly concluded the Budget discussion to-day. The Finance Minister, the hon. Mr. *Bhanjuram Gandhi* wound up the debate and said that a Finance Minister's lot was always hard but that of the Finance Minister of a Province depending on hopes from the Centre for day-to-day administration was harder. Referring to the Subvention, Mr. Gandhi said that he would not rest until he had wrested from unwilling hands the additional Subvention on which the destiny of the Province depended. Alluding to Mr. *Mehar Chand Khanna's* fear that another political party to-morrow would inherit insolvent finances, Mr. Gandhi assured him that the Socialists might drive the Congressmen from office but not the reactionaries. He concluded that they were there not through the pleasure of His Majesty the King but through the pleasure of His Majesty's poor people.

RESOLUTION ON FEDERATION

**9th. MARCH** :—Mr. *C. C. Ghosh* moved a resolution to-day against Federation severely criticising the Federation and charactorising the bloc of the Princes' nominees as the last ditch of freedom.

Mr. *Abdul Rab Khan* moved an amendment recommending to the Government to convey to the British Government the definite opinion of the people of the Province that the proposed Federation was unacceptable and that nothing less than a Federation of a free India was needed, comprising democratic units and with safeguards for all minorities. He declared that Parliament's claim to judge the measure of each advance during the progressive realisation of self-government was a serious challenge to India's self-respect. He expressed the opinion that Federation should be treated as the Germans treated the Versailles Treaty by tearing it to pieces.

The amended resolution was unanimously carried.

**16th. MARCH** :—Five cut motions to supplementary demands were either withdrawn or rejected to-day. A cut motion moved by *Mr. Aurangzeb Khan* (Leader of the Opposition), censuring the Government for their failure to maintain the communal ratio in respect of recruitments, evoked a lively debate.

The Hon. Dr. *Khan Saheb*, Prime Minister, declared that the majority community in the Frontier realised the importance of winning the confidence of the minority and he deprecated attempts to raise such issues on the floor of the House. The banishment of the idea of communalism from the brains of job-hunters was the crying need. The Premier felt sure that if they remained in office for some time, they would receive sincere co-operation, even from the Opposition.

AGRICULTURISTS DEBTORS RELIEF BILL

**18th. MARCH** :—The Assembly had a full-dress debate to-day on the introduction of the Agriculturists Debtors Relief Bill. The Revenue Minister, *Kazi Ataullah*, introducing the Bill invited the attention of the House to the alarming plight of agriculturists, which called for immediate relief. He,declared that debtors paid annually one crore of rupees as interest, which was six times the land revenue. They were being exploited by clever money-lenders. It was the Government's duty to protect such debtors. He moved for circulation of the Bill for eliciting public opinion up till October next. The Bill was generally supported in principle by speakers. While supporting the motion, Mr. *Meherchand Khanna* declared that the malady would not end even if all the debts were wiped out. Mr. *C. C. Ghosh*, while endorsing the principle of the Bill, called it a makeshift as in his opinion permanent relief would

come only from industrialisation. Urging the immediate passing of the Bill, Mr. *Aurangzeb Khan* objected to the exclusion of persons paying Rs. 600 revenue from the scope of the Bill. Mr. *Ishwardas*, in supporting the Bill in principle, expressed the fear that it might remain a dead letter. The debate had not concluded when the Assembly adjourned.

**19th. MARCH**:—The Assembly passed the Budget demands to-day. During the three days' discussion not a single cut motion succeeded though 191 such motions on 33 demands had been tabled. The Finance Minister said that the Government could not go as far as they wished but had done their level best. The Premier, Dr. *Khan Sahib*, declared that Government were working for the betterment of agriculturists.

The Minister for Industries announced the Government programme regarding the opening of poultry farms and appealed for co-operation.

LANGUAGE IN THE LEGISLATURES

**21st. MARCH**:—Section 85 of the Government of India Act, compulsorily requiring the conduct of proceedings in the legislatures in the English language, was severely condemned by all sections of the House to-day.

*Rai Bahadur Meher Chand Khanna* moved an amendment to the Frontier Assembly Rules so as to enable members to speak in any language they choose. He called this compulsion an outrage on the national birthright and urged the Government to move in the matter. The Education Minister, the Hon. *Kazi Ataullah Khan*, appreciating the mover's sentiments endorsed each word of his and agreed that it was a hardship to those who did not understand English. He promised to take immediate action in the matter. The *Speaker* declared that the motion could not be passed, being *ultra vires* under the Government of India Act, though discussion could be allowed for indicating the opinion of the House.

PLEA FOR LIFTING BAN ON EXILES

**23rd. MARCH**:—The Assembly resumed discussion to-day on Mr. *Abdul Aziz's* resolution recommending the abolition of enhanced revenue in areas under well irrigation. The Hon. *Kazi Ataullah Khan*, declared that by accepting the recommendation, the Government would lose a revenue of Rs. 3 lakhs, which they could not afford to do. The resolution was withdrawn.

Another resolution recommended to the Government to remove the ban on the entry of Kazi Abdul Wale Khan, Maulana Fazal Rabi and other Frontier exiles.

The Premier, the hon. Dr. *Khan Saheb*, replying, assured the House that there was no ban by the Provincial Government against the exiles. He promised to refer the cases of all exiles to the Government of India for the removal of the ban. The resolution was unanimously passed.

FRONTIER ARMS LICENSES

**24th. MARCH**:—Mr. *Nasrullah Khan's* resolution urging the reduction of the licence fee for firearms to four annas per weapon was unanimously passed. The *Premier* agreeing with the spirit of the resolution declared that the Government would grant licences more liberally to enable every person, except undesirables, to obtain arms freely.

AGRICULTURISTS DEBTORS RELIEF BILL (CONTD.)

**25th. MARCH**:—The discussion on the Agriculturists Debtors Relief Bill was resumed to-day. Mr. *Ajit Singh* expressed the opinion that the Bill under cover of giving relief to the tillers of the soil protected landlords. Mr. *Abdur Rab Khan* repudiated the suggestion that Debt Conciliation Boards had failed miserably in the Punjab and expressed the opinion that the Government should issue orders for preventing crafty money-lenders from defeating the objects of the Bill. The Hon. *Kazi Ataullah Khan*, summing up, declared that the country's wealth depended upon the wealth of the tillers of the soil and the industrialisation of the whole province was impossible for any Government nor could the Government provide a subsidiary occupation for agriculturists. A substantial reduction in revenue, while crippling the provincial coffers, would not mend matters. The Government were determined to save the oppressed from the oppressor. No communal consideration could deflect them from the path which they had chalked out.

The motion for circulation was unanimously passed. The Speaker then adjourned the Assembly *sine die*.

# Proceedings of

# The Indian National Congress

January—June 1938

# The Indian National Congress

| | Place | Year | | President |
|---|---|---|---|---|
| 1 | Bombay | (1885) | ... | W. C. Bonnerji |
| 2 | Calcutta | (1886) | ... | Dadabhai Naoroji |
| 3 | Madras | (1887) | ... | Badruddin Tyabji |
| 4 | Allahabad | (1888) | ... | G. Yule |
| 5 | Bombay | (1889) | ... | Sir W. Wedderburn |
| 6 | Calcutta | (1890) | ... | Sir P. Mehta |
| 7 | Nagpur | (1891) | ... | P. Ananda Charlu |
| 8 | Allahabad | (1892) | ... | W. C. Bonnerji |
| 9 | Lahore | (1893) | ... | Dadabhai Naoroji |
| 10 | Madras | (1894) | ... | A. Webb |
| 11 | Poona | (1895) | ... | S. N. Banerji |
| 12 | Calcutta | (1896) | ... | R. M. Siyeni |
| 13 | Amraoti | (1897) | ... | C. Sankaran Nair |
| 14 | Madras | (1898) | ... | A. M. Bose |
| 15 | Lucknow | (1899) | ... | R. C. Dutt |
| 16 | Lahore | (1900) | ... | N. G. Chandravarkar |
| 17 | Calcutta | (1901) | ... | D. Wacha |
| 18 | Ahmedabad | (1902) | ... | S. N. Banerj |
| 19 | Madras | (1903) | ... | Lal M. Ghose |
| 20 | Bombay | (1904) | ... | Sir Henry Cotton |
| 21 | Benares | (1905) | ... | G. K. Gokhale |
| 22 | Calcutta | (1906) | ... | Dadabhai Naroji |
| 23 | Surat & Madras | (1907, 1908) | ... | Rash Behary Ghose |
| 24 | Lahore | (1909) | ... | Pandit M. M. Malaviya |
| 25 | Allahabad | (1910) | ... | Sir W. Wedderburn |
| 26 | Calcutta | (1911) | ... | Bishen N. Dar |
| 27 | Patna | (1912) | ... | R. N. Mudholkar |
| 28 | Karachi | (1913) | ... | Rawab Saiyed Mahammed |
| 29 | Madras | (1914) | | Bhupendra Nath Bose |
| 30 | Bombay | (1915) | ... | S. P. Sinha |
| 31 | Lucknow | (1916) | ... | A. C. Majumdar |
| 32 | Calcutta | (1917) | | Dr. Annie Besant |
| 33 | Delhi | (1918) | ... | Hasan Imam |
| | Bombay (Spl.) | (1918) | ... | Pt. M. M. Malaviya |
| 34 | Amritsar | (1919) | ... | Pt. Motilal Nehru |
| 35 | Nagpur | (1920) | ... | C. Vijiaraghavachariar |
| | Calcutta (Spl.) | (1920) | ... | Lala Lajpat Rai |
| 36 | Ahmedabad | (1921) | ... | Hakim Ajmal Khan |
| 37 | Gaya | (1922) | ... | C. R Das |
| 38 | Gocanada | (1923) | ... | Mahomed Ali |
| | Delhi (Spl.) | (1923) | ... | Abul Kalam Azad |
| 39 | Belgaum | (1924) | ... | M. K. Gandhi |
| 40 | Cawnpur | (1925) | ... | Mrs. Sarojini Naidu |
| 41 | Gauhati | (1926) | ... | Srinivasa Iyengar |
| 42 | Madras | (1927) | ... | Dr. M. A. Ansari |
| 43 | Calcutta | (1928) | ... | Pandit Motilal Nehru |
| 44 | Lahore | (1929) | ... | Pandit Jawharlal Nehru |
| 45 | Karachi | (1931) | ... | Vallabhbhai Patel |
| 46 | Delhi | (1932) | ... | Seth Ranchhodlal |
| 47 | Calcutta | (1933) | ... | Pt. M. M. Malaviya |
| 48 | Bombay | (1934) | ... | Rajendra Prasad |
| 49 | Lucknow | (1936) | ... | Pandit Jawharlal Nehru |
| 50 | Faizpur | (1937) | ... | Pandit Jawharlal Nehru |
| 51 | Haripura (Guzrat) | (1938) | ... | Subhas Chandra Bose |

# The Indian National Congress

## Names of the Members of the Working Committee and the All India Congress Committee.

**President**—Shri Subhas Chandra Bose

*Ex-presidents not included in the Working Committee*

1 Pandit Madan Mohan Malaviya
2 Shri C. Vijayaraghavacharlar
3 „ M. K. Gandhi
4 „ S. Srinivasa Iyengar

*Working Committee*

1 Maulana Abul Kalam Azad
2 Shri Sarojini Naidu
3 Shri Jawaharlal Nehru
4 Shri Vallabhbhai Patel
5 Shri Rajendra Prasad
6 „ Jamnalal Bajaj
7 „ Abdul Ghaffar Khan (*Treasurer*)
8 „ Jairamdas Daulatram
9 „ Bhulabhai J. Desai
10 Dr. Pattabhi Sitaramayya
11 Sarat Chandra Bose
12 Harekrishna Mehtab
13 Shri J. B. Kripalani (*Genl. Secretary*)

**Ajmer—4**

1 Shri Haribhau Upadhyaya
2 „ Sayed Razmi
3 „ Misrilalji Gangwal
4 „ Jainarain Vyas

**Andhra—29**

1 Dr. B. Pattabhisitaramayya
2 Shri Konda Venkatappayya
3 Shri T. Prakasam Pantulu
4 Shri Mallipudi Pallamraju
5 „ A Kaleswara Rao
6 Shri Duggirala Balaramakrishnayya
7 „ Pidikiti Ramakotiah
8 „ Alluri Satyanarayana
9 Shri Annapragada Kameswar Rao
10 „ Chaparala Krishnabrahman
11 „ Bezwada Gopalareddi
12 Dr. K. L. Narasimha Rao
13 Shri N. V. L. Narasimha Rao
14 „ D. Narayana Raju
15 „ Yerramilli Narayanamurti
16 Shri Ramineni Narayana
17 Shri Magani Bapineedu
18 Shri D. Ramkrishna Paramahamsa
19 Mandapaka Rangayya Naidu
20 Shri N. G. Ranga
21 Shri T. Viswanatham
22 „ M. V. V. Satyanarayana
23 „ Kala Venkata Rao
24 „ Gogineni Venkatappayya
25 „ H. Sitaramareddi
26 „ K. Sarveswara Sastry
27 „ Puchala Sundarayya
28 „ Swami Narayanada
29 „ M. Anantasayanam

**Assam—5**

1 Shri Bishnuram Medhi
2 Shri F. A. Ahmed
3 Shri Kuladhar Chaliha
4 Shri Rajendranath Barua
5 Shri Liladhar Barua

**Behar—37**

1 Shri Sri Srikrishna Sinha
2 Shri Anugrah Narayan Sinha
3 Shri Dr. Syed Mahmud
4 Shri Bipin Bihari Varma
5 Shri Mathura Prasad
6 Shri Shah Mohd. Ozair Munemi
7 Shri Prof. Abdul Bari
8 Shri Satya Narayan Sinha
9 Shri Prajapati Misra
10 Shri Bidhyeshwari Prasad Varma
11 Shri Atulchandra Ghose
12 Shri Mahamaya Prasad
13 Shri Ram Binod Sinha
14 Shri Swami Shahajanand Saraswati
15 Shri Ganga Sharan Sinha
16 Shri Sarangdhar Sinha
17 Shri Sheonandan Prasad
18 Shri Singheshwar Prasad
19 Shri Hargovind Misra
20 Shri M. Rafiuddin Rezvi
21 Shri Budhan Rai Varma
22 Shri Prabhunath Singh
23 Shri Mukutdhari Singh
24 Shri Durga Prasad
25 Shri Baijnath Prasad Chaudhry
26 Shri Kailas Pati Sinha
27 Shri Shri Narayan Das
28 Shri Awadeshar Prasad Singh
29 Shri Lakshmi Narayan
30 Shri Ramnirikshan Singh
31 Shri Thakur Ramanandan Singh
32 Shri Mathura Prasad Singh
33 Shri Dr. Ramprakash Sarma
34 Shri Ismail Washi
35 Shri M. Noor
36 Maulvi Manzoor Ahsan Azazi
37 Shri Kalika Prasad Sinha

**Bombay—4**

1 Shri Bhulabhai J. Desai
2 Shri S. K. Patil
3 Shri S. A. Brelvi
4 Shri M. R. Masani

**Burma—4**

1 Shri B. K. Dadachanji
2 Shri Rameshnath Gowtam
3 Shri Soniram Poddar
4 Shri Janardhan Prasad Shukla

**Delhi—4**

1 Shri C. Krishnan Nair
2 Shrimati Satyawati Devi
3 Shri B. Narsinham
4 Shri Bahal Singh

**Gujrat—12**

1 Shri Morarji R. Deasi
2 Shri Kanaiyalal Nanubhai Desai
3 Shri Chandulal Manilal Desai
4 Shri Jyotsanaben Sukla
5 Shri Bhaktilaxmi Desai
6 Shri Gopaldas Ambaidas Desai
7 Shri Kalyanji Vithalbhai Mehta
8 Shri Ishavarlal Chhotubhai
9 Shri Laxmidas Mangaldas
10 Shri Khandubhai Kasanji Desai
11 Shri Hariprasad Pitambardas Mehta
12 Shri Venilal Chhaganlal Buch

**Karnatak—20**

1 Shri K. Chengalrai Reddy
2 " G. B. Deshapande
3 " S. R. Haldipurkar
4 Shri S. A. Kagatikar
5 Shri N. G. Joshi
6 Shri S. B. Hiremath
7 Shri K. S. Patil
8 Shri B. N. Datar
9 Shri Y. Parthanarayana
10 Shri S. S. Sakri
11 Shri Kamaladevi
12 Shri C. M. Poonachya
13 Shri K. F. Patil
14 Shri T. M. Hegde Motensur
15 Shri B. Chandrashekharayya
16 Shri U. Srinivas Malliah
17 Shri T. Rajagopala Iyengar
18 Shri V. V. Patil
19 Shri Bhojarao Bolar
20 Shri T. Subramanyam

**Kerala—10**

1 Shri E. M. Sankaran Namboodiripad
2 Shri P. Krishna Pillai
3 Shri H. Manjunath Rao
4 Muhamad Abdur Rahman
5 Shri T. J. George
6 Shri A. V. Kuttimalu Amma
7 Shri R. Raghava Menon
8 Shri C. K. Govindan Nair
9 Shri G. Ramachandran
10 Shri K. Raman Menon

**Mahakosal—17**

1 Shri Chhedi Lal
2 „ D. K. Mehta
3 „ Ravi Shanker Shukla
4 „ D. P. Mishra
5 „ Govind Das
6 „ Sheo Das Daga
7 Shri Makhan Lal Chaturvedi
8 " V. V. Subhedar
9 " Deep Chand Gothi
10 " Narsingh Das Agarwal
11 " Kunj Behari Lal Agnihotri
12 " Niranjan Singh
13 " Awadhesh Pratap Singh
14 " Mohan Lal Bakliwal
15 " Waman Baliram Lakhe
16 " Arjun Singh
17 Dr. P. G. Sapre

**Maharastra—18**

1 Shri Shanker Rao Thakar
2 „ K. B. Deshmukh
3 „ Shanker Rao Deo
4 „ G. H. Deshpande
5 „ Pandharinath Vaman Ghonekar
6 „ P. V. Karmalkar
7 „ Swami Anand
8 „ Vamanrao Kulkarni
9 „ T. R. Deogirikar
10 Shri Gokulbhai Bhatt
11 Dr. Kazi Abdul Hameed
12 Shri A. S. Patwardhan
13 „ Dipchand Vora
14 „ Bal Gangadhar Kher
15 „ B. L. Kavadi
16 „ Laxmanshastri Joshi
17 „ Shankershet Kabare
18 „ N. V. Gadgil

**Nagpur—4**

1 Dr. Narayan Bhasker Khare
2 Shri Jamnalal Bajaj
3 „ Poonamchand Sambhuram Ranka
4 „ Chaturbhuj Vithaldas Jasani

**N. W. F. Pr.—4**

1 Khan Abdul Ghaffar Khan
2 Arbab Abdur Rehman Khan
3 Hakim Abdus Salam
4 Khan Ali Gul Khan

**Punjab—26**

1 Dr. Satyapal
2 Shri Raja Ram
3 „ Duni Chand Ambalvi
4 Shri Sham Lal
5 Dr. Gopi Chand Bhargava
6 Shri Kedar Nath Sehgal

7 Shri Nand Lal
8 " Sunam Rai
9 " Kabul Singh
10 Mian Iftekhar Uddin
11 Shri Nekhi Ram Sharma
12 " Shri Ram Sharma
13 " Abdul Ghani
14 Hakim Ahmed Hasan
15 Shri Mohammad Din
16 Munshi Ahmad Din
17 Shri Mubarak Saghar
18 Shri Sohan Singh Josh
19 Bhagat Singh Bilga
20 Shri Mota Singh
21 " Tara Singh
22 " Bhagat Ram Chanana
23 Shri Pratab Singh
24 Shri Teja Singh
25 Swami Bal Saroop
26 Shri Bagh Singh

**Sind—4**

1 Shri Jairamdas Doulatram
2 Dr. Choithram P. Gidwani
3 Shri Haridas Lalji
4 Shri Sachanand Pherumal

**Tamil Nad—28**

1 Shri C. Rajagopalachari
2 Shri S. Ramanathan
3 Shri M. Bhakthavatsalsm
4 Shri L. Natesan
5 Shri A. M. P. Subbaroya
6 Shri S. Satyamurthi
7 Shri K. Kamaraj Nadar
8 Shri N. M. R. Subbaraman
9 Shri T. S. Avanasilingam
10 Shri R. V. Swaminathan
11 Shri K. V. Venkatachala Reddiar
12 Shri P. Ramamurthi
13 Shri T. N. Ramchandran
14 Shri N. Subramania Ayyar
15 Dr. P. Subbaroyan
16 Dr. T. S. S. Rajan
17 Shri K. Santanam
18 Shri C. N. Muthuranga
19 Shri P. Ramaswamy
20 Shri K. S Muthuswamy
21 Shri S. O. S. P. Odayappa
22 Shri A. Vedaratnam Pillai
23 Shri P. S. Kumaraswami
24 Shri Rukmini Laksmi Pathi
25 " M. A. Eswaran
26 " P. Jeevanandam
27 " N. Somasundaram Ayyar
28 " Shafee Mohammad

**United Provinces—59**

1 Shri Bal Krishna Sarma
2 " Ragubar Dayal Misra
3 Dr. Z. A. Ahmad
4 Shri Jagannath Singh
5 " Sarju Prasad
6 Shri Krishna Chandra Pangoria
7 " G. B. Pant
8 " Nand Kumar Deo
9 " Brij Mohan Lal Shastri
10 " Jwala Prasad Jigyasu
11 " Bishnu Saran Dublish
12 Srimati Uma Nehru
13 Shri Malkhan Singh
14 " Chandra Bhan Gupta
15 " Vijay Pal Singh
16 " Jugal Kishore Dwivedi
17 " Raghupati Singh
18 " Ganapat Sahai
19 " Prakash Chandra Agarwal
20 " Ram Gopal Gupta
21 " Kedar Nath Bhargava
22 " Brahma Datt Shukla
23 " Vishwambhar Dayal Tripathi
24 " Sri Krishna Datt Paliwal
25 Maulvi Idris Khan Lodi
26 Maulvi Abdul Latif
27 Shri M. Hifzar Rahaman
28 " Rafi Ahmad Kidwai
29 " M. Hussain Ahmad
30 " Ganga Sahai Chaube
31 Dr. K. M. Asraf
32 Dr. Murari Lal
33 Shri Ram Naresh Singh
34 " M N. Roy
35 Prof. Shibban Lal Saxena
36 Shri Bind Basini Prasad
37 " Govind Sahai
38 " Gopal Narain Saksena
39 " Beni Krishna
40 " Purushottam Das Tandon
41 " Sardar Narmada Prasad Singh
42 " Yusuf Imam
43 Prof. Ram Saran
44 Shri Sampurnanand
45 " Achal Singh
46 " Kali Charan Tandon
47 " Damodar Swarup
48 " Manzar Ali Sokhta
49 " Kamala Prasad Shukla
50 " Mohan Lal Saksena
51 " Harihar Nath Shastri
52 " Narendra Deo
53 " Din Dayal Shastri
54 " Raghunath Prasad Rai
55 " Krishna Shankar Srivastava
56 " Shri Bimal Prasad Jain
57 " J. B. Kripalani
58 " Lal Bahadur Shastri
59 " Raghukul Tilak

**Utkal—16**

1 Shri Harekrishna Mahatab
2 Shri Bhagirathi Mahapatra
3 " Nityanand Kanungo
4 " Pranakrushna Padhiary
5 " Nand Kishore Das
6 " Radhakrishna Biswasroy

7 Shri Lingaraj Misra
8 " Godavarish Misra
9 " Nilkanta Das
10 " Prananath Pattnaik
11 " Niranjan Pattnaik
12 " Lakshminarayan
13 " Biswanath Das
14 " Dibakar Pattnaik
15 Shri K. Vir Raju
16 " Malati Chaudbury

**Vidharva—4**

1 Shri Brijlal Biyani
2 " K. V. Sahasrabudhe
3 " M. S. Aney
4 Dr. Narayan Zuglaji

# Proceedings of the Working Committee

## Bombay—2nd. January to 4th. January 1938

A Meeting of the Working Committee was held at Bombay on January 2, 3 and 4, 1938, *Shri Jawharlal Nehru* presided.

The members present were *Maulana Abul Kalam Azad*, *Shris Sarojini Naidu*, *Vallabhbhai Patel*, *Rajendra Prasad*, *Jamnalal Bajaj*, *Jairamdas Daulatram*, *Bhulabhai Desai*, *Narendra Dev*, *Shankerrao Deo*, *Achyut Patwardhan and J. B. Kripalani*.

*Shri Sarat Chandra Bose* was present by special invitation.

The Prime Ministers in the Congress provinces were invited to attend. *Shris Rajagopalachari* (Madras) and *B. G. Kher* (Bombay) attended. The Premiers of C. P. and Orissa had deputed *Shri Dwarkaprasad Misra* and *Nityanand Kanoongo* to represent their respective provinces. The committee conferred with all the four.

### Assam

A recent decision of the Working Committee lays down that during a particular session no primary members be enrolled from the date of the closing of the membership list to the date of the general elections. By this rule during the current session there could be no enrolment of primary members between September 30, 1937 and January 16, 1938. When the President was in Assam, Congress workers there placed before him the hardship that this rule would work in the case of their province where the harvest season is in December and January when alone the Kisans can afford to pay the membership subscription. The President, subject to the sanction of the Working Committee, allowed the Assam P. C. C. to continue enrolling primary members, subject to this that the new members enrolled after Sept. 30 1937 should be entered in a fresh register and they be not mixed up with the members enrolled upto September 30, 1937. The new members will not be entitled to vote in the general election in December 1937 and January 1938. They may, however, vote at any bye-election which may take place after January 16, 1938 provided they have been on the rolls for 3 months previous to such bye-election.

The Working Committee confirmed this action of the President.

### Bengal & Punjab

Some primary members had been enrolled in Bengal and the Punjab before the above rule was made by the Working Committee. The President allowed the members so enrolled in the two provinces to continue to be primary members for the next session subject to the same conditions as in the case of Assam.

The action of the President was also confirmed by the Working Committee.

### Independence Day

The Independence Pledge drawn up in 1930 described in some detail the moral and material harm done to India by British imperialism. It was thought that a recital of this was not necessary every year. The old pledge was issued on the eve of the civil disobedience movement. Portions of it were therefore not suited to the present altered circumstances. The Committee therefore decided to issue the following new Pledge for the Independence Day on January 26, 1938.

**Resolution for Independence Day**

We believe that it is the inalienable right of the Indian people, as of any other people, to have freedom and to enjoy the fruits of their toil and have the necessities of life, so that they may have full opportunities of growth. We believe also that if any government deprives a people of these rights and oppresses them, the people have a further right to alter it or to abolish it. The British Government in India has not only deprived the Indian people of their freedom but has based itself on the exploitation of the masses, and has ruined India economically, politically, culturally and spiritually. We believe therefore that India must sever the British connection and attain Purna Swaraj or complete independence.

"We recognise that the most effective way of gaining our freedom is not through violence. India has gained strength and self-reliance and marched a long way to Swaraj following peaceful and legitimate methods, and it is by adhering to these methods that our country will attain independence.

"We pledge ourselves anew to the Independence of India and solemnly resolve to carry on non-violently the struggle for freedom till Purna Swaraj is attained."

**Donation for Natural Calamities**

Shri *Uttamchand* from Sind offered to the Committee three Government Promissary Notes of the value of Rs. 3,000 bearing 5 and a half per cent interest on condition that the interest be utilised for the relief of the sufferers from natural calamities.

The Committee accepted with thanks the donation earmarked for the purpose indicated by the donor.

**Implementing of Congress Programme by Congress Ministries**

Mr. *Masani's* motion on this subject had been referred by the last A. I. C. C. at Calcutta to the Working Committee. After careful consideration of the motion the Committee passed the following resolution :

"The Working Committee have considered the motion relating to the release of of political prisoners, the repeal of repressive laws and other allied matter, which was referred to them by the A. I. C. C. at Calcutta. The Committee after full and careful consideration of the situation in the various provinces and difficulties inherent in the present position, record their approval of the work done so far by the Congress Ministries, and appreciate that further efforts are being made to enlarge the bounds of civil liberty and implement the Congress programme. The Committee are confident that such efforts will be continued by the Ministries and will have the full co-operation of all Congressmen.

The Committee are of opinion that in order to facilitate and expedite progress in this direction, as well as to strengthen the Congress organisation in the struggle for Swaraj, it is necessary to adhere to the Congress policy of non-violence and to discourage all incitements to violence. The Committee appeal to Congress Committee and individual Congressmen to help to create an atmosphere of peaceful disciplined action in the country and to warn any erring Congressmen against any tendency which militates against our policy of non-violence. Where necessary, Congress Committees should take disciplinary actions against Congress men who offend against the Congress policy.

Congress Ministries must guide themselves by the principle of civil liberty and the democratic approach by means of persuasion rather than by coercive action but inspite of every desire to avoid it, coercive action may become necessary, and in such cases Ministries will inevitably have to undertake it. Such coercive action should only be untertaken where there has been violence or incitement to violence or communal strife."

**Kisan Sabha Workers Bihar**

"The Committee considered the resolution of the Executive of the Bihar P. C. C. regarding the activities of some workers of the Kisan Sabha who were also members of the Congress. A memorandum on behalf of the Kisan Sabha in this connection was also considered. The following resolution was passed :—

'The Working Committee considered the resolution of the Executive of the Behar P. C. C. regarding the activities of some members of the Kisan Sabha in that province and also considered representations in connection therewith. The Committee desire to make it clear that while the Congress fully recognises the rights of Kisans to

organise themselves in Kisan Sabhas, it cannot associate itself with any activities which run counter to the basic principles of the Congress. The Working Committee are in agreement with the executive of the Behar P. C. C. in disapproving of the activities of those Congressmen who as members of the Kisan Sabha held in creating an atmosphere of violence. Such conduct renders them liable to disciplinary action and the Behar P. C. C. should take such action wherever necessary after due notice to the parties concerned."

**Congress Elections in Bihar**

Report had appeared in the press and complaints had been received by the Working Committee about unconstitutional methods and violence used in the election of delegates in some places in Bihar. The Committee passed the following resolution in the connection :—

"The Working Committee has learnt with strong disapproval that in the course of recent Congress delegate elections in some provinces, violence and other objectionable behaviour was resorted to by some candidates or their supporters. Such behaviour on the part of Congressmen cannot be tolerated and the provincial Congress Committees concerned should institute immediate enquiries and take strongest action whenever called for."

**Cotton Committee Report**

The Cotton Committee Report was placed before the Committee. The Committee adopted the report and passed the following resolution :—

"The Report of the Cotton Committee appointed by the All India Congress Committee was placed before the Working Committee. The Working Committee are of opinion that the situation created by the world slump in cotton prices is one of extreme gravity and fraught with disastrous consequences for the cotton cultivators all over the country and prompt and effective measures are necessary to save the cultivators from the misery that faces them. The Committee generelly accept the recommendations made in the Report and direct that the Report be forwarded to the Congress Party in the Central Legislature and the Provincial Governments where Congress ministries are functioning. Further that the Report be issued to the press.

**Cotton Committee Recommendations**

Indian cotton has experienced a heavy decline in prices. The present price of cotton is regarded as quite unremunerative for cultivator. It is apprehended that the price of cotton would go down further. Prompt and effective measures for the protection of the cultivator are therefore urgently needed. A summary of our recommendations is given below :—

1. *Curtailment of area* :—Past experience shows that the farmer is himself incapable of quickly readjusting the area under different crops in accordance with the fluctuations in economic return.

(*i*) Active propaganda by Government and other agencies to bring home to the cultivator the need of curtailment.
(*ii*) Assistance by Government needed in changing over to other crops.
  (*a*) Advance or exchange of seeds.
  (*b*) Practical guidance regarding alternative crops.

2. *Loans against Cotton* :—To strengthen the holding capacity of the cotton cultivators and dealers with a view to prevent excessive seasonal decline in prices, loans at 2 per cent should be provided through the agency of the Imperial Bank of India, against a deposit of cotton.

3. *Facility regarding rent or revenue* :—To prevent distress or forced sales of cotton for payment of rent or revenue, these demands should be stayed and payment postponed till the holder of cotton seeking such relief is in a position to market the crop at a suitable time of the year.

4. *Export subsidy.* Difficulty of exporting cotton due to its being above parity in relation to the prices of foreign cotton.

(*i*) Subsidy needed to facilitate export of cotton to foreign customers and to stabilize inland prices.
(*ii*) Consumer of cotton in country to pay a small tax to recoup the expenditure on the subsidy.
(*iii*) The textile industry—both hand and and machine—to be assured adequate protection against cheap foreign cotton goods, if necessary.

5. *Freight Reduction.* Government of India should devise a scheme for reduction of freight on consignments which are intended for export and which in fact get exported.

6. *Threatened import of Foreign cotton.* Taking advantage of the relative cheapness of foreign cotton—Indian cotton being above parity—merchants and millowners are attempting to import foreign cotton whose staple is comparable with several varieties of Indian cotton. It is necessary to ask for prohibition of cotton of 1 inch staple and less. All Provincial Governments should urge the necessity of such a measure on the Government of India. Elected members of the Indian Legislative Assembly to do likewise. Additional import duty would not suffice.

7. To facilitate, by Government help, change over to superior varieties of cotton to replace the present imports of higher staple cotton.

8. *Forward sales.* There is a volume of opinion that the existing practices regarding forward sales and Teji Mandi transactions have had the tendency to unduly depress the cotton market. The situation therefore calls for an inquiry by the Government of Bombay.

9. *Ginning and Pressing charges.* There is evidence that owners of gins and presses combine for exploiting the distress of the farmer by forcing him to pay excessive charges. Government regulation is needed to bring down the charges to a competitive level.

**President's Statement**

*The following statement was issued by the President on the 1st. January 1938:—*

From press reports it appears that Mr. *M. A. Jinnah* has issued some kind of a challenge to me, though I have not been able to make out what this is about and why he should think it necessary to issue challenges. Nor have I any recollection of any previous 'challenge' to which he refers. Mr. *Jinnah* is further reported to have said that he is fighting the Congress leadership which is misleading the Hindus. At the same meeting Mr. *Faxlul Huq* has called upon Muslims to prepare for direct action against Hindus and has threatened to use a big rod against those he disapproves of. He looks forward to communal conflicts and prophesies dire happenings in which he will play a prominent role. All this frank incitement to communalism and hatred and conflict is strange language which one has not associated so far with political leaders and those in positions of responsibility. I have no taste or aptitude for controversy of this kind and I can only regret that matters which should be discussed dispassionately and with the ordinary courtesies of public life should be dealt with in such a manner. Whoever wishes to fight the Congress on communal issue will have to fight in the air for the Congress will have nothing to do with such internecine conflicts. We have fought, not without success, the mighty power of British Imperialism and that fight we shall continue till imperialism flourishes no more in India. In that fight we shall gladly co-operate with every individual and group in India, whatever our minor differences might be. We think in terms of no other fight and we shall strain every nerve and do our utmost to gain the confidence and goodwill of all our countrymen. Mr. Fazlul Huq's approach is one of threats and angry defiance, Mr. Jinnah's approach is anything but friendly. But I should like to assure Mr. Jinnah, on behalf of my colleagues and myself, that even without the issue of challenges, any statement or proposal by Mr. Jinnah will always have the most careful consideration. We are always prepared to sit down and consider any of the problems which afflict India. So for as the minorities question is concerned, it is the declared and well established policy of the Congress not only to do full justice to them, but to go even beyond that in order to inspire confidence and good-will in them. The Congress can conceive of no freedom for India which is not an equal freedom for all the various religious communities which inhabit India and in which all do not share equally and have full opportunities of growth and development. So for as religious and cultural matters are concerned it has given the fullest possible assurances and declared that these should be incorporated in our fundamental rights in the constitution. A further assurance has been given in regard to personal law. In regard to certain political rights, the Communal Award stands for the present and we have stated repeatedly that we seek no change except with the concurrence of those concerned. We have further declared that we shall stand by the provisional agreement which was arrived at between Babu Rajendra Prasad acting as Congress President and Mr. Jinnah. What remains? If

there is anything of importance left over, let us have it out by all means and consider it. My difficulty is that I do not know what the argument is about.

Essentially the Congress is a political body acting on the national and political plane, and inevitably dealing with economic questions. All these overlap communal and religious boundaries. Because of the strength that has come to the Congress from the organized masses of this country, and because of the growing importance of India, the Congress functions also to some extent on the international plane. This is bound to grow. This also has nothing to do with religious or communal questions.

I welcome the recent re-orientation of the Muslim League and some of its resolutions, which have brought it much nearer, in theory at least, to the Congress. I welcome its new objective of independence. I hope this theory will be translated into practice and strengthen the anti-imperialist struggle.

I would beg Mr. Jinnah to remember what the Congress is today. It is very different from what it was in the days when he was associated with it. During this period it has grown remarkably and is to-day an organisation with thirtyone lakhs of members actually on its rolls, of whom about a hundred thousand are Muslims. It influences scores of millions of others. But apart from the vast numbers it influences, it has succeeded by its continuous work in the masses and its compaigns of direct action, in developing political consciousness among the people and in creating strength and self-reliance in them. These millions, though more disciplined than ever before and capable of united action, are not dumb sheep who can be driven at the will of a few leaders, howsoever honoured and respected the latter might be. Even our village committees are vital bodies having a will of their own and striving to express it. The Congress is thus a vast democratic organisation influenced greatly by its leadership no doubt, but essentially reacting to the pressure and urges coming up from its tens of thousands of local committees.

What are our major problems to-day ? Politically the fight against the proposed Federation and for independence. Socially and in the sphere of economics, the fight against poverty and unemployment and the necessity to lighten the burdens of our masses and raise their standards to human levels. There are ever so many other matters of importance and demanding attention—education, medical relief and sanitation, the development of planned industry—but before we can grapple with them the basic problems mast be solved. In facing these basic problems of Federation and Independence and poverty and unemployment we come up against great vested interests, imperialistic and semi-feudal. The recent decisions of the Muslim League led me to hope that the organisation is beginning to think of these problems in the same light as we have done for so many years. If so, let us co-operate by all means with each other and with all other anti-imperialist elements in the country in this fight for freedom, whether the method of fighting is by direct action or otherwise.

May I express the hope that any further approach to the communal or minorities question will be a dispassionate one, and will not seek to rouse bitterness and hatred which can never help in the consideration of any problem. In this dynamic and revolutionary age, pregnant with big possibility, those of us who have a measure of influence with our countrymen, dare not lose sight of the big things or encourage passions which weaken us and lower us in the world's esteem.

### OBITUARY—Srimati Swaruprani Nehru

Mrs. Moti Lal Nehru passed away at 5 p. m. on Monday January 10, 1938. Though old (69) and greatly enfeebled by her previous prolonged illness her death was sudden and unexpected. She was chatting with her children till fairly late in the night when an attack of paralysis laid her prostrate and brought her end. It was the peaceful end of a noble life. On hearing the news the city observed a complete and spontaneous hartal. People of all communities joined the funeral procession in their thousands testifying to the universal love and respect she commanded. Messages of condolence and sympathy from near and far have been pouring in on Jawharlalji in his sad bereavement. Gandhiji sent the most significant message which beautifully sums up the devoted life of service of the departed soul. "Died nobly ; and a model mother, wife and widow.....".

Exactly to the minute twenty-four hours after, passed away her elder sister Shrimati Rajpati Kaul who had been her companion for many years. As if her work done, she could live no more.

There is universal sympathy and business has been suspended and meetings held throughout India and Burma.

# NOTES

*President's Assam Tour*

The long delayed Assam tour of the President came off in the first week of December. He gave eight days to it. As usual he had the warmest welcome from all sections of the population. The semi-starved peasants Hindus and Muslims and the labourers in the tea plantation flocked in their thousands to hear the Congress message of hope of which he was the bearer. The President returned from Assam carrying with himself happy memories of the province and the warm welcome accorded to him. He contributed two long articles in his characteristic style about the economic and social condition of the province. He marked the poverty that was terribly in evidence and drew the attention of the Assamese native born and domiciled to the vast mineral and forest resources of their province which were waiting there to be exploited by their labour. He thought the Congress was a vital living force in the province, only its organisational side needed improvement. His visit created a fresh life in the province.

**Bye-Election**

The Congress contested bye-elections for the three Muslim seats of the U. P. Legislative Assembly, Saharanpur, Moradabad and Bulandshahr and lost to the Muslim League by margins ranging from 10 to 20 per cent.

**China Day**

The President received an appeal for help from General Chu Teh of China in which the latter described the spirited resistance which the Chinese were offering to Japan's Imperialistic aggression and expressed appreciation of India's sympathy with them in their hour of trial. The president on receipt of this letter issued an appeal to the Country to observe the China Day for the Second time and fixed January 9th for it. Meetings were held on that day throughout India and collection made to help the Chinese with medical supplies. At all meetings resolutions were passed conveying greetings to the Chinese people in their heroic struggle and expressing condemnation of the brutality of Japanese aggression. "To help China at this hour of trial', declared Jawaharlalji at the public meeting, 'was the duty of all nations who wish to espouse the right cause'.

## Arrests and Convictions etc.

The following are some of the cases of arrests, convictions, internments, externments, searches, gagging orders and the like compiled from the daily Press and the bulletins of the Civil Liberties Union.

**In the Punjab**

(1) Pandit Prakash Nath Tewary, General Secretary, District Congress Committee was arrested by the police on a warrant issued by the District Magistrate under Section 108 Cr. P. C. for disseminating alleged seditious matter.

(2) The Punjab Police arrested Chaudhari Bihari, a Congress worker of Delhi, at Nari village for making an alleged seditious speech there.

(3) Gurubux Singh who recently returned from Argentine has been arrested from Dusanji Kalan (Jullundur District) under the Punjab Criminal Law Amendment Act.

(4) Sahibzada Faizul Hassan, the Ahrar Leader was arrested in connection with an alleged seditious speech delivered by him in Lahore.

(5) Sardar Balwant Singh Dukhia, Chairman Reception Committee, Punjab Provincial Political Conference, Garhdiwala has been sentenced to three years' rigorous imprisonment for an alleged seditious speech.

(6) Jathedar Achhar Singh of Lahore has been sentenced to six months' rigorous imprisonment for a speech made by him at Jaudiala Sherkhan in August last.

(7) Under order of the Chief Secretary, Punjab an order was served on Sardar Ishar Singh Majhail, General Secretary, Sharomani Akali Dal under Section 3 of the Punjab Criminal Law Amendment Act.

(8) Jullundur Police made a lathi charge on a crowd of peasants with black flags who had gathered at Nallodar to shout at the Minister of Development, Punjab, to go back. Police subsequently arrested eight Congress workers on a charge of rioting.

(9) Master Mota Sing, a socialist leader of Jullundur, Punjab, was arrested under 124A, I. P. C. (Sedition) on November 13, for a speech delivered by him at Gardhiwala Conference.

(10) Bibi Ghulam Fatima, a Congress Muslim worker of Lahore, was sentenced to six months' rigorous imprisonment and a fine of Rs. 100 under Section 124A and 153A, for reciting an alleged seditious poem at a public meeting held at Batala.

(11) Pritam Singh of Kasol, who recently returned after a prolonged stay in the United States of America, has been arrested and taken to Lahore Fort where he is at present confined.

(12) The Punjab Government, it is reported, have banned the entry into province of "Kirti," an organ of the Punjab Socialist Party.

(13) Lahore Police raided the Congress Socialist party office at Bradlaugh Hall on November 18 in search of Revolutionary Literature. The police also searched the room of Shri Mohan Lal, ex-editor of Kirti.

(14) For failure to deposit security of Rs. 500 demanded by the Government the Mercantile Electric Press of Rawalpindi has been confiscated by the Punjab Government.

(15) Swami Sarupanand, member of the Delhi Provincial Congress Committee, has been served with a notice under Section 3 of the Punjab Criminal Law Amendment Act asking him not to take any part in political meetings or processions.

(16) Sujjan Sinha, Secretary Meja Congress Committee, Lahore, Harnam Das, Thakur Sinha and Nathan Sinha, Congress workers were placed under police surveillance by the Punjab Government during the Viceregal visit to the province.

(17) Sansara Singh, a socialist of Pasrampur, who was prosecuted for publishing a poster alleged to contain objectionable matter has been sentenced by the District Magistrate, Jullundur, to three months' rigorous imprisonment under Section 18 of the Indian Press Emergency Powers Act.

(18) Amarchand a Congress worker of Ludhiana has been ordered to execute a bond of Rs. 1,000 with one surety to be of good behaviour for one year or in default simple imprisonment for one year for an alleged objectionable speech.

(19) Two Congress workers of Lyallpur, Chintaram Thapper and Ram Rakhamel have been sentenced to six months' imprisonment and a fine of Rs. 200 each for delivering alleged objectionable speeches.

(20) First class Magistrate, Jullunder, has sentenced seven Congressmen of Nakodar on a charge of rioting and forming unlawful assembly to 18 months' rigorous imprisonment and another to 6 months.

(21) District Magistrate, Lahore, has demanded an advance security of Rs. 300 from S. P. Varmani who had filed a declaration for daily paper, 'Hamari Shikayat.'

### In the United Provinces

(1) A warrant under Section 124A was served on Pandit Paramanand of Jhansi for delivering a speech alleged to be seditious at Dehradun. (He has since been released with a warning).

(2) Gujpat Rai Saksena, News-editor, Pratap, was arrested on Dec. 6 for addressing a meeting of the workers at Cawnpore in alleged contravention of the order under Section 144 Cr. P. C.

(3) The District Magistrate, Cawnpore served an order under Section 144 Cr. P. C. on 14 persons mostly labour leaders directing them to refrain from making speeches at public gatherings or publishing leaflets for a period of two months.

(4) Santosh C. Kapoor, Joint Secretary, Mazdoor Sabha, Cawnpore was arrested for alleged breach of Section 144 on Dec. 7 and has been sentenced to 6 months' imprisonment.

(5) R. C. Sinha and J. Bhattacharjee, two students of the Allahabad and Benares Universities respectively who were being prosecuted under Section 7 (*i*) and (*ii*) of the Indian Criminal Law Amendment Act, have been sentenced to two years' rigorous imprisonment.

### In Delhi

(1) Five ex-Kakori prisoners, Manmath Nath Gupta, Indra Nath Bakshi, Ram Krishna Khatri, Ram Dularai Trivedi and I. C. Chatterjee were served with notices by the Commissioner, Delhi, asking them not to participate in public meeting or processions.

(2) The New Delhi police made a lathi charge on a peaceful procession in con-

nection with the conference for the release of political prisoners, which resulted in injuries to a few people.

(3) Five Delhi Congress Socialist workers Brij Kishen Chandiwala, Shrimati Satyavati, Krishna Iyer and two others were served with notices by the Chief Commissioner on November 19 asking them not to participate in any political activity, meeting or procession for a period of 3 months. These workers were touring the countryside.

### In Bengal

(1) Ananth Kant Bose, Secretary, Kishan Ganj Congress Committee was served with a notice under Section 144 Cr. P. C. on 15th Oct. night restraining him from attending the Kisan Sabha meetings on 17th Nov. at Shibganj.

(2) Pandit Ram Chandra Sharma and six others were served with notices under Section 144 Cr. P. C. restraining them from going to Kalighat and making speeches.

(3) In a statement issued by the Bengal Civil Liberties Union a serious case of Police molestation is reported. Basant Joshi arrested in connection with the police conspiracy case and now on trial reports of close police watch and indecent interference in private life. The management of *Janmat*, a weekly paper, was compelled, it is alleged, by the Police on threat of demanding securities to get rid of the service of Joshi who was then on the editorial staff. Joshi also complains of an unprovoked assault on public road by those who were deputed to watch him.

(4) S. P. Bannerjee of Shakta whose movements were restricted by orders of the government was sentenced to six weeks' rigorous imprisonment by the Deputy Magistrate Dacca on a charge of failing to attend the police station on the prescribed date. His defence was that he did it because no maintenance allowance was granted to him despite his repeated prayers.

(5) A fresh order under Section 18 of the Bengal Suppression of Terrorist Outrages Act was served on B. Das Gupta, President, Radical Party, Bengal not to leave Calcutta Municipal area without written permission, not to associate with any person whose methods included the use of violence or terrorism of any kind, not to encourage any form of terrorism and report himself twice a week at the police station. He has been under similar orders for the last three years.

(6) Mrs. Indumati Sinha whose sentence under the Bengal Criminal Law Amendment Act was reduced on appeal to the period already undergone has again been home-interned.

(7) The District Military Intelligence office accompanied by a Sub-Inspector raided the house of Sarat Chandra Bhoopi and Abhay Charan Bhoopi of Khilpara in quest of arms and objectionable literature. Nothing incriminating has been found.

(8) Calcutta Police searched the office of the Desh Darpan, the only Punjabi Daily in Calcutta and 'Kavi Press' where the said newspaper is printed. It is reported all copies of the paper dated June 29, 1937, alleged to contain seditious material, were seized.

(9) Chatar Singh, printer and publisher of 'Desh Darpan' has been arrested in connection with an article appearing in its issue of June 29, 1937.

(10) It is reported that Srimati Tarulata Mandal, Secretary of the Bashirhat Peasant Samity and Rastam Ali Mistry have been arrested in connection with agrarian trouble in the said subdivision.

(11) Hemendranath Chakravarty of Daulatpur, Pabna, has been rearrested at the Jail gate on Dec. 21 on the expiry of the full term of conviction (7 years). He served his conviction mostly in the Andamans and was brought back to be released.

### In Bombay

(1) The Bombay Government issued a notification under the Criminal Law Amendment Act declaring the offence of Criminal intimidation committed within Municipal limits of Ahmedabad City to be cognisable and non-bailable.

(2) The District Magistrate of Sholapur issued fresh order under Sec. Cr. P. C. prohibiting meetings and processions in Sholapur in connection with the agitation by the Red flag Union of Sholapur.

### In Madras

(1) Chief Presidency Magistrate, Madras, demanded an advance security deposit of Rs. 1,000 from B. Srinivas Rao, Madras Congress Socialist party when he filed a declaration as publisher of a Tamil Weekly entitled the 'Socialist'.

**In Sindh**

Government of Sindh have demanded advance security of Rs. 500 from the printer and publisher of Nav-Bharat, Karachi when he filed the declaration.

**In the Indian States**

*Mysore* :

(1) The Amildar Magistrate of Molkalumeru has prohibited the conducting of processions, holding of meetings, delivering or reading of speeches in or near any public place in Molkalumeru Town and within the radius of five miles thereof with effect from the 6th instant. Copies of the orders were served on a number of leaders. (2) Under order of the Amildar Magistrate all political meetings and processions have been prohibited in Chitaldrug town for a period of two months. (3) T. Subramanyam, Vice-President, Karnatak Provincial Congress Committee, S. Rangramiah, President Mysore District Congress Committee, M. M. Jois and Manjappa Kotre, Secretary, Molalkere Town Congress Committee were arested on December 3 under Section 124A (sedition) for alleged seditious speeches on 'Patriots Day' November 14. (4) Bangalore District Magistrate has sentenced Hoskote Mahadeva Sastri aged 60 to four months' simple imprisonment under Section 124A (sedition). (5) Bail has been refused to M. Lakshminarayana Rao who stands charged under Section 124A (sedition). (6) An order under Section 144 Cr. P. C. has been served on the Secretary of the Congress Committee and four others by the Special First Class Magistrate of Chickbalpur prohibiting them from addressing meetings and participating in processions for one month. (7) Shri Chandur, Secretary of the Bangalore Congress Committee, has been ordered to be bound over by the City Magistrate in a Bond of Rs. 500 with sureties for a like amount to keep the peace for a period of three months or in default to undergo three months' simple imprisonment. He preferred imprisonment. (8) Abdul Khaliq, Secretary, Campbelpur Congress Committee, has been sentenced by the District Magistrate to pay a fine of Rs. 20 or in default to undergo a fortnight' simple imprisonment for advising the villagers in Talagang Tahsil to organise and join the Congress. (9) Superintendent, Government Gardens, has put up a notice saying that no public meetings will be allowed in Gandhi Sagar, Bangalore, the usual open place for holding public meetings. (10) Restraint orders were served on a number of persons including H. C. Dasappa, T. Mariyappa, T. S. Rajagopala Iyengar, K. Seshadri, S. Rangaramiah and M. N. Jois by the District Magistrate, Mysore. (11) M. N. Chaudhri, Publicity Officer, Mysore Congress Board, was arrested on Novemoer 13th. (12) Proceedings under the security Sections 108, 112 and 117 (3) Cr. P. C. have been launched against five Congress workers in Dodhallpur town namely, Chonnabassappa, M. Voorabhadriah, Pundalika and V. Aiyar, a student, for alleged seditious speeches. (13) Restraint order for two months under Section 144 Cr. P. C. was served on Nov. 14th on T. S. R. Iyenger, Advocate of Mysore and A N. S. Rao, a Congress worker who accompained him to Holo Narsipur. (14) Bangalore police searched on November 16 the Indian Press for alleged objectionable hand-bills of a warrant issued by the City Magistrate under Section 94 Cr. P. C. (15) "Projamatha" a very popular weekly whose Editor was externed on 24 hours notice, has been disallowed publication in the State under the drastic Section 3 of the Mysore Newspaper Regulation III of 1907. (16) The order under Section 144 Cr. P. C. prohibiting meetings and processions in Bangalore City which expired on November 17th has been promulgated prohibiting meetings for a period of two months in Bangalore Park (17) K. T Bhasyam and N. C. Thimma Reddi, Congress leaders, were convicted on November 8th by the City Magistrate, Bangalore, for sedition and sentenced to undergo rigorous imprisonment for 18 months each and to pay fine of Rs. 1,000 or in default a further term of three months.

*Cochin* :

P. S. Nambudiri, labour leader, has filed a case against the Cochin Harbour sergeant for assault. The Sergeant taking permission from the State filed a counter-case for illegal propaganda, against Nambudiri. The District Magistrate has convicted Nambudiri and sentenced him to 6 months' imprisonment.

*Travancore* :

The District Magistrate, Quilon, issued orders on November 28 prohibiting the holding of public meetings and other demonstrations for a period of twenty-five days in the Taluk to congratulate C. Keshavan, a political prisoner, recently released.

*Hyderabad* :

Sir Akbar Hydari, President, Hyderabad State Executive Committee, seems to have refused permission to allow a procession to be taken out in connection with the death anniversary of the late Vaman Naik, President of the local Congress Committee. Sir Hydari is reported to have told the deputation that it is not "the policy of the Nizam's Government to accord permission to processions."

*Patiala* :

Twenty members of the Patiala State Praja Mandal have been arrested on a charge of becoming members of the Congress.

# Resolutions of the Indian National Congress

## 51st. Session—Haripura—19th. to 21st. February 1938

The following are the texts of the resolutions passed by the Indian National Congress at Vithalnagar, Haripura, Gujrat at its fifty-first session held on the **19th. 20th. & 21st. February 1938** :

### 1. Condolence

The Congress expresses its sense of sorrow and loss at the deaths of *Shrimati Swaruprani Nehru, Sir Jagadish Chandra Bose, Shri Sarat Chandra Chatterji, Shri Manilal Kothari* and *Shrimati Parvati Devi, Shri Jogendra Nath Barua, Shri Harendranath Munshi, Shri Buchi Sunder Rao, Shri Arya Dutt Jogdan, Sari Adi Narayan Chettiar, Shri Jaishankar Prasad, Shri Ram Das Gaur, Shri Kshirode Chandra Deb, Shri Gulzar Singh, Pt.] Narayan Rao Khare, Shri Himanshu Bose, Smt. Sarmada Tyagi and Shri Heramba Chandra Maitra.*

### 2. Guidallo of Assam

This Congress demands the immediate release of Guidallo, the heroic Naga woman, who raised the banner of freedom in the distant forests of Assam in 1932 and who has now been suffering imprisonment for more than six years.

### 3. British Guiana

This Congress sends its greetings to the Indians of British Guiana on the occasion of the celebration of the centenary of the arrival of the first Indian settlers in this South American colony and sends them its good wishes for their advancement and progress.

### 4. Indians Overseas

This Congress views with alarm the rapidly growing deterioration in the status, position and rights enjoyed by the Indians in South and East Africa including Kenya, Uganda, Tanganyika, Zanzibar, and also in the islands of Mauritius and Fiji.

This Congress condemns the new economic policy now being pursued by British Imperialism for intensifying its exploitation of the Colonies and Dependencies which is exemplified in the formation of the monopolist Clove-Growers' Association in Zanzibar and in such measure as the Tanganyika Native Produce Bill, East Africa Transport Projects, the reservations of the highlands in Kenya for the white population and the degrading treatment of Indians in Mauritius and Fiji.

This Congress whole-heartedly associates itself with the struggles of overseas Indians to maintain even their present position and status in the territories in which they have settled.

The Congress assures its fellow-countrymen overseas of its full sympathy and help and expresses its readiness to take all actions within its powers to ameliorate their condition.

This Congress further wishes to assure the original inhabitants of South and East Africa that the demand of the Indian settlers is not conceived in any spirit of hostility towards them but is put forward to prevent the common exploitation of both the Africans and the Indian settlers by British Imperialism.

### Indians in Zanzibar

The Congress expresses its appreciation of the response of the Indian people to the appeal made on behalf of the Congress to refrain from the use of cloves, and that the boycott of trade in cloves in Zanzibar by the Indian merchants has been complete and satisfactory. The Congress congratulates the Indians in Zanzibar and the clove-merchants in India on the manner in which they maintained this boycott.

The Congress however regrets that the question of the rights of Indians of Zanzibar for internal and export trade has not yet been satisfactorily solved. The Congress repeats its request to the Indian people to continue the disuse of cloves and presses upon the attention of the merchants the desirability of continuing the boycott of trade in cloves and trusts that by these measures the Zanzibar Government would be compelled in the near future to do justice to the Indian traders in Zanzibar by rescinding the objectionable decrees.

### 6. Indians in Ceylon

The Congress is deeply concerned over the threatened estrangement of feelings between the people of Ceylon and the Indian population in the Island consequent on certain legislation in regard to local administration, and apprehensions as to discriminatory measures that may be further undertaken. The Congress urges on the Government of Ceylon and her public men not to adopt any policy directly or indirectly aimed at discrimination as against the Indians living and carrying on their avocations in Ceylon. In particular, the Congress notes with regret that laws have been recently framed so as to deny the Indian labourers, who helped and are helping in the development of the resources of the Island, the franchise in the local administration, and to make the Indian residents apprehend further restrictions on their civil rights and to feel that they are to be relegated to an inferior political status. The Congress hopes that such measures will not be undertaken and that any legislation that has created such a feeling will be so modified as to make India feel that, in spite of being separate governments, Ceylon and India are one and inseparable so far as the people are concerned.

### 7. China

The Congress has viewed with anxious concern the aggression of a brutal imperialism in China and the horrors and frightfulnesst hat have accompanied it. In the opinion of the Congress this imperialist invasion is fraught with the gravest consequences for the future of world peace and of freedom in Asia. The Congress sends its deepest sympathy to the people of China in their great ordeal and expresses its admiration for the heroic struggle they are conducting to maintain their freedom and integrity. It congratulates them on achieving national unity and co-ordination in the face of danger' and assures them of the solidarity of the Indian people with them in the common task of combating imperialism and achieving freedom.

As mark of India's sympathy with the Chinese people, the Congress calle upon the people of India to refrain from purchasing Japanese goods.

### 8. Palestine

The Congress condemns the decision of Great Britain as a Mandatory Power to bring about the partition of Palestine in the teeth of the opposition of the Arabs and the appointment of a Commission to carry out this project.

The Congress records its emphatic protest against the continuation of the reign of of terror which is still being maintained in Palestine to force this policy upon the unwilling Arabs.

The Congress expresses its full sympathy with the Arabs in their struggle for national freedom and their fight against British Imperialism.

The Congress holds that the proper methods of solving the problem by which the Jews and the Arabs are faced in Palestine by amicable settlement between themselves and appeals to the Jews not to seek the shelter of the British Mandatory and not to allow themselves to be exploited in the interests of British Imperialism.

### 9. Foreign Policy and War Danger

In view of the grave danger of wide-spread and devastating war which overshadows the world, the Congress desires to state afresh the policy of the Indian people in regard to foreign relations and war.

The people of India desire to live in peace and friendship with their neighbours and with all other countries, and for this purpose wish to remove all causes of conflict between them. Striving for their own freedom and independence as a nation, they desire to respect the freedom of others, and to build up their strength on the basis of international co-operation and goodwill. Such co-operation must be founded on a world order and a free India will gladly associate itself with such an order, and stand for disarmament and collective security. But world co-operation is impossible of achievement so long as the roots of international conflict remained and one nation dominates over another and imperialism holds away. In order, therefore, to establish world peace on an enduring basis, imperialism and the exploitation of one people by another must end.

During the past few years there has been a rapid and deplorable deterioration in international relations, fascist aggression has increased and an unabashed defiance of international obligations has become the avowed policy of fascist powers. British foreign policy in spite of its evasions and indecisions, has consistently supported the fascist powers in Germany, Spain and the Far East, and must therefore, largely shoulder the responsibility for the progressive deterioration of the world situation. That policy still seeks an arrangement with Nazi Germany and has developed closer relations with rebel Spain. It is helping in the draft to imperialist world war.

India can be no party to such an imperialist war and will not permit her manpower and resources to be exploited in the interests of British imperialism. Nor can India join any war without the express consent of her people. Congress, therefore, entirely disapproves of war preparations being made in India and large scale manoeuvres and air-raid precautions by which it has been sought to spread an atmosphere of approaching war in India. In the event of an attempt being made to involve India in a war, this will be resisted.

### 10. Excluded Areas and Commissioners' Provinces

A. This Congress reaffirms its opinion that the creation of excluded and partially excluded areas and Chief Commissioners' Provinces, including British Baluchistan and Coorg under the provisions of the Government of India Act of 1935 obstructs the growth of uniform democratic instructions in integral part of India covering an area of over 207,900 square miles and inhabited by over 13 million people.

This Congress condemns this step as one of the attempts to divide the people of India into different groups for unjustifiable and discriminatory treatment repressing their liberties and obstructing their progress.

This Congress further reiterates the opinion that the separation of this excluded and partially excluded areas undoubtedly aims at leaving a large control of disposition and exploitation of the mineral and forest wealth in those areas in the hands of the British Government.

This Congress declares that the same level of democratic and self-governing institutions should be applicable to all parts of India without any distinction.

B. This Congress supports the demand of the inhabitants of the Chief Commissioners' provinces of Ajmer-Merwara and Coorg that their provinces may be amalgamated with the United Provinces, and with Karnatak in the province of Bombay respectively.

C. This Congress condemns the reactionary and irresponsible administration of the province of Delhi attended with suppression of civil liberties and burdened with high taxes and extremly heavy land revenue and other similar measures adopted by the Delhi administration.

### 11. Ajmer-Merwara and the Indian States

The Congress has heard with great resentment of the separation of about 115 villages from Ajmer-Merwara province and now placed under a temporary administration preparatory to these villages being surrendered partly to Jodhpur and partly to Udaipur States.

The Congress condemns this action of the British Government taken in the teeth of the direct opposition of the people of this area.

### 12. Federation

The Congress has rejected the new Constitution and declared that a constitution for India, which can be accepted by the people, must be based on independence and can only be framed by the people themselves by means of a Constituent Assembly,

without interference by any foreign authority. Adhering to this policy of rejection, the Congress has, however, permitted the formation in provinces of Congress Ministries with a view to strengthen the nation in its struggle for independence. In regard to the proposed Federation, no such consideration apply even provisionally or for a period, and the imposition of this Federation will do grave injury to India and tighten the bonds which hold her in subjection to imperialist domination. This scheme of Federation excludes from the sphere of responsibility vital functions of government.

The Congress is not opposed to the idea of Federation; but a real Federation must, even apart from the question of responsibility, consist of free units enjoying more or less the same measure of freedom and civil liberty, and representation by the democratic process of election. The Indian States participating in the Federation should approximate to the provinces in the establishment of representative institutions and responsible government, civil liberties and method of election to the Federal Houses. Otherwise the Federation as it is now contemplated, will, instead of building up Indian unity, encourage separatist tendencies and involve the States in internal and external conflicts.

The Congress therefore reiterates its condemnation of the proposed Federal Scheme and calls upon the Provincial and Local Congress Committees and the people generally, as well as the Provincial Governments and Ministries, to prevent its inauguration. In the event of an attempt being made to impose it, despite the declared will of the people, such an attempt must be combated in every way, and the Provincial Governments and Ministries must refuse to co-operate with it. In case such a contingency arises, the All India Congress Committee is authorised and directed to determine the line of action to be pursued in this regard.

### 13. Kenya

The Congress is of opinion that the administrative practice of excluding British Indians from acquiring lands in the Highlands of Kenya Colony while a European of any nationality is free to do so constitutes a humiliating disability to the Indians settled in Kenya and is a deliberate offence to the Indian people.

This Congress further condemns the proposal to promulgate an Order-in-Council defining the boundaries of the white Highlands which is calculated to perpetuate statutorily the erstwhile iniquitous practice which should have been abolished long ago in accordance with the declarations of the Government of India at the time of the issue of the White Paper of 1923. The pledge given by the Government of India to get the subject reopened still remains and will become totally incapable of being carried out in the event of the proposed Order-in-Council being passed.

### 14. Midnapore Congress Organisations

The Congress strongly deprecates the continuance of the ban on about 110 Congress Organisations in the district of Midnapore imposed by the Government of Bengal and is of opinion that the plea put forward by the Government to the effect that the Congress Committees are limbs of a terrorist organisation is entirely unjustified.

### 15. National Education

The Congress has emphasized the importance of national education ever since 1906, and during the non-cooperation period many national educational institutions were started under its auspices. The Congress attaches the utmost importance to a proper organisation of mass education and holds that all national progress ultimately depends on the method and content and objective of the education that is provided for the people. The existing system of education in India is admitted to have failed. Its objectives have been anti-national and anti-social, its methods have been antiquated, and it has been confined to a small number of people and has left the vast majority of our people illiterate. It is essential therefore to build up national education on a new foundation and on a nation-wide scale. As the Congress is having new opportunities of service and of influencing and controlling state education, it is necessary to lay down the basic principles which should guide such education and to take other necessary steps to give effect to them. The Congress is of opinion that for the primary and secondary stages a basic education should be imparted in accordance with the following principles:

1. Free and compulsory education should be provided for seven years on a nation-wide scale.
2. The medium of instruction must be the mother tongue.

3. Throughout this period education should centre round some form of manual and productive work, and all other activities to be developed or training to be given should, as far as possible, be integrally related to the central handicraft chosen with due regard to the environment of the child.

Accordingly the Congress is of opinion that an All India Education Board to deal with this basic part of education be established and for this purpose requests and authorises *Dr. Zakir Hussain* and *Shri E. Aryanayakam* to take immediate steps, under the advice and guidance of Gandhiji, to bring such a Board into existence, in order to work out in a consolidated manner a programme of basic national education and to recommend it for acceptance to those who are in control of state or private education.

The said Board shall have power to frame its own Constitution, to raise funds and perform all such acts as may be necessary for the fulfilment of its objects.

### 16. Minority Rights

The Congress welcomes the growth of anti-imperialist feeling among the Muslims and other minorities in India and the growing unity of all classes and communities in India in the struggle for India's independence which is essentially one and indivisible and can only be carried on effectively on a united national basis. In particular, the Congress welcomes the large numbers of the minority communities who have joined the Congress during the past year and given their mass support to the struggle for freedom and the ending of the exploitation of India's masses.

The Congress approves of and confirms the resolution of the Working Committee on Minority Rights passed in Calcutta in October 1937, and declares afresh that it regards it as its primary duty and fundamental policy to protect the religious, linguistic, cultural and other rights of the minorities in India so as to ensure for them in any scheme of government to which the Congress is a party, the widest scope for their development and their participation in the fullest measure in the political, economic and cultural life of the nation.

### 17. Indian States

In view of the fact that owing to the growth of public life and the demand for freedom in the Indian States, new problems are arising and new conflicts are taking place, the Congress lays down afresh its policy in regard to the States.

The Congress stands for the same political, social and economic freedom in the States as in the rest of India and considers the States as integral parts of India which can not be separated. The *Purna Swaraj* or complete independence, which is the objective of the Congress, is for the whole of India, inclusive of the States, for the integrity and unity of India must be maintained in freedom as it has been maintained in subjection. The only kind of federation that can be acceptable to the Congress is one in which the States participate as free units, enjoying the same measure of democratic freedom as the rest of India. The Congress, therefore, stands for full responsible government and the guarantee of civil liberty in the States, and deplores the present backward conditions and utter lack of freedom and suppression of civil liberties in many of these States.

The Congress considers it its right and privilege to work for the attainment of this objective in the States. But, under existing circumstances, the Congress is not in a position to work effectively to this end within the States, and numerous limitations and restrictions, imposed by the rulers, or by British authority working through them, hamper its activities. The hope and assurance which its name and great prestige raise in the minds of the people of the States find no immediate fulfilment, and disillusion results. It is not in consonance with the dignity of the Congress to have local committees which cannot function effectively, or to tolerate indignity to the National Flag. The inability of the Congress to give protection or effective help, when hopes have been raised, produces helplessness in the people of the States and hinders the development of their movement for freedom.

In view of the different conditions prevailing in the States and the rest of India, the general policy of the Congress is often unsuited to the States and may result in preventing or hampering the natural growth of a freedom movement in a State. Such movements are likely to develop more rapidly and to have a broader basis, if they draw their strength from the people of the State, produce self-reliance in them, and are in tune with the condition prevailing there, and do not rely on extraneous help and assistance or on the prestige of the Congress name. The Congress welcoms

such movements but, in the nature of things and under present conditions, the burden of carrying on the struggle for freedom must fall on the people of the States. The Congress will always extend its goodwill and support to such struggles, carried on in a peaceful and legitimate manner, but that organisational help will inevitably be, under existing conditions, moral support and sympathy. Individual Congressmen, however, will be free to render further assistance in their personal capacities. In this way the struggle can develop without committing the Congress organisation, and thus unhindered by external considerations.

The Congress therefore directs that, for the present, Congress Committees in the States shall function under the direction and control of the Congress Working Committee and shall not engage in parliamentary activity nor launch on the direct action in the name and under the auspices of the Congress. Internal struggles of the people of the States must not be undertaken in the name of the Congress. For this purpose independent organisations should be started and continued where they exist already within the States.

The Congress desires to assure the people of the States of its solidarity with them and of its active and vigilant interest in and sympathy with their movement for freedom. It trusts that the day of their deliverance is not far distant.

### 18. Ministerial Resignations in U. P. and Behar

In accordance with the direction of the Faizpur Congress, the All India Congress Committee decided in March, 1937, the issue of acceptance of office in provinces and permitted Congressmen to form Ministries, provided certain assurances were given by or on behalf of the British Government. These assurances not being forthcoming, the Leaders of Congress Parties in the Provincial Assemblies declined at first to form Ministries. Thereafter there was a considerable argument for some months regarding these assurances and various declarations were made by the Secretary of State for India, the Viceroy and the Governors of the Provinces. In these declarations it was definitely stated, among other things, that there would be no interference with the day to day administration of provincial affairs by responsible Ministers.

The experience of office by Congress Ministers in the Provinces has shown that at least in two Provinces, the United Provinces and Behar, there has in fact been interference in the day to day administration of provincial affairs as shown hereafter. The Governors, when they invited Congress members to form Ministries, knew that the Congress Manifesto had mentioned the release of political prisoners as one of the major items of the Congress policy. In pursuance thereof the Ministers began the release of political prisoners and they soon experienced delay, which was sometimes vexatious, before the Governors would endrose the orders of release. The way releases have been repeatedly delayed is evidence of the exemplary patience of Ministers. In the opinion of the Congress, release of prisoners is a matter coming essentially within the purview of day to day administration, which does not admit of protracted discussion with Governors. The function of the Governor is to guide and advise Ministers, and not to interfere with the free exercise of their judgment in the discharge of their day to day duty. It was only when the time came for the Working Committee to give an annual account to the Congress delegates and to the masses of people backing them, that the Committee had to instruct Ministers, who were themselves sure of their ground, to order release of the political prisoners in their charge and to resign if their orders were countermanded. The Congress approves of and endorses the action taken by the Ministers of the United Provinces and Behar and congratulates them on it.

In the opinion of the Congress, the interference of the Governor-General with the deliberate action of the respective Prime Ministers is not merely a violation of the assurance above referred to, but it is also a misapplication of Section 126 (5) of the Government of India Act. There was no question of grave menace to peace and tranquillity involved. The Prime Ministers had besides in both cases satisfied themselves from assurances from the prisoners concerned and otherwise of their change of mentality and acceptance of the Congress policy of non-violence. Indeed, it is the Governor-General's interference which has undoubtedly created a situation that may easily, in spite of the Congress effort to the contrary, became such a grave menance.

The Congress has, during the short period that Congressmen have held office, given sufficient evidence of their self-sacrifice, administrative capacity in the matter of enacting legislation for the amelioration of economic and social evils. The Congress

gladly admits that a measure of co-operation was extended by the Governors to the Ministers. It has been the sincere effort on the part of the Congress to extract what is possible from the Act for the public good and to strengthen the people in the pursuit of their goal of complete independence and the ending of imperialistic exploitation of the masses of India.

The Congress does not desire to precipitate a crisis which may involve non-violent non-co-operation and direct action consistent with the Congress policy of truth and violence. The Congress is therefore at present reluctant to instruct Ministers in other provinces to send in their resignations by way of protest against the Governor-General's action, and invites His Excellency the Governor-General to reconsider his decision so that the Governors may act constitutionally and accept the advice of their Ministers in the matter of the release of the political prisoners.

The Congress regards the formation of irresponsible Ministries as a way of disguising the naked rule of the sword. The formation of such Ministries is calculated to rouse extreme bitterness, international quarrels and further deepen the resentment against the British Government. When the Congress approved of acceptance of office, with great reluctance and considerable hesitation, it had no misgivings about its own estimate of the real nature of the Government of India Act. The latest action of the Governor-General justifies that estimate and not only exposes the utter inadequacy of the Act to bring real liberty to the people, but also shows the intention of the British Government to use and interpret it not for the expansion of liberty, but for its restriction. Whatever, therefore, may be the ultimate result of the present crisis, the people of India should realise that there can be no true freedom for the country so long as this Act is not ended and a new constitution, framed by a Constituent Assembly, elected on the basis of adult franchise, takes its place. The aim of all Congressmen, whether in office or out of office, in legislatures or out of legislatures, can only be to reach that goal even though it may mean, as it often must mean, sacrifice of many a present advantage, however beneficial and worthy it might be for the time being.

On behalf of the U. P. Governor it has been stated that the demonstrations organised to welcome the Kakori prisoners and the speeches delivered by some of them had interfered with the policy of gradual release of political prisoners. The Congress had always discouraged unseemly demonstrations and other objectionable activities. The demonstrations and speeches referred to by the U. P. Governor were strongly disapproved by Mahatma Gandhi. Pandit Jawaharlal Nehru, President of the Congress, had similarly taken immediate notice of the indiscipline which was thus betrayed. Nor were they ignored by the Ministers. As a result of these corrective steps public opinion rapidly changed and even the persons concerned came to realise their mistake. And when six prisoners, one of whom was a prominent member of the Kakori group, were released subsequently, about two months after the release of the Kakori prisoners, no demonstrations were held in their honour nor any reception was accorded to them. Nearly four more months have since elapsed and any delay in releasing the remaining fifteen prisoners only on account of the demonstrations or the speeches connected with the prisoners who were released in August, is now utterly unjustified. The responsibility for the maintenance of law and order is that of the Ministers and they are entitled to perform their functions in such manner as they deem proper. It is their business to weigh all relevant factors in the light of prevailing circumstances, but their decisions once taken ought to be accepted and enforced. Any interference with them in the exercise of their powers in the normal day to day administration is bound to undermine and weaken their position. The Congress Ministers have more than once declared their determination to take adequate action in the matter of violent crime, and the risk run in releasing prisoners especially when they have abjured the path of violence, is altogether imaginary.

The Congress has given during the past few months ample evidence of its desire to take severe notice of indiscipline and breach of the code of non-violence that the Congress has laid down for itself. Nevertheless the Congress invites the attention of Congressmen to the fact that indiscipline in speech and action, calculated to promote or breed violence, retards the progress of the country towards its cherished goal.

In pursuit of its programme of release of political prisoners, the Congress has not hesitated to sacrifice office and the opportunity of passing ameliorative measures. But the Congress wishes to make it clear that it strongly disapproves of hunger-

strikes for release. Hunger-strikes embarrass the Congress in pursuit of its policy of securing release of political prisoners. The Congress, therefore, urges those who are still continuing their hunger-strike in the Punjab to give up their strike, and assures them that whether in provinces where Congressmen hold ministerial offices or in other provinces, Congressmen will continue their efforts to secure the release of detenus and political prisoners by all legitimate and peaceful means.

In view of the situation that has arisen in the country, the Congress authorises the Working Committee to take such action as it may consider necessary and to take the direction of the All India Congress Committee in dealing with the crisis whenever necessity arises for it.

