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QUARTERLY REGISTER

July-Dec. 1925

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Chronicle of Events

July 1925

1 July '25 United Nation's tribute to Deshbandhu—Memorial Meetings held all over India—Historic gatherings at the Calcutta Town Hall and in the maidan —Fifty thousand pay respect in solemn silence—Mahatma Gandhi pays tribute—Solemn "sradh" ceremony of Deshbandhu Das at his Russa Road house.

2 July '25 Constitution of the Indian Sandhurst (Skeen) Committee announced.
Colour Bar Bill moved in the South African Senate and speeches made strongly opposing the Bill. (p. 127)

3 July '25 Hindu-Moslem riots in Calcutta—Mahomedans attacked for slaughtering of cows.

4 July '25 Lala Lajpat Rai's spirited reply to Lord Birkenhead—"British Domination responsible for communal difference in India."

6 July '25 Punjab Legislative Council considered the Gurdwara Bill as amended by the Select Committee (p. 283)

7 July '25 Gurdwara Bill passed in the Punjab Council—Release of Akalis urged (p. 286)
Lord Birkenhead's statement in the Lords on the British Governments Indian policy. (Vol. I, p. 336)
S. African Senate rejects the Colour Bar Bill. (p. 127)

8 July '25 Personnel of the Skeen Committee published—Captain J. N. Banerjee, Mr. P. Sethna, Sardar Jogendra Singh, Sir Abdur Quyam, Mr. Jinnah, Dewan Bahadur Ramachandra Rao, Dr. Ziauddin Ahmed, Captain Hira Singh, Captain Gul M. Khan, Pt. Motilal Nehru and Mr. E. Burden appointed members.

9 July '25 In the House of Lords Lord Birkenhead deals with the Joint Committee's amendments to the Indian Civil Service Bill.
End of the Akali struggle—Governor announces release of political prisoners and withdrawal of notifications in the Punjab Legislative Council. (p. 286)

12 July '25 Bombay Government publishes a Bill to transfer powers of Bombay City Improvement Trust to the Bombay Municipal Corporation.

13 July '25 Governor of Bengal visits Barisal—Congress mandate to boycott the reception obeyed—Streets left desolate.
Condolence resolution on Deshbandhu's death passed in Assam Legislative Council.

14 July '25 H. H. The Maharaja of Patiala, Sir Atul Chatterji, Sir Edward Chamiar, and Viscount Willingdon appointed India's representatives at the League of Nations, Geneva.

16 July '25 General Council of the Swaraj Party at Calcutta adopts resolution on co-operation on honourable terms. (p. 34)

17 July '25 Mr. J. M. Sen Gupta elected Mayor of Calcutta in succession to Deshbandhu Das.
All Moslem Parties' Conference at Amritsar.

19 July '25 Madras non-Brahmins protest against the Raja of Panagal as president of the 'Justice' Party.
The Mahatma's Contribution to Deshbandhu's Memory—the historic Gandhi-Nehru correspondence. (p. 33)

20 July '25 Bombay Council passes condolence resolution on Deshbandhu's death. (p. 269).

Introduction of Dr. Lohokare's Bill to regulate Medical Education in India sanctioned by the Governor-General.

21 July '25 Ban removed against Akhand Path and pilgrimage to Gurdwara Gangsar —Triumphant procession of Shahidi Jathas arrives.

Sikh Councillors' deputation to Nabha Administrator returns to Amritsar and announces solemn and dignified celebration of Akhand Paths to commence from this day.

22 July '25 All-India leaders' appeal for All-India Deshbandhu Fund published.
Dr. Kitchlew resigns presidentship of All-India Khilafat Conference.
The Essex Hall Meeting in London—Labour Party attacked (p. 152c)

23 July '25 Maharaja of Alwar in a Durbar explains to his people the cause of firing in Alwar State—Mahatma Gandhi gives his opinion on the non-interference of the Congress Committee on the Alwar tragedy.

Dr. Malan introduces the Class Areas Bill in the South African Union Assembly. (p. 140)

24 July '25 Secretary, A. I. C. C. issues circular making khaddar-dress indispensable for Congress members in Congress meetings.

Amendments to electoral rules, making one year minimum as disqualification of political convicts published in the "India Gazette."

26 July '25 U. P. Liberal Association at Allahabad, Sir Tej Bahadur presides. (57).

28 July '25 Mr. Chamanlal moves resolution on "Self-Government for India" in the British Commonwealth Labour Conference (p. 152g)

29 July '25 Co-operative Societies Bill passed in the Bombay Council (p. 278).

30 July '25 Bengal Swarajists take up Lord Birkenhead's challenge and decide their programme as village organisation and boycott of British goods.

31 July '25 Tariff Board's report on protection of paper published.

August 1925

1 Aug. '25 Lokamanya Tilak's Anniversary Meetings throughout India.
Behar and Orissa Government issues communique about free and compulsory primary education.

3 Aug. '25 C. P. Council pays its tribute to Deshbandhu Das.
In opening the C. P. Council H. E. Sir Montagu Butler exhorts the Swarajists to accept office and invites the leaders to confer with him for working out the reforms. (p. 309)
Swarajya Party formed in Burma, Mr. U. Tok Kyi M.L.A., elected President.

C. P. Swarajists resolve to stand by Calcutta resolution and unanimously resolve no revision of programme.

5 Aug. '25 Political prisoners' message from Mandalay Jail to Sm. Basanti Debi paying respectful homage to the memory of Deshbandhu Das.

6 Aug. '25 Sir Surendra Nath Banerjea passes away at 1-30 p.m. at Barrackpur—distinguished mourners from all party attend funeral to pay respect to the father of Indian nationalism.

Lord Reading with Lady Reading arrives in Bombay after leave and resumes office of the Viceroy—Lord and Lady Lytton leave Simla for Calcutta and resume Governorship on 7th.

Dr. Moonji, Messrs. Raghabendra Rao and Khaparde confer with the Governor of C. P. in connection with his invitation for the formation of ministry in C. P.

7 Aug. '25 C. P. Governor decides not to present any demand for the Ministers' salaries.

Sikh Gurdwara Act of 1925 receives Governor-General's assent.

Akalis complete 101 Akhand-Paths at Jaito—Sirdar Tara Singh with other Sikh leaders present.

9 Aug. '25 Conference of Burma Nationalist Party at Rangoon—Mr. U. Ba. Po. presides—Lord Birkenhead's speech condemned.

10 Aug. '25 Muslim Educational Conference at Poona—H. H. Mir of Khairpur presides.

12 Aug. '25 Bengal Council re-opens.—Tribute to Deshbandhu Das and Sir Surendranath.—Kumar Sibshekhareswar Roy elected President.

All-India Muslim Ladies' Conference at Poona—Begum. Abdul Quader Saheba presides—religious teaching to be made compulsory in Urdu Schools urged.

14 Aug. '25 Swarajist members refuse not to participate in Bombay Council proceedings. Srarajists' manifesto to abstain from participation issued. (p. 274)

16 Aug. '25 National Liberal Federation at Calcutta expresses its dissatisfaction on Lord Birkenhead's statement. (p. 59)

2nd Convocation of the famous National University, the Kasi Vidyapith at Benares.

18 Aug. '25 Madras Council re-opens—motion on Lord Birkenhead's speech disallowed.—President disallows to express regret at Deshbandhu's death. (p. 246)

19 Aug. '25 Khan Bahadur Khwaja Mahomed Noor elected President Behar Council. Woman-franchise resolution carried in Bengal Council. (p. 300)

20 Aug. '25 H. E. Lord Reading opens autumn session of Assembly at Simla—No question of change can be considered before 1929. (p. 153)

Appointment of Royal Commission to examine Currency problem announced.

U. P. Council tributes to Deshbandhu Das and Sir Surendra Nath—Rai Bahadur Lala Sitaram elected President.

21 Aug. '25 Resolution demanding the imprisoned M.L.C.'s to take their oath of allegiance was carried in Bengal Council. (p. 301)

22 Aug. '25 In the Assembly Mr. V. J. Patel (Swarajist) elected President—Feeling reference and glowing tributes by all parties to Deshbandhu Das and Sir Surendranath.

23 Aug. '25 Nationalist Non-Brahmin Conference at Tanjore—Mr. C. V. S. Narasingharaju presides—passes resolution condemning the ministry and recommending that the ministry should immediately go.

24 Aug. '25 Viceroy approves Mr. Patel's election as President of the Assembly—Mr. N. C Kelkar elected Deputy President and Mr. Shanmukham Chetty as chief whip of the Swaraya Party.

5th Tanjore Non-Brahmin Conference passes resolution condemning dyarchy as unworkable and demands immediate grant of Provincial Autonomy.

Death of Sir Ramakrishna Vandarker at Poona.

25 Aug. '25 In the Legislative Assembly Mr. Jinnah's motion of adjournment to consider the personnel of the Currency Commission carried. (p. 164)

27 Aug. '25 Deletion of the definition of the Contempt of Courts Bill accepted in the Assembly. (p. 168)

29 Aug. '25 Bombay Provincial Liberal Conference at Poona, Mr. C. Y. Chintamani presides. (p. 60)

31 Aug. '25 Naturalisation Bill in the Assembly referred to a Select Committee.

Oudh Courts Bill passed in the Council of State.

The Sikh Gurdwara Act passed in the Assembly.

Mass meeting of Indians held at Durban to protest against the new class Areas Bill on the anvil of the Union Assembly.

September 1925

1 Sep. '25 End of Mahatma's Bengal tour—Total collection for Deshbandhu Memorial Fund up to 31st August Rs. 746,653-12-10.
Select Committee's report on Trade Union Bill published.
Consent Bill introduced again in the Assembly.

2 Sep. '25 Government sustains heavy defeat on the recruitment of the I. M. S. question in the Assembly.

3 Sep. '25 Age of Consent Bill passed in the Assembly.
Hon. Mr. Ramdas's Bill to repeal the Repressive Laws lost in the Council of State.

4 Sep. '25 Independent Labour Party sends its message to India through Messrs. Chamanlal and Satyamurti—The Labour party assures the Indians of its whole-hearted support in their struggle for Political and Economic liberty which has for centuries been denied to them.
Swarajist and Independent members of the Assembly combine to oppose the Muddiman report.

6 Sep. '25 Annual general meeting of the Labour Union, Ahmedabad—Mahatma advises the Labourers " to be courteous and truthful."

7 Sep. '25 Assembly debate on Muddiman report—Pt. Nehru moves the united demand.

8 Sep. '25 Pundit Nehru's amendment in the Assembly carried—" Dyarchy a huge fraud and present system of Government—treason on God's Law."
Mr Sethna's resolution on Indianisation of the High Commissioner's office, London passed in the Council of State.

9 Sep. '25 Mr. Rangachariar's motion to regulate the use of Fire Arms passed in the Assembly without division.

10 Sep. '25 Resolution for taking steps for the protection of rights of Indians in South Africa carried in the Council on State.

11 Sep. '25 Funeral ceremony of late Dewan Bahadur Swami Kannu Pillay at Madras.

12 Sep. '25 Sixteenth Session of the Behar Provincial Conference at Purulia—Mr. Shah Mahammad Zubair presides—Mahatma opens Khaddar Exhibition, and unveils Deshbandhu's portrait—Alternative yarn franchise adopted in the second day's sitting.

14 Sep. '25 Coal Grading Bill passed in the Council of State.
Government defeat in the Legislative Assembly on Cr. P. C. Amendment Bill.

15 Sep. '25 Brilliant Swarajist victory in Madras Corporation election—eight out of ten seats captured.

16. Sep. '25 Assembly adopts Pt. Shyamlal's resolution for the removal of conviction bar to election.
Resolution for the suspension of Cotton Excise Duty carried by 57 votes against 32 in the Assembly.
Report of the Select Committee on the Contempt of Courts Bill presented in the Assembly—Leaders' strong note of dissent.

17 Sep. '25 Tense situation in Simla—strong feeling in favour of resignation of Assembly members—Resolution on franchise for women carried in the Assembly..

19 Sep. '25 Sitting of the Surma Valley Students' Conference at Sylhet.

21 Sep. '25 Mr. S. R. Das appointed Member of the Viceroy's Executive Council.
A. I. C. C. meeting at Patna—Working Committee recommends change of yarn franchise.

22 Sep, '25 Heated debate at **A. I. C. C. Meeting at Patna**—Condolence resolution at Deshbandhu's death passed—Pundit Motilal's resolution recommending an alternative franchise of four annas for the Congress passed—Spinners' Association formed.

23 Sep. 25 A. I. C. C. meeting concluded at Patna—Pundit Motilal reviews the glorious success of the Swarajya Party and declares that the next step is the civil disobedience which is the way to real salvation in life.

24 Sep. '25 Mr. Jamnadas Mehta elected President Bombay Swarajya Party.
27 Sep. '25 Ramlila riot at Delhi—three dead and thirty injured.
28 Sep. '25 Non-Burman Offenders' Expulsion Bill passed in Burma Council.

October 1925

1 Oct. '25 Mrs. Sarojini Naidu elected president of the Cawnpore Congress.
All Bombay mills closed—Ahmedabad Mill-owners decide not to reduce rate of Cotton piece-goods.

3 Oct. '25 Burma Indians appeal to Indian public to support them in their protest against the Black Bill—Protest meeting against the Expulsion Bill held at Rangoon the next day—Mr. U. Tok Kyi presides.

6 Oct. '25 Sharp difference of opinion about the Gurdwara Act in S. G. P. C. meeting, Amritsar—sixteen members of the Executive Committee resign.
Peasants' International, Moscow, sends condolence on Deshbandhu's death, and assures their support to India in the struggle for freedom.

8 Oct. '25 Hon. Mr. S. B. Tambe appointed member in the Executive Council C. P.
Indian Railway Conference at Simla.
S. I. Chamber of Commerce decides boycott of Indian Currency Commission.

10 Oct. '25 Provision of 120 boys approved by the Secretary of State in Dehra-dun Military College.
Swarjya leaders denounce Mr. Tambe's acceptance of office as a flagrant breach of party rule.

11 Oct. '25 All-India Hartal in India to protest against the high-handed anti-Asiatic legislation of the South African Union Govt.

14 Oct. '25 Executive Committee of C. P. Swarajists condemn Hon. Mr. Tambe's 'Volte face' in accepting office.
Bombay Swarajists denounce Lord Reading's Viceroyalty as a complete failure and characterise his policy as hostile to popular interest.
Accession of the new Ruler of Kashmir, Maharaja Sir Hari Singh.

15 Oct. '25 Bengal Government removes Sex-disqualification to women council voters.

16 Oct. '25 Terrible Railway collision at Halsa, Bengal,—heavy casualties.
Lawrence statue mutilated at Lahore—swords broken and pen removed.
Maharaja Nabha's challenge to O'Dwyer—Plain truth that Government arranged voluntary abdication.

17 Oct. '25 Pandit Nehru's reply to Mr. Jayaker on the Tambe incident and Swarajist position.

18 Oct. '25 U. P. Political Conference at Sitapore—Moulana Shaukat Ali presides—Patna decision upheld.

19 Oct. '25 U. P. Swaraj Party Meeting at Sitapur,—Patna decision supported—Pt. Nehru on Party discipline.

20 Oct. '25 Mr. Jamnadas Mehta exposes the false analogy of Mr. Jayakar in Tambe-Patel controversy.

21 Oct. '25 Pandit Motilal Nehru's reply to Mr. Jayakar about his acceptance of membership of Skeen Committee.

22 Oct. '25 Government of India's reply to Imperial Citizenship Association, Bombay about repatriation of Indians from South Africa published.

24 Oct. '25 Pundit Nehru addresses public meeting at Cawnpore—"Co-operation lies dead, Cawnpur Congress to decide the next step."

25 Oct. '25 Observance of Ordinance day in Bengal.

26 Oct. '25 Andhra Provincial Conference at Masulipatam—Conference requests the coming Congress to define "Swarajya" as full independence and to prepare the country immediately for civil disobedience.

Berar Liberal Conference at Amraoti under the presidentship of Pt. Hriday Nath Kunzru—Reforms Report denounced.

29 Oct. '25 International Federation of Trade Unions at Amsterdam wires to the All-India Trade Union Congress congratulating the strikers at Bombay.
Hon. Mr. Wood appointed Viceroy of India.

30 Oct. '25 Viceroy-designate's announcement received with universal feeling of surprise.
Lord Sinha's queer views that "India is not fit for Provincial Autonomy even" published in the "Indian Daily Mail" Bombay.

31 Oct. '25 Mr. S. R. Das assumes office of Law Member, Government of India.
Dr. Besant's indignant protest against Hon. Mr. Wood's appointment as Viceroy.

November 1925

1 Nov. '25 Pandit Nehru presides over Swarajya Party meeting at Nagpur—Mr. Tambe condemned.
The New Gurdwara Rules published by the Punjab Government on this day when the Sikh Gurdwara Act shall come into force.

2 Nov. '25 All-India Swarajya Party Executive Committee meeting concluded—No change of policy effected—Responsive Co-operation disapproved.

3 Nov. '25 Swarajist leaders address meeting at Nagpur advocating Hindu-Moslem unity.

4 Nov. '25 Sir F. Whyte on the Reforms Experiment at the Calcutta branch of the European Association.

6 Nov. '25 Andhra University Bill passed in Madras Council.

7 Nov. '25 Calcutta Corporation employees at a meeting demand Sj. Subhas Chandra Bose's release.
Pandit Nehru at Nagpur—explains civil disobedience as next step, time for change has not come.

8 Nov. '25 Political Sufferers' Day—protest meetings all over Bengal.

10 Nov. '25 Discovery of alleged Bomb factory at Dakshineswar, Bengal.
Messrs. Jayakar and Kelkar resigns membership of Executive Committee of the All-India Swarajya Party.
South African Govt. accedes to the request of the Indian Govt. for a Round Table Conference.

11 Nov. '25 Mr. C. F. Andrews leaves for South Africa—strongly protests against shadowing of the C. I. D.
Messrs Jayakar & Kelkar's declaration of War against Swarajists—Campaign in favour of Responsive Co-operation opened at Poona.

12 Nov. '25 Pt. Nehru explains the Nagpur decision at a crowded meeting at Amraoti while referring to the resignations of Messrs Jayakar & Kelkar.

14 Nov. '25 State Prisoners' challenge to C. I. D. methods published in the "Forward."
Sj. Upendra Nath Banerjee released from jail and interned in Calcutta.

15 Nov. '25 Congress Enquiry Committee's finding on opium evil in Assam published.

19 Nov. '25 Mr. Aney resigns from the Executive Committee of the A. I. Swaraj Party.

20 Nov. '25 Mr. Jayakar delivers a fighting speech at Bombay—Closer co-operation with Government urged.

21 Nov. '25 Dr. Ram Rao and Mr. Ramdass (Swarajists) elected to the Council of State from Madras.
Hon. Mr. Habibulla assumes charge of membership of the Viceroy's Executive Council on return from leave.
Tamil Nadu Provincial Conference—Patna decision upheld.

23 Nov. '25 Moulana Azad elected President of the Cawnpore Khilafat Conference.
Vaikom Satyagraha withdrawn—Temple entry open to Non-caste Hindus.

25 Nov. '25 Government of India Deputation sail for South Africa—Govt. of India communique on the object of the Deputation issued.

27 Nov. '25 All-India Muslim League, Sir Abdur Rahim elected President.

28 Nov. '25 Thana Dist. Conference—Mr. Jamnadas Mehta's amendment defeated—the conference ends in a fiasco.

29 Nov. '25 Maharashtra Swaraj Party at a meeting at Palgarh endorses the principle of Responsive Co-operation.

30 Nov. '25 At the Annual Conference of the Labour Party at Liverpool, Mr. Lansbury's resolution on Self-determination for India adopted without any debate.

December 1925

1 Dec. 25 Viceroy's Ordinance to suspend the levy and collection of Cotton Excise Duty published.

2 Dec. '25 Serious riot in Pyapon Jail (Rangoon)—convicts and warders killed and many wounded.

3 Dec. '25 Meeting of Bengal Council—Tenancy Bill introduced.
Lala Lajpat Rai nominated for election in the Assembly in place of Lala Hansraj resigned.
Compromise between the two Wings of the Swaraj Party suspending all propaganda till the Cawnpur Congress at Bombay—Swarajist Leaders' Conference in Bombay, Leaders of both Wings attend. (p. 56)

4 Dec. '25 Earl Winterton moved in the Commons the Second Reading of the Indian Services Bill.

6 Dec. '25 Punjab women enfranchised—motion adopted in Punjab Council.

7 Dec. '25 End of the Mills strike in Bombay—65 mills resumed work with 45 thousand men.

8 Dec. '25 The Services Bill passed the 2nd reading in the Commons and committed to the Standing Committee.

10 Dec. '25 Salaries recommended for ex-Ministers in Bengal Council.

11 Dec. '25 Nationalist victory in Bengal Council—resolution for the repeal of Ordinance Act passed.

12 Dec. '25 Bengal Nationalist Party meet at Calcutta and define their aims and methods.
South African Deputation under the Leadership of Dr. A. Rahaman arrives in Bombay.

14 Dec. '25 Viceroy opens Associated Chamber of Commerce in Calcutta.

15 Dec. '25 Viceroy pays tribute to the European Community in India for their spirit of accommodation and reasonableness in working the reforms at the Annual Dinner of the European Association at Saturday Club, Calcutta.
Privilege of writing letters withdrawn from State Prisoners Bhupendra Nath Dutta (Burma) and Arun Chandra Guha (Dacca), for three months.

16 Dec. '25 Major Graham Pole defends Labour Party's action towards India at a Madras meeting.
U. P. Compulsory Primary Education Bill referred to a select committee.

16 Dec. '25 The Indian Civil Service Bill receives the Royal Assent after having been passed by the Standing Committee without any amendment.

17 Dec. '25 South African Deputation meets Mahatma Gandhi at Wardha—Mahatma approves their coming to India and promises to discuss their future plans at Cawnpore Congress on December 26th.
Madras Borstal Schools' Bill passed in the Legislative Council—Mr.

Satyamurti characterised it as one more weapon of oppression in the hands of Bureaucracy.

Congress and Hindu Mahasabha Enquiry Committee's report on right of Worship in Bodh Gaya published at Patna.

Impressive funeral ceremony of the late Ex-Queen of Burma, at Rangoon. U. P, Council passes resolution removing caste restrictions in public services inspite of Government opposition.

18 Dec. '25 South African deputation arrives in Calcutta and presents a memorandum to H. E. the Viceroy the next day.

19 Dec. '25 Philosophical Congress at Calcutta—Dr. Rabindra Nath Tagore delivers his address on the Way to Freedom.

Viceroy receives the South African Deputation, at Belvedere, Calcutta.

Non-Brahmin Confederation at Madras under the presidentship of Hon. Mr. Jadhav—"Swarajism synonymous with Brahminism."

24 Dec. '25 All-India Khilafat Conference at Cawnpur under the presidency of Moul. Abul Kalam Azad.

25 Dec. '25 All India Volunteers' Conference at Cawnpur—Mr. T. C. Goswami presides.

26 Dec. '25 **Opening day of the Indian National Congress at Cawnpur**—Mr. Sarojini Naidu presides (p. 317)

The first Indian Communists' Conference at Cawnpur—Mr. Singravelu presides.

27 Dec. '25 The Non-Brahmin Congress at Amraoti—Raja of Panagal presides.

28 Dec. '25 Political sufferer's Conference at Cawnpur—Swami Govindananda presides.

29 Dec. '25 All India Hindu Mahasabha at Cawnpur—Mr. N. C. Kelkar presides.

The States' Subjects' Conference at Cawnpur—Mr. Sankerlal Kaul presides.

30 Dec. '25 All-India Muslim League at Aligarh—Sir Abdur Rahim presides.

31 Dec. '25 All-India Social Conference at Calcutta—Srijukta Sarala Devi Chaudhurani presides.

India in Home Polity

July–December 1925

All-India Congress Committee

The following is the full text of the report, presented by the General Secretaries to the All-India Congress Committee, for the year 1925. The report was submitted to the Indian National Congress held at Cawnpur in December 1925 :—

" The Annual Report issued by the General Secretaries last year referred to the agreement entered into by Mr. Gandhi on the one hand, and Deshbandhu C. R. Das and Pandit Motilal Nehru, acting on behalf of the Swarajya Party, on the other. In this agreement it was recommended that certain important changes be made in the Congress programme and franchise. The Belgaum Congress accepted these recommendations and adopted them in full. The programme of non-co-operation was thus suspended as a national programme, except in so far as it related to the refusal to use or wear cloth made out of India, and the Congress decided to concentrate on the constructive programme. In particular, stress was laid on handspinning and Khaddar, and a vital change was made in the franchise. The annual subscription of the Congress which used to be four annas now became 24,000 yards of hand-spun yarn, payable at the rate of 2,000 yards per month. Authority was given to the Swarajya Party to carry on political activities in the Councils on behalf of the Congress.

Khaddar and yarn Franchise

" 2. It was hoped that a great impetus would thus be given to the Khaddar movement and the new franchise would result in greatly increased hand-spinning. To a certain extent this impetus was given and progress in the spread of Khaddar was made. But the progress was not very marked largely owing to the fact that proper arrangements were not made by most provinces for the enrolment of members under the new franchise. The membership figures varied from month to month, the maximum provincial figures in any month being as follows :—

" Ajmer 19, Andhra 2,678, Assam 376, Bihar 1,539, Bengal 3,169, Berar 222, Burma 93, C. P. Hindustani 307, C. P. Marathi 911, Bombay 544, Delhi 258, Gujrat 1,853, Karnatak 1,124, Kerala 174, Maharashtra 700, Punjab 321, Sind 212, Tamil Nadu 2,250, U. P. 1,443, Utkal 146. Total maximum membership 18,339.

" Many of the members were in arrears in September but this might have been largely due to an expectation that the franchise would be changed. The franchise was in fact changed by the All-India Congress Committee towards the end of September.

Unity Conference

" 3. The Committee of the All-Parties Conference appointed in November 1924 met in Delhi in the last week of January and conferred for some

time. A sub-committee to consider the Hindu Muslim problem met from day to-day but were unable to come to a satisfactory settlement. The Committee was therefore adjourned *sine die* and no subsequent meeting of it has taken place.

"4. Hindu-Muslim relations continued to be strained and although no riots comparable to last year's outbreaks took place, much bitterness prevailed. A *fracas* took place in Panipat and another at Kidderpore near Calcutta. In Delhi and in Allahabad there was considerable tension on the occasion of the Bakrid and the Dasehra respectively; in the latter place the celebration of the Ramlila being abandoned. In Lucknow the breach of last year has not yet been made up or healed. Nagpur, however, afford a pleasant contrast and a settlement was arrived at with the help of leaders of both communities. The most frequent cause of friction now is the question of playing music before or near mosques. The Delhi Unity Conference considered this question and dealt with it but their decisions appear to be more honoured in the breach than in the observance.

"5. Mahatma Gandhi, the president of the All-India Congress Committee, toured extensively during the year and wherever he went he laid great stress on the message of the charkha. He began the year by touring in Kathiawad and then went to Vykom in the South to see for himself the Satyagraha that was being offered to assert the right of untouchables to go along the public roads. His presence was very helpful in lessening the gulf between the Satyagrahis and the authorities and in bringing a settlement nearer. He then toured in Tamil Nadu and later in Gujrat.

"6. Early in May the President went to the Bengal Provincial Conference at Faridpur presided over by Deshbandhu C. R. Das. He remained in Bengal and visited a large number of districts.

"7. On the 16th of June Deshbandhu Chitta Ranjan Das suddenly passed away at Darjeeling. The whole country was deeply grieved and extraordinary and unparalleled demonstrations in his honour took place in Bengal and elsewhere. An appeal for a Bengal Deshbandhu Memorial Fund, for the establishment of a women's hospital in Mr. Das's old home resulted in the collection of eight lakhs of rupees. An All-India Deshbandhu Memorial Fund appeal was also issued by a number of distinguished signatories, the fund being earmarked for the propagation of the spinning wheel and khaddar. So far a little over ninety thousand rupees have been subscribed to this fund.

"8. Owing to the death of Deshbandhu Das, Mr. Gandhi cancelled his tour programme in other provinces and stayed on in Bengal, chiefly in Calcutta, to the end of August 1925. He devoted himself to the collection of funds for the Bengal Deshbandhu Memorial Fund. In September and October he toured in Bihar, paid a brief visit to the U. P. and went to Cutch.

"9. Soon after the death of Mr. Das another great Indian and Bengalee, a pioneer of Indian nationalism and twice President of the Congress, Sir Surendranath Banerjea passed away. His death was mourned all over the country.

"10. Apart from the activities of the President of the All-India Congress Committee and to a certain extent of the All-India Khadi Board not much work was done on behalf of the Congress during the year. There were very few meetings of the Working Committee and the All India Congress Committee. The latter has only met once so far in 1925, apart from the meeting

held in Belgaum on the 28th December 1924 after the Congress. The Working Committee has actually met 3 times and on one occasion it could not meet for want of a quorum.

Changes in Congress Constitution.

"11. In September the All-India Congress Committee decided to revise the Congress Constitution in anticipation of the sanction of the Congress. Instead of the yarn franchise an alternative franchise was introduced—either four annas per annum or 2,000 yards of self-spun yarn. The Committee further authorised Mr. Gandhi to start an All-India Spinners' Association as an integral part of the Congress organisation but with independent existence, and transferred all the assets of the All-India Khadi Board and the Provincial Khadi Board to this Spinners' Association. This Association was formed immediately after and it has already taken charge of the All-India Khadi Board's assets. It is acting as the agent of the Congress in regard to the spinning members of the Congress.

"12. The effect of the September decision has been to change entirely the outlook of the Congress and partly to reverse the process begun in Belgaum. From a body mainly doing constructive and nation-building work, it has again become a predominantly political organisation and the constructive work has been largely delegated to other and more specialised organisations. The Cawnpore Congress will be called upon to consider this vital change made by the All-India Congress Committee and if it so will, to confirm it.

Affairs Abroad.

"13. The All-India Congress Committee at its September meeting also passed a resolution expressing its sympathy with the Chinese in their struggle against foreign domination and protesting against the despatch of Indian soldiers to suppress the Chinese national movement. The Committee further expressed its deep sympathy with the Indian settlers in South Africa and fixed the 11th October, as a national day of protest against the treatment meted out to them. Resolutions were also passed against the Burma Expulsion of Offenders' Bill, and the action of the United States Government in refusing entry in the United States to Mr. Saklatwala, M.P.

"14. The South Africa protest day, October 11th was celebrated all over India by meetings in which all parties joined. The Anti-Asiatic legislation passed recently and the Class Areas Bill introduced in the Union House of Assembly are definite breaches of the Gandhi-Smuts agreement and they have been resented greatly in India. But the people have been unable to take any effective action owing to their powerlessness. Mr. C. F. Andrews has recently sailed for South Africa and a deputation of Indians is coming to India from South Africa.

Vykom, Akali Struggle and Other Problems.

"15. The protracted struggle of the untouchables in Vykom has ended in victory for them and the roads in dispute have been thrown open to them. It was a remarkable test of endurance and peaceful behaviour and the Satyagrahis came out successful. As mentioned above Mr. Gandhi visited Vykom in the early part of the year and his visit greatly eased the situation. The campaign against untouchability was also carried on by him with vigour in Cutch and elsewhere and in some places much opposition was encountered.

"16. The Akali situation took a favourable turn during the year and a Gurdwara Act, acceptable in the main to the Shikhs, was passed. The restrictions on the performance of the Akhand Patha at Jaito in Nabha State were also removed and a large number of Akhand Pathas were performed there. The Akali prisoners have however not been released by Government and no final settlement can take place so long as a large number of respected Sikhs are in jail. Government insists on the prisoners giving undertaking which they refuse to give.

"17. The persons interned under last year's Bengal Ordinance still continue in internment or in jail inspite of the repeated and unanimous protests of all parties in India. The Ordinance was sought to be passed as a Bill in the Bengal Council. This attempt having failed it was certified by the Governor.

"18. The Congress Opium Enquiry in Assam was completed during the year and the report and evidence have recently been published. The report is a detailed and authoritative exposure of the evils of the opium policy of Government. Enquiries are now being carried on in some centres in the Punjab, Andhra and Orissa where the opium habit is prevalent.

"19. The Working Committee in January last appointed a Committee consisting of Syt. Totaram Sanadhya and Syt. Sampurnand to enquire into the condition of returned emigrants in Northern India. Some work has been done by this Committee but it has not finished its labours yet.

"20. The A. I. C. C. meeting held at Belgaum on the 26th December appointed Syt. Rajendra Prasad to investigate the proposals of the Buddhists in regard to the Budh Gaya temple and asked him to report within a month. Mr. Rajendra Prasad has not been able to present his final report yet.

"21. For some years past there have been disputes between Andhra and Utkal provinces and Utkal and Bihar in regard to their boundaries. Committees and individuals have been appointed repeatedly to settle these disputes but they remain unsettled still with the result that people in some of the areas affected do not know who to deal with and sometimes go unrepresented in the Congress.

"22. Most of the Provincial Committees have not been working properly and few have sent annual reports. It does not appear in most instances what, if any, collections were made by the provinces. Probably little money was collected by them. All collections for the Deshbandhu Memorials went direct to the central funds and the provinces got no part of them. Early in the year, however, Bengal under the leadership of Mr. C. R. Das collected 2¼ lakhs of rupees for village reconstruction work.

Khadi Work.

"23. The All-India Khadi Board had a fairly active year. They devoted themselves, with considerable success in some places, to the introduction of efficient business methods in the production and distribution of Khadi. The Tamil Nadu Khadi Board in particular have evolved a stable and effective organisation and are producing a large quantity of good Khadi which meets with a ready sale in the immediate neighbourhood and elsewhere. They produced Khadi worth Rs. 7,05,788 during the year, and their sales amounted to Rs. 8,32,846. Their centre, Tirupur, has become well known all over India. In Bengal the Khadi Pratisthan has made great progress in all departments of Khadi activity and has built up a great organisation with a

large staff of efficient workers. In Bihar good progress has been made and production and sales have both gone up remarkably—the production being more than double that of last year. Andhra, famous for its fine yarn and beautiful Khadi, has not been able to make as much progress as was hoped or to justify the promise of the previous years. But the field is a most fruitful one and with better organisation great progress is certain. The Punjab is steadily but rather slowly increasing its output and improving the quality of its Khadi and at the same time reducing its price. Work is also being carried on with some success in Karnatak, U. P., Utkal and Delhi. All these provinces as well as Assam and Rajputana offer immense possibilities for the production of good and cheap Khadi and all that is needed is money and efficient workers.

"24. Many municipalities and local boards, specially in the United Provinces, have helped the Khadi movement by abolishing the octroi duty on Khadi and by introducing spinning in their schools. A recent competition in *takli* spinning among the boys of the Ahmedabad Labour Union schools demonstrated the peculiar fitness of the *takli* for schools.

Finance and Accounts.

"25. The Belgaum Congress authorised the A.I.C.C. to appoint the auditors for the year, and the A.I.C.C. in September gave this authority to the Treasurer who has appointed Messrs. Dalal and Shah, incorporated accountants, as the auditors of the Committee for the year. The auditors have audited the accounts of the A.I.C.C. office and of a number of Provincial Congress Committees. They are proceeding with their provincial audit.

"26. A number of realisations of old dues were made by the A.I.C.C. in the course of the year. The total realisations were Rs. 64,518-10-11. This figure includes Rs. 30,863-3-9 of the Punjab Relief Fund and Martial Law Enquiry Report Accounts. The Working Committee has decided to keep the Punjab funds earmarked for relief of persons subjected to Government repression, the claims of the Punjab receiving priority. A detailed list of realisations is attached.

"27. In spite of strenuous efforts to realise all the dues of the All-India Congress Committee a great number of outstandings remain. Many of these are bad debts and irrecoverable and the sooner they are written off the better. Of the Punjab funds Rs. 48,031 are still lying with others. Pt. Madan Mohan Malaviya holding Rs. 45,842. He has promised to transfer this amount but great delay has taken place in getting this done. Considerable difficulties were experienced in the course of the year in realising the yarn quotas of their equivalents in cash from provinces. The sums involved were small but most of the provinces have yet to pay them. Among these are Bengal, Tamil, Nadu, Gujrat, Andhra, Bihar and United Provinces.

"28. The principal disbursements during the year were the routine ones of the offices of the General Secretary and the Treasurer and the Auditor's charges. The only cash grant made was one of Rs. 2,000 to the Hindustani Seva Dal. Other grants were made to some provinces but the object was to write off some old dues from them.

"29. The opening balance with the Treasurer amounted to Rs. 1,45,751-13-3. His closing balance on 30th November 1925 was Rs. 1,74,578-12-2, the latter including Rs. 30,863-3-9 earmarked Punjab funds and Rs. 24,873-7-0 earmarked for other objects. Even excluding the Punjab

earmarked monies the closing balance is not much short of the opening balance. This position is satisfactory specially as no attempts at collecting funds for the All-India Congress Committee were made, most of the collections going to the Deshbandhu Memorial funds. In past years a fixed source of income of the All-India Congress Committee has been the half share of the delegates' fees. This has now gone since the reduction of the delegates' fee to Re. 1 by the Belgaum Congress. The only other source of income, apart from donations, is the rent of the Congress pavilion. But the pavilion is already showing signs of wear and is not likely to last long. The Committee will thus be faced with difficulties in the future unless fresh sources of revenue are tapped.

The Congress Library.

"30. During the year the All-India Congress Committee received the library of the old British Committee from London. This library contains valuable books and old reports. It is at present lodged in the Congress House in Bombay.

"31. A number of books relating to Congress activities were published during the year. The resolutions of the Congress, the All-India Congress Committee and the Working Committee passed in 1924 were published in book form under the title "Indian National Congress, 1924.." The Belgaum Congress report and the Assam Opium Enquiry report were also published. The All-India Khadi Board brought out a valuable Khadi Guide and the Khadi Pratisthan the "Khadi Manual" in the volumes.

"32. An audited statement of the receipts and expenditure of the A. I. C. C. office from 1st December, 1924 to 31st October 1925, is attached to this report. The Treasurer's statements of accounts are also attached as also lists of realisations and outstandings.

"This report has only been signed by one secretary as Mr. Shuaib Qureshi is touring in foreign countries and Mr. B. F. Bharucha is unwell".

The All-India Congress Committee

PATNA—22ND SEPTEMBER 1925.

In inviting the members of the All-India Congress Committee to attend the meeting of the Committee at Patna to consider the changes in the Congress constitution, Mr. Gandhi wrote the following in the "Young India," dated the 3rd September 1925:—

"I hope that every member of the A. I. C. C., unless he is prevented by unforeseen circumstances, will make it a point to attend the forthcoming meeting of the Committee and take part in its discussions and register his vote. The change sought to be made in the Constitution can only be justified if there is an unanimous and insistent demand for it. Unanimity and insistence can only be proved by every member attending, even at considerable inconvenience and sacrifice if necessary. It will not do for the members to assume anything as a foregone conclusion and let those who attend do what they like. The members should realise that I have not worried them throughout the year and but for this emergency, I would certainly not have worried them now, In my opinion the meeting of the A. I. C. C. and the expense attendant upon it can only be warranted if a new policy has to be initiated or important resolutions of educative character are required to be passed.'

In another note Mr. Gandhi wrote :—

"It is my intention too, at the same meeting, if all goes well, to inaugurate the All-India Spinners' Association. I would like therefore all Khaddar workers who are interested in its inauguration and who have valuable suggestions to make to attend at Patna whether they are members of the A. I. C.C. or not, and advice Babu Rajendraprasad of their intention to attend."

Accordingly the All-India Congress Committee met at Patna on the 22nd September with Mr. Gandhi in the chair. About 100 members attended. It met in an intense atmosphere created by the all-absorbing topic of a change in the Congress Franchise.

Gandhi's opening Remarks.

Mr. Gandhi, explaining his attitude towards the proposed change in the Congress constitution with regard to the franchise, said that he wanted the House to discuss the question with a full sense of responsibility. If they felt that the proposed change would do harm to the country they should reject it. But if they felt that an emergency had arisen and that an impetus should be given to the country by the adoption of the proposed change they should not wait a minute and take full responsibility for it. He hoped that the discussions would be short and valuable.

Preliminary Objection.

Mr. Sinha raised an objection that a change could only be brought by the Congress and that the All-India Congress Committee was not a competent body to initiate any change.

Pandit Motilal Nehru held that the Congress Committee was competent to initiate the change.

Mr. Srinivasa Iyengar held that nothing was to be held sacrosanct. When a change was required to bring about better conditions in the country they should favour it.

Mr. Sen Gupta held they were not able to work because of the franchise.

Pandit Malaviya wanted to dissolve the present body and elect a fresh one to work under a new franchise.

Mr. Gandhi then put the question to vote. By 93 to 7 votes, the Committee expressed their desire for a change in the Congress constitution.

The Franchise Resolution.

Pandit Motilal Nehru then moved the following resolution :—

THE FRANCHISE QUESTION.

(a) In view of the fact that there is a demand from a considerable section in the Congress for a revision of the franchise and there is a general consensus of opinion that, having regard to the present situation, the franchise should be extended, the All-India Congress Committee resolves that Article VII of the Congress Constitution be repealed and replaced by the following :—

(1) Every person, not disqualified under Article IV and paying a subscription of four annas per year in advance, or 2,000 yards of evenly spun yarn of his or her own spinning, shall be entitled to become a member of any primary organisation controlled by a Provincial Congress Committee, provided that no person shall be a member of two parallel Congress organisations at one and the same time.

(2) The yarn subscription mentioned in Sub-Section (1) shall be sent direct by the spinner to the Secretary, All-India Spinners' Association, or to any person nominated by the Secretary in this behalf and a certificate from the Secretary of the All-India Spinners' Association to the effect that he has received 2,000 yards of evenly spun yarn of the holder's own spinning, as his or her yearly subscription, shall entitle the holder to the

membership mentioned in Sub-Section (1), provided that for the purpose of checking the accuracy of the returns made by the All-India Spinners' Association, the All-India Congress Committee or any Provincial Congress Committee or any Sub-Committee thereunder shall have the right to inspect the accounts, the stock, and the vouchers of the All-India Spinners' Association or any subordinate organisation thereunder and provided, further that, in the event of any inaccuracy or error discovered by the inspecting body in the accounts, stock or vouchers examined, the certificates issued by the All-India Spinners' Association, in respect of the persons with reference to whose membership the accounts have been examined, shall be declared cancelled, provided that the All-India Spinners' Association or the person disqualified shall have the right of appeal to the Working Committee.

Any person wishing to spin for membership of the Congress may, if he or she desires, be supplied upon due security with cotton for spinning.

(3) The yarn for the membership shall be reckoned from the 1st January to the 31st December and there shall be no reduction in the subscription to be paid by members joining in the middle of the year.

(4) No person shall be entitled to vote at the election of representatives or delegates on any committee or sub-committee or any Congress organisation whatsoever, or to be elected as such or to take part in any meeting of the Congress or any Congress organisation or any Committee or Sub-Committee thereof, if he has not complied with sub-section (1) hereof, or does not wear hand-spun and hand-woven khaddar at political and Congress functions or while engaged in Congress business.

(5) All the existing members at the end of the year shall be entitled to remain as such up to the 31 January following, although they may not have paid their subscription for the new year.

Sub-Section (1) shall not affect the rights of those who have been already registered as members under the Article repealed, provided their membership is otherwise in order and provided further that those who shall have paid their subscription, whether of self-spun or hand-spun yarn, up to September 1926, shall be entitled to remain members for the current year, though they may not pay any further yarn.

Council Work

(b) Whereas the Congress, in its 39th session held at Belgaum, endorsed an agreement entered into between Mahatma Gandhi on the one hand, and Deshbandhu Das and Pandit Motilal Nehru acting on behalf of the Swaraj Party, on the other, whereby Congress activity was restricted to the constructive programme mentioned therein and it was provided, *inter alia*, that the work in connection with the Central and Provincial Legislatures should be carried on by the Swaraj Party on behalf of the Congress and as an integral part of the Congress organisation and that for such work the Swarajya Party should make its own rules and administer its own funds and whereas subsequent events have shown that this restriction should not continue under the altered circumstances that face the country and that the Congress should henceforth be a predominantly political body

It is resolved that the Congress do now take up and carry on all such political work as may be necessary in the interest of the country and for this purpose do employ the whole of the machinery and funds of the Congress, save and except such funds and assets as are specially earmarked and belong to the All-India Khaddar Board and the Provincial Khaddar Boards, which shall be handed over, with all the existing financial obligations, to the All-India Spinners' Association, to be administered by it on behalf of the Congress and as an integral part of the Congress organisation but with independent powers and existence, provided that the work in the Indian and Provincial Legislatures shall be carried on by the Swaraj Party under the constitution framed by the party and the rules made thereunder, subject to such modifications made by the Congress as may be found necessary from time to time for the purpose of carrying out the said policy.

The Discussion.

Pandit NEHRU, in moving the resolution, said only 9,197 people were able to pay their quota of yarn. Could they, he asked, pretend to have any representative body with such a limited membership? Their present demand for an alternative franchise was based upon the failure of the Yarn Franchise. He did not absolve the Congress workers from blame. They ought to take into consideration that if they only opened the door

they would get the membership of the Congress increased and even those who did not join the Congress, due to the yarn franchise, would join the Congress by paying money.

Referring to the Swarajist activity in the Assembly, Pandit Motilal said their work in the Assembly had been recognised by no less a person than Mahatmaji. He realised that spinners would be able to devote greater attention to spinning by joining the Spinning Association.

Mr. GANDHI hoped the Spinning Association would be able to enhance the prestige of the Congress and would do active propaganda for Khaddar. It was in no way formed in a spirit of hostility to the Congress. It was not formed with the idea of capturing the Congress. He maintained that the All-India Spinners' Association would purely be an economic body looking after the economical side of the country. Mr. Gandhi declared that the All-India Spinners' Association might even invite Sir Ali Imam or the Maharaja of Bikaner to patronise Khaddar

Recommending that the House should favour a change in the Congress Constitution in respect of the franchise, Mr. J. M. SEN GUPTA reminded the members that in 1921 they had broken the Constitution over and over again. In Bengal they had carried the work through the Executive Committee. The whole responsibility was theirs (the All-India Congress Committee's). They were going to be law-breakers with regard to the procedure so that the work might be carried on. When the Government in Bengal arrested the workers under the Ordinance every necessary measure was adopted by a single person. They wanted national work. They could not do it because of the present franchise. He apprehended that if they waited for a change till December, things would grow worse. In the meantime, if they adopted a new franchise, they could act more vigorously and smoothen the work of the Congress.

Mr. Mahomed Ali said that if they wanted to make any change in the Constitution they should be unanimous.

An Interesting Episode.

An interesting episode took place when an amendment, to the surprise of the Swarajists, was passed demanding all Congress members to be habitual users of Khaddar.

The voice of protest was raised by Mr. Sen Gupta, who said that although Bengal Nationalists had no objection to habitually use Khaddar, great difficulties would be experienced by the Maharashtra members, who entirely disapproved of such a proposition. There was every fear of the Congress membership dwindling down.

Several Swarajist members, including Pandit Motilal Nehru, explained the difficulty of enforcing every Congress member to wear khaddar on every occasion.

Mr. Gandhi gave a patient hearing and pointed out that the resolution would clip the wings of the Swarajists, who were already avowed to wear khaddar on ceremonial occasions. He asked the House to reconsider the decision.

Mr. Gandhi's appeal produced a deep effect on the audience and when the question of habitual wearing of khaddar was put to vote again it was defeated by a large majority.

In the midst of the debate, Pandit Madan Mohan Malaviya said that the Congress was yielding on almost all points to the Swaraj Party.

Mr. Sen Gupta took it as an insinuation on the Swaraj Party. He challenged Pandit Malaviya to become a member of the Congress under the new money franchise and come to the Cawnpore Congress to defeat the Swarajists. Pandit Malaviya had forgotten, said Mr. Sen Gupta, that the Swaraj Party was an integral part of the Congress and that no one could be a Swaraj Party Member without becoming a member of the Congress. Pandit Malaviya knew that he was not supported by the country. The Swaraj Party, continued Mr. Sen Gupta, realised that they were carrying on a policy which was best suited to the country. The very day they would know they were not supported by the country, they should give up their policy.

Moulana Shaukat Ali on Council-entry

Maulana Shaukat Ali remarked that Council-entry was a mere waste of time. Their work inside the Council was a non-entity. They were merely giving a chance to the Swaraj Party, because he did not want that other weak parties should go to the Councils.

Dr. Pattabhi Sitaramayya remarked that the Swaraj Party had betrayed the trust imposed on them.

Swarajist Members: No, certainly not.

Later, Pandit Motilal took strong exception to this remark.

Orthodox Non-Co-operators opposed the clause in Pandit Motilal's resolution requiring the Congress to take up and carry on all such political work as may be necessary in the interests of the country.

Mr. Gandhi, in order to make the clause more explicit, by way of an amendment, added the words "in accordance with the programme and policy of the Swaraj Party."

Those who opposed the clause feared that the Congress would henceforth be a Congress for Councils and Assemblies.

Pandit Motilal protested severely against the omission of the clause.

Mr. Sen Gupta pointed out that they were supporting all the clauses of the resolution relating to spinning, with the sole idea that the resolution in its entirety would be carried. It was unfair that at the last moment the clause which the Swarajists strongly favoured should be omitted.

Mr. Gandhi pointed out that no question of honour was involved if the clause was accepted. He appealed to every member to exercise his own independent judgment.

The provision was carried.

Resolution Carried as Altered

The original resolution on franchise was put as a whole, as amended, and declared carried. The debate lasted for seven hours and a half. The meeting adjourned till next day.

PATNA—23RD SEPTEMBER 1925.

The All-India Congress Committee concluded on this day after adopting important resolutions.

Mrs. Besant's Commonwealth of India Bill was lost for want of a seconder.

A resolution expressing sympathy with the Chinese in their struggle and protesting against the despatch of Indian soldiers by the Government of India to suppress the Chinese movement was passed unanimously.

The resolution favouring the formation of a Political Sufferers' Fund was ruled out of order.

The Committee condemned the action of the United States Government in refusing passports to Mr. Saklatwala, Communist M. P.

The Committee endorsed the draft constitution of the Spinners' Association moved by Mr. Gandhi.

Other Resolutions.

The All-India Congress Committee further adopted the following resolutions on this day :—

The Expulsion of Offenders' Bill.

"In the opinion of the All-India Congress Committee, the Expulsion of offenders' Bill, now before the Legislative Council of Burma, which seeks to authorise the expulsion, from Burma, of non-Burmans who have been convicted of certain criminal offences or ordered to furnish security for good behaviour, though general in character, seems principally aimed at the Indians resident in Burma.

"The Bill renders insecure the position of the Indians residing in Burma for trade or otherwise, and puts an affront upon them, implying, as it does, that there must be many bad characters among Indian residents requiring the drastic course of expulsion provided for in the Bill. The Bill, moreover, ignores the fact that Burma is a part of British India, in that it discriminates against its non-Burman inhabitants".

The S. African Menace

"The All-India Congress Committee expresses its deep sympathy with the Indian settlers in South African in their troubles, and assures them of all the support that is within the power of the Congress to give them to maintain their position and self-respect in South Africa.

"In the opinion of the All-India Congress Committee, India should not become a party to any scheme of repatriation, whether described as voluntary or compulsory.

"The Congress is further of opinion that the Bill proposed to be passed by the Union Parliament is manifestly a breach of the settlement of 1914.

"The All-India Congress Committee suggests to the Congress organisations to call public meetings of all parties on the 11th day of October 1925 to protest against the treatment meted out to the Indian settlers in South Africa".

All-India Spinners' Association

The following is the draft Constitution for the All-India Spinners' Association : —

"Whereas the time has arrived for the esablisment of an expert organisation for the development of hand-spinning and khaddar and, whereas, experience has shown that such development is not possible without a permanent organisation, unaffected and uncontrolled by politics, political changes or political bodies, an organisation called the All-India Spinners' Association is hereby established, by and with the consent of the All-India Congress Committee.

"The said Association shall consist of (?) members who will hold office for five years and who will form the Executive Council of the said Association. The Council shall take over all the assets belonging to the All-India Khaddar Board and shall discharge its existing financial obligations. The Council shall have the right to raise loans, to collect

subscriptions, to hold immovable property, to invest funds under proper security, to give and take mortgages for the furtherance of hand-spinning and khaddar, to give financial assistance to khaddar organisations by way of loans, gifts of bounties, to help or establish schools or institutions where hand-spinning is taught, to help or open khaddar stores, to act as agency on behalf of the Congress, to receive self-spun yarn as subscription to the Congress and to issue certificates and to do all that may be considered necessary for the furtherance of its objects, with power to make regulations for the conduct of the affairs for the Association or the Council and to amend them in such manner as may be considered necessary from time to time

"The members of this Council, before taking office, shall sign the declaration hereto appended and marked (A). Vacancies, by death, resignation or otherwise, shall be filled by the remaining members. All decisions shall be taken by a majority of votes. The Council shall keep an accurate account of all subscriptions, donations and fees, whether in cash or kind, and of all expenditure. The book shall be open to public inspection and shall be audited by competent auditors every three months, and persons, male or female, above 21 years of age and wearing khaddar habitually may be enrolled as members on signing the declaration appended hereto (B), upon depositing, as subscription, with the Treasurer or any Agency duly appointed by the Council, 2,000 yards of evenly spun and well twisted yarn of his or her own spinning and who shall continue to deliver such yarn to the said Agency from month to month and, on failing to deliver such yarn in the manner and time appointed, shall cease to be a member until he has paid the yarn due, provided that any yarn paid to the Association for membership of the National Congress will be considered part of the subscription to the Association.

"The duty of every member will be to carry on a vigorous propaganda for hand-spinning and khaddar. The power of every member shall be to elect the members of the Council after the expiry, by efflux of time, of the present Council and to change by a three-fourths majority the constitution.

When in any province 50 members have been enrolled they will elect from among themselves an Advisory Committee of five, to advise the Council about provincial matters relating to the objects of the Association. Those, who being unable to spin regularly, pay the All-India Spinners' Association Rs. 12 per year in advance shall be considered members of the Association and will be entitled to receive, free of charge, copies of the statements, banance-sheets and minutes of the proceedings of the Council.

ANNEXURE (A)

"I promise faithfully and honestly to discharge the obligations of my office as member of the Council of the Association and give preference to the furtherance of its objects over all other work, public or private that I might undertake.

ANNEXURE (B)

"It is my firm belief that the economic salvation of the masses of India is impossible without the universal adoption, by the country, of the spinning-wheel and its product, khaddar. I shall, therefore, except when disabled by illness or some unforeseen event spin daily for at least half an hour and habitually wear hand-spun and hand-woven khaddar and in the event of my belief undergoing a change or my ceasing to spin or wear khaddar, I shall resign the membership of this Association'.

The All-India Swaraj Party

Death of Deshbandhu.

On the 16th June Deshbandhu Chittaranjan Das, the Leader of the Swaraj Party, suddenly passed away at Darjeeling. The news convulsed the nation. The whole country was deeply grieved and extraordinary and unparalleled demonstrations in his honour took place in Bengal and elsewhere. On the 18th June the body of the dead patriot was brought to Calcutta to be cremated. It was a wonderful demonstration of the love and affection of the people to their departed leader that Calcutta witnessed on that day. All Calcutta was out to pay homage to the Deshbandhu. All classes, all parties, all races, all ages joined in an unified procession of mourners to the cremation ground, where the great patriot's remains were cremated with unparalleled grandeur and solemnity.

Mahatma Gandhi, who was at this time touring in Bengal, cancelled his tour programme and came to Calcutta where he stayed to the end of August 1925. The Mahatma's appeal for a Bengal Deshbandhu Memorial Fund, for the establishment of a women's hospital in Mr. Das's old home resulted in the collection of eight lakhs of rupees. An All-India Deshbandhu Memorial fund appeal was also issued by a number of distinguished signatories, the fund being ear-marked for the propagation of the Spinning Wheel and Khaddar. A little over ninety thousand rupees were subscribed to this fund.

Mahatma Gandhi's first contribution to the press on the demise of Deshbandhu appeared as a leading article in the *Forward* of the 19th June. The following is the full text:—

"Long Live Deshbandhu"

"Calcutta demonstrated yesterday the hold Deshbandhu had on Bengal nay, India. Calcutta is like Bombay, cosmopolitan. It has people from all the provinces. And all these people were as hearty participators in the procession as the Bengalis. The wires that are pouring in from every part of India emphasise the fact of his all-India popularity.

"It could not well be otherwise among a people known for their gratefulness. And he deserved it all. His sacrifice was great. His generosity had no bounds. His loving hand was open d out to all. He was reckless in in his charities. And only the other day when I gently remarked that he might have been discriminate, prompt came the reply, "I do not think I have lost by my indiscrimination." His board was free to the prince and the pauper. His heart went out to everyone in distress. Where is the young man in all Bengal who does not owe a debt of gratitude to Deshabandhu in some shape or other? His unrivalled legal talents were also at the disposal of the poor. I understand that he defended many, if not all, political prisoners without charging them a pie. He went to the Punjab for the Punjab inquiry and paid his own expenses. He carried a princely house-hold in those days. I had it from him that he spent during that stay in the Panjab Rs. 50,000. This large-heartedness towards all who sought his help made him the undisputed ruler of thousands of young hearts.

" He was as fearless as he was generous. His stormy speeches at Amritsar took my breath away. He wanted immediate deliverance for his country. He would not brook the alteration or removal of an adjective—not because he was unreasonable but because he loved his country so well, only too well. He gave his life for t. He controlled enormous forces. He brought power to his party by his indomitable zeal and perseverance. But this tremendous outpouring of energy cost him his life. It was a willing sacrifice. It was noble.

' Faridpur was his crowning triumph. That utterance of his is a demonstration of his supreme reasonableness and statesmanship. It was a deliberate, unequivocal and for him (as he said to me) final acceptance of non-violence as the only policy and therefore political creed for India.

" In constructing together with Pandit Motilal Nehru and the disciplined stalwarts from Maharashtra the great and growing Swaraj Party out of nothing, he showed his determination, originality, resourcefulness and contempt of consequences after he had once made up his mind that the thing to be done was right. And to-day the Swaraj Party is a compact well-disciplined organisation. My differences about the Council-entry were and are fundamental, but I never doubted the usefulness of Council-entry for the purpose of embarrassment and continuously putting the Government in the wrong. No one can deny the greatness of the work done by the Party in the Councils. And the credit for it must predominantly belong to Deshabandhu. I entered into the pact with him with my eyes open. I have since done my little best to help the Party. His death renders it doubly my duty to stand by the Party now that the leader is gone. I shall do nothing to impede its progress where I may not be able to help.

' But I must hark back to the Faridpur speech. The nation will appreciate the courtesy of the acting Viceroy in sending a message of condolence to Shrimati Basanti Devi. I note with gratefulness the warm tributes paid by the Anglo-Indian press to the memory of the deceased. The Faridpur speech seems to have impressed most Englishmen with its transparent sincerity. I am anxious that this death should not end with a mere display of courtesy. The Faridpur speech had a great purpose behind it : it was a generous response to the Anglo-Indian friends who were anxious for the great patriot to make his position clear and make the first approach He made it. The cruel hand of death has removed the author of the gesture from our midst. But I would like to assure Englishmen who may be still doubtful about the sincerity of Deshabandhu's motive that throughout my stay in Darjeeling, the one thing that struck me most forcibly was his utter sincerity about that utterance, Cannot this glorious death be utilised to heal wounds and forget distrust ? I make a simple suggestion. Will the Government, in honour of the memory of Chittaranjan Das, who is no longer with us to plead the cause, release the political prisoners who he protested were innocent ? I am not now asking for their discharge on the ground of innocence The Government may have the best proof of guilt, I simply ask for their discharge as a tribute to the deceased and without prejudice. If the Government mean to do anything to placate Indian opinion, there can be no more opportune time and no better inauguration of a favourable atmosphere than the release of these prisoners. I have travelled practically all over Bengal. Public feeling, not all necessarily Swarajist, is sore on the point. May the fire that burnt yesterday the perishable part of Deshabandhu also burn the perishable distrust, suspicion and fear. The Government may then call a conference if they will, to consider the best means of meeting Indian demand whatever it may be.

" But we will have to do our part, if the Government are to do theirs. We must be able to show that we are no one-man show. In the words of Mr. Winston Churchill, uttered at the time of the war, we must be able

to say, 'Business as usual.' The Swaraj Party must be immediately reconstructed. Even the Punjab Hindus and Musalmans appear to have forgotten their quarrels in the face of this 'bolt from the blue.' Can both parties feel strong and sensible enough to close the ranks? Deshabandhu was a believer in and lover of Hindu-Muslim unity. He held the Hindus and Musalmans together under circumstances the most trying. Can the funeral fire purge us of our disunion? But perhaps the prelude to it is a meeting of all the parties on a common platform. Deshabandhu was anxious for it. He could be bitter in speaking of his opponents. But during my stay in Darjeeling I don't remember a harsh word having escaped his lips about a single political opponent. He wanted me to help all I could to bring all parties together. It is then for us educated Indians to give effect to the visions of Deshabandhu and realise the one ambition of life by immediately rising a few steps in the ladder of Swaraj even if we may not rise to the top just yet. Then may we all cry from the bottom of our hearts 'Deshabandhu is dead. Long Live Deshabandhu.'

The Gandhi-Birkenhead Controversy.

On the 7th July 1925 Lord Birkenhead, the Secretary of State for India, made an important statement in the Lords with regard to his conferences with the Viceroy regarding the Indian problem. The speech of the noble lord was received with utter dissatisfaction by all parties in India. Mahatma Gandhi quickly responded to the needs of the situation created by the Secretary of State's speech and gave a direct challenge to Lord Birkenhead calling his speech a deceptive one. In his organ "Young India" of the 23rd July the Mahatma wrote :—

A Deceptive Speech.

"Lord Birkenhead's pronouncement is deceptive in a double sense. It does not read as harsh on second reading as it did on first, but it disappoints more on the second than it did on the first. The harshness of it is unintended. The Secretary of State could not help himself. He has spoken as he has felt or rather been coached to feel. But his promises are only apparently alluring. A closer perusal leaves one under the impression that the maker of them knows that he will never be called upon to fulfil them. Let us take the most tempting of them. It says in effect, "produce your constitution and we will consider it." Is it not our thirty-five years' experience that we have made petitions that we have considered to be perfect but that they have been rejected "after careful consideration"? Having had that experience we dropped the beggar's bowl in 1920 and made up our minds to live by our own exertion even though we should perish in the attempt. It is not draughtsmanship that his Lordship really asks, it is swordsmanship he invites, with the full knowledge that the invitation will not be and could not be accepted. The evidence is in the speech itself. He had before him the Minority report of the Muddiman Committee, i.e. of Dr. Sapru and Mr. Jinnah, two among the cleverest lawyers we have in India and who have never been guilty of the crime of non-co-operation, and one of whom has been Law Member of the Viceregal Council. They and their colleague have been told that they did not know their business. Has then a constitution framed by Pandit Motilal Nehru and endorsed by, say, the Right Honourable Srinivasa Sastri and Mian Fazli Hussain a better chance of favourable

reception? Is not Lord Birkenhead's offer a trap for the unwary to fall in? Supposing an honest constitution is drawn up just to meet the present situation, will it not be immediately regarded as preposterous and something infinitely less offered in its stead? When I was hardly twenty-five years old I was taught to believe that if we wished to be satisfied with 4 annas we must ask for 16 annas in order to get the 4 annas. I never learnt that lesson because I believed in asking for just what I needed and fighting for it. But I have not failed to observe that there was a great deal of truth in the very practical advice.

"The silliest constitution backed by force whether violent or non-violent, will receive the promptest consideration especially from the British who know only too well the value of at least one kind of force.

The Commonwealth Bill.

"There is the Bill taken to England by that tireless servant of India, Dr. Besant. It is signed by many eminent Indians. And if some others have not signed it, it is not because they will not be satisfied with it but because they know that nothing but the waste paper basket is its destiny. It has not been signed because those who have refrained do not wish to be party to the insult of the nation which its summary rejection will imply. Let Lord Birkenhead say that he will accept any reasonable constitution that may be prepared by a party or parties overwhelmingly representative of Indian public opinion and he will have a constitution in a week's time. Let him publicly assure Dr. Besant that her Bill will have every chance of acceptance if it is endorsed by Pandit Motilal Nehru and others whom he may name and I shall undertake to secure those signatures. The fact is that there is no sincere ring about the offer.

"It is no fault of the Secretary of State for India that his offer does not read sincere. We are not ready as yet to demand anything. Therefore, naturally it is for the British Government to give and for us to reject, if what is offered is not deemed enough for the time being. For us what the new Commander-in-Chief considers as unattainable is the only thing worth living for, fighting for and dying for. One's birthright is never unattainable and Lokamanya taught us that Swaraj was our birthright. The definition of that Swaraj is to rule ourselves although we misrule ourselves for the time being. We, the English and the Indians, are in a hopeless muddle. Lord Birkenhead thinks the British Government are trustees for our welfare. We think that they hold us in bondage for their own benefit. Trustees never charge as their commission seventy-five per cent of the income of their wards. His Lordship says we cannot be a nation with our 9 religions and 130 languages. We contend that for all practical purposes and for protection from outside the Indian border we are one nation. He thinks that non-co-operation was a dreadful mistake. The vast majority of us think that it alone awakened this sleeping nation from its torpor, it alone has given the nation a force whose strength is beyond measure. The Swaraj Party is a direct result of that force. He says that in Hindu-Mussalman dissensions the British Government have 'kept their hands unsullied." It is the certain belief of almost every Indian that they, the British Government, are principally responsible for most of our quarrels. He thinks that we must co-operate with them. We say that when they mean well or when there is change of heart, they will co-operate with us. He says that no gifted leader arose to make use of the Reforms. We say that Messrs. Sastri and Chintamani, not to mention others,

were gifted enough to make the Reforms a success but in spite of all the goodwill in the world they found that they could not do so. Desabandhu showed a way out. His offer stands.

Prepare for Civil Resistance.

"But what hope is there of his offer being responded to in the spirit in which it has been made? There are the different viewpoints which make us, English and Indians, see things contrarywise. Is there any chance then of finding a common meeting ground?

Yes, there is.

"We the two people occupy an unnatural position, i.e., of rulers and ruled. We Indians must cease to think that we are the ruled. That we can only do when we have some kind of force. We seemed to think we had it in 1921 and so we fancied that Swaraj was coming inside of a year. Now no one prophesy. Let us gather that force—the non-violent force of civil resistance and we shall be equal. This is no threat, no menace. It is a hard fact. And if I do not now-a-days regularly criticise the acts of our "rulers", as I used to do before, it is not because the fire of the civil resister has died down in me but because I am an economist of speech, pen and thought. When I am ready I shall speak freely. I have ventured to criticise Lord Birkenhead's pronouncement to tell the bereaved people of Bengal in particular and of India in general that I feel the unintended prick Lord Birkenhead's speech just as much as they do and that whilst Motilal will be fighting in the Assembly and leading the Swaraj Party in the place of Deshbandhu I shall be leaving no stone unturned to prepare the atmosphere needed for civil resistance—a vocation for which I seem to be more fitted than for any other. Has not the singer of the Gita said, "Better by far is the performance of one's own 'Dharma' (duty) however humble it may be, than another's however loftier it may be.'

The Mahatma's Contribution to Deshbandhu's Memory

The challenge of the Mahatma was never accepted and the Secretary of State's bluster was exposed. The views of the Mahatma were endorsed by all people and all parties and the nation did not believe for one moment that the Secretary of State was at all serious.

In view of the situation created by Lord Birkenhead's speech, the Mahatma felt that the authority and influence of the Swaraj party need to be increased. Accordingly, after having attended the meeting of the Swaraj Party Council and the Working Committee of the Congress at Calcutta on the 16th and 17th July, and after an informal discussion with the members of the A. I. C. C. present on the occasion, the Mahatma wrote to Pundit Motilal Nehru, the President of the Swaraj party, offering to absolve the Swaraj party from all obligations of the Belgaum pact. The following is the text of the correspondence that passed between the Mahatma and Pt. Nehru on this occasion :—

The Mahatma's Letter.

Dear Panditji, Calcutta, 19th July '25.

During these few days I have been taxing myself what special exclusive contribution I can make to the memory of Deshbandhu and the situation created by Lord Birkenhead's speech. And I have come to the conclusion that I should absolve the Swaraj Party

form all obligations under the pact of last year. The result of this act is that the Congress need no longer be predominantly a spinning association.

I recognise that under the situation created by the speech the authority and the influence of the Swaraj Party need to be increased. I would fail in my duty if I neglected a single step within my power to increase the strength of the Party. This can be done if the Congress becomes a predominantly political body.

Under the pact the Congress activity is restricted to the Constructive Programme mentioned therein. I recognise that this restriction should not continue under the altered circumstance that faces the country. Not only do I, therefore, personally absolve you from the restriction, but I propose to ask the forthcoming meeting of the A. I. C. Committee to do likewise and place the whole machinery of the Congress at your disposal so as to enable you to bring before that body such political resolutions as you may consider necessary in the interest of the country. In fact, I would have you regard me at your disposal in all such matters in which I can conscientiously serve you and the Swaraj Party.

Pandit Nehru's Reply.

Dear Mahatmaji, Calcutta, 21st July '25.

The Swaraj Party is under a deep debt of gratitude to your generous support on the irreparable loss it sustained by the premature death of its great leader, Deshbandhu Chittaranjan Das. You have now redoubled that debt by the noble offer contained in your letter of the 19th July. It seems to me that the only way to repay that debt is to accept your offer in all humility, and strive with your help to meet the situation created by Lord Birkenhead's speech in the spirit of the last pronouncement of Deshbandhu made at Faridpur.

Lord Birkenhead seems to have spurned the honourable co-operation offered by Deshbandhu, and to have made it clear that in our struggle for freedom we have still to face many unnecessary obstacles and many ill-informed opponents. Our plain duty at this stage is, therefore, to go ahead along the line chalked out for us, and prepare the country for an effective challenge to the irresponsible and insolent authority. In the words of the great Faridpur speech, "We shall fight, but fight clean," not forgetting that "when the time for settlement comes, as it is bound to come, we have to enter the Peace Conference not in a spirit of arrogance but with becoming humility, so that it may be said of us that we were greater in our achievement than in our adversity."

You have now enabled us to fulfil the message of Deshbandhu with the united strength of the Congress at our back. Under such auspices we need entertain no misgivings about the result which can only be what it has invariably been in all ages and countries—the ultimate triumph of right over might.

I desire to say one word about the pact from which you have so generously absolved the Swaraj Party. As you know, both Deshbandhu and I had no desire to have the conditions of the pact altered in the course of the year. We wanted to give it a full and fair trial and it was our wish to help personally in every way in making it a success. Ill-health and many preoccupations prevented us both from doing as much for it as we had wished. But I entirely agree with you that a new situation has been created by recent events, and under the circumstances the Congress should without loss of time adapt itself to this situation by making itself a predominantly political body. I, therefore, welcome your offer This, however, does not mean that the Congress should give up in any way the constructive programme. All our efforts would be of little avail if they are not backed up by the organised strength of the nation.

We shall now go ahead in full confidence with our work inside the Councils and outside in the country. And if the occasion demands organised action in the country, I need not assure you that the Swaraj Party will whole-heartedly help in such activity.

Accordingly the transfer of power into the Swarajists' hands was completed by the All-India Congress Committee at Patna on the 22nd September. (see p. 17)

The General Council of the Swaraj Party

On the 16th July the General Council of the Swaraj Party at Calcutta adopted a resolution offering co-operation to the Government on honourable terms, as suggested by Deshbandhu Das in his Faridpur speech. The resolution was drafted by Mahatma Gandhi, who was present as a distinguished visitor.

Mr. S. Srinivasa Iyengar moved the following resolution, which was supported by Mr. J. M. Sen Gupta and others.

CO-OPERATION ON HONOURABLE TERMS.

The General Council of the Swarajya Party, whilst sharing with the country the deep grief, universally expressed, over the sudden and premature death of Desabandhu Chittaranjan Das, feels that the party has lost its founder and infallible guide, who kept it from harm in the midst of difficulties and led it in Bengal from victory to victory and set to the party a standard of courage, self-sacrifice and discipline for which the Party owes to the memory of the deceased Chief a debt, which it can never hope to repay. The Council tenders to Shrimati Basanti Devi and the family its respectful condolences.

This meeting of the General Council of the All-India Swarajya Party wholly endorses the sentiments regarding violence and the strong condemnation thereof contained, and the offer of honourable co-operation with the Government and the conditions thereof laid down, in the Faridpur speech—dated the 2nd day of May, 1925,—of the late President of the Party, Desabandhu Chittaranjan Das.

The Council however regrets that the recent pronouncement of the Right Hon'ble the Secretary of State for India in the House of Lords is not only no response to the late President's offer, but on the contrary is calculated, by reason of its tone and language, to make the changes of honourable co-operation difficult, if not impossible. The Council therefore sees in that pronouncement no reason for a revision of the policy of the Swarajya Party, but will be prepared to reconsider it, if the final declaration to be made by the Government of India and referred to by Lord Birkenhead, is found to be at all adequate to meet the requirements of the existing situation in the country.

Mr. IYENGAR said the resolution was no disgrace to the Swaraj Party, though it was mildly worded. It meant that the Swaraj Party yet kept the door open for further negotiations and if Lord Birkenhead chose he could agree to their terms of honourable co-operation. The Swaraj Party was powerful and well-disciplined enough to meet any challenge of the Government by persistent obstruction.

Continuing, Mr. Srinivasa Iyengar cleared some of the misconceptions which prevailed on the very idea of co-operation. He admitted that Deshbandhu Das gave a chance to the Government in his speech at Faridpur. The Secretery of State had disgracefully spurned it. Lord Birkenhead's attitude was insulting, but the Swaraj Party would not be doing a wrong thing by reiterating their faith in the action of their dead leader. Lord Birkenhead had said nothing. Indians also were asking for nothing, except co-operation on honourable terms. Lord Birkenhead had said that the door was open for negotiations. India's reply was that her door was also open to Lord Birkenhead. The Swaraj Party knew its power. It did not solicit any favour from the Government. It demanded what was legitimate. If that demand was not satisfied the same policy of vigorous obstruction would be pursued. They were not, Mr. Iyengar said, exaggerating any-

thing. They were making a frank confession of what they were willing to do. There was no change in their policy.

Mr. SEN GUPTA made a vigorous speech for half an hour. He said although Desabandhu Das had made his position quite clear by condemning violence in his remarkable manifesto the party should re-state its views. Their Party condemned violence. He added that when they began non-co-operation they perceived that co-operation was possible with the Government at least when they would comply with the national demand. He appealed to the House to adopt the resolution and give one more chance to the Government and Lord Birkenhead by adopting the resolution. They would abide by the wishes of their dead Chief.

Dr. MOONJI emphasised that they were for honourable co-operation. Their Party must refuse te accept office under the present circumstances.

Pandit Motilal NEHRU thanked the members of the Swaraj Party for having elected him as their President. He assured that the policy marked out by Desabandhu Das would be followed. He found in the resolution a true expression of national feeling. They had condemned, on the one hand, the empty speech of Lord Birkenhead, while on the other they had offered him the olive branch which was offered by Desabandhu at Faridpur.

After further discussion the original resolution was carried.

Split in the Swarajist Camp

Mr. Tambe Accepts Office

On the 8th October 1925 a Government Communique announced from Simla that H. M. the King-Emperor has approved of the appointment of Mr. S. B. Tambe, President of the Central Provinces Legislative Council and a member of Swaraj Party, to be a member of the Executive Council of the Governor of the Central Provinces in succession to Sir M. V. Joshi.

This announcement gave rise to considerable political interest throughout India. Mr. Tambe was elected President of the C. P. Council by a large majority of Swarajist votes on the 4th March 1925. According to the Swarajist constitution, Mr. Tambe, as a Swarajist Member, could not accept the post without the consent of the General Council of the Swaraj Party.

Mr. Tambe's Statement

Soon after the announcement, in an interview, the Hon'ble Mr. Tambe informed the Associated Press that he accepted the post of the Executive Councillor in his individual capacity and not as a member of the Swaraj Party, nor in pursuance of the policy of the Swaraj Party. Though he has not formally resigned the membership of the Swaraj Party, his appointment is tantamount to resignation.

Pt. Motilal's Statement.

On the 15th October Pandit Motilal Nehru, the President of the Swaraj Party, issued the following statement to the press on Mr. Tambe's appointment to the Executive Council of the Central Provinces:—

"The reports received from the three Congress Provinces from which the members of the C. P. Legislative Council are drawn, namely, C. P.

Hindustani, C. P. Marathi and Berar, show that Mr. S. B. Tambe did not resign his membership of the Provincial or of the Council Swaraj Party before accepting office as a member of the Executive Council of H. E. the Governor. He acted entirely on his own initiative and responsibility, without consulting or informing any of these bodies. I am informed that he has now tendered his resignation, but he has not yet replied to my telegram, asking him to send me such explanation as he might have to offer in justification of the step he has taken. I have called a meeting of the Executive of the All-India Swaraj Party at Nagpur on the 1st November, to deal with Mr. Tambe's resignation, and other matters connected with the C. P. Legislative Council, in consultation with the joint meeting of the Provincial Swaraj Committees of the three Congress provinces named above. The decisions arrived at will be duly announced in the press.

Mr. Jayakar's Statement.

On the 16th October Mr. M. R. Jayakar, Leader of the Swaraj Party in the Bombay Council, expressed his opinion on Mr. Tambe's action in the following statement :—

"I am bound to say that Mr. Tambe's acceptance of this office represents the growing weakness of the Swaraj Party, which has been manifest for some time. I do not see much distinction, except in one or two technical aspects, between Mr. V. J. Patel accepting for a salary paid out of the 'tainted' sources of Government, the Presidentship of the Legislative Assembly and Mr. Tambe accepting Executive Councillorship for an equally 'tainted' salary. In both cases these two Swarajists have been lost to the Party. The Party is deprived of the benefit of their active co-operation in carrying on its work These two are rendered dumb and voiceless, and are in receipt of salaries paid by a Government described in the old phraseology as "satanic."

"When the Swaraj Party laid down the rule at the time of its formation that its members should not accept office, no distinction was made, so far as I remember, between nominated and elected offices. The underlying principle was a double one: (1) that all important men in the Party should be vigorously carrying on the work of the Party amongst the people and not be trammelled by the restraints of office and (2) that the salary paid by the 'corrupting' Government should not be accepted. Now, both these reasons are as potent in Mr. Patel's case as in Mr. Tambe's. Nay, they are more so in Mr. Patel's case because of his courageous, energetic and fighting propensities. The loss of Mr. Patel to the Party is far more regrettable from this point of view, than the loss of Mr. Tambe."

"Pandit Motilal's acceptance of a place on the Skeen Committee stands on a different footing. Notwithstanding that fact, he remains available to the Party, with his energy and influence, to carry on its work openly and in public. I certainly feel that the time has come when the Swarajists should meet and reconsider their programme. Either it has succeeded or not succeeded. If it has succeeded, strengthen it up. Make it more firm, strong and unalterable, so that such lapses may become impossible. Personally, I would recall to the fighting ranks all those who have become stipendiarily dumb and mute. If, on the other hand, the programme has not succeeded, then let us be honest and true to ourselves and our country, and proclaim that in the altered circumstances of the country our opposition

to the bureaucracy ought to take another form, that the time has come when all places of power, influence, and constructive responsibility ought to be taken, without hesitation, for the good of the country. Like honourable, courageous and patriotic men we should say that we shall accept these offices, with all their risks, because we feel the conviction, proud as it may seem, that we alone can save the country.

"This step involves the risk of being misunderstood, but that risk has to be run. Events will prove whether we, the Swarajists, remain firm and uncorrupted by the temptations of office. We must boldly take the lead, agreeing to be judged by the events. But anything is better than the present laxity. Owing to it, and the consequent indefiniteness, the Swaraj Party threatens, very soon, to become the laughing-stock of their supporters."

Mr. Kelkar's Statement.

Expressing his opinion on Mr. Tambe's acceptance of office, Mr. N. C. Kelkar, the leader of the Maharashtra Swaraj Party, referring to the telegram of congratulation he sent to Mr. Tambe, said :—"The telegram I sent to Mr. Tambe was a personal one. He is a friend of mine and was a friend of the late Mr. Tilak when the Maharaj Case was being conducted at Aurangabad twenty-three year ago. I always considered him as a level-headed man and one always taking a commonsense view of things. Therefore I thought it my duty to send him a personal telegram expressing my congratulation on his personal good fortune and also for the fact that his general merits were thus recognised. I took it for granted, when sending my telegram, that he must have sent in his resignation of his membership of the Swaraj Party before accepting the offer of Executive Councillorship.

"I see the point of the blame that is being laid on him but technically I do not see much difference between this and Mr. Nehru's acceptance of a nominated seat on the Skeen Committee, at a time when the Swaraj Party rules did not expressly provide for such acceptance, but I had advised Pandit Motilal to accept the post because, in my opinion, things were bound to come round to responsive co-operation. The accepting of the post of Executive Councillor is responsive co-operation, for, as I wrote to Pandit Motilal when advising him to accept membership of the Skeen Committee, every one now takes it for granted that there is a world of difference between a Swarajist accepting post like that and some one else doing it. The mentality of the Swarajist is recognised to be different from that of the non-Swarajist. I do not think that the passing of a mere vote of censure on Mr. Tambe at the Executive Council meeting of the Swaraj Party will help matters much. The time has come when the Swaraj Party must take a broader view of things and give greater facilities for introducing a spirit of opposition inside the preserves of the Government. I am sure that, though technically at fault, Mr. Tambe may be relied upon for achieving in the Executive Council of Nagpur, what Mr. V. J. Patel is expected to do in the Assembly as the President, and Pandit Motilal on the Skeen Committee, as member."

Mr. Kale's Statement.

On the 16th October Mr. Y. M. Kale, a leading Swarajist member of the C. P. Legislative Council from Berar, wired :—

"There is absolutely no truth in the suggestions, made by certain newspapers, that the action of Mr. Tambe, in accepting the Executive Councillorship, has the normal support of the Berar Swarajists. Mr. Tambe has no such support, inside or outside the Council, except perhaps, of one or two of his friends, who along with him, were trying to form a ministry in C. P. All Berar Swarajists view Mr. Tambe's action as sacrilegious and unprecedented in the political life in India. As the silence of the Berar leaders is already being misconstrued, Mr. Kale thinks that this repudiation is necessary prior to the party meeting which is arranged to be held at Amraoti on the 25th instant".

Pt. Nehru's Reply to Mr. Jayakar's Statement.

On the 17th October in the course of a press interview, Pandit Motilal Nehru stated the following in reply to Mr. Jayakar's statement:—

"I can only express my regretful surprise at the statement reported to have been made by Mr. Jayakar on Mr. Tambe's action and the general policy of the Swaraj Party. I cannot conceive how a gentleman in the position of the leader of the Swarajists in the Bombay Council could possibly commit himself to the opinion that the difference between Mr. Tambe's acceptance of office and Mr. V. J. Patel's is merely technical. There is a most essential and substantial difference on general principles between the one man accepting an office in the absolute gift of the Government and another accepting office to which he is elected, not only by the suffrage of his own party, but in the teeth of Government opposition.

"It will be remembered that Government block not only voted solidly against Mr. Patel, but made unusual efforts to secure the votes of those dependent upon it. Mr. Tambe, in office, is a creature of the Government, pure and simple. Mr. Patel in office, is as much an elected representative of his party, as he was out of office. There is no doubt one important difference between Mr. Patel in the Presidential Chair and Mr. Patel on the Opposition Bench. In the former place he is to decide impartially questions arising between his party on the one side, and the Government and other parties on the other. In the latter, it was his business to put forward the case of his own party with all the strength and ability he could command. The difference is the same as there is between a Judge and an Advocate, but is limited to points of order and procedure. Mr. Patel in the Chair is fully entitled to have his own opinions though he may not express them. That is a situation, which frequently arises in inter-party matters, quite independently of the Government. When a joint meeting of two more parties is held it has to be presided over by a member of one of the parties concerned, who is duly elected. In agreeing to preside such a member is a bound by the same obligations of fairness and impartiality, as Mr. Patel is in the Presidential Chair of the Assembly, but he does not thereby cease to be a member of the party to which he belongs nor is released from the undertakings he has given. Apart from these well-established, general principles, the constitution of the party, while it clearly and absolutely prohibits acceptance of office in the gift of the Government, equally clearly, provides that "the Party may adopt one of its own members or any other elected member of the Assembly as a candidate for election to the office of the President of the Assembly." It will be thus be seen that there is not the remotest analogy between the two cases. It is not

true that both men have been lost to the party in the same sense. Mr. Patel will, on the expiry of the term of his office, be free from the limitations I have mentioned above and resume his place in the party, as a full-fledged Swarajist, while Mr. Tambe has cut himself off completely from the Party, at the very outset, and, can never hope to return to it.

"I cannot understand how Mr. Tambe's action can have a weakening effect on the future issues. By his action he has only shown himself up and left the Party as it was. I do not know what Mr. Jayakar is referring to, when he speaks of the 'present laxity of discipline.' There have been, and will always be, black sheep in every class. The mere defection of a member does not show any laxity of discipline. It all depends upon how the particular member is dealt with by the party and Mr. Jayakar would have done well to wait for the action which is going to be taken by the Executive Committee of the General Council, of which he, himself, is a member. It is painful to find the leader of the Party in the Bombay Council professing ignorance as to whether the party programme has succeeded or not. Mr. Jayakar's remarks about the party action 'like honourable, courageous and patriotic men' and 'honestly putting the case before the electors' are quite out of place and unwarranted. He doubts that the reception accorded to Mr. Patel in Bombay was genuine. All I can say is that I see no reason to doubt the genuineness of the reception and that, in my judgment, the public of Bombay appreciated the position more correctly than Mr. Jayakar has done. They honoured Mr. Patel, because he wrested the office of the President of the Assembly from the unwilling hands of the Government by the vote of his own party and that of other independent and impartial members of the Assembly, and also because, having accepted the office, he discharged its duties in a manner which has extorted the admiration of friends and foes, alike. Mr. Tambe can expect no such honour, however ably he may discharge the duties of his new office."

Mr. Jamnadas's Reply to Mr. Jayakar

Mr. Jamnadas Mehta, President of the Bombay Swaraj Party, expressed that he was pained at the statements made by Mr. Jayakar, in his interview regarding the Tambe incident. Mr. Jamnadas thought that the main object of the interview appeared to be an indirect plea for the removal of the restrictions binding every Swarajist in the matter of accepting any office under the Government. But some of the statements made, said Mr. Jamnadas, were not altogether fair, either to Mr. V. J. Patel or to the Swaraj Party. The attempt to treat the case of Mr. Tambe and Mr. Patel as more or less similar was too ridiculous for words.

Mr. Mehta continued:—"It passes one's understanding how any public man in touch with the current events and, particularly, a leading Swarajist, can commit himself to statements absolutely at variance with reality. It is entirely untrue to say that there has been any want of discipline in the Swarajist Party before the Tambe incident. Mr. Jayakar's indiscreet interview is the second case of breach of discipline in the Swaraj Party. Barring these two regrettable lapses, the Swaraj Party has stood like one man, solid and strong, under the leadership of Pandit Motilal Nehru. The determination of the Swarajists not to accept office, remains unshaken. I am afraid that those who entertain the contrary view will soon find themselves

sadly mistaken. Indeed, I go further, and say that, if even the Swaraj Party is so ill-advised as to accept office under the present circumstances, that day the Party will lose the confidence of the public.

Question of Accepting Office

"It is idle to pretend that there has been any change of public opinion in this matter. It remains decidedly hostile to the acceptance of office. It is precisely because Mr. Patel had won the Presidential office in the teeth of the Government opposition, and because Mr. Patel's election was a victory for public opinion over Bureaucratic opposition, that Mr. Patel is receiving these innumerable manifestations of public confidence. It is a pity that the salary of Mr. Patel, as President, has been exploited to distort the real position of the President of the Assembly. It has been suggested that Mr. Patel has been rendered 'stipendiarily, dumb and mute.' This, to my mind, is the unkindest cut of all. The silence enjoined on the President of the Assembly is not based on the receipt, by him, of a salary, which is quite a subsidiary matter. Salary, or no salary, the President of the Assembly, like the Speaker of any Parliamentary institution, has to take the vow of honourable silence, with a view to the efficient and impartial discharge of his duty. In permitting Mr. Patel to contest the election, the Swarajists had two or three points in view. One was to indicate that they were the largest political party with the greatest influence in the country; secondly, that the Government had really no hold on the Assembly except on the nominated men, and thirdly, that if the view of the Assembly were to prevail, the Swarajist view, and not the official view, would be the governing factor in the country's affairs. I claim that, by the election of Mr. Patel, all, these points have been completely established. It was also their object to establish that there was no office of honour which an Indian could not fulfil with credit to himself and his country, if only he had an honourable opportunity. The Presidentship of the Assembly was not a gift in the hands of the Government. Indeed, it was secured for Mr. Patel in the teeth of official opposition. Therefore, I think any caviling against Mr. Patel's acceptance of the office must be traced to reasons other than the interests of the Swaraj Party or the country."

"Mr. Jayakar should be the last person to complain of laxity of discipline, when he did not hesitate to accept membership of the University Committee, which was a purely nominated office, and, when he readily undertook to see the Viceroy, when he was in Bombay, in December last, both these things being against the ordinary policy of the Swaraj Party, and, for which he had not obtained any special permission.

"Mr. Jayakar is driven to this absurd conclusion because the real tendency of his interview is in the direction of proving that the policy of non-acceptance of office has failed. Therefore, he tries to find scraps of proof and little bits of evidence in the strangest places and, then, comes to the comfortable conclusion, that there is a growing laxity in the Swarajist ranks, and, therefore, a reconsideration of the programme has become imperative. As a matter of fact, the Swaraj Party is thoroughly disciplined and is carrying out its programme and policy, with as much determination and tenacity as it promised to the electorates."

The U. P. Political Conference

Within a month after the A. I. C. C. meeting at Patna, the U. P. Political Conference was called at Sitapur to make its own recommendation to the Congress regarding the Patna decision. This Conferece met on the 18th October under the Presidency of Maulana Shaukat Ali and was attended by almost all prominent Congress and Swaraj Party leaders. After Mahatma Gandhi had spoken on the changes in the Congress constitution, the propagation of Charkha and village reconstrucion, Pandit Motilal Nehru moved the resolution supporting the Patna decisions. In the course of his speech he said:—

It was not usual for a subordinate organisation to support any action taken by a higher authority, such as the A. I. C. C. undoubtedly was in relation to the Provincial Congress Committee. That course, however, was necessary in this case, as the resolution of the A. I. C. C. was passed in anticipation of confirmation by the Congress. It was, therefore, quite proper for this Conference to make its own recommendations to the Congress.

There were four points in the Patna resolution, which required consideration. The first was the change of the Congress franchise, thereby effected, which, the speaker believed, was, in the existing circumstances, a step in the right direction, as it enabled all the parties to rally round the standard of the Congress if they were disposed to do so. The second was the constitution and establishment of the All-India Spinners' Association. Mahatmaji had spoken at great length on the subject and it was hardly possible for the speaker to make out stronger case in favour of the new institution than Mahatmaji had done. He was, however, anxious to make his own attitude, and that of the very large number of Swarajists who believed in spinning, quite clear. They fully believed in all the possibilities of the charka pointed out by Mahatmaji. But they did not hold that the charka was the only thing to which the attention of the country should be confined. There were, in their opinion, other activities which should also be taken up. That however did not mean that they were indifferent to the charka and did not wish to make it as great a success as Mahatmaji desired. His own sympathies were whole-heartedly with the All-India Spinners' Association, and he expected that the Swarajists would join it in large numbers.

The third point to be considered, the Pandit continued, was the resumption, by the Congress, of all such political work as might be necessary in the interests of the country.

The fourth point was merely an off-shoot of the third, as the work in the legislatures was only a part of the general political work. It required special mention as there were special circumstances attending it. The Swaraj Party had laid down the constitution and programme and worked it with considerable success during the last two years, and it was in the fitness of things, that they should continue their work on behalf, and in the name, of the Congress. There was a great deal of misconception about this clause of the Patna resolution. It was said, chiefly, by those outside the present Congress organisation, that it was wrong to hand over the direction of the political activities of the Congress to one party and to put that party out of the control of the Congress as a whole. Nothing of the kind had, in fact, been done. The complaint was based on an entire misconception, both of the language of the resolution and of the situation which it was intended to meet. The Swaraj Party was in the nature of a going concern resting upon foundations, which were essential for its existence That going concern had been taken over by the Congress with the intention of running it to the best advantage, and not for the purpose of closing it down. It was therefore naturally put in charge of those who had established it and had gained experience in managing it. The Swarajists had taken over the management, relying on their strength to keep it in their own hands against other parties, but there was nothing to prevent any other party from taking over possession at any moment, if it could do so by its own superior strength.

Mahatmaji had, in his speech, given such credit to the Swaraj Party as in his own opinion, was its due. The speaker claimed no more. He would simply draw attention to a mistake commonly made in interpreting the Patna resolution. What that resolution said was that the necessary modifications in the rules laid down by the Swaraj Party would be made, from time to time, by the Congress "for the purpose of carrying out the said policy."

It was argued that those words disabled the Congress from interfering with the party in any way in its Council work. It was true that the fundamental principle on

which the Council policy was based could not be changed. But what was that policy? In the first Programme of the Party, settled in February, 1923, it was stated that its policy "shall include, on the one hand, all such activity as tends to create an atmosphere of resistance, making Government by Bureaucracy impossible, with a view to enforce our national claims and vindicate our national honour, and, on the other hand, shall include, for the said purpose, all steps necessary for the gradual withdrawal of that co-operation by the people of this country, without which it is impossible for the bureaucracy to maintain itself." The same policy was restated in the revised programme issued in Calcutta, in August, 1924, in the following terms: "Now the Swaraj Party declares that the guiding principle of the Party is self-reliance in all activities which make for the healthy growth of the nation, and resistance to the bureaucracy, as it impedes the nation's progress towards Swaraj." This policy governs the whole work of the party inside and outside the Councils. Was there a single Congressman, of any shade of opinion, who could take a reasonable exception to this policy except on the ground that Council entry was in itself wrong in principle? That was certainly a ground which was not open to any Congressman to take after the Patna resolution. If it were allowed, the result would be to revive the old controversy between the Pro-Changers and the No-Changers, which it was certainly the deliberate intention of the resolution to put a stop to for all time to come. In other matters it was all a question of the opinion of the majority prevailing over that of the minority.

Pandit Nehru concluded his remarks by a strong appeal to the Conference to adopt the resolution, which, he characterised, as the first great step towards Swaraj which had been taken after the settlement of the internal disputes.

The U. P. Swaraj Party Meeting

Accordingly, as announced by Pt. Nehru, a meeting of the Provincial Committee of the Swaraj Party was held at Sitapur on the 19th October. The only resolution passed was the one recommending the resolution passed at the political conference, supporting the Patna decision, for the acceptance of the Cawnpore Congress.

Various questions arising on the Patna resolution were put by the members and answered by Pandit Motilal Nehru. In the course of his speech, concluding the proceedings, Pandit Nehru said:

"You will be naturally anxious to hear something from me about the recent events which have to a certain extent disturbed the even tenor of our political activities. Rebellion has undoubtedly raised its ugly head in certain parts of the Swarajist organisation, but there is no real danger of the solidarity of the Party being impaired in any way. I, for one, welcome this rebellion, as nothing could more effectively enable us to separate real gold from dross, or shall I say copper which we call Tamba in Hindi?

"Serious Breach of Faith."

"That there has been not only a gross breach of faith on the part of Mr. Tambe, in accepting a Government post, admits of no doubt whatever and will, I hope, be adequately dealt with by the Executive of the General Council in consultation with the Provincial Committees of the Swaraj Party in C. P. and Berar at the meeting which has been called for at Nagpur. What is most disappointing is that certain other prominent members of the Swaraj Party have taken it upon themselves to pronounce opinions which are highly improper and clearly bring them within the disciplinary jurisdiction of the Party. I can understand a member of any organisation, who disagrees with the policy and programme of that organisation, trying to introduce such modifications as he considers necessary by a resort to the well-known methods, open to all members, to bring about a reconsideration of that policy and programme. If he fails to carry the Party with him in such matters, he ought to submit to the opinion of the majority, but if he feels unable to do so, for any reason, he should, like an honourable man retire from Party and then criticise it in the public press. The conduct of a person in trying to bring his own party into ridicule and contempt, while he enjoys all the privileges of membership, cannot be too strongly condemned. The gravity of the offence is considerably enhanced when the offending member happens to have the position of a leader in a Province. I lost no time in issuing a press statement on the telegraphic summary, published in the

Allahabad papers, of the interview given by Mr. Jayakar to a representative of "The Indian Daily Mail."

Mr. Kelkar's Message to Mr. Tambe.

"I saw in the papers, while I was travelling to Sitapur, another interview to a representative of the same paper given by Mr. N. C. Kelkar. I shall take this opportunity of dealing with it. Mr. Kelkar goes one better than Mr. Jayakar and, after actually congratulating Mr. Tambe for his defection, puts his acceptance of office on the same footing as the acceptance by me of the membership of the Skeen Committee. The full facts in connection with this have never been published in the papers, though Mr. Kelkar has, all along, been well aware of them. To explain the matter fully, I shall have to begin with the appointment of the Muddiman Committee. It will be remembered that I put my refusal to accept a seat on that Committee on two grounds. The first was, that I was precluded from accepting it by the rules of the Party. The second was that, having regard to the very narrow terms of reference, I would not have felt justified in accepting it, even if there was nothing in the rules to prevent it. Both these grounds were perfectly sound, and the Minority Report has shown that those who were parties to it were compelled to refrain from making any definite recommendations, as by doing so they would necessarily have gone beyond the scope of the reference. It struck me at the time that, had these terms of reference been wide enough to meet all the requirements of the case, the positive rule against the acceptance of nominations to committees would have operated adversely to the interests of the party and of the country, as it would step in the way of the popular view being laid officially and authoritatively before the Parliament. No harm was done in that particular case, as the nomination was not worth of accepting, even if there had been no positive rule against it. But the possibility of future harm was clearly suggested by the inflexibility of the rule as it then stood. At the next revision of the rules, which took place in June 1924 at Simla, I accordingly proposed the following provision to the rule "provided that the Party may, for special reasons, decide, by a majority of three-fourths of the members present at a meeting to permit any member, or members, to serve on any particular committee appointed by the Government". This was fully discussed, informally, with many members and formally, at a meeting of the Executive, and was finally adopted by the unanimous vote of the whole party.

Acceptance of Seat on Skeen Committee Explained.

"One year later I received the offer of membership of the Indian Sandhurst Committee, generally known as the Skeen Committee. For reasons stated by me in the course of a press interview given a few months ago, I was of opinion that I should accept the offer, subject, of course, to complying with the rule as altered. But before giving any reply I wired to all the members of the Executive of the General Council, as also to the members of the Executive of the Party in the Assembly, and, as an additional precaution, sought advice of Mahatma Gandhi. With the exception of two members of the Executive of the Party in the Assembly, all the other members of both the Executive, including Mr. Kelkar, strongly advised me to accept, and Mahatmaji was equally strongly in favour of my acceptance. After receiving these replies, I wrote to the Military Secretary to the Government of India, saying that I could not give a definite reply, without consulting the whole party in the Assembly, and that I thought it was a fit and proper case to be laid before the party for its sanction.

"You will remember that the Government communique, announcing my name as a member, contained the words: subject to the approval of his party.' After this I laid the matter before the meeting of the Executive Committee of the General Council, held in Calcutta in July last as a preliminary to its being put before the General Council itself. The Executive Committee was however of the opinion that the requirements of the rule would not be satisfied by the sanction of the General Council, as the word 'party,' in the new proviso to the rule, clearly referred to the party in the Assembly and not to the general party. The Executive however, passed an unanimous resolution, authorising me to accept the offer in anticipation of the permission of the Party in the Assembly. The matter was accordingly brought up at the very first meeting of the Party held on the opening of the last Simla session. The meeting was fully attended and unanimously accorded the permission required by the proviso.

"These are the facts and I leave you and the country to judge if there is any analogy between the open and straightforward course adopted by me for the good of the country, in more than strict compliance with the rules of the Party, and the secret intriguing of Mr. Tambe with the Government for his own personal aggrandisement, in open defiance of the very prohibition imposed by the rules on him. The lapses which have occurred

are very regrettable, but, if the heart of the Party is perfectly sound, as I fully believe it is, there is no reason for alarm. You may be sure, that the discipline of the Party will be upheld at any cost."

Swarajists and the Congress.

Pandit Nehru next dealt with the position of the Swaraj Party in the Congress on lines similar to those of his Patna speech and the speech delivered in the Political Conference on the 18th. Passing on to the question of a United Congress, the Pandit said that no one could be more pleased than he to see all parties united once again under the banner of the Congress. But there were difficulties which one could not ignore. The Liberals and the so-called Independents were insisting on the total elimination of direct action and civil disobedience from the Congress Programme. These, the speaker maintained, were the moorings which held the ship of the Congress from drifting away. It was most unreasonable to expect the Congress, as at present constituted, to give up the faith that was in it, simply to attract a few others who did not share that faith. Continuing, he said :—

"I for one, cannot conceive even the remotest possibilty of the success of any agitation unless there is some sanction behind it. I am free to confess that there is no such sanction at present and that we are not now in a position to resort to Civil Disobedience of any kind. I will also concede that there is little likelihood of our acquiring sufficient strength to resort to it in the immediate future. But that is beside the point. What is pertinent to enquire is, whether there is any other possible substitute for an armed revolt, which can be made available to us. Our friends are unable to point out any. That being so, they do not either believe in the necessity of a sanction or have not thought out their programme in its logical end. They merely insist on a United India formulating a united demand for freedom, and they seem to think that it will come for the asking. This, in plain English, means that they have more faith in their alien Government than in themselves. They believe that, once a united demand, supported by numerous public meetings in India, is made, the conscience of the British public will be aroused and they will get all they want. They refuse to consider, as a possible eventuality, what I believe to be a certainty, that the conscience of the British public cannot be so easily aroused. The Britisher only knows the logic of a thumping blow which he cannot resist. It is immaterial to know whether it is a physical blow delivered by physical force, or one, which without the use of any physical force, makes life in India unbearable for him. I remember a Persian adage. It is "Hazaran-zagh ra ek hush kifait," which means, you have only to shout loud enough to put thousands of noisy crows to flight.

"What is a united demand by a United India without any sanction behind it, except the noise of a gathering of millions of crows, which can be instantly dispersed by the sound of a few rounds of blank fire? What our friends say is, that you must not talk of Civil Disobedience before the country is ready for it. Is there any chance of the country ever getting ready for it if you continue to be afraid to utter the word? Our preparation is not to be commenced to-day. Will the propitious moment be after all the crows have been put to flight? I am afraid it will then be impossible even for the crows to come together again and make a noise loud enough to reach the ears of the sleeping John Bull.

"The ultimate necessity of resort to Civil Disobedience must, therefore, not only be constantly kept in view in working our programme, but must be thoroughly impressed on the public mind, day after day. But I am willing to give our friends the same liberty of opinion and action as I expect them to give me. Let them come into the Congress with their settled faith in constitutional agitation and let them convert us to their faith, if they can. The Congress is open to all who will avail of the new franchise and subscribe to its creed, whether they believe in Civil Disobedience or not. We are prepared to extend a hearty welcome to those who will enter, whatever their views, if they will only work with us as far as they can."

The C. P. Provincial Swaraj Party

To consider the various proposals of a change in the party programme as well as to pass a vote of censure on Mr. Tambe, a joint meeting of the three Provincial Swaraj Parties in the Central Provinces was held in the "Tilak

Mandir," Craddock Town, Nagpur on the 1st November 1925. Pandit Motilal Nehru, Messrs. Kelkar, Jayakar, A. Rangaswami Iyengar, Sasmal, S. Srinivasa Iyengar, Sen Gupta, Goswami and Raghavendra Rao, Members of the Executive Committee, were present. Mr. G. V. Deshmukh was voted to the chair.

Pandit Motilal Nehru, addressing the meeting, urged upon the members to uphold the dignity and honour of the party, and justify the well-earned tribute which it has obtained even from its greatest foes. Referring to the resolutions adopted by the Berar Swarajists at Amroati, Pt. Motilal sounded a note of warning to the members to realise their sense of responsibility and act accordingly.

After this appeal, Mr. Abhyankar's resolution, strongly condemning the action of the Hon. Mr. Tambe in accepting Executive Councillorship as a flagrant breach of the principles and discipline of party and treachery to it, was adopted by an overwhelming majority after a prolonged discussion, extending over full five hours.

The Berar members' amendment to delete the words "treachery to it" was defeated by an overwhelming majority.

The next important resolution, which was hotly discussed and was also adopted, by a majority of 38 votes against 18, ran thus: "This meeting of the Swarajists of the three provinces in C. P. reaffirms the existing programme and policy, and sees no necessity to introduce any change under the present political conditions."

The meeting concluded late at night amidst lively scenes.

All-India Swaraj Party Executive

The Executive Committee of the All-India Swaraj Party also met at Nagpur on the 2nd November and passed a number of resolutions, the full text of which we give below :—

(1) The Executive Council of the General Council of the Swarajya Party fully approves of the resolution passed by the joint meeting of the Swarajists of C. P. Hindustani, C. P. Marathi and Berar, that the situation in the country and the Councils does not call for any change in the programme of the party.

Responsive Co-operation Disapproved.

It entirely dissents from the opinions expressed in the communication received from the Secretary of the Berar Provincial Swarajya Party, that the time has come when the All-India Swarajya Party should change its policy to that of responsive co-operation, with or without the acceptance of Ministerships at the discretion of the provinces concerned.

It is the considered opinion of this Committee that the change recommended is directly opposed to the basic principles laid down in the programme and election manifestoes of the party, and is not supported by any considerable section of the Swarajya Party or the public.

(2) This Council refers the resolution of the joint meeting of the three provincial committees, mentioned above, together with the suggestion of the Secretary of the Berar Provincial Swarajya Party and the opinions handed in by Mr. Jayakar, to the General Council for consideration, and recommends a stricter enforcement of the existing programme by such further provisions in the rules as may appear necessary from time to time.

(3) In view of the fact that certain doubts have been expressed as to the correct interpretation of Article II in the programme of the Swarajya Party and Rules 16, 17 and 18 of the rules passed by the members of the party in the Legislative Assembly, quoted below, the Executive Council of the General Council of the Swarajya Party takes this opportunity to state that the true effect of the said rules is that no member of the

party can accept the post of Executive Councillor or Minister or other post in the gift of the Government, under any circumstances whatever, but that it is open to the party to elect one of its members as the President, or Deputy President, of the Legislative Assembly, or Legislative Council, and to permit, by the requisite majority, a member to accept, in special cases, nomination to any committee appointed by the Government.

The following are the articles and rules referred to in Article II :—

No member of the party shall accept any office in the gift of the Government with or without salary or other remuneration.

Rule 16 :—The party may adopt one of its own members or any other elected member of the Assembly as a candidate for election to the office of the President of the Assembly when such office is thrown open to election, and also for the office of the Deputy President.

Rule 17 :—Members of the party may accept any appointment made by the elected President of the Assembly to the panel of Chairmen or other office connected with the legislature.

Rule 18 :—No member shall seek or accept nomination to any committee appointed by the Government, or serve on any such committee, provided that the party may, for special reasons, decide, by a majority of three-fourths of the members present at a meeting, to permit any member or members to serve on any particular Committee appointed by the Government.

Mr. Tambe's Defection.

(4) This Council strongly condemns the action of Mr. S. B. Tambe in accepting the post of an Executive Councillor to the C. P. Government in direct violation of Article II of the constitution of the Swarajya Party, as constituting not only a serious breach of the discipline of the party, but also a gross breach of the confidence reposed in him by the Swarajist members of the C. P. Legislative Council in electing him to the presidential chair of the said Council.

(5) This Council regrets the action of the joint meeting of the Executive Committee of the Berar Provincial Swarajya Party and the Berar members of the C. P. Legislative Council in accepting Mr. S. B. Tambe's resignation, instead of submitting it to the Executive Council of the General Council, for consideration, as they were instructed to do by the President of the party.

Bombay Swarajists' Abstention Move.

(6) This Executive Council approves of the action of the Swarajya Party of the Bombay Legislative Council in abstaining from any participation in the business of the Council in pursuance of the policy of the party, and notes with satisfaction the unanimity and discipline with which it has been carried out.

(7) This Council, in accepting with regret the resignation of Hakim Ajmal Khan for reasons of health, desires to place on record its grateful and sincere appreciation of the great services rendered by him to the Swarajya Party, of which he was one of the founders, and the country in the cause of Swarajya.

The Rise of the Responsivists

The decision arrived at by the Executive of the Swaraj Party at Nagpur in regard to the non-acceptance of office received very little response in Western India, where almost all the Swarajist Members of the Legislature signed a manifesto favouring the acceptance of office. Accordingly, in pursuance of this manifesto, Messrs. Jayakar and Kelkar submitted their resignations from the Executive Council of the All-India Swaraj Party and, in doing so, issued on the 10th November the following statement to the Press :—

"We find that Pandit Motilal is violating the understanding reached at Nagpur, by openly preaching a violent crusade against responsive co-operation while insisting on our remaining silent. We wish to exercise our rights to reply to his criticisms, which

are causing great misunderstanding and prejudice in the public mind. We recognise the desirability of our ceasing to be members of the Swarajya Party Executive Council while we reply to the Pandit's criticisms. We are therefore tendering our resignations of our membership of that Council so as not to embarrass our colleague thereon, and in order to be able to exercise our right of reply to the Pandit with freedom and frankness."

In a separate statement, issued simultaneously, Mr. N. C. Kelkar explained the cause of his resignation of the membership of the Swaraj Party Council and the inauguration of a campaign in favour of "Responsive co-operation." The following is the text of the statement:—

"My views about Responsive Co-operation are well known. I have been holding them and expressing them off and on during the past three or four years. To win Council-entry was the first step and that was done by the formation of the Swaraj Party after civil disobedience was laid aside at Bardoli. The second step was the move towards constructive work in the Councils, which was done when the party relaxed its original policy of consistent and continuous obstruction and seats were allowed to be accepted on Select and other Committees by the members of the party and permission was given to discriminating treatment to be given to budgets. I am now advocating further relaxation of the same policy by preaching full responsive co-operation.

"In my evidence before the Civil Disobedience Enquiry Committee, in my resolution and speech at the Satara Conference, in my speech when Mr. C. R. Das lectured at Poona and in the preface to my book called "A Passing Phase of Politics," I openly advocated responsive co-operation, and no objection was taken to the same, though I did this while being a member of the Swaraj Party and also while holding high office in it. The Leader of the Party now thinks that I ought not to do this, but I care more for my opinions in this matter than for my office in the Swaraj Party. I have, therefore, resigned my seat on the Executive Committee. I claim, however, that I am entitled to retain my membership of the Swaraj Party, even while preaching my opinions, and shall not give it up until the party expels me therefrom. I am suggesting no immediate acceptance of office, while the Party pledge stands, but a revision of the programme, in view of next elections, as a revision has already been made in other matters. Having resigned office in the Party Executive, I feel free to advocate my opinions, and am determined to do so, whatever the consequences."

The Responsivists' Declaration of War

Next day, the 11th November, Messrs. Jayakar and Kelkar opened their campaign in favour of responsive co-operation. A very largely attended and representative public meeting was held on this day in the Shivaji Mandir, Poona under the presidentship of Mr. N. C. Kelkar.

At the outset, the President read out a statement, in which he narrated the details of his efforts, during the past three or four years, to introduce and popularise his doctrine of responsive co-operation, of which Council-entry was the first step. He further stated that he had been openly advocating it while he continued to be a member of the Swaraj Party and held high office in it. The leader of the party thought it fit to take exception to it now. He concluded his statement by saying that he did not suggest immediate acceptance of office.

In the course of his speech, Mr. Jayakar explained how the controversy regarding responsive co-operation was provoked by Pandit Motilal's breach of the Nagpur agreement aud his violent crusade against responsive co-operation.

Referring to the Tambe incident, Mr. Jayakar, while condemning it unreservedly, remarked that it was a symptom of the process of development going on inside the Swaraj Party. After tracing the history of responsive co-operation, he defined it as co-operation, or opposition, in response to or in accordance with the changing circumstances, of which the attitude of the bureaucracy was an important step. It was similar to guerilla warfare. He then described the stages by quoting chapter and verse from the rules and regulations of the Swaraj Party and Pandit Motilal's speech and proved how the Swarajist programme had developed from uniform, continuous and consistent obstruction to the acceptance of the Assembly and Council Presidentship and membership of Committees, elective and nominated, etc. He pointed out that ever since Pandit Motilal's speech in the Assembly on the round table conference, up to his acceptance to the membership of the Skeen Committee the Swaraj Party was practising nothing but responsive co-operation as people understood it.

Mr. Jayakar was himself in favour of these changes, and the only point of dispute between Pandit Motilal and the speaker was that the Pandit refused to name the party programme by its true name. Mr. Jayakar made it clear that neither he nor the President wanted immediate acceptance of office, but wanted to enumerate and popularise the policy of responsive co-operation in view of the Council elections of 1926. After stating his experience in the Bombay Council because of the Swarajist refusal to accept responsibilities Mr. Jayakar condemned Mr. Nariman's want of loyalty to the party.

In conclusion, Mr. Jayakar, made a powerful appeal to the audience to follow the traditions of Maharashtra by attacking the enemy in his very citadel of power.

The speech was highly appreciated, and had a tremendous effect.

Mr. Nariman's Disclaimer.

With reference to the attacks made against him by Mr. Jayakar at his Poona speech, Mr. K. F. Nariman, a leading Swarajist member of the Bombay Council, issued the following statement to the press :—

"It is really gratifying to find our usually mild and docile leader, Mr. Jayakar, exhibiting symptoms of war-like tendencies. His only drawback is that he has got hold of the wrong end of the stick. In his opposition to, and criticism of, the foreign Government and its action, he is all courtesy, gentility and mildness. Howsoever grave the provocation, howsoever serious the fault, he never condemns the Government benches without apologising, and in the Council Chamber his lashes are always followed, or preceded, by gentle pats. But, for the 'supposed' fault of his colleague, he is as violent in his language as unrelenting in his criticism. Let us hope that this newly developed tendency and war-like spirit will continue in the real fight against the common enemy—the bureaucratic Government.

"The position of Mr. Jayakar could only be compared to that of a General entrusted with an Army by the Commander-in-Chief to assail and

capture a certain enemy position. After some attacks, finding the position of the enemy impregnable, he agrees to surrender himself and his army to the enemy, and, in spite of a mandate to the contrary from his commander, contemplates occupying a seat in the enemy Council of War to participate in the deliberations to carry on war against his previous allies. One soldier that refuses such ignominious surrender, and is determined to stick to his guns to the last, is to be court-martialled for continuing his allegiance to the Commander-in-Chief and not joining the traitors' camp. That, in short, is the position Mr. Jayakar wants to assume. The arch-rebel to the cause of the party, who, whilst still remaining in the party openly carries on a crusade against the original principles, programme and pledges of the whole party in spite of the resolution of the majority, wants to deal with one who has, single-handed, faithfully and honourably adhered to his party principles and pledges in spite of the almost insurmountable difficulties and distressing circumstances.

"So long as Mr. Jayakar continues to be a member of the party, in my humble opinion, it is monstrous to carry on rebellious propaganda against one of its vital principles. I do not think that mere resignation from the Executive Council gives him liberty to carry on warfare against his own party. It is certainly permissible to a member by arguments, persuasions, and other constitutional means to try to change the party programme by converting other members to his own views; but having failed in that attempt, as Pandit Motilal declared in the "Gaiety Theatre" meeting, it was his duty either to submit to the will of the majority until further opportunities to secure success arose or to resign from the party altogether, and then alone he could be free to carry on a hostile campaign. In these circumstances, if anyone is to be dealt with under the disciplinary rules of the party, it is he. As a matter of fact, Pandit Motilal gave the public of Bombay to understand that that was going to be the attitude of Messrs. Jayakar and Kelkar. Therefore, the news of their declaration of war, whilst still continuing to be members of the party, came to the public like a bomb-shell and the public were shocked at the grave breach of discipline by the leaders themselves. Even if I had been a signatory to the petition, I would certainly not have declared open rebellion after the majority decision of the Executive Council, but would have, for the time being, submitted to that decision till other constitutional and legitimate methods to change that decision were available. This is quite apart from the merits or demerits of the original question, and I sincerely hope that the other signatories to that petition will adopt this more honourable and constitutional course."

Pt. Nehru's Explanation of Nagpur Decision

On the 12th November, speaking at Amraoti before a crowded meeting, Pt. Motilal Nehru referred to the resignation of Mr. Jayakar and Kelkar from the Executive Committee of the Swaraj Party and the statements issued by them to that effect. In the course of his speech the Pandit said that he received a telegram from them at Akola, resigning from the Central Executive of the Swaraj Party, but it was only while travelling from Akola to Amraoti that he had an opportunity to read the statement of Messrs. Kelkar and Jayakar. He had, so far, followed the practice of treating as confi-

dential the minutes of the meetings of the Executive, but it was no longer possible to do so, as Messrs. Kelkar and Jayakar had referred to the understanding recorded in those minutes and charged him with violating its terms. The Pandit then quoted the relevant part of those minutes, which ran as follows:—

"The President opened the proceedings by referring to the facts connected with the acceptance, by Mr. S. B. Tambe, of the post of Executive Councillor in C. P, and the breach of the party pledge and discipline it involved. He then drew attention to the interviews given to the press by Messrs. Kelkar and Jayakar, and also referred to the article by Mr. Kelkar published in *The Mahratta*. The Committee then generally discussed the whole question, both from the point of view of discipline and the loyalty due from the members of the Executive Council and the General Council, as also from the point of view of the existence, if any, of fundamental differences of opinion on the basic principles laid down in the programme of the party. After a full discussion, in which all the members took part, an understanding was arrived at by all the members present, that no member of the Executive Council shall, hereafter, express publicly, or advocate, or carry on, any public propaganda against the principles or programme of the party, nor shall he criticise or attack on the platform, or through the press, the action of the Executive or of the Leader of the Party. It was further agreed that no formal resolution or action was necessary in this matter."

"Proceeding Pt. Motilal said: "I leave it to you, and the country, to judge whether there is anything so absurd in this understanding as to prevent the leader or any member of the Swaraj Party from doing his utmost to uphold the principles and programme of the party and criticise other parties and their dogmas and doctrines. The extract I have read clearly shows what happened at the meeting. It is as clear as anything can be, that Messrs. Kelkar and Jayakar were charged with breach of discipline and disloyalty to the Party, and the understanding was that no member of the Executive Council shall, thereafter, be guilty of such a breach of discipline and loyalty. It was an act of great leniency on the part of the members of the Executive Committee to refrain from passing a resolution of censure against them. It is for you to consider whether they have not abused that leniency and committed a distinct breach of the undertaking given by them. It was preposterous to construe an undertaking, given by the members of the Executive, to bind themselves not to attack the party from within, into a contractual disability imposed on the whole executive".

The Pandit then appealed to the audience to study all the speeches he had made in Nagpur, Bombay, Bhusawal, Buldana and Akola and see if he had conducted a violent crusade against responsive co-operation. All that he had said, in effect, was that he did not understand what responsive co-operation meant; that, if it had any reference to the response to be made by the Government, no such response had yet been made, and that the acceptance of offices could, by no stretch of imagination, be included in responsive co-operation under the existing circumstances. It had been his endeavour, in the speeches he had delivered, to show that it was wrong to give any particular name to the policy and programme of the Swaraj Party, which, on its very face, contained the elements of even the fullest co-operation in certain matters, while it insisted on a general spirit of resistance in all other matters.

Referring to the memorandum signed by some members of the Bombay

Council, he said that he had already expressed to Messrs. Jayakar and Bhopatkar his entire dissent from the view put forward by Mr. Nariman at the meeting held in the Marwadi Vidyalaya, and gave his own views on the matter at the meeting at the Gaiety Theatre. "What I said in the Gaiety Theatre," continued thePandit, "was that in taking that action, and in making that representation to the Central Executive Council, the Bombay Members were perfectly within their rights to put forward their proposal for consideration. I do hope that this matter will no more be raked up in the future."

The Thana District Conference

During all this while the revolt of the responsivists against the Swaraj Party was gaining ground. It reached its culmination in the Thana District Conference which commenced its sessions at Palgarh on the 28th November. The Conference attracted a large number of politicians from all over Maharashtra and Bombay town. Both the No-Changers and Progressive Swarajists were well represented. The proceedings were very lively and were conducted in Marathi throughout.

Mr. Dandekar, Chairman, Reception Committee, in the course of his address, expressed the hope that the Conference would show its agreement with Messrs. Jayakar and Kelkar, and decide in favour of accepting offices under the Government.

Mr. M. S. Aney of the Central Provinces, presiding over the Conference, pleaded for agreement between all political bodies for the salvation of the country. He thought that, unless they united and co-operated, they would never be able to advance. After giving the history and progress of the N.-C.-O. movement since 1920, he declared that at present the only "logical conclusion for the progress of the Swaraj movement was the acceptance of office. There was no escape under the present circumstances from that conclusion, as otherwise they would never be free. It was incorrect, he said, to contend that acceptance of office would demoralise the Swarajists and that they would sell themselves to the Government.

Mr. Aney added that there were many among the Swarajists who could accept offices and serve their country fearlessly and unfalteringly. Having known his party intimately, Pandit Nehru certainly knew whether they were capable of honestly carrying out the party's mandate. He hoped the conference would give direction to the whole nation in the matter and lead it.

Draft Resolution.

The Subjects Committee of the Conference had drafted the following resolution on responsive co operation :—

> "This Conference is emphatically of opinion that the time has come when the All-India Swaraj Party should, before the ensuing elections, prepare a programme based upon the principle of responsive co-operation, including even the acceptances of posts of power and authority in provincial cabinets, if found to be expedient to do so by the Provincial Swarajya Parties, and thereby further the cause of Swarajya."

The resolution was moved in the Conference on the opening day by Mr. G. B. Pradhan and was seconded by Mr. M. R. Jayakar. As the discussion on it could not be finished on that day, it was taken up

for consideration next day the 29TH NOVEMBER. On this day further provisions were added whereby, besides calling on the Congress to resume the work of political propaganda, the resolution also asked for the removal of the restrictions regarding khaddar-wearing, so as to facilitate the entry of all political parties.

Mr. Jamnadas Mehta's Amendment Defeated.

Mr. Jamnadas Mehta moved an amendment, strongly favouring the continuance of office and of preparation for civil disobedience, as the final goal.

Mr. K. F. Nariman, supporting, suggested as a compromise that associate members of the party, like Mr. Pradhan and others, be put up as the party's candidates for office, instead of the party members themselves, accepting office in violation of their election pledges. The amendment was rejected by a show of hands.

Mr. Jamnadas demanded a poll and the Conference divided. 354 voted against and 156 for the amendment.

Complaints began to be made to the President, at this stage, that a number of persons taking part in the voting were not accredited delegates.

Mr. Jamnadas protested that, at least 75 persons voting against the amendment were non-delegates. He called on the President to investigate into the complaints and to send for all the delegate-forms and prevent anyone leaving the hall after voting, so as to enable them to verify their credentials.

Disorderly Scenes.

The President replied that an investigation could not be carried out at that stage, but he would record Mr. Jamnadas's protest and declare the amendment rejected and the original proposition carried, subject to his protest.

Protests and counter-protests began to be hurled now by one section against the other, and confusion reigned, Mr. Jamnadas and his section protesting that the voting was invalid, till the President adjourned the Conference to the evening. The Conference re-assembled in the evening, only to adopt resolutions of thanks-giving.

MAHARASHTRA SWARAJ PARTY.

The annual meeting of the Maharashtra Provincial Congress Committee and the meeting of the Maharashtra Swaraj Party held on this day, the 29th Nov., at Palgahr also endorsed the main resolution of the Conference, and requested their representatives to place it before the forthcoming Congress session and vote for it.

Lala Lajpat Rai's Appeal for Reconciliation

Lala Lajpat Rai, who along with Mrs. Sarojini Naidu were exerting their influence to heal the breach in the Swaraj Party, wrote the following timely article in his organ *The People*. We commend a careful perusal of it to our readers :—

I have tried my best to understand the differences between the two sections of the Swaraj Party, and for the life of me I have so far failed to grasp them fully. Messrs. Jayakar and Kelkar maintain that the policy of the party is one of responsive co-operation and should be called by that name. Pt. Motilal refuses to label the policy of the party

by any definite name. Both sides are agreed that the policy of "constant continuous and uniform obstruction" has failed and cannot be readopted. Both sides are equally agreed that the party has acted rightly in accepting nominations on Committees and standing for Presidentships of Councils and the Assembly. Neither maintains that the country is prepared for Civil Disobedience. Both hold that Civil Disobedience is a perfectly legitimate weapon to be used when the country is ready for it, which it is not at the present moment. Messrs. Jayakar and Kelkar are of opinion that the members of the party should accept ministerships whenever and wherever offered, though only under certain conditions and circumstances, but they do not see any immediate chances of ministerships being offered to or accepted by them. Pt. Motilal has no objection to the acceptance of ministerships by Swarajists when the Government makes a genuine offer and gives evidence of a real change of heart. The conditions and circumstances under which Messrs Jayakar and Kelkar would be prepared to accept office can not be other than those contemplated by Pt. Motilal. Here again it is hard to find any *real* difference between the two. The only point of difference which seems to me to matter relates to the freedom of expression and agitation which Messrs. Jayakar and Kelkar claim for their views and opinions, and the right to which is practically denied by Pt Motilal in the name of discipline. May I respectfully ask the leaders of the Swaraj Party if this matter is so difficult of adjustment as to make a split inevitable?

It has pained me to read that Mr. Jamnadas Mehta, M L.A., is not satisfied with Messrs. Jayakar and Kelkar's resignations from the Executive Council. He wants them to leave the party. It is well-known that Messrs. Patel and Mehta have all these four years been exercising that freedom of speech and agitation which they are not now prepared to concede to Messrs Jayakar and Kelkar. May I once more ask in all humility, if it is possible to hold together any group of intelligent and self-respecting persons under the rigid code of discipline sought to be enforced by Pt. Motilal? May I ask Messrs. Abhyankar, Moonje and Jamnadas Mehta, if they consider such a rigorous code of discipline to be necessary and desirable in the larger interests of the country. Do they believe that it is possible to enforce and expect such discipline? Have they ever followed and observed it themselves? If not, why make so much fuss about it in the present case? Are there no persons left in the party who could intervene and compose these minor differences? It is very humiliating for the whole public life of the country to see such good and great workers in the cause, as the chief combatants on both sides undoubtedly are, indulging in personalities and creating a situation which makes one hopeless of the future. We have for some time past been thinking of a rapprochement between the Swarajists and the Liberals, but instead of that we are now faced with a split in the ranks of the Swarajists themselves.

No Time for Sermons.

The Liberals are no doubt jubilant over the situation and even such a good and genuine patriot as Mr. Chintamani has found it impossible to restrain himself from expressing his satisfaction openly and whole-heartedly. Mr Chintamani knows, as no one else does, how divided his own party is. This is not the time for a further division in the ranks of the Nationalists. Nor is this the time for reading sermons to each other for past mistakes of policy and practice. Mr. Chintamani's patriotism is above suspicion, but so good a student of contemporary history as he is cannot reasonably claim that his party principles stand vindicated and justified. I have no doubt that "Extremists" have made mistakes, but at the same time I have no doubt that but for the existence and work of the "Extremists," the advance in political conditions which the Liberals claim to their credit could not have been secured. The honest truth is that the fathers of the Congress were also the fathers of the "Extremist" party and the evolution of the Swarajist politics was a natural evolution of the earlier propaganda of the Indian National Congress. The task before the Nationalists is not that of finding fault with each other, nor that of gloating over the divisions among one's rivals, but one of finding a common platform and a common formula which could unite our scattered and disunited ranks. It bodes no good to the country to have so many political parties as the present controversies threaten to bring into existence. Mahatma Gandhi's non-co-operation is dead and gone, But the same is true about the co-operation of Messrs. Chintamani and others of the Liberal school. You can neither co-operate nor non-co-operate whole-heartedly. You cannot co-operate, because the ruling power will not allow you the privilege of doing so except on its own terms, and as honourable and honest patriots, you cannot agree to those terms You cannot non-co-operate because you are too hopelessly divided among yourselves to make any programme of non-co-operation even tolerably successful. We are divided both horizontally and vertically. Under the circumstances the path of

wisdom lies in following a middle course and doing what *is possible practicable*. For God's sake let us not fight over words. Words are no doubt at times very potent in the evolution of human progress, but our situation is at present so miserably gloomy as to make our fight over words look extremely ridiculous and petty.

I will beg of Messrs. Jayakar and Kelkar to give up insisting on labelling the policy of the party as responsive co-operation and I will beg of Pt. Motilal to alter and modify his code of discipline. Pt. Motilal is right in holding that there can be no response unless the Government makes an offer which the country could honorably accept. Both parties may take it from me that under the present circumstances there is no chance of the Government making any such offer. On the other hand Messrs. Jayakar and Kelkar are right in holding that when there is such an offer or when in any Province the circumstances would justify a change of policy, a change of policy might be considered on its merits without any bias in favour of or against catch-phrases. As an humble co-worker in the public field for the last 40 years, in all humility and with great respect for both parties, I beg to appeal to them to drop their rsspective campaigns and take to solid work. Accepting offices under Government is only a means to an end. All of us want to build up a nation. All desire political and economic freedom. The latter are the resultant of certain conditions which must be produced with tolerable durability before anything worth having could be achieved. We have been wrong in assuming that those conditions have been secured or that they could be secured so early, and within such a short time as we fixed for it. There is no party in the country to-day which can honestly say that it has not been guilty of such assumptions. Let us now cease to assume anything. Let us face the facts.

The Facts.

The facts are that we are communally divided; that this division is getting worse every day; that the education we have received and are receiving is hopelessly muddling, ineffective, unpractical and morally and economically inefficient. It creates and helps in multiplying these divisions; and has produced so much unrest, unemployment and misery in the ranks of the so-called educated in all communities that multitudes of the latter are prepared to do anything to get out of the slough of despair into which circumstances have thrown them. There is no class or group of persons in the country that leads a hopeful or a cheerful life except a handful of officials getting fat salaries, or a handful of lawyers making their piles by exploiting the desperate condition of the litigant public or a handful of landlords living on the sweated labour of their tenants. The standard of life has risen on all sides but the means of keeping up that standard are not forthcoming Trade and industry are both paralysed. The capitalists and the workers are both crying for help but no help is forthcoming. The top-heavy system of administration has become even more wooden than it was before 1919. The situation is bewildering and perplexing in the extreme. Instead of concentrating our minds on finding a solution of our problems, we are fighting over words, formulas and phrases. There is much work to be done for which we have neither men nor money. Instead of endeavouring to find the latter, we are wasting energy and time in quarrelling and calling each other names. Let us throw aside vanity, dip deep into our souls and in all honesty see our mistakes and faults. Where is the man among us who can throw stones at another? Where is the soul among us who can say he has been right all along and will always be right in future? We have erred in the past. There is no guarantee that we shall not err in the future. The only thing to do is to recognise our past errors, try to make up for them and provide against making similar errors in the future.

The country is crying for food, for clothes, for sanitary houses, for education, for work and wages, and we are fighting over words. The country is getting hopeless and soulless and we are wrangling over formulas. The country is going to the dogs and we are helping the latter in tearing us into pieces. The country is being denuded of all conditions of self-respect, and we are falling out for the prestige of individuals and parties. Hindus are fighting with Hindus, Muslims with Muslims and both with each other. The best among us are behaving like Nero. May I humbly venture to suggest that this is no time for quarrelling and making confusion worse confounded? Nothing is immediately within reach. Nothing is immediately realisable. The goal is not in sight, the workers are so few. Let us weigh our words, balance our actions, lest the responsibility of making the situation absolutely irredeemable should fall on our heads. Let us never forget that millions are hanging on our words. They look to us for light and guidance and for eventual deliverance. We cannot expect any mercy or consideration from them if we fail them at this juncture. And fail them we must if we persist in our present vain-glorious attitude, in playing upon words, and in wasting time and money over futile

and petty quarrels. I say this in no spirit of sermonising, nor in one of superior wisdom. I am only an humble worker in the ranks, prepared to work with and under anyone whom the country and its people choose to lead and guide. But I say this in all sincerity :

"Close up your ranks and be friends."

The Truce

The efforts of Mrs. Naidu and Lala Lajpat Rai to bring about a compromise between the two warring wings of the Swaraj party had the desired effect. They succeeded in arranging a conference between the leading responsive co-operators and the orthorox Swarajists on the 4th November in Bombay. Amongst those present at the Conference, besides Pandit Nehru, Mr. Jayakar and Mr. Kelkar, were Messrs. Srinivasa Iyengar, A. Rangaswami Iyengar, Goswami, Jamnadas Mehta, Abhyankar and Moonji. The advice given by Mrs. Naidu and Lala Lajpat Rai, who were also present, was invaluable. The proceedings were held *in camera*. It was evident that the responsive co-operators had no intention of budging an inch from their position. It was pointed out, however, that internal dissensions, though they did materially exist among the Swarajists, exposed the party to public ridicule and that an early indication of them was not the way of wisdom. So it was decided by common consent that the vocal hostilities should close on either side till the party meeting to be held at Cawnpore decided one way or other.

The following agreement was finally signed by Pandit Motilal, Messrs Kelkar, Jayakar and Moonji :—

"In view on the approaching session of the Congress at Cawnpore, it is agreed (1) that all public controversy and propaganda, on the question of the Swaraj Party's programme, shall cease on both sides, till the Cawnpore Congress has met ; (2) that after the Cawnpore Congress and subject to the decisions of the party at Cawnpore, there shall be full liberty of expression of views to all the members of the party till such time as the party finally decides its programme for the next general election to the legislatures and (3) that the question of the acceptance of office, or any other kindred question, may be raised at the meeting, or meetings of the party, that may be held, in future, for the purpose of deciding the election programme of the party."

In pursuance of this agreement, the public meeting which had been called for that evening by the Swaraj Party did not take place. Pandit Motilal cancelled his tour in the Deccan, and returned to Allahabad. Similarly, the Responsive Co-operators observed silence.

The results of the conference were received with general satisfaction in political circles, as the first step towards eventual rapprochement, between the two wings of the Party, at the ensuing Cawnpore Congress. The members of the Conference also generally expressed satisfaction at the settlement. But Pandit Nehru said to the "Times of India" :—"It leaves me exactly where I was," and added that the question will come up before the meeting of the Council of the Party, provisionally fixed at Cawnpore for the 25th December.

Mr. Jayakar said his section of the Party had been struggling to secure the right to express their opinions on the Party's programme without being required to go out of the Party, and the agreement had now secured them the right. Accordingly they decided to wait and see what the Party will decide at Cawnpore, and then they will determine their line of action.

(*For further Proceedings See p.* 336).

The Liberal Movement

The U. P. Liberal Association.

At the meeting of the United Provinces Liberal Association, held at Allahabad on the 26th July 1925, the speech of Lord Birkenhead in the House of Lords on the 7th July and the anti-Indian legislation of the South African Government were considered.

Sir Tej Bahadur SAPRU, Chairman of the Association, in the course of his speech, said that Lord Birkenhead's remarks raised some important issues. Different interpretation had been put on that speech : some holding that he had kept the door open, others equally strongly stating that it had been extremely disappointing. When Lord Reading proceeded to England it was naturally expected that a very important announcement would be made by the Secretary of State after his conference with the Governor-General, giving some satisfaction at least to some classes of Indian politicians. said Sir Tej Bahadur :—

"I confess that having read the speech more than once with the respect due to his position and, I may also add, with my knowledge of the working of the Government of India—as that may be ancient—I have been disappointed with that speech. One who carefully analysed the speech found that the advocate got the better of the statesman in the case of Lord Birkenhead, who stated that no decision had been arrived at by himself and the British Cabinet, but yet the speech was full of announcements of decisions.

"While emphasising that no decision could be taken before the Government of India and the Legislative Assembly expressed their opinions," said Sir Tej Bahadur, "Lord Birkenhead made it plain that they could not accept the Minority Report at this stage."

Next the Secretary of State went on to say that many of the recommendations of the Majority Report could be carried out by regulations and did not require an Act of Parliament. From which it was evident that the Minority Report must be taken as dead. The speech further contained decisions with regard to the Services and the Indianisation of the Army, Continuing, Sir Tej Bahadur said :—

"But there are certain obiter dicta of the Ex-Lord Chancellor in this speech which to my mind are equally important, if not more important than the positive statement or decision arrived at by His Majesty's Government. For instance, he said that the terms of the preamble of the Government of India Act were even now not incapable of realisation, but they had first to expel and exercise the demon of suspicion. Nobody could disagree with Lord Birkenhead about this matter, but the question which arose was whether the reference that had been made to partnership and trusteeship and the attitude which he had adopted in regard to the question of the Services and Indianisation were calculated to expel and exercise the demon of suspicion in the Indian mind. If this demon was not killed, even in the mind of those who could not possibly be described as hostile to the British

connection or unfriendly to the Reforms, Lord Birkenhead could not possibly disown a certain amount of responsibility by the speech that he delivered".

The Royal Commission.

Proceeding, Sir Tej Bahadur said that Lord Birkenhead had urged that the door was never closed if the responsible leaders of Indian thought showed a sincere and genuine desire to cooperate with the Government in making the best of the existing Constitution. But the question was whether the circumstances existing at the present moment would justify any Government or Parliament in appointing a Royal Commission for the revision of the Constitution or bringing into existence any other machinery for that purpose. So far as this was concerned Lord Birkenhead was extremely elusive and indefinite, beyond saying that wise men and sagacious men were not slaves of dates and that if certain conditions were fulfilled it was conceivable to him that the revision of the Constitution might take place before 1929.

He wanted a genuine desire to co-operate with the British, from responsible leaders of Indian thought, in making the best of the existing Constitution. Was not the Constitution worked most genuinely and most sincerely by a number of politicians, who, in doing so, had incurred the odium of a considerably large number of their own countrymen, and several Local Government had borne testimony to the sincerity, zeal, and ability of Indian Ministers? The speaker could not understand Lord Birkenhead when he said that the Constitution had neither altogether succeeded nor had it altogether failed.

Attitude of other Parties.

After referring to provincial autonomy, Sir Tej Bahadur said the real issue was, what was going to be the policy of the Government in England with reference to India and they had to clear their ideas about it. So far as he and his party were concerned they had neither overlooked the difficulties of the present situation, nor had they minimised them. On behalf of his party he could affirm that they had followed the policy of co-operation, notwithstanding the many defects, shortcomings and humiliations of the Constitution. Now they rejoiced in the change of spirit which was steadily coming over certain other parties. There were signs that those who had withheld their co-operation only yesterday were now willing to offer it in committees and other bodies. But they must work for a sufficiently long time to enable their critics to judge whether they had been since really and genuinely working. To withhold co-operation at the present moment was to furnish another argument to their powerful opponents.

While recognising the courteous reference to the Liberal Party by Lord Birkenhead, Sir Tej Bahadur felt bound to express his own feeling in the matter, that speeches like Lord Birkenhead's were not calculated to strengthen the hands of the supporters of the Liberal Party. If there were any Liberals in this country who thought that they could read in the speech much hope for the future, he wished publicly to disassociate himself from them. But the real question which arose before them was, what they were going to do. Their critics in India and in England were exploiting their differences and the time had come when they must not merely frankly acknowledge that there were those differences, but try to remove them to

the best of their ability and capacity, for he felt absolutely certain that when once those differences were removed their position in winning self-government would be infinitely stronger than it was at present. The words of Lord Birkenhead, that let them produce a Constitution which carried behind it a fair measure of general agreement among the great peoples of India, was important to remember. It was also necessary for each party to overcome feelings of prestige and rise superior to petty considerations. He did not wish that one party should merge into another. Taking a broad view there were no vital or substantial differences so far as the main question of the attainment of self-government was concerned.

RESOLUTIONS.

Resolutions were then formally passed expressing grave dissatisfaction with Lord Birkenhead's speech, urging the acceptance of the Minority Report of the Muddiman Committee, and affirming that in the best interests of the country every political party should work the present system, unsatisfactory as it was, to demonstrate the fitness of Indians for national self-government. The meeting also condemned the Colour Bar Bill of the South African Parliament, and recommended the Government of India to adopt a policy of retaliation in order to vindicate India's status in the Empire.

The Indian National Liberal Federation.

A meeting of the Council of the Indian National Liberal Federation was held at the Indian Association hall, Calcutta on the 16th August. Large number of members, including Sir P. C. Mitter, Sir Devaprasad Sarbadhikari, and representatives from Bombay, the United Provinces, and the Central Provinces, besides several visitors, were present.

In the absence of the President, Dr. R. P. Pranjpye, Sir Tej Bahadur Sapru took the chair. In opening the proceedings, the Chairman made a feeling reference to the death of Sir Surendranath Benerjea. Resolutions were passed offering condolence at the deaths of Mr. C. R. Dass and Sir Surendranath, which were put from the chair.

The Council deliberated for over two hours on Lord Birkenhead's speech, and passed an elaborate resolution expressing great disappointment with the utterance, urging that the recommendations of the Minority of the Muddiman Committee should be accepted, and that steps should be taken without loss of time to put the Constitution of India on a permanent basis, and at the same time affirming the conviction that the Constitution, however unsatisfactory might be, should be worked to the best advantage of the country, and deprecating indiscriminate obstruction.

The Council further recorded strong disapproval of Lord Birkenhead's opinion regarding the Indianisation of the army and the future of the Civil Services as being incompatible with the basic idea of Resopnsible Government.

The Council also recorded their indignant protest against "the outrageous and anti-Indian Bill lately introduced in the South African Parliament,'

and called upon the Government of India to stand up in honour of this country and take retaliatory action.

The Council recorded their support to the resolution moved by Sir D. P. Sarbadhikari recommending the setting up of a convention consisting of elected members of the Legislature and representatives of public bodies to frame a Constitution for India.

The Council instructed their Committee to draft a scheme and to submit their report by November next, and urged that the cotton excise duty should be abolished immediately in view of the present straitened circumstances of the mill industry.

The Bombay Provincial Liberal Conference.

The fourth Bombay Provincial Liberal Conference was held at Poona on the 29th August 1925. In the course of his Presidential address Mr. C. Y. Chintamani said :—

"It is my unfaltering conviction that the Swaraj Party's principles, policies and methods will not succeed any more than the undefiled Gandhism of the two earlier years in accelerating progress to Swaraj. Military revolt being unthinkable, euphemisms for revolutionary or semi-demi-revolutionary methods having failed and being destined to fail howsoever skilfully tried, and inaction being at once cowardly selfish and unpatriotic, we have left to us the pursuit of constitutional ends by constitutional means as the only political method open for wise patriots to follow". The President then gave an analysis of the work and reports of the Reforms Enquiry Committee and said : "I say that the majority of the Muddiman Committee did scant justice to the facts related before them by those who were in the best position to speak of the working of the dyarchical system and wrote a report marked by intellectual thinness, superficial treatment of the subject, political partiality on the part of three and political timidity on the part of at least one of the signatories, and made to the Governor-General in Council recommendations so inadequate that I have no hesitation in committing myself to the opinion, now that they have almost been accepted by the Government, that the interests of India would have been served far better if that Committee had never been appointed".

"I appeal to Lord Reading and to Lord Birkenhead, I appeal to them in your name and mine, and appeal earnestly and respectfully, not to drug their minds with the plausibilities and sophistries of which the reactionary and interested permanent Services are always full, to put off what to them is the evil day of reform, but to apply their powerful, independent minds to the whole of the problem, to look at it from all points of view, to bring to bear upon its consideration the invaluable qualities of insight and foresight, to remember that their function is not to be the eyes and the ears of the bureaucrats and to be their mouthpiece, but to act as impartial judges between the people and the official hierarchy, and to do all the good they can to the people whose rulers they are, and to make their tenure of exalted office memorable by laying broad and deep the foundations of an India contented and prosperous, because she is self-Governing, an India

which will be an honour to England instead of continuing to be what Sir William Wedderburn described her as being the skeleton at the feast".

Turning his attention to concrete proposals of reform in the Constitution of the present system of Government, the President reiterated the measures that have been advanced in the country in general and the Liberal Party in particular. He set forth certain proposals of his own, of which the most important is that the annual military expenditure should be fixed at a certain figure, which will not have to be voted by the Assembly, but any moneys that may, in the Governor-General's opinion, be required in excess thereof in any year for the defence of the country, will have to be submitted to the vote of the Assembly in the approved form of a demand for grant.

In conclusion, the President said I have a question to put, which, of course, I do respectfully to the Secretary of State and the Viceroy. If the Swarajists persist in refusing office and following their own peculiar policy, will that be a justification of Government's policy of inaction? Did Sir Henry Campbell Bannerman hesitate to confer self-Government upon the Transvaal and the Orange Free State because of the policy of General Hertzog and his followers? Did Mr. Lloyd George decline to treat with representatives from Ireland because of Mr. de Valera and those who went with him? After all, why are there non-co-operators or Swarajists? Are they not the offsping of the policy of the bureaucratic Government? If there had been no Rowlatt Act, would Mr. Gandhi have launched upon his Satyagraha campaign? If there had been no Punjab horrors, followed by the failure of the Government to impose suitable punishment upon the miscreants, would there have been non-co-operation movement? If, after Mr. Montagu left the India Office, the spirit and temper of the Government had not undergone a regrettable transformation, of which illustrations could be given, would the Liberals have suffered such defeats and the Swarajists won such victories in the elections? To continue the present policy will be for the Government to prolong the life of political extremism and to bind fresh laurels to its brow.

RESOLUTIONS.

The Conference again met next day the 30TH AUGUST and passed the following resolution relating to constitutional advance :—

"This session of the Bombay Provincial Liberal Conference records its sense of profound dissatisfaction at the recent pronouncement of the Secretary of State for India and the Viceroy, as embodying a misleading view of the working of the present system of government in India, and reducing to a non-possumus the question of constitutional advance and the virtual acceptance of the Majority Report and the rejection of the Minority Report of the Reforms Enquiry Committee, and. generally speaking, the conclusions which offer no satisfaction to the wishes and aspirations of the people of India nor any solution of the difficulties actually experienced in the administration of the system now in force.

"It is the deliberate conviction of this Conference that the interests of good government and efficient administration aud the well-being and advancement of the people alike demand that, without any loss of time, His Majesty's Government should accept and carry into effect the principal recommend-

about the redress of her grievances with regard to the Army, the loyalty and sacrifices of her sons during the War, and the sense of responsibility displayed by her representatives in the last Assembly was "the intolerable insult of the scheme of Indianisation of eight units." The basis of the eight units scheme seemed to be the policy recommended by Lord Roberts. It was known that when the late Lord Lytton saw that something would have to be done to open wider the door of admission to the Indian Civil Service for Indians he recommended in 1878 the formation of a "close Native Civil Service," for which Indians alone were to be eligible. The eight units scheme was the counterpart in the army of the "close Native Civil Service." The difference, however, between 1878 and now was that "while in 1878 Government was on our side, to-day it is a determined opponent of our progress."

The Skeen Committee, the speaker observed, would be powerless to deal with a problem on the proper solution of which depended the realization of Swaraj. The Indian War Conference of 1918 adopted a resolution impressing on Government the necessity for the grant of a substantial number of King's Commissions. The resolution was moved by the Maharaja of Kashmir and supported by the Maharao of Cutch and the Maharajas of Alwar, Dholpur and Kapurthala. Not merely had the response to this resolution been most disappointing but Lord Birkenhead was not sure whether time would justify the paltry concessions that had been made.

Commonwealth of India Bill.

Continuing, the speaker said :—"We have been promised by Lord Birkenhead that if we draw up a constitution acceptable to the people of India it will receive due consideration from him, the Government of India, and the statutory commission, whenever it may be appointed. The assurance is not worth much ; but if Lord Birkenhead is desirous of evoking Indian effort for the improvement of the constitution, let him give serious consideration to the Commonwealth of India Bill, with which the names of Dr. Besant and Sir Tej Bahadur Sapru are associated. There may be differences of opinion about the details of the Bill, but notwithstanding the refusal of the All-India Congress Committee to support it the general principles underlying it will receive ready acceptance in the country."

Finally, the Pandit referring to the position of Indians in South Africa, described the Reservation of Areas Bill as "staggering in its iniquity and meanness." He concluded with an appeal to Liberals and Independents to organise and to turn their attention to the work of District Boards, through which they could help materially towards the uplift of the depressed classes.

The Madras Non-Brahmin Confederation.

The ninth session of the Madras Non-Brahmin Confederation was held at Madras on the 19th December 1925 under the Presidency of the Hon. Mr. Jadhav, Minister of Education, Government of Bombay. The Raja of

Panagal, Sir A. P. Patro, Dewan Bahadur Sivagnanam Pillai, Ministers to the Government of Madras, the Raja of Venkatagiri, the Raja of Parlakamedi, and a number of members of the Madras Legislative Council attended the Confederation.

PRESIDENTIAL ADDRESS.

In the course of his address the President said :—

"Whatever Swarajism may stand for in other parts of Nothern India, Swarajism is synonymous with Brahminism in the Marathi-speaking districts of the Central Provinces and in Berar. The Brahmin politicians of the Deccan and Karnatak and also of the Madras Presidency are wearing the cloak of Swarajism to hide their inner selfish motives as they expect that it will help them to preserve their vested rights, privileges and monopolies.

"The strong weapon of the Brahmin is misrepresentation many a time deliberately practised. "Slander boldly. Something always sticks" is his motto. He will repeat his accusations and misrepresentations even though he be often exposed.

"We have to fight with these tactics. We have to expose them in order to free our brothers from the meshes of their artfully woven nets. In fact we have to close up our ranks and offer a united front. As along as we are divided, as long as one community distrusts another or one community despises another so long shall we not be able to make the effect of our full strength felt by our opponents.

"We have to give up the false notions of superiority and inferiority and embrace everyone, to whatever caste or creed he may belong, as a brother on a footing of perfect equality. In these days the Brahmins are trying their best to set one community against another and thus cause a split in the non-Brahmin camp. We have to take steps to counteract these mischievous attempts of our opponents.

"The Brahmin Swarajists are past masters in the art of job-hunting, but when they find that the non-Brahmins also want to have their share, they have been condemning the Party for aspiring to get what they already are in possession of.

"Public service by itself is not bad. It is necessary that for the advancement of India her public service should be efficient and honest and impartial. As long as there is a monopoly of one community all these three, viz., efficiency, honesty and impartiality, are in jeopardy. For the orderly progress of the country, therefore, an admixture of castes is necessary.

"But this is not the Brahmin view. He wants to cling to public services and at the same time to condemn the Non-Brahmin Party for trying to secure their due share.

"Another charge that is brought against the non-Brahmins is that they indiscriminately support Government. This is an utterly false charge, and the Brahmin Swarajists know that it is untrue. They will have to admit that whenever the non-Brahmins voted against Government the latter was defeated. And whenever the non-Brahmins supported Government the Swarajists were defeated. The non-Brahmins followed the real liberal policy of supporting Government whenever the cause of the people was going to be advanced, and opposing Government when it was necessary".

The Hindu Mahasabha.

Referring to the Hindu Mahasabha movement the President said :—" The object of the Mahasabha is to organise the Hindus. But I think that organisation and unification is not possible unless the Brahmin is ready to come down from his arrogant position. Unfortunately the Brahmin of the Maharashtra who is taking a prominent part in the Hindu Mahasabha movement is sure to try to use it for his own ends. That the force of some of the resolutions was lost owing to amendments suggested by a leading Brahmin gentleman from Satara confirms me in my view that the movement will be looked upon with a deal of suspicion by the non-Brahmins in general. The non-Brahmins will have to look well ahead before they plunge into this movement. The relations between the Musalmans and Hindus in Maharashtra are particularly friendly. We have to try our best to preserve them if we can do so with honour. I cannot help condemning offensive language which the papers state was used against the Mahomedans ".

Concluding Mr. Jadava said :—" Our Party is the real People's Party and we are out to solve the problems of the advancement of the masses. We have therefore to watch the interests of Indians not only within the boundaries of this country but also of Indians abroad".

Resolutions.

2ND DAY—20TH DECEMBER 1925.

The Non-Brahmin Confederation, at its sitting on Sunday the 20th December passed resolutions expressing regret at the death of Her Majesty Queen Alexandra, Sir Surendranath Bannerjea, and Mr. C. R. Das.

The Confederation also passed resolutions condemning the action of the authorities in prohibiting the entry of untouchables and Arya Samaj converts into the streets of Kalpathy ; protesting against the confiscatory measures of the South African Government against Indians and recommending the adoption of retaliatory measures ; deprecating extravagant military expenditure, and recommending the Indianisation of the army and the establishment of military schools and at least one college on the lines of Sandhurst in India.

The Confederation further supported the revival of indigenous cottage industries, and recommended that the Bill now before the Madras Legislative Council regarding Malabar tenancy be immediately passed into law.

3RD DAY—21ST DECEMBER 1925.

The Confederation re-assembled on Monday the 21st December and passed resolutions re-affirming the principle of communal representation in the Public Services, Legislatures, and local bodies; condemning the agitation against the Madras Hindu Religious Endowments Act; appealing to all high caste communities to solve the problem of untouchability, expressing dissatisfaction with the personnel of the round-table conference between non-Brahmin leaders of different political parties so as to bring about mutual understanding and united action in the interests of the non-Brahmin community ; appealing to non Brahmin party to help the cause of labour ; expressing

the opinion in regard to Excise that its goal should be total prohibition, and urging the Government to work up to that goal within the course of the next 10 years; suggesting the formation of Universities in the Presidency on a linguistic basis, declaring that Dyarchy, having proved cumbrous and inefficient in its working, should be replaced by complete Provincial autonomy, and further urging that a substantial measure of responsibility in the Central Government should be introduced without delay.

The Confederation passed a resolution requesting the Madras Government to secure by nomination the adequate representation of labour in the Madras Legislature and in the Assembly.

The Confederation also passed a resolution expressing regret at the death of Sir P. Thyagaraya Chettyar.

CONSTITUTION OF THE LIBERAL FEDERATION.

The Constitution of the South India Liberal Federation was read in the open conference and adopted. The objects of the Federation are to obtain Swaraj for India as a component part of the British Empire at as early a date as possible by all peaceful, legitimate, and constitutional means to promote good-will and unity among the different non-Brahmin classes and communities of Southern India through the safeguarding of their interests by means of adequate and communal representation, as well as by social amelioration and re-organisation, with a view to the ultimate fusion of all castes, to promote the educational social, economic, industrial, agricultural, and political progress of all the non-Brahmin communities in Southern India, to organise effectively public opinion and express it on all questions which are deemed by general consent to be of importance, and to act as the authoritative and representative mouthpiece of the non-Brahmins of Southern India for effective work on strict party lines. The Federation has branches of its organisation in all the districts of the Presidency, a Publication Department to publish such political literature as is necessary for carrying on propaganda, and a Social Progress Committee to promote social unity among all sections of non-Brahmins and the depressed classes. The affairs of the party in the Legislative Council will be managed by the leader of the party, with the help and advice of the Executive Committee of the party. The Ministers will consult the Executive on all matters of party policy, and all matters effecting the interests of the party in the Council.

The Sikh Movement

The Gurdwara Bill.

Those who expected that a general amnesty of the Sikhs, who had been imprisoned or were under trial for participation in the Akali movement, would follow the passing of the Gurdwara Bill, must have been disappointed at the announcement made by Sir Malcolm Hailey in the eloquent and reasonable speech which he delivered on Thursday, the 7th July in the Punjab Legislative Council. For, in his speech, the Governor proposed certain conditions under which his Government were prepared to release those of the Sikhs who had not been guilty of or were charged with crimes of violence. To effect a settlement of the vexed question of the Sikh Shrines the Gurdwara Bill was introduced in the Punjab Council by Sardar Tara Charan on the 7th May 1925, (*See vol. I, p. 278*). After careful consideration by a select committee, the Bill was passed by a unanimous vote of the Council on the 7th July 1925 and was accepted by the representatives of the Sikh Community in the Council as a solution of their difficulties. Outside the Council the Bill had also received the approval of the vast majority of the Sikhs who recognised that under its provisions, they would be able to secure the reforms which they had so urgently demanded. In order to attain release the Sikh prisoners, who come within the scope of the Punjab Government's offer, were merely asked to acquiesce in the settlement made and to sign an undertaking that they " will obey the provisions of the Law recently enacted securing to the Sikh Community the control and management of the shrines and their endowments and will not seek by means of force or show of force or by criminal trespass to gain control or possession of any shrine or the property of any shrine or the property attached to it or endowments." The Government also promised to deal in a similar spirit with regard to the question of the release of those prisoners whose lands or pensions had been forfeited owing to their illegal action. Regarding the Jaito question, Sir Malcolm conveyed to the Council the information that an announcement would be published in the next "Gazette" notifying that the Administrator of Nabha would release those Sikhs, detained or imprisoned at Jaito in connection with charges arising out of the agitation, excluding, of course, persons convicted or under trial for crimes of violence.

Accordingly, on the 9th July, the terms of the release of the Sikh prisoners in Nabha jails were published in the " Gazette of India." The notification was prefaced with a statement that the terms are announced " in view of the modification of the political situation consequent on the consideration and passing of the Gurdwara Bill."

In pursuance of this notification, all the Nabha prisoners, with the exception of those convicted of violence, as well as those who were signing the undertaking prescribed by the Government, were released from Jail and were taken in procession by several batches to Gurdwara Gangsar. The Akhand Paths at this place were completed without any further interference.

The Shromani Gurdwara Prabandhak Committee

The release of the Sikh prisoners commenced from the third week of July, but during the next two months differences were growing very acutely among the Sikh leaders over the question of the working of the new Gurdwara Act. The parties favouring the Act and those opposing it were equally balanced. There were also a number of waverers who belonged to no party and apparently took little interest in the question. To arrive at a practical decision a general meeting of the Prabandhak Committee was held at Amritsar on the 4th, 5th and 6th October. Between 150 to 175 members were said to have attended. One Party in the Committee was in favour of accepting and working the Gurdwara Act, and stopping " direct action " without waiting for the release of the prisoners. The extreme wing, however, favoured the rejection of the Act unless Government released prisoners unconditionally. A middle party was in favour of postponing a decision on the question of working the Act until the rules, which will have to be framed by the Local Government under the Act, were published.

Certain resolutions had been drafted in the preliminary meetings of the Executive Committee. The most important of these was to the effect that as the Gurdwara Act had been prepared in consultation with the Sikh members of the Council and with the approval of the leaders in the Fort, and as the Act, though in certain respects defective, gives effect to the true principles of the Gurdwara reform, the Parbandhak Committee advises the Panth to accept the Act and work it whole-heartedly. Another resolution declared that with the coming into force of the Gurdwara Act the need for direct action ceases, and consequently the Bhai Pheru Morcha should be definitely abandoned.

On the 4TH OCTOBER three Sikh members of the Legislative Council viz., Sardars Jodh Singh, Tara Singh and Narain Singh attended the meeting of the General Committee by invitation. Their presence appeared to have been resented by certain of the more extreme Akalis, some of whom attempted to gain admission into the Akal Takht where the meeting was being held, on the plea that they were just as much entitled to be present as the three Sikh Councillors. When admittance was refused to these persons, they attempted to force an entrance up the stairs and by placing ladders against the balconies and roof of the building. Certain members of the Committee came out of the meeting to stop the Akalis and were roughly handled, one prominent extremist member having his clothes torn and his kirpan snatched from him. A public meeting was promptly convened in the open space in front of the Akal Takht where members of the Committee denounced these acts of rowdyism, and where the audience supported them in a strong vote of condemnation.

After this incident the meeting of the General Committee was resumed, but no votes weres taken on any of the resolutions on this day. The meeting was adjourned to the 5TH OCTOBER, when the resolution, regarding the acceptance of the Gurdwara Act was moved and seconded. The following is the text of the resolution :—

The Shromani Gurdwara Prabandhak Committee has for some years past been endeavouring to achieve legislation securing to the Panth the full control and management of the Sikh Gurdwaras. Now the Sikh Gurdwaras Act, 1925, based on the deliberations of the Sikh Councillors with the present workers of the Prabandhak Committee and the

Sikh leaders in jail, has been placed on the Statute Book, and as, in spite of some shortcomings, the Act satisfies the essential and fundamental demands of Gurdwara reform, and as also our leaders in the Lahore Fort have appealed to the Panth to accept the Act and work it whole-heartedly, the Prabandhak Committee hereby declares its acceptance of the Act and calls upon all the Sikhs to co-operate in the operation of the Act.

Sardar Mangal Singh then proposed an amendment to the effect that consideration of this resolution should be deferred for a month, in order that the Committee might have an opportunity of seeing and considering the rules to be framed by the Government under the Act. This amendment was carried, in spite of opposition by the moderates, whereupon some 15 or 16 moderate members of the Executive Committee tendered their resignations, which were accepted. The meeting was again adjourned till the 6th October.