### 19. Kisan Sabhas

In view of certain difficulties that have arisen in regard to the Kisan Sabhas and other organisations in some parts of India, the Congress desires to clarify the position and state its attitude in regard to them. The Congress has already fully recognised the right of Kisans to organise themselves in peasant unions. Nevertheless it must be remembered that the Congress itself is in the main a Kisan organisation and as contacts with the masses have increased vast numbers of Kisans have joined it and influenced its policy. The Congress must, and has in fact, stood for these Kisan masses and championed their claims, and has worked for the independence of India which must be based on the freedom from exploitation of all our people. In order to achieve this independence and strengthen the Kisans and realise their demands, it is essential that the Congress be strengthened and that Kisans should be invited to join it in ever large numbers and organised to carry on their struggle under its banner. It is thus the duty of every Congressman to work for the spread of the Congress organisation in every village in India and not to do anything which weakens this organisation in any way.

'While fully recognising the right of the Kisans to organise Kisan Sabhas, the Congress cannot associate itself with any activities which are incompatible with the basic principles of the Congress and will not countenance any of the activities of those Congressmen who as members of the Kisan Sabhas help in creating an atmosphere hostile to Congress principles and policy. The Congress, therefore, calls upon provincial Congress Committees to bear the above in mind and in pursuance of it take suitable action wherever called for.

### Constitutional Changes

Certain changes were introduced in the Constitution at the Open Session. These changes are incorporated in the new Constitution published after Haripura. The Congress also passed the following resolution appointing a constitution committee :—

### 20. Constitution Committee

This Congress appoints a Committee consisting of—*Shri Subhas Chandra Bose, Pandit Jawaharlal Nehru, Shri Jairamdas Doulatram, Shri Bhulabhai J. Desai, Dr. Pattabhi Sitaramayya, Shri Achyut Patwardhan, Shri S. A. Brelvi, Shri Kiran Sankar Roy, Shri Anandshivam Iyengar and Shri J. B. Kripalani* as convener, to consider and frame rules, if necessary, concerning the following matters :—

(*a*) The advisability or otherwise of indirect elections of delegates ;
(*b*) Genuine membership and proper elections ;
(*c*) Suitability of territorial representation on the A. I. C. C. and in provinces where it may be considered suitable, the method of such representation
(*d*) Suitability or otherwise of the method of proportional representation by single transferable vote in the elections to the membership of the A. I. C. C.
(*e*) Any Consequential changes that may be necessary as a result of fixing of constituencies in connection with article VI (*e*).

The recommendations of this Committee will be given effect to on their being approved by the A. I. C. C.

## THE ALL INDIA CONGRESS COMMITTEE

*Haripura—February 16, 1938*

A meeting of the A. I C. C. was held in the Subjects Committee Pandal at Haripura on February 16, 1938 at 2 p. m. *Shri Jawaharlal Nehru* presided.

*Minutes* :

The minutes of the last meeting of the A. I. C. C. held at Calcutta were confirmed. The audited accounts submitted by the General Secretary were passed.

*General Secretary's Report* :

The General Secretary's Report was placed before the Committee. Professor Ranga and Swami Sahjanand took objection to the remarks about Kisan Sabhas in the General Secretary's report. Prof. Ranga's motion that portions of the General Secretary's annual report dealing with Kisan Sabhas were open to objection and as such should be referred back to the Working Committee was put to vote and declared lost and the Report was adopted.

*President's Note* :

*Pandit Jawaharlal Nehru* submitted a separate review of the year's activities to the A. I. C. C. in addition to the General Secretary's report. The review dealt mostly with the international situation with particular reference to its reactions in India.

*Deposit from candidates to the A. I. C. C.*

The Committee passed the following Resolutions :

Resolved that a deposit of Rs. 10 be taken from those members of the provincial Congress Committees as stood canditates for A. I. C. C. membership. The deposit was to be paid back to the unsuccessful candidates.

*Haripura—February 22, 1938*

A meeting of the A. I. C. C. was held at Haripura on February 22, 1938 at 10 p.m. *Shri Subhas Chandra Bose* presided.

*Auditors* :

The Committee passed the following resolution :—

Resolved that Messrs Dalal and Shah and Messrs Chotalal H. Shah and Co. of Bombay be appointed as honorary auditors of the Congress.

*Working Committee* :

The President announced the names of the new Working Committee :—

*1. Subhas Chandra Bose* (**President**) *2. Maulana Abul Kalam Azad 3. Shrimati Sarojini Naidu 4. Pandit Jawaharlal Nehru 5. Babu Rajendra Prasad 6. Sardar Vallabhbhai Patel 7. Shri Jamnalal Bajaj* (**Treasurer**) *8. Shri Jairamdas Daulatram 9. Khan Abdul Goffar Khan 10. Shri Bhulabhai Desai 11. Dr. Pattabhi Sitaramayya 12. Shri Sarat Chandra Bose 13. Shri Hare Krishna Mehtab 14. Shri J. B. Kripalani* (**General Secretary**).

The name of the remaining fifteenth member was to be announced later.

## THE WORKING COMMITTEE PROCEEDINGS

*Wardha—February 3-6, 1938*

A meeting of the Working Committee was held at Wardha on February 3-6, 1938. *Shri Jawaharlal Nehru* presided.

The members present were *Maulana Abul Kalam Azad, Shris Sarojini Naidu, Vallabhbhai Patel, Jamnalal Bajaj, Jairamdas Doulatram, Bhulabhai Desai, Shankerrao Deo, Achyut Patwardhan, J. B. Kripalani.*

The Premiers of the seven Congress provinces, if they could conveniently come, were invited to attend. *Shri Rajagopalachari* and Shri *N. B. Khare* attended. The former was present throughout the discussion. The latter was present for sometime on the 4th.

*Minutes* :

The minutes of the last meeting held at Bombay, January 2-4, 1938 already circulated, were confirmed.

*Obituary* :

The Committee passed the following resolution on the deaths of Shrimati Swarooprani Nehru, Sir Jagadish Chandra Bose and Shri Sarat Chandra Chatterji.

This Congress expresses its sense of sorrow and loss at the deaths of Srimati Swarooprani Nehru, Sir Jagadish Chandra Bose, Shri Sarat Chandra Chatterjee.

*Hunger Strike* :

The Committee considered the situation arising out of the hunger strike of the political prisoners in several provinces and passed the following resolution :

1. The Working Committee have heard with profound grief of the death of Sjt. Harendra Munshi, a political prisoner in the Dacca Jail. The Committee conveys their heartfelt condolence to the bereaved family of Syt. Harendra Munshi.

2. In view of repeated hunger strikes that have occurred in recent months, the Working Committee feel it imperative to define their attitude on this question. The Committee definitely disapproves of the policy of resorting to hunger strikes on the part of political prisoners in order to obtain their release and believe that such a step on the contrary, stands in the way. The Committee strongly endorses the appeal recently made by Mahatma Gandhi to the hunger strikers in the Dacca Jail and urge the hunger strikers in all jails in India to give up hunger strike.

3. The Committee desires to point out that the Congress Ministries and this Committee have had constantly before them the question of the release of detenus and political prisoners and the former have by now released a very large number and are taking active steps for the release of the remainder. So far as the provinces with non-Congress ministries are concerned, the Committee feels that this question has not been approached by them in the same spirit as by the Congress Ministries and that the releases in those provinces have consequently been inadequate and unsatisfactory.

The Committee deplores the conditions in the Dacca Jail and other jails in Bengal and call upon the Government of Bengal to immediately remove the legitimate grievances of the political prisoners in that jail as well as in other jails in that province.

The Committee trusts that with the strenuous and unceasing efforts of Mahatma Gandhi and the vigilance of public opinion, the question of release will be satisfactorily solved at an early date and hopes that all detenus and political prisoners will co-operate to this end by exercising patience and self-restraint and that the public will do likewise by maintaing an atmosphere of non-violence.

The Committee passed draft resolutions on the following subjects to be placed before the Subjects Committee of the Congress at Haripura :

(1) Congress Ministries (2) Zaanzibar (3) Indians in Kenya (4) Indians in Ceylon (5) Indian States (6) World War (7) China.

*Delegates and members of the A. I. C. C. from N. W. F. P.* :

The following resolution was passed : —

The Committee considered the letter of the General Secretary N. W. F. P. Congress Committee dated 27th January. In view of the special circumstances mentioned therein the newly elected P. C. C. be provisionally recognised and delegates selected be considered as valid delegates for the Haripura Congress. But fresh elections should take place according to rules by 31st May.

*Punjab Elections* :

The President placed before the Committee the question of the election disputes that had arisen in the Punjab. He informed the Committee that he had deputed Shri Sri Prakasa to go to the Punjab and make preliminary enquiries into the matter and report to the Working Committee at Haripura.

*Allowances of Members of Legislatures in Bengal* :

The letter of Shri Sarat Chandra Bose, the Leader of the Parliamentary Party in Bengal, in this connection was placed before the Committee. The Committee accepted the suggestions made therein, that each member should pay a monthly sum of Rs. 75 to the general fund that was to remain with the A. I. C. C. office, for work in the province. The payment was to begin from January, 1938.

*Constitution* :

The Committee discussed the changes to be introduced in the Constitution.

They approved of the idea of fixed constituencies for delegates' election. They also approved of the idea of a system of indirect elections for delegates. But for all such and other material changes in the Constitution the Committee suggested the appointment of a Constitution Committee by the Congress at Haripura.

# THE WORKING COMMITTEE PROCEEDINGS

*Haripura—February 14-22, 1938*

A meeting of the Working Committee was held at Vithal Nagar, Haripura, 14-2-38 to 22-2-38. From 14th. to 16th. February, *Shri Jawaharlal Nehru* presided. Thereafter Shri *Subhas Chandra Bose* presided. Besides the two presidents the members present were *Maulana Abul Kalam Azad*, *Shris Sarojini Naidu*, *Vallabhbhai Patel*, *Jamnalal Bajaj*, *Jairamdas Doulatram*, *Bhulabhai Desai*, *Narendra Dev*, *Sankerrao Deo*, *Achyut Patwardhan* and *J. B. Kripalani*.

*Minutes* :

The minutes of the last meeting held at Wardha 3-6 February, 1938 were read and passed.

*Accounts* :

The audited accounts for the period 16th. November, 1936 to 30th. September, '37 were presented and passed.

Draft resolutions on the following subjects to be placed before the Subjects Committee were passed :—

(1) Condolence (2) Excluded Areas and Commissioners' Provinces and Delhi (3) Indians Overseas (4) British Guiana (5) Ajmer Merwara and the Indian States (6) Palestine (7) Guidallo (8) Minority Rights (9) National Education (10) Kissan Sabhas (11) Ministerial Resignations in U. P. and Bihar (12) Midnapore (13) Constitution Committee.

(*Note* :—The draft resolution on Congress Ministries passed by the Working Committee at Wardha was replaced by the new draft on Ministerial Resignations in U. P. and Bihar).

*Indian States*:

The States People Resolution passed at Wardha was reconsidered in the light of the talks the Committee had with a deputation of States people led by Dr. Pattabhi. The Committee was of the view that the only change that they could accept in the resolution passed at Wardha was that some provision be made for the recognition of the existing Congress Committees in the States. The following addition was therefore made.

In regard to Congress Committees which are functioning at present in any of the States, the Working Committee should consider the position of each of them and determine whether they should continue to function and, if so, under what conditions, conformity with the general policy of this resolution, they should function.

*Kenya* :

The Draft resolution prepared at Wardha for the Subjects Committee was altered and the following new draft was substituted.

"The Congress is of opinion that the administrative practice of excluding British Indians from acquiring lands in the Highlands of Kenya Colony while a European of any nationality is free to do so constitutes a humiliating disability to the Indians settled in Kenya and is a deliberate offence to the Indian people.

"The Congress further condemns the proposal to promulgate an Order-in-Council defining the boundaries of the White Highlands which is calculated to perpetuate statutorily the erstwhile iniquitous practice which should have been abolished long ago in accordance with the declarations of the Government of India at the time of the issue of the White Paper of 1923. The pledge given by the Government of India to get the subject reopened will remain and will become totally incapable of being carried out in the event of the proposed Order-in-Council being passed."

(*Note* :—The draft resolutions prepared and constitutional changes suggested by the Working Committee at Wardha and Haripura were discussed by the Subjects Committee of the 51st Session of the Congress and with alterations accepted by the Subjects Committee were placed before the Open Session. The resolution as finally passed by the open session are given on pages 295).

# THE NEW WORKING COMMITTEE PROCEEDINGS

*Haripura—February 22, 1938*

The first meeting of the New Working Committee was held in Vithal Nagar, Haripura on 22. 2. 38 at 2 p. m. *Shri Subhas Chandra Bose* presided. The members present were *Maulana Abul Kalam Azad*, *Shris Sarojini Naidu*, *Jawaharlal Nehru*, *Vallabhbhai Patel*, *Jamnalal Bajaj*, *Jairamdas Doulatram*, *Bhulabhai Desai*, *Pattabhi Sitaramayya*, *Sarat Chandra Bose*, *Harekrishna Mehtab* and *J. B. Kripalani*.

*Punjab* :

The Committee discussed the situation created by dissensions among Congressmen in the Punjab and passed the following two resolutions :—

1. The Working Committee gladly recognises the growth of Congress influence and organisation in the Punjab during the past year, but it still feels that effective work is impeded by internal friction and dissension among Congressmen. The Committee is confident that the courage and capacity for sacrifice of the Punjabees, which have been so evident in the past can be organised to greater advantage and appeals to the people of the Punjab to work to this end. In order to help in this work the Committee requests *Maulana Abul Kalam Azad* to visit the Punjab at an early date, to enquire into the situation there, and to make such suggestions, organisational or otherwise, as he may consider necessary. The Maulana will have full authority to deal with the situation and his decisions may be given effect to.

2. In view of various election complaints received from the Punjab *Shri Sri Prakasa* be requested to visit the Punjab and inquire into the principal complaints and make his recommendations thereon. In making the enquiry he should ask for the co-operation of a representative of the P. C C. and a representative of the complainant. Shri Sri Prakasa's recommendations should be sent to the A. I. C. C. and the Punjab P. C. C. and to Maulana Azad and the action to be taken in regard to them should be under the direction of Maulana Azad.

*N. W. F. P.* :

The Committee also considered the question of Congress organisation in the N. W. F. P. The following resolution was passed :—

"The Working Committee requests *Maulana Abul Kalam Azad* to visit the Frontier Province at an early date and to confer with the Congress workers there and to advise them about their future work and organisational activities. The Maulana will have authority to make such changes in the present organisation as he may consider necessary and desirable so as to make the organisation more efficient."

*Certified Khadi* :

The Secretary A. I. S. A. sent a draft resolution on the encouragement of Khadi certified by his organisation which carried out the rule about minimum wage to the spinners. The Committee discussed the draft and passed the following resolution :—

"This Committee notes with satisfaction the policy adopted by the All India Spinners' Association for ensuring adequate wages to the spinners and other artisans engaged in the production of Khadi and the steps taken by it in that behalf and calls upon all Congressmen and the public in general to give full co-operation and assistance in making this policy a success by purchasing only that Khadi which is certified by the All India Spinners' Association".

*Mysore Parliamentary Board* :

The letter of the President, Mysore Parliamentary Board regarding the bye-elections to the Mysore Assembly was considered. It was decided that the President of the Board be informed that the Board could function as usual for the bye-elections to be held on March 5, 1938. After that date the Congress resolution about Indian States was to be given effect to in Mysore as in other Indian States.

*Parliamentary Sub-Committee* :

As the old Parliamentary Sub-Committee came to an end with the Congress Session the Working Committee passed the following resolution appointing the new Sub-Committee for the current session :—

"Resolved that the Parliamentary sub-Committee consisting of the same members as before namely, *Maulana Abul Kalam Azad*, *Shris Vallabhbhai Patel* and *Rajendra Prasad* be formed for the current session to keep in close and constant touch with the Congress Parties in all legislatures in the provinces, to advise them in all activities and to take necessary action in any case of emergency. The members of the committee are individually to perform the same functions as before."

## MINISTERIAL RESIGNATIONS IN U. P. AND BEHAR

The Congress by its election manifesto was, among other things, pledged to the release of all political prisoners. Most of them were released in the different Congress provinces. In U. P. and Bihar some prisoners convicted of violence still remained in jail. Agitation for their release was going on in the country. In Behar the political prisoners repatriated from the Andamans who had thought that they would be released on reaching India, grew impatient and went on hunger strike. They were joined by political prisoners in other provinces. In U. P. though there was no hunger strike the release of polical prisoners could not be long delayed if the Congress was not be accused of breaking its election pledges. It was well known that the prisoners had given up their faith in terrorist methods and in violence. The Behar Premier had met the prisoners personally and ascertained this. In U. P. even the jail authorities after careful observation, gave it as their considered opinion that the prisoners had given up all faith in methods of violence. Their colleagues had been released without any menace to law and order. The premiers of the two provinces had been insisting on release; but the Governors were not agreeable. After the hunger strike the Governor of Behar took refuge under the plea that no government could release prisoners, under threat of hunger strike.

The Working Committee that met at Wardha 3-6 Feb. 1938 passed a resolution expressing their disapproval of hunger strikes for release. The prisoners in Behar were induced to give up their hunger strike. The Governors in the two provinces still persisted in objecting to release. The Premiers were compelled to come to the view that as heads of the Government and as primarily responsible for law and order it was undignified for them to carry on a prolonged and fruitless controversy with the Governors. Nor was it merely a question of the release of a few political prisoners important as that was. A great principle was involved. The Congress had accepted office on the clear understanding that there would be no interference with the Ministers in their legitimate constitutional day to day activities. Under these circumstances the two Premiers decided to act. The Behar Premier ordered the release of all political prisoners in his province on Feb. 15. This order was not endorsed by the Governor as the Viceroy interfered with the execution of the order under Section 126 (5) of the Government of India Act. *Shri Shri Krishna Sinha* had therefore no choice but to tender his resignation and that of his colleagues on 15-2-38. In U. P. also the Cabinet resigned on the same day because the Viceroy intervened under the same section.

In his letter of resignation to the Governor *Shri Govind Ballabh Pant* cleared his own position and that of the Congress. This letter has appeared in the Press. The Premier pointed out that the issue raised is of the widest importance both from the Constitutional and administrative points of view. The release of political prisoners has formed a prominent part of the Congress programme. It was mentioned in the Congress election manifesto and urged in the resolutions passed by the Convention in Delhi in March last year. It is unthinkable that the Governor General should not have realised that Congress, whenever it accepted office, would take the earliest opportunity to implement the Congress programme and to honour its pledges. The Congress was invited to accept office with a full knowledge of all these facts. An assurance was also definitely held out that the Congress in office would be free to carry out its programme. It is therefore strange that the Governor General should issue his orders under Section 126 sub-section 5 to thwart the Congr ess Ministry.

The responsibility for maintaining law and order in the province is that of the Ministers. No Council of Ministers can discharge its functions satisfactorily if its considered opinions in respect of momentous questions, strictly falling within its purview, is arbitrarily interfered with by outside authority without even mentioning the grounds of such interference. It is inconceivable that the release of some 15 political prisoners who have abjured the path of violence can be a grave menace to the peace and tranquillity of any province in India. The deci-

sion of the Governor General is attributed to extra-provincial considerations which proves that the Governor of the province does not apprehend any menace to peace in the province itself. The Viceroy's act of interference under Section 126 (5) instead of promoting peace and tranquillity is likely to imperil it not only in U. P. but also elsewhere in India.

The Premier of Behar in a press statement said : "Since my assumption of office the question of release of political prisoners has been engaging my earnest and constant attention. I discussed this matter several times with the Governor but finding that interminable discussions were leading nowhere, I at last decided to order their release and passed orders accordingly.

"The Governor under instructions of the Governor General under Section 126(5) of the Government of India Act expressed his inability to agree to the issue of the orders passed by me directing the release of political prisoners. In the circumstances, I have no choice but to resign. My colleagues and I are accordingly sending in our resignation."

At Haripura a comprehensive resolution was passed on the Ministerial resignation in U. P. and Behar. (for resolution see pages 300).

On February 22, His Excellency the Viceroy issued the following statement on the situation created in U. P. and Behar.

"The history of the difficulties which have arisen in the United Provinces and Bihar in connection with the release of prisoners, described as political prisoners, is well known. In both provinces discussions regarding the release of prisoners in this class have for some time past been proceeding between the Ministers and the Governors ; and the Governors have throughout made it clear that they were ready and willing to examine individual cases and would not stand in the way of their release unless circumstances were clearly such as to involve the responsibilities laid upon them by the Act.

"The principle of individual examination was well established over many months in the provinces where the Congress is in power. It was equally established in other provinces and Mr. Gandhi himself had proceeded on this basis in his recent discussions with the Government of Bengal. It was thus no new thing.

"Discussions regarding release after examination of individual cases were still proceeding when, on February 14, a demand was tendered by the Premiers of Bihar and the United Provinces for the immediate general release of all prisoners classed as political in these two provinces.

"In the case of Bihar that demand was received by the Governor at 1 p. m. and called for action by the Chief Secretary by 4 p. m the same day.

"In the case of the United Provinces the time limit set for compliance was also brief to a degree. In the case of Bihar, the Premier made it clear that as a matter of principle he could not agree to individual examination. In the case of the United Provinces, after much discussion the Ministers made it clear that the policy of gradual and individual release would not satisfy them.

"The prisoners in question are almost without exception persons convicted of violence or of preparation for specific acts of violences by the normal criminal courts. The nature of their offences has been indicated sufficiently in statements issued by the Governors. Their record is such that individual examination was called for, not merely for the reason I have given but in the interest of public safety and that the examination was equally essential in the interests of the maintenance of the sanctions of the law and of the authority and position of the courts.

"In these circumstances, having regard to the responsibilities which, under the constitution, are placed upon the Governor-General, the Governors of the provinces, after consultation with their Ministers, referred for my instructions the advice which their Ministers had tendered.

"Having regard to the circumstances described above, to the essential necessity of considering the reaction on the adjoining provinces of the release of these prisoners, and to the fact that acceptance of the principle that terrorist convicts should be indiscriminately released, without regard to individual considerations, would be highly dangerous and, in view of the history of terrorism in the past, could not fail to give an impetus to fresh terrorist organisation in Bengal, careful consideration left me no choice but to conclude that the issues involved were such that it was incumbent on me to issue instructions to those Governors under the provisions of Section 126 of the Act.

"That section empowers the Governor-General to issue orders to Governors of provinces as to the manner in which their executive authority is to be exercised for the purpose of preventing any grave menace to the peace and tranquillity of India or of any part thereof. To acquiesce in the immediate indiscriminate release of prisoners with records of violent crime would have been to strike a blow at the root of law and order in India ; dangerously threaten peace and good government ; and run a grave risk to peace and tranquillity ; all the more so since this categorical demand took no account of the possible reactions of certain releases on the position elsewhere or of the reiterated readiness of the Governors to examine individual cases.

"The Governors, on receipt of my instructions, informed their Ministers that they could not accept their advice on this matter. The Ministers thereupon tendered their resignation."

"The Governors concerned and I, so far as I am concerned, have done our utmost over the last seven months to work in harmonious co-operation with the Congress Ministries in both these provinces and all possible help has been lent to them. There had been no foundation over that period for any suggestion that it is the policy or desire of the Governor-General or the Governors to impede or interfere with the legitimate activities of these Ministries or to take any step the necessity for which was not imposed upon them by the terms of the Act. That is equally true to-day.

"I have made it clear that, in issuing the instructions I did, I had no hesitation in feeling that a grave menace to the basis of law and order and so to the peace and tranquillity of India would have been involved in the acceptance by Governors of demands of such an order presented to them in such a manner.

"As regards the particular issue of the release of prisoners, so far as the Governors are concerned, there is no going back on the policy of a readiness to examine individual cases. The Governors remain ready to agree to release after examination where no undue risk in their own province or in any other province is involved. There is no impropriety, whatever may be suggested to the contrary, in their requiring such individual examination or in their declining without it, to accept the advice of their Ministers. The Ministers are responsible for law and order. But they are so responsible under the Act, subject to the responsibility of Governors to ensure the peace and tranquillity of their own provinces and the Governors are bound to have in mind the corresponding responsibility that falls on the Governor-General for the peace and tranquillity of India or any part thereof. Neither the Governor nor the Governor-General will wish to see his responsibility attacked but, as I made clear in my message of last June, where that responsibility is in fact attacked neither the Governor nor the Governor-General can shrink from discharging it.

"Finally, and this I wish particularly to emphasise, there is no foundation for the suggestion that the action which I have taken is dictated by a desire to undermine the position of the Congress Ministries. The record of the last seven months should have made it abundantly clear that the Governors and I myself are only too anxious to lend all the assistance that we properly can within the frame work of the Act to any Ministry in power in a province. Neither the Governor nor the Governor-General has any desire to interfere, or any intention of interfering, with the legitimate policy of Congress or any other Government. The action taken in the present case has been designed to safeguard the peace and tranquillity of India and incidentally to uphold the sanction of the law and the orderly functioning of the constitutional machine.

"That action leaves it open to the Ministers, in consultation with the Governors, to pursue a policy of the release of prisoners and they need anticipate no difficulty now, any more than in the past, in securing the friendly and ready co-operation of the governors in individual examination.

"I am glad to think that in no quarter is there manifest any disposition to extend the area of difficulty beyond the limits of the position which I have described and it is my sincere and earnest hope that it may shortly be possible to return to normality and that, in the two provinces most concerned, the Ministers, in discussion with the Governors may find themselves able to resume their interrupted labours."

### Gandhiji's Reply

In reply to the Viceroy's statement Gandhiji issued the following communication to the press from Wardha :—

"I have read the Governor-General's statement with the respect and attention it

deserves. I had hoped that it would give some satisfaction as was given, at least to me and, if I may say so, to a large number of Congressmen, when he made a pronouncement upon the Congress demand for certain assurances as a condition precedent to acceptance of ministerial responsibility by the Congress members of the provincial legislatures. It reads like a special pleading unworthy of a personage possessing unheard of powers.

"No one has questioned the propriety of examining the cases of prisoners to be discharged but what I have questioned and the Congress most emphatically questions is the propriety of such examination by the provincial Governors in provinces said to be enjoying complete provincial autonomy. The duty and right of examination belong solely to the responsible Ministers as I understand the Government of India Act and the convention in the responsibly governed Colonies

"The Governors' duty and right are to advise their Ministers on questions of broad policy and warn them of the danger in their exercise of certain powers but, having done so, to leave their Ministers free to exercise their unfettered judgment. If such were not the case responsibility would become a perfectly meaningless term and the Ministers responsible to their electors would have as their share nothing but odium and disgrace if their responsibility had to be shared with the Governors in the daily administration of affairs by law entrusted to them.

"It is hardly graceful for His Excellency to quote against the poor Ministers their non-exercise of their undoubted powers to prevent the Governors from examining individual cases. The Congress resolution describes their forbearance as exemplary patience. I would venture to add that probably it was also the inexperience of the Ministers who were totally new to their task.

"I am afraid, therefore, that unless this crucial question is decided in favour of the ministers it will be difficult for them to shoulder the grave responsibility that the Congress has permitted them to take over.

"I am glad His Excellency has drawn public attention to the method I adopted in Bengal. He might have noted also the difference between Bengal on the one hand and the U. P. and Bihar on the other. In Bengal I was dealing with a Government which was not bound by the Congress manifesto in any shape or form. The Ministers there, rightly or wrongly, would not listen to wholesale discharge of convicted prisoners. I was treading upon very delicate ground in pursuance of my promise to the prisoners. My motive was purely humanitarian and the only weapon that I had at my disposal was an appeal to the humanity of the Bengal Ministers and I am glad to be able to testify that I was not speaking to hearts of stone.

"The situation in the U. P. and Bihar is totally different. The Ministers there are bound by the manifesto which gave them victory at the polls. They had not only examined the cases of all prisoners whose release they were seeking but, being fully aware of their responsibility for the due preservation of peace in their provinces, they had personally secured assurances from the prisoners in question that the latter no longer believed in the cult of violence.

One thing in His Excellency's statement gives me the hope that the impending crisis might be prevented. He has still left the door open for negotiations between the Governors and the Ministers.

"I recognise that the notices were sudden because in the nature of things they had to be so. All parties have now had ample time for considering the situation. In my opinion, the crisis can be avoided if the Governors are left free to give an assurance that their examination of the cases was not intended to be a usurpation of the power of the Ministers and that since the latter had armed themselves with assurances from the prisoners they were free to release them on their own responsibility and I hope that the Working Committee will leave the Ministers free, if they are summoned by the Governors, to judge for themselves whether they are satisfied by the assurances they may receive.

"One thing I must say in connection with the exercise by His Excellency of his powers under Section 126 (5) in the light of his argument justifying the use of Sub-section 5 of Section 126. I have read the whole of it. It is entitled "Control of Federation over the Provinces in certain cases." Unless the Sub-sections have no connection with one another and are to be read independently of one another my reading is that in the present case the exercise of powers under Sub-Section 5 of Section 126 is a manifest misapplication. But here I am treading on dangerous ground. Let lawyers decide the point. My purpose in making this long statement is to assist in the peaceful solution of the crisis that has suddenly appeared."

U. P. PREMIER'S STATEMENT

As soon as the Premier of U. P. reached Lucknow he was called by the Governor. After two interviews on 23 and 24 Feb., 1938 the following joint statement was issued by the Governor and Shri Govind Ballabh Pant :—

"We have had a full discussion between ourselves about the present situation and recent developments. We have arrived at agreed conclusions, and the Hon'ble Ministers are accordingly resuming their duties.

"The cases of certain prisoners classified as political have been individually examined, and the Governor will be soon issuing orders, on the advice tendered to him by his Ministers, to remit, under Section 401 of the Code of Criminal Procedure, the unexpired portion of the sentence in each case and to order their release. The cases of the remaining prisoners are being individually examined by the Minister concerned and appropriate orders will be similarly passed thereon within a short time.

"We have had also a long discussion on the mutual relations between the Governor and the Ministers. We discussed the recent statement of H. E. the Viceroy along with the views of Mahatma Gandhi on it and also the resolution passed at Haripura about the resignations of Ministers and the previous statement made by H. E. the Viceroy last summer. There is no reason to fear any usurpation of or interference with the legitimate functions of the responsible Ministers. We are both desirous of maintaining healthy conventions and with goodwill on both sides we hope that we will succeed."

BIHAR PREMIER'S STATEMENT

Babu *Sri Krishna Sinha* reached Patna on the 26th. Immediately he had an interview with the Governor of Behar and the following joint statement was issued :—

"We have discussed at the earliest possible opportunity the situation arising out of the question of the release of those prisoners, who had been classified as "Political". We have arrived at an agreement in the matter and thus the Hon'ble the Prime Minister and his colleagues have resumed their duties.

"The Hon'ble Prime Minister has considered individually the cases of certain prisoners classified as "Political". And in accordance with the advice tendered by him as a result ot this examination H. E. the Governor is issuing orders directing the release of those prisoners and cancellation of the unexpired portion of their sentences. The cases of the remaining political prisoners are also being examined by the Prime Minister and orders in regard them will be issued in a short time.

"We have also discussed the mutual relation of the Governor and the Ministers, in particular, in the light of the statements made by His Excellency the Governor-General and Mahatma Gandhi on the present situation and the recent development as well as the resolution of the Indian National Congress. held at Haripura. We recognise the desirability of establishing a healthy convention and working for the promotion of the good of the province ; there is no reason that in this province there will be any usurpation of or interference with the respective functions of the responsible ministers."

Thus ended the Ministerial crisis in U. P. and Behar.

## CIRCULAR TO THE PROVINCIAL CONGRESS COMMITTEES

The following circular to the Provincial Congress Committees was issued by Sj. *J. B. Kripalini* on the **5th March 1938** :—

Now that the Congress is over it will not be out of place for me to draw your attention to the significance of the Session and some of its important resolutions. In the light of the resolutions passed, we have to regulate our activities throughout the year. Of course the work that has been going on must be kept up and intensified.

Last year we increased our membership five-fold. We also extensively organised village, ward and other primary committees. Progress made in this direction must be kept up and extended. Usually the work of enrolling members is relegated to the last few months. If our effort is extended evenly throughout the year we will achieve better results. May I therefore suggest that the work of enrolling Congress members and organising local Committees be taken up immediately ?

The Haripura Session has shown us that the organising capacity of the country

is not negligible. In three months' time on a barren spot sprang up a city covering an area of three miles with perfect lighting, water, sanitary and other modern arrangements. This huge organisation was possible because of the united effort of Gujrat. If a comparatively small province could achieve so much in such a short time the possibilities for bigger provinces are greater. But organisation is possible only with unity, discipline and curbing of inordinate individual ambition. Therefore whatever our differences we must close up our ranks and co-ordinate our efforts. We must forget the little things about which we differ and concentrate upon the main problem of foreign rule with its consequent unemployment and poverty, about which we are all agreed.

The most important resolution of the Session was on Federation. The Congress while not oppossed to the idea is oppossed to the scheme sought to be imposed by an alien authority. Apart from this there is a twofold objection to the Scheme, (1) It exclude from the sphere of responsibility vital functions of government such as defence, foreign relations and the major portion of the finances, (2) The proposed scheme seeks to unite in unholy wedlock nominees of the autocratic ruler of Indian States and the democratically elected representatives of the people in British India. The Congress therefore while reiterating its condemnation and rejection of the Federal scheme, "calls upon the provincial and local committees and the people generally as well as the provincial governments and ministries to prevent its inauguration. In the event of an attempt being made to impose it despite the declared will of the people, such an attempt must be combated in every way, and the provincial governments and ministries must refuse to co-operate with it." If we are to give effect to this resolution we must educate the public and boardcast the dangers of the proposed Federation and prepare the country for any emergency that may arise.

Though the Ministerial crisis in U. P. and Bihar has ended in the vindication of the Congress viewpoint, it has shown us that that we may not rest secure and must ever keep ready and vigilant. In the words of the resolution "the people of India should be alive that there can be no true freedom for the country so long as this Act is not ended and a new Constitution framed by a Constituent Assembly elected on the basis of adult franchise takes its place. The aim of all Congressmen whether in office or out of office, in legislatures or out of legislatures, can only be to reach that goal even though it may mean, as it often must mean, sacrifice or many a present advantage, however beneficial and worthy it may be for the time being."

The Haripura Congress also clearly formulated our foreign policy and our attitude to imperialist war and war in general. The resolution says: "The people of India desire to live in peace and friendship with their neighbours and with all other countries and for this purpose wish to remove all causes of conflict between them. Striving for their own freedom and independence as a nation they desire to respect the freedom of others, and to build up their strength on the basis of international co-operation and goodwill. Such co-operation must be found in a world order and a free India will gladly associate itself with such an order and stand for disarmament and collective security. But world co-operation is impossible of achievement so long as the roots of international conflict remain and one nation dominates over another and imperialism holds sway. In order therefore to establish world peace on an enduring basis imperialism and exploitation of one people by another must end."

The resolution also condemns the recent British policy which "has consistently supported the Fascist powers in Germany, Spain and the Far East, and must therefore largely shoulder the responsibility for the progressive deterioration of the world situation". The resolution emphatically lays down that "India can be no party to an imperialist war and will not permit her man power and resources to be exploited in the interests of British Imperialism. Nor can India join any war without the express consent of her people. The Congress therefore entirely disapproves of war preparations being made in India and large scale manoeuvres and air raid precautions by which it has been sought to spread an atmosphere of approaching war in India".

It is necessary that this clear exposition of our policy towards other nations, towards the struggling forces working for international co-operation, goodwill, and collective security and disarmament, towards imperialist wars and towards war manœuvers and air raid precautions, be widely made known to our people and the country be prepared to resist any effort to involve it in a war designed to safegurd or advance British imperialist interests.

The Congress has again reiterated its condemnation of Japanese aggression and its

sympathy of China in her hour of trial and called for a voluntary boycott of Japanese goods. The last will need personal example and quiet propaganda. The material success of our efforts may be small but its moral effects will be great and far-reaching.

Our efforts on behalf of our countrymen in Zanzibar are having some effect. But they must continue. The Congress therefore has advised that the boycott of Zanzibar cloves must be kept up and intensified.

I would also draw your attention to resolution on National Education. Village workers and organisers should give thought to the Wardha Scheme. Given necessary zeal and organising capacity the scheme can be successfully worked. It will solve the question of our almost universal illiteracy. Dr. *Zakir Husain* and *Shri Aryanayakam* will always be ready to advice, guide and help.

The first meeting of the new Working Committee passed an important resolution about the encouragement of khadi certified by the Spinners' Association. No khadi is certified by the Association unless in its manufacture a fixed minimum wage has been paid to the spinner. This is a revolutionary step taken in the only industry which the nation completely controls. Congressmen and Congress organisations should realise the responsibility cast on them to make the principle of minimum wage a success. To patronise indiscriminately all khadi would cut at the root of the principle which we wish to impose on all industries publicly or privately owned.

# THE WORKING COMMITTEE PROCEEDINGS

*Calcutta—April 1-6, 1398*

A meeting of the Working Committee was held at Calcutta from April 1 to 6, 1938. *Shri Subhas Chandra Bose* presided

The members present were : *Maulana Abul Kalam Azad, Shris Jawaharlal Nehru, Vallabhbhai Patel, Rajendra Prasad, Jamnalal Bajaj, Jairamdas Doulatram, Bhulabhai Desai, Sarat Chandra Bose, Ilare Krishna Mehtab and J. B. Kripalani.*

### 1. Minutes

The minutes of the last two meetings held at Haripura during the Congress Session already circulated were confirmed.

### 2. Time-Table

The Committee approved of the following time-table fixing the final date for the enrolment of primary members, and the dates for various elections in connection with the next session of the Congress :

1. Congress to meet—*Last week of February 1939.*
2. Announcement of President's election—*Feb. 2, 1939.*
3. Meeting of delegates to elect the President and members of the A. I. C. C.—*January 29, 1939.*
4. Presidential nominations upto—*January 16, 1939.*
5. Election of delegates— *January 8, 1939.*
6. Last date of enrolment of primary members—*October 1, 1938.*

### 3. Absence of Urdu Posters and Provision for Non-Vegetarian Diet at Haripura

*Maulana Abul Kalam Azad* drew the attention of the Committee to the complaints made in the Urdu press about these matters. Shri *Vallabhbhai Patel* said that the complaints in the Urdu press were unjustified and that there were Urdu posters at all the principal places and that there were hotels supplying non-vegetarian diet at Haripura.

### 4. Behari-Bengali Controversy

The Committee discussed the question in the light of facts kept before them by Shri *Rajendra Prasad* and passed the following resolution :

"Considered representation on behalf of the domiciled Bengali community in Behar and resolved that the matter be referred to Shri Rajendra Prasad and he be requested to deal with it."

### 5. Dry Fruit Merchants' Representation

The following resolution was passed :

"Considered the representation of the dry fruit merchants from the North-West Frontier Province. The Committee appreciate the difficulties of the Frontier merchants and have full sympathy with them. The Committee are of the opinion that the difficulty can best be solved by friendly negotiations carried on with the Afghan Consul in India apd if need be with the authorities in Kabul. The Committee request Maulana *Abul Kalam Azad* to interest himself in this matter and carry on the necessary negotiation."

### 6. Recently released Detenus and Political Prisoners in Bengal

"Resolved that the recently released detenus and political prisoners in Bengal be allowed when enrolled as primary members to contest seats on Congress Committees and in by-elections without being on the membership rolls for three months as provided for in the Constitution."

### 7. Congress Affairs in the Punjab

"Resolved that as *Maulana Abul Kalam Azad* is unable to proceed to the Punjab in the near future for reasons of health, *Shri Jairamdas Daulatram* be requested to go there in his place and with the power the committee had given to Moulana Saheb by its resolution of February 22, 1938 passed at Haripura.

### 8. N. W. F. P. Oaganisation

The following resolution was passed :

"In view of *Maulana Abul Kalam Azad* being unable to visit N. W. F. Province owing to ill-health, the Working Committee request Shri *Jairamdas Doulatram* to go to that province to confer with the Congress workers there and to advise them about their future work and organisational activities. Shri Jairamdas will have authority to make such changes in the present organisation as he may consider necessary and desirable so to make the organisation more efficient.

### 9. Apportionment of Expenditure betweon C. P. and Behar

A sub-committee consisting of Shris *Vallabhbhai Patel*, *Jairamdas Doulatram* and *Bhulabhai Desai* was appointed to go into the matter with Shris M. S. Aney and *Ram Rao Deshmukh* representing Berar and Shris *Ravi Shanker Shukla* and *Dwarka Prasad Misra* representing the C. P. The Sub Committee conferred with them. It was decided that a member of the Working Committee should be deputed to go to C. P. and look into the matter of allotment of revenues as between C. P. and Berar. Shri *Vallabhbhai* was requested by the Working Committee to go to C. P. and bring about the necessary adjustment.

### 10 Foreign Affairs Sub-Committee

The following resolution was passed :—

"In view of the critical international situation and the possibilities of crises which must involve India's interests, a Foreign Affairs Committee consisting of the President, the General Secretary and *Jawaharlal Nehru* be appointed. This Committee will keep in touch with the international situation and advice the Working Committee thereon and will take such steps as it may deem necessary to make clear to the people of foreign countries the Congress view point and policy in regard to international affairs, as contained in the Haripura Congress resolution on foreign policy and other resolutions."

### 11. Foreign Companies in India

The following resolution was passed :

"The Working Committee view with grave concern the rapid increase in the number of companies owned and managed by foreign nationals and describing themselves with designations such as "India Ltd." or similar words in the hope or with the object of being regarded as genuine Indian concerns. The establishment of these companies has the effect of robbing India of such advantage or benefit as is expected from the policy of discriminating protection which has been pursued by the Government of India for the development and growth of Indian industries.

The Congress has always opposed the new Constitution not only because it is a negation of political freedom but also because of the inclusion in the Constitution Act of provisions described as safeguards against discrimination. The Working Committee are of opinion that these provisions are not in the interests of India but are intended and calculated to preserve to foreign nationals and particularly British capitalists the exploitation of the natural wealth and resources of this country. The Working Committee maintain that India has the right to discriminate, if that word must be used, against non-national interests, whenever and wherever the interests of India demand or require it.

The Working Committee have no objection to the use of foreign capital or to the employment of foreign talent when such are not available in India or when India needs them but on condition that such capital and such talent are under the control, direction and management of Indians and are used in the interests of India.

The Working Committee are further of opinion and declare that no concern can or shall be regarded as Swadeshi unless its control, direction and management are in Indian hands. The Working Committee would prefer, to delay the further development of Indian industries if it can only result in the dumping of foreign industrial concerns who would exploit the natural resources of India. The Working Committee therefore hold that the development of India's resources should be achieved by building up industries under the control, direction and management of Indians which is essential for India's economic independence."

### 12. Disqualification of the Subjects of Indian States

The following resolution was passed:

"Considered the representation of the All India Marwari Federation. In the opinion of the Working Committee all the disqualifications in the way of Government service and franchise affecting State subjects in the provinces should be removed. The Congress Governments be requested to take such steps as may be necessary to have this done under Section 262 of the Government of India Act."

### 13. Release of two Non-Provincial Prisoners in the C. P.

In this connection the committee conferred with the Premier Dr. *Khare* and Mr. *Yusuf Shareef* and three other Ministers of C. P. who happened to be at Calcutta at the time and passed the following resolution :

"The Working Committee have taken note of the crisis that has arisen in C. P. in connection with the exercise of clemency by the Minister of justice in respect of a prisoner who was convinced for the offence of committing rape. The Working Committee have seen some of the C. P. Ministers in the matter. In the course of the proceedings of the meeting of the C. P. Congress Parliamentary Party, the Minister concerned expressed his regret and offered his resignation. The Working Committee take note of the fact that the Ministers and the C. P. Congress Parliamentary Party are satisfied with the apology the Minister has tendered in that, not realising the gravity of the case he was dealing with, he did not share with his colleagues the responsibility of his action. In the opinion of the Working Committee, in order to arrive at a just decision, the real question to be considered is whether the Minister committed a grave error of judgment amounting to a miscarriage of justice. If he did, then the resignation was the only proper course in the interest of justice, purity of administration and honour of womanhood. If, on the other hand, there is no miscarriage of justice, there is no need for resignation nor possibly for apology. The Working Committee have not sufficient material before them for coming to a decision on merits, and they are reluctant to pass judgment straightway on a matter requiring special and close investigation.

In the course of the proceedings of the Working Committee another case of clemency in respect of a prisoner who had been guilty of insurance fraud was also brought to light. Before coming to a decision the Working Committee have thought it necessary to invite a reputed lawyer to examine both the cases, and advise the Working committee as to whether, there has been a grave error of judgment amounting to a miscarriage of justice.

The Working Committee appeal to the public to await their final decision in the confidence that it will be given without fear or favour. The Working Committee appeal to the public and the press not to give the case communal character and assure women who are rightly agitated over the case that the Committee hold the honour of womanhood no less dear than they."

### 14. Acting Governorship in Orissa

The following resolution was passed :

The Working Committee have learnt with surprise that an official of the Orissa service subordinate to the Ministers has been appointed to act as Governor in the absence on leave of the present incumbent. Such an appointment is highly undesirable and is in contravention of the usual convention prevailing in other countries. It is difficult for Ministers to act as ministers to those who have been their subordinates and who might have fallen into disfavour with them The Working Committee understand that the Orissa Ministers have lodged their protest against the appointment and expressed their strong disagreement with it. The Committee invite the Governor General or the Secretary of State as the case may be, to revise the appointment. The Working Committee suggest the adoption of the recognised convention of appointing Chief Justices as Acting Governors."

## CLOVE BOYCOTT DAY

The following Circular was issued to all Congress Committees by Sj. *J. B. Kripalani* on the **15th. April 1938** :—

*Shri Vallabhbhai Patel*, the Chairman of the Clove Boycott Committee, has issued an appeal to strengthen the boycott of clove from Zanzibar. The boycott was decided upon by the Congress when all efforts to get justice for our countrymen long settled in Zanzibar and carrying on the clove trade, failed. We have no National Government to enforce the exclusion of cloves by legislation. We have to rely entirely upon the self-sacrifice of our people and their willing and voluntary obedience rendered to the directions of the national organisation.

What has been done so far is splendid. But it is not enough. The boycott has been chiefly confined to merchants. The hands of the merchants need to be strengthened by the general consumer. If the public refrain for a while from purchasing cloves, the merchants will lack the inducement to break the boycott. After all cloves are not a necessity of life. They are a dispensable luxury. If to protect our countrymen aboard from injury and assert our national self-respect, we refrain from the purcase of cloves for sometime it will be no great sacrifice.

All Congress and other national organisations must therefore respond to the appeal of the Chairman of the Clove Boycott Committee. They must organise processions and meetings throughout the country *on Sunday April 24*, and educate public opinion about the objects of the boycott. Efforts should be made to get the existing stocks with the merchants sealed up. To-day, it is not the interest of the Indian merchants in Zanzibar alone, that is at stake. It is our honour and the word of the Congress. We must make it plain to all that in spite of Foreign Government, indifferent to Indian interests inside and outside the country, the will of the nation can forge peaceful and non-violent yet effective sanctions to safeguard our just and legitimate rights.

I have no doubt that you will make the Boycott Day a great success.

## NOTES

### 1. The Congress Party in the Central Legislature at Work

The Budget Session of the Central Legislature opened with an adjournment motion from the Congress Party to ensure the official policy of mechanisation of the British section of the Indian Army. Five British regiments would be mechanised at the total cost of Rs. 21,500,000 of which British Government would pay no more than Rs. 8 000,000 and the rest, namely, Rs. 13,500,000 would be paid by India. The policy is grossly unfair in that, the British units of the Indian army are to be mechanised with Indian money and Indian regiments excluded from it.

Shri *Sriprakasa* moved a resolution urging the Government to take effective steps to impose on all industries which are or which may be in receipt of aid or subsidy from the Central Government such conditions as may secure (1) the employment of not less than a specified proportion of Indians in both higher and other grades and (2) adequate wages and fair treatment of Indians employed by them. The Resolution was adopted. The Insurance bill of the Law Member was passed by the House with six concentrated amendments moved by the Congress party and other

opposition groups. Mr. Gadgil's resolution urging association of elected members of the Central legislature with the Indian army was passed with the addition of the following proviso moved by Shri *Asaf Ali*. "Provided the functions of the said Committee shall include tendering advice to the Governor-General in Council on such matters as he may refer to the Committee from time to time with particular reference to (1) sending Indian Troops outside India (2) new proposals involving additional expenditures and (3) Indianisation of the army.

On February 1st, Finance Member, Sir *James Grigg* presented the Central Budget. This was to be followed by a general discussion, when the disclosure of a sinister move on the part of the Administration proved a signal for dramatic scenes both in the Central Assembly and the Council of State. When the Legislative Assembly met to take up the general debate on the budget, Shri *Bhulabhai Desai*, Leader of the Opposition, made a statement in the course of which he made it clear that the Congress party, Independents, Congress Nationalists and Democrats had agreed to take no part in the general discussion of the budget and as and when demands for grants were moved they proposed without speech to defeat them. This decision, he said, was taken in order to protest against the Government's action in breaking a salutary convention which had been followed ever since the year 1924 of allowing the house to express itself by a direct vote on the policy of the Government under two heads "Defence" and "External Affairs." The Finance member in his reply said that under the New Act it was mandatory to exclude "Defence" and "External Affairs" from the vote of the Assembly. When Sir *James* moved the first demand under the head Customs, the Opposition members without moving any cut motion challenged a division. The demand was defeated by 64 votes to 46. A similar fate was shared by other demands moved by the Finance Member. Over 70 items that usually occupy a whole fortnight were thrown out within a day and a half. The rejected demands were however restored by the Governor-General. The Assembly answered by throwing out the finance bill. The house rejected by 68 votes to 48 the recommended finance bill also. The Council of State staged a more dramatic protest against this arbitrary curtailment of a cherished right, when all members of the progressive and Congress groups walked out of the chamber as Sir *A. P. Patro* got up to initiate a general discussion on the Budget.

The Governor-General disallowed Mr. *Abdul Qaiyum's* resolution urging the Government of India to stop bombing of the tribal areas in the N. W. F. Province. The Governor-General also disallowed *Pandit K. K. Malaviya's* adjournment motion regarding alleged assault by British soldiers on a taxi driver in Dehradun. The Motor Vehicles bill (official) was strenuously opposed on the ground that it sought to injure the motor industry in order to benefit the Railways. The appointment of the Income-tax advisor was criticised in the course of the debate on a cut moved by Shri *A. Chettiar*. The cut was passed by 48 votes to 45. The supplementary grant for coronation celebrations in India was opposed by Prof. *Ranga* and *Abdul Qaiyum* of the Congress party who characterised it as criminal waste. Opposition to the continuance of Andaman Island as a penal settlement was voiced in the course of the debate on Supplementary grants. The practice of retired Government servants taking up appointments with firms with which they had dealings while in Government service was the subject of a cut motion. Shri *B. Desai* argued that the pensions of such Government Servants should be forfeited. Shri *B. Das* moved the bill to amend the Sarda Act as reported by the Select Committee. The bill had the solid support of the Congress party. It was passed by 87 votes against 16. Mr. *Abdul Qaiyum's* resolution on the establishment of a University in the Frontier Province was passed without a division. *Mr. Satyamurti's* resolution that this Assembly recommends to the Governor-General in Council that no steps should be taken to conclude a fresh Indo-British Trade Agreement or any trade agreement of a similar nature without first consulting the Assembly brought forth many spirited speeches from Congress members and Mr. *Jinnah*. The resolution was passed without a division.

### 2. Cabinet Crisis in Sind

A token cut motion under general administration was moved by the Congress party in the Sind Assembly on March 18 and carried by 24 to 22 votes. After the adoption of the cut motion the entire demand under General Administration minus Re 1 was put to vote and also rejected. This was the first defeat sustained by the Government which involved the constitutional conse-

quence of the Sir Hidayatullah Ministry having to resign and their being replaced by an alternative Government commanding the confidence of the House. Prof. *Ghanshyam*, Leader of the Sind Assembly Congress Party was invited by the Governor to explain the Congress attitude towards the Constitutional crisis. Prof. *Ghanshyam* asked for time to consider the matter with his party and also the higher Congress authorities. The Legislative Assembly of Sind consists of 60 members, no party in which commands an absolute majority. The Congress itself is a small party of eight members scarcely in a position to form the ministry except in an extremely precarious and uneasy alliance with other groups. Prof. *Ghanshyam* therefore after necessary consultations intimated to the Governor that while the defeated ministry must resign, his party was prepared and willing to lend support to the new coalition that was being formed to replace the Sir *G. H. Hidayatullah's* ministry and watch its work for a reasonable time.

*Khan Bahadur Allah Bux*, the leader of the new coalition, in a letter to the leader of the Congress party asked for a clarification of the Congress attitude in case he was called upon to form a ministry. He assured Prof. *Ghanshyam* that if he formed a ministry, his policy and programme will be in general accord with that of the Congress, having due regard to the circumstances of the Province. Prof. *Ghanshyam* replied that in view of the assurance held out by him (*Khan Bahadur Allah Bux*) the Congress party, while retaining its full freedom to oppose any legislative or administrative action of the new ministry, will watch its work for a reasonable time and will not till then initiate or support a move which will defeat the ministry. Thereafter the Congress party will be free to determine its final policy.

### 3. National Week

The National Week was celebrated all over India with enthusiasm. Khadi was hawked all through the week by Congressmen and Desh Sevikas. There were hoisting of National flags and public meetings on the first and the last day. In the meetings the significance of the National Week was explained. The National Week reminds the Indian people of the tragedy of Jallianwala. It renews the determination of the Nation to end foreign subjection of which the Jallianwala tragedy was the humiliating symbol.

## Political Arrests and Convictions etc.

The following are some of the cases of arrests, convictions, internments, externments, searches, gagging orders and the like compiled from the daily press and the bulletins of the Civil Liberties Union.

*Punjab*:

One Shri *Gurbukhsh Singh* was arrestsd in Amritsar on February 5th on a charge under Section 124-A I. P. C. on the basis of warrant received from Calcutta for a speech delivered by him there.

*Mufti Mohammad Naui*, President, City Congress Committee, Ludhiana, was convicted on February 7th under Section 124-A I. P. C. and sentenced to one year's rigorous imprisonment.

Eleven prominent Congress workers of Ludhiana including an All-India Congress Committee member, were arrested at the Gujjarwal Political Conference.

Four socialists were arrested in Lahore on January 24th under Section 18 of the Press Emergency Powers Act for distributing pamphlets headed "Release or Death" containing the text of the letter addressed by the hunger-strikers to Mahatma Gandhiji.

*Prof. Ranga*, M. L. A. was served with a notice prohibiting him from entering the Punjab for a period of one year without the previous sanction of the Government.

*Nara Singh Sindhu* who has come back from the United States has been interned by the Punjab Government in his village, in Amritsar District, for a period of one year.

Orders have been issued under Section 144 Cr. P. C. prohibiting unlicensed processions and meetings at Sorampur for a period of three months.

Orders under the same section have been promulgated at Gurdaspur in connection with the no-rent campaign of Poalsora.

Processions have been prohibited also in Mardan under the same section.

Lahore C. I. D. raided the house of Amrik Singh, a prominent socialist, on February 17. Nothing incriminating is reported to have been found.

*Amarjit Singh*, a prominent socialist worker was arrested on March 4 under Section 124-A I. P. C. on the basis of a warrant from a Court at Gurdaspur.

*Giani Sher Singh*, Secretary of the Shiroman Akali Dal and Chairman of the Reception Committee of the Bandorbust Conference is reported to have been arrested on sedition charge while the Conference was in session.

Notices have been issued under Section 107 Cr. P. C. on the President of Talaganga Congress Committee and 8 more persons to show cause why they should not be bound over to keep the peace.

Warrants under Section 108 Cr. P. C. were issued from Gurdaspur for the arrest of Comrade *Charan Singh*, a socialist worker.

Sardar *Kartak Singh* who recently returned from the United States of America was arrested by the Lahore Police under the Criminal Law Amend Act in the village of Banga in Lyallpur district where he had gone to attend the Kisan Conference.

*Srimati Satyavati*, a Congress worker of Delhi was served with a notice by the Punjab Government at the Punjab Provincial Conference held at Madina, ordering her to quit boundaries of the Punjab within 24 hours and not to re-enter without permission for a period of one year. She has since been arrested for disobeying the order.

*Anjoy Ghosh*, a socialist of Cawnpore, who went to Lahore on March 27 was served with a notice under the Punjab Criminal Law Amendment Act to leave the province within 24 hours and not to re-enter the same before one year.

*Ram Singh*, a prominent Socialist worker of Lahore, has been interned under the Punjab Criminal Law Amendment Act in Viram Dattan in Gurdaspur District.

Mr. *Harkishan Singh*, Secretary of the District Kisan Sabha, Jullundur, was arrested on March 23 under Sections 124-A and 153 I. P. C.

The Punjab Government have seized all the bundles of "Kirta Lehar", a Socialist Weekly of Meerut on the ground that it contains matter, the publication of which is punishable under the Indian Press Act.

*Bengal*:

Two boys were flogged at the instance of the District Magistrate of Noakhali by the Headmaster, Arun Chandra H. E. School, for distributing handbills on the Independence Day.

Bengal Civil Liberties Union in a recent statement reports of the re-arrest of *Bejoy Krishna Pal*, an ex-political prisoner, under the Bengal Smuggling of Arms Act. 1934.

*Bihweswar Choudhury*, a detenue, charged under the Bengal Criminal Law Amendment Act, 1930, with refusing to comply with an order served upon him, directing him to proceed to his place of domicile, on the ground that his quarters there were not sanitary, has been sentenced to three months' rigorous imprisonment.

*Niharendu Dutt Majumdar*, M. L. A. a peasant leader along with four other Kisan workers who went from Calcutta to organiso Kisan Committees throughout the Tipperah district were arrested at Comilla railway station immediately after their arrival.

Office of the Tipperah District Krishak Samity and the All India Krishak Sabha Reception Committee were searched by the Bengal police on February 2.

Ban order under Section 144 Cr. P. C. banning processions and meetings has been promulgated throughout Natore Sub-division of the Rajashahi District.

Dr. *Dhirendra Nath Sen*, Editor and Mr. *W. Bhattacharjee*, Printer and Publisher of "The Hindustan Standard" were sentenced on March 7 to six months' rigorous imprisonment and a fine of Rs. 1000 each on a charge of sedition.

Ex-detenu *Nibaran C. Dutt* M. A. B. L., Secretary, Tipperah District Congress Socialist Party, on the basis of police reports that he has been disseminating seditious matter under Section 124-A, has been called upon by the District Magistrate to show cause why he should not be ordered to execute a bond of Rs. 1000 with one surety of like amount to be of good behaviour for a period of one year under Section 108 Cr. P. C.

Barrister *P. Dinda*, Midnapur, was served with an order under the Bengal Public Security Act directing him not to leave his residence in the town. He is also directed not to receive any visitors or to visit anybody including medical practitioners.

Mr. *K. S. Khunnia*, Secretary, Calcutta Shromick Mandal, has been served with a notice under Section 107 Cr. P. C. to show cause why he should not be bound down for his activities.

Mr. *Makhanlal Sen*, General Manager, "Ananda Bazar Prtrika" has been served with a summons under Section 124-A. I. P. C. in connection with a speech delivered by him at a public meeting on February 4, following the death of Mr. Harendranath Munshi.

A charge of sedition was framed on March 23 by the Chief Presidency Magistrate against Mr. Gunada Majumdar, Secretary of the Bengal Congress Socialist Party. He was arrested last week in connection with a speech delivered by him on December 15 last.

Chief Presidency Magistrate, Calcutta, convicted and sentenced *Bhagat Singh* to pay a fine of Rs. 250 or undergo simple imprisonment for two months on a charge of sedition.

In connection with the Salt Depot strike, notice has been served on Mr. *K. Khuntia*, Secretary, Calcutta Shramik Mandal, to show cause why he should not be bound over for a period of one year under Section 107 Cr. P. C. In the past two months, as many as 18 working class leaders, connected with different industries, are reported to have been served with similar notices.

Notices were served on six labour leaders by the Senior Deputy Magistrate of Dhanbad, directing them to quit the limits of the Kirkond and Katras police stations.

*Delhi* :

Delhi police searched the house of *Chaman Lal Azad* in Gandhi Gali on January 24th but nothing incriminating is reported to have been found.

*Madras* :

A partial strike had been on for some time at the I. L. T. L. Company's factory. Importation of black-legs resulted in a clash and police interference. The crowd was treated to a couple of lathi charges before the police opened fire. It is reported that the firing was sudden and without any caution or warning or order to disperse. Two of the leaders were killed on the spot and another expired in the hospital. A number of them were wounded by the lathi charge. Madras Government have ordered a public enquiry to be held.

**In the Indian States**

*Mysore* :

A prohibitory order under Section 144 was served on fourteen members of Hariyabbe Hiriyur Taluk by the Amildar Magistrate in connection with the "Independence Day" on January 25th. The order is to be in force for two months.

An order under Section 144 Cr. P. C. prohibiting meetings, processions etc., for a period of fifteen days was passed in Siddlaghath. Similar orders were passed in connection with the Independence Day celebrations in Korattagore, Chikmagalur, Chickaballapur, Gudibandi and Goribidanur Taluks.

An oral warning has been given to *V. S. Narayanrao*, Secretary, Mysore Congress Board, by the District Magistrate, Bangalore, requiring him to desist from "engaging himself in subversive activities."

Rangiah, a student, has been charged under Section 188 I. P. C. with having disobeyed the prohibitory order under Section 144 Cr. P. C. and 39, Mysore Police Regulation.

An arrest warrant was issued on February 9 by the District Magistrate, Tumkur, under Section 124-A I. P. C. against *K. V. Subrahmanyaswami*, member of the Mysore Representative Assembly in connection with a speech made by him in December last at Kuringal.

*H. K. Veernna Gowda* has been asked to show cause why he should not be directed to execute a bond of a sum of Rs. 2000 with two sureities of a sum of Rs. 1000 each for good behaviour for a period of one year.

The following are reported to have been arrested for violating orders issued under Section 144 Cr. P. C.:—Maliah, Venkatappa, S. Chandrasekhariah K. A. Krishmurthi and four others. Kudli Srinivasamurthi was sentenced for similar offence to three weeks' simple imprisonment.

The residence of *G. R. Swami* was reached on February 11 for the recovery of the fine of Rs. 50 imposed by the Bangalore District Magistrate for disobeying a restraint order under Section 144 Cr. P. C.

Srinivasamurthi and Bassappiah of Shimoga were fined for a similar ofience by the District Magistrate, Sagar.

Srimati Subbamma and R. Rangiah were both sentenced to one month's imprisonment for reading the Independence Pledge.

Security proceedings were launched against S. Srinivasrao and Krishnarao for creating disaffection in the State against constituted authority. Having refused to enter into an interim bond under Section 117 (3) Cr. P. C. they were remanded to custody by the District Magistrate, Sandur.

The Government of Mysore have issued a notification directing the continuance of the order passed by the District Magistrate of Mysore prohibiting the holding of public meetings in Mysore for a further period of six months from March 29, when the original order expires.

*Gwalior* :—

Gwalior State has prohibited the importation of the newspapers Riyasat of Delhi, the Alaman (Delhi), the Vahdat (Delhi), the Hind Rajasthan and Hind Kesari of Jhansi into the State.

*Travancore* :—

The Government have prohibited the bringing or taking, by backwaters or by land into or out of Travancore of any copy of any issue of newspapers entitled "Malabar Herald".

*A. Narayana Pillai* was arrested under Section 124-A (sedition) on a charge of exciting disaffection against the Government.

A notice under Section 127 Travancore Criminal Procedure Code was issued on March 7, by the District Magistrate, Trivandrum, prohibiting the holding of meetings to consider the formation of a branch of the Travancore State Congress on the ground that if these meetings are allowed there would be breach of peace.

Notice under Section 127 Travancore Cr. P. C. issued on March 7 prohibiting the holding of meetings in Travancore District to consider the formation of a branch of the Travancore State Congress has now been extended to Quilon District also.

The Government of Travancore cancelled on March 12 the license of newspaper "Koumudi" for reproducing an article on Responsible Government by the late Mr. George Joseph.

*Mansa* :—

Disturbing news about the no-tax campaign in Mansa State against the enhanced assessment in the State has been appearing in the local press. Police firing and lathi charges are reported. According to latest report four men have been arrested for alleged defiance of the ban against processions and meetings.

*Kashmir* :

Kashmir State has prohibited under section 25 of Customs Regulation, the bringing into Jammu and Kashmir State of any document issued or emanating from (a) the Communist International (b) any organisation affiliated to or controlled by or connected with Communist International or (c) Any person holding office in any such organisation or (d) Any document containing substantial reproduction of the matter contained in any such document.

*Hyderabad* :

Hyderabad Government have demanded a security of Rs. 3,000 from the "Rahbare Deccan", a local Urdu daily, failing which, the permission accorded for publication of the newspaper would be withdrawn.

*Jaipur* :

The Jaipur Government have enacted the following "Public Societies Regulation":—

1. This Regulation shall be called "The Public Societies Regulation". It shall extend throughout the Jaipur territory and shall come into force from the date of publication in the Jaipur Gazette.

2. No public society shall be established without the previous sanction of the Jaipur Government.

3. The organisers and promoters of such society shall apply, through the Inspector General of Police, Jaipur, for the said sanction and the application shall contain the following particulars :—

(*a*) Aims and object of the society.

(*b*) Names of its organiser and promoter, and if there be more than one, the names of all of them, as well as of its office-bearers.

(*c*) The name of the place where its chief office is to be located, as well as the names of places where the opening of branches is contemplated and the area within which it is to be operated.

4. The Society as originally constituted shall not be changed without the previous sanction of the Jaipur Government to be obtained through the Inspector General of Police.

5. If at any time, after permission has been granted, the activities of such society are found to be subversive of law and order or not for the good of the public, it shall be closed down by an order of the Council of the State.

6. Any Police Officer, not below the rank of Sub-Inspector, may, with the previous sanction of the Inspector General of Police enter without a warrant any building or enclosure where the office of such a society is located, and on demand for his inspection, all correspondence, books, accounts etc., shall be produced, immediately. Such Police Officer may further seize any or all such documents as are considered by him objectionable, or relating to some conspiracy or crime, according to the procedures laid down in Section 103 Cr. P. C.

7. Any breach of this order on the part of any member or servant of the Society shall be cognisable offence and shall be triable by a Magistrate of the 1st Class and shall be punishable with imprisonment for a term which may extend to 2 years R. I., or fine upto Rs. 1000 or both.

8. The Council of State may expel the person so convicted from the State and order forfeiture of all property movable or immovable, documents, funds etc. belonging to the said society.

9. The Prime Minister may ban the entry into the Jaipur State of any person, who is likely to create or foment, by his words or actions friction as this Regulation seeks to avoid.

10. Any Police Officer, not below the rank of a Sub-Inspector may disperse all meetings of the members of the Society, which has been ordered to be closed under Rule 5 and such assemblies or meetings shall be considered as an unlawful assembly as in Section 141 I. P. C.

11. The Regulation shall equally apply to all existing societies and they shall, within a period of 3 months of the publication of this regulation, apply under Section (2) for the sanction of the Jaipur Government for their continuance.

### A. I. C. C. Members from Bengal (62)

1. Dr. Bidhan Chandra Roy
2. Dr. Prafulla Chandra Ghosh
3. Shri Sarat Chandra Bose
4. Shri Bankim Mukherjee
5. Shri Sudhir Chandra Roy Chowdhury
6. Shri Biresh Chandra Misra
7. Maulvi Ashrafuddin Chowdhury
8. Shri Jiban Ratan Dhar
9. Shri Purshottam Roy
10. Shri Sailendra Nath Ghosh
11. Shri Basant Lall Murarka
12. Shri Haripada Chatterjee
13. Shri Kiron Shankar Roy
14. Dr. Pratap Chandra Guha Roy
15. Shri Prafulla Nath Banerjee
16. Shri Raj Kumar Chakravarti
17. Shri Amar Krishna Ghose
18. Shri Kalipada Mukherjee
19. Shri Kamal Krishna Roy
20. Shri Satish Chandra Chakravarty
21. Shri Charu Chandra Bhandari
22. Shri Prafulla Chandra Sen
23. Shri Suresh Chandra Mazumdar
24. Shri Panchanan Bose
25. Shri Hirendra Nath Mukherjee
26. Shri Atul Chandra Kumar
27. Shri Ashutosh Das
28. Shri Gopika Bilas Sen
29. Shri Shibnath Banerjee
30. Shri Kumud Chandra Chakravarty
31. Shri Suresh Chandra Das
32. Shri Neharendu Dutta Majumdar
33. Shri Harendra Nath Ghosh
34. Shri Saty Priya Banerjee
35. Shri Sushil Chandra Palit
36. Shri Paritosh Banerjee
37. Mr. Abdur Razzak Khan
38. Shri Hemanta Kumar Bose
39. Shri Indrabhusan Beed
40. Shri Ram Sundar Singh
41. Shri Sitaram Sakseria

42. Shri Kali Kumar Sen
43. Dr. Suresh Chandra Bannerjee
44. Shri Ananda Prasad Chowdhry
45. Shri Bistupada Bhattacharjee
46. Shri Kedar Nath Bhattacharjee
47. Dr. Nalinakhya Sanyal
48. Dr. Charu Chandra Banerjee
49. Shri Ajoy Kumar Mukherji
50. Shri Abdus Sattar
51. Shri Kishoripati Roy
52. Shri Deben Dey
53. Shri Nikunjabehari Maity
54. Shri Muzaffar Ahmad
55. Dr. Jatindra Mohan Das Gupta
56. Shri Jadu Nath Paul
57. Shri Rashik Lall Biswas
58. Shri Ram Chandra Abasti
59. Shri Labanyaprova Chanda
60. Shri Satish Chandra Roy Choudhury.
61. Shri Haripada Sarker

# THE WORKING COMMITTEE PROCEEDINGS

*Bombay—May 15-19, 1938*

A meeting of the Working Committee was held in Bombay from 15th to 19th May, 1938. *Shri Subhas Chandra Bose* presided. The members present were: *Maulana Abul Kalam Azad, Shrimati Sarojini Naidu, Shris Jawaharlal Nehru, Vallabhbhai Patel, Rajendra Prasad, Jamnalal Bajaj, Jairamdas Doulatram, Pattabhi Sitaramayya, Hare Krishna Mahtab* and *J. B Kripalani.*

The Premiers of Madras, Bombay, U. P., C. P, N. W. F., Utkal and Dr. Syed Mahmud from Bihar were present by special invitation.

### 1. Minutes

The minutes of the last meeting already circulated were confirmed.

### 2. Zanzibar Clove Boycott

The following resolution was passed:

The Working Committee read the report of the Clove Boycott Committee and considered the agreement which has been arrived at by the Indian Community in Zanzibar and the Zanzibar Government in respect of the clove trade. This agreement is subject to the confirmation of the Indian National Congress and the Colonial Office of the British Government. The Working Committee accept the recommendation of the Indian National Association of Zanzibar and confirm the said agreement. The Committee trust that the agreement will be acted upon by the Zanzibar Government in a way so as to give full satisfaction to the Indian community and so as not to raise any doubt or suspicion of discriminatory treatment.

In view of this settlement, the Clove Boycott Committee is hereby authorised to lift the boycott of cloves which has been in operation since September last as and when and under such conditions as it thinks proper.

On the ending of the boycott the Committee trust that the general public and particularly the retailers will patronise those firms that have loyally adhered to the boycott in preference to those who have not.

The Committee congratulate the Indian community in Zanzibar for the brave and successful stand it has made for the rights of Indians overseas.

The Committee further express their gratitude to the merchants, specially in Bombay, who by their loyal cooperation and support even at considerable sacrifice have contributed so greatly to the successful termination of the issue.

The Committee wish also to record its appreciation of the labours of the Clove Boycott Committee.

### 3. Political Parties Using the Name "Congress"

The Committee discussed the question. It was their view that it was undesirable for parties and groups inside or outside the Congress to use the name of the Congress without due permission. The matter was however left to be dealt with by the General Secretary as occasion arose.

### 4. Ambulance for China

The following resolution was passed:—

Resolved that a Committee consisting of the President, Dr. *Jivaraj Mehta, Dr. Sunil Chandra Bose, Dr. R. M. Lohia* and *Shri G. P. Hatheesing* (Convener), with power to coopt, be appointed to take necessary steps to send a motor ambulance

unite with necessary doctors and nurses to the Chinese National Government and Dr. M. Atal be requested to be in charge of the unite.

### 5. The Name, 'Congress' for State Organisations

Following resolution was passed :—

"Haripura Congress came to the decision that in order to encourage the development of the national struggle in the Indian States, independent organisations should be started or continued where they already exist and internal struggles of the people of the States must not be undertaken in the name of the Congress. The Working Committee welcome the formation of such independent organisations but have noted that some of these bear the name of the Congress. While, strictly speaking, there can be no monopoly in the use of the word 'Congress', it is clear that in order to give effect to the letter and spirit of the Haripura Congress resolution, nothing should be done which produces any confusion in the public mind as to the constitutional relation between the Congress and the independent State organisations. The Committee feel that the use of the word 'Congress' in the name of the State organisations is bound to create such confusion.

The Committee also wish to draw attention to the fact that under the Haripura resolution Congress Committees continue to exist in the States. Thus there are at the same time Congress Committees and the independent organisations which might sometimes develop in membership and work. If the independent organisations bear the name 'Congress' then it is inevitable that confusion will arise. This will come in the way of Congress Committees functioning in the States.

For these and other reasons the Working Committee feel that it is undesirable to have the word 'Congress' in the name of the independent organisations and trust therefore that the use of this word in this connection will be avoided.

### 6. Mysore Happenings

The following resolution was passed :

The Working Committee have read the popular and the official versions of the recent firing that took place near Viduraswatham (Mysore) on unarmed crowds. The Committee deeply deplore the fact that the State authorities felt called upon to resort to firing. But seeing that the Mysore Government have appointed a tribunal in order to inquire into the causes that led to the firing, the Working Committee refrain from expressing any opinion about the tragedy.

But the Working Committee think that His Highness the Maharaja should establish responsible Government in his State so that the responsibility for Law and Order, including firing whenever it is deemed necessary, will be shouldered by a government answerable to the people. The Working Committee send their condolences to the members of the bereaved families and express their sympathy with those who have suffered injuries.

The Working Committee approve of the settlement effected by Sardar Vallabhbhai Patel and Acharya Kripalani as between the State and the Mysore State Congress. The Working Committee note with satisfaction that in furtherance of the settlement the Mysore Government have issued a communique and congratulate His Highness the Maharaja and his advisors on the prompt manner in which they are carrying out the settlement. The Working Committee hope that the settlement will be strictly carried out also by the Mysore State Congress.

On the question of the hoisting of the National Flag the Working Committee hope that care will be taken not to do anything that might imply any disrespect to the State Flag by the State Congress or to the National Flag by the State authorities. The final status of the National Flag will depend upon the ability to exercise compulsion, but upon the correct conduct of Congressmen and the progressive record of service that the Congress establishes in the country. It should further be borne in mind that the National Flag is a symbol of non-violence and national unity to be brought about by means strictly truthful and nonviolent. It should further be borne in mind that though there is a growing party among Congressmen who seek the total abolition of States as a relic of Middle Ages, the policy of the Congress as a whole has hitherto been and remains one of friendliness to the States in the hope that they will recognise the signs of the times and establish responsible government within their borders and otherwise extend and guard the liberty of the people under their jurisdiction.

### 7. Clemency Cases in C. P.

The report of the findings of Sir Manmoth Nath Mukerji was placed before the Committee. It was decided that the report be sent to Mr. M. Y. Shareef, the Minister of Law and Justice in C. P. and he be requested to take the necessary steps that follow logically from the findings of Sir Mukerji. Shri Shareef has since resigned his ministership.

### 8. Disciplinary Action—Shri Satyendra Chandra Mitra

The following decision was taken :—

*Shri Satyendra Chandra Mitra* was elected to the Bengal Council on the Congress ticket and after signing the Congress pledge according to which he was bound to carry out the Congress directions. He was called upon in common with other Congress legislators to pay the excess of his salary to a special earmarked fund for use in the province and in spite of repeated requests and reminders he has not paid this or any sum and has finally refused to do so, thereby violating his pledge. The Working Committee therefore decide that he should cease to be a primary member of the Congress and should be ineligible for such membership till the committee decide otherwise. Further that he should be ineligible to stand as a Congress candidate for any local body or legislature.

### 9. Oppressive Mis-rule in Bugti

The following resolution was passed :

The attention of the Working Committee has been drawn to the oppressive and tyrannical administration under which the people of the Bugti area, lying between Sind and Baluchistan have since long been suffering at the hands of the present Nawab of Bugti and to the sense of grave insecurity of life and property which has been prevailing in that area. The Committee understand that the inquiry instituted by the Agent to the Governor-General at Quetta in 1932 under Major Beetham amply confirmed the correctness of the complaints made by the people against the Nawab. In the opinion of the Committee it is essential, if the administration of the Bugti area is at all to improve, that the aforesaid report should be published by the Government. The Committee are strongly of the view that the authorities in India and England who have assumed responsibility for the welfare of the people of the area have signally failed to discharge that responsibility. The Committee condemn the continuance of the present autocratic and irresponsible system of administration under which inhabitants of the Bugti area have had to live and suffer all these years, and expect that the authorities will take immediate measures to remedy the present state of things and place the administration of the area on a proper democratic basis.