On the 6TH OCTOBER, the first business before the Committee was the election of a new Executive Committee and office-bearers. All the moderate members of the Executive Committee who had resigned on the previous day were re-elected. Sardar Kartar Singh was elected as President and Sardar Arjan Singh was re-elected to the office of General Secretary. It was alleged that an offer was made to S. Mangal Singh to reserve places for himself and for two or three of his supporters on the Executive Committee, but he declined the offer. The result of the meeting would thus appear to have been definite strengthening of the position of the moderate party in the Committee. The following further resolutions were also moved and passed inspite of opposition from the extremists :—

(1) The Committee emphatically declare their deep horror and abhorrence at the criminal violence committed by certain Akalis on the 20th September resulting in the death of a Bhai Pheru villager and are strongly of opinion that, in spite of the grave provocation given, the action of those Akalis can never be justified, especially in view of the fact that all workers in the cause of Gurdwara reform are pledged to perfect non-violence and peacefulness : Further the Prabandhak Committee, after fully considering all the facts placed before them, are of opinion that the action of the General Secretary in temporarily suspending the despatch of jathas from the Bhai Pheru Gurdwara to the fields was perfectly justified in the circumstances and the Committee fully endorse it

(2) The Prabandhak Committee feel it an imperative duty to voice the rightful and unanimous demand of the Panth for the immediate and unconditional release of all persons convicted or under trial in connection with the Gurdwara movement and to sound a clear note of warning that if this important and serious grievance is not redressed, and all who have been the pioneers of the movement and have made enormous sacrifices for Gurdwara reform are not released, the deep sentiments of the community on the matter will render impossible for the community to work the Gurdwara Act in a spirit of harmony. There can be no peace and rest for the Sikhs as long as their brethren are shut up in jail. The responsibility for any complications arising out of the feeling consequent on the detention of the Gurdwara prisoners in jail will not lie on the Prabandhak Committee which has contributed its share for the bringing about a calm and peaceful atmosphere, but will lie on the shoulders of the Government who fails to make the proper response by releasing the prisoners.

The New Gurdwara Rules

The Punjab Government in a communique notified that the 1st November, 1925 shall be the date on which the Sikh Gurdwara Act shall come into force, and made the following rules, which shall come into force from the same date :—

1. These rules may be called the Sikh Gurdwara Rules, 1925.

2. In these rules unless there is anything repugnant in the subject or the context—"The Act" means the Sikh Gurdwaras Act, 1925.

3. A declaration under the provisions of clause (9) of section 2 of the Act shall be made either orally in the presence of the authority by whom it is to be decided whether the person in question is a Sikh or not, or in writing; provided that—

(a) if such declaration is made orally, the authority in whose presence it is made shall record the making of it in writing and the record shall be attested by the signature or thumb-mark of the person making it: and

(b) if such declaration is made in writing it shall be signed by the person making it, shall be verified by a magistrate and shall be forwarded in original to the authority by whom it is to be decided whether the person in question is a Sikh or not.

4. Every list to be forwarded to the Local Government under the provisions of sub-section (1) of section 3 or of sub-section (2) of section 7 of the Act shall be in Form I appended to the rules.

5. Every consolidated list to be published under the provisions of sub-section (2) of section 3 of the Act and every petition and list to be published under the provisions of sub-section (3) of section 7 of the Act shall be published by being posted at the office of the Collector of every district concerned and at the tahsil office of every tahsil concerned and at some place of public resort in every revenue estate concerned and at the Gurdwara to which it relates.

Payment of Compensation.

6. When a tribunal orders compensation to be paid to any person out of the income of a Gurdwara under the provisions of section 23 of the Act, it shall forward one copy of its order to the Collector of the district in which the Gurdwara is situated, one copy to the Accountant-General, Punjab and one copy to the Board.

7. (1) The committee of a Gurdwara, out of the income of which a tribunal has, under the provisions of section 23 of the Act, ordered compensation to be paid in the form of an allowance payable annually on a specified date, shall on or before the date on which such allowance is payable, deposit the amount of such allowance in the treasury of the tahsil in which the Gurdwara is situated.

(2) If any committee fails to deposit any amount as required by the provisions of sub-rule (1), the Collector of the district in which the Gurdwara is situated shall, upon application made by the person or persons entitled to receive it, forthwith cause such amount to be recovered from the property or income of the Gurdwara as if it were an arrear of land revenue.

8. Compensation payable under the provisions of section 25 of the Act shall be paid in the manner and, so far as may be, according to the rules prescribed from time to time for the payment of Government pensions.

9. Court-fees payable under the provisions of section 28 or section 35 of the Act shall be paid by means of judicial stamps in the manner prescribed by the Court-fees Act.

Budget Estimate.

10. The general meeting of the Board, at which under the provisions of section 119 of the Act the executive committee has to lay before the Board an estimate of the income and expenditure of the Board and of each separate fund administered by the Board for the ensuing financial year, shall take place between the tenth day of February and the tenth day of March each year.

11. Every committee shall submit each year to the Board not later than the tenth day of February the estimate of income and expenditure prescribed in section 123 of the Act.

12. The Board shall not later than the 10th January each year give notice in writing to each committee of the amount of contribution payable during the ensuing financial year by such committee to the Board under the provisions of section 107 of the Act, and every committee shall remit the amount of such contribution to the Board not later than the 31st July following.

13. If a tribunal or the Commission has not been constituted or is not sitting, any petition, application or record of a suit or proceedings which may or should under the provisions of the Act be presented, made or forwarded, as the case may be, to a tribunal or the Commission, as the case may be, may be or shall be presented, made or forwarded, as the case may be, to the Secretary to the Government, Transferred Departments, by whom such petition, application, record or proceedings shall be forwarded to a tribunal or the Commission as soon as a tribunal or the Commission is constituted or resumes its sittings.

The Amritsar Resolutions.

Soon after the announcement, on or about the 5th November the Shromani Gurdwara Prabandhak Committee met at Amritsar and adopted the following resolutions:—

(1) This general meeting of the S. G. P. C. reiterates its opinion that notwithstanding certain shortcomings the Sikh Gurdwaras Act, which has been placed on the Statute Book with the mutual deliberations of the Sikh Councillors and the representatives of the Government, satisfies most of the fundamental requirements of Gurdwara reform to a great extent.

(2) Whereas the Sikh Gurdwaras Act has been put into force, and whereas the Gurdwara prisoners have not yet been unconditionally released, the S. G P. C. therefore calls upon the Panth to act in an organised manner and send only those representatives to the Central Board and other local committees of management as will give an undertaking not further to work the Act until the prisoners convicted or under trial in connection with the Gurdwara movement are unconditionally released.

(3) The S. G. P. C. hereby authorises its executive to put in the lists of properties belonging to Gurdwaras under the Act, and take such other steps for that purpose as are proper and necessary.

(4) The S. G. P. C notes with regret that in spite of the unanimous demand of the community for the unconditional and immediate release of all prisoners, convicted or under trial, in connection with the Gurdwara movement, the Government have not yet effected their release. The S. G. P. C. reiterates its conviction that if this important and serious grievance is not redressed and all the prisoners who have been the pioneers of the movement and have made enormous sacrifices for Gurdwara reform, are not restored to us, the deep sentiment of the community in this matter, its very sense of honour and the practical deprivation of the help of the members in jail, will render it quite impossible for the community to work the Act. The responsibility of any complications arising out of the feelings consequent on the continued detention of Gurdwara prisoners will lie on the shoulders of the Government.

(5) The S. G. P. C. takes the opportunity to express its sense of appreciation of the dignified attitude of the Gurdwara prisoners convicted or under trial in refusing to sign the required undertaking.

(6) In conformity with Resolution No. 2 the executive is authorised to nominate candidates for election to the Central Board and other committees of management, and to take such other steps as may be deemed necessary for a successful election campaign.

A compromise was also effected between the two parties in the Sikh community. Following this meeting a new Executive was elected and a sort of coalition was formed with Sardar Mangal Singh, the extremist leader, as President; Sardar Kartar Singh Diwana, Vice-President; and Sardar Jaswant Singh of Jhanial as General Secretary. The members, who were about 30 in number, included moderates as well as extremists. The decision of the Prabandhak Committee to work the Act whole-heartedly was welcomed in Sikh circles.

A week after the above meeting the Shromani Gurdwara Prabandhak Committee commenced the working of the Gurdwara Act in right earnest and were busily engaged in registering voters. At a meeting of the Executive Committee Sardar Harbans Singh of Seistan and Sardar Hazara Singh were appointed election commissioners for supervising and arranging all particulars in connection with the coming election to the Central Board. The Committee further appointed a sub-committee to prepare lists of all the Gurdwara properties within a week so as to file them with the Government within the prescribed period of 90 days.

The European and Anglo-Indian Polity

The European Associations

Sir F. Whyte on the Reforms "Experiment".

Addressing the Calcutta Branch of the European Association on the 4th November 1925 on "What we owe to India and what India owes to us" Sir Frederick Whyte, the late president of the Legislative Assembly, said that they had been trying during the last five years to work a constitution in India which represented an experiment in the introduction of Western institutions into an Eastern country. The word "experiment" had been challenged, but not rightly. It was manifestly an experiment in the right sense of the word, for nowhere in the modern world, and certainly nowhere in history, had an attempt been made on so large a scale to establish institutions not indigenous or natural to the country and to attempt to work them through what might be called the native agency. It remained to be proved, however, whether in the fundamental principle the idea of self-government as they knew within Europe, and particularly in England, was natural.

One of the most remarkable things that he had found during the last five years in India was that in all conversations that he had had with men out here, Englishmen and Indians, particularly the latter, was that only two men in the whole of that period had challenged the fundamental principle of what they were trying to establish. Each of these two men had said: "Why are you entirely to assume that the form of self-government that you are accustomed to, which you have worked with success in England, is possible or natural to this country?"

His answer had always been: "It has yet to be proved that it can succeed in this country, that it can be adapted to an oriental scene; but, inasmuch as we have educated successive generations of Indians, both in this country and at Home, by welcoming them at our universities, we have inoculated them with certain political ideas, and we have now to take the consequences of that inoculation.

Practically all politically minded Indians were committed to the conception that what they called self-government was practical and possible in India. They accepted that as a theory for the moment. Those who had been working the institutions set up by the Government of India Act, 1919, had begun to realise that there were and must be grave difficulties in the way of carrying out the idea of self-government in India, that was to say, of applying British practice to Indian conditions.

It was one of the commonplaces of contemporary discussion in India to say that the Reforms, in so far as they provided for the Transferred Subjects, had failed. He did not believe that they had failed; they were still in process of trial. For the moment, in Bengal in particular, it would appear that they had failed, but, they should not imagine that the test of one Province could be taken as a final test, or that the accidents of one particular time must be allowed to pre-judge the question as to whether the constitutions which they had tried to establish in India could succeed or not.

Without going into details regarding the events which led up to what was called the break-down of dyarchy in Bengal, he would observe that there were other Provinces in India in which the system had not broken down. The time had not yet come to deliver the final judgment as to whether the constitution built up in 1919 could be made to prevail or not. The constitution was being worked on both sides by men not born and bred to the practice of parliamentary government and in those circumstances they were not entitled to make a hasty judgment on the results which were at present before them

He would go further and say that if they were going to impose the test, as the Act assumed, whether the Indian could carry on his own Government, they must allow the experiment to go on longer and they must carry it out on a more generous scale. That was not the place to go into a general discussion of the provisions of the present constitution or the manner in which it might be changed, but he wanted to suggest this, that neither in respect of the time during which the present Act had been working nor in respect of the scope which the Act had already given to the Indian politician to show his worth, was the Act a satisfactory, complete or conclusive test.

Growth of Co-operation with Government.

A discussion then took place in the course of which Mr. H. Hobbs observed that Sir Frederic Whyte had stated that the first Assembly had worked with the Government, but little had been said about the second Assembly.

Colonel Crawford said that Sir Frederick Whyte had given an accurate review of the political situation, but as regards the question of co-operation he ventured to differ. It was perfectly true that in the first Assembly, and in a lesser degree in the second, there was a measure of co-operation, but with the knowledge of the great cleavages that existed in India, he was convinced that the Home Government were wise when they stated in the preamble to the Act that future advance must depend on the measure of co-operation afforded. There could be no advance until they got greater co-operation between the various races and people of India.

Sir Frederic Whyte, replying, said that he had been told that the institution of the Reforms was premature. Either the speaker meant that they ought not to have been introduced at all, which he did not think he meant, or that they were introduced at an inopportune moment. The sense in which they might be called premature was that, whereas the Home Government had committed themselves for many years past, in fact since the famous proclamation of Queen Victoria, to the idea that Indians ought to be associated with the Government of their own country, the actual steps taken to carry out that policy were meagre. They would not be face to face with many of the problems with which they were now confronted if the idea of gradually Indianising the administration of the country had preceded political reforms by at least a generation.

Alluding to Colonel Crawford's observations, Sir Frederic Whyte said that the former used the terms "co-operation" in a different sense. Co-operation, to which he (the speaker) referred, between the Government of India and the Indian majority in the Legislative Assembly was an established fact, and as he had been invited to say a word about the second Assembly, all he would observe was that the sense of co-operation in the Swaraj Party in the Legislative Assembly had undoubtedly grown during the past two

years, and while the Swarajists might have come determined to destroy, they eventually realised that they could not do so and they had certainly changed their attitude very markedly. The leader of the Swaraj Party was sitting on a committee presided over by the Chief of the General Staff, an absolutely unthinkable situation two years ago.

The Annual Dinner of the European Association

VICEROY'S CALL FOR CO-OPERATION.

Two hundred and seventy people assembled at the Saturday Club, Calcutta on the 15th December for the annual dinner of the European Association. Sir Hubert Carr presided, and amongst the distinguished guests were the Viceroy, Lord and Lady Lytton, Viscount Knebworth, Lady Hermione Lytton, Lord Meston, Mr. S. R. Das, and Sir B. N. Mitra.

Sir Hubert's Welcome Speech.

Proposing the toast of the health of the Viceroy and Governor-General of India, Sir Hubert Carr said that since the last annual dinner an improvement in political conditions generally had supervened, and it was therefore more than an ordinary pleasure to welcome those who were so pre-eminently responsible for the administration of the country. He regretted that Lady Reading could not be with them that evening and hoped that she might be speedily restored to health. Those who were looking ahead, both Englishmen and Indians, recognised that the safety and success of their interest went hand-in-hand with the security and contentment of the country, and it was becoming increasingly clear that the aims and policy of the European Association were very far from being any way antagonistic to the interests of India. They were gaining support, and he was glad to report that the Association was strengthening its position generally, and the work of extension, especially in Bombay and Southern India, was showing very promising progress.

He deprecated the system by which, in both fiscal and industrial matters, race was being regarded as an essential qualification for rights and privileges that should be common to all. This was a condition to which they could never agree. Unless, however, they were alive to the drift of this policy, they would find themselves without the civic freedom enjoyed by those born in the country and which the British had earned by services rendered. It seemed to him that the co-operation required by the Government of India Act was very easy to conform to. It merely demanded that all parties, Indian and British, should practice collectively the good-will which existed so widely amongst individuals. Such co-operation was not a racial matter nor did it demand that they should all be on the same side in the field of politics. The Government of India had never so interpreted the demand.

It was a matter of great satisfaction that the improvement of the conditions in the services had led to a large degree of contentment and better recruitment. There still remained, however, certain European officers to receive the benefit of the improved conditions recommended by the Lee Commission.

That night afforded the last occasion they have of welcoming Lord Reading and the prevailing sentiment was one of gratitude for the work His Excellency had done for India. During difficult years Lord Reading had maintained a steadfast course on the lines laid down for India's progress, yielding neither to threats nor persuasion, but so grasping the needs of the country that at the end of his five years His Excellency was able to lay down his office knowing that the country was in an essentially sound condition, and comparable to any large country in the world as regards the contentment of its people and the general conditions of law and order.

To Lady Reading India owed its best thanks for the widespread practical interest she had shown in various philanthropic institutions. He assured the Viceroy on behalf of the European Association that not only had his services to India and the Empire won their admiration and gratitude, but that they formed a worthy addition to the achievements of their race in India, in which they had a justifiable pride.

H. E. the Viceroy's Speech.

H. E. the Viceroy, in reply, said: Let me thank the European Association for the very cordial welcome which has been extended to me to-night, and the kind reference you have made to Her Excellency Lady Reading. I know she deeply regrets that the state of her health, now fortunately on the mend, prevents her from being present to enjoy your hospitality to-night. She would have been greatly touched to hear the appreciation of her practical interest in philanthropic work, and sympathy with suffering humanity to which Sir Hubert Carr has given expression, and it will be a cause of deep satisfaction to her to know that her efforts in this direction have earned the good-will and gratitude of the community your Association represents.

European Association and the Reforms.

This is the fourth occasion I have had the privilege of addressing the members of the European Association. I also regret to say it will be the last. Some of those present to-night may recall the observations made by me in December, 1922, when I first met the members of the Association. You, Sir Hubert, then informed me that your Association had accepted the *fait accompli* of the Reforms, and that you had decided willingly and loyally to assist in carrying into effect those promises which His Majesty's Government had made, and to which all political parties in Great Britain were pledged. You added that the Association would take an active part in the political life of India, and that you were convinced that the only wise course for your community was to seek to be represented as other communities were represented in the reformed scheme of Government and to keep the views and interests for which your Association stood prominently before the country and the Government. I then expressed, and now repeat, my gratification at this decision, and it has been a source of great satisfaction to me in the years which have since passed to see your Association growing in strength and organisation and taking a leading part in public life and in the discussion of all questions of importance to India's future. Whatever differences of opinion there may have been as to the exact form and extent of the great first march forward of India along the road to responsible Government, it was but natural that the members of your Association, sprung from the ancient home of self-governing institutions, members of a great Empire fostered on these principles, would wish to leave behind them in India, after their long association with her, some impress of those benefits and advantages which the Homeland and the great British Dominions so abundantly enjoy. I rejoiced then and rejoice now that you were determined, in your legitimate pride of British rule and the British connection in India, to help India to share in those great traditions in which you yourselves had been nurtured, and to assist her forward stage by stage to their final expression. Your participation had a special value, as you were in a position to spread abroad not only the knowledge of the benefits, but also the spirit which underlies representative institutions and by which alone responsible Government can succeed.

"Sanity and Generosity."

As my time draws to a close and I look back on the events since April, 1921, one of the most gratifying aspects of the Reforms, and not the least remarkable, has been

the spirit of their reception by the non-official European. There must have been some among the community who, regarding the Reforms from the narrower point of view, could not have welcomed them at their inauguration, and who felt that their logical outcome must be to diminish British influence and the British element in the administration, and must, therefore, be inimical to their interests. Nevertheless, as you, Sir Hubert, have so clearly explained, the community as a whole, with admirable sanity and generosity, took the longer view, and not only have the Reforms been loyally received by the community generally, but individual non-officials have taken a very prominent part in the new Legislatures.

I have been deeply impressed by their devotion to these new activities, by their keen interest in the work of the administration, and by their public spirit in service of committees and commissions. There is hardly a single measure of first class importance recently adopted by the Government, after enquiry by bodies of this nature, to which the European non-official community in India have not materially contributed. The part they have played in public life has followed the principles which are included in the Articles of the Constitution of your Association—"To foster relationship of cordiality and co-operation with Indians, working constructively for the good of India." Nor has this cordiality and co-operation with Indians been treated only as an ideal principle. I have been greatly impressed with the extent to which it has been put into practice by European non-officials. I cannot too highly praise the spirit of accommodation and reasonableness shown in connection with measures, such as that relating to discriminative privileges in the Criminal Procedure Code, in other measures also severely exercising Indian opinion, as, for example, the Cotton Excise Duties, to which you, Sir Hubert, have referred, the European elemment has been prompt in expressing warm and genuine sympathy with the Indian point of view, and in rejoicing when Indian aspirations have been fulfilled.

Devotion to India.

Europeans have abundantly demonstrated their devotion to India in all that concerns her welfare, her position, her pride of place, and her interests generally. The Reforms called for two essential conditions—a will to co-operate, and a will to succeed. The members of this Association have loyally striven to provide both. They have entered political life, cheerfully accepting the policy of His Majesty's Government, and fully and actively determined, so far as they can, to assist in the execution of its object and purpose. Their action has been guided not merely by a desire to follow the policy because it is that of His Majesty's Government, but by a firm conviction, as you, Sir Hubert, have made clear, of the justice and necessity, in the interests of India's welfare of meeting India's rational aspirations for political development. In giving a reformed constitution to India the British Parliament called for co-operation and offered new opportunities for service. To both of these advances you have generously responded.

Co-operation.

I observe, Sir Hubert, that both you and I to-night have made frequent use of the term co-operation and as you rightly observe, it seems to be used in different senses at times, according to the fancy of the speaker. It is obvious, however, that you and I use the term in the same sense, for your definition of the word, though it may not be entirely comprehensive, is an interpretation to which I can heartily subscribe. Co-operation does not entail continuous support of the policy of the Government, but it does involve goodwill towards the working of the constitution. Many Indians, including some of the most richly endowed with talent and perspecuity have been steadfastly working for the same purpose. With them, on question of first importance to India you have usually found yourselves in agreement, and though, at times you may differ sharply over individual measures, yet on the great issue of working the constitution in the interests of the peaceful progress and the welfare of India's people, you are one. On occasions you find it necessary to criticise the actions of the Government, and sometimes differ from its conclusions. There is no question of your right and duty to press and sustain the convictions of your judgment and your conscience, but in the task of conducting the peaceful administration of the country and preserving law and order, I and my Government have never looked for your support in vain.

Indian Political Aspirations

While your Association and constitutionalists among Indians have tried their utmost to give the right bias to public life and to influence thought in India in the right direction, others have elected to travel along a different road. For years educated

opinion in India had agitated and clamoured for political advances. There is no question of the sympathy with which these aspirations we considered. Nevertheless what was nobly conceived and generously given was rejected by a large section of Indians with contumely and scorn. The offer made in the spirit of confidence and trust was received with prejudice and suspicion. It stimulated some of the best friends of India, Indians and Europeans, to a keen desire to build and create, while it inflamed others with the passion to destroy. It gave rise in you to a will to co-operate and succeed. It engendered in others the determination to remain dissatisfied and obstructive. I shall not pause to analyse the reasons for this attitude of discontent among a large and powerful section of the community, or to recall unfortunate incidents, especially in the years 1921 and 1922. It would serve no useful purpose and might even be misunderstood.

"Lesson of Firmness and Patience."

I have no desire to reawaken the echoes of the political agitation of those days, yet I must freely admit that there has been much in the events of the last four years to try the patience of the members of your Association. I understand the feeling that good-will shown by you has not always been met with good-will to you, that your co-operation and sympathy have not elicited a similar response, at least in certain matters. In some directions there has been active prejudice against those very interests with which you are particularly connected, and for which you stand. The principle of conduct of your Association to secure in true democratic spirit "equal justice and freedom for all individuals" has not always evoked equally liberal sentiments from the other side. But let me remind you that if the past years have a lesson to convey, it is the lesson of firmness and patience. Where a cause is just and reasonable, there is no occasion for dismay. No opportunity should be neglected of stating and supporting a just cause, but if this course is pursued there should be no apprehension that justice will miscarry. Throughout my actions I have been guided by this conviction, and it has not caused me disappointment. I see no reason why it should not equally serve as a beacon to light your path, nor can I conceive that there is any legitimate ground to fear any encroachment upon your civic freedom.

The position as regards Europeans in the Services and discrimination against Europeans in other spheres of activity is quite clear, but I may briefly re-state the position. As regards the Public Services, it is the declared policy of Parliament to provide for the increasing association of Indians in every branch of the administration, and that policy is being loyally carried into effect by my Government. The extent to which it now operates has been made clear and definite by the measures taken by them, with the approval of the Secretary of State, to carry out the recommendations of the Lee Commission. The position, privileges, and prospects of Europeans in the Services have at the same time been clearly defined. As regards other measures, it is the expressed intention, as made plain in His Majesty's Proclamation, that in working the reforms there should be exercise of tolerance and mutual forbearance between all sections and races of his subjects, and leaders of the people and Ministers are expected to remember that the interest of the State is the paramount concern, and that true patriotism transcends party and communal boundaries.

In the instructions to Governors from His Majesty they are enjoined to maintain standards by good administration, to encourage religious toleration, co-operation and good-will among all classes, and to promote all measures making for the moral, social and industrial welfare of the people, and tending to fit all classes of the population, without distinction to take their due share in the public life and government of the country. Without going into the matter further, it is obvious that the intention of His Majesty's Government precludes racial discrimination directed against class in sharing the privileges and rights of citizenship, or in taking part in the industrial or commercial activity of the country. Let me assure that this intention stands no risk whatever of being misunderstood or forgotten. If I do not refer specifically to some of the points of details regarding the Services and the Territorial and Auxiliary Forces, it is not for want of interest, but merely because these matters are still under consideration.

The Second City of the Empire.

It is right and fitting that it is in Calcutta that I bid farewell to the European Association. No city in India can compare with Calcutta in the numbers of its European population Long and honourable has been the British connection with this great city. We are proud to claim it as the Second City in our Empire. Founded by British enterprise, developed by British energy, perfected by British and Indians working together, it stands a great monument of civilisation and culture. Many of its interests

are to-day controlled by Indians but no one can fail to regard it otherwise than as affording a great tribute to the British character, for it is a living example, under their initiation and guidance, of successful co-operation and of a happy fusion of the various interests of the two races in a common purpose. I cannot but find in this a good augury of India's future.

Let me thank you once again for your hospitality to-night and during the past four years. These annual meetings with your Association have been a source of great pleasure to me, and I am grateful to think that I leave your Association so firmly established. You may rest assured that I shall always cherish the expression of appreciation of your Association of such services as I have been able to render during my period of office.

The Viceroy-Designate.

I am about to depart from India. If I may be permitted to say it I am glad that I shall be succeeded by a distinguished gentleman, whose personality and character have been acclaimed by all political parties in England, and whose intellectual gifts led him, in comparatively early life, to a seat in the Cabinet. I am sure that he will be able to rely, as I have relied, on your sympathy and support. He will be able to feel, as I have felt, what an asset it is to India's future, that your Association is loyally striving to work with Indians for constructive progress in India, and that you bring to the common stock of Indian public life those standards of character and conduct which are your national pride, and that respect for law and order and that love of representative institutions which are your heritage.

Joint Annual Conference (Central and Branches)

The third joint annual conference of the Central Administration and Branches of the European Association, which was held at Calcutta on the 16th December 1925, was attended by a large number of members and delegates from almost all the branches. The proceedings were very lively and interesting. Sir Hurbert Carr, president of the Association, was in the chair.

A resolution restating the existing policy of the Association, as published in the Association's "Quarterly Review," was carried with two changes. The aims of the Council are to keep prominently before them, now read as follows:

(1) "The maintenance of British rights by all constitutional means, that is to say, rights founded on equal freedom and justice for the individual."

(2) "Practical sympathy with the Anglo-Indian and Domiciled Community in their political aspirations, and the fostering of a relationship of cordiality and co-operation with those Indians who are working constructively for the good of India."

Mr. W. W. K. PAGE'S resolution that "the conference believes that the best interests of the Association lie in close co-operation with all loyal Indians, that such friendship, if it is to be of a lasting nature, must be accompanied by a frank declaration of views and be based on mutual recognition of realities, and that the branches should endeavour to create more frequent opportunities for an exchange of views, between responsible Indian politicians and their members," was passed.

Mr. C. B. CHARTRES moved the following resolution:—"In view of the considerable amount of distress existing among Europeans in this country, due to unemployment, it is desirable that the European Association should endeavour to co-ordinate methods of relief with this object in view. This

conference recommends: (a) that each branch be asked to report to the Council on the conditions of employment in its district and on any organisation there for dealing with unemployed Europeans; (b) that, if no such organisation exists and conditions indicate the necessity for help, the branch be asked to form an organisation; (c) that the function of the European Association should be confined to promoting relief organisation where required and to giving and collecting information about the working of such organisations; (d) that the European Association examine the desirability of initiating legislation which will ensure the deposit by Europeans landing in India, either by themselves or on their behalf by those employing them, of a sum sufficient to defray the cost of repatriation should they at any time become a charge on their community or country". The resolution was carried.

Mr. F. T. Griffin CHAVE'S resolution, "This conference is of opinion that European education should be made a reserved subject under the Central Government" was also carried.

The following resolution, moved by Sir Willoughby CAREY, was carried: "This conference recommends the desirability of branches appointing at an early date representative local committees, or taking steps to initiate their appointment with the object of (a) collecting information about, and placing on record, charitable endowments and trusts existing in India for the benefit of Europeans and Anglo-Indians in this country; and (b) estimating the charitable contributions made by the European community in India for this purpose with the view of making recommendations for the consideration of the various religious and charitable bodies concerned for the better co-ordination of the charitable work of the community."

Auxiliary and Territorial Forces

Sir William CURRIE moved the following resolution: "This conference strongly opposes the recommendation of the Auxiliary and Indian Territorial Forces Committee to place the Auxiliary Force under liability for general service, and is of opinion that having in view the special circumstances of its members, any attempt to enforce this recommendation or to penalise employers will very seriously affect recruitment. This conference also considers that the employment of the Auxiliary force in time of war as a second line of reinforcements for the British Army in India is not practical. Further it would be a waste of much valuable material fit for the commissioned rank."

Sir William CURRIE asked whether it was wise from the point of view of commerce, which supplied the sinews of war and from the point of view of the military authorities, who were responsible for measures of protection that the Auxiliary Forces should be liable for general service when danger of invasion or other circumstances demanded it. Continuing, Sir William Currie said: "It must be remembered that once such liability is legalised the Auxiliary Force takes its settled niche in the scheme of protection, and the commercial community can then have no complaint when the military authorities call up the Auxiliary Forces. For the military authorities are, and must be, the sole judges of necessity for such action. And it would be manifestly unfair to any Commander-in-Chief or General Officer Commanding for the business community to attempt, when a crisis arose, to delay or postpone such mobilisation and claim exemptions for certain members of their staffs. The Committee in Para 14 of their report state:

"We have not overlooked the possibility that this extension of the liability of the Force may lead to the resignation of some of its members, but we believe that the elimination of these will add to the general efficiency of the Force, for, on the one hand, those who disappear will be the least desirable and those who hamper the training of the more enthusiastic, while, on the other hand, the knowledge that the day may come when they will be utilized to the full extent of their liability will be an incentive to the remainder to improve their efficiency."

Contining Sir William said: "I would go farther. It would not only lead to resignations, but it would ruin the Force, for one must remember that recruitment is voluntary. All the Force consists in the main of those employed in commercial pursuits. Is all commerce to be dislocated because of, say, serious trouble on the Frontier? Take my own office as an example. We have a European staff of 32 men, of whom seven are officers in the Auxiliary Force and 15 are in non-commissioned and other ranks. If the Forces are called up, 22 out of 32 would be under a solemn obligation to leave as required for any part of India, leaving 10 to carry on the shipping and mail services, mills and other industries. It is not practicable. This office is by no means singular in this respect. I know of one which insists, in its agreement with its assistants, that they must join the Auxiliary Force. I know of another which would be left with one member and two partners. Most of us do our best to assist the Auxiliary Force, but I think it may be taken as absolutely certain that if this general service recommendation is accepted by the Government of India, in self-defence the commercial houses will forbid more than a very small percentage of their assistants to join the Auxiliary Force, and this will mean a reduction of the units of the Force to a strength which will be of little military value as a second line of defence to the British Army in India.

"Similarly with other units outside Calcutta. I refer to the Cossipore Artillery, Assam Light Horse, etc. Are the jute mills and tea gardens, with thousands of labourers, to be left with no directing hands? Members of the Auxiliary Forces should only be called upon to perform purely local service and training sufficient to fit them for such service. The reasons for this are obvious in this country. Those from whose ranks the major portion of the Auxiliary Forces are drawn are the controlling and directing force of the various business of the country, and if they be taken away either for a long period of training or on active service, most of the business would cease to function, the least serious result possibly being the throwing out of employment of a large number of Indian workmen and others.

"At home their places might be filled, but such is not the case here, where large businesses employing hundreds of people are managed by a handful of Europeans".

Sir Willoughby Carey seconded the resolution which was carried.

Further Resolutions

The conference also passed the following resolution: "This meeting of the delegates of the branches of the European Association in annual conference calls the earnest attention of those directing the activities of the British commercial and industrial concerns to the vital necessity of assisting the British community in India to provide suitable representatives for public work.

Careers in the Colonies.

Another resolution, moved by Mr. F. E. JAMES, was carried. The resolution runs: "In view of the difficult economical position of Europeans in India, this conference recommends that the Central Administration should consider in consultation with the Government of India, Indian educational authorities, and various Colonial Governments, the advisability of establishing a system of vocational training in India for the sons and daughters of domiciled Europeans, such as will fit them for useful careers in the Colonies.

Interest in Public Work.

Mr. Kenneth CAMPBELL, moving the resolution calling the attention of those directing the activities of British commercial concerns to the necessity of assisting the British community to provide suitable representatives for public work, said the reason for this expression of opinion was two-fold: firstly, because gentlemen who might come forward and take up the burden of public work were backward; and secondly, because in some cases where members were willing, senior partners or employers were not willing that they should do so.

Opposition by Firms.

Mr. W. S. J. WILSON, seconding the motion, said that while it was true that certain representatives of firms in Calcutta were allowed to do public work, it was equally true that more was now required of them. Firms should realise that the days were past when it was sufficient that one of the leading men of the community should rush up to the Central Legislature to take part in a debate on a subject of extraordinary interest to the community and then rush back to his commercial "gadi." Firms with vested interests and permanent stakes in the country should realise to-day that those interests were not as unassailable as they were in the past and that they were being assailed. The resolution was carried.

ANNUAL MEETING OF THE

Associated Chambers of Commerce

CALCUTTA—14TH DECEMBER 1925

H. E. the Viceroy opened the annual meeting of the Associated Chambers of Commerce of India and Ceylon at Calcutta on the 14th December in the presence of a large and distinguished gathering. Lord Lytton was present at the early part of the meeting. Besides delegates, there were also present Sir Charles Innes, Sir B. N. Mitra, Sir Hugh Stephenson, Mr. J. Donald, Maharaja Khaunish Chandra Roy, and Mr. G. P. Roy.

Mr. Kenneth Campbell, President of the Bengal Chamber of Commerce, in welcoming the Viceroy, expressed rejoicing at the progress which Her Excellency Lady Reading had made since her recent serious illness.

The Viceroy's Speech

The Viceroy, in reply, said :—

"I thank you most cordially for the warm welcome you have extended to me and for the sympathetic references you have made to Her Excellency Lady Reading. Her Excellency and I greatly appreciate your kindness. The many expressions of sympathy and kindly feeling we have received from all classes and all parts of India during her recent illness have been a source, not only of gratification to me, but strength and encouragement to Her Excellency. Let me thank you also for the kind terms in which you have spoken of myself and my work and of my connection with the meeting of the Associated Chamber.

Viceroy's Interest in Commerce.

"You have referred to the interest I have taken in commercial affairs. When I came to India, among the many conceptions I had formed, after much reflection, of the responsibilities of my high office, none was clearer in my mind than the necessity of keeping my finger on the pulse of commerce and finance and of maintaining the closest touch with the movement of its trade and industries. In my past experience I had been brought into contact with many aspects of those questions and had been convinced of the closeness of the tie which connects the prosperity and contentment of a country with the course of its trade and commerce. I had no illusions as to the depth of the reactions on the former which might be engendered by any severe determination in the latter ; nor did I leave out of my picture that trade and commerce are delicate plants of complicated structure, that they are easily affected in adverse ways by an atmosphere of political insecurity or of discontent, and that their normal course may not infrequently also run a risk of being impeded by misunderstanding in administrative measures. For these reasons, throughout my time as Viceroy I have kept a constant watch on the commercial and financial situation and everything that has a bearing upon it. It has had my most earnest attention. I have taken

active steps from time to time to press forward the consideration of any measures appearing to me to be beneficial to the general commercial welfare and I have always encouraged the officers of my Government to maintain the closest touch with the commercial associations and businessmen at the chief centres of trade and industry.

The Year's Trade.

"I greatly appreciate your references to the extent to which your views received attention and consideration at the hands of my Government. The annual meetings of the Associated Chambers have afforded me a valuable opportunity of addressing you personally in regard to questions of interest to us and have enabled the members of my Government to exchange views and take part in comfortable discussions with those well qualified to speak on those subjects. I greatly regret that this is the last occasion on which I shall address the representatives of the Associated Chambers, but you may rest assured that my sympathy in all that concerns the welfare of that part of India's activities you represent will never flag and that even after I lay down my office, as far as distance and time permit, India's commercial problems will continue to evoke my keenest interest and command my understanding sympathy.

"Before passing to other subjects, let me dwell for a moment, as has been my custom in the past, on the general course of trade in the present year. It could hardly perhaps be expected that the high watermark of last year's activity could be consistently maintained. Some pause was, in fact, evident in the first few months of the year 1925-26, and the bulk of trade moving was somewhat less than in the same period of the previous year. The wheat harvest also did not fulfil its early promise. Nevertheless, as the cold weather started, goods began to move more easily and during the last four months railway earnings have exceeded those of the same period of last year. The price of several commodities has fallen. The Tariff Board reported in July that the heavy imports of iron and steel of last year had been absorbed into consumption and that stocks had returned to normal. The more remarkable items of the changes in prices have been the rise in the price of raw jute, due to a short crop, and the fall in the price of raw cotton piece-goods and coal. Other features calling for observation are the continued stability of exchange and the hope of improvement in the mill situation in Bombay following on the cessation of the strike. I recognise that there has been considerable depression in business in Bombay, but I trust fortune may now take a turn for the better and that the outlook may prove more hopeful.

Steady Expansion.

"Generally speaking, it would appear that in India as a whole there is abundant business to be done and though the margin of profit will, doubtless, be less than in some past years, the volume of demand is present and the atmosphere is favourable for steady if slow expansion of activity.

"The year has been marked by two events of outstanding importance in their possible reactions on trade and commerce. I allude to the arrival of the Currency Commission in India and to the suspension of the Cotton Excise Duty. The enquiry which the Commission have undertaken of advising on the complicated and technical issues of currency and exchange is a most arduous task, and I trust that the freest and fullest assistance will be given to the Right Hon. Hilton Young and his colleagues in their

investigations. I need hardly point out that the decisions which will be arrived at on their recommendations must necessarily be of the greatest importance to commercial interests and to the development of India's resources. I feel sure that this aspect of their labours will be realised by all members of the commercial community and I look to them to give the Commission the benefit of their own knowledge and experience. I am confident that the Commission will make a most valuable contribution to the solution of these problems which are of special difficulty and affect the general prosperity of the country in a marked degree.

Cotton Excise Duty.

"As regards the Cotton Excise Duty, the statement issued by me at the time of the promulgation of the Ordinance will have made the reasons for my action clear. My Government was under a promise to remit the Duty when financial considerations permitted its removal. At the time of the last Budget, we decided that considerations did not permit removal at that time and that preference in using surplus must be given to the remission of provincial contributions. The Legislative Assembly at the time made gestures in favour of abolition, but were in substance in agreement with the course then taken.

"Meanwhile the situation of the mill industry in Bombay became serious. In September last the Assembly again discussed the question of the duty and voted for its suspension with full cognisance that suspension would involve abolition. It was the middle of the financial year and the position as regards prospects and commitments was still uncertain. Ordinarily, legislation for the abolition of taxation would properly come under consideration only at Budget time. We were not prepared on the data then available to commit ourselves in September last to the abolition of the duty in the next Budget and it was idle to consider suspension unless it was to be followed immediately by proposals for abolition. Later, when the year had declared itself more fully and we had more detailed estimates before us of financial prospects, we determined that no serious financial risk would be incurred by suspending the duty forthwith for the remainder of the year, with the intention of proposing abolition in the next year, and after consultation with my Government and reference to the Secretary of State, and with their full approval I at once took the step of promulgating an ordinance to suspend the duty with effect from the 1st of this month. In view of various observations in the Press, I desire to emphasise that the statement issued by me with the Ordinance contains a plain recital of the facts and reasons that led to my action. No conditions, expressed or implied, are attached to the suspension. The beneficial effect of this action in the situation in Bombay was immediate. I have been gratified to observe that the owners lost no time in meeting the grievances of the mill-hands and restoring the cut in wages. The strike has ended and the mills are at work again. The Associated Chambers have no doubt also read the statement issued at Manchester by the Cotton Spinners' and Manufacturers' Association on the 1st December, and have appreciated, as I have, the frank acceptance by Lancashire interests of the action we have adopted to carry out a long-standing promise and to ease the difficulties of our mill industry in India.

Improvement of Agriculture.

"I do not propose to dwell on the agenda before you, save to express my gratification on observing that it includes a resolution regarding

agriculture. With the general principle stated in the earlier part of that resolution, all those who knew Indian conditions will, I feel sure, cordially agree. It would be premature for me to make any announcement, but without betraying confidence I may inform you that I and my Government have been in communication with the Secretary of State for some time past on the question, and that we have invited the views of the Local Governments in regard to definite proposals for the improvement of agriculture. The recommendations we may eventually make to the Secretary of State must await the views expressed by the local Governments. But the Chambers may rest assured that the subject commands the attention that its importance to the country and to commerce in particular demands.

"As this is the last occasion on which I shall address you, it would be of interest to review the general conditions prevailing during my term of office and their effect upon the course of trade and commerce. On my arrival in India, I found the commercial situation gloomy, prospects depressing, and the commercial community in a state of discouragement. The 31st March, 1921, brought to a close a most abnormal and disastrous year in Indian trade. The year 1919 had been marked by a good monsoon. The true economic efforts of the World-War had not had time to declare themselves and there was a general boom in trade. The serene sky changed with startling rapidity. In 1920-21 the monsoon was poor, public expenditure exceeded public revenue by Rs. 26 crores, the favourable trade balance changed into an adverse balance of Rs. 80 crores, outlets for Indian produce, as for example tea, continuously contracted while the Indian markets were congested with large stocks of highly valued exports. Exchange had fallen to 1s. 3d.

Position in India in 1921.

"In March, 1921 prices were speedily receding from the high pitch of the previous year, credit throughout India was severely shaken; nor were other conditions calculated to inspire confidence. The political atmosphere was heavily charged. The Reforms appeared to have started on their journey under unfavourable auspices. If the commercial and financial situation was depressing, there were equally sad features in the political situation which tended to make merchants discouraged and depressed. A period of difficulty and stagnation followed, in spite of the high prices still ruling for many commodities. The total value of the sea-borne trade, exports and imports, touched a lower figure than in any year from the close of the War up to the present time. Nine months later, in January, 1922, the President of the Associated Chambers, in opening the annual meeting, expressed the general despondency in the words which we no doubt recall. What is before us, it is impossible to say, but we must admit there are great masses of black clouds ahead out of which anything may be expected. In addition to other troubles, the conditions of the years of the War had prevented the proper maintenance of many of the services on which the general prosperity of the country depends. This was notably the case as regards Railways. Large arrears of renewals and of replacements had accumulated and expansion naturally was severely impeded. All trades and industries were adversely affected by their conditions, though, fortunately, the time of severest difficulty was not always the same for each trade. Tea which was one of the first industries to experience a heavy setback, was also one of the earliest to revive. It is due to the concerted

measures taken by that industry and to the loyalty with which they were carried out by individual members that tea of the standard grade fell rapidly in eight months in 1920 to 4d. a pound. But by 1925 the exports were greater than they had ever been in quantity and fetched satisfactory prices.

Brighter Prospects.

In other trades recovery has not been so strongly marked or so rapid. Many other branches, for example piece-goods, jute, cotton manufactures, iron and steel, and general exports and imports, have had to undergo almost similar difficulties. Recovery from the bed level of 1921 must necessarily be built up slowly. Debris had to be removed and confidence restored. Economic dislocation still prevails in other countries, but a comparison between the present state of trade and that prevailing in 1921 appears to me to show that India has come through this trial more successfully than many other countries and I am full of hope for the future. India has no real concern with luxury trade, and the commodities dealt in are every day needs. In this respect, demand has revived at lower prices it is true, but, in my view, at healthier levels. There have been satisfactory monsoons and the general prospects are far brighter. The balance of trade turned once more two years ago in India's favour. India's trade prosperity in view of her large population and low average of individual buying power, depends on large quantities of goods circulating at low prices rather than on small movements at high prices. It is very noticeable that when prices of articles in common demand, such as piece-goods, rise sharply the decrease in consumption is immediate. Whereas in 1920-21 the weight of goods exported from India, for which records are by weight, was a little under 6 million tons, in 1924-25 it had risen to 10½ millions tons. Taking exports and imports of the same class of goods together, volume of goods which left and entered India last year was 65 per cent. greater than the export and import totals of 1921. In value, the figures of last year show that 1924-25 was the best trade year India has ever had. The total value of exports and imports exceeded the striking figures of Rs. 650 crores. The indications are that the figures of the current year will be only slightly, if at all, lower than those of last year.

"It is not easy to analyse the causes which have contributed to the notable change between the commercial situation in 1920-21 and the present day. To a large extent world conditions have contributed, though, as I have already observed, I believe that conditions in India have improved more rapidly and in a more marked degree than in any other country. Good monsoons have undoubtedly played a large part in the change, but its change has not been wholly fortuitous. A large measure of the alterations for the better is undoubtedly due to the grit and energy with which the commercial community in India have faced the problems before them, and to the steps which my Government have been able to take for the improvement of the facilities for trade and industry; and it must not be forgotten that the improvement of the political situation has engendered a feeling of stability and continuity and restored confidence. Internal security has once more emboldened the timid to new ventures and revived the normal course of trade.

The improvement in the general revenue position of the country in the last five years has been no less striking. In 1921 my Government were struggling with the financial difficulties consequent on the War. The great

rise in prices, the heavy charges involved in the increased pay of establishments, and the special expenditure incurred in the defence of our frontiers added enormously to our expenditure. We had a deficit in each of the years 1919-20, 1920-21 and 1921-22 of over Rs. 20 crores. In 1922-23 the deficit was Rs. 15 crores. The position has now completely changed. Not only has the Budget been balanced, but last year we were able to show a surplus of over Rs. 2 crores, and a beginning was made with the reduction of provincial contributions, and the general financial position of the provincial Governments is now substantially better than it was five years ago. We have also been able to suspend the Cotton Excise Duty with the confident hope of being in a position to remit it entirely during the next session of the Assembly.

Cuts in Military Expenditure

"To these results, Providence has contributed the gift of good monsoons. But the present satisfactory financial outlook could hardly have been brought about even with these blessings, except for the far-reaching and energetic campaign of retrenchment, powerfully assisted by Sir Malcolm Hailey when Finance Member. We owe a debt of gratitude to Lord Inchape and his colleagues for the very valuable advice we received from the Committee over whose deliberations he so ably presided. I wish also to allude to the very ready and loyal help which I received in the reduction of military expenditure from the late Lord Rawlinson. Bearing fully in mind his great responsibility for the efficiency of the defence of India, he nevertheless threw himself wholeheartedly into the search for avenues of economy and afforded the greatest assistance in furthering the end we had in view. The magnitude of the achievement and the searching nature of the enquiries may be realised by the figures. Expenditure was reduced in connection with the Budget for civil expenditure for 1922-23 by Rs. 8 crores and Rs. 35 lakhs. The Budget estimates for military expenditure in the same year amounted to Rs. 67¾ crores. The figures for net military expenditure after introduction of the economics advised by the Committee have been in 1922-23 Rs. 65·3 crores, in 1923-24 Rs. 56·2 crores, and in 1924-25 Rs. 55·6 crores.

"The great improvement in our financial position may be measured not only by our balanced Budget, but by the marked amelioration in the credit of the Government of India in the loan market. In this and many other improvements in our financial arrangements the skill, energy, and experience of Sir Basil Blackett, my present Finance Member, have been of the greatest value. A few years ago we had a floating debt of over Rs. 50 crores of Treasury Bills outstanding. These have been rapid. We have been able to borrow at progressively better rates, and in the current year we have dispensed with a cash loan in this country, and in England have been able to fund on what appear to be satisfactory terms a substantial proportion of the short term debt maturing in the near future.

Tribute to Imperial Bank.

"The recently published report of the External Capital Committee has laid stress on the importance of developing India's own latent sources of wealth to assist her material development. I hope for a notable advance in this respect and look in this direction for the solution to a considerable extent of the problem of financing the development of the country. To this the creation of the Imperial Bank, established in January, 1921, has

already materially contributed. I have watched the development of this institution during the past five years with constant interest. It has benefitted the trade of the country to a great degree already by the extension of branches, by centralising for employment in the interests of trade the Government balances in a manner which was impossible before its creation, and by the provision of increased facilities for remittances. It has already taken its place among the great banks of the world, and I am confident of the success awaiting it in the future. The last five years have been marked by great energy in administrative re-organisation and constructive legislation.

"The War had necessarily impeded progress in both these directions. In no direction, perhaps, has this advance been more remarkable than in the case of the Railways. Following upon the recommendations of the Acworth Committee and the advice of the Inchcape Committee re-organisation has been set on foot which has raised the railways from a state of inefficiency and of being a charge to the State to a position where they provide an adequate return on capital invested and efficiently cope with the growing needs for transportation. The stages of this change are to be found in the decision of the Legislature to provide a steady annual grant for five years for capital expenditure, the re-organisation of the Railway Department under Sir Clement Hindley, Chief Commissioner for Railways, effective economy in current expenditure, the separation of Railway finance from general finance, the establishment of reserve and depreciation funds, and the adoption of a forward policy in the construction of new lines of a remunerative character.

Increased Railway Profits.

"Among these measures I class, as of special importance, the separation of railway finances. I cannot too highly praise the good sense which the Legislature brought to bear on the discussion of this measure. It enabled the Railway administrations on the one hand to pursue a steady policy of extension and improvement; while it secures to the State a regular and increasing return from railway investments. The acceptance of the principle that railway profits, so long as the State is assured of a moderate return on capital invested, should be utilised for railway purposes, is of primary importance to the efficiency and development of the railway systems of the country and the general prosperity itself. Time will not permit me to enter into the numerous improvements effected or under contemplation. It will suffice to let the figures speak for themselves. With the progress in rehabilitation and extensions, the number of tons of goods originating on railways has increased from 63·5 millions in 1921-22 to 87 million tons last year, while miles increased from 17,700 millions in 1921-22 to over 21,000 million in 1924-25. On the financial side the working of railways in 1921-22 formed a very heavy charge on the revenues of the country. All this is now changed. The net profits after paying all interest amounted to Rs. 1·22 crores in 1922-23 to Rs. 6·47 crores in 1923-24, and Rs. 13·50 crores in 1924-25. While my Government are conscious that there is much still to be done in improving railway facilities in relation to passengers and goods and generally, there is every reason to be satisfied with the remarkable progress made reflecting great credit on those responsible for railway administration.

"In connection with commerce and industry, number of other constructive measures have been put into execution. I need only refer to two

of them. The Members of your Chamber are well acquainted with the history of the Fiscal Commission, and the operation of the Tariff Board which had its origin in that Commission's recommendations. These measures were of great interest in the constitutional aspect from their connection with a convent recommended for adoption to His Majesty's Government by the Joint Parliamentary Committee in order to secure a greater measure of freedom for India in working out her own fiscal policy.

Protection in India.

"Protection is a difficult subject and has its critics in principle and practice. Protection in India, however, is given for definite periods only and the whole question is subject to discussion and reconsideration periodically at the proper moment. Meanwhile, the Tariff Board may be congratulated on the great care and thoroughness with which they conduct their enquiries. The recommendations of the Board are also minutely scrutinised by the Legislature. As a result, no protection is given until a case for help is thoroughly made out and has stood the test of public examination. The amount of assistance to be given is also very rigidly tested by my Government and can be described in any case as erring on the side of undue generosity.

"I have given personal attention to the complaints about delays in judicial proceedings and in the execution of decrees which are specially vexatious in commercial suits. The recommendations which Sir George Rankin's Committee have made have proved of the greatest value. Several suggestions have already been put into effect, and other reforms recommended in civil procedure are under discussion with the Local Governments and High Courts. I confidently look for a considerable degree of improvement in the method of procedure as the outcome. The past five years have been a period of considerable activity in constructive legislation.

"After a full enquiry, and in consultation with the trades concerned, the Legislature has passed measures to improve the methods of trading in cotton and coal. The Cotton Cess Act has also become law, which is intended to facilitate developments both in the quality and production of Indian cotton in the interests of traders, mill-owners and agriculturists. An Insurance Bill is in circulation for opinion, and will, I trust, receive the most careful study and thought in commercial circles. Measures for the training and registration of auditors to ensure a higher standard of professional training and practice, so necessary in view of the expansion of joint stock companies in India, are also under consideration and commercial opinion on the proposals will be shortly invited.

"The administration of shipping and ports also is receiving most careful attention. A Shipping Bill has been prepared as a first instalment to deal with coastal lighting. The rules with regard to the safety of life on ships at sea and the carriage of deck passengers, have been entirely overhauled and brought into consonance with modern requirements. The last five years have seen remarkable progress in labour legislation. Indeed, more has been accomplished in the period than in the whole preceding generation.

"There has been a radical revision of the Factories Act introducing a 60 hours' week, the exclusion of children between the ages of 9 and 12, the abolition of night work for women and other reforms. The new Mines Act enforces somewhat similar reforms, a curtailment of hours, a weekly rest day, and the stoppage of child work. Antiquated legislation dealing with

breaches of workmen's contracts has been repealed. The Workmen's Compensation Act has introduced for the first time a comprehensive system for alleviating hardship caused by industrial accidents. A Bill to encourage and protect healthy trades union organisations is before the Assembly. The question of providing means of conciliation in trade disputes has been thoroughly explored, but it would be premature to legislate on this question until the Trades Union Bill has become law. In the measure we have adopted the employers have been fully taken into our confidence in the preliminary stages and their readiness to co-operate, even where their immediate interests were to some degree prejudiced is most laudable. Some may think that the pace of reform in labour legislation has been unduly rapid but our action has followed that adopted by most civilised countries and is in accordance with principles which will scarcely be disputed. The measures placed on the Statute Book have been, in my view, well considered. They were designed to meet genuine needs and to remedy admitted defects. I am convinced that public opinion generally will regard them, as experience in working the rules is gained, as not only necessary when judged by ethical standards and directly beneficial to the workers concerned, but as actually advantageous also to industry generally.

Sir Charles Innes' Work.

"I cannot pass from the subject without placing on record my high appreciation of the valuable assistance I have received from Sir Charles Innes, Member-in-Charge of the Department of Commerce and Railways. He has brought the highest qualities to bear on the difficult problems that faced him throughout those years and has addressed himself to the solution of these intricate questions with the most laudable energy and with great gifts of perception, intuition and sympathy. In all measures his efforts have been most ably seconded by Mr. Chadwick, the Secretary in the Department.

"I am also greatly indebted to the Member-in-Charge of the Department of Industries and Labour, formerly Sir A. Chatterjee, High Commissioner for India in London, and now Sir B. N. Mitra. It has been a period of busy constructive work in the Department, and I am convinced that the greatest care and foresight have been exercised in dealing with the difficult measures which have been introduced to the lasting benefit of the Industrial expansion of India.

The Economic future

"When I passed the last 4½ years in review I naturally fell into speculation as to what the years to come holds in store, from what angle of view will the businessman be justified in regarding the future prospects for trade in India, and to what lesson do the dramatic events of the quinquenuium point, I felt that in a period in which the prices of many commodities are still falling my review might seem to take too optimistic a direction. All trades and industries have not yet recovered the stability which characterised commerce in pre-War years. In certain industries there are still adjustments of prices needed before consumption approaches pre-war standard. It may, indeed, be urged that though the volume of trade is increasing it is still hard to get business, and there is little profit in it when obtained. Nevertheless, I do believe that even if it is harder to get, there is business

in plenty to be done. Recovery may be slow—it must be slow after acute depression—but a slow and sure general progress is far better than short spells of dramatic profits in a few trades. I am convinced that the change in the past five years have been radical and is wholly salutary. The Conditions are settling down steadily but surely to a stable situation, the best seed bed for trade to grow. Perhaps the margin of profit may not be large, but the bulk of the business is there. Let me once more remind you that the total value of imports and exports last year reached the striking figure of Rs. 650 crores. Every day communications and transport facilities are opening up and remittance resources and other machinery for trading are improving. Full stability, I admit, is not to be secured until it is also established in other trading countries of the world. But the Pact of Locarno will, I am confident, help to remove the obstacles, and the day is in sight when the people of the world will once more be in a position to devote their attention to the peaceful avocation of trade and commerce. Meanwhile, the lessons of the past years show that in government and business alike the new conditions call again, as in the past, for continuous application, for unceasing attention and unremitting energy, so that when the day comes India may attain her high and honoured place in the great comity of the trading countries of the world.

"Gentlemen, I must now bid you goodbye. I leave you with confidence in the future of the commerce and industry of India and I cordially wish you and those associated with you, from the highest to the lowest, all good fortune and prosperity".

Resolutions.

Business Losses and Income Tax.

Sir William Currie, of the Bengal Chamber, moved "That this Association again impress on the Government the equity of making provision for business losses when computing income-tax, and strongly recommends that it should be made permissible for an assessee to carry forward losses for a period of three years."

Sir William Currie observed that they could, in all reasonableness, request the Government to give out of the surplus Budget revenue the greatest consideration to the claim for relief from a position which was unfair to a business assessee. The permanent method of assessing taxation was entirely one-sided, for, when times were good the Government took full share of the profits, but when times were bad they became of no interest to the Inland Revenue Department, which waited above them vulture-like until they again raised their heads above water when the shingling process recommenced. It was a case of "Heads I win, tails you loose."

The resolution was carried.

Supertax on Companies.

Mr. V. A. Grantham, on behalf of the Bombay Chamber of Commerce, moved: "That this Association recommend to the Government of India that the imposition of the supertax on companies in India be discontinued at an early date."

He said it was true that the supertax was now levied at the so-called flat rate on the whole profit of a company with a free half lakh, and no longer at a graded scale of rates on the undistributed profits of a company. They contended that the principle of the tax was unsound, and the free half lakh had the effect of making the tax a graded tax instead of a flat rate tax. He held that the tax was inequitable. The total income of the average investor was below the supertax mark. Why, then, should he be called upon to suffer a supertax at all in regard to that portion of his income which was invested in companies ?

Sir William Currie seconded the motion, which was carried.

Industrial Statistics.

There was an interesting discussion on the resolution of Mr. Grantham, urging that the preparation of industrial statistics providing a continuous record of the economic condition of the working classes should be undertaken by the Central Government and not by provincial Governments.

Mr. Grantham stated that the resolution had probably greater interest to the Bombay Chamber than to other Chambers, for not only had they an active labour office, but labour had reached a more advanced stage than in other provinces and they had, in consequence, more than their share of labour troubles. As a result the Bombay Government had threatened them for the past three years with a Statistics Bill entailing the compulsory collection of industrial statistics. What they had to determine was the real purpose that lay behind the collection of industrial statistics and statistics showing clearly the manner and means by which their chief industries were run. Industries which to a great extent competed with similar industries in other countries should be of prime interest to those who were responsible for shaping the tariffs and industrial policy of the country. He was, therefore, of opinion that legislation dealing with their collection should be a matter for the Central Government, or else they would be robbed of much of their economic value.

Sir B. N. Mitra regretted that the mover had dragged out the question of legislation in industrial statistics. The points, in his opinion, to be considered were, whether they considered it necessary that legislation should be undertaken for collecting statistics. If their point was to take exception to certain actions which had been taken in the past on the subject by a provincial Government he stated that that matter had already been settled by representatives of the Bengal Chamber of Commerce when that measure came up before the Legislative Council of that provincial Government.

The resolution was opposed by Mr. C. R. Wood of the Madras Chamber.

Mr. S. H. Taylor, of the Upper India Chamber moved an amendment that the following words be added : "without committing ourselves to the opinion that the unlimited collection of statistics is desirable or necessary. This Association is of opinion, etc.

The amendment was carried.

Water Hyacinth Pest.

Mr. Clerk, of the Bengal Chamber, moved : "That this Association urges on the Government the necessity for legislation enforcing the destruction of the weed known as the water hyacinth."

He said it was a serious pest and had become a distinct menace to agriculture and commerce in Bengal in the neighbouring provinces and in Naraingunj. The Chamber had previously brought the matter to the notice of the Government but apparently nothing had been done. It was for Government experts to decide the form of the legislation necessary.

Messrs. A. R. Leishman, of Chittagong, and C. E. Wood, of Madras, supported the motion.

Sir Hugh Stephenson, on behalf of the Bengal Government, said there was a growing feeling in Bengal with regard to the water hyacinth pest. The Irrigation Department was experimenting a method of eradicating the evil weed.

The motion was carried.

Stamp Duty on Loans,

Mr. B. E. Eddis, of the Bengal Chamber, moved : " That in the opinion of the Association underwriting charges such as stamp duty and other expenses incidental to the re-issue of a loan raised for capital work by a local authority, such as a port trust, are originally chargeable to capital."

Sir Charles Innes said that the Government of India would pay attention to the views of the Associated Chamber on the subject.

The motion was carried.

Competition with Japan.

Mr. V. A. Grantham of Bombay, moved : " The Association recommend to the Government of India that the Convention with Japan of the 5th March, 1905, be terminated as soon as possible."

He said he did not disguise the fact that the carrying into effect of the resolution would open the road to a tariff war with a foreign country, and he did not pretend to know whether India was ready or fit for a tariff war. Japanese competition, as far as Bombay was concerned, meant competition in the yarn and piece-goods trade. But it did necessarily mean dumping. By dumping he meant selling goods in a foreign country below the cost of production. He was not able to say whether the Japanese had resorted to dumping or not, but he knew that they were competing with them very seriously in the piece-goods and yarn trade in India both in regard to the local industry and Lancashire goods, Japanese goods being sold at so cheap a rate that they were causing the local mills to work at a loss in order to retain their business, and were making serious inroads into the Lancashire trade. If that competition continued, the expansion of the local industry would be stopped owing to the unfair competition. The local mill production had to be sold at below cost price, and no industry could stand up against that indefinitely. The only way to deal with the external competition was through import tariff, and that brought them against the convention made with Japan.

Mr, C. E. Wood, of Madras, opposed the motion.

Mr. C. B. Charters, of Bengal, suggested that the best way of bringing pressure on Japan would be for India to get into touch with other nations who had signed the Convention, instead of working alone, and to take concerted action. If the resolution was carried 33 per cent. of the export trade with Japan, of Bengal, and Bihar would be in danger. He opposed the motion, which was lost.

Resolutions were carried recommending the adoption of a conventional rate of exchange for the purpose of comparing sterling and rupee tenders and converting the former at selling rate for Telegraphic transfer; urging the extension of exemption from income-tax to working partners; limiting the amount to Rs. 3,000 per month; and also suggesting an adequate provision of funds for the Meteorological Department.

2ND DAY—15TH DECEMBER 1925.

Early Announcements urged.

The conference of the Associated Chambers of Commerce concluded its session on the 15th December.

Mr. V. A. Grantham, on behalf of the Bombay Chamber, moved a resolution requesting the Government of India to announce their purchases of sterling for remittance to England immediately after each purchase, instead of at the end of each month, as was done at present. He said that his Chamber did not regard with any favour the system under which the Government now purchased sterling. They much preferred the purchases to be by public tender, and they had submitted evidence to that effect to the Royal Commission on Indian Currency. It appeared to them that when the Government were buying remittances in large quantities it was very difficult for traders in banks to form any idea as to the trend of the exchange market, or indeed, how to operate at all when they had to wait till the end of a month to know exactly.

Sir Charles Innes said that the Finance Member preferred to continue the present arrangement. The question had been referred to the Currency Commission.

Mr. C. E. Wood (Madras Chamber), opposing the resolution said that the hands of the Government should not be tied.

Mr. Grantham proposed the following amendment to the resolution :— " If the Government are unable to accept this suggestion this Association will welcome a weekly announcement.

The amended motion was carried.

Development of Agriculture.

The Chamber next adopted a resolution moved by Mr. Grantham, recognising that the prosperity of trade and industry in India depended to an overwhelming degree upon the purchasing power of the people, and that such purchasing power could not be increased materially except by the development of agricultural productivity in India, and welcoming the decision of the Government of India to co-ordinate the activities of agricultural development in the various provinces.

Mr. Grantham said that the prosperity of India could not be increased materially except by the development of agricultural productivity. Was it not, he asked equally true that unless the purchasing power of the people of India was substantially increased modern methods of manufacture in this country with or without the artificial stimulus tariffs, would rapidly reach their limit of expansion? He advocated the spread of agricultural knowledge amongst the educated classes, and believed that the Agricultural Departments wanted the backing of the Legislature.

The Chamber recommended that no further facilities should be given to municipalities and in particular to those municipalities connected with ports through which a considerable through trade passes to levy non-refundable terminal taxes.

Mr. Grantham said that taxation of that type was wrong in principle and that all terminal taxes should be abolished and other taxes substituted.

Sir Charles Innes said that the question was one of great importance and touched the fiscal policy of the Government of India. The matter was referred to the Taxation Committee, but that Committee's report had not yet been published. The opinion of the Associated Chambers would be of great assistance to the Government.

Bills in Foreign Currency.

The last resolution adopted by the Associated Chambers urged the Government of India to undertake legislation without further delay to provide that in the absence of any express stipulation to the contrary, all bills drawn in foreign currencies be payable at the rate of exchange ruling on the date of actual payment.

Mr. Grantham said the whole question was whether the rate of exchange for bills drawn in foreign currencies should be calculated as at the date of payment or the date of maturity. A Bombay High Court judgment ruled that it should be the date of maturity, and it was to rectify a want of equity and the restriction of credit involved in that judgment that they suggested legislation on the lines of that obtaining in Hong Kong.

Sir Charles Innes explained that their legal advisers had told them that the difficulty could be overcome without legislation. It was found that all Chambers had not unanimously accepted the suggestion and that certain Indian Chambers had opposed it. He asked the Associated Chambers to address the Government on the subject, putting forth their views in the matter.

The conference then terminated.

Official and Non-Official Reports

REPORT OF THE

Assam Opium Enquiry Committee.

MEMBERS OF THE COMMITTEE.

President :

Sjt. Kuladhar Chaliha, B.L., M.L.C.,
President of the Assam Provincial Congress Committee.

Members :

Sjt. Tarun Ram Phookan, Bar-at-Law, M.L.A. (Gauhati).
,, Nabin Chandra Bordoli, B.L. (Gauhati).
,, Krishnanath Sarma, B.L.,
Secretary of the Assam Provincial Khadi Board. (Jorhat).
,, Ambicagiri Roy Chaudhuri,
Editor of "Chetana" (Gauhati).
,, Omeo Kumar Das, B.A.,
Editor of 'Assamiya' (Dibrugarh).

Secretary & Member :

Sjt. Rohini Kanta Hati Barua, B.A., M.L.C.,
Secretary of the Assam Provincial Congress Committee.

Co-opted Members.

1. Sjt. T. P. Chaliha, B.A. (Cal.) LL.B. (Lon.),
Bar-at-Law, M.L.C., Chairman, Sibsagar Local Board, (Sibsagar)
2. ,, Durgaprasad Borthakur, B.L.,
President, District Congress Committee (Sibsagar).
3. ,, Prasanna Kumar Barua, B.A., (Dibrugarh).
4. Maulvi Faiznur Ali, B.L., M.L.C.,
Leader of the Assam Nationalist Party of the Assam Legislative Council (Dibrugarh).
5. Sjt. Sarbeswar Barua, B.L., M.L.C.,
President, District Congress Committee, N. Lakhimpur.
6. Sjt. Chandranath Sarma, B.L., Pleader (Tezpur).
7. Dr. Jyotish Chandra Das, B.SC., M.B. (Cal.), L.M. (Dublin),
Medical Practitioner, Gauhati.

Chapter I.—Preliminary Statement.

To

The President, All-India Congress Committee,

Sir,

We, the members of the Assam Opium Enquiry Committee, having been appointed by the Assam Provincial Congress Committee in its sitting of the 20th June, 1924, to enquire into the opium habit, "which has caused misery, unhappiness, physical and moral degradation," among the Assamese people in general, beg to submit the following Report :—

In considering the matters referred to us, we have throughout borne in mind the terms of reference which laid stress on the "misery, unhappiness, physical and moral degradation," which the opium habit has caused amongst the Assamese people in general, and also on the fact that the Government policy regarding this problem is disapproved of by all schools of political thought in Assam.

We assembled at Jorhat on the 27th June, 1924, and addressed ourselves, in the first instance, to the task of revising and finally approving the terms of the provisional questionnaire, which had been drawn up by the Secretary of the Committee to ascertain the trend of representative non-official opinion on the subject comprised within our terms of reference. The distribution was undertaken on our behalf by the Assam Provincial Congress Committee, and it was also published widely in the press. We examined in all 325 witnessess in public and 20 submitted their written statements, making 345 witnessess in all who gave evidence.

The Committee started its itinerary on the 5th July, 1924, and the distance covered by it approximated to 1250 miles. Pressure of time and business, and consideration of economy led us to decide not to visit Golaghat, Mangaldoi, Barpeta, Goalpara and Dhubri. We concluded our itinerary on the 29th September, 1924.

In making this enquiry our difficulties have been many. Especially during the rainy season in Assam, we had to travel in the interior under the most trying circumstances, taking the help of all possible forms of conveyance, from a buffalo-cart to a small dug-out. Sometimes we found ourselves in small country boats, on a vast sheet of water, and sometimes in the midst of big jungles. Owing to these difficulties, on some occasions, we failed to reach our destination, in accordance with our published programme, because the boatmen lost their way in the flooded jungles. For these shortcomings, we owe an apology, especially to the people of Dhakuakhana and North Lakhimpur.

Out of the witnesses examined, and those who have submitted written statements, there were as many as 26 Government pensioners, 6 Rai Bahadurs, 3 Rai Sahibs, 1 Khan Sahib, 11 Chairmen of various Municipalities and Local Boards of the Province, 12 Jail-visitors, 15 Medical men, 7 Kavirajes (medical practitioners practising Ayurvedic treatment), 6 Mauzadars (Revenue Collectors), 2 Editors of Local newspapers, 54 Opium-eaters, 18 ex-opium-eaters, 6 women (including 3 opium-eaters). Over and above the examination of witnesses, we personally inspected villages, which were typical from the point of view of opium addiction.

We take this opportunity of recording our sincere and deep appreciation of the trouble and labour undertaken by Mr. C. F. Andrews, in coming

down on different occasions to Assam in order to infuse into us an earnest and practical desire for an enquiry of this nature, and finally to conclude the enquiry by revising the whole of our proceedings after a long stay in Assam. We also thank him for his efforts in obtaining help for us from the members of the All-India Congress Committee, who passed an important resolution protesting against the opium excise policy of the Government of India and supporting an enquiry into the opium habit in Assam. Furthermore, we would here express our special gratitude to him for his very arduous task in thoroughly revising this Report itself and writing an introduction to it, which explains the nature and importance of the subject. Without his expert aid and experience, we should have found it very difficult to carry through our work to its conclusion and to present concisely the facts which we have obtained.

We also wish to express our thanks to the witnesses, who so kindly appeared before us and submitted to our examination. The considered and exhaustive nature of their statements has been of the greatest possible assistance to us in forming our conclusions. We gladly record our obligations to the various District Congress and other Committees; to public bodies and prominent men for their courtesy in placing office rooms and other accomodation at our disposal and generally facilitating the examination of ous witnesses and helping us in every way for the accomplishment of our Enquiry.

As this the first investigation of a non-official character conducted in Assam by our body of workers, we would apologise beforehand for its deficiencies in many important respects, of which we ourselves are fully conscious. We hope, nevertheless, that, in spite of these, it may adequately serve the purpose for which it is required, namely, to give full public information concerning the opium sale, consumption and addiction in Assam. It must be remembered that this Enquiry was conducted for the most part in the Assamese language. It would have been far easier for us, therefore, to reproduce our evidence and our own comments in the vernacular of our province. But as we have a large purpose to serve, we have been obliged to translate everything into English. While the Report gains a wider circulation in this manner, we are painfully aware at the same time that it loses vigour and freshness.

We should make clear at once in this preliminary statement, that we have attempted throughout to carry through our investigations on non-party lines. Our sympathy with the Non-co-operation Movement we frankly acknowledge. Yet, as our list of witnesses will clearly prove, we have gone far beyond the bounds of that movement in gathering our information. We have found out, beyond any shadow of doubt, that the opium evil in Assam is regarded as a national disaster, under the shadow of which our whole national life is darkened. We have had no difficulty, therefore, in obtaining help in our enquiry from every party in the country. To the best of our ability we have endeavoured to keep out of our Report anything which would not be agreed to by those who may differ from us in politics, but are one with us in the desire to set our country entirely free from the opium habit.

Chapter II.—Assam and its People.

Assam is situated in the furthest eastern corner of India and is bounded

on the north by the Bhutan Hills and the Himalayas, on the south by Manipur State and Bengal, on the east by Burma and on the west by Bengal. The Chinese frontier is not far distant on the east and the Tibetan frontier comes near on the north. The opium question mainly affects the people living in the Brahmaputra Valley which forms the northern section of the Province. This valley is also called the Assam Valley.

The Assamese speaking people are residents of the six districts of Lakhimpur, Sibsagar, Darrang, Nowgong, Kamrup, and Goalpara. The tiny districts of Balipara Frontier Tract and Sadiya Frontier Tract, which are really continuations of Darrang and Lakhimpur districts, contain a small number of Assamese people. The old Assamese kingdom consisted of all these districts. The districts of Cachar and Sylhet, though now politically included in the province of Assam, are mainly Bengali-speaking and are not seriously affected by the opium habit. In fact, the district of Sylhet has one of the lowest rates of consumption in India.

In addition to the Assamese speaking race, the Brahmaputra Valley is also inhabited by (1) Mikirs (1,11,529) who are mainly residents of the Hills of Nowgong, Kamrup and Sibsagar ; (2) Kacharis (2,03,533) who inhabit the plains of Darrang, Kamrup, Lakhimpur, Goalpara and Sibsagar ; (3) Garo (22,526) who occupy the sub-montane tracts of the Assam Valley ; (4) Miris (65,284) who reside on the banks of the Brahmaputra and other rivers of the Assam Valley up to Darrang. These tribes speak their own tongue at home, but speak Assamese on all other occasions, and are included in the Appendix XIII, as indigenous people of Assam. Except those mentioned above, there are other people or tribes such as Khamptis, Singphos, Mishmis and Daftlas, who inhabit the hills of Assam and its borders, though their number is very small. They are also included in the category of the indigenous population in our calculation.

The following tables give the population (*a*) of the province (including Sylhet and Cachar which are Bengali speaking), (*b*) of the Assam Valley, (*c*) of the indigenous inhabitants of Assam proper.

(*a*) Population of the Province.

1881	...	...	5,129,301
1891	...	...	5,477,880
1901	...	...	6,126,945
1911	...	...	7,060,945
1921	...	...	7,990,246

This table includes the population of Manipur State as well.

(*b*) Population of the Assam Valley, including Garo Hills, given in lakhs.

1881	...	...	25,33,495
1891	...	...	25,87,228
1901	...	...	27,42,162
1911	...	...	32,48,319
1921	...	...	39,91,682

(*c*) Assamese speaking population including the bilingual tribes of the Hills and plains.

1881	...	19,20,726
1891	...	18,26,549
1901	...	17,73,484
1911	...	20,23,972
1921	...	21,13,569

From 1881 to 1901 there was a steady decrease in the indigenous Assamese speaking population.

This was chiefly due to the diseases of kala-azar, cholera, small-pox and malaria. Taken as a whole, according to the census returns of 1891 and 1901, the indigenous population of the Assam Valley, decreased by 5·4 per cent, between the years 1881 and 1891, and by a further 6·4 per cent. between the years 1891 and 1901. Only very slowly since the year 1901 has there been any recovery and the natural increase is still below the normal growth of population under average conditions.

It is among the indigenous Assamese race that the opium habit chiefly prevails and especially among the Hill tribes as they come down and settle in the plains. This one fact, that the opium habit is practically confined to the indigenous population, as a vicious habit of life, must be constantly borne in mind while reading this Report. For this reason, the itinerary of the present Commission was confined to the Districts where the Assamese population was most numerous, and all the witnesses were taken from these districts. We note that the same practice was followed by the Government Commission of 1913 of which Mr. A. W. Botham was the Chairman. The sixth District of Goalpara, which has a considerable population of Assamese, was not included by the Botham Commission in their investigations, because there is now very little opium taken there, even by the Assamese themselves.

The most serious factor of all, with regard to opium consumption in the Brahmaputra Valley of Assam, is that the evil has become most deeply rooted among the agricultural village population and the Hill tribes. The educated classes in the towns are practically immune. But in remote villages, such as those in North Lakhimpur, which are away from the centres of education in the towns, the opium habit has become ingrained and whole villages are subject to opium addiction. We have visited such remote areas and have found that the Government figures for opium consumption provide a record of the indolence and degradation of the village people. In proportion to the rate of opium consumption the deterioration of the villages is manifest. We have also found that the immigrant population in these areas, so long as it does not take to opium, remains healthier and more industrious than the indigenous population. At the same time, in certain areas where the immigrants have lived for a long time in contact with opium addicts, they also have contracted the opium habit with the same harmful effects.

It is necessary to repeat, by way of special emphasis, that in all that follows in this Report, one supremely important feature, for statistical purposes, must be never lost sight of for a moment. *We are not dealing with the whole population of Assam* (which now numbers eight million people and includes the populous districts of Sylhet and Cachar), but only with the Brahmaputra Valley and the surrounding hills. Even in the Brahma-

putra Valley, we are dealing chiefly with the indigenous Assamese population, and those Hill tribes which come down into the valley for the opium drug. We shall discuss at length the problem of the effect of opium consumption upon the neighbouring tea-garden labourers and other immigrants ; for it raises great and important issues. But the problem which will demand the main part of our attention will be the reduction of consumption among the agricultural Assamese villagers and the Hill tribes. The five districts which are chiefly affected are ; Kamrup, Nowgong, Darrang, Sibsagar and Lakhimpur. Of these five districts, the average records, over a period of fifty years, show clearly that Kamrup is the least heavily infected ; that Darrang comes next ; and that Nowgong, Sibsagar and Lakhimpur are the worst.

Chapter III.—Opium Consumption in Assam.

The opium poppy was already known to the Greeks in the first century and then to the Arabs and Persians, from whom it came to India probably during the Moghal period. The royalty and the nobles of the court of Delhi indulged in this drug, as it was commonly believed to vitalise the system. The prevalence of the opium habit in certain parts of the north of India is probably due to the spread of the drug to the common people from the Moghal court.

During the latter part of the Seventeenth Century, when the Moghals came into contact with the kings of Assam, it is possible that they sometimes sent '*affing*' (opium) as a present to the Assam Royal Court, and that from about this time the habit first came to be known in Assam. This theory is based more upon common report than on any authentic document, because in the daily records of the Ahom kings called 'buranjis,' no one has come across anything indicating the prevalence of the opium habit or even the receiving of such presents from the Court at Delhi. If the custom had been as common as now, or only slightly less, there would have certainly been some reference to opium, because these chronicles took care to describe the minutest details of the royal functions and the events of each day.

Naturally we look also into the Vaishnava literature of Assam, which is so rich in ancient documents, in order to find any reference in them to the opium habit among the people. But there, too, we fail to find any reference either to poppy cultivation or to opium addiction.

Though the omission in the chronicles and the Vaishnava literature cannot be conclusive as to the non-prevalence of the opium habit, yet it indicates fairly that the custom, if it existed at all, was certainly confined to the Royal Court and the nobles. That the Royal Court indulged in it at the end of the Eighteenth Century can be gathered conclusively from the Report of Captain Welsh, in 1792, to Lord Cornwallis. He describes the king, Gaurinath Singha, as "a poor debilitated man, incapable of transacting business, always either washing or praying ; and, whenever seen, intoxicated with opium." Again, in Captain Welsh's Report we read further, that he required a 'few boat-loads of opium' for sale, because it was useful for the purchase of rice, etc., for the troops. But these references do not give us the exact date when opium was introduced into Assam. It can, however, be safely inferred from them that the habit was there before the British actually occupied the country,

The history of the poppy cultivation after this epoch is fairly well-known. It is said that when Gaurinath Singha failed to rule the country properly, the Morans and Moamarias, the two religious sects, rose in rebellion; the small chiefs at Bijni and Beltola wanted to carve out kingdoms for themselves from the effete kingdom of Assam. To effect this, Krishnanarayan, the son of the murdered king of Darrang,—one of the Koch chiefs,—brought some Barkandazes, (mercenary soldiers) mainly Rajputs, from Northern India and Behar, who were more or less addicated to opium. These Barkandazes, after creating a reign of terror in Kamrup, remained with the Kock kings at Beltola, four miles from Gauhati, where they grew the opium poppy for the first time in the history of Assam, during Lakshmi Singha's reign, about the year A, D. 1795.