## THE C. P. MINISTRY TANGLE

*Shri Vallabhbhai Patel* informed the Working Committee about the dissensions in the C. P. Ministry. Four of the Ministers had sent in their resignations to Shri Khare, the Premier. The Committee discussed the question with the Premier and other C. P. Ministers present in Bombay. After careful consideration the Committee advised the Premier to call a meeting of the C. P. Parliamentary party and ask them to consider the situation that has arisen in regard to the ministry and also decide the steps to be taken to meet the situation. The Committee also advised that the meeting of the Parliamentary party to consider this question be held under the Presidentship of Shri *Vallabhbhai Patel*, the Chairman of the Parliamentary Sub-Committee. The other members of the Sub-Committee were also requested to be present at the meeting of the C. P. legislators.

(*Note*—The meeting of the party was held at Pachmarhi on 24th May. Shri *Vallabhbhai Patel* and *Maulana Abul Kalam Azad* were present. The former presided. After a couple of days' conference to which the Presidents of the three P. C. Cs., Mahakoshal, Nagpur and Berar were also invited, a compromise was arrived at among the members of the C. P. Cabinet. The ministers concerned handed over the following letter to Shri Vallabhbhai Patel :—

"In response to the wishes of the party, as expressed at its meeting on May 24, we met together and discussed all the questions of differences amongst ourselves,

some of them being temperamental, some due to differences of outlook, and others involving questions of procedure regarding the internal working of the Ministry. We are happy to report that we have been able to amicably settle all our differences and have agreed to work in a spirit of comradeship and we feel confident that we shall have your full co-operation and support.")

## THE LABOUR COMMITTEE PROCEEDINGS

The Working Committee at their last meeting at Calcutta in April last appointed the new Labour Committee for the current session consisting of Shris *Jawaharlal Nehru*, *Jairamdas Daulatram*, *Shankerlal Banker*, *Jaiprakash Narain*, *M. R. Masani* and *J. B. Kripalani* (**Secretary**).

The first meeting of the Labour Committee was held at Bombay on May 14 and 15, 1938. All members except Shri *Jaiprakash Narain* werepresent. Syt. *C. Rajagopalachariar* (Madras), Syt. *Govind Ballabh Pant* (U. P.), Syt. *B. G. Kher*, Bombay). *Dr. N. B. Khare* (C. P.), *Dr. Kailash Nath Katju* (U. P.) Syt. *D. K. Mehta* (C. P.), and Shri *Gulzarilal Nanda*, Parliamentary Secretary, Bombay were also present by invitation.

Following resolutions were passed :—

1. This Committee notes with satisfaction the appointments of Committees made by the Provincial Governments of Bombay and the United Provinces for inquiry into the wages and conditions of workers engaged in the textile Industry and trusts that Governments in other provinces and Indian States, where textile Industry is established with a view to bring about simultaneous improvement, take similar action at an early date.

2. This Committee is of opinion that such committees as may be appointed by the Provincial Governments for the purpose of enquiry into conditions of labour or trade disputes should be mainly composed of men associated with public life and the national movement.

3. The Committee expresses its satisfaction at the recommendations made by the Bombay Textile Inquiry Committee and accepted by the' Government having been generally carried out by the employers in the Bombay Presidency. The Committee hopes that the Mill-owners in the other provinces will also carry out such recommendations of the Inquiry Committees as accepted by the Goverment of their provinces.

4. The Committee notes with satisfaction that the Bihar Government have appointed a Committee to inquire into the conditions of labour in the important industries in the province and hope that similar inquiries will be instituted in the other provinces particularly in regard to Sugar, mining. Ginning and other organised industries.

5. The Committee is of opinion that the wages and hours of work and other conditions of the employees engaged in the shops and other similar establishments are far from satisfactory and requests the Congress Ministries to institute suitable measures for improving the same.

The Committee further expresses its general approval of the legislation proposed to be introduced by the Government of Bombay in this behalf.

6. The Committee welcomes the expression by the Government of Bombay of their intention to introduce legislation for the provision of leave with pay during sickness and hopes that suitable action will be taken by other Provincial Governments in this behalf.

7. The Committee notes with satisfaction that the Baroda Government have notified the introduction from first of August of a nine-hours-day in response to the demand made by the Textile Labour Association. It hopes that other Indian States will take immediate action in this direction.

8. The Committee reiterates its opinion that the collection of statistical information regarding conditions of working class people engaged in important industries is an indispensable preliminary for suitable action for ameliorating the same and expresses its earnest hope that the Provincial Governments which have not yet made such arrangements will take prompt and effective steps for making up the deficiency.

9. The Committee expresses its satisfaction at the action of the Government of Bombay in extending the application of the Factory Act to factories employing 10 persons or more where the manufacturing processes are carried on with or without power and expects that other Governments will take early steps to extend the application of the Act on similar lines, at least to all urban areas.

10. The Committee notes with satisfaction that the U. P. Government have passed legislation providing maternity benefit and that the Bombay Government have extended the application of the said Act even to smaller centres where the Act did not apply till now and trusts that Governments of provinces where there is no such provision will take measures to introduce the necessary legislation.

11. The Committee notes with satisfaction that the Bombay and U. P. Governments have issued orders for compulsary establishment of creches where women workers are employed and trusts other Governments will take action in this direction.

12. The Committee welcomes the declaration made by the Government of Bombay to introduce prohibition in the industrial city of Ahmedabad and expresses hope that urban industrial areas in other provinces will also be soon taken up for carrying out the prohibition programme of the Congress.

## CONSTITUTION COMMITTEE

A meeting of the Constitution Committee appointed by the Haripura Congress was held at Bombay on the 18th and 19th May, 1938

The members present were: *Shris Jawharlal Nehru, Jairamdas Daulatram, Pattabhi Sitaramayya, Achyut Patwardhan, Kiran Sankar Roy, S. A. Brelvi* and *J. B. Kripalani.*

The Committee discussed (1) The advisability or otherwise of indirect elections and (2) the means to be adopted to ensure genuine membership and proper election. Some tentative decisions were taken which are to be circularised to the P. C. Cs. for their opinion. In the light of the provincial opinions received the committee will make their final recommendations to the A. I. C.C.

## PREMIERS' CONFERENCE

A conference of Premiers of the Seven Congress provinces and the members of the Parliamentary Sub-Committee was called by the President to meet in Bombay. The Premiers were asked to invite to the conference as many members of their Cabinets as could conveniently attend. The conference met from 12th to 14th May 1938. All the seven Premiers with several Ministers from each province attended. There was mutual exchange of information about the reform measures undertaken and the general progress made in each of the provinces. The conference considered the general question of co-ordination and co-operation among the Congress provinces. Some of the subjects discussed were, Civil Liberty, Agrarian policy, Labour, Industrial reconstruction, Development of Power Resources and Power Supply, Rural Reconstruction, Education, Revenue Sources, Taxation and Finances. Several schemes of co-operation were suggested. The U. P. Government undertook to call a conference representing all the provinces to examine possibilities of new sources of revenue for constructive purposes. The Bombay Government undertook to call a similar conference for jail reform and labour.

The conference was useful inasmuch as it provided an opportu nity to the Premiers and other Ministers to compare notes and to know each other's difficulties. It also paved the way for greater co-ordination and co-operation between the provinces.

## PRESS STATEMENT ISSUED BY PRESIDENT (SJ. BOSE)

### Ambulance Corps for China

Ever since the Japanese aggression in China began last year, the Indian National Congress has repeatedly expressed its sympathy for the Chinese people in their struggle for freedom and peace. Apart from resolutions of sympathy being passed, pro-Chinese demonstrations were held all over the country. A sum of over Rs. 8,000 (Eight thousand rupees) was also collected and is now in the hands of the All India Congress Committee office. The Working Committee of the Congress, at its last meeting in Bombay, decided to send an ambulance unit with the doctors to China for demonstrating our solidarity with the Chinese people, instead of sending only monetary relief. The Committee also appointed a Sub-committee consisting of Dr, *Jiveraj Mehta, Dr. Sunil Chandra Bose, Dr. R. M. Lohia, Shri G. P. Hutheesing* and myself to make all necessary arrangements for equipping and sending out the ambulance unit together with the doctors.

The Sub-committee held a meeting in Bombay on the 24th inst. and decided to send a fully equipped motorcar ambulance to China and a batch of four qualified doctors, preferably experienced surgeons. One year's expense were worked out and it was found that a sum of rupees thirty thousand was needed for the Medical Mission. Since we have only rupees eight thousand in hand, we shall have to collect a further sum of rupees twenty-two thousand.

Applications from qualified medical men who would like to join the medical Mission to China are invited. Applicants should preferably be surgeons with some experience and should undertake to serve for at least one year. They should send in their applications to the Secretary, Foreign Department, All India Congress Committee, Allahabad with a copy to the Secretary of the China Sub-committee, Mr. G. P. Hutheesing of Gulshan Villa, Oomar Park, Warden Road, Bombay. The expenses of equipment, board and lodging in China together with a small pocket allowance will be provided for the doctors but no salary will be paid.

In order to demonstrate once again our deep sympathy for the Chinese people in their hour of trial, I request all Congress organisations in the country to observe the 12th. June, 1938 as an All-India Chinese Day. Meetings and processions should be held on that day and a serious endeavour should be made to collect fund for our Medical Mission. If the necessary efforts are made, it should not be difficult to collect the entire amount of rupees twenty-two thousand by that date.

In this connection I also appeal to Firms dealing in medical stores and appliances to help us in kind. I may assure them that medical stores and appliances are badly needed in China to-day and help in kind will not be less welcome to the distressed and injured Chinese people than assistance in cash.

In conclusion I may remind my countrymen that it is essential that our proposed medical aid should reach China as early as possible. We should therefore get ready to give a send-off to our Medical Mission by the first week of July at the very latest. The seventh of July, the day on which Japanese aggression started last year, would be an appropriate day for wishing *Bon Voyage* to the Indian friends of China.

## ORISSA CRISIS

The appointment of Mr. *J. R. Dain*, a Subordinate officer of the Orissa Government, as the Acting Governor of Orissa during the absence of the Governor on leave threatened to create a serious ministerial crisis in the province. The Congress Ministry informed the Governor that the selection of Mr. J. R. Dain as the Acting Governor was derogatory to their dignity and that they would find great difficulty in serving under Mr. Dain who was actually serving as an officer of their Government and therefore subordinate to them. The Working Committee at their meeting in Calcutta passed a resolution condemning the appointment of Mr. Dain as the Acting Governor of Orissa. The Provincial Congress Committee of Orissa passed a resolution approving of the Cabinet's decision to resign, should Mr. Dain assume charge of the Governorship of the Orissa province. About the third week of April the Governor was formally notified by the ministers that they intended to resign if Mr. Dain assumed charge. The threatened crisis however was averted at the last moment by the cancellation of his leave by Sir John Hubback, the Governor of Orissa. The following communique was issued by his secretary :—

"In view of the instability of the political situation which he would be bound to leave to his successor, His Excellency the Governor of Orissa does not feel justified in proceeding with his orginal plan and considers that he has, in the interests of the province, no option but to ask for the cancellation of the leave granted to him. The Secretary of State has acceded to his request with the concurrence of the Governor-General."

## ZANZIBAR AGREEMENT

As a result of the unbroken resistance put up by the Indian Community at Zanzibar and the boycott of Zanzibar cloves in India carried out through the efforts of the Indian National Congress, the Zanzibar Government was obliged to come to terms with the Indian Community. The following letter was received from the Secretary of the Indian National Association of Zanzibar in connection with the provisional agreement arrived at between the parties concerned :—

"I am enclosing herewith the text of the agreement on the clove dispute which was reached between the Indian community and Zanzibar Government as a result of the negotiations carried on for the last three weeks.

"The agreement on our side, is subject to confirmation of the Indian National Congress. The credit for any settlement goes to the Congress and to India for the marvellous support given by them to the Zanzibar Indians.

"The Zanzibar Indian community owes a deep debt of gratitude to Pandit *Jawaharlal Nehru*, *Babu Subhas Chandra Bose*, and *Sardar Vallabhbhai Patel* for organising and intensifying the boycott.

"The terms of the settlement have given satisfaction to all the sections of the Indian community of Zanzibar.

"The Indian community highly appreciates your (those of the Congress and the Indians) untiring efforts on our behalf in this fight."

At their meeting at Bombay the Working Committee of the Indian National Congress passed a resolution approving of this agreement and congratulated the Indian Nation and the Indian Community of Zanzibar on this happy and successful termination of the clove dispute. The provisional agreement of May 4 arrived at between the Government of Zanzibar and the Indian Community was approved and confirmed by the Colonial office ending finally the clove dispute. *Sardar Vallabhbhai Patel*, President of the All India Clove Boycott Committee, issued the following statement :—

"The Colonial Office of England having approved the agreement in regard to clove dispute between the Zanzibar Government and the Indian community in Zanzibar, the agreement has now become an accomplished fact. The Working Committee of the Indian National Congress has already given its approval to the said agreement and, therefore, all the conditions for lifting the boycott on cloves now stand completely fulfilled. I, therefore, declare on behalf of the, Clove Boycott Committee that the boycott is now formally lifted and the dealers are now free to resume dealings in cloves both of Zanzibar and Madagaskar.

"I take this opportunity of drawing the attention of the public to a very significant appeal made by the Working Committee in its resolution on the subject of the Zanzibar agreement. The Committee trust that the general public, particularly the retailers, will patronize those firms that have loyally adhered to the boycott in preference to those who have not. I am confident that the public of India will respond to this appeal in a full measure.

"On behalf of the Clove Boycott Committee I congratulate the Indian community in Zanzibar, the Indian public in this country and particularly the clove merchants of Bombay and other places on the sacrifices they had to make and the success they have been able to achieve as a result of those sacrifices. I must also thank the volunteers of the B. P. C. C. who, unmindful of the hardships that they had to suffer, kept the boycott in tact in the city of Bombay by carrying on effective and successful picketing for over six weeks. With the lifting of the boycott, picketing also is hereby withdrawn. This does not, however, mean that the defaulters will be allowed to go scot-free, Some of the defaulters have already been dealt with and others have been notified to make proper amends for their mistakes. Defaulters who fail to make adequate amends as suggested by the Committee will have to be severely dealt with.

"In the end, I heartily congratulate the Indian nation on the happy termination of a prolonged dispute in Zanzibar. The Indians overseas may now feel assured that the Indian National Congress can protect their interests by a united action in this country."

## THE MYSORE FIRING, APRIL 26

An order was issued under Section 144 by the District Magistrate banning the hoisting of national flag, prohibiting holding of meetings and making speeches. The order was defied by residents of the Viduraswatham village in Kolar district (about 50 miles from Bangalore) when they assembled at a public meeting estimated at 10000 The gathering was declared an unlawful assembly by the District Magistrate and ordered to disperse. The meeting not having dispersed, the police opened fire which resulted as is alleged in 32 persons killed and 48 seriously injured. The official account of the casualties varied the estimate being between ten to twelve killed and some injured. The news of this indiscriminate firing sent a thrill of horror through

the whole country. The Working Committee of the Mysore State Congress passed a resolution condemning the indiscriminate firing and giving liberty to Congressmen to disobey prohibitory orders in order to vindicate fundamental rights and maintain their self-respect. The Mysore Government issued a Communique giving official version of the facts surrounding the tragedy. It justified firing as a measure of self-defence against mob-violence. It however appointed an inquiry committee of three judges. The Mysore State Congress also appointed a Committee of inquiry. Mahatma Gandhi in the course of a press statement made an appeal to the Mysore Government to read the symptoms of popular awakening in Mysore and divest itself of its autocracy.

To study the situation at close quarters and also if possible to bring about a settlement between the Mysore Congress and the Mysore Government *Shri Vallabhbhai Patel* and *Shri J. B. Kripalani* proceeded to Bangalore. They had several consultations with the leaders of the Mysore Congress and also interviews with the *Diwan Sir Mirza Ismail.* As a result of these a compromise formula was evolved the terms of which are as stated below. The terms of settlement comprise all the demands made by the State Congress at their conference held at Shivapura shortly before.

(1) Recognition of Mysore Congress; (2) declaration by the Mysore Government that it is open to the reforms Committee to discuss and recommened responsible Government for Mysore State; (3) four Congressmen who resigned from the reforms committee to be re-nominated with three additional Congressmen to be selected by the State Congress; (4) the satyagraha to be called off by the State Congress; (5) general amnesty to political prisoners and withdrawal of all repressive orders; and (6) the Flag dispute to be settled on the lines suggested by Mahatma Gandhi—namely that the congress flag should be flown along with the State flag on all ceremonial occasions. But at purely party functions of the Congress only the National flag is to be flown.

On May 17 the Government of Mysore passed orders declaring their policy in regard to recognition of the Mysore State Congress, and cognate matters. The order accorded recognition to the congress party in the State; accepted the addition of three new members selected by the Congress party to the Constitutional Committee; accepted Gandhiji's compromise formula on the flag issue and provided assurances regarding the release of political prisoners and the withdrawal of prohibitory orders. These acts, Government hope, "will mark the inauguration of a new era of progress and prosperity in the States."

### Congress Muslim League talks

On April 28 Gandhiji met *Mr. M. A. Jinnah*, the President of the Muslim Leauge and had three hours' conversation with him on the Hindu-Muslim problem. The interview was a sequel to the correspondence that had gone on between Mr. M. A. Jinnah and President *Jawaharlal Nehru* and Mahatma Gandhi for some months past. It was a preliminary informal exchange of views preparatory to more formal negotiations between the parties concerned. The following joint statement was issued to the press :—

'We had three hours of friendly conversation over the Hindu-Muslim question. The matter will be pursued further. The public will be informed in due course of its developments.'

The conversation with Mr Jinnah were thereafter continued by the president. There were several prolonged conferences between the two. Some preliminary conditions were formulated. Mr. Jinnah proposed to keep these preliminary conditions before the Executive of the Muslim Leauge.

## Arrests and Convictions Etc.

The following are some of the cases of arrests, convictions, internments, externments, searches, gagging orders and the like compiled from the daily press and the bulletins of the Civil Liberties Union:

*Punjab.*

1. *Mr. Harikishan Singh Surjeet*, General Secretary, Jullunder District Kissan Committee is being prosecuted under Section 124 I. P. C. for delivering alleged seditious speech at Abohar, Ferozepur, Punjab.

2. Amritsar Police have arrested five persons Messrs. *Sohan Singh, Buta Singh, Kapur Singh, Bhagwan Singh* and *Wazir Singh* on charges of alleged sedition under Sec. 124A for speeches delivered in the different villages of Ajnala Teshil.

3. *Agha Abdul Karim Sorash Kashmiri* was convicted and sentenced to a year and a half rigorous imprisonment on April 23 by the District Magistrate, Gujarat, (Punjab) for alleged seditious speeches.

4. An amount of Rs. 1,000 out of the security deposit of Mami Press where the "Vir Bharat" is printed has been forfeited to the Punjab Government.

5. The same government demanded a security of Rs. 3,000 from the "Vir Bharat" on April 18.

6. A security of Rs. 500 has been demanded by the Punjab Government from the "Hindi Milap."

7. Another security has been demanded from the "Vir Milap" Press where the "Hindi Milap" was published.

8. The Punjab Government have prescribed issue No. 7. Vol. 1 of the "Kirti Lehar" printed and published at the Azad Press, Meerut.

9. Mr. *Yogindra Chandra Prom*, a Congress worker of Phagwara was served with a notice on April 6 asking him not to take part in any political movement in future.

10. Mr. *Jalalud-Din Bukhari*, a socialist worker of Bombay, who had been to Lahore in connection with the All India Congress Socialist Party Conference was arrested on March 31st last under Section 2, Punjab Criminal Law Amendment Act and was later served with a notice ordering him to quit Punjab and not to return for a period of one year.

11. *Srimati Satyavati*, a Congress worker of Delhi, was served with a notice by the Punjab Government at the Punjab Provincial Political Conference, Modina, ordering her to quit the boundaries of the Punjab within 24 hours and not to enter without permission for a period of one year.

12. Mr. *Ajoy Kumar Ghose*, a Socialist leader of Cawnpore who came to Lahore to attend the All India Congress Socialist Party Conference was also served with a similar notice under Section 3 of the Punjab Criminal Law Amendment Act 1936 to quit the province within 24 hours. He was later arrested on a charge of defying the order.

13. The District Magistrate of Amritsar has promulgated an order under Section 144 Cr. P. C. prohibiting all public meetings and processions in Ajnala Tehsil, Amritsar District, for two months.

14. Maulana *Habibur Rahaman* of Ludhiana, President of the All India Majlis Ahrar, was arrested on April 7 at Kalashpur under Section 124A I. P. C. (sedition).

15. The Punjab Government have forfeited Rs. 2,000 deposited on March 30, 1937, by the Dewan Printing Press, Lahore, where the "Pratap" a local daily, is printed. The paper is reported to have published an objectionable contributed article in its issue on April 1st. The alleged article dealt with the situation at Hissar before the riots and criticised the conduct of certain police officials there.

16. The Punjab Government have demanded after the forfeiture of Rs. 2,000 another security deposit of Rs. 3,000 from the Dewan Printing Press, Lahore.

17. The Punjab Government have prescribed an issue of the Gurmukhi "Kirti Lohar," Meerut, dated April 3rd on the ground that it contains objectionable matter.

18. Four Socialists of the Punjab were convinced and sentenced to a fine of Rs. 30 each by the District Magistrate, Lahore, for distributing pamphlets containing the text of a letter addressed to Gandhiji by political prisoners in the Punjab jails. On refusing to pay the fine they were sent to Jail for one week.

19. Lahore police raided the offices of "Deshdarpan" a Punjab Daily and "Kavi Press Ltd.", and carried away all copies of the issue of 16th March. This search is said to be in connection with a report published in the paper regarding courting imprisonment by the taxi-drivers.

*Bengal.*

1. Mr. *Promode Sen* of the All India Students' Federation was arrested by the Calcutta Secret Police on a charge of sedition for delivering a speech at Hazra Park.

2. Charge under the same section was framed on April 22 against Mr. *Makhanlal Sen*, General Manager of the Anand Bazar Patrika for a speech delivered by him in connection with the death of *Harendra Nath Munshi*, a hunger-striking political prisoner in Dacca Central Jail.

3. *Ram Sundar Trivedi* was sentenced to pay a fine of Rs. 100 for having in his possession without licence a pistol and some purcussion caps.

4. *Jogesh Chandra Chatterji*, an ex-Kakori case prisoner was served with an externment order to leave Bengal. Sj. *Sachindra Nath Bakhshi*, an ex-Kakori case prisoner, was served with an externment order by the Government of Bengal on May 17.

5. An order under Section 144 was served on Prof. *Humayun Kabir*, President-elect of the Sady Krisak Proja Conference, Faridpur, just when the Conference started. He was arrested and the meeting was dispersed.

*Bombay.*

The police arrested four labour leaders out of a batch of fiften who were picketing the Ahmedabad Type Foundary, the workers of which had struck owing to dispute about wages.

*Delhi.*

*Srimati Satyavati*, Socialist leader of Delhi, was arrested on April 21 under Section 124 A. I. P. C. (Sedition) for a speech delivered by her recently in a village in Delhi.

*Bihar.*

The house of Babu *Indra Singh*, ex-President of Bihar Thana Congress Committee was searched by the police on April 9 in his absence. Nothing incriminating was found.

*Madras.*

The Madras Government, under Section 19 of the Indian Press (Emergency Powers) Act, have declared forfeited all copies of "Russian Revolution" a book published in Telugu language.

*N. W. F.*

The Additional District Magistrate, Peshawar, has demanded a security deposit of Rs. 500 from "Mazdur Kisan", a Socialist weekly.

*Ajmer*

*Maulana Atar Muhammad*, a prominent Congress worker of Beawar who had been awarded 6 months' rigorous imprisonment under Section 5 of the Punjab Criminal Law Amendment Act was sentenced to 1 month's rigorous imprisonment on appeal to-day by the Sessions Court, Ajmer.

*Mysore State.*

1. By an executive fiat the Mysore Government have withdrawn the permission for editing, printing, and publishing three local papers the "*Tamil Nadu*" "*Navajivan*" and "*Vishwakarnatak*".

2. An order was issued under Section 144 Cr. P. C. by the Dt. Magistrate banning the hoisting of national flag, prohibiting holding of meetings and making speeches. The order was defied by residents of the Viduraswatham village in Kolar district (about 50 miles from Bangalore) when they assembled at public meeting estimated at 10000. The gathering was declared an unlawful assembly by the District Magistrate who ordered it to disperse. The meeting not having dispersed the police opened fire which resulted in several persons being killed and injured.

3 *Mr. P. N. Pandit* of Shimoga, Mr. *R. Tiwari*, Municipal Councillor, Bangalore, and three others were arrested on April 17 under Section 39 of the Mysore Police Regulation for disobeying the order prohibiting the hoisting of the National Flag. They were afterwards convicted and sentenced to varying terms of imprisonment and fine.

4. A prohibitory order was served by Shimoga police on Messrs. *V. Gogi*, *D. K. Manappa* and eleven others on April 18.

5. Prohibitory orders were served on the President of Hassan District Board prohibiting him for a period of two months from addressing meetings within a radius of five miles.

6. Similar orders were passed on Mr. *A. A. Khen* in Bangalore City.

7. Prohibitory orders were also served on Messrs. *Sitharam Sastri*, *H. K. Gowda Mahomed Sait* and *T. S. R. Iyengar* by District Magistrate, Mysore.

8 Seven persons including a woman were convicted in Chitaldrug for defying the order of the District Magistrate.

9. On the eve of the Shivpur Congress Convention an order prohibiting the hoisting of the Congress flag was served on many prominent Congressmen throughout the State by the District Magistrate of Mysore. Mr. *T. Siddalinga*, President and Mr. *Jois* were arrested for breaking the order.

(All the arrested and convicted persons have since been released).

*Travancore State*:

1. Members of the Defence Committee Messrs. *Pettam Thanu Pillai*, *T. M. Varghese*, *K. T. Thomas* and *K. P. N. Pillai* were served with orders prohibiting them from holding any public reception, demonstrations or meetings in any part of the Trivandrum District in honour of Mr. *Nariman* for a period of two months on the alleged ground that a rival section had organised themselves to oppose the reception.

2. A restraint order was also served on Mr. *K. F. Nariman* prohibiting him from addressing meetings in Trivandum District.

3. Messrs. *P. K. Kunju* and *P. N. Krishna Pillai*, President and Vice-President Travancore Labour Association were arrested on March 25 on a warrant issued by the Magistrate, Alleppey.

4. A meeting of labourers as Shortally on April 1 was prohibited by the District Magistrate of Kettayam.

5. Alleppy police made a severe lathi charge on a procession of labourers who were demonstrating against the arrest of their leaders. Several were injured and Mr. *Bava*, a labourer, who suffered serious injuries succumbed later on.

6. A sentence of 18 months' simple imprisonment on a charge of sedition in respect of an article in a paper was passed on Mr. *Narayana Pillai*, Advocate, by the Sessions Judge, Trivandrum. Mr. *K. F. Nariman* of Bombay was refused permission to appear in the State's Court to defend the accused.

7. The order of the Quilon District Magistrate prohibiting public meetings and other demonstrations have been extended for two months more.

*Other Indian States*:

1. Lathi charge on women has not been an unfrequent occurrence in Mansa State. Several women are reported to have been seriously injured in Pujapara village. A few were arrested.

2. Mansa State has convicted and sentenced Mr. *Gopaldas Chagwandas*, President and Mr. *Amritlal Kalidas*, Secretary of the Mansa Peasants Committee to ten months' imprisonment and a fine of Rs. 50 or in default one month's further imprisonment for defying the State ban or processions and meetings. Seven others tried for the same offence have been fined Rs. 25 each.

3. Ramdurg State Mounted Police, it is reported, was called out to disperse a procession of villagers demanding a remission of taxes. Twenty persons are reported to have been injured by the lathi charge.

4. *Raka Mohd. Akbar*, a Muslim leader of Moipur, Kashmir, has been arrested on a charge of delivering an alleged seditious speech. It is reported that he delivered a speech supporting the resolution urging the establishment of responsible Government in the State in the meeting of the Muslim Conference recently held at Jammu. The speech was considered objectionable by the Government.

5. Sohawal State has promulgated an order under Section 144 Cr. P. C. banning the holding of meetings or taking out of processions within the State limits and have arrested three leaders of the Kisans on the alleged charge of violating the prohibitory order.

6. Kalsia State police have arrested Sardar *Atma Singh*, President, Sardar *Shamsher Singh*, General Secretary, and four workers of the Kisan Committee under Section 124 A I. P. C. (Sedition).

# The Indian National Congress

## 51st. Session—Haripura—19th. to 21st. February 1938.

The 51st session of the Indian National Congress opened on the **19th. February 1938** at Vithal Nagar in Haripura, Gujarat in the vast amphitheatre the open grandeur and simplicity of which easily marked it out as the *piece-de-resistance* of the whole Nagar. With ten-foot bamboo thatti walls skirting all round and its six huge gates, the amphitheatre presented the spectacle of a vast fortress with menacing battlements from a distance. On a nearer approach, the gates, particularly the two main ones opening on Janda Chowk, revealed glorious examples of art with a distinct oriental stamp about them. Stepping into the arena past the tri-colour curtains, which hide the view of the interior through the gates, one was suddenly struck by the vastness of the area which the bamboo thattis hid from the public view.

Oval in shape, the amphitheatre, which has been planned to accommodate more than three lakhs, must have entailed the organisers the least labour for all its immensity. The natural lay of the ground made it immensely suitable for the purpose of the gigantic gathering. Sloping gradually from the river-side, the ground suddenly rose in the opposite direction towards the leaders' dais on the opposite side. The neatly marked out enclosures for the delegates from the different Provinces, visitors and the press, the spacious dais, with galleries on either side of it, for the Reception Committee members and, crowning all, the brilliantly-lighted rostrum with its artistic outlines, marked out by multi-coloured lamps, presented an unforgettable spectacle of grandeur and orderliness.

Long before the meeting was due to commence, the vast visitors' enclosures began slowly but steadily filling up. The villagers, men, women and children, carrying blankets, began to settle down in orderly fashion for what to them was a memorable event in their lives. Volunteers and Desh Sevikas were busy directing the stream of visitors through the proper gates, leading to the different enclosures.

A seething mass of humanity besieged all gates to the vast amphitheatre where the open session was held and despite the orderly behaviour of the crowd the volunteers at the various gates were hard put to it to regulate admission. At 4-50 p.m. over two lakhs of people were inside, but large portions of the amphitheatre were still vacant. In fact one part of the visitors' enclosure had been filled while the other remained partially filled, showing the vastness of the amphitheatre. The delegates' enclosure and the Reception Committee gallery however had been completely filled. Outside, the villagers had squatted down patiently in their hundreds to let the more impatient pass and then take their turn. The gates were all wide open, people pouring in thousands and the vast visitors' enclosure was steadily filling. The sun was casting long shadows and in the yellow light the Presidential dais, with a row of saffron-sareed Sevikas guarding it all round with hands locked in hand, presented a fine spectacle. More Sevikas and volunteers lined all routes inside the amphitheatre.

The presidential procession from the western gate of the open amphitheatre to the dais on the eastern side, cutting right across the amphitheatre, provided an impressive spectacle. Marching with military precision the volunteers' band headed the procession. Darbar Gopaldas, Chairman of the Reception Committee, followed immediately leading the President. Mr. Bose, wearing a tri-coloured garland and kumkum on his forehead, was supported on his left by Sardar Vallabhbhai Patel, while other members of the Working Committee followed in twos. Mr. Sarat Bose brought up the rear. Lord Samuel was an interested spectator of the procession and was seen taking pictures of the procession as it neared the dais.

The huge gathering, by now more than two lakhs, had just settled down after the excitement of the procession when a car moved slowly up to the amphitheatre and halted just in front of the dais. There was no mistaking the identity of its occupant. Gandhiji emerged and was received by Mr. Bose. As Mahatma Gandhi's frail form was sighted, climbing the steps of the huge platform helped by Mr. Bose, the entire concourse rose to its feet as one man and hustily cheered the Mahatma, and the battery of cameras clicked, the Mahatma's beaming eyes peeping over his nose. The Mahatma slowly raised his hands in acknowledgment to the thunderous cries of 'Jais' from every side. Mahatma Gandhi, then, as he went to take his seat at the centre of

the dais, returned the salutations of leaders who bowed to him. Gandhiji seated himself at the centre under the khadi umbrella placed there to protect him from the sun. "Vande Mataram" was then sung, followed by Tagore's morning song of India "Janaganamana".

### The Welcome Address

In the course of his welcome address as Chairman of the Reception Committee, *Sardar Darbar Gopaldas* said :—

"I do not know why an ordinary worker like me should have been made Chairman of the Reception Committee. There is one thing certainly which is the common practice in Gujerat and it is this : that we are disciplined soldiers, ready to carry out the orders of our chief. You know Sardar Vallabhbhai. His general orders are that all speech-making is to be left to him, we have to work away silently. And yet if I happen to be here, you must understand that it is at his behest. It is not for me to make a speech, political or other. The political pronouncement will be made by the President. My business is to welcome you to-day on behalf of Gujerat and, welcoming you as I do on behalf of businesslike Gujerat, I will make only a brief businesslike speech.

"My own faith in the old programme of 1921 is well known and in spite of the alteration in details that it has undergone, I think it is that programme that is going ultimately to help us win our freedom. If the value of truth and non-violence and of the constructive programme that they imply was great for the initial stages of the struggle, it is greater whilst we have passed the middle stages and, God willing, are nearing the end of the journey It is as a staunch believer in those basic principles and a humble soldier that I have the honour to welcome you on the bank of the Tapti.

"Since last year we have begun Congress work in the villages. Faizpur had the first honour and we have had the benefit of the experience gained at Faizpur. But I do not know how far we have succeeded in making full use of that experience. What you see here is the result of the labour of hundreds of devoted volunteer workers, two of whom have laid down their lives here. Not only Gujerat but India mourns the loss of Pandit Khare whom all of us miss here so much. My share in the work here is negligible. It is not for me to say how far we have succeeded. It will be for you to give your verdict after the end of this session. All I have to do to-day is to welcome you cordially on behalf of Gujerat and specially on behalf of the peasants of Bardoli and Ras, whose share has been not inconsiderable in making what history we have made. And in giving you welcome, I would also beg you to bear with our many shortcomings, to be content with what comforts we have been able to provide and not to mind the discomforts that we have not quite been able to avoid.

"We are blessed with the Presidentship of one whose life is an unbroken record of sacrifice and service and suffering. He comes from a Province which has on all three previous occasions given Gujerat the Presidents of the Congress and which in suffering would easily take first rank among the provinces of this country. I hope and pray that under the wise guidance of our President, we may march further forward to our goal and add more glorious chapters to our history.

"Subhas Babu, I request you to take the chair."

### Presidential Address

Taking the chair, Mr. *Subhas Chandra Bose* delivered his Presidential Address. The following is the text :—

I am deeply sensible of the honour you have done me by electing me as the President of the Indian National Congress for the coming year. I am not so presumptuous as to think for one moment that I am in any way worthy of that great honour. I regard it as a mark of your generosity and as a tribute to the youths of our country, but for whose cumulative contribution to our national struggle, we would not be where we are today. It is with a sense of fear and trepidation that I mount the tribune which has hitherto been graced by the most illustrious sons and daughters of our motherland. Conscious as I am of my numerous limitations, I can only hope and pray that with your sympathy and support I may be able in some small measure to do justice to the high office which you have called upon me to fill.

At the outset may I voice your feelings in placing on record our profound grief at the death of Shrimati Swaruprani Nehru, Sir Jagadish Chandra Bose and Dr. Sarat Chandra Chatterji. Shrimati Swaruprani Nehru was to us not merely the worthy consort of Pandit Motilal and the revered mother of Pandit Jawaharlal Nehru. Her suffering, sacrifice and service in the cause of India's freedom were such as any individual could feel proud of. As compatriots we mourn her death and our hearts go out in sympathy to Pandit Nehru and other members of the bereaved family.

To Sir Jagadish Chandra Bose, India will always remain beholden for being the first to secure her an honoured place in the modern scientific world. A nationalist to the core of his heart, Sir Jagadish gave his life not merely to Science but to India as well. India knows it and is grateful for it. We convey our heartfelt sympathy to Lady Bose.

Through the untimely death of Dr. Sarat Chandra Chatterji India has lost one of the brightest stars in her literary firmament. Though his name has been for years an household word in Bengal, he is not less known in the literary world of India. But if Sarat Babu was great as a litterateur, he was perhaps greater as a patriot. The Congress in Bengal is distinctly poorer to-day because of his death. We send our sincerest condolence to the members of his family.

Before I proceed further I should like to bow my head in homage to the memory of those who have laid down their lives in the service of the country since the Congress met last year at Faizpur. I should mention especially those who died in prison or in internment or soon after release from internment. I should refer in particular to Syt. Harendra Munshi, a political prisoner in the Dacca Central Jail, who laid down his life the other day as a result of a hunger-strike. My feelings are still too lacerated to permit me to say much on this subject. I shall only ask you if there is not "something rotten in the state of Denmark" that such bright and promising souls as Jatin das, Sardar Mahabir Singh, Ramkrishna Nama Das, Mohit Mohan Maitra, Harendra Munshi and others should feel the urge not to live life but to end it ?

When we take a bird's eye-view of the entire panorama of human history the first thing that strikes us is the rise and fall of empires. In the East as well as in the West, empires have invariably gone through a process of expansion and after reaching the zenith of prosperity, have gradually shrunk into insignificance and somotimes death. The Roman Empire of the ancient times and the Turkish and Austro-Hungarian empires of the modern period are striking examples of this law. The empires in India—the Maurya, Gupta and the Moghul empires—are no exception to this rule. In the face of these objective facts of history can any one be so bold as to maintain that there is in store a different fate for the British Empire ? That Empire stands to-day at one of the cross-roads of history. It will either go the way of other empires or it must transform itself into a federation of free nations. Either course is open to it. The Czarist empire collapsed in 1917 but out of its debris sprang the Union of Soviet Socialist Republics. There is still time for Great Britain to take a leaf out of Russian history. Will she do so ?

### Socialism and the Empire

The British Empire is a hybrid phenomenon in politics. It is a peculiar combination of self-government countries, partially self-governing dependencies and autocratically governed colonies. Constitutional device and human ingenuity may bolster up this combination for a while but not for ever. If the internal incongruities are not removed in good time then quite apart from external pressure, the empire is sure to break down under its own strain. But can the British Empire transform itself into a federation of free nations with one bold sweep ? It is for the British people to answer this question. One thing, however, is certain. This transformation will be possible only if the British people become free in their own homes—only if Great Britain becomes a socialist state. There is an inseparable connection between the capitalist ruling classes in Great Britain and the colonies abroad. As Lenin pointed out long ago, "reaction in Great Britain is strengthened and fed by the enslavement of a number of nations." The British aristrocracy and bourgeoisie exist primarily because there are colonies and overseas dependencies to exploit. The emancipation of the latter will undoubtedly strike at the very existence of the capitalist ruling classes in Great Britain and precipitate the establishment of a socialist regime in that country. It should therefore be clear that a Socialist order in Great Britain is impossible of achievement without the liquidation of colonialism and that we who

are fighting for the political freedom of India and other enslaved countries of the British Empire are incidentally fighting for the economic emancipation of the British people as well.

It is a well-known truism that every empire is based on the policy of divide and rule. But I doubt if any empire in the world has practised this policy so skilfully, systematically and ruthlessly as Great Britain. In accordance with this policy, before power was handed over to the Irish people, Ulster was separated from the rest of Ireland. Similarly, before any power is handed over to the Palestinians, the Jews will be separated from the Arabs. An internal partition is necessary in order to neutralise the transference of power. The same principle of partition appears in a different form in the new Indian Constitution. Here we find an attempt to separate the different communities and put them into water-tight compartments. And in the Federal scheme there is a juxtaposition of autocratic Princes and democratically elected representatives from British India. If the new Constitution is finally rejected, whether owing to the opposition of British India or owing to the refusal of the Princes to joining it, I have no doubt that British ingenuity will seek some other constitutional device for partitioning India and thereby neutralising the transference of power to the Indian people. Therefore, any constitution for India which emanates from Whitehall must be examined with the utmost care and caution.

The policy of divide and rule, though it has its obvious advantages, is by no means an unmixed blessing for the ruling power. As a matter of fact it creates new problems and new embarassments. Great Britain seems to be caught in the meshes of her own political dualism resulting from her policy of divide and rule. Will she please the Moslem or the Hindu in India? Will she favour the Arab or the Jew in Palestine, the Arab or the Kurd in Iraq? Will she side with the King or the Wafd in Egypt? The same dualism is visible outside the Empire. In the case of Spain, British politicians are torn between such alternatives as Franco and the lawful Government—and in the wider field of European politics between France and Germany. The contradictions and inconsistencies in Britain's foreign policy are the direct outcome of the heterogenous composition of her Empire. The British Cabinet has to please the Jews because she cannot ignore Jewish high finance. On the other hand, the India Office and Foreign Office have to placate the Arabs because of Imperial interests in the Near East and in India. The only means whereby Great Britain can free herself from such contradictions and inconsistencies is by transforming the Empire into a federation of free nations. If she could do that, she would be performing a miracle in history. But if she fails, she must reconcile herself to the gradual dismemberment of a vast empire where the sun is supposed not to set. Let not the lesson of the Austro-Hungarian Empire be lost on the British people.

The British Empire at the present moment in suffering from strain at a number of points. Within the Empire on the extreme West there is Ireland and on the extreme East, India. In the middle lies Palestine with the adjoining countries of Egypt and Iraq. Outside the Empire there is the pressure exerted by Italy in the Mediterranean and Japan in the Far East, both of these countries being militant, aggressive and imperialist. Against this background of unrest stands Soviet Russia whose very existence strikes terror into the hearts of the ruling classes in every Imperialist State. How long can the British Empire withstand the cumulative effect of this pressure and strain?

To-day, Britain can hardly call herself "The Mistress of the Seas." Her phenomenal rise in the 18th and 19th centuries was the result of her sea power. He decline as an empire in the 20th century will be the outcome of the emergence of a new factor in the world history—Air Force. It was due to this new factor, Air Force, that an impudent Italy could successfully challenge a fully mobilised British Navy in the Mediterranean. Britain can rearm on land, sea and air up to the utmost limit. Battleships may still stand up to bombing from the air, but air force as a powerful element in modern warfare has come to stay. Distances have been obliterated and despite all anti-air-craft defences, London lies at the mercy of any bombing squardon from a Continental centre. In short, air force has revolutionised modern warfare, destroyed the insularity of Great Britain and rudely disturbed the balance of power in world-politics. The clay feet of a gigantic Empire now stands exposed as it has never been before.

### A FEDERAL REPUBLIC FOR INDIA

Amid this interplay of world forces India emerges much stronger than she has ever been before. Ours is a vast country with a population of 350 millions. Our

vastness in area and in population has hitherto been a source of weakness. It is to-day a source of strength if we can only stand united and boldly face our rulers. From the standpoint of Indian unity the first thing to remember is that the division between British India and the Indian States is an entirely artificial one. India is one and the hopes and aspirations of the people of British India and of the Indian States are identical. Our goal is that of an independent India and in my view that goal can be attained only through a federal republic in which the Provinces and the States will be willing partners. The Congress has, time and again, offered its sympathy and moral support to the movement carried on by the States' subjects for the establishment of democratic government in what is known as Indian India. It may be that at this moment our hands are so full that the Congress is not in a position to do more for our compatriots in the States. But even to-day there is nothing to prevent individual Congressmen from actively espousing the cause of the States' subjects and participating in their struggle. There are people in the Congress like myself who would like to see the Congress participating more actively in the movement of the States' subject. I personally hope that in the near future it will be possible for the Indian National Congress to take a forward step and offer a helping hand to our fellow-fighters in the States. Let us not forget that they need our sympathy and our help.

### Rights of Minorities

Talking of Indian unity, the next thing that strikes us is the problem of the minorities. The Congress has, from time to time, declared its policy on this question. The latest authoritative pronouncement made by the All-India Congress Committee at its meeting in Calcutta in October, 1937, runs thus :

"The Congress has solemnly and repeatedly declared its policy in regard to the rights of the minorities in India and has stated that it considers it its duty to protect these rights and ensure the widest possible scope for the development of these minorities and their participation in the fullest measure in the political, economic and cultural life of the nation. The objective of the Congress is an independent and united India where no class or group or majority or minority may exploit another to its own advantage, and where all the elements in the nation may co-operate together for the common good and the advancement of the people of India. This objective of unity and mutual co-operation in a common freedom does not mean the suppression in any way of the rich variety and cultural diversity of Indian life, which have to be preserved in order to give freedom and opportunity to the individual as well as to each group to develop unhindered according to its capacity and inclination.

"In view, however, of attempts having been made to misinterpret the Congress policy in this regard, the All-India Congress Committee desire to reiterate this policy. The Congress has included in its resolution on Fundamental Rights that

(i) Every citizen of India has the right of free expression of opinion, the right of free association and combination and the right to assemble peacefully and without arms, for a purpose not opposed to law or morality.

(ii) Every citizen shall enjoy freedom of conscience and the right freely to profess and practise his religion, subject to public order and morality.

(iii) The culture, language and script of the minorities and of the different linguistic areas shall be protected.

(iv) All citizens are equal before the law, irrespective of religion, caste, creed or sex.

(v) No disability attaches to any citizen by reason of his or her religion, caste, creed or sex, in regard to public employment, office of power or honour, and in the exercise of any trade or calling.

(vi) All citizens have equal rights and duties in regard to wells, tanks, roads, schools and places of public resort, maintained out of State, or local funds, or dedicated by private persons for the use of the general public.

(vii) The State shall observe neutrality in regard to all religions.

(viii) The franchise shall be on the basis of universal adult suffrage.

(ix) Every citizen is free to move throughout India and to stay and settle in any part thereof, to acquire property and to follow any trade or calling, and to be treated equally with regard to legal prosecution or protection in all parts of India.

"These clauses of the Fundamental Rights resolution make it clear that there should be no interference in matters of conscience, religion or culture, and a minority is entitled to keep its personal law without any change in this respect being imposed

"The position of the Congress in regard to the communal decision has been repeatedly made clear in Congress resolutions and finally in the Election Manifesto issued last year. The Congress is opposed to this decision as it is anti-national, anti-democratic and it is a barrier to Indian freedom and the development of Indian unity. Nevertheless, the Congress has declared that a change in or supersession of the Communal Decision should only be brought about by the natural agreement of the parties concerned. The Congress has always welcomed and is prepared to take advantage of any opportunity to bring about such a change by mutual agreement.

"In all matters affecting the minorities in India, the Congress wishes to proceed by their co-operation and through their goodwill in a common undertaking and for the realisation of a common aim which is the freedom and betterment of all the people of India."

The time is opportune for renewing our efforts for the final solution of this problem. I believe I am voicing the feelings of all Congressmen when I say that we are eager to do our very best to arrive at an agreed solution, consistent with the fundamental principles of nationalism. It is unnecessary for me to go into details as to the lines on which a solution should take place. Much useful ground has already been covered in past conferences and conversations. I shall merely add that only by emphasising our common interests, economic and political, can we cut across communal divisions and dissensions. A policy of live and let live in matters religious and an understanding in matters economic and political should be our objective. Though the Muslim problem looms large whenever we think of the question of the minorities, and though we are anxious to finally settle this problem, I must say that the Congress is equally desirous of doing justice to the other minorities, and specially the so-called depressed classes whose number is a very large one. I would put it to the members of the minority communities in India to consider dispassionately if they have anything to fear when the Congress programme is put into operation. The Congress stands for the political and economic rights of the Indian people as a whole. If it succeeds in executing its programme, the minority communities would be benefited as much as any other section of the Indian population. Moreover, if after the capture of political power, national reconstruction takes place on socialistic lines—as I have no doubt it will—it is the "have-nots" who will benefit at the expense of the "haves" and the Indian masses have to be classified among the "have-nots". There remains but one question which may be a source of anxiety to the minorities, viz., religion in the aspect of culture that is based on religion. On this question, the Congress policy is one of live and let live—a policy of complete non-interference in matters of conscience, religion and culture as well as cultural autonomy for the different linguistic areas. The Muslims have, therefore, nothing to fear in the event of India winning her freedom—on the contrary they have every thing to gain. So far as the religious and social disabilities of the so-called depressed classes are concerned, it is well known that during the last seventeen years the Congress has left no stone unturned in the effort to move them, and I have no doubt that the day is not far off when such disabilities will be a thing of the past.

I shall now proceed to consider the method which the Congress should pursue in the years to come as well as its role in the national struggle. I believe more than ever that the method should be "satyagraha" or non-violent non-co-operation in the widest sense of the term, including civil disobedience. It would not be correct to call our method passive resistance. "Satyagraha", as I understand it, is not merely passive resistance but active resistance as well, though that activity must be of a non-violent character. It is necessary to remind our countrymen that satyagraha or non-violent non-co-operation may have to be resorted to again. The acceptance of office in the provinces as an experimental measure should not lead us to think that our future activity is to be confined within the limits of strict constitutionalism. There is every possibility that a determind opposition to the forcible inauguration of Federation may land us in another big campaign of civil disobedience.

In our struggle for independence we may adopt either of two alternatives. We may continue our fight until we have our full freedom and in the meantime decline to use any power that we may capture while on the march. We may, on the other hand, go on consolidating our position while we continue our struggle for Purna Swaraj or complete independence. From the point of view of principle, both the alternatives are equally acceptable and a prior consideration need not worry us. But we should consider very carefully at every stage as to which alternative would be more conducive to our national advancement. In either case the ultimate stage

in our progress will be the severance of British connection. When that severance takes place and there is no trace left of British domination, we shall be in a position to determine our future relations with Great Britain through a treaty of alliance voluntarily entered into by both parties. What our future relations with Great Britain will or should be, it is too early to say. That will depend to a large extent on the attitude of the British people themselves. On this point I have been greatly impressed by the attitude of the President De Valera. Like the President of Eire, I should also say that we have no enmity towards the British people. We are fighting Great Britain and we want the fullest liberty to determine our future relations with her. But once we have real self-determination there is no reason why we should not enter into the most cordial relations with the British people.

I am afraid there is a lack of clarity in the minds of many Congressmen as to the role of the Congress in the history of our national struggle. I know that there are friends who think that after freedom is won, the Congress party, having achieved its objective should wither away. Such a conception is entirely erroneous. The party that wins freedom for India should be also the party that will put into effect the entire programme of post-war reconstruction. Only those who have won power can handle it properly. If other people are pitchforked into seats of power which they were not responsible for capturing, they will lack that strength, confidence and idealism which is indispensable for revolutionary reconstruction. It is this which accounts for the difference in the record of the Congress and non-Congress ministries in the very narrow sphere of provincial autonomy.

No, there can be no question of the Congress Party withering away after political freedom is won. On the contrary the party will have to take over power, assume responsibility for administration and put through its programme of reconstruction. Only there will it fulfil its role. If it were to forcibly liquidate itself, chaos would follow. Looking at post War Europe we find that only in those countries has there been orderly and continuous progress where the party which seized power undertook the work of reconstruction, I know that it will be argued that the continuance of a party in such circumstances, standing behind the State, will convert that State into a totalitarian one ; but I cannot admit the charge. The State will possibly become a totalitarian one, if there be only one party as in countries like Russia, Germany and Italy. But there is no reason why other parties should be banned. Moreover, the party itself will have a democratic basis, unlike for instance the Nazi Party, which is based on the "Leader Principle". The existence of more than one party and the democratic basis of the Congress Party will prevent the future Indian State becoming a totalitarian one. Further, the democratic basis of the party will ensure that leaders are not thrust upon the people from above, but are elected from below.

Though it may be somewhat premature to give a detailed plan of reconstruction, we might as well consider some of the principles according to which our future social reconstruction should take place. I have no doubt in my mind that our chief national problems relating to the eradication of poverty, illiteracy and disease and to scientific production and distribution can be effectively tackled only along socialistic lines. The very first thing which our future national Government will have to do would be to set up a commission for drawing up a comprehensive plan of reconstruction. The plan will have two parts—an immediate programme and a long period programme. In drawing up the first part the immediate objectives which will have to be kept in view will be three-fold—firstly, to prepare the country for self-sacrifice; secondly, to unify India and thirdly, to give scope for local and cultural autonomy. The second and third objectives may appear to be contradictory but they are not really so whatever political talent or genius we may possess as a people will have to be used in reconciling these two objectives. We shall have to unify the country so that we may be able to hold India against any foreign invasion. While unifying the country through a strong Central Government we shall have to put all the minority communities as well as the provinces at their ease by allowing them a large measure of autonomy in cultural as well as Governmental affairs. Especial efforts will be needed to keep our people together when the load of foreign domination is removed because alien rule has demoralised and disorganised as to a degree. To promote national unity we shall have to develop our lingua franca and a common script. Further, with the help of such modern scientific contrivances as aeroplanes, telephone, radio films, television etc, we shall have to bring the different parts of India close to one another and through a common educational policy we shall have to foster a common spirit among the entire population.

So far as our lingua franca is concerned, I am inclined to think that the distinction

between Hindi and Urdu is an artificial one. The most natural lingua franca would be a mixture of the two such as is spoken in daily life in large portions of the country and this common language may be written in either of the two scripts, Nagari or Urdu. I am aware that there are people in India who strongly favour either of the two scripts to the exclusion of the other. Our policy, however, should not be one of exclusion. We should allow the fullest latitude to use either script. At the same time, I am inclined to think that the ultimate solution and the best solution would be the adoption of a script that would bring us into line with the rest of the world. Perhaps, some of our countrymen will gape with horror when they hear of the adoption of the Roman script, but I would beg them to consider this problem from the scientific and historical point of view. If we do that, we shall realise at once that there is nothing sacrosanct in a script. The Nagari script, as we know it to-day, has passed through several phases of evolution. Besides, most of the major provinces of India have their own script and there is the Urdu script which is used largely by the Urdu-speaking public in India and by both Muslims and Hindus in provinces like the Punjab and Sind. In view of such diversity, the choice of a uniform script for the whole of India should be made in a thoroughly scientific and impartial spirit, free from bias of every kind. I confess that there was a time when I felt that it would be anti-national to adopt a foreign script. But my visit to Turkey in 1934 was responsible for converting me. I then realised for the first time what a great advantage it was to have the same script as the rest of the world. So far as our masses are concerned, since more than 90 per cent are illiterate and are not familiar with any script, it will not matter to them which script we introduce when they are educated. The Roman script will, moreover, facilitate their learning a European language. I am quite aware how unpopular the immediate adoption of the Roman script would be in our country. Nevertheless I would beg my countrymen to consider what would be the wisest solution in the long run.

With regard to the long-period programme for a free India, the first problem to tackle is that of increasing population. I do not desire to go into the theoretical question as to whether India is over-populated or not. I simply want to point out that where poverty, starvation and disease are stalking the land, we cannot afford to have our population mounting up by thirty millions during a single decade. If the population goes up by leaps and bounds, as it has done in the recent past, our plans are likely to fall through. It will therefore be desirable to restrict our population until we are able to feed, clothe and educate those who already exist. It is not necessary at this stage to prescribe the methods that should be adopted to prevent a further increase in population. But I would urge that public attention be drawn to this question.

Regarding reconstruction, our principal problem will be how to eradicate poverty from our country. That will require a radical reform of our land system including the abolition of landlordism. Agricultural indebtedness will have to be liquidated and provision made for cheap credit for the rural population. An extension of the co-operative movement will be necessary for the benefit of both producers and consumers. Agriculture will have to be put on a scientific basis with a view to increasing the yield from the land. To solve the economic problem, agricultural improvement will not be enough. A comprehensive scheme of industrial development under state-ownership and state-control will be indispensable. A new industrial system will have to be built up in place of the old one which has collapsed as a result of mass production abroad and alien rule at home. The planning commission will have to consider carefully and decide which of the home industries could be revived despite the competition of modern factories and in which sphere, large scale production should be encouraged. However much we may dislike modern industrialism and condemn the evils which follow in its train, we cannot go back to the pre-industrial eras, even if we desire to do so. It is well therefore that we should reconcile ourselves to industrialisation and devise means to minimise its evils and at the same time explore the possibilities of reviving cottage industries where there is a possibility of their surviving the inevitable competition of factories. In a country like India, there will be plenty of room for cottage industries, especially in the case of industries including handspinning and weaving allied to agriculture.

Last but not least, the State on the advice of a planning commission, will have to adopt a comprehensive scheme for gradually socialising our entire agricultural and industrial system in both the spheres of production and appropriation. Extra

capital will have to be procured for this, whether through internal or external loans, or through inflations.

Opposing or resisting the provincial part of the constitution will be hardly possible now, since the Congress Party has accepted office in seven out of eleven provinces. All that could be done would be to strengthen and consolidate the Congress as a result of it. I am one of those who were not in favour of taking office—not because there was something inherently wrong in doing so, not because no good could come out of that policy, but because it was apprehended that the evil effects of office-acceptance would out-weigh the good. To-day I can only hope that my forebodings were unfounded.

How can we strengthen and consolidate the Congress while our Ministers are in office? The first thing to do is to change the composition and character of the bureaucracy. If this is not done the Congress party may come to grief. In every country, the Ministers come and go, but the steel frame of the permanent service remains. If that is not altered in composition and character, the Governmental party and its cabinet are likely to prove ineffective in putting their principles into practice. This is what happened in the case of the Social Democratic party in post-War Germany and perhaps in the case of the Labour party in Great Britain in 1924 and 1929. It is the permanent services who really rule in every country. In India they have been created by the British and in the higher ranks they are largely British in composition. Their outlook and mentality is in most cases neither Indian nor national. A national policy cannot be executed until the permanent services become national in outlook and mentality. The difficulty, of course, will be that the higher ranks of the permanent services being under the statute, directly under the Secretary of State for India and not under the Provincial Governments, it will not be easy to alter their composition.

Secondly, the Congress Ministers in the different Provinces should, while they are in office, introduce schemes of reconstruction in the spheres of education, health, prohibition, prison reform, irrigation, industry, land-reform, workers' welfare, etc. In this matter, attempts should be made to have, as far as possible, a uniform policy for the whole of India. This uniformity could be brought about in either of two ways. The Congress Ministers in the different provinces could themselves come together—as the Labour Ministers did in October 1937 in Calcutta—and draw up a uniform programme. Over and above this, this Congress Working Committee, which is the supreme executive of the Congress, could lend a helping hand by giving directions to the different departments of the Congress-controlled Provincial Governments in the light of such advice as it may get from its own experts. This will mean that the members of the Congress Working Committee should be conversent with the problems that come within the purview of the Congress Governments in the Provinces. It is not intended that they should go into the details of administration. All that is needed is that they should have a general understanding of the different problems so that they could lay down the broad lines of policy. In this respect the Congress Working Committee could do much more than it has hitherto done and unless it does so I do not see how that body can keep an effective control over the different Congress Ministries.

At this stage, I should like to say something more about the role of the Congress Working Committee. This Committee in my judgment, is not merely the directing brain of the national army of fighters for freedom. It is also the shadow of the Cabinet of an independent India and it should function accordingly. This is not an invention of my own. It is the role which has been assigned to similar bodies in other countries that have fought for their national emancipation. I am one of those who think in terms of a free India—who visualise a national Government in this country within the brief span of our own life. It is consequently natural for us to urge that the Working Committee should feel and function as the shadow cabinet of a free India. This is what President de Valera's Republican Government did when it was fighting the British Government and was on the run. And this is what the executive of the Wafd Party in Egypt did before it got into office. The members of the Working Committee, while carrying on their day to day work, should, accordingly, study the problems they will have to tackle in the event of their capturing political power.

More important than the question of the proper working of the Congress Governments is the immediate problem of how to oppose the inauguration of the Federal part of the Constitution. The Congress attitude towards the proposed Federal scheme

has been clearly stated in the resolution acepted by the Working Committee at Wardha on February 4, 1938, which will be placed before this Congress after the Subjects Committee has considered it. That resolution says :

"The Congress has rejected the new constitution and declared that a constitution for India which can be accepted by the people must be based on independence and can only be framed by the people themselves by means of a Constituent Assembly without the interference by any foreign authority. Adhering to this policy of rejection, the Congress has, however, permitted the formation in the Provinces of Congress Ministries with a view to strengthening the nation in its struggle for independence. In regard to the proposed Federation, no such consideration applies even provisionally or for a period, and the imposition of this Federation will do grave injuries to India and tighten the bonds which hold her under the subjection of an imperialist domination. This scheme of Federation excludes from the sphere of responsibility the vital functions of a Government.

"This Congress is not opposed to the idea of federation, but a real federation must, even apart from the question of responsibility, consist of free units, enjoying more or less the same measure of freedom and civil liberty and representation by a democratic process of election. Indian States participating in the Federation should approximate to the provinces in the establishment of representative institutions, responsible Government, civil liberties and the method of election to the Federal House. Otherwise Federation, as it is now contemplated, will instead of building Indian unity, encourage separatist tendencies and involve the State in internal and external conflict.

"The Congress, therefore, reiterats its condemnation of the proposed scheme and calls upon Provincial and local Congress Committees and the people generally as well as Provincial Governments and Ministries, to prevent its inauguration.

"In the event of an attempt being made to impose it, despite the declared will of the people, such an attempt must be combated in every way and the provincial governments and ministries must refuse to co-operate with it.

"In case such a contingency arises the A. I. C. C. is authorised and directed to determine the line of action to be pursued in this regard."

I should like to add some more arguments to explain our attitude of uncompromising hostility towards the proposed Federation. One of the most objectionable feature of the Federal scheme relates to the commerial and financial safeguards in the new Constitution. Not only will the people continue to be deprived of any power over defence or foreign policy, but the major portion of the expenditure will also be entirely out of popular control. According to the budget of the Central Government for the year 1937-38, the Army expenditure comes to 44.51 crores of rupees (£33,46 millions) out of a total expenditure of 77,90 crores of rupees (£ 58,42 millions)—that is, roughly 57 per cent of the total expenditure of the Central Government. It appears that the reserved side of the Federal Government which will be controlled by the Governor-General, will handle about 80 per cent of the Federal expenditure. Moreover, bodies like the Reserve Bank and the Federal Railway authority are already created or will be created which will work as *imperium in imperio* uncontrolled by a Federal legislature. The legislature will be deprived of the powers it possesses at present to direct and influence railway policy and it will not have any voice in determining the currency and exchange policy of the country which has a vital bearing on its economic development.

The fact that the external affairs will be a reserved subject under the Federal Government will prejudicially affect the freedom of the Indian Legislature to conclude trade agreements and will seriously restrict, in effect, fiscal autonomy. The Federal Government will not be under any constitutional obligation to place such trade agreements before the legislature for their ratification. Even as they decline at present, to give an undertaking to place the Indo-British Trade Agreement before the Indian Legislative Assembly, the so-called Fiscal Autonomy Convention will have no meaning unless stipulated that no trade agreement on behalf of India shall be signed by any party without its ratification by the Indian legislature. In this connection, I should like to state that I am definitely of opinion that India should enter into bilateral trade agreements with countries like Germany, Czechoslovia, Italy and the United States of America with whom she has had close trade-relations in the past. But under the new constitution, it will not be within the power of the federal legislature to force the Federal Government to enter into such bilateral trade agreements.

The iniquitous and inequitable commercial safeguards embodied in the Act will

make it impossible for any effective measures to be adopted in order to protect and promote Indian national industries, especially where they might, as they often do, conflict with British commercial or industrial interests. In addition to the Governor-General's Special Responsibility to see that provisions with regard to discrimination, as laid down in the Act, are duly carried out, it is also his duty to prevent any action which would subject British goods imported into India to any kind of discriminatory or penal treatment. A careful study of these stringent and wide provisions will show that India can adopt no measures against British competition which the Governor-General cannot, in effect, stultify or veto whether in the legislative or in the administrative sphere. It is, of course, preposterous to permit foreigners in this country to compete with the nationals on equal terms and there can be no genuine Swaraj if India is to be denied the power to devise and adopt a national economic policy including the right, if her interests so require, of differentiating between nationals and non-nationals. In a famous article in *Young India* under the caption "The Giant And The Dwarf" written soon after the conclusion of the Gandhi-Irwin Pact in 1931 Mahatma Gandhi declared plainly that "to talk of no discrimination between Indian interests and English or European is to perpetuate Indian helotage. What is equality of rights between a giant and a dwarf?" Even the meagre powers enjoyed by the Central Legislature at present to enact a measure like the reservation of the Indian coastal trade for Indian-owned and Indian-managed vessels has been taken away under the so-called reformed constitution. Shipping is a vital industry which is essential for defensive as well as for economic purposes, but all the accepted and legitimate methods of developing this key industry including those adopted even by several British dominions, are henceforth rendered impossible for India. To justify such limitations on our sovereignty on the ground of "reciprocity" and "partnership" is literally to add insult to injury. The right of the future Indian Parliament to differentiate or discriminate between nationals and non-nationals whenever Indian interests require it, should remain intact and this right we cannot sacrifice on any account. I would, in this connection, cite the Irish parallel. The Irish Nationality and Citizenship in connection with the electoral system, entry into public life, merchant shipping law, aircraft as well as in connection with special privileges which it is thought proper to reserve for Irish nationals, such as, for example, those conferred through measures for assisting Irish industry. Irish citizenship, in other words, is distinct from British, which cannot claim equal right in the State of Eire (or Ireland) on the basis of British citizenship which is not recognised there. I feel that India must similarly seek to develop her own distinct nationality and establish a citizenship of her own.

While on the question of fiscal autonomy and commercial safeguards I might refer briefly to the need of an active foreign trade policy for India. India's foreign trade should be viewed not in a haphazard or a piecemeal manner as is often done in order to provide some immediate or temporary benefits to British industry but in a comprehensive manner so as to co-ordinate India's economic development with its export trade on the one hand and its external obligation on the other. The very nature of India's export trade makes it essential that it shall not have any restrictive agreement with England such as would jeopardise its trade with the various non-Empire countries which have been in several respects its best customers or such as would tend to weaken India's bargaining power *vis-a-vis* other countries. It is unfortunate that the protracted negotiations for an Indo-British trade agreement, are still proceeding, while the Ottawa Agreement even after the expiry of its notice period and despite the decision of the Legislative Assembly to terminate it, still continues, and along with the differential duties on British steel and textiles the said Ottawa Agreement secures the prevailing advantages for British industries. There is no doubt that under the existing political conditions, any trade agreement between England and India is bound to be of an unequal character because our present political relationship would weigh the scales heavily in favour of England. There is also no doubt that the British preferential system is political in origin and before we permit non-Indian vested interests to be established or consolidated in this country under the shelter of a trade agreement, we should be careful as to its political repercussions and economic consequences. I trust that the present Indo-British trade negotiations will not be allowed to impede the conclusion of bilateral trade agreements with other countries whenever possible and that no such agreement will be signed by the Government of India unless it is ratified by the Indian Legislature.

From the above, it will be quite clear that there is no analogy between the powers of the proposed ministries and those of the proposed Federal ministry

Moreover, the composition of the Federal Legislature is reactionary to a degree. The total population of the Indian States is roughly 24 per cent of that of the whole of India. Nevertheless, the Rulers of the States, and not their subjects, have been given 33 per cent of the seats in the Lower House and 40 per cent in the Upper House of the Federal Legislature. In these circumstances, there is no possibility, in my opinion, of the Congress altering its attitude towards the Federal scheme at any time. On our success in resisting the imposition of Federation by the British Government will depend our immediate political future. We have to fight Federation by all legitimate and peaceful means—not merely along constitutional lines—and in the last resort, we may have to resort to mass civil disobedience which is the ultimate sanction we have in our hands. There can be little doubt that in the event of such a campaign being started in future, the movement will not be confined to British India but will spread among the States' subjects.

To put up an effective fight in the near future, it is necessary to put our own house in order. The awakening among our masses during the last few years has been so tremendous that new problems have arisen concerning our party organisation. Meetings attended by fifty thousand men and women are an usual occurrence now-a-days. It is sometimes found that to control such meetings and demonstrations, our machinery is not adequate. Apart from these passing demonstrations, there is the bigger problem of mobilising this phenomenal mass energy and enthusiasm and directing them along proper lines. But have we got a well-disciplined volunteer corps for this purpose? Have we got a cadre of officers for our national service? Do we provide any training for our budding leaders for our promising young workers? The answers to these questions are too patent to need elaboration. We have not yet provided all these requirements of a modern political party, but it is high time that we did. A disciplined volunteer corps manned by trained officers is exceedingly necessary. Moreover, education and training should be provided for our political workers so that we may produce a better type of leaders in future. This sort of training is provided by political parties in Britain through summer schools and other institutions—and is a speciality in totalitarian States. With all respect to our workers who have played a glorious part in our struggle, I must confess that there is room for more talent in our party. This defect can be made up partly by recruiting promising young men for the Congress and partly by providing education and training for those whom we already have. Everybody must have observed how some European countries have been dealing with this problem. Though our ideals and methods of training will be quite different from theirs, it will be admitted on all hands that a thorough scientific training is a requisite for our workers. Further an institution like the Labour Service Corp of Nazis deserves careful study and, with suitable modification, may prove beneficial to India.

While dealing with the question of enforcing discipline within our own party, we have to consider a problem which has been causing worry and embarrassment to many of us. I am referring to organisations like the Trade Union Congress and the Kisan Sabhas and their relations with the Indian National Congress. There are two opposing schools of thought on this question—those who condemn any organisations that are outside the Congress and those who advocate them. My own view is that we cannot abolish such organisations by ignoring or condemning them. They exist as objective facts and since they have come into existence and show no signs of liquidating themselves, it should be manifest that there is an historical necessity behind them. Moreover, such organisations are to be found in other countries. I am afraid that whether we like it or not, we have to reconcile ourselves to their existence. The only question is how the Congress should treat them. Obviously such organisations should not appear as a challenge to the National Congress which is the organ of mass struggle for capturing political power. They should, therefore, be inspired by Congress ideals and methods and work in close co-operation with the Congress. To ensure this, Congress workers should in large numbers participate in trade union and peasant organisations. From my own experience of trade union work I feel that this could easily be done without landing oneself in conflict or inconsistency. Co-operation between the Congress and the other two organisations would be facilitated if the latter deal primarily with the economic grievances of the workers and the peasants and treat the Congress as a common platform for all those who strive for the political emancipation of their country.

This brings us to the vexed problems of the collective affiliation of workers' and peasants' organisations to the Congress. Personally, I hold the view that the day will come when we shall have to grant this affiliation in order to bring all progre-

ssive and anti-imperialist organisations under the influence and control of the Congress. There will, of course, be difference of opinion as to the manner and the extent to which this affiliation should be given and the character and stability of such organisations will have to be examined before affiliation could be agreed to. In Russia, the United Front of the Soviets of workers, peasants and soldiers played a dominant part in the October Revolution—but, on the contrary, in Great Britain we find that the British Trades Union Congress exerts a moderating influence on the National Executive of the Labour Party. In India we shall have to consider carefully what sort of influence organisations like the Trade Union Congress and the Kisan Sabhas will exert on the Indian National Congress in the event of affiliation being granted and we should not forget that there is the possibility that the former may not have a radical outlook if their immediate economic grievances are not involved. In any case, quite apart from the question of collective affiliation, there should be the closest co-operation between the National Congress and other anti-Imperialist organisations and this object would be facilitated by the latter adopting the principles and methods of the former.

There has been a great deal of controversy over the question of forming a party, like the Congress Socialist Party, within the Congress. I hold no brief for the Congress Socialist Party and I am not a member of it. Nevertheless, I must say that I have been in agreement with its general principles and policy from the very beginning. In the first place, it is desirable for the Leftist elements to be consolidated into one party. Secondly, a Leftist bloc can have a raison d'etre only if it is Socialist in character. There are friends who object to such a bloc being called a party, but to my mind it is quite immaterial whether you call that bloc a group, a league or a party. Within the limits prescribed by the constitution of the Indian National Congress it is quite "possible for the Leftist bloc to have a Socialist programme, in which case it can be very well called a group, a league or a party. But the role of the Congress Socialist Party, or any other party of the same sort, should be that of the Left-wing group. Socialism is not the immediate problem for us—nevertheless, Socialist propaganda is necessary to prepare the country for Socialism when political freedom has been won. And that propaganda can be conducted only by a party like the Congress Socialist Party, which stands for and believes in Socialism.

There is one problem in which I have been taking a deep personal interest for some years and in connection with which I should like to make my submission—I mean the question of a foreign policy for India and of developing international contacts. I attach great importance to this work because I believe that in the years to come, international developments will favour our struggle in India. But we must have a correct appreciation of the world situation at every stage and should know how to take advantage of it. The lesson of Egypt stands before us as an example. Egypt won her treaty of alliance with Great Britain without firing a shot, simply because she knew how to take advantage of the Anglo-Italian tension in the Mediterranean.

In connection with our foreign policy, the first suggestion that I have to make is that we should not be influenced by the international politics of any country or the form of its state. We shall find in every country, men and women who will sympathise with Indian freedom, no matter what their own political views may be. In this matter I should take a leaf out of Soviet diplomacy. Though Soviet Russia is a Communist State, her diplomats have not hesitated to make alliances with non-Socialist States and have not declined sympathy or support coming from any quarter. We should therefore aim at developing a nucleus of men and women in every country who would feel sympathetic towards India. To create and develop such a nucleus, propaganda through the foreign press, through Indian-made films and through art exhibitions would be helpful. The Chinese, for example, have made themselves exceedingly popular in Europe through their art exhibitions. Above all, personal contacts are necessary. Without such personal contacts, it would be difficult to make India popular in other countries. Indian students abroad could also help in this work, provided we in India look to their needs and requirements. There should be closer contact between Indian students abroad and the Indian National Congress at home. If we could send out cultural and educational films made in India, I am sure that India and her culture would become known and appreciated by people abroad. Such films would prove exceedingly useful to Indian students and Indian residents in other countries, who, at present, are like our non-official ambassadors.

I do not like the word propaganda—there is an air of falsity about it. But I insist that we should make India and her culture known to the world. I say this because I am aware that such efforts will be welcomed in every country in Europe and America. If we go ahead with this work, we shall be preparing the basis for our future embassies and legations in different lands. We should not neglect Great Britain either. We have even in that country a small but influential group of men and women who are genuinely sympathetic towards Indian aspirations. Among the rising generation, and sudents in particular, interest in and sympathy for India is rapidly on the increase. One has only to visit the universities of Great Britain to realise that.

To carry on this work effectively, the Indian National Congress should have its trusted agents in Europe, Asia, Africa and in North, Central and South America. It is a pity that we have so far neglected Central and South America where there is profound interest in India. The Congress should be assisted in this work of developing international contacts by cultural organisations in India, working in the field of international culture and by the Indian Chambers of Commerce working in the sphere of international commerce. Further, Indians should make it a point to attend every international Congress or Conference Participation in such Conferences is a very useful and healthy form of propaganda for India.

While talking of international contacts, I should remove a misgiving which may be present in some minds. Developing international contacts does not mean intriguing against the British Government. We do not need go in for such intrigue and all our methods should be above board. The propaganda that goes on against India all over the world is to the effect that India is an uncivilised country and it is inferred therefrom that the British are needed in order to civilise us. As a reply, we have only to let the world know what we are and what our culture is like. If we can do that, we shall create such a volume of international sympathy in our favour that India's case will become irresistible before the bar of world opinion.

I should not forget to refer to the problems, the difficulties and the trials which face our countrymen in different parts of Asia and Africa—notably in Zanzibar, Kenya, South Africa, Malaya, and Ceylon. The Congress has always taken the keenest interest in their affairs and will continue to do so in future. If we have not been able to do more for them, it is only because we are still slaves at home. A free India will be a healthy and potent factor in world-politics and will be able to look after the interests of its nationals abroad.

I must, in this connection, stress the desirability and necessity of developing closer cultural relations with our neighbours—viz., Persia, Afghanistan, Nepal, China, Burma, Siam, Malava States, East Indies and Ceylon. It would be good for both parties if they knew more of us and we knew more of them. With Burma and Ceylon, in particular, we should have the most intimate cultural intercourse, in view of our age-long contacts.

Friends, I am sorry I have taken more of your time than I had intended at first, but I am now nearing the end of my address. There is one other matter—the burning topic of the day—to which I should now draw your attention—the question of the release of detenus and political prisoners. The recent hunger-strikes have brought this question to the forefront and have focussed public attention on it. I believe that I am voicing the feelings of at least the rank and file of the Congress when I say that everything humanly possible should be done to expedite release. So far as the Congress Ministries are concerned, it would be well to note that the record of some of them has not come up to public expectation. The sooner they satisfy the public demand, the better it will be for the Congress and for the people who are suffering in Provinces ruled by non-Congress Ministries. It is not necessary for me to labour this point and I fervently hope that in the immediate future, the public will have nothing to complain so far as the record of the Congress Ministries on this point is concerned.

It is not only the detenus and political prisoners in jail and detention who have their tale of woe The lot of those who have been released is sometimes no better. They often return home in shattered health, victim of fell diseases like tuberculosis. Grim starvation stares them in the face and they are greeted, not with the smiles but with the tears of their near and dear ones. Have we no duty to those who have given of their best in the service of their country and have received nothing but poverty and sorrow in return ? Let

us therefore send our heartfelt sympathy to all those who have suffered for the crime of loving their country and let us all contribute our humble mite towards the alleviation of their misery.

Friends, one word more and I have done. We are faced with a serious situation to-day. Inside the Congress, there are differences between the Right and the Left which it would be futile to ignore. Outside, there is the challenge of British Imperialism which we are called upon to face. What shall we do in this crisis ? Need I say that we have to stand four-square against all the storms that may beset our path and impervious to all the designs that our rulers may employ ? The Congress to-day is the one supreme organ of mass struggle. It may have its Right-bloc and its Left—but it is the common platform for all Anti-Imperialist organisations striving for Indian emancipation. Let us therefore rally the whole country under the banner of the Indian National Congress. I would appeal specially to the Leftist group in the country to pool all their strength and their resources for democratising the Congress and re-organising it on the broadest anti-imperialist basis. In making this appeal, I am greatly encouraged by the attitude of the leader of the British Communist Party whose general policy with regard to India seems to me to be in keeping with that of the Indian National Congress.

In conclusion, I shall voice your feelings by saying that all India fervently hopes and prays that Mahatma Gandhi may be spared to our nation for many, many years to come. India cannot afford to lose him and certainly not at this hour. We need him to keep our struggle free from bitterness and hatred. We need him for the cause of Indian Independence. What is more—we need him for the cause of humanity. Ours is a struggle not only against British Imperialism as well, of which the former is the key-stone. We are therefore fighting not for the cause of India alone, but of humanity as well. India freed means humanity saved. *Bande Mataram* !

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**Resolutions**

For the text of the Resolutions passed by the Congress see pages[2] 295—302.

# The All India Kisan Movement

## February—December 1938

( *Specially Contributed* )

### Bihar Controversy

During the whole of 1938 the Kisan Movement has made great progress. The Bihar Kisan controversy over the right of Kisans to hold their *Danda* threatened to bring to a head the relations of Kisan Sabha with the National Congress but fortunately wise counsels prevailed on both sides and the Haripura Congress contented itself with recognising the right of Kisans to organise themselves into their own Kisan Sabhas but warning Congressmen against countenancing any propaganda calculated to incite anyone to violence. During that controversy, Swami Sahajananda Saraswati, the Bihar Kisan leader insisted that he had always preached the cult of *danda* for Kisans as a means of self-defence and he was surprised why the Congress Government should take any special exception to it and Kisans would be entitled, even according to the interpretation put by Mahatma Gandhi on non-violence, to use the *danda* in defence of their homes and women. Com. Jaiprakash Narain replied to the resolution of the Bihar Provincial Congress Committee by saying that if Congress authorities were to be so unwise as to take disciplinary action on Congressmen for their Kisan activities, such Congress-Kisan Sabhaites would have to part Company with the Congress just as Lokmanya Tilak had to in times past. The "Harijan", the organ of Mahatmajee, took exception to Swamijee's interpretation of Mahatma's idea of non-violence and strongly denounced the cult of *Danda*. But Prof. Ranga, the President of the A. I. K. C., replied by saying that Indian Kisans could not be asked to give up this traditional *danda* which is as necessary and sacred to them as the *Kirpan* is for the Sikhs. Taking advantage of this controversy the Anglo-Indian press tried in vain to incite Congress to fight Kisan Sabhas.

### Haripura A. I. K. C.

At the time of the Congress session, a meeting of the A. I. K. C. met under the presidentship of Prof. Ranga. Resolutions, reiterating the unequivocal opposition of peasants to the Federal Scheme, deploring the failure of most of the Provincial Governments to declare moratorium or to reduce the land revenue burdens or to free Kisans from the vicious clutches of landlords were passed. By another resolution, the States' Kisans were exhorted to organise themselves into their Kisan Sabhas

### Kisan Schools

The Andhra Peasants Institute had its Summer session this year at Madanapalle during May and June. There were 75 students and an intensive training was given to Kisan Youths in the method of organising Kisans'. Even old men, on the wrong side of seventy, came as students. The Socialist Schools of Mantevavaripalem in Andhra and Sonepur in Bihar had 250 and 60 students respectively, most of whom were Kisans. The Kistna District Kisan School was the first of its kind to be organised for a District and was opened by Mrs. Bharatidevi on the 1st. November at Pottipadu. The Betul School was also run in the last Summer.

### The Third Annual Session at Comilla

This year's session was held on the 15th. May at Comilla under the presidentship of Swami Sahajananda Saraswati. A considerable opposition was got up by the Muslim Leaguers and some Congressmen owing to their differences with some local Kisan workers but the conference overcame all that and attracted thousands of of Muslim Kisans who refused to be drawn into communalism. The signal success of this session, just when Mahatma Gandhi was trying to come to terms with the Muslim League, demonstrated quite clearly that the tapping of class interests of our masses and the serving of their genuine economic needs are the best solution to our Communalism.

### Swamiji's Message

Swamijee put in a very strong plea for the independent existence of Kisan Sabha and joined issue with those congressmen who thought that such an independent organisation would endanger our fight for freedom. He pleaded that India would win her political and economic freedom at the earliest opportunity only when Kisans had organised themselves on their class basis and stood loyally by the Congress and Muzdoors were prepared to stake their all in our national struggle, being convinced that Independence of India won by them would also mean economic freedom for themselves. He supported the Kisan Sabha's stand on the Red Flag and declared that Indian Kisans would do their best to stand by the Kisans and Muzdoors all the world over. When he came to the question of violence and non-violence, he grew specially pontific and maintained that Kisans could never, if they had any self-respect in them, countenance the continuation of hooliganism and wanton violence of zamindars and their agents against their own women, children, and hearths. He firmly adhered to the faith of the Kisan Sabha that political independence of India which did not lead to economic independence is not only worth having but positively harmful since it would only replace the White oligarchy by Brown oligarchy.

### Contribution of the Session

This session has made real and constructive contributions to the Kisan Sabha. First of all, it decided upon the organisation of Kisan Volunteer crops. Secondly, it declared that the aim of the Kisan Sabha is the achievement of Agrarian Revolution. Thirdly, it favoured the conciliation of all the debts of small-holders. Fourthly, it vehemently repudiated the theory of class collaboration adumbrated by Mahatma Gandhi and maintained that as long as the class conflict persists owing to the exploitation carried on by landlords, Kisans were bound to take self-defensive measures under the aegis of Kisan Sabha. Fifthly, it demanded a constructive and comprehensive tenancy, debt relief, tax-reduction policy from Provincial Ministries and condemned their reactionary and repressive policies.

### The New Office Bearers

Swamijee was elected the President, Prof. Ranga, General Secretary ; Com. Indulal Yagnik, Bankim Mukherjee M.L.A., B.P.L., Bedi Avadheswar Prasad Sinha., Joint Secretaries. Miah Iftikaruddin, M. L. A. the Treasurer., For the first time the Central Kisan Council consisting of 22 members and six substitute members was also elected under the new constitution which was adopted by the Conference.

### Campaign for the Bengal Tenancy Bill

The lead given by the Comilla session in supporting the Bengal Tenancy Bill was taken up by the Bengal Provincial Kisan Sabha. Prof. Ranga inaugurated the province-wide Kisan Campaign of "Make the Bill an Act or Resign." It was taken up with great enthusiasm all over the Province and received the blessings of Subhas Chandra Bose, the Congress Rastrapathi and the support of the Bengal Congress Socialist party. This July campaign evoked spirited work from the Ministry and resulted in the assent of the Governor for the Bill in August.

### Kisan Volunteers Camps in Andhra

In pursuance of the Comilla resolution, the Andhra Comrades organised these camps in Kistna District. Prof. Ranga and Indulal Yagnik who toured in the Andhra in June inaugurated them at Munagala and Tiruvur.

### Zaminders' Hooliganism Counteracted

Almost on the lines of the wide spread hooliganism displayed by the Bihara Zaminders, those of the Andhra, Benares, Orissa and Bengal began to organise violent attacks upon Kisans. Everywhere this was done in order to oust Kisans from their ancestral lands lest permanency of tenure might be granted to them as per the proposed U. P. Tenancy Bill or the Orissa Tenancy Bill and to drive Kisans back into their usual slavery. But fortunately Kisan Sabhas took up this challenge to the very elementary civic rights of the masses. Com. Butchayya was hopelessly beaten because of his championship of the local Kisans. Com. Bapayya of the Andhra was sentenced to one month's imprisonment and Com. Tripathi of Benares was served with notice under Section 144 and a large number of Kisan workers of

Orissa were forcibly restrained from rushing to the rescue of Kisans. In Bihar the Gaya District Kisans have had to put up a heroic struggle against both the Zamindars and Government which posted Gurkhas at so many places. Just as in the Civil Disobedience days, Notices under 144 were served on so many houses, during the course of the year such notices were served on the whole or a large part of the inhabitants or a considerable number of Kisans in various provinces particularly Bihar, Andhra, Orissa, Bengal, restraining them from approaching or tilling or using certain fields or forests or tanks. Except in Unao of U. P. and in one or two places of Bihar, these notices were not served on both parties to the dispute i. e. the Zamindars and Kisans but only upon Kisans. The practical result of this wrong official policy has been to deny the right of Kisans to cultivate their own traditional lands or forests, pending the settlement of the right over such property by Courts, if even such rights had existed.

### The Lavet Struggle

The Kisans of Lavet of Baroda State rose in the wake of Swamijee's tour just before the Haripura Congress against the cruel demands made on them by both the State and moneylenders. Com. Indulal Yagnik and Pandarkar led these Kisans and the All-India lavet Day organised by the A. I. K. C. in March helped them a good deal. But even till to-day (7th January 1939) a large number of police are posted in those villages, so great is the solicitude of the State towards the moderate demands of Kisans. Recently some remission of land revenue was granted.

### The Orissa Bill

The Orissa Congress Government passed two Tenancy Bills by the last of May. One sought to lower the rents in the old Ganjam District of Madras to the level of the neighbouring Ryotwari rates ; the other to confer occupancy rights upon Kisans. The Governor held them up for the Governor General's consideration. Prof. Ranga, the General Secretary of the A. I. K. C. took it up in July with the local Government, interviewed the Ministers and advised the local Kisan Sabha to inaugurate an intensive campaign in support of the Bills. Com. Malatidevi, Nabakrishna Choudhuri, M. L. A., the local Kisan leaders started an agitation which culminated in a demonstration of 15,300 Kisans at Cuttack on the 1st of September, the Kisan Day. No wonder on the 31st August, the assent of the Governor to one of the Bills was given. But till now the Madras Estates land Act Amendment Bill is not made an act. Thanks to the influence of Zamindars with the British and the unpreparedness of the Congress to force a ministerial crisis on this.

### The Punjab Bills

The Punjab Government introduced four Bills into their Assembly, seeking to reduce the burdens of agricultural indebtedness and to regulate money-lending business. Like the Madras debt Relief Act, the Punjab Restitution of Land Mortgages Bill sought to cancel all interest over and above 100 per cent of the Principal. But the Hindu Sabhaites opposed them vehemently and organised a "Black Bill Boycott Day". In the face of this situation, the Assembly Congress party decided to stand neutral. This was evidently a wrong position to take and so Prof Ranga interviewed its leaders and pleaded for their active support for the Bills. Com. B. P. L. Bedi and himself issued a statement appealing to all Kisan Sabhaites to support the Bills, which according to them were inadequate but good, so far as they had gone. Fortunately the Congress Assembly party reversed its decision of neutrality in favour of support. This helped later on to the weakening of the threatened Satyagraha campaign of Gokulchand Narang against the Bills.

### The Bihar Tenancy Act

This Act has sought to lower the rents in some cases, commute grain rents into cash in others. But it still preserves the right of destraint and in some cases of demanding salami and the old basis of fixing rents on half gross income basis for the zamindars. So Com. Yadunandan Sarma and Swamijee have been very loud in denouncing it and Karyananda Sarma, the new president of the Provincial Kisan Sabha has declared war on the 5ts. December on the Destraint Provisions of the Bill and advised Kisans to resort to Civil disobedience if they are enforced.

### The U. P. Tenancy Bill

By this Bill, the life interest of Kisans is to be converted into permanency of tenure ; the "Siri" land above a maximum extent of 50 acres is to go and some Kisans who never had any rights over certain lands are to obtain life interest and the rents are to be lowered so as to leave for Kisans not only costs of cultivation but also something more. But neither the halfnet income basis of the present land revenue system nor the one-fourth of net income recommended by the Taxation Enquiry Committee is accepted as the basis for the fixation of rents, and for various other reasons our Kisan sabha is opposed to it.

### Zamindar—Congress agreements'

Inspite of the fact that the Rent or Tenancy proposals of Bihar and U. P. Congress Governments are much more moderate than the very moderate Faizpur Agrarian Programme, the Zamindars have threatened Satyagraha. That can be understood. But the Bihar P. C. C. though it fit, despite the opposition of Kisan Sabhas, to enter into an agreement with these Zamindars and thus further diluted the ministerial proposals for tenancy reform owing to its local exigencies in its legislature. Hence the Kisans' opposition to any such agreements.

The U. P. Talukdars also tried to play the same game. The Congress parliamentary sub-committee threatened to take the whole question into its own hands at the time of the Delhi A. I. C. C. in September, inspite of the protests of the P. C. C. and Agrarian Sub-commitee of U. P. Fortunately the land-lords could not accept the offer of Sirdar Vallbhabhai Patel to arbitrate provided they would all accept it. Both Swamijee, the President and Prof. Ranga, the General Secretary raised their voice in protest against this move, for in their view, there might be some excuse for the Congress to offer to arbitrate as between the Kisan demands and the land-lords' stand. But there was certainly none to arbitrate between the Governments' Rent Proposals, which were the result of a compromise and give and take effected by the select committee of the Legislature, consisting of all parties and the land-lords' stand since such an arbitration was bound to do great injustice to Kisans.

### The Bombay Tenancy Bill

This Bill has sought to improve the conditions of sub-tenants of the Ryotwari landholders. But neither Mr. Perulekar who is championing the Khate Kisans nor Com. Indulal Yagnik is satisfied with it since it does not give a sufficiently long period of tenure nor does it seek to effectively reduce the rents. So there is great discontent in Guzarat and Maharashtra against the Bill.

### Fight against the Malguzari

This system prevails in the C. P. and the local Provincial Kisan Sabha has been organising a campaign for its abolition. Dr. Khare declared himself, while a premier, to be in favour of its abolition in a Betul Kisan Conference. The C. P. Maharashtra Provincial Kisan Conference which was presided over by Com. Bhuskute and addressed by Com. Ranga, Yagnik, Adhikari and Ranadive decided in favour of the abolition of the Malguzari system.

### All-India Kisan Day

The Third All-India Kisan Day demonstrated in unmistakable terms the growing tempo of the Kisan awakening all over India. The far-off Assam had the heartening spectacle of a tremendous Kisan demonstration at Sylhet on the 1st. of September and an equally imposing Kisan March to the Assembly at Shillong on the 2nd. of September. Punjab, Sind, Bombay, Frontier, Andhra and C. P., Tamil Nad and Malabar, Orissa and Bihar have all had hundreds and thousands of Kisan Sabhas and many spectacular marches also on that Day. The Kisan manifesto as well as the local demands, the reactions of our Kisan Sabhas to the activities of local Governments and the determination of Kisans to stand united and organised were reiterated on that Day.

### Mansa Day

On the 7th. of April, the All-India Mansa Day was celebrated by our Kisan Sabhas in order to draw the attention of our Kisans to the 300 per cent. enhancement of land revenue insisted upon by the local Ruler. The agitation eventually resulted in our Kisans' success.

### The Amritsar Satyagraha

In the Punjab, the Kisan agitation for the radical revision of land revenue has resulted in the introduction of sliding scales of revenue, whereby the land revenue payable to Government rises or falls in accordance with the rise or fall in the prices of agricultural commodities. But the basic rates are supposed to absorb half of net income, which are themselves wrongly computed to the disadvantage of Kisans. The Lyallpur District Kisans rose against them. Their agitation was forcibly suppressed by the present Ministry in May. But when the intention of the Government to settle the Land Revenue of Amritsar District came to be known, the brave *jat* Kisans demanded either the removal of the Resettlement Party or an assurance that the resettlement would not result in any enhancement. To demonstrate their opposition, they organised a Peasants' March to the Magistrate's Bungalow. But the Magistrate served on them a notice under Sec. 144 and naturally the brave Kisans defied the order, whereupon several scores of them were badly beaten and others forcibly dispersed. No wonder the Punjab Kisans took up the challenge and batch after batch of Kisans continued to defy this most unjust order until Sir Sikandar got it withdrawn. Slowly, though too slowly, most of the Kisan leaders who were then sentenced to imprisonment have by now come out of jail.

### Water Distribution and Water Rate

In regard to the distribution of irrigation water also, a conflict had arisen between Government and Amritsar Kisans and eventually Government had to climb down and suspend the introduction of its resluicing operations. The Abiana or water-tax is rather too high in the Punjab. The Assembly's resolution demanding its reduction by 33 and one third per cent was about to be passed, when it was dissolved *sine die*. So the Kisan Sabha has inaugurated a campaign for suitable reduction in it.

### Land Revenue Policy

None of the Governments has so far formulated any definite policy on the lines of the Karachi and Faizpur Agrarian Programmes. The Madras Government has contended itself by stopping all resettlement, cancelling all recent enhancements. The Punjab Government's Darling Committee has submitted its report, which is not yet published. Dame Rumour has it that it has suggested the exemption of all small holdings from land revenue and the imposition of income tax on agricultural incomes. All that the Premier was prepared to say in last September was that he was seriously considering the advisibility of exempting all small holdings from revenue and so had the Madras Revenue Minister. Hence the Kisan demonstrations against this negation of policy over land Revenue.

### Village Panchayats

The Madras Government alone is very progressive in establishing a large number of panchayats in villages. The U. P., Bihar, Bombay and Punjab Governments are trying to get the necessary legislation passed in order to establish in every village a Panchayat Board. The Kisan Sabha further wants that a Panchayat Board must be made responsible for the collection of Land revenue or rent and other local taxation also.

### Forests

Kisan Sabha's demand for the abolition of grazing fees has not been implemented except in Bombay. In Madras and Sind half of the grazing fees are remitted. But nowhere are any effective steps taken to put down the exploitation of our peasants by the Forest Department. That is why the Andhra Provincial Forest Ryots subcommittee has conducted an enquiry and submitted its report to Government.

### Corruption in Official Ranks

The N. W. F. P., U. P. and Sindh Governments have appointed Enquiry Committees which have made very useful and radical recommendations. In U. P. some satisfactory results have been achieved but in all other provinces—Bihar Committee has just submitted its report—the evil of corruption is just as bad. The Madras Premier has again and again gone out of his way to praise the Civil Servants and the Congress Working Committee almost succeeded in making the Delhi A. I. C. C. pass a resolution asking Congressmen to co-operate with the Civil Service. No

wonder, the Civil servants are encouraged to ride their usual high horse. So the Andhra Ryots Anti-corruption Day in August was a great success.

### Sind Barrage Rates

In Sind the Provincial Government wanted to raise the irrigation dues payable under the Sukkur Barrage Project owing to the pressure put upon it by the Government of India. But the landlords concerned raised an effective agitation against these rates and they had gained the ear of the local Congress also. Our Kisan Sabha supported this agitation. At the same time it insisted that the *Haris*—the actual cultivators of the land—should be assured of permanency of tenure and lower vents. The Hari movement is gathering strength and the provincial Hari conference was held only on December first and demanded permanency of tenure, abolition of the Jaghir system and granting of all available and cultivable lands only to the landless Haris.

### Frontier Struggle

Even in the North Western Frontier Provinces, there are big Jaghirdars. One of them has persecuted his tenants so mercilessly that the Provincial Congress Socialist party took up the cause of Kisans and led a Satyagraha campaign. More than a hundred Kisans were imprisoned and it looked as if the Frontier Government was going headlong in its suppression of this Kisan awakening. But with the Mahatma's tour in the Frontier, better counsels prevailed and Kisans were released and some agreement was reached in December.

### Assam Kisans Succeed

In two Zamindaris in the Surma Valley, our Kisans were able to overcome the repressive policy of Zamindars by sheer suffering and succeeded in winning their immediate demands of suspension of rents in one case and remission in another. The Bardoloi Ministry which came into power in September has ordered 33 and one-third per cent remission of land reveue payable by small holders. It has promised to conduct an enquiry into the conditions of plantation labour and relieve their grievances.

### Primary Education

The Bengal Government is yet to produce its scheme for compulsory primary education. The Bihar Government is going ahead with its mass methods to spread literacy. The Vidyamandir scheme is yet in its infancy. The U. P., Bihar and Bombay Governments wish to open rural libraries. So the Kisan Sabha is most discontented in this field of work also. Fortunately the students Movement has begun to evince practical interest in the anti-illiteracy campaign and our Kisan Sabhas are welcoming its co-operation.

### Famines and Floods

The U. P., C. P, Bengal, Bihar and Tamilnad Floods, the Hissar, Bikanir, Jaypore, Gwalior, Rayalaseema, Tamilnad, Malabar famines, the Northern Circars Cyclone (November) have all taxed the patience, resourcefulness and capacity to suffer of millions of our Kisans and the statesmanship of our Governments. The Kisan Sabha has everywhere played a prominent part in ascertaining the needs of suffering Kisans and obtaining relief for them and in this, it was second only to the National Congress. But the Punjab Government's and States' famine relief measures are most inadequate. The C. P. Government is still trying to collect land revenue from its famished Berar peasants.

### Kisan Marches

Gigantic Kisan Marches have taken place during this year at Shillong, Patna, Lucknow, Lahore, Karachi, Poona, Nagpur, Cuttack, Madras, both on the 1st. of September and on other occasions and lakhs of Kisans had resorted to these headquarters of local Governments, from so many villages. They thus took back to very remote corners the message of the Kisan movements. Kissan Marches are being organised during January 12—20 in Andhra and Frbruaay 2—9 in Tamilnad to strengthen the Rent proposals of the Government Tenancy Committee.

### Progressive Literature for Kisans

In Tamilnad and Andhra special Kisan literature is being produced with a view to spread progressive ideas and canvass support for Kisan ideals through songs,

prose and poetry composed in the idioms and expressions of the country-folk. Messrs Murti, Jamadagni are leading the way for Tamilnad. The "Go Bhumi", a new book on the "Mother Earth and our Cattle", produced by Mr. P. N. Rao, the Secretary of the All India Kisan Publications has created a stir in literary circles. Com. Somendranath Tagore has also published a number of left books in Bengali. The famous Tamil writer Mr. K. S. Venkatramani who has been editing the Tamil "progressive writing" has promised to give a fillip to Kisan literature.

### Kisan Themes and Thoughts for play-wrights

Under the presidentship of the famous Andhra-Kanarese Dramatist of all-India repute, Mr. B. Raghava, B. A., B. L. and under the aegis of the Andhra Ryots Association and Adult Education Association a sub-committee is formed with a view to produce literature in songs and poems, plays and prose, suited for folk dances, street Dramatic performances, village Recitals. Through this means, an attempt is being made to spread Kisan idealism through every social means available.

### Andhra Ayurvedic Veterinary College

This College was established in Angalur, in a village in Kistna three years ago by Dr. Sreeramulu, under the inspiration of Prof. Ranga. One of the Zamindars displayed much interest in this work for a long time and later on Congressmen and now Kisan Sabhaites have claimed this excellent institution as their own. The Principal has made a real study of Ayurvedic science both through his perusal of books translated from Sanskrit and through the experience of various Kisans. He has published 15 small books in Andhra on various aspects of this science. So far as many as 50 dispensaries are started in the Andhra and many of them succeeded in obtaining grants from Local Boards. But unfortunately some local congressmen influenced the Minister to stipulate that the Director of Veterinary services should be satisfied with these dispensaries before such grants could be continued. Our Kisan Sabhas have taken up the challenge and demanded recognition of this college and dispensaries since their services are more useful, cheaper and more easily available for Kisans than those of Veterinary Hospitals. Fortunately, Government have dispensed with the new conditions and so local authorities are free to give their grants to these dispensaries.

### Kisan Publications and Press

The *Nia Hindustan* of Allahabad, *Kirti-Kisan* of Meerut, *Jana Sakti* of Madras, *Nava Sakti* of Bezwada, *Rural India* of Bombay have come to be started with a view to give special publicity to Kisan needs. The "*Sainik*", an influential Hindi Weekly of Agra published a Kisan Dusserah supplement edited by Prof. Ranga "*The National Front*" of Bombay and the "*Comrade*" of Calcutta have also begun to publish, like the Congress Socialist, the Kisan Bulletin. The *Desh Duth* of Allahabad is also helping the Kisan cause.

In addition to their "*Modern India Peasant*", "*Kisan Speaks*", they have published in January 1938 four more books—"*The Kisan Hand book*" which contains the manifesto, instructions and resolutions of Kisan Sabha, "*The History of the Kisan Movement*" since 1800 and *The Congress and Kisan Movement*" and a "guide to Village Economic Surveys".

### The Interest of Outside world in the Movement

In 1937 *the Manchester Guardian* published a special article on the Indian Kisan movement and, in 1938 April, the "*Asia*" of America published a very instructive and suggestive article by Prof. Ranga. *The Italian Review of Agriculture* has asked for a study of the movement. The *Scholar* of the Institute of International Affairs and Mr. Hodson, the editor of the *Round Table* and Prof Sinclair of Honolulu who have visited India in November-December have made enquiries about the Kisan movement. Mr. Bhulabhai Desai was particularly questioned about the significance of the Kisan Movement when he was in England during summer and so he was hard put to it to prove that the Congress was itself a Kisan organisation.

### Kisan Movement and National Struggle

The Kisan Sabhas all over the country have stood loyally by the Congress in our political struggle and particularly did this become noticeable during the recent European crisis. Rashtrapathi Bose has assured the co-operation of the Congress

Committees to Kisan Sabhas in his message to the Tamilnad Provincial Kisan Conference held on the 30th December.

### Central Kisan Information Bureau

This is established in December with Delhi as its headquarters to obtain all information available on Kisan problems, to get some serious studies made of various Kisan questions as they arise from time to time and to advise provincial Kisan Sabhas in regard to the Legislative and administrative measures that came up for discussion. It has issued in various languages its very detailed and informative questionarie, with an instructive introduction, with an appeal to all interested in Kisans to conduct periodical, economic and social survey into the conditions of peasants.

### Madras Tenancy Proposals

The long expected report of the Prakasam's Committee was published on the 28th November. It has found the Kisans to be the legitimate owners of all land, village commons, forests, mineral resources, irrigation sources and high ways. It discovered that the legitimate heirs of permanent settlement were intended to be Kisans. It recommended that all rents to be renamed as land revenue should be reduced to their level in 1802 i. e. the year before the establishment of permanent settlement. The Joint Meeting of all Kisan organisations i. e. the Ryots Association, Peasants Protection Committee, Zamindari Ryots Association and C. S. P. and that of Andhra Ryots Association and S. I. Federation of peasants and that of Tamilnad have all welcomed the report but deplored the acceptance by the Committee of the permanent settlement as the basis for its proposals. It reiterated the conviction that the real salvation of Kisans can begin only after the complete abolition of Zamindari system. The South Indian Federation of peasants is conducting a campaign against the Committees' recommendation against the fixtiy of tenure of Inamdari Ryots.

### Comrades' Propaganda Tour

Swamijee toured in January 1938 in Gujarat, C. P. and U. P. ; Prof. Ranga in C. P. Andhra and Tamilnad in April and May ; Ranga and Indulal in Andhra in June, and the former in Orissa, Bengal, U. P. and the Punjab in July and August. Indulal Yagnik has toured in Gujarat and Baroda in August and September, Bankim Mukherjee in Bengal, Yadunandan Sarma in Bihar and Jayaprakash Narain in Andhra in March—May. Com. Bakhari has toured in the Andhra in June, and Sind in December and Com. Harshadev Malaviya in U. P. in the company of Swamijee in November, Swamijee has toured in December in C. P. Gujarat and Maharashtra and Ranga in Andhra, Tamilnad, Orissa and Malabar in December—January 1939.

### Indian States

Throughout this year, there has been a tremendous amount of awakening and agitation in the Indian States. First in Mansa and Bikanir, then in Mysore, Kashmir and Rajputana States and now in Rajkot, Hyderabad, Travancore, Dholpur and Dhenkanal, real mass awakening has come to demonstrate itself. Everywhere Kisans are very prominent in their sacrifices and suffering. They are demanding reduction of land revenue, abolition of the many restrictive excise duties and export and import duties, the abolition of corruption and illegal exactions, restoration of their rights over forests, irrigation sources and protection for their lands, homes and women, and a partnership in the State administration. Though their participation in these struggles is welcomed and their sacrifices are very great, the real and effective leadership of the States' peoples' movement is mostly in the hands of the middle classes. That is why the real Kisan needs were hopelessly neglected in the Sikar—Jaipur episode. Hence the timely warning given by the A. I. K. C. to the States' Kisans.

### All-India States' Kisan Day

To concentrate the attention of the whole of India on the part played, and sacrifices made and demands published by States' Kisans, this day was celebrated all over India on the 7th December. In Dhenkanol Com. Naba Krishna, in Rajkot, Srimati Maniben Patel, in Bikanir Satyanarayan Saraf, in Gujerat Com. Indulal Yagnik, are leading the Kisans in their heroic struggle.

Just as Prof. Ranga agreed to lead the Dhonkanol Satyagraha, the Congress put a ban on outsiders' participation in such struggles. It is significant that Sir Pattabhi has not said much on this Kisan aspect of the States' peoples' struggle. Fortunately on an appeal made by Prof. Ranga to see that in the charters of Minimum Demands of States' peoples the demands of Kisans also are included, Mahatma Gandhi has agreed on the 28th December 1938 to persuade States' Peoples' leaders to do so. This is a great gain.

### A. I. K. C. at Delhi

The first session of the new A. I. K. C. met at Delhi on 22nd. and 23rd. of Sept. under the presidentship of Swami Sahajanand Saraswati. Resolutions condemning the repressive policy of the Punjab, Frontier, various States, Madras and Bihar Governments were passed. A resolution demanded minimum prices for cereals, sugarcane, jute and oil-seeds. Another wanted a redistribution of tax-burdens so as to relieve the poor from their present burdens and to spend more upon their betterment. The violent and untruthful propaganda of the landlords was denounced. The Congress and other ministers' failure to grant revenue remissions, to cancel debts of agricultural workers and small holders was deplored; Enquiry Committees were appointed into the Kashmir firing, Frontier Repression and a Special Committee to help U. P. to reorganise its own Provincial Kisan Sabha.

### Sind, U. P., Frontier and Tamilnad forge Ahead

By the Delhi A. I. K. C Sind *Hari* Committee has applied for affiliation to the All India body. In November, the U. P. Kisan Committee came to be recognised with Acharjya Narendra Dev, an ex-member of the Congress Working Committee as president, Com. Mohanlal Gautam, M. L. A. as Secretary. The Tamilnad Provincial Kisan Sabha with the R. Swaminatham as General Secretary and All-Malabar Kisan Sabha with Narayan Nair as President were formed in December 1938.

### The Congress and Kisan Sabha

After the Haripura session, the relations between these organisations have been distinctly worsened. In April, Sardar Vallabhbhai inveighed against the Kisan Sabha and questioned the right of Kisans to develop them, thus throwing to the four winds the Haripura resolution. Then came Mahatmaji's uncharitable view that so long as Kisan Sabhaities tried to capture Congress Committees, those who were at present in majority in those Committees were bound to oppose Kissan Sabha activities, thus falsifying the democratic nature of the Congress. The U. P. Congress issued circulars to ask local Congress Officials to watch the activities of Kisan Sabhaities. Some Congress leaders of Orissa and Andhra had actively carried on an anti-Kisan Sabha campaign, though with very little success. So Prof. Ranga interviewed the Rastrapathi, Subhas Babu and requested him to see that the Haripura resolution was respected by the Congressmen. A similar appeal was made to Pt. Jawaharlal in November on his return from the Continent and to Mahatma Gandhi on 27th December by Prof. Ranga.

### The Delhi A. I. C. C.

Then came the Delhi shock. There on the inspiration of the Mahatma, the Civil Liberties resolution, accusing of some Congressmen of the charge of having carried on a campaign inciting people to violence, arson and murder and asking Congress Committees to take action against them and assuring the public of the Congress readiness to protect person and property was introduced into the A. I. C. C. Mr. Bhulabhai Desai, the mover of the resolution, made it perfectly clear that it was aimed at Kisan Sabhas and particularly mentioned the Kisan activities in the Andhra and Bihar. Over that a battle royal raged and all the great men on both sides including the Sirdar, Rajen Babu, Dr. Pattabhi and Swamijee, Prof. Ranga, Masani, M. N. Roy, Dutta Muzumder, Narendra Dev, Bankim Mukherjee took part in the heated debate. In the end, when the resolution was being passed by a majority, the left wingers numbering about 60 staged a walk-out at 2 A. M. on the fateful morning of 29th. Sept. Thereupon the Mahatma has suggested, for the first time in his Indian political career, that the leftists ought to leave the Congress. Com. M. N. Roy protested against this move and Prof. Ranga declared unequivocally the determination of Kisans to conduct their struggles in a purely non-violent fashion and to stick to the Congress until they are driven out of it by the rightists. Thus there is today a stalemate in the relations between the rightists and leftists.

### Kisan Unrest

There is no doubt that the unrest among Kisans is growing by leaps and bounds, what with the failure of ministries to afford any protection either from Zamindars and moneylenders or from civil servants and the police and the growing effects of the economic depression. The prospects for continued peace between provincial Governments and Kisans are becoming rarer and rarer as is indicated by the speech of Com. Karyananda Sarma, the president of Bihar Kisan Sabha and the resolutions of the Bihar Kisan Conference. Even after the leaders of the Krishak-proja Party had joined the Huq ministry nothing noteworthy has been offered to be done immediately for Bengal Kisans and so, discontent is growing apace. Similarly, owing to the failure of Sikandar ministry to halve the 'abiana' and to replace land revenue by income tax, Kisan discontent in the Punjab is unabated.

### Economic Depression Again

The slump in the prices of cotton, jute, groundnut, rice and wheat has grown more severe during 1938. After a lot of agitation, Government of India has imposed an import duty of Rs. 1-8-0 per maund of wheat in December 1938. But the Bengal Government has contented itself with Gramophone propaganda among Kisans to reduce their acreage under jute. Nothing is yet done either by provincial Governments or by Central Government to protect the growers of cotton, groundnut, rice etc. The Congress Working Committee's demand for exchange manipulation is turned down by Government. The Kisan Sabha is demanding the establishment of minimum and maximum prices for all the major agricultural produce.

### Debt Legislation

The Moratorium declared by the U. P., Bombay Governments, though it tended to restrict the supply of credit for Kisans' current needs, has staved off the pressure of debts on Kisans. But the Madras, Punjab, Bihar and Bengal Legislation, which has only provided for the scaling down of debts, without making any adequate provision for supply of credit for current needs, has increased the pressure upon Kisans for the immediate repayment of the outstanding debts. Thus the plight of our Kisans has been worsened during 1938 in the direction of credit.

### Co-operative Movement

More and more of our Kisan Sabhaites are interesting themselves in this co-operative movement. So far it has been too much under official control. Thanks to the marketing staff and the new push for grading and open markets, given by some provincial Governments, our comrades are able to bring into existence more and more co-operative loans and sales societies. Yet this work is still in its infancy. Attempts are being made to organise co-operative Marketing Society for the Tobacco growers of Guntur District which produces more than 75 per cent of the Virginian tobacco. But in large parts of the country i. e. in Bengal, Orissa, Assam, the Co-operative movement is still in its infancy and strenuous steps have to be taken both by Government and Kisan Sabhas to develop it.

### Electrification and Irrigation

Apart from theory and some use made of electricity for lighting purposes, so far no energetic steps are taken by provincial governments to introduce cottage industries or other subsidiary sources of employment in the wake of the establishment of grid system of electrical production and distribution in U. P., the Punjab and Madras. In U. P. alone some successful efforts are made to bring a few lakhs of acres under irrigation through tube wells. But the water rates charged are too high. In other provinces no real drive is being made for developing irrigation as even a famine protection measure. The South Indian Kisan Sabhas are concentrating their demand for the Tungabhadra project, which is expected to protect famine-ridden areas of Rayalaseema and Hyderabad.

### Kisans and National language

On the decision of Madras Government to introduce Hindi as an optional language into all middle and higher schools, some Non-Brahmins and Muslim Leaguers have organised an anti-Hindi Satyagraha. The Tamilnad Kisan Sabha has decided to stand by Hindi and the Madras Government.

# The All India Muslim League

# &

# Provincial Political Conferences

January—June 1938

# Hindu Majority in Provinces

| | | Hindu | Mahomedan |
|---|---|---|---|
| Behar & Orissa | ... | 31,010,660 | 4,264,776 |
| Assam | ... | 4,931,760 | 2,755,914 |
| Bombay | ... | 16,619,866 | 4,457,133 |
| C. P. | ... | 13,460,105 | 382,854 |
| Delhi | ... | 399,863 | 206,960 |
| Madras | ... | 40,392,900 | 3,316,083 |
| U. P. | ... | 40,905,532 | 7,181,927 |

# Moslem Majority in Province

| | | Mahomedan | Hindu |
|---|---|---|---|
| Baluchistan | ... | 405,309 | 41,432 |
| Bengal | ... | 27,530,321 | 21,537,921 |
| N. W. F. P. | ... | 2,227,303 | 142,977 |
| Punjab | ... | 13,332 460 | 6,328,538 |

# The Hindu—Muslim Unity Correspondence

## Gandhi—Jinnah—Jawaharlal Letters

Mr. Mahomed Ali Jinnah, President of the All-India Muslim League, officially released on the *15th. June '38* the full correspondence between him and Mahatma Gandhi and between him and Mr. Jawaharlal Nehru.

Mr. Jinnah, in a note, said that after the publication of the correspondence between him and Mr. Jawaharlal Nehru in certain newspapers, he wired to Mr. Gandhi on the 14th. June as follows : "Publication of correspondence between Pandit Jawaharlal and myself is a breach of confidence. It seems a leakage occurred in Congress circles. I must release fully now your correspondence along with the rest. Hope you will agree—Jinnah".

Mr. Jinnah received the following reply from Mahatma Gandhi on 15th. Juue : "I am sure the publication is unauthorised but you may publish our correspondence—Gandhi".

### Gandhi-Jinnah Letters

*The following is a letter from Mahatma Gandhi to Mr. Jinnah, dated Shegaon, Wardha, Oct. 19, 1919* :—

"Dear friend, I carefully went through your speech at Lucknow and I felt deeply hurt over your misunderstanding of my attitude. My letter was in answer to the specially private message you sent me. It represented my deepest feeling. The letter was purely personal. Were you right in using it as you did ? Of course, as I read it, the whole of your speech is a declaration of war. Only, I hoped you would reserve poor me as a bridge between the two. I see you want no bridge. I am sorry. Only it takes two to make a quarrel. You won't find me one even if I cannot become a peace-maker. This is not for publication unless you desire it. It is written in all good faith and out of an anguished heart. Yours sincerely, (Sd.) M. K. Gandhi."

*The following letter is from Mr. Jinnah to Mahatma Gandhi, dated Bombay, Nov. 5, '37* :—

"Dear Mr. Gandhi, I received your letter dated October 19, '37, on my arrival here. As regards publishing your letter from Teethal last May, I am of opinion that I am fully justified in doing so : but your letter means something different from what I understand it to mean. Surely, it was open to you to offer your explanation to the public. The letter was not marked as it is usual to do so when its publication was not desired by the writer, and my message to you was not private. Even now you don't indicate how I misunderstood your attitude or the contents of that letter. You merely say, 'I felt deeply hurt over your misunderstanding of my attitude.' I am sorry you think my speech at Lucknow is a declaration of war. It is purely in self-defence. Kindly read it again and try and understand it. Evidently you have not been following the course of events in the last twelve months. As to reserving you as a 'bridge' and 'peace-maker', don't you think your complete silence for all these months identified you with the Congress leadership, although I know you are not even a four-anna member of that body ? In conclusion, I regret to say I find nothing definite or any constructive proposal in your letter under reply except it is written in all good faith and out of an anguished heart, which I reciprocate. Yours sincerely—M. A. Jinnah."

### Gandhi on Mr. Jinnah's Nationalism

*The following letter was sent by Mahatma Gandhi to Mr. Jinnah from Shegaon, under date, February 8, 1938* :—

"Dear Mr. Jinnah,—Pandit Nehru told me yesterday that you were complaining to Maulana Saheb about the absence of any reply from me to your letter of 5th.

November In reply to mine of 19th. October. The letter was received by me when I was pronounced by the doctors to be seriously ill at Calcutta. The letter was shown to me 3 days after its receipt. Had I thought it necessarily called for a reply even though I was ill I would have sent one. I re-read the letter and I still think there was nothing useful that I could have said in reply. But in a way I am glad you awaited a reply and here it is. Mr. Kher told me definitely he had a private message from you. He delivered it to me when I was alone. I could have sent you a verbal message in reply—but in order to give you a true picture of my mental state I sent you a short note. There was nothing to hide in it. But I did feel, as I still do, that the way in which you used it came upon me as a painful surprise.

"You complain of my silence. The reason for my silence is literally and truly in my note. Believe me, the moment I can do something that can bring the two communities together nothing in the world can prevent me from so doing. You seem to deny that your speech was a declaration of war, but your later pronouncements too confirm my first impression. How can I prove what is a matter of feeling? In your speeches I miss the old nationalist. When in 1915 I returned from my self-imposed exile in South Africa everybody spoke of you as one of the staunchest nationalists and the hope of both the Hindus and Mussalmans. Are you still the same Mr. Jinnah? If you say you are, in spite of your speeches, I shall accept your word.

"Lastly, you want me to come forward with some proposal. What proposal can I make except to ask you on bended knees to be what I thought you were? But the proposals to form the basis of unity between the two communities surely have got to come from you.

"This again is not for publication but for your eyes. It is the cry of a friend not of an opponent. Yours sincerely, M. K. Gandhi."

### Jinnah's Reply to Gandhi

*The following is the copy of a letter from Mr. Jinnah to Mahatma Gandhi, dated New Delhi, February 15* :—

"Dear Mr. Gandhi—I have received your letter of 3rd February, which was redirected here I did not complain to Maulana Saheb about the absence of any reply from you. I only mentioned the facts as he was anxious that we two should meet anyhow. I am glad to hear from you. My message to you through Mr. Kher, as I informed you in my last letter, was not private. It was only when Mr. Kher went to see you at Wardha that I did say he should not mention the matter to any one expect you and that if you yourself were inclined in the first instance to take up the matter, it will be more than half the battle won. On his return to Bombay, Mr. Kher told me it was difficult for you to give a reply as you were restricted not to disclose it to any one or consult anybody else. Thereupon I said it was not intended to be a secret and that he was free and you were free to put your heads together and let me know whether at that juncture, you were inclined to take up this matter with your powerful overwhelming influence which you exercise over the Congress. Then he saw you again at Teethal and from that moment it ceased to be a private matter betwen two individuals; and he brought me your reply in writing which I have to publish because you know of the controversy between me and Mr. Rajendra Prasad and Pandit Nehru in the press; where it was sought to make out that I was putting every obstacle in the way of a Hindu-Muslim settlement. As your letter was not marked confidential I used it. Besides, what is wrong in my saying that I approached you on my own accord and that was the reply I received from you? I cannot understand why you feel so much about it. You say I complained about your silence. Well, I do, but you further proceed to say, 'Believe me, the moment I can do something that can bring the two communities together nothing in the world can prevent me from so doing.' Now what am I to gather from this? Am I right in interpreting that the moment is not come?

"With regard to your opinion on my speech at the Lucknow sessions and my later pronouncements which you are pleased to call a declaration of war, I can only repeat this was in self-defence. Evidently, you are not acquainted with what is going on in the Congress press, the amount of vilification and mis-representation and falsehood that is daily spread about me. Otherwise, I am sure you would not blame me.

"With regard to your saying that when in 1915 you returned from South Africa everybody spoke of me as one of the staunchest of nationalists and the hope of both the Hindus and the Mussalmans and you ask me the question, 'Are you still

the same Mr. Jinnah ?' and proceed further to say, 'If you say you are, in spite of your speeches, I shall accept your word.' And you say in my speeches you miss the nationalist. Do you think you are justified in saying that ? I would not like to say what people spoke of you in 1915 and what they speak and think of you to-day. Nationalism is not the monopoly of any single individual. In these days it is very difficult to define it, but I do not wish to pursue this line of controversy any further.

"You conclude by saying, 'Lastly, you want me to come forward with some proposal. What proposal can I make except to ask you on bended knees to be what I had thought you were ? But the proposals to form the basis of unity between the two communities have surely got to come from you.' I think you might have spared your appeal and need not have preached to me on your bended knees to be what you had thought I was. As regards the formation of proposals which would form the basis of unity, do you think this can be done by correspondence ? Surely, you know as much as I do, what are the fundamental points in dispute. In my opinion it is as much up to you to suggest ways and means of tackling the problem. If you genuinely and sincerely desire and you feel the moment has come for you to step in and with your position and influence you are prepared to take the matter up earnestly, I will not fail to render all assistance I can."

**Proposed Gandhi-Jinnah Meeting**

*The following is the text of a letter from Mahatma Gandhi to Mr. Jinnah, Shegaon, Wardha, dated February 24, '38.*

"Dear Mr. Jinnah, I thank you for your letter. I have read your letter to Jawaharlal also. I observe both letters invite not written replies but personal discussion. I do not know whether it will take place in the first instance between you and Jawaharlal or now that Subhas Bose succeeds, between you and the latter. If you desire before this there should be a talk between you and me, I would be delighted to see you in Shegaon any time which is convenient to you before 10th March, after which, if health permits, I might have to go to Bengal. So far as I am concerned, just as on the Hindu-Muslim question I was guided by Dr. Ansari, now that he is no more in our midst, I have accepted Maulana Abul Azad as my guide. My suggestion, therefore, to you is that conversation should be opened in the first instance between you and Maulana Saheb. But in every case, regard me as at your disposal. (Signed) Gandhi."

**Jinnah's Attitude Unchanged**

*The following is a copy of a letter from Mr. Jinnah to Mahatma Gandhi dated, New Delhi, March 3 :—*

"Dear Mr. Gandhi, I have received your letter dated 24th February. I am sorry for the delay in replying as I was not well. In your letter I missed a note of response whether you are of opinion that you see the light now and the moment has come, and secondly, if so, whether you are prepared to take the matter up in right earnest ; and thirdly, I find there is no change in your attitude and mentality when you say you would be guided by Maulana, as Dr. Ansari is no more. If you pursue this line, you will be repeating the same tragedy as you did when you expressed your helplessness because Dr. Ansari, holding pronounced and diehard views, did not agree and you had to say although you were willing but what could you do. This happened as you know before you went to the Round Table Conference. At the Round Table Conference the tragedy was repeated by you when you seemed to be willing to accept provisionally certain terms but you there also expressed you were helpless as Hindus were unwilling and you, as representing the Congress, would have no objection if Hindus and Musalmans came to an agreement.

"We have reached a stage when no doubt should be left. You recognise the All-India Muslim League as the one authoritative and representative organisation of Mussalmans in India, and on the other hand you represent the Congress and other Hindus throughout the country. It is only on that basis we can proceed further and further and devise a machinery of approach. Of course, I shall be glad to see you although I shall equally be glad to see Pandit Jawaharlal or Mr. Bose as you may desire. The matter, as you know, will not be clinched without reference again to you by either of them. Therefore, I will prefer to see you first. In any case, I am sorry to say I cannot come to Shegaon to see you before 10th March. I have to go to Bombay and also I have fixed various other engagements of my tour, but we can fix up a time and place that may suit us both.—(Sd.) Jinnah."

**Mahatmaji on Hindus**

*Mahatma Gandhi wrote to Mr. Jinnah from Shegaon, Wardha, on March 8 as follows* :—

"Dear Mr. Jinnah,—I thank you for your letter. I hope you have completely got over your indisposition. Your letter revives painful memories. I will not discuss, at this stage at any rate, the various debatable points raised in your letter. Suffice it to say that I am at your disposal. If you cannot come to Sheogaon, and my health should permit, I will gladly go to Bombay to meet you when you are there. At present I have to go to Bengal and then for a while to Orissa. This will take me through the whole of this month. The earliest, therefore, we can meet will be in April.

"Two questions arising from your letter demand a reply. You ask me whether I have now seen light. Much to my regret I have to say, 'no.' If I had, I would proclaim the news from the house-tops. But that limitation does not debar me from taking advantage of the slightest opportunity of finding a way out of the present difficulty. You expect me to be able to speak on behalf of the 'Congress and other Hindus throughout the country'. I am afraid, I cannot fulfil the test. I cannot represent either the Congress or the Hindus in the sense you mean, but I would exert to the utmost all the moral influence I could have with them in order to secure a honourable settlement.—(Sd.) Gandhi."

*Mr. Jinnah replied to Mahatma Gandhi from New Delhi on March 17 as follows* :—

"Dear Mr. Gandhi,—I am in receipt of your letter of March 8, and I thank you for it. As you do not wish to discuss the various points mentioned in my letter and the two questions which you have answered are far from hopeful, I am helpless. However, as you say 'suffice it to say I am at your disposal', I gather you would nevertheless like to take advantage of the slightest opportunity of finding a way out of the present difficulty. In these circumstances, I beg to inform you I shall be glad to see you at Bombay sometime in April as suggested by you. (Sd.) Jinnah."

*Mahatma Gandhi wrote to Mr. Jinnah from Calcutta on March 24* :—

"Dear Mr. Jinnah,—Many thanks for your note. As soon as I reach Shegaon, I shall seek the first opportunity of waiting on you at Bombay,"

*Mr. Jinnah replied from New Delhi on March 26* :—

Dear Mr. Gandhi—I thank you for your letter of 24th and I shall have to see you after my return from Calcutta about 25th April at Bombay.

*The following is a copy of telegram from Mahatma Gandhi to Mr. Jinnah despatched from Delhi on April 15* :—

"If on return Bombay you can break journey Wardha for one day you will spare me strain undertaking journey Bombay. I need some uninterrupted physical rest if possible. Any event could Maulana Azad accompany me interview. Please wire Wardha which reaching to-morrow."

*Mr. Jinnah replied from Calcutta by wire on April 16 as follows* :—

"Extremely sorry unable change programme now. Will receive you Bombay 25th or thereafter as arranged. Would prefer see you alone."

*The following telegram was sent by Mahatma Gandhi to Mr. Jinnah from Wardha on April 18* :—

"Thanks. 25th happens Monday. Will reach Bombay 28th if not inconvenient."

*Mr. Jinnah wired back from Calcutta on April 19* :—

"Thanks. Will gladly receive you 28th my house. Wire time care Ispahani, Calcutta."

*Mahatma Gandhi wired to Mr. Jinnah from Wardha on April 20* :—

"If not inconvenient would like reach your house eleven thirty a.m."

## Nehru—Jinnah Exchanges

**The following Correspondence that passed between Pandit Jawaharlal Nehru and Mr. M. A. Jinnah since January last on the question of Hindu-Muslim unity was also released for publication :—**

*Copy of Letter from Mr. Nehru to Mr Jinnah. dated Lucknow, January 18, 1938*

"Dear Mr. Jinnah,—I have read the statement you issued recently to the Press with care. I am afraid we approach the question from differing viewpoints and I feel that your approach is not very helpful. But I entirely agree with you that an argument carried on through the medium of the Press is not desirable. Indeed, I had decided not to issue press statements on the subject, but after your Calcutta speech, in which you mentioned my name and issued some kind of a 'challenge' to me, I felt that a public statement was unavoidable. Hence my statement, in which I tried to avoid unnecessary controversy.

"You know perhaps that for some months past I have been in correspondence with Nawab Ismail Khan on this subject and I have been anxious to find out what the points of difference and agreement were. I am afraid I do not know this yet and your last statement does not help. I would feel grateful to you if you could kindly throw some light on this and let me know what exactly are the points in dispute which require consideration. I think this will help us all and lead to an avoidance of needless controversy. We can then come to grips with the subject. As I have said in my last statement, we are eager to do everything in our power to put an end to every misapprehension and to endeavour to solve every problem that comes in the way of our developing our public life along right lines and promoting the unity and progress of the Indian people.

"I am leaving for Lahore to-day. From there I go to the Frontier Province and return to Allahabad in about ten days' time. Kindly address your reply to Allahabad. Yours sincerely (Sd.) Jawaharlal Nehru."

*Letter from Mr Jinnah to Mr. Nehru dated Bombay, January 25, 1938* :—

"Dear Pandit Jawaharlal.—I am in receipt of your letter of the 18th January, 1938. I must say that it is very difficult for me to understand it. I fail to see what you are driving at. It does not suggest any useful proposal of a concrete character, besides re-approaching me and informing me that 'we approach the question from differing viewpoints', and you further say, 'I feel that your approach is not very helpful.' You further refer to my Calcutta speech and say, 'in which you mentioned my name and issued some kind of a "challenge" to me. I felt that a public statement was unavoidable and hence my statement.' But you do not even now give me the purport of my speech, and what was the 'challenge' which compelled you to say what you did in your statement which you considered unavoidable.

"I know nothing about your being in correspondence with Nawab Ismail Khan referred to in your letter.

"Finally I note your request that I should let you know 'what exactly are the points in dispute which require consideration.' I am glad that you agree with me that the arguments carried on through the medium of the Press are not desirable. But do you now think that this matter can be discussed, much less solved, by and through correspondence ? I am afraid that is equally undesirable."

"I may state for your information that I received a letter from Mahatma Gandhi dated the 19th October, 1937, and I replied to him on the 5th November, 1937, and I am still waiting to hear from him. I reciprocate the sentiments expressed in the last but one paragraph of your letter at the end of it. Yours sincerely, (Sd.) M. A. Jinnah."

**Clarification of Muslim Demands**

*Copy of letter from Mr. Nehru to Mr. Jinnah, dated Wardha, February 4, 1938* :—

"Dear Mr. Jinnah,—Your letter of the 25th January reached Allahabad on February 1st after I had left. It has been forwarded to me here and reached me yesterday.

"I am sorry that my previous letter was difficult to understand. My purpose in writing it was, as I stated, to find out what our points of difference and agreement were. Presumably there are points of difference as you have repeatedly criticised the Congress policy and practice. If these points of difference are noted down and our attention drawn to them it would make

their consideration easier. It is possible that some of them may be due to misapprehension and this misapprehension might be removed; it is equally possible that some are more fundamental and then we could try to find a way out or, at any rate, know exactly how and where we stand. When there is a conflict of opinion, a clarification of the opposing opinions is an essential preliminary to their consideration.

"I might mention some relatively minor matters which have apparently led to misapprehension. In one of your speeches you are referred to being told by some one that a cheque for rupees five lakhs was recently given to the Congress. I am not aware of this and presumably I ought to know. Indeed, to my knowledge, no one has given even a cheque for Rs. 5,000 to the Congress for a considerable time.

"In the same, or possibly another, speech you referred to the non-co-operation days and stated that while the Aligarh University was forced to close down and many non-co-operated from it, not a single student non-co-operated from the Benares University. As a matter of fact, a very large number of students did non-co-operate from the Benares University. As a result of this a non-official university, the Kashi Vidyapith, was established in Benares, as also the Gandhi Ashram. Both these still exist. In the same way the Jamia Millia came into existence in Aligarh and this now flourishes in Delhi.

"You have referred in your speeches to the Congress imposing Hindi-Hindustani and trying to crush Urdu. I presume you were misinformed for I am not aware of any attempt on the part of the Congress to injure Urdu. Some time back I wrote an essay on "The question of Language', which represents, I believe, the Congress view-point. It was approved by Mr. Gandhi and by many people unconnected with the Congress and interested in the advancement of Urdu, including Maulvi Abdul Haq, Secretary, Anjuman-e-Taraqqu-e-Urdu of Hyderabad. I do not know if you have come across this essay. In any event, I am asking my office in Allahabad to send you a copy. If you disagree with the argument or conclusions of this essay, I shall be grateful to have your criticisms.

"I might mention that the Congress Ministry in Madras is endeavouring to introduce the study of Hindustani in the State schools in the province. They are having primers and text-books prepared especially for the purpose by the Jamia Millia. These primers, etc, are to be in two scripts—Devanagri and Urdu—but in identical language, the students having the option of script.

"I mention these instances to show how misapprehensions arise. But the real questions of issue are more important and it is in regard to these that clarification is necessary. I presume you are acquainted with the Congress resolutions and statements on minority and fundamental rights and regarding communal questions. If you wish it, I can have these sent to you. Many of these were collected together in a comprehensive resolution passed by the Working Committee in Calcutta towards the end of October 1937. About the Communal Award the Congress position has been repeatedly made clear.

"The Congress policy as laid down in these resolutions may be incomplete or wrong. If so, we shall gladly consider suggestions to complete it or rectify it. Personally, I do not see what more can be done by the Congress regarding religious or cultural matters. As for political (communal) questions, the Communal Award, unsatisfactory as it is, holds the field for the present and till such time as it may be altered by mutual agreement of the parties concerned.

"In considering wider political questions, the Congress has adhered to certain principles and policies for a number of years, though minor variations have taken place from time to time. Our present policy in the legislatures and outside was defined by a comprehensive resolution passed by the Working Committee at Wardha last year. I am very glad to find from Nawab Ismail Khan and Choudhury Khaliquzzaman that the U. P. Muslim League, or the U. P. Muslim League Parliamentary Board, accepted this programme. This included our objective of independence, our demand for a Constituent Assembly, our general attitude to the Constitution Act, and the Federation, and our methods of work inside and outside the legislature. It referred also to our agrarian and labour programmes. Thus, there appeared to be a very large measure of agreement between us not only in regard to fundamentals, but even regarding many details.

"In view of this agreement it distressed and surprised me to find that there was so much conflict. I have tried therefore to find out what this conflict is about. I

do not see how I can make any proposal, concrete or vague, when I do not know what the points in issue are. It is true that in reading your speeches I have come across various statements to the effect that the Congress is trying to establish Hindu Raj. I am unaware of how this is being done or who is doing it If any Congress Ministries or the Congress organisations have made mistakes, these should be pointed to us.

"A report of your Calcutta speech appeared in the newspapers at the time and is no doubt available to you and for me to give you a purport of it seemed hardly necessary. In this you state that you are fighting the Congress, that you are fighting the Congress leadership which is misleading the Hindus. Further you have said that you want to bring the Congress High Commaud to its senses. May I suggest that those who are privileged to advise or lead the Congress have no desire to fight anybody except British Imperialism ? In any event, if we mislead or misbehave we have a right to enquire from our critics where and how we have done so.

"Further, in your Calcutta speech you said : 'I have long long ago, months ago now, thrown out a challenge to Pandit Jawaharlal Nehru and I throw out a challenge now,—let him come and sit with us and let us formulate a constructive programme which will give immediate relief to the poor.' It was to this 'challenge' that I referred in my last letter. I do not remember on which previous occasion you had issued a similar challenge to me.

"It is always helpful to discuss matters and problems face to face and, as I have said previously, we are always glad to do so. A short while ago you met Maulana Abul Kalam Azad, one of our most respected leaders than whom there is no one better fitted to explain the Congress viewpoint in regard to the minorities problem or any other matter. Whenever necessity arises every one of us will willingly welcome a talk. But even such a talk is likely to be vague and infructuous if some clarification of ideas does not take place previously. Correspondence helps in this process and sometimes is even preferable as it is more precise than talk. I trust, therefore, that you will help in clarifying the position by telling us where we differ and how you would like this difference to end. You have also criticised the Congress in vigorous language, as you were no doubt entitled to do. But are we not entitled to ask you to substantiate those criticisms in private at least, if not in public ?

"I have inquired from Mr. Gandhi about your letter to him dated the 5th November 1937. He received it in Calcutta when he was lying ill there and he felt that it needed no answer. Your letter had been in answer to his and the matter seemed to end there for the time being. He was good enough to show me his letter and yours and it seemed to me that no particular reply was called for. I understand that he wrote to you yesterday.

"I hope to be in Allahabad by the 9th. February. Yours sincerely (Sd.) Jawaharlal Nehru."

### Mr. Jinnah Prefers a Meeting

*Copy of letter from Mr. Jinnah to Mr. Nehru, dated New Delhi, 17th February, 1938* :—

"Dear Pandit Jawaharlal,—I am in receipt of your letter of the 4th February. You have now flung at me more complaints and grievances of trifling character. Evidently you rely on that section of the press which is bent on misrepresenting and villifying me, but I am glad that you say I mention these instances to show how misapprehension arises ; 'but the real question at issue is more important and it is in regard to this that clarification is necessary.' Therefore I don't think any useful purpose will be served to carry on correspondence with regard to the various matters mentioned in your letter. You will please not introduce matters which you may have discussed with Nawab Ismail Khan or Choudhury Khaliquzzaman or anybody else. These again will lead to references and cross references and the matter will never end.

"As regards my Calcutta speech, the word 'challenge' is obviously due to the imagination of the reporter for the very context shows clearly that it was an invitation. However, the discussion of all these matters in correspondence will lead us nowhere. I do not believe in the doctrine which you lay down ; 'but are we not entitled to ask you to substantiate anything that I have said publicly, provided it is correctly reported ?' The crux of your letter on the real vital point of the Hindu-Muslim unity is repetition of what you said in your previous letter, namely, that you want me to note down 'the points of difference' and discuss them through and by correspondence'—a method which I made it clear in my last letter, is highly unde-

sirable and most inappropriate. I welcome your suggestion when you say 'whenever necessity arises every one of us would willingly welcome a talk.' If you think that necessity has arisen and any one of you is willing, I shall be glad to see you and equally welcome to talk. The thing is that you prefer talking at each other whereas I prefer talking to each other. Surely you know and you ought to know what are the fundamental points in dispute.

"I have received a letter from Mr. Gandhi and have replied to him, a copy of which I am enclosing herewith. Yours sincerely, (Sd.) M. A. Jinnah."

**Press Reports of Speeches**

*Copy of letter from Mr. Nehru to Mr. Jinnah, dated Bombay, February 25, '38* :—

"Dear Mr. Jinnah,—Your letter of the 17th February reached me at Haripura. I had no intention flinging any complaints and grievances at you. In my attempt to find out what your complaints were, I read your speeches as reported in the newspapers (usually by a news agency) and noted down some of the points on which you had laid stress. I am glad to know that you have been misreported but you have not pointed out where the misrepresentation comes in nor, so far as I know, have you issued any statement to the Press correcting the misrepresentation. May I suggest that it will be worthwhile to correct these errors so that the public might not be misled ? A clear and authoritative statement from you will help us also in understanding what you stand for and what you object to.

"I note that you do not wish to introduce in our correspondence any matters which we may have discussed with Nawab Ismail Khan or Choudhury Khaliquzzaman. I did not know that they represented any different viewpoints from yours. I thought it necessary to draw your attention to the repeated attempts I have been making to find out what the political and communal policy of the Muslim League is and wherein it differs from that of the Congress. You will remember saying last year that the Muslim League had an entirely different policy even on political matters from that of the Congress. Since then the League has changed its objective and its economic outlook and has thus approached nearer to the Congress. I am anxious to find out what the real meaning of these changes is. Without this clarification it is difficult for us to understand the present position,

"You say that you do not believe in the doctrine that I lay down, namely, 'but are we not entitled to ask you to substantiate all these criticisms in private at least, if not in public ?' Further, you say that for your part you make no such distinction and are prepared to substantiate anything that you have said publicly, provided it is correctly reported. If you will read my sentence again, you will no doubt observe that I have nowhere laid down any such doctrine as you imagine. I would indeed welcome a public treatment by you of the criticisms made by you. But if you yourselves are unwilling to write to the Press on the subject, as you indicate in your letter, I put it to you that we are at least entitled to request you to substantiate the criticism in private.

"If you have made no criticisms of the Congress, and the Press reports are entirely wrong, then, of course, no question of substantiation arises. All that need be done is to contradict the Press reports. But if the criticisms have been made, as presumably they have been, then I request you to justify them publicly or privately as you might choose. Personally, I would prefer the former method.

"I am afraid I must confess that I do not yet know what the fundamental points of dispute are. It is for this reason that I have been requesting you to clarify them. So far, I have not received any help in this direction. Of course, we shall willingly meet you whenever opportunity arises. Our President, Subhas Chandra Bose or Maulana Azad or I or any other member of the Working Committee can meet you at a suitable opportunity.

"But when we meet, what are we to discuss ? Responsible people with organisations behind them can hardly discuss anything in the air. Some clarification of the issues, some clear statement of what is wanted and what is objected to, is always desirable : otherwise, we may not come to grips with the subject. You will remember the argument about what transpired at Delhi in 1936 between you and Babu Rajendra Prasad. There has even been a difference of opinion about the facts. It would be unfortunate if we repeated this performance and then argued about it later.

"It is then highly desirable for us to define the issues first. This is also necessary as we may have always to consult many colleagues in regard to any matter affecting Congress policy. There is surely nothing undesirable or inappro-

priate about this defining of issues by correspondence. It is the usual method adopted between individuals and organisations. May I, therefore, beg of you to enlighten me ?—Yours sincerely. (Sd.) Jawaharlal Nehru."

*Copy of letter from Mr. Jinnah to Mr. Nehru dated New Delhi, 3rd March 1938* :—

"Dear Pandit Jawaharlal,—I am in receipt of your letter of the 25th February. I regret to find the same spirit running through of making insinuations and innuendoes and raising all sorts of matters of trifling character which are not germane to our present subject with which you started, namely, how to find the basis of approach to the most vital and prominent question of Hindu-Muslim unity. You wind up your letter by insisting upon the course that I should formulate the points in dispute and submit to you for your consideration and then carry on correspondence with you. This method, I have already stated, in my considered opinion is undesirable and inappropriate. The method you insist upon may be appropriate between two litigants and that is followed by solicitors on behalf of their clients, but national issues cannot be settled like that.

"When you say "that I am afraid I must confess that I do not know what fundamental points in dispute are," I am only amazed at your ignorance. This matter has been tackled since 1925 right up to 1935 by the most important leaders in the country and so far no solution has been found. I would beg of you to study it and do not take up a self-complacent attitude and if you are in earnest, I don't think you will find much difficulty in realising what the main points in dispute are, because they have been constantly mentioned both in the Press and public platform even very recently—Yours sincerely, (Sd.) M. A. Jinnah.

*Copy of letter from Mr. Nehru to Mr. Jinnah, dated Allahabad, March 8, 1938* :—

"Dear Mr. Jinnah—Thank you for your letter of March 3rd. I am afraid our letters to each other repeat themselves. I go on requesting you to tell us what exactly are the points in dispute which have to be discussed and you go on insisting that this should not be done by correspondence. At the same time you have pointed out that the main points in dispute have been constantly, and very recently discussed in the Press and public platform. I have carefully followed Press statements and your public speeches. In my effort to discover these points of dispute I enumerated some of the criticisms which you were reported to have made in public speeches. In your reply you stated that you were misreported, but you did not say what the correct report should have been.

Further you said that these were minor and trifling matters, but again you did not point out what the major matters were. You will perceive my difficulty.

"I hope I am not making any insinuations or innuendoes, as you suggest in your last letter. Certainly it is not my intention to do so, nor to raise trifling matters which are not germane to the present subject. But what are those matters which are germane ? It may be that I am dense or not sufficiently acquainted with the intricacies of the problem. If so, I deserve to be enlightened. If you will refer me to any recent statement made in the Press or platform which will help me in understanding, I shall be grateful. It is not my desire, may I repeat, to carry on a controversy by correspondence, but only to find out what the main points in discussion or dispute are. It is surely usual for national issues to be formulated and clarified in this way to facilitate discussion. Both in national and international matters we are frequently adopting this course.

"You are perfectly right in saying that this matter has been tackled since 1925 repeatedly. Do you not think that this very history warns us not to approach it in a vague manner without clear ideas as to what we object to and what we want ? Apart from this, much has happened during this past few years which has altered the position. For instance, the Communal Award. Do you want this to be discussed with a view to some settlement being arrived at on another basis ?

"It is obvious that the Congress is exceedingly anxious to remove all causes of misunderstanding and friction. Apart from wider national issues, it would like to do so because such misunderstanding comes in the way of its work. It has frequently considered the problem and pass such resolutions and put forward such proposals as it considered right. I do not wish to discuss as to whether these were right or not. That may be a matter for argument. But according to our lights we tried to do our best. If we did not succeed to the extent we hoped to do, that is our misfortune and we shall gladly consider suggestions which might lead to better results.

"What are the various aspects of this matter ? May I enumerate them ?

1. The Communal Award, which includes separate electorates and reservation of seats. 2. Religious guarantees. 3. Cultural protection and guarantees.

"Presumably these are the three main heads. There may be some minor matters but I do not refer to them as you wish to concentrate on the main issues.

"As regards the Communal Award, the position of the Congress has been clarified. If it is your desire to discuss this matter, I should like to know.

"As regards religious and cultural guarantees, the Congress has given as full assurances and guarantees as is possible. If, however, any other guarantees are considered necessary they should be mentioned. About one of the questions which you have referred to in your speeches, the language question, I have written to you previously and sent you my brochure. I trust that you agree with its main conclusions.

"Are we going to discuss these matters or some others which I have not mentioned above ? Then again, the background of all such discussions must necessarily be a certain political and economic one—our struggle for independence, our anti-imperialism, our methods of direct action whenever necessary, our anti-war policy, our attempt to remove the exploitation of the masses, agrarian and labour problems, and the like. I take it that with the reorganisation of the Muslim League's policy there will not be any great difference regarding this anti-imperialist background.

"You will forgive me for repeating myself in these letters and for asking the same things over and over again. I do so because I am keenly desirous of your appreciating my viewpoint, which I believe is also the viewpoint of my colleagues in the Congress. I have no desire to take up your time and to spend my time in writing long letters. But my mind demands clarity before it can function effectively or think in terms of any action. Vagueness or any avoidance of real issues cannot lead to satisfactory results. It does seem strange to me that in spite of my repeated requests I am not told what issues have to be discussed.

"I understand that Gandhiji has already written to you expressing his readiness to have a talk with you. I am not now the Congress President and thus have not the same representative capacity, but if I can be of any help in this matter, my services are at the disposal of the Congress and I shall gladly meet you and discuss these matters with you. Yours sincerely, (Sd.) Jawaharlal Nehru."

*Copy of letter from Mr. Jinnah to Mr. Nehru dated New Delhi, 17th March 1938* :—

"Dear Pandit Jawaharlal,—I have received your letter of the 8th of March 1938. Your first letter of 18th January conveyed to me that you desire to know the points in dispute for the purpose of promoting Hindu-Muslim unity. When in reply I said that the subject-matter cannot be solved by correspondence and it was equally undesirable as discussing matters in the press, you in your reply of the 4th February formulated a catalogue of grievances with regard to my supposed criticism of the Congress and utterances which are hardly relevant to the question for our immediate consideration. You went to persisting in the same line and you are still of opinion that those matters, although not germane to the present subject, should be further discussed, which I do not propose to do, as I have already explained to you in my previous letter.

"The question with which we started as I understand is of safeguarding the rights and the interests of the Mussalmans with regard to their religion, culture, language, personal laws and political rights in the national life, the Government and the Administration of the country. Various suggestions have been made which will satisfy the Mussalmans and create a sense of security and confidence in the majority community. I am surprised when you say in your letter under reply, 'but what are these matters which are germane ? It may be that I am dense or not sufficiently acquainted with the intricacies of the problem. If so, I deserve to be enlightened. If you will refer to me to any recent statement made in the Press or platform which will help me in understanding, I shall be grateful'. Perhaps you have heard of the fourteen points.

"Next, as you say, apart from this, much has happened during these past years which has altered the position'. Yes, I agree with you and various suggestion have appeared in the newspapers recently. For instance, if you will refer to the 'Statesman' dated the 12th February 1938 there appears an article under the heading 'Through Muslim Eyes' (Copy enclosed for your convenience). Next, an article in the 'New Times' dated the 1st of March 1938, dealing with your pronouncement recently made

I believe at the Haripura session of the Congress, where you are reported to have said : "I have examined this so-called communal question through the telescope, and if there is nothing what can you see' ? This article in the *New Times* appeared on the 1st of March 1938, making various suggestions (a copy enclosed for your convenience). Further you must have seen Mr. Aney's interview where he warned the Congress mentioning some of the points which the Muslim League would demand.

"Now this is enough to show to you that various suggestions have been made, or are likely to be made or, are expected to be made, will have to be analysed and ultimately I consider it is the duty of every true nationalist, to whichever party or community he may belong, to make it his business and examine the situation and bring about a pact between the Mussalmans and the Hindus and create a real united front ; and it should be as much your anxiety and duty as it is mine, irrespective of the question of the party or community to which we belong. But if you desire that I should collect all these suggestions and submit to you as a petitioner for you and for your colleagues to consider. I am afraid I can't do it nor can I do it for the purpose of carrying on further correspondence with regard to those various points with you. But if you still insist upon that as you seem to do so when you say in your letter, my mind demands clarity before it can function effectively or think in terms of any action. Vagueness or an avoidance of real issues could not lead to satisfactory results. It does seem strange to me that in spite of my repeated requests, I am not told what issues have to be discussed. This is hardly a correct description or a fair representation but in that case, I would request you to ask the Congress officially to communicate with me to that effect and I shall place the matter before the Council of the All-India Muslim League as you yourself say that you are not the Congress President and thus have not the same representative capacity but if I can be of any help in this matter my services are at the disposal of the Congress, and I shall gladly meet you and discuss these matters with you. As to meeting you and discussing matters with you, I need hardly say that I shall be pleased to do so. Yours sincerely (Sd) M. A. Jinnah".

**Nehru on Muslim Demands**

*Copy of Letter from Mr. Nehru to Mr. Jinnah, dated Calcutta April 6, 1938* :—

"Dear Mr. Jinnah—Your letter of the 17th March reached me in the Kumaun Hills where I had gone for a brief holiday. From there I have come to Calcutta. I propose to return to Allahabad to-day and I shall probably be there for the greater part of April. If it is convenient for you to come there we could meet. Or if it suits you better to go to Lucknow, I shall try to go there.

"I am glad that you have indicated in your last letter a number of points which you have in mind. The enclosures you have sent mention these and I take it that they represent your viewpoint. I was somewhat surprised to see this list as I had no idea that you wanted to discuss many of these matters with us. Some of these are wholly covered by previous decisions of the Congress, some others are hardly capable of discussion.

"As far as I can make out from your letter and the enclosures you have sent, you wish to discuss the following matters :—

1. The fourteen points formulated by the Muslim League in 1929.
2. The Congress should withdraw all opposition to the Communal Award and should not describe it as a negation of nationalism.
3. The share of the Muslims in the State services should be definitely fixed in the Constitution by statutory enactment.
4. Muslim personal law and culture should be guaranteed by statute.
5. The Congress should take in hand the agitation in connection with the Sahidganj Mosque and should use its moral pressure to enable the Muslims to gain possession of the Mosque.
6. The Muslims' right to call Azan and perform their religious ceremonies should not be fettered in any way.
7. Muslims should have freedom to perform cow-slaughter.
8. Muslim majorities in the provinces, where such majorities exist at present, must not be affected by any territorial re-distribution or adjustments.
9. The 'Bande Mataram' song should be given up.
10. Muslims want Urdu to be the national language of India and they desire to have statutory guarantees that the use of Urdu shall not be curtailed or damaged.

11. Muslim representation in the local bodies should be governed by the principles underlying the Communal Award, that is, separate electorates and population strength.
12. The Tricolour Flag should be changed or alternately, the flag of the Muslim League should be given equal importance.
13. Recognition of the Muslim League as the one authoritative and representative organisation of Indian Muslims.
14. Coalition Ministries.

"It is further stated that the formula evolved by you and Babu Rajendra Prasad in 1935 does not satisfy the Muslims now and nothing on these lines will satisfy them.

"It is added that the list given above is not a complete list and it can be augmented by the addition of further 'demands'. Not knowing these possible and unlimited additions I can say nothing about them. But I should like to deal with the various matters specifically mentioned and to indicate what the Congress attitude has been in regard to them.