In the petition of Moniram Dewan, on behalf of himself and others, incorporated in Mill's Report in the year 1853, the following passage is worth mentioning :—

> " In Lakshmi Singha Raja's days, poppy seeds were first introduced from Bengal and first cultivated at Beltollah; but during his time opium was used only by a few respectable persons and not by the lower orders."

As Moniram Dewan was undoubtedly one of the outstanding figures in Assam at that epoch and a man of remarkable knowledge and intelligence, it is not likely that he would have made this statement without accurate information, which he could easily have gathered from those who knew the facts.

Captain Butler also supports the same historical position. In his book called " Travels and Adventures in Assam," published in 1853, we find the following reference to opium :—

> " Opium, it is said, was first introduced into Assam in 1794, when our troops assisted the Rajah against the Muttocks."

The above passages indicate that the cultivation of the poppy was practically unknown in Assam before it was introduced by the Rajput troops, who were brought into Assam either by the Koch chiefs or by the British.

Even at that time, the opium poppy was not so widely cultivated as in later years, as will be obvious from the following observations of Moniram Dewan in another petition :—

> " Cultivation of the opium poppy was put down with a very strong hand by the Borgohains and Buragohains of the Assam Administration."

This suppression of poppy cultivation at the beginning of the Nineteenth Century was effected chiefly by a preventive tax of Rs. 12/- per poorah of land (*i.e.*, 3 acres) under poppy cultivation. This amount, according to the present value of money, would be about sixty to a hundred rupees. The exceedingly high tax probably succeeded in keeping down the cultivation to a comparatively low level.

When finally the British came in 1826, after the Treaty of Yandabu, they turned their first attention to the establishment and consolidation of their power. From 1826 to 1860, they practically followed a policy of drift on the opium question. Their one care was to introduce their own opium for revenue purposes in order to undersell the indigenous product. Government opium was sold at Rs. 5/- per seer in 1835. The new Administration did nothing to check the opium habit or even the cultivation

of the opium poppy. It allowed the terrible evil to spread among the people, who had just come under their power after a century of feuds and internecine wars.

For nearly thirty years, this policy of drift continued. The new Government was quite prepared to obtain a portion of its revenue out of the vices of the people and to leave these evil habits undisturbed. This attitude of indifference continued until the publication of Mr. Moffat Mills' Report in 1853. Mills' Report on Assam was emphatic in its condemnation of the opium evil.

From 1853-1860, Mr. Moffat Mill's Report was discussed and canvassed, and at last action was taken. In 1860, Opium was made a Government monopoly in Assam, and it became a criminal offence to cultivate the opium poppy in the province.

Even in those remote days, Indian leaders of prominence denounced the indifferent attitude of the Government. At the same time they did not countenance the establishment of a Government opium monopoly. In his petition to the Government, in 1853, Moniram Dewan writes, ' The introduction of the Government opium into the province will have to be put a stop to and the people allowed to grow their own drug. But some method ought to be invented by the Mohamuntree Saheb (*i.e.*, King's representative) for the eventual eradication of opium cultivation by a gradual reduction, at the rate of one in twenty per annum.' (Mills' Report,)

About the same time, Anandaram Dhekial Phookan wrote as follows :— " An extensive introduction of opium, however, leads us to conclude, that the measure will be productive of other effects than the extirpation of the drug from the country." (Mills' Report.)

The introduction of the Government opium, and the effort to undersell the local product did indeed have consequences other than the extirpation of the evil. In answer to the argument for the monopoly, Anandaram Phookan replied, that by abolishing the production of opium in Assam itself, and by rendering it dearer, the use might indeed be rendered less universal. But he adds : " We would beg to submit that the people will never shrink from the use of the drug, as long as they continue to obtain supplies of it, and they would seldom consider themselves too poor to purchase it."

In spite of these protests the Government monopoly was at last introduced, and poppy cultivation was abolished at the same time, in 1860. But there was no earnest effort made, as Moniram Dewan had suggested, to eradicate the evil within any specified time. How great the evil had become can be easily gathered from some representative opinions of officials, then in the country, which we quote below :—

Dr. John Barry, the Civil Surgeon of Goalpara, wrote on the 7th May, 1853 :—

> " The cultivation of poppy along with the Government sale of opium, is an unmitigated evil, a grievous curse to the people of this country. It is appalling to see fathers and children of a single family sunk in depravity and callous inaction ; but when a community is thus incubused, a nation, indeed, politically, morally and socially benighted, we are bewildered and amazed that a mild and enlightened Government, such as ours, should have permitted such a state of things to be created, much less to exist, in any province for a single day."

Dr. John Maclean, Assistant Surgeon of Gauhati, writing on the 17th May, 1853, stated that the habit of taking opium was practised by men women and children, and in most instances to an excessive and injurious degree.

From these statements and others, we can infer that the evils connected with opium were thoroughly well known in Government circle, but in dealing with these evils the Government were determined not to surrender one of the most lucrative sources of revenue. Therefore in 1860, as we have related, the poppy cultivation by private individuals in Assam was suppressed, "as experience has shown that to allow every man to grow his plant and manufacture the drug unrestrictedly is injurious to the morals of the people. Opium they should have; but to get it they should be made to work for it." (Mills' Report). This means, in plain words, that the Government of Assam was determined to continue its opium revenue.

The year 1860 is an important one; for in that year the restriction took the shape of prohibition of private cultivation and manufacture. But the license for the retail vend of Government monopoly opium were granted, *free of charge*, to all respectable persons applying for them, thus making the Government opium as easily available as possible. In fact, we find, in 1873-74, there were as many as 5,137 opium shops in Assam. The number of villages in Assam Valley, according to the census of 1881 was 6776, and though the census figure of villages for 1872 is not forthcoming, we can take it for granted that the number of villages did not differ to any great extent from that of 1881. Thus there were nearly the same number of shops as there were villages. So the drug was made accessible in almost every village. Nearly one person in every village held a Government license. We must remember also that these opium shops licensed by Government were often nothing less than opium dens, because smoking was allowed to go on in these shops till March, 1892.

The Government, in 1874, introduced the system of *fixed license fee*. Under this system any person could open any number of shops he liked, when once he had paid the fee.

The Mahal system was introduced in 1877. Under this system the right to sell opium in a particular Mahal, (or revenue division) in Assam proper, was given to the purchaser of the license. He was allowed exclusively to sell opium at a definite number of places *within the Mahal*. The places of sale were movable within the area purchased under the license.

This Mahal system, however, did not work satisfactorily, as the authorities could not exercise sufficient control on the mahaldars for reasons inherent in the system. So the Government reverted to the old system of licensing individual shops in 1884. Meanwhile, the number of shops holding a license had been very considerably reduced. The Government sold licenses to the highest bidder, at a public auction, and thus brought in each year more and more revenue to the coffers of the State.

The raising of the price of opium was another cause of the rise of revenue year after year. The authorities continued to increase the price of opium till 31st March, 1921, when, through force of circumstances, which were brought about by the workers of the Non-co-operation Movement (as will be detailed in another chapter), the Government at last resorted to the rationing of shops and the vend-fee-per-seer system, by which the shops

licensed were allowed only to sell a certain fixed quantity per month and at a certain fixed price per seer.

In addition to the method of high license and high price for opium sold, the general policy, from 1872 onward, was to reduce the facilities for obtaining the drug by decreasing the number of shops where opium could be obtained. But though the shops were reduced from 5,131 in 1873-74 to 306 in 1919-20, the consumption was very nearly the same after a lapse of 45 years, namely, 1856 maunds for 1873-74 and 1748 maunds for 1919-20, as the following table will show :—

Year.	Consumption in maunds.
1875-76	1874
1885-86	1446
1895-96	1377
1905-06	1415
1915-16	1560
1919-20	1748

The decrease in consumption after 1920 will come before us in a later chapter.

We learn from the Excise Reports that from 1881 to 1901 the slight variable decrease in consumption was due to the many disasters, by disease, famine and earthquake, which caused the decline in the indigenous population already noticed. As soon as prosperity returned, the consumption immediately began to rise. This fact is noticed in many of the Excise Reports from 1900 to 1921. When the year 1919-1920 had been reached, the consumption of opium was 17 per cent in excess of the consumption for 1885-86, although the indigenous population had increased by only 10 per cent. It was after 1920, when public interest was roused by the Non-co-operation Movement, that consumption rapidly declined. The history of this later period from 1920-1925 will be considered separately in the next chapter.

The following table gives the price of opium per seer in different periods from 1835 to 1924 :—

1835	Rs. 5	per seer.
1860	,, 14	,,
1874	,, 22	,,
1884	,, 32	,,
1894	,, 37	,,
1904	,, 37	,,
1914	,, 45	,,
1924	,, 65	,,

In spite of this steady rise in the price of opium, we have already seen that from 1881 to 1921 the consumption merely wavered, now going up and now going down according to the prosperity or adversity of the season. So neither the decrease in the number of shops, nor the raising of the price of opium, nor the change in the method of licensing, had any appreciable effect on the consumption of opium in the Assam villages and among the Hill tribes.

During the whole of the period, from 1881 to 1921, the Assam Government appears definitely to have accepted the official formula of the Government of India, repeated in Government documents, that the aim in view must always be, 'Maximum of revenue with minimum of consumption.' But the figures of revenue and consumption when put side by side will leave no room for doubt, that though the revenue was always rising, the consumption went on much as before.

The following table of figures will show the revenue and consumption side by side :—

Year.	Opium Revenue.	Opium consumption.
1875-76 ...	... Rs. 12,25,141	1874 Maunds.
1885-86 ...	... „ 16,75,363	1446 „
1895-96 ...	... „ ...	1377 „
1905-06 ...	... „ 19,55,706	1415 „
1915-16 ...	... „ 30 53,933	1560 „
1919-20 ...	... „ 38,37,125	1748 „
1920-21 ...	... „ 44,12,308	1614 „

It will be seen at a glance from this illuminating table that nothing interfered with the steady rise of revenue from 1875 to 1920. The rise was quite consistent and the 12 lakhs of 1875 became 44 lakhs in 1920. These statistics form a remarkable vindication of Anandaram Dhekial Phookan's statement in 1853, that "the people will never shrink from the use of the drug so long as they continue to obtain supplies of it, and they would seldom consider themselves too poor to purchase it.

When we turn to the other side of the statistics and consider what efforts were made to ensure the minimum of consumption, we are met with a totally different state of things. Here only half-hearted efforts were made with insignificant results. Though Moniram Dewan in 1853 had pointed the way to rationing, and even proposed a diminution by one-twentieth per annum, his suggestion was never adopted. Even after April, 1921, when rationing at last began, it was only of shops and not of individuals. The Assamese people and the Hill tribes were able to get as much opium as they liked, so long as the shop ration remained unexhausted. Even the registration of opium addicts, which had been fairly successful among the neighbouring Burmese race, was strongly resisted by the Government of Assam. It is difficult to believe that revenue considerations had nothing to do with the refusal of the Administration for so long either to ration or to register. Both expedients had been tried in other countries and there was abundant evidence to show that they were likely to be successful in Assam. Yet as late as April, 1921, after the popular movement had been launched and the Reform Councils had been formed, we find the Assam Government refusing to accept the complete rationing and registration resolution of the Rev. J. Nicholas Roy which would have brought the Government opium monopoly in Assam to an end in ten years by reductions at the rate of ten per cent. per annum.

It is true that since that refusal of April, 1921, the Government has itself taken the initiative and begun at last to ration and to register. But how dilatory and half-hearted it still is, and how bent upon maximum revenue, may be seen from the revenue figure of 1923-24 which is over 36 lakhs of rupees, or 300 per cent. higher than the revenue of 1875-76. A slight indication may also be given by the statement of one of our village witnesses on May 6th, 1925, in a village near Tinsukia. He had not yet been either registered or rationed, and he had been able to purchase during the month of April that year 28 rupees worth of opium for himself and for his wife. The maximum of Government revenue was exacted in the case of such a miserable villager; but where was any attempt to reduce consumption?

It has become evident to us in the course of our enquiry that while the 'maximum of revenue' has always loomed large in the eyes of

Government officers, the minimum of consumption' has been dealt with only half-heartedly. The authorities have congratulated themselves when there was an increase in the opium revenue attributing it to the prosperity of the people. The weight of revenue considerations has continually overbalanced moral and humanitarian considerations.

Yet, while stating thus clearly our deduction from the evidence of the past, we would gladly recognise that the increasing weight and pressure of public opinion has been having its wholesome effect upon Government itself in the years that have succeeded the Non-co-operation Movement. The utterances of responsible Government officials in the Legislative Council to-day differ very much indeed from those that were made only a few years ago. The feeble attempt at rationing and registration which began in April, 1921, has been extended and increased. Yet even in recent years the ration for all the licensed shops, offered by the Government of Assam to the opium salesmen, has always proved at the end of the year to be much in excess of the actual amount consumed, thus showing that the Government authorities are still lagging behind public opinion in this matter. What is therefore needed at the present time is not so much the recognition of the principle of rationing and registration, but rather an immediate quickening of the pace and a definite time limit for the introduction of complete prohibition.

Chapter IV.—The Non-Co-Operation Movement.

It was in the year 1920 that India saw the great movement of non-violent Non-co-operation under the leadership of Mahatma Gandhi.

Sjt. N. C. Bordoloi, who had gone at an earlier date to England in order to plead for the grant of Reforms to Assam, attended the special sitting of the Indian National Congress in September, 1920, under the presidency of Lala Lajpat Rai, with a band of young men from Assam and there opposed the Non-co-operation Resolution as put forth by Mahatma Gandhi. However, on their return, a special sitting of the Assam Association, which was then the only effective political organisation in the province, was held, and the Non-Co-operation programme was fully adopted with the reservation that schools and colleges in Assam should not be boycotted. After that, Sjt. N. C. Bordoloi and others began to work at Gauhati in right earnest, and gradually Congress Committees were formed throughout the province.

In June, 1921, prominent leaders of Assam went to attend the Bombay session of the All-India Congress Committee and requested Mahatma Gandhi to visit Assam and see things with his own eyes. In compliance with this request, Mahatma Gandhi visited Assam early in August, 1921, and delivered his message. It was a message of hope and love,—hope for those who had been slaves to the drug habit, and love for the depressed and down-trodden. Fired with enthusiasm, hundreds of young men took up the temperance work and preached against opium, ganja, and other drug habits.

Till November, 1921, they carried on their work of temperance reform without any great hindrance from the Government except that they were watched by the police wherever they went, and the officials did their best to counteract their efforts by organising anti-non-co-operation leagues, like the Aman Sabhas elsewhere. Some Government supporters tried to be-

little Mahatmaji himself. But, in spite of these hindrances, the work of temperance was carried on steadily, peacefully, and with great enterprise and success.

Every Sub-division had its District Congress Committee. Under this Committee there were different Local Congress Committees. The workers of these Committees bore the brunt of the struggle and suffered most during the latter part of the year 1921, when the persecution began.

These workers preached temperance in the villages, held meetings all over the province, and took advantage of the social and religious gatherings where they carried the message of prohibition which Mahatmaji had preached during his visit. Adhering strictly to the principle of non-violence, they stood outside the excise opium shops and implored the village people not to buy the drug.

After the visit of Mahatmaji to Assam in the month of August, 1921, the temperance workers, as we have related, received an additional impetus. They worked heart and soul, in spite of the repressive acts of the police and others in some places. The masses of people in the villages heard with gladness and devotion the words of Mahatmaji, and khaddar-clad persons became known as 'Gandhi-men.' Throughout the length and breadth of the country the workers were received on this account with deep respect.

The result of their strenuous work was that in 1921-22 the consumption of opium dropped from 1614 maunds to 1013 maunds, a reduction of 601 maunds within 12 months. Other intoxicants were reduced in the same proportion. The Government became nervous, lest there might be a further fall and a permanent reduction in the excise revenue.

Ganja dropped from 632 maunds 29 seers in 1920-21 to 452 maunds 18 seers in 1921-22, a fall of 180 maunds 11 seers, and in 1923-24 it stood at 344 maunds which is 45·7 per cent. less than in 1920-21.

The consumption of country liquor in 1920-21 was 304,572 L. P. Gallons which fell to 154,349 L. P. Gallons in 1921-22, or a reduction of 49·9 per cent., but it rose to 191,421 L. P. Gallons in 1923-24. The consumers of country liquor were mostly tea-garden labourers, who come from outside the province from other parts of India. There is a certain amount of difficulty in having access to the labourers and this is highly detrimental to all temperance work. All the same, the reduction showed a consumption 37 per cent. less than that of 1920-21. The following table is given for easy comparison :—

	1920-21	1923-24
Opium	1,624 Mds.	884 Mds.
Ganja	639 „	344 „
Country liquor	304,572 L. P. Gallons.	191,421 L. P. Gallons.

The Criminal Law Amendment Act was promulgated in Assam on the 21st of November, 1921, which practically made picketting illegal. As many as 1,100 workers out of the comparatively small Assamese population were shut up in the different prisons. Amongst these were lawyers, tea-planters, graduates, college students and young patriotic men from the villages. The last mentioned were the chief sufferers in these Government acts of repression. The prominent workers were shut up in the

jails either for disseminating seditious matters or for being members of unlawful assemblies. In spite of this, enthusiasm continued among the Assamese people and there was a continuous decline in the consumption of opium and ganja.

The argument of the Government was then, as it is now, that the object of the Non-co-operators was not temperance reform, but simply the embarrassment of the Government. The authorities surmised that the attempt was being made to decrease the revenue. But the object of the Non-co-operators was not aimed at the revenue directly; it was a movement of genuine temperance reform among the people. They sought to purify their own countrymen from their vicious drug habits, especially opium, from which they saw their country suffering so terribly. This scourge they wanted to get rid of. The resultant effect of their efforts was indeed to reduce Government revenue and indirectly to embarrass the Government; but the Government is to blame for entangling itself so much with Excise Revenue.

We asked some of our witnesses concerning this point. They were mainly those who disagreed with the political views of Non-co-operators, and almost all of them had good words for the workers of the Non-co-operation Movement in their temperance activities. They declared that Government itself was seriously in the wrong from relying upon its Excise Revenue.

We have instances of testimony to the good effects of the temperance movement such as the following:—

> "When we succeeded in eradicating the evil habit of the opium consumers, their relatives and parents used to shower blessings on us with all their hearts and even the addicts used to thank us for the task we had undertaken."

This testimony to the good intentions and good effects of the non-co-operation workers has been general among those whom we have examined. In village after village, where the opium consumption has decreased, we were told that the reform began owing to the temperance workers in 1921. We were ourselves surprised, in the course of our journeys, to find how far the popular movement had penetrated into the very depths of the country. In the remotest places, when we asked the people how they had been taught to abandon their opium habits, they informed us that Mahatma Gandhi's men had come to them and told them. Practically the whole of the Assamese population was reached for the first time by the message that the consumption of opium was an evil which ought to be abandoned.

The question has often been raised how far the influence of the Non-co-operation Movement has continued. We found no signs of any serious set-back to the prohibition campaign in more recent years. Rather, we regard it as certain that among the educated at least the anti-opium sentiment has grown in intensity and depth since Mahatma Gandhi's visit. Among the villagers, it is true, the enthusiasm has in a measure subsided and a further effort is needed to carry through the work that has already been begun. But in making this further effort it is probable that the workers will no longer have to meet with the hostility of the Government which they faced with courage in 1921. It may even be hoped that the Government itself at last will recognise the growing force of public opinion and take steps to comply with it.

Chapter V.—Tea Gardens and Hill Tribes.

We shall, in this chapter, examine first of all how far the opium habit has spread amongst the ex-tea-garden labourers. The tea-garden labourers generally are a conservative people who change their habit very slowly, but once they do so it is difficult to turn them away from the new habit formed and it will be the work of a generation to get rid of such a habit if it once takes root.

Some witnesses before us told us that the habit is growing amongst the ex-tea-garden and tea-garden labourers, especially in the Sub-divisions of Dibrugarh and North Lakhimpur. We ourselves examined some labourers of tea-gardens who took opium. In the North Lakhimpur Sub-division about 30 per cent of the opium consumers are said to be tea-garden and ex-tea-garden labourers. They form the habit by coming into contact with their Assamese neighbours. Our evidence is not sufficient to speak positively, but there are signs in certain parts of the Assam Valley that the habit is actually growing among them. We are further confirmed by the Excise Reports of the Province, some extracts from which we quote below :—

"For several years past opium shops have been situated on some of the tea-gardens in the Assam Valley Districts. As there was reason to believe that the imported coolies of one or two gardens were acquiring the opium habit, special enquiries were instituted in the districts of Lakhimpur, Sibsagar and Nowgong as being those most affected."*

We find in the Excise Report for 1912-13, page 6 that 'In this district (Lakhimpur) and more especially in the North Lakhimpur Sub-division, it is reported that coolies in some gardens are unfortunately taking to opium.†

Again we read :—" The increase in Kamrup is attributed partly to the spread of the habit among the ex-garden coolies and partly to other causes "**

In 1920-21 we find the Sub-divisional Officer of North Lakhimpur writing that the garden coolies were becoming addicted to it and managers of tea-gardens were taking vigorous steps to check the opium habit.‡

These extracts which might be multiplied clearly show that these most conservative people tend to break their old habits and take to a new vice which they find common among the Assamese in the midst of whom they live. It becomes a serious question, therefore, how far the Government of Assam is justified in encouraging the recruiting of fresh immigrants on the one hand and allowing them to become infected with the opium poison on the other.

The following quotations from the Botham Committee Report throw some light on the consumption of opium by the tea-garden labourers, though they depict only a side-view of the situation :—

"Two hundred and one managers were good enough to send replies to the series of questions which the Committee circulated. Eighty-three of them report that consumption is on the increase in the case of ganja and 53 in the case of opium.

"The number of managers who report that 5 per cent. or more of their labour force are opium consumers is only 24, and half of these consider

* Excise Report, page 15, 1906-07.
† Assam Excise Report for 1916-17, page 7, *vide* Appendix XVIII.
** Assam Excise Report for 1917-18, page 8, *vide* Appendix XVIII.
‡ do. 1919-20, do. do. XVIII.

that none of the consumers are injuriously affected by the drug. On most gardens, therefore, the opium question is not a serious one, but there are a few notable exceptions. The worst is apparently the Dejoo garden in North Lakhimpur, where Mr. Story, the manager, reports that among the coolies who have been more than two or three years on the garden, about 98 per cent. of the adults and a number of the children take the drug. The garden has in former days been particularly subject to dysentery and cholera and Mr. Story attributes the large extent of the vice to opium having been distributed years ago as a remedy. It is, however, not uncommon for certain unhealthy garden to acquire the opium habit becoming imbued with the Assamese belief in the medicinal virtues of the drug. Another garden in which large opium consumption and unhealthiness go hand in hand is the Namsang division of the Jaipur Tea Company. The manager says, " The garden is on the Government ' black-list ' for sickness and I put down the whole cause to opium."

Our Enquiry Committee has considered it necessary also to examine as far as possible how far the habit has spread among the hardy and virile races of the Hills of Assam.

In the district of Lakhimpur we find the Abors, Miris, Mishmis, Khamtis, Singphos, and Daflas inhabiting the border lands of the frontiers of Assam. The first four tribes live in the Sadiya Frontier Tract and beyond them. The index of consumption for the Sadiya Frontier Tract is as high as 237,029 seers for each 10,000 population which is the highest on record in India.

" The opium habit is excessive among the Turaon and Miju Mishmis ; and Miris, Khamtis and Singphos are saturated."*

It is said that the habit is being checked among the Abors, but we have not sufficient evidence to confirm this.

The Daflas mainly inhabit the borders of the Districts of Lakhimpur and Darrang and the opium habit is prevalent amongst them.

The Mikirs inhabit the Districts of Nowgong, Kamrup and Sibsagar, and their number is 1,18,629. So far back as 1892, Mr. Drieberg in giving evidence before the Royal Commission said that as many as 80 per cent. of these people were addicted to the opium habit,† by which he evidently meant 80 per cent. of the adult population. We examined some Mikirs in Nowgong, and also some witnesses in Nowgong and Gauhati who have dealings with the Mikirs and have them as tenants. Their evidence only strengthens the view we have taken. This view gets corroboration in the Excise Reports of 1907 to 1911 and 1919-20. The Mikirs are producers of lac, and whenever there is a good trade in this product, the consumption of opium increases.

Miris (in the plains).—The number of Miris in the plains is 65,289. They mainly inhabit the banks of the Brahmaputra and other rivers and streams of the Assam Valley up to the Darrang District. We have already mentioned about their fellow tribesmen in the Hills, but those living in the plains are much addicted to the habit and the evidence of Miri witnesses goes to show that they are worse than their Assamese neighbours.

Khasis.—The number of the Khasi population is 1,24,053. The prosperous condition of the raiyats is reflected in the increased receipts from

* Assam Excise Report, 1919-20, page 6.

† *Vide* Drieberg's evidence before Royal Commission, page 275.

opium,"—so says the Excise Report of 1907-08. This is specially true with regard to Mikirs and other aboriginal tribes of the Nowgong and Khasi Hills Districts. There is clear indication that the tribes in the Khasi Hills are getting the addiction more and more. On a special enquiry being made in 1910 into the matter by the Deputy Commissioner of the Khasi Hills, it was found that comparing the increased sale with the more or less stationary population, opium eating and smoking were seriously on the increase among the inhabitants of these Hills. The evidence of a prominent Khasi gentleman, the Rev. J. Nicholas Roy, also points to the same view.

This initiation of the Khasis into the opium habit is of recent origin. We read the following in the report of W. J. Allen, Esq., Member, Board of Revenue, on deputation, to A. R. Young, Esq., Secretary to the Government of Bengal, dated Cherrapoonjee, the 14th October, 1858 :—

"I found that for the last eight or ten years, it has been the practice to grant a license for the retail vend of opium at this station exclusively to the person who contracted to supply the ration for the Jails. The license seems to have been given with the view of indemnifying the Contractor, by the profit of selling opium, for any loss that he might sustain in supplying the ration. I directed the Principal Assistant Commissioner to discontinue this irregular practice, and to grant opium licenses in conformity with the Circular orders of the Board of Revenue.

"No opium is sold at the office of the Principal Assistant Commissioner. The licensed dealer procures whatever opium he requires from the Sylhet Collectorate at the price current in that station. There is, in fact, very little demand for the drug in this district. The Cossyals (Khasis) do not use it; the only purchasers seem to be the up-country and Assamese sepoys of the Battallion, and the servants of the European residents at the station. Only one opium license has been taken out during the year." Again, in W. W. Hunter's Statistical Account of Assam, Vol. II, page 243, we read as follows :—

"In 1876-77 there were in all 18 licenses in force—4 for imported spirituous and fermented liquor, 1 each for madak and chandu, 2 for ganja and 10 for opium. The Khasias and Syntengs are not addicted to the use of intoxicating drugs, which use is confined to the people from the plains residing in British Territory."

In spite of this earlier evidence it now appears certain, as we have said, that opium addiction has spread among the Khasias with serious results. In the year 1910-11, for instance, the Excise Commissioner reported an increase in consumption of 8½ maunds. Another increase of 5 maunds is reported in the year 1913-14. In subsequent years, consumption wavered, but there was no decided and definite check until rationing was introduced early in 1921.

Nagas.—The population of the Nagas is 2,20,619. They inhabit the Naga Hills and the borders of the Lakhimpur and Sibsagar Districts. While the figures given by Government about the opium sold in the Naga Hills are themselves conflicting, one thing becomes quite certain that the consumption has been increasing.

Kacharis.—The Kacharis mainly inhabit the Districts of Goalpara, Kamrup and Darrang. They also live in the Districts of Sibsagar, Nowgong and Lakhimpur. They are a hardy well-built race, but opium is under-

mining their constitution. We read in the Excise Report of 1908-09 that the opium habit among them prevails to a regrettable extent.

We find from the above that the opium habit is spreading amongst the Hill tribes. The worst sufferers are the Mikirs and Kacharis and the tribes inhabiting the Sadiya Frontier Tracts. There is also a serious danger of the opium habit spreading among the Khasis round Shillong.

Chapter VI.—Opium Smoking.

Opium is taken in Assam in two forms: (1) that of eating, (2) that of smoking. In the Assamese language these are called '*kanikhowa*' and '*kanipankhowa*' respectively.

When opium is eaten in small pillules, or made into a decoction by mixing it with water, the process is known as '*kanikhawa*' or '*kanimolikhowa*'. When it it smoked, after mixing the opium decoction with dried betel-leaves, the process is known as '*kanipankhowa.*' The following is a description of the process by which opium is prepared for smoking.

A quantity of opium is taken according to the requirements of the smokers. It is put on a ladle, or spoon, called a *heta*. along with some water, and then heated for some time, so that the decoction may be of the required consistency. The impurities are taken out of decoction by removing them with cotton wool. This process requires about twenty to thirty minutes. After pouring out the decoction from the '*heta*' into a small pan, it is cleaned and washed and kept separately.

Then again the same decoction is heated for some 30 minutes, until it is converted into a sticky paste. This is kept carefully aside.

Some betel leaves are cut into fine pieces and dried on broken pieces of an iron pan, called "*kerahi*", until all are dried to the required degree. This process takes about 15 to 20 minutes. Then the opium decoction and the fried betel-leaves are mixed up together and heated, until the leaves show a greenish brown tint, when it is ready.

Very small quantities of this preparation are taken at a time for smoking. They are put on a bamboo pipe called "Hoka" (*hookah*) which is made up of one wider piece of bamboo and one much narrower piece stuck into the broader piece in the shape of the letter V with one arm prolonged downwards. The narrower piece is much the shorter and into this the prepared opium is placed for smoking: the mouth of the smoker is put to the top of the broader piece.

As soon as one part of the mixture is smoked through another is put in, and so the process goes in through the night until the consumers have smoked to the required depth of intoxication. After each pull at the 'hoka,' sweet things are taken, such as plantains, sugarcane, or sweet tea, possibly to get rid of the bitter taste. Some say that it is to get the smoke into the stomach.

This process of smoking is very alluring to young men, who ask to be allowed to take their pull. There was evidence given to us that addiction began in this manner.

Opium smoking is a common practice in Assam. It can even be said that most of the new addicts begin their habit by smoking, though it is not possible to ascertain the exact number. We naturally have no figures to show the proportion of opium which is consumed for smoking and for eating, because no record is taken. Yet it might roughly be estimated that

the figures for smoking and eating are normally about one-third to two-thirds respectively. In one place we found that the proportion of smokers to eaters was that of 8 to 22, which would roughly bear out the figures we have suggested.

The number of opium smokers has always formed a considerable portion of the indigenous Assamese population. The younger section of the community gradually gets into the habit of opium smoking, which ultimately leads to addiction. The reason why opium eating is more common, at later stage, is probably because the preparation of opium for smoking takes a considerable time and therefore opium eating is more convenient.

Since the writing of this Report, the Government of Assam, in response to repeated questions in the Assam Legislative Council, has at last allowed the Report of the Botham Committee to be made public and a copy has been received by the Chairman of our Enquiry Committee. The statements contained in this Report with regard to opium smoking in Assam bear out the conclusions already arrived at by the members of our Committee. As the subject is of very great importance and misleading accounts were given by Mr. John Campbell at Geneva it has been considered advisable to re-print in the body of our Report some paragraphs from the Botham Committee Report itself as follows :—

Amongst those who take opium for pleasure only, and not as a remedy for certain specific diseases, consumption in the form of smoking is almost universal to this extent, that almost all smoke in the first instance and only take to other forms of consumption after they become confirmed opium-takers and find that they cannot afford the time or the money required for smoking. On this point the evidence is unanimous and conclusive. It is more difficult to get an accurate estimate of the relative proportions at any one time of those who smoke and those who consume in other ways. This depends largely on the general prosperity of the consuming classes. When times are good and money easy to obtain, smokers do not feel the pinch so soon as when times are bad, and the stage at which smoking has to be given up and the less expensive form of consuming the drug substituted is postponed. Similarly, the poorer classes have to give up smoking sooner than those who are fairly well-to-do. Probably over the five districts one half would be a moderate estimate of the proportion of those now smoking to the total number of consumers. Many witnesses place the proportion of smoking as much larger, but it is likely that their estimate is exaggerated partly because the evils of smoking bulk large in their view, and partly because they are apt to confuse the number of those who have been smokers with the number of those who are at the present time smokers. From the report of managers it appears that the proportion of smokers to opium-eaters is much the same on tea gardens as amongst the indigenous population.

"It is to be noted that the form of opium smoking everywhere prevalent in Assam is that known in other parts of India as "madak." The opium is boiled down with a little water to the consistency of a paste and then mixed with the shredded and fried leaves of betel, or less commonly, guava or other plants. The form known as "chandu" does not exist in Assam. Opium smoking is generally looked upon with more disapproval than opium eating, partly because it is considered to be more injurious, and partly because it is far more expensive both in time and money. The process of preparation is a long one, and the actual smoking naturally takes

longer than swallowing a mixture of opium and water, and the consequence is that the working day of the opium-eater is very contracted. The difference in expense between the two forms of consumption is shown in the statement of witness number 197 (no doubt an extreme case), who required three-fourth of a tola daily as a smoker, and is now content with eating one sixteenth of a tola daily.

"Opium smoking has undoubtedly increased very largely in Assam since the prohibition of poppy cultivation in 1860. Witness No. 231—a "Dewan" of the Assam Company whose memory goes back to that time and who is a reliable witness,—says that only about five per cent. of the consumers at that time were smokers. Probably the form in which opium was then commonly manufactured was not convenient for this form of consumption. The habit is not increasing—as compared with opium eating—now, because it has already reached the maximum and practically every consumer smokes if he can afford to do so.

"The habit is very commonly practised in company. There is nothing of the nature of regular "Opium dens", but smokers frequently meet in the house of one or other of their number, and smoke together There is a good deal of evidence that these smoking parties are looked on with disfavour. One reason is that at such meetings young men commonly acquire the opium habit ; and another is that these parties of smokers are not infrequently suspected of being responsible for organizing petty thefts in the village in order to get the means of indulging in the luxury. The habit is increasingly common at such social gatherings as marriages and funerals, at which fashion required opium to be distributed for the use of opium consumers. Of recent years also a ceremony purporting to be of a semi-religious nature—the 'Kania Seba'—has been introduced among the more ignorant classes at which opium consumers are assembled and opium distributed with the object of averting sickness or other impending trouble. The distribution and consumption of opium is also common at 'Namgoa' or religious services. The semi-religious uses of the drug appear to be purely the invention of interested opium consumers, and have no authority in the Sastras. They are reprobated even when acquiesced in by the better classes and they undoubtedly set a bad example to the young and tend to spread the opium habit".

The paragraphs which we have quoted from the Botham Committee's Report appear to us to agree with the evidence which we ourselves have gathered. It will be noticed that while we had estimated the proportion of opium smokers to opium eaters in Assam as one third, the Botham Committee is inclined to estimate it at one half. Our evidence corroborated two important points in their findings :—

(1) Almost all opium addicts among the village population began opium habits by smoking rather than by eating.

(2) The reason that the opium smoking habit is so often abandoned later is because of the inconvenience of the preparation and the difficulty of the smoking process compared with that of eating.

Chapter VII.—The Government Contention.

(i) One of the Government contentions is that if reduction is carried beyond a certain limit the opium consumers will turn from this drug to ganja.

We recognise that from an *a priori* point of view this might have been thought not unlikely to occur, and there are indications of such a danger, in the past, in the Kamrup district. But when we come to examine the more recent figures we find that this has not happened since the Non-co-operation Movement began. Let us take the figures for the years 1919-24. In 1919-20, opium consumption was at its highest point since 1877, with 1748 maunds, and the consumption of ganja was 665 maunds for that year. After that date on both sides there has been a steady decline. We give below a comparative table for consumption of opium and ganja from 1919-20 to 1923-23—

Year.	Opium. Maunds.	Ganja. Maunds.
1919-20	1,748	665
1920-21	1,614	632
1921-22	1,013	452
1922-23	965	389
1923-24	884	344

From the above table we find that the consumption of opium and that of ganja have been going down together, and there has been no rise in the consumption of ganja as feared by the Government. It may be added that the decrease has been chiefly due to the temperance workers and the effectiveness of their work.

In 1923, there was an increase of 16 maunds 17 seers in consumption in the Assam Valley, but this has been satisfactorily explained by different Districts Officers as due to reasons other than that of opium consumers turning from opium to ganja. (Vide Assam Excise Report for 1923-24, page 5.)

(*ii*) Another Government contention is that any further reduction in consumption and rationing of shops is certain to lead to smuggling of opium. Let us examine the classified statements of the more important offences under the Opium Laws from 1917-18 to 1923-24, and see if there has been any increase of the offences under different heads. This will give us a clearer indication than any thing else. A table is given below :—

Year.	Unlicensed sales of Opium.	Illicit possession of Excise Opium.	Total Consumption of Opium.
Year.	Mds.	Mds.	Mds.
1917-18	39	77	1,515
1918-19	53	69	1,574
1919-20	38	82	1,748
1920-21	21	57	1,614
1921-22	7	24	1,013
1922-23	6	33	965
1923-24	9	29	824

First, let us examine the figure for the unlicensed sale of opium. It came down almost abruptly from 38 in 1919-20 to 9 in 1923-24. Let us take the next item, 'Illicit possession of Excise Opium.' This offence is very common, but all the same it was reduced from 82 to 29. From 1920-21 to 1923-24 in spite of the decrease in consumption, there was a marked decrease of offences, which clearly goes against the Government contention that more opium will be smuggled into the country if there be a rapid

reduction in the rationing or consumption of opium. The total number of offences against the Opium Laws is given below :—

Year.	Offences.	Year.	Offences.
1914-15 ...	86	1919-20 ...	123
1915-16 ...	85	1920-21 ...	77
1916-17 ...	131	1921-22 ...	50
1917-18 ...	137	1922-23 ...	50
1918-19 ...	111	1923-24 ...	49

The illicit poppy cultivation in 1921-22 had been, it is said, 'started at the instigation of the Non-co-operators, who gave out that under the new regime there would be no restriction on such cultivation.' The Non-co operators hardly made any defence on such a charge because it was so utterly ridiculous. The object of the whole movement was to make the people abstain from drugs and liquors ; and the figures for consumption of excisable drugs from 1921 onward will clearly bear this out. There is no reason of any kind whatever why the Non-co-operators should have sought to encourage illicit poppy cultivation. On the contrary, the rousing of the public against the opium habit directly led to the detection and suppression of illicit poppy cultivation, since it was no longer possible to conceal it against public opinion of the neighbours.

The real danger to the country District of Assam is not so much from internal cultivation of poppy as from the smuggling of opium into the country from outside, especially the Malwa Opium which is brought in by the traders and merchants. We would submit, however, that from the evidence which we received, including that of Excise officials, the prevention of smuggled opium is most of all a question of further expenditure of the opium revenue on the work of detection. If it were once decided by the Government that a greater portion of the revenue obtained by the opium monopoly would be used directly for the purpose of preventing opium smuggling and decreasing the opium vice, instead of being used as ordinary revenue, we should soon see the end of smuggling on an extended scale.

(iii) It has been contended by the Government that as there was a sudden drop in 1921-22, it is likely that there may be a reaction later on.

We shall take a few outstanding facts which will go to show that there is no cause for fear of such a reaction. The decrease from 1748 maunds to 1614 maunds and then to 1013, 965 and 884 maunds clearly indicates that the decrease is taking its normal turn, and will go on if a firm and sympathetic attitude is adopted. The public is only apprehensive lest there be any undue concession to the wishes of the opium eaters, who necessarily are likely to clamour for more opium if it can be had. The fact appears to be proved, that, while with an apathetic public opinion the danger of a reaction may be feared, on the other hand, when public opinion is awake and active, then thorough and permanent reforms may be carried through without any retrogression.

We feel very strongly indeed that nothing will be done whole-heartedly in the way of opium reduction until the intimate connexion between the income derived from the sale of opium and the general Revenue of the Province is finally and completely severed. This, we would submit, can only be done if the money derived by Government from the sale of opium is used directly in putting an end to the opium traffic.

We give below the actual present condition of affairs in a statistical form, for the years 1921-22, 1922-23 and 1923-24 respectively :—

Year.	Total Revenue.	Excise Revenue.	Opium Revenue.	Transferred Departments.	Education Expenditure.
	Rs.	Rs.	Rs.	Rs.	Rs.
1921-22	... 2,43,33,000	61,57,746	38,19,710	57,57,000	22,91,913
1922-23	... 2,18,88,000	56,81,294	34,94,585	55,36,000	22,63,000
1923-24	... 2,25,65,000	62,24,774	37,13,841	53,11,000	22,47,000

It is clear from this statement that the expenditure on the Transferred Departments is a little less than the total Excise Revenue of the province.

A further table may be given showing the percentage of the Excise Revenue to the total revenue for different typical Provinces in 1920-21 and 1923-24.

	1920-21.	1923-24.
Bengal	22·8	20·6
Madras	27·6	39·8
Bombay	39·8	28 7
Behar and Orissa	26·7	34 7
United Provinces	15·7	12·7
Punjab	10·8	11·4
Assam	39 8	28·7

It is evident from these statements that the percentage of Excise Revenue to total revenue in 1920-21 was the highest in Assam and Bombay Presidency. In the Bombay Presidency this high figure is probably due to the excessive drinking among the mill-hands. While it is satisfactory that the very high proportion of revenue derived from Excise has been diminished in Assam, yet the present figure of 28·7 per cent. cannot be regarded as a healthy sign of sound provincial economy.

We have asked our witnesses, whether they are prepared to forego any benefit derived from the Excise Revenue, and whether they would suggest any means to compensate for the loss of the opium income. Their unanimous opinion is that they are prepared to forego any benefits derived from the opium revenue, if only they are able to get rid of the opium evil. Indeed they go still further to the length of suggesting some other form of taxation, such as a small tax on tea.

We refrain from making any suggestion, whether, in these circumstances, either fresh taxation, or retrenchment, or both, would be desirable to make up the loss of revenue in consequence of the abolition of the opium traffic, as this is not within our terms of reference. Furthermore, we believe that any suggestions or recommendations of this nature belong more to the province of politics than to temperance reform. But we can say this much, that the loss of revenue would undoubtedly, in a few years time, be more than compensated by the greater industrious activity of the consumers after giving up the deleterious drug of opium.

(*iv*) Lastly we find it repeatedly stated in the Government defence of its own opium policy, that the people require opium in order to protect themselves from the diseases which are prevalent in a very damp and malarial climate like Assam, and that to deprive the Assamese people in remote villages of their unrestricted use of opium would be to subject them to great hardship and even to danger of fatal illness. This argument was

brought forward by Mr. Cosgrave in the Legislative Assembly, and also by Mr. Clayton at the Geneva Conference, on behalf of the Government of India's position. It was also strongly affirmed that such interference with the liberties of the people would be resented by the Indian villagers themselves.

In answer to this contention, it may be stated that there is no desire on the part of the reformers to prevent the use of opium under medical prescription; for its medicinal use is regarded as entirely legitimate, and when prohibition comes into force every thing should be done to allow for that medicinal use being carried out even in remote villages. But it may be pointed out at the same time that in the whole of the medical evidence given by our witnesses, among whom were many doctors with a life-long experience of Assam conditions, there was not one who advocated the free use of opium by illiterate villagers as a cure for the diseases prevalent in Assam. On the contrary, they pointed out to us that opium addiction among the Assamese villagers reduced the power of resistance and rendered severe attacks of infectious diseases, such as kala-azar and cholera, more liable to end fatally.

It is impossible for us to enter at length into the whole medical question, but it will be sufficient for our present purpose to say, that this Government contention now carries no weight, either with the educated people of Assam, or with the bulk of the village population. Whatever may have been the opinion in the past concerning the use of opium to ward off ague or cholera, public sentiment is strongly against its unrestricted use to-day. The immigrant populations, which enter Assam, are recognised as remaining more healthy than the indigenous population only so long as they refrain from the opium drug. When they become addicted to opium, then they too sink in the scale. At the time when the Assamese race itself had not become subject to the opium habit, it was strong and vigorous. To-day it is debilitated and outworn owing chiefly to opium addiction.

The proof of this experience has finally convinced the Assamese people that the opium habit is bad and that if continued it will be the ruin of their race. Therefore, the Government contention that the village people would strongly object to the restriction of the use of the drug and might even cause disturbance, if opium were further reduced, is regarded by us as groundless. The general evidence that we received went to confirm this opinion and to show that restriction of opium consumption would not be resented by the villagers, but on the contrary be welcomed.

Chapter VIII.—The Treatment of Addicts.

Of the 325 witnesses examined, only 71 witnesses were afraid of the temporary hardship that would ensue if consumption were restricted to medical and scientific needs. The rest do not apprehend any hardship. Those who are apprehensive of hardship, however, admit that it is no injustice for opium-eaters to be deprived of the opportunity to do themselves harm and to be thus cured of their disease themselves and prevented from infecting others. There are three points to be practically considered with regard to the final extinction of the opium habit among the consumers: (1) How to make provision for a reasonable warning to be given to the opium eaters below a certain age. (2) How confirmed addicts above a certain age should be treated. (3) How the Government may adjust itself to the new situation of reduction in opium revenue.

Among 17 of the 71 witnesses who, not being themselves addicts, specially feared the consequences to the opium eaters themselves, if the probibition of opium sales were adopted immediately as a Government policy, there is a difference of opinion. Two witnesses are of the opinion that opium eaters, above the age of 50 years, should be allowed to have opium under strict medical supervision, and below that age all rations should be immediately stopped. Three witnesses are in favour of immediately restricting opium to people below 40 years of age, and above that age it should be allowed under strict medical test. Two witnesses again are in favour of prohibition within three years, two in favour of prohibition within ten years, one in favour of restricting opium below thirty years of age. The other fifty-four witnesses, who were apprehensive of hardship, are themselves opium eaters. But at the same time they unanimously hold the view, that the opium traffic, as it exists to-day, should be immediately prohibited, so that their children might not take to it. Ten of them suggested that they are prepared to suffer the hardship of immediate deprivation, if total prohibition would save the coming generation from the drug. When questioned as to what made them continue it, their obvious reply was :—" As it is easily available, we cannot refrain from gettlng it."

The great majority of our witnesses point to the fact that in most cases there is no very great hardship, except a temporary one, in breaking through the addiction, and they urge that the sale and consumption of opium should be immediately stopped. We are bound to regard this as honestly given testimony, if a general judgment is to be formed. It is to be noted here that the evidence of those who themselves broke free from the habit, during 1920 and 1921, leads us to believe that it is often an exaggeration to say that extreme hardship or physical injury would be caused by compulsory withdrawal of opium.

While there would undoubtedly be temporary hardship and physical suffering, the benefits would probably be more than compensated by the prosperity of the people and should be cheerfully faced. But if a compromise is sought to be made between two sets of opinion in Assam, an agreement might be reached on the formula that opium should be immediately prohibited in case of all addicts below the age of forty, except in such instances as are certified under medical prescription. Above that age, it might be allowed for the time being, with medical supervision and inspection. The names of all opium eaters above the age of forty should be registered and their rations fixed. In this manner, every effort would be made to prevent any more persons from becoming addicts and to limit the use of opium to medical requirements only. Our evidence shows, that even the opium eaters themselves are thoroughly ashamed of the habit, and the continuance of the opium traffic by a civilised Government is strongly condemned. The extent of the popular feeling against it can be estimated by the action taken by people of all shades of opinion during the movement of 1921.

The Indian non-official members of the Legislative Council are practically unanimous in condemning the opium excise policy and look forward to a time limit for non-medical consumption and to an immediate registration of confirmed addicts.

In Assam it may be asserted generally that there is one common opinion on this question. All are for prohibition. Only questions with regard to

the time limit for final prohibition vary slightly. The mass opinion on the subject is perhaps nowhere in India so strong and articulate as it is in Assam. Out of the total of 325 witnesses, orally examined, 207 are representatives from Assamese villages. Again, after a classification of the 996 men convicted and imprisoned, under the provisions of the Criminal Law Amendment Act, mainly for picketting the opium shops, we find that as many as 700 were people from villages. Such was the depth of feeling against opium. These figures prove that the Assamese village people were willing to undergo the hardships of a jail life in order to stop the opium traffic.

Chapter IX.—Recommendations.

In conclusion, we would recommend that the following steps be taken:—

(1) The sale of opium and its derivatives should be ultimately limited to the medical and scientific needs of Assam.

(2) Provision should be made for confirmed addicts above the age of forty, enabling them to procure a rationed amount of opium, their names being registered for that purpose.

(3) All opium addicts, who are under forty years of age, should be dealt with as medical patients. Wherever opium is needed by them, it should be given only under the order of a fully qualified doctor, the medical permission to obtain it being subject to quarterly renewal.

(4) These changes should be carried out within the next five years. At the end of five years, opium should be placed on the list of poisons under a Dangerous Drugs Act, and treated as such for all inhabitants of Assam.

While much depends on the Government action, we feel that no progress can be made without the education of public opinion. The Non-co-operation movement showed what a great advance could be made in opium restriction by voluntary effort and public propaganda. The decrease in consumption in a single year is a proof of what can be done by these methods. This work needs to be still further promoted and sustained.

We, therefore, appeal to all those who desire the welfare of Assam to organise themselves into anti-opium societies and to advocate opium prohibition amongst the people in general. This will lead to the education of public opinion against the opium evil and create a moral atmosphere, without which no great success can be achieved. Every avenue of approaching the illiterate masses, who are the greatest consumers, should be employed. Especially necessary is the careful training of the young children in all the elementary schools of the Assam Valley and among the Hill tribes. We would invite the co-operation of all sections of the community in this educational work, and we would specially appeal to the missionaries to help us in organising temperance societies among the Hill tribes with whom they are closely connected.

Finally, we would venture to ask Mahatma Gandhi once more to come to Assam and put himself at the head of a great anti-opium campaign to be carried on by entirely peaceful means.

REPORT OF THE

Indian Economic Enquiry Committee

The report of the Indian Economic Enquiry Committee was published in the first week of October 1925. The appointment of the Committee was announced on the 22nd January with the following terms of reference :—

> " To examine the material at present available for framing an estimate of the economic condition of the various classes of the people of British India ; to report on its adequacy ; and to make recommendations as to the best manner in which it may be supplemented, and as to the lines on which a general economic survey should be carried out, with an estimate of the expenditure involved in giving effect to such recommendations."

The Committee assembled at Delhi on the 7th February, and since toured the country gathering evidence, and subsequently issued their report, which was published by the Government of India Central Publication Branch Calcutta. The main report was signed by Sir M. Visvesvaraya, the Chairman of the Committee, and Pandit Hari Kishan Kaul; while the third member, Professor A. R. Burnett-Hurst, signed only subject to a Note of Dissent in regard to which the other two members wrote in their introductory remarks : " We regret that on account of fundamental differences of opinion we have not had the benefit of the co-operation of our colleague, Mr. A. R. Burnett-Hurst, in the preparation of this report. We desire, however, to place on record our high appreciation of his services as Secretary to the Committee."

The terms of reference to the Committee are analysed as falling practically under two heads :—

(1) The examination of the material available; and

(2) The preparation of a scheme of economic survey together with an estimate of the cost involved.

To these two heads the report proper addresses itself. The Committee point out that surveys in various forms are now a regular feature of the administrative activities of the self-governing Dominions within the Empire. They add, that in India the time has arrived when a survey should be regarded as an indispensable preliminary to the formulation of economic policies and the treatment of many of the larger problems that arise in connection with the economic development of the country. According to the Committee, the primary purpose of an economic survey is to collect and compile facts and statistical date relating to the economic condition of the people, as it is too well-known to need any emphasis that numerous problems concerning the material well-being of the people of British India are to-day awaiting treatment under the guidance best supplied by an economic survey. The results of such a survey should, among other things, lead in their opinion to the adoption of measures for increasing production and wealth,—measures, such as the industrialisation of agriculture, the development of industries and trade, the redistribution of population according to the fertility of the various tracts, increasing the efficiency of labour, and calling in the aid of machinery, science, and capital for developing the country's vast resources and organising its stupendous manpower.

After giving careful consideration to all the opinions received the Committee have come to the conclusion that an enquiry into the economic condition of the people should fall under two main heads :—

(i) Test applicable to a province or the country as a whole :—Production, national income, and national wealth.

(ii) Test applicable to classes of people or local areas :—Individual income, individual wealth, collective wealth, cost of living, wages and prices, indebtedness, etc.

Classification of Material.

Dealing with the first part of the reference, namely, the examination of the existing material, the Committee have considered the subject under the following three main classes ;—

(i) General statistics other than production, comprising :—Finance, Population, Trade, Transport and Communications, Education, Vital Statistics and Migration,

(ii) Statistics of production, including :—Agriculture, Pasture and Dairy-farming, Forests, Fisheries, Minerals, Large Scale Industries, Cottage, and Small Scale Industries.

(iii) Estimates of Income, Wealth, etc.:—Income, Wealth, Cost of Living, Indebtedness, Wages, and Prices.

The statistics falling under class I (says the report) are more or less complete, those under class II are satisfactory in some respects but incomplete or totally wanting in others ; while as regards estimates of income, wealth, etc., class III, no satisfactory attempt has been made in British India to collect the necessary material on a comprehensive scale.

Statistics and Economic Policies.

After a detailed consideration of general statistics, the Committee state that these statistics have not hitherto been compiled with a view to their being utilised for shaping the economic policies of the country. In other respects, they appear to be satisfactory as far as they go. Further improvements to bring them into line with up-to-date statistical systems abroad might be effected with the aid of a committee or conference of statistical experts. As regards statistics of production, the Committee suggest that complete statistics including its total value should be collected.

The existing agricultural statistics simplified and improved should, they state, offer the best means of ascertaining agricultural production. Where a subordinate revenue agency exists for doing this work no other agency, they suggest, can be usefully substituted for it. The Committee do not consider it necessary to have a periodical census of agricultural production, but instead they propose a quinquennial review of the data collected from year to year. They also furnish detailed suggestions for obtaining the value of production in pastoral occupations, dairy farming, fisheries, and cottage and minor industries. They hold that Departments of Mining and Industries should collect statistics of mineral and industrial production respectively, including values. They also suggest a detailed quinquennial census of industrial production.

Turning to estimates of income, wealth, cost of living, etc., the Committee state that such official information as is available is very meagre. that intensive inquiries should be made every year in limited areas in every district for ascertaining income, wealth, cost of living, indebtedness, etc., of the people. They also suggest that the income-tax returns should continue to be published in an improved form. Approximate estimates of the wealth of individuals should be made wherever possible by the investigators in the course of their intensive inquiries. Cost of living index numbers should, they add, be prepared for the principal industries centres. Detailed

proposals are also made by them for the collection of rates of wages of various classes of operatives in industrial establishments, mines, etc, They further recommend a comprehensive quinquennial wages census and offer suggestions for the collection of wholesale and retail price.

A Central Authority.

Dealing with the second part of the term of reference, namely, a scheme of economic survey, they consider that for carrying out such a survey an effective organisation, a continuously functioning staff, and rules and instructions based on foreign experience, as adapted to local conditions, will have to be brought into existence and adequate funds provided for putting the proposals into practice. The Committee claim that the scheme outlined by them embodies all these characteristics, and that it is designed to give a progressively correct estimate of the economic condition of the country and its people. After examining the various suggestions put forward regarding the methods of survey, they hold the view that, while aiming at the maximum of accuracy, India should follow the example of the Dominions and obtain approximate figures and estimates by generalisation wherever absolute accuracy is not possible of attainment. The guidance which approximate figures may give should not be refused because the country cannot afford the expense of collecting strictly accurate figures for a long time. All work connected with the economic survey should be properly co-ordinated by one central authority

Dealing with the centralisation of statistics, they state that Statistics is already a central subject, and that a central statistical office has been in existence for several years although, as a result of the recent retrenchment policy, it has been reduced in status and strength. The statistics of British India are not, in their opinion, designed to give an indication of the true economic trend of the people or of the status of British India as an economic unit. They hold that if the statistics of British India are to form a basis for building up the economic policies of the country all work should as in the Dominions, be co-ordinated and centralised. The statistics at present, which are partly economic, may continue to be compiled by the departments concerned, but they should come under the technical guidance of the central statistical authority.

Need of Legislation

The Committee consider that if it is to secure an enduring success, the proposed scheme of economic survey should have its organisation and functions defined by law, the object of legislation being two-fold namely, to place the whole statistical organisation on a legal basis and to facilitate the collection of correct economic data from individuals and firms. For the latter purpose it is necessary to legalize the demand while guaranteeing the individuals and firms concerned against any direct or indirect disclosure of the information obtained under seal of official survey. They also recommend that the new measure should embody the provisions needed for conducting the decennial population census and be called the Census and Statistics Act.

The Committee recommend the creation of a Central Bureau of Statistics presided over by a Director of Statistics who should be an officer of broad sympathies and outlook and should have practical training in statistical matters. It is recommended, with a view to enlist public sympathy with the Department, that the Director's appointment should be subject to the vote of the Central Legislature. Each province should, they add, have a Provincial Statistics Bureau with a Provincial Statistician at its head and a number of assistants, usually one for every Revenue

Division, for the supervision of the work of collecting statistical material in the districts.

They also propose that Advisory Boards should be associated both with the Director of Statistics and with the Provincial Statisticians to advise and co-operate. The appointment of small committees in villages is recommended to assist the Inspectors employed in collecting production statistics and the investigators engaged in economic research. They propose to collect production statistics with the help of Revenue and other Government Departments by providing the additional staff of Inspectors and clerks needed. The intensive inquiries will be conducted by a technical staff with the co-operation of the Revenue Department and the people of the areas concerned.

The Committee consider that the village studies at present carried on are too elaborate, and that there have been too many studies of an intensive character without any proportionate visible results. In their opinion the studies should comprise inquiries concerning income, expenditure or cost of living, wealth and indebtedness concerning every household in the area investigated, and they should enable standards of living and the cost of living of the various classes to be determined.

It is computed that in a Province like the Punjab one investigator per district will complete the collection every year of data relating to 4 per cent. of the urban population, and that two investigators working in the rural areas will be able to collect data relating to 2½ per cent. of the rural population. As the results of these investigations become available in each succeeding year the inferences drawn as to the general condition of the people would become more and more reliable.

Other Suggestions.

Other suggestions of the Committee are that the Labour Office in Bombay and the offices of the Labour Commissioners in Madras and Burma may be amalgamated with the new Provincial Bureaus to be established in those areas, and that the village agencies and city and town municipalities should be encouraged to collect data and compile statistics each for their particular areas, so that gradually the responsibility for maintaining an economic survey may be transferred to the shoulders of the people who are most interested in their use. In some Provinces, they add, the post of the Provincial Statistician may be usefully combined with that of the Director of Land Records. The question of inducing Indian States to take up the work of economic survey on parallel lines also suggested.

The Committee further consider that an official Indian Year Book should be published after the model of those issued by the Dominion Governments embodying all the principal statistics and forming a compendium of official data and information concerning the general, social, and economic conditions of the people. The Central Bureau of Statistics should also continue to publish the usual statistical returns and tables, and these should be reviewed once in five years and all doubtful points examined. Similarly an annual review of the economic condition should also be published conveniently at the time of the discussion of the succeeding year's budget in the legislatures.

In order to help the people to overcome their anti-economic habits and traditions the Committee suggest an educative propaganda by the publication in every village of the statistics of agricultural and miscellaneous production and by the supply to the village accountant of the statistics relating to all other forms of production in a village to be published along with the figures of agricultural production. It is suggested that the revenue officers and officers of the statistical department should draw the attention of the villagers to these figures when they happen to visit a village and

explain to them their real significance. The association of local committees, panchayats, etc. with the work of collecting statistical data will, they suggest have an educative value.

Cost of the Scheme.

The following is a summary of the financial proposals under the scheme :—

	Rs. Lakhs
Recurring yearly expenditure by the Central Government	.75
Recurring yearly expenditure in the Provinces ..	56·79
Total yearly recurring expenditure by both Central and Provincial Governments ..	57·54
Additional expenditure for equipment, training, etc., in the first quinquennium to be expended practically in the first two years— ..	
Central Government	1·25
Provincial Governments	30·61
Total ..	31·86

If the Central Government bears half the cost of the Provincial Establishments and half of the initial additional expenditure the share of the respective Governments will be as follows :—

	Rs. Lakhs.
By the Central Government .—	
(1) Total initial outlay in the first two years, 1·25+15·31	16·56
(2) Recurring yearly outlay 75+28·40 ..	29·15
By the Provincial Governments collectively ;—	
Total initial outlay in the first two years ..	15·31
Recurring yearly outlay	28·40

Mr. Burnett-Hurst's Note of Dissent.

Mr. Burnett-Hurst does not approve of some of the principles in the above report and most of the details of the recommendations. In his dissenting note he emphasises the fundamental differences between India and the Dominions in the collection of statistics. In the first place, the expenditure and the difficulties of a statistical inquiry increase with every increase in the units to be enumerated, and an investigation comprising the whole of British India within its scope would correspond to an enquiry covering the greater part of Europe.

Statistics, again, cannot be easily collected where population is scattered and the earnings of agriculturists cannot be ascertained with as much facility as those of industrial workers. In India four-fifths of the inhabitants reside in rural areas, and three-fourths of the total population are agriculturists.

Another difference between India and the Dominions, etc., is that the collection of statistics by the distribution of schedules cannot be followed in India on account of the illiteracy of 90 per cent. of the population. There is also an almost entire absence of organisations and associations which in Great Britain and the Dominions co-operate and assist in the collection of statistics.

Finally, industry in Great Britain and the Dominions is highly organised, so that it is easy to collect statistics with a degree of accuracy; but in India, in its present stage of development, with scattered, unorganised undertakings mostly carried on by persons working on their own account, statistical measurement is difficult and impossible to achieve without the employment of a large staff.

To add to these difficulties Mr. Burnett-Hurst points out that, in the opinion of several witnesses, an enquiry regarding the personal wealth of the people would probably be viewed with suspicion, and it would appear to be inadvisable to carry ont e quiries into individual wealth.

After pointing out that any estimate of national wealth is unlikely to be of much utility he suggests that an economic survey of India should take the form of—

(1) Detailed and careful studies of the income and expenditure of selected families representative of the various classes into which the population can be grouped; and

(2) A series of intensive and extensive enquiries into such subjects as the influence of disease on physical efficiency, the economic effects of restrictive social customs, intensive labour versus light work for longer periods, adulteration of the food-supply and other fradulent practices, sanitation, welfare work, etc. etc.

Census of Production.

He recommends that eventually a detailed census of production should be instituted and repeated quinquennially and also a quinquennial wages census The intensive euquiries should be supervised by Provincial Boards of Economic Enquiry composed of non-officials and officials and constituted on the lines of the existing Punjab Board, the Provincial Director of Statistics being an ex-officio Member of the Board in order to secure co-ordination between the Board and the Provincial Bureau of Statistics,

The agency for the collection of satistics in the extensive survey should be persons belonging to or working under the direct supervision of the department of branch of administration with which the statistics are associated. He emphasises the importance of accuracy in collecting data, and adds that estimates founded on more or less shrewd guesses have no authority unless the degree of accuracy can be ascertained.

The Department of Statistics should be enlarged and reconstituted by administrative act to form a Central Bureau of Statistics, and the Bureau should be responsible for the census of production and census of wages of large industrial establishments, wholesale prices, annual statistics of industrial, pastoral, and dairy production in addition to the present publications of the Department of Statistics. The Bureau should also utilise such of the statistics of the provincial bureaus and provincial departments as are reliable and suitable for the construction of all India figures.

He recommends a statistical advisory board to be appointed by the Governor-General in Council. In his opinion the salary of the Director-General in charge of the Central Bureau should not be subject to the vote of the Legislature, as statistical appointments should not be made the subject of party politics.

REPORT OF THE

External Capital Committee

The report of the External Capital Committee, which was appointed by the Government in accordance with a promise given by Sir Charles Innes in the Legislative Assembly on the 6th June, 1924, to consider the question of the flow of capital into India from external sources, was published by the end of September 1925. The Committee was composed of Sir Basil Blackett, Mr. C. B. Chartres, Sir W. Currie, Mr. T. C. Goswami, Sir Charles Innes, Sir Sivaswami Iyer, Pandit Madan Mohan Malaviya, Mr. Dwarkanath Mitter, and Mr. G. A. Natesan.

The Committee have not attempted to estimate the amount of external capital in India, as any such calculation must be largely guess work. They do not think that any practical purpose would be served by such an estimate. As a general principle they hold that the inflow of external capital is not only unobjectionable in itself, but is a valuable factor in assisting the economic development of the country and in increasing its wealth and employment. It is, however, even more advantageous that India's requirements for new capital should be supplied from internal sources. So far as internal capital is forthcoming India possesses a large store of dormant capital awaiting development, and, in order to make this available for investment, they suggest that a preliminary survey should be undertaken by the Government without delay of the whole field of banking organisation and credit facilities in India, the preliminary survey to be followed by a detailed examination by experts. The following are some of the questions, a detailed examination of which the Committee consider would be most likely to lead to fruitful results:—

Facilities for Investment.

The first is the question of increasing the facilities for deposit and investment by the creation of new branches of the Imperial Bank, extension of the facilities of existing banks and the formation of new banks. They also suggest an examination of the indigenous banking system in order that the credit facilities which they now afford may be fully utilised and further developed by being fitted into the modern banking system, and the examination of the various proposals for the Government control of joint stock banks.

The most important question is the provision of a comprehensive scheme of banking education which will furnish an adequate supply of Indian bankers trained on sound and modern lines. One of the first points for consideration in this connection would be the desirability of creating an All-India Institute of Bankers to supervise courses of instruction combining both practical and theoretical training.

As regards the facilities for investment, they consider that as fresh capital must, if progress is to be healthy, be attracted first into investments in which safety is the primary consideration, steps should be taken to encourage dealings in Government Securities by extending the Public Debt Office facilities to the more important commercial centres outside the presidency towns, thereby creating more money markets throughout India constituted on modern lines.

Credit to Agriculture.

Other questions of importance are co-ordinated examination of machinery for the provision of credit to agriculture and industry, either by direct Government assistance, or through industrial and co-operative banks and the development of negotiable instruments so that they can take their proper part in the financing of Indian trade.

Turning next to the question of imposing restrictions on external capital, the Committee distinguish between the different forms of external capital according to the extent to which such capital carries with it control over Indian industrial organisations and Indian natural resources. According to this criterion, external capital is divided into three categories, namely:—

(1) Investments in which the external investor is merely entitled to a stipulated rate of interest and only acquires rights of control when there is default, as in the case of State and municipal loans, bonds and debentures of private companies and loans.

(2) Investments in which the external investor enters into competitive business on equal terms with Indian enterprise, as in the case of cotton and other textile mills, mercantile houses and the like.

(3) Investments in which the external capitalist acquires special privileges or concessions of land which give him exclusive possession or exclusive rights of exploitation of particular portions of the natural resources of India.

As regards class (1), the Committee do not consider any measures of control necessary, but in the case of Government and quasi-Government loans, they add that the rate of interest should not be the sole consideration in placing such loans, and that, other things being equal, preference should be granted to the Indian investor.

Control Measures.

After careful consideration of the various devices suggested for imposing control, the Committee have come to the conclusion that restrictive measures would be either impracticable or disproportionately injurious to the Indian investor in cases falling under class (2). The most general of these suggestions for control are the registration of new companies in India with rupee capital and definite reservation to Indian investors of a proportion of the shares, stipulations for a definite proportion of the directors being Indian, and for facilities being afforded for the training of Indian apprentices, and the imposition of penal taxation on companies which did not comply with these conditions. The Committee point out that these suggestions could only be applied to new companies, and that they would entail a very elaborate system of trade licensing and inquisitorial Government control which would tend to prevent the development of private companies into joint stock companies. Restrictions on the transfer of shares from Indian to non-Indian might possibly increase the yield in certain exceptional cases, but this would be largely outer balanced by their lower sale value on account of the absence of an open market for the sale of investments.

Further practical objections are probable evasion of the restrictions by the large capitalist and the increased difficulty to the small investor of finding purchasers for which brokers would naturally charge an enhanced commission. The Committee's objection to a statutory minimum of directors is based on the right of shareholders under ordinary circumstances to have an unfettered control over their own directorate, and on the principle that it would be inadvisable and uneconomic to compel companies to labour under a proportion of directors whose business qualifications were only a secondary consideration.

Subscription Lists.

The Committee are also opposed to the keeping of subscription lists for new or additional capital open to Indians for a prolonged period, because, if Indian subscribers were subsequently allowed to sell them in the open market without restriction, the effect of such a policy on the ultimate control of a company would be negligible, while the dislocation created to the commercial machinery of the country by such a general provision would be incalculable.

Pandit Madan Mohan Malaviya, while recognising the force of this argument, holds that some such action is desirable on the ground that there would be some residuum of additional Indian holdings as a result.

Where, however, definite concessions are granted to particular concerns, as in the third-class of external capital, the Committee agree that definite restrictions might be imposed. They would sub-divide this class further into two: (1) where foreign capitalist acquires a definite pecuniary concession, such as a bounty: and (2) where he acquires a concession which will enable him to exploit a wasting asset, such as a mineral concession.

Nature of Restrictions.

In the first case they consider that restrictions might be imposed of the nature described in Section 5 of the Steel Industry Protection Act, 1924, namely, that companies should be registered in India with rupee capital and reasonable facilities for the technical training of Indian apprentices should be provided. As regards mining and similar concessions, they are of opinion that no definite proportion can be prescribed and the matter must be dealt with by the expert departments of Government concerned, the general criterion being that concessions should only be granted to external concerns where it is clearly in the national interest that they should and where internal capital is not forthcoming on reasonable terms, and then only subject to such safeguards as may be suitable for each case. Lastly, the Committee do not consider it necessary to examine in detail the measures to be taken to give effect to these recommendations, as they do not suppose that any general legislation will be necessary. If the Government accept them, necessary legislative and executive steps can be taken to give effect to them on each occassion when a bounty or similar concession is granted.

Summary of Recommendations.

The following is a summary of the recommendations of the External Capital Committee, presided over by Sir Basil Blakett.

It is advantageous to India that its requirements for Capital should be supplied from internal rather than from external sources, so far as internal capital is forthcoming. The real solution of the problem of External Capital lies in the development of India's own capital resources.

Subject to the limitations given below the inflow of External Capital is not only unobjectionable in itself, but is a valuable factor in assisting the economic development of India.

Though in certain circumstances the control of External Capital may be necessary in the interests of India, general measures discriminating against it or penalising it, either by way of taxation or by way of control, would, so far from assisting the development of these resources or fostering the interests of the Indian investor, be definitely injurious to both, as they would impede the growth of new industries and restrict the transferability and, consequently, the market value of the holdings of the Indian investor.

India possesses a vast store of dormant capital awaiting development and in order to make this available for investment, banking facilities must be increased and extended. We would emphasise the importance of a co-ordinated survey of banking facilities being undertaken at the earliest opportunity, followed by a detailed examination, by an expert committee, or committees, of the lines along which progress should be effected.

As regards the control of External Capital where the external capitalist is merely entitled to a stipulated rate of interest and only acquires right of control when there is default, as in the case of State and Municipal Loans, and Bond and Debentures of Companies and Bank Loans, we do not consider any measures of control necessary; but in the case of Government and quasi-government loans, the rate of interest should not be the sole consideration in placing such loans. Other things being equal, preference should be granted to the Indian investor.

Where an investment carries with it the control of an undertaking, we consider it reasonable that when the Government grants particular concessions to the industry, it should exercise such control over, as would lead to the advantage of the country. Where the concession is general, as in the case of a protective tariff, (and this would include practically every industry in India, as a revenue tariff without a corresponding excise, has protective effect) it is impracticable to effect any discrimination. No feasible suggestions for such discrimination have been suggested to us nor have any occurred to us during our discussions. Where definite pecuniary assistance, such as a bounty, is granted to any particular undertaking, we consider that discrimination is feasible and we agree with the Fiscal Commission and the Legislature that no such assistance should be granted to any company, firm or person not already engaged in that industry in India, unless firstly, reasonable facilities are granted for the training of Indians and, secondly, in the case of a public company, unless it had been formed and registered under the Indian Companies Act 1913 and has a share capital, the amount of which is expressed in the memorandum of the Association in rupees and such proportion of the directors, as the Government may prescribe, consists of Indians.

Where a concession is granted to exploit a wasting asset, such as a mineral concession, no definite rules can be prescribed. It must be a question in each case whether it is better from the point of view of the national interest that the concession should be developed by External Capital or left until Indigenous Capital may be prepared to develop it. Such concessions should only be granted to external capitalists when it is clearly in the national interest that they should be developed. We do not consider it necessary to examine in detail the measures to be taken to give effect to these recommendations, as we do not suppose that any general legislation will be necessary if Government accept them. Necessary legislative and executive steps can be taken to give effect to them.

Pt. Malaviya's Minute of Dissent.

Pandit Malaviya, who was a member of the Industrial Commission has appended a valuable note to the report. He recalls that during the debate on the Steel Protection Bill which led to the appointment of the Committee Sir Charles Innes had stated : " I am aware that there are sections in the House, which would like to incorporate in the Bill specific provisions regarding the proportion of foreign capital. I am prepared to take up separately the examination of questions of that kind, and in that examination, I am prepared to associate with the Government a committee of the Legislature, appointed *ad hoc* for the purpose."

Pandit Malaviya says : " It is in fulfilment of this promise that the present Committee was appointed. The main question, therefore, which this Committee had to consider, was what measures, if any, should be adopted to ensure that in every public company which may be incorporated in the future, a certain proportion of capital shall be Indian. My colleagues have come to the conclusion that except when definite concessions are granted to individual concerns, restrictive measures would be either impracticable or disproportionately injurious to the Indian investor." With this Pandit Malaviya does not agree, for " so long at the policy of free trade was followed by the Government of this country matters stood on a very different footing from that on which they do now. As a policy of protection of industries by tariffs and bounties has now been adopted, the Government is bound, in fairness to the general consumer, to see that the industries which shall benefit by such tariffs are either wholly or, at least largely Indian both in the matter of capital and control. The very foundation of Protectionism, as has been said by eminent economists, is the idea of nationality. When we Indians asked for protection we did so in order to promote Indian enterprises with Indian capital and under Indian control. The Government of India understood as correctly and agreed with us. Speaking in 1916 on the resolution which led to the appointment of the Industrial Commission, Sir William Clarke, then Commerce Member, said: 'The building up of industries, where the capital, control and management should be in the hands of Indians is the special object we all have in view.' He deprecated the taking of any steps which might merely mean that the manufacturer who now competes with us from a distance would transfer his activities to India and compete with us within our own country."

Pandit Malaviya recalls his own note attached to the Industrial Commission Report and quotes from the Minority Report of the Fiscal Commission, which emphasised that " no foreign country should be allowed to monopolise the profits due to the policy of protection in India and at the cost of the Indian consumers." In order that this object should be achieved it is not only necessary that a reasonable proportion of the directors of every new company, which may be formed here-after in India, should be Indians, but also that, at least, half the share capital should be reserved to Indian subscribers for a definite period of time. If after that period Indians have not subscribed their share, the company should be free to acquire the remaining capital where it could. Pt. Malaviya declares : " In support of my view, I would also refer to the English Overseas Trade (Credits and Insurance) Act. In that Act it was definitely provided that no credit should be

granted by the Board constituted under the Act, to an alien or to a firm in which the majority of the partners were aliens or to a company where British subjects did not form a majority of the directors or where a majority of the voting power was not in the hands of British subjects. I also wish to emphasise that the adoption of a policy of protection of industries by tariffs and bounties more than ever makes it the bounden duty of the Government that it should provide sufficient banking and credit facilities to Indians, and encourage them to build up indigenous industries."

Need for a State Bank

Pandit Malaviya then discusses at length the need for a State Bank in India. He quotes the opinions of Sir Dinshaw Wacha and Dr. Gilbert Slater on the subject and says Mr. Findlay Shirras' book shows how deplorably low the banking position in India is in comparison with that of Canada, Australia, Japan, the United Kingdom and America. While the Banking Capital amounted, in 1920, in India to only 28 million pounds (including the Capital of Exchange Banks, which do business elsewhere, that in Japan was 67 million pounds. Deposits (Banks and Savings Banks) amounted in India to 118 million pounds and in Japan to 404 millions pounds. The number of Banks in India was 359. In Japan the number was 5874.

Pandit Malaviya next shows that the opinions expressed by "The Times" in 1913, by the Chamberlain Commission in 1914, and by the Industrial Commission in 1918 all recognised the vital importance of the question of a State Bank for India and wanted the subject to be investigated by an Expert Committee. In March 1919 Mr. B. N. Sarma moved a resolution to that effect in the old Imperial Council, but Sir James Meston said the Government was too busy with the question of Reforms.

Pandit Malaviya concludes:—"It is a matter for real regret that, notwithstanding the weighty recommendations referred to above, this question has not yet received from the Government the attention which it so obviously deserves. Nothing more vitally affects the welfare of the people of India than the question of the healthy growth and expansion of National Commerce and Industry. Nothing is more urgently needed to make that growth possible and to sustain it than a sound system of national banking and finance, which should take note of and provide for the financial needs of the people in all the important branches of their commercial and industrial existence. I earnestly hope that, as this Committee has the advantage of being presided over by the Finance Member and of having the Member for Commerce also on it, its recommendations on the subject of banking will receive the early attention of the Government and that a Committee, so composed that it might command the confidence of the public, will be soon constituted to deal with this most important question."

Mr. Goswami's Minute of Dissent.

Mr. Goswami was not originally a member of the Committee, but was elected in the place of Mr. Patel. He, while generally agreeing with the report, says he was elected after the questionnaire had been framed and the answers received. He says :

"I found that the terms of reference practically excluded any form of first-hand inquiry as to the extent that foreign capital has a hold on India, as to how far such a hold has benefited India and as to how far it has been injurious." Mr. Goswami strongly emphasises the need for an urgent enquiry into the banking system and proceeds : " It is said in the report that considerable progress has been effected by the creation of the Imperial Bank and the opening of new branches. While I do not controvert the statement, I should like to express the common belief, for which I know there is good foundation in actual facts, that racial and political discrimination is made in the matter of credit and that Indians usually do not receive, in matters of credit, the treatment that their assets entitle them to, while on the other hand, British businessmen have frequently been allowed larger credit than what on ordinary business principles they ought to have got. This is a matter for inquiry. Whether this state of things can be altogether remedied at present is however a difficult question to answer. With regard to the leases always granted by the government, whether of mines or of forests, it is necessary for the public to know the details of each transaction. Leases have been granted at ridiculously low rents which cannot be explained away by the plausible theory of development and of risks of enterprise. There are cases in Assam, for instance, which require examination. I go further. Not only would such an inquiry indicate the steps that should be taken in the future to safeguard India's interests, but it would perhaps reveal cases of unconscionable favouritism.

" My esteemed colleague, Pandit Madan Mohan Malaviya, has appended a note to the report suggesting that it should be a condition in all cases in which shares are offered by public companies in India, that the subscription lists should be open for a minimum period and that preference should be given to Indian subscribers up to 50 per cent. of the amount of shares offered. The argument that this would be an illusory protection, since the shares can subsequently change hands and *Benami* transactions are to a large extent unavoidable, has great force and Panditji recognises this. I agree with Panditji that the effect of his proposition cannot be totally neutralised by these devises, but I do know that what Panditji suggests is the best mode of securing the object which some, at any rate, of the members of the Committee have at heart. I confess, however, that I am unable to suggest an alternative."

Sir Basil Blackett, in a note, observes that the points raised and the allegations made by Mr. Goswami in his note were not put by him before the Committee and his note was received after the report had been signed.

India in Parliament & Abrood

July–December 1925

The Indian Civil Services Bill

In the preceding volume we have detailed in full length the proceedings of the House of Lords on the 1st April 1925 when the Indian Civil Services Bill passed its second reading and subsequently referred to a Joint Committee on Indian Affairs with Lord Meston as its Chairman. The report of this Joint Committee was issued in June 1925. The Report is significant, not so much for the amendments to the Bill which the committee sought to effect, as for the reactionary spirit in which it made its recommendations. From a perusal of it it appears that the committee pressed some of its amendments in the teeth of the opposition of the India Office. One of these amendments related to the case of those members of the Services which were not classed as "superior" under the Act. The Secretary of State, it is clear from the Report, went so far to placate the Committee as to treat as belonging to the "Superior" Services every official whose work was, by its arduousness or the nature of its responsibility, in any way comparable to that of a member of the Superior Services. But the Committee was obdurate and insisted on its amendments being placed before Parliament. One of the amendments suggested that all public servants, whose salaries were non-votable, should be granted the same protection in regard to tenure of office and so on as were the members of the Superior Services. The reason for this amendment was that the legislature might, but for the amendment, defeat the object with which their salary was made non-votable by altogether abolishing the appointment. That is to say, the Committee called upon Parliament to place a ban on the local legislature from interfering with the strength and other matters connected not only with the "Security Services," but also with the Secondary Services. In effect, the Joint Committee wanted that the Secretary of State should have the right of imposing on the Central Government and the Provinces, not only the 'steel frame', but also all and sundry whom it pleased him to appoint, and direct that they be paid out of the Indian exchequer such salaries, pensions and allowances as it pleased him to fix for them.