"But before considering them, the political and economic background of the free India we are working for has to be kept in mind, for ultimately that is the controlling factor. Some of these matters do not arise in considering an independent India or take a particular shape or have little importance. We can discuss them in terms of Indian independence or in terms of British dominance of India continuing. The Congress naturally thinks in terms of independence, though it adjusts itself occasionally to the present transitional and temporary phases. It is thus not interested in amendments to the present Constitution, but aims at its complete removal and its substitution by a Constitution framed by the Indian people through a Constituent Assembly. Another matter has assumed an urgent and vital significance and this is the exceedingly critical international situation and the possibility of war. This must concern India greatly and affect her struggle for freedom. This must therefore be considered the governing factor of the situation and almost everything else becomes of secondary importance, for all our efforts and petty arguments will be of little avail if the very foundation is upset. The Congress has clearly and repeatedly laid down its policy in the event of such a crisis and stated that it will be no party to imperialist war. Peace, therefore, and Indian independence is its basic policy. The Congress will very gladly and willingly co-operate with the Muslim League and all other organisations and individuals in the furtherance of this policy. I have carefully looked through the various matters to which you have drawn attention in your letter and its enclosures and I find that there is nothing in them which refers or touches the economic demand of the masses or affects the all-important questions of poverty and unemployment. For all of us in India these are the vital issues and unless some solution is found for them, we function in vain. The question of State services, howsoever important and worthy of consideration it might be, affects a very small number of people. The peasantry, industrial workers, artisans and petty shop-keepers form the vast majority of the population and they are not improved in any way by any of the demands listed above. Their interests should be paramount.

"Many of the 'demands' involve changes of the Constitution which we are not in a position to bring about. Even if some such changes are desirable in themselves, it is not our policy to press for minor constitutional changes. We want to do away completely with the present Constitution and replace it by another for a free India.

"In the same way, the desire for statutory guarantees involves constitutional changes which we cannot give effect to. All we can do is to state that in a future constitution for a free India we want certain guarantees to be incorporated. We have done this in regard to religious, cultural, linguistic and other rights of minorities in the Karachi resolution on Fundamental Rights. We would like these Fundamental Rights to be made a part of the Constitution.

"I now deal with the various matters listed above.

1. Fourteen points, I had thought, were somewhat out of date. Many of their provisions have been given effect to by the Communal Award and in other ways; some others are entirely acceptable to the Congress; yet others require constitutional changes which, as I have mentioned above, are beyond our present competence. Apart from the matters covered by the Communal Award and those involving change in the Constitution, one or two matters remain which give rise to differences of opinion which are still likely to lead to considerable agreement.

2. The Congress has clearly stated its attitude towards the Communal Award, and it comes to this that it seeks alterations only on the basis of mutual consent of the parties concerned. I do not understand how any one can take objection to this

attitude and policy. If we are asked to describe the Award as not being anti-national, that would be patently false. Even apart from what it gives to various groups, its whole basis and structure are antinational and come in the way of the development of national unity. As you know it gives an overwhelming and wholly undeserving weightage to the European elements in certain parts of India. If we think in terms of independent India, we cannot possibly fit in this Award with it. It is true that under stress of circumstances we have sometimes to accept as a temporary measure somthing that is on the face of it anti-national. It is also true that in the matters governed by the Communal Award, we can only find a satisfactory and abiding solution by the consent and goodwill of the parties concerned. This is the Congress party.

3. The fixing of the Muslims' share in the State services by statutory enactment necessarily involves the fixing of the shares of other groups and communities similarly. This would mean a rigid and compartmental State structure which will impede progress and development. At the same time, it is generally admitted that State appointments should be fairly and adequately distributed so that no community should have cause to complain. It is far better to do this by convention and agreement. The Congress is fully alive to this issue and desires to meet the wishes of various groups in the fullest measure so as to give to all minority communities, as stated in No. 11 of the fourteen points, "an adequate share in all the services of the State and in local self-governing bodies having due regard to the requirements and efficiency." The State to-day is becoming more and more technical and demands expert knowledge in its various departments. It is right that, if a community is backward in this technical and expert knowledge, special efforts should be made to give it this education to bring it up to a higher level. I understand that at the Unity Conference held at Allahabad in 1933 or thereabout a mutually satisfactory solution on this question of State services was arrived at.

4. As regards protection of culture, the Congress has decided its willingness to embody this in the fundamental laws of the Constitution. It has also declared that it does not wish to interfere in any way with the personal law of any community.

5. I am considerably surprised at the suggestions that the Congress should take in hand agitation in connection with Shahidganj Mosque. That is a matter to be decided either legally or by mutual agreement. The Congress prefers in all such matters the way of mutual agreement, and its services can always be utilised for this purpose where there is a desire to this effect on the part of the parties concerned. I am glad that the Premier of the Punjab has suggested that this is the only satisfactory way to a solution of the problem.

6. The right to perform religious ceremonies should certainly be guaranteed to all communities. The Congress resolution about this is quite clear. I know nothing about the particular incident relating to the Punjab village which has been referred to. No doubt many instances can be gathered together from various parts of India where petty interference take place with Hindu, Muslim or Sikh ceremonies. These have to be tactfully dealt with wherever they arise. But the principle is quite clear and should be agreed to.

(7) As regards cow slaughter, there has been a great deal of entirely false and unfounded propaganda against the Congress suggesting that the Congress was going to stop it forcibly by legislation. The Congress does not wish to undertake any legislative action in this matter to restrict the established rights of the Muslims.

(8) The question of territorial distribution has not arisen in any way. If and when it arises it must be dealt with on the basis of mutual agreement of the parties concerned.

(9) Regarding the *Bande Mataram* song, the Working Committee issued a long statement in October last to which I would invite your attention. First of all, it has to be remembered that no formal national anthem has been adopted by the Congress at any time. It is true, however, that '*Bande Mataram*' song has been intimately associated with Indian nationalism for more than thirty years and numerous associations of sentiment and sacrifice have gathered round it. Popular songs are not made to order, nor can they be successfully imposed. They grew out of public sentiment. During all these thirty or more years the '*Bande Mataram*' song was treated as a national song in praise of India. Nor to my knowledge was any objection taken to it except on political grounds by the Government. When, however, some objections were raised, the Working Committee carefully considered

the matter and ultimately decided to recommend that certain stanzas, which contained certain allegorical references, might not be used on national platforms or occasions. The two stanzas that have been recommended by the Working Committee for use as a national song have not a word or a phrase which can offend anybody from any point of view, and I am surprised that anyone can object to them. They may appeal to some more than to others. Some may prefer another national song: they have full freedom to do so. But to compel large numbers of people to give up what they have long valued and grown attached to is to cause needless hurt to them and injure the national movement itself. It would be improper for a national organisation to do this.

(10) About Urdu and Hindi I have previously written to you and have also sent you my pamphlet on the question of language. The Congress has declared in favour of guarantees for languages and culture. I want to encourage all the great provincial languages of India at the same time, to make Hindustani, as written both in Nagri and Urdu scripts, the national language. Both scripts should be officially recognised and the choice should be left to the people concerned. In fact, this policy is being pursued by the Congress Ministries.

(11) The Congress has long been of opinion that joint electorates are preferable to separate electorates from the point of view of national unity and harmonious co-operation between the different communities. But joint electorates, in order to have real value, must not be imposed on unwilling groups. Hence the Congress is quite clear that their introduction should depend on their acceptance by the people concerned. This is the policy that is being pursued by the Congress Ministries in regard to local bodies. Recently, in a Bill dealing with local bodies introduced in the Bombay Assembly, separate electorates were maintained but an option was given to the people concerned to adopt a joint electorate, if they so chose. This principle seems to be in exact accordance with No. 5 of the fourteen points, which lays down that 'representation of communal groups shall continue to be by means of separate electorate as at present, provided that it shall be open to any community, at any time, to abandon its separate electorate in favour of joint electorate.' It surprises me that the Muslim League group in the Bombay Assembly should have opposed the Bill with its optional clause although this carried out the very policy of the Muslim League.

May I also point out that in the resolution passed by the Muslim League in 1929, at the time it adopted the fourteen points, it was stated that the 'Mussalmans will not consent to joint electorates unless Sind is actually constituted into a separate province and reforms in fact are introduced in the N. W. F. Province and Baluchistan on the same footing as in other Provinces. So far as Baluchistan is concerned, the Congress is committed to a levelling up of this area in the same way.

(12) The National Tri-colour Flag was accepted originally in 1929 by the Congress after full and careful consultation with eminent Muslims, Sikhs and other leaders. Obviously, a country and national movement must have a national flag representing the nation and all communities in it. No communal flag can represent the nation. If we did not possess a national flag now we would have to evolve one. The present national flag had its colours originally selected in order to represent the various communities, but we did not like to lay stress on this communal aspect of the colours. Artistically I think the combination of orange, white and green has resulted in a flag which is probably the most beautiful of all national flags. For these many years our flag has been used and it has spread to the remotest village and brought hope and courage and a sense of all-India unity to our masses. It has been associated with great sacrifices on the part of our people, including Hindus, Muslims and Sikhs and, many have suffered lathi blows and imprisonment and even death in defending it from insult or injury. Thus a powerful sentiment has grown up in its favour. On innumerable occasions Maulana Mahomed Ali, Maulana Shaukat Ali and many leaders of the Muslim League to-day have associated themselves with this flag and emphasised its virtues and significance as a symbol of Indian unity. It has spread outside the Congress ranks and been generally recognised as the flag of the nation. It is difficult to understand how any one can reasonably object to it now. Communal flags cannot obviously take its place for that can only mean a host of flags of various communities being used together and thus emphasising our disunity and separateness. Communal flags might be used for religious functions, but they have no place at any national functions or over any public buildings meant for various communities. May I add that during the past few months, on several

occasions, the national flag has been insulted by some members or volunteers of the Muslim League ? This has pained us greatly but we have deliberately avoided anything in the nature of conflict in order not to add to communal bitterness. We have also issued strict orders, and they have been obeyed that no interference should take place with the Muslim League flag even though it might be inappropriately displayed.

(13) I do not understand what is meant by our recognition of the Muslim League as the one and the only organisation of Indian Muslims. Obviously the Muslim League is an important communal organisation and we deal with it as such. But we have to deal with all organisations and individuals that come within our ken. We do not determine the measure of importance or distinction they possess There are a large number, about a hundred thousand, of Muslims on the Congress rolls, many of whom have been our close companions, in prisons and outside for many years and we value their comradeship highly. There are many organisations which contain Muslims and non-Muslims alike such as the Trade Unions, Peasant Unions, Kisan Sabhas, Debt Committees, Zamindar Associations, Chambers of Commerce, Employers' Association etc. and we have contacts with them. There are special Muslim organisations such as the Jamiat-Ul-Ulema, the Proja Party, the Ahrar and others which claim attention. Inevitably the more important the organisation the more the attention paid to it, but this importance does not come from outside recognition, but from inherent strength. And the other organisations, even though they might be younger and smaller, cannot be ignored.

(14) I should like to know what is meant by coalition. A Ministry must have a definite political and economic programme and policy. Any other kind of Ministry would be a disjointed and ineffective body, with no clear mind or direction. Given a common political and economic programme and policy, co-operation is easy. You know probably that some such co-operation was sought for and obtained by the Congress in the Frontier Province. In Bombay also repeated attempts were made on behalf of the Congress to obtain this co-operation on the basis of a common programme. The Congress has gone to the Assemblies with a definite programme and in furtherance of a clear policy. It will always gladly co-operate with other groups whether it is in a majority or a minority in an Assembly, in furtherance of that programme and policy. On that basis I can conceive of even coalition Ministries being formed. Without that basis the Congress has no interest in a Ministry or in an Assembly.

"I have dealt, I am afraid at exceeding length, with various points raised in your letter and its enclosures. I am glad that I have had a glimpse into your mind through this correspondence as this enables me to understand a little better the problems that are before you and perhaps others. I agree entirely that it is the duty of every Indian to bring about harmonious joint effort of all of us for the achievements of India's freedom and the ending of the poverty of her people. For me, and I take it for most of us, the Congress has been a means to that end and not an end in itself. It has been a high privilege for us to work through the Congress because it has drawn to itself the love of millions of our countrymen and through their sacrifices and united effort, taken us a long way to our goal. But much remains to be done and we have all to pull together to that end.

"Personally, the idea of pacts and the like does not appeal to me, though perhaps they might be necessary occasionally. What seems to me far more important is a more basic understanding of each other, bringing with it the desire and ability to co-operate together. That larger co-operation, if it is to include our millions, must necessarily be in the interests of these millions. My mind, therefore, is continually occupied with the problems of these unhappy masses of this country and I view all other problems in this light. I should like to view the communal problem also in this perspective, for otherwise it has no great significance for me.

"You seem to imagine that I wanted you to put forward suggestions as a petitioner, and then you propose that the Congress should officially communicate with you. Surely you have misunderstood me and done yourself and me an injustice. There is no question of petitioning either by you or by me, but a desire to understand each other and the problem that we have been discussing. I do not understand the significance of your wanting an official intimation from the Congress. I did not ask you for an official reply on behalf of the Muslim League. Organisations do not function in this way. It is not a question of prestige for the Congress or for any of us, for we are keener on reaching the goal we have set before us than on small matters of prestige. The Congress is a great enough organisation to ignore such petty matters,

and if some of us have gained a measure of influence and popularity, we have done so in the shadow of the Congress.

"You will remember that I took the initiative in writing to you and requesting you to enlighten me as to what your objections were to the Congress policy and what, according to you, were the points in dispute. I had read many of your speeches, as reported in the Press, and I found to my regret that they were full of strong attacks on the Congress which, according to my way of thinking, were not justified. I wanted to remove any misunderstandings, where such existed, and to clear the air.

"I have found, chiefly in the Urdu Press, the most astounding falsehoods about the Congress. I refer to facts, not to opinion, and facts within my knowledge. Two days ago, here in Calcutta, I saw a circular letter or notice issued by the Secretary of a Muslim League. This contained a list of the so-called misdeeds of the U. P. Government. I read this with amazement for there was not an iota of truth in most of the charges. I suppose they were garnered from the Urdu Press. Through the Press and platform such charges have been repeated on numerous occasions and communal passions have thus been roused and bitterness created. This has grieved me and I have sought by writing to you and to Nawab Ismail Khan to find a way of checking this deplorable deterioration of our public life, as well as a surer basis for co-operation. That problem still faces us and I hope we shall solve it.

"I have mentioned earlier in this letter the critical international situation and the terrible sense of impending castastrophe that hangs over the world. My mind is obsessed with this and I want India to realise it and be ready for all consequences, good or ill, that may follow from it. In this period of world crisis all of us, to whatever party or group we might belong and whatever our differences might be, have the primary duty of holding together to protect our people from the perils that might encompass them. Our differences and arguments seem trivial when the future of the world and India hangs in the balance. It is in the hope that all of us will succeed in building up this larger unity in our country that I have written to you and others repeatedly and at length.

"There is one small matter I should like to mention. The report of my speech at Haripura, as given in your letter and the newspaper articles, is not correct.

"We have been corresponding for some time and many vague rumours are afloat as to what we have been saying to each other. Anxious enquiries come to me and I have no doubt that similar enquiries are addressed to you also. I think that we might take the public into our confidence now, for this is a public matter on which many are interested. I suggest, therefore, that our correspondence might be released to the Press. I presume you will have no objection. Yours sincerely, (Sd.) Jawaharlal Nehru."

### Mr. Jinnah's Reply

*Copy of letter from Mr. Jinnah to Mr. Nehru dated Bombay, 12th April 1938* :—

"Dear Pandit Jawaharlal,—I am in receipt of your letter of the 6th April, 1938. I am extremely obliged to you for informing me that you propose to return to Allahabad and shall probably be there for a greater part of April and suggesting that if it would be convenient for me to come there, we could meet, or if it suits me better to go to Lucknow, you will try to go there. I am afraid that it is not possible for me owing to my other engagements, but I shall be in Bombay about the end of April and if it is convenient to you I shall be very glad to meet you.

"As to the rest of your letter, it has been to me a most painful reading. It seems to me that you cannot even accurately interpret my letter as you very honestly say that your mind is obsessed with the international situation and the sense of impending catastrophe that hangs over the world, so you are thinking in terms entirely divorced from realities which face us in India. I can only express my regret at your turning and twisting of what I wrote to you and putting entirely a wrong completion upon the position I have placed before you at your request. You have formulated certain points in your letter which you father upon me to begin with as my proposals. I sent you extracts from the press which had recently appeared simply because you repeatedly asserted and appealed to me that you would be grateful if I would refer you to any recent statements made in the press or platform which would help you in understanding matters. Those are some of the matters which are undoubtedly agitating Muslim India, but the question how to meet them

and to what extent and by what means and methods is the business, as I have said before, of every true nationalist to solve. Whether constitutional changes are necessary, whether we should do it by agreement or convention and so forth, are matters, I thought, for discussion, but I am extremely sorry to find that you have in your letter already pronounced your judgment and given your decision on a good many of them with a preamble which negatives any suggestion of discussion which may lead to a settlement as you start by saying, 'I was so much surprised to see this list as I have no idea that you wanted to discuss many of these matters with us; some of these are wholly covered by previous decisions of the Congress, some others are hardly capable of discussion and then you proceed to your conclusions having formulated the points according to your own motions. Your tone and language again display the same arrogance and militant spirit, as if the Congress is the sovereign power, and as an indication, you extend your patronage by saying that 'obviously the Muslim League is an important communal organisation and we deal with it as such as we have to deal with all organisations and individuals that come within our ken. We do not determine the measure of importance and distinction they possess and then you mention various other organisations. Here I add that in my opinion, unless the Congress recognises the Muslim League on a footing of complete equality and is prepared as such to negotiate for a Hindu-Muslim settlement, we shall have to wait and depend upon our inherent strength which will 'determine the measure of importance and distinction it possesses'. Having regard to your mentality, it is really difficult for me to make you understand the position any further. Of course, as I have said before, I do not propose to discuss the various matters referred to by you by means of and through correspondence, as, in my opinion, that is not the way to tackle this matter.

"With regard to your reference to certain falsehoods that have appeared about the Congress in Urdu Press, which you say, have astounded you, and with regard to the circular letter referred to about the misdeeds of the U. P. Government, I can express no opinion without investigation, but I can give you any number of falsehoods that have appeared in the Congress Press and in statements of Congressmen with regard to the All-India Muslim League, some of the leaders and those who are connected with it. Similarly, I can give instances which are deliberately appearing in the Congress Press and speeches of Congressmen which are daily deliberately misrepresenting and villifying the Muslim composition of the Bengal, Sind, Punjab and Assam Governments with a view to break those Governments, but that is not the subject matter of our correspondence and besides no useful purpose will be served in doing so.

"With regard to your request that our correspondence should be released to the press, I have no objection provided that the correspondence between me and Mr. Gandhi is also published simultaneously, as we both have referred to him and his correspondence with me in ours. You will please, therefore, obtain the premission of Mahatma Gandhi to that effect or, if you wish, I will write to him informing him that you desire to release the correspondence between us to the Press, and I am willing to agree to it provided he agrees that the correspondence between him and myself is also released. Yours sincerely, (Sd.) M. A. Jinnah.".

### Pandit Nehru's Reply

*Copy of letter from Mr. Nehru to Mr. Jinnah dated Allahabad, April 16, 1938* :—

Dear Mr. Jinnah, your letter of April 12th has just reached me.

"I am exceedingly sorry that anything that I have written to you should have caused you pain. It seems to be true that we approach public problems from different standpoints and inevitably I try to place my viewpoint before you and seek to gain your appreciation of it. To say anything that might pain you would defeat my own purpose, even apart from its impropriety. At the same time I owe it to you and to myself to endeavour to place frankly before you how my mind works and what my views are on the subject-matter under discussion. Our viewpoints might differ, but I do believe that the margin of difference can be lessened by a frank approach on either side. I have sought to make this approach in all sincerity and with every desire on my part not to say anything that might come in the way.

"In my last letter I dealt with the various points mentioned in the extracts you have sent me, as I presumed that, as you had drawn my attention to them, they

might to a large extent represent what you had in mind. As you know I have been trying to get at these points of difference and when I saw something concrete, I wanted to give my reason to it. I tried to state what the Congress opinion has been in regard to them. There is no finality in day-to-day policies. It is for the Congress if it so chooses, to vary any policy. All I can do is to state what the past and present policy is.

"I regret that you think that I write in an arrogant and militant spirit and as if I considered the Congress as the sovereign power. The fact is it is circumscribed in a hundred ways and further it may have to go through the wilderness many a time again before it achieves its objective. You have referred to my obsession with the international situation and the sense of impending catastrophe that possess me. If I feel that way as I do, I can hardly grow complacent or imagine that the Congress is sovereign. But when I discuss Congress policies as a Congressman, I can only repeat what these are and not bring in my own particular view on the subject, if these happen to be at variance with Congress resolution.

"You point out that the Congress Press has contained numerous falsehoods in regard to the Muslim League and some of its leaders, as well as the Provincial Governments of Bengal, Punjab, Sind and Assam. I entirely agree with you that falsehoods, misrepresentations and insinuations are to be deprecated and countered wherever they might occur in the Urdu, Hindi or English press, or whatever the political complexion of the newspaper. There is no such thing as the Congress Press over which the Congress has control, but it is true that many newspapers generally support the Congress. But whether we can influence them or not, we certainly want to stop all such false and misleading statements and to express our disapproval of them. In this matter, I can only beg of you to point out specific instances so that we might take necessary action.

"I note what you say about the publication of our correspondence with Mahatma Gandhi. I am therefore writing to him to seek his permission as suggested by you. I am afraid, it will hardly be possible for me to visit Bombay in April or May. Early in June I intend sailing for Europe. In case I go to Bombay earlier I shall inform you so that we might have the opportunity of meeting. I understand that you will be meeting Mahatma Gandhi in the near future. Yours sincerely, (Sd). Jawaharlal Nehru."

# The All India Muslim League

## Special session—Calcutta—17th and 18th April 1938.

### [The Welcome address

The special session of the All India Muslim League commenced in Calcutta on the **17th. April 1938** under the presidency of Mr. *Mahomed Ali Jinnah* in the open flood-lit amphitheatre of the Mahomed Ali Park, accommodating over 15,000. There were several women on the dais, and over 2,000 delegates from different parts of India, British Baluchistan and Burma attended the session. Three Provincial Premiers, the hon. Sir Sikandar Hyat Khan (Punjab), the hon. Sir Mahamed Saadullah (Assam) and the hon. Mr. A. K. Fazlul-Huq (Bengal), were given an ovation when they took their seats side by side on the dais. Other prominent persons attending the session included Begum Shah Nawaz, Maulana Shaukat Ali, the Raja of Pirpur, the Raja of Mandot, Sir Sultan Ahmed, the hon Sir K. Nazimuddin, the hon. Mr. Abdul Matin Chowdhury and Mr. Aurangzeb Khan, Leader of the Opposition in the Frontier Assembly.

The following is the full text of Mr. *Fazlul Huq's* welcome speech :—

"Brethren in Islam, I have great pleasure in extending to you on behalf of the reception committee, a most cordial welcome. We offer you all our most grateful thanks for having taken the trouble to come over to our province to participate in the momentous deliberations of this special sesssion of the Muslim League.

Perhaps in the whole history of the Muslim League never before have such weighty issues awaited the deliberations of the representatives of the Muslim people as will come up before the present one. Gentlemen, we are passing through times which are extremely critical for the Muslims of India. On one side we find the Congress with all its might, organisation and resources, determined to crush and subdue the Muslims and on the other side we find the Hindu Mahasabha with all its communal bigotry, characteristic intolerance, narrow political outlook, and unholy intentions, devoting its energies to the frustration of Muslim hopes and the suppression of the legitimate rights and liberties of the Muslim community. The Hindu Mahasabha has never made any secret of its intentions. On the contrary, its leaders have repeatedly proved by speech and action how deep-rooted in them is their antagonism to Muslim aspirations.

The time has come for us to review what steps the Muslims have taken so far to counteract these sinister forces which aim at the complete enslavement of the Muslim people of India. We must ask ourselves whether we are as yet sufficiently organised, united and prepared or whether we are still divided amongst ourselves and therefore unprepared. If we could lay our hands on our hearts and say that we, as a community, are organised and united and that our ranks are sufficiently consolidated to enable us to resist the onslaughts and defeat the dangerous machinations of our highly organised political antagonists, then well might we have rested content. But gentlemen, are we convinced of the strength and solidarity of our defences ? If not, is it not our supreme duty to marshall all our scattered forces and assemble them under the banner of our one and only representative organisation—the All-India Muslim League ? Is it not our duty also to prove to the world that the Muslims of India have not yet forgotten the command of their Holy Book which sayeth : "Hold fast by the convenant of Allah all together and do not create dissensions amongst yourselves".

Gentlemen, in the whole of Eastern India Bengal is rightly regarded as the stronghold of Islam. The population figures perfectly justify Bengal's claim to this position. Let me present before you some facts and figures to show the numerical strength of the Muslims of Bengal as compared with other countries and provinces of India. In the whole of British India the total Muslim population is 67,058,610 of whom 27 and half millions have their habitation in Bengal alone. The Muslim population in Bengal is nearly half of the entire population of Great Britain, and also of France ; it is seven times as much as that of Turkey ; three times as much as that of Iran ; four time that of Arabia, and three times that of Afghanistan and Egypt taken to-

gether. Muslims in Bengal alone number four millions more than the total population of the Punjab, eight times more than the total Muslim population of Madras, and four times more than that of the United Provinces of Agra and Oudh. One would have thought that in a land, within the confines of which one single community had such numerical superiority, that community would hold absolute sway and its culture and traditions would prevail. But it is a thousand pities that due to certain circumstances regarding which the world at large has little knowledge, the actual conditions are entirely different. Gentlemen, time and occasion do not permit me to go in detail into an analysis of the cases which have reduced the Muslims of Bengal to the present deplorable state,—causes which stand as impediments in the way of their prosperity and progress, but with your permission I shall briefly mention a few of them.

First of all, let me tell you of that chapter of the political history of Bengal which commenced with the battle of Plassey. Immediately after their success at Plassey, in 1757, the East India Company not only set themselves to advance their commercial interests but they also had recourse to every possible means calculated to bring this country under their political sway. Of the various policies which they adopted in order to gain this and the first and foremost was the suppression of the Muslims in every way to them and to the utmost limit of their power. The heartless methods which the East India Company adopted and the cruel treatment which they meted out to the Muslims in pursuance of this deep laid policy, have no parallel in the whole history of the civilised world. Steadily but persistently and with grim resolve, the East India Company pursued that policy, the sole aim of which was to reduce the Muslims to greater and greater depths of poverty, illiteracy and emasculation. Up to the beginning of the 19th century this policy continued to operate with unceasing rigour and was fruitful of dire consequences to the Islamic people. Soon the national existence of the Muslims as a distinct race was almost at an end, and the object with which that policy had been initiated was all but fulfilled. But, gentlemen, the cup of Muslim suffering had still in it some dregs which they had yet to drain. Fresh weapons were forged to impoverish, emasculate and even annihilate their national existence. In 1819 a new Regulation was enforced which is known as the Resumption Regulations. This regulation empowered the East India Company to resume all lakhiraj lands, which the Moghal Emperors had bestowed or settled upon their subjects. It must be remembered in this connexion that the Company had, in the year 1765, secured from Emperor Shah Alam the right to the Diwani of Bengal, Bihar and Orissa, and therefore, they were perfectly entitled to fix, in their own right, the rents of big zemindaries and small holdings alike. But their object was not to systematise the land tenures in Bengal but to deprive the Muslims of their supremacy in the country by depriving them of their landed possessions. At the time when the Resumption Regulations were enforced, ninety-five per cent of the zemindars of Bengal were Muslims, but within ten years after the completion of proceedings under those Regulations the position was completely reversed and the number of Muslim zemindars fell from ninety-five to five per cent only. I cannot do better than quote in this connection the remarks of Sir William Hunter in his wellknown book called "The Indian Mussalmans" where he describes the death-blow which the Muslim community received with regard to its position as a political entity in consequence of the ruthless manner in which the Resumption Regulations were carried out. Sir William Hunter says: "A large part of this sum was derived from lands rent free by Mussalmans or by Mahomedan foundations. The panic and hatred which ensued have stamped themselves for ever on the rural records. Hundreds of ancient families were ruined and the educational system of the Mussalmans, which was almost entirely maintained by rent-free grants, received its death-blow. The scholastic classes of the Mahomedans emerged from the eighteen years' of harrying, absolutely ruined. Any impartial student will arrive at the conviction, that while the Resumption Laws only enforced rights which we had again and again most emphatically reserved, yet the Resumption Proceedings were harsh in the extreme, and opposed to the general sense of the Indian people. Prescription cannot create rights in the face of express enactments but seventy-five years of unbroken possession give rise to strong claims on the tenderness of a Government. Our Resumption officers knew no pity. They calmly enforced the law. The panic of those days is still remembered, and it has left to us a bitter legacy of hatred. Since then the profession of a Man of Learning, a dignified and lucrative calling under Native Rulers, has ceased to exist in Bengal.

The Mahomedan foundations suffered most; for with regard to their title deeds, as with regard to all others matters, the former conquerors of India had displayed a haughty indifference unknown to the provident and astute Hindu. We demanded an amount of proof in support of rent-free tenures, which in the then uncertain state of real property law, they could not have produced in support of their acknowledged private estates. During seventy-five years we had submitted under protest to a gigantic system of fraud and the accumulated penalty fell upon a single generation. Meanwhile the climate and the white-ants had been making havoc of the grants and titledeeds which might have supported their claims. There can be little doubt that our Resumptions fell short of what had been stolen from us but there can be no doubt whatever, that from those Resumptions the decay of the Mahomedan system of education dates. The officer now in charge of the Wahabi prosecutions cites them as the second cause of the decline of the Mussalman community in Bengal".

Shortly after this yet another terrible blow was aimed at the life of the Muslim as community,—a blow which laid the community absolutely prostrate and helpless. In 1835, the Court language was suddenly changed from Persian to English, in flagrant violation of the East India Company's treaty with Emperor Shah Alam. This change deprived Muslims of their language of culture and sustenance, and at one blow the entire Muslim people was relegated to the position of backwardness. Muslims of those days, as the East India Company knew very well, were disinclined towards English education not only because of their disgust at the cruel and barbarous treatment to which the English had subjected them but also because in the whole country there was not a single educational institution where they could acquire such education in an atmosphere of their own culture and civilisation. Such schools or colleges as then existed for the imparting of English education had been established by Christian missionaries and the teachers were either Christians or Hindus. In this connection the well-known historian Sir William Hunter has depicted the feelings of the Muslims of those days in these significant words: "The language of our Government schools in Lower Bengal is Hindu, and the masters are Hindus. The higher sort of Mussalmans spurned the instructions of idolators through the medium of the language of idolatry".

Gentlemen, my narration of this tale of sorrow has not yet reached its conclusion. During the middle of the 19th. century still further blows were struck at the Indian Muslims which completed their downfall. The Sepoy Mutiny of 1857 which kindled the fire of revenge in the hearts of the British against Indians in general and the Muslims in particular had its repercussions in Bengal also. Into that woeful chapter that followed the Mutiny I shall not enter here. Suffice it to say that things came to such a pass towards the end of the 19th century that the hearts of even a few justice-loving Britons were moved. Some of them who were eminent writers and historians, felt impelled to draw the attention of the outside world to the plight to which the Muslims had been reduced. But by then the victim was at his last gasp and the very people who had made India so great and so glorious had been forcibly reduced to the position of helots in their own land.

So much for the historical past. Coming to more recent times, we find that even after the British policy in India had undergone a reorientation there was considerable unwillingness to concede the Muslims their rights in full, much less to make atonement for the past. Great injustice was done in the matter of allocating seats to Muslims in the Councils under the Montagu-Chelmsford Constitution. The subsequent Communal Award has to some extent made up for that injustice, but we are still the victims of a grave wrong because although the Muslim population in Bengal is about fifty six per cent of the whole, yet not more than forty-eight per cent of the seats in the Legislative Assembly have been allotted to our community. The result has been that the Muslims cannot run the administration of a province in which they are in an unquestioned majority without entering into coalition with or depending on the support of other parties. In other provinces, however, where Congress has secured majorities it can and has formed Ministries of its own without caring to take into account the wishes or the feelings of the Muslim minorities. Therefore, gentlemen, our first problem is to find some means of getting redress for the wrong done to us by the Communal Award, which has reduced Muslim majorities to minorities. Our second problem is to devise ways and means to bring their folly and their guilt home in Muslims who have been deceived by the high sounding but insincere promises of the Congress or who have betrayed the Muslim cause by deserting the community and

joining hands with its avowed opponents in order to serve their own selfish ends. Through the conduct of some of our own men are Muslim ranks being thus disintegrated. If it had been a question of fighting the Congress and the Mahasabha only, then surely all their designs and all their tactics would have been of little avail against the united front of Islam, and this humbler servant of yours would have smashed through the net work of Congress and Mahasabha viles as easily as one sweeps away fragile gossamer. But the conduct of these dupes of the Congress and these betrayers well-nigh dishearten me, and I sometimes ask myself if a community which call still produce so many foolish or treacherous men is worth striving for, praying for and weeping for. Yet, gentlemen, we must not, we cannot and we will not yield to despair. It is of the very essence of the spirit of Islam to persevere the more there are dangers, difficulties and impediments in the way. It is our incumbent duty to bear constantly in mind that in India we hold the integrity and safety of Islam as a sacred trust. We are born unto these traditions inherited from generation to generation, and the sacred duty to protect Islam and uphold its traditions devolves upon us a heritage from our forbears. Shall we be found wanting in the fulfilment of the duties of this glorious trusteeship ? Shall we allow our cherished national, cultural and social traditions to be thus resolutely and ruthlessly assailed and yet do nothing to prepare ourselves and marshall all our resources to resist the onslaught and maintain and preserve our national rights and our cultural heritage ?

Speaking particularly of Bengal, let me now ask a few questions of those misguided Muslims who are trying to build a house apart from the united house of Islam and who have, through their action, jeopardised the solidarity of Mussalmans.

Where is the difference between the published programme of the seceders in Bengal and the programme which the Coalition Party has placed before it and working out with all earnestness and promptitude ? What justification, then, had these seceders to break away from the Coalition Party of Bengal ? Do they not see that the Congress, in its own majority provinces, has not admitted any other party into Coalition with it, and that in any case coalition with it can be only on such terms as amount to the virtual effacement of the Muslims as a separate political entity ? Even our Coalition Party, in spite of its numerical strength, has been forced to enter into alliance with certain other groups. The Krishak-Proja Party and the Independent Proja Party together number not more than 30 in the Bengal Assembly and the Bengal Council. How, then, can they hope to form a Ministry in Bengal without the aid of such parties as the Congress ? And if they attach themselves to the Congress, how can they for a moment hope to achieve anything that will confer any real benefit upon the Muslims and the masses of Bengal ?

Gentlemen, I have already taken much of your time, but before I resume my seat I wish to make here and now a revelation to you and to the world at large. The Congress has during recent months again and again made overtures to me offering me the Premiership in a Congress Coalition Cabinet in Bengal. If I had responded to those overtures I would have still been the Premier and continued to be perhaps for an indefinitely long period. But such a Premiership would have been no better and no more real than the Kingship of Shah Alam or the Nizamat of Mir Jafar. Had I thus signed with my own hands the death warrant of Islam, with what face would I have stood before my Maker and His Prophet on the day of final reckoning ? But let it not be supposed that I am against an honourable agreement with the Congress. I declare that consistent with the Islamic principles of peace and toleration I am prepared to agree to work with the Congress on the following terms. First, the Congress should come to an honourable mutual understanding with the Muslim League, and reshuffle its Ministries in the various provinces in Coalition with the League parties in the respective legislatures. Second, the Congress should come to an honourable agreement with the League in matter of appointments to public services and in matters pertaining to the social and cultural life of the Muslim people. Third, the Congress should mediate in the Shahidganj question between Muslims and Sikhs and bring about a settlement which will be acceptable to both the communities and which will ensure peace and the cessation of the present unrest.

But gentlemen it is useless in the light of past experience for Muslims to expect from the Congress any thing like fair and equitable treatment. I shall give you one typical example of the callousness of Congressmen towards Muslim sentiments. The other day when Nawabzada Leaquat Ali Khan was reciting in the U. P. Assembly the tales of oppression on the Muslims in different places and was even giving concrete instances in support of his allegation, what were the Congressmen in the

House doing? They were laughing and ridiculing him. Here were indeed not one but many Neros all fiddling to express their unholy glee at the burning of Rome. If a hundredth part of such oppressions had been visited on the Hindus then indeed would the Ganges have been afire from end to end. But the sufferings of Muslims are to Congress matters for mockery and laughter.

Let us contrast the plight of the Muslims in the Congress provinces with the conditions of Hindus living in non-Congress provinces. In this province, for instance, there has neither been communal rioting nor can any one cite a single instance of oppression on the minority community. In Congress provinces riot had laid the countryside waste. Muslim life, limb and property have been lost and blood has freely flowed, but here in Bengal not one head has been broken nor one drop of blood has been shed. There the Muslims are leading their lives in constant terror, overawed and oppressed but here the Hindus are leading perfectly happy peaceful lives—a circumstance that delights and gratifies us. There mosques are being defiled and the culprits never found nor is the Muslim worshipper unmolested, but here worship proceeds unhampered in Hindu temples and none dare defile them, because we resolutely set the law in motion against any evil-doer who would defile or desecrate any community's places of worship. There you will find many instances where Muslim officers have been unjustly treated or deprived of their legitimate rights, here I defy any one to cite a single instance where a Hindu officer has been unfairly treated by us. I assure you that our treatment of the minorities in our charge is such that the Congress Ministers may well take a leaf out of our book and emulate our example.

The Congress loudly proclaims itself to be the friend of the tenantry. And yet, what has the Congress Ministry done in Bihar for the Kisans as compared with what we have done for the Projas in Bengal? Let me give you a few salient points of contrast. In Bihar "salami" has been retained at eight per cent while in this non-Congress province of Bengal it has been abolished altogether. In Bihar the right of zemindars to realise rent through certificates still obtains, but here it has been done away with. Here in Bengal we have also stopped enhancement of rent for a period of ten years but in Bihar no such relief has been given to the poor tenants. That is the picture in Bihar and this is the picture in Bengal. And yet Congressmen call themselves better friends of the masses than we of the Bengal Coalition and the Muslim League.

Gentlemen, I wish I could conclude, for already I have taxed your patience enough. But before I sit down, I must frankly and freely express my conviction that we the Muslims of India must stand on our own legs and fight our battles alone. Let us once and for all abandon all hope of protection through the 'socalled safeguards in the Constitution. We must shape our own destiny unaided by any outside authority and in spite of our political opponents. British authority in India has indeed ceased to function and the sceptre is slipping fast from British hands. True that the British still hold sway in Delhi and Simla but that sway increasingly lacks reality and is becoming more and more like that of the successors of Aurangazeb. After all, the British came to India as traders and as traders they are now anxious to remain, they would sooner part with power than with trade. They believe that their commercial interests will be best served through an alliance. Their guarantees to the minorities and particularly to the Muslims of India have proved to be shallow through and through. The sooner we cease to rely on them the better. We must fight the battle of Islam alone and without our resources. Let us resolve to fight it to the bitter end, relying on the justice of our cause and undaunted by the gathering forces against us. Let us prepare to fight, if need be, on a double front and with our backs to the wall. If Panipat and Thaneswar must repeat themselves, let the Muslims prepare to give as glorious an account of themselves as did their forbears.

Gentlemen, I apologise for the length of this speech but I have done no more than to give you a recital of bare facts which I challenge any one to contradict. I am deeply grateful to you for the patient hearing you have given me and I once more make you welcome to Bengal to deliberate upon the momentous issues that are before our community to-day. May the all-merciful God guide these deliberations on the right lines and may your decisions bring nearer the day of Islam's deliverance in India.

**The Presidential Adress**

The following is the text of presidential address delivered by Mr. *Mahomed Ali Jinnah* :—

"After the last annual session of the All-India Muslim League which took place on the 15th of October, 1937 I should like to place before you a brief summary of the work done and the various events that have occurred since. You know also that at the last session the constitution and the rules of the All-India Muslim League were overhauled and some very important changes were embodied in them. The new constitution has now come into operation and according to the resolution of the All-India Muslim League Committees have been appointed in various provinces to organize provincial and district leagues all over India and I am glad to tell you that in every province district leagues have been established and during the last six months they have enrolled members not by hundreds not by thousands but by lakhs.

During my tours in different parts of India I found a tremendous political awakening and enthusiasm among the Mussalmans and there is almost an insatiable desire amongst the people to come under the banner of the All-India Muslim League. This enormous mass of support that is rallying around the policy and programme of the All-India Muslim League requires to be harnessed, mobilised, co-ordinated and controlled. Then alone with proper guidance we shall achieve the goal for which we are fighting.

We have to a certain extent freed our people from the most undesirable reactionary elements. We have in no small degree removed the unwholesome influence and fear of a certain section who used to pass off as Maulanas and Moulavis. We have made efforts to take our women with us in our struggle and in many places that I visited they took enormous interest and participated in various functions and gatherings.

We have to carry on and maintain the policy and the programme of the Muslim League on a political plane. Within less than six months we have succeeded in organising Mussalmans all over India as they never were at any time during the last century and a half. They have been galvanized and awakened in a manner which has astounded and staggered our opponents Mussalmans have shaken off torpor and shed their miserable state of despair and demoralisation into which they were sunk so deep. They are beginning to realise that they are a power. They possess the strengh, the potentialities of which they have not yet realised, and if only they will take their affairs in their own hands and stand together united there is no power that can resist their will,

The Council of the All-India Muslim League had decided to observe the 18th of February as the Shahidganj Day. Meetings were held all over the country and the reports that have been received in the office show that the League's word reached the far-off corners of the country. In practically every city and town and even in some villages the resolution of the League was carried out.

I am fully conscious that to-day the Shahidganj question is uppermost in the mind of every Mussalman throughout India and there can be no doubt that the feeling and sentiment amongst them is genuine and sincere and there can be no question that the demolition of the mosque has wounded deeply their religious susceptibilities. The average man feels that his mosque was ruthlessly and wantonly destroyed. It is to be regretted that a great community like the Sikhs should have been carried away and resorted to ruthless action of demolishing the mosque in the manner in which they did.

At the same time I realise that certain individuals on both sides were and have been aggressive to each other and created a situation which has involved the two great communities into a position of impasse. I deplore the excesses committed on both sides and regret deeply the loss of lives of innocent members of both the communities and deprecate resort to methods which resulted in killing innocent lives. The question viewed from its true perspective is very easy of solution if only both the communities will realise their moral obligation to each other and put down certain mischievous and aggressive elements that make the task more difficult for an honourable settlement.

I appeal to the leaders of the Sikh community to rise above the question of prestige or 'amour propre' and I advice the Mussalmans, while recognizing their deep feelings and sharing their religious susceptibilities which I have no doubt are genuine-

ly and deeply wounded, to realise that the way to settlement is not achieved by dictation from one community to the other.

The Council of the All-India Muslim League has already passed a resolution to which I would draw the attention of the delegates present here. It runs as follows:

"In view of the decision of the Punjab Premier, expressing his readiness to resign even if the majority of the Muslim Members give their verdict disapproving action foreshadowed in his recent pronouncement with regard to the Shahidganj question, the Council realise that the main burden and responsibility rests with the Muslim representatives of the Punjab Legislature and the public generally. The Council appreciate that the gravity and the nature of the issues involved are present to the mind of Sir Sikandar Hayet and his Government; the assurance given by him in his pronouncement of his making an earnest attempt to bring about an honourable settlement of the question is the best course in the opinion of the Council, and in this direction lies the way of restoring and securing a permanent peace and goodwill between the two great sister communities Muslims and Sikhs, whose moral responsibility to each other, whose interest and the welfare, and the larger interest of the Province and the country demand that, with their great history, religion and traditions behind them, they should rise above the verdicts of Judicial Tribunals and the decisions of legislatures and Government, and rise to the occasion and come to an honourable settlement of their own that failing such a desideratum of mutual agreement of the parties concerned, which will be most unfortunate, the Council note, with great satisfaction, the determination of the Punjab Government that it will not fail to explore and exhaust all constitutional avenues open to them to find a satisafctory and just solution of the problem to which, Council are glad, they are already applying themselves; and that, while the final decisions as to the policy and the line of action can only be decided by the All-India Muslim League, the Council, in the meantime, are willing and ready to render all the assistance and help they can towards the solution of the matter."

It is now for you, ladies and gentlemen, to give your most anxious consideration to this question of Shahidganj and determine upon the policy and line of action that may seem to you proper.

There are Muslim League parties functioning inside the seven out of the eleven provincial legislatures. The large majority of Muslim members in all these seven provincial Assemblies belong to the Muslim League parties and the membership of those paries is increasing every day. The Muslim League contested with great success a number of bye-lections to the Legislative Assemblies in various Provinces. The Council of the League appointed a Committee to chalk out an economic social and educational programme for the Mussalmans. The report of the Committee is being awaited with great interest.

We greatly deplore the communal riots that have taken place in the United Provinces and other Provinces. It is being publicly stated by the Congress Ministers in these provinces that the responsibility for these riots rests on the shoulders of the Muslim League. It is most deplorable that a Minister of the Government should make such loose and untrue statements. These allegations against the Muslim League are absolutely without any foundation and are being used as a blind against the incapacity of the Congress Government in those provinces to protect the lives and property of the people of the province. All sorts of malicious propaganda is being carried out to discredit the Muslim League. But, God willing, the Muslim League in spite of all this will go on getting stronger every day.

A few months ago the Muslim community was like no man's land but to-day it has come into its own and there is no power on earth that can now keep it dormant or inactive. The Mussalmans have realized that their salvation lies in organizing themselves under the banner of the Muslim League and once they are organised they need fear no one.

Numerous representations and complaints have reached the central office of hardship, ill-treatment and injustice that is meted out to Mussalmans in the various Government Provinces, and particularly to those who were workers and members of the All-India Muslim League, and therefore the Council were obliged to appoint a special committee, under the chairmanship of Raja Sahib Mahomed Mehdi Sahib, to make all necessary inquiries and to take such steps as may be considered proper and to submit their report to the Council and the President.

The Council also decided authorizing me as the President to take all necessary steps to form a Muslim League party in the Central Legislature with power to the

party so formed to coalesce with any other party or group whose policy and programme is approximately the same as that of the All-India Muslim League. In pursuance of that resolution I am glad to inform you that a Muslim League party in the Central Legislature in both the Houses has been formed and will function in the legislature under the supervision and control of the Council of the All-India Muslim League from the next session of the Central legislature.

Although some of the pronouncements of the President and other leaders of the Congress at Haripura created an impression of a really genuine desire for the settlement of the Hindu-Muslim question—and in pursuance of that Mr. Gandhi and Pandit Jawaharlal Nehru have written to me and I have replied to those letters and the correspondence is going on—yet there is no slackening on the part of the Congress in the determination of their set purpose to annihilate every other party and particularly the All-India Muslim League.

The Congress attitude so far as can be summed up is first that the Communal Award must go lock, stock and barrel; secondly, that there must be no separate electorates, and thirdly that there must be no differential franchise, and if possible, there should be no reservation of seats for any community.

The result of this will be obvious, viz. that Mussalmans will be wiped out from securing any adequate representation either in the legislatures or in the municipal, local and district boards, as it happened in Bihar recently since the Government have removed even the existence of commulative voting which existed before they assumed office.

The Congress resolutions about fundamental rights and declarations with regard to religion culture and language are nothing but paper resolutions. There is not the slightest doubt that most aggressive attitude was taken up by the Congress Government on the threshold of their assuming office and they endeavoured to impose the "Bande Mataram" song in the legislatures and after much bitterness and opposition it has been dropped. They are pursuing a policy of making Hindi a compulsory language, which must necessarily, if not completely, destroy, at any rate vitally undermine, the spread of the development of Urdu, and what is worse still is that Hindi with its Hindu Sanskritous literature and philosophy and ideals will and must necessarily be forced upon the Muslim children and students.

In various parts of India serious difficulties are put in the way of Muslims enjoying liberty of observing their religious rights freely. It is one thing to make every high sounding declaration such as the Congress are in the habit of making and the Working Committee repeating them, but it is another thing how to translate them into action, and so far the Congress are preaching one thing and practising just the contrary.

The President of the Congress, Mr. Subhas Chandra Base, having quoted these paper resolutions about so-called protection of religion culture and language proceeded to state:

"The time is opportune for renewing our efforts for the final solution of the problem. I believe I am voicing the feelings of all Congressmen when I say that we are eager to do our very best to arrive at an agreed solution consistent with the fundamental principles of nationalism."

Here I wish he was speaking on behalf of all the Congressmen as he believed he was. It is no use masquerading under the name of nationalism. Congress is a Hindu body mainly. It is begging the whole question to say that we are eager to do our very best to arrive at an agreed solution and qualify it by saying consistently with the fundamental principles of nationalism as if the Muslim League was opposed to the fundamental principles of nationalism. Muslims have made it clear more than once that besides the question of religion, culture, language and personal laws, there is another question equally of life and death for them and that their future destiny and fate are dependent upon their securing definitely their political rights, their due share in the national life, the Government and the administration of the country.

They will fight for it till the last ditch and all the dreams and notions of the Hindu Raj must be abandoned. They will not be submerged or dominated and they will not surrender so long as there is life in them.

The Muslim League claims the status of complete equality with the Congress or any other organisation and we have our problem to solve. We have under the present conditions to organise our people for building up Muslim masses for a better world and for their immediate uplift, social and economic, and we have to formulate plans of constructive and ameliorative character which would give them immediate

relief from the poverty and wretchedness from which they are suffering more than any other sections of the people in India.

I welcome a policy of live and let live. I welcome an understanding in matters economic and political. But we cannot surrender, submerge or submit to the dictates or the ukase of the High Command of the Congress which is developing into a totalitarian and authoritative caucus functioning under the name of the Working Committee and aspiring to the position of a "shadow cabinet" of a future Republic.

The Muslim League is not only carrying on a struggle for the Muslims but it maintains that all other important minorities must have the same sense of security and a place in the sun of India where they will enjoy the rights and privileges as free citizens and not be ground down by caste tyranny and caste rule.

In my opinion, the Congress is making one of the greatest blunders by pursuing its present policy. The High Command of the Congress has no policy except opportunism and arrogance and are utilising their organisation, because it happens to be the largest and most powerful to treat every other party with contempt and they imagine that they have already become the rules of India. It is astounding that they believe that they have conquered six provinces absolutely and in the seventh they have a dominant voice as the majority in the coalition of the North West Froniter Province are Congressmen and they talk of drum beating and they believe that it won't be very long before the remaining four Provinces will fall before the conquering heroes of the High Command of the Congress.

But to the Musalmans I say that they must realise that there cannot be any honourable settlement between two parties when one claims to be superior to the other and has for its aim and object the domination and dictation of the other. Honourable settlement can only be achieved between equals and unless the two parties learn to respect and fear each other there is no solid ground for any settlement.

Besides even if a settlement does come, unless the Mussalmans are fully organised and have forged sanctions behind them as well as the solid and united backing behind them, the agreements, pacts or treaties can only be treated as a scrap of paper unless they can be enforced by power from behind which will see that the terms are carried out and maintained.

Therefore, my appeal to the Mussalmans is 'Don't depend upon anybody. You must depend upon your own inherent strength and the Mussalmans have not yet realised what power and strength they possess if they were properly mobilised as one solid people. We have to go through a great deal of spade work and suffering. Our opponents will use all possible means of suppression. They may practice tyranny and may persecute us ; but I am confident that we shall emerge out of that ordeal better, stronger than we have ever been.

## Second Day—Calcutta—18th April 1938

### Proceedings and Resolutions.

The League met for the second day on the **18th. April** and discussed and passed the following resolutions.

The Hon'ble Mr. *Hussain Imam* (Bihar) moved the first resolution which ran :

"This session of the All-India Muslim League places on record its sense of appreciation of the efforts of the Huq Ministry in Bengal and Saadullah Ministry in Assam, particularly for resisting the machinations of the Congress to break through these fronts and appeals to every Mussalman to accord whole-hearted support to the Ministries in Bengal and Assam."

In moving the resolution Mr. Imam deprecated disunity in Moslem ranks in the two provinces. For the first time in history the majority community in Bengal had got power into their hands, which their Hindu brethren could not tolerate because of their historic prejudices. The Moslem League appealed to the Congress to come to the right path and leave the tactics of dividing the Muslims. He asked those Muslim members who had left the Coalition Party to realise the real intention of the Congress and come back to the fold of the Moslem League.

Mr. Badarudzza (Bengal), Khan Bahadur Haji Rashid Ahmed of Delhi, Mr. Ashrafuddin Choudhury of Assam, Syed Murtaza Saheb, M. L. A. (Central), from Madras and Mr. Jaffar Ahmed (Bihar) supported the resolution which was carried.

SHAHIDGANJ DISPUTE

The main resolution of the present session regarding the Shahidgunj dispute was moved by Mr. *Chaudhury Khaliquzzaman*, M. L. A. (U. P.), Leader of the Opposition in the U. P. Assembly. The resolution ran :

"While endorsing the resolution of the Council of the All-India Moslem League passed at Delhi on March 20, 1938, this special session of the All-India Moslem League in view of the fact that the Punjab Government has given an assurance to the effect that they were adopting every means for arriving at an honourable settlement of the Shahidganj problem assures them of its co-operation and assistance in bringing about the settlement, and appeals to the Mussalmans to create and maintain a peaceful atmosphere in order to facilitate that settlement."

In moving the resolution Mr. Khaliquzzaman said that the Shahidgunj affair had ceased to be a mere provincial problem, but had assumed all India importance. Sir Sikander Hyat Khan had assured the Moslem League to-day that he was trying his best to solve the problem and he was ready to resign as soon as the Moslems considered that his attitude on Shahidgunj was not consistent with the League's decision. It was possible that the decision of the League with regard to this matter might not satisfy all, but they were passing through a critical time and must proceed cautiously. They must see to it that they did not give a handle to their enemies to put a check on the growth of the League. Political foresight demanded that they should give Sir Sikander full opportunity to tackle the problem. There was no other way.

Discussing the Civil Disobedience movement, he said that this method at the present stage would hamper Sir Sikander. The Moslems of India had given Sir Sikander a chance to settle the problem and to threaten him at this stage with Civil Disobedience was going to put him in a very embarrassing position.

Prof. *Enayetulla* from the Punjab supporting the resolution said 'that the Muslims of the Punjab should give Sir Sikander an opportunity to settle the difficult problem. There could be no peace in the Punjab until and unless the problem was honourably settled for the Moslems. He accused those who were carrying on Civil Disobedience to be the agents of the Congress and their movement was designed to wreck the Moslem community of the Punjab. It was the duty of the Muslims to see to it that the Ministry of Sir Sikander remained in power. Criticising the Congress, he said that Pandit Nehru and Mahatma Gandhi when invited to mediate in Shahidganj dispute, had refused to invervene in the affair.

Mr. *Habibulla* (U. P.) supporting the resolution said he believed that when the matter concerned the two great communities, Moslems and Sikhs, settlement would not be difficult. Had they to deal with 'bania' Congress, it would have been otherwise.

Sir *A. H. Ghuznavi* also supported the resolution which was carried.

PUNJAB PREMIER'S BURDEN

*Sir Sikandar Hyat Khan* then addressed the gathering. Speaking in Urdu he said that he was there to explain to them the problem on which they had given a sensible decision. He assured the gathering that he realised the pain and distress which the Shahidgunj affair had given to the Moslems of India and he was no exception. It was not very easy to settle this problem. It required great foresight, patience and political wisdom to solve it. After his declaration to which a reference had been made, the atmosphere in the Punjab had greatly improved. He could tell them that the majority of the Muslims and Sikhs wanted an honourable settlement. Under the circumstances he was sure that it would be possible to arrive at a settlement. His position was very delicate, and he could not give vent to his feelings, but he would like to assure his moslem brothers that if his activities did not satisfy them, he would be ready to resign.

Proceeding, Sir Sikandar said that when Mr. Jinnah organised the Moslem League, Punjab and Bengal did not at first join him. Mr. Jinnah's leadership was challenged because two provinces where the Muslims were in majority did not join the League. It was naturally a challenge to the Muslims of India. So he decided to give him all support. Accordingly he went to Simla and Lucknow and he assured Mr. Jinnah that they of the Punjab and Bengal were behind him. No misunderstanding could tear them away from the League.

Sir Sikandar also appealed to Bengal Muslims to work together as they had been doing in the Punjab so that they might not hear the disturbing reports of intrigue which they heard from time to time. If the Moslems of Bengal and Punjab hurt, it would be disastrous not only for the two provinces, but also for other provinces and Indian nationalism would also suffer.

CONGRESS GOVERNMENTS BLAMED

Mr. *Zahur Ahmed*, M.L.A, then moved the following resolution :—

"That this special session of All India Moslem League views with alarm the large number of communal riots which are taking place in U. P., Bihar, C. P., Bombay and other provinces resulting in the loss of life and property of the Mussalmans. In the opinion of the League, Congress Governments have signally failed to discharge their primary duty of protecting the Muslim minorities in their provinces, and it declares that if immediate steps are not taken to protect the Mussalmans by the Congress Governments, the consequence to the country as a whole will be disastrous. The League congratulates the Muslims in villages and towns on patience and forbearance that they have shown during these occurrences. This League calls upon the Provincial Leagues to collect all necessary information about all these incidents and submit their reports to the Council of the All-India Muslim League at an early date."

Mr. *Hussain Imam* seconded the resolution. In putting the resolution to vote, Mr. Jinnah said that the Council had appointed a responsible committee to enquire into all allegations of ill-treatment in the Provinces in which the Mahomedans were in minority. When they reported, they would not allow themselves to rest content till they vindicated themselves. The resolution was carried.

ANTI-MOSLEM ACTIVITIES IN FRONTIER

Moved by Mr. *Ziauddin* and seconded by Mr. *Aurangzeb* (leader of the Opposition in the Frontier Assembly) the following resolution was passed :—

"That this meeting of the All-India Moslem League calls upon the Mussalmans of India to take special steps to combat the Congress anti-Muslim activities in the Frontier Province."

*Maulana Shaukat Ali*, thanking the Reception Committee, said that the Moslem League was prepared for an honourable settlement with the Congress for further progress of the country but on condition that the Congress must have faith in the League. When Moslems were in Congress it was really a national organisation, but it was now "a wondering Jew". If Congress wanted a settlement with the League, it must cease setting Muslim against Muslim. That game did not pay and sooner it was given up the better.

Mr. *A. K. Fazlul Huq* urged the assembly to take a solemn pledge to bring under the banner of the League the entire Muslim population of India.

Proceeding, Mr. Huq said that His Excellency the Viceroy the other day went out of his way and said that six provinces of India were now being administered by the Indian National Congress. His Excellency forgot for the moment that four provinces of India were being administered by non-Congress Ministries and that these provinces were determined not to allow the Congress to come into power there. He was not afraid of criticising it however high placed the authority might be. Only the other day His Excellency the Viceroy asked Mahatma Gandhi to see him before the former left for Simla. Why Lord Linlithgow asked him to see him? It was because the question of Federation was hanging in the balance, and possibly His Excellency thought and his addressers also had told him that the solution lay with Mahatma Gandhi. "The solution", continued Mr. Huq, "does not lie there. There are other parties to be consulted. His Excellency may not know, but let me make it clear that no problem worth the name and connected with any question relating to the administration of India can be solved without reference to the All India Muslim League. The League is not yet properly organised, but yet it is worth hundreds of National Congresses. Each and every one of the League is a lion and a tiger and ready to shed the last drop of his blood for the sake of Islam."

Mr. *M. A. Jinnah*, in his concluding speech, dilated upon various suggestions made at the Conference. He said that time was not yet ripe to raise funds to meet the propaganda that was being made by the Congress in the Frontier, nor could the League officially start a paper of its own. He held that the present session had been a wonderful session. He urged every Muslim to become member of the League.

As regards Mr. Fazlul Huq's reference to the Viceroy's meeting with Mr. Gandhi, Mr. Jinnah said that time was coming when higher authorities than even H. E. the Viceroy would have to consult the League. He was sure that time was coming. He had absolute faith in his people and knew that his people would not fail him or the League.

The session at this stage came to a conclusion.

# The All India Socialist Conference

## Fourth Session—Lahore—12th & 13th April 1938

Amidst enthusiastic scenes the fourth session of the All-India Congress Socialist Conference opened at Lahore on the **12th April 1938** in a spacious pandal in the Municipal Gardens.

Prominent among those present were Srimati *Kamaladevi Chattopadhaya*, *Messrs. Narendra Dev*, *Meherally*, *Jai Prakash Narain*, *Achyut Patwardhan*, *Batliwala*, *Faridul Haq Ansari*, *Hathee Singh*, *Damodar Sarup*, *Sajjad Zaheer*, and *Asok Mehta*.

Mr. *M. R. Massani* was unanimously elected President of the All-India Congress Socialist Party Conference at a meeting of the delegates held on the **12th. April**, at Lajpat Rai Hall and attended by representatives from the sixteen Congress Provinces, including Mr. Narendra Dev, Mr. Jai Prakash Narain and Mr. Massani. A debate was held on the Kisan movement, Trade Union work and other allied subjects. At the conclusion of the meeting, Mr. Massani was taken in a procession which after parading the principal streets of the city, terminated outside the Moor Gate, where the open Congress session was held.

For the first time in the history of the Punjab the Congress Flag and the Red Flag were hoisted side by side by Mr. *Jai Prakash Narain* in the pandal of the Socialist Conference. Explaining the reason why the two flags were hoisted, Mr. Jaiprakash said that there was no difference between the two flags. Their main object was to strengthen the fight for freedom. There used to be differences among them over the flag, but gradually they had understood that the fight for freedom should be fought under one flag and that was the Congress Flag The Socialist Party decided to respect the Congress Flag also. He repudiated the allegation that they did not respect the Congress Flag and said that, as a matter of fact, they were fighting the battle for freedom under the Congress Flag and under the Red Flag they were spreading Socialism.

### The Welcome Address

Mr. *Munshi Ahmed Din*, Chairman of the Reception Committee, in his address reviewed the work done by the Socialist Party in the Punjab last year and pointed out the various obstacles in the way of the growth of the Socialist movement in the Province. He said the Party had been able to enrol 75,000 kisans as members of kisan sabhas and had formed trade unions in ten districts last year. Referring to the Shahidgunj question Mr. Ahmed Din said it had taken an acute form in the Punjab and spread to the Frontier Province, where several murders of innocent persons have been committed. This question has also proved a hindrance in the work of the party, which worked for the eradication of communalism from the province.

### The Presidential Address

In the course of his presidential address, Mr. *M. R .Massani* described the object of revolutionary socialism and said :—

"Essentially, what do we, Revolutionary Socialists, whether in India or abroad, stand for ? From all the various policies and tenets that go under the name of Socialism, I would pick out the abolition of private property and the evolution of a classless society as of the essence of socialism. I would say that the basic conceptions underlying our creed are those of Equality and Liberty. Nothing is Socialism that does not insist on the abolition of private ownership of the instruments of production, distribution and exchange and the building up of a classless society. Nothing can be Socialism which is a negation of equality or liberty. It is necessary to emphasise this because it is these tests which differentiate genuine Socialism from bastard Socialism of the Nationalist Social (Nazi) and other spurious brands.

Mr. Massani continued: "The Marxist classics undoubtedly furnish us with valuable training in the application of our principles. Nothing is more natural than that we should hark back to the teachings of Marx and Lenin in hammering out our our policies, as Lenin called the workers back to Marx during the dark years of the last War when the Socialist leaders forgot their mission and asked the workers to fight 'to make the world safe for democracy.' At the same time, nothing can be more disastrous than to decide issues not by what our reason dictates in the given circumstances but by what so-and-so said in this-or-that year.

"Some of us distinguish our "Scientific' Socialism from what we call with misplaced contempt 'Sentimental' Socialism The real choice to-day seems to me to be between Scientific Socialism and Dogmatic or Authoritarian Socialism. To put it another way, we have to prevent Socialism from being made into a dogma, almost a religion. Lenin rightly declared that religion was the opium of the people. He was not thinking of Christianity alone. And his words would certainly apply to Socialism or Communism, if we allowed Socialism or Communism to degenerate into a religion.

"There are grave dangers of this happening. Before our eyes we have seen the growth of a spirit of dogmatism and intolerance which is characteristic of adherents of organised religions. In the Marxist fold to-day, we have the orthodox and the heretics. At a certain stage in the history of the Roman Catholic church there were two rival Popes, one at Rome and the other at Avignon. We see a similar situation in the Marxist world to-day. Rakovsky, when he was Soviet Ambassador in Paris, announced proudly: 'We Bolsheviks are a congregation. We obey.' To my mind, the Socialist movement loses its soul, ceases to be that dynamic force which is to overthrow kingdoms and systems of society in the interest of the masses of the people on the day on which becomes an organised religion, with its Popes, its Cardinals and its Jesuits, its Censor and its Index. Rather we want something of the iconoclastic mentality of Pandit Motilal Nehru who,—when somebody remarked in the debates on the Sarda Bill that the Sastras enjoined child marriage, declared wrathfully: 'In that case, so much the worse for the Sastras!"

Referring to India and speaking on the part Indians have played in this Revolution, Mr. Masani said: "India, before it can determine the social and economic system to which it shall adhere, has first to win the pre-requisite of political power. India to-day is a country not only still subject to economic exploitation at the hands of British capitalist class, but also directly ruled by the British Government. I say directly because, although attempts are made to create illusions in the minds of our people by taking into junior partnership groups of Indians and mrking them do the dirty work of Imperialism, the veneer is pretty thin and it is not difficult to see the reality which is so thinly veiled by provincial or fiscal 'autonomy.' The task of the Indian people is clearly the wresting of political power from foreign hands into its own. Ours is the task of achieving national independence and of setting up a democratic Indian State. It is this that makes Indian Socialists also ardent nationalists.

"I am both an anti-Imperialist and a Socialist, wrote Ram Manohor Lohia recently. 'It is necessary for me to proclaim my two faiths separately for now-a-days there are Socialists who a e suppressing the struggle against Imperialism.'

"There cannot be for the Indian people, and therefore for the Indian Socialists, any effective part to play in the international scene until first the people of India have terminated the system of foreign rule, until India has become a subject of international relations. Nor can there be any question of building up Socialism in India until first the national revolution has been accomplished. At the same time, there is great need for a Socialist approach, and for the application of Socialist technique.

"Socialism comes in here and now, said Jahawarlal Nehru at Faizpur, to help us to understand our problems and point out the path to its solution and to tell us the real content of the Swaraj to come.

"When we look back at the course of our national development and scan its history for the past fifty years, we find that since the birth of the Indian National Congress in 1885 the struggle of the Indian people has assumed different shapes and forms. From generation to generation the movement has changed its leadership and its policy and has developed from being the expression of the infinitesimal minority of educated people so contemptuously referred to by the British bureaucracy to being the organ of the toiling masses of the people which has repeatedly dared to raise its head in direct action struggles against the firmly entrenched British Raj. We see also, alongside this development, another tendency taking shape particularly

since the last World War, in the form of nascent working class movement which expresses itself in strikes by the workers against exploitation, whether by British or Indian capitalists; and in our own times we see the phenomenal rise of a peasant movement which has been the most striking development of the past few years.

"When we formed our party in 1934, we felt as we feel now, that these two revolutionary forces of pure nationalism and of economic revolt against exploitation had to be brought together and harnessed in a common endeavour. Our Party, which was appropriately enough born in prison, arose out of the experiences of the Civil Disobedience movements of 1930 and 1932 and it is important to remember the background against which it came into existence in October 1934. It emerged at a time when the national forces had suffered a great reverse and appeared to be retreating in disorder under the fierce blows of intense repression by the British Government. The first task of the Party was to stem that tide. How was this to be achieved? On the one side the existing leadership of the Congress, defeated in the Civil Disobedience movement, was thinking more and more in terms of constitutional agitation and opposition,—a tendency which was taking shape in the Swaraj Party. Most of its leaders had very little time to interest themselves in the economic struggles of the peasantry or the workers and completely failed to realise the importance of organising these classes and mobilising them for active participation in the national struggle. On the other hand, the Communist leaders of the small Trade Union Movement showed an equal lack of political realism. They were so absorbed in their desire to set up Soviets in this country that they almost forgot that the British Government had still to be overthrown! So they directed the greater part of their attack on the Congress which they characterised as the Party of the bourgoisie, quite failing to realise that for a subject people, nationalism is not a reactionary, but a democratic and revolutionary force."

Proceeding the speaker said: "Our Party's fight has therefore from the start been on two fronts,—calling for a new orientation both in the national and the labour movements. It was only natural that the initiative in this task fell to those who were convinced Socialists and who at the same time had taken part in the national struggle. It is this close relationship with the national movement that is represented by the name which our party bears. Contrary to the cavilling criticism of certain people who felt that there was something strange in this just a position of 'Congress' and 'Socialist' that combination has been, in fact, a real source of the success of the party and of its strength.

"A Socialist Party in India to-day has two fundamental tasks,—first to help the building up of a powerful national front against British Imperialism: and secondly, to spread the ideas of Socialism in India and prepare the ground for its introduction once political power has been secured. To what extent has the Congress Socialist Party been able to perform those tasks?

"It has been said not without good cause that it was the formation of our Party that put Socialism, till then a subject for academic discussion, on the political map of India. When we look back and review the background of defeat and demoralization againgst which the party took shape in 1934 we are able to realise how much has been achieved in the direction of radicalising the Congress and evolving a newer nationalism. Within a year of its birth, the party was able to stem the tide and to take the offensive in bringing about greater militancy in the Congress and in turning its thoughts in the direction of mass organisation and mass action. The return of Jawaharlal Nehru to the field and his election as Congress President for two successive terms was, of course, a factor whose importance cannot be over-estimated. Neither Jawaharlal nor the Congress Socialists have, however, attempted to persuade the Congress to adopt Socialism as its creed. The Congress is and must remain predominantly nationalist in sentiment and character so long as we are under the foreign yoke and have to fight for our freedom. The Congress is the weapon which the Indian people have forged through fifty years of struggle. It is the People's Front in India and we have all to play our part in sharpening that weapon and using it so that it achieve its historic purpose.

"Naturally, we Socialists cannot feel quite satisfied with the present policies or mentality of the Congress leadership. Though we have Subhas Chandra Bose, a Socialist, as President of the Congress, the leadership of the Congress is predominantly of a different complexion. We have, whenever we felt the necessity, given stern opposition to the Right Wing leadership of the Congress on such important issues as the wrecking of the new Constitution, refusal to accept Ministerial Offices,

the resistance to war, support to the States' Peoples, the organisation of peasants and workers and on the methods of preventing the Federation from coming into existence. It may be that we have been defeated on many of these issues, but who can deny that the policies of the Congress have for the past two or three years shown the impress of Socialist hands? For in spite of strong opposition from the present leadership we have been able to rally round us larger and larger numbers of Congressmen. This is largely due to the correctness of our policies as also to the fact that we are looked upon as Congress workers with a record of service and sacrifice in the struggle.

"Since we met last at Faizpur an important change has come over the political scene with the formation of Congress Cabinets in seven out of the eleven Indian Provinces. This was a development which the Congress resolved upon in spite of our efforts It has created for Congress Socialists a most difficult position. On the one hand there has been the strongest desire on our part to make this experiment, now that it has been launched upon, a success. On the other hand there has been an equally strong urge to criticise acts and utterances at variance with Congress policy. This is a situation which calls for the greatest discipline and control on our side. Some of our Congress Ministers and leaders have felt that we have not always been as restrained as we should have been in our comments on the work of the Congress Ministries. I do not know how far this feeling is justified. But I think I can say on behalf of all members of the party that if they have said things which have been found unpalatable by the ministerial wing of the Congress, they have said them out of a sense of duty to the organisation and to the movement as a whole.

"Some recent self-criticism on our part in this connection has been misunderstood and misconstructed in certain sections of the Press as repentence and recantation. Let me make it clear that I for one feel our policy in this and other respects have been a sound one and that there is nothing for us to repent for or to recant.

"We have acted always in the best interests of the Congress as we have seen it. We Congress Socialists had our birth in the Congress and were baptised in its struggles. At Haripura, we demonstrated our instinctive loyalty to the Congress and our keenness on the nation speaking with one voice in a time of crisis.

"Within the Congress our Party has functioned as a rallying point for all radical elements. We have been the champions of the peasants and the workers' organisations and of the peoples of the Indian States. If to-day the latter feel that the Congress at Haripura has sent them into the wilderness and has left them to fight their battles alone we hold out our hands to them to renew that solidarity which binds the people of India, whether in so-called British India or Indian India.

"We shall labour for the rights and demands of our peasantry and working-class. As a Socialist Party we are a Party of the working-class and it is but natural that we should wield influence in the Trade Union Congress which has been the central organisation of the more militant section of the Indian working-class. In that sphere our influence has always been exercised in the direction of unity. We contributed to the dissolution of the T. U. C. and its merger in the All-India Trade Union Congress and from here we shall repair to Nagpur to see the final union between the Trade Union Congress and the Trade Union Federation and the building up of a single Trade Union centre in India. It is a matter of pride for us to recall that it was at a previous Conference of our party in Meerut that the Peasant Movement in India took organised shape and if to-day the All India Kisan Sabha raises its head among the mass organisations in this country, we may take legitimate pride and joy in seeing one of our dreams come true.

"The Congress Socialist Party has ever exercised a unifying influence. Our Party not only contributed to bring about unity in the Trade Union Movement, but it has also in a bigger way brought about greater harmony between that movement and the bigger national movement. Our weight in the peasant unions has always been in the direction of maintaining harmonious working between them and the Indian National Congress. Even in the direction of Socialist unity we have been pioneers."

In conclusion Mr. *Masani* said :—The Congress Socialist Party is a Revolutionary Socialist Party. As such, it is a party which must act as a homogeneous team, its members thinking the same way, speaking with one voice. Such a party must develop its discipline to the highest levels. In a revolutionary party there is no room for international conflicts that inevitably lead to paralysis and stagnation. The Congress Socialist Party is not a platform for united front. The anti-imporialist united front

is in the Congress. The Congress Socialist Party is not a mass party. The mass organisation is the Indian Nation. The Congress Socialist Party is and must be a determined group of conscious Socialist who will act as a compact party and guide the bigger movement and the mass organisation. It must have its face turned to the masses in the Congress, to the Kissan Sabhas and to the Trade Unions. It cannot do so if it spends most of its time looking within trying to resolve its internal conflicts and contradictions. That way lies the dismemberment and disruption of the Party. Our party has supplied an independent initiative in Indian politics. Among other things, it has acted as a corrective to mistaken policies and tendencies. If unfortunately that initiative were to disappear, the old disastrous rifts and sectarianism would again become manifest."

## Second Day—Lahore 13th. April 1938

### Proceedings and Resolutions

The second day's session of the Conference commenced on the next day, the **13th. April**, Mr. *M. R. Masani* was in the chair. The pandal was overcrowded with delegates and visitors.

At the outset, a resolution protesting against the action of the Punjab Government in serving notice on Shrimati Satyavati was passed.

*Shrimati Satyavati* next moved a resolution paying tributes to the martyrs of Jallianwalla Bagh tragedy. The resolution was passed without any discussion.

A resolution moved by Mr. *Yusuf Meharali*, assuring the Conference's support to the peasants of Mansa State in their struggle against repression by the State authority, was also passed.

#### Federation Opposed

Mr. *Achyut Patwardhan* then moved his resolution on Federation, expressing the party's opposition to it and to fight against its imposition by utilising their control of provincial administration to strengthen the struggle outside by developing the Congress and other organisations, and to organise and support every struggle of the Indian States' people for democratic rights and against inhuman economic conditions, thus making the States' peoples' movement an organic part of the Indian people's fight against imperialism.

Moving the resolution, Mr. Achyut Patwardhan said that every political party in the country was opposed to Federation as adumbrated in the Government of India Act. He said that they should take the advantage of the Congress Ministries in the country for combating the Federation. The masses should be prepared for wrecking the Federation. The co-operation of all provinces in combating the Federation was badly required. The time was soon coming when there would be a conflict between the Government and the people of this country on the question of Federation and in that struggle not only British Indians would take part but peoples of the States would also have to join.

Suggesting that they should emphasise in all their propaganda the positive demands for a Constituent Assembly as an expression of the Indian people's right of self-determination, the resolution added that in the event of any attempt to impose Federation in the face of their continued opposition they should prepare the country for a nation wide mass struggle including a no-tax and no-rent campaign and a general strike on a national scale.

The resolution, which was supported by Dr. Ahmed, was adopted unanimously.

After the adoption of Mr. *Patwardhan's* resolution, the Hon'ble Mr. *Ishardas*, a member of the delegation from East Africa, who attended the Conference, assured full support to the Congress Socialist movement on behalf of Indians in East Africa.

#### Work of Congress Ministries

Mr. *Yusuf Meherally* next moved a resolution expressing appreciation of the work so far done by the Congress Ministries in fulfilment of the election pledges of the Congress. The resolution appreciated that the Congress acted with firmness in resisting the interference of the Governor-General in the day-to-day administration of the provinces of U. P. and Bihar and that in implementing the Congress programme it did not shrink from bringing about ministerial crisis on the issue of release of political prisoners. The Congress has thus justified the confidence reposed in it by the Indian people, who registered their votes in its favour at the last

general election. Its triumph in this constitutional struggle has further consolidated its position in this country and has raised its prestige and status abroad.

The resolution adds a note of warning that crises are implicit in the new constitution and are bound to recur. The attempt to impose the Federal scheme in the teeth of universal opposition is yet another proof of the fact that imperialism is preparing for a fight. It should also serve as a warning against the alarming mentality which is evident in certain quarters to settle down to constitutionalism.

The resolution declares that any constitutional crisis can be successfully met only by developing the strength of the people for repelling the attack of imperialism and that this strength can be generated only by reinforcing parliamentary activities by propaganda and agitation among the masses and by strengthening their organisation and developing their struggle.

The resolution concludes saying that though the Congress Socialist Party was opposed to acceptance of office and still holds to that view, and though it believes in the necessity of vigilence and criticism, it not only does not intend to embarass or create difficulties for the Congress Ministries but desires to strengthen them and to help them in carrying out the Congress election manifesto.

Mr. *Raja Ram Shastri* supported the resolution which was unanimously carried.

Another resolution condemning the "repressive policy in the Punjab and Bengal" and sending greetings to the political prisoners in jails was also passed.

### COMMUNAL RIOTS

Mr. *Fareedul Huq Ansari*, in a resolution on communal disturbances, expressed the opinion that they were incited by reactionary elements who for their personal or class interests wanted to weaken the hold of the Congress, and to discredit the Congress Ministries and thus strengthen imperialism.

In order to make such occurrences imposible in future, the resolution calls upon the Congress Socialist branches :

"To uphold the rights of the minorities and to come forward as defenders of cultural, linguistic and religious rights of the minorities.

"To emphasise the essential identity of economic and political interest of the masses of all communities, and as an effective safeguard against communal unrest to draw them in large numbers into the Congress and Kisan Sabhas and Trade Unions, and to work for the organisation of a volunteer corps under the auspices of the Congress in every locality which would take upon itself the task of maintaining communal peace and harmony."

A resolution felicitating the A. I. T. U. C. and the N. T. U. F. on the eve of their historic joint meeting to achieve organisational unity, was unanimously adopted.

### BAN OF COMMUNISTS

Another resolution protesting against the continuance of the ban on the Communist party of India, and declaring that it was an infringement of the elementary civil liberties and of the rights of free expression of opinion and association, and appealing to the Congress Ministries in the various provinces to join in the effort to have the ban removed, was passed without discussion.

### INTERNATIONAL SITUATION

Mr. *R. M. Lohia* next moved a comprehensive resolution. It draws attention to the Fascist and Imperialist attack on Socialism and democracy of the industrial countries and on national freedom in the colonies. It states that the United Socialist Soviet Republic of Russia are the only major power working for the world freedom and peace, and regards the foreign policy of Great Britain as pro-Fascist and as encouraging the forces of reaction and war.

The resolution further records the belief that the united struggle of the world Socialist and Democratic forces alone can meet the Fascist and Imperialist attacks. Warm wishes to the brave defenders of freedom and democracy, in particular, to the National Government of China and the Popular front of Spain are expressed and support to the U. S. S. R. is assured.

The resolution supports wholeheartedly the Congress resolve of non-participation is the wars of Great Britain and urges upon the Indian people to prepare for the event when they will refuse supplies of men and money to British empire and utilise it to achieve independence.

Mr. *Syed Zahir* supported the resolution. The resolution was passed.

## Third Day—Lahore—14th April 1938

SOCIALIST INFLUENCE

The claim that the policy of the Congress Socialist party had materially influenced the national movement, the Trade Union front, Kisan organisation and other fields in which the party was working, was made by Mr. *M. R. Masani*, the President in his concluding speech at a private meeting of the delegates held on the **14th. April** at Lajpatrai Hall.

The meeting discussed the work done by the party in different provinces as also their difficulties at different centres. Suggestions were made for making their work more effective.

The constitution was so amended as to increase the number of members of the Executive Committee from 12 to 17, the present practice of having five supplementary members being dropped.

Mr. *Masani* next announced in the open session that the following gentlemen will constitute the National Executive of the All-India Congress Socialist party for the ensuing year :—

General Secretary, Jai Prakash Narain ; Joint Secretaries, Messrs. M. R. Masani, E. M. Namboodiripad, Dinkar Mehta, Yusuf Meherally.

Members : Munshi Ahmed Din, Shri Kamaladevi, Acharya Narendra Dev, Achyut Patwardhan, R. M. Lohia, Sivanath Banerjee, Gunada Mazumbar, Satyavati Devi, Asoka Mehta, Kamalashankar Pandya, Damodar Swarup Seth, Sajjad Zaheer.

Substitute Members : J. G. Gore, Mubarak Sagar, Mr. Z. A. Ahmed, S. S. Batliwala, B. P. L. Bedi.

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# The A. I. Political Sufferers' Conference

## Second Session—Haripura—20th February 1938

A demand for the immediate and unconditional release of all detenus, States' prisoners and other political prisoners and for the repeal of all repressive laws, was made by various speakers at the second session of All India Political Prisoners' Conference held in the Subjects Committee pandal of the Indian National Congress at Faizpur on the **20 February 1938** immediately after the dispersal of the Subjects Committee meeting.

Mr. *Sarat Chandra Bose*, the Opposition Leader in the Bengal Assembly, who presided detailed the work done since their last Conference in Delhi in March last. He said that they had achieved much, but had to achieve much more. In Orissa and the Central Provinces the Ministries had effected the release of all political prisones and detenus, which Mr. Bose said, was a matter of great satisfaction to them. He paid further tributes to the Ministries in the C. P. and Orissa, the former for releasing persons who had been convicted in cases arising out of communal riots in the C. P. as well, and the latter for repealing the Bihar and Orissa Emergency Powers Act.

The other Congress ministries has also been proceeding in that direction, he said and referred to the recent crisis that had arisen in Bihar and the U. P.

Explaining the object of the conference, Mr. Bose said that they wanted to draw the attention of the authorities to their demand for the immediate release of all political prisoners and the repeal of all repressive laws. Referring to the argument that the release of such prisoners would endanger public peace, Mr. Bose said that the releases in Orissa and C. P. had not produced any undesirable effect and in the U. P. as well the situation was well under control. Mr. Bose characterised the attitude of the Bengal Government towards political prisoners as that of meeting violence with violence, and said that the Governments of Bengal and Punjab acted

in the name of law and order only to whitewash their repressive policy. He appealed to all nationalist minded people in India to strengthen the hands of the Congress Governments for securing the early release of political prisoners and for the repeal of all repressive laws. The speaker was sure that even the Bengal Government would be compelled to accede to the demands of Congressmen in Bengal if it was backed by the people all over India, as had been the case when they, in Bengal, had agitated for the repatriation of the Andamans prisoners. Concluding, Mr. Bose said that although some of the political prisoners might have been wrong in their political opinions the fact remained that their motive was right and genuine, and therefore, to keep them in jails even after the situation in the country had changed would be an act of vindictiveness.

Mr. *Mohan Lal Saxena*, addressing the gathering, said that political prisoners should not resort to hunger-strike before consulting their Central organisation and the Congress, as they had now decided to be guided by Congress in their agitation and as Mahatma Gandhi was seriously trying for securing their early release. Concluding Mr. Saxena appealed for generous public contributions to help the distressed and disabled ex-political prisoners and their families.

Mr. *Bankim Chandra Mukherji* (Bengal) speaking of the recent ministerial crisis in the two Congress provinces, said that apparently the cause was the question of prisoners, but he believed that the underlying cause was the pro-tenant policy of the Ministries which was undermining imperialism at its very base. Mr. Mukherji said that they should collect funds not only to ameliorate the condition of political prisoners and their families but also to evolve an organisation through which a mass movement could be created in order to compel the unwilling British imperialism to release all political prisoners and grant their fundamental democratic rights, including living conditions for the masses. He added that it was essential that they should strive to wean over the masses from communalism if they ever contemplated to force the hands of the Government of Bengal and the Punjab who, he said, were in a majority because of the existence of communalism in those provinces.

*Prof. Ranga*, who occupied the chair in the absence of Mr. Bose during the later part of the conference, remarked that it was a great day for them when the National Congress had unequivocally declared that it stood for the unconditional release of all political prisoners all over the country. He said that it might be that due to the resignation of the Ministries in Bihar and the U. P. peasants in those provinces would suffer a little, but they must remember that no cost was too high for the Civil Liberties of the people, for which and which alone the Congress Ministries of those provinces had resigned.

### RESOLUTIONS

The Conference passed four resolutions unanimously, one congratulating the U. P. and Bihar Ministries on the bold step they had taken on the issue of the release of political prisoners and condemning the action of the Governor-General in interfering in the Ministers' work, another calling upon all non-Congress Governments to comply with public demand for the early release of political prisoners; the third calling upon the Madras Government to release all those who had been convicted in Madras courts and were now detained in other provincial jails; and the last appealing to the nation to observe March 23 (the day on which Bhagat Singh was hanged) as the All-India Political Prisoners' Day.

Before the Conference dispersed, Mr. *Niharendu Dutt Majumdar*, Labour M. L. A. informed the audience that recently sixty political prisoners had gone on strike in the Alipore Central Jail, and for this they were prosecuted by local authorities, some of them getting an year's rigorous imprisonment each. He, therefore, appealed to the Indians of all shades of political opinion to make the All-India Political Prisoners' Day a success as a mark of their sympathy for the prisoners.

# The Bengal Provincial Conference

## 36th Session—Bishnupur—29th January 1938

### The Welcome Address

The thirty-sixth annual session of the Bengal Provincial Conference commenced at Bishnupur on the **29th January 1938**, Mr. *Jatindra Mohan Roy* presiding.

About eight thousand people attended the Conference. Nearly 500 delegates representing all districts attended. Prominent Congress leaders and workers noticed on the dais included Mr. Subhas Chandra Bose, Mr. M. N. Roy, Dr. Suresh Chandra Banerjee, Prof. Nripen Banerjee Dr. Prafulla Ghosh, Dr. Nalinakshya Sanyal, Mr. Sibnath Banerjee, Kumar Debendralal Khan and Mr. Kamal Krishna Roy.

Before the proceedings commenced the "Bandem ataran" in the form recommended by the Working Committee was sung. As the last strain of the song died away. Mr. *Radha Gobinda Roy*, Chairman of the Reception Committee, rose amidst cheers to deliver his address. Sj Roy, in the course of his address, referred to the glorious past of Mallabhum. After dilating on the pitiable condition of the country in general and villages in particular, he stressed the acuteness of the unemployment problem. He said that either the zemindery system should be abolished or the zeminder should be made to live in villages and spend the greater part of his earnings from land on the improvement of villages. Referring to the peasant movement in which some Congressmen interested themselves, the speaker urged that the movement should be conducted in conformity with the Congress programme and not in direct conflict with it. He urged for carrying on a wearing and tearing campaign for the release of prisoners who were confined for their political activities. There could be no greater oppression, he said than keeping men in detention without trial.

Referring to "Bandemataram" he said that the All-India Congress Committee had deeply hurt the feelings of Bengalis by deciding to clip the song.

If they had to fight against British Imperialism, they must strengthen Congress in all possible ways. For this, both Hindu and Mahomedan communities must unite and pull their combined weight. He then invited Sj. Jatindra Mohan Roy to take the chair.

### Presidential Address

In the course of his presidential address, Sj. *Jatindra Mohan Roy* said :—

The Congress was the fountain head of all healthy activities in the country, the embodiment of her purest hopes and aspirations. The number of workers was limited, but they had no flower strewn path to tread ; having to face on the one hand bureaucratic repression, on the other the callous indifference of the society to the service of which they had devoted themselves. Those who died in the fulness of years, having achieved something in this world in the midst of their friends and relatives had some consolation when death overtook them. Even those who spurned fame chose their sphere of work within the narraw confines of the village-life, away from public gaze and died surely and inevitably of poverty and privations prematurely, had some faint consolation, when they breathed their last—for they died freemen. But what of those who driven to despair by the shadowing of police spies even when out of jail, had committed suicide or of those who had died while imprisoned without trial or made their exit with all promises unfulfilled being unable to bear the strain of an absconder's life. No words of condolence uttered in a public meeting could pay adequate tribute to their memory.

The object of all these people was to rescue the country from the abject state in which she had fallen. In this country every year 333 people out of a thousand died of malaria, because 600 out of a thousand could not have two full meals a day. In the whole country on an average a man could consume only 26 totals of food and gram per day. After the War the Indian peasant produced Rs. 22 worth of crop per head per annum. One-fourth of it went to meet taxes, rent, interest and another one-

fourth was required to meet the expenses of production and of the remaining Rs. 11, his monthly share was only 14 annas 8 pies, out of which he must feed and clothe himself. When the state of the country was such every year 73 crores of rupees was drained out of India to England, which constituted the income of the peasantry for two months. In a peasant family there were six people on an average. The total burden of rent on these six people was Rs. 187 or Rs. 31 per head.

The population of the country during the last 25 years had increased at the rate of 200 per thousand. Except in some negligible parts of a few towns everywhere poor ignorant people were multiplying themselves thoughtlessly at a rapid space. Even the intelligent of these people had no compunction to procreate off-spring for whom they could not even supply the bare necessities of life. These people had to depend for their sustenance on an oid and archaic system of cultivation of the land. What endless strifes these lands gave rise to ! What a prolific source of litigation, feuds in village politics they were, in the pursuit of which how often caste and communal labels were cut across ! The ties of caste or community came into evidence when one was given in marriage or one had to be cremated or buried. But real attachment or regard for religion was seldom met with. Very few showed the simple sense of right aud wrong or led a truely religious life. As regards the bounds of knowledge of the average man of the country, not to speak of women, even 99 per cent villagers did not know anything more than names of nearby market places. Seven per cent. of them wers literate and that literacy in most cases did not go beyond putting down one's signature. Even the geographical knowledge of village headmen did not travel beyond Calcutta. They might have heard of England in connection with litigation but were absolutely ignorant of the relation between the two countries.

Even the very few of literate people knew the exact strength of England and India, their number of population, what made England domineer over India and what the contribution of Indians was to the strength of England ! Not to speak of actively opposing England, very few had any idea to what plight England would be reduced if Indians merely held off their hands !

Even the majority of the newspaper reading public did not bestow any thought on it. Those who were known as 'Bhadralogs' were in the forefront of every kind of activities in the country. But from the habit of bowing to every kind of rule, from Brahmanical to English, they had got ingrained in them the tendency to kneel before power. In an evil hour they got into their head that labour entailed loss of dignity. So most of these people led a parasitic life, living on the labours of workers and peasants. But it must be said to their credit that the country owed it to them whatever worthy there was still in the country. The contributions and sacrifices of people of this class filed glorious pages of the history of India of the present time and constituted a silver lining in the darkness which seemed to envelop the future of the country. But they were handful in number. A few of them were trying to bring about the freedom of the country through the Congress. But they met with greatest opposition from their own people who seemed to think that they would thrive better on the ignorance of the people of the country. A section of the educated of this class were responsible for all the differences and quarrels which embittered the relations of the different castes of the Hindus and which put obstacles in the way of Hindus becoming a united and close-knit community.

At the roots of the present Hindu Moslem differences also were the educated 'bhadralogs' of the two communities. The most depressing feature of the situation was that the most talented of them were recruited to the service of the bureaucracy.

The principal cause of the sad state of the country was political dependence. The Congress sought to bring it to an end. A section of Congress workers were still in jail detained without trial. Even those who had been tried, had been convicted under the new rules of the Ordinance. Their cries arising out of the maltreatment received were reaching the country from behind the walls of the prisons. The ignorant mass of the country did not even know that the people who tried to improve their lot were thus dying by inches. And the pity of it was that a band of self-seeking people who entered the legislature on the strength of the votes of the general mass were lending their support to these persecutions. The bureaucracy had ignored the protests of the Congress and the endeavours of Mahatma in this behalf.

In reply to this treatment Mahatma preached his non-co-operation gospel. At that time he was an incarnation in the eyes of the common people and the educated section held him in greatest respect and esteem for having raised the credit of India in the world affairs. But what response did the country give to his appeal ? They contributed after great effort 1 crore of rupees. But he did not get even 14 thousand selfless workers, far less 14 lakhs. No doubt during the last 17 or 18 years, the country had made some progress, but still the bureaucracy held poor opinion of the strength of the people.

The middle class felt most strongly the humiliation of political dependence. But the bureaucracy knew full well the strength of that feeling. They knew full well the proportion of the daily earnings of a talkie show in a town and the income of its Congress Committee out of membership subscription. Talkies thrived on the support of the middle class. It was all bunkum that the middle class had no money. They had no money when Congress had to be supported. There were many things from which the bureaucracy could infer that the attachment of the people for the Congress was not yet very strong. The middle class were the most politically forward section of the people and this class still formed the mainstay in all administrative departments of the bureaucracy.

The majority of the rich people of the country looked upon the Government as their great shelter under whose protecting wings they could enjoy with ease all the good things of life which their money could purchase. So most of them did not look upon with favour the activities of the Congress which pitted itself against the Government. The other day the Government within a short time secured a loan of Rs. 27 crores for the mere asking. The rich who could lend money believed that this system of Government was permanent and from the fact of lending their money the desire for making it permanent became all the more stronger.

As regards the mass of the people they were steeped in ignorance and poverty. The Congress had brought the message of Independence to a few of them. But they had no clear idea of what this meant. They did not understand if and how independence would bring about amelioration of their material condition. They saw round them the rich growing, richer millowners and traders piling up money while they were being crushed down by the increasing weight of debt. What appeal had 'Swadeshi' for them ? What hopes could be raised in them by talks of independence ?

Sj. Roy appealed to leaders to use all their influence to persuade these bright youngmen, at least those whose family circumstances allowed them to do it, to settle down to village work. Every village in India should have several whole-time workers who would carry the message of the Congress to the villages.

In Bengal Congress workers had been supplied mainly by three classes of caste Hindus—Brahman, Kayastha and Vaidyas. The contribution of the Mahomedans, judging by their numerical number had been meagre. But times were not far distant when workers would spring up from other classes as well. Already there were signs of stirring in them. The number of Congress workers from among Mahomedans, notwithstanding the opposition of men of influence in the community was rising. One need not go to cite instances for these to the North-West Frontiers. Bengali Mahomedan youngmen had courted prison and transportation hand in hand with their Hindu brothers. There were instances where Bengali Mahomedans had embraced poverty to devote themselves to Congress work. Their number was not yet many, but to-day or to-morrow others must follow suit.

Proceeding Sj. Roy uttered a warning to the rich to do their best to bridge the gulf which separated them from the poor. All the world over this class struggle between the rich and the poor was going on. If the rich in this country took heed in time they would be able to spare the country the pangs of a violent revolution.

Referring to class struggles in other countries, Sj. Roy said democratic elements in Spain and China were finding it difficult to maintain their position owing to premature trial of strength. China was more progressive than India. It would take time for India to bring herself to the position of China, far less of Russia. Indisciplined sentimental effusions would not carry them far.

The Award was a part and parcel of a sham constitution which was imposed on India and engendered quarrels, federation and struggles for the loaves and fishes of office. They wanted full independence which had no room for bureaucracy and with the disappearance of Bureaucracy would vanish all abuses including the Communal Award.

Referring to the controversy regarding "Bande Mataram", Sj. Roy said that as a vehicle for the expression of patriotic sentiment it had no equal, No one thought that any objection could be raised against it as national song except its length. But objection had now been raised on other grounds. For the sake of unity this objection had got to be accommodated. For the eradication of bigotry they had to look to the cleansing process of education.

Referring to communal differences the speaker said that they were much exaggerated by urban people. They were not of such magnitude as they were thought to be. Speaking from the experiences of his own life he did not believe that there were greater differences between Hindus and Mahomedans than what subsisted between the different branches of the Hindu community. He believed that Hindus and Mahomedans of Bengal with all their strength and foibles were alike.

Concluding he said that the country was sure to attain independence. The world history encouraged this hope. He had no programme to give.

## Socond Day—Bishnupur—30th January 1938

CONSTITUENT ASSEMBLY

The Conference re-assembled on the next day to discuss resolutions. The resolution on the Constituent Assembly ran thus :—

"Ignoring absolutely the public opinion, the British Government have set up so-called Provincial Autonomy. This Conference protests against the efforts that are being made to impose over and above it the proposed reactionary Federal Constitution and requests all Congress organisations, public and legislatures, to work so that the scheme cannot be carried into effect.

"Indians are best fitted to frame their own constitution. The Conference requests our countrymen to frame the future constitution of India on the basis of adult franchise."

Sj. *Narendra Narayan Chakravarty*, M. L. A., moving the resolution on Federation, said that there was no dearth of reactionaries in Congress itself, as Mr. Satyamurthi was advocating Fededertion. He warned every institution in India against the danger of a Federation and suggested starting of a countrywide agitation against the scheme. The Congress must come into direct conflict with Government when Federation would be sought to be introduced.

Agitation should also be carried in the Indian States, for they would provide the major revenue of the Federal Government. Workers must awaken the people to the necesssity of formation of the Constituent Assembly.

Sj. *Gunada Mazumder* sought to introduce an amendment to the effect that agitation against Federation should be carried in Indian States and provinces and suggesting that no Constituent Assembly could be formed before the total destruction of Imperialism. With that view the Congress Committee should work in cooperation with anti-Imperialist organiations. The Congress could make impossible the inauguration of Federation with the help of Indian States alone. The Constituent Assembly could be formed only when British domination from the country would disappear. Unless the people have power they cannot form the Constituent Assembly. Pandit Jawaharlal Nehru had made it clear that unless there was sanction behind its formation of that body it would be sheer madness.

Moving an amendment Sj. *Sudhindra Pramanik* said that only through an uncompromising fight with British Imperialism the Constituent Assembly could be formed with adult franchise. He suggested the formation of a parallel State within the frame of the Congress—a State within State. Only then the Constituent Assembly can come in.

At this stage Mr. *M. N. Roy* was requested to speak on the resolution. He said : "By observing events in this Conference I gather that there are three main important problems before this Conference, and these are problems not only for Bengal, but problems which must come before the next session of Congress and they must be tackled and solved for strengthening our struggle for freedom.

"Firstly, our attitude towards Federation and in that connection arises the question of the Constituent Assembly. And secondly comes the question of mass contact. This question was placed before the country already in the Lucknow Congress. But until now various opinions have been expressed regarding the establish-

ment of mass contact. The third question which may be considered peculiar to Bengal is the question of detenus and political prisoners."

Continuing, the speaker emphasised with regard to the first point about Federation that in order to put into practice the resolution on this point the A. I. C. C. and Congress can take the lead, The resolution was nothing more than a repetition of the resolution passed by the A. I. C. C. He believed that they should not be satisfied with the passing of the resolution. They must have a plan of action and enforce their demand. He hoped that the next session of the Congress would discuss the question, and leaders would give them a concrete plan of action and the way to enforce that plan into practice.

Proceeding, Mr. Roy pointed out that the Constituent Assembly was not a Parliament, but an organisation created by the people of a particular country for the single act to meet only once, that was to lay down the constitution of the country. It was created by the people involved in a struggle as an instrument through which power was captured. If they could capture power they would have Parliament. If Indians wanted to capture power they must create an organisation which would snatch power from the established State.

Everybody must come to the conclusion that the Congress was the only single organisation in the country for the purpose. The history of revolution made it definitely clear that before power could be captured from the State a parallel State had to arise within the State. When Congress had become representative of the entire oppressed and exploited masses of India and only when it would have the sanction of the organised masses behind it, then the Congress would be morally entitled and would actually be in a position to declare itself as the only representative of the people of India and as such would have power to frame the constitution for the country. If they could visualise this, then they should see that the local Congress Committees become the key position in the position in the country. These must come in contact in the day to day life of the masses.

Dwelling on mass contact, Mr. *Roy* said if Congress was to rely on the people in the struggle against Imperialism, Congress must take the peasant classes in it. Whatever might be their potentialities workers become a negligible factor, because even if they stayed out of Congress that would not affect the struggle against Imperialism, The vital problem before the Congress was not only how to have contact with the peasantry but to win their confidence in the struggle for freedom.

Sj *Gunada Mazumder's* amendment being lost the resolution was passed.

### Congress Differences

A resolution was moved by Dr. *Suresh Banerjee*, which pointed out the existence of disagreement among Bengal Congressmen and authorised Sj. Subhash Chandra Bose to form an executive of the B. P. C. C. next year in consultation with leaders and groups. Sj. Pramatha Banerjee, seconding the resolution, brought certain charges against Congressmen which were objected to by Rajkumar Chakravarty. Opposing, Bankim Mukherjee held that acceptance of the resolution would kill the very spirit of democracy. Unity was necessary for the programme of action, unity among individuals being of secondary consideration.

### Resolution on China

The resolution on China was moved by Sj. *Hemanta Bose*, who said that political consciousness had been downed in India which however was powerless to help China, but they could express their sympathy in their hour of ordeal. Congress had begun to fight against Imperialism and should extend its sympathy wherever such a fight would occur. The resolution was seconded by Sj. *Atul Kumar*, who said that although India itself was a slave country, she could help China by boycotting Japanese goods which were being dumped here. By that means China would be indirectly helped. Opposing the resolution, Sj. *Benoy Ghose* enquired why they were going to boycott goods of Imperialist Japan and not goods of Britain who were not less Imperialist.

### Frontier Policy Condemned

Dr. *Profulla Ghose* next moved the following resolution: "This Conference strongly condemns the action of the India Government in throwing bombs on villagers in the N. W. F. Provinces and protest agains "the Forward policy" of the Government which the Conference regards as responsible for the unrest in the Province.

Moving the resolution Dr. Ghosh criticised the Frontier policy of the Government and pointed out that policy was responsible for the Frontier unrest. The resolution was seconded by Sj. Khagen Das Gupta of Jalpaiguri and passed.

RESOLUTION ON ZANZIBER

The resolution on Zanzibar was moved by Sj. *Gunada Mazumdar*, who said that Indians had no remedy against the grievance of Zanzibar Indians, but they could stop the trade between Zanzibar and India which would to some extent remedy the grievance. Indians there were fighting for rights and privileges which must have our sympathy. Zanzibar cloves must be boycotted and labourers be requested not to unload cloves. The resolution was seconded by Sj. Basanta Murarka and was passed.

OTHER RESOLUTIONS

Sj. *Sibanath Banerjee*, M. L. A. moving the next resolution on the capture of local bodies by Congress observed that Congress should extend its activities to local bodies, not being content with legislatures. Those institutions are exploited by reactionaries.

Sj. *Kamini Kanta Ganguly* put an amendment suggesting that Congress workers should be helped by leaders in this work, which was unanimously accepted. The resolution as amended was passed unanimously.

Sj. *Amulya Chandra* moved a resolution on the assessment of Chowkidari tax which ran thus :

"There is reason to believe that throughout Bengal Chowkidari tax is not assessed on road income and at some places the tax is assessed on imaginary incomes.

"This Conference draws the attention of the authorities of the district and primary Congress Committees to act and requests them to try to assess true income of every class of people in their respective localities after deducting expenditure on trade and agriculture and remedy through legitimate means any injustice committed in assessing Chowkidari tax. The Conference condemns against realisation of village police tax by Government."

The resolution was, however, passed.

Sj. *Gunada Mazumder's* resolution on the Damodar Canal expressed sympathy with the people of area carrying agitation against the imposition of tax and opined that provisional acceptance by the Bengal Government of the tax of Rs. 3 per acre was unsatisfactory. The resolution was passed.

The resolution on the Calcutta Corporation, put by Dr. *Prafulla Ghose*, evoked some opposition. While pointing the mismanagement in the Corporation, the resolution authorised Sj. Subhas Chandra Bose to reorganise the Congress Municipal Association in accordance with ideal, with power, if necessary, to dissolve the Association.

Opposing Dr. *Nalinaksha Sanyal* held it not advisable to pass such a resolution at the time of political crisis when the Cabinet was trying to curtail the rights of the Corporation. That action would be cooperation with the ministry, which was refuted by Sj. Subhas Chandra Bose. The resolution was passed.

The resolution of Sj. *Mohim Das* for the removal of the ban on Midnapore and other organisations was accepted without dissent.

The introduction of an amendment by Sj. *Niharendu Dutta Mazumder*, M. L. A., to the resolution on mass contact was accepted after a great deal of controversy. The amendment provided that Congress should work in co-operation with Kisan Sabha believing in Congress principles.

Two resolutions recommending fixation of the jute price and revival of local cottage industries moved from the chair were accepted.

The resolution condoling the death of Harendra Munshi in Dacca Jail was accepted all standing to silence. Messages from Sjs. Sarat Chandra Bose and Haran Ghosh Chowdhury wishing success of the Conference were read.

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# The Tamil Nad Provincial Conference

## Opening Day—Batlagundu—16th January 1938

### The Welcome Address

The Tamil Nad Provincial Conference met at Batlagundu on the **16th January 1938** under the presidency of Mr. *C. N. Muthuranga Mudaliar* :—

Mr. *Mattarai R. S. Venkataram Aiyar*, Chairman of the Reception Committee, in welcoming the delegates, at first referred to the historical importance of Batlagundu, and dwelt at length on the national struggle carried on by the Congress for the last fifteen years. He exhorted them to remember that there was no differences of opinion regarding the object in view though there might be differences as regards the method to be adopted for reaching the goal of Purana Swaraj. Congress representatives, he continued, had now taken up office and were trying to fulfil the pledges given to the electorates. It was the duty of all Congressmen to support the Ministry in all the measures that might be brought forward for the amelioration of the condition of the masses. They must also follow the advice of their leaders to prevent Federation.

It would be wise, the speaker added, on their part to adjust their plan of work for achieving Swaraj in the light of the present world-situation, though their national struggle did not depend on any world war. As their struggle was based on the principle of non-violence, it could be conducted as they chose unlike the wars of violence in other countries. Mr. *Aiyar* concluded his address with an apeal to them not to allow any differences in their ranks as this would lead to disunity.

### The Presidential Address

Mr. *C. N. Muthuranga Mudaliar*, in the course of his presidential address, thanked the various district committees for electing him unanimously president of the Conference. "We are met to-day", he said, "on an important occasion. We must find out ways to attain complete independence, which is our goal. We must at all costs prevent the imposition by the British Government of the Federation, which will surely stand in the way of our attaining our goal of Purna Swaraj. We must co-operate with the Congress Ministries in all their efforts to attain our end. I hope you will consider these important issues and come to satisfactory conclusions."

The President then thanked the electorate of the province for their whole-hearted support to the Congress during the last elections to the legislatures. He also referred to the circumstances which led to the Congress taking up office in six provinces. He next pointed out the achievements of the Congress Ministry in Madras during the short period they were in office and said that the administration had infused courage and a new hope in the minds of the people.

The passing of an Act to encourage handloom industry, the introduction of Prohibition in the face of financial difficulties, and the determination to bring in a measure to relieve the huge indebtedness of the ryots, all showed that the Congress Ministry had before them pre-eminently the interests of the people at large at heart. The Ministry had before them other proposals to ameliorate the conditions of the poor masses and it was the duty of the people to lend their whole-hearted support and co-operation to the Government.

The cry to reduce the land tax was insistent and in the speaker's opinion a reduction of nearly fifty per cent was quite justifiable in the present circumstances. But before recommending such a proposal, the Conference should recognise the difficulties and responsibilities of the Government. Some contend that debt relief and prohibition could wait for some time and that the reduction of the land revenue burden was most urgent. But he would not agree with them. Prohibition also helped to reduce the burden of the masses and the relief to agricultural indebtedness was also important.

Referring to the Madras Agriculturists Debt Relief Bill, Mr. *Muthuranga Mudaliar* said that those who criticised the measure must first of all understand the underlying motive with which the measure was brought up. The present position of the ryots was highly deplorable. The burden of debt and of arrears of rent was so heavy

that they could not lift their heads up and unless something substantial was done, they would be hopelessly ruined. The Select Committee which examined the Bill, had removed certain anomalies and difficulties and had put in certain amendments which would make the Bill acceptable to all. The provision regarding interest on loans borrowed after 1st Octobers 1932 gave some benefit to the creditors. If, it was again contended, that if a few persons were placed at a disadvantage, he would say that in the interests of a large majority on whom the Bill conferred inestimable benefits, the few should be prepared to make some sacrifices. How were the creditors going to collect their full dues when the people were unable to pay even the interest on the principals they had borrowed? The few must again remember that the Government was prepared to forego 4 crores a year on account of their prohibition programme.

Some others contended that it was not enough to reduce the arrears but that the Government should provide facilities for credit by the establishment of more co-operative credit societies and by offering easy terms of repayment. But he thought that it would not be fair to expect such things in the present measure. Therefore he hoped that the Conference would give its hearty support to the Government and he personally wished to convey the gratitude of the people to the Madras Government, and particulary to Mr. *C. Rajagopalachariar*, the Prime Minister, for piloting such a beneficial measure.

The President next welcomed the proposal to revise the scales of pay to the Government officials. It was a well-known fact that the salaries given in the country were thoroughly inconsistent with the paying capacity of the people. He personally believed that in order to further economise, they must have further reductions. He would suggest a reduction of by about 2 and a half per cent in the salaries of officials drawing more than Rs. 50 per month and that there should be no official in the Presidency drawing a salary of more than Rs. 1,000 per mensem. Considering the poverty of the country, even officials drawing lesser salaries must be prepared to make some sacrifices. He also hoped that those who were at present drawing fat salaries would respond to the appeal made by the Premier to have voluntary cuts in their salaries. He also hoped that the Government, in order to relieve unemployment, would amend the rules relating to pension and make it obligatory for all those who had either put in 25 years' service or who had reached the age of fifty, to retire.

The President went on to say that he could not agree with those who wholly opposed the imposition of new taxes in any manner. If the Government were expected to provide all amenities to the people and with their policy of prohibition for the amelioration of the masses, they must find out new sources of revenue and he hoped that the Government were considering the ways and means of augmenting their revenue. The people must be prepared to pay such additional taxes as might be levied by the Government consistent with the general principle that only those who were capable of paying would be taxed.

Mr. Mudaliar welcomed the proposal to introduce Hindi in their schools and he believed that it would not at all affect the development of the vernaculars in the province. The reorganisation of local self-governing bodies, the encouragement of cottage industries and amelioration of the conditions of the Harijans and the throwing open of public temples to them were some of the other items of work which the Government should undertake in the near future.

"In our enthusiasm to support the Provincial Congress Government," the President went on to say "we must not forget the larger struggle for complete freedom for the country. We can hoist National Flags in municipal and district board buildings but we could not do it in Government buildings where the Union Jack is still flying.

The British Government is determined to impose on us the Federation, which the whole country has rejected. They will be fighting us from the centre and we must carry on the struggle. In this struggle between the Government and the Indian nation, it will be wise on the part of the rulers of Indian States not to interfere. If, on the other hand, they interfered, we must fight them also. How we should proceed with the struggle against Federation will be considered by the Indian National Congress and it is our duty to co-operate with the Congress in this direction. I recognise that we must capture the legislatures even under the Federation scheme. But we must boycott the dyarchy that will ensue. There was a lot of difference between taking up office in provinces and in the Federation. Therefore we must be very careful in what we decide about the Federation and I hope

this Conference will seriously consider the situation and make its recommendation on the matter.

"We must carry on an intensive agitation against Federation all over the country and I am sure we will succeed. In carrying on the struggle we want the united strength of the nation and I appeal to all my countrymen to be united. Let us not at this critical period in the history of our struggle for freedom wrangle over petty communal differences.

I would also appeal to the Congressmen to forget all the small differences existing among them. I will appeal, especially to the Socialist group in the Congress, not to make much of the differences and join the efforts of the Congress to carry on its struggle. I will commend to them the great example of our President, *Pandit Jawharlal Nehru*, who though he vehemently opposed office acceptance at first, accepted the decision of the majority and worked whole-heartedly with the Congress and did not press his objections. None will question the sincerity of Congressmen and one should view with sympathy every action taken by the Congress Governments in their endeavour to reach the goal. We should not pick up particular actions of the Government and criticise them for it. In unity lies our strength and I once again appeal to one and all to be united.

"We must hereafter strengthen the Congress organisations to make them poweful agencies for achieving our end. In our endeavour to capture local bodies we must be guided by motive of service. I regret very much the small misunderstandings and conflicts that had taken place during the elections and I hope that in the future such things will not occur.

"The Congress is determined to capture all bodies and contest in all forthcoming elections. I am aware of cases of corruption existing in certain local bodies. But my faith in the Congress, as the only organisation which will end the corruptions, is still strong and I have every confidence that in the future we will succeed.

## Second Day—Batlagundu—17th. January 1938

### Proceedings and Resolutions

The Conference resumed its sessions on the next day, the **17th. January**, to consider the draft resolutions placed before it by the Subjects Committee.

The resolution of condolence on the death of Mrs. Motilal Nehru, Sir J. C. Bose, Mr. T. Adinarayana Chetti and other Congressmen who had passed away since the last Conference, was carried, all standing. A resolution praying for early restoration to health of Mahatma Gandhi and Mr. Satyamurti was also passed.

Mr. *T. S. Avanashilingam Chetti* moved the Debt Relief Bill resolution as passed by the Subjects Committee and said that the Conference should signify its wholehearted approval to the Bill.

Mr. *L. Krishnaswami Bharati* seconded the resolution and said that the Bill was the result of pledges given by the Congress during elections. The condition of agriculturists was most deplorable and his Bill aimed at giving some measure of urgent relief. The resolution was passed with acclamation.

The next resolution was moved by Mr. *N. Annamalai Pillai* and it welcomed Prohibition legislation and urged the province to prepare for further rapid extension of the reform. Seconded by Mrs. Venkalakshmi Ammal, the resolution was passed.

Mr. *C. P. Subbiah* moved a resolution congratulating the Ministry and expressing confidence in them. Madras to-day led the rest of India and in six months had achieved what others could not achieve even after years. The Ministry was, he said, strengthening the country and preparing the masses for India's struggle.

Mr. *Ramamurti* said that many of Ministry's acts were worthy of congratulation and they certainly enjoyed popular confidence. The resolution was carried unanimously.

Mr. *A. Vedaratnam* moved the resolution regarding the Wardha scheme and Mr. S. Ramanathan seconded it. He said that the matter was vital to the country. Explaining the Wardha scheme, he said its features were that education should be through the mother-tongue, should be correlated to daily life and centre round a vocation and be compulsory for seven years. Under

the scheme, education was linked to vocation and villages, he hoped, would vie with one another to give effect thereto without waiting for lead from the Government who necessarily might have to take time.

After some discussion, the resolution was passed.

Mr. *M. Vaktavatsalam* moved a resolution for compulsory constitution of panchayats in each village with powers of taxation in cash or service, to be in charge of communications, education, health, etc, to have a share in education and road cesses and village officers to be responsible to them. He said that the chief difficulty in abolishing the District Boards was that panchayats were not yet able to undertake work. Panchayats for each village in charge of functions assisted by village officers would be practical.

Mrs. *Lakshmi Sankara Aiyar* seconded the motion and said that the sooner the District Boards were abolished, the better.

The resolution was eventually accepted by the Conference.

The Conference next adopted a resolution moved by Mr, Sanatanam and seconded by Mr. Ubeidulla Saheb regarding the abolition of District Boards with a view to ending duplication and constitution of Advisory Boards to look after policing, tax collection etc.

## Third Day—Batalagundu—18th January 1938

At its concluding sitting to-day, the Conference adopted the Subjects Committee resolutions regarding temple-entry, opposition to Federation, relief to tillers of the soil and compulsory teaching of Hindi.

The hon. Dr. *Subbaroyan*, supporting the resolution on Hindi, said that the first three forms were the most suitable period in the school course for the study of Hindi and pointed out that Hindi would not retard the growth of the mother tongue and would not over-burden pupils.

The resolution was eventually carried unanimously.

The Conference also considered a resolution for abolishing the zamindary system, if necessary, with compensation and if it be impossible, immediately to fix a rent in zamindaries corresponding to the assessment in the neighbouring ryotwari lands.

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# Berar Congress Political Conference

## Third Session—Shendurjana—5th. February 1938

The third session of the Berar Congress Political Conference commenced at Shendurjana on the **5th. February 1938** amidst scenes of great enthusiasm, nearly 8,000 attending. Mr. *Gangadhar Rao Deshpande* presided.

Prominent among those present were the hon. Dr. *N. B. Khare*, Premier of the C. P., the hon. Mr. *Gole*, the hon. Mr. *Deshmukh* (Ministers) and Mr. *Brijlal Biyani*, member of the Council of State. The flag-salutation ceremony was performed by the Premier while Mr. *Sarat Chandra Bose* inaugurated the Conference.

In the course of his inaugural address, Mr. *Sarat Chandra Bose* traced the constitutional history of Berar and pointed out how despite the efforts of the last 80 years, the position of Berar was anomalous in several respects. He also urged that country-wide agitation should be started to secure the release of all politicals without making any distinction between detenus and convicts.

Urging the unconditional and immediate release of all political prisoners and detenus, Mr. Bose argued that Provincial Autonomy was futile without it. He pleaded for political appeasement, particulary in view of the prisoners' affirmation of change of faith. "Much as one wishes that political conflicts were settled without recourse to violence, it must be admitted sorrowfully that the world had not yet abjured the arbitrament of force and in this clash, violence is the weapon not of

the weaker party alone. To continue to pursue weaker opponents is only an act of vindictiveness, not of statesmanship. When the opponent laid down arms it is for the state to do likewise."

Mr. *Waman Rao Joshi*, President of the Reception Committee, welcoming the delegates, said that India could never co-operate with Great Britain as long as the latter did not concede India's right for self-determination.

Mr. *Gangadhar Rao Deshpande*, in the course of his presidential address, reiterated India's opposition to the new constitution which was not of India's making. He deprecated the attempts to stir up unrest among the peasants and workers as it weakened the Congress Ministry's efforts to displace the Act. The Congress, he added, believed in bringing about a change of heart in the various conflicting elements. Federation was a masterpiece of England's efforts to keep India in perpetual bondage and must be resisted at all costs. Deploring that the constructive programme of the Congress had fallen to the background in recent months, the speaker urged the people to take to the use of Khadi and eradicate the drink habit.

MR. NEHRU'S APPEAL

"If we all muster our forces, the British Government will be unable to launch the Federation. I doubt whether the proposed Federation will ever come off, but I have no doubt that if it comes, the nation will resist it at all costs", said Mr. *Jawharlal Nehru*, addressing a gathering of about 19,000 peasants at Shendurjana on the next day, the **7th. February**.

The Congress President said that the Congress wanted to establish a democratic state in India and democracy could succeed only if the population took a keen interest and discussed the various problems confronting the nation and not by blind following. Whether or not they liked it, they were living in times of revolution and only the proper appreciation of the various forces at work could enable them to act with courage and discipline in times of stress. History was replete with examples of Governments wiped out of existence, because they could not solve the major problems confronting them. There was a fundamental friction between British Imperialism and Indian Nationalism and so long as the former existed, it was an idle hope that the major problems of India which were independence and hunger, could be solved.

Exhorting the audience to join the Congress in larger numbers, Mr. Nehru said: "No individual or group need be disappointed because its advice is not accepted by the Congress. In an institution so vast, it is inevitable, that some advice should be rejected. On several occasions, the Congress rejected my own advice in the past, but I did not desert it in disappointment. That is surely not the way of doing some big work. A closer study of the world political situation and a strengthening of the Congress organisation will enable India to solve her various problems."

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# Punjab Provincial Political Conference

Several Congress legislators, including Mr. *Bhulabhai Desai*, addressed the Punjab Provincial Political Conference which opended its two-day's session on the **25th. March 1938** in village Madina in Rohtak District under the presidentship of Sardar *Kisan Singh* M. L. A.

Sardar Kisan Singh compared the activities of the Unionist Government in the Punjab with those of the Congres Ministries in other Province. He also paid a homage to Indian exiles who were living abroad.

Mr. *Bhulabhai Desai* dwelt on the power of the vote and explained to the audience how it afforded them power over the Government. He said that in seven out of eleven Provinces people had realised the power of vote with the result that their own Government (Congress Government) had been established there.

Referring to the overthrow of the Hidayatullah Ministry in Sind, Mr. Desai said that though the present Ministry there was not a Congress Ministry, yet it appeared to be working on the lines of Congress Ministries.

He predicted that within a couple of months Assam would also come under the Congress.

He hoped that some day the remaining two Provinces, namely, Punjab and Bengal would realise the strength of the note and have to bend before the public opinion. He warned Sir *Sikandar Hyat Khan* and Mr. *Fazlul Huq* not to go against the wishes of the masses and thus meet the same fate as had befallen the Hidayatullah Ministry in Sind.

He advised the audience to join the Congress and to carry on its propaganda throughout their Province so that they might be able to form a Congress Ministry in the Punjab as well. The formation of Congress Ministry in the Provinces would give them power at centre and consequently in all the administrative affairs of the country.

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# The Utkal Provincial Conference

## Opening Day—Cuttack—21st. May 1938

### The Welcome Address

The session of the Utkal Provincial Conference met at the Municipal Garden, Cuttack on the **21st. May 1938**, under the presidency of Sj. *Gopabandhu Choudhury*. Delegates from all the districts of Orissa and a large number of visitors including several ladies attended the Conference. Prominent among those present were the Hon. Mr. Biswanath Das, the Hon. Mr. Bodhram Dube, Sj. Harekrishna Mahatab, Dr. Ekram Rasool, Mr. S. A. Huq, Mr. Hanif, Mr. Sarifuddin Buali, the hon. Mr. Mukunda Prosad Das, Sj. Godavaris Misra, Sj. Jagannath Das, Sj. Rajkrishna Bose, Sj. Pyari Sankar Roy, Sj. Girija Bhusan Dutt, Mrs. Latika Roy, Mrs. Sarala Devi, Mrs. Malati Choudhury, Mrs. Janhavi Debi, Mr. B. Das, M. L. A. (Central) and Sj. Nabakrishna Chaudhury.

The proceeedings of the Conference began with the song of "Bande Mataram" sung by Sj. Benode Srikhandam.

Sj. *Bhagirathi Mahapatra*, Chairman of the Reception Committee then welcomed the delegates and visitors. In the course of his address he said :—

"To-day on behalf of this town I greet you all and hope you will be humane to pardon all our shortcomings in the affair of your reception.

"The last Political Conference was held under the chairmanship of Mr. *P. Sarkar* in 1932 but the President being put under arrest along with othen workers the said Conference could not be held. For all practical purposes the sitting of the year 1929 with Sj. Gopabandhu Choudhury in the chair should be taken as the last.

"At the very outset I pay my homage to the martyrs of our land during the last nine years. The eminent of them was Banchanidhi Mohanti, whose death would ever keep the position of a national poet unfilled.

"During the period under review our country steered amidst storms of repression by the British Imperialism. It is thrusting on us an unpalatable constitution and we have not yet reached our goal. But we are gradually and steadily pursuing our ideal of independence.

"In 1930 Mahatma Gandhi began his Civil Disobedience movement and our province in its march for independence kept pace with our more advanced sister provinces. That year after the Gandhi-Irwin Pact we were prepared to hold the session of the Indian National Congress but Gandhiji's arrest shattered our hopes. It is now needless to say how we wish to have the Indian National Congress in our province in a year or two. In 1939, repression reached the boiling point and in 1934 Council entry was decided. In that year Mahatmaji did his pilgrimage in our province. In 1936 the new Constitution was again thrust on India and along with six provinces we captured the Council to wreck the said Constitution. Another notable event during the period was the formation of our New Orissa province. I strongly affirm that this amalgamation is fraught with evils and we have lost most important parts of national Orissa.

"The mass awakening in our country can well be judged by 86,000 Congress members enrolled last year and under the able guidance of our able Ministers the people

in a voice resented the appointment of Mr. Dain as the Acting Governor of Orissa and successfully established a healthy precedent that a subordinate officer should not be appointed as a Governor in future.

"This shows that people have been converted to the non-violent creed of Mahatmaji, the Prophet of India, and before long we shall have one more Glorious Revolution in our country.

"The British Government is trying heart and soul to establish Federation in our country but the Congress will move heaven and earth to kick it out of the land. We are now facing a crisis and we shall have to rally our rank and file to win. For that we shall have to organise ourselves. Our village is the backbone of our country and we should endeavour to emancipate our villages from ignorance, misery, poverty and burden of debt. We shall have to rehabilitate our industrial workers. We shall have to make legislation in that respect. To do all these we shall have to form various organisations after the Congress ideals.

"Looking farther we find big cloud of war hanging over us. The present Italian conquest of Ethiopia, the Sino-Japanese hostilities, Germany's conquest of Austria and its aggression on Czecho-Slovakia under-lie territorial aggrandisement and occupation of distant markets. We shall be down into the whirlpool of wars but we shall take care not to be instrumental by the British Government to the destruction of innocent kingdoms.

"We can never attain Swaraj without non-violence and without tremendous sacrifices. We shall solve our communal question only by sacrificing our interests for the benefit of the minor sections.

"To lead us in these struggles I most cordially greet Sj. Gopabandhu Choudhury and respectfully invite him to occupy the chair. I am sworn from now to render whatever services he demands of me. We as a nation are sworn from now to follow his guide without question and further we are sworn to rally under his banners and lay down our lives at his command, in our march for independence."

**The Presidential Address**

The following is a summary of the presidential address, delivered by Sj. *Gopabandhu Chaudhury* :—

"For sometime past my esteemed friend Sj. *Prankrishna Padhiary* had been asking me to accept the presidentship of this conference but I did not agree. Even now I could not clearly understand why I came here to-day and became its President. For the last 4 or 5 years I have been working in far off villages. During this period I kept myself outside the Congress activities although I had maintained my relation and contact with the Congress. But circumstances compelled me to accept the presidentship of the Provincial Congress Committee.

"I have not come here either to lead you or to guide any movement. Every one is going ahead. I am fully conscious of the fact that I cannot keep pace with them. But I am glad that at the time of need the choice of my co-workers has fallen on this old but faithful fellow Congressman of theirs. So, I have taken my stand before you with the belief that my service may help you in some ways.

Sj. Chaudhury then said that to-day's conference had been styled as Provincial Political Conference. He, however, did not like the word "political". He believed that the Congress of to-day was not confined only to the political activities of the nation. It had permeated through every sphere of life. Congress was now working in every sphere of human progress in this country. Attainment of Swaraj only was not in his opinion sufficient. Oppressions, exploitation, hatred and violence must be eradicated. So, would it be fair, he asked, to divide life into various compartments ?

Continued Sj. Chaudhury : "The delegates of this conference are representatives of Congress members. So, it should be decided how far the decisions of this conference are binding on the people. It must be borne in mind that Congress stands on the strength of the nation. Congress is people and people is Congress. So, Congress must devise ways and means for putting a stop to violence, oppressions, exploitation and imperialism".

Sj. Chaudhury further stated it should be decided whether Oriya culture should remain separate from Indian culture as well as the relation between the two should also be determined. The duty of the Oriyas towards their brethren living outside the province should also be ascertained.

Every one knew, continued the President, that the Congress had accepted office and also the reason behind it. There was now a mentality among the people that administration of government by the Congress would solve all their problems. They would have to decide to-day how far that mentality was correct. They would have also to decide whether the work within the limited sphere of legislature was sufficient or whether they have to supplement it outside the legislatures. The discussions in legislatures might bring some rights for them but could any one say definitely that all their rights could be won within the walls of legislative bodies only. The Madras Estates Land Act and the Orissa Tenancy Act Amendment Bill would furnish clear examples of this. One had been reserved by the Governor for assent of the Governor-General who knew that the other would not also share the same fate. The intoxication of rule for the last 180 years could not be done away within a single day.

The acceptance of office by the Congress, stated Sj. Choudhury, had brought a new awakening in the country. There was now a new desire among the people to raise their heads against injustice and oppression. But this new spirit, this new awakening, this new courage was not based on their own strength. Every one was now expecting help of the Government. If any one was assaulted or oppressed he thought that he would get redress from the Government if they could knew it. This was a wrong notion and it should be dispelled from the minds of the people by all means.

"Our non-violence is the non-violence of the brave. It is based on love. We must organise ourselves. The only way to make our organisations self-reliant was to base them on constructive work". He then described the creative and preventive aspects of constructive work.

Referring to the communal problem in the country, *Sj. Choudhury* said that this would almost be solved if the problems of the Hindus and the Moslems could successfuly be solved. In Orissa the numerical strength of the Hindus was far greater than that of the Muslims. So majority the community might think the that other community would not be able to do anything. This mentality should be wiped out of the mind. They must not be perturbed for the activities of the Muslim League. If the Muslim League could bring an awakening among the Muslims of the province, congressmen should welcome it rather than being worried at it. They must remember that more care should be taken of the minority community.

Referring to the responsibilities of members of Congress, Sj. Chaudhury said that complete swaraj indicated a change of policy of oppressions and injustice along with the change of British government. So, the Congress members should first of all take upon themselves the responsibility of enforcing strict discipline among themselves and must also ascertain their duty regarding those who were not members of Congress.

Sj. Chaudhury regretted that there were individual differences and rancours among Congress workers. He maintained that a list should be maintained of Congress workers among whom there should be discipline and love for truth and desire for sacrifice.

Referring to the Wardha scheme of education Sj. Chaudhury said that there should be wide discussion of this in the country so that it might be assimilated before it was accepted.

After advising the Congressmen to become votaries of truth and non-violence, Sj. Chaudhury, in conclusion, asked the conference to ascertain its duties regarding the Oriyas in Feudatory States and other outlying tracts.

Before taking seat Sj. Chaudhury referred to the flood problem of Orissa. It was a question of life and death. The successful solution of the problem could only bring happiness to the province.

## Proceedings and Resolutions

### EXEMPTION OF SALT DUTY

After the Presidential Address Sj. *Harekrishna Mahtab* moved the following resolution :—

"This Conference demands that people of Orissa should be allowed to manufacture and sell salt free of duty inasmuch as salt is the only subsidiary industry which maintained Orissa in the past and which has been forcibly suppressed by alien rule. Further this Conference appeals to the Provincial Government and the India Government to move in the matter."

In moving the resolution Sj. Harekrishna Mahtab (Member, All-India Congress Working Committee) described the poverty of Orissa and explained how the revival of free salt industry on cottage industry scale would remedy it. He, however, made it clear that people should not expect much help from Provincial Government but they should rely upon their own strength. Sj. Mahtab then invited the delegates and all Congressmen to concentrate their attention on this agitation, which the Provincial Congress Committee had taken in hand.

In seconding the resolution Sj. *Jagannath Misra* (Parliamentary Secretary) said that during the regime of East India Company the Salt Industry of Orissa coastal areas was suppressed by force but in these days also the same process is going on. In 1931-32 Mr. Pitt was deputed to investigate the possibilities of salt manufacture in Bengal and Orissa. But to the utter astonishment of the people he had reported that the Orissa coastal areas are not favourable for salt manufacture. But if we visit the Astarang areas of Puri district, we will see that the report of Mr. Pitt was totally false and mischievous. The illiterate people are producing, taking the advantage of Gandhi-Irwin Pact, thousands of maunds of salt by solar evaporation method. At present 6 persons are producing 400 maunds per acre by labouring 4 months. A little scientific method will give them an yield of not less than 800 maunds. And it was actually done when a cultivator followed our advice and made the crystalising bed cemented. The actual cost of producing this 800 maunds will be Rs. 135. By this the labourers will get wages at the rate of three annas a day. The quantity can be easily supplied to a wholesale dealer at As. 2-8 per maund. Even if the supply is at as. 4 per maund, the wholesale dealer can sell the quantity at Rs. 2 per maund keeping sufficient margin for himself.

The Industry must be established in Orissa if the question of unemployment and poverty are to be banished from this country. In Astarang area of Puri district alone there may be 4000 acres of land available which can provide 24000 men with labour. Similarly there are vast areas in Balasore and Cuttack which will provide lakhs of people.

In order to do this, the Provincial Government should also fight with the Central Government so that the control may not be transferred to the latter. Under these circumstances the Industry must be revived at any cost.

The resolution was supported by Sj. *Gatikrishna Swain* and Sj. *Dibakar Patnaik* and was carried unanimously amidst cheers.

### Restoration of Oriya-speaking Tracts

Another resolution demanding the restoration of Oriya-speaking tracts in other provinces of Orissa and urging on the All-India Congress Committee to appoint a Boundary Committee for the purpose was passed.

In moving the resolution Sj. *Godavaris Misra* said that almost all provinces in which lay the Oriya-speaking tracts, were now under Congress rule. Only Bengal was a non-Congress province. So, it was duty of A. I. C. C. to move in this matter.

The resolution was seconded by Sj. *Lingaraj Misra* and supported by Sj. *Luxminarayan Misra* and carried unimously.

The Congress adjourned at this stage.

## Second Day—Cuttack—22nd. May, 1938

### Repression in Orissa States

After the resolution on the Madras Estates Land Act amendment Bill was passed, Sj. *Sarangdhar Das* moved the following resolution :—

"This Conference deplores the absolute absence of fundamental rights in the Orissa States and views with great concern the recent promulgation, in some of the States, of repression and reactionary measure tending to curtail the civil liberties of the people and denying their fundamental rights, such as (1) the Ordinance in Rairkhol which prohibits the assembly of five persons or more, the soliciting and collection of any subscription for any purpose (2) the forcible dispersal by the Keonjhar Police of a peaceful meeting at Sagadapatta where some three hundred people had gathered to formulate their grievances for presentation to the Ruler of the State, arrest and detention of some ten persons for eight days in the thana, and the subsequent enforcement after many days of section 144 Cr. P. C. on Dhan Naik, Dirja Dehuri and others

of Billa and other villages (3) the promulgation in Nilgiri of Regulations I and II of 1938 requiring registration of associations, and making it compulsory to obtain permission one week previously before any meeting can be held ; (4) it is reported from reliable sources that many people in Bamra have been roughly treated for the simple reason that they had joined the Congress as ordinary members; (5) the arrest and conviction in Nayagarh of five persons in Orgaon on flimsy criminal charges with a view to break the 'Pan' boycott movement, which is the only legitimate weapon left to the people to counteract the abnormal rise in the price of pan (betel) due to the monopoly system; and (6) the banning of the 'Samaj' and other newspapers in some of the States.

"Further this conference exhorts the people of the Orissa States to organise on the established principles of Truth and Non-violence, in order to defend their civil liberties and extends its strong sympathy and moral support in their struggle against all kinds of repression in their States and in their struggle, which will obviously be long drawn-out and full of suffering and sacrifice for the winning of full responsible Government in their respective States."

Sj *Sarangdhar Das*, in moving the resolution, said that his intention was not to condemn the ruling Chiefs but to invite the attention of the States' subjects to their miserable condition and impress on them the necessity of organisation.

Sj *Harekrishna Mahtab*, in seconding the resolution, said that what they were demanding was that States' subjects should be treated as human beings. He said that public men of the province were often in the habit of hobnobbing with the Chiefs of Orissa States, for getting some donations for their institutions. Even receptions were sometimes arranged for these Chiefs in whose States men were not treated as human beings.

In conclusion, Sj Mahtab said when States like Mysore and Travancore were granting representation to the people, Orissa States were promulgating orders curtailing civil liberties of men at the instance of those who had in the past been part and parcel of British Bureaucracy. He advised the States to discard these retired Government officers first from their service.

Sj. *Murari Tripathi* supported the resolution which was passed unanimously.

### Federation Opposed

Sj *Bhagirathi Mahapatra* then moved a resolution which stated that Indians were not prepared to accept any constitution which was not based on independence as the goal of India and which had not been framed by a constituent assembly. While accepting the present Government of India Act as a measure of experiment for furthering the cause of independence, this conference was of opinion that the Federation thrust on India by the British Government was totally unacceptable.

In moving the resolution Sj Mahapatra exposed the hollowness of the Federation and characterised it as a means to strengthen the bondage and slavery of India.

Being seconded by St. *Jadumani Mangraj* and supported Mr. *Faxlul Rahman*, it was carried unanimously

Resolutions demanding extension of the Local Self-Government Act and other facilities in the partially excluded areas, reiterating agrarian programme of the Congress as passed in the Haripura session and drawing the attention of the Congress Ministry towards it were passed. The Conference then ended.

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# The All India Students' Conference

## Third Session—Madras—1st. January 1938

### The Opening Address

The Third All-India Students' Conference commenced its session in Madras on the **1st. January 1938**, at the pandal erected in the Medical College grounds, with Mr. *M. R. Masani* in the chair. There was a large gathering of students.

Mr. *K. Sarvothama Sethy*, Chairman of the Reception Committee, welcomed Srimathi Kamaladevi and delegates.

*Srimathi Kamaladevi*, inaugurating the Conference, said that in these days one could not minimise the importance of gatherings of youths and students. Everybody had come to realise the important role which the students had to play in the national life. The world, to-day, was in a disturbed condition, not merely in India but everywhere. It was but befitting that students should bestir themselves and take interest in all subjects. The students acquired knowledge at a heavy cost and they were disappointed after their studies were finished at not getting a job. The creative genius was destroyed on the verge of flowering The youth must find out the root cause of this disorder. In finding the cause and in seeking a solution, the youth would be doing a great service not only to themselves but to the nation at large. It was in that task that the students had a great role to play. They should have an alert, stimulative mind, study the various experiments conducted in different parts of the world and then see how best the evil could be removed.

Proceeding, Srimati Kamaladevi said that the idea that the moment they were free from political domination by a foreign country, all their problems would be solved, was not a correct one. Something, much more vital than that, was necessary, and that was the duty of re-shaping and re-building society. It was for this reason that students were keenly sensitive to all new theories of social and economic order, and that was also the reason why Socialism had come to attract the youthful mind with its powerful magnetism.

The speaker said that the students should not identify themselves with any political party, but should have a wide and common platform. They should support all progressive and democratic elements. Youth should not recognise narrow national barriers.

She found that many young men who displayed great extremism in politics, were not broad-minded in their social ideas. It was extremely necessary that social barriers which still existed in the land should be removed. In the social freedom of the country, lay its salvation, and she would, therefore, appeal to the students to give particular attention to these problems. She also hoped that the young women of the country would take more interest in all these problems and contribute their share in rebuilding society.

Youth, Srimati Kamaladevi said, in conclusion, should develop its own distinctive qualities. Justice and equality should be their watchwords. She was a Socialist, and she believed that in the formation of a Socialist form of government, lay the salvation of the country. But she would like to say that those who were invited to address the youth should not exploit that opportunity to voice forth their opinions and attempt to bring round the youth to their side. The students must be exhorted to study the different viewpoints so as to develop their own distinctive qualities and distinctive line of work. She wished the Conference all success.

**Presidential Address**

Mr. *M. R. Masani* then delivered his address. After thanking the organisers for electing him as the President, Mr. Masani said that the past year had been for Indian students one of struggle all over the country. There was an unprecedented number of students' strikes during the year and it was fortunate that, whereas most strikes of industrial workers were unsuccessful, the strikes of students in almost all important instances had resulted in victory for them.

Proceeding, Mr. Masani said that one factor that had created an atmosphere where the students could breathe more freely than they could hitherto, was the coming into existence of Congress Ministries. That had meant the removal of such irksome bans as that on the national flag and that on the participation of students in politics.

Discussing the place of the student movement in the political life of the country, Mr. Masani declared: "In a Conference like this it is almost unnecessary to affirm that students can and should take active part in politics. One of the objects of the All-India Students' Federation is to prepare students to take their due share in the struggle for complete national freedom. In is a very proper objective for a student body, for it is the minimum political programme on which almost all students, whether they be socialists, Gandhi-ites or Nationalists, can collaborate. While, however, a students' organisation should have a political objective, it should not take the place of a political party. It should be political but not partisan, and its doors

should be opened wide enough to admit students of all shades of progressive thought. I hope you will guard against and resist any attempt by any political party or group whatsoever to dominate and control the students' Federation."

Mr. Masani then deprecated the attempts of certain leaders to form communal organisations among students.

"It is a truism", Mr. *Masani* said, "that the first job of the student is to study. But study is not confined to the reading of books and the passing of the University Examinations. Such study loses most of its value unless it is supplemented by the study of the actual facts of life. And this can be obtained best by living contact with the masses of the people and their poverty, their hardships, and their struggle for existence. Besides, such contact is the best corrective to dogmatism. Study consists in trying to find out things for ourselves, and not taking things too much on trust. If we are trying to break the bonds of old religions we must not invent new ones for ourselves. The acceptance blindly and unquestioningly of the teachings of Manu, Mahomed or Marx is equally to be avoided."

Referring to *Gandhiji's* Wardha Scheme of mass education, Mr. Masani described the attempt to make education self-supporting as a retrograde move Even the Conservatives in other countries were prepared to accept the financial burdens of mass education as a necessity, but the Congress which had stood for half a century for education for the masses was not asked to be content with the idea that the children in a school must pay their own way. Penal reformers have objected even to convicts in prison being made to earn their living in jails. It was much more intolerable that little children should be expected to buy their meagre education by their own labour. Referring to the scheme of vocational education, Mr Masani said that while education should not be entirely bookish, too much time in the proposed curriculum was allotted to manual labour and too little to the acquiring of knowledge. Then again, the sort of vocational training which was proposed to be imparted was an anachronism at the present time. Whether we liked it or not, our lives in future were bound up with the machine. We need not, if we adopt the socialist system of society suited to machine production, be their slaves, but there was no going back on machine production. If the machine stopped working, most men would perish. Even romantic persons who got sick of civilisation and went away to live a primitive life in a jungle, did so with an up-to-date rifle and a stock of tinned food! On the other hand, industrialisation and machine production were only means to an end. Human welfare and happiness were the prime considerations. If that was forgotten, our achievements would be like the ending of Karel Capek's play, "R. U. R.," where the robots, having slaughtered the last human being, announced their intention of building many houses!

Concluding, the President drew the attention of the delegates to the conference to one of the objects of the Students' Federation which was to encourage co-operation between students of India and the students in other parts of the world. During the past year two developments had taken place in this connection. One was the formation of an organisation of Indian students in England which would act as a link between them and the western world. The other was the participation of Indian students in international gatherings of students in Europe where students from all countries met to consider their attitude towards happenings in countries like Spain and China. He hoped that Indian students, through the All-India Students' Federation, would play a greater part in future in the International Student movement.

**Proceedings and Resolutions**

Resolutions were then taken up for consideration.

A condolence resolution touching the demise of Dr. Sir J. C. Bose, Sir Ross Masood, Dr. Jayaswal, and Messrs. F. Nandi, A. Barua, A. Chowdry and D. Bhattacharya, Bengal detenus, was passed.

A resolution put from the chair, pointing out the necessity of having an All-India students' volunteer corps, was next adopted.

Mr. *T. Godimallah* (Bombay) moved a resolution calling upon Students' Federations to actively organise an effective agitation against the inauguration of the Federation; and urging the Indian National Congress to organise a boycott of the King's visit and create deadlocks.

Mr. *Ansar Harwani* (Lahore) seconded the resolution, which was then carried.

Considerable discussion ensued on the following resolution moved by Mr. *P. Krishnamurthi* (Guntur):

"This conference is of emphatic opinion that Soviet Russia is the one country in the whole world, which is consistently following the policy of Peace and Progress,

whilst its very existence serves as a beacon-light to the oppressed of all nationalities in general and the International Student movement in particular. It calls upon all students in the different countries of the world to emphatically condemn any aggression by fascist or capitalist countries on the Soviet Union and help it morally and materially in the event of any attack. This conference congratulates the Union of Soviet Socialist Republics on its successful completion of twenty years of Socialistic construction in Russia and views with great satisfaction the inauguration of the new Constitution, the most democratic in the world."

Mr. *P. A. Mukerji* (Calcutta) seconded the resolution.

Mr. *M. L. Shah* (Bombay) moved that the last sentence relating to the inauguration of the new Constitution be deleted. He was of the opinion that the elections had not been conducted in a purely democratic way. The amendment was duly seconded.

Mr. *Rajbans Krishna* (Lahore) opposed the amendment. He said that they should not bind themselves tp communism or socialism.

Messrs. *Thirumal Rao* (Madras), *D. Shanker* (Lahore), *T. Godimallah* (Bombay), *Ansar Harwani* and *V. Majumdar* participated in the debate.

Mr. *Ansar Harwani* said that the resolution was a premature one, and if passed would give an idea that the students' movement was for the benefit of one party. He appealed to the mover of the resolution to withdraw the resolution.

The mover sought leave of the gathering to withdraw the resolution.

The House refused to give permission and the discussion continued.

Mr. *Ranjit Majumdar* also said that the resolution was premature. The amendment was declared carried, but on the contrary, it was found that the majority was against the amendment.

Thereupon a poll by grouping of provincial delegates, as provided in the constitution of the Federation, was demanded.

It was found that only two out of the eleven provinces which had sent delegates, had paid the delegation fees. The President, after some discussion, desired to know whether it was advisable to carry on the proceedings with the delegates from two provinces alone and suggested that the mover might be allowed to withdraw the motion to get out of the difficulty.

The Conference then accorded permission to withdraw the motion and the motion was withdrawn. The Conference then adjourned to meet on the next day.

## Second Day—Madras—2nd. January 1938

### Conference Dissolved

The Conference resumed its sessions this morning. As soon as Mr. *M. R. Masani*, the President, took his seat, he made a statement and dissolved the Conference. In his statement, Mr. Masani said that at a late stage of yesterday's proceedings, certain points of order were raised by some delegates as to the rights of delegates from several provinces to be present and to participate in the proceedings as those provinces had defaulted in the payment of delegation fees, and they pointed out that the proceedings were invalid. The President said that his attempts to reach unanimity had failed and it was impossible to continue the proceedings and he could do nothing but dissolve the Conference.

Mr. Masani requested the old Working Committee and its General Secretary to convene a fresh Conference at an early date at a suitable place and see that such a conference was duly constituted in accordance with the constitution of the Federation.

Mr. Masani added that it was unfortunate that circumstances beyond his control should have created such a situation. He hoped, however, that when they would meet again, they would make up for lost time. He had personally received the utmost kindness from all delegates and thanked the Madras students for their hospitality. He also appealed to the public of Madras to appreciate their position.

Mr. Masani, after declaring the Conference dissolved, left the Conference pandal.

Mr. *P. N. Bhagarva*, the General Secretary, also left the pandal with his papers. About a dozen delegates then walked out of the pandal.

The delegates remaining behind, after some informal discussion, decided to continue the proceedings and elected Mr. *K. Sarvottama Shetty*, the Chairman of the Reception Committee, as the President.

The meeting then passed a 'no-confidence' motion against Mr. Masani, the President, Mr. P. N. Bhargava, the General Secretary and the members of the old Working Committee.

A resolution was next passed congratulating the Congress Ministry in the Central Provinces on the step they had taken to improve the indigenous system of medicine on modern lines. The Conference then adjourned to meet again at 3 p. m.

**The Afternoon Session**

The delegates who disagreed with Mr. *M. R. Masani*, and decided to continue the Conference, met again in the afternoon, under the presidency of Mr. *K. Sarvothama Shetty* and adopted a number of resolutions.

It was resolved to request the authorities of the various Universities and educational institutions to adopt the vernacular as the medium of instruction.

The action of the All-India Medical Council in refusing recognition to the Andhra medical degrees was condemned and the Government of Madras were requested to take early steps to get the degrees recognised. "The threatening attitude" taken by the hon. Dr. T. S. S. Rajan when speaking about the Medical College strike was resented and the Government were requested to begin the building scheme immediately.

Moved from the chair, resolutions fixing Orissa as the next venue of the Conference calling upon the Students' Federation of the various provinces to submit within two months schemes for the removal of illiteracy and pending approval of such scheme by the Working Committee, calling upon the students to participate actively in all existing schemes for the liquidation of illiteracy, asking the Working Committee to prepare a scheme for starting an All-India Students' volunteer organisation, appealing to students to use only Swadeshi articles, deciding to observe an All-India Students' Day on a date and according to the programme to be fixed by the Working Committee and requesting the Government to take steps to deal with under-nourishment of children, to make physical training compulsory and to give compulsory military training to all students without obligation, were adopted.

The following resolution moved by Mr. *T. Kailas Varma* and seconded by Mr. R. K. Gupta, and amended by Mr. B. D. Tiwari was adopted. "This Conference is of opinion that civil liberty without any qualification or reservation must be made an integral part of social and political existence of the people if the struggle for freedom is to be successfully pursued. It therefore calls upon the Ministries and the States to get repealed all repressive laws such as Section 144 of the Criminal Procedure Code, Section 124-A of the Indian Penal Code and the Criminal Law Amendment Act and to lift the ban on certain organisations such as the Communist Party of India".

The Conference while applauding the action of the Congress Ministries in releasing political prisoners and initiating some much needed reforms, expressed the view that the action taken against some Congressmen and students under the repressive provisions of imperialistic Acts was not justified, as "it retarded the anti-imperislistic struggle".

Mr. *T. Godiwala* moved the following resolution: "This Conference strongly recommends that Hindustani should be the lingua franca of India and the official script should be the Roman script and requests all the Provincial Governments and universities to introduce Hindustani at least as a second language though not as a compulsory language in schools and colleges."

The resolution was amended by Mr. *T. V. Subramaniam* and passed.

Mr. *Rajbal Kishen* moved a resolution stating inter alia: "This Conference is of opinion that imperialist war is the product of intense rivalry for colonial countries. The capitalist countries are competing for raw materials and undeveloped markets in various parts of the world. This bitter competition is the sole cause of the hostilities between country and country. It is because of this international competition in the world market that nations are arming themselves to the teeth and preparing for war. This Conference holds that already imperialist aggression has shown itself in Spain and China and that the increasing tension in the world situation is taking us rapidly towards a world war. This Conference directs all students' organisations in India to actively organise students' anti-war committees and explain to students the implications of an imperialist war and when war actually breaks out, to organise students not to participate in it."

Mr. *Fromod Sen* moved an amendment to the effect that if British Imperialism joined such a war, students should strengthen the hands of anti-imperialist forces.

The resolution as amended was carried.

The next resolution adopted related to the Wardha Scheme. If ran as follows:

"This Conference demands and fully supports universal free and compulsory education. While appreciating the advancement the Wardha scheme proposes to make over the present educational system, the Conference disagrees with the idea behind Gandhiji's scheme of self-supporting education, as under the present condition it leads our popular Congress Ministries and the public into the belief that much can be done even under the present Government of India Act. Further, the Wardha report is not related to the growing needs of a progressive society, for it believes that an educational system based on craft instruction will be more attractive, while the real need is the greatest expansion of schools and other educational facilities." The resolution was carried.

By another resolution the proposal to form political provinces on a linguistic basis was approved and the Provincial Governments wers requested to start linguistic universities.

The next resolution passed ran as follows: "This Conference feels that students have a vital part to play in the future political destiny of India and so welcomes the increasing realisation by the leaders of this fact. But, it views with apprehension the reservations that are made by distinguished leaders regarding students activities in politics. In particular, the Conference disagrees with the advice given to the students not to participate in any direct political activity, as such activity is dictated not by the character of the Provincial Governments, but by the fundamental basis of imperialist rule in India. This Conference asserts the right of students to strike, and regrets the attitude of those political leaders who advise the students to abandon the fundamental right to strike."

"This Conference strongly recommends to the various provincial students' organisations the formultation, at an early date, of concrete proposals whereby both past and present students can contribute their best to the urgent and necessary work of rural reconstruction. Such proposals, after formulation with reference to the conditions of particular provinces, should be submitted for inter-provincial criticism so that the way may be paved for an All-India programme in the near future." This resolution was also unanimously adopted.

By the last resolution a protest was registered against the presence of C. I. D. reporters at the Conference and the Madras Ministry was asked to take steps to see that such a course was not adopted in future.

The Conference then adjourned to meet again on the next day to informally discuss the constitution of the Students' Federation.

## Third Day—Madras—3rd. Jauuary 1938

Re-assembling, this morning, at the pandal in the Medical College grounds under the presidency of Mr. *Sarvottam Shetty*, the delegates to the Third All-India Students' Conference who decided yesterday to continue the session notwithstanding Mr. Masani's ruling, passed a resolution demanding the immediate release of all political prisoners and detenus and the withdrawal of the restrictions on politicals, and expressing the opinion that the policy of the Bengal Government as regards the release of political prisoners was quite unsatisfactory. The resolution was moved from the chair and was unanimously adopted.

By the next resolution, the delegates called on all Provincial Governments to take administrative steps forthwith for meeting certain immediate demands of the students of the country. These were the withdrawal ot all Government circulars prohibiting students or teachers fram taking part in any political activity or joining any political party, and the abolition of caning and other forms of corporal punishment and the grant to students of a fair trial before they were rusticated from schools and colleges. The resolution, which was moved by Mr. *P. Krishnamurthi* and seconded by Mr. *R. K. Murthi* also asked the Governments to refuse to award grants to educational institutions which were being run on communal lines and in which religious instruction was compulsory.

Mr. *T. Godiwalla* moved a resolution which was adopted, congratulating the students of Spain and China on their brave stand. Mr. Gupta seconded the resolution.

The meeting then considered certain changes in the constitution of the All India Students' Federation.

Bringing the proceedings to a close the President hoped that the student body of India would preserve a united front in respect of their common ideals.

# The All India Trade Union Congress

## Open Session—New Delhi—1st. January 1938

### Presidential Address

The open session of the All India Trade Union Congress was held at New Delhi on the **1st. January 1938** under the presidency of *Sreejut Sibnath Banerjee.* Among those present were Mr. Mohanlal Saxena, Mr. N. G. Ranga, Mr. Yusuf Meherally, Mr. R. S. Nimbkar, Mr. R. S. Ruikar, Dr. Suresh Banerjee, Mr. Soumyendranath Tagore, Dr. Ram Manohar Lohia and others.