Another amendment of the Committee called for control over the decisions of the Public Services Commission. The Committee insisted that any rules made by the Secretary of State in Council for devolution of power to the Public Services Commission would be referred to it because it considered that the future and the security of tenure of the public servants in India may be so materially affected by the functions of the Public Services Commission, that rules governing the powers of that body and the question of the final right of appeal against its decisions should not be approved by the Imperial Government until they have been exhaustively examined.

The following is the full text of the first report of the Standing Joint Committee on Indian Affairs on the Civil Services Bill : —

Joint Committee Report.

"That the committee have met and considered the Bill and have made amendments thereto,

"The committee have had the advantage of hearing a statement on the Bill from the Secretary of state. Its main object is to secure that the budgetary provision for the salaries, pensions, and allowances of certain classes of public servants shall not be submitted to the votes of the legislatures in India. This involves amendment of the law in two directions;—(1) The extension, in the case of persons whose salaries and pensions are at present exempted from the vote of the legislatures, of the same exemption to other emoluments. The Government of India Act, 1919 exempted only the salaries and pensions of such persons, and owing to technical meaning of these terms in Indian practice, there is at present a certain difficulty in classifying as 'salary' certain allowances which form part of an officer's regular remuneration, or the reimbursement of expenses incurred by him in the course of official business; (ii) the Act removes from the vote of the legislatures the 'salaries and pensions', however defined, only of persons appointed by the Crown or the Secretary of State in Council. But the concessions granted, as the result of the recommendations made in the Report of the Royal Commission on the Superior Civil Services in India, have not been confined to persons appointed by the Secretary of State in Council (who, broadly speaking, consist of the members of the services known as 'All-India Services'). They have been extended to members of the Superior Services, both central and provincial, who are appointed by the Government of India and local Governments. It would not be consistent that public servants who enjoy the benefits of concessions granted by the Secretary of State in Council should depend for the yearly provision of their remuneration upon the votes of the various legislatures. The Bill, therefore, proposes to comprehend in the category of persons whose 'salaries and pensions' are to be 'non-votable,' such existing (but no future) members of Services declared by rules to be 'Superior Services,' as were appointed by the Government of India or a local Government.

A Moral Obligation.

"The principle of the Bill has already been accepted on second reading in the House of Lords, and the committee endorse it without hesitation. (They realise fully the moral obligation on the Imperial Government to preserve the spirit of the Government of India Act, 1919, and on broad principles they are opposed to any invasion of the powers of the legislatures in India.) At the same time they consider the safe-guarding of interests of the public services in India to be a duty which must be fulfilled in the interests of the proper working of the new Constitution, and they are not apprehensive that the privilege now proposed will impair the proper discipline of the services by the proper authority.

"The committee, before proceeding to amend the Bill, had the advantage of hearing the views of the Under Secretary of State for India on various amendments which were proposed. They now proceed to deal with these amendments in some detail. In the first place, it was proposed to insert after clause 1, page 2, line 10, and also after clause 1, page 3, line 4, a new sub-section going farther than the Bill provided, by affording the same protection to certain persons whom the Secretary of State in Council may name, after certifying that exemption is justified by the circumstances of their original appointment.

"This amendment, after careful deliberation, the committee have agreed

Superior Services.

"The following views on this amendment were put before the committee by the Under-Secretary of State for India. He considered that the amendment was unnecessary, as the Bill as it stands gives power to classify as 'superior', (and thereby to make their salaries non-votable) any services or posts which have a status or responsibility comparable with those of the 'All-India' or 'Central' Services. He stated that the Government proposes to adopt that criterion in deciding whether any provincial service or post is to be classified as 'superior' for the purposes of this Bill. The Government does not advise the inclusion of a number of persons who, judged by the above mentioned criterion, could not be classified as holding 'superior' appointments. It considers that this would detract too much from the powers of the legislatures. In the matter of protecting any Provincial Services or posts which can be shown to be comparable in status or responsibility to All-India and Central Services, the Government is prepared to go farther than the recommendation contained in the Report of the Royal Commission presided over by Lord Lee of Fareham. It does not, however, mean to extend those recommendations to the Provincial Services as a whole, or to selected individual members. To attempt to do so would, in its opinion, re-open the whole question of the classification of the Services and the distribution of control over them which has been effected on the basis of the Act of 1919.

"The committee have given the closest attention to those arguments, but have decided to insert the amendments, subject, of course, to whatever drafting alterations may be considered necessary to give effect to its purpose. Their view is that there are appointments, here and there, which it would be difficult or even improper to classify as 'superior,' but which are yet held at present by persons who were originally appointed in circumstances which gave them the right to expect and which in fact entitle them to the same measure of protection as will extend to members of the new 'Superior' Services. Such cases, it is anticipated, will not be numerous; they raise no racial question, as the proposed privilege will be open to all public servants alike; and the Secretary of State will not exercise his power of individual exemption without investigating the particular conditions under which each claimant was appointed. The number of officers thus privileged will steadily diminish and the committee do not regard the concession as constituting any appreciable derogation from the powers of the legislatures while it will remove any sense of grievance from a few meritorious officials.

"The second amendment which the committee have inserted is one which was put in at the request of the State, and is not in any sense controversial. It is to supply an accidental omission in section 90 (b) of the Act of 1919, by adding the words 'in Council' after 'Secretary of State' as in the rest of that section.

"The third and last amendment which the committee have adopted was not dealt with by the Under-Secretary of State, and the committee did not, therefore, have the benefit of his advice before considering it. The object of the amendment is to extend to all officers whose salaries are non-votable the same protection as section 97 (b) provides for officers appointed by the Secretary of State in Council. The provisions under which the salaries of officers are not submitted to the vote of the legislative Councils would be nugatory if there were no special limitation to the power of abolishing their appointments.

"The committee were advised that this amendment does come within the scope of the Bill. After discussion, however, they came to the conclusion that this additional protection is necessary, and the amendment

was carried. They consider that the amendment is consistent with the recommendation made in paragraph 57 of the Report of the Royal Commission. They further consider that in the event of the recommendation in paragraph 27 of that Report being adopted by the Government, this safeguard will be valuable. The Report recommends that an appeal should only be finally referred to the Secretary of State provided that the case is certified by the Public Services Commission (when set up) as a fit one for such appeal.

"In conclusion, the committee trust that any rules which are made by the Secretary of State in Council under section 96 (c) (2) of the Government of India Act, 1919, will be referred to them. They consider that the future and the security of tenure of public servants in India may be so materially affected by the functions of the Public Services Commission, that the rules governing the Powers of that body and the question of the final right of appeal against its decision should not be approved by the Imperial Parliament until they have been submitted to exhaustive examination".

The Bill in the Lords

In the House of Lords, on the 9th July 1925, dealing with the Joint Committee's amendments to the Indian Civil Service Bill, Lord BIRKENHEAD said the proposals to extend the number and the range of beneficiaries exceeded the scope of the bill. They were supported neither by the Government of India nor by the India Office and were quite unworkable. They involved either racial discrimination or the withdrawal of officers from the control of the Council to an unjustifiable extent and would create more grievances than they removed. He therefore, asked the House to reject them.

Lord MESTON, as Chairman of the Joint Committee, explained the reasons for the proposals. He disclaimed any intention of giving the scheme a racial aspect.

Lord AMPTHILL, in the course of his speech, said that in the speech that Lord Birkenhead had just delivered there was no suggestion that anything would be done to accord provincial officers the protection to which they were entitled and without which it was impossible for them to render efficient service. The committee was only trying to repair the omission of the Lee Commission and empower the Secretary of State to protect officers of precisely the same class and the same claims as those he was protecting already. The rejection of the committee's recommendations would be a very serious blow to the handful of provincial officers concerned, who had been playing the game and doing their best to make the reform scheme workable and their disappointment would be felt by the whole of the services of India.

Lord SYDENHAM concurred with Lord Ampthill's views and declared that the effect of the rejection of the proposal would be to decrease the confidence of our fellow-citizens in India.

Lord PEEL pointed out that Lord Birkenhead's proposals went a good deal further than the proposals of the Lee Commission.

Lord OLIVIER said that although the report of the committee was accepted without a division there were differences of opinion previously. He was sure that Lord Birkenhead, his Council in the India Office and the

Government had fully considered the question of possible hardship and, therefore, he did not see the slightest necessity for the House of Lords to make themselves more Royalist than the Government.

The debate resolved itself into a desultory conversation between Lord Birkenhead and Lord Olivier on the one hand and Lords Meston, Ampthill, Sydenham and Harris on the other. In the end the committee's amendment extending the range of beneficiaries was rejected by 55 votes to 29 and the consequential amendment dealing with the same point was rejected without division. The Majority was composed of members of the Government, a few Conservative peers, and the Labour Opposition. The minority was made up mainly of Liberals and reactionaries.

The amendment adopted by the committee, extending to all officers whose salaries were non-votable the same protection as was provided to officers appointed by the Secretary of State, was opposed by Lord Birkenhead on the ground that it was outside the scope of the bill and was rejected without a division. After the adoption of the committee's drafting amendment, the bill, as amended in this respect, was passed by the committee.

The Bill in the Commons

On the 4TH DECEMBER in the House of Commons in moving the second reading of the Indian Services Bill Earl WINTERTON re-echoed the substance of Lord Birkenhead's speech in the Lords on April 1, and dwelt on the excellent effect of the adoption of the Lee Commission's recommendations upon the services. He declared it was doubtful, as the Act stood, whether the Indian legislatures could not refuse to vote supply for the provision of passage allowances to civil servants to and from Britain, and that the measures giving effect to the Lee recommendations had beneficially affected recruiting for the Indian Civil Service. The recent examination gave great grounds for hope that the old standard of quality and quantity would be maintained.

Mr. SCURR, in moving the rejection, complained of the introduction at the late hour of an important measure affecting the lives of 300 millions of people. He stated that the only way of fulfilling the responsibility for India was to grant her one of the most efficient bodies in the world, and concluded by saying that no Labourite would oppose proper payment for the work done but the obligation for it is England's not India's and hence it ought to be a charge on the British and not the Indian exchequer.

Mr. SAKLATVALA seconded the motion. In the middle of his speech the debate was automatically adjourned under the standing orders.

On the 8TH DECEMBER in the Commons Mr. Scurr's motion for the rejection of the Bill was rejected by 241 votes to 77. The Bill **passed the second reading and was committed to the Standing Committee.**

In the course of the debate on the Bill, Mr. LANSBURY said that the passing of the legislation here in the teeth of the opinion of the Indian Assembly was an intentional insult to the Indian people. The Commons should not impose on the revenues of India charges that the Assembly would not accept if it were consulted.

Sir Frank NELSON believed that the Civil Service could be a great power in promoting the Indo-British understanding and hastening full dominion self-government for India.

Mr. BAKER asked for an undertaking from Earl Winterton that he would enquire into the conditions of service of European employees in the Indian Ordnance department and provide a machinery whereby their reasonable representations might be brought to the notice of the Secretary of State.

Mr. Wardlaw MILNE, supporting the Bill, suggested that it should be made clear that it applied to men of the non-covenanted services whose work was all within one province. It might easily be amended, if necessary, by providing for the reappointment of these men by the Secretary of State.

Mr. SNELL, member of the Joint Committee, agreed that it was an advantage to Indians that the Civil Service should be happy, contended and efficient, but he protested against the form of the Bill, which suggested that Indians could not be trusted to do the right thing by the Civil Service.

Col. WEDGWOOD complained that the Bill was obscure and suggested that such a change as was contemplated in the Bill should be left over until the Royal Commission had reported. He suggested the appointment of a commission to enquire into the wages and state of workers in India.

Earl WINTERTON, after explaining the purpose of the Bill, emphasised that in no sense was it a race Bill but was concerned with Indians and Europeans. It was true that the majority in the Assembly had rejected the Bill, but every Indian member of the Commission had signed the report, which was unanimous. It was a striking tribute to the way in which Indians and Europeans could work together that they had produced so excellent and unanimous a report. Whatever might be the opinion of some Indians, as quoted by the members opposite, he believed that the great bulk of opinion—which, after all, was sensible, reasonable and fair-minded—favoured adequate salaries and emoluments for Indians and Europeans serving the Crown in India.

The Bill in the Lords Again

On the same day, the 8TH DECEMBER, in the Lords Lord LEE withdrew his motion moved the day before as a consequence of the receipt of an assurance from Lord Birkenhead that he intended passing the Civil Services Bill in the present session. Lord Birkenhead declared that Lord Lee was right in assuming that it would be disastrous if the Bill failed to pass both Houses in the present session. Lord Birkenhead revealed a 'very unfortunate difference of opinion' in the Joint Committee, which made a recommendation which the Government was unable to accept and which had the effect of delaying the Bill six weeks, jeopardizing its fortunes in the crowded session. He did not doubt that the Conservatives appreciated the high imperial consequences of passing the measure, and as regards the Labourites, it would be true to say that this Bill was the same as Lord Olivier recommended to his colleagues and actually gained informal assent when the Labour Government fell.

On the 14TH DECEMBER it was announced that the Indian Civil Services Bill had been passed by the Standing Committee without any amendment. On the 16TH DECEMBER the House of Commons passed the third reading of the Bill without a division. It was then sent to His Majesty the King who gave his Royal Assent to the Bill on the 22nd December.

INDIA ABROAD

July–Dec. 1925

Indians in South Africa

A Historical Review

The story of the long and severe persecution of our industrious, law-abiding and helpless countrymen in South Africa forms one of the most painful chapters in the history of the British connection with India. A bare recital of the wrongs wantonly inflicted on them is sufficient to lacerate the heart of any Indian. No living Indian can forget to his dying day the heroism with which the Indians settled in South Africa faced martyrdom in order to save the honour of the country of their origin. After undergoing indescribable sufferings, the memory of which still rouses the bitterest resentment in our hearts, they won for themselves a position not wholly incompatible with human self-respect. The settlement arrived at in 1914 was far from being a final solution of their grievances. But it was believed that their consent to the restriction of immigration into South Africa would, by removing from the minds of the South Africans the apprehension of an unlimited influx of Indian immigrants, bring about a change in the attitude of the latter and enable them to secure by persuasion the removal of the disabilities they still laboured under. General Smuts himself, speaking at the Imperial Conference in 1917, stated:

'Now that the fear which formerly obsessed settlers has been removed, the great principle of restricted immigration for which they (South Africans) have contended is on our statute book with the consent of the Indian population in South Africa and the authorities in India, and that being so, I think that the door is open now for a peaceful and statesmanlike solution of all the minor administrative troubles which occurred and will occur from time to time.'

At the Imperial Conference of 1918, in the course of the debate which took place on Lord Sinha's Memorandum on the position of Indians in the self-governing colonies and the resolution on the subject placed before the Conference, Mr. Barton said:

'As far as we are concerned, it is only fair to say—and it is the truth—that we have found that the Indians in our midst in South Africa, who form in certain parts a very substantial portion of the population, are good, law-abiding, quiet citizens, and it is our duty to see that they are treated as human beings, and in a proper manner ..... As far as we are concerned in South Africa, we are in agreement with this resolution, and also with the proposal referring the Memorandum to the consideration of our Government, and we will give it the most sympathetic consideration that we can, certainly.'

Yet, as soon as the war ended, the crusade against Indians was revived and an Act was passed in 1919 which curtailed the trading rights of Indians in the mining areas in the Transvaal and deprived them of their existing rights of acquiring landed property by forming registered companies and by becoming registered holders of mortgaged bonds over fixed property which had long been officially recognized. To-day, the Transvaal Indians acquire fixed property only in such streets, wards and locations as the Government for purposes of sanitation shall assign to them to live in. And the licensing laws are administered in such a manner as to bring about the

ruin of Indian traders. Cases have occurred in which municipal councils refused licenses to Asiatics on the sole ground of their nationality.

The Asiatic Enquiry Commission.

In 1920 the cry was raised that there had been a large unlawful influx of Indians into South Africa and a commission known as the Asiatic Enquiry Commission was appointed to enquire into the provisions of the law affecting the acquisition of land by Asiatics and their trading rights. The Commission found that the allegation that the number of Indians had greatly increased in recent years and was continuing to increase was wholly unfounded. Neither in the Transvaal nor in Natal had any material increase in the Indian population taken place. Allegations with regard to the competition between Indian and European traders made by highly respectable and representative witnesses were found to be greatly exaggerated. Said the Commission :

'And a great many European witnesses of repute testified to the honesty and fair dealing of Indian traders and considerable number of well-known wholesale merchants described them as thoroughly reliable men to deal with. In fact, complaints were made by European retail traders that Asiatics have an advantage over them, in being able to secure better terms from wholesale merchants.'

In the Transvaal itself where the colour prejudice is intense, testimony in favour of Indian trader was forthcoming :

'Appeals were made to the Commission by members of the farming community not to interfere with the trading rights of Asiatics in country districts. It was pointed out that, if they are debarred from trading, the farmers would be left at the mercy of the alien European trader who is alleged to be far worse than the Asiatic. The latter, it is said, is honest in his dealings, sells at reasonable prices, gives credit in retail and does not press his creditor unduly ; while the former is often dishonest, generally exorbitant and exacting, and aims at eventually getting a mortgage on the land of his debtor.'

The fact is that charges are brought against Indians from time to time not because there is any reality in them, but in order to have some pretext or other for their expulsion from South Africa. Wrote the Commission :—

'Several witnesses advocated compulsory segregation both as to trade and residence, candidly stated that they supported it only as a means to an end, that end being to drive Asiatics out of the country.'

And this statement, although made with regard to the Transvaal, applies equally to Natal where representative farmers

'expressed very strong views as to the desirability of "eliminating the Asiatic" from the country which, they admitted, was the object aimed at by their representations."

According to the statement made by Sir B. N Sarma during the debate in the Council of State on the Immigration into India Bill, while there are 6 million Africans and 1½ million whites in South Africa, the total number of Indians is only about 160,000. They are outnumbered in the ratio of 10 to 1 by Europeans and the Union Immigration Act effectually prevents the entry of new Indians. These facts must make it obvious to the meanest understanding that the agitation against Indians on the ground that they might swamp Europeans is baseless and that it is founded on the lowest prejudices that can degrade human beings.

In 1921 further attempts were made to encroach on the rights of Indians. In 1922 or 1923 the Natal Provincial Council was, it is believed, encouraged by the Union Government to enact an ordinance prohibiting Indians in the Durban municipality from making purchases at public sales of municipal land. Last year an ordinance was passed depriving Indians in Natal of the

municipal franchise that they had exercised ever since it was instituted in their province. The deputation headed by Sir Dinshaw Petit, Bart, and including both Indians and Englishmen which waited on his Excellency the Viceroy on the 28th January stated that the municipal franchise was solemnly assured to Indians by the Natal Government when they were deprived of the parliamentary franchise in 1896. This statement is supported by Mr. Polak, the true and tried friend of Indians abroad, who said in his pamphlet, the 'Indian of South Africa' which was published in 1909, that

> 'the late Sir John Robinson and Mr. E. Secombe, formerly Premiers of Natal, expressly promised the Indian community that their municipal franchise would never be taken away from them.'

But, evidently in the ethical code of the South African whites, a promise given to non-whites has no binding force and may be set at naught as soon as the purpose for which it was made has been accomplished.

The Colour Bar Bill.

Another attempt was made in 1924 to humiliate Indians. General Smuts, who had used conciliatory words at the Imperial Conference of 1923 soon after his return to South Africa introduced into the Union Assembly the Class Areas Bill which provided for the commercial and residential segregation of Indians in municipal areas throughout the Union. Owing to the general election which took place in South Africa early last year and which resulted in the defeat of General Smuts, the Bill lapsed. But general Hertzog, the new Prime Minister, while stating to the Union Parliament that he would not proceed with the Class Areas Bill, committed the Government to the principle of segregation in urban areas and promised to bring forward a suitable measure to give effect to that policy. The Mines and Works Act Amendment Bill, which was introduced by General Hertzog's Government, restricted the employment of Asiatics and Africans in certain occupations and was an attempt to drive Indians out of South Africa. Neither Indians nor Africans were allowed to put their case before the select committee and the Bill though opposed by General Smuts, was passed by the Union Assembly. The Senate, where General Smuts commands a majority, however threw out the Bill. It was believed that the rejection of the Bill would relieve our countrymen of anxiety at least for a year and give the Government of India time to enter into negotiations with the Union Government. But a new Bill, apparently more extensive in its scope than the rejected Bill, has already been introduced into the Union Parliament and as it proceeds on the principle which underlay the Class Areas Bill for which General Smuts' Government was responsible, it is unlikely that it would encounter any difficulty in its passage through either House of Parliament. The Bill not only aims, like the Class Areas Bill, at the residential and commercial segregation of Indians, but also restricts the right of Indians to acquire land, specially in Natal. It also proposes to amend the Immigrants' Regulation Act with the object of putting a stop to the alleged influx of Indians, especially women, which was disproved by the enquiries of the Asiatic Enquiry Commission and the Census of 1921 which corroborated their conclusions. Mr. Polak's cablegram makes us fear that, like the Class Areas Bill, the new Bill also applies to the Cape Indians who enjoy the parliamentary franchise. They were able last year to secure their exclusion from the operation of the Class Areas Bill by enlisting the support of the Cape members of the Assembly. But there is no certainty that they will be equally fortunate this year. Indeed, the rancour with which

the new Government is pursuing Indians makes us fear that Cape Indians too will be reduced to the position of helotry which Indians in the Transvaal occupy. The Union Government accused Indians of violating the Smuts-Gandhi agreement by continuing to acquire land in the Transvaal under the provisions of certain laws which enable them to defeat the law prohibiting them from acquiring land except in areas set apart for them. Have their acts since 1918 been even remotely in conformity with the letter or spirit of that agreement? In proportion as the Union Government have felt that Indians have been weakened by the death of their leaders or their departure from South Africa, they have shown a stronger determination to act in utter disregard of the agreement and to crush life out of the Indians.

The Minister of the Interior declared in the Union Parliament that the Bill proceeded on the assumption that the Indian was an alien in South Africa. It is a well-known fact that Indians went to South Africa at the request of the Natal Government and that Natal owes all its prosperity to Indian labour. It is known to-day as the 'Garden of South Africa.' The Asiatic Enquiry Commission stated that more than half the Indians in Natal were born in South Africa and the deputation that waited on the Viceroy in January 1925 said that two-thirds of the Indian population in South Africa was born there. Nevertheless, Indians are to be treated as aliens and the European filled with racial pride, greed and hypocrisy is to be treated as the rightful owner of the country and given the monopoly of all its resources.

The authority of the Asiatic Enquiry Commission has been quoted in favour of some of the provisions of the Bill. It is true that the Commission was in favour of the allocation of separate areas for residential and commercial purposes for Asiatics in the Transvaal and Natal believing that if the areas were suitably and properly looked after by the municipal authorities, Asiatics would voluntarily occupy them. It also recommended that Asiatics should be prevented by legislation from acquiring land except in the coastal belt 'extending (say) from 20 to 30 miles inland,' on the ground that this would be regarded as no great hardship by Indians as they were adopted to it by country farming and the climate and system of agriculture in the coastal belt suited them best. It must be pointed out, however, that these recommendations have been strenuously opposed by Indians. Besides, Mr. Duncan Baxter, one of the members of the Commission who opposed the proposed restriction of the right of Asiatics to acquire land in Natal to the coastal belt, observed:

'It seems to me a retrograde proposal inconsistent with other conclusions in the report, which are founded on the idea of voluntary separation and not compulsory. It is also a restriction of existing rights of ownership and, in the case of ex-indentured Indians and their descendants, a breach of the conditions of recruitment which I think should be scrupulously adhered to in the interests of good feeling and the sense of fair-play, so necessary in our relations with the Indians in South Africa and the Government of India.'

It would be vain to hope that South Africa which is lost to all sense of honour and fairplay would pay the slightest consideration to these wise words. The Commission unanimously recommended certain changes in their licensing laws which would have made the position of Indians easier. What steps have been taken to give effect to them by a government which is ever ready to invoke the authority of the Commission in support of the racial bitterness that fills its heart? Indians have for long enjoyed the same rights as regards the ownership of land in Natal which owes all its present position

to the industry of those ill-paid and down-trodden men and we cannot consent to any abatement of these rights because of the blind prejudice which is entertained towards them by European farmers in Natal and which is being deliberately pandered to by the South African Government.

Our position with regard to segregation is equally clear. It is a bare-faced attempt to squeeze Indians out of South Africa. Besides, we are surprised that the Commission which condemned the locations set apart for Asiatics in the Transvaal because of their neglected and insanitary condition and found the conditions in one of them to be so 'appalling' as to be compelled to write 'it is difficult to conceive of a worse slum existing in any part of the world' should have recommended segregation. It certainly made it clear that residence in segregated areas should be wholly voluntary, that the Asiatic quarters for trading purposes should be located within municipal limits, and that a specially selected board should be entrusted with the allocation of areas for purposes of trade and residence. But apart from the question of principle, what Indian can place any faith in the good intentions of the Union Government? The conditions that exist in old locations would be reproduced in the new areas, and what is worse, the policy of voluntary segregation would at no distant date culminate in compulsory separation.

Amongst the grievances of the Europeans against the Indians which were laid before the Asiatic Enquiry Commission, there are two to which special attention should be drawn as they reveal the real causes of the European antipathy towards Indians. Indians 'cannot be assimilated and their presence is menace to European supremacy.' They 'destroy the respect of natives for Europeans.' They have been admitted to be quiet and law-abiding citizens. Charges of commercial dishonesty brought against them have been disproved. The Commission received scarcely any objections as regards Asiatics trading from the leading European merchants of Natal. The poorer sections of the population represented to the Commission that they were of great benefit to the public and more than half of them know no other country save South Africa. Nevertheless, they are to be regarded as a pest which South Africa should get rid of at 'voluntary repatriation.' Having failed, pressure is to be used to supplement the 'inducements' held out to them to leave the country. The head and front of their offence is that they stand on their self-respect, that they are tenacious of their rights and that their example might in course of time rouse the consciousness of the natives who are at present but as the dust beneath the feet of the Europeans. This is the real reason of the implacable hatred of the Europeans towards them and of the persistent and heartless attempts that are being made to render them homeless and penniless.

What are the Government of India, and the British Government who are to no small extent responsible for the degradation of Indians in South Africa, going to do in this crisis? We are aware that the Government of India have no means of bringing effective pressure to bear on the Union Government. But they have the power to vindicate India's self-respect. The Immigration into India Act was passed in February, 1924, but no action has so far been taken by Government to implement it. They practically opposed it both in the Assembly and in the Council of State. They objected to the idea of retaliation. They were afraid of wounding the susceptibilities of the dominions. Said Sir Narasimha Sarma in the Council of State:

'They are by no means happy with regard to this piece of legislation. Let me make it also plain and clear that the Government do not undertake without the gravest consi-

deration being given to the subject, to take any steps which may be calculated to do more harm than good to the Indian people resident in those dominions, to India in particular and *to the general common good of the British Empire*.....But acting on the understanding that they have got the power to choose the time, the occasion and the dominion in respect of which any rules may have to be framed, and that they are given complete liberty to judge as to whether any rules have to be framed having regard to the interests of Indians resident abroad, here and *to the good of the general Commonwealth*, they do not intend to oppose the motion of Sir Devaprasad Sarbaadhikari for the consideration of the Bill.'

This was an intimation to India and the dominions that the Act would remain a dead letter. And Government have been as good as their word. They have taken no steps so far to frame rules under the Act to give effect to a policy which was accepted by the Imperial Conference as far back as in 1918. The Government of India are still consulting the good of the general Commonwealth and have yet found no dominion in respect of which rules should be framed. They are afrid lest any retaliatory action which they may take should destroy all chances of an amicable settlement at the round table conference originally suggested by Mr. Thomas (the Colonial Secretary),which they have asked for. South Africa has no such fears. It brings forward an intensely anti-Indian piece of legislation before going into the conference in order to strengthen its hands in its negotiations with the Government of India. There is time yet for the Government of India to rise to the height of the occasion and protect Indian honour by retaliating against South Africa, particularly through her coal trade which adversely affects Indian interests and facilities for the growth of which are an insult to the whole nation. The princes and the people of India have the same feelings on the question of the treatment of Indians in South Africa. It is the primary duty of the Government of India to act as a national Government at this juncture. Our countrymen in South Africa are faced by a situation of unparalleled danger. This is no time for hesitation and small expediencies. The good of India should indisputably be placed above the good of the 'Commonwealth,' for which no dominion seems to care. An Empire in which we are to be hewers of wood and drawers of water can be nothing but a bitter mockery to us. (*The Leader, Allahabad.*)

The Colour Bar Bill

Readers of the Register are aware that on the 25th June 1925 the Colour Bar Bill passed its third reading in the House of Assembly by a majority of votes. Mr. C. F. Andrews' statement on the situation created in South Africa by the passing of the Bill into law clearly brings out the extent of the humiliation inflicted on Indians there. (see Vol. I.) The British Empire prided itself on the fact that it was free from the odious taint of legislation based on the colour of the skin, and the British Premier waxed eloquent on the last Empire Day on the high principles of equality and brotherhood in the partnership of the Empire. The passage of the Bill in the South African Assembly by a large majority laying down the colour bar against natives and Asiatics gives the lie direct to the utterances of the British Premier and marks the culmination of a policy of racial arrogance

which cannot conduce either to the prosperity of the white settlers in South Africa or to its economic development. The following able comments of the *Nation and the Athenaeum* show how General Hertzog, the South African Premier, acted deliberately in a high-handed manner during the passage of the Bill :—

"General Hertzog appears to be bent on playing Pharoah to General Smuts's Moses. To every appeal for a broader and more sympathetic treatment of South Africa's problems of race and colour he replies only by hardening his heart. The Colour Bar Bill is sufficiently mischievous in itself ; he is forcing it through in a manner calculated to arouse the maximum of ill-feeling. Last April the Transkei Native General Council, the most authoritative native organisation in the country, asked leave to present a petition against the Bill, and to be heard at the Bar of Parliament. General Hertzog refused their request, but promised that the Council would be allowed to give evidence before the Select Committee. It has now been decided that the Committee shall not take evidence. The argument appears to be that the natives wish to give evidence on the principle of the Bill, which has already been accepted by the House on the second reading ; but this quibble is not likely to satisfy the natives ; and when Sir Drummond Chapling, a member of the Committee, raised the question in the House, General Smuts implored the Government to reverse a decision which natives and Asiatics would regard as a breach of faith, as well as a denial of justice. General Hertzog, however, was adamant and the motion was defeated in a division on strict party lines. The consequences of this wanton provocation are likely to be serious".

SENATE REJECTS THE BILL

On the 2nd July 1925 the Bill came up for discussion and final ratification in the South African Senate. On this day the second reading of the Bill was moved and speeches were made strongly opposing the Bill. On the 7th July the debate was resumed in the Senate and speeches delivered for and against the Bill was on a high level. Ultimately the Senate rejected the Bill by 17 votes to 13. It is a curious coincidence that the South African Senate rejected the Bill on the same day on which Lord Birkenhead called upon the Dominions, from his place in the House of Lords, to remember that "in every measure they took they should exhaust every effort to avoid such discrimination as must deeply wound the ancient and dignified peoples of India".

The principle speakers on this day (7th.) were Mr. De Wet, Leader of the Opposition, and Mr Beyers, Minister of Mines.

Mr. De Wet went so far as to assert that the real motive behind the Bill was once for all to establish European superiority in the industrial world. The Bill was nothing but a cry of despair. He agreed that if the white man was to continue his existence in this country by a policy of oppression, he would rather see European Civilisation in South Africa ended.

Mr. Beyers on the other hand maintained that the abandonment of the colour bar meant the wiping out of white civilisation in South Africa and concluded with a lengthy speech in which he declared that the Government was fully conscious of the importance of the Bill which could not be further reconsidered. The Government's mind was made up. There was no chance of altering its decision. The Government considered it desirable that the Bill should become law as soon as possible.

The New Class Areas Bill

The rejection of the Colour Bar Bill by the South African Senate led many people to believe that it would relieve India of anxiety at least for a year and give the Government of India time to enter into negotiations with the Union Government. But a new Bill, more extensive in its scope than the rejected Bill was introduced in the Union Parliament a fortnight later, and as it proceeds on the principle which underlay the Class Areas Bill for which Genl. Smuts' Government was responsible, it is unlikely that it would encounter any difficulty in its passage through either House of Parliament.

As it is very difficult to understand the far-reaching implications of the Bill without a study of other enactments relating to immigration, Asiatic registration etc. which it proposed to amend, we give below a communication dealing with the provisions of the Bill, received by the Indian Press by the middle of September, under the signature of Mr. Amed Bayat, the President and the two Joint Secretaries of the Natal Indian Congress. We commend a careful perusal of it to our readers.

An Analysis of the Provisions of the Bill

"The South African Indian Community are faced with impending repressive legislation which vitally affects their residence, both legal and otherwise, in this country. The Minister in introducing the Bill assumed that the Indians were aliens.

"The vested interests of the Indian community who have been here for nearly a century are large enough to necessitate immediate action and protest on our part, but being voteless, our protest so far can only be raised ineffectively. Our salvation lies wholly and entirely in the sober influences that you might exert upon the Indian and British Governments, and for this reason we ask that apart from our efforts here you for your part take immediate steps to prevent the proposed legislation ever becoming law. A copy of the proposed Bill which was introduced in the past session of the Union Parliament is sent to you with this letter and also a copy of the various sections of the laws which this Bill seeks to alter or add to, so that you may better appreciate the effects of the changes it seeks to create.

'The present Bill is divided into four chapters, the first chapter deals with reservation of areas, the second with amendments to the Immigrants Regulation Act, the third with the registration of Asiatics in the Transvaal and the fourth is supplementary.

Chapter I.

"Before discussing this chapter, the reader must be told that at present in Natal and the Cape Provinces, an Indian is free to buy, sell or lease land. In Orange Free State and the Transvaal certain limitations in this respect exist, but the avowed object of the Bill being to affect Indians, as openly admitted by the Minister upon the first reading, and Natal having a population of 140,000 Indians, it is clear that we in Natal will particularly and immediately suffer because the present Bill provides for;

"(a) Areas to be set apart in towns and cities and only in such areas shall Indians be permitted to buy and sell land. They will also have to trade in these areas only and no other. All businesses now existing elsewhere under lease shall cease by effluxion of time of the current lease or by the death of present lessee. This means that within a very short period of time most Indian businesses will cease to exist outside of the area. Indian property owners who to-day are receiving fair rents will be deprived of their reasonable income because their business and residential places will not be taken up by the European community at a fair rental. We would point out that this portion of the Bill deliberately takes away what we now have and practically compulsorily forces up into segregated areas in towns and cities.

"(b) This chapter further provides that the Governor-General may proclaim that no Indian shall buy or lease land more than 30 miles away from the coast line except from an Indian within that 30 miles if by proclamation areas are set apart within those 30 miles, then Indians will gradually, in the same way as townships and cities by force of circumstances, be compelled to go into these areas. This means that Indians will be debarred from purchasing or leasing properties anywhere in the province as they now are entitled to do and will, upon the completion of their present leases, be compelled to give up their residence and to close down their businesses, or go into the area if there is one within the said 30 miles, and if there is no such area proclaimed that business must necessarily cease. On a hurried computation it is estimated that 500 to 700 Indian business premises in the country are likely to be affected. Apart from this an Indian business or landed property outside of the 30 miles cannot be sold or leased to another Indian.

"Moreover the Bill empowers the Governor-General not only to proclaim areas but also to deproclaim such areas in part or in whole, which means that even after an area has been proclaimed and occupied, no sense of security is enjoyed because the Governor-General can deproclaim such area. It is clear the intention of the Bill is to oust the Indian from his present vested proprietary rights and give him practically nothing substantial in place thereof, but virtually makes him a squatter and that at the wish and will of the Minister.

"The effect of the operation of these two clauses alone will cripple the whole life and trade of the Indian community and absolutely without the shadow of a doubt crush out all Indian agricultural work, progress and prospects. In plain language without considering any other phase of the Bill the fate of the Indian is sealed, and we are doomed to a legal if not physical death.

"This chapter is based upon the recent Class Areas Bill which the late Smuts Government had on the tapis, but which fell through when the Government changed.

Chapter II.

"This chapter deals with immigrants' regulation. The drastic changes suggested absolutely place into the hands of the Minister and the immigration officer almost unlimited power to deal with the entry and possible deportation of Indian who have lived in this country for many years

"Section 14.—At present an Indian who outstays for a period of three years upon entering the port is required to prove his domicile, notwithstanding that he may already then actually have his certificate of domicile He is declared a prohibited immigrant and upon payment of a sum of money which by practice £31 (thirty-one pounds sterling) is found sufficient to cover, and as up till now accepted, is allowed to procure the necessary evidence and prove his domicile.

"Experience has shown that even this amount was not always easily obtained and our community is unaware of any Indian forfeiting this deposit and absconding and remaining in the country; the community therefore sees no reason for the immigration officer being empowered to make the deposit anything up to £100 (one hundred pounds sterling), as this section provides for. It is quite conceivable that with the present tension of feeling against us as a community the officer might impose such an amount of bail as to effectively preclude an Indian immigrant being free from custody to procure the necessary evidence to prove his domicile.

"It is felt that a capricious officer can easily do tremendous injury to a large number of bonafide domiciled Indians who may seek entry.

"Section 1.—This section seeks to revert certain two districts of Natal, namely, Utrecht and Vryheid to the Transvaal province. The intention clearly is that the Minister shall be entitled so soon as he pleases to declare all Indians in these two provinces (districts ?) to be prohibited immigrants under what is now known as the 'Deeming Order.' This order was made by the Minister under section 4 sub-section 1, paragraph (a) of the Immigrants Regulation Act of 1912 by virtue of which he declared all Asiatics to be economically unsuited to the requirements of the Union, and therefore prohibited immigrants. (The validity of this order was tested in the South African appellate court but it held that the Minister's order was correct in terms of the said section) The effect of such an order will be that hundreds of Indians now there will be compelled to return to their place of origin or domicile which may be Natal or India, but most probably India, because, as will be shown later, the majority of such persons there are Indians who are descendants of such Indians who originally came here under conditional residence under Act 17 of 1895 and have acquired no domicile in this country. By such an order, hundreds of Indians can be disposed of without the hope of a successful appeal in view of the aforesaid 'Deeming Order.' We object to this because so long as those two districts remain part of Natal, a large majority may be able to claim domicile in Natal.

"Section 16, Sub-section (c).—With regard to section 16. sub-section (c) in this Bill, it is sought to delete paragraph (d) of sub-section 2 of section 4 of Act 22 of 1913, which means that a large number of Indians who have entered Natal and Cape Colony under the education test may be declared prohibited immigrants under the 'Deeming Order,' if they applied at the ports of the Union for entry. The deletion clearly takes away a right which we to-day enjoy.

"Section 17.—Section 17 requires very close study and investigation to understand the full meaning and effect of it. It is far-reaching and fraught with the gravest of consequences. The previous Minister as aforesaid has declared all Indians to be economically unsuitable. The Minister in introducing the present Bill has referred to Indians as aliens. If all Indians, that is to say British Indians and Indians of the native states, are said to be aliens then all Indians are necessarily prohibited immigrants, for if the legal interpretation of the word 'alien' be made use of, then Indians of the native states who are here in large numbers will be undoubtedly prohibited immigrants.

'The proposed new section (c) speaks of prohibiting any person whose parents were at the time of his birth lawfully resident and such residence was restricted to temporary or conditional residence by any law then in force.

"Under Act 17 of 1895 large numbers of Indians came here under terms of conditional residence, and their offsprings, now the cream of the Natal-born Indians numbering thousands born within the past 30 years,

may possibly be also prohibited immigrans, because at the time of their birth their parents were restricted to conditional residence.

"We, however, think it proper to point out that the Indian community may successfully meet this position by claiming that the Goverment through its Minister has issued certificate of discharge to those who came under conditional residence under Act 17 of 1895, thus waiving all claims of conditional residence. It was one of the points raised immediately after the 1914 settlement with Mr. Gandhi and correspondence shows that it was the Government's view to grant these Indians complete domicile and the community certainly resents to have to face the ordeal of any test cases, not because of the result, but because of the inconveniences and expense. The question is, why should a settled right be interfered with?

"The proposed amendment continues to make a person a prohibited immigrant if he is a person who comes under the 'Deeming Order' and who has acquired a domicile in a province of the Union where he was not born. All Asiatics as such may be at the port of entry declared as prohibited immigrants and hundreds of Indians who have acquired domicile with vested interests in other provinces of the Union and any such person returning to this Union even from a neighbouring province, will be a prohibited immigrant; this means his domicile in the one province counts for nothing and he cannot take advantage of his birthplace because:

(a) He has already given up his domicile of birth

(b) He is a prohibitted immigrant;

He cannot therefore enter at all, notwithstanding any right of vested interests.

"This section proceeds to say that the wife or child of an exempted person returning to the Union within five years from 1st August 1925 or within 10 years of the first entry of such exempted person shall not be prohibited. This means that every Indian now in this Union must either before 1st August 1930 bring back his wife and children into the Union, or within 10 years of his first entry into the Union. The effect however is that an Indian cannot after 10 years from now go to India, marry there, and bring back his wife. This is clearly an infringement and restriction of personal right and liberty.

"Notwithstanding the fact that this new Bill gives unexempted Indian the right to bring back his wife within five or 10 years as the case may be, yet by a further provision in this new Bill he would be prevented from bringing in such wife if it could be shown that:

"(a) he already has a woman still living in the Union with whom there exists a union recognised by this Government, or

"(b) any child or children in the Union by any woman at all is still living.

"This means that an Indian marrying under the tenets of an Indian religion and not registering such marriage may have children and thereafter divorce this wife according to the Indian religion and thereafter she becomes the registered wife of some other man or remains unmarried, then the first husband cannot go to India and bring a legitimate wife because he has a child resident in the Union by a woman who is still living though not his wife. This heavy punishment is unjustifiable and unproportionate, and is a ban not imposed upon any community in the world

"The definition of 'the child under the age of sixteen' is such as to debar an illegitimate child whose parents later on marry and are looked upon as persons whose marriage could have been registered under section 2 of the Indians Relief Act 1914, because the child was at the time of its birth not born of parents who were married at all. Under every law of civilised people it has been held that subsequent marriage legitimatizes

birth ; consequently the Indian community hold that all childern born of parents who ultimately marry and whose marriage is recognised under the Relief Act should be treated as legitimate childern.

" Section 18.—With regard to section 18 of the new Bill which seeks to make an addition to section 10 of Act 22 of 1913 we desire to point out that the addition is quite unnecessary, as the present practice is that an Indian even already in the Union may be arrested and declared a prohibited immigrant and dealt with under section 19 of Act 22 of 1913. Many cases have already been so dealt with.

" Section 19.—As regards section 19 of this Bill which makes the addition to section 22 that for an offence for which imprisonment without a fine is imposed and that such person may be declared a prohibited immigrant, we desire to say that with this addition and the whole section being read together, any person in the Union who has ever been sentenced to imprisonment without the option of a fine whether before or after the passing of Act 22 of 1913 can be declared by the Minister to be an undesirable inhabitant and be deported.

" If for any reason the Government do not exercise their authority, harsh though it may be, the addition still is an incentive to the judicial functionaries influenced by the administrative section to impose punishments without the option of a fine so as to provide ground for the Minister to secure his necessary number of victims for deportation. This power should never be given to anybody because many of the offences are sometimes best suitably dealt with by imprisonment only, but the circumstances of such offence may never be so grave as to justify deportation. The discretion given to the Minister may never be nor can be from past experience expected to be exercised in our favour.

" Section 20.—Section 20 of the present Bill will affect a large number of Indians, in that they will be compelled to give up a dual domicile in the Union, because many persons hold a domicile, for instance, in the Transvaal, by birth or residence, and have also similarly by birth or residence have a domicile in Natal. This right will by the operation of the law cease to exist in three years, which means that the large vested interests in one or other of the provinces cannot be effectively dealt with or protected by the owner and such businesses must necessarily be closed down.

" Again Indians including those born in the Union by their mere absence from the Union for more than three years at a time lose their domicile. This appears to be in conflict with all known laws as regards domicile because this Bill takes away and does not give effect to a man's legal intention as to his own domicile. This also entirely takes away the present established right preserved to an Indian by virtue of his certificate of domicile. In order to preserve domicile a person must return within the three years and then may immediately leave again for another three years. What is to be done with a South African born Indian who absents himself for more than three years and thus loses his domicile? Where is he to go? This surely renders the Act farcical and places the Indian under great inconvenience and unnecessary expenses with no corresponding benefit to anyone. The same argument applies to those who under the amendment are required to return before 1st August, 1928.

" The provision empowering the Minister to issue permits for a longer period than three years is not obligatory and should he, as we expect, refuse all applications as a matter of course, then there is no relief from such decision. We feel that the whole of this section deprives us of our common law rights of freedom and restriction of personal movements. This condition of things must not be allowed to come into existence.

CHAPTER III.

"Chapter III applies to registration of Asiatics but deals only with those whose registration should be effected in the Transvaal. The present provisions of Act 36 of 1908, in the Transvaal gives a magistrate a right to grant a period of eight days to an Indian to have himself registered, but the present amendment takes away this right and places an Indian's application wholly at the discretion of the Minister. It is felt that this is likely to operate adversely to the Indian and the present law should not be disturbed.

Conclusion.

"The last comment we make on the Bill is that it is to be made retrospective as from the last day of August, 1925. The Minister in his first reading explains that he was doing this so as to prevent a scramble by the Asiatics to become possessed of vested interests before the Bill could become law. This retrospective operation is bound to affect all transactions in regard to land amongst the Indian community. As a matter of fact it has already crippled and effectively restricted transactions in the buying and selling of freehold properties. It is superfluous to remark that this position is unprecedented in the annals of any country.

"We shall by every fibre in our system endeavour to calmly and constitutionally protest against this Bill, but from past experience and from present knowledge of the existing race prejudice, we are constrained to believe that our representations will be futile. We, however, do believe that with concerted action of Indian influence from India and its Government acting with the British Government we may enjoy the protection which was preserved to us in the South Africa Act section 147 which provides that: "The control and administration of native affairs and of matters specially or differentially affecting Asiatics throughout the Union shall vest in the Governor General in Council," etc. etc.

"Is this protection to mean nothing to us? Is the British Government a weak reed and unable to-day to protect its subjects? Is the Indian Government unmindful or indifferent to its Indian subjects—outside of India? Is Indian representation on the League of Nations to count for nought?

"If the answers to the foregoing questions are important, then we rely upon your obtaining those answers for us".

Text of the Class Areas Bill

The following is the full text of the Bill which is named as the Areas Reservation and Immigration and Registration (further Provision) Bill:—

To make provisions for the reservation of residential and trading areas in urban areas for certain persons having racial characteristics in common; to amend the Immigrants Regulation Act 1913 (No. 22 of 1913), the Indians Relief Act 1914 (No. 22 of 1914), and the Asiatic Registration Amendment Act (Transvaal), 1908 (No. 36 of 1908); and to amend or repeal certain laws.

Be it enacted by the King's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa as follows:—

CHAPTER I—Reservation of Areas.

(1) Request by Urban local authority for application of Chapter I.—(1). Whenever an urban local authority shall intimate to the Minister,

(a) that any area within its limits is wholly or for the greater part occupied for residential or trading purposes or both such purposes by a particular class of persons ;

(b) that it is desirable that the provisions of this Chapter should be applied in respect of such area, the Minister may appoint a commission consisting of not more than three persons (hereinafter called the commission) to investigate and report upon the desirability of applying to such area and to the urban area within which it is situated, the provisions of this Chapter.

(2) One of the members of the commission shall be designated by the Minister as the chairman thereof and the Minister may make rules for the conduct of the business of the commission and governing the tenure of office of the members. In the event of the commission consisting of three members, two members shall form a quorum.

(3) Duty and powers of commission .—

(1) It shall be the duty of the commission to enquire and report to the Minister upon the following matters :—

(a) The extent and nature of the area which was the subject of intimation under section *one* ;

(b) the number, dimensions, situation and nature of sites occupied in such area for residential or trading purposes or both such purposes as the case may be ;

(c) whether there would be afforded by such area proper and adequate facilities for residential or trading sites or both, as the case may be, for the particular class of persons concerned ;

(d) whether due and proper provision exists or is assured for water, lighting, sanitary and other necessary services with such area ;

(e) whether it is desirable that the provisions of this Chapter should be applied in respect of such area ;

(f) whether there is, within the limits of the urban local authority concerned, any other area which is wholly or for the greater part occupied for residential or trading purposes or both such purposes by the particular class of persons concerned, and if there be such other area, the extent and nature thereof and the number, dimensions, situation and nature of sites occupied in such other area for residential or trading purposes or for both such purposes as the case may be ;

(g) whether any other area within the limits of the urban local authority concerned is available for the exclusive occupation for residential or trading purposes or both such purposes by the particular class of persons concerned and

(h) any other matter which the Minister or the commission may deem necessary or desirable

(2) The commission shall have all such powers, jurisdiction and privileges as were conferred upon the commission referred to in Ordnance No. 30 of 1902 of the Transvaal, and all and several of the provisions of that Ordinance shall "mutatis mutandis" apply in respect of the commission and its proceedings.

(3) Proclamation of class areas :—(1) At any time within 6 months after the receipt of the report of the commission, the Governor-General may by proclamation in the 'Gazette' declare that, on and after a date to be mentioned in the proclamation, the area defined in the proclamation shall be a class residential area, or a class trading area, or a class residential and trading area within the urban area.

(2) More than one area within the urban area may, by any such proclamation, be defined as class residential areas, or as class trading areas, or as class residential and trading areas, as the case may be.

(3) Notwithstanding anything contained in the Precious and Base Minerals Act of the Transvaal (Act No 35 of 1908) or any amendment thereof, or in any other law, a class trading area or a class residential and trading area may be established under this Chapter on land within an urban area which, in terms of the said Act No. 35 of 1908, or any amendment thereof, is proclaimed land or land held under mining title.

(4) Acquisition of immovable property in class areas :—From and after the date mentioned in any proclamation issued under this chapter establishing a class residential area or a class trading area, or a class residential and trading area, it shall not be lawful, save as provided in Section 10 —

(a) For any person other than a person of the class concerned to acquire immovable property or a lease or renewal of lease of immovable property within any such area , or (b) for any person of the class concerned to acquire immovable property or lease or renewal of lease of immovable property anywhere within the urban area save within the limits of the class residential area or of the class trading area or of the class residential and trading area, as the case may be

Provided that nothing in this chapter contained shall apply to the renewal of a lease

of immovable property where the right to renewal was held under a written lease existing at the commencement of this Act.

5. Trading in class trading area or class residential and trading areas :—(1) From and after the date mentioned in any proclamation issued under this chapter establishing a class trading area or a class residential and trading area within any urban area, it shall not be lawful for any licensing court, board or authority, or for any person authorised to grant or issue licences or permits to carry on any trade or business within that urban area.

(a) To grant or issue to any person other than a person of the class concerned any licence, permit or other authority to carry on any trade or business within the class trading area or class residential and trading area, as the case may be; or (b) to grant or issue to any person of the class concerned any licence or permit to carry on trade or business within the urban area elsewhere than in the class trading area or class residential and trading area, as the case may be.

Provided, however, that if the Governor-General is satisfied that it is in the general interests of the public that it should be permitted to persons of the class concerned or any restricted number of such persons to carry on any particular trade or business within the urban area elsewhere that in the class trading area or class residential and trading area, as the case may be, he may, by proclamation in the Gazette for such period as he may therein fix, exempt persons of the class concerned or a restricted number of such persons from the operation of paragraph (b) of this sub-section in respect of that particular trade or business.

(2) Nothing in this section contained shall be deemed to prohibit the grant to any person holding at the date mentioned in any proclamation issued under this chapter establishing a class trading area or a class residential and trading area within any urban area any licence, permit, or other authority to carry on any trade or business, which is actually being carried on, of a renewal of such licence, permit or other authority.

6. Extension or reduction of class areas.—(1) Whenever, in the opinion of the urban local authority concerned, any area established under this chapter as a class residential area or a class trading or a class residential and trading area, proves inadequate or more than adequate for, or unsuitable either wholly or in part to the requirements of the population of that class in the urban area, and the urban local authority deems it desirable to extend or reduce any such area or to alter the boundaries thereof, or to create a new class residential area or class trading area or class residential and trading area, the urban local authority deems it desirable to extend or reduce any such area or to alter the boundaries thereof, or to create a new class residential area or class trading area or class residential and trading area, the urban local authority may communicate its opinion to the Minister who thereupon may take all such steps as he may take upon receipt of an intimation under section one.

(2) All and several of the powers exercisable under this chapter in respect of the establishment of a class or residential area or a class trading area or a class residential and trading area shall be exercisable in respect of the creation of a new area or the extension or reduction of any existing area or like character or the alteration or (of) the boundaries thereof.

(3) Nothing in this section contained shall be deemed to affect in any manner whenever any right to the renewal of a lease of immovable property where such right was held under a written lease existing at the commencement of this Act or any right to the grant to any person holding at the date mentioned in any proclamation issued in pursuance of this section any licence, permit or other authority to carry on any trade or business which is actually being carried on, on a renewal of such licence, permit or other authority.

7. Suspensions of provisions of Act.— (1) If at any time the Governor-General is satisfied that a class residential area or a class trading area or a class residential and trading area established under this Chapter is inadequate for, or wholly or partly unsuitable to the requirements of the population of that class in the urban area concerned, and that, by reason of the delay which would necessarily take place in removing the causes of the inadequacy of unsuitability, serious prejudice would be suffered by that population unless the provisions of this Chapter in respect of such inadequate or unsuitable area be suspended, he may, by proclamation in the Gazette declare, that from and after a date to be therein mentioned, the provisions of this Chapter shall be suspended in respect of the class residential area or class trading area or class residential and trading area concerned.

(2) From and after such date the provisions of this Chapter shall in all respects cease to apply to the area deemed to be inadequate or unsuitable, and in respect

of such inadequate or unsuitable area, to the other parts of the urban area within which it is situated.

(3) The Governor-General may, whenever he may deem fit, reproclaim as a class residential area or a class trading area or a class residential and trading area, as the case may be, any area which has been the subject of a suspending proclamation under sub-section (1) of this section, or proclaim as a class residential area or a class trading area or a class residential and trading area under this Chapter any area which wholly or partly includes any area which has been the subject of a suspending proclamation under sub-section (1) of this section.

8. Class area for Asiatics to be deemed to be area in which under Law III, 1885 (Transvaal) Asiatics may own fixed property.—Any class residential area, or class trading area, or class residential and trading area established under this Chapter for any Asiatic race shall, for the purpose of Section II (b) of Law No. III of 1885 of the Transvaal, be deemed to be an area within which in terms of that law fixed property may be acquired and owned by Asiatics.

9. Class Advisory Board.—(1) For every class residential area or class trading area, or class residential and trading area established under this Chapter there shall be an advisory board consisting of not less than three persons of the class concerned resident within the urban area, in addition to a chairman who, in the case of a non-European class area, may be a European. The mode of election or selection of member of any such board, the period and conditions of office members, and the procedure of the board shall be defined by regulations made by the urban local authority and approved by the Minister.

(2) It shall be the function of an advisory board established under this section to advise the urban local authority in respect of any matter referred to it by such authority for advice, and not by-laws or regulations particularly affecting the interests of the class of persons concerned shall be made or withdrawn by an urban local authority unless the advice of such advisory board shall first have been contained in respect of the making or withdrawal, as the case may be, of such by-law or regulation

10. Acquisition of immovable property by certain persons in Natal except in class areas prohibited.—(1) The Governor-General may, by proclamation in the Gazette, declare that from and after a date to be specified therein no member of any race indicated therein shall acquire immovable property or the lease or renewal of lease of immovable property in the Province of Natal save in the coast belt as provided in sub-section (2) of this section : Provided that nothing in this section contained shall be deemed to prohibit the renewal of a lease of immovable property held under written lease at the commencement of this Act.

(2) A person who is a member of the race indicated in any proclamation issued under sub-section (1) of this section may acquire immovable property or the lease or renewal of lease of immovable property in the coast belt from a person who is a member of the same race, but from no other person, except where the immovable property or the lease or renewal of lease of the immovable property acquired is within the limits of a class area established under chapter within the coast belt.

(3) From and after the date specified in any proclamation issued under sub-section (1) of this section, no member of any race indicated in such proclamation shall by testamentary disposition acquire any land or interest in land or the lease or occupation of any immovable property in the coast belt, except from a member of the same race.

(4) For the purpose of this section the coast belt means so much of the Province of Natal as lies between the coast line and a line to be defined by the Governor-General by proclamation in the Gazette corresponding as far as practicable with the coast line and drawn at an approximate distance of thirty miles therefrom.

(5) Nothing in this section contained shall be deemed to affect the operation within the coast belt of any other provision of this chapter.

11. Savings.—(1) Subject to the provisions of sub-section (3) of section three, section eight and sub-section (3) of section ten of this chapter, nothing in this chapter contained shall be deemed

(a) to affect the operation of Law No 3 of 1885 of the Transvaal or any amendment thereof; of section two of Act No. 18 of 1918; or Act No 37 of 1919; of chapter CXIII of the Orange Free State Law Book or any amendment thereof or of any other law prohibiting, restricting, regulating or in any way affecting the ownership or occupation of immovable property or trading by persons of non-European descent;

(b) to prohibit the acquisition by the Government or any urban local authority for educational, municipal or any other public purpose of the ownership or occupation of any immovable property; or (c) by devolution or succession on death whether under will or on intestacy from a person of the same race; or

(d) to prohibit any executor of a deceased estate or any trustee in insolvency from holding any immovable property or trading under any licence where power to do any such thing is conferred upon him by any law;

(e) to invalidate or affect in any manner whatever any agreement or other transaction for the sale or purchase of land lawfully entered into prior to the date mentioned in any proclamation under this Chapter establishing a class residential area or a class trading area or a class residential and trading area or extending or reducing any existing area of like character, or altering the boundaries thereof.

12. Exemptions.—(1) The Governor-General may grant to any person a certificate exempting him either wholly or for such period as he may therein specify from all or any of the provisions of this chapter, and such person shall either wholly or for such period as the case may be, be so exempted.

(2) Nothing in this chapter contained shall be deemed

(a) to affect any person who is duly accredited to the Union by or under the authority of His Majesty or the Government of any foreign State, or the wife, family staff or servants of any such person;

(b) to refer to the natives as that term is defined in section twenty-nine of the Native (Urban Areas) Act, 1923, Act No. 21 of 1923,

(c) to refer to—

(i) persons born in the Union and ordinarily resident in the Province of the Cape of Good Hope who are members of the class or race known as "Cape Coloured" or of the dark class or race known as "Cape Malayas",

(ii) persons born in the Union and ordinarily resident in the Union elsewhere than in the Province of the Cape of Good Hope who would, if resident in that Province, be regarded as members of either of the classes or races known as "Cape Coloured" or of the dark class or race known as "Cape Malayas";

(iii) persons born in the Union and ordinarily resident in the Union elsewhere than in the Province of the Cape of Good Hope who would, if resident in that Province, be regarded as members of either of the classes or races known as "Cape Coloured" or "Cape Malayas" and

(iv) the people known as Mauritius Creles or St. Helena persons or their descendants born in the Union.

13. Interpretation of terms.—In this chapter unless inconsistent with the context—"class or classes of persons" includes any persons having in the opinion of the Minister, common racial characteristics, and all white persons shall be regarded as having common racial characteristics; "person of a class" or "member of a race" includes any company association of persons whether registered under any law or not in which one or more persons of the class or members of the race referred to have a controlling interest,

"Minister" means the Minister of the Interior or any other Minister to whom the Governor-General may assign the administration of this Act;

"Urban area" means any area under the jurisdiction of an urban local authority;

"Urban local authority" means any municipal council, borough council, town council or village council, or any town board, village management board, local board or health board.

CHAPTER II—Immigrants' Regulation.

14. Amendment of Section II of Act No. 22 of 1913:—Section II of the Immigrants Regulation Act, 1913, (hereinafter in this Chapter called the principal Act) is hereby amended by the deletion from sub-section (7) of the words "sufficient in the opinion of the Minister" and the substitution therefor of the following words "fixed by the immigration officer not exceeding one hundred pounds."

15. Amendment of Section III of Act No. 22 of 1913.—Section III of the Principal Act is hereby amended

(a) by the addition to sub-section (2) of the words "From any such opinion there shall be an appeal to the Appellate Division of the Supreme Court;"

(b) by the deletion from sub-section (3) hereof the following words.

"and 'a superior court having jurisdiction' shall mean the Principal Division of the Supreme Court which has jurisdiction where the board was sitting or any judge of such division or the Eastern Districts Local Division having jurisdiction or any judge thereof."

16. Amendment of Section IV of Act No. 22 of 1913.—Section IV of the principal Act is hereby amended

(a) by the addition to paragraph (a) of sub-section (1) of the following words: "Provided that for the purpose of this section the Northern Districts of Natal, as described in section three of "The Northern Districts Annexation Act, 1902" (Act No. I, 1903, Natal) shall be deemed to be included in the Province of the Transvaal; and

(b) by the addition to paragraph (f) of sub-section (1) after the words "have stolen" of the following words: "sodomy, bestiality, any offence involving fraudulent conduct in connection with any insolvency"; and

(c) by the deletion of paragraph (a) on sub-section (2).

17. Amendment of Section V of Act No. 22 of 1913:—Section V of the principal Act as amended by Section three of the Indian Relief Act, 1914, is hereby amended by the deletion of paragraphs;

"(a) any person other than an alien who was born in any part of South Africa included in the Union and whose parents were at the time of his birth lawfully resident therein and were not at that time restricted to temporary or conditional residence therein by any law then in force: Provided that any person who, if he were a prohibition immigrant, would be included within any class of persons which has, in terms of paragraph (a) of sub-section (1) section four, been deemed by the Minister to be unsuited to the requirements of the Union or any province thereof shall lose the protection accorded by this paragraph if he has acquired or shall acquire a domicile in a province of the Union other than that in which he was born;

(b) any person who is proved to the satisfaction of immigration officer or in the case of an appeal to the satisfaction of the board, to be the wife or child under the age of sixteen years of any person exempted by paragraph (f) of this section:

(i) that the wife or child (as the case may be) is not such a person as is described in paragraphs (d), (e), (f), (g) or (h) of sub-section one of section four; and

(ii) that where the exempted person belongs to one of the classes described in paragraph (a) of sub-section (1) of section four, the wife or child (as the case may be) enters the Union within five years after the first day of August, 1925, or within ten years after the date of the first entry into the Union, whichever period may be the longer, of the person so exempted.

In the interpretation of this paragraph "the wife" shall include any one woman between whom and the exempted person mentioned there exists a union recognised as a marriage under the tenets of an Indian religion, notwithstanding that by those tenets the union of the exempted person with other women at the same time would also be recognised as a marriage; Provided that no woman shall be deemed to be the wife of such exempted person

(i) if such a union exists between him and any other woman who has under any law relating to immigration or to Asiatic registration been recognised within the Union as the wife of such person and has resided or resides or is domiciled in any province; or

(ii) if such exempted person has off-spring resident or domiciled in any province by any woman who is still living and a union shall not be for the purposes of this section be deemed to have ceased to exist by reason only of the fact that according to the tenets of an Indian religion it has been dissolved.

"The child under the age of sixteen" shall mean a child who is the off-spring of the exempted person and the wife as herein defined or the child of the exempted person and a deceased woman who if she had been alive could have been recognised at the time of the birth of the child as the wife (as herein defined) or whose union with the exempted person could have been registered at the time of the birth of the child as a marriage under section two of the Indians Relief Act, 1914.

18. Amendment of Section X of No. 22 of 1913.—Section X of the principal Act is hereby amended by the addition of the following words: Any such person may be declared to be a prohibited immigrant and dealt with in terms of section nineteen of this Act and if such person is in possession of a registration certificate or a certificate of domicile or any other document authorising him to remain in the union or any board to which he may appear, if it be proved to the satisfaction of the Board that such certificate or other document was obtained by fradulent presentations by or on behalf of the holder, to order that such certificate or other document be cancelled and the holder thereof be dealt with as a prohibited immigrant. Provided that if such person fails to appeal to a board the Principal Immigration Officer concerned may exercise all such powers as to the cancellation of any certificate or other document as are by this section conferred upon a board.

19. Amendment of Section XXII of Act No. 22 of 1913.—Section XXII of the principal Act is hereby amended by the addition of the following paragraph

(a) for any offence under section twenty of this Act for which imprisonment is imposed without the option of a fine.

20. Amendment of Section 30 of the principal Act is hereby amended by the deletion of the definition of the term "domicile" and the substitution therefor of the following definition :—

"Domicile" shall mean the place in which a person has his present permanent home, or present permanent residence or, to which he returns as his present permanent abode and not for a mere special or temporary purpose ; and a person shall not be deemed to have a domicile within the Union or any province (as the case may be) for the purpose of this Act unless he has lawfully resided therein for a continuous period of three years, otherwise than under terms of conditional or temporary residence permitted by this Act or any other law, or as a person under detention in prison, jail, reformatory or mental hospital, and a person shall be deemed for the purposes of this Act to have lost his domicile within the Union or any province (as the case may be) if he absents himself from the Union or that province (as the case may be) and does not return to the Union of that Province (as the case may be) within three years from the date of departure therefrom or in the case of a person who absented himself from the Union or any province (as the case may be) prior to the 1st August, 1925, does not return to the Union or that province (as the case may be) before the 1st August 1928 ; provided that in cases where a person proceeds overseas for a special or temporary purpose the Minister may authorize the issue of a certificate of identity under the provisions of sub-section (2) of section 25 of this Act allowing the person concerned to return to and resume his residence in the province named within the period specified in such certificate or any extension thereof not exceeding 10 years in all.

21. Amendment of Section 6 of Act No. 22 of 1914 —Section 6 of the Indians Relief Act, 1914 is hereby amended by the addition after the words "any port in India" of the words "or elsewhere."

CHAPTER III—Registration of Asiatics.

22. Surrender of Asiatic registration certificate .—A Registration certificate issued under the provisions of the Asiatic Law Amendment Act, 1907, of the Transvaal Asiatic Registration Amendment Act, Registration Amendment Act, 1908, of the Transvaal (Act No. 36 of 1908), may be surrendered by the holder to the Registrar of Asiatics and such surrender shall be conclusive evidence that such Indian has abandoned any right of or incidental to entry, residence or domicile in the Transvaal Province.

23. Circumstances in which application for Asiatic Registration certificate may be made :—If an Asiatic who has failed to make application for registration in accordance with the provisions of paragraph (2) of section five of the Asiatic Registration Amendment Act, 1908 of the Transvaal, shall satisfy the Registrar of Asiatics that such failure was due to some good and sufficient cause, the Minister of the Interior may, in his discretion, authorise the Registrar to receive an application for registration from such Asiatic and the application shall be dealt with in all respects as if it had been made in accordance with the provisions of the said section and all the provisions of Act No. 36 of 1908 of the Transvaal as amended by this Act which would have applied if the application had been so made shall apply accordingly.

24. Amendment of Section 7 of Act No. 36 of 1908 of Transvaal .—Section 7 of the Asiatic Registration Amendment Act 1901 of the Transvaal is hereby amended by the deletion of the words "save as in the next succeeding section is provided."

25. Amendment of Section 9 of Act of No. 36 of 1908 of Transvaal .—Section 9 of the Asiatics Registration Amendment Act 1908 of the Transvaal is hereby amended by the deletion of the words

"Any Asiatic who fails upon lawful demand to produce such certificate shall, unless he is the lawful holder of a certificate of registration, be liable to be dealt with in a manner mentioned in section 8."

CHAPTER IV—Supplementary.

26. Repeal of laws .—The laws mentioned in the Schedule to this Act shall be and are hereby repealed to the extent set out in the fourth column of the schedule.

27. Short title and commencement of Act :—This Act may be cited as the Areas Reservation and Immigration and Registration (further Provision) Act 1925, and shall come into force on the first day of August 1925.

SCHEDULE

Province.	No. and year of Law.	Title or Subject of Law.	Extent of Repeal.
Natal ...	Act No. 28 of 1897 ...	To protect uncovenanted Indians from arrest in mistake for absconding indentured Indian servants.	The whole.
Cape ...	Act No. 37 of 1904 ...	The Chinese Exclusion Act, 1904.	The whole.
Transvaal ...	Act No. 36 of 1908 ...	The Asiatics Registration Amendment Act, 1908.	Sections three, four, five (paragraph on six, eight, sixteen, seventeen, (paragraphs five and six).

The Bill in the Union Assembly

In introducing the Bill in the Union Assembly on the 23RD JULY 1925, Dr. MALAN, Minister of the Interior, declared that its late introduction would give the country an opportunity of ascertaining the policy of the Government who, in turn, would be able to profit by constructive criticism. The Asiatic problem was very pressing in South Africa. It was not for one particular party. It should be beyond party strife.

Dr. Malan briefly summarised the principles of the bill which, he said, would not satisfy the extremists as he endeavoured to steer a middle course. Some would consider he had gone too for, others not far enough. The bill started on the supposition that the Indian was an alien in the country. No solution would satisfy the country which did not result in a very considerable reduction of the Indian population, not by forcible means, but by a method of application of pressure to supplement the inducements held out to Indians to leave the country.

Dr. Malan said that the bill to a certain extent followed well-known lines like the bill introduced by the late Government, but it went a good deal further in the direction of carrying out the recommendations of the Asiatic Enquiry Commission. It dealt not only with resident and commercial segregation but also with land-ownership, specially in Natal. It also proposed to amend the Immigrants Regulation Act with the object of putting a stop to the influx of Indians, especially women, which was still going on to a considerable extent. A notable omission was that the bill did not deal with the issue of trading licenses.

Dr. Malan declared that he had tried to respect as far as possible the susceptibilities of the Indian population. The bill did not mention the Asiatics as a class except where it was unavoidably necessary to do so. He emphasized that the introduction of the bill must not be taken as closing the door to any negotiations or communications between the Government of the Union and India as regards the Indian question. On the contrary, he considered that a statement of the Government's policy as embodied in the bill would very materially help any further negotiations.

Replying to an interruption of General Smuts, Dr. Malan said it would not be in the public interest to make a statement at present with regard to the negotiations hitherto.

Dr. Malan wished to emphasize that whenever the bill might be passed it would take effect from the 1st August, 1925, the reason being that the bill respected certain vested rights and if this step was not taken, he was afraid there would be a general scramble among the Indian population for the creation of vested interests.

The bill passed the first reading.

Mass Meeting at Durban

The introduction of this Bill evoked an all-round protest in South Africa and India and a mass meeting of Natal Indians, attended by delegates from all over the province, was held at Durban on August 31 under the auspices of the Natal Indian Congress to protest against the Bill. Several prominent Europeans, including Mr. F. A. Laughton, K. C., the Rev. A. Lamont, Dr. Sage and Captain Elliot attended the meeting. Mr. Amed Bayat, the chairman, in analysing the provisions of the Bill described the policy of segregation of Indians as 'retrogressive' and the immigration provisions as 'alarming.' In conclusion he made an appeal for the avoidance of extravagant or wild language and said: 'We are British Indians and we have earned a name by being law-abiding, but no one can question our right to quarrel against unjust laws.' After the chairman delivered his speech, Mr. Laughton spoke feelingly on the position of Indians. He described the position as a serious and complicated one and declared that Indians who were born there were British subjects and entitled to the same protection as Europeans. He laid stress on the fact that the Indians had acquired much landed property in Natal, had established extensive businesses and had contributed largely to the rates and taxes without having any voice whatever in legislation. To him it appeared as monstrous to deport forcibly with the aid of the police an Indian as to shoot him. 'Yet this is the remedy in effect' he observed, 'advocated by the Minister who introduced the Bill before us, because he frankly admits that he expects the effect of the Bill to be a large reduction of the Indian population by making things so hot for them that they would be compelled to go without the assistance of the policeman.' He declared that freedom had ever been the guiding star of Englishmen and Dutchmen alike and he asked whether those who fought for their freedom were going to be the oppressors. He told his fellow-countrymen that 'a study of history shows that oppressive legislation may take its course for a time, accompanied always by the groans of the oppressed, but in the end it never has been, and never will be, successful.' He further remarked:

"Are we, after depriving the Indians of any representation whatever, going to take away from them all opportunity of advancement and happiness in life? The Indians have not even been brought into friendly discussion as to the provisions of this Bill. Here they are forced by an overwhelming tide into what they consider the culminating calamity of their lives. It is true that the Minister, after saying that the Bill will certainly pass, and after saying in effect that he anticipates that the provisions of the Bill will make it so hot for the Indians that their numbers will be considerably decreased, said that he was ready to receive the remarks of Indians on the Bill. Is he likely to have any? After a murderer is found guilty the judge goes through the formality of asking him if he has any remarks to make as to sentence being passed against him".

In conclusion, the speaker suggested the appointment of a board of three Europeans, one to represent the views of Europeans, another those of Indians and the third to act as an impartial chairman, to hear the objections of Indians and to suggest amendments. Another European speaker who addressed the meeting was the Rev. A. Lamont who felt that 'if every other European voice were dumb, his would speak on behalf of his fellowmen for the Indian community.' The question, he said, was not a political one, it went deeper than all party, it raised an imperial issue. He, as a staunch supporter of the present Government on almost every question, hoped that the measure would not pass the Union legislature. If it does an actual injustice will be perpetrated.

Among the resolutions passed by the meeting was the following :—

"That this mass meeting of Natal Indians assembled in the Durban Town Hall under the auspices of the Natal Indian Congress, hereby places on record its emphatic protest against the Areas Reservation and Immigration and Registration (Further Provision) Bill now before Parliament which has for its object our compulsory segregation, the deprivation of our proprietary and trading rights, further restriction of our domiciliary rights and the ultimate extinction of the Indian community as openly declared by the Minister of the Interior, inasmuch as it is contrary to all known laws of equity and justice".

The mover of the resolution in a strong speech characterized the measure as 'un-British,' 'un-Christian' and 'most inhuman.' Another resolution which was moved ran as follows :—

"That this meeting of Natal Indians affirms the suggestion submitted by the South African Indian Congress for a Round Table Conference as the only solution for a settlement of the Indian question, and requests the said South African Indian Congress to again make representations to the Union Government with a view to bring about a Conference of representatives of India, England and South Africa".

Mr. Godfrey, who moved the resolution, made a very temperate speech and said that the Indians recognized that there were difficulties which had to be bridged over by wise statesmanship. He pointed out that even the Durban Town Council had passed a resolution asking the Government to accept a round table conference.

All-India Hartal in India.

Sunday the 11th October was fixed by Mrs. Sarojini Naidu, President-elect of the Indian National Congress, as the day for the public expression of the national sentiment against the harsh and high-handed anti-asiatic legislation of the South African Union Government. Accordingly, on this day prayers were offered and public demonstrations of indignant protest were held throughout the length and breadth of India. The meetings were very well attended by persons belonging to different parties and representing different shades of opinion. A perfect All-India Hartal was also observed on this day.

The Govt. of India and the South African Govt.

During all this while the Govt. of India was keeping His Majesty's Government in continuous and close touch with the general views regarding the position of Indians in the Union and this Bill in particular, and with the

strength of the feeling which the general disabilities imposed on Indians in South Africa and this measure in particular had evoked. Moreover, they were in continuous correspondence with the Government of the Union regarding the legislature and they were repeatedly pressing upon them the suggestion for a conference as regards their general policy towards Indians. In the alternative they invited them to make other suggestions likely to result in a permanent and satisfactory settlement.

The Union Government, however, did not agree to the proposals for a conference. They were inclined to agree to a conference restricted to the consideration of a more effective repatriation scheme which, in their words, will result in a considerable reduction of the Indian population in South Africa and to proposals for the mitigation of the economic competition between Indians and other classes in South Africa, and they asked to formulate concrete suggestions regarding the latter. To such unfair proposals the Government of India could not agree. So, before entering upon any discussion about voluntary repatriation or making suggestions regarding competition, they asked for assent of the Union Government to sending a Deputation to South Africa to collect information regarding the economic and general position of Indians in the Union. On November 10th the Union Government acceded to this request and, a fortnight later, the Government of India despatched a Deputation, the purpose of which is given in the following Government Communique, dated the 25th November 1925: —

THE GOVT. OF INDIA COMMUNIQUE.

"The deputation which the Government of India have decided to send to South Africa with the concurrence of the Union Government sailed from Bombay to-day. As has been already announced, its purpose is to collect information regarding the economic condition and the general position of the resident Indian community in South Africa and to form an appreciation of their wishes and requirements. This information is urgently required by the Government of India to help them in making their case with regard to the Areas Reservation and Immigration and Registration (Further Provision) Bill which will come up for consideration in the South African Parliament early next year. It is evident that if the investigation with which this deputation has been charged had been deferred, no time would have been left for its execution before the Union Government proceeded with their legislation and the Government of India would consequently have been seriously handicapped in making the necessary representations in regard to that legislation.

"The sole object of the Government of India in sending the deputation to South Africa is their sincere desire to improve the situation of Indians resident in that country and their chances of securing this end would have been seriously jeopardised if it had been decided to delay the sending of the deputation. The decision to send a deputation to South Africa at the present juncture is of great importance as offering the best and perhaps the last chance, before the Union Government take up their projected Asiatic legislation, of arriving at a better understanding with the Union Government regarding the position of Indians in South Africa.

"It is in some way unfortunate that the South African Indian Congress, who were made aware some days ago of the decision to despatch a deputation from India, should have decided to send a deputation to this country at the same time, as some of the members of their deputation would have otherwise been able to give able assistance to the Indian deputation to South Africa. But the objects of the two deputations are not inconsistent. The South African Indian Congress have promised to place its services at the disposal of the Government of India's deputation and to make arrangements to assist it in its mission. On their side the Government of India are anxious to be in possession of the fullest information on every point affecting the position of Indians in South Africa. Since the deputation from South Africa comes with important information to impart regarding the Indian situation there, they are assured of a cordial welcome in this country and a sympathetic hearing at the hands of the Government and the people alike."

THE GOVT. OF INDIA (PADDISON) DEPUTATION.

Accordingly, the Government of India deputation sailed for South Africa on the 25th November. The deputation consisted of Mr. G. F. Paddison, Commissioner of Labour, Madras, as its Chairman, Mr. Raza Ali as a member and Mr. G. S. Bajpai, Deputy Secretary to the Government of India, as Secretary. The name of the third member, which was announced later, was Sir Devaprasad Sarbadhikary. He left for South Africa on the 9th December.

The South African Indian (Rahman) Deputation

On November 19th news arrived that the South African Indian deputation headed by Dr. Abdur Rahman was on its way to India to put the cause of Indians in South Africa before the Government and the people of India. The personnel and object of this deputation was cabled to the Government of India by the South African Indian Congress on the 21st November. The cable runs thus :—

"The Congress in its session at Cape Town appointed a deputation to wait on the Minister of the Interior with resolutions passed, rejecting the Bill *in toto* on principle and suggesting a round table conference of the Union and Imperial Governments, and the representatives of India and the Congress, to decide on the whole Indian question. The Minister was emphatic on not altering the principles of the Bill. He was prepared to refer the Bill to a select committee to afford the Congress an opportunity of criticizing the details of the Bill. The Congress executive thereupon decided in the terms of the resolution passed at a conference on a deputation to India, consisting of Dr. Abdul Rahman, Cape Provincial Councillor, Advocate Godfrey, Congress deputy president, Mr. Pather, Congress treasurer, Mr. Bayat, Messrs. Bhawani Dayal and Rustomji, officials of the Natal Indian Congress, Mr. Mirza, Secretary, Transvaal British Indian Association, all fully acquainted and informed on the economic and other questions, as also with the wishes and requirements of the community. They are sailing on Monday, the 23rd instant, The executive of the Congress submit that the interests of the South African Indian community will be best served if the Government of India's deputation defers sailing, pending the arrival of the Congress deputation ".

Accordingly, the South African Indian deputation sailed for India on the 23rd November and arrived at Bombay on the 12th December. Here they stayed for 4 days and then left for Calcutta on the 16th December to present their grievances before H. E. the Viceroy. They waited on the Viceroy on the 19th December and presented the following Memorandum :—

The Deputation's Memorandum.

"We the undersigned, A. Abdul Rahman, J. W. Godfrey, Amed Bayat, Sorabjee Rustomjee, V. S. C. Pather, Bhawani Dayal, and A. A. Mirza, delegates of the South African Indian Congress, duly appointed at the Fifth Session held in Capetown on the 9th November, 1925, desire to thank Your Excellency for receiving the deputation, and respectfully beg to submit to you a short statement of the present position of Indians in South Africa and of the effect of the Areas Reservation and Immigration Restriction (Further Provision) Bill on their future status.