Mr. *Yusuf Meherally*, on behalf of the Congress Socialist Party, conveyed support and greetings to the Trade Union Congress.

"For the last two years we are trying very earnestly to have unity with the National Federation of Trade Unions and this year the N. F. T. U. has accepted the proposals for unity. The terms are rather stiff, but I feel we should accept them and try to give effect to the structural unity as early as possible", said Mr. *Sibanath Banerjee* in his presidential address.

Mr. *Banerjee* said that the T. U. C. had also shown extreme eagerness for working in co-operation with National Congress but the response from the National Congress was most unsatisfactory and disappointing. Due to the influence of Mr. Jawaharlal Nehru and other radical forces in the Congress, the Socialist Party in the Congress was giving up some of its old habits of thought and action. It was their duty to quicken and hasten this process of radicalisation but their strength lay in the solid organisation of trade unions and peasants' unions.

Referring to the inauguration of the new constitution, Mr. Banerjee said for the first time in the history of the labour movement in India some direct representatives of workers were in the Provincial Assemblies. If the mass agitation and struggle outside were co-ordinated with the agitation inside the Assemblies, quicker and better results could be assured.

Reviewing the working of the Congress Ministries, the President said the recent developments and statements of Sardar Vallabhbhai and Mr. C. Rajagopalachari and the arrest and conviction of Comrade Batliwala, and Comrade Yusuf (Cawnpore), the banning of the Bihar Kisan Sabha by the Congress and the events in Cawnpore, Ahmedabad and Howrah had shown that "brown bureaucrats may be as unpleasant, or more perhaps, than the white. Still, as they were amenable to political control, at least theoretically, we should press them to pass immediate legislation to guarantee fundamental rights", added Mr. Banerjee.

Referring to Federation, Mr. Banerjee said that strong determination to consolidate all the militant forces was necessary for combating this danger. Unfortunately that was not visible in the present leadership of the Congress and "it would be no surprise if, true to their constitutional outlook, they accept the inauguration of the Federation perhaps again with the plea of furthering the ideal of wrecking the constitution. Let the struggle of the working class, combined with other forces, make the inauguration of the Federation impossible and let that struggle successfully wreck the constitution and create conditions favourable for convening a Constituent Assembly," concluded Mr. Banerjee.

### Proceedings and Resolutions

#### Greetings to Chinese and Spanish Peoples

The Trade Union Congress passed a resolution sending greetings expressing solidarity with the workers, peasants and citizens of China and Spain in their struggle against Fascist-imperialist aggression, exhorting the people of India to boycott Japanese goods and materially contribute to the funds started for sending medical supplies and other aid to the Chinese and the Spanish popular armies.

#### Federation's Terms Accepted

The Congress next passed a resolution accepting the terms of the National Federation of Trade Unions as the basis for effecting structural unity between the

Trade Union Congress and the National Federation of Trade Unions and appointed a Sub-Committee consisting of Messrs. Sibnath Banerjee, R. S. Ruikar and R. S. Nimbkar to carry on negotiations with the National Federations of Trade Unions and hold a joint session of both organisations as early as possible.

The resolution stated that in view of the formation of Congress Ministries in the several provinces committed to a programme of realising the basic trade union rights and minimum demands of the workers, the achievement of organisational unity with the National Federation of Trade Unions and the creation of a central All-India Trade Union organisation of the Indian working class had become urgent and could no longer be postponed. Even though the terms proposed by the Federation at its Calcutta session fail to meet the unity proposals of the I. T. U. C., the latter in the interest of the working class movement, accepts the terms of the National Federation of Trade Unions as the basis for structural unity."

The resolution was proposed by Mr. *Ruikar* and supported by Messrs. *Karnik*, *Hariharnath Sastri* and *Mukundalal Sarcar*.

## Second Day—New Delhi—2nd. January 1938

FEDERAL SCHEME OPPOSED

The All-India Trade Union Congress to-day passed a resolution, expressing its emphatic and unequivocal opposition to the Federal scheme, adding, "There being a grave danger that a section of the Nationalists is trying to minimise the struggle against the slave constitution into a formal constitutional protest, this session declares that the only effective way to struggle against and end the new Constitution is by the revolutionary utilisation of the legislatures and the linking it up with direct action by the masses, such as a general political strike and a no-tax campaign. The Trades Union Congress calls on the Congress to take the initiative in developing mass action and also to quit the Ministries if the Federal scheme is thrust on India."

OTHER RESOLUTIONS

The T. U. C. also adopted a resolution exhorting Anti-war propaganda, the Congress Ministries, workers and peasants to take steps to conduct anti-war propaganda in view of the impending danger.

Other resolutions demanded the lifting of the ban on the Communist Party and the release of persons convicted of Communist activities, viewed with alarm the application of "the imperialist coercive apparatus" against Kisan Sabha workers and strikers, requested the President of the National Congress not to allow the organisation of rival trade unions against the T. U. C., condemned the creation of autonomous Federal authority and urged the members of the Central Legislature to oppose the Trades Disputes Amendment Bill and to work for the repeal of the Trades Disputes Act of 1929.

## Third Day—New Delhi—3rd. January 1938

The closing stages of the All-India Trade Union Congress session were marked by great enthusiasm, the main cause of which was the election of President and General Secretary for the year. The sitting lasted from 9-30 p. m. to 5-30 in the morning. The election resulted in a victory for the Congress Socialist Party, which secured both the offices.

After the adoption of the annual report and accounts, Mr. Yusuf Meherally proposed Dr. Suresh Chander Bannerjee, M. L. A. Bengal, prominent member of the Congress Socialist Party, for the Presidentship. The other party's nominee, Mr. Kalinath Sen, was proposed by Mr. Dutt. Voting resulted in a large majority for Dr. Banerjee, who was duly elected.

The main contest, however, was over the election of the General Secretary, for which Mr. B. K. Mukherjee, Secretary, East Indian Railwaymen's Union, Lucknow was proposed by Mr. Dujendranath Sen on behalf of Congress Socialists, while Mr. R. S. Nimbkar was set up by the other side. Mr. B. K. Mukerjee was duly elected by 238 votes against 189.

Several resolutions were adopted before the session finally concluded at 5-30 in the morning. Prominent delegates to the Trade Union Congress interpreted the elections as indicating the growing strength of the Congress Socialists in the trade union field.

# 17th. Session—Nagpur—16th. April 1938

### Unification of Trade Union Movements

Over 5,000 workers attended the one-day joint session of the All India Trade Union Congress which concluded at Nagpur on the **16th. April 1938** amidst rejoicings at the unification of the Indian Trade Union movement brought about by the affiliation of the National Trade Union Federation to A. I. T. U. C. Prominent leaders of both wings attended the session including Messrs. N. M. Joshi M. L. A., (central), R. R. Bakhale, S. C. Sen, Sibnath Banerji, R. S. Nimbkar, Aftab Ali, P. C. Bose, Hari Haranath Sastri, Mrs. Mani Ben Mulji, Mr. W. V. R. Naidu, Srimati Chando Bibi, Mr. N. Dutta Majumdar, Mr. Mukundalal Sircar, Mr. Yusuf Meher Ali and Mr. B. K. Mukherjee.

The session commenced in the afternoon amidst enthusiastic scenes to implement the agreement between the principal labour organisations in the country.

### The Welcome Address

Mr. *R. S. Ruikur*, chairman, reception committee, described the meeting as a historic session when the two wings of the Indian trade union movement who unfortunately had drifted apart were coming together to unite. It was nine years ago, he said, that this very city witnessed the unhappy split in the trade union movement and he was glad that they were again meeting at Nagpur today to unite under the banner of one central organization. Recalling how the non-coperation movement under Mahatma Gandhi's leadership which opened a new chapter in the then political history was initiated at Nagpur, Mr. Ruikar hoped that this city would have again the credit of new orientation of the working class movement leading them to a glorious future.

### Presidential Address

Dr. *S. C. Banerjee*, after reviewing the events now culminating in the happy unification of the A. I. T. U. C. and the National Trade Union Federation,t declared that the need for unity would not cease until their objective of replacement of complete socialism had not been realised. Alluding to the Congress-Labour relations he strongly pleaded so that labour while maintaining a separate existence under trade union leadership should cooperate with the Indian National Congress in every anti-imperialist fight. This alone would help labour to realise its ultimate goal. Deploring that inter-provincial cooperation and harmony were absolutely lacking in the matter of initiation of labour legislation by labour M. L. A.'s in the various provinces, the president hoped that the T. U. C. would in future be more alert in their new phase of trade union activity. Reiterating their opposition to the Trades Disputes Amendment bill (which the Central Assembly had already passed) Dr. Bannerji said that the provincial Government, particularly the Congress Government, should see that section XVI of the Act as amended did not become law.

He then referred to the prosecution of labour leaders in Bengal under section 107 Cr. P. C. and suggested an all-India agitation to stop this drive. The president further demanded an early removal of the ban on the communist party in India and assured the co-operation of labour in the efforts for the release of politicals and detenus in Bengal. Dr. Bannerji, proceeding, mentioned that both the Congress and the T. U. C. were opposed to the new constitution and federation. The only effective way of fighting federation in his view was direct action of the masses and general political strike and no-tax campaign. The T. U. C. would fully support the National Congress, should the latter adopt direct action. The fight ahead was inevitable as there was no chance of any other method succeeding in preventing the inauguration of federation against the people's will.

Dr. Banerji concluded by advising other provinces to follow Bengal's example in the matter of establishing training classes for workers and making them competent to successfully lead the labour movement.

### Proceedings & Resolutions

Mr. *P. M. Naidu*, general secretary, read out messages of good wishes, wishing the conference success, among others from Mr. V. V. Giri (Madras Minister), Dewan Chamanlal, Dr. P. P. Pillay (Director, I. L. O. Indian branch), Prof. N. G. Ranga, Swami Sahajanand, Mr. M. K. Bose and Munshi Ahmeddin, Secretary, Congress Socialist party, Punjab.

### Unity in Labour Ranks

Mr. *N. M. Joshi*, moving the principal resolution which was carried unanimously, expressed his pleasure at the unity restored in labour ranks and congratulated the T. U. C. leaders on their spirit of accommodation they had shown in the matter. He hoped that the new combined labour organisation would be in a position to render more useful service to the workers in enabling them to gain their objective at no distant date. Mr. Joshi proceeded to say that it was not the monopoly of any particular individual or body to establish labour unions. They need not regret the decision of the Gandhi Seva Sangh to form such unions. He, however, hoped that such labour unions, as might be started under the auspices of the Gandhi Seva Sangha, would join them (T. U. C.) in their work ahead. Mr. Joshi concluded that their organisation was now powerful enough to ameliorate the economic condition of the workers and secure political emancipation for them.

Among those who endorsed the resolution were Mr. Yusuf Meherali (Socialist), Mr. Indulal Yagnik (Kisan Sabha), Mr. Sibanath Banerji, Mr. R. S. Nimbakar, Mr. Hari Harnath Shastri, Mr. N. Dutta Majumdar, Mr. Mukundlal Sircar, Srimati Chando Bibi (Delhi) and Mr. V. R. Kallappa (Nagpur). All of them described to-day's session as historic in the annals of the trade union movement in the country and exhorted the workers to join the Congress in large numbers and intensify the fight against capitalism to secure the just demands of the workers.

### Affiliation to Foreign Organisation

Another resolution moved from the chair and passed without any dissent declared (a) the Congress shall not be affiliated to any foreign organisation. It will, however, be open to the affiliated unions to do so provided that the foreign body with whom affiliation is sought has similar objects and methods ; (b) all political questions and the question of strikes shall be decided by three-fourths majority of the general council. Individual unions, however, are free to take any action they like in the absence of any mandate given by three-fourths majority of the general council.

### Unity in Trade Union Movement

The following resolution was further passed :—

"The special joint session of the T. U. C. and the Federation rejoices at the conclusion of the negotiations that have been going on for a few years with a view to bringing about unity in the Indian Trade Union movement and in sending its greetings of good wishes to the entire working class in India. This session hopes that it will be able to strengthen the trade union organisation in the country where it is weak and create an organisation when none exists to be so that with the combined force that may be created it will at no distant date be able to achieve for the Indian workers what is their due".

The official flag of the T. U. C. shall now be red flag with the legend T. U. C. thereon but without the hammer and sickle.

The principal terms of agreement approved by the executives of both the T. U. C. and the N. T. U. F. are that (a) the basis of representation on the joint general council of the new combined T. U. C. should be 50-50 each —44 members from each group; (b) the T. U. C. should accept the constitution of the National Trade Union Federation in toto.

### New Office-bearers elected

The following new office-bearers of the T. U. C. drawn from both groups were approved for one year from to-day.

*President* Dr. S. C. Banerjee (T. U. C.); *Vice-President* (1) Mr. Aftab Ali (Federation) (2) Mr. Jamnadas Mehta (Federation) and (3) Mukundlal Sarcar (T. U. C.) *General Secretary* : Mr. R. R. Bakhale (Federation) ; Treasurer : Mr. R. S. Nimbkar (T. U. C.) and two assistant secretaries, Mr. B. K. Mukerji (T. U. C.) and Mr. S. V. Parulekar (Federation).

# Indian Chambers of Commerce Federation

## Eleventh Session—New Delhi—1st. April 1938

### Presidential Address

The Federation of the Indian Chambers of Commerce and Industry opened its eleventh session in the Old Secretariat, New Delhi, on the **1st. April 1938.** Sir *Rahimtoola M. Chinoy,* President, in course of his speech said :—

It is customary on this occasion to survey the international trade condition as affecting our trade and commerce abroad. The major part of the year 1937 has undoubtedly recorded a steady progress in the recovery of international trade since the depression period of 1929-32. The impetus to world recovery was due more or less to enormous expenditure on armaments which have brought in an improvement in prices of certain raw materials and rapid development of certain industries. The industrial production of the world including U. S. S. R., which was at its lowest ebb in 1932 being only 69 though exact figures are not available for the whole of 1937, figures (1929-100), rose to 111 in 1936 and for the first six months give sufficient indication that the improvement was maintained in most of the industrial countries.

After October, 1937, however, the shadow of the slump was cast on the face of many of the industrial nations and that too, in spite of feverish activity of the armament industries all over the world. India too, I am afraid, is beginning to lose even the slight ground gained by her in the earlier part of 1937 and as latest figures worked out on 1929 basis are not available, we have to be satisfied with the 1914 base year figures of the Indian Trade Journal. The index number of wholesale prices at Calcutta was 91 in 1936 and 102 in 1937. The figure reached 105 in October 1937 and has been falling steadily month after month and in February last, it was at 97.

During the tenure of my office, the Biennial Congress of the International Chamber of Commerce was held at Berlin. Indian commercial interests, as represented by the Indian National Committee, were adequately represented by a delegation under the leadership of Mr. Walchand Hirachand. Another subject of international importance dealt with at the Congress related to the re-establishment of a system of free international exchange at stable rates.

So far as India is concerned, it is needless to point out that there can be no stable exchange with a deliberately overhauled currency as ours. The recent tendencies of our export trade are sure to give an anxious moment to any one seriously considering the position of India in world trade. India being a debtor country with no investments abroad to pay for her liabilities to the United Kingdom has to mainly depend upon her export trade with foreign countries.

In other words, gold is the medium of exchange among paper money. May I present these observations to the Government of India who have allowed the export of more than Rs. 310 crores worth of gold at a time when other nations were struggling and manipulating their currencies to hoard it ?

Though I do not wish to sound a pessimistic note about international co-operation, the signs of times, as I see them, and the struggle of one nation for supremacy over another for the control of raw materials, are threatening enough to provoke serious thought in our mind as regards the future of this country in the international trade.

### Proceedings & Resolutions

#### Development of Empire Shipping

After the adoption of the annual report, three resolutions moved from the Chair were adopted.

The first related to the development of Empire shipping, and urged that in any such scheme steps should be taken to secure an equitable and legitimate share for Indian shipping, and to secure to India the right to enact maritime legislation on the same

basis as the Dominions, and to encourage the expansion of Indian shipping in India's own overseas trade.

### Management of Railways

In the second resolution the opinion was expressed that several of the recommendations of the Railway Inquiry Committee were unacceptable, particularly the one relating to the question of company management of railways, and trusted that the Government of India would not accept them. It also protested against the enhancement of freight rates, and stated that any scheme of co-ordination of road and rail transport should not be allowed to restrict or hamper the growth of motor transport.

### Increase of Postal Rates

The third resolution protested against the increase in the postal and telegraph rates between India and Burma immediately after the separation of Burma.

### Need of Industrial Research

Mr. *D. P. Khaitan* moved a resolution advocating the need of proper industrial research for the utilization of the economic resources of the country, and recommending that the Industrial Research Bureau should have a larger element of non-official representation. The resolution was unanimously passed.

The next resolution moved by *Lala Shri Ram*, urged the Government of India to take the initiative, in collaboration with provincial Governments, to devise suitable machinery for reviewing the development of indigenous industries and for evolving a plan for their systematic expansion.

The resolution was passed.

### Co-ordination of Factory & Labour Legislation

Mr. *Gordhandas Morarji* moved a resolution emphasising the necessity for the co-ordination of factory and labour legislation in the provinces, so as to make it uniform and to prevent unfair competition between industries located in different provinces, and urging that the Central and provincial Governments should bear their "fair share" of expenditure on labour welfare work, instead of imposing the whole burden on the industries. The resolution was passed.

### Protection for Small Industries

Mr. *Jamshed Mehta* moved the next resolution regretting the decision of the Government of India to suspend the departmental inquiry instituted by them with regard to the condition of small industries as affected by Japanese competition asking the Government of India to take steps for the resumption of the inquiry and urging upon them the necessity of permanent machinery to watch the position of small industries in connexion with foreign competition and to recommend to them immediate measures for their adequate protection. The resolution was carried.

### Maintenance of Favourable Trade Balance

Mr. *Chunilal Mehta* moved a resolution viewing with concern the increasing deterioration in the favourable balance of trade of India, and urging the Government to devise suitable measures to maintain the necessary favourable balance. The resolution was passed.

### Coal and Factories Act

Before the session adjourned for the day, two more resolutions were adopted—one on coal and the other on the extension of the Factories Act.

The resolution on coal disapproved several recommendations of the Coal Mining Committee, particularly those relating to the establishment of a statutory authority and to the rationalization of the industry, and urged the institution of an inquiry into the whole problem; while the other expressed the opinion that the proposed extension of the provisions of the Factories Act dealing with health, safety, children and registration to small power factories employing from 10 to 20 persons, and the proposed grant of power to provincial Governments to extend the provision of the Act to power factories employing less than 10 persons were likely to handicap the development of minor cottage industries.

## Second Day—New Delhi—2nd. April 1938

### INDIANS ABROAD

When the session of the Federation was resumed to-day, Mr. *Manu Subedar* moved a resolution on Indians abroad. The resolution was as follows:

"The Federation views, with grave concern, the policy of the British Colonial Administration in resorting to discriminatory legislation affecting the status and privileges of Indians as British subjects in the colonies and particularly in South Africa, Kenya, Tanganyika, Uganda, and Zanzibar and urges the Government of India to take firm and determined action to maintain and uphold the status and privileges of Indians in these colonies and to secure for them in all political and economic spheres, a position of equality with the other British subjects."

Mr. Subedar said that with the help of Indian settlers most of those colonies had been built up from wilderness into flourishing lands and the very same Indians were now being gradually thrown out. Many and varied were the disabilities imposed on them. What were the Government of India doing all these years? It was the attitude of Nero while Rome was burning. Indian labour was humiliated and insulted and Indian capital confiscated and to persistent questions put to the Government in the Assembly their replies were one series of evasions.

Mr. *Dinshaw* (Karachi) supporting the resolution opined that unfortunately India was not yet in a position to effectively retaliate against the offending colonies.

*Seth Govind Das*, who recently toured South Africa, gave an account of the numerous disabilities hereunder the Indian settlers were suffering.

The resolution was unanimously carried.

### RE-ORGANISATION OF FEDERATION OFFICE

On a motion of *Lala Shriram* the House adopted a resolution seeking the re-organisation of the Federation Office with adequate staff and equipment for the purpose of making a proper study of the numerous problems that called for the Federation's attention from time to time.

### UTILISATION OF MOLASSES

Lala *Gurusharanlal* moved a resolution expressing gratification to the U. P. and Bihar Governments for appointing a joint committee to investigate the possibilities of proper utilisation of molasses, particularly for the manufacture of power alcohol. The resolution strongly condemned the action of the Government of India in ratifying the international sugar agreement. It further urged that proper step should be taken for the utilisation of molasses in other directions.

Lala *Shankarlal*, supporting the resolution, said as long as molasses were allowed to be wasted, not only the sugar industry would not be placed on a strictly commercial basis, but the producer would not get a margin of profit otherwise available.

The resolution was carried unanimously.

### IMPORT OF ARTIFICIAL SILK

*Lala Shriram* moved a resolution which stated :—"This Federation views with concern the increasing imports of artificial silk yarn into the country as they serve not only to displace in use cloth, both mill and handloom, made from Indian cotton but also to postpone indefinitely any serious attempt to produce artificial silk from indigenous raw materials and it strongly urges the Government of India to take immediate steps to check such imports. This Federation further urges Government to encourage efforts to produce artificial silk from indigenous raw materials."

Mr. *D. P. Khaitan* emphasised that it was far better for Indian cultivator to depend more on the Indian cotton industry than foreign countries like Japan which were manipulating their imports and exports to suit their Imperial game.

Mr. *S. Bagchi* (Calcutta) supporting the resolution pointed out that the ultimate aim of the Congress was an India united and undivided and the recent insurance legislation appeared to thrust a subtle wedge into the structure of that unity.

*Mr. Khosla* (Delhi) having supported, the resolution was adopted.

ADMINISTRATION OF EXCISE LEGISLATIONS

Mr. *B. D. Amin* moved the next resolution. "That this Federation is of opinion that diversity of procedure in the administration of excise legislations in different provinces in respect of rates of excise duties leviable on spirits and spirituous preparations has resulted in restricting free internal movement of such preparations from one province to another and has acted as a handicap to the development of an indigenous pharmaceutical industry and of small industries utilising its products as raw materials and therefore urges provincial Governments to introduce uniform regulations in their excise administrations."

*Mr. M. B. Patel* supported the resolution which was adopted.

IMPORT OF VEGETABLE GHEE

Mr. *H. C. Misra* (Cawnpore) moved the next resolution on vegetable ghee in the interests of Indian agriculturist and with a view to develop the indigenous dairy industry, early legislation should be undertaken by the Central Government so as to regulate (a) the import of the vegetable hydrogenated products known as vegetable or artificial ghee and (b) the marketing of all such products with a view to preventing their possible admixture with genuine ghee produced from cow or buffalo milk.

The mover admitted that the advent of the vegetable ghee had checked the sale of adulterated ghee and had incidentally increased. Somewhat on the lines of that existing in England was needed here.

There was a heated discussion as to the propriety or otherwise of a resolution moved by Diwan Bahadur *Ratnasapabathi Mudaliar* on Agricultural Debt Relief measures.

The *Diwan Bahadur* said that the debt of the agriculturist was increased not because of any unconscionable rate of interest but because of the unbusinesslike habits and uneconomic nature of the holding. The low level of prices had also been greatly responsible for the deplorable condition of the agriculturist.

Mr. *Hoshang Dinshaw* raised a point of order regarding the propriety of the resolution being discussed at the session of the Federation in view of the fact that the mover had based most of his observations on the provisions of the Madras Act.

ELECTIONS OF OFFICE-BEARERS

The following office-bearers were elected for the next year :—

President—Mr. Jamshed N. R. Mehta.

Vice-President—Dewan Bahadur Ratnasabhapathy Mudaliar.

Honorary Secretary—Mr. N. N. Sen.

Members—Messers A. L. Ojha, Debesh Chandra Ghosh, M.A. Master, Kasturbhai Lalbhai, Padampat Singhania, J. C. Setalvad, N. L. Puri, M. C. Ghia, Karamchand Thapar, Mohammad Ismail, Guruprasad Kapur, G. D. Birla, Gurusaran Lall, Brijlal Byani, Shivratan Mohta, C. Hayavadana Rao and A. D. Shroff.

The session at this stage concluded.

# Educational Progress in India

January—June 1938

# Indian Universities

| Name | | | Vice-Chancellor |
|---|---|---|---|
| 1. Calcutta | (1857) | ... | Khan Bahadur M. Azizul Huq |
| 2. Bombay | (1857) | ... | V. N Chandravarkar |
| 3. Madras | (1857) | .. | D. B., E. S. Ranganatham |
| 4. Allahabad | (1887) | ... | Amar Nath Jha |
| 5. Punjab | (1882) | ... | Afzal Hussain |
| 6. Lucknow | (1920) | ... | Sheikh Md. Habibullah |
| 7. Nagpur | (1923) | ... | T. J. Kedar |
| 8. Dacca | (1920) | ... | Dr. R. C. Mazumdar |
| 9. Patna | (1927) | ... | Dr. S Sinha |
| 10. Aligarh Muslim | (1920) | ... | Sir Shah M. Suleman |
| 11. Delhi | (1922) | ... | R. B. Ramkishore |
| 12. Agra | (1927) | ... | Dr. P. C. Basu |
| 13. Benares, Hindu | (1915) | ... | Pt. M. M. Malaviya |
| 14. Andhra | (1926) | ... | C. R. Reddy |
| 15. Annamalai (Chidambaram) | (1929) | | Rt. Hon. Srinivasa Sastri |
| 16. Rangoon | (1920) | ... | U. Sett |
| 17. Mysore | (1916) | ... | N. S. Subba Rao |
| 18. Osmania (Hyderbad | (1918) | | Nawab Mehdi Yar Jung |
| 19. Sm. Nathibai Damodar Thackersay Women's University | (1916) | | Dr. D. K. Karve |
| 20. Travancore | (1938) | | Sir P. C. Ramaswami Iyer |

# Educational Progress in India

## Central Board's Recommendations.

The following is the text of a letter dated, May 10, addressed by the Government of India, Department of Education, Health and Lands, to all Provincial Governments and Administrations, forwarding copies of the Resolutions passed at the third Annual Meeting of the Central Advisory Board of Education, held at New Delhi on the 28th January 1938:

As stated in paragraph 3 of this Department circular letter No. F. 10-3-37 C. A. B. dated the 8th March 1937, the Board, at its second annual meeting held in December 1936, decided to refer the question of primary education to its Vernacular Education Committee with definite suggestions in regard to the nature of the administration and the control of primary education in India. This committee, to which were co-opted persons possessing experience in the administration of primary education, met in Simla in September 1937 and presented its report to the Board on the 28th January 1938.

The report states that there is sufficient evidence to show that generally the administration of vernacular education in India is lax in many ways. To improve administration, the committee recommended that a Board of Vernacular education consisting of not more than seven members of whom at least one should be a woman, with the Minister of Education as Chairman, should be constituted in each province, that the members of this Board should be appointed by the Ministry, that all problems concerning the expansion, control and administration of vernacular education and the financial aspect of these questions should come within the purview of this Board, and that the Board should have no statutory powers but act in an advisory capacity.

This recommendation to constitute a Board of Vernacular Education in each province was approved by the Central Advisory Board of Education, but there was a difference of opinion in regard to functions and constitution. On the one hand, it was felt that the influence of such a board without statutory powers might not be sufficiently effective; on the other hand, it was held that the influence of a board consisting of representatives of a variety of interests and outlook would strengthen the hands of the Minister. After carefully considering the matter, the Board agreed on the desirability of instituting a Board of Vernacular Education in each province, but preferred to leave the functions and the constitution to each individual province.

In most provinces, under Local Self-Government or similar Acts, District Boards or other statutory bodies excercise almost full control over vernacular education in their respective areas. These Acts have removed from the Provincial Government and their officers many powers which they formerly exercised. The report of the sub-committee observes that there is little evidence to show that local bodies generally are developing a higher sense of civic responsibility in educational administration. Whilst the delegation of all powers in regard to educational affairs by the local body to the Government Inspector may not receive general acceptance, yet the Committee felt that an improved Government Inspectorate with wide powers of control would improve the administration of primary education. The Committee in its report accordingly recommended that the Inspectorate should be appointed by Government, that every District Inspector should be a member of the Provincial Service, that unless a special administrative officer were appointed, the Inspector should act as the administrative officer of the local body in all matters affecting vernacular education, and that all questions of transfer, appointment, dismissal and increments should be decided by him in consultation with the Divisional Inspector in the case of anglo-vernacular teachers, the District Inspectress having the same powers in all matters concerning women teachers. In addition the Committee recommended the appointment at head quarters of a senior officer whose duties should be wholly connected with the administration of primary education and who should also act as Secretary of the proposed Board of Vernacular Education.

These recommendations were carefully considered by the Central Advisory Board. While there was not unanimity in regard to the removal of certain powers from the local body to the Inspector or to an administrative officer, the majority of the members of the Board were strongly in favour of removing such executive matters as the appointment and transfer of teachers from the local body to the

Inspector. A small minority, whilst admitting the laxity of local body administration, preferred not to hand over those powers but to attempt to improve the present system. After long discussion, the Board decided that a copy of the Report of this committee should be forwarded to the Provincial Governments for consideration and such action as they might consider necessary. The Government of India are anxious that the recommendations of the Committee shall receive early attention from Provincial Governments. I am accordingly to forward copies of the Report of the Vernacular Education Committee of the Board on the administration and control of primary education in India and to request that the views of the Provincial Government may kindly be furnished at an early date, on the recommendations made by this Committee and also on the action which they propose to take.

The Report of the Women's Education Committee of the Board on the curriculum of girls' primary schools in India was also considered by the Board at its meetings on the 28th January 1938. Important recommendations made in the report are that the curriculum should be expressed in terms of activities that in the primary classes the general curriculum for boys and girls need not be different and that co-education up to the age of about 10 is not objectionable. There was general agreement at the meeting of the Board in regard to these recommendations and also on the need of efficient teachers, competent inspection and abundant handwork material for the satisfactory teaching of any curriculum for primary schools.

Another important subject considered by the special committee was the inclusion of religious instruction in the curriculum of primary schools. While opinion was not unanimous in the committee in regard to this question, there was agreement that an education divorced from religion was sterile and that primary education without teaching the basic principles common to all religions was incomplete. The Board whilst generally agreeing with this opinion preferred, on account of the difficulties and the contentious nature of the subject, to make no specific recommendation and also on the recommendation made in the report that a common language was desirable for India.

After considering the various recommendations made by its Women's Education Committee on the curriculum of girls' primary schools in India, the Board decided that a copy of this report should also be forwarded to the Provincial Governments for consideration and such action as they might consider necessary. The Government of India are confident that the two reports with the recommendations will receive the earnest consideration of the Provincial Governments. I am accordingly to forward copies of the report of this committee also and to request that the Provincial Government will kindly furnish their views on the recommendations made by this committee and also on the action which they propose to take.

Another subject of considerable importance which engaged the attention of the Board was the Report on Vocational education in India by Mr. A. Abbott, C.B.E. formerly Chief Inspector of Technical Schools, Board of Education, England, with a section on General Education and Administration by Mr. S. H. Wood, M. C., Director of Intelligence, Board of Education, England, copies of which have already been forwarded to Provincial Governments. Mr. Abbott, who was present at the meeting, explained more precisely the meaning and function of the industrial survey and agreed that the intention was accurately stated in his summary of recommendations viz., that every province should make a survey of the educational needs of its industries and commerce. It was agreed that the figures of the number in employment in different grades in various industries, particularly the power industries, would give the information required and could, without difficulty, be obtained to a reasonable degree of accuracy. Corresponding figures for handicrafts would, however, be less reliable. The danger of creating unemployment of another kind by developing technical schools to such an extent that occupations could not absorb the products of the schools was also pointed out, and for this reason the need of a survey was considered to be all the more urgent. The Board considered that an estimation of the demand of educated labour of each industry or group of industries would be sufficient. The Government of India bring this suggestion to the notice of Provincial Governments when any reorganisation of their school system is under consideration.

In the course of discussion on the Wood-Abbott Report mentioned above, the scheme which is popularly known as the Wardha Education Scheme was referred to. So many important issues arose in this connection that the Board felt a further

examination was desirable. It therefore appointed a special sub-committee with powers to co-opt, to examine the scheme of educational reconstruction incoporated in the Wardha Scheme in the light of Wood-Abbott Report and other relevant documents, e. g., the reports of committees appointed by certain Provincial Governments, and to make recommendations—vide Resolutions No. (3) of the Board. It is proposed to call a meeting of this sub-committee in Simla during the summer. The Government of India will be glad if the Provincial Government will kindly supply the Department of Education, Health and Lands with 20 copies of any reports, etc., which they may wish the sub-committee to take into consideration in their examination of the Wardha Scheme.

Among the other subjects considered at the meeting of the Board was the formation of a National Committee on Intellectual Co-operation in India. The Government of India for some time previously had considered the question of the relations between India and the Organisation of the League of Nation for Intellectual Co-operation, especially with reference to the creation of a National Committee on intellectual Cooperation in India. As it was considered desirable that, pending a decision on the question of the formation of such a committee, India should co-operate in the work of intellectual co-operation of the League of Nations as far as possible, the Educational Commissioner with the Government of India was appointed as Correspondent with the Secretariat of the International Committee of the League on Intellectual Co-operation and the Director of the International Institute of Intellectual Co-operation, Paris. Subsequently, the Inter-University Board, India, undertook the function of a National Committee on Intellectual Co-operation in India so far as questions of higher education were concerned. As the present arrangements are working satisfactorily, the Central Advisory Board of Education recommended that these arrangements shold continue. The Government of India accept this recommendation.

It may be recalled that in 1935 the Board passed a series of important resolutions regarding educational reconstruction in India. The Government of India were naturally anxious that these recommendations should receive early and sympathetic attention from Provincial Governments, primarily because of the recognised and pressing need for dealing urgently with the problems to which those recommendations related. They accordingly forwarded copies of the resolutions to Provincial Governments with their letter No. F. 1-6 (a)-36-C. A. B., dated the 10th April 1936, for consideration. A summary of the reports received from the Provincial Governments on the action taken or proposed to be taken on these resolutions was placed before the Board which noted with satisfaction that practically every province was alive to the need of reconstruction and that several were considering the possibility of reconstruction on the lines approximating to those suggested by the Board. The Board also noted with satisfaction that the Provincial Governments were generally implementing the recommendations made in the Report of its Women's Education Committee on the primary education of girls in India copies of which were forwarded to them with this Department letter No. F. 10-3-37—C.A.B., dated the 8th March 1937.

In conclusion, the Government of India desire to express their keen appreciation of the labours of the Board and of the attention which Provincial Governments give to the Board's recommendations.

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# Women's Education Committee Report

The following is the Report of by the Women's Education Committee appointed by the Central Advisory Board of Education to examine the existing arrangements for the education of girls at the primary stage.

It is essential, say the Committee, that the proportion of girls under instruction in the primary stage should be increased considerably and unless girls' education in the rural areas is greatly improved, all attempts to spread literacy will be in vain.

After having studied the figures throughout India the Committee consider the position with respect to girls' primary education and the resultant literacy figures to be most unsatisfactory.

The Committee accordingly recommend that until the relative positions are more even, all further schemes for expanding boys' primary education should proceed *pari*

*passu* with similar schemes, for increase in the girls' primary education should have a prior claim on public funds where provision for both cannot be found.

While for purposes of calculation 12 per cent. of the total population, or of the male or female population as being the maximum number of children between the ages 6 and 11 available for education may be accepted, the figures, say the Committee, show that only 16.5 per cent. of the girls who should be in school are actually attending as compared with 50.3 per cent. of boys. The figures vary enormously between the different provinces. Omitting the smaller areas, Madras leads with 28.3, the United Provinces, the Central Provinces and Bihar and Orissa have only 6.1, 7.6 and 6.0 respectively.

It was generally agreed that higher qualified teachers were necessary and that the primary passed teacher even if trained could not be regarded as satisfactory.

But the number of qualified women who came out in 1935 from 36 colleges, 376 high schools, 392 Anglo-vernacular middle schools, 522 vernacular middle schools and 33,786 primary schools for girls in the whole of India was as follows :—

| | |
|---|---|
| Graduates | 462 |
| Intermediate | 1,184 |
| Matriculation and High School | 4,281 |
| Middle Standard examination | 13,173 |

Provided half the number of girls who are of educable age at the primary standard are to be brought to school the extra number of teachers required throughout India would be 151,188.

The actual number of trained teachers turned out in 1935 was barely 2,500.

A large number of girls attend boys' schools, the reason being not any preference for boys' schools as such though the inefficient teaching in many girls' schools where the teachers were unqualified women or superannuated men teachers was responsible for much of the attendance in boys' schools, but the lack of girls' schools.

Co-education, however, definitely means a saving on buildings and equipment. The Committee therefore consider that co-education at the primary stage should be the ultimate aim in all small rural areas but where the numbers are large separate schools are desirable. They further consider that co-education in backward areas can only be achieved by the appointment of women teachers in mixed schools.

But how is it possible to get women teachers in villages ?

There is often no place where they can live and they cannot go unprotected. The difficulty about a married couple in a village where there are two schools is that the man might be transferred and the woman left. The employment of married couples can, therefore, be a solution only in mixed schools and will not help the girls' school at all.

The best solution, according to the Committee, is in appointing two women together to school.

The Committee therefore consider that

(a) it is essential that only women teachers should be employed in primary schools for girls and teaching in infant classes in boys' schools should, wherever possible, be entrusted to women teachers and for this purpose the employment of trained married couples should be encouraged.

(b) In mixed schools or boys' schools where women teachers are appointed at least two should be posted to the same school.

(c) Large central primary schools with hostel accommodation for several teachers should be established in rural areas and transport facilities provided to enable girls to be brought in from neighbouring villages, where this is practicable.

(d) Special efforts should be made to train village girls who will return to their own village to teach after training.

As to the provision of teachers the Committee found that there were fundamental differences in the provision of teachers in different parts of India, though as a general rule the primary teacher is a product of the vernacular school either primary or secondary. The problem, say the Committee, must be viewed as a whole and not attempted piecemeal.

The Committee consider that with a view to raising the standard of women primary school teachers a minimum preliminary period of at least eight years' school education followed by a two years' training course is necessary.

The Committee are also of opinion that there should be more central training schools in rural areas with increased hostel accommodation and stipends for women primary teachers.

Again as a corollary to the expansion of girls' primary education the Committee consider that provinces would have to consider facilities for higher education of women including the opening of more middle and high schools where necessary.

But of course the expansion would have to be planned. The lesson of indiscriminate and unplanned quantitative expansion in boys' education should be taken to heart and a similar mistake avoided in regard to women's education.

With regard to wastage the Committee agree generally that one of the chief causes of stagnation and wastage at the primary stage is the large number of incomplete schools, that is of schools not up to the full primary standard.

They consider, therefore, that all girls' schools should ordinarily be full primary schools with a minimum of two teachers or a maximum of 40 pupils on roll per teacher.

The Committee are further of opinion that to prevent wastage admission should not be made more than twice a year and that no child should be admitted before completing the fifth year.

As for compulsion it was pointed out to the committee that experience in boys' schools showed that it did not necessarily make wastage any less. Poverty was a great obstacle to the successful working of compulsion but there were a large number of children who could not come to school because the small amount of money they earned made all the difference between starvation and bare existence for their family. There was a certain stratum of the population which was beyond compulsion and the only way of getting them into schools would be to provide not only free meals and free clothing but allowances for their families.

There was no opposition to the need to apply compulsion to girls where it was applied to boys but the argument was whether compulsion could reduce wastage. It was argued that it was impossible to ask girls to walk any distance to schools but the real difficulty was found to be irregular attendance. Children did not rise to the upper standards because they did not get promoted and they were not promoted because they did not attend regularly. If the school was made sufficiently attractive there would probably be no great need of compulsion.

But until girls' education was numerically on a level with that of boys it was obvious that some degree of compulsion would be necessary. It should however be a system of compulsion where the emphasis would be laid not only on enrolment but on regular attendance.

The Committee agreed that in any future scheme of compulsion girls should not be omitted and it was considered that getting the girls to school was far more important than getting the boys to school.

The Committee, therefore, recommend strongly that existing school buildings, particularly in urban areas, should be improved, that all schools should have a playground and school garden attached and that in order to attract children to school and to ensure more regular attendance closer contact and co-operation between the inspecting staff, teachers and parents should be encouraged, the instruction should be given in training schools as to methods of approach to parents.

There was cordial approval also of the general proposition as to the necessity for teachers being propagandists of education.

On the point of finance while it was generally agreed that more money was being spent now on girls' education than before, the Committee are of opinion that the proportionate expenditure on girls' education should be increased, the funds being partially found by an adjustment of expenditure and elimination of waste. They further consider that primary education in girls' schools in rural areas should be free.

There was much financial waste, say the Committee, in the expenditure on primary education, specially boys' primary education. If there was a well-planned programme eliminating the waste, it would be possible to provide adequate facilities for girls as well as boys. The amalgamation of incomplete or small single-teacher schools alone would result in great saving and the money thus saved could be used both for the improvement of boys' primary education and the expansion of girls' education.

Secondary education was definitely too cheap; more money should be paid in fees so as to relieve Government budgets, say the Committee, of the burden of excessive and top-heavy expenditure on secondary and higher education. Besides, private benevolence must play a greater part in financing higher secondary education, thus releasing more money for the expansion of primary education.

Lastly, the Committee consider that the control of local bodies over girls' education in some provinces has not been satisfactory in respect of provision of funds, general interest and enthusiasm, and recommend that methods to improve this control should be investigated. Further, provincial Governments might consider the necessity of insisting that all local bodies should spend an adequate proportion of their educational funds on the primary education of girls.

The following are extracts from the memorandum on the education of girls in India which was circulated to the Members of the Committee :—

Twenty years ago the total number of girls attending schools was 1,330,698, ten years ago it was 1,842,352, to-day it is 2,890, 246. This is a remarkable increase and there are signs that this progressive advance will continue. But there is a large leeway to make up.

It may be taken as axiomatic that until the girls in the villages are given at least the elements of education there is little hope of any real progress in rural uplift. In our boys' primary schools we teach hygiene, cleanliness and the principles of better living to children who go back to the squalor of their home life and promptly forget in the example of their homes all they have learnt. Unless the women are educated all our preaching is vain.

The obstacles to the spread of education among women in India are many but it will be found that if faced they are liable to vanish. The question of pardah hardly affects the village and may be largely discounted. The chief obstacle has been the prevalent idea that girls' education is secondary to that of boys.

Another difficulty which has so far hindered all efforts to increase education of girls in rural areas has been the practical impossibility of getting single women teachers to go to village schools.

Emancipation of women has still far to go in India and no father would allow his daughter to go and live in a village without proper chaperonage, and this is hard to get. As a result, teachers in village girls' schools are either superannuated old grey-beards, elderly widows or married women, and few Boards can pay their teachers enough to support a husband.

The speed with which the education of girls can spread in rural areas depends entirely upon the solution of this problem.

One attempt at a solution has been to encourage the attendence of girls in boys' primary schools. They can and do attain literacy before attaining the age when custom decrees that they should be withdrawn. To facilitate this attendence in some provinces, notably the United Provinces, rules have been made prohibiting the attendence of boys over a certain age in primary schools.

Some criticism has been made of this method of spreading education among girls on the score of non-differentiation of curriculum but at the primary stage it is extremely doubtful if any differentiation is necessary. There is indeed little, if any, difference between the brain capacity of boys and girls or difference in calibre at this stage. Where girls do suffer is in games and physical training where they are not catered for at all. Thus as there is no real difference in mentality between boys and girls at this stage, it follows that differentiation of curricula is not really necessary and that the mixed school would solve all our difficulties in the rural areas.

### Women make best Teachers

But, for the mixed school to succeed, it is necessary to have women teachers. The reason for this is obvious. Women teachers in a school would be a definitely civilising factor ; they would give parents confidence and could do a vast amount of educational propaganda, while they could further devote attention to the games and physical training of the girls. They would also be able to give the girls the rudiments of training in domestic subjects. But there is a further advantage perhaps superior to all these. They would be able to bring to the training of the very small children that intuition and sympathy which makes women the best teachers in the early stages.

The employment of women teachers in the infant classes would therefore not only attract girls to the village school but would also lessen the stagnation which is at present so marked a feature of our primary schools. If the children can be moved on from class to class with a definite time, then literacy will increase immeasurably, and place where the pace of subsequent advance is set is the Infant Class.

# The Indian Science Congress

## Opening Day—Calcutta—3rd. January 1938

### Viceroy's Opening Address

The Silver Jubilee session of the Indian Science Congress was held in Calcutta on the **3rd January 1938** under the presidency of *Sir James Jeans*. His Excellency the Viceroy, opening the session, said :

Your Excellencies, Sir James Jeans, Mr. Vice-Chancellor, Ladies and Gentlemen,—

It was with the utmost pleasure that I accepted the invitation which you so kindly extended to me to open the Jubilee Session of the Indian Science Congress Association. This session is a memorable occasion in the annals of Indian Science and I would like in my opening remarks to extend to the Association my warm congratulations on the successful completion of this stage in its long and useful life. I would like, too, to extend my congratulations to those responsible for the organisation of this session. They have—and I feel I express the opinion of all present—been peculiarly happy in their choice of Calcutta for the meeting and in their decision, with a view to marking the special character of this session, to extend invitations to representatives of the British Association and to scientists from other countries to join in the discussions and celebrations which are to take place. The choice of Calcutta as the meeting place is particularly appropriate for it was here that the first inaugural meeting of the Association was held in 1914 in the rooms of the then Asiatic Society of Bengal which, if I may quote Sir Asutosh Mukherjee's words, has been throughout its long career the principal source of inspiration in the organisation and advancement of scientific research of every description in this country. I feel that it would not be amiss if I were to express here the deep debt of gratitude which this Association owes to the Royal Asiatic Society of Bengal which can, I think, appropriately be described as its foster-parent in its early days and a very benign and helpful relative even to-day. Calcutta, too, is the city with which the name of that distinguished educationist Sir Asutosh Mukherjee, himself the first Chairman of this Association, is associated. I do not think I exaggerate when I say that the beginnings and the continued development of the Association are very largely due to his energy and interest and to the impetus which he imparted to the activities of the Association in its early days.

"The visit of the distinguished representatives of the British Association and of scientists from other countries make this Jubilee session outstanding in the history of the Association. To all our distinguished visitors, I extend a very cordial welcome. We, in India, if I may say so, consider your visit to this country a very great compliment. Indeed, it is more. It is a recognition as it were, of India's scientific coming-of-age and a happy augury for closer co-operation in the domain of science between India and the outside world. I cannot allow this occasion to pass without expressing our keen regret at the untimely death of Lord Rutherford. He was to have presided over the deliberations of this joint session. His death means not only the loss of a President who would have left the imprint of his great mind and personality on this Conference, but the loss to the world of perhaps the greatest experimental physicist of modern times. We are fortunate, indeed, in having Sir James Jeans to take his place. His contributions to astro-physics are world famous and his name is familiar to all persons acquainted with the English language through his brilliant exposition of our present knowledge regarding the celestial world.

"I would fail in my duty if I did not also mention here the keen regret which we feel at the death of Sir Jagadish Bose, one of India's greatest scientists and a man whose work had achieved world-wide recognition. It is especially sad that he did not live to take part in these celebrations to mark the growth of scientific activity in India during the last 25 years, a growth in which he played so important a part. To him belongs the credit of being the first person to initiate scientific departments of Government and I do not think that I should go too far were I to style him the pioneer scientific worker in physics in India.

"It is tempting on an occasion such as this to dwell on the personalities and the events which colour and mark the period the completion of which is being

celebrated. The history of the Indian Science Congress Association during the last twenty-five years is rich in both. Indeed, if one considers the development of world history over those 25 years, it would be curious if the Association did not reflect in some degree the movement of those eventful years. But time compels me to refrain from any historical retrospect. I cannot, however, pass on without paying a tribute to the success with which the Association has fulfilled the objects for which it was founded. Since the early seventies of the last century, young Indians began to interest themselves in science and to proceed abroad on what then constituted brave ventures for many of them to learn science. With the consequent increasing scientific activities in India, the want was felt of an institution which would organise meetings of workers in different branches of science and enable them to exchange ideas, to establish those personal contacts which are so helpful in furthering scientific activity, to formulate policies for the furtherance of the cause of science and to bring its needs and services to the notice of those who are in a position to help in the attainment of its objectives. The aims with which the Indian Science Congress Association was founded were three-fold: firstly, to encourage research and to publish the results amongst scientific workers in India; secondly, to give opportunities for personal intercourse and scientific championship; thirdly, to promote public interest in science. These aims have been magnificently fulfilled.

"Let me give one example which will demonstrate the progress that has been made. At the first meeting of the Association there were five sections, namely, Chemistry, Physics, Geology, Botany and Ethnology. The membership was 109 and 31 papers were notified for reading. At this year's Conference, there are 13 sections and a membership of more than 1,600 and 800 papers have been notified for reading. There are to be 22 discussions within individual sections and 10 joint discussions on programmes which concern more than one section. You will agree, I am sure, that this is a development the significance of which calls for no emphasis. No one will deny, I think, that the Association with its annual meetings at various centres throughout India, has done work of the utmost value in the impetus which it has given to scientific research throughout the country in the assistance which it has lent by stimulating close and constant collaboration between scientific workers in the rationalising, if I may use a convenient word, of scientific work in India and the elimination of the risks of mutual ignorance and needless duplication of effort. The Association too, has rendered most useful service in bringing Indian scientists before the world outside by creating conditions for systemetic presentation of their work. For this India owes the Association no inconsiderable debt of gratitude.

### Indian Scientists' Good Work

"India to-day can claim not a few scientists, the originality of whose contributions in different branches of science have won for them international recognition and I feel myself that the presence of so many eminent scientists from abroad at these celebrations sets the seal of internal recognition upon the position to which science in India has now attained. We are entitled, I think, to feel that the future of science in India is full of encouragement. India has demonstrated beyond question that she possesses men of capacity with the will to labour and if in this country we have workers prepared and equipped to take their place amongst those who to-day in every continent are engaged, whether in pure or in applied science, in advancing the frontiers of human knowledge, it is very evident that India affords limitless opportunities for the harnessing of that knowledge for the betterment of mankind. By universal accord, the first and foremost object of our endeavour in the material field must be to better the lot of the agricultural population and to raise the standard of living of the cultivators. Success in that endeavour is the criterion by which all our efforts must ultimately be judged. Mr. President, I have scanned the formidable roll of subjects falling within the several sections into which your Conference has been divided. I find very few of those subjects which by their nature we need regard as being incapable of making a due contribution towards the achievement of that high purpose and I can imagine no more fascinating challenge to young scientists in this country than the employment of their brains and the application of the latest scientific knowledge to the attempt to solve the manifold problems of material advancement that confront us on every side.

"But encouraging though the prospect may be in theory, India is faced with the same practical difficulties that other countries experience, of making provision for research and scientific activities. As regards the division of labour on scientific

subjects between various authorities, the position in India is, broadly speaking, that the Universities devote themselves—and indeed, it is fitting that this should be so—to pure science while research in applied science is carried out in institutions organised for a specific purpose; the Indian Forest Research Institute at Dehra Dun, the Imperial Agricultural Research Institute at Delhi, the Central Medical Research Institute at Kasauli, the All-India Institute of Hygiene and Public Health at Calcutta, to name only a few of the more prominent. But the financial burden of this research falls, either immediately or in the long run, on Government. Research institutes are almost exclusively maintained either by the Central or Provincial Governments. The work of the Universities is substantially subsidised by the Governments of the Provinces in which they are situated.

"It is, to my mind, an unsatisfactory state of affairs that the Government with manifold calls on its financial resources should have to bear the main burden also in this respect. The scope for scientific research, whether pure or applied, is practically unlimited and no small obligation exists, in my judgment, on private munificence to supplement what Governments are now doing in the work which Government had for so long and so anxiously supported and to which it continues to-day, directly or indirectly, to contribute on no mean scale. When I make that comment, you will not for a moment think that I in any way under-estimate the invaluable assistance which has been given by the past and present benefactors to specific lines of research and, indeed, to the Jubilee Session which we are opening to-day. My appeal is a wider one. The opportunities of science are great; the field remaining to be explored and the work remaining to be done immense. I am confident that in asking for a still further development of the material and substantial assistance which over many years has been freely afforded by generous donors, I can rely on a response comparable in some degree with the needs to be met and I would say, with the opportunities which offer.

"Ladies and gentlemen, the occasion of this Conference, the presence here to-day of this distinguished gathering are not merely a recognition of Indian science and scientists. They are more. They constitute, I am satisfied, a manifestation of the interest taken by the intellectual world of the west in the trend of developments in India. Interest from such a source is of inestimable value to India at the present time. It will, I feel, continue to be of value in the future. It is not for me to remind you that India is in a transitional stage, that she is on the threshold of a new era. We may anticipate that the recent political reforms will inevitably find their reflection in an increased determination among Indians that India should continue in an increasing degree to make her own individual contribution to world history and world concepts. What will be the nature of that contribution and what its scale, it is difficult to foresee clearly at this period.

"The history of Indian civilisation goes further back than the history of Western countries. The great name of India has throughout that long history at all times been associated with religion, with mysticism, with philosophy and with the arts. Throughout the centuries, her economy has been, as, indeed, it still is and it is likely to continue, to be fundamentally agricultural with the simple, patient, methodical and thrifty life for the people which that implies. With the march of years, there has come the inevitable impact of the West and India to-day is engaged on the welding on to her old structures of the newer political and economic forms of the West on the finding in her intellectual life of a place for the discoveries of science with all their challenge to accepted modes of thought and practice. This is a time, therefore, when interest, understanding and sympathy are vital from those especially who are leaders in science and in those kindred activities which have been so dominant a characteristic of Western development in recent years.

"It may be argued that scientists, of all people, are those who can help least in this respect since scientists speak a universal language and science is science the world over, but—and I speak with diffidence as a layman—when talking of countries and their civilisations, it is difficult to dissociate a scientist from the background against which he works and from the effect of his work on the development of his times. The scientist has his place not only in the world of science, but in society as a whole. The backgrounds against which scientists in India and the West pursue their activities are vastly different and the possible effects on society from the impact of their discoveries on everyday life must inevitably vary, but that difference in no way diminishes the value to us in India of the informed interest, of the advice and of the wide and varied experience of those who have seen the

possibilities and the limitations of scientific activity in other spheres. Your knowledge, your experience, your very aloofness from the Indian background will impart a special value to any analysis of the problems which confront us here and to any suggestions which in the light of your deliberations you may feel able to advance as to the directions in which investigation and examination can most fruitfully be pursued. Nor need I emphasise how great a source of encouragement it must be to those who have so unsparingly devoted themselves in this country to the problems which will come before you in your discussions and to those broad general issues which are in the scientific field of such concern to all of us to feel that in the West there is a growing body of enlightened opinion acquainted with Indian science and understanding in some measure the efforts of India to solve her own problems in her own way.

"But the value of the visit will not, I am confident, be felt on one side only. Even the most enthusiastic believer in Western civilisation must feel to-day a certain despondency at the apparent failure of the West to dominate its scientific discoveries and to evolve a form of society in which material progress and spiritual freedom march comfortably together. Perhaps the West will find in India's more general emphasis on simplicity and the ultimate spirituality of things a more positive example of the truths which the most advanced minds of the West are now discovering. Is it too much to hope that you, gentlemen, will be a channel through which India will make in an increasing degree that contribution to Western and to world thought which those of us who know and love India are confident that she can make in so full a degree ?"

### Mr. Mookerjee's Welcome Address

Mr. *Syama Prasad Mookerjee*, Chairman of the Reception Committee, welcoming the delegates and visitors, said :

"Your Excellencies, Ladies and Gentlemen,

"It is my proud privilege to offer a warm welcome to the delegates and other members who have assembled here as representatives of different Universities and various academic bodies from all over the world. We of this University and of this city of Calcutta which witnessed the inauguration of the Indian Science Congress, whose jubilee is being celebrated this year, feel honoured by their presence. We are particularly gratified that this should be a joint-meeting of the Indian Science Congress and the British Association for the Advancement of Science which has done so much for the promotion of scientific knowledge not only in Great Britain but in the British Commonwealth of Nations as well. This joint meeting, which has brought together distinguished men of science from various parts of the world, bears testimony to the spirit of fellowship which binds together the scientific workers of the world. It heartens us in these depressing times to think that at least in the realm of science and scholarship there is a unity of outlook and activity which has immense possibilities for moulding the future destiny of the human race.

"Two great figures we miss in this gathering to-day. The death of Lord Rutherford and of Sir Jagadis Chandra Bose has created a void which cannot be easily filled, and we consider it our duty to associate ourselves with the rest of the world in the expression of deep and widespread sorrow with which the news have been universally received. May their careers and achievements serve as an inspiration to all seekers of knowledge and truth for generations to come.

"The fact that science and technology have been used and are likely to be used in future for destructive purposes has raised doubts in many minds about the utility of science itself. Indeed the harm that has been, can be and is being daily inflicted throughout the world by engines of destruction, scientifically devised, is incalculable. Science is being used for purposes that no one who believes in humanity can contemplate with unconcern. There have been people, honest and well-intentioned, who have been stampeded by this fact into a denial of science itself. A halt has been carried in many quarters to the march of science and technique. Yet it must be clear on a little consideration that the blame must attach not to science but to those men and nations who call themselves civilised, and are shamelessly putting science to an inhuman use. Science, like fire is capable alike of good and of evil and like fire it needs to be used with discretion and care. The good that science has done is obvious and immense. If used exclusively for the good of mankind, it is capable of promoting peace and happiness in this world and of conferring benefits beyond imagination.

"What is wrong with the world is not the spirit of science but the moral and social failure of peoples who handle science. Science, in a comprehensive sense, provides us with the material appliances of life. It is the spirit of man who uses them that requires to be educated. The view of science should be supplemented by the vision of beauty and truth. It is of no little significance that this *Congress is presided over by one who has proclaimed to us that the world of science reveals the mind of the Supreme One* and it is men of his type who should be able to contribute towards the establishment of peace on earth and goodwill toward men.

"In spite of political, national and racial prejudices devotees of knowledge can and should collaborate and become the harbingers of the new era that is to be. Freedom and unfettered devotion to truth must be the supreme condition of their activities. Here in this gathering are assembled men and women from distant parts of the world, who while differing from one another in many respects visibly demonstrate a fraternity that is truly human. When the clouds of distrust and oppression that hang over the world will lift, things will come out in clear perspective and matters that seem important at the moment will appear inconsequential. Humanity will then proceed in a spirit of common brotherhood to higher and still higher reaches of knowledge and happiness. Let India and her scholars play their part in this noble re-making of man's destiny. Rich with traditions and thoughts and endowed with strength and vitality, India claims the right of being treated as a companion with equal rights in the world's march towards a higher and nobler civilisation. Let this international meeting mark a definite stage in this collaboration on a worldwide scale, based on justice and fair-play, leading towards the ultimate triumph of truth and of righteousness, of freedom and of peace.

"I have now the honour of inviting Your Excellency to open this session of the Congress and extend to it your sympathy and powerful support."

### Sir James Jeanes' Address

Presiding over the session, *Sir James Jeanes*, D.Sc., Sc.D., LL.D. F.R.S, said :

Until a very few weeks ago, we had hoped to assemble here under the presidency of one of the greatest scientists of all time, and it is inevitable that his sudden and tragic death should be uppermost, not only in the thoughts of those of us who come from Europe, most of whom knew him personally, but in the thoughts of everyone here. For his works had made him known to us all. He has been cut off in the fulness of his powers—leaving as his monument a rich and full life's work, such as few men have equalled, but also leaving a feeling that he might have accomplished more, and possibly even greater, things had he been left with us a few years longer.

Those of us who were honoured by his friendship know that his greatness as a scientist was matched by his greatness as a man. We remember, and always shall remember, with affection his big, energetic, exuberant personality, the simplicity, sincerity and transparent honesty of his character, and perhaps most of all, his genius for friendship. Honours of every conceivable kind had been showered upon him, so that he could not but know of the esteem in which he was held by the whole world, and yet was always simple, unassuming and ready to listen patiently to even the youngest and most inexperienced of his pupils or fellow-workers, if only he were honestly seeking for scientific truth.

This is neither the place nor the occasion to attempt any detailed description of his scientific achievements. A great physicist, Niels Bohr—whom we are sorry not to have with us here—speaking of Rutherford's work to a Congress of physicists which recently met in Bologna, said : 'His achievements are so great that, at a gathering of physicists like the one here assembled, they provide the background of almost every word that is spoken'. As it was in Bologna, so it will be in Calcutta ; the proceedings in our physics section will be utterly different from what they would have been had Rutherford not lived and worked. And it is sad to think that they will be utterly different from what they would have been had he lived even a few months longer, for then we should have had his ardent and inspiring personality and vast fund of knowledge and experience to direct and enliven our debates. Happily he will not be altogether absent from our meeting. He had been looking forward with the greatest interest and eagerness to this occasion, and had already written a Presidential address for it, which it will be my duty to read to you very shortly.

In this he tells us, in his own words, of his latest work of all—that in nuclear physics, and especially in what he described as 'the new alchemy', the transmutation of the elements. This alone would have ensured him a place in the foremost rank of physicists, and yet it formed only a small part of the total achievement of his life.

When I first knew him, almost exactly forty years ago, he was experimenting in wireless telegraphy, using a detector of his own invention, and transmitting signals to what was, for those times, the record distance of about a mile and a half.

That was in the period which he used himself to describe as 'the heroic age of physics'. Within the space of a very few years, Rontgen rays were discovered and provided a new line of attack on the problems of electric conduction in gases; the electron was isolated and seemed to point the way to an understanding of the age-long puzzle of the structure of matter; radio-activity was discovered, with its apparent violation of well-established physical laws, and opened up a new road which led no one knew where—but obviously into very different territory from that which nineteenth century physics had so industriously and thoroughly explored.

Rutherford directed his colossal energy and tireless enthusiasm on to all these vast new problems in turn. By a few investigations of masterly simplicity he reduced the puzzling phenomena of radio-activity to law and order, and, in collaboration with Soddy, discovered the physical interpretation of this law and order. Radio-activity, they found, indicated the transmutation of one element into others through processes of spontaneous atomic explosion.

Rutherford then treated the alpha-particles which were emitted at these radio-active explosions as projectiles. He bombarded atmos with them and in so doing discovered the composition of the atmos. Finally he shewed how similar bombardments could change the constitution of the atomic nuclei, and so literally transmute the elements; the dream of the alchemists was realized.

These were perhaps the outstanding landmarks in his career, but in truth most of his investigations were key investigations, each brilliant in its simplicity of conceptions, masterly in its execution and far-reaching in its consequences. His output of work was enormous and can only be explained by his capacity for delegating all the less important details of an investigation to a collaborator, whom he usually inspired with his own enthusiasm. In his flair for the right line of approach to a problem, as well as in the simple directness of his methods of attack, he often reminds us of Faraday, but he had two great advantages which Faraday did not possess—first, exuberant bodily health and energy, and second, the opportunity and capacity to direct a band of enthusiastic co-workers. Great though Faraday's output of work was, it seems to me that to match Rutherford's work in quantity as well as in quality, we must go back to Newton.

Voltaire once said that Newton was more fortunate than any other scientist could ever be, since it could fall to only one man to discover the laws which governed the universe. Had he lived in a later age, he might have said something similar of Rutherford and the realm of the infinitely small; for Rutherford was the Newton of atomic physics. In some respects he was more fortunate than Newton; there was nothing in Rutherford's life to compare with the years which Newton spent in a vain search for the philosopher's stone, or with Newton's output of misleading optical theories, or with his bitter quarrels with his contemporaries. Rutherford was ever the happy warrior—happy in his work, happy in its outcome, and happy in its human contacts.

Through the tragic circumstance of his death, I would stand before you as your President. I cannot tell you how greatly honoured I feel by your choice, but neither can I tell you how strongly I feel my utter inadequacy to act as substitute for the really great man we had all hoped to have with us.

Yet I must not forget that I am here in a second capacity also—as spokesman of the Delegation from the British Association. It so happened that I was President of the Association in 1934, when we received your invitation to join you in Calcutta, and I vividly remember how anxious your representatives were to do everything possible to make our visit not only scientifically further, but also pleasurable to ourselves.

I am sure I speak for the whole of the European deputation in thanking you once again for your lavish and carefully-planned hospitality.

To some of us, but only a few, India is a well-known territory; others, I think the majority, come here for the first time. But we all feel a special interest in being here for the 35th anniversary of your Indian Association. The quarter century of your existence has been a period of stupendous developments in almost all branches of science and certainly not least in those which have formed my own field of work. Twenty-five years ago the astronomers were still debating as to whether the great spiral nebulæ were inside the galactic system or outside; estimates of the distances of these nebulæ differed by factors of at least 100, and the vast universe of extra-galactic astronomy was still closed territory. The genius of Einstein had already given us the restricted theory of relativity, the simple physical theory which grew out of the Michelson-Morley experiment—but the more complex gravitational theory was still unborn, and we were still perplexed by the puzzles as to whether the universe was finite or infinite, and whether space and time were real or unreal, in physics. Planck had given us the rudimentary quantum-theory which was required by the phenomena of black-body radiation, but its application to atomic physics was yet to come. Rutherford's epoch-making investigation on the scattering of alpha-particles by atoms had just, but only just, shewn us the atom as we see it to-day—the heavy nucleus with the cloud of light electrons surrounding it. Bohr immediately seized upon this concept and developed it further; he shewed how the old quantum-theory could be applied to the movements of this cloud of electrons, and made it yield an interpretation of atomic spectra. On this basis, were built first the quantum-theory and then the far vaster structures of the new quantum-theory and the wave-mechanics. Finally the new science of nuclear physics came into being, largely as a personal creation of Rutherford; his very last utterance on this subject was written especially for you, and in a few minutes I shall be reading it to you.

Nor has India stood idly by as a mere spectator of this most thrilling period in the history of science. These twenty-five years have not only seen your association increase from infinitesimal beginnings to its present international importance; they have also seen the phenomenal growth of India as a scientific nation. In 1911 there were no Indian-born fellows of the Royal Society; today there are four. In 1911 the Royal Society published no papers by Indians; in 1936 we published ten. Yet statistics are dry things, and even those which shew an infinity-fold increase convey a less vivid picture than a few concrete examples, such as each of us can find in abundance in his own subject. The mathematicians and physicists will probably find their thoughts turning, as mine do, to the strangely intuitive genius of Ramanujam and to the remarkable discoveries he had made in pure mathematics before death snatched him prematurely away; to the work of Sir Venkata Raman in physics, and especially his discovery of the effect which is known by his name all the world over; to many investigations in sound and the theory of music made by Raman and a host of others; to the work of Saha in astrophysics, which gave us our first clear understanding of the meaning of stellar spectra, and so unlocked the road to vast new fields of astronomical knowledge: and to the work of many Indians, among whom I would specially mention Chandrasekhar and Kothari, on conditions in the interiors of the stars. And I am sure that not only the mathematicians and physicists, but workers in all other fields as well, will be thinking with admiration of the remarkable ingenuity and experimental skill shewn by that great Indian scientist, the late Sir Jagadis Chunder Bose.

If such names and achievements as these come into the mind of a worker in one only of the many vast fields of science, we can form some slight idea of the richness of India's contribution to science as a whole. Thinking on this great contribution, we of the British Association, congratulate you of the Sister Association most wholeheartedly, not only on the completion of your twenty-five years of existence, but even more on the wealth of harvest you have gathered in that twenty-five years.

### Late Lord Rutherford's Address

*Sir James Jeanes* next read the address prepared by the late Lord Rutherford of Nelson O. M., F. R S., D. Sc., LL. D., Ph. D. whose death after being elected to preside over the session, had cast a gloom upon the world of science. The following are extracts from the address :—

"During the past fifty years, the British Association for the Advancement of Science has been invited on many occasions to hold its meetings overseas. Four times it has journeyed to Canada (Montreal) 1884, Toronto 1897, Winnipeg, 1909,

Toronto (1924), twice to South Africa (1905 & 1929), once to Australia (1914). This policy of the Association of arranging occasional meetings in our Dominions has proved an unqualified success. These overseas visits have had a marked influence on the progress of science throughout our Commonwealth and by personal contacts have helped much to promote mutual understanding and co-operation between our peoples.

"The visit of a representative group of scientific men to our most distant Dominions in 1914, in itself an outstanding event in the history of the Association, was rendered even more notable by the dramatic circumstances under which the meetings were held, for the arrival of the party in Australia coincided with the news of the outbreak of the Great War. No one who like myself took part in the meetings in Australia and new Zealand in those troubled but stirring times can ever forget the warmth of our reception. We were privileged to witness that wonderful response of the peoples of these lands to the call of danger—a response which we know grew ever greater with the need.

"It has long been the wish of the British Association to hold a meeting in India, but difficulties of time and climate have stood in the way of its realisation. It has been found most convenient for the overseas visits to take place in the summer months but such a time is quite unsuitable for India. This difficulty would be in part surmounted if a representative party of the scientific men could obtain leave of absence from their duties to visit India during the cold weather.

The celebration of the Silver Jubilee of the founding of the Indian Science Congress Association offered a suitable occasion for such a visit and arrangements have been made by the two Associations to hold a joint meeting in India. I gladly accepted the invitation of the two bodies to preside over this combined meeting. I feel it not only a great honour but a great privilege and responsibility to be asked to fill this post on such an historic occasion. This visit of the British Association to your shores is a symbol of our desire to extend the hand of greeting and fellowship to our sister society and also individually to our co-workers in science in India.

"While science has no politics, I am sure it is of good omen that our visit happens to fall at a time when India is entering upon a new and important era of responsible co-operative government in the success of which both our countries are deeply concerned.

"On behalf of the British Association, I extend to the Indian Association our warmest congratulations on this the twenty-fifth anniversary of its foundation and our sincere wishes for its continued success. We recognize that your Association, both in its constitution and its aims so closely resembling the British Association, has proved of great service to the progress of science throughout India. Founded at a time when the Universities were becoming centres of original research, it afforded to a widely scattered scientific community a much needed common meeting ground for the discussion of scientific problems. It helped also to bring to the attention of the interested public the importance of science and of the scientific method in national development. I think it can be safely stated that the success of the meetings of the Indian Association in no small degree influenced the later foundation of specialist societies in India, for example, the Chemical Society and Physics Society

"On such an occasion as this, we must not forget to do honour to those who were largely instrumental in founding your Association and in guiding its infant steps. I would refer in particular to Professor J. L. Simonsen, Professor P. S. MacMahon and your senior Past-President, Sir Sydney Burrard. The Association owed much in its early days to the friendly support and encouragement so freely given by that premier Indian Society, the Royal Asiatic Society of Bengal of which I am proud to be an honorary Fellow.

"In earlier days in India, research was largely confined to the great official scientific services, initiated and maintained on a generous scale by the India Government, for example, the Survey of India, the Geological Survey, the Botanical Survey, the Departments of Agriculture and Meteorology and many others. Pioneer work of outstanding scientific importance has been done by all these services. In the short time at my disposal I can only make a passing reference to a few items of work accomplished, and can mention only a few of the array of distinguished names which have been connected with these great scientific services.

The Trigonometrical Survey of India has a long and distinguished history. The splendid series of geodetic measurements along an arc from Cape Comorin to the

Himalayas, made by Everest, was of outstanding importance and his name is for ever associated with the highest peak in the world. As a result of this survey, the defections of plumb line, due to the gravitational attraction of the Himalayan range, were determined at different points. A careful comparison of the resuls of observation with calculation, largely due to the work of Archdeacon Pratt of Calcutta, and later of Sir Sydney Burrard, disclosed marked discrepancies, the effect of the mountain mass at a distance being much less than was expected. Attempts to explain these and other anomalies ultimately led to the formulation of a new and important theory of mountain formation known as the principle of isostasy. On this hypothesis, the excess pressure due to a mountain mass is compensated for by a deficiency of matter below its base. This conclusion, which is in accord with extensive gravitational as well as geodetic measurements in India, is believed to be of general application to mountain formation throughout the world.

"I may recall that a former distinguished Superintendent of the Survey, Sir Gerald Lenox Conyngham, is now Head of the Department of Geodesy in Cambridge.

"The Geological Survey, one of the oldest scientific services in India, has a fine record of work accomplished and its survey of the mineral resources of India has proved of great value to Indian industry. Among many distinguished names, I may specially mention that of Sir Thomas Holland, a former Director, who has done such good work for your country in peace and war. I believe that it was largely due to his energy and scientific insight that the great Tata Iron and Steel Works were begun.

"The Department of Meteorology has done much pioneering research and was one of the first to realize the importance of studying the conditions of the upper air by means of small balloons—a subject of ever-increasing importance with the advent of the aeroplane. I have always felt a friendly interest in this Department as many of its members are known to me personally. Amongst them is Sir Gilbert Walker, a former Director and once President of this Association, who did much to improve the Meteorological Service in India and himself made important original contributions to our knowledge of the South-West Monsoon. I may recall that the present distinguished head of the Meteorological Office of Great Britain, Sir George Simpson, was for many years a member of this Indian Department.

"The study of the botanical riches of India owes much to the work of Roxburgh, Wallich and Prain, and also that explorer and naturalist, Hooker, whose work on the flora of British India is known to you all.

"In Forestry, India has at Dehra Dun probably the finest research laboratory of its kind in the world. We in England owe a debt of gratitude to India in providing us with our distinguished Professor of Foresty at Oxford, Professor R. S. Troup, and the first two directors of our Forest Products Laboratory, namely Sir Ralph Pearson and Mr. W. A. Robertson.

"While in this brief survey I can mention only a few departments out of many, yet I must not omit to refer to the great advances in knowledge due to the Indian Medical Service, so well represented by the pioneer work of Ross on malaria and by Leonard Rogers on Cholera and leprosy, researches which gave new hope to the peoples of India.

"In the early days of the Indian Universities, attention was mainly directed to teaching and examining the large number of students who presented themselves, and comparatively little attention was paid to research. There were always a few, however, who recognised that the universities had a wider part to play in Indian education, and should become centres of research as well as of teaching. Amongst those pioneers who distinguished themselves by original investigations and by the stimulation of others, I should particularly mention Sir Alexander Pedler, Sir Alfred Bourne, Sir Jagadis Bose and Sir Prafulla Ray, and it is of interest to recall that the last three have all been presidents of your Association.

"As a result of the Curzon Commission on Education in 1904, many of the universities introduced honours courses, and by new appointments and improvments in laboratories stimulated research science. Excellent well-equipped schools of research have arisen in many Indian universities, where good opportunities are available for the training of potential investigators in the methods of research. The Indian student has shown his capacity as an original investigator in many fields of science, and, in conse-

quence, India is now taking an honourable part and an ever-increasing share in the advance of knowledge in pure science

"Amongst many workers of distinction, I may specially mention Sir *Venkata* Raman, Professor M. N. Saha and Professor B. Sahni, each of whom has made outstanding contributions. That premier scientific society of Great Britain, the Royal Society, has recognised the value of their work by election to its Fellowship.

"We in Great Britain watch with pride this growth of the scientific spirit in India and are pleased to help in any way we can. As an example of our interest, I may recall that Trinity College, Cambridge—my own college—assisted that mathematical genius Ramanujan to prosecute his studies in Cambridge. He was soon elected a Fellow of that College and a Fellow of the Royal Society. But for his premature death, it may be said of him, as Newton said of Cotes, that we had known something.

"The researches in astrophysics of S. Chandrasekhar in Cambridge were soon recognised by the award to him of an Isaac Newton Studentship and later by his election to a Fellowship in Trinity College.

"As a member of the Royal Commission for the Exhibition of 1851, I would like to refer to some events this year of special interest to India. This Commission awards each year a number of Overseas Scholarships to our Dominions, as well as Senior Research Studentships open to competition in England by all members of our Commonwealth. The opportunity offered by these scholarships to promising investigators from overseas to continue their work in England or abroad has proved of great value to the progress of science. I am proud to remember that I myself was awarded an 1851 Scholarship on the recommendation of the University of New Zealand.

"It has for sometime been the wish of the 1851 Commission to be able to offer one or more of its Overseas Scholarships for award to students in India. Owing to difficulties of finance, it was only this year that this project was realized. A preliminary committee of selection was set up in India and the Commissioners with whom lay the final choice have appointed Mr. N. S. Nagendra Nath of the Indian Institute of Science, Bangalore, as the first 1851 Exhibition Scholar from India. He will proceed to Cambridge to carry out investigations in Theoretical Physics. For the first time also, an Indian student in Cambridge, Dr. H. J. Bhabha, has been awarded in open competition one of our valuable Senior 1851 Studentships in recognition of the importance of his researches in Theoretical Physics. The Commission would like to be in a position to allot a second Science Scholarship to India but funds are insufficient. The machinery, however, is there, and I know that the Commissioners would be only too happy to administer a second award if anyone in India, who is interested in her scientific progress, were generous enough to provide the necessary endowment.

"While, as we have seen, the universities of India have in later years made substantial progress both in teaching and research in science, yet it must be borne in mind that still greater responsibilities are likelyly to fall on them in the near future. This is in a sence a scientific age, where there is an ever-increasing recognition throughout the world of the importance of science to national development. A number of great nations are now expending large sums in financing scientific and industrial research with a view to using their natural resources to the best advantages. Much attention is also paid to the improvement of industrial processes and also to conducting researches in pure science which it is hoped may ultimately lead to the rise of new industries.

"It is natural to look to the universities and technical institutions for the selection and training of the scientific men required for the development. In India, as in many other countries, there is likely to be a greater demand in the future for well-trained scientific men. With the growth of responsible government in India, it is to be anticipated that the staff required for the scientific services in India and for industrial research will more and more be drawn from students trained in the Indian universities. It is thus imperative that the universities should be in a position not only to give a sound theoretical and practical instruction in the various branches of science but, what is more difficult, to select from the main body of scientific students those who are to be trained in the methods of research. It is from this relatively small group that we may expect to obtain the future leaders of research both for the Universities and for general research organizations. This is a case where quality is more important that quantity, for experience has shown that the

progress of science depends in no small degree on the emergence of men of outstanding originality of mind who are endowed with a natural capacity for scientific investigation and for stimulating and directing the work of others along fruitful lines. Leaders of this type are rare but are essential for the success of any research organization. With inefficient leadership, it is as fatally easy to waste money in applied research as in other branches of human activity.

"The selection of such potential investigators and leaders is not an easy task, for success in examinations in science is no certain criterion that the student is fitted for a research career. A preliminary training in research methods for a year or two is required to select those who possesses the requisite qualities of originality and aptitude for investigation. A system of grants-in-aid or scholarships to approved students may be required for such post-graduate training. In great Britain the financial help given by the Universities and other educational institutions for training in research is in many cases supplemented by maintenance grants to promising students, awarded by the Department of Scientific and Industrial Research. This system has proved of much value both in developing the research activities of the universities and in providing a supply of competent men both for research in pure science and in industry.

"I have so far mentioned some aspects of the scientific work carried out by the the universities and government services of India. I am well aware that much attention has also been directed to the need of scientific research in agriculture, and in certain industries. An Indian Cotton Committee has been set up which has given admirable service, while the Indian Lac Cess Committee arranges for investigations in that unique Indian product, some of which are carried out in Great Britiain. I am interested to know that an Agricultural Research Council has recently been formed, largely as a result of the findings of a Commission of which His Excellency the Viceroy was Chairman.

"While I cannot lay claim to have any first-hand knowledge of Indian industries and conditions, yet perhaps I may be allowed to make some general observations on the importance in the national interest of a planned scheme of research in applied science. If India is determined to do all she can to raise the standards of the life and health of her peoples and to hold her own in the markets of the world, more and more use must be made of the help that science can give. Science can help her to make the best use of her material resources of all kinds, and to ensure that her industries are run on the most efficient lines. National research requires national planning. If research is to be directed in the most useful direction, it is just as important for a nation as for a private firm to decide what it wishes to make and sell. It is clear also that any system of organised research must have regard to the economic structure of the country. One essential fact at once stands out. India is mainly an agricultural country, for more than three-quarters of her people gain their living from the land, while not more than three per cent are supported by any single industry. A glance at the official review of the trade of India shows that the annual production of wheat has risen since 1914 from about 8.3 to 9.5 million tons, while exports in the same period have fallen from over a million tons to 10,000 tons. In the case of another important food, rice, the Indian production, esclusive of Burma, has remained fairly steady, varying between 22 and 25 million tons annually, but here also exports have fallen from about half a million tons before the War to about 200,000 tons.

"In view of these facts, it would seem clear that, in any national scheme of research, research on foodstuffs has a primary claim on India's attention. Quite apart from improvements in the systems of agriculture used in India, there is a vast field for the application of scientific knowledge to the improvement of crops, for example, by seeking for improved strains suitable for local conditions, by research on fertilizers and in many other directions. The fact that surplus wheat for export has decreased suggests that the present production is required for home consumption in India. When the permanent schemes of irrigation now in hand bring much more land under full cultivation, India may again wish to take her place in the export market. To do this in the face of international competition, well-planned agricultural research will be essential.

"While the character of India's trade has seen many changes in the last hundred years, to-day exports of cotton, jute and tea amount to about 60 per cent of the

total exports of India. Next in importance come oil and seeds 6 per cent, hides 5 per cent and lac 1 per cent. There is no doubt that more scientific knowledge would increase the production of all these products. There is of course the need to make sure that there is a market for such a surplus. Of India's standard exports, cotton represents about 20 per cent of the total value. In spite of recent strenuous attempts to improve Indian cotton, its staple is still usually looked upon in the world's markets as short and coarse. No doubt there are purposes for which cotton of this type possesses special advantages, though the demand for it must now be very near to saturation point. Still, India only produces about 16 per cent of the world's cotton crops and there appears to be no reason why it should not produce a larger share; but until the cultivation of better varieties is more extensive, competition with cottons of the American type in the world markets will certainly be difficult. Here there appears to be a wide field for applied research. Good work has been done by the Indian Cotton Committee which has taken steps to improve the staple and prevent adulteration and inter-mixture of various varieties. The problem can be approached, however, not only in the seeking of better varieties but in finding uses and methods of treatment for the short staple variety. The importance of research on the cotton itself is well brought home by the results achieved in the United Kingdom, where the British Cotton Industry Research Association at the Shirley Institute has found that many of the defects which appear in the finished article can be traced back to defects in the raw material.

"Finally a word might be said concerning the need for research on radio-communication, so important a matter to a large country like India. I do not refer to technical research in transmitting and receiving apparatus, but rather to the type of fundamental investigation pursued under the Radio Research Board in Great Britain. These investigations, begun in the early days after the War, have shown that the propagation of radio-waves over large distances is very sensitive to the electrical state of the upper atmosphere. It is now established that a number of electrified layers exist in the higher atmosphere which under certain conditions are able to reflect electric waves. The details of this electrical distribution vary considerably with the hour of the day and with the season of the year, as well as with geographical location. Such information, which is of practical importance in the selection of the most suitable wave-lengths for radio-communication, must obviously be secured by research conducted in the country itself. Moreover, it does not seem impossible that such a survey may prove of value in long range weather forecasting.

"There is here, then, much scope for research in a wide field, which I hope will be pursued vigorously in India. It is pleasant to note that a most promising beginning in tackling fundamental radio problems of this character has already been made here by Professors M. N. Saha and S. K. Mitra and their students.

The importance of survey work of this kind has already been recognised in other parts of the Empire, where it has received official support and encouragement. I will refer in particular to the admirable work in this field by the Radio Research Board of Australia.

"While I recognise the great differences which exist between the industrial and agricultural conditions in Great Britain and India, yet it may prove of some interest and, I hope, of some value, if I give a brief account of some of the ways in which the British Government has aided industrial and agricultural research in the period following the Great War. From the dawn of the scientific age, Great Britain has taken a prominent place in advancing knowledge both in pure research in our universities and in applied research for the development of industry. Before the War, progress in industry depended in the main on the brilliant contributions of individual workers rather than on any systematic attack by scientific methods on the problems of industry. We may instance the pioneer work of Bessemer for the steel industry and of Parsons in the development of the steam-turbine which had such a great effect on the power-industry. One cannot pay too high a tribute to the greatness of the achievements of individual inventors and investigators such as these, for it was largely due to them that Great Britain obtained so great an industrial position in the last century.

"Yet I think it is true to say that in the period before the War the country as a whole failed to recognise as fully as some other nations the importance of an organised scientific attack on broad lines on the problems of industry. In a number of cases, British science gave ideas to the world, but it was left to

other nations to develop them by intensive research and to reap the industrial benefit.

"This weakness in our organisation become apparent in the War when the production of munitions and materials threw a great strain on industry. The common danger brought the industrialist and man of science into close co-operation to their mutual benefit. The results of this co-operation surpassed all expectation. New chemical processes were evolved, many new devices arose while communications were revolutionised by the rapid development of the thermionic valve. In a hundred different ways, the co-operation of science with industry had justified itself by its success.

"Early in the War, the British Government recognised that when peace came, a more systematic application of science and research over a broader field was essential in the national interest, and, amid the distractions of war, set up the necessary machinery to accomplish this. In 1915, the Department of Scientific and Industrial Research was formed, and a few years later in 1920 the Medical Research Council was set up to undertake investigations in all matters connected with the health of the people. This was followed in 1931 by the formation of the Agricultural Research Council. The formation of the Department of Scientific and Industrial Research marked the first comprehensive and organised measure taken in Great Britain to help industry generally through the application of science. A number of new research organizations were set up controlled and financed by the Department, to deal with the scientific aspects of the use of fuel, of the storage and transport of food, of buildings and later of roads—subjects of great importance to the common welfare of the people but on which little if any organised research had been undertaken.

"Coal is the greatest material asset possessed by Great Britain, for on it mainly depends the heating of our homes and the production of power for most industries. Its better utilisation is a problem of great national importance. To achieve this purpose, the Fuel Research Board was formed and a large laboratory was erected at Greenwich to carry out investigations on the better and more ecanomic use of coal. An important section of this work is a national survey of the coal resources of Great Britain carried out in special laboratories in the several coalfields. The properties of the coal in the various seams are carefully examined and, if necessary, full scale trials ar made at the Fuel Research Station to test the suitability of the coal, for example, for carbonization, for steam raising or for conversion into oil. The results of this survey, which is still in progress, have proved of increasing value not only to the colliery owner and the industrialist but also for the needs of the export trade.

"In Great Britain every year upwards of 100 million pounds are spent on the erection of new buildings and in maintaining old ones, yet no organized research on buildings had been made. To remedy this deficiency, the Department set up a Building Research Station near London where investigations are made on the many and varied problems connected with the better housing of the people. For example, investigations are carried out to find a scientific explanation of the traditional practices which have grown up in the building trade, for on this depends a rational adjustment of materials and methods to meet modern needs. The results of such a scientific enquiry in this comparatively unexplored field cannot fail to have a marked influence on building construction generally.

"The Building Research Station embraces in its programme all problems connected with building materials except those associated with the use of timber. These are dealt with at another establishment of the Department, the Forest Products Research Laboratory. Here intensive researches are carried out on the best use of timber and its preservation. The country spends large sums annually on timber much of it imported, and in the national interest it is of great importance to us that the best value is obtained for this outlay.

"You are all aware that food represents one of Great Britain's largest imports, and much of this is transported great distances from overseas. An organisation was set up, known as the Food Investigation Board, to consider the best methods of storage and transport of food, so as to avoid waste and loss of nutritive value. Much of this work has its centre at the Low Temperature Research Station in Cambridge, but a special station at Torry, Aberdeen, deals with the preservation of fish and another at Ditton in Kent with the storage of fruit.

Investigations in this field, which owe so much to the initiative of the late Sir William Hardy, have proved very valuable in many directions and have led to great improvements in the conditions of transport and storage of a great variety of food stuffs.

"I may give one example out of many of the striking consequences of such researches. The Low Temperature Research Station found that beef in a chilled state could be safely stored for 60 or 70 days in a suitable atmosphere of carbon dioxide. The importance of this discovery, which enabled beef to be carried in first rate condition from our most distant Dominions, was at once recognised by the interests concerned. The first shipment of chilled beef carried by this new method of gas storage was landed in 1929 from New Zealand. Since that time, shipments from Australasia have steadily increased and most of the vessels built for the Australasian trade have now chambers specially constructed for transport in gas storage.

"While the development of our roads in the past owes much to the pioneer work of men like Macadam and Telford, there was no planned organisation to add to our knowledge of road construction until comparatively recent years, when the Road Research Station was set up at Harmondsworth near Slough to deal with problems of road construction and the study of road wear under modern conditions of traffic. When we consider the large sums spent every year on the construction and maintenance of roads, the need of such scientific investigation is obvious.

"The group of research organisations so far considered deals with the primary needs and interests of the people as a whole as regards food, fuel, building and roads. No independent establishment was set up to deal with another important need of the people, namely, clothes, for this is most appropriately provided for by the large research associations which have been instituted in connection with the cotton, wool, and linen industries.

"Of the national organisations under the charge of the Department, the largest and probably the most important is the National Physical Laboratory at Teddington, which covers about 50 acres and employs a staff of nearly 700 persons. The work of this Laboratory, primarily intended for the assistance of industry in general, covers a very wide field. It has eight great departments devoted to the study of the different branches of Physics, Electrotechnics, Engineering, Metallurgy and Metrology, Radiocommunications, Aero-dynamics and the investigation of ship design. The Laboratory is responsible for the maintenance of the National Standards and for refined measurements connected with them. It is not always realised to what a great extent modern mass production depends on the maintenance of exact standards and the Laboratory plays an important part in testing the accuracy of gauges so necessary in modern industry.

"In 1925 a Chemical Research Laboratory was set up at Teddington, in which pioneer work is being carried out on chemical reactions at high pressures and temperatures and in the production of synthetic resins. Another important problem in which the Department is interested is the provision of more plentiful supplies of pure water for domestic and industrial consumption. Valuable work has been done by the Water Pollution Research Board in many directions, and new methods have been found for the purification of water which has been contaminated by the industrial effluents from sugar and milk factories.

"I have so far mentioned research organisations which have been set up to encourage the application of science to problems which affect the daily life of the people and the nation's industries considered as a whole. I should mention that these national organisations to which I have referred are not only willing but anxious to co-operate with corresponding institutions which may be set up in India or the Dominions.

"I must now refer to arrangements which have been made to promote the application of scientific knowledge to the problems of the individual industries. The importance of research has long been recognised by large industrial companies, who have in many cases set up research establishments for their own requirements. This tendency is specially marked in the electrical and chemical industries, where large sums are spent annually on research.

"It is, however, to be borne in mind that a great part of British industry is carried out in small establishments. A survey carried out some years ago indicated that in 128,000 factories in Great Britain less than 500 employed more than 1,000 workers while over 117,000 employed less than 100 workers. Obviously such small factories are not in a position to maintain a research laboratory on anything but a small and

inefficient scale. To overcome this difficulty, the Department in conjunction with the industry instituted a number of co-operative research associations representing the greater part of the main industries of the country. Each of these research associations is autonomous and controlled by representatives of the industry concerned, and is financed by contributions from the firms belonging to the association, assisted by grants from the Department.

"This bold experiment in the co-operative organisation of research, which is unique in the world, has undoubtedly proved a great success. To-day there are twenty such research associations formed on a national basis in their respective industries and for membership of which all British firms are eligible. They cover the metal and textile industries, paint, leather, boots and shoes, rubber, flour-milling, cocoa and confectionery, food, printing, scientific instruments and the automobile and electrical industries. From small beginnings, a number of these associations have steadily grown in size and strength until they now form an indispensable and valuable part of the industries they represent.

"I can speak with some knowledge of the marked progress made by these two types of research organisation, as I have been privileged, as Chairman of the Advisory Council of the Department of Scientific and Industrial Research for the past 8 years, to come in close contact with them. While much still remains to be accomplished, there has been a great advance in recent years in the recognition of the value of research in increasing the efficiency of industry. If we are to hold our own in face of the ever increasing competition in the world to-day, it is essential that our industries should take full advantage of the resources which science places at their disposal.

"It is of interest to note that the Overseas Dominions have not been slow to appreciate the importance of such national organisations in the development of their national resources and industries. Healthy research organisations under the control of National Research Council or corresponding bodies have been set up in Canada, Australia, New Zealand and South Africa. Both in Canada and Australia, which have a Federal system of Government, the research organisation is national in the true sense of the word and responsible only to the Central Government.

"It is to be borne in mind that the organisation of research for industry and for general national purposes varies much in different countries. A research organisation which may prove adequate for a country like Great Britain may prove quite unsuitable for another country with different needs and different industrial conditions. In developing any organised scheme of research, each country must consider its own resources and its own particular requirements. As we have seen the organisation of research not only in Great Britain but in the Dominions, is national in scope. Even in a large country like India, where the resources and needs of the different Provinces are very varied, it seems to me essential for efficiency that the organisation of research should be on national rather than on provincial lines. The setting up of separate research establishments for similar purposes in the various provinces cannot but lead to much overlapping of work and waste of effort and money. Such a central organisation of research does not necessarily mean that the scientific work should all be concentrated in a single laboratory. For example, I understand that a single organization is responsible for the research in cotton for the whole of India. While the more fundamental research is done at a conveniently situated laboratory, much of the work of a special character is carried out in the provinces where cotton is grown.

"In Great Britain, the responsibility for planning the programmes of research, even when the cost is borne directly by the Government rests with research councils or committees who are not themselves State servants but distinguished representatives of pure science and industry. It is to be hoped that if any comparable organization is developed in India, there will be a proper representation of scientific men from the universities and corresponding institutions and also of the industries directly concerned. It is of the highest importance that the detailed planning of research should be left entirely in the hands of those who have the requisite specialized knowledge of the problems which require attack. In the British organizations there is no political atmosphere, but of course the responsibility for allocating the necessary funds ultimately rests with the Government.

"In this address, I have to a large extent confined my attention to research in pure science, agriculture and industry. I am, however, not unmindful of the pressing

needs of India to alleviate the sufferings of the people from attacks of malaria and other tropical diseases. I know that India herself is giving much thought to these vital problems in which science can give her valuable help."

The address then deals with recent investigations in pure science, especially in the transmutation of matter, in which Lord Rutherford himself did most magnificent work. Attention is drawn to the recent revolutionary changes in the concept of the atom—thanks mainly to the discovery of the positive electron by Anderson in 1932, of the neutron by Chadwick in 1932, of artificial radio-activity by M. and Mme. Curie-Joliot in 1933, and of the elements by purely artificial methods first shown by Cockroft and Walton in 1932.

The address concludes :—

"The science of Physics now covers such a vast field that it is impossible for any laboratory to provide up-to-date facilities for research in more than a few of its branches. There is a growing tendency in our research laboratories to-day to specialise in those particular branches of Physics in which they are most interested or specially equipped. Such a division of the field of research amongst a number of universities has certain advantages, provided that this sub-division is not carried too far. In general, the universities should be left free as far as possible to develop their own lines of research and encouraged to train young investigators, for it cannot be doubted that vigorous schools of research in pure science are vital to any nation if it wishes to develop effectively the application of science, whether to agriculture, industry or medicine. Since investigations in modern science are sometimes costly and often require the use of expensive apparatus and large scale collaboration. It is obviously essential that adequate funds should be available to the universities to cover the cost of such researches.

"In this brief survey, I have tried to outline the contributions to scientific knowledge made in India, and the needs of the immediate future if science is to play its part in the national welfare. While the study of modern science in India is comparatively recent, naturally much influenced by western ideas, it is well to recall that India in ancient days was the home of a flourishing indigenous science which in some repect was at the time in advance of the rest of the world.

"The study of ancient writings has disclosed in recent years the extent and variety of these scientific contributions. Much progress was made in the study of arithmetic and geometry, while the researches of Sir Prafulla Ray have brought to light the important advances made in metallurgy and chemistry. May we not hope that this natural aptitude for experimental and abstract science, shown so long ago, is still characteristic of the Indian peoples, and that in the days to come India will again become a stronghold of science not only as a form of intellectual activity but as a means of furthering the progress of her peoples."

# The A. I. Adult Education Conference

## [ First Session—Delhi—11th. March 1938

### The Presidential Address

The following is the text of the Presidential Address delivered by the Hon'ble *Sir Shah Sulaiman* at the All India Adult Education Conference held at Delhi on the **11th. March 1938** :—

It is a matter of great privilege to address the first All-India Adult Education Conference on a subject in which we all are so deeply interested and which is a a vital part of every general scheme of education. It is most appropriate that the first session of the All-India Adult Education Conference should be held at this ancient and historic centre, which is the premier town of India. It would be in the fitness of things for the educationists assembled at Delhi to take the lead in placing the Adult Education Conference on a firm and permanent basis.

The problem of adult education is entirely distinct and separate from that of imparting literary education through the medium of ordinary schools. The great bulk of the Indian population is ignorant in many ways and the adults are generally too old to acquire much of book learning. Schemes for holding night schools for adults are in vogue in many foreign countries; and we ought to utilise the experience gained there for the benefit of our own. But in India they have been tried so far only in a sporadic fashion. There has not existed any common organization which would co-ordinate all such activities and also guide our efforts along similar and uniform lines of action. The aim of adult education is not merely to spread bare literacy among the masses. That object is attained more easily by the introduction of free and compulsory primary education, when finances permit. The grown up sections of the population stand on a different footing, and adults can also be brought in touch with the advance of practical knowledge without the necessity of books. The method of educating adults must of necessity be somewhat different from that used for educating younger persons. Trying to impart literacy to adults often proves to be a belated and almost futile attept; on the other hand, supplying general information to them is of more practical utility. We should entrust our ordinary schools with the task of removing illiteracy, and not confine the adult education institutions within such narrow limits.

The present system of education is certainly open to several serious objections and needs a drastic over-hauling. It is no wonder that from time to time it is subjected to severe criticisms by educationists in all the provinces. There is a growing and insistent demand all over the country that education should be made more practical and useful, and that new type of schools which would equip students for particular calling are more urgently needed.

The underlying policy in the past was to establish as many schools and colleges as possible so as to turn out matriculates and graduates in large numbers. That was a time when there was a marked demand for educated men, as posts in the Government services were available to them in plenty. The system of establishing more and more educational institutions therefore worked pretty well and men who qualified succeeded in obtaining suitable employments. Acquisition of even a literary education was economically advantageous, and those who received the benefit of such education were certainly better off than those who had neglected it. With the enormous growth in the number of students the situation has changed completely, as there are not enough vacancies in the offices to meet the supply. Ordinarily speaking, mere literary education has ceased to be of any great practical utility. The educated classes are now faced with a very serious problem of unemployment. With a multiplication of educational institutions and a wide-spread expansion of literary education conditions are bound to get still more chronic. A heavy duty is therefore cast on those who are working for the cause of education to remodel the existing institutions so as to give the students a decided bend for industrial and commercial line in order to fit them for that special skill which a workshop or a factory would require. It is most essential that quite apart from the literary education that is being already given in our existing schools, there should be a well-organised effort to provide facilities for grown up people to learn in their spare hours what could be more useful and helpful to them in their individual occupations. A wide-spread scheme of adult education, as supplementary to the school education, would go a long way towards solving the unemployment problem. Of course it must be conceded that education by itself will never be able to create new openings or bring into existence new industries so as to provide further and more numerous opportunities for employment. But vocational training will certainly enable people to avail themselves of industrial opportunities that exist, and accelerate the utilisation of the vast natural resources for the development of indigenous industries.

Mere perfunctory literary education for the poorer classes is by no means popular. In order to make it appeal to them, it is necessary that the nature of education imparted in our schools should be such as to adapt the pupils to the particular occupations or callings which they wish to enter, for such practical knowledge would enable them to earn their livelihood better.

If adult education were confined within a limited scope and attention be concentrated solely on literacy as a narrow objective, adult schools are not likely to survive long. Men who have to earn their living by hard work during the day are not likely to be in a mood to come at night to take instruction in literacy. Their minds

not being as easily impressionable as those of the young, it cannot even be expected that they would make much progress in learning how to read and write, and like the boys of the primary schools may forget what they have learnt after leaving school. On the other hand, vocational training would not be so distasteful and would evoke enthusiasm, specially if the training is directly connected with the day occupation of the student.

It is a mistake to suppose that we already have too many workmen. Perhaps we have a sufficient number of them, but only a very small percentage of those who can be regarded as skilled workmen and artizans. Skill in the various crafts will enable the workmen to do their work better and such training would be both profitable to the workers and conducive to the general development of the Indian cottage industries. There would not be the same amount of repugnance towards manual training, nor any false notion that it is derogatory to one's honour or status, if such training were to yield a good return for the work done.

Adult education can have many branches. In its higher forms we can have university extension lectures, talks on the Radio, broadcasting of speeches, holding of public lectures and delivering of popular addresses. But in a more modest way, a good deal of practical and useful work can be done by providing vocational training in commercial pursuits, and making it available for those who wish to take a course of instructions in the evenings. Inclinations differ with individuals and it will be necessary to have a very large variety of optional subjects of vocational study so as to furnish a wide and comprehensive field of choice to the students to make their selection from. The catalogue of such subjects would be a huge one and their full enumeration is not at all necessary.

Adult education is undoubtedly a matter of far-reaching importance, and if due attention were paid to it even the higher forms of industrial and commercial training can be easily secured. The great possibilities of a wide-spread system of adult education cannot be doubted. The essential thing is that adult education should be conducted on vocational lines so that even literates can find leisure from their ordinary avocations of life to attend night classes or holiday courses.

On the Continent of Europe and particularly so in Germany, a system of vocational schools exists where students are being trained for some vocation or other. Students trained in the various branches of vocational study are always available, and a large percentage of them are able to organise large businesses, providing a better source of income for themselves and for their families.

The problem of education in rural areas presents a still greater difficulty, as the villagers are unable to appreciate the benefits of elementary literacy, as they find that it does not make them more fitted for their hereditary occupations. One fears that they are not far wrong in thinking that there is no permanent benefit conferred by teaching them just how to read and write, when they have to go back to their agricultural pursuits and soon forget what they learnt. If instead, they had been given some practical knowledge of farming and agriculture in which their family is engaged, they would find their learning decidedly profitable. Before a general programme of education for the rural areas is taken in hand, we have to make up our minds as to the exact kind of education that is going to be given in the village schools. There is not much need there for the present type of schools, which impart education of a character that has a tendency to turn out literates, who cherish dislike towards their industrial occupations, without having been fitted for any better calling. Would it not be much more useful to teach a village student the qualities of the various kinds of seeds, the advantages of good manure, better methods of irrigation and new methods of cultivation, which would stand him in good stead ? Information about harvests and rainfall would be highly interesting, and practical training in modern farms certainly more useful. We should not be too prone to follow blindly the lines of the urban scheme, but would have to devise a special scheme suitable for the needs of the country-side.

Handicraft centres of various types are likely to be more popular with the poorer classes than the literary schools which they consider useless. For such people the benefit of education should be judged from an economic point of view and practical training regarded essential. The need for it is unquestioned and is recognised on all hands. What is really wanted is the creation of sufficient interest in the wide possibilities of such national work.

The aim should be to open schools for adults in every city, town and village, and direct the attention of the people to pursuits of a vacational type. The great masses

of the urban and particularly the rural population belong to the working and labouring classes, to whom practical knowledge is of far greater benefit than what attendance at a literary school can give. A widespread scheme of vocational education is likely to relieve the pressure of unemployment which is weighing upon the middle and the lower middle classes in a crushing manner. Elementary night schools and classes have been in existence in many places but the progress made has been very slow because there has been no well-chalked out plan for their development and expansion. For the success of such movement a large body of trained teachers and instructors, who are willing to volunteer their services, would be a necessary requisite. We should endeavour to enlist the sympathy and support of public-spirited persons in establishing an extensive organisation for starting centres of activities in every local town, later on to be extended to rural areas as well. Let us hope that persons specially qualified and trained would offer their services and spare a few hours every week or every month to help in promoting such schemes.

I must, however, sound a note of warning that there is always a danger that many parents who, but for such night institutions, would have sent their children to day-schools, may retain them during the day for earning some wages and send them to night-schools as substitutes for day-schools. This can be effectively prevented if the night schools are strictly confined to adults who are no longer of school-going age. Young children should not be allowed to attend such schools at all. Nor should night schools be a mere device for day-school teachers to earn an extra income by holding classes outside school hours. I would suggest that the instructors in such schools should not be recruited exclusively from the ranks of the day-school teachers who would like to have an extra remuneration in their spare time, but should consist mainly of those who follow the trade and the profession they teach. Teachers who teach in day-schools for several hours a day, would feel too tired to continue their work at night. Over-worked teachers are neither likely to be enthusiastic about working overtime, nor to have a fresh mind for such work.

Owing to extreme ignorance and illiteracy as well as poverty India suffers from a blind pursuit of the antiquated industrial methods inherited from the past generations. It is therefore not at all a matter of surprise that village industries have become stagnant, and conditions are stationary. Unless the Indian cottage industries get a new lease of life from the supply of a better class of workers, with more specialised knowledge, their further deterioration is inevitable. It is our bounden duty to awaken the Indian industries and to save them from extinction and ruin, which must be their certain doom, unless such a catastrophe is prevented. We must save our indigenous arts and crafts from utter annihilation, by reviving and stimulating them and re-adapting them to modern needs. Cottage industries on both big and small scales, even in the presence of machinery, have survived in all countries not even excluding Japan. Unless we take immediate and effective steps to protect them, many of the old smaller industries would soon be completely destroyed and become incapable of being resuscitated.

Now that we have Provincial Autonomy, and Indian Ministers are in charge of the departments of education, it is all the more incumbent upon them to take stock of the present situation and seriously consider the overhauling of the existing system. If a representative body like the All India Adult Education Conference were to prepare a complete scheme and submit it to the provincial Ministers for their consideration, there is every reason to hope that due attention would be paid to their recommendations. But there need not be too much dependence or reliance on Government grants. Education should essentially be a matter of local interest. It should be the genuine concern of the Municipalities and Town Area Committees to help such schemes and also to supervise them. And private philanthropy must in an equal degree offer generous help.

What is really lacking at present is an organised system of adult education for the whole of India, based on a uniform policy and brought about by the co-operation and co-ordination of all like institutions which are working for the same purpose. An All-India Adult Education Conference is in the best position to give a lead, if not also to guide and control the activities of the institutions of this kind. A serious effort should be made to give a new impetus to this movement by forming, not only in every province but in every district and town, institutions which would carry on adult education work on a well-prepared plan and with a well-financed scheme. Unless there is an All-India Association which has a well-thought out plan ready for adop-

tion, adult education is bound to be conducted in a haphazard manner without any concerted action.

It is for this Adult Education Conference after full deliberation to devise a well-considered scheme, and fix upon the various subjects for training, and to prepare a progressive course for each handiwork as the necessary subject of instruction.

It is a happy augury for the future progress of adult education that this Conference is meeting at Delhi to draw up a programme of action and to devise schemes to be put into effect. The various organisations in the different provinces should treat each other as sister institutions and work with mutual good-will and co-operation. If there be a co-ordinated and united action on a fixed plan, there is no reason why advance should not be made in an ever-increasing degree. Real progress will be made by local efforts, which alone will give the movement a practical shape and prove to be economical. Adult Education Societies all over the country should undertake the training of young men and women in the various arts and crafts as well as in the trades that flourish locally, so that the workers may get the benefit of improved methods. The introduction of new designs and greater skill would produce new articles of greater workmanship and utility, and in that way create a new demand for such products. The importance of arts and crafts in the scheme of national life has to be well-recognised. Excessive industrialism may throw out of employment many who were depending on small cottage industries. Adult education conducted on vocational lines may alleviate the sufferings caused by rapid industrialisation. To prevent the arts and crafts from being ruined and exterminated by modern machinery, we should procure for them more skilled workmen. A real development along such lines would be greatly welcome.

The Handicrafts Department of the Delhi Indian Educational Society has put training in handicrafts in the forefront of its educational programme, and has already organised instruction in (1) cane work, (2) tanning, (3) toy-making, and further proposes to extend training in (i) electro-plating, (ii) leather work, and (iii) stencil drawing in the immediate future. This is a good lead.

We certainly start with many handicaps ; and there would in the beginning be obstacles and difficulties in the way, particularly of a financial character, and we may also suffer from a lack of enterprise, energy and enthusiasm ; but there is no reason why we should be despondent and despair of the future. If only everyone who is interested in the cause of education were to do his utmost to further it, no matter how small may be his contribution, the combined effort put up is bound to produce a a solid and substantial result. The task is undoubtedly great and arduous, but let not gloom overtake us. Let us work courageously and steadily with our hearts full of hope that our efforts will ultimately be crowned with success.

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# The Calcutta University Convocation

The following is the text of the Convocation Speech delivered by Mr. *Shyama Prosad Mukherjee*, the Vice-Chancellor at the Annual Convocation of the University of Calcutta held on the **5th. March 1938** :—

YOUR EXCELLENCY, FELLOW-GRADUATES, LADIES AND GENTLEMEN,

Twelve months have elapsed since the last Convocation and it is once again my privilege to extend to you all the good wishes of the University. To our new Chancellor we offer a hearty welcome and I venture to express the hope that the University will proceed further in its march toward progress and expansion, sustained by his sympathetic co-operation.

Last year the address to graduates was delivered in an unforgettable manner by Rabindra Nath Tagore. This year we have amidst us Rev. C. F. Andrews whose great sympathy with Indians and whose selfless devotion to all just and humane causes have won for him the respect and affection of men of all classes and creeds.

Before I make a rapid survey of some of our chief activities during the year may I pay my tribute of respect to the memory of some distinguished persons whose death we have had to mourn since the last Convocation ? Diverse were the fields of work of Sir Jagadis Chandra Bose, Dr. Sarat Chandra Chatterjee, Dr. Heramba Chandra Maitra, Dr. Kasi Prasad Jayaswal, Dr. Syamadas Mookerjee, Dr. Indubhushan Brahmachari and Rev. Fr. F. X. Crohan. But each of them was actuated by the same spirit of devotion to duty and of service to the cause of India's uplift. Each contributed in his own way to her intellectual progress, believing firmly in the vigour and vitality of the youth of the land; and to their making they nobly and cheerfully dedicated their lives.

During the last twelve months the activities of the University have steadily increased and have kept its members busily engaged. We have to-day more than three thousand students studying directly under our control in the departments of Arts, Commerce, Science and Law, for whose benefit we maintain a staff of about 250 teachers in 36 different subjects. Forty research scholars are working in various braches of study in close co-operation with their professors. A desire for acquiring knowledge by their own unaided efforts is also more in evidence among students generally. The increased facilities given by the University Library have been eagerly availed of. The number of volumes issued to students during the year was one lac and thirty thousand, against only forty-six thousand in 1935 and ninety-three thousand in 1936. The number of colleges has increased to 64 with an enrolment of nearly 33 thousand students. There are today more than 1,400 high schools with about three lacs and forty thousand boys and girls ; and as many as 50,000 candidates sat for the last University examinations.

Five of our graduates were awarded the Doctor's degree and their theses covered subjects like Agricultural Economics, Metaphysics, History and Chemistry. Prizes and stipends were awarded for original contributions made by our advanced students in Arts, Science, Law, Medicine and Engineering. We have continued the policy of sending selected scholars abroad and the subjects for investigation included Education of the Blind, Banking and Currency Organisation, Standardisation of Drugs, Aromatic Chemicals, Plant Physiology and Physical Chemistry. We have not been forgetful of the need for organising courses of lectures by distinguished scholars, Indian and European. During the year we had amongst us Sir William Holdsworth speaking on English Law, Professor Fisher on Mathematical Statistics, Professor Myers on Industrial Psychology and Vocational Guidance, Professor Radhakrishna on Comparative Religion, Mahamahopadhyay Pramathanath Tarkabhushan on Vaisnavism, Dr. Syud Hassan and Dr. Sudhindranath Ghosh of Geneva on European and Far-Eastern Problems, Dr. Ewart on Austrian Culture, Sir Daniel Hamilton on India and the Empire, Dr. Dudley Stamp on Modern Geography, Dr. F. W. Thomas on the Literature of India and Greater India.

The Silver Jubilee Session of the Indian Science Congress held jointly with the British Association for the Advancement of Science, was another noteworthy event and we confidently expect that its deliberations will have a stimulating effect on the progress of scientific studies in India.

The University continues its task of publishing books, memoirs and journals chiefly contributed by our scholars. As many as twelve books on special subjects were brought out during the year. We also helped in the publication of nine journals six of which were the organs of outside societies for advanced studies in Physics, Chemistry, Mathematics, Geography, Geology and Psychology.

Apart from the mere routine duties done, many of our teachers in the University and in the colleges have applied themselves to original work and inspired young scholars to follow in their lines, which have won for them recognition from various parts of India and abroad. Some of them have undertaken special topics for investigation at the instance of other bodies official and non-official, and are thus making a definite effort to give a wider public the benefit of their study and research. We are anxious that the departments of Science as also those of Economics and Commerce should be brought into closer contact with practical problems of industry and trade affecting the interests of the province at large; and we are exploring the means for securing such co-operation.

The work of the Teachers' Training Department has considerably increased and the energy shown by the staff is commendable. During the year 530 teachers came from far and near for training. We have made special arrangements for Science and Geography and have also modified the regulations permitting bona-fide teachers to appear at the B. T. Examination on well-defined conditions, as non-collegiate students. I hope that in the near future it will be possible to increase the usefulness of this department so that an urgent educational need of the province may be adequately supplied.

We have revised the courses of study in several subjects in different faculties so as to bring them into line with modern developments. The new Matriculation Regulations, which have just come into operation, have been criticised in some quarters as being too wide in the scope of the syllabuses. The University is fully conscious of the need for observing caution during the period of transition and is prepared to consider specific proposals for revision after the regulations have had their trial for some time.

The scheme of expansion of women's education under the Viharilal Mitra Trust is now being prepared by an able Bengali lady graduate who was deputed to visit educational centres in India and draw up a report. The University, I expect, will soon be in a position to formulate the lines of future activity in this field and carry out a programme of reform which will be of benefit to Bengal both socially and educationally.

The Art Museum which was opened last March is steadily growing into a useful institution. The collections amount to 1,228 and include valuable gifts from friends in and outside Bengal. Our aim is to lay special stress upon the forgotten treasures of Bengal and exploration of different regions in the province for collection of specimens has already been planned. With the permission of the Government of India and acting in close co-operation with the Archaeological Department, we are just organising an excavation of the historic site of Bangarh in Dinajpur, directly undertaken by our staff and students.

The new scheme for creating an Appointments Board has been working for less than a year and we thankfully acknowledge the co-operation we have received from various commercial firms and organisations. The number of appointments till now has been about forty. Our main endeavour is to find out openings in such branches of trade and industry as do not at present attract qualified Bengali youths trained at the University. I do earnestly plead for support from all Chambers of Commerce and other bodies who are in a position to assist us.

A proposal now under consideration related to the institution of a special course training in Agriculture and cottage industries. I hope this may help to turn the attention of our youths to practical pursuits and open a new source of productive energy which will be of benefit to themselves and to the province as a whole.

The attention paid by the University and its colleges to the health of the students continues unabated. The Rowing Club and the University Training Corps have improved in strength and efficiency. The Students' Welfare Department has extended its after-care work and proposes directly to influence some of the mofussil centres as well. Vigour and earnestness mark the work of other sports associations within the University and colleges. The absence of adequate playing fields and also of a whole-time well-equipped staff for imparting physical instruction is however, keenly felt. Much as I admire the keenness of a few select athlets and sportsmen,

I would once again emphasise the imperative need for improving the health, vigour and vitality of all students and for turning the enthusiasm of thousands of mere student-spectators into active participation in games and physical exercises.

The University received during the year Rs. 1,39,460 as benefactions from private individuals. The thanks of the University have already been conveyed to the donors, but I should like to express my gratitude to them once again, specially to Lady Abala Bose for her gift of a lac of rupees in memory of her husband, the late Sir Jagadis Chandra Bose, and to Sir Prafulla Chandra Ray for his gift of Rs. 10,000 for research in Botany and Zoology.

It is a matter of satisfaction that the conditions of the Government grant have been revised and the University has been assured of a block grant of Rs. 4,85,000 a year. We hope the grant will be placed on a statutory basis as in the case of Dacca University. According to the present position, out of the total revenues of the University 69 per cent. come from fees, 12 per cent from endowments and 19 per cent. from the public funds.

One of the important questions which the University has been called upon to consider relates to certain proposals for the establishment of a Board of Secondary Education in the province. The Senate rejected these proposals without a voice of dissent as in its opinion they were calculated to retard future progress. We feel glad at being assured that the draft scheme was a tentative one and did not represent the settled views of the Provincial Government. I do not propose to go into the details of this question here as at the invitation of the Minister of Education the University is at present engaged in a Conference with Government. I sincerely hope that the great problem of the future re-organisation of the Secondary Education will be solved to the satisfaction of men of all shades of public opinion and will help to usher in a new era of unfettered progress.

Stagnation is one of the dangers which threatens a public institution such as ours, over-burdened with numerous problems of administration, not all of which are easy of solution. The rapid survey which I have placed before you will, I hope, convince you that we have not been oblivious of this danger. However important and fundamental the changes which we have recently introduced in various parts of our University organism, the time has now definitely come when we have to probe deeper into our educational system as a whole and strive strenuously for improvement. Public opinion in this province will not for a moment tolerate any proposals which under the cloak of reform may aim at restriction of facilities. We want more education and better education, and any reformer who can satisfy us in this respect will find enthusiastic support from all. While on the one hand we have to guard against the dominance of vested interests, we must also recognise that existing institutions which have worked for the advancement of education under tremendous difficulties, cannot be detected by a stroke of the pen. True statesmanship must discover a satisfactory way of readjusting and utilising all existing resources, both in man-power and in materials, and evolve a new system of education capable of complete fulfilment before long.

University education originated in this country not in the desire for the conservation and betterment of our traditional culture, our arts, crafts and industries, but mainly for imparting to us Western ideas through the medium of a foreign tongue. It has had no doubt its beneficent results. It has produced a large number of scholars and helped in the creation of a new literature and the development of science. Professions like Law, Medicine and Engineering, have rapidly grown as part of this programme and absorbed some of the best Indian talents. But in the main, it has merely ensured a regular supply of an indigenous machinery for the smooth working of a powerful bureaucracy. It did not aim at educating the people at large. The masses remained untouched. No attempt was made to correlate the different stages of education—the Primary, the Secondary and the University—so as to build them up into a harmonius whole. Too often these stages have been regarded as separate, watertight compartments, and we hear of projects for improving one at the expense of another. We hear today of restriction of University education, of reducing its sphere of influence, of making examinations its chief function and thrusting it into the background for the sake of encouraging Primary Education Nothing could be more disastrous than such a short-sighted policy.

We, on the other hand, want to see established a sound policy of national education, which will ensure a steady advance from the lowest stage to the highest. We want to see Primary Education developing widely and laying the foundations of

literacy, of right conduct, of healthy activities and of a breadth of outlook which will render possible the growth of a national consciousness. We want to see Secondary Education spreading far and wide, satisfying the requirements of a sound and liberal education and leading its recipients to diverse fields of intellectual, useful and productive activity. Then, in the last stage, we want to see University education as a natural continuation of such a varied type of Secondary Education, providing for higher and advanced work, not only in the liberal and professional studies but also in Science and Technology, in Commerce and Agriculture. We want to see the syllabuses and courses of studies so remodelled, systems of training and examination so reorganised that the young learner may grow up not as a mechanised recorder of information and theories, not as a dry specialist, but as one whose latent power is well roused, whose critical judgment is strengthened and whose capacity for wide thinking and application of knowledge to problems of life is developed to the fullest extent. We want to see such an education being imparted through the language of the province in all stages, without neglecting a study of the English language. We want to see the amplest provisions made for the supply of teachers ready to dedicate their lives to the cause of the upbringing of the youth of the country, comprising both leaders and followers, healthy in body and intellect, disciplined and open-minded, generous and upright, fearless and patriotic. We want to see such a wide and beneficent policy of education, receiving unstinted aid from the State and from the public, and freed from the baneful influence of party politics and communal wrangles. We want to see the adoption of a State policy which will make possible a wide absorption of educated youths, now and in future, in the work of rebuilding Bengal in all its phases, social, economic and political.

Through education, more than through anything else, we can attain these our cherished hopes and aspirations, and let us stand united to serve its sacred cause. I hope and pray that in the years to come it may be given to us all, in whose hands rest responsible powers, to leave aside disputes and differences, to put our shoulder to the wheel of progress and to help in inaugurating an era of constructive work which will make our great province a happier place to live in and will give it a position of supremacy in matters concerning India as a whole. I hope and pray that in this task of reconstruction touching upon every phase of our national life, the University of Calcutta may play its part with courage, wisdom and foresight, and inspire in the hearts of thousands of her sons and daughters an abiding sense of loyalty and affection which will sustain her in her days of trial and of triumph and lead her on from strength to strength towards the fulfilment of her destiny.

## Rev. Andrews' Convocation Address

The following is the text of the Convocation Address delivered by Rev. *C. F. Andrews* :—

CHANCELLOR, VICE-CHANCELLOR AND FRIENDS,

You will pardon me today if I speak chiefly to those who are students ; for my whole life has been spent in the student world, among the young, and I have a deep love for them which seeks to find its utterance at a time like this in the hope that some word of mine may cling to their memories long after Convocation Day is over. For the same reason, also, what I write will be direct and simple. Need I add that this deep love for Bengal and its students had its origin in my own revered teacher, Gurudeva Rabindranath Tagore ? Never has anyone had such a friend and guide as he has been to me !

So let me take, as my main theme, the phrase that Professor Whitehead has set in the forefront of his book, called 'Science and the Modern World.' He has dedicated it thus : "*To my colleagues, past and present, whose friendship is inspiration.*"

'Whose friendship is inspiration." It is concerning the transforming power of friendship, between teacher and thought, and also between students themselves, that I wish to speak. For that 'friendship' as Whitehead rightly says, 'is inspiration.'

Let me venture to show you out of my own lifelong personal experience, both as a student and as a teacher, the supreme truth of those words,—how the very best scientific and literary work requires this background of friendship for its highest fulfilment ; how the student, or the teacher, who has never made a friend, has lost

the one pearl of great price which the University has to offer : how the basis of all sound learning in human affair is laid in fellowship and friendship.

When I look back on my own undergraduate days at Pembroke College, Cambridge, the one permanent and abiding thing that made all the difference to me, was the profound reverence I had for my tutor, Charles Hermann Prior. He let me enter his own inner life and shared his deepest thoughts with me. His friendship was my inspiration. He was one of those pure in heart who see God : and so he taught me not only the Hebrew of the Bible, but also to look steadily into the unseen world where his own mind had found its rest.

Along with him, was one who became our President, Sir George Gabriel Stokes, the greatest man of science in his own generation, whom men like Lord Kelvin used to call their Master. He was completely unselfish, and would give to his pupils freely his own most fruitful thoughts, in order that they might get the world's praise rather than himself. The undergraduates used to call him "the Angel Gabriel," because in his old age his face was almost heavenly to look at. He was so accessible, that even when he was long past eighty, he would welcome me into his own home, and encourage me to come and sit with him in order to learn something of his sprit.

Then, last of all, there was Edward Granville Browne,—'Persian Browne,' we used to call him,—who at that time had just become world-famous in literary circles through his book, 'A Year among the Persians.' So brilliant was he as a linguist, that I have heard him carry on four conversations at once at the High Table in four different languages with perfect ease and without a pause for a word. His room in College, in the Ivy Court, used to be our *rendezvous*, late into the night, while he told us about the East. The debt I owe to his friendship can never be repaid. He turned my face towards India and made the Eastern world a living reality to me. No one in Cambridge understood the Spirit of Islam as he did. The admiration, at its highest point, that I have always retained for the Muslim Faith, had its early beginning in my friendship with this profound Arabic and Persian scholar.

So I could go on, one by one, to describe my teachers. They were not merely known to us in the lecture theatre. They lived with us and shared our lives. What, in ancient India, I have read concerning the great teachers of those early days in the forest *asrams*, was true in its own degree of these teachers of ours at Cambridge. Their friendship was our own inspiration.

May I dare to tell one other story—not of a teacher this time, but of a fellow student. Basil Westcott, the youngest brother of Bishop Westcott of Calcutta, and the son of old Bishop Westcott of Durham, was my dearest college friend. He was at Trinity and I was at Pembroke : but we lived in each other's rooms and used to have our meals together and thus met every day. This one friendship with Basil Westcott meant most of all to me in College days. We shared our thoughts and aspirations ; we talked over together our life purposes, and were one in mind and heart.

When Basil Westcott had taken his degree, he went out to St. Stephen's College, Delhi, as a teacher, and while he was there he became the closest friend of Susil Kumar Rudra, who was then Vice-Principal. Basil used to write to me every week about the College, and in this way I first got to know his friend, Susil. Then he himself died a very noble death ; for while he was nursing a sick patient he caught the dread infection of cholera, and thus passed away. The whole student world of Delhi mourned his loss.

As soon as the news came of Basil's death, I knew that the call had come at last to go out to India in order to take his place. Susil Rudra welcomed me at once as the friend of his own friend, and thus we were brought close to one another from the very start. When later, as the years went on, our mutual affection grew deeper, I caught from Susil the flame of his own burning love for his mother country, India. For love of country was the deepest passion of his life.

Susil had received his education and taken a high degree at Calcutta University late in the seventies of last century. He was much older than I was, and I held him in the highest regard for his sheer goodness. He told me how at one time, in his undergraduate days, he had nearly lost his faith and thrown over religion altogether ; but Father Brown of the Oxford Mission, in Cornwallis Street, had wonderfully befriended him and had saved him from such a great disaster. The daily life of prayer, which the Oxford

Brothers led, had restored his own firm belief in God, and this bed-rock faith had gradually become the deepest thing in all his life. It had kept his heart and soul pure as nothing else could do.

There was a quiet dignity about Susil Rudra which never left him for a moment. It gained for him in Delhi the playful name of the 'Burra Sahib' : but a gentler, humbler, kinder soul never existed. He was my own Principal for nearly ten years, and it was a supreme joy to me to work under him. Then, at last, in 1913, he gave me up, without a single word of rebuke or hesitation, so that I might go to Santiniketan, which has been my loved home ever since. How can I possibly tell all that I have learnt there under our Gurudeva !

Let me go back once more to make my meaning clear. If this priceless boon of friendship had not been so bountifully given me in my own early College days : if I had not then learnt what may be truly called the art of friendship, I should never have been able to make friends so easily in Santiniketan itself when I went there from the Punjab. One step led on to another.

What I actually found at Santiniketan when I lived there was the old Cambridge atmosphere all over again,—that close touch between the teachers and the students ; those small groups and friendships formed between the students themselves, which is the noblest avenue of learning. Above all, we had in our Gurudeva an ideal teacher, whom we all could love and revere. Thus we had our own education set in perfect surroundings. Both the teachers and the students lived together and learnt together. Friendship, to quote Dr. Whitehead once more, was inspiration.

The question now arises,—and I confess at once it is very difficult to answer,—'Can these ideal conditions still continue between pupil and teachers, and also among fellow students, in a vast modern city such as Calcutta, where simple friendly intercourse is hampered and restricted on every side by the crowd ?

I would answer tentatively that it is still possible in rare cases, even here in crowded Calcutta ; for I have actually seen it, in one instance at least, in the very place where we are gathered to-day ; and I would like to bear witness to what I saw.

During the Flood Relief of North Bengal, many years ago, I used to come, very early in the morning, by train from Bolpur in order to take instructions from Acharya Prafulla Chandra Ray who along with Satish Chandra Das Gupta was in charge of the flood relief operations. I would then go on from him to Sealdah Station. It was easy for me to notice on these occasions, how, in his own Science Buildings, he used to live the life of a true scholar such as India knew and loved of old. For he was clearly in every way the friend of his pupils, sharing with them everything he had, including his own expert scientific knowledge. He would give them all the credit. It reminded me of Sir George Gabriel Stokes at Cambridge over again. His students were his friends, and he was their guru : and if the noble word of my own scripture is true : "Greater love hath no man than this that a man lay down his life for his friends," then it was true of him ; for he was literally ready to lay down even life itself for those who were his pupils and whom he called his friends.

Again and again, I used to meet him during those days whenever I went to the flooded areas at Santahar, Potisar and Atrai, and what I saw of him was always the same. He lived a life of great work he had undertaken, building up the science side of the University in that important area of practical Chemistry which had been entrusted to him. No wonder the students themselves flocked to him in order to undertake the work of relief of human suffering in North Bengal, when he himself gave them the stirring call. For they knew that there was nothing which he would invite them to undertake that he was not ready first of all to do himself.

I have taken this example, because it is still living and fresh within my own memory, and it came directly into my own life experience. It showed to me how the very greatest difficulties of a modern city life, like that of Calcutta, could be overcome, if only the human sprit were wholly dedicated to the task.

At this point, I would record my strong conviction that Sir Ashutosh Mookerjee, one of the outstanding Vice-Chancellors of recent times, had the genius to see that in the higher branches of research these ideal conditions between teachers and taught could be repeated in this University, at least among the most brilliant students. For he determined to make Calcutta not merely an examining centre, where thousands of students should sit for examinations, but a teaching University, where studies might be carried on in the higher branches of learning.

In this way, it would prove a benefit, not only to India, but to all mankind. With such an object in view, one after the other, new Chairs were founded and lectureships appointed in subjects which should keep India in close touch with the most advanced thought of the day. Here, the classes were necessarily small, and the contact with advanced students thus became happily all the more close. The task of providing funds for this great enterprise was colossal and none but a giant in strength and determination would have attempted it: but his own generosity stimulated others and in this manner very notable additions to the higher life of the University were brought about by his magnificent effort.

Here, also, under Sir Asutosh's wise direction, in the conduct of this higher research work, whether in literature, philosophy, or science, Calcutta University has refused to be provincial. It has chosen its teachers from every part of India, and also from other lands: for human knowledge knows no local boundaries. The word 'University' itself implies this, and so now you are rightly proud to have had here on your staff not merely scholars from your own country of highest repute, but also such brilliant men as the Nobel Prize Winner, Prof. C. V. Raman, and the Oxford Professor of Eastern Religion and Ethics, Professor Radhakrishnan, both of whom have been invited to come to Calcutta from the South. Indeed, more and more it may truly be said, that although this city has ceased to be the political capital of India, it remains, and is likely to remain, for generations to come, the intellectual capital and centre of the whole country. That, after all, is the greatest distinction which can be given to Bengal—to be the beacon light of learning to the whole Eastern world.

Let me give you one further piece of news which shows how knowledge is universal and overleaps all boundaries. A little more than a year ago, I was in Australia, and pleaded with some success before the Vice-Chancellor and Senate of Sydney University that their rapidly rising School of Oriental Studies should have its own close contact with India as well as with China and Japan; and now I have a good hope that this will shortly come to pass. Futhermore, in Czechoslovakia, steps have quite recently been taken to institute a lectureship in the Bengali Language at Prague, which is one of the most ancient seats of learning in Central Europe. A Bengali from Calcutta University has already been appointed.

This leads me on directly to another aspect of your University life, about which I would wish to offer you my warmest congratulations. For you are, I believe, the first University in British India to break through the unwholesome tradition of making a foreign language the medium of instruction instead of the mother tongue. You have brought back your own beautiful language into its true and rightful place. Indeed, I acknowledge with a certain sense of shame your own kindly indulgence towards me in allowing me to use my own English today as the medium of this address, while only last year the precedent was established whereby the Poet, our Gurudeva, gave to you in his own matchless Bengali the thoughts he had to offer. In my own case, if I must confess it, the simple truth is this, that like most Englishmen I am very bad at languages and came so late to Bengal that I found myself too old to learn. Also my whole life since then has been far too fully occupied to enable me to sit down quietly and learn both to speak and read Bengali as I ought to have done.

But while I have been discussing these things which are so close to my own heart, I have not forgotten for a moment the great bulk of the students of the University who are unable to go on up to the standard of research work in the higher branches of study, but have to leave the University in order to gain a livelihood at a comparatively early age. How are *they* to get something at least of that ideal relationship with their teachers and fellow-students about which I have spoken? Crowded as the Colleges are in the very centre of this great city, with noisy traffic around them all day long, with teachers who live at a distance and come in each day for their work and go out again when it is over,—how, under these conditions, can you really expect to obtain the best that a University is able to offer?

Frankly, it is well-nigh impossible except under rare conditions such as I have already mentioned. One consideration has often weighed with me as it has no doubt weighed with you also. I have wondered whether you have not got to be far-sighted enough, while there is yet time, to move some at least of your residential Colleges out to the suburban area of Calcutta, into less crowded quarters; whether you may not use the modern conveniences of rapid transport in order to get over a part of the supreme difficulty of these vast numbers of city students,

The Christian College, Madras, which Dr. Miller founded, has recently made the plunge and moved outside Madras. This has already met, so I hear, with success. Those who know Thambaram, where the new College has been built, speak about it as a great improvement on the old site in the centre of the City. Motor transport has solved the problem over there. Might it not solve a part of the problem here? At least with some colleges the experiment might be well worth training.

Yet, while offering this suggestion, I freely acknowledge that the question of congestion in a huge city is much more difficult to solve in Calcutta than in Madras. For the population and crowded area are both vaster. Indeed it may well be found that just as in the case of New York, Tokyo, or London, a University with Colleges at the centre of the city is inevitable owing to the peculiar character of our modern civilisation.

Taking, therefore, things as we find them—Colleges overcrowded, staffs overworked, boarding houses overflowing,—what can be done to prevent mere mass production of University degrees?

Every member of the Senate of this University must have been troubled, as I have been, by this problem. The Education Commissions have not solved it. How can we best face this acknowledged evil?

There is one principle, which may guide our thoughts, because its psychology has been thoroughly tested by experiment and proved scientifically sound. It is this, that the small group enables the average man to make his own highest effort at intellectual attainment far better than the large group. For the crowded lecture hall is apt to leave the ordinary student unintelligently passive. He soaks in information like a sponge. He does not "read, mark, learn, and inwardly digest" his knowledge. He swallows it whole. This very simple, but profound lesson which modern psychology has taught us, is now gradually becoming recognised all over the world. When I was lecturing in Cambridge a year ago I found out that the changes of recent years had been made in this direction. The tutorial system had been fully accepted as sound and it is now in full swing. For it had been scientifically and even mathematically established. Even the number of the small group has been worked out. Aldous Huxley, in his latest book called, 'Ends and Means,' has given a whole chapter to this subject. "A crowd," he says, "is a lot of people: a group is a few. A crown has a mental life inferior in intellectual quality and emotionally less under control than the mental life of each of its members in isolation. The mental life of a group is not inferior either intellectually to the mental life of the individuals composing it, and may in favourable circumstances actually be superior."

Here then is a psychological principle which may help Calcutta University. The crowded class room is sub-personal, sub-human, herd-like. It does not carry men forward into that sphere of 'plain living and high thinking' which alone can produce the scholar, the artist, the thinker, and the man of affairs.

As a teacher, therefore, I would venture to appeal to my fellow teachers who are present,—Can we so decentralise our work, in different subjects, as to produce in our student world the high psychology of the group rather than the low psychology of the crowd? Can we so arrange our work as to appeal to the individual, the particular, the personal, in our students rather than deal with them merely in the mass? To touch politics for one moment, here surely is the *vital* difference today between the liberal and democratic mind on the one hand and the authoritarian standards which dictators impose on the other.

If, as teachers, we are determined to carry out this high principle of the group rather than the low principle of the crowd it will mean undoubtedly more giving out of ourselves to our pupils; it will involve our being much more accessible to them. We shall not grudge the hours spent in personal talks; and interviews will never be formal. We shall seek to split up our classes and supervise personal work done by the pupil himself rather than aim at disciplining a vast crowd of students into a forced attention. In all this, we shall come back much nearer to the true personal relation of the *guru* and the *chela*, and be much less of a drill-master and an autocrat.

One last word to the students who are present today. There are voices abroad, both in the East and in the West, proclaiming to the modern world, that the pathway of freedom lies in discarding all outworn inhibitions and aiming only at what is wrongly called 'self-expression.' Self-expression, in the highest sense of the word, is the one goal of Education: it is the one aim of every creative worker. But this result can only be obtained by ardous endeavour. For the perfect mastery which

it brings is the final achievement: it can only be attained by scorning delights and living laborious days. Tagore's perfect freedom in lyrical utterance, Nandalal Bose's mastery in the realm of art,—these have come out of a lifetime of genius and effort combined.

When, on the other hand, the phrase 'self-expression' is wrongly used to denote giving away to every wayward passion and yielding to every whim of our lower nature,—the end of this is slavery, not freedom: it leads, not to mastery, but to defeat. The friendship which is inspiration, will always hold the student up, not drag him down. It will help to keep his deals true and high.

One of the wisest words that the East ever uttered has been translated into perfect English thus:

"Keep innocency, and take heed to the thing that is right; for that shall bring a man peace at the last."

And your own poet, in no less perfect English, has given us the immortal prayer:

Life of my life, I shall ever try to keep my body pure, knowing that thy living touch is upon all my limbs.

I shall ever try to keep all untruths out from my thoughts, knowing that thou art that truth which has kindled the light of reason in my mind.

I shall ever try to drive all evils away from my heart and keep my love in flower, knowing that thou hast thy seat in the inmost shrine of my heart.

And it shall be my endeavour to reveal thee in my actions knowing it is thy power that gives me strength to act.

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# The Delhi University Convocation

The following is the text of the Convocation Address delivered by *Sir Maurice Gwyer*, K. C. B., K. C. S. I., at the Sixteenth Convocation of the University of Delhi held on the **26th March 1938**:

MR. PRO-CHANCELLOR, MR. VICE-CHANCELLOR, MEMBERS OF THE COURT, LADIES AND GENTLEMEN—

I am very sensible of the honour which you have done me by inviting me to address you this afternoon. I take it indeed as a compliment to the office which I hold and which is one day destined to play, as none can doubt, a great and ever-increasing part in Indian affairs; but I have been received in Delhi with such generous kindness and hospitality that I feel to-day that I am also come among friends.

The University of Delhi is, I am told, a federal university by which I understand a number of colleges united in an organic union with a central body, with which they divide the functions and duties of university as a whole. I believe that this is an unusual type among Indian universities, and it seems to me, if I may respectfully say so, to possess peculiar merits of its own. The danger in a university composed of colleges enjoying complete autonomy is that the colleges will overshadow the university; in a wholly centralized university on the other hand there may be lost that more intimate relationship between tutor and student and that greater variety in outlook and method which a collegiate system is able to supply. The federal system, I hope, avoids both dangers, and it is certainly a system which on a large stage has been found in other parts of the world to be the most effective means of combining unity with diversity and of reconciling the claims of local sentiment with the need for representative central organization strong enough to counteract particularist and centrifugal tendencies. I might perhaps seek for illustrations nearer at hand, but I desire to say nothing which could be thought by any precisian to have even a flavour of domestic politics.

I understand that the University is still in process of reorganization and that a very great deal remains to be done before the federal ideal is attained. There are many difficulties which the energy and determination of the officers of the University will, I am sure, be able sooner or later to remove, but there is one difficulty which lies at the root of many others, and that, I need hardly say, is money.

The University of Delhi is not a rich university. For such income as it possesses, it is largely dependent upon the Government of India, and universities ought not to be too dependent upon Governments. It is still young, and it can have as yet very few sons who are in a position to display their filial piety by contributing to its needs. But there are others who, though not sons of the university, have been proud to mark their connection with Delhi by the erection and maintenance here of beautiful and spacious dwellings. May I express the hope that one day some of them, whose love of learning and of the arts is well-known to all, will be moved to show their pride in this connection, perhaps by adorning this University with other buildings no less beautiful, and to immortalize their names by becoming benefactors in that or some other way of this place of learning? I can think of no object more worthy of the generosity of a princely family or of a great mercantile house, and of no gift which, like the quality of mercy, would be more apt to bless him that gives as well as him that takes.

But you gentlemen, who have to-day crowned your university career by the degrees which have just been conferred on you, have probably given very little thought to the different forms of university organization. Why indeed should you? But none the less you have perhaps from time to time reflected upon the essential purposes of a university and have formed some estimate of the benefits which you have yourselves derived from the time which you have spent here. You know at least, for I am sure you do, that a university is not an advanced secondary school, and also that it is a very different thing from a technical college or a place of vocational training; that still less is it to be regarded as an establishment for the mechanical acquisition of knowledge or as merely a door through which to enter Government employment. What then is it? Let me try to describe briefly what in my opinion it is or ought to be.

A university is first and foremost a place of learning, a place where learning is sought for its own sake, not for the sake of any reward it may bring, but for the purpose of extending the boundaries of knowledge. And next it is a place where young men about to serve their apprenticeship to the world may, if they will, become acquainted with all that is best in human thought, and with all the latest advances in knowledge; so that, inspired and guided by wise teachers and stimulated by contact with the alert and lively intelligence of fellow-students of the same age, they may enter upon their careers with well-furnished and disciplined minds, able to distinguish the true from the false, not liable to be shaken by the gusts and emotions of the moment, but standing firm upon a basis of principle.

Thus a university has a double function; one is to promote learning and to extend the bounds of our knowledge, the other is to teach; and if you will think for a moment you will see that the effectiveness with which it performs the second must always depend upon the zeal with which it performs the first. For to promote learning, to love learning for its own sake, is to love and seek the truth, to follow the argument, as Plato says, wherever it may lead, without prejudices and without illusions. Is it not this passion for truth which has been the distinguishing mark of all great scholars and teachers since men first began to employ the faculties which God has given them in seeking to open one after another the chambers of human knowledge? But those inspired with the passion for truth will when they come to teach others, seek to inspire them with the same passion: and the more earnest they are in its pursuit the more real and vivid will be their teaching. It is in proportion as the teachers in a university are able to communicate this faith to those whom they teach that the university itself will be able to serve its generation and make its contribution to contemporary thought.

So I would put the passion for truth at the head of all gifts which a university education is able to give us. It is fundamental and covers everything else; and we may say indeed that the other qualities which distinguish, or ought to distinguish, a man with university training are, as it were, manifestations or derivatives of it. And among these qualities I think that I should select as the most important a sense of proportion and a sense of values. God forbid that I should say that these qualities can only be acquired in a university. That would be very far from the truth, but I do say that they are the qualities which a university education, if it is of the right type, ought to be able to encourage and develop.

A sense of proportion is to be prized, because, if we have it, it means that we are able, in the poet's phrase, to see it whole, to view things in relation to one another, to assign things to their right places. It can help us to estimate the importance of a political crisis, and at the other end of the scale it assures us that the world will not come to an end with the loss of a dozen test matches. With its aid we can avoid the extremes of fanaticism and indifference, we can appreciate the strength of an opponent's case, we can even admit the weakness of our own. A wise man, a countryman of your own, once said to me we have not yet learned how to laugh at ourselves. It would be very unbecoming for a stranger to express any opinion whether this is true or not, but it is, I think, a very valuable thing to be able to laugh at ourselves when the occasion requires it, and the better our sense of proportion the more easily can we do it.

We develop this quality by a constant effort to see all sides of a question, by testing the validity of the answers given us, by estimating the importance of one thing in relation to another. It is perhaps something more than an intellectual quality; rather is it a whole synthesis of qualities, an ingrained habit of mind, which enables a man unconsciously or instinctively to see a fact, a theory, an event, in its right relation to other things in the same category. The artist knows that the symmetry or proportion of his picture will be destroyed by the addition of a line here or a line there, not by any process of reasoning, but intuitively, because he has the artist's eye; and a university training ought to enable us to act in the same way in other spheres. What is the so-called sense of humour but an exquisite sense of proportion applied to the common things of everyday life? How valuable a quality it is, and how rare! You will often hear a man thank Heaven that he possesses it and you may guess from that very statement how ill-founded his claim is; for could anyone with a true sense of proportion make such a claim consciously about himself? We can only pray that a sense of humour may be vouchsafed to us and hope that our petition will not go unheard.

Next comes a sense of values. Some may say that this is only the sense of proportion in another aspect, but I think that it is something more. A sense of proportion enables us to see things in relation to one another: a sense of values enables us to value one thing against another by reference to some standard. It is the critical faculty. It tells you why the Taj Mahal is one of the most beautiful things in the world and why the barracks in the Fort at Delhi are not; what makes great art and literature; why it is possible to gain the whole world and yet to lose your own soul.

It is by constant association with all that is noblest in human thought, with all that is best in literature and art, that you learn to assess values. You arrive at your conclusions by a continual process of comparison, of contrast, and of selection, until at last you come to recognize instinctively what is good and what is bad, and that marks a step in your mental development which you will never have occasion to regret. For if you have learned to assess values, you must have accepted some standard by which to measure them; and when you have once to your own intellectual satisfaction accepted a standard for any purpose, you will never be able to abandon it without treachery to yourself or to your fellowmen. To yourself, because, if you do, you will have deliberately preferred something which you know to be base metal, to your fellow-men, because you will have made it more difficult for them to maintain their own.

You must be under no illusions on this point. Without standards of some kind or another, not only life as a whole, but every profession, every trade, and indeed every occupation, becomes merely a savage fight in which no chicanery is barred, no quarter given and the only recognized principle is that the devil takes the hindmost. Without standards, there can be no art or literature. Without standards, politics become nothing but a sordid struggle for power and place. Let me take an example from my own profession, the law, where the standards are rightly very high. Will not sharp practice of any kind, the deception of judges or fellow-lawyers, dishonest or degrading attempts to secure work, if not inexorably punished, lower the profession not only in its own eyes but in the eyes of the public? And must not this loss of public esteem prejudicially affect the whole administration of justice? We have attempted in the past to make our judges independent by giving them security of tenure and putting it beyond the power of the executive to exert pressure upon them. That is well enough; but security of tenure can protect the unrighteous as well as the righteous judge. The only real safeguard for the honest administration of justice

lies in the high standards maintained by the legal profession and in the inflexible determination of members of the profession themselves to enforce them. You see at once from this of what vital importance it is that we should be able to develop a true sense of values. Without it our standards will be ambiguous or non-existent ; and without standards there is chaos in place of civilization.

If you have benefited by your university career, you will, as I have said, have learned to prize the search for truth above all things ; but you will also have realised that search can only be prosecuted with success if men's minds are free and if they are at liberty to follow out and develop their own thoughts. The history of civilization has been in the main the history of efforts to free the mind from the domination of authority, no matter what form the authority might take, and teach men to think for themselves. And this is still true, even though there are now, alas, great countries where the attempt is being made to reverse the process and once again to put men's minds in chains in the supposed interests of a political theory. For to men who have been reared in a free university there can surely be no compromise when they find themselves face to face with the conflict of irreconcilable philosophies which is at present dividing and may perhaps one day go far to destroy the world as we now know it.

We are accustomed to think of the State as a convenient piece of machinery existing for the benefit of minorities no less than for the rest. But opposed to this we now have a novel and formidable conception of the State as something different from and superior to, the men and women composing it, who are to have no rights against the State, and indeed are to exist only for its benefit. This is the political theory by which dictators, whether of the right or left, seek to justify their acts and to disguise the true nature of their system. It is sometimes defended as a logical extension of the so-called principle of majority rule, and this demands a moment's consideration. There is nothing mystical or sacred about a majority as such. The method of deciding matters by a majority is a convenient and necessary one for the general conduct of affairs, because after all the business of the world must be carried on, and it is easier to do it by counting heads than by breaking them. But if it were true that the voice of the majority is the voice of God, it must be true no less of a transient and temporary majority than of a permanent one and in that case it would often be difficult to discover the divine purpose in the proceedings of many modern legislatures. Majority rule is then a sensible and convenient expedient, it is not a moral principle. But there are in any case jurisdiction where its writ does not run and among them are the thoughts and beliefs of a man's heart.

The first of the two theories of the State can and must recognize freedom of thought, the second dare not, for no dictator can permit criticism of himself or his policies, and I for one will never believe that a system which claims the right to tell men not only what they are to do but what they are to think can in the ultimate resort survive. There are times when a community may be compelled temporarily to surrender its freedom of thought as well as of action for the purpose of warding off more effectively a menance from without, but that is an emergency measure and passes with the peril which evoked it. But the claim of the omnipotent State, accountable to none but itself, to compel men to think no thoughts but those which it permits, the prostitution of truth to the interests of a political party, is a denial of the existence of human personality and an affront to the dignity of man.

It is an appalling thing that the human race should have striven for so many hundreds of years to emancipate thought from the fetters in which civil or ecclesiastical tyrants in this age or that have sought to imprison it, only to find that in the 20th century the most complete technique the world has ever seen is being used for destroying the freedom of thought of whole peoples ; the regimentation of schools and universities and of the whole teaching body, the control of an entire press and of every organ of public opinion, a propaganda which falsifies or distorts facts, imputes or misinterprets motives, and poisons the very springs of truth. Of all the sins of a dictatorship, I find this the worst and the most unforgivable, for it is as though one attempted to assassinate the mind itself.

But, you will say, we see this evil thing apparently being forced upon more and more of the peoples of the world, is there nothing which can arrest it ? And my answer must be this, that (apart from a forcible overthrow of the system, of which I do not speak here, for it belongs to another order of ideas) I know

only of one thing, and that is human personality and man's own unconquerable mind. We do not know, and none can foretell, what may be the effect upon the mind of a people after two or three gonerations have been subjected to a propaganda and a discipline such as I have described, and robbed so far as is humanly possible of all contact with the thought of the outside world. The effect cannot be negligible; but I do not believe it possible permanently to enslave the intellect of a whole race. And there is in human personality a divine element which I am firmly persuaded will in the last analysis be proof against the worst that dictatorship can do, and will vindicate, thought it may be only after a long interval and much suffering, the essential freedom of thought. If it be otherwise, then we may well despair.

Human personality is an elusive and mysterious thing. It is that which differentiates men from the beasts in the field which distinguishes them from one another, and which has made them a little lower than the angels. It is something which defies analysis and definition; we can only see its influence at work. All of you must have known examples of what I mean. All of you must at one time or other have been in the presence of men, perhaps strangers to you whose influence and whose personality have then and there profoundly affected you. One of his friends once said of Edmund Burke, a name, I hope, still remembered in India, "If a man were to go by chance at the same time with Burke under a shed, to shun a shower, he would say—This is an extraordinary man. If Burke should go into a stable to see his horse dressed, the ostler would say—'We have had an extraordinary man here". Of the same quality is the influence which a great head-master exercises over his school. In a large school his direct contacts can only be with a small proportion of the boys; yet the influence which he exercises throughout the school is as real as anything can be; so real and yet so intangible. But the influence of personality can be an immense power for evil as well as good; and that is why, as it seems to me, the part played by the free universities becomes of such paramount importance for the future history of the world. If the greatest gift which a university education can give us is a passion for the truth, the personality which it tends to develop will be one founded on truth, one which recognizes the freedom and dignity of man. Man was never intended to be a slave of the State, a pawn to be moved about on a chessboard. There is in his personality the divine element of which I have spoken, the spark which is always waiting for us to fan it into a flame will burn steadily in that secret and inner chamber which belongs to you alone of which you only have the key, and against the door of which all the dictators of the world may batter in vain.

Here, I believe, lies the last stronghold against dictatorship, the ultimate refuge for the things of the spirit. Human personality, founded upon truth must recognize the personality of others when it claims recognition for itself; and this postulates the acceptance of law to which all are equally subject. Mankind has endured worse things than those which are at the moment disgracing the world and has emerged triumphant. So I do not doubt the victory, though the times before us may be dark and difficult. A friend of mine who has written a history of the Great War speaks in the final chapter of all that the combatants suffered and endured; and he ends his book with a line from the Antigone of Sophocles:—'There are many marvels, and the greatest marvel of all is man.' One day perhaps the dictators will understand the truth of these words.

You, the new graduates whom I see before me, are happy to be entering upon your careers at a moment when India is full of a new life. The English poet said of one of those great epochs when the world seems to be born again and men are intoxicated with visions of the future that "bliss was it in that dawn to be alive, but to be young was very heaven". You my say with good reason that no one surveying Europe and some other parts of the world today would care to use language like this; yet as regards India it seems to me not inappropriate. You and others like you have in your hands the future of your country. It may fall to some of you to attempt a solution of problems which have baffled those who have gone before. If the old have failed, it may be that youth will have better fortune. You are now to have your opportunity; and if I were Indian born I should rejoice to be young with all the world in front of me. Let me say only this, that you will not solve your problems, unless you think them out for themselves and do not take your opinions ready-made from other people.

Your University has not yet had time to create or gather round itself those traditions which in the case of older institutions can exert so powerful an influence upon the minds of those who belong to them. But you are the heirs of another tradition: for your University is in Delhi, the ancient capital of this land, which has witnessed the rise and fall of dynasties, the building of great cities, the gradual moulding of many races into one nation. A long line of famous lawgivers, administrators and soldiers has guided her destinies. Hers has been the scene of great events, some of happy, some of unhappy memory, but all of them the stuff of which history is made and influencing for good or ill destinies of millions. A young man must be without sensibilty indeed if at the most impressionble age his imagination is not affected by such things as these.

I remember that your first Chancellor in his first address threw out the suggestion that it might be to the public advantage if the universities in India, as their numbers increased, were each to select some branch of intellectual activity in which it might specialise. The suggestion is interesting though I doubt whether, in a country of such vast distances as India, it could ever be a practical one. From time to time no doubt the reputation of teachers in one subject or another will attract students to a particular university; but the University of Delhi, if ever it was minded to specialise, might justly claim a right to make itself and its facilities a nursery for the statesmen and administrators of the future.

I know how the genius of a place can impress itself upon the imagination of the young. I was myself brought up at a famous school which lies in the shadow of Westminster Abbey. There I spent five years of my life, and to this day the sound of the Westminster chimes, heard by the magic of wireless so many thousand miles away, can awaken in a moment all the memories of my youth. I see again that venerable shrine; there passes before me the pageant of those great events which cluster round it; and I remember how in its ancient precincts history seemed to come alive as I read my school books.

Delhi will do the same for you; and secure in that belief I take my leave of you to-day. I wish you all success and good fortune and I give you my grateful thanks for your welcome and for your attention.