"Sir, you will, doutless, recollect that you were pleased in March, 1922, to receive a deputation of South African Indians, supported by Sir Jamsetji Jeejibhoy and other prominent and influential leaders of Indian public opinion. That deputation not only placed before Your Excellency very fully the position of Indians as it existed then, but they also stated that, in the light of the sustained and irrational anti-Asiatic campaign in South Africa, the Indians viewed the future outlook with the gravest apprehension.

"We feel assured that Your Excellency has since then watched with more than ordinary care the trend of South African legislation; that you are aquainted with and have viewed with disapprobation the promulgation of two Provincial Ordinances which quite recently deprived Indians of the Municipal and Township franchise in Natal, and the adoption of other Ordinances which place further restrictions on their trading and proprietary rights. Convinced that Your Excellency knows all this, and being aware that you have also kept in close touch with the South African Government, we feel that it would almost be an act of supererogation to restate the case of Indians as it exists to-day.

"Nevertheless, Sir, permit us to summarise briefly our existing grievances. This will show up more glaringly the impossibility of Indians to survive and retain their manhood under any further imposition of restrictions, and moreover, it will emphasise more fully and clearly the dire effects on them of the Areas Reservation and Immigration Restriction (Further Provision) Bill—the Bill which has driven us, as a last resource, to seek your aid in the calamity which stares us in the face and which threatens to overwhelm the whole Indian community. Briefly then the position is as follows :—

"In the **Cape Province** there are approximately 8,000 Indians, who enjoy equally with other non-Europeans both the parliamentary and the municipal franchise. No restrictions have so far been placed upon them which do not also apply equally to other non-Europeans. They are still free to purchase fixed property, to trade and to reside where they choose; and, except that applications by them for permits to trade are frequently refused solely because they are Indians as was pointed out by the Asiatic Inquiry Commission of 1921, we are glad to say Indians have no complaint to make either against Europeans in that Province or the Government.

"In the **Orange Free State** there are only about 200 Indians, who were allowed to enter that Province on the strict understanding that they remained in the domestic service of Europeans. Immigration on any other conditions is strictly forbidden.

"The **Transvaal** has a population of approximately 12,000 Indians. They have never enjoyed either the parliamentary or the municipal franchise, and they are prohibited by Act 3 of 1885 and Act 37 of 1919 from acquiring immovable property. So far, however, there has been a little difficulty in obtaining trading license. But in 1925 the Provincial Council passed the General Dealers Control Ordinance, which, according to the Administrator, is intended to regulate, control and restrict the granting of licences to Asiatics in future. The effect of the Ordinance has not yet been felt by the Indian community. But in view of the manner in which a similar law is being administered in the Cape Province where the anti-Asiatic feeling is comparatively mild, we have no hesitation in predicting that very few or no new licenses will be granted in future. Furthermore, the Ordinance has been made retrospective. All licences, therefore, issued since July 1925 will in 1926 be regarded as new licences and will probably be refused when they come up for renewal, and in the case of refusal of new licences there is no right of appeal.

"**Natal** has an Indian population of about 140,000 of whom a large proportion are born in the country, being descendants of those who by their labour and industry transformed that Province from a wilderness into a garden. In the year 1896, Indians were deprived without the slightest justification of their Parliamentary Franchise, but no restrictions was placed upon them with respect to the acquisition of fixed property or the right to trade and to reside where they chose. In 1908 however, the Natal Legislature passed two drastic measures: one was designed to stop the issue of new trading licences to Asiatics forthwith and the other to prevent the renewal of existing licences after 1918. These measures, needless to say, did not receive the Imperial Government's assent, and the trading rights of Indians were left undisturbed.

"Thus, Sir, when the deputation waited upon you in 1922, although Indians experienced some difficulty in obtaining new licences to trade and despite the fact that they suffered many minor indignities as a result of vexatious and restrictive regulations then in operation, nevertheless, they still enjoyed the full municipal and township franchise equally with Europeans, and they still retained the right to own fixed property and to reside where they chose without let or hindrance.

"Since then a change for the worse has taken place. Three Provincial Ordinances, the provisions of which are intended to be applied to the Indian Community almost exclusively, have received the assent of the Governor-General-in-Council, despite very strong protests against them. Two of these Ordinances, namely the Boroughs Ordinance of 1924 and the, Townships Franchise Amendment Ordinance 1925 taken together, by one stroke of the pen, deprive all Indians of their municipal and township franchise right respectively although they possess the necessary qualifications, if their names are not already on the voters roll. By a further clause in the first of these Ordinances, Municipalities have the power

to prohibit the ownership or occupation or both of unalienated municipal lands by persons of Asiatic descent. The third Ordinance, namely, the Rural Dealers Licensing Ordinance creates Boards whose duty it is to consider all applications for licence to trade. Against the decision of the Board in the case of new applications as well as applications for transfer from one premises to another, there is no right of appeal. As this Ordinance is specially designed to restrict trading by Asiatics, and as it is administered in that spirit, it is not difficult for Your Excellency to conceive how Indians are suffering thereunder.

Dismal outlook

"From this brief and consequently inadequate summary of the oppressive and differential laws in operation to-day in South Africa, it will be seen that further restrictions have been placed on Indians after the interview of 1922, and that the fears which Indians then entertained had been well founded. But, Sir, we are to have no respite, and once again we are confronted with an outlook that seems even darker and more dismal. As if the cumulative effect of the many irksome regulations, the indignities we suffer, the curtailment of our rights, the abridgment of our privileges—as if the cumulative effect of all these was not sufficient to crush the Indians in time, a section of Europeans are prosecuting their one-sided and unjust racial warfare with such intensity and vigour as to convince us that they will not halt until they reach a point just short of wholesale extermination of Indians.

"In response to the clamorous demands of these racialists, the Union Government introduced last Session into Parliament, and have promised to place on the Statute Books during the forthcoming Session, what is known as the Areas Reservation and Immigration and Registration (Further Provision) Bill, which, as Your Excellency knows, is the primary, if not the sole cause, of our having been deputed to seek your aid in the hour of need.

"The Bill on the face of it is pure "Class legislation." That it is intended to be administered solely against Indians, is quite clear from the fact that all other non-Europeans, namely, Cape coloureds, Natives, Malayas, Mauritian Creoles, and St. Helenas are exempted from its operation. Its object, as is plainly stated, is to drive Indians into locations or areas, reduce them to industrial serfs and thus ultimately hunt them out of South Africa. This is clear not only from the various sections of the Bill itself, but also from the speech of the Minister who, when introducing it into Parliament, said: "that the Bill frankly starts from the general supposition that the Indian as a race in this country is an alien element in the population, and that no solution of this question will be acceptable to the country unless it results in a very considerable reduction of the Indian population in this country."

"This principle of compulsory segregation for trading and residential purposes which is distinctly laid down in the Bill is one which the Indian Community cannot, nay, dare not accept. Your Excellency assured the deputation of 1922, that you also were opposed to the principle of segregation and you inspired the Indian Community in South Africa and the people of India with hope when you expressed yourself thus. "They (the Indian Government) are equally at one with you in the objection you take to the Commission's suggestion regarding voluntary segregation whether residential or commercial." It is not difficult, therefore, for Your Excellency to gauge the bitterness and intensity of the feeling in South Africa against this Bill.

Native "Locations"

"We desire also to state that the conditions which prevail in "locations" in which Natives are compelled to live in many ports of the Union are appalling, due in every instance to the neglect on the part of Municipalities to supply and attend to the essential services requisite for a healthy and clean life. The Asiatic Inquiry Commission of 1921 reported against segregation as follows:—"We find ourselves wholly unable to support the policy of repression which was advocated by some of the witnesses. Indiscriminate segregation of Asiatics in locations and similar restrictive measures would result eventually in reducing them to helotry. Such measures apart from their injustice and inhumanity would degrade the Asiatic and react upon the European." Moreover the Bill is in violation of the spirit and intention of the Gandhi-Smuts Settlement; for it was understood that no further anti-Indian legislation would be imposed and that the then existing laws would be administered in a just manner with due regard to vested rights.

"For these reasons alone the Indian community cannot acept the Bill.

"Furthermore, the tightening up of the Immigration laws, the interference with the trading rights, the new restrictions with regard to acquiring ownership of land and acquiring leases, and the utter disregard of vested rights,—all these taken together

constitute such a formidable catalogue of new injustice that Indians are sure to be crushed under its weight. There is also no doubt that the clauses relating to the ownership of land, renewal of leases and of trading rights will spell financial ruin to the Indian Community.

"After the first Reading of the Bill, the Indian Community in the Union of South Africa through the South Indian Congress passed the two following resolutions :—

1. That the South African Indian Congress views with alarm the Areas Reservation and Immigration and Registration (Further provision) Bill, which is in violation of the 1914 Gandhi-Smuts agreement, and which has for its objects the compulsory segregation of Indians, the deprivation of their proprietary rights and the ultimate elimination of the Indian community as openly declared by the Minister of the Interior, and begs to submit to the Government that on a matter of principle the Indian Community of South Africa opposes this Bill in toto.
2. That this Congress urges upon the Union Government to consent to a Round Table Conference of representatives of the Union and Imperial Governments, the representatives of India, the Indian Government and representatives of the South Africa Indian Congress to consider the whole position of the Indians here and arrive at an honourable settlement.

"These resolutions were presented by a deputation to the Minister of the Interior on the 16th November 1925, who replied that he was not prepared to depart from the principles of the Bill ; that as all political parties in the Union were unanimous on the Bill, he hoped to have it placed on the Statute Book and that he was unable to state what final views either the Union Government or Your Excellency's Government would take in regard to the Round Table Conference as the matter was under discussion.

"Our object to-day is, therefore, to impress upon the Indian Government the urgency of securing the Union Government's consent to a Round Table Conference in terms of the resolution afore-mentioned.

"We would point out that even if this Bill does not become law there still remain unsolved the question of Franchise Rights, Immigration, Education, Trading Licences, etc , and these are questions that call for an early solution.

"The Indian Community have at all times been law-abiding and are prepared even now to submit to any and all laws to which all other sections are made amenable. They have always been prepared to assist by every means to promote the welfare and progress of the Union.

"We beg to place before Your Excellency our demands as law-abiding and respectful citizens of the Union and as South Africans to restore to us in the Cape Province and Natal the political rights of which we have been deprived and to grant to us full political and civil rights in the Transvaal and the O.F.S. as enjoyed by the other communities of the Union. This will be one of the means of solving the Indian problem in South Africa.

"In the event of the Union Government not acceding to the request for a Round Table Conference and forcing the Bill through Parliament in spite of Your Excellency's and our objections, then we would respectfully ask you to secure the King-Emperor's disallowance of the Bill in terms of Section 65 of the South Africa Act, failing which to appeal to the League of Nations as the Bill contravenes the spirit and intention of Clause XXIII of the Covenant of the League of Nations to which the Indian Government is a signatory.

"In the conclusion we again beg to thank Your Excellency for granting us this interview and sincerely pray that Your Excellency's efforts to secure for the South African Indians a status consistent with the honour and dignity of the Indian Nation will be crowned with success".

In presenting this Memorandum Dr. Abdur Rahman, the leader of the deputation, delivered a speech in the course of which he said :—

Dr. Abdur Rahman's Speech.

"The Bill implied, or rather it stated clearly, that Indians were inferior and must be kept away from other sections of the people, especially Europeans, who constituted the South African White population. They were suffering in South Africa, and any indignity that was placed upon them was a blow to India. Dr. Abdur Rahman asked what possible objection could the Union Parliament have against a round table conference? Apparently, the Union Parliament was prepared to accept the advice of the deputation which the Indian Government had sent to South Africa. It was prepared to accept their advice after the Bill had passed the second reading, but it would not accept

the advice of the deputation if the advice was tendered before the Bill had passed the second reading.

"He felt there was not a single Englishman in Great Britain or anywhere in the British Empire who would tolerate, apart from the injustices that Indians, suffered already, such stigma and humiliation at the hands of a non-European Government as Indians were compelled to suffer at the hands of a small section of Europeans. The present struggle was not merely an Indian question. It was now an Asiatic one and was becoming a world problem. If His Excellency and his Government thought that they could not go any further to prevent the measure from being placed on the Statute Books, then they were prepared to say: "Recall the deputation, for it cannot do any good. Do not let them give evidence before the Select Committee. They cannot possibly know the position. Tell Great Britain that she must not allow the Bill to go through. Short of going to war she must use everything in her power to prevent this Bill from passing."

H. E. the Viceroy's Speech.

Replying to the address H. E. the Viceroy said :—

"Dr. Abdur Rahman, I am glad to have this opportunity of meeting you here today, and of discussing the grave situation to which you have referred in your petition and observations. I have read and examined an advance copy of your petition with great care, and have listened, with deep interest, to the further observations with which you have now laid it before me. Let me assure you that I have watched the position of Indians in South Africa with anxiety and sympathy for some years past, and have taken all measures, as opportunity offered, from time to time, which appeared to me and my Government calculated to ameliorate their condition. I am deeply grieved at the present situation. It is natural that you should seek to ascertain, at first hand, in India, the feelings of the people and the Government of India on these questions, and to fortify your cause with what you will, undoubtedly, carry away with you—the warm sympathy of the people and the Government of India.

Need for a Round Table Conference

"Great indignation has been felt, and expressed, in India, and public opinion has been deeply pained by the status which the projected legislation in South Africa proposes to assign to Indians. It has been observed with apprehension that, in introducing the Bill, Indians have been described as an alien element in the population of the Dominion, and intentions have been expressed of solving the problem by securing a very considerable reduction in the Indian population of the Union. Your deputation lays stress and rightly so, on the necessity for a round table conference. This suggestion has been repeatedly pressed by me and my Government since it was first put forward by Mr. Thomas, during his visit to South Africa. It has not, however, as yet been accepted by the Government of South Africa. We urged the Government of South Africa in addition, to agree to our despatching a deputation to South Africa to ascertain the facts regarding economic conditions of Indians and the effect upon them of the contemplated legislation, so that we might be in the best position to make representations concerning these measures, based on accurate information regarding the situation. Our concrete proposals regarding the deputation to that Government were made on the 9th October last, and accepted by that Government on the 10th November. We at once took steps to constitute a deputation, and informed the Government of South Africa that we were despatching it on the 25th November. The first information of your deputation, which we received, was in a Reuter's telegram of the 19th November. This decision to send the Government deputation was thus reached before we heard of your deputation. We attribute importance to our deputation, because of the information it may be expected to procure. It was desirable to lose no time in taking advantage of the assent of the Union Government to its visit. Although, in many respects, it would undoubtedly have been preferable, if these two deputation had not crossed each other, yet there is no real duplication of functions, as was once apprehended, in a deputation from the Government of this country visiting South Africa at the same time as a deputation from Indians in South Africa visits India. The more light that can be shed on this difficult question, the better; the fuller the understanding, the more likely that some avenue may be found to remedy the situation.

India Government's Right to make Representations.

"I and my Government greatly hope that the deputation we have sent to South Africa may collect fact and make suggestions which may serve as a basis for fresh

proposals, on lines to which the Union Government may be disposed to agree. We also confidentially expect that your deputation may help us with some constructive suggestions of value to the same end. I fully understand the depth of feeling by which your community and Indian opinion generally, is exercised. I do not under-rate the strength of the apprehensions you entertain. Nevertheless, whilst it is natural that you should present your cause with considerable vigour, it must be remembered that the issue is now in South Africa. South Africa is a Dominion. Its Parliament has full power to pass legislation regarding its internal affairs. Feeling in South Africa is naturally sensitive to interference from outside. In these affairs, I have never, in my experience, known a good cause to suffer by sober presentment. I and my Government emphatically hold that we have a right to make representations regarding measures prejudicial to Indians domiciled in South Africa. It is a duty from which we shall never shrink. We claim that our views should be heard and considered. We have reason to know that our right to make representations, and be heard, is not disputed by the Union Government. Indeed I gratefully acknowledge that they have, on various occasions, given effect to our suggestions. At the same time we recognise that the position of the Government must be respected and that no claim can be sustained by us of a right to interfere in their domestic affairs. Should the Union Government be unable in the end to accede to our request we reserve to ourselves freedom to take such action as may seem desirable in the circumstances of the case. We have always kept His Majesty's Government fully informed, through the Secretary of State for India, of the strength of feeling in India on the question of Asiatic legislation in the Union, and of our own views on these questions.

Prospects not Hopeless.

"I cannot consider the prospects hopeless. I believe that the Union Government will give careful consideration to our views, based as they are on facts and equitable consideration. It is evident that, in the absence of Indian franchise, the Union Government recognise that they have a special responsibility for Indians in South Africa. The present Union Government have not yet carried any anti-Asiatic legislation. The Colour Bar Bill was rejected by the Senate. The fate of the present Bill is still undecided. Let me remind you that I and my Government have very carefully watched all proposals in the past for anti-Asiatic legislation. We have kept the Union Government fully apprised of Indian sentiments regarding these measures and of the objections to them. They have just received our representatives with the greatest courtesy, and I gladly acknowledge that, in the past, action has been frequently taken to meet our suggestions regarding specific measures.

Past Success and Failures.

"I am not sure that it is generally recognised what the Union Government have done, from time to time, to meet the representations made by my Government, and the extent to which our protests and representations have achieved some success. Let me give a few instances. First, as regards the draft ordinances to amend the Natal Township Law of 1881, in such a way as to deprive Indians of the township franchise; various drafts were introduced in 1921, 1923, and 1924, and regarding each, in turn, the Government of India cabled representations. The Governor-General in Council withheld assent to the first, reserved the second and the fourth for further consideration, and the third was not proceeded with. The fifth ordinance of 1925 received the sanction of the Governor-General in Council before our representations reached him. In 1925 also a draft ordinance to consolidate the Natal Township Law was introduced, which would have the effect of disenfranchising Indians already on the electoral roll of townships. In response to our representations we have been informed that the ordinance is standing over until the next year, and that, when it is proceeded with, the franchise rights of Indians at present on the voters' roll will be adequately safeguarded. Again, as regards the Natal Boroughs Ordinance of 1925 we cabled representations. The Governor-General in Council at first reserved the Bill for further consideration, but ultimately assented on the ground that they were unwilling to curtail the power of a Provincial Council to deal with a purely domestic legislation. Another instance is the Natal Rural Dealers' Licensing Ordinance. Various drafts were introduced, all of which were likely adversely to affect the trading rights of Indians. The Governor-General in Council withheld consent to the draft of 1921, reserved for consideration the draft of 1911, and assented to the draft of 1923, after explaining how far he had been able to go in meeting our wishes. In the case of the Durban Land Alienation Ordinance of 1922, we cabled representations. The Governor-General in Council assented, but instructed the administrator in Natal to satisfy himself before approving racial restrictions, in land sales, that Asiatics were given reasonable opportunity for acquiring adequate residential sites.

The Class Areas Bill.

"Take finally the Areas Reservation and Immigration and Registration (Further Provision) Bill of 1925. The position is that the Government of India have already telegraphed very full representations regarding the Bill, and have received an assurance that their representations will receive the earnest consideration of the Ministers. It may also be noted that the Government of India have addressed a detailed despatch containing their views on the Asiatic Enquiry Commission's report, 1911 This despatch has given rise to a long correspondence, in the course of which the Union Government have explained their general policy towards Asiatics. We are still engaged in discussion. I freely admit that, in some cases, the representations of my Government have been unavailing, as for example, the Natal Public Health Committee's Ordinance of 1923 and the Transvaal General Dealers' Control Ordinance Act of 1925. In the case of the South African Mines and Works Amendment Act of 1925 also, we made representations, and, though some changes were introduced to meet Asiatic susceptibilities, the principle of the Bill remained unchanged. Fortunately, however, the Bill was rejected in the Senate. In the case of the Class Areas Bill of 1924, we also made representations, but the Bill lapsed owing to the dissolution of the Union Parliament.

"I have said enough to show that I, and my Government, though not always successful, have been able to achieve something in the past, and have every reason to believe that the Union Government will give the closest consideration to any proposals we may decide to put forward on this occasion. The deputation in South Africa is working to provide us with material to make and support our representations. We look to you also, and shall welcome any constructive suggestions you are able to give us. The Member of my Government, in charge of this subject, Sir M. Habibullah, and the Secretary of the Department, Mr. Ewbank, are present here to-day. I invite you to keep in close touch with them, and give your views as regards all clauses of the Bill and their effect upon Indians. This is not the place to go into questions of details, but it is important that they should hear your views upon those questions also and discuss them with you. You may be assured that any detailed criticisms of the Bill you have to offer, will be most carefully examined by them. Both I and my Government will welcome your assistance. As I hope, I have already made clear to you, you may rely on receiving a very sympathetic hearing from the officers of my Government. We shall carefully and anxiously consider the best course to follow.

Unanimity of Indian Opinion on the Question.

"It would be premature, on my part, to attempt to indicate the exact measures we may adopt, but you may confidentially count on my warm personal interest in your difficulties, and on the sincere desire of my Government to find a way to remedy those anxieties by which you are now oppressed. You may already be aware,—and if not, let me assure you—that, whatever the differences that may exist, in India, on other political question, there is unanimity of opinion regarding the position of Indians in South Africa. I and my Government believe that any representations that may be made, and any action that may be taken, in the interests of India and the Empire, on behalf of the Indians in South Africa, will have the whole-hearted support of the people. No course, which can legitimately and constitutionally be taken, will be left unexplored, and all reasonable measures calculated to ameliorate the situation will be taken."

From Calcutta the deputationists left for Cawnpur to lay their grievances before the Indian National Congress (See p. 326).

India in the League of Nations

Report of the Indian Delegation.

The Interim Report of the Indian delegation to the sixth session of the Assembly of the League of Nations was published in December 1925. The Report, which is signed by Lord Willingdon, the Maharaja of Patiala and Sir A. C. Chatterjee, is a comprehensive document which, after explaining the organisation of the League's Assembly, gives a summary of the proceedings of the various committees. The Mosul question, which was under discussion at the time the delegation was in Geneva, has been omitted from the Report, as the Assembly had nothing to do with it.

In concluding the Report the signatories make the following general observations regarding the work of the Assembly: —

"As usual, this Assembly discussed a wide field of subjects arising out of the work of the various permanent organisations of the League and the decisions of the Council of the Assembly. In previous sessions some of the delegations, remembering the animated discussions on the Draft Treaty of Mutual Assistance at the Fourth Assembly and on the Protocol at the Fifth Assembly, appeared to feel that the programme of the Sixth Assembly was somewhat lacking in interest. A contributory cause of this impression may have been the reluctance of certain delegations, particularly those of the larger States, including Great Britain and the Dominions, to commit their Governments prematurely to the adoption of projects such as the International Relief Union, Armenian Refugees Loan and the proposed extension of the work of health and child-welfare organisations. The Indian delegation, however, had reason to feel that certain useful results were obtained during the sessions.

"Opportunity occurred for establishing friendly relations with representatives of many countries which are brought into contact with India in trade or otherwise. In various ways, such as the appointment of its members to a special committee, or to perform duties such as that of rapporteur, the Indian delegation obtained gratifying recognition.

Limited Strength of Delegation.

"On account of the limited strength of our delegation, we were compelled to confine our attention chiefly to points which arose in committee, and were happily in all cases settled to our satisfaction, thus obviating the necessity of our intervention in the Assembly debate. It should be remembered in this connection that the numerical strength of the Indian delegation compares very unfavourably with that of many other States of much smaller size and significance. For instance, the Norwegian delegation included three subs-

titutes and two experts, the Chilian delegation three substitutes and five secretaries, the Hungarian delegation three substitutes and two experts, the Roumanian delegation four substitutes and an expert, the Finnish delegation two substitutes and an expert, the Chinese delegation three experts and eight secretaries and the Venezuelan delegation two substitutes and an expert.

"Much of the work of the Assembly is done in committees and sub-committees. It is desirable that more than one member of a delegation should be present at, or at any rate follow, the course of each committee. With the Indian delegation this was not possible. For instance, owing to his presence being required on the Slavery Sub-Committee, Lord Willingdon was unable to attend any meeting of the Third Committee. His Highness the Maharaja of Patiala was obliged to be absent from the meeting of the Fifth Committee, while the discussion on the International Relief Union, in which he had intervened, was in progress in the Second Committee. Sir Atul Chatterjee, although on most days had to devote at least eight hours to committee meetings, was obliged to miss several important meetings of several committees in order to take part in the discussion of the Budget in the Fourth Committee. If circumstances beyond their control, such as sickness, had interfered to any great extent with their regular attendance at these meetings, the representatives of India would have been seriously embarassed in carrying out the part assigned to them.

Relations with Foreign Delegates.

"One of the most important duties of a delegate is to establish personal contact and intimacy with their colleagues from other member States. Differences are adjusted, and conflicting points of view are much more easily reconciled in the course of personal discussion than during debates, which are open to the Press and public. But it is difficult to find time for such discussions, unless a delegation is sufficiently strong in numbers to enable a delegate to hand over a considerable amount of committee work to a substitute of sufficient standing and knowledge of their subject to intervene effectively in the discussion, as such knowledge can only be acquired by previous study of the subject-matter and experience of League work. It is the practice of most State members while varying their principal delegate to send the same substitute technical expert to the Assembly from year to year. The establishment of this continuity also helps them to secure the appointment of their nationals to commissions and to posts on the staff of the Secretariat.

Sir Edward Chamier's Services.

"We desire to express our acknowledgment of the great assistance afforded to us by our substitute delegate, Sir Edward Chamier. Representing the delegation on the first Committee he was able to bring to the service of that committee an experience and knowledge of legal questions which no other member of the delegation could have supplied, while his advice on all subjects which we discussed at our private meetings was of the utmost value. We have also particular reason to be grateful for the services of Professor Rushbrook Williams, who accompanied His Highness the Maharaja of Patiala as Political Secretary, and acted as a substitute at discussions which His Highness was unable personally to attend. He spared no pains in keeping us all fully informed on all important details which arose in regard

to various questions which we had to discuss and consider. His tact and judgment were of great advantage to us all on both ths business and social sides of our duties.

Need of Large Staff at Geneva.

"Our experience of the work of the Assembly has led us to consider that the best service can be done for India by its representatives if they approach the questions under discussion as far as possible from an impartial and international standpoint, and co-operate fully in the solution of them rather than view them from a purely national aspect, and refrain from the discussion of those which have no immediate interest to India. It must necessarily be the case that India's interests are little affected by many of the problems which the League has to solve. But India's representatives have everything to gain by familiarising themselves with the elements of these problems, and taking part in discussions upon them, while at the same time the League has much to learn from the store of legislative and administrative experience accumulated in the public life of the great country which they represent. Such participation will only be rendered possible by thorough preparatory study, and by securing the assistance of a larger staff at Geneva. We are convinced that the Indian delegation can do far more in this way to improve India's position in the League, than by criticism from a purely national point of view of the comparatively few questions which directly affect India's interests, or by excessive insistence on the fact that India is not at present receiving an adequate return from the League for her large contribution towards its expenditure.

"In the course of the debates, we tried to turn the general activities of the League into ways of benefit to India. Our observations on health organisation, the proposed International Relief Union, the work of the League in social matters and our suggestion that a bureau of information should be established in India are instances of this endeavour. It remains for us to add that we ourselves have derived the utmost benefit from our intercourse with many prominent statesmen and experienced administrators who represented their countries at this Assembly. Our relations with them in conference and in social intercourse have been most cordial. We have also to express our great appreciation of the assistance rendered to us by the Secretariat staff of the League itself, and of our own delegation".

India in the League of Nations

GENEVA—SEPTEMBER SESSION 1925.

Over two years ago Mr. Sethna raised in the Council of State an interesting discussion demanding that in the selection of India's representatives to the League of Nations every year the Central Legislature should be consulted. At that time the answer that was vouchsafed by Sir Mahomed Shafi, on behalf of the Government, was that there was no idea of showing disrespect to the Legislature, but that for administrative convenience and other reasons it was better that the selection should be made directly by the Government of India itself and that the Government would take every step to see that only such persons were sent as delegates for India, as would command confidence in the country.

On the 14TH JULY the Government of India announced the names of the "representatives" at the September session of the Assembly of the League of Nations. The delegates were Lord Willingdon, the Maharaja of Patiala and Sir Atul Chandra Chatterjee. Professor Rushbrook Williams, Director of the Information Bureau, was appointed as the Private Secretary to the Maharaja of Patiala.

Patiala's Work in Geneva.

In the October issue of "The Asiatic Review" the Maharaja of Patiala wrote briefly on the impressions he received as a Delegate at the meetings of the League of Nations in Geneva. He wrote with hardly any reference to the special interests of India. His Highness seemed to have taken no public part in the proceedings, preferring, as he put it, "to bring my guns to bear in committee" where most of the practical work was done. He referred to two questions in particular, among those definitely assigned to him, which threatened to involve, either directly or indirectly, implications of a very undesirable nature. But he did not mention what the questions were. Wrapping himself in mystery he claimed that he was able to secure "all the desired results without incurring the odium of strongly opposing, in public debate, the views of a certain great and friendly Power." His Highness also preferred to arrange a continual series of small, informal lunches and dinners, at which "he entertained privately and separately the Delegation of each important nation."

As proceedings of the League were not available we give below what His Highness the Maharaja wrote in the October number of the *Asiatic Review* regarding the impressions he gathered in the meetings of the League :—

Maharaja Patiala's Impressions

"It is not easy to give a clear account of the impression made upon the mind of a Delegate by the League of Nations, since the impression itself is complex and without precision. The League, in fact, is an organism which is passing rapidly through successive stages of development: which is fluid rather than concrete, dynamic rather than stale.

"My first impressions were somewhat unfavourable. The depressing character of the Salle de la Reformation, in which the Assembly sits, the confusion attending the first day of the Session, the time wasted in apparently fruitless oratory—all these made me wonder for a moment whether I had really served my country and my Order by leaving India to attend such a gathering. But before long I observed two things. In the first place, this was no ordinary meeting of Parliamentary representatives. I had only to look round about me to discover the majority of front-rank statesmen of Europe. Almost every one of the fifty nation here represented had sent its Premier or its Foreign Minister, and in some cases both. It was further plain that a large number of these eminent statesmen were personal friends. Nor I was greatly struck by the cordiality of the atmosphere. As it seems to me it is no small thing to gather together in a single hall the men who by their official position, and the power which it has placed in their hands, are authorized to speak for almost half the world. The mere fact that they meet, talk, and dine together cannot but encourage harmony, smooth over difficult questions, and conduce to friendly arrangements. Indeed, one of the most practical achievements of the League is its encouragement of the habit of compromise, of give and take, of the settlement of differences by friendly discussion.

Second Observation.

"My second observation was equally interesting. It became plain to me that the League performs for public opinion the task which a lens performs for light: it receives it transmits, it and concentrates it upon the point where it produces the maximum effect. To public opinion the Assembly in particular is very sensitive; and in the atmosphere of enthusiasm which characterizes the sessions, resistance to a certain kind of demand is almost impossible. Hence arises to my mind a particular blend of strength and weakness which runs through all the doings of the League. On the one hand, Great Powers, despite all the diplomacy that can be devised, frequently find themselves confronted with a situation in which they have either to accept the prevalent sentiment, or to incur an undesirable odium by remaining isolated in resistance to it. This is on the whole healthy especially as smaller States, which make up what may be called the rank and file of the League, respect the position of the Great Powers, and do not as a rule employ their numerical majority injudiciously. Here let me note emphatically that my experience is far from confirming the complaint made by certan superficial observers that .the "equality" of the League is mere camouflage. It is very far from true to say that the Great Powers "rig" everything from behind the scenes; that the smaller States are mere puppets dancing at the bidding of a hiden hand. On the contrary, there is a perpetual give and take. The smaller States take care not to press the Great Powers too hard; but the Great Powers cannot resist, as experience has shown, a strongly backed demand for action of a particular kind. Their influence as a rule is cast in the direction of moderation. They endeavour to cure injudicious enthusiasm, to inculcate cautions, and to prevent the adoption of sweeping resolutions which there is little prospect of carrying into effect. When for some reason or another they abandon this function for the moment curious things happen. Witness the events of the Fifth Session, when the Premiers of Britain and France, far from

guiding the enthusiasm of the Assembly into channels which admitted of early practical expression, put themselves in the advance-guard of the idealists, acted as though there was no distinction between saying something and doing it, and altogether ignored difficulties of the most obvious kind in a manner worthy only of a revolutionary convention.

Assembly's Force.

"There can be no two opinions as to the force, call it moral or call it psychic, wielded by the Assembly. This body reacts clearly and emphatically to the proposals placed before it, and gathers behind it sentiments and impetus which makes them most difficult to resist. For which reason there is always the risk that it may be stampeded into unreflecting idealism and thus commit itself to views or programmes of a character likely to affect deleteriously its own influence and reputation. It is therefore important and there should be submitted to the Assembly only those proposals which have been carefully considered from the point of view of practicability, and properly prepared from the point of view of constitutional procedure.

"Hence comes the unique importance of the work of the committees. It would be a mistake to assume, as is sometimes done, that the Assembly is a mere rubber-stamp which automatically places its imprimature upon the decisions of the committees. The Assembly has a formidable will of its own; it will reject or alter, from time to time, what is placed before it. But the committees act as a strainer for much of what might otherwise clog the machinery. It is in the committees that the wild-eyed enthusiasts find themselves compelled to reckon with hard facts; in the committees that amicable compromises are arranged and working harmony cemented; in the committees that the burden of the work is carried through. Personally, I was so much convinced of the truth of this, that I deliberately concentrated upon the committees side of the work, and left the Assembly rather alone. I may be pardoned for remarking that this line of action was justified by its results. Two questions in particular, among the cases definitely assigned to me, threatened to involve, either directly or indirectly, implications of a very undesirable nature. It would have been open to me to reserve my views, and those of the Government of India, for the open Assembly. I preferred to bring my guns to bear in committee, with the consequence that I was able to secure all the desired results without incurring the odium of strongly opposing, in public debate, the views of a certain great and friendly Power.

Social Aspect.

"A word about the social side of the League. Everyone works so hard during the four weeks of the session that large and elaborate entertainments are somewhat at a discount. Many Delegations confine their hospitality to a single soiree for one admirable concert, to which everyone is invited. I myself preferred to arrange a continual series of small, informal lunches and dinners, at which I had the privilege of entertaining privately and separately the Delegation of each important nation. Among the results I count many new friends, much first-hand information about the drama of contemporary politics from persons who play the leading part therein; and—as I sincerely hope and trust—the awakening of a new appreciation, in several quarters at least, of the character and ideals of my own Orders and of my fellow-countrymen".

Indian Propaganda in Britain

India and the Labour Party.

People in India were considerably pained and surprised at the attitude of Labour spokesmen in Parliament towards Lord Birkenhead's speech of the 7th July. An impression gathered considerable strength among the adherents of the Indian National cause that there was want of sympathy between the English Labour movement and the aspirations of the Indian people. Colonel Wedgwood's speech in the House of Commons during the debate on India Office Estimate accentuated the dissatisfaction. The gallant Colonel, forgetting for the time that it was the Labour Party's policy to grant immediate Self-government to India, sought to force the Swarajists to work the dual system of Government which the different sections of political parties in India had condemned outright. We quote below a very informing article of *Hindu* showing the Labour mentality and commend a careful perusal of it to our readers :—

"Salvation for India should certainly come from within : the idea of our securing Swaraj mainly through the help of outside agencies, without ourselves making great efforts and big sacrifices for it, is galling to our self-respect. Nobody believes in the possibility of India retaining her freedom for any length of time if she has got it by mere gift, not by her own exertions proving her worth and capacity. Nevertheless, it would be foolish puritanism and harmful impudence, if in our fight, we do not take care to enlist on our side the support of persons or associations whose general outlook on life and predisposition are in favour of rescuing struggling nationalities from the fetters which bind them. That is why we attach importance to the work of propaganda abroad ; in Great Britain in particular there is good work to be done in this direction, and so far as intellectual adherence to the ideal of equality of opportunity and human brotherhood is concerned, there can be no doubt that the Labour Party is the one organisation in that country which can be approached with some prospect of our obtaining sympathy and, if possible, active assistance. Moreover, that Party has made promises and given pledges which India is entitled to ask should be redeemed as early as possible. We should do nothing which would disturb India's relations with that Party, but frankness and candour should inspire our discussions with it on our problems. That is why we consider that the controversy between Indian and Labour leaders should be conducted in a way which would help mutual understanding and lead to better appreciation of each other's difficulties and view-points.

"From a perusal of the debates in Parliament and of the correspondence in the press it appears that the major differences between the Labour Party and Indian leaders are quite capable of being easily explained. That we in India have been surprised and pained by the attitude of Labour spokesmen in Parliament towards Lord Birkenhead's speech is only too true ; it is undeniable that, coming after Labour's inability to do anything for India when it was in office, this has accentuated the dissatisfaction. If they think over it, Mr. Ramsay Macdonald and Col. Wedgwood cannot but realise and appreciate India's disgust at the inordinate delay in Great Britain fulfilling its pledges to India, and at Labour, which has always stood for immediate self-Government, hesitating to give effect to its views. Hell is paved with good intentions and it is rather unreasonable to expect India to remain quiet in the belief that one day Swaraj would come to her like manna from above. Further, it is unreasonable, regard being had to the shameless way in which solemn assurances have been thrown to the winds that Indian politicians should be dictated to in regard to the methods of political agitation. It is extraordinary that such a sincere friend of India as Col. Wedgwood should seek to force Swarajists to work a system of dual government which his own Party, Indian Liberals and Indian Ministers have all combined to condemn outright.

One sees in this unreasonable demand more the disappointment of the enraged donor whose doubtful gift is refused than the calm disposition of a balanced mind which is able to relate results to causes and look at things in their proper proportion. One of the unjust and unwarranted charges is that Indian leaders do not care for Indian labourers and that they are against any extension of the franchise. ..... India has done more to carry out decisions of the International Labour Conference than many other countries, including those in Europe; that does not show that she is indifferent to the worker. It is a pity that this false accusation, which the enemies of India prefer out of malice, should be believed in by Labour. There is great room for improvement, but we are progressing as rapidly as our emaciated political condition would allow, for it is absolutely true that a formidable obstacle to Indian labour coming to its own is the opposition of the bureaucracy itself. Does Col. Wedgwood know that it is the majority of the Muddiman Committee, consisting of four Europeans and one Indian, who want to deny franchise to the large sections of the population who are now unrepresented, and not the minority consisting entirely of Indians? ....."

The Essex Hall Meeting

Under the auspices of the Indian Association, a meeting was held on the 22nd July 1925 at Essex Hall, London, to consider the situation arising out of the statement of Government policy announced by Lord Birkenhead in his speech in the Lords on the 7th July. The proceedings were interesting enough, especially when Colonel Wedgwood was engaged in a wordy controversy with Mr. T. C. Goswami, M.L.A., on the platform and some more vociferous critics in the body of the hall.

Mr. GOSWAMI was the principal speaker. His manner was mild but his speech was by no means meek. He had some nice words to say about the kindness of his reception in that country. He wanted to make it quite clear that, in spite of bitter words which might be flung about, India cherished no ill-will towards England. The object of the Swarajya Party was to see that the destinies of the world were governed by the common people of all countries. He repudiated the idea which had obtained some credence in England that the Swarajists were afraid to democracy and that they favoured the establishment of an Indian oligarchy. On the contrary, they wanted an extension of the franchise to the utmost possible limit, and even if present conditions did not allow of immediate adult suffrage, they were anxious to provide in the constitution for further extensions until full adult franchise had been reached.

Mr. Goswami confessed that he was not disappointed by Lord Birkenhead's speech in the Lords, because he expected nothing else. He was rather grateful that the noble lord had destroyed the excuse which Moderates had hitherto put forward as a reason for not joining the Swarajya Party. He was not prepared to state dogmatically what the policy of that party would be in the present circumstances, but it was the settled determination of the Indian people to achieve Swaraj, if possible within the British Empire, but if necessary outside.

Mr. Goswami went on to refer to the vigorous duel which has been carried on in the Labour Press between Colonel Wedgwood and Mr. Satyamurti, avowing of course his agreement with the latter. Mr. Goswami confessed that he only accepted the policy of non-violence on grounds of expediency. They had never yet said that they could coerce the British people into giving them Swaraj, but he made it clear that if it was possible to gain their end by physical force he was quite willing to fight for it and to die for it if need be. For the present, however, the speaker said, violence would be futile; therefore, expediency and ethics were against it.

Mr. Goswami warmed to his subject as he proceeded. He apologised for belonging to what he called "a sham Legislature" and confessed that it gave him anything but pleasure to find the letters M. L. A. after his name. The Swarajya Party would nevertheless contest the elections in 1926, and he was confident that they would capture a majority of the seats in all the Councils. When they had done that, they would have no compunction whatever in shutting up all the legislatures in the country. He admitted that some little good had come out of these bodies, but they had to choose between this little good and the greater good which might be obtained through deliberate and sustained obstruction. They were all for a peaceful adjustment of interests, but if peaceful negotiations failed, they would do their worst. The Indian nation was at present very exasperated, and Englishmen would be foolish to mistake the apparent lull as a symptom of the subsidence of the Nationalist movement.

Mr. Goswami said he was grieved to find that the official section of the Labour Party had endorsed Lord Birkenhead's statement, but he was hardly surprised at it. There ought to be a good understanding between sincere Labour men in this country and Indian Nationalists, for there was a very great connection between unemployment here and the economic conditions prevailing in India, but in the presence of Colonel Wedgwood he asked, what good thing the Parliamentary Labour Party had ever done for the common people in India? What had they done for the labourers, the workers, and the peasants of India?

In some complimentary references to Mr. Saklatvala's speech in the House a fortnight ago. Mr. Goswami incidentally observed that he was not himself a Communist, because he was as much against domination by Russia as against domination by England. There were other passages in the speech which showed that he was not such an uncompromising enemy of existing in situtions in India as some of those who followed him, and his references to certain trades union legislation clearly provided that something useful was to be extracted even from the present unsatisfactory constitution. He also took credit for having helped to form the Independent Party in Bengal.

Colonel Wedgwood's Reply.

Colonel WEDGWOOD took with alacrity, if not with any striking success, the opportunity to put his side of the case. He expressed his bitter disappointment at Mr. Goswami's speech. He was glad to hear the Swarajists were in favour of a wider franchise, and hoped they would maintain their opposition to communal representation either of the workers or anyone else. He hoped that when the Chief Whip got back to India, they would have an epoch-making pronouncement from the Swarajist party. He wanted them to declare in favour of provincial autonomy and a uniform electorate for the whole of India.

There was a vein of provocative sarcasm running through his speech, and his annoyance at the present Swarajist tendencies seemed to interfere sadly with his lucidity. But he made it quite clear that he would have no truck with a policy of obstructive non-co-operation within the Councils, and he warned the Swarajist Party in rather biting terms that they would find such a policy as ruinous and futile as the original non-co-operation of Mahatma Gandhi. Nothing, said Colonel Wedgwood, would give greater satisfaction to the Anglo-Indian bureaucracy than persistence in the tactics which Mr. Goswami had indicated in his speech. Bureaucrats would be quite content to go on ruling Bengal as they were doing now and they were at least managing to keep the peace between Mahomedans and Hindus. The Swarajists might get a majority in most of the Councils next year, but he would be much surprised if their constituents allowed them to carry out the threat to close up all round. He was confident that they would never persuade Madras to shut up the Legislature, and he was nearly as certain about the Punjab. How would closing up the Council help them in that province, where Mahomedans were against Hindus, Hindus were against Mahomedans, and Sikhs were against both? If the Swaraj party got a majority on the Punjab Council, they could put an end at once to the communal favouritism which now prevailed.

Colonel Wedgwood thought that circumstances will prevent the Swarajists from carrying out their policy of uncompromising obstruction. He expressed the opinion that in the Central Provinces, for instance, Dr. Moonje would, before long, accept ministerial office, and that the same thing would happen elsewhere. If, however, they persisted in non-co-operation, it would only mean that in 1929 the bureaucracy would take advantage of the situation, and instead of getting a step forward India would get a step backward. The Colonel warned his Indian friends that if the policy of refusing responsibility was continued, they would find themselves back in the conditions of the Morley Minto period.

There was a volley of interruptions during part of the time Col. Wedgwood was speaking, and the incoherency of some of them did not add to the clarity of his hasty improvisations. The obscurity might have been cleared a little if he had remained to answer a few questions, but as he had to be back in the House of Commons, he hurried away as soon as he had finished his speech.

The Labour Party Denounced.

Colonel Wedgwood was followed by Mr. CHAMAN LAL, who let himself go without restraint. Mr. Goswami had spoken more in sorrow than in anger, but Mr. Chaman Lal poured forth the vials of his wrath upon Colonel Wedgwood and other so-called friends who, he said, had betrayed the cause of India. These people had forgotten all their pledges and resolutions. The views put before them that

day on behalf of the Labour Party represented a policy of utter bankruptcy. What further confidence would they place in a gang of traitors like MacDonald, Wedgwood, and Olivier ? Even their own followers were disgusted with them. Some Labour members of the House of Commons had come to him after the debate on July 9, and had told him that they entirely disapproved of the policy of the front bench.

Mr. Chaman Lal went to accuse Colonel Wedgwood and his friends of trying to hoodwink the Labour masses in this country as to the position and policy of the Swarajist Party. He denied the suggestion that that party was out of sympathy with the workers and pointed out what it had done in the interests of Indian Trades Unions. Colonel Wedgwood had twitted them with what was likely to happen when they had captured all the legislatures and put them out of the action. He (Mr. Chaman Lal) warned them that matters would not stop at that point. There would be a wave of unrest in India, followed by a crisis such as no British Government headed by even half a dozen Birkenheads would be able to withstand. They were determined to shed their own bloods, if need be, in this cause. They could no longer put their trust in such broken reeds as Ramsay MacDonald and Colonel Wedgwood. They must in future rely upon themselves.

Mr. HORNIMAN spoke to much the same effect as Mr. Chaman Lal. He described Colonel Wedgwood's speech as an insult to every self-respecting Indian. All he had put before them was a humiliating policy of "Funk," which was offensive and disgusting in its implications. He had more confidence in the people of India than to believe they would follow the advice of Colonel Wedgwood. As regards Bengal he was convinced that when non-co-operative obstruction had been carried out it would be followed by a further stage, which might be non-violent civil disobedience, or something very different from that which would bring the administration of Bengal by a foreign Government to an absolute and permanent end.

"Madras Mail's" Slanderous Misrepresentation.

In the following article published on the 14th August the *Madras Mail*, an Anglo-Indian daily, vented its spleen against the Swarajists by misrepresenting the speeches of Messrs. Goswami and Chamanlal at the Essex Hall, London.

"In England, Mr. T. C. Goswami, Treasurer of the Swarajist Party, stated that the Swarajist Party were working towards the end of a trial of physical strength with England. When, therefore, he arrived in Madras to-day we were anxious to know something more about this hitherto concealed object of the Swarajist Party. A representative of "The Madras Mail" to this end, called on Mr. Goswami and asked him to give more details, but Mr. Goswami had been taught to be cautious and begged the questions by saying that he wanted time to study Indian conditions before making a statement. This comes queerly from one who, less than a month ago, was proclaiming to a large audience, composed mainly of Indians, in London that the inevitable climax of Mr Gandhi's non-co-operation policy was a mighty insurrection in India, and who listened, apparently without protest, to Mr. Chaman Lal's declaration that they "would, in the end, stir the peasants of India into such a wave of unrest—that they would with their blood win their cause." It is not strange that one who could speak so definitely and tacitly agree to a definite statement a little more than three weeks ago, should to-day find it necessary to study the situation in India before he makes any statement on his previous utterances ? What is the obvious conclusion ? Is it not that Mr. Goswami, when he addressed the Essex Hall meeting was, to put it politely, speaking without the book. He wanted, like other demagogues, to create an impression. He should remember that news travels quickly these days, and what he said in London on July 22 is common property in India to-day. To plead ignorance of Indian conditions on the top of such a definite deliverance on those conditions tends to breed incredulity regarding his future utterances.

To the average Indian, however, the importance of Mr. Goswami lies in his Essex Hall revelation of the purpose of the Swarajist Party, a revelation that comes dramatically on the eve of an election in Madras. Does the average Indian want an insurrection in India, does he want the horrors of a bloody revolution ? And is he prepared to support a Party, which, under the guise of non-violence, is deliberately pursuing a course and planning policies which must lead to bloodshed, and which is hoping for strife ? Men like Mr. Chaman Lal are not to be misunderstood. When they speak of the rise of the peasants they do not speak of a rise against the few Europeans in the country, but against all who believe in constitutional procedure, who prefer law and order, individualism to

communism or Bolshevism. The revolution that Mr. Chaman Lal, and presumably Mr. Goswami too, envisages is a revolution of the "sans culottes," and in that revolution Indians will be the greatest sufferers. We have often stated, and been decried for stating it, that Mr. Gandhi and the Swarajists are heading for revolution. We now have the treasurer of the Swarajist Party admitting this goal, and refusing to explain why the end has hitherto been concealed. Whether they are to reach that goal is for Indians not Europeans to decide. Apathy and indifference will not stop them. Vigorous counter-propaganda and a determination on the part of peace-loving Indians to give no manner of encouragement to the would-be insurrectionists will ....."

Mr. Goswami's Rejoinder.

Mr. Goswami, whose attention was drawn to this article, addressed the following letter to the Editor of that paper warning the journal against indulging in such mischievous misrepresentations, the evil effects of which would recoil on its "own dear partisans" whom it sought to mislead.

"..... As regards the main point of your article, I notice your almost epigrammatic statement that "news travels quickly in these days" and that what I "said in London on July 22 is common property in India to-day." Quite accidentally I came across this morning a summary of my Essex Hall speech in a recent number of. "The Hindu," and I cannot describe it as an unfair report. If that report is "common property in India to-day", it is apparently not the property of "The Madras Mail." So far as I am concerned and so far as any one who is capable of reading between the lines is concerned—the psychological explanation of your strange article is to be found in what I regard as its key-sentence; you speak of my speech as a "revelation that comes diametrically on the eve of an election in Madras." I suppose it does; and I am sure your comment on it will be treated as very dramatic. Attempts to save a country from "the horrors of a bloody revolution" are quite familiar enterprises in electioneering. You must have heard of a new party in England calling themselves "British Fascists," who are not inappropriately referred to as "B. F.s."

"I began my Essex Hall speech, which I made at the request of the London Indian Association and in the presence, among others, of the Rt. Hon'ble Colonel Josiah Wedgwood, who took part in the discussion, by clearly stating that it was impossible for me to make any statement on behalf on the Swarajya Party, as I had no opportunity of consulting the leaders since Lord Birkenhead's statement in the House of Lords and that I could only say what I thought would be the probable course that the Swarajists would take. And I said that I expected the Swaraj Party to continue its policy of resistance, to contest the General Elections in 1926 with a view to securing majorities in all the Legislatures and to create a constitutional deadlock unless an honourable settlement was meanwhile arrived at. I did say on that occasion—as I have said frequently—that those who are in authority ought to realise that they were "exhausting the last stages of constitutional struggle in our country" and that the Swaraj Party always stood for "a peaceful adjustment of interest." The main purpose of my speech was, however, to expose the hollowness of the latest arguments of the front bench Labour Mr. P.'s that the Swarajists were afraid of democracy and that these M. P.'s were the divinely ordained trustees for the "labourers and peasants" in whose interest they had so far failed to do anything substantial. Either your informant is wrong, or the writer of your editorial has allowed himself a little more latitude in the matter of treatment of facts than is considered permissible even by your fellow Anglo-Indian journalists.

"Your have further brought in the name of my friend Dewan Chaman Lal, and have dared to describe him as the enemy of not only all Englishmen but also of all who believe in the various things other than Bolshevism. It is unlikely that he will see your article; he is probably still in Europe. But I cannot let this statement pass unchallenged It is a cowardly slander. His actions, like mine, have been in the open, in the full blaze of publicity. You may differ from our views; and you may censure our actions, but it is only gentlemanly to confine your criticism and censure to actual facts. What to me is ridiculous nonsense may have a mischievous effect not only on your political opponents, but—as frequently happens in the end—on those dear partisans whom you seek to mislead. As opponents of Swarajism, Anglo-Indian Journalism is only one of the factors—and a minor one—we have to contend against".

The British Commonwealth Labour Conference

The British Commonwealth Labour Conference began its meetings on the 27th July 1925 in the rooms of the Empire Parliamentary Association. The Indian Delegates were Mr. M. N. Joshi and Dewan Chaman Lal. Mr. Polak and Mr. Saklatvala were permitted to attend the conference as advisers to the two Indian Delegates. The conference lasted for one week. Mr. Ramsay MacDonald opened the proceedings.

Self-Government for India.

On the 28th July the question of the grant of self-government to the subject peoples within the Commonwealth was raised by Dewan Chamanlal who moved the following resolution :—

> " The delegates at the Conference having heard the views of the Indian delegates recommend their constituent bodies to support the demand of India for the immediate grant of self-government."

The question of Indian self-government was not on the original agenda for discussion. Dewan Chamanlal insisted at a private meeting of the delegates on its being brought forward with the result that he was allowed to move the above resolution which he supported with a powerful speech.

He severely condemned the Labour Party's policy towards India and demanded the assertion of the principle of self-determination and a pledge of support to the policy of immediate self-government. He denounced the Labour Government for the Bengal Ordinance and refusal of a round table conference and said the Labour Party in future must avoid such deplorable mistakes.

Mr. Joshi made a speech in support of this resolution which, at his suggestion, was referred to a committee, which recommended the passing of a resolution as far as India was concerned, but recommended that as far as other subject peoples were concerned the subject should be discussed in the next conference after consultation with the respective labour organisations.

Representation of Working Classes.

The next subject discussed was the position of the Commonwealth as regards the conventions and recommendations passed by the International Labour Organisation. Mr. Joshi took part in this discussion and pressed his point regarding the desirability of the representatives of the working classes in the Dependencies and Mandated Territories being invited to attend International Labour Conferences. The point was accepted by the conference.

Equal Treatment for Indians.

Mr. Joshi opened the discussion on the position of Indians in British colonies and proposed a resolution that no disabilities of any kind should be placed upon any persons already settled in any British colony on the ground of race or colour. The resolution was referred to a committee which was disinclined to recommend the passing of any resolution on the general question, which may be raised at the next Conference. Mr. Joshi then tried to get the committee to pass a resolution recommending a Round Table Conference for the discussion of the position of Indians in South Africa, but as the South African delegate would not agree to the resolution and as the Committee was unwilling to recommend the passing of the resolution, by a majority, in a Conference the constitution of which was not fixed and without the delegates

having definite mandates, they recommended that the Secretary of the Conference should write to the Trade Union Congress in India and in South Africa to arrange a joint meeting of their representatives to discuss the position and if anything is not done before the next Conference then the Conference should discuss the question again. Mr. Joshi protested against the attitude of the Conference in refusing to take up a just attitude for fear of offending the South African delegate.

Annual Conference of the Labour Party

The Annual Conference of the Labour Party which was holding its Session at Liverpool adopted a resolution on the 30th November 1925 recognising the right of India to self-determination and to the full privileges of Self-Government. The resolution was adopted without any debate.

Mr. George Lansbury who moved the resolution said :—"You may hold down India by bayonets and bombs, but nations struggling for freedom have often been able to overcome the most merciless tyranny and I do not believe that the British Empire can much longer hold India, as it is to-day." India is a country which had to submit to a conquest of the worst form, although it had a civilisation much older than that of Britain. He did not believe that British rule in India had benefited either the British or the Indians, although it might have benefited a certain group of men and women who lived parasitical lives.

Largely owing to our own policy the Indians were to a great extent uneducated, but one thing they did understand was that they were ruled by a Government over which they had precious little control and that they were kept down by a foreign army of occupation which required one-half of their total revenue to maintain. He did not believe that India could be held much longer under these conditions.

Mr. Fenner Brockway, who seconded, read a telegram from Allahabad on behalf of the Swaraj Party demanding full dominion status.

The following is the text of the resolution :—

Self-determination for India.

"The Conference recognises the right of the Indian peoples for full self-Government and self-determination. It welcomes the declarations of representative Indian leaders in favour of free and equal partnership with other members of the British Commonwealth of Nations. It expresses the opinion that the policy of the British Government should be co-operation with Indian people in this object. It declares its agreement with the conclusions of the Minority of the Reforms Committee, that the defects inherent in the Government of India Act cannot be remedied satisfactorily by amendment of the Act or the Rules thereunder. It is convinced that the Indian political situation makes it imperative that immediate steps should be taken to place the Indian Constitution on a permanent basis, and with a view to a new atmosphere of friendly discussion, that all coercive measures and repressive legislation be withdrawn. It notes the Secretary of State's declaration that the Government would most carefully examine any Constitution framed by Indians, carrying a fair measure of general agreement, but regrets that this invitation in effect, was delayed until 1929. It asks him to examine the Commonwealth of India Bill and any other proposals submitted, and to call a Conference of representatives of various Indian Parties, with a view to the immediate application of a Constitution in accordance with the wishes of the Indian people."

Proceedings of

The Legislative Assembly

and

The Council of State

The Legislative Assembly

SIMLA—20TH AUGUST 1925.

H. E. Lord Reading opened the autumn session of the Indian Legislature in an important speech lasting an hour. The galleries of the Legislative Assembly were overcrowded by visitors who had assembled since half past nine.

The Viceroy set forth before the Legislative Assembly the future policy of the Government as regards the Reforms, and stated in clear terms that no question of change could be considered before the statutory limit of 1929.

His discussions in England—said Lord Reading—confirmed his opinion. No party would yield to pressure for any premature concession. All were sympathetic towards India, but the only road to the ultimate goal was through friendly co-operation. The appointment of the Statutory Commission at this stage would only, in his opinion, result in disappointment.

Discussing the Minority and Majority Reports of the Muddiman Committee Lord Reading described the recommendations of the Minority as unpractical and declared that his Government had made up its mind to give effect to the suggestions of the Majority.

The Viceroy announced the appointment of a Royal Commission to investigate the problem of Indian Currency and Exchange.

After paying tributes of regret for the death of Mr. C. R. Das, Sir S. N. Bannerjea, K. B. Shamsuz-Zoha, Sir L. Miller and Lord Rawlinson, H. E. the Viceroy said :—

"Gentlemen of the Legislative Assembly, in pursuance of the provisions of the Government of India Act, you have been called upon for the first time to elect your President on the 22nd day of this month and it is therefore fitting for me, on this occasion, to express my own and my Government's appreciation of the services which have been rendered—not only to the Assembly, but also to the Provincial Legislative Councils throughout India,—by the first President of the Legislative Assembly. The Legislative bodies as established under the Government of India Act were so different in their composition from those set up under the earlier Acts of Parliament that it was thought right to make provision for a President who should be indubitably independent of the Government, a person clear of all possible suspicion of being even unconsciously biassed in favour of the Government. At the same time it was recognised that on the standard set by the first Presidents of the different Legislative bodies and, more particularly, on the standard set by the first President of the Legislative Assembly the future of the Assembly and of the Legislative bodies in the Provinces would greatly depend. It was essential that the first President of the Assembly should be a man liberally versed, not only in the written rules, but also in the unwritten tradition of the Mother of Parliaments so that in the time allotted to him by the Statute, he might establish in this Assembly, a high standard of public order, a true appreciation of the dignity and responsibilities of the Chamber and a perfect confidence in the rigid impartiality for the chair, and further that he might foster in every member of the Assembly a deep sense of regard not only for the rights, but also for the feelings of every other member of the Chamber, a sense of regard which should remain unaffected even in the extreme heat of party controversy.

Tribute to Sir Frederick Whyte.

"Gentlemen, to my great regret it has not been my privilege to attend your proceedings in person, but in addition to your printed proceedings, a daily report reaches me

of your doings. Alike from these sources and from the testimony of official and non-official members of this Assembly, and also of the distinguished visitors from many parts of the world, who have witnessed your proceedings, I am able to say with confidence that Sir Frederick Whyte has discharged, to the utmost, the very heavy responsibilities laid upon him as the first President of the Legislative Assembly, and I welcome this opportunity of tendering to him my thanks and the thanks of my Government for his very notable achievement. If I may be allowed to offer advice to his successor it is that he must maintain the tradition, which has been established for your Chamber by your first President and to this end I ask you, gentlemen of the Assembly, to give to your new President in his difficult task the generous co-operation which you have always accorded to your first President.

"I pass now to a brief review of the affairs of India. I am glad to say that our relations with the neighbouring States remain cordial and that no questions of importance are outstanding. I wish I could report an equal absence of controversial matter in regard to the position of Indians in South Africa. At the moment I should not be well-advised to say more than that my Government is watching the situation closely and is still in communication with the Government of South Africa.

The Cotton Mills Crisis.

"In internal affairs we have been faced recently with some industrial depression. Fortunately this has not been associated with any failure of Indian harvests and exports have been well maintained. The depression in Indian industries appears to be a phase of a world-wide movement throughout the world. Industries are experiencing the difficulties of adjusting themselves to the new post-war conditions which India could not expect to escape. India has, in fact, been fortunate that this change has not come to her so quickly or so severely as in many other countries, and owing to a succession of good harvests, there is a reserve of buying power in the country. Nevertheless the process of adjustment is difficult and the condition of several of these industries will come before you. Public attention has recently been directed to the great cotton mill industry which after a period of unexampled prosperity and expansion is now experiencing a reaction. My Government has been watching the position closely and I have consented to receive a deputation early next week from the mill-owners of Bombay and Ahmedabad. In the circumstances I will reserve any further observations.

Tariff Board's Reports.

"Four reports by the Tariff Boards, marked by that thoroughness which I have learned to expect from its work, have been published and the conclusions of my Government on three of them have been made public. A fifth report dealing with steel has just been received and the proposals in regard to it will be placed before you in the course of the session. You will also be asked to consider a Coal Grading Bill, framed on the recommendations of the Coal Committee, and designed to rehabilitate Indian coal in the overseas markets. My Government, while giving due attention to industries in the restricted sense of the term, are determined, so far as circumstances permit, not to neglect the interests of what is really the greatest of all Indian industries, namely, agriculture. I know from my discussions with the Secretary of State that my Government can rely upon his most cordial support of this policy. The direct responsibility of the Government of India for the agricultural development in the Provinces ceased with the inception of the Reforms. In view, however, of the paramount importance of agriculture as the basic industry of the people of India, of the improbability of Provincial Governments being in a position to undertake research on the scale required, and of the necessity for co-ordinating activities in the wide field of agricultural development, the Central Government must continue to play an important part in agricultural progress. Their present agricultural policy is mainly directed to fostering research and undertaking work which is outside the normal ambit of provincial activities by reason of its All-India character. With the improvement this year in our finances we have been able to increase very considerably our activities in the sphere of agriculture. The Agricultural Institute at Pusa is expanding its work of research, which is the basis and condition of all progress. That work has already borne remarkable fruit. New varieties of crops (I would instance sugar-cane and wheat) the product of careful research and experiment in our laboratories and experimental farms, have added within the past few years rupees to the wealth of the agriculturist and these achievements point the way to still more wonderful possibilities.

Agricultural Conditions.

"Agriculture in India must in the main depend on cattle for its motive power and what is of vital importance is not an increase in the numerical strength

cattle, but an improvement in quality. This problem is being steadily attacked from more than one angle in the Cattle Breeding and Dairy Farms under the Government of India, but apart from direct activities I conceive that one of the most important functions of a Central Government in respect of a great All-India interest is to facilitate the co-ordination of provincial efforts. My Government have some time past had under consideration a proposal for the establishment of an All-India agricultural organisation, which would help towards co-ordinating the activities of the various Provincial Departments of Agriculture, promote research, agricultural education, co-operation and other established aids to agriculture, and serve as a medium for agricultural propaganda throughout the country. With the object of obtaining the views of representative and responsible authorities from all parts of the country, before a definite scheme is formulated, it has been decided to refer this proposal to the Board of Agriculture, at its next meeting, which will be held at Pusa in December of this year. It is hoped that, in addition to the regular Provincial Representatives, the Ministers of Agriculture of the various Provinces will also be able to attend.

Civil Justice Committee's Recommendations.

"The action taken by the Government on the report of the Civil Justice Committee, presided over by Mr. Justice Rankin, will be a matter of interest to you. I have no doubt that many of you have studied that report and recognise the wide extent of the ground it covers. Many of the recommendations can be put into effect by Local Governments, the High Courts and the presiding officers of the courts of justice throughout the country. In some cases we have decided to reduce the proposals of the Committee to the concrete form of Bills, which will come before you during this session. In others we have addressed the Local Governments and the High Courts and shall prepare Bills for your consideration after we have received their opinions. I have mentioned before the great importance which attaches the work of this Committee and the value of the reactions which must follow on improvements in the machinery for the administration of civil justice. I wish now to express my high appreciation of the Committee.

"Last January I announced that, in view of the opinion expressed in the Assembly regarding the need of an economic enquiry, my Government had decided to appoint a small Committee to report on the material which exists for holding an enquiry into the economic conditions of the people of India, the feasibility of instituting an enquiry of this character and the manner in which it could be carried out. This Committee has been at work during the last few months under the Chairmanship of Sir M. Visvesvarayya and has just completed its report, which is now in the press. It is the intention of the Government to publish the report at an early date and the Committee's recommendations will be examined without delay. I must express my appreciation of the expedition with which the Committee have dealt with this complicated subject.

A Royal Commission on Currency Problem.

"When I addressed you last, I dwelt at some length on the difficult questions of Currency and Exchange and I announced the intention of the Government to appoint an authoritative committee to consider the subject of the Rupee Exchange as soon as the world economic factors appeared sufficiently stable to justify the formulation of a new policy. With the return of Sterling to a parity with gold there is fulfilled one of the most important conditions requisite for a fruitful re-examination of our Indian problems. The position has been considered in consultation with the Secretary of State and I am now able to announce that His Majestry the King has approved the appointment of a Royal Commission on Indian Currency. The terms of reference to the Commission will be to examine the Indian exchange and currency system and practice, to consider whether any modifications are desirable in the interests of India and to make recommendations. It will be seen that the terms of reference are wide enough to admit the consideration of all important questions of currency policy and that the membership of the Commission also ensures the adequate representation of Indian opinion. I am glad to inform you that the Right Hon. Hilton Young will act as Chairman and the following gentlemen have consented to serve as Members of the Commission:—Professor J. C. Coyajee, Sir Manekjee Dadabhoy, Sir Reginald Watt, Sir Rajendra Nath Mukherji, Sir Alexander Murray, Mr. W. E. Preston, Sir Henry Strakosch, Sir Purshottomdas Thakurdas and Sir Norcot Warren. The Joint-Secretaries will be Mr. Iyer of the Indian Finance Department and Mr. Baxter of the India Office. It will be apparent that every care has been taken to obtain an independent and impartial examination of this important subject The Commission will, it is expected, commence work next October.

Proposal for an Indian Sandhurst.

"There is one other important enquiry to which I must refer. The Government of India recently appointed a Committee which has come to be known as the Indian Sandhurst Committee. The investigations of the Committee will embrace not only the whole subject of the best and most suitable means of training Indians to hold worthily and efficiently His Majesty's Commission, but also the question of what measures should be adopted in order to attract the best type of Indian youth, in greater numbers than are at present forthcoming, to a military career. I attach great importance to the enterprise upon which the Committee are embarking. If they are successful it may be said that they will, to the extent of their achievement, help India forward in the path of progress. The Committee is widely representative of different branches of Indian opinion and I am glad to note that in this important enquiry we shall have the assistance of the Leader of the Swarajist Party. I must express gratification that he is prepared to contribute to the elucidation of the problems involved, but I should not think of seeking to press the implication of his action further than he himself wished. His own statement of the reasons for the course he has adopted should, in my judgment, preclude any more extended inferences.

"The establishment of a Public Service Commission is being actively pursued in correspondence with the Secretary of State and I have every hope that it will shortly be possible to make an announcement detailing its function, its constitution and its personnel. I am aware that great importance is attributed to the Commission, both by the public and the members of the Public Service. I believe that it will provide an independent and impartial tribunal for the examination of the Services' grievances.

The Sikh Settlement.

"Among other matters of importance with which my mind was naturally much preoccupied at the time of my departure for England, though even then I recognised and welcomed tendencies of a happier augury, was the situation relating to the religious endowments of the Sikh Community and the various issues connected with it. During my absence I watched the progress of events with keen and sympathetic interest. It is a matter of great gratification to me that on my return I find that the hope of an improvement in the situation has been realised or is in a fair way to be realised. During the whole course of the events and controversies which have engaged public attention—and sometimes I regret to say disturbed the public peace in the Punjab—the Government of the Punjab and my own Government have been animated by a constant and single desire to promote, by every means in our power, a stable and equitable and a friendly settlement of all the matters in issue, which shall do justice to the claims of all the interests legitimately concerned and which, in particular, shall restore the traditional relations of good understanding and mutual confidence between the Government and the Sikh community. It is my belief that those relations, glorious in war and no less renowned in peace, whatever misunderstandings have arisen and whatever unfortunate incidents have occurred, have never in truth suffered more than a partial and temporary disturbance, and I welcome every prospect of their complete renewal and consolidation.

"The immediate and tangible fruit of these changed conditions has been the enactment of a measure by the Punjab Legislative Council, on the motion of a private member belonging to the Sikh community, and in the formulation of which the Punjab Government rendered assistance, which has been warmly acknowledged, to regulate the management of the Sikh Religious Endowments. This measure has received so large, and I may say, so overwhelming a preponderance of support from the interests, directly or indirectly concerned, as to leave no doubt of its general acceptance and it has received the assent of the Governor-General. The Government of the Punjab have taken the opportunity of the passing of this measure to make a generous offer to those persons under detention in that province for certain offences arising out of the agitation and I trust that wise counsels will prevail in regard to it. I count as one of the palpable signs of a hopeful and auspicious future the recent conclusions, regarding the arrangements for the ceremonial reading of the Sikh scriptures at the Gangsar Gurdwara in the Nabha State. The policy scrupulously observed by Government has been to interpose no obstacle there or elsewhere to the free observance of religious ceremonies that will conflict with well-established rights and liberties. I will say no more on a subject, which might revive old controversies than that I have every hope and confidence that with the conclusion of the ceremony I have referred to and the release of the persons detained in the Nabha State, we may all now unite to treat this incident as a closed chapter. A Bill will be

laid before you in the course of the present session the object of which it to validate such of the provisions of the Punjab Act as are beyond the competence of the Local Legislature and I am confident that a measure which offers so fair a prospect of a practical and equitable settlement of a momentous and complex issue, and which is supported by so weighty a body of public opinion, will receive also your ratification and endorsement.

"Much has been achieved and we may survey with legitimate satisfaction the progress recorded, rendering due acknowledgments to the sympathetic consideration and the indefatigable labours of His Excellency Sir Malcolm Hailey and the Government of the Punjab, and to the common sense, mutual forbearance and public spirit of all concerned, which have made it possible. I trust your deliberations will complete a legislative Act which will not only afford a just and satisfactory solution of the matters it expressly contemplates, but will also contribute powerfully to the union and reconciliation of diverse aims in other spheres of interest. If we persevere and redouble our efforts in the path of mutual forbearance and understanding I have every confidence that the future will crown our labours.

The London Conversations.

"My main purpose in requesting your attendance to-day was in order that I may address you specially upon the events connected with my visit to England. When I received the invitation from His Majesty's Government to return to England I gladly availed myself of it. I had been in India over four years and had seen several changes of Government in England during this short period. A general election in autumn had just installed a new Government in office, the fifth with which I have had the privilege of serving. It seemed to me eminently desirable in the interests of India that I should take the opportunity for the first time afforded to one holding my high office. During my stay in England I had many conferences and discussions with the Secretary of State and I also had the great advantage of representing the situation in India, as I conceived it, to the Prime Minister and also to the Cabinet. Towards the end of my visit the Secretary of State made an important pronouncement in the House of Lords upon Indian affairs. The speech undoubtedly aroused unusual interest in Parliament and the country It was the first review by the Secretary of State of the general situation in India since he had assumed his high office, and it had been deferred until after the conclusion of the conferences with me. In addition it possessed a special attraction by reason of the forceful personality and intellectual capacity of the Secretary of State. You will have observed that His Lordship was careful to state that he was not announcing or purporting to announce decisions or conclusions. Nevertheless it cannot be doubted that as a survey of the situation it formed an important event in the history of political development in India. It was made after a careful study of the problems and after a full consideration of the views which I had presented in numerous conferences as the result of my experience in India. The speech in the House of Lords was followed almost immediately by one in the Commons. I do not know whether many of you have had the opportunity of studying the report of the debate which was of special interest to India. It showed, as it appeared to me, a growing appreciation and a sympathetic understanding of the complexities and difficulties of Indian political problems. You will have gathered from the Parliamentary reports that the general lines of the pronouncement were not seriously challenged in the British Parliament. I confess that I have therefore been somewhat disappointed, on a perusal of the reported speeches of the political leaders in India and of the articles in the public press, to find that the speech has been received in some quarters in so critical a spirit. The impression on my mind is that its importance and value to India have not been sufficiently appreciated.

Lord Birkenhead's Statement.

"I look upon the Secretary of State's address as a message of sympathetic encouragement to India, at least to those who are desirous of advancing to responsible Self-Government within the British Empire. It is an emphatic indication that political opinion in England stands firm upon the declarations made in 1917 and in 1919, without distinction of political parties. I shall endeavour to place before you a survey of the situation as it presents itself to me to-day. I trust I am not too optimistic in my behalf that a temperate examination of the problems in an atmosphere, free from suspicion and prejudice, may lead to more earnest and sincere co-operation and good-will from Indian politicians. I cannot hope to convince all sections of those who take an interest in public affairs. But if we are to advance towards a solution of our problems we must get rid of the elements of bitterness and suspicion, which breed their evil progeny, alas, too rapidly, and try whether the spirit of goodwill may not prove a solvent for the difficulties

which have hitherto seemed to defy solution. I would ask those who may differ from me to bend their minds for a moment towards me and to weigh the observations based upon the experience of a life-time and applied to Indian affairs by one, who claims to be devoted to India and her interests.

"I came to India charged with the duty of helping to establish the Reformed Constitution and of assisting the country along the road of advance mapped out in the declaration of August 1917. The first great measure in pursuance of the new policy had been embodied in an Act of Parliament. It was unfortunate that this new system was launched at a period when the atmosphere was charged with bitterness and animosity. It is unnecessary to recapitulate the difficulties it encountered from the moment of its birth. They are still fresh in our minds. It suffices for the moment to recall that it met with determined opposition from certain sections of the community, directed at first from without the Councils and latterly also from within. Remember that this was a newly fashioned constitution, indeed a constitutional experiment without precedent, designed to meet the peculiar complexities of the situation in India. It had no doubt its imperfections, but it was the product of deep thought and the outcome of a genuine desire on the part of the British Parliament to give effect to the patriotic aspirations of the Indian political leaders and to initiate a system of self-governing institutions.

The Muddiman Enquiry

"Much of the criticism directed against the Constitution was clearly in the nature of a protest against the refusal to grant complete Self-Government at one step, but the ranks of the critics were also swelled by those who argued that the system did not fulfil the intentions of its authors and suffered from obvious defects which should be removed. These charges deserved examination and after three years' experience of the new constitution, my Government, with the approval of His Majesty's Government, decided that an enquiry should be made, not with a view to altering the structure, but for the purpose of determining whether any measures could be advised whereby the system might work more smoothly and efficiently. These problems were examined by the Reforms Enquiry Committee, to whose labours both my Government, and all those who are interested in the working of the Constitution, owe a debt of gratitude. I regret that the members of the Committee were unable to come to unanimous conclusions. The majority have made a series of recommendations which, taken broadly, appear to be acknowledged as suggesting improvements on the existing practice. They are fashioned with a genuine desire to improve the present machinery. I do not of course claim for them infallibility or deny that they must be examined in detail with some care. My Government are prepared to accept in substance the view of the majority that the Constitution should be maintained and amended, where necessary, in order to remove the defects in its working, on the lines recommended by them. My Government cannot, at present, commit itself to all the individual recommendations or to the form or method by which they should be carried into effect in asmuchas there has not been sufficient time for a full consideration of them with the authorities concerned, or even by me with my Council. An opportunity will be afforded to the Legislature for debating this policy, and every consideration will be given to the views presented to us before final conclusions are reached. The Minority, consisting of gentlemen whose views are entitled to receive and have received the most careful examination of myself and my Government and let me add of Lord Birkenhead, have stated that they have no objection to many of the proposals of their colleagues, but that they were unable to accept the report of the majority, because they desired to progress more rapidly and by different methods. In their opinion no substantial results will be produced by the process of amendment of the defects recommended by the Majority. Briefly the Minority ask whether the Constitution should not be put on a permanent basis with provisions for automatic progress in the future, and they are in favour of a system of Provincial Autonomy. They press for an early enquiry with a view to fulfilling these aspirations. To the subject of Provincial Autonomy I shall return after. If is sufficient to say, at this stage, that the Minority, mindful of the terms of reference, do not present it as a practical and fully considered scheme but content themselves with putting it forward as an ideal. The steps for its attainment clearly demand further investigation. In effect, therefore, the recommendations of the Minority amount to a demand for an early and authoritative enquiry, with a view to a revision of the Constitution. The issue at the moment between them and the Government of India is largely one of time for the appointment of a Commission. It has been laid down in the Government of India Act that in 1929, that is in four years from the present time, there must be a full enquiry into the Constitution, such as the Minority desire. But the Minority say that they

wish the enquiry to take place at an early date. I understand their impatience, but my Government and I after most carefully weighing their views, have reached the conclusion that the moment for an enquiry has not yet arrived. The enquiry contemplated by the Act will be a genuine and an impartial enquiry; nothing will be prejudged. It will proceed upon the facts for the situation as ascertained upon the evidence produced before the tribunal and here I must remind you of the words of the preamble to the Government of India Act, which have already been quoted by the Secretary of State: "Whereas the action of Parliament in such matters must be guided by the co-operation received from those on whom the new opportunities of service are conferred and by the extent to which it is found that confidence can be reposed in their sense of responsibility." If these are to be the principles to guide the Commission to its judgment I cannot think, as a friend of India, that it should commence its enquiries immediately.

"If the judgment of the British Parliament were to be pronounced upon the present evidence, I fear that it could but result in disappointment. I have not abandoned hope that as the days proceed evidence of a spirit of co-operation may yet be forthcoming from that large section of political opinion, which has hitherto stood aloof and that it may be manifested that the political attitude of those who have hitherto declined to shoulder any responsibility may undergo a change.

"I know that there is a school of thought in India which preaches incessantly that nothing is to be won from England save by force or threats. Believe me, that is a profund mistake and if persisted in, cannot, but embitter the relations of the two countries. The Reforms took their origin in England in a spirit of goodwill, not of fear and of optimism, nor of opportunism. The history of the last few years has damped the hopes and dimmed the expectations of many of those in England who wish India well, but those hopes can be rekindled, those expectations can be recreated if India shows the hand of friendship, instead of menace.

Question of Re-Examination of the Constitution.

"While I am sure that the present would be a most inappropriate moment to hold the Statutory Enquiry, I wish to re-emphasise what was made abundantly plain by the Secretary of State in his speech, that there is no special sanctity attaching to the year 1929. The re-examination of the constitution may take place at any time not later than 1929, when the British Government are persuaded that there has been a genuine co-operation of responsible Indian political leaders in working the existing Constitution and when a sufficient experience of these new, and still largely untried, conditions has been gathered to form the basis of a considered judgment and to enable proposals for the future, to be made with some confidence. Is it not worth while to make a real attempt to wipe out past controversies and to unite in an effort to test the system at present established? In the Secretary of State's words, "we desire and request goodwill, nor shall we be niggardly bargainers if we meet with that generous friendship, which is near and dear to our hearts." The desire to help India along the road indicated remains unchanged. I had opportunities of discussing with many leaders of political thought in England, of varied political views. Throughout I was impressed on the one hand by the sympathetic goodwill manifested towards India and Indians generally, and on the other by the determination not to be hurried by threats into premature concessions. I have long been confident that it is through friendly co-operation alone that India will advance to the ultimate goal desired. The events of the recent years and my visit to England have served to confirm this view. I most earnestly commend it as a policy to the Legislature and to the country. I believe that the present moment is specially favourable for a combined effort to work the constitution. Since the Committee reported two new factors have supervened, which should be an encouragement, and are well worthy of your consideraton.

Remission of provincial contributions

"Among the many handicaps under which the new system has suffered none perhaps was greater than the financial stringency which dogged its early years. In administration a policy without resources is barren. Too often the Ministers found that from lack of money they could not give effect to their ideas in the field or government transferred to their charge. Hampered by financial difficulties they were exposed to the criticism of having achieved nothing. Fortunately the period of financial stringency, the legacy of the War, seems to be passing away. This year my Government has been able to make a notable beginning in the remission of Provincial Contributions and thereby to place at the disposal of the various provinces, additional resources, a large part of which, it may be hoped will be available for the amelioration of social conditions and for

nation-building activities, in short for those branches of the administration which have been transferred to popular control. I trust that these new resources will strengthen the position of Ministers.

Reorganisation of the Services

"There is one other change of importance which I must not omit to mention. I must confess that I have been surprised to find that so little public attention has been directed to one of the proposals of the Lee Commission, the practical effect of which will soon begin to make itself felt. It had been one of the complaints of Ministers that the organisation of their superior services through which their departments were administered, lay not in their hands, but in those of the Secretary of State. It was the latter who recruited them and who determined their rates of pay and their numbers. We are now to take steps to give effect in this respect to the principle laid down by the Joint Select Committee of Parliament, that ministers should have the fullest opportunity of managing that field of Government which was entrusted to their care. Recruitment by the Secretary of State for the Indian Educational Service, the Indian Agricultural Service, the Veternary Service, the Buildings and Roads Branch of the Indian Service of Engineers, and, in Bombay and Burma, for the Indian Forest Service, has ceased. In these important branches of the administration the Ministers will be authorised to start building up, by new recruitment, their own provincial services, subject only to such restrictions as experience shows to be necessary for safeguarding the integrity, the independence, and the efficiency, of the public services.

"The problem presented by the Indian Medical Service is more difficult, but here too the principle of establishing Provincial Medical Services has been accepted subject to certain conditions which are still under consideration. The combined effect of these changes will become increasingly apparent every year and I am sure that what seems to me at present to be an inadequate appreciation of their importance will rapidly disappear.

"I cannot pass from these observations on to the future of the services without placing on record my high appreciation of the loyal assistance which has been rendered by the members of the Services, and will, I am convinced, continue to be rendered in the working of the new constitution. Without their help the difficulties, already serious enough, would have been stupendous, if not insuperable. For the reasons indicated above I believe that the system of Dyarchy will be found to work in future more efficiently and smoothly and Ministers will in these respects no longer have grounds for complaint that the power and responsibility entrusted to them are impaired by other influences. In any event I have no doubt it is too early yet to pronounce a final verdict as to Dyarchy's failure or success. On a careful survey of the whole situation and a study of the report of the Local Governments I have come to the conclusion that Dyarchy, whatever its proficiencies may be, has so far proved more successful in its operations than some of its friends and most of its critics could have expected. We shall be in a far better position in a comparatively short time to form a final judgment if the system is worked in the future with general good-will and co-operation.

Eastern and Western Ideals.

"In a notable passage in his speech, Lord Birkenhead disclaimed on behalf of the British Parliament any monopoly in the art of framing constitutions and he invited Indians to contribute if they could do so, their own solution. He invited them, to quote his words "to produce a constitution which carries behind it a fair measure of general agreement among the great people of India." He gave the assurance that such a contribution to solve the problem would be most carefully examined by the Government of India, by himself and by the Commission, whenever that body may be assembled. The time which may elapse before a re-examination of the Constitutions whenever that my happen, could not be better occupied by public men in India than by devoting serious practical thought to these problems. If the British people, working on their own experience, have set up institutions in India, based on Western models, the aspirations of India politicians, towards the establishment of Responsible Self-Government within Empire as the ultimate goal. Responsible Self-Government, based on the Parliamentary institution, is the product of Western thought and experience. It is often contended that we are seeking to arrive at the final destination by imposing ideas on India, which are alien to its genius. We are not wedded to our own methods of attaining our object. Whatever may be proposed will be the subject of the most careful examination by the Government of India and eventually by the Commission, before it is submitted to the British Parliament. The Commission should know whether there is any general consensus

of opinion among the various classes and communities of India as to the direction in which the development of Self-Government within the Empire should be sought. Should we persevere in our proposed course or is there an alternative line of advance which would be more in accordance with Indian ideas and would receive the support of the numerous interests concerned? If any alternative methods are to be suggested, much hard thinking is required. Constitutional problems are not solved by a phrase. Account must be taken of the unparalleled complexities, and the diversities of race, the diversities of religion, the striking diversities of intellectual development and a social organisation which separates classes with a rigidity unknown in any other great country. It must be kept steadily in mind that it is the primary duty of the Government to provide security against external aggression and to preserve peace and order within its territories and, in India, it is imperative that adequate means should be devised for the protection of minorities. No greater problem in Self-Government has ever been set before a people. No problem has ever more assuredly required accurate and practical thinking.

Demand for Provincial Autonomy.

"There are many in India at the present moment who hold that the solution lies in Provincial Autonomy. The principle that local affairs should be administered by Local Governments is one that commands general acceptance, but if we are to avoid disintegration, a danger that the history of India constantly emphasises, there must in my judgment, be a strong Central Government capable of exercising a legitimate degree of supervision and control. The relations of such a Government to a number of so-called autonomous provincial Governments have not yet been thought out. It can scarcely be contemplated even by the most ardent friends of Provincial Autonomy that there should be nine or more and, as some contend many more, separate and independent Provincial Governments, entirely free in all directions from supervison and control. Before any scheme of Provincial Autonomy could be established, the functions that should be entrusted to them and the degree of supervision and control to be exercised over them must be explored with the patience. There is an unlimited field of work waiting for those who, like the minority of the Reforms Enquiry Committee, believe that the present Constitution must be radically amended. Meantime, a close contact with the practical working of the present machine will provide a useful corrective against too great an obsession with theory, which history shows to be a danger ever lurking in wait for the drafter of Constitutions.

"Before I close I would draw attention to an attitude not uncommon among politicians, that the programme and conditions of advance laid down in the premable of the Government of India Act are a humiliation to Indians and that the prescription of successive stages and the testing of each stage by result is a reflection on the capacity of Indians. Be it remembered that we are engaged on a problem new to India and new also to the British Parliament. I think the nature of the problem as it presents itself to the British people, is not fully appreciated by those who express themselves as humiliated. They assume that the path to Self-Government lies along a broad metalled road and that, if they could only be freed from the impediments and restrictions imposed by the present form of Government, they could run safely, rapidly, and directly, to their goal. To my mind the problem presents itself under a different figure. I think rather of a man picking his way through unexplored regions, towards his destination, which glimmers faint, but clear in the distance. He halts on firm ground and seeks the next spot to which he can safely entrust himself. A rash step may engulf him or delay his progress indefinitely. His advance may not be rapid, but it is well and surely planned. As he advances, experience teaches him to distinguish more certainly and quickly the firm ground from the treacherous surface and so he wins to his ultimate goal.

Conclusion

"Gentlemen, if I may strike a personal note the close of my period of office is rapidly approaching and my future opportunities of addressing you, the Members of the Indian Legislature, must necessarily be few. I have spoken to you to-day from the conviction of my heart and I trust, without rousing a tinge of bitterness or animosity. I have expressed to you the thoughts of one, who whatever mistakes or errors he may have committed, has a warm affection for India and a deep devotion to her interests. For these reasons I have been desirous of carrying you with me along the only avenue which, in my judgment, can lead to the promised land, to the proud heights of India's destination. It is my earnest prayer that India, with the co-operation of all of us, of every race, community and interest, that wish her well, may avoid the pitfalls that beset her path and win through to the goal to which her face is set."

SIMLA—22ND AUGUST 1925.

Mr. Patel Elected President

The first meeting of the Autumn Session of the Legislative Assembly took place on the 22nd August when Mr. V. J. Patel (Swarajist) was elected President with 58 votes, defeating Mr. Rangachariar by two votes.

At the outset Pt. Nehru referred in very feeling terms to the death of Mr. C. R. Das and Sir S. N. Bannerjea. He was followed Sir S. Iyer, Sir A. Muddiman, Sir F. Whyte, Sir D. Lindsay and Mr. Jinnah, all of whom associated with Pt. Nehru in condoling the death of Bengal's two foremost patriots.

The President then asked the house to elect a President. Voting commenced at 11-30, and at 12 o'clock the President declared Mr. V. J. Patel (Swarajist) as duly elected President of the Assembly to 58 votes to 56. There were three spoiled voting papers. The President said he would forward the name of the elected President to the Viceroy, in whose hand approval lay. The announcement was received with loud Swarajist cheers.

On the 24TH AUGUST Sir Frederick WHYTE opened the proceedings by reading a message from the Viceroy approving of Mr. Patel's election as President. Sir Frederick then addressed a few felicitous words of welcome to his successor, who, attired in khaddar and surmounted by a Gandhi cap occupied a seat on the floor of the Chamber.

Mr. PATEL made an acknowledgment in the same spirit voicing his grateful appreciation of Sir Frederick's work in the chair. Sir Alexander Muddiman followed with a speech on behalf of the Government members, in which he declared that this was indeed a historic occasion, since, for the first time, the Assembly had elected its own President and, amid cheers, he affirmed that their retiring President could put off his armour with the knowledge of duty well and nobly performed.

Pandit Motilal NEHRU entirely associated himself with the words of the two previous speakers and wished Sir Frederick Whyte godspeed in the way of the Swarajists.

Mr. JINNAH, in his turn, testified to Sir Frederick's courtesy and impartiality. His conduct of affairs, Mr. Jinnah asserted, would have done credit to the Parliament of any nation.

Sir D'arcy LINDSAY, on behalf of the non-official Europeans, said that through their retiring President's unfailing tact members, who at the beginning were suspicious of each other, had come to understand each other's views, and in this way many lasting friendships had been formed.

Sir Frederick WHYTE, who was obviously touched by the genuine demonstrations of appreciation that had been manifested, said he had received many kindness but the climax of generosity was found in the speeches just delivered by the leaders of all the parties in the Assembly. Interesting references to difficulties encountered and co-operation received followed, and then Sir Frederick invited the members to shake hands with him as President for the last time.

Meanwhile, Mr. Patel had withdrawn. But after a brief interval he returned in the full wig and robes of his office, and to the accompaniment of general applause he took the chair which his predecessor had vacated.

Sir ALEXANDER rose and heartily welcomed the newcomer on behalf of the Government benches. They were confident he would discharge his responsibilities well and he trusted the cordial relations which had existed between them and his predecessor would mark Mr. Patel's tenure of office. The full and loyal support of the Government benches for the Chair would always be forthcoming.

Pandit Motilal Nehru and Mr. Jinnah joined in the welcome, as also did Mr. Rangachariar and Sir Henry Stanyon. Sir Henry speaking on behalf of the non-official Europeans, delivered a little homily to the President, intimating that his political views, if not dead, had gone into hibernation, and that he was now the bond-slave of the conventions which surrounded the Chair.

Mr. PATEL listened gravely, and when the oratory had ceased, rose and delivered, with dignified mien the most remarkable speech of his career. " I have accepted this office with my eyes open, he said, " and I fully realise the implications attaching to it." He had given the question anxious thought, and he had come to the conclusion that he could serve India better by accepting the position. Swarajists had been described as destructive critics ; it was their duty to show that they also knew how to construct. The Viceroy had pleaded for co-operation. His predecessor in the Chair had pleaded for co-operation. " And I also plead for co-operation," said Mr. Patel. He particularly appealed to the official members, and he was ready in the fullest sense of the term to extend co-operation to them. The Assembly listened with almost unprecedented attention. They were seeing a marvellous metamorphosis under their very eyes. Mr. Patel, the non-co-operator, developing into Mr. Patel, the stern Constitutionalist and co-operator with the Bureaucracy.

The new President's renunciation was no half-hearted affair. From that moment, he declared, he had ceased to be a party man. He belonged to no party ; he belonged to all parties. Amid vociferous applause, he asked his friend, Pandit Motilal Nehru, to pass a resolution absolving him from all the obligations of a Swarajist. As for the rumours regarding his relations with the Viceroy, Mr. Patel brushed them aside. If the duties of his office required it, he would call on His Excellency ten times a day. After the conclusion of this remarkable speech the members shook hands with their new President.

On the 25TH AUGUST the Assembly held its first business meeting. About a dozen new Bills were introduced, including three based on the Civil Justice Committee's recommendations and two on the unanimous proposals of the Muddiman Committee, regarding penalising malpractices in Legislative bodies, and granting certain exemptions to members. Other Bills introduced related to. insurance companies ; centralisation of salt ; naturalisation in British India ; amendment of the Presidency and Provincial Insolvency Acts and the Religious Endowments Act, and of Sections 102 and 103 of Civil Procedure Code, as recommended by the Ranken Committee ; the Age of Consent Bill, raising the age to 13 and 14 years in the case of married and unmarried girls, respectively, and a Bill amending the Limitation Act.

A Bill was introduced by Sir Charles Innes for the grading of coal and for the grant of certificates for coal intended for export, as recommended by the Noyce Committee, to enable the coal trade to rehabilitate itself in

overseas markets. The Bill was referred to a Select Committee, after Sir Charles Innes had explained that its principle, namely, the establishment of a COAL GRADING BOARD, was acceptable to the Indian Mining Association and the Mining Federation, and that the latter body had already sent in amendments to the Bill, which the Select Committee would consider. He hoped the Bill would be passed this session. A joint committee was also agreed to on the Bill relating to the CARRIAGE OF GOODS by sea.

Members of Currency Commission Attacked

Mr. JINNAH, while moving the adjournment of the Assembly to direct attention to the composition of the Commission, asserted that the Government had failed to implement their pledge that the investigating body should have adequate and effective representation of Indian interests. Mr. Jinnah used no arguments. He repeated again and again that he had no desire to make personal attacks, yet he read to the Assembly uncomplimentary newspaper comments on one of the Indian members. His complaint was that the Commission represented one school of thought; he maintained that the interests of India and England were in direct conflict in this matter; and he challenged the Finance Member to say whether it was not India's interests that were being sacrificed.

Mr. Jamnadas MEHTA, said that the six Europeans on the Commission, were not even known in India, and those of the members that were known, India did not accept. The Indians appointed would not be able to secure election, even to a municipal body. Mr. Ranga IYER voiced in stentorian tones: "Our duty is to boycott the Commission: to treat them as untouchables."

Sir Basil BLACKETT delivered a serious protest against the attacks that had been made. It was deplorable that because Government appointed ten men to carry out an important task, vilification of some of them was resorted to immediately. And he put it to the Assembly that a very bad impression was created when the inevitable effect of the appointment of Indians with knowledge of the subject at issue to conduct an enquiry was that they were assailed and their qualifications belittled. The Finance Member strongly affirmed that in the appointment of the Committee the interest of India as a whole had been the only consideration. It had been sought to secure impartial men of wide knowledge, accustomed to weigh evidence, who would listen to the views of all the diverse interests concerned and frame their recommendations accordingly. They would not start with pre-conceived judgments and minds already made up.

Pandit Madan Mohan MALAVIYA suggested that three new Indian members, possessing "the confidence of the Indian public," should be added to the Commission. Pandit Motilal NEHRU said that on looking into the antecedents of the members of the Commission it became evident that they had been chosen because they differed from Indian opinion. Sir Alexander MUDDIMAN in a few weighty sentences asked the Assembly to bear in mind the fact that men of great reputation and standing would not serve on Commissions relating to India if they were to be charged with a lack of impartiality, of having made up their minds beforehand. It would require the service of the very best minds the world could provide. Eventually when the vote was taken it was found that Mr. Jinnah's motion had been carried by a large majority, the figures being 64 to 45.

Registration Act Amendment

On the 26TH AUGUST the Assembly sat till late in the afternoon. Mr. Rangachariar's permissive Bill amending the Registration Act to delegate to sub-registrars power to hold enquiry into execution, etc., was referred to Select Committee by 47 votes to 43.

The Government did not oppose the motion but a number of non-officials, including Sir Henry Stanyon and Pandit Motilal Nehru did, while some other non-officials supported it. Pundit Motilal Nehru said that it was not possible to make much progress that day and suggested that another day might be allotted for the business left over.

The Home Member said it was not in his power te assign a day but he was quite agreeable to non-official business being discussed the next day after the official business was over. The President said it was not desirable that non-official business should be taken on an official day, but if the House desired it he would be agreeable.

Maternity Benefits Bill.

Mr. N. M. JOSHI moved the appointment of a select committee on his Maternity Benefits Bill. He said the Bill was circulated last session, and opinions upon it had been received. The principle underlying the Bill was that there should be prohibition of employment for a certain period during confinement, and for that period maternity benefits should be provided. The question of how much the benefit should amount to and how it should be provided were matters of detail which could be examined in the select committee. The Bill was opposed by the Burma and Punjab Government but neither of those governmets were greatly affected by the maternity benefit problem. The Governments of the Central Provinces, United Provinces and Madras approved of the principle of the Bill. The Assam Government favoured the principle, but opposed the Bill on the curious ground that the present maternity benefits granted in the Assam tea gardens were more generous than those laid down in the Bill, and that the enactment of the bill might make the employers in Assam less generous.

Continuing, Mr. Joshi said he was surprised that some I. C. S. officers had opposed the Bill, forgetting that they were entitled to a free passage both ways for their families. As regarded the Bombay Government, they could not expect anything better than opposition from a Government containing two of the biggest Indian capitalist European Members who looked after the interests of European employers and a Conservative Governor. The Bombay Council had passed a resolution favouring the principle of the Bill. As regarded the details of the Bill, he would leave it to the Committee to decide whether maternity benefits be granted by employers or by contributions from the Government, and whether it should be applied to all industries or only to some.

Sir Sivaswamy IYER supported the motion, which he described as a humanitarian piece of legislation. The Bill, however, contained many defects of substance. He warned the House against the consequences of hasty and ill-considered legislation, such as might result in the non-employment of women labour.

Mr COSGRAVE said, so far as Assam was concerned, the measure was unnecessary and undesirable. Of the 5,00,000 women who would benefit

by the Bill, half the number were employed in the tea gardens. While Mr. Joshi had based some of the clauses of his Bill on the Convention of the International Labour Conference he had proceeded to evolve his own scheme, putting on the employers alone the burden of raising the maternity benefit fund. (Mr. Joshi: "No"). The Convention had, on the other hand, suggested either an insurance scheme or a contribution from public funds to the maternity benefit. Even Great Britain had not yet ratified the Convention.

Mr. Joshi: Do you mean to tell me that there are no maternity benefits in England?

Mr. Cosgrave: There are, but both employers and women contributed to it, half and half.

Sir B. N. MITRA opposed the Bill for practical reasons. He felt that Mr. Joshi had misinterpreted the general sympathy for the object of the Bill as definite support. In India education, sanitation and other nation-building objects had to be financed, and as public funds became available, they should be utilised, giving precedence to the more important work. The majority of the Provincial Governments, particularly Bengal and Bombay, were opposed to the Bill. The latter Governments pointed out that in the cotton mills women already absented themselves, generally for six weeks. Practically all the Provincial Governments had found practical difficulties in working the Bill, difficulties regarding management, disbursement and assessment. Mr. Joshi was a theorist. He had not examined the position to find out the necessity or practicability of the measure, but had brought forward a Bill simply because in some advanced countries they had such a measure. India was foremost among the countries who had rectified the majority of Washington conventions. In European countries he admitted there were maternity benefit schemes, but the Dominions had not generally have such systems. As regarded Japan, the less said the better. When Japan wanted to pursue a matter, no sentiment stood in her way. The evil proposed to be met by Mr. Joshi did not exist in India to any appreciable extent and the best way to meet it would be to foster the growth of a voluntary association for the provision of maternity benefits or better still, maternity insurance should be started to which employers, employees and the State should all contribute. Let trade unions be started and when sufficient data was available, action, if necessary, could be taken on the question of maternity benefits. The present Bill was both unnecessary and undesirable.

After Mr. Chalmers had spoken the Assembly adjourned till the next day.

Contempt of Courts Bill.

On the 27TH AUGUST the most remarkable feature of the proceedings of the Assembly was the support accorded to Government in the division loby by Swarajists after several members of the party had delivered violent and impassioned speeches against a motion of the Home Member. After interpellations, Sir Alexander MUDDIMAN introduced several Bills of comparatively minor importance without any difficulty. These were the Criminal Procedure Code Amendment Bill, the Legal Practitioners' Act Amendment and the Gurdwaras Act Supplement Bills. When he moved that the Bill relating to the punishment of contempt of courts be referred to a Select Committee the atmosphere of the Chamber underwent a change. The Bill, Sir Alexander explained, proposed to define and amend the law in regard to contempt. It

resolved any doubt that might exist as to the powers of the High Courts in regard to the protection of their subordinate courts and showed that the courts of the Judicial Commissioners had the like power of punishing contempts committed against them, or the courts below them. Further, it restricted the punishment which the courts might award for contempt to six months' imprisonment with a fine. The Home Member emphasised that, under the Bill, High Courts in India would be ensured only the same powers in this matter as were enjoyed by High Courts in England. Mr. Rangaswami IYENGAR attacked the Bill root and branch. It was objectionable. It legislated on a matter that was obsolete, it was repugnant to all. The Assembly should throw it out. The liberties of the people were in peril; if the Bill is passed then the right of Indians in freedom would be gone. Mr. ASHWORTH contended that the Bill was necessary to put an end to abuses that were too frequent. These abuses would increase as the jury system was extended, and it was absurd to say a juror would not be influenced by what he read in the newspaper. So far from being obsolete the law relating to contempt was in active operation in England, and he cited a recent notorious case where the conductors of two papers were fined in very large amounts. Mr. CHETTY and Mr. KELKAR, editor of the "Mahratta," strongly opposed the motion. Sir Henry STANYON protested weightily that it was the public duty to maintain the authority of the courts in every reasonable way. There was no doubt, he declared, that if the Bill were passed the High Courts would exercise their powers under it with a full sense of responsibility. Mr. ABHYANKAR shouted, "Let us have courts first before we talk about contempt of them." The judicial officers in India were under the control of Government and here was another attempt of the bureaucracy to curtail the liberties of the people. Sir Sivaswamy AIYER, while not supporting the details of the Bill, considered it should be sent to a committee for examination. Sir Chimanlal SETALVAD asserted that the measure was badly drafted and thought that it would have been sufficient if it had merely given power to the High Courts to deal with contempt against subordinate courts and provided that the Judicial Commissioners should have the same authority.

Pandit Motilal NEHRU, the Swarajist leader, however, struck a different note. He agreed in the main with Sir Chimanlal and intimated that if the Government were prepared to modify the Bill on the lines suggested, and to withdraw the clause which defined contempt, he would be willing to urge the Assembly to agree to refer the measure to a Select Committee.

Sir Alexander MUDDIMAN at once welcomed this attitude. He had explained that he was merely desirous of carrying out the principles embodied in the Bill, and he had no wish whatever to define contempt of court. But he pointed out that if he had put forward a Bill without a definition there would have been great criticism in the Assembly of the vagueness of his proposal. Sir Alexander gravely reproved the members who had been prominent in casting aspersions on the magistracy. They had, he said, done a grave injustice to a large body of their fellow-countrymen who were performing their duties honestly and justly.

On a division being called the Home Member's motion was carried amid applause by 82 votes to 8.

After the Contempt of Courts Bill had been referred to a Select Committee the House took up Mr. Joshi's Maternity Benefits Bill, the discussion of which did not conclude the day before.

The motion to refer Mr. Joshi's Bill to a Select Committee was put to the vote and lost by 51 votes to 47.

Sir Hari Singh GOUR then moved that the Bill to amend the Special Marriage Act, 1872, be referred to a Select Committee. The object of the Bill, he explained, was to remove the anomaly in the existing law which prevented marriages taking place between the ages of 18 and 21. The motion was lost without a division.

Sir Hari Singh's next motion that his Bill to declare the rights of Hindus to make settlements of property by way of trust in favour of their families, children and descendants be circulated for opinion, was also lost.

On the 31ST AUGUST the Assembly disposed of official legislative business, which included motions for the introduction of Bills amending the Opium Act and the Provident Fund Act and the second and final reading of three Bills introduced on the 25th August, namely the Naturalization Bill the Limitation Bill and amending Section 60 of the Civil Procedure Code.

The House also passed the Home Member's Bill amending Section 60 of Civil Procedure giving certain concessions to co-operative societies.

Mr. Tonkinson introduced a Bill amending the Provident Fund Act to make some formal changes necessary to administrative convenience.

Sir Basil Blackett introduced a Bill centralizing the control of the cultivation of the poppy and the manufacture of opium in the Government of India. The Department is at present administered through the agency of the Local Governments.

The Naturalisation Bill.

Sir Alexander then moved for consideration of the Naturalization Bill.

Mr. Doraiswamy IYENGAR moved that the Bill be sent to Select Committee for examination. He held that it should be so amended as to prevent a certificate of naturalization from being granted to South Africans and others who were not treating Indians justly.

Mr. ANEY took strong exception to the Bill and supported the motion for a Select Committee. He said the Bill depended upon the definition of "British subject" as given in the British Act. This definition was extremely difficult to understand. On the one hand it differentiated Indians from other British subjects and on the other, under it Indians in Indian States were not British subjects. Though the present Bill excluded American and Europeans, it did not really affect them, as they, if naturalised under the British Act, could also be naturalised in India. Moreover, the Bill did not even afford special favoured treatment to Indians in Indian States.

Mr. Ramchandra RAO drew pointed attention to a ruling of an American Court which had deprived Indians in California of their naturalisation rights. Any American or European who obtained a naturalisation certificate in England was automatically naturalised in India. The position must be safeguarded by an Act passed in India, subjecting Americans to the same difficulties as Indians were subjected to in America. He doubted, however, whether a Select Committee could find a solution.

Sir Alexander MUDDIMAN felt that when he brought forward the Bill he never knew it would raise a storm of this kind. Section 26 of the

British Act authorised this Legislature to enact a law on the subject. It was in exercise of that power that this Bill excluded Americans and Europeans, thereby meeting the point of view of Mr. Rao. He admitted that under the British Act Americans and Europeans could obtain naturalisation certificates. The issue raised by other speakers was different from the purpose of his Bill. It was brought forward merely to give a limited form of naturalisation to traders and a few other people who could not be naturalised under the British Act, because they did not know the English language or other language recognised on an equal footing. As to whether an American should be naturalised or not was a different matter and this Legislature had no power to modify an Act of Parliament.

The Bill had been under discussion since 1923. The Local Governments had been consulted and there had been correspondence with the Home Government on some aspects of the case. It was no use sending the Bill again to Select Committee as it had already been to Select Committee. He made it clear that he did not attach very great importance to the Bill. There was the existing law in force: only it was somewhat out of date, and the present Bill proposed some administrative improvement and to extend the limited form of naturalisation to some traders. He opposed its reference to Select Committee as the amendments proposed by the members could not be made in this Bill.

The Assembly then divided and referred the Bill to Select Committee by 59 votes to 42 votes.

Mr. Tonkinson then asked the House to take into consideration the Indian Limitation Act (Amendment) Bill.

Mr. Rama Iyengar and Mr. Rangachariar referred to a doubt which one of the clauses of the bill was open to. Consequently, on the motion of Mr. Rangachariar, the Bill was referred to a Select Committee.

After some discussion the Bill amending the Religious Endowments Act, on the lines of the Ranken Committee's suggestion was passed without any amendment.

On the 1ST SEPTEMBER the Assembly had innumerable interpellations devoted largely to amenities at remote railway stations, grievances of Government servants, the merits of one State employee and the demerits of another. After this the Home Member without difficulty secured the passage of the Bill which confers certain exemptions on members of the Indian Legislatures during the actual sessions and for fourteen days before and after. Thus, when the Bill becomes law members of these bodies will be exempt from jury service and also from arrest and detention in prison under civil process.

Sikh Gurdwaras Act.

The next measure brought forward by Sir Alexander MUDDIMAN gave rise to an animated discussion. This was the Bill to supplement certain provisions of the Sikh Gurdwaras Act passed with unanimity by the Punjab Legislative Council. The measure was a simple one, its object being merely to validate the provisions of the Punjab Bill in so far as they related to the High Court at Lahore. Mr. Ujagar Singh BEDI congratulated both the Sikhs and Sir Malcolm Hailey on the settlement of the Sikh question. In the course of a long oration Pandit Madan Mohan MALAVIYA called for the release of the Sikh prisoners, whose prison doors are open to them whenever they are prepared to undertake to obey the law accepted

by their co-religionists in the Punjab Council and passed with the warm support of the two other great communities in the Province. No self-respecting Sikh, the Pandit affirmed, could give such an undertaking. He knew the men, and none would purchase his release by accepting these humiliating conditions. Continuing the Pandit extolled the services of the Sikhs to the Empire and quoted in support copious extracts from Sir Michael O'Dwyer. Mr. JINNAH contended that it was not to the interest of Government that they should insist on the conditions which Sir Malcolm Hailey had laid down. Mr. Ranga IYER told the Government that he asked for no favour for the Sikh prisoners; he demanded a right. The HOME MEMBER interposed in the debate, and pointed out that the discussion had strayed from the real issue raised in the Bill. In the speech just delivered Mr. Iyer had charged the Government with lack of imagination. Sir Alexander declared that he could not make any such charge against Mr. Iyer. And as for his remark on melancholy meanness, nothing could be less appropriate when the fine work and statesmanship shown by Sir Malcolm Hailey were remembered. The Home Member reminded the Assembly that when the terms were first announced by the Governor of the Punjab they were welcomed by the Press throughout India as fair and generous. Now, they had become "humiliating." What was there humiliating in saying you would not break the law? Finally, Sir Alexander observed that the appeal that had been made that day was a moving one and the able head of the Punjab Government would no doubt regard it in a sympathetic sprit.

The Bill was then passed amid general cheering.

Care of the Girl Wife

The Assembly next agreed to the Bill to amend the Presidency Towns Insolvency Act and the Bill to amend the Legal Practitioners Act be circulated for the purpose of eliciting opinions in regard to their provisions. The latter Bill was designed to curb the activities of that particularly objectionable type of humanity, the lawyer's tout. Another measure, the Bill to amend the Code of Civil Procedure, was referred to a Select Committee. A Bill of great importance to Indian women and children was then introduced by Sir Alexander MUDDIMAN. This was the measure to amend the Penal Code by raising the age of consent from 12 to 13 in the case of a wife and to 14 in the case of a girl outside the marital relationship. The Home Member explained that he was the stepfather of the Bill; the credit for the measure must go to Sir Hari Singh Gour. The natural impulse of every Englishman, Sir Alexander affirmed, was towards progress, but as Home Member he must hold the balance, and the Bill went as far as was justified by the opinions of the Local Governments.

Mr. M. K. ACHARYA objected to penal legislation for social reform and denounced the authors of the Bill as busy bodies. Mr. CHETTY accused the Government of being slow in social reform. If the state of the law of a country, he said bitterly, was the index to a country's civilisation, then the position of the law in this matter was slur upon the civilisation of India.

After a long debate Sir Hari Singh GOUR, whose interest in the subject was intense, moved that the age be raised to 15 and strongly characterised a state of affairs which caused misery and death to helpless Indian women and children. But his amendment was rejected by 63 votes to 42.

Mr Rama AIYANGAR while moving a reduction of the age to 12, asked the Government seriously to consider what they were doing. Let members make an election cry of this and the electors would see that they were selling the rights and privileges of the people of this country. They were wrecking the structure of Hindu society.

The amendment proposing to reduce the age to 12 was rejected without a division and ultimately the debate was adjourned.

Transfer of Sylhet and Cachar.

On the 2ND SEPTEMBER, after interpellations, Mr. ANEY proposed to recommend that early steps should be taken to re-transfer Sylhet and Cachar to Bengal.

The HOME MEMBER said that the Government of India were still in correspondence with the Local Government on the subject and therefore Sir Alexander Muddiman suggested it would be more convenient to have the discussion next session. This suggestion was adopted.

Prohibition for India.

Mr. Mahomed YAKUB resumed the debate on the motion in favour of legislation embodying a policy of Prohibition for India. He zealously supported the proposal quoting both Scripture and the example of the United States of America. The hon. member contended that poverty and misery, which called for redress, were caused in India by the use of alcoholic liquor.

Dr. S. K. DATTA moved an amendment recommending the inclusion of drugs in a policy of Prohibition, but the reference to drugs was ruled out of order on technical grounds. Dr. Datta, accordingly, amended his amendment, which now was confined to liquors and proposed that pending the acceptance of Prohibition the sale of alcohol should be controlled by popularly elected bodies. The arguments for and against Prohibition have been worn threadbare in recent years, and the hon. member followed on the familiar lines. The extent of the drink evil in India, he urged, was shown by the increase in the revenue from drugs and drink which now amounted to nearly Rs. 20 crores a year. Imports of spirits, the most dangerous form of alcohol, were also increasing. The results of Prohibition in America were also cited, the hon. member affirming that since the policy was introduced insanity and other evils had diminished.

Sir Basil BLACKETT said that the Government of India had no desire to shirk their responsibility in this matter. Their policy was and had been to secure the maximum of revenue with the minimum of consumption, and he proceeded to show that it had been attended with results that ought to meet the approval of temperance advocates. In 40 years the consumption of country spirit had been exactly halved and to-day it amounted annually to 2·6 gallons per head of the population. Contrast this with Ceylon where the figures were 15·3 gallons per head, with England and Wales where they were 30 gallons and Scotland where they were as high as 58 gallons. Again, Sir Basil showed that there had been a very large decrease in the clearances of imported liquor since the pre-War year and he maintained that the statistics proved that the policy adopted by Government had been distinctly effective in securing a very remarkable diminution in the total quantity of liquor consumed in India.

It was true that the yield of duty, both in Customs and Excise, had shown a large increase, but that was due to the policy he had described. Here, there was a complete answer to the charge that Government, for purposes of its own, had encouraged consumption. A policy of Prohibition in the present circumstances of India was unthinkable and if the Assembly committed itself to such a policy it would commit itself to the impracticable.

The Finance Member next gave a brief account of his investigations of ancient Hindu law on the subject of liquor. It was true that the Code of Manu did prohibit its consumption by Brahmins and provided for an offender the punishment of suicide by drinking molten lead. But, generally, although virtue was to be obtained by abstention, liquor was not prohibited. As for the United States, he said that Prohibition had led in America to widespread disrespect for the law, to corruption among officials, to manslaughter and to demoralisation of the citizens. He appealed therefore to the Assembly not to commit themselves to such a policy, even as an ultimate policy, but to allow the debate to be taken as a declaration that they desired the Government to pursue a policy of temperance. But appeals were of no avail, and in the end the Assembly, by 69 votes to 39 adopted an amendment moved by Mr. KELKAR recommending total Prohibition as the ultimate policy to be adopted by the Government, and as a first step the inauguration of a policy of a system of local option by which popularly elected bodies should control the number and location of liquor shops.

Recruitment to the I. M. S.

Dr. LOHOKARE moved that immediate steps be taken to arrange that all further recruitment to the Indian Medical Service, Indian Army medical cadre, shall henceforth be only by an open competitive examination held simultaneously in England and in India from the year 1926.

Dr. Lohokare said that though the Government had decided to retain the Indian Medical Service they had not announced their conclusions on other important details which the Lee Commission had recommended, and the Government of India had accepted the proposal to provide adequate European medical attendance to European officers. This had meant that Europeans were to be recruited, not because they were the most competent doctors, but because they were Europeans. A serious effect of the decision was that a large majority of civil posts reserved for I. M. S. officers would be filled by Europeans and there would be fewer and fewer Indian I. M. S. officers in civil employ. He would not mind if Government recruited a separate European service for European officers, but he insisted that medical officers recruited for the Army must be selected not on a racial basis but on the mere test of efficiency. Indians distrusted the Government's policy because on a flimsy pretext it gave up in 1914 recruitment to the Indian Medical Service by competitive examination and had not yet reverted to it. His experience of the selection method was that it shut the door against the best medical talent of the country. They based their recruitment on back door influences. How then could they get the best doctors for the Army? An open competitive examination was the only way to secure the best recruits.

Dr. Lohokare was supported by Sir Sivaswamy IYER and others who held that the proposal was modest and reasonable and did not raise the controversial issue of the organisation of the Medical Services.

Dr. DATTA accused the Government of the intention to keep Indians out of the service and was of opinion that the British Medical Association stood in India's way.

Colonel NEEDHAM said there was no particular reason to object in principle to the reintroduction of competition. Recruitment by competition was merely held in abeyance till they reached settled conditions. They must sympathise with the Service during the last 15 years. Statesmen, doctors and soldiers had sat on several Commissions on the Service, but no particular result had yet ensued till, a month ago, the very existence of the I. M. S. was in doubt. Under those circumstances it would have been impossible to have the ordinary system of recruitment. Nomination in the past was exercised with the greatest possible care, and reversion to competition was wisely postponed till the conditions of the I. M. S. were settled. The greatest stimulus to recruitment that could be given would be the settlement of the organization. He, as an I. M. S. officer, would welcome such a decision, because at present they did not know where they stood. The second part of the resolution related to a simultaneous examination, and introduced a new feature. There were insuperable practical difficulties in the way of a simultaneous examination. For instance, supposing the same paper was set in the two countries, they could not ensure the same standard in the marking of papers. The difference of a few marks would mean a great deal for the success or failure of a candidate. He was of opinion that the best policy would be to hold the examination in one place. (Mr. Shamlal Nehru: Then hold it in India). All he stood for was that entrance to the Service must be by one door, and Indian officer of the I. M. S. were with him in that view. A separate examination in India might give rise to the feeling, however unjust, that the European candidate had better qualifications, and that would impair the "esprit de corps" of the service, which had been so well maintained in the past and which he hoped would continue in the future. He could not support the proposal in the resolution that simultaneous examinations be started with effect from 1926. He believed that Indian officers should have training in England which would be of great benefit to him. The resolution was carried by 55 votes to 42.

The Age of Consent Bill.

On the 3RD SEPTEMBER the Assembly resumed the discussion of the clauses of the Age of Consent Bill.

Dr. DATTA moved that the age of consent for married girls be raised to 14 years instead of 13 as provided by the Bill. He said his amendment was for educating the community. He referred to the unhealthy growth of children in Calcutta, and the decision of Calcutta University to have compulsory military training for students. He feared compulsory military training would make no difference to a nation of unfits. The low age of marriage was responsible, and the real remedy was to raise the age of consent. He would not, however, press his amendment if the Home Member would undertake to make a thorough enquiry.

The Home Member said that he would, by executive reference, consult Local Governments and administrations on Sir Hari Singh Gour's proposals to raise the age to 15 in the case of non-marital relations.

Dr. Datta's amendment was withdrawn.

Sir Hari Singh GOUR then moved his amendment, and as he was

speaking the Home Member, interrupting, warned him that if he moved his amendment he (the Home Member) would withdraw his previous offer of circulating to Local Governments. Sir Hari Singh then withdrew his motion.

Mr. Doraiswami IYENGAR moved that the punishment of a husband should be only by fine and not by imprisonment, because the latter would cause domestic ruination. The House rejected the amendment by 64 votes to 29.

Mr. ACHARIAR pleaded that the punishment in the case of a husband be only six months' imprisonment or fine. This also was rejected by the House by 59 votes to 37.

All clauses having been passed the Home Member moved that the Bill be passed.

Mr. Rangachariar said that he did not take the orthodox view. The fact however was that though public opinion was advanced there were still communities which believed in early marriages and their early consummation. He therefore warned the Government that such communities should not be harassed as a result of the administration of this law. Personally he accepted the Bill and thought it was a wise step which the Assembly would not regret.

Mr. Rama Iyengar again appealed to the House to exclude husbands from the provisions of the Bill. Mr. Kelkar suggested that the right solution would be to make the age of consent and the age of marriage identical. Mr. Belvi and Mr. Amarnath opposed the Bill. Mr. Belvi warned the Government that the Bill would one day lead to a breach of the peace and bloodshed. Sir Alexander Muddiman made it perfectly clear that the Government took seriously the views of those members who had opposed the Bill. The Government, however, believed that it was carrying with the Bill the advanced section of the orthodox community.

The Bill was passed on a division by 84 votes to 11.

Coal-Grading Bill.

Sir Charles INNES moved for consideration of the Select Committee's report on the Coal Grading Bill, which he said had been improved by the Select Committee.

Sir Willoughby CAREY asked the Assembly to pass the Bill as soon as possible. He emphasised that a prosperous coal export trade would make a prosperous coal trade, and a prosperous coal trade meant prosperous industry in the country. He assured those who feared that the export of coal might eventually bring about a shortage of coal for internal consumption, that the existing mines could supply coal for hundreds and hundreds of years and there were a great many mines which were not yet sampled or even discovered. He referred to the difficulties, grievances of the coal trade in the past and hoped the present Bill would give encouragement to export, while there was a possibility of reopening the mines which had been closed and there would be scope for new fields. As the railways were going in for new fields the need for finding overseas markets was all the more necessary.

Mr. Jamnadas MEHTA explained that the joint minute by him and by Mr. Abhyankar was only explanatory. They wanted to show that they did not fully accept the Noyce Committee's report but found that the Bill as a whole was acceptable to them though he would have liked some improvement in one or two matters.

Sir Charles INNES gave the assurance that as soon as possible the question of protection to the coal trade would be referred to the Tariff Board and that the questions relating to long distance freight on coal for internal consumption and railway collieries were under consideration.

Sir Purshotamdas asked the Government to take a lesson from the case of the coal trade and not delay action till the industry was on its last legs.

The Bill was passed unanimously.

The Bill regarding the CARRIAGE OF GOODS BY SEA was then passed and also the Bills amending the PROVIDENT FUND ACT and the OPIUM ACT.

On the motion of Mr. Chartres the House referred to a strong and representative Select Committee the LEGISLATIVE BODIES CORRUPT PRACTICES Bill, after Pandit Motilal Nehru had declared and the Home Member had agreed that by so doing the House was committing itself only to the desirability of penalising corruption in legislative bodies and not to the procedure or definitions proposed in the Bill.

Mr. Ramachandra Rao opposed the motion and wanted circulation of the Bill. Sir Alexander gave the assurance that he would circulate it and ascertain the opinions of the Local Governments. The Select Committee would not be asked to sit the next session in Delhi.

Debate on the Reforms Committee's Report.

SIMLA—7TH SEPTEMBER 1925.

There was an extraordinary rush of visitors when the Legislative Assembly met on the 7TH SEPTEMBER to discuss the Muddiman Committee's Report. The attendance of Members, on the other hand, did not show any marked increase.

Sir Alexander MUDDIMAN was cheered by all sides of the House when he rose to move the Assembly to recommend to the Governor-General-in-Council that he do accept the principle underlying the Majority Report of the Reforms Enquiry Committee and that he do give early consideration to the detailed recommendations therein contained for improvement in the machinery of Government. He said he had brought forward the resolution to fulfil a pledge of Government.

The Home Member mentioned the names of the members of the Committee to show that it was well constituted. He next refreshed the memory of the members by reading the terms of reference, which he said, on the one hand, made the enquiry into the defects inherent in the Act unlimited, but which, on the other hand, were an offer distinctly limited in scope since the Committee's remedies were to be such as not to affect the structure of the Act. He declared . " I mention this because the Committee has been much attacked for not doing what it was not authorised to do." As regards constitutional enquiries these were generally in the nature of a *post-mortem* examination, because the actors were no longer present, but in the case of his committee it was different. They examined men who had held offices or who were in office under the Reforms. He publicly acknowledged the assistance rendered to the Committee by the witnesses. Unfortunately the Committee presented two reports.

Sir A. Muddiman continued " I am moving the House to accept the Majority Report. (Cries of " No, no ") The Home Member :—I said I was only moving (laughter) that the House should accept the Minority Report. (There was considerable applause because Sir Alexander Muddiman by a slip of the tongue mentioned the word, " Minority " instead of " Majority "). Resuming he said the Majority Report had made numerous recommendations of varying degrees of importance. The Government of India could not accept all the recommendations, but accepted the principal ones. He stated : " I would tell the House that these are valuable suggestions, which all practical men should seriously consider. (Voices : 'No, no.') The machinery of the Government of India Act is not simple : it is complicated. If I can leave this country with the satisfaction of knowing that I have, in however small a degree, facilitated the working of the Act I shall be satisfied that I have done something."

Turning to the Minority Report, he said the pith of the report was at the tail end. He read out the last paragraph and emphasised that so far as practical politics was concerned the Minority wanted a Royal Commission to be appointed at once and emphasised that it wanted automatic provisions for advance. In this respect, the Home Member said, he could not do better than refer the House to the words of the Viceroy when he referred to the Minority Report and as a friend of India opined that the issue was only one of time and that if the Commission were appointed immediately it would only result in disappointment. The words from a Viceroy who had been in India for the years should naturally command attention. How much more so, when Lord Reading had just returned after an intimate touch with political world in England? Sir A Muddiman declared: "No wiser judge of political affairs and political potentialities, I venture to think, exists in the British Empire and when, after his recent contact with the political life at Home, His Excellency gives you this advise I think the House would do well to ponder over it, not once, but many times."

Referring to the question of the appointment of a Royal Commission, the Home Member read from the Preamble of the Act and emphasised that it did not envisage automatic progress, as urged by the Minority, but laid down the lines for gradual progress. In the words of the Secretary of State, he assured the House that the British were not slaves of dates. But the door of accelaration was not open to menace. Still less would it be stormed by violence. The position therefore was that, while there must be a Statutory Commission in 1929, there might be a Royal Commission earlier. The Minority recognised that before any change took place there must be a Statutory Commission in 1929, there might be a Royal Commission earlier. The Minority recognised that before any change took place there must be a wider enquiry by a Royal Commission. He asked the House to keep in view Sub-Section 2 of Section 84 A. It laid down that the Commission should examine the working of the system of Government, the growth of education and the development of representative institutions in recommending an expansion or restriction of the present system. Sir Alexander said. "We, the Government on the one hand, and you, the non-officials, on the other hand, will be asked to show how we have worked these institutions. We will have to render an account of the stewardship in respect of the opportunities placed in our charge. Let us consider as practical men what impression will be made if that enquiry were to be held immediately." They were still in the life of the second Assembly, while the Council of State had not yet finished its first period. Then again they had only just passed a constitutional landmark, as a result of which the President of the House had been elected. (Applause). He did not wish to rake up old discords; but the fact remained that the first legislatures lacked the element which was now present.

The Home Member continued: "What opinion will the Commission form on facts and events such as these? Will it be favourable, will it be unfavourable or will it say it can form no opinion? Appeals to Ceasar are sometimes dangerous Only those whose hearts are very clear can stand before the judgment seat with confidence. At the most only four short years remain before that Assize must be assembled" The Home Member felt that greatly unnecessary importance had been attached to the date on which the Commission would be appointed. He declared: "What is really important to my mind is what evidence you will place before it whenever it is appointed, what answer you will give."

Mr. Jinnah: A very good answer.

The Home Momber: I am glad to hear my friend say so.

Continuing the Home Member said he remembered, that some years ago, when in a country garden in the west of England, he saw a sun dial whereon were written the words "*Pereunt Et. Imputanter*" These meant that the hours fly away, but the record remains: "Nearly six years have passed," Sir Alexander stated, "and our proceedings have been written down. Do we wish the next years to pass in the same way? Are we to remain estranged in our attempt to deal with this problem—a problem, the greatest, which had ever presented itself to the human race? You are building not a constitution for a nation, but for a continent. Can we afford to stand aside? Can we afford to remain as I sometimes feel that we are remaining, on the one hand, a party trying to storm a fortress and on the other hand, persons defending that fortress as if our lives depended upon it. Sir, this is not the way in which constitutional progress and constitutional reform can be effected. (Mr. Ranga Iyer: What is the way?) His Excellency the Viceroy has made an eloquent appeal for co-operation. Now, co-operation is not a mere phrase. Co-operation is a course of deliberate conduct."

Mr. Shanmukham Chetty: On whose part?

Sir A. Muddiman : On the part of all us.

Mr. G. P. Singh : It must be mutual.

Sir A. Muddiman : As I have said, the Secretary of State in his speech indicated that constitutional progress might be accelerated on one condition, and that, I will read to the House. He says : "There will be, there can be, no reconsideration till we see everywhere among the responsible leaders of Indian thought evidence of a sincere and genuine desire to co-operate with us in making the best of the existing constitution." That Sir, is the theme of the resolution, I put before the House I can only regret that I do not possess the eloquence of my predecessor to move the House as that eloquence might have moved it. I am pleading, possibly in a rough and uncouth manner, a great thing. I only trust that the theme will not suffer at my hands. (Applause from all sides of the House.)

THE NON-OFFICIAL AMENDMENT

Pandit MOTILAL then rose amidst still louder applause to move his amendment. He moved :—

"This Assembly while confirming and reiterating the demand contained in the resolution passed by it on the 18th February, 1924, recommends to the Governor-General-in-Council that he be pleased to take immediate steps to move His Majesty's Government to make a declaration, in Parliament, of the following fundamental changes in the present constitutional machinery and administration of India :

"(a) The revenues and all property vested in, or arising or accruing from the property or rights vested in His Majesty, under the Government of India Act, 1858, or the present Act, or received by the Secretary of State in Council under any of the said Acts, shall hereinafter vest in the Governor-General-in-Council for the purposes of the Government of India.

"(b) The Governor-General-in-Council shall be responsible to the Indian Legislature and, subject to such responsibility, shall have power to control the expenditure of the revenues of India and make such grants and appropriations of any part of those revenues, or of any other property at present under the control or disposal of the Secretary of State-for-India-in-Council, save and except the following, which shall, for a fixed term of years, remain under the control of the Secretary of State for India : (1) expenditure of the Military Services up to a fixed limit ; (2) expenditure classed as political and foreign ; (3) payments of all debts and liabilities hitherto lawfully contracted and incurred by the Secretary of State-for-India-in-Council on account of the Government of India.

"(c) The Council for the Secretary of State for India shall be abolished, and the position and functions of the Secretary of State for India shall be assimilated to those of the Secretary of State for the Self-Governing Dominions, save as otherwise provided in Clause (b) and

"(d) The Indian Army shall be nationalised within a reasonably short and definite period of time and Indians shall be admitted for Service in all arms of defence and for that purpose the Governor-General and the Commander-in-Chief shall be assisted by a Minister responsible to the Assembly.

"(e) The Central and Provincial Legislature shall consist entirely of members elected by constituencies formed on as wide a franchise as possible.

"(f) The principle of responsibility to the Legislature shall be introduced in all the branches of administration of the Central Government, subject to transitional reservation and residuary powers in the Governor-General in respect of the control of the military and foreign and political affairs for a fixed term of years, provided that during the said fixed term the proposals of the Governor-General-in-Council for appropriation of any revenues or moneys for military or other expenditure classified as "Defence" shall be submitted to the vote of the Legislature, but that the Governor-General-in-Council shall have power, notwithstanding the vote of the Assembly, to appropriate, up to a fixed maximum, any sum he may consider necessary for such expenditure and in the event of a war to authorise such expenditure as may be considered necessary exceeding the maximum fixed ;

"(g) The present system of Dyarchy in the Provinces shall be abolished and replaced by unitary, autonomous responsible Governments, subject to the general control and residuary powers of the Central Government in inter-provincial and all-India matters ;

"(b) The Indian Legislatures shall, after the expiry of a fixed term of years, referred to in clause (b) and (f), have full powers to make such amendments to the Constitution of India from time to time as may appear to it necessary or desirable;

"This Assembly further recommends to the Governor-General-in-Council that necessary steps be taken (a) to constitute, in consultation with the Legislative Assembly, a Convention, Round Table Conference or other suitable agency, adequately representative of all-Indian, European and Anglo-Indian interests to frame with due regard to the interests of minorities, a detailed scheme based on the above principles, after making such enquiry as may be necessary in this behalf; (b) to replace the said scheme for approval before the Legislative Assembly and submit the same to the British Parliament, to be embodied in a Statute."

Pandit Motilal NEHRU, in a long speech, moved his amendment, which, he said, had the support of all the Nationalists and was the result of the most careful and anxious consideration by both the Independents and the Swarajists. The principle underlying the majority report was to give Indians as little as Government could and to make sure, in giving that little, that the power and prestige of the bureaucracy was not in the least jeopardised. He severely criticised Diarchy as the work of speculative constitutionalists. The demand outlined in the amendment was the very minimum which the Nation could ask. Whatever agency was appointed to make a detailed enquiry, in order to incorporate the demand, it must be adequately representative of all interest. Procrastination was the Government of India's policy and indecision was the policy of the British Cabinet. The fundamental principle of a constitution for India must be self-determination. Wise men were not slaves to dates; yes. But wise men were not slaves to preambles either. If the principle of self-determination was not granted, Indians would not be diverted from the pursuit of what they considered their birth-right.

Indians, stated Pandit Motilal, were absolutely fit for Self-Government, as fit as the Britisher were in their country. Lord Birkenhead asked for co-operation, as the first condition to any progress. The Pandit asked for a change of heart on the part of the Government. Unless there was a change of heart and Swaraj, in the fullest sense, was guaranteed, there could be no real co-operation.

Concluding, Pandit Motilal Nehru quoted the late Mr. C. R. Das's Faridpur speech offering conditional co-operation and said that the present system of Government could not continue except by use of force.

Colonel CRAWFORD made a soldier like-speech. He believed that the ryots cared little for the nature of the Constitution. He was glad the Secretary of State had maintained the constitutional practice of consulting the House before any final decision was taken. No one expected much from the Reforms Enquiry Report, for there was no short cut to the paradise of Self-Government. He had been disappointed at the failure of the Swaraj Party to take part in the enquiry. They were constantly proclaiming India's right to self-determination as a reward for her services in the War. Many were striving genuinely to help India on the road to political progress; but the Swarajist attitude was unsportsmanlike and unlikely to appeal to the British nation. He congratulated the members of the Committee who had signed the Minority Report; but had the report been less partisan, it would have appealed with greater force. He could not agree that Dyarchy had failed, though the system was not popular. He admitted that the existing constitution was unpopular, but before any Commission could be appointed it was necessary to create an atmosphere of general goodwill and exercise the demon of distrust and obtain some substantial measure of agreement among all classes. The road to Swaraj was big and difficult. Their aim should be a representative, rather than a democratic form of Government. India was not a nation and a Federation of the Peoples of India was wanted. Religious, communal, national and caste differences were a portion of the problem the would always be present. Only by being good communalists could they make good nationalists. He wished to strongly support greater representation for the Depressed Classes and for Labour; but he hoped that other representatives than lawyers would be found for them His friends, Messrs. Joshi and Chamanlal, he felt, were often wrong in their facts and governed by western Socialist ideas.

Sir P. S. SIVASWAMY IYER said there was confusion as to which was the Majority and which was the Minority Report. But for official convention Sir Muhammad Shafi would have signed the Majority Report (here there was good laughter, because Sir P. S. Sivaswamy Iyer like Sir Alexander Muddiman, suffer from a slip of the tongue) and the Minority Report would really have been the Majority Report. As a member of the

Minority he felt that though they had no objection to the Majority proposals generally, they felt they were inadequate and unsatisfactory and that Dyarchy could not be cured by the minor changes recommended. Officials who felt shy of Dyarchy before blessed it now because they could not go back upon the '*status quo*' and could only go forward, which they did not want to. Lord Birkenhead's speech had been aptly described by "The Morning Post" as a rigidly, pompous oration. (Laughter.) Lord Reading had told them that the verdict of a Royal Commission at present would go against them. The speaker, however thought that, if the Commission examined from the point of view, not of absence of co-operation, but as to why co-operation was not received, it would not go against them. Those who unwisely non-co-operated thought that the Government had not fulfilled its promises, but the present House showed that they had come back to co-operate. Indeed the fact that an ex-Non-Co-operator was occupying the Chair of the House was proof of their desire to co-operate. (Mr. A. Rangaswamy Iyengar: Honourable co-operation) and to utilise opportunities to do constructive work (Applause). Opportunities for responsibility made people sober and wise. (Mr. Jinnah: Hear, hear.) Could the Government say that Indians had not shown a sense of responsibility. (Hear, hear.) One other difficulty was that they were not convinced of the sincerity of the professions of the Government. (Hear, hear). They believed that the Government did not, in its heart of hearts, mean to grant them Self-Government. (Hear, hear). If the suspicion of the people could be removed he was confident their attitude would change. The suspicions was not without reason. The attitude of the Government towards the Indianisation of the Army was one illustration. Although a resolution, with the concurrence of the Government, was passed 4 years ago, asking for the Indianisation of the army, Lord Birkenhead had told them in effect that they must wait for 25 years and prove the success of the Reforms before asking for more. Thus they would have to wait till the Greek Calends before the Army was Indianised. Therefore distrust in the Government's intention was to a large extent justified. The theories of guardianship, mandate and trust did not deceive the people.

The speaker had never believed in indiscriminate opposition; but he felt that unless the Government changed its attitude deadlocks might continue and distrust and suspicion on both sides would increase. He was glad to find that Pandit Motilal's amendment contained substantially the Liberal Party's resolutions and that the Swaraj Party had given up their barren path and had come to the path of construction. (Applause from the Independent) As regards the drawing up of a Constitution they did not want to waste time if the Government was not prepared to consider it: but if the Government would, they would prepare it.

Mr. Shanmukham CHETTY said that the chief value of the Reforms Enquiry Committee was in that it showed the failure of the present Constitution. The aim of the Government of India Act was to train Indians in the craft of Self-Government. The present divided responsibility in the provinces was not only unworkable, but unheard of in history. The basic factor in diarchy was joint deliberation between the two halves of the Government. Not only had that failed, but there was also no joint responsibility between the Ministers. Faith, not reason, was the foundations of all Governments and the people had no faith in Diarchy.

Referring to the Majority Report, the speaker said that its signatories had failed to do justice to their task. They had not the moral courage to scrap Diarchy. Mr. Shanmukham Chetty quoted from Mr. Chintamani's presidential address at the last Bombay Liberal Conference, where, he said that the interests of India would have been better served if no Reforms Enquiry Committee had been appointed. Mr. Shanmukham Chetty concluded by saying that Lord Birkenhead wanted co-operation, but co-operation could be mutual only if the Government showed a change of heart.

Mr. Ranga IYER supporting Pandit Motilal's amendment, said that the unsolved communal problem was thrown in their face, as against their demand for Self-Government. Communal differences could not be settled unless they had control over the administration. The English Government was responsible for the communal differences in India, by their policy of divide and rule. They had been stimulating such differences. The history of Canada and South Africa showed that there were very acute differences of race and creed in those countries and yet England had granted them Self-Government. Those were countries without traditions and civilisations, while India had an older civilisation than England and yet the right to rule was being denied to them. He further warned that the refusal to grant them their prayer would end in a tremendous agitation and the Government should be prepared for the consequences. He concluded: "We want to be free, but we do not want to break away from you yet, and that is why we have presented you with our amendment to-day."

Dewan Bahadur T. RANGACHARIAR, supporting the amendment, hoped that his speech would not be a waste of words as his previous speeches had been. He had no doubt that the Assembly would reject the proposal of the Government. Reforms were introduced to train Indians in the art of Self-Government and not merely to appoint A, B or C as Ministers. Had the Reforms trained Indians in that art? That was the test which they should have to face as statesmen. Were the Government satisfied that the recommendations of the Majority Report would satisfy that test? He was not familiar with Dyarchy and therefore confined himself to the Central Government, which, by his co-operation, he tried to work.

Mr. Goswami: You have wasted your energy.

Mr. Rangachariar said that his views on the working of the Central Government had been fully conveyed by Sir Alfred Mond in the House of Commons. They had an elected majority in the Assembly, but there was an irresponsible Executive, which was supposed to be responsible only to some people abroad. That was hardly a satisfactory state of affairs. It was thought that the Muddiman Committee would have something to suggest on the matter. The Majority Report merely suggested stagnation and the principle of stagnation was asked to be accepted by the Assembly. Despite the Government's denials, they (the Government) were slaves to dates and to preambles. Mr. Rangachariar asked: "If the Government is not going to change the principle then why this farce of discussion and why this talk of fellowship, comradeship and friendship?"

Mr. Jinnah: To work the gas and boiler. (Laughter and applause.)

Mr. Rangachariar: If that be so, let us part company (Loud applause) and let the Government take note of the significance of the support given to this amendment by Pandit Motilal, at one end of the pole, and by my friend Sir P. S. Sivaswamy Iyer, who is at the other end of the pole. (Laughter and applause.) I ask the Government in all seriousness to consider it carefully. You talk of difficulties; but have they not got over the difficulties in Australia, in Canada and other countries? There is perfect unanimity in India on this constitutional question. All classes, all communities, and all sects, and sub-sects are united in demanding a change in the Constitution. It is a great sign of the times that Pandit Motilal and his Swarajist friends have joined us in formulating some of the fundamental principles with regard to the Indian Constitution, as mentioned in the amendment.

Mr. Abhyankar: Now will you join us in the mean?

Mr. Rangachariar: That is another question. We shall discuss it later. As I said before, there is the hand of fellowship given to the Government and I hope the Government will take it, so that the best brains of the country, both inside the legislatures and outside, may be devoted to useful purposes for advancing the interests of India.

Sir Charles INNES, in opposing the amendment of Pandit Motilal, said he was disappointed that it had been moved especially after the speeches made by the Secretary of State and Lord Reading. Those speeches had clearly showed that the present Constitution, whatever might be its defects, must be worked in order to achieve the end; but the amendment of Pandit Motilal was couched in the old familiar lines and Sir P. S. Sivaswamy Iyer to support it. It was easy to foresee the lines the debate would take and the result; but he would not waste the time of the House by referring to the details of the amendment. It was clear that the objective of all was Responsible Government for India within the Empire. The only difference was as regards the manner. Pandit Motilal has told them that he had offered the hand of fellowship.

Pandit Motilal:—What I said was that any scheme, which is devised by us all sitting in one conference, will be the scheme in which not a single comma or full-stop can be changed. We will all be parties to it.

Sir Charles Innes:—Then I gather that the Pandit does not change in the slightest respect the opinions which he expressed in February 1924. Then I can only express surprise at Mr. Rangachariar having congratulated himself for having thought he had roped in the Swarajists. On the other hand Pandit Nehru has mildly, but firmly brought Mr. Rangachariar and Sir P. S. Sivaswamy Iyer into the Swarajist parlour (Laughter).

Mr. Rangaswamy Iyengar:—We were all together last year.

Sir Charles Innes:—I think that the Pandit's interpretation has clarified the position. This amendment is intended to repudiate the Preamble of the Government of India Act. The responsibility for the manner and the time of each advance rests on the British Parliament, who are responsible for the welfare and advancement of the Indian people. The amendment is definitely a challenge to the British Cabinet. (Several voices:—That is right). If so then the Government must unhesitatingly oppose the amendment. That is not a position which we on the Treasury Benches can accept.

Mr. Rangaswamy Iyengar :—Because you are bound hand and foot to the British Parliament.

Sir Charles Innes :—I hope this Assembly will realise that if this amendment is passed you will be committing a grave mistake (laughter). Co-operation has been offered to you by His Majesty's Government and this amendment rejects that offer with contumely. That, I say, is a very grave mistake to make. We cannot allow the claim of the British Parliament to judge the measure and the time of each constitutional advance to diminish. They are responsible not for the intelligentsia, nor for any section of the people, but for all the peoples of India. They have a claim which they cannot give up.

Mr. Rangachariar :—Could we not ask the Parliament to give it up ?

Sir Charles Innes :—You cannot ; I tell you why. Over a hundred years ago almost by accident the British Government assumed responsibilities for India. A voice :—Yes, by robbing India).

Sir Charles Innes :—In these hundred years and more we gave you what you never got.

A voice :—Emasculation (laughter).

Sir Charles Innes :—We gave you peace and order and good Government. Now if this is gone, then there will be no safety and tranquility.

Sir Charles Innes said that the Government Members were in no special sense wedded to Diarchy, but Diarchy was a step on the road to Self-Government. India was now in a transitional stage. Sir Charles Innes was prepared to admit that Diarchy was unworkable ; but he would not go into a debate on the point. Incomplete self-government was always unsatisfactory, but where they had not got full Responsible Self-Government ? Diarchy, as a transitional experiment, must be preferred. As for the Central Government, Sir Charles Innes thought that the amendment itself proposed diarchy, (A voice . No) He was not prepared to enter into a discussion on that point. He was not anxious to raise the temperature of the debate , but he asked : "Did the House realise that in Canada, which had been quoted as having got Self-Government, there were only 16 millions, while in India there were 320 millions of people ? Where is the fundamental unity, which is the basis of all democratic institutions?" That was lacking in India. So long as fundamental unity and unanimity among Indians was wanting, there would be danger in introducing Democratic Self-Government. Let Mr. Rangachariar, who had so eloquently pleaded for a change, examine his own conscience and say whether there was that fundamental unity. Moreover there was the danger of the advance being premature. In view of the fact that the Statutory Commission would come and make enquiries, the Government of India could not offer any other solution at the present time. In any enquiry India should have not only the best brains in India, but the help of His Majesty's Government. Let there be no suspicion and let there be charitableness. As one who had served in India 27 years, Sir Charles Innes said that the progress which India had made during the last four years itself was greater than was expected.

Pandit Motilal asked whether the Government had any proposal counter to the non-official amendment.

Sir Alexander Muddiman : I shall deal later.

Mr. T. C. GOSWAMI said that Sir Mahomed Shafi's explanation had shown that the officials had gone to the Committee with a bias. He recalled the personal history of Lord Birkenhead, especially in relation to Ireland, to enable the House to judge what meaning to attach to the epigram of His Lordship, that wise men were not slaves of dates. (Laughter.) Mr. Goswami considered the amendment as most modest, but he told the non-official members that they had no right to vote for it until they had proclaimed the sanction behind the amendment and until they were prepared to face the consequences, if it was not accepted by the Government. The speaker was surprised at the reasoning of the Liberal leaders, Dr. Sapru and Mr. Chintamani. In one breath they said the Constitution was unworkable and in another breath they urged that it should still be worked. He concluded that not only were the Preamble and the Constitution not acceptable to them as sacred, but even the Empire was not sacred to them. He declared : "If we cannot have Swaraj within the Empire, we shall have it outside the Empire."

Sir Purshotamdas THAKURDAS said Sir Charles Innes had more than made up for the modesty of Sir Alexander Muddiman, but the Commerce Member had only confused the issue and had tried, though unsuccessfully, to draw the red herring across the line by trying to frighten Mr. Rangachariar and Sir Sivaswami Iyer by stating that they were walking into Pandit Motilal's parlour. The Muddiman Committee consisted, with the exception of Mr. Jinnah, of officials and ex-officials and Sir Muhammad Shafi had shown that the minority was really the majority and therein lay the secret of the

Indian support to the Minority Report, wrongly so called. Why was the Government distrusted? There was the case of the Cotton Excise Duty. Despite the great popular agitation, the Government still persisted in not abolishing the duty. Then again the Tariff Board's report on Cement industry had been rejected without reference to the House. Would the Commerce Member have acted like that if he had been responsible to the House? Could the Finance Member have similarly persisted in his currency and financial policy? Then again, could the Home Member have sent Europeans, and not non-official Indians, to represent the country at the League of Nations? After a hundred years of British rule Lord Brikenhead had discovered the need for agricultural development. That was because the British did not like India to advance industrially. He assured Lord Reading that, as a representative of Indian trade and commerce, he was not for forcing the Government to hasty action; but the Indian Commercial community were convinced that without a Responsible Government, they could not progress. Indeed progress would only be in the retrograde direction. He would vote with Pandit Motilal with full confidence and conviction (Applause).

Mr. Rangaswami IYENGAR said the present Government was government by a corporation, which zealously guarded the interests of the British shareholders. The position of the Secretary of State was not that of an individual, but that of a corporate body and he was not responsible to the people of India, but the Parliament. One obvious result was that if Parliament wished to use some of the Indian revenues for Imperial purposes, they could do so, so long as the Anglo-Indian corporation lasted. Vested interests would always have preference over Indian interests. That was why they wanted that the Secretary of States's absolute control over Indian Revenues should cease and his Council abolished.

The debate could not be finished and the Assembly adjourned for the next day.

SIMLA—8TH SEPTEMBER 1925.

Next day, the 8th September, Mr. Mahomed YAKUB, supporting Pandit Motilal's amendment to the Reforms Motion, said that he represented the minority of 75 millions of Mahomedans. The Reforms of 1919 were regarded by Indian Muslims as inadequate and unsatisfactory. A thorough enquiry to overhaul the entire system was needed. Indian Muslims were not opposed to Swaraj, but, on the other hand, they were as anxious as other communities to have Self-Government in India and they were fully aware that the present Act was inadequate to lead them to Swaraj. Their demands were put forward by the All-India Muslim League. He said that Indians could never be fit for Self-Government unless they were made responsibe for the administration of the country.

Mr. ABHYANKAR further supported the amendment. He said that they wanted, firstly, the power of the purse. The Governor-General-in Council should be made responsible to the Indian Legislature. Democracy and Bureaucracy could not be wedded together. Further they wanted the Army in India to be Indianised within the shortest possible time. The Council of the Secretary of State should be immediately abolished. They wanted representative legislatures on the widest possible franchise. The Commerce Member's speech did him great honour, because he had upheld the traditions of his group. He had repeated the old falsehood of the theory of trusteeship. It was no trust. It was a huge fraud, a bombastic fraud. The Commerce Member had told them that man's life and woman's honour were now safe. Was it really so? Were their homes safe? Had not the noblest among them been thrown into jails? Were not hundreds shot like dogs at Jallianwala? He quoted instances of persecution of Catholics in England. Under the Protestant regime no marriage conducted by a Catholic priest was held legal. No Catholic could buy a horse worth more than £5 (Laughter). "This was the condition in your own country when you were enjoying Self-Government," said Mr. Abhyankar, addressing the Treasury Benches. The most moderate of Moderates, men like Sir P. S. Sivaswami Iyer and Mr. Rangachariar, had lost faith in the British sense of justice. The Britishers responded to a sense of justice only when some other sense like the one roused by Ireland made them wide awake. The present system of Government was treason against God's law.

Mr. RAMCHANDRA RAO was surprised that after the universal condemnation of the Majority conclusions in the Indian press, the Home Member had the hardihood to ask the House to adopt his proposal. Both the Majority and the Minority had also held that nothing they could do within the terms of reference would satisfy public opinion. The Home Member had made no reference to the detailed proposals of the Majority

Report, to some of which the speaker was opposed, while others he wanted to discuss. As regards Sir Charles Innes' observation about the lack of fundamental unity, the speaker stated that similar objections had always been brought forward every time a step in advance was taken and despite the argument, progress was sanctioned. He did not therefore see why the same objection should again be brought forward. He held that the whole scheme of the Government of India Act was unsatisfactory because the Indian Revenue was not vested in the Government of India and was not administered by the Government responsible to the Legislature in India. No change, except transference of power from London to Simla, could meet the situation.

Mr. CHAMANLAL felt that the atmosphere was surcharged with unreality. The Treasury Benches pursued a policy of do nothing trusting in brute force, while the people's representatives took their stand on the righteousness of their cause. The Government wanted them to eat the humble pie and accept a one-sided bargain. It was true they had no sanction behind the resolution; but he warned that they would create one. The Swaraj Party had really accepted the Liberal Federation programme, to show that the country stood united. The only difference was that the Swarajists would go to the country and raise a storm to enforce the demands. As regards the theory of trust it had been a trust handed down to them by robbers and thieves. Every pledge had been broken. The British were sentinals of the kind who protected the treasure, only to rob it themselves

The President twice warned the speaker that he should refrain from constantly addressing the Treasury Benches and ignoring the Chair. (Laughter.)

Sir Basil BLACKETT said that he did not share the pessimism of Sir Alfred Mond or of Mr. Rangachariar. Sir Alfred had become a pessimist after his experience of the Budget debates of the Assembly in 1924. The speaker held that the presence of Mr. Patel in the Chair was the strongest answer to the pessimists.

Mr. J. Mehta: He is there in spite of you.

Sir Basil Blackett held that even the speeches of Mr. Abhyankar and Mr. Chamanlal showed that they had learnt a great deal by co-operation. He personally believed that there had been a great deal of co-operation in the passing of the Steel Protection Act, the separation of Railway finances and the passing of the last budget and that the future historian would agree that the second Assembly co-operated as well the first Assembly. Mr. Rangaswami Iyengar had spoken a great deal about the need for transference of the control of the purse from London to Simla. He had spoken as if the control was absolute. Mr. Rangaswami Iyengar, who had proved a very valuable colleague on the Public Accounts Committee, must be aware that it was not.

Mr. Rangaswami Iyengar stated that the power of interference existed nevertheless.

Sir Basil held that it had not been exercised. Sir Purshotamdas had supported the resolution because Indian commerce would benefit if the Government was responsible to the Legislature. The speaker held, on the other hand, that no responsible Ministry in India could have yielded entirely to the pressure of the Bombay Merchants' Chamber and Bureau and sacrificed the interest of India as a whole, and that the exchange policy of the responsible Ministry would have been the same as that of the Government of India.

The Finance Member was not able fully to understand the amendment unless it had the virtue of being at the same time Swarajist, Independent and Moderate, and open to three interpretations to suit every party. (Laughter.) It looked incompatible even with the Minority Report He sincerely felt that, instead of pressing the resolution in the amended form, if the non-officials admitted that what they wanted could not be done all at once and that they were willing to co-operate during the life of the present Assembly and the beginning of the next, insteadof entirely rejecting the offer of co-operation from the British Government, they would have materially contributed to the discussion. The amendment of Pandit Motilal showed that its supporters stood for advance on the Western model. Provincial Autonomy was a nice phrase, but the division of the Central from the provincial sphere was very difficult. In one case it had led to a civil war and still the matter was unsolved. They might from now think of these functions, their distribution and the question of financial relations between the Central and Provincial Governments. He appealed to the non-official benches to so change their amendment or so to explain it that it did not mean rejection of the offer of the British Government and their claim to determine the manner and measure of advance. (Applause.)

Mr. JINNAH felt that the debate was not proving fertile. There was gloom and the political horizon was dark. The Government should understand why the people

non-co-operated. There was extraordinary events in the Punjab but these they had been asked to forgive and forget. The Khilafat was no longer an issue before them. The question of Swaraj was the only one that remained unsolved. In 1921 the Assembly was composed of men who came to co-operate despite the risk of odium and obloquey. That Assembly urged that a revision earlier than in 1929 was warranted. The Secretary of State's reply was that progress was possible under the Constitution, that the electorates had not been tested and that the constitutional machinery had to be tested in its working as a whole. To that the Assembly gave an answer in February 1924 by passing a resolution that the time had been to revise the Act. The Government chose to appoint the Muddiman Committee, to see whether substantial progress was possible under the structure of the Act and, if not, the question of revision was to remain a separate issue. The Muddiman Committee had reported. Col. Crawford has questioned the impartiality of the Minority, because it had stated the truth that its terms did not permit it to recommend remedial measures. He hoped that the Colonel would withdraw his statement.

Resuming Mr. Jinnah said the real issue before the House was whether the Act was to be revised earlier than 1929 or not. It had been proved that Dyarchy could not enable them to make progress within the structure of the Act. No minor amendment would satisfy any section of the politically minded people. What then was the Government's answer? He had heard speeches from the opposite benches which scandalized the people of India (Hear, hear.) They were told they were not a nation during and after the war? How was they represented on the League of Nations as a nation? Was it that India was a nation, when it suited the British, and not when it did not. (Laughter.) Even Lord Birkenhead had contradicted himself in one place. He had asked whether India was a nation and in another breath had spoken of the people of India. The speaker recognised the difficulties and asked the Government to help India to overcome them. Lord Birkenhead had done a grave injustice to India by his statement that even ten cadets for the King's Commission were not forthcoming. Mr. Jinnah declared: "That is entirely false. We will give you ten thousand." (Applause.) Lord Birkenhead had shown utter ignorance of the conditions of India and grasp of only one side of the picture. He continued: "You say there are difficulties; I recognise them. Let us meet and slove them as comrades together. What is your answer to those who are co-operating? None. What is the answer to me me, who has come to co-operate? Do you want Pandit Motilal to go down on his knees before the Viceregal Throne and then only you will appoint a Royal Commission? What has he been doing in the Assembly? Has he not been co-operating? What other evidence do you want to produce that the responsible leaders are not offering you co-operation? Have you no eyes and no ears, have you no brains? (Loud applause from non-official benches).

Proceeding, Mr. Jinnah said that Lord Birkenhead's pomposity had claimed the present Act as a "humble" effort in human ingenuity. Yes; ingenuity indeed! (Laughter). He had asked them to draft a constitution to solve "our problems," as if the problems were of the British people and not of the Indian people. (Laughter) The amendment recorded fundamental changes, which they wanted to be incorporated in the Constitution. Let the Government say that such and such a proposal was wrong and he would be open to conviction.

Sir Charles Innes:—Will the Hon'ble Member explain whether he accepts what Pandit Motilal Nehru said yesterday that not a comma of this amendment must be altered?

Mr. Jinnah:—I am used to the mischievous attitude of the Hon'ble the Commerce Member. I will not be drawn into his parlour. I have known the spider too long and the fly is not going to be caught. (Loud laughter). The Commerce Member had said that the Preamble could go to the winds.

Sir Charles Innes:—I said it can be altered, but not as you like.

Mr. Jinnah:—Supposing a Royal Commission came to the conclusion that, having regard to the growth of public opinion and educational conditions and the efficiency of the electorate, there should be an amendment of the Act on the lines proposed by Sir Charles Innes, the decision will rest with His Majesty's Government, but the Hon'ble Member does not admit it.

Mr. Jinnah, continuing, said:—Now let me come to this: Who will be the final arbiter? Who was the arbiter in the case of U. S. A.? Who was the arbiter in the case of South Africa?

Sir Charles Innes:—His Majesty's Government.

Mr. Jinnah:—Who was the arbiter in the case of Australia?

Sir Charles Innes:—His Majesty's Government.

Mr. Jinnah ;—Who was the arbiter in Ireland ? The Hon'ble Members who carry on the government of India lack utter imagination (Laughter). Sir Charles Innes had no doubt carried on his work conscientiously and had done good work, according to his light (Laughter). But his 27 years' life in India was his greatest disqualification in examining the constitution. Mr. Jinnah declared : "He tells us that we have not known chaos and anarchy for a century, but Sir, we have seen the horror of being disarmed. We have seen the horror of being kept out of our own administration. We have watched the horror of helplessness. We have seen the horror of the people being kept in darkness without even elementary education and could the conditions of any civilized country after a hundred years' rule compare with this ? We want to free ourselves from these horrors. There is only one way to do it : that is to replace the irresponsible bureaucracy by a responsible democracy. We know the difficulties. We want you to help us. The Minority has proved the case for revision to the hilt. It was precluded by its terms to define Provincial Autonomy. To sum up, I want an answer. Are you prepared to appoint a Commission at once ? '

Sir Alexander Muddiman :—I will reply in detail later. I do not want to be cross-examined.

Mr. Jinnah :—Secondly, do you sincerely and honestly want us to submit to your fundamental proposals on which a Constitution can be based ? India to-day is in difficulty. I mean no menace and no threat. India is determined to win her freedom. The manner, the measure and time, either you determine in a reasonable spirit, or she will determine for herself (Loud applause).

Seth GOVINDAS, who represented the land-holders of the Central Provinces, said that the land-holders of his province had come to realise that their interests were not opposed to national interests. The speaker held that the Constitution must be framed by the people themselves and not forced upon them. He was of opinion that the Majority Report would be a stumbling block in the way of self-government. A policy of good-will would ultimately change Gandhiji into a co-operator. He appealed to the House to accept Pandit Motilal's amendment.

Mr. Duraiswami IYENGAR said that the success of the first Councils and especially of the Ministers in the first year of the Reforms, was very largely due to active Non-co-operation outside. He asked the Government what they had done to satisfy popular demand. He said the Government had bitterly failed in that. If they wanted the administration to be successful they must bring the two halves of the Government in the Provinces into closer touch with each other. Even the Majority had not thought it fit to transfer Land Revenue to the control of the Ministers. The Muddiman Committee could have achieved much if they had wanted to, but they failed to do so. Sir Alexander Muddiman had asked them to accept the principle of the Majority Report. The speaker asked if there were any principle in the Majority Report at all. The policy of the Government had been to obstruct the progress of the country. Let not Sir Alexander Muddiman go home with the idea that by rejecting the Majority proposals the Assembly was satisfied with the demands contained in the Minority proposals. They wanted something more and that was embodied in the amendment.

Dr. DATTA, while fully supporting the amendment, said that there were two types of minority communities in India, (1) the quantitative type and (2) the qualitative type. The strength of the Indian Christians in British India was 3 millions, whom the speaker represented. He held that the Christian minority was of both the qualitative and quantitative type. Referring to the question of the protection of minorities the speaker held that the present system would not be of any help. He thought the majority and the minority communities must come to a mutual agreement. The Government had failed to protect them during the last four years. It was only in the one province of Bihar and Orissa that one Indian Christian was appointed as Minister and that too by an Indian Lord Sinha. Englishmen, who were always for balance of power being maintained between the different communities, could not understand their conditions. Indian Christians were willing to co-operate with the other Indian communities, provided their co-operation was desired. Dyarchy was an experiment, very old in age. The Diwani and the Nizami of Lord Clive in Bengal was nothing but Dyarchy. He condemned Dyarchy as unworkable and supported the amendment.

Sir Alexander MUDDIMAN then spoke for half an hour, asking the House to realise the effect of pressing the amendment of Pandit Motilal Nehru. If that amendment was intended to be pressed from various parts of the House as their considered proposal, then he inferred that those persons had come to the conclusion that they contemplated the future constitution of India to be based entirely on Western conceptions and that they

proposed to advance on that path. The late Mr. Montagu had once told Sir Alexander that his scheme was on the lines of Western representative institutions. He (the speaker) was not prepared to say what would be the wish of the House; but he at any rate had given an opportunity to the people of India to indicate their views in that direction. If the desire of the House was to proceed on the lines of Western democratic institutions then they had cleared the ground in that respect.

The amendment of Motilal wanted a declaration from the British Government on certain points, which, with certain reservations, amounted to full Dominion Self-Government. Another point, which was made clear in the amendment, was that the present legislative bodies were not sufficient to discuss the scheme in great detail and that therefore there must be a Round Table Conference or a Convention adequately representative of Indian, European and Anglo-Indian interests.

Mr. Rangaswami Iyengar: We have no mandate to discuss in detail.

Sir Alexander: At any rate it is recognised that the present legislative bodies are insufficient for that task. A large and representative body is to be constituted which should examine the scheme in detail and submit it to this Assembly (not to the Indian Legislature, be it noted) and then presented to Parliament to be embodied in a statute. This means the repeal of the Government of India Act as it exists at present.

Mr. Jinnah: Amendment.

Sir Alexander: Does it not involve repeal?

Mr. Jinnah: Certainly not.

Sir Alexander: But it does involve the virtual repeal of Section 84 (A) of the Act. I find the signatories to the Minority Report of the Muddiman Committee have changed their ground and state now that we could do without the Royal Commission, contemplated under Section 84 (A) of the Act. The demands made in the amendment are remarkable in that they ask for extraordinary changes and the eighth clause gives us an ultimatum. My friends here regard it as an offer. I would like to know whether this offer is to be accepted without alteration or revision, without changing one comma or dot or semi-colon. That is a point I would like to know. If we accept this amendment, what do we get in return?

Several Members: Full co-operation. (Laughter).

Sir Alexander: The principle of the amendment is stated to be self-determination. How can we live our lives independent of outside people? I have never heard any nation say so. It is admitted in the amendment that constitutional advance can only come from the English people, *i.e.*, from Parliament. I am glad the members generally have refrained from using the language of threat; but I have heard charges made that the English are robbers and thieves. Will these charges do any good to India?

Mr. Rangachariar: It was rhetoric.

Sir Alexander Muddiman: It may have been rhetoric, but I deprecate the use of rhetoric. The English people are sometimes used to take these words at their proper meaning. Another member said the object of the House was to throw down the present Government. I leave it at that. I am quite willing to believe that this amendment has been put forward in perfectly good faith. (Hear, hear). But if I were of a suspicious nature, I would be inclined to see Machiavellian intention in it. But I am not a suspicious man. (Laughter and applause). My friend, Mr. Jinnah, is in great difficulty, for in the Minority Report he wanted an authoritative enquiry and now he is inclined to think that the Assembly can ask Parliament to accept these large proposals contained in the amendment without enquiry by a Royal Commission.

Mr. Jinnah: Sir, Lord Birkenhead has invited us to indicate the lines on which we desire our Constitution.

Sir Alexander Muddiman: What Lord Birkenhead was talking about was the development of a constitution, which will give more free scope to that imagination which is so characteristic a feature of India. Then, Sir, I do not find in the speeches, the word, "electorate" mentioned.

Pandid Motilal: It is the resolution.

Sir Alexander: I say it was not used in the speeches. I hope you will regard the electorate as of great importance. I mention this, because it is my business to point out the difficulties, with a view to remove them, and not to hinder progress. (Hear, hear). We must face the facts of the situation. The Committee, of which I was unfortunately the Chairman has made its observations on this point. I say the backward state of the electorate is one of the greatest difficulties you have to face in India. One member said that he returned with thanks the recommendations in the Majority Report. I ask, is it not sometimes wise for men asking for large concessions to say that humble doles are

not unworthy of consideration? With what can we support your demand for a declaration for full Dominion Self-Government?

Mr. Jinnah: "My speech." (Laughter).

Sir Alexander Muddiman: I want arguments which will be more effective. (Loud laughter). Lord Birkenhead has made it clear that acceleration in political progress is a matter of co-operation, that to refuse to work what you have got is not itself a direct claim for further progress, that the Government are not unsympathetic and he has therefore given you a generous offer. I earnestly hope that you will realise this position. I am willing to believe that this a united demand from both Independents and Swarajists, made in perfectly good faith; but you will realise that in effect it is an ultimatum. The Government have been charged with doing nothing in connection with the question of Provincial Autonomy. The question of Provincial Autonomy was outside the scope of the Reforms Enquiry Committee I don't agree that the investigation could be made by a Committee of that nature or any other Committee. The Government of India have recently availed themselves of the services of Sir Frederick Whyte, who has accepted our invitation to investigate and report to us on the relations between the Central and Local Governments in other parts of the world, with special reference to the relations that obtain between the Central and Provincial Governments in India. It is in this manner that much good work could be done on this question. The evidence he will collect may be useful and will be placed before the Royal Commission, whenever it is appointed. (Applaure).

Pandit Motilal: Sir, I want to know if, at this stage, it is permissible for me to answer certain questions which Sir Alexandr Muddiman asked by way of information.

Sir Alexander Muddiman: The members in the House are going to speak.

Pandit Motilal: If my friend does not want an answer, then I am satisfied.

Mr. Jamnadas MEHTA felt that the kind of co-operation the Government wanted was co-operation in the continuous enslavement of India. The amendment showed that they did not want to go out of the British Empire. On the other hand they wanted to elevate the Government of India itself. Its position to-day was insignificant in the Empire, impotent abroad, and tyrannical at home. If the amendment was accepted it would make the Government for the first time the real Government of the country. The Home Member was clear-headed and sincere and he wanted to come to terms with them; but with all respect to the Home Member, he would describe the Reforms Committee as a "Muddy" Committee. (Laughter). Sir Charles Innes' speech had proved again that a bureaucrat could never be a statesman.

Mr. Venkatapathi RAJU was not heard distinctly in the press gallery. He was heard to dwell on the principle of self-determination.

In urging the Government to accept Pandit Motilal's demand, Lala DUNICHAND said that both the late Mr. C. R. Das and Pandit Motilal had held out the olive branch and Gandhiji, the leader of leaders, had preached the Gospel of Love; but the Government's attitude, on the contrary, had been most unresponsive. The amendment, he assured, did not satisfy the younger section of the Swaraj Party. The Hindu and Muslim differences would not last for ever.

Mr. ANEY said that the Majority proposals were without any principle at all and to accept them was like signing a blank cheque. The speaker thought that the Minority proposals were not given proper consideration. Judgment was pronounced against them with a preconceived and biassed mind. The position of the Government was like one who stood on the horns of a dilemma. They could neither say that Dyarchy was a complete success nor an utter failure. The Government did not acknowledge its utter failure for fear of that being made a plea for a change in the constitution. Indians were tired of using strong language in the House and the only way to solve the problem was to generously accept the amendment.

Sir Darcy LINDSAY, supporting the Majority Report, asked the House not to attack those from whom they sought favours (cries of "No favours".) It was not by heroics and beating of drums that Indians could justify their demands. Extravagant speeches were likely to do harm. It was no good alienating the Britishers. Lord Birkenhead had given a message of sympathy (cries of "certainly not"). It was in working the present constitution that progress lay. Any scheme they prepared must be put forward, after full consideration by all the parties in the country and not merely after a few hours' discussion among the members of the Assembly. Some members had demanded a change of heart on the part of the Government; but a little reciprocity in that direction might be beneficial. At present it was more of take than of give.

Pundit Motilal:—What have we taken?

Sir Darcy Lindsay :—Let there be no mistrust and suspicion. Let the Reforms be worked for what they are worth. A good deal of progress had been made under the Reforms and much more could be made if there was co-operation.

Mr. JOSHI said that the machinery was defective to protect the interests of the Indian masses and the working classes. Had His Majesty's Government discharged their trust by the people of India? The answer was certainly in the negative. The Government of India had almost failed to do their duty by the working classes. What was the history of the Indian Mines Act and the Factory Act? It was due to the pressure put upon the Government by the International Labour Conference. Perhaps the Workmen's Compensation Act was the only good feature. The future Constitution must be based on the suffrage of common people. Every adult person should have a vote. It was immoral to base any franchise on the possession of property, because thereby they gave greater value to property than to human life. The working classes should be represented by persons elected by their own organisation. There must be at least twelve such representatives, as demanded by the All-India Trade Union Congress. The principle of nomination should be given up. At present European officials were the servants of European capitalists and Indian officials were the servants of Indian capitalists.

Sir Alexander Muddiman :—Will the Hon'ble Member repeat his statement? Am I to understand from him that the servants of the Crown are servants of capitalists?

Mr. Joshi :—They are in effect so, Sir. If adult suffrage is introduced, then one section of the present triumvirate would be gone. Under Swaraj the masses will have to struggle to come into their own, but then the struggle will be more direct and easy. I support Pandit Motilal's amendment.

Mr. Amarnath DUTT, in supporting the amendment said Dyarchy should be abolished immediately and all reserved subjects should be transferred. The speaker thought the ideal question before the House was transference of power from Europeans to Indians.

Mr. NAIDU (Burma) thought that Pandit Motilal's amendment was premature and that Dyarchy had not had a fair trial. He supported the Government resolution.

Pandit Madan Mohan MALAVIYA in a long and forceful speech supported the amendment of Pt. Motilal. He gladly acknowleged the work done by British administrators, but affirmed that progress would have been fifty times more if there had been full Responsible Government. If Indians had been given a chance of working as coadjustors the progress would have been brighter and it would have been a matter of honour and satisfaction both to England and India.

Referring to the Majority Report of the Muddiman Committee, the Pandit emphasised the statement of Sir Mahomed Shafi, made after his retirement from service, in which he had asked for a Royal Commission. In the face of that statement the Majority Report became the Minority Report and the Government should withdraw what they called the Majority Report. There was peace in the Native States between Hindus and Muslims and for several thousands of years India knew peace as it did not know to-day. Pandit Malaviya joined in the appeal for a change of heart and said, whatever might be his opinion he had never for one moment stated that British Government in India should stop. "We have no desire to get away from the control of Parliament. The limitations mentioned in the amendment are in themselves a clear expression of our desire, that we are willing to submit to Parliament for sometime. How long it will be would depend on my English fellow subjects of His Majesty. Let the agreement between India and Britain be honourable and profitable to both. We want you to understand us and we wish to understand you." (Applause).

Sir Alexander MUDDIMAN, in summing up the debate, asked the members to take up the attitude that would be in the best interests of India. He was still in difficulty as to what the Assembly meant by the amendment, because so many constructions had been put on it. Mr. Joshi in a rash moment had said that the servants of the Crown were the representatives of the European capitalists. Let it be remembered that the administration of India afer 1858, by the servants of the Crown prevented the exploitation of the country. (Cries of "question") Sir Mahomed Shafi was now a private individual and he was free to defend his own action in respect of the Majority Report.

The amendment of Pandit Motilal was put and carried by 14 votes against 45 votes amidst loud applause.

SIMLA—9TH SEPTEMBER 1925.

Use of Firearms.

On the 9th September, after interpellations, Mr. RANGACHARIAR moved for consideration of his Bill regulating the use of firearms in dispersing unlawful assemblies as amended by the Select Committee. He said he was a mild Brahmin from Madras, and had never been a rioter, nor was likely to be one in future. (Laughter.) He did not believe even in a threat, but still he was a human being and must take a human view of things. They could forget the Punjab wrongs but they must act in a statesman-like manner and provide against a repetition. The genesis of his Bill was a resolution moved by Mr. Sastri in March, 1921, which Sir William Vincent accepted in part. The Government accordingly brought forward a Bill but afterwards let it lapse. The speaker then tried to introduce provisions in the Bill amending the Code of Criminal Procedure, but was ruled out of order. Hence the present Bill, which had been passed by the Select Committee in an amended form and was now before the House.

As the speaker was developing his arguments, stating that Indian crowds were not armed with anything more than lathis and brickbats, the Home Member interjected: "What happened in Kohat?"

Mr. Rangachariar: Kohat is different from the rest of India.

The Home Member: The Indian law applies to Kohat.

Mr. Rangachariar replied that he was speaking of the Indian crowd as a whole. There was nothing wrong with his proposals to regulate the use of firearms. He asked the House to pass the Bill as amended by the Select Committee and not leave the law as it was.

Mr. Ranga IYER said that Britishers in India, both civil and military, held the lives of Indians very cheap. He did not wish to refer to a recent case in Simla where a rickshaw coolie was kicked to death and his ribs were broken as the case was still sub-judice.

Mr. Tonkinson: Sir, on a point of order. The hon. member cannot refer to a case still sub-judice.

The President: Order, order. The hon. member canot refer to the case.

Mr. Ranga Iyer said he only wanted to say that Europeans held Indian lives very cheap.

Sir William BIRDWOOD, the Commender-in-Chief, read from the latest instructions relating to martial law wherein the rules provided that when a Magistrate called in military aid the officer commanding the troops was empowered to be the sole judge of the situation and act in such manner as he thought best, and that he was definitely responsible for using the minimum force. He was responsible for the safety of his command. There was no statutory obligation on him to give previous warning in all cases and he could not be prosecuted without the Government's sanction. It seemed to him that definite personal responsibility of the officer was the best possible safeguard for ensuring the proper execution of duties and that the action taken was effective and that it prevented the risk of unnecessary casualties. Under the Bill the personal responsibility of a military officer would disappear as a Magistrate alone would decide the kind of weapon to be used, and the military officer would merely act as a machine. This was risky, because officers who were experienced in the use of force knew best how much force and what weapon

to use best. Past experience in India and Egypt had shown that experienced soldiers exercised a restraining influence compared with often inexperienced, perplexed and harassed civil officials. Secondly, if a definite warning must be given invariably, then military force might not be able to save a situation of a kind where mob with torches was rushing to burn a house or factory, and troops were only a few hundred yards off and had no time to give warning. Thirdly, under Mr. Rangachariar's Bill an officer could be prosecuted without Government authority. Sir William hoped the Assembly would agree that an officer acted, not as a private individual but in the service of Crown and much against his will. It would be intolerable if such officer were to be at the caprice of any individual. He must be accorded a full measure of protection. Sir William finally held that an officer in command on the spot alone could decide the necessities of the situtation and they should not tie his hands, thereby making still more arduous and complicated a situation already difficult.

Mr. VIJIARAGHAVACHARIAR, speaking from experience as a Magistrate, felt that the fact that a detailed report of firing had to be submitted to the Provincial or Central Secretariat was in itself a difficult enough task for Magistrates, because the Secretariat, unlike what the public thought, did not proceed with bias in favour of district officers, but were critical and thought the officer must have gone wrong. (Laughter.) Fear of the Secretariat made district officers hesitate before acting according to their best light. They could never regulate the matter by rules because they could not prevent the personality of a magistrate coming into play.

Mr. GORDON, a Bombay official, speaking as a district officer, not on behalf of all district officers, because they had not been granted communal representation yet—(laughter)—assured the House he would welcome any law which aimed at instilling a greater sense of responsibility among district officers, but the present Bill did not. The Bill was not only vague but perfectly useless. As regards the last clause, it covered persons who were shot. But what about those who might be injured by cavalry. (Laughter.) He appealed to the House not to be led away by racial feeling but to enact a law which would hold good, even under Swaraj rule.

Mr. JINNAH said that Field-Marshal Sir William Birdwood had put his case with the precision of a soldier and the logic of a lawyer. He however felt that the English precedent had been quoted unnecessarily. The revised King's Regulations, it was true, omitted the provision that a military office must not fire without the authority of a magistrate ; but what was good for England up till 1920 should be good for India, why was there therefore the cry that they were introducing a revolutionary change? The speaker asked whether the Government did not think its magistrates competent to be trusted to take the best decision. They must be all experienced men.

The Home Member : If you can give me 24 hours' notice before a riot is to take place I shall see that an experienced Magistrate is sent.

Mr. Jinnah : I presume the magistracy must be competent to perform its duty. If you cannot have it better hand over the Government to some one else.

Continuing, he said Sections 131 and 132 of the Cr. P. C. already protected officers against prosecutions being launched against them without Government sanction. All that Mr. Rangachariar's Bill did was to make an exception in the case of use of firearms.

At this stage the closure was moved and accepted. Mr. Rangachariar maintained his position and felt that Mr. Vijiaraghavachariar had only confirmed their view that magistrates had better judgment than policemen and soldiers.

Sir Alexander MUDDIMAN said the Commander-in-Chief had given the most cogent arguments that while it was a Magistrate who called in military assistance, the moment a military officer came the manner and degree of use of military force must be determined by the military officer alone. He assured Mr. Jinnah that if the House placed sufficient funds at his disposal he would place competent magistrates everywhere. As it was, in a sub-division where he was employed in his early days there were 900,000 people under his charge. He often used to be absent from his headquarters on tour far away and if any contingency arose in his absence, did they think that the honorary magistrate could take a proper decision?

The motion for second reading was carried by 56 votes to 47.

The House then discussed in detail the clauses of the Bill. Sir Sivaswamy Aiyer moved that sub-clause 4 should specifically provide that notwithstanding anything contained in Section 132 of the Cr. P. C. an officer could be prosecuted by any injured person, or his relative, without the sanction of the Government. The House accepted the amendment by a majority of 58 to 45.

Mr. Rangachariar then moved that the Bill be passed. The Home Member opposed it. The House however passed the Bill without a division and adjourned.

Protection for Paper

At the meeting of the Legislative Assembly on the 10TH SEPTEMBER Sir Charles INNES moved: "This Assembly recommends to the Governor-General-in-Council that assistance be given to the bamboo paper and paper pulp industry in India by the imposition, until the 31st March 1932, of a specific protective duty at the rate of one anna per pound on all printing papers (other than chrome, marble, flint, poster, and stereo) which contain less than 65 per cent. of mechanical wood pulp and on all writing papers"

Sir Charles gave the assurance that he did not want to hurry the House into accepting his proposal, but the Government felt that their proposals having been disclosed they must be put into effect, as soon as possible, to prevent a heavy import of paper before protection came into effect. He had moved his resolution first because he wanted the House to discuss the subject fully, which would not have been possible if he had brought forward his Bill only. He explained, briefly, the position of the industry and said Sir George Rainey and his colleagues perhaps thought discretion the better part of valour, and, by excluding newsprint, prevented the Press from being up against their proposals (Laughter.) But a more serious reason for excluding newsprint and other paper was that without very high protective duties cheap paper could not be excluded. The Tariff Board found that all mills manufacturing paper from sabai grass, except one at Saharanpur, had failed to prove that grass paper would be able to do without protection. Also, grass paper, though excellent for writing purposes, was not so good for printing purposes, and could meet only limited consumers. The demand for sabai grass paper did not fulfill the conditions laid down by the Fiscal Commission. Bamboo pulp paper, on the other hand, held out a prospect not only of doing away with protection and of cheap production of paper, but would meet a large demand. At present there was only one mill manufacturing from bamboo pulp, while another was to be soon started at Rajamundry. The Tariff Board suggested a specific protective duty of one anna per pound, which the Government had accepted, and he emphasised that this protection would be for specified paper in India, whether manufactured from grass or from bamboo.

But where the Board went further, said Sir Charles, was that it wanted the possibilities of cheap production of paper from bamboo to be fully explored. For this purpose it recommended that the Indian Paper Pulp Company be given either a loan of

Rs. 10 lakhs or be guaranteed a debenture to that extent to enable it to instal another machine to test the sulphite process. Similar help was to be given to the mill projected at Rajamundry to test the soda process. It was here that the Government differed from the Tariff Board.

In the case of the Indian Paper Pulp Company, said the Commerce Member, their reasons were, firstly, that this Company was not a joint stock company, but was privately owned by three or four share-holders. Its process was monopolist and by helping it the Government would be helping monopolist manufacture. Then, again, it was felt that by advancing money the Government would be placing this particular company in an advantageous position in competition with other Indian companies in the market and that such an action would be extraordinarily difficult for the Government to justify. It would be unfair. At the same time, supposing another company was floated and was anxious to try the sulphite process, it might also look to the Government to assist it in installing machines. The Government's position in such circumstances would be very difficult. The same difficulty arose with regard to the mill at Rajamundry.

The Government of India's position was very difficult, but the same was not the case with the Provincial Governments. A Provincial Government could legitimately, under the aid to Industries Act, help any industry within its territory, but for the Government of India, who had to take the part of India as a whole, to make this invidious distinction and place certain companies unfairly in a better position compared with their competitors, would have been extraordinarily difficult.

The Government of India, therefore, said Sir Charles considered an alternative and they decided that the proposed protection be granted for seven years instead of five. This, they felt, would give the two companies an advantage equivalent to the assistance proposed by the Tariff Board, and that these should be able to raise money for the purpose.

The Commerce Member admitted that the Tariff Board's proposal about a subsidy was logical, but the Government of India had to take a broader and different view of its obligations. He hoped the House would accept his resolution and enable the industry to survive. He assured them that if the conditions later on changed he would come again to the House with his proposal.

Sir Willoughby CAREY, of the Titaghar Mills, speaking on behalf of the industry, said there were at present eight mills in India which had shut down owing to the rise in exchange and chiefly because of foreign competition. The competition from Scandinavia and Germany before the War made all Indian companies lose, but during the War this was made up. After the War foreign competition had again come in and, helped by depreciated exchanges, was again underselling the Indian paper mills. He was indebted, both to the Government of India and to the Tariff Board for their proposals for protection, and, although these did not give what the industry wanted, they would accept half a loaf rather than starve, and he appealed to the House to lose no time in passing the Government's proposals on that day. He felt that the Burma Government had not given them a proper opportunity to go and establish mills there. As regards the soda process Sir Willoughby said this had already been tried by this firm, but had not proved on a large scale the success which the Tariff Board anticipated it would prove to be.

Continuing, Sir Willoughby Carey emphasised that the Tariff Board had not provided against exchange fluctuations. He hoped the Government would make a six-monthly adjustment in duty on the basis of exchange fluctuation with a view to maintaining protection at the level now proposed to be granted. He feared that the proposal might retard the growth of the paper industry from wood pulp, which was quite in abundance in India.

Mr. KELKAR moved his amendment that grass should also be specifically mentioned in the resolution giving protection to bamboo pulp. Grass and bamboo were two rival raw materials of equal value for the paper-making industry and there was no reason to ignore them. The amendment, however, was rejected by 49 votes to 40.

Mr. Rama IYENGAR moved that the Tariff Board's recommendation be accepted entirely, namely, the grant of protection for five years and assistance to the two companies to the extent of Rs. 20 lakhs under conditions imposed by the Government. Mr. Iyengar held that the Board had proposed protection because they considered that by advancing or guaranteeing Rs. 20 lakhs the Government should be able to establish the potentialities of bamboo pulp, both from the sulphite and the soda processes. This amendment too was rejected.

Mr. Naoroji DUMASIA moved that super calender paper, imported in reels, should be excluded from the protective duty as this kind of paper was not produced in India at all. Mr. B. Das and Mr. Cocke supported his amendment.

Sir Charles INNES said the Government's difficulty was that the Tariff Board considered the matter fully and did not exempt super calendar paper. He did not want any paper to be hit, but his difficulty was the Tariff Board's conclusions He left the House to decide the matter.

The House accepted Mr. Damasia's proposal.

Mr. Rangaswami IYENGAR moved the addition of the following rider: "This Assembly further recommends that the recommendations of the Tariff Board for the grant of a loan or subsidies to firms with a view to fully explore possibilities of the manufacture of paper from bamboo by sulphite, or soda, or other process should be accepted in principle and that further investigations be made in accordance with the recommendations of the Tariff Board as to the most effective manner in which assistance may be given to all companies or firms that are prepared to explore the possibilities on a commercial scale."

Sir Basil BLACKETT said the Assembly had already rejected Mr. Rama Iyengar's proposition which raised the same issue. He gave the assurance that the observations in the statement of objects and reasons did not pronounce a decision on the general policy of a subsidy and loan but had only rejected the grant of assistance in the manner proposed by the Tariff Board, nor was the observation in the statement of objects and reasons any censure on the policy followed by Ministers in the Transferred field. The Government had not at all considered the broad issue of subsidies and the House should not, without fully considering this issue, commit itself to any particular policy.

Mr. Rangaswami Iyengar's amendment was rejected by 52 votes to 36. The debate had not concluded when the House adjourned.

At the next sitting of the Assembly on the 14TH SEPTEMBER Mr. JOSHI moved that the protection, as proposed, be granted provided—(1) That the company receiving assistance shall produce a certificate from any officer appointed by the Government of India for that purpose that the labour conditions prevailing in the works of the company are satisfactory; (2) that the Government of India are given such representation on the board of directors of every company receiving the assistance as the Government of India may consider adequate; (3) that the company receiving the assistance shall undertake to pay an amount to the Government of India out of the balance which may remain of the profits after the distribution of 8 per cent. dividend to the shareholders of the company, equal to the amount which the company may have received through the rise in prices of paper due to the imposition of the protective duty.

Mr. Joshi laid stress on the fact that he was actuated by a desire to safeguard the interests of the taxpayer and the interests of labourers.

Sir Charles INNES, while admiring the pertinacity and sincerity of Mr. Joshi, opposed the amendment as laying down conditions which could not in practice be worked. By appointing officers they would be merely appointing spies, whose presence would disturb the relations between employers and employed.

Mr. Devaki Prasad SINHA thought there was nothing revolutionary in the amendment, which only attempted to concede to the tax-payers what was due to them.

The amendment was lost by 58 votes to 37. The resolution was carried.

Sir Charles INNES then moved for leave to introduce the Bill providing for the fostering and development of the bamboo paper industry in British India. In the statement of objects and reasons it was stated that the Government accepted the Tariff Board's proposal to impose a protective duty of one anna per pound on printing paper and writing paper as specified in the schedule. The Government, however, considered that as the grant of loans or subsidies in the manner suggested by the Board was open to grave objections, the period for which protection should be granted should be seven years instead of five years, as proposed. Sir Charles Innes did not make a speech in introducing the Bill.

Mr. CHAMAN LAL opposed the introduction of the Bill. He said that the Tariff Board in their report had laid down that these paper mills did not fulfil the conditions laid down by the Fiscal Commission. The industry was not an infant one and, moreover most of the mills were European-owned.

Despite opposition, the Bill was then introduced. In asking the Assembly to take the Bill into consideration, Sir Charles INNES said it was nothing but a corollary to the resolution passed a few minutes before.

Mr. CHAMAN LAL opposed consideration of the Bill. The paper industry, he said, had made tremendous profits during the War. The trouble in the industry was due to mismanagement and bad technical knowledge. Most of the mills were either European or European-managed.

Sir Charles INNES, in moving that the Bill be passed, referred to Mr. Dumasia's amendment that the protective duty be not imposed on super calendered paper imported in reels and said that this matter would be considered by the Government in consultation with the Advisory Committee attached to the Department of Commerce, and if it was found that protection should not be given to it, then the Government would bring forward an amendment during the next session. If the decision was for a protective duty then they would report to the Assembly. He made this announcement after consulting the members opposite, especially because he had received telegrams from Allahabad and Madras saying that if this amendment for exclusion from the protective duty was made to super-calendered paper it would place some papers in an unfair position in their competition with the "Times of India Illustrated Weekly."

Mr. M. K. ACHARYA regretted that the Government had accepted the suggesttion that they should give financial help to such industries as required it. It was a pity that none of the Rs. 21 lakhs that the Government would get by protective duties by practically taxing education would be used to give financial assistance to any struggling company.

Sir Hari Singh GOUR contended that the industry as a whole should get protection and not merely the bamboo paper industry.

Sir Basil BLACKETT maintained that the Bill was framed in accordnance with the Tariff Board's recommendations It did not commit the Government to give protection to the paper industry in general, but only to the bamboo paper industry. The Government would not be justified in making a grant, or a loan, or a subsidy to any particular paper mill. The Rs. 21 lakhs which Mr. Acharya expected would come to the Government revenue might be used in relieving provincial contributions, and to that extent there might be a stimulus given to education. **The Bill was then passed.**

Criminal Procedure Code.

Sir Alexander MUDDIMAN then moved that the Bill further to amend the Code of Criminal Procedure, 1923, be taken into consideration. The Home Member said that since the passing of the Criminal Procedure Code Amendment Act certain difficulties had been brought to light by the Local Governments and judicial authorities. The provisions of the Bill were to remedy those defects, which were all of a minor character and there was no substance in them. The House was well aware what Section 109 was. Prior to the amendment of 1923 the effect of section 109 of the Code was that courts had discretion to award either simple or rigorous imprisonment in case of proceedings being taken against anyone. The effect of the amendment of 1923 was to take away that discretion and award only simple imprisonment. The present Bill attempted to restore it. The speaker said several Local Governments had represented that most of the persons against whom proceedings were taken under Section 109 were men for whom simple imprisonment was quite unsuitable. Concluding, Sir Alexander wished that either the House would pass the Bill as proposed, or would reject it.

The House rejected the amendment of Mr. Amarnath DUTT, that the Bill be referred to a Select Committee which the Home Member had opposed.

Mr. RANGACHARIAR objected to Clause 2 by which the Govt. wanted to restore the powers to send to rigorous imprisonment persons who were unable to find security because of possessing no ostensible means of livelihood. It was improper that any civilised government should rigorously confine persons simply because they had no ostensible means of livelihood. Only two years ago this Assembly removed the discretion from the magistrates to send persons to rigorous imprisonment and no necessity had been shown for the restoration of the discretion.

Sir Hari Singh Gour supported Mr. Rangachariar in opposing the clause. Mr. Tonkinson pointed out that the power to send a person to rigorous imprisonment would be used only at the discretion of the Magistrate and not necessarily at all times. Sir Henry Stanyon supported the Bill. Mr. Venkatapati Raju and Mr. Belvi opposed the removal of the discretion.

Sir Alexander MUDDIMAN asked whether the Assembly was going to turn down every measure intended to support law and order. If so, let it say so. The change in the law removing discretion was made without consulting Local Governments, and now not only all Local Governments but jail officers and executive officers were unanimous that discretion must be restored. If the Assembly was not going to give discretion to the Magistrates then it was far better to remove Section 109 itself from the Code. There was no political flavour about the proposed change. It was moved solely with a desire to defend the hearths and homes of the people. Let the Assembly consider this point carefully.

Clause 2 of the Bill was then pressed and lost by 52 votes to 51. Sir Alexander Muddiman did not move for the passage of the Bill as amended.

The Assemby next considered and passed the Bill further to amend the INDIAN LIMITATION ACT, as reported by the Select Committee, and the Bill to amend the law relating to TESTAMENTARY SUCCESSION as passed by the Council of State.

Bounty for Steel Industry.

On the 15TH SEPTEMBER, the Assembly re-assembling, Sir Charles INNES moved his resolution asking the House to agree to the grant of a maximum of Rs. 60 lakhs bounty to the steel industry up to the 31st March, 1927, of which Rs. 18½ lakhs are to be paid up to the 31st March, 1926. His resolution, he said, proposed further assistance till March, 1927, when the Steel Protection Act expired and after which the whole question would be reconsidered. Sir Charles confesssed that the recommendations of the Tariff Board came to the Government with a shock. Of course, the Tariff Board was logical in its views, but it did not take into account several considerations which the Government must take. He recalled that when the Government granted a bounty of Rs. 50 lakhs the Government were more generous than the proposal of the Tariff Board. He claimed that they had succeeded in extricating the industry from a serious position, and the Chairman of the Tata Iron and Steel Company had admitted it.

There was a considerable increase in consumption and large stocks of the Company had been cleared up. The policy of Protection had proved effective and as it continued to become effective there was bound to be a fall in the receipts under Customs. He assured the House that a modification of the Board's proposal did not in the least mean that the Government had weakened in its policy of protecting the steel industry.

Sir Charles reminded the House that the bounties were a very much more generous form of assistance than an increase in duties. His reasons for modification of the Board's proposals were, firstly, that the Board's estimate of receipts was only an estimate, and that in any case a margin of Rs. 24 lakhs was too small, considering other commitments, as they could not be too generous to one firm at the expense of other legitimate claimants upon them. But the most important reason was one which the Tariff Board could not take into account, namely, that bounties were rather a demoralising form

of assistance and made a firm rely too much upon the Government and too little upon its own efforts. He admitted he was treading delicate ground, but he recalled that he made an appeal to the Tata Company in May, 1924, and repeated it last January in asking the Company to co-operate with the Government and the Legislature. He hoped the Chairman of the Tata Company would bear him out when he said there had been hitherto no response to that appeal, and it was this feature which worried the speaker most.

The House must remember that two-thirds of the capital of this Company was in the form of second preference shares, the interest on which was cumulative. For the past three years about Rs. 50 lakhs of interest had been accumulated, and there was a load of debt amounting to over Rs. 1½ crores. The House must send a message to the Tata Iron and Steel Company that it expected the Company to take the matter in hand and fully co-operate in putting the industry on a sound and healthy basis. They had placed a heavy burden upon the country. The Tariff Board estimated that burden at about Rs. 1½ crores. In addition to that they had paid to this one Company Rs. 2,03 lakhs during the life of the Act. He thought they had been very generous to the Company. His proposal was to last the life of the Steel Protection Act.

Sir Purushotamdas THAKURDAS challenged the Government openly to state its view, and suggested that the whole matter of the company's affairs be referred to a committee of the House.

Sir Basil BLACKETT said the Government and the House were anxious that the Indian steel industry should be built up. They were prepared to allow a reasonable return on capital actually engaged in the production of steel, but the tax-payer could not be expected to pay for interest on second preference shares which had accumulated.

Sir Charles Innes's resolution was carried.

Railway Account and Audit

There was a heated discussion over Mr. Sim's proposal to separate audit from accounts on the East Indian Railway as an experimental measure. Mr. SIM said his proposal was sequel to the separation of railway accounts. It would make the spending authorities responsible for the accounts, and they would have an independent audit which they never had before.

Mr. KELKAR'S motion for the adjournment of the discussion to the Delhi session was supported by Mr. Neogy and Mr. Rangaswami Iyengar, but was rejected by 59 votes to 38 and Mr. Sim's resolution was finally passed by 67 votes to 14, after the acceptance of amendments specifically bringing the accounts staff under the control of the Financial Commissioner, and providing that difference of opinions between the accounts officer and the Agent be reported to the Standing Finance Committee on Railways.

All supplementary demands were granted except the one moved by Sir Basil Blackett under Stamps, which was rejected last March and was again rejected on this day, the majority being of opinion that it should be charged to capital and not to revenue. The Oudh Courts Supplementary Bill was also passed.

Disqualification of Electors.

On the 16TH SEPTEMBER the Assembly discussed two non-official resolutions and carried them both in the face of Government opposition. The

first resolution was moved by Pandit Shamlal NEHRU and was carried by a majority of one vote after the acceptance of an amendment by Mr. Rangaswami Iyengar. The resolution in its amended form urged the removal of all restrictions against persons who had undergone imprisonment for criminal offences from standing as candidates for election to the Legislatures. Pandit Shamlal said that if the Government really wanted co-operation, it should remove the bar. Mr. Rangaswami Iyengar urged the removal of the restrictions which at present fettered the right of constituencies to elect their representatives. He wanted India to have the same practice as England.

Prince Akram Hussain, Colonel Crawford and several other members opposed the resolution, while several speakers supported the motion.

The Home Member said he was perfectly ready to see all those who were anxious to co-operate by constitutional methods come into the Legislature. Most countries had disqualifying provisions, indeed the conviction of a person for breaking the law was prima facie evidence that he was not a desirable person, but he admitted that there were special conditions existing at present, and assured the House that the Government, by altering the rules raising the limit to one year, and allowing the Local Governments to use their discretion, had done all it reasonably could to meet the wishes of the House. He, personally, would have preferred some automatic provision rather than the discretionary powers of Local Governments, but it was impossible to do that and to define the offences involving moral turpitude.

Suspension of Cotton Excise duty.

The second resolution discussed was moved by Sir Purshotamdas THAKURDAS who suggested suspending the collection of the Cotton Excise Duty for the rest of the financial year. He said the fact that prevention was better than cure, that the condition of the industry was very critical and that over 30,000 millhands were now out of employment, should make the Govt. realise the gravity of the situation and assist the industry. If assistance was not given, it would only prove that the only way they could obtain relief was from a national government. As regarded the financial aspect of the question, he believed that the Government had more than adequately strengthened their finances, but the will to use them to abolish the excise duty was wanting.

Sir Basil BLACKET, on behalf of the Government, explained the attitude of the Government and advised the Assembly to have the debate adjourned. Suspension of the duty, he said, was equivalent to abolition of the duty. It would be difficult to re-impose the duty in April if it was suspended now. It was not practical politics. There was a large staff employed at a cost of Rs. 70,000 to Rs. 80,000 on collection of the duty. What were they to do when the duty was suspended? If the duty were suspended it would mean a loss of Rs 80 to Rs. 90 lakhs and the millowners, when once the duty was suspended, would produce so much and stop producing after April. Thereby there would be a loss of Rs. 50 lakhs in the Budget for next year. The Government could not find money in the present year's Budget to suspend the collection of the duty in the middle of the financial year. Moreover, if there was a surplus there might be demands for remission of Provincial Contributions and such other demands. Neither the Government nor the Assembly could conceivably, however serious their financial situation might be, short of a real calamity, re-impose this duty next April if it was suspended now. If the Assembly wanted a subsidy for the cotton mill industry then let it say so, but not bring in this indirect and round-about manner a motion

for the virtual abolition of the cotton excise duty. If the Assembly passed the resolution the Government would treat it as a strongly expressed desire of the House for consideration of the question of the abolition of the duty if financial considerations permitted at the time of the next Budget.

Mr. Kasturbhai LALBHAI, supporting the resolution, said the time had passed when lip sympathy could alleviate the situation. Unless something was done now a grave situation would arise which would be beyond remedy. As to the question of referring the matter to the Tariff Board, he said the matter was fully considered by the Fiscal Commission. Suggestions like these were intended to postpone help.

Sir Charles INNES pointed out that the analogy of protection given to the steel industry did not apply because it was only for one firm, whereas the cotton mill industry contained no less than 150 mills all over India. He doubted very much if the suspension of the cotton excise duty would touch the fringe of the real problem facing the cotton mills. It was not practical politics to re-impose the duty in April when once it was suspended. The Commerce Member asked why the millowners shirked an enquiry of the whole position by the Tariff Board. He suspected the millowners had not a strong case to make out.

Sir PURSHOTAMDAS replied that he wanted not a favour but justice and their birthright on behalf of the textile industry of India. When the millowners were not anxious for an enquiry why were the Government anxious for an enquiry? The attitude of the Government of India clearly showed that the textile industry could not expect relief. It was no use appealing to Madras and the Punjab benches and hinting that if the duty was suspended there would be no remission in Provincial Contributions. But he assured the Finance Member that next March the Assembly would extract from the Finance Member abolition of the cotton excise duty.

Sir Basil Blackett said he had referred to an enquiry by the Tariff Board because it was the Millowners' Association which had suggested the imposition of a higher import duty on yarn and cloth below 30 counts on grounds of protection,

Sir Purshotamdas Thakurdas's resolution was put and carried by 57 votes to 32.

On the 17TH SEPTEMBER, the last day of the session, the Assembly, though faced with an official agenda of considerable length, was not in a mood to discuss controversial issues. Accordingly, the discussion of the Home Member's resolution regarding the Standing Committees on Hindu and Mahomedan law, as recommended by the Muddiman Committee, and the consideration of the Trade Union Bill, as amended by the Select Committee, were adjourned to the Delhi session.

Sir Bhupendranath Mitra and Mr. Chartres opposed the adjournment motion as they considered it to be of a dilatory character.

Mr. Joshi, Mr. D. P. Sinha and Mr. Chaman Lal considered the time too short and the attendance too small too consider such an important question.

The House passed the Home Member's resolution accepting the Muddiman Committee's recommendation in respect of female franchise, and also accepted the Commerce Member's resolution proposing an amendment of the Steel Protection Act so as to empower the Government to pay by way of bounties on wagons a sum not exceeding Rs. 21 lakhs during the three

financial years commencing the 1st April, 1924, instead of a sum not exceeding Rs. 7 lakhs in each of these financial years.

Trade Taxation Bill.

Sir Basil Blackett next introduced the Trading Taxation Bill. One of the resolutions of the Imperial Economic Conference, 1923, was to the effect that the several Parliaments of Great Britain, the Dominions, and India should be invited to enact at the earliest opportunity a declaration that the general and particular provisions of its Acts or Ordinances imposing taxation shall be deemed to apply to any commercial or industrial enterprise carried on by or on behalf of any other such Governments, in the same manner in all respects as if it were carried on by or on behalf of a subject of the British Crown. This resolution has been accepted by the Government of India, and the present Bill has been drawn up in order to give effect to it. The Bill follows, with suitable modifications, the wording of Section 25 of the British Finance Act, 1925.

The House disposed of formal business by agreeing to amendments made by the Council of State in the Age of Consent Bill and the Coal Grading Bill, and also passed the following Bill as passed by the Council of State:—Criminal Tribes Bill, Cotton Transport Bill, Madras, Bengal and Bombay Children's Act Supplementary Bill; Ports Bill, and the Repealing Bill.

Sir B. N. Mitra introduced a Bill amending the Factories Act to carry out administrative improvements. The House agreed to circulate the Bill.

The Finance Member moved for the grant of Rs. 17 lakhs for capital outlay on the Security Printing Press now charged to capital according to the Assembly's wishes. He made it clear that charging to capital this particular expenditure should in no way be taken to infringe the right of the Government to follow the policy which had so far been in practice. The House accepted the motion.

The Assembly adjourned sine die.

The Council of State

DELHI—22ND JANUARY 1925

The Council of State held the first sitting of the winter session on the 22nd January at Metcalfe House, Delhi. There was a fairly large attendance of members. Sir Henry Moncrieff-Smith, the new President, occupied the chair.

Sir Narasimha SARMA, leader of the House, accorded a cordial welcome to Sir Henry Moncrieff-Smith with whom he had been associated for a number of years, both as a non-official and as an official. A series of speeches followed from all sections of the House endorsing the Law Member's observations.

Mr. SETHNA then moved a resolution expressing "profound sorrow at the sad and premature death of Mr. Montagu, who as Under-Secretary and later as Secretary of State had rendered very valuable and distinguished service to India.

Mr. SETHNA next moved that the Government of India should urge upon the British Government that effect be given to the recommendation of the Lytton Committee that the existing bar upon the admission of Indian students to the University Officers' Training Corps (in England) should be removed. Lord Rawlinson, on behalf of the Government, accepted the resolution which was carried.

The Provident Fund Bill

On the 27TH JANUARY an interesting discussion took place on a formal motion moved by Mr. CRERAR (Home Secretary) asking for the concurrence of the Council to the alterations made by the Legislative Assembly in September last in the Bill passed by the Council of State relating to the Government and other Provident Funds.

When the Bill was passed in the Council in September last there was a provision which enabled the employer to deduct from the amount payable to the employee certain sums of money. It was laid down that in the case of contributory provident funds, that is, in cases of funds in which both the employer and the employee contributed, the employer "can deduct (a) any amount due under a liability incurred by him (employer) but not exceeding the total amount of the employer's contributions credited to the account of the employee and of any interest or increment which has accrued on such contributions, and (b) where the employee has been dismissed from employment, or where he resigns service within five years of employment, the whole or any part of the amount of any such contributions (paid by employer), interest or increment"

When the Bill went down to the Legislative Assembly the non-officials deleted the second clause, that is, the clause which enables the employer to forfeit the provident fund contribution of the employer in the case of dismissal or resignation of the employee before five years' service. The main objection advanced by non-officials in the Assembly against this provision was that it would be unjust on the part of an employer to give the employee a double punishment, not only of dismissal (sometimes without sufficient reasons) but also of forfeiture of the amount earned for work. It was further pointed out by non-officials in the Assembly that labourers were sometimes dismissed because of their joining labour unions. The Assembly, for these reasons, deleted the second clause.

Mr. CHADWICK (Secretary in Department of Commerce and Railways), in a spirited speech, urged the restoration of this clause, without which, he said, a good Bill would become a bad law. Contributory provident funds were largely started by railway administrations in the interests of their employees but for obscure reasons the Assembly rejected the sound provision in the original Bill. Employees were dismissed only after a good case had been found against them. No one, he contended, was dismissed arbitrarily by a railway administration and if any one was dismissed arbitrarily the remedy must be found, not through a Bill of this description, but by other means. Last year eight railways disbursed Rs. 82 and one-fourth lakhs to their employees and only Rs. 25,000 was withheld on account of dismissal and misconduct, like theft and interference with women passengers.

The Council adopted Mr. Chadwick's amendment amid a few dissentient voices and thereby restored the provision in the original Bill.

Encouragement of Indian Art

On the 28TH JANUARY the Council of State discussed Mr. Haroon Jaffer's resolution asking for the immediate appointment of a committee to formulate a scheme of scholarships and prizes for Indian art students engaged in painting, sculpture, architecture and artistic crafts. The mover said his resolution was really nothing but a translation into practical form of suggestions made by Sir George Lloyd who did so much for Indian Art in connection with the Bombay School of Art. Sir George Lloyd has suggested that the Central Government should establish a "Prize of Delhi" and that students qualifying in sculpture and painting, and perhaps in architecture and artistic crafts, as winner of the Prize should be admitted to a central institution, a kind of Villa Medici, there to reap the fullest advantages of a period of three or four years' painting and modelling.

Mr. SETHNA moved an amendment as an addition to the resolution, suggesting that a central institution be opened where scholarship-holders and prize-men may continue their work for a period of three or four years.

Mr. A. B. LEY (Industries Department Secretary) said that the attitude of the Government was one of extreme sympathy with the proposals but the Government could not accept the resolution as it stood. The amendment completely altered the aspect of the original resolution and the Government could not commit itself one way or the other on this question with such short notice.

After further discussion the resolution and the amendment were boiled down to the proposition that the Government should consider the advisability of formulating a scheme of scholarships and prizes for Indian art students engaged in painting, sculpture, architecture and artistic crafts and to establish a central institution where scholarship-holders and prizemen may continue their work for a period of three or four years. This proposition was accepted by the Government and carried unanimously.

Prper Currency Act Ammendment.

On the 5TH FEBRUARY the Council of State, passed without amendment two Bills which came up from the Legislative Assembly. The first was the Bill to amend the Paper Currency Act, 1923, in order to raise the permissible limit of investment in the Currency Reserve from Rs. 85 crores to Rs. 100 crores, so that additional currency might be provided with a view to prevent excessive momentary stringency during any busy trade season. Mr. McWATTERS (Finance Secretary), who moved for consideration of the Bill, traversed mainly the arguments that had been advanced by Sir Basil Blackett in the Assembly. He emphasised that the Bill was beneficial, necessary and a safe measure, intended to deal with the increase in trade that was expected as a result of four consecutive good monsoons. He added that he recognised that ideas of currency reform were in the air, but the fundamental questions of this reform could not be rushed, and, as His Excellency the Viceroy pointed out in his opening speech. If world conditions continued to improve as they had been improving for some time past then the time was not far distant when an authoritative committee would be appointed to recommended the lines of currency reform. The Bill was taken into consideration and passed.

Workmen's Breach of Contract.

On the motion of Mr. CRERAR, the Council took into consideration the Bill to repeal certain enactments whereby breaches of contract by labourers are punishable under the Criminal Law. Mr. Crerar emphasised that the Bill was brought forward in fulfilment of the pledge given by the Government to the Assembly on two motions and with the approval of the Secretary of State. This Bill too was taken into consideration and passed.

Natal Boroughs Ordinance.

On the 11TH FEBRUARY the Council of State re-assembled to dispose of two non-official resolutions. The first resolution was in the name of Mr. SETHNA urging the expediency of taking steps to secure the annulment of the Natal Boroughs Ordinance to which assent had been given by the Governor-General of South Africa. Mr. Sethna did not move the resolution and in withdrawing it he more or less repeated the explanation given by Sir Devaprasad Sarbadhikari a few days ago. Mr. Sethna, who was himself a member of the deputation to the Viceroy said he returned quite convinced that the Government of India were in right earnest and he felt confident that the Viceroy and his Government would leave no stone unturned till they brought about an honourable settlement of this vexed question.

Military Training for Indians.

Raja Sir Rampal SINGH then moved his resolution recommending to the Government (a) to raise the strength of the University Training Corps so as to meet the demands of the Universities of the different Provinces for giving military training to such of their students as are physically fit, and, (b) to extend to members of the University Training Corps the same privileges as are being enjoyed by members of the Auxiliary Force.

In moving his resolution Raja Sir Rampal Singh said the various enactments passed from time to time for the formation of volunteer corps did not debar Indians from admission into those corps but in practice only very few Indians got admission. This uncalled for obstruction by executive orders on racial considerations was strongly felt by Indians. There were no avenues for Indians of education, status and position to get military training of any kind. Only enrolment in the cavalry and infantry branches of the service and non-commissioned and commissioned ranks of the second order were open to a certain class and that too on inadequate pay and with no status. The Esher Committee had laid stress on the importance of encouraging University Corps and even the Provincial Governments were not averse to their development. The Universities had become conscious of their duties towards their students as regards military training. In the United Provinces the Allahabad, Benares and Aligarh Universities had expressed their readiness to introduce compulsory training. It would be unstatesmanlike on the part of the Government not to encourage and foster the very legitimate aspirations of young educated Indians for the defence of their country. The Government was pledged to carry out a scheme of second line defence and there should be no half-heartedness in carrying it out. It was an admitted fact that the University Training Corps did not enjoy the same privileges, rights and concessions as did the Auxiliary Force. He therefore appealed to the Government to accept his recommendations.

His Excellency Lord RAWLINSON said he found himself in agreement with some of the remarks of Raja Sir Rampal Singh. All the points which he had raised formed some of the subjects gone into by the Auxiliary and Territorial Force Committee, presided over by Sir John Shea, and a prominent member of which was Sir Sivaswamy Aiyer. This Committee had signed an unanimous report about a fortnight ago which would be published on the 24th February. Concluding, he said ; " I cannot tell you what the report contains and what the Government is going to do. I should like to accept the resolution but I cannot do it now. I am reluctant at the same time to oppose it, knowing as I do that the desires of Raja Sir Rampal Singh and his supporters are met to a very large extent by the proposals of the Committee. I therefore would appeal to you to have the discussion postponed till after the report is published.

Eventuall the discussion was postponed till a fortnight after publication of the Report.

On the 16TH FEBRUARY Mr. YAMIN KHAN moved for leave to introduce a Bill to amend the Interest Act, in order to provide that no creditor, whether of a secured or unsecured load, shat be entitled to recover by suit interest exceeding the principal amount originally lent or due at the date of suit, whichever is less, and that this provision shall not apply to usufractuary mortgages.

Mr. Crerar, Home Secretary opposed the introduction of the Bill.

The motion for leave to introduce the Bill was lost, 21 voting against it and 16 for it.

Ganges Water Enquiry

Sir Devaprasad SARBADHIKARI moved for the appointment of a Committee of members of both the Council of State and the Assembly and of officials to examine and report on the question of the supply of Ganges water at and below Narora and to advise as to the necessary quantity of unobstructed water that should be allowed to escape at Narora in order to meet fully the requirements of the situation created by the pilgrim traffic. Sir Devaprasad detailed the various stages of the controversy and emphasised the importance of an early solution from the Hindu point of view. The importance of this question was admitted by Lord Hardinge and reiterated by Lord Meston while he was Lieutenant-Governor of the United Provinces. The subject was in the hands of the Government of India as the Ganges passed through three Provinces.

Mr. LEY, Industries Secretary, opposed the resolution. He pointed out that the United Provinces Government had fully considered the genuine grievances of the Hindu community and appointed a committee, which reported that a certain greater percentage of water should be allowed for the use of pilgrims. A large portion of the cultivating population and some public bodies resident near Narora protested against this decision, which to them meant loss of Rs. 12 lakhs, but the United Provinces Government despite the loss, agreed to the conclusions of the committee in order to satisfy Hindu

feeling. The Government of India did not propose to interfere with that decision because they were in complete agreement with it.

The resolution was put and declared carried, the Government not claiming a division.

Soldiers' Litigation Bill

On the 17TH FEBRUARY, Mr. CRERAR moved the consideration of the Indian Soldiers' Litigation Bill as passed by the Legislative Assembly a few days ago. After explaining the changes accepted by the Assembly in the Soldiers' Litigation Act the Home Secretary pointed out that the general purpose was to remove defects and doubts contained in the measure and to bring it into comformity with the Limitation Act.

The Council without discussion agreed changes. This acceptance will now be intimated to the Assembly, and the Bill will be taken as passed because the Bill was originally passed in this Council and sent down to the Assembly, where a select committee was appointed which recommended the changes. now approved by both the Houses.

On the motion of Mr. CHADWICK (Commerce Secretary) the Council agreed to the introduction of the Bill to amend the Ports Act of 1908 regulating the bunkering of vessels with liquid fuel within port limits.

Khan Bahadur Ebrahim Haroon JAFFER then moved a resolution recommending full investigation at an early date into the mineral resources of Chota Nagpur and urging the advisability of establishing in that district a school or institute of mining.

Mr. LEY (Industries Secretary) assured the Council that the Director of Geological Survey had in his mind the completion of survey in Chota Nagpur district. There was therefore no special investigation necessary at this stage.

In view of Mr. Ley's speech Mr. Karandikar suggested an amendment to the resolution, which was supported by Sir Maneckjee Dadabhoy that the first portion of the resolution relating to investigation be dropped. The second portion about establishing a school was carried unanimously.

On the 23RD FEBRUARY Khan Bahadur Ebrahim Haroon JAFFER moved that the Provincial Governments be asked to investigate the best means of dealing quickly and adequately with mental defectives, particularly of a minor and curable kind.

Sir Devaprasad Sarbadhikari and Sir Maneckjee Dadabhoy gave wholehearted support to the resolution.

Mr. Crerar, on behalf of the Government of India, undertook to communicate to Local Governments, the proceedings on this resolution, with a strong note of sympathy.

Khan Bahadur Ebrahim Haroon Jaffer thanked members for their support of the resolution, and, in view of the Government's assurance and undertaking to circulate the report of the debate, he withdrew the resolution.

Criminal Law Amendment Repeal Bill.

Mr. KARANDIKAR then moved for the consideration of the Bill passed by the Assembly in September last at the instance of Sir Hari Singh Gour, repealing Part II of the Criminal Law Amendment Act of 1908. It will be remembered that Part I of this Act was repealed in pursuance of the report of the Repressive Laws Committee. An attempt was made by Lala Girdharilal Agarwala in the first Assembly to get the second part also repealed, but it failed. Sir Hari Singh Gour induced the Assembly to pass this repealing Bill in the last Simla session.

Mr. Karandikar said that under this Act the Government could declare any association unlawful and there was no provision enabling the association to appeal and get justice. The Act was passed in the old Imperial Legislative Council in 1908, when Sir Maneckjee Dadabhoy had urged that the operation of the Act should be for a stated period. Sir Rash Behari Ghose had urged that it was for the Government to show that a certain association was unlawful. After 1911 for some time no instance occurred in which the Act was made applicable. From 1914 to 1918 the Defece of India Act was put into force. Then came the Reforms, which it was thought would be heralded under favourable conditions. The Repressive Laws Committee recommended the repeal of this Act, but while the first part of it was repealed the second was allowed to remain on the statute book. It was a slur on the administration of justice and the Council of State must support the Assembly's action. The Repressive Laws Committee had recommended that it might be possible for the Government to undertake the necessary legislation to repeal this Act during the Delhi session of 1922. Its repeal must be expedited with the change in the political situation. There might be instances here and there requiring the use of this law, but the country as a whole was quiet and should not be stigmatised by the continuance of this enactment.

Sir Alexander MUDDIMAN, who was present to take part in the debate on behalf of Government opposed the motion. Mr. Karandikar, he said, had referred to the early history of this enactment, but he did not mention the fact that the old Assembly in July, 1923, rejected a similar motion of Lala Girdharilal Agarwala. If the Government could not maintain peace by the ordinary law then it must maintain it by special laws. No Government could afford to adopt a policy of drift and allow the situation to grow into proportions that would require the application of martial law. The Act to which Mr. Karandikar objected was meant to be used only against those associations which encouraged acts of violence or intimidation, and whose existence constituted a danger to the public peace. No one could object to such a law. Although a Local Government might in some cases go wrong, the situation in India rendered it necessary to retain a measure of this kind on the statute book. One of the most striking proofs of this was found in the fact that within four days of the Assembly's action in passing Sir Hari Singh Gour's repealing Bill, a situation arose in Burma in connection with a boycott movement necessitating the application of this measure.

Moreover, as the Repressive Laws Committee itself reported, there was definite evidence of certain organisations encouraging acts of violence and intimidation and in 1922 it was found necessary in Delhi to declare certain associations of volunteers unlawful, as they had resorted to violence and intimidation and obstructed the funeral of a citizen. The Committee regretted that they could not at that juncture agree to the repeal of Part II of the Act. It might be argued by some that since then the position had improved, but everyone knew the situation in Bengal and was conversant with the grisly record of crimes in that province, where matters had come to a head. Moreover there was a dangerous revolutionary conspiracy in India and there was a real danger to India from abroad of Bolsheviks spreading seditious literature, poisoning the minds of peaceful, and lawabiding citizens. The situation in Burma and in the Punjab was such that the Government could not possibly agree to the repeal of this Act. If this Act was repealed then these unlawful associations would usurp the powers of the Government and prevent peaceful citizens from pursuing their lawful avocations. At a time when the Government were dealing with such difficult situations they required the support of the Council, but this Bill was against the interests of law and order and the Council of State should reject it.

Mr. KHAPARDE moved the reference of the Bill to Select Committee, with a view to incorporate in the existing law a provision so that the application of that law might be justified before the Standing Advisory Committee after a certain period of time. Such a provision would not only enable the Government to apply the law on all necessary occasions but would not only enable the people to feel sure that it was being rightly applied. This amendment was put and lost.

A number of members approved the motion but Mr. Karandikar said he maintained his attitude because he was convinced that the mistake of 1908 must now be rectified. He would not take the discredit of withdrawing the Bill but would press the motion to a vote, because it was time that their House should declare itself on the question, after the Assembly had passed the Bill.

Sir Alexander MUDDIMAN emphasised that if this Bill was pressed and passed then the Governor-General must veto it. This was not a mere resolution recommending repeal of the law but it was legislation and he hoped the Council would reject the measure as advised by Sir Dinsha Wacha, one who had promoted liberal ideals in this country for a long period.

The motion for consideration of the Bill was put and lost, six voting for and 26 voting against it.

General Discussion of the Budget

On the 24TH FEBRUCRY the Council of State devoted to the general discussion of the Railway budget. Sir Charles Innes was present in the Council to "exercise the right of reply to the debate".

Mr. BELL, Bengal Chamber of Commerce, was the first to initiate the discussion. He welcomed separation of the Railway finance from general finance as of great advantage in that it would enable railways to be run as a commercial proposition. He wanted to know the detailed information on the reduction of four crores in the value of stores which was said to have increased the capital expenditure to that extent. This appeared to be an unusual term and further explanation must be forth-coming for the huge figure.

Mr. Bell approved of the increased expenditure in the coming year on rolling stocks and marshalling yards and quoted the evidence tendered before the Coal Committee in

support of the necessity for extension and remodelling of yards, if the railways were to be run to the convenience of the public. But he regretted that the necessity for remodelling the marshalling yards in Behar and Orissa had not been considered in this connection. At the same time he was glad that the Railway Board had dealt generously with regard to doubling of lines on E. I. Railway and with regard to expansion and improvement of Railway workshops in several parts of India, because no system of transport could be run without great wastage of tonnage, unless it had sufficient well-equipped workshops in which repairs could be economically carried out in the quickest possible time.

Sir Maneckjee DADABHOY took the Government severely to task for not consulting the Council of State on the admittedly historic step involving what Sir Charles Innes had described in the Assembly as an important change in policy.

"I recognise" said Sir Maneckji "the privileges and financial obligations of the Legislative Assembly. If the matter lay exclusively within the jurisdiction of the Assembly, I for one, would never take any objection to it, but it is the duty of everyone to see that the privileges of the Council of State are in no way restricted or affected. Here was an important change of policy involving special contribution from Railways to the general exchequer, but this Council was not even given the principle of that change. I look upon all members and the President to see that the rights and privileges of this supreme legislative body are never curtailed."

Proceeding, he considered the scheme of separation as possessing distinct advantages; but he deprecated the departure of the policy in regard to the terms for construction of branch lines, because it would take away a useful form of public investment in Railway projects and the present construction of smaller lines and created a sense of disappointment among a certain class of public, who had hitherto regarded these branch lines as safe and sound investment.

Proceeding, Sir Maneckji approved of the standardisation of locomotives and the Indianisation scheme. He recognised that Indianisation was slow, but he did not object to it, because efficiency must also be maintained. He appreciated the difficulties of the Government in this matter, and recognised that Anglo-Indians should not be overlooked. But he urged that no obstacle should be placed in the way of efficient Indians being promoted. Concluding, Sir Maneckji said he considered the budget as a whole as one which held out hope for future development and expressed gratitude to Sir Charles Innes and Mr. Hindley for their industry and exertion in this matter.

Mr. Lallubhai SAMALDAS also gave his general approval of the Railway budget, but he joined Sir Maneckji Dadabhai in the protest to the Government for their not having consulted the Council in the matter of separation of Railway Finance. If the Government were going to treat them like this throughout, then some of the present members of this Council would not care to come in through the next election. Let the Government take note of this feeling of this Council and treat this House with greater consideration. He objected to the Government taking from the Railways more than 1 per cent of their profits and quoted the analogy of the guarantors, known as shroffs in the Banking world, because if the Railways were to be run on commercial lines, then there must be something kept in the Reserve for bad or lean years. He approved of the starting of a training school at Chandausi as a right step in the right direction, but complained that the rate of Indianisation was not satisfactory. He asked the Government to consider the fact that the money left after spending on renewals and repairs and replacements from the depreciation fund would earn interest, and therefore the period of writing off the plant should be lessened. Concluding Mr. Lallubhai urged that there must be co-operation between Railways and Hydro-Electric Companies in the matter of electrification of Railways in the suburbs.

Lala RAM SARAN DAS complained that no Indian has been appointed on the Railway Board and asked: Was not Rai Bahadur Ralla Ram, Retired Chief Engineer of Railways, who was considered by the Government as an able man, a fit person on the Railway Board? He bitterly complained of the lack of convenience like waiting sheds and raised platforms for third class passengers and proceeding urged that the system of reservation of compartments for particular communities should be abolished. He welcomed the decision to revert to new constructions on a large scale, but pleaded for strengthening of the Travelling Police as a safeguard against the increase of crime on Railways. He deprecated the feeling on the part of the Government that members of the Legislature should not pry into the details of the Railway administration and said that the Government must welcome all healthy criticism given with the intention of remedying defects. He considered that Indianisation had not been proceeded with on some Railways as expected, and pointed out that on the North-West Railway especially it had been practically

at a standstill. As regards the amount of 26 lakhs meant for giving Lee Commission's concessions to the officers on Company Railways, Mr. Ram Saran Das objected to colour bar being introduced in regard to the emoluments to the services, and wanted to know why the State should pay for the officers of Companys Railways. Concluding he thought that if the new terms for the construction of the branch lines did not work well, then there must be a reconsideration of the question.

Sir Deva Prasad SARVADHIKARI complimented the Railway member and the Chief Commissioner on their admirable work in regard to the separation of Railway finance, but contested the argument that the legislature should not dictate in matters of details of Railway administration.

Sir Deva Prasad also joined Sir Maneckjee in the protest that the Government had not consulted the Council in the matter of separation, and incidentally asked why not a word had been mentioned in this Council about the publication of the Reforms Enquiry Committee report, while an announcement on this had been made by the Government in the other House? This kind of ignoring on the part of the Government was not fair to this House which had supported the Government (Laughter). He endorsed the other observations of his non-official friends as regards Indianisation and grievances of third class passengers, as also the new terms for construction of feeder lines.

Concluding Sir Deva Prasad referred to the Howrah Bridge and said that Calcutta's trouble was lack of money. Even if the Bengal Government was not wide awake in this matter, as had been alleged, the Railway Board might come in and construct a Railway Bridge between Howrah and Sealdah.

Mr. HINDLEY, Chief Commissioner of Railways, thanked the Council for the appreciative references to the work of the Railway Board in connection with the separation of Railway finance from general finance. Referring to the remarks of Mr. Bell, Mr. Hindley said that the Government would make every endeavour to spend the 30 crores set apart for rehabilitation of Railways. The improvements had already commenced and would be pushed through as speedily as possible. Regarding the complaint that provision had not been made for construction of yards in Bihar and Orissa collieries, Mr. Hindley referred to the statistics to prove that during the last eight years they had spent altogether nine crores of rupees in improving the facilities in coal fields and very large improvements had been made in marketing yards. Loading of coal during the last few years had been higher than at any time in the history of coal trade and this fact showed that Government had not neglected the matter. Regarding the plea for more powers to be given to Agents and Managers, Mr. Hindley said that decentralisation was the key-note of the work of the Railway Board and their relations with the Agents and Managers but in the present transition period there might be cases which a man in the street might regard as unnecessary interference, but the Agents and other representatives of Railways who were present at the last Railway Conference in Simla never made any complain on the score of interference even when they were asked to express their grievances.

Referring to Howrah Bridge Mr. Hindley said Calcutta ought not to be halting between two opinions on the question but must take a decision and construct the bridge which would cost six crores which was not a large sum when compared to several crores spent by the Bombay Government in connection with the development schemes. The Government of India was doing its best to offer to Calcutta its assistance but they could not give financial help to construction of Howrah bridge. As regards open wagons for carriage of coal, the Government of India would wait for the report of the Coal Committee before taking any definite decision. The Railway Board was now examining into the possibility of revising a certain of their workshop services on a temporary basis in order to construct coaching stock and provide for greater number of lower class stock and if this was done they would be able to go ahead with their programmes. Coupes were being provided not only in upper classes stock but also in third class stock.

The school at Chadausi would be to train the subordinate staff on Railways, primarily with the object of improving their efficiency and give them opportunities of understanding their work, which was of a technical character. They would have classes for young officers who would be instructed in all the aspects of train working and transportation working. In addition, probationary traffic officers would be trained at the school and they would get practical training on the Railways as well.

"There was no justification for abandoning the present main station of Delhi because a new city was being erected at Raisina. The main station would carry on traffic for many years but as and when traffic in Raisina increased, they would provide new facilities to meet them. They were not providing for those facilities at present in Raisina because there was no need for them now. Facilities would grow with the volume of

passengers' traffic. In any case there was no justification for abandoning the present main station of Delhi.

Sir Charles INNES replying to the debate said there was no idea on the part of the Government of showing any disrespect to or casting slur upon the Council of State by not placing before them the resolution regarding the separation of Railway finance. In matters of this kind which affected both business and financial interests this Council was in a better position to advise the Government than the Legislative Assembly. If the Government did not consult the Council it was because they thought they had got the approval of the Council to the principle of the scheme when they had obtained from four members of this Council who were on the Central Advisory Council their approval to it. Moreover in the budget debate last year several speakers including Sir Maneckjee had supported the principle of the separation of the Railway budget. If the actual details of the scheme had been brought only to the Legislative Assembly it was because that House was the body which had power to sanction expenditure. There was however no intention on the part of the Government to show disrespect to this body. (Applause). Referring to the criticisms about the new policy in regard to branch lines, the Railway Member said the terms were out of date and nobody would come forward with money for financing of these lines on those terms. They had therefore to revise the rules in the direction of greater liberality.

Sir Maneckjee Dadabhoy had said that a time might come when Government might not find it possible to raise money for these lines. If that time ever came then the Government of India would be prepared to consider the matter. The new policy was best suited under the circumstances of moment and they could review it from time to time in the light of experiences they would gain. Records of Railway Board were full of applications from local Governments asking for construction of branch lines. The new terms were that if any local Government found it difficult to raise money for the construction of a line which though not remunerative yet was required for administrative reasons then the Government of India would certainly construct the line provided the local Government was prepared to guarantee the interest on their money. This was a simple, business-like proposition and local Governments had given their approval to it and there were several applications for construction under these terms.

Regarding arguments for decentralisation, Mr. Hindley had given full reply, but he (Sir Charles Innes) added that Government did not deprecate healthy criticism of the legislature but did certainly mind questions and resolutions likely to injure the discipline and proper working of Railways. If the legislature took up individual cases like alleged supersessions and dismissals etc., then certainly they would paralyse the initiative and efficiency of Railway administration. He was glad to hear from Sir Maneckjee Dadabhoy about Indianisation that efficiency must be their watchword. That was what Government was trying to do and it would follow that policy while giving effect to the Lee Commission's recommendations for 75 per cent. Indians in Railway services.

Reduction of third class fare had been urged but reduction of even half a pie would mean a loss of four and a half crores. It would be no use making reduction unless they were able to carry increased traffic.

Concluding Sir Charles Innes said :—"I have no fears for the future of Indian Railways if only the Central Legislature adheres to its propositions and trust the Railway Board and the Government. Then I am confident that as the time comes, Railways will become more and more efficient instrument for trade and commerce." (Applause).

After the speech of Sir Charles the general discussion of the Railway Budget came to an end.

On the 25TH FEBRUARY Mr. Ebrahim Haroon JAFFER moved the first resolution recommending that Local Governments should be directed to include a representative of the travelling public elected by recognised Passenger Associations in the Railway Advisory Committees in provincial headquarters. Mr. Jaffer, in a short speech, reviewed the activities of the Railway Passengers' Protection Society of India which, by representations to the Government of India, brought the local Advisory Committees into existence, and said the demand he now made for the representation of Passenger's Associations was only a necessary corollary. If representatives of Passengers' Associations were appointed, the local Advisory Committee would become more useful.

Mr. Lallubhai Samaldas, who was formerly president of the Bombay Advisory Committee, supported the resolution.

Mr. Natesan, a member of the Madras Committee, pointed out that on that Committee there was already a representative of the Passengers Association, whose suggestions were carefully attended to.

Mr. Chadwick, Commerce Secretary, opposed the resolution as being unnecessary.

A great deal of latitude, he said, was given at present to the local Committees, which had come into existence only 18 months ago. The Government of India should not so soon tie them as regarded the selection of members. Mr. Haroon Jaffer pressed his resolution, which was rejected.

Haji Chowdhry Mahomed ISMAIL withdrew his resolution for the reduction of Third and Inter-Class fares on the railways to their pre-War level, in view of the general discussion on the Railway Budget the day before.

Mr. Haroon JAFFER then moved for the appointment of an expert committee to consider the advisability of reshaping many of India's most important waterways in order to provide heavy water transport to her innermost doors, security of the land against erosion, reclamation of land and tidal power for electric schemes.

Mr. Ley, Industries Secretary, opposed the resolution which was rejected.

On the 26TH FEBRUARY the Council of State turned down a non-official Bill passed by the Assembly in the teeth of Government opposition. Sir D. P. SARBADHIKARI sponsored Mr. Neogy's Bill to do away with the reservation of Railway compartments for Europeans and Anglo-Indians. He was supported by Mr. Khaparde, while opposed by Sir Maneckjee Dadabhai and Mr. Ismail Chaudhuri.

Mr. CHADWICK declared that the present law was flexible to suit altering conditions. The proposed change would only impose undue restrictions on Railway companies regarding arrangements for the convenience of passengers The Bill was rejected.

The Council next passed the Assembly President's Salary Bill.

On the 28TH FEBRUARY before Mr. McWATTERS presented the General Budget in the Council of State the President announced the result of the elections held for the panels of members to sit on various Standing Advisory Committee attached to various departments.

THE FINANCIAL STATEMENT 1925-26.

Mr. McWATTERS then delivered his Budget speech, which lasted 40 minutes. The announcements of the surplus, of the remission of Provincial contributions to Madras, the United Provinces, the Punjab and Burma, and that Bengal would get a further remission of contribution to the extent of Rs. 63 lakhs for the next three years were received with cheers. Mr. Bell and the Raja of Digapathia applauded the statement that the import duty on petrol had been reduced to 4 as. a gallon and Mr. Raza Ali and other members showed their appreciation when it was declared that the Islamia College, Peshawar, was among other institutions to receive financial aid. Concluding the Financial Secretary observed :—"We hope the corner has been turned and that we are actually advancing on the road to social progress. Local Governments will now have an opportunity to develop industry, agriculture, education and sanitation and such other services as will lead to enlightenment" (Cheers).

The speech of Mr. McWatters contained numerous figures without any reference to notes and was delivered with such ease and clearness that officials and non-officials joined in warmly congratulating him.

Recruitment to Public Services.

On the 2ND MARCH, after interpellations, Syed RAZA Ali moved that early steps be taken to modify the existing system of recruitment for public services on the following lines :—

(a) A just and adequate share in public services whether recruited by competition or selection should be fixed for the Muslim community.

(b) In case of services recruited by competition particularly, the Indian Civil and Police Services, two lists of successful candidates, one for Non-Muslim candidates and the other for Muslim candidates, should be prepared and from each list as many candidates as there may be vacancies available for the men on that list, should be chosen in the order of merit, and

(c) A minimum standard of qualification should be prescribed and no candidate who fails to satisfy such standard should be selected for appointment.

Mr. Raza Ali said he would not have brought this resolution but for the conviction that it would enable to remove much of unpleasantness that existed between the two communities. This resolution, if passed, would remove the apprehensions of the Mahomedan community as to its future in a self-governing India. It was the duty of non-Muslims to support this resolution and satisfy the Muslims, just as it was the duty of Muslims to assure their Hindu friends that in their relation with their co-religionists in foreign countries, they would place the interests of India first and communal considera-

tions next. Mr. Raza Ali then reviewed the history of the Muslim demand. When Lord Minto was Viceroy an influential deputation consisting of representative Muslims in India represented their grievances and separate representation was created in the Minto-Morley Reforms. This set Mussalman fears at rest for some time. Had it not been for the Lucknow Pact of 1916, Mussalmans would not have helped to bring the Reforms Scheme into existence. The principle of this pact was separate representation in legislative bodies. But as regards services, the first commission appointed was in 1886 and the question which he (Mr. Raza Ali) raised even then for the commission stated that by open competition they would be only excluding some important classes of India and give undue benefit to other communities, especially the Hindus who had an earlier start in University education. The same question figured again in the deliberations of the Islington commission which also made similar observations as regards the effect of unrestricted competitive examination. But unfortunately the conditions which existed in 1912 obtained even to-day. Since the examination for recruitment for the I.C.S. had been held in India, not a single Mahomedan had been appointed. This was the result of the operation of the competitive principle. He at the same time admitted that the position was not so bad in the Imperial Police Service where Government had exercised their power of nomination more liberally. Unless they fixed a certain standard for Muslims that community would go unrepresented in the services. Fortunately, this principle was in force in the United Provinces. Dr. Paranjpye in his presidential address at the last Lucknow session of the Liberal Federation endorsed the introduction of certain minimum percentage in order to see that backward communities did not suffer in competition. The Legislative Assembly had discussed this question several times. On one occasion Sir Malcolm Hailey, in accepting a resolution in an amended form declared that the Government would see to prevent preponderance of any one class or community in the services under the direct control of the Government of India and there would be no overweighing of one province or community. Not only the Government but also public men in India stood committed to adequate representation of minority interests The position in the Imperial Services was far from satisfactory and efforts must be made to redress the grievances of Muslims.

Sir Alexander MUDDIMAN on behalf of the Government made an important announcement and at the same time expressed inability to accept the resolution. He admitted this was the most important subject, because, whatever their Government might be in future, the services which were the hands of the Government must be efficient and nothing could be done to impair them. When he referred to the services, he referred to both Europeans and Indians, who had set an admirable example of integrity and public spirit. Now that the Lee Commission's recommendations had been accepted, it was natural that there should be anxiety in some quarters about the effect of the changes. The Government of India, in giving effect to their policy, remark that the Indian element in all grades and branches of administration must rely primarily on their measures for recruitment. What was offered to the new recruit, whether Indian, European or whatever race, was a career open to talent and once admitted to public services, his fortunes lay in his own hands. He must not rely for advancement on favour or favouritism, but on his own industry, energy and capacity. Promotion must go by merit and selection for posts requiring special qualifications must be determined by strict regard for the necessary qualifications and general public interest. As regards the existing members in the services, Sir Alexander Muddiman made it clear that Indianisation would not be by the door of supersession.

Proceeding, the Home Member said it was clear that the Government should not rush to make changes in the system of recruitment; but there was no doubt that the standard of efficiency must be maintained. That was the principle from which they could not depart. Sir Malcolm Hailey had made it clear in the Assembly in the debate on a similar resolution that in making new recruitment in the services under the control of the Government of India, steps would be taken to secure that the services were not unduly overweighted with representatives of anyone community or province, and as far as possible, the claims of the communities would be considered. In the competitive examination held in Allahabad in 1923 and 1924, 45 Indian candidates were successful, but there was no Mahomadan. But the Government exercised their power of nomination and out of eight candidates appointed under the process three were Mahommedans. In the Police service also out of 27 candidates successful in the competitive examination in 1922 and 1923 eight were Mahomadans; but under nomination two Mahomadans were taken. The results of the examination did call for reflection. The position at present was summed up in the absolutely unexceptionable formula accepted by the Assembly although it was negatively worked; but the trouble lay in applying that formula and he did not see how

they could prevent over-weighting of one community as the decision was in the hands of those who applied for admission; but there must be a general list and not a separate list and what was more important than the test of examination was the test of character.

Continuing Sir Alexander said.—"I admit there is need for adequate representation of the minority communities; but we cannot impair efficiency of the services by admitting persons not qualified. We do contemplate extension of the present arrangement to secure representation of the minority interests provided there is adequate qualification. At present, we reserve one-third of the vacancies in the I.C.S. which will be filled by direct recruitment in India. To redress inequalities we propose in future to reserve one-third of the whole of Indian recruitment. We shall, as in the past, normally appoint officers by observing the results of competitive examinations. If the results are satisfactory, we shall be in no difficulty. If not, we shall resort to the process of nomination. We shall nominate as far as possible to those vacancies candidates who sat for the competitive examination and attained the adequate standard. If there are no such candidates we may have to adopt other means of obtaining them. If we cannot obtain candidates with adequate qualification we shall not appoint them. Regarding the other three All-India services (Police, Engineering and Forest), we shall similarly reserve one-third of the total vacancies (Applause). Concluding the Home Member pointed out that the statement he had made must go far towards meeting the wishes of Mr. Raza Ali and advised him to withdraw the resolution.

On the 3RD MARCH the Council of State passed without discussion the Cantonments Act Amendment Bill as passed by the Assembly.

On the motion of Mr. Crerar the House agreed to a small verbal alteration in the Bill to amend the Prisons Act as passed by the Assembly.

The Council agreed to the changes made by the Assembly to the Obscene Publications Bill. Sir Maneckjee Dadabhoy maintained that the changes made by the Assembly were superfluous but it had become the fashion of the Assembly not to accept any Bill passed by this House without some change or other. He did not, however, like to oppose these unnecessary changes because that would necessitate a joint session of both the House.

Restriction of Opium to Medical Consumption.

On the 4TH MARCH, in the Council of State, Sir Devaprasad SARBADHIKARI moved that early steps be taken to see that as far as possible only medicinal use of opium should be countenanced in India and that the Government should confer with representatives of all sections of the people as to how restriction to medicinal use could be carried out in practice.

The mover said that this question had assumed an acute form as a result of the Geneva Conference. He did not wish to challenge the whole of the opium policy of the Government but to deal with the restriction of actual consumption as far as possible to medical needs. Mr. Campbell, India's representative at the Geneva Conference, made a reservation when he said that the Government of India could not consent to restrict the cultivation of opium to medical and scientific requirements because in India the drug could not be thus restricted without great hardship. It was this statement to which he (Sir Devaprasad) objected because it was precisely what was contained in Lord Hardinge's despatch of 1911 and which had now become the *locus classicus* of the Government of India on the subject. In that despatch it was stated. "Non-medical uses are so interwoven with medical uses that it is not possible to draw a distinction between them. It is not necessary that the growth of the poppy and the manufacture and sale of opium should be prohibited except for medical purposes. Whatever may be the case in other countries, centuries of experience have taught the people of India discretion in the use of the drug and its misuse is a negligible feature in Indian life."

Mr. McWATTERS, on behalf of the Government opposed the resolution as being unnecessary and detailed the steps which the Government were taking in the direction desired. Speaking on the external aspect of the question, Mr. McWatters pointed out that the Government had by the agreement of 1911 prohibited the export of opium to China, but there had been a recrudescence of opium cultivation in China itself, with the result that opium was grown more in China than perhaps in any other part of the world. The Government of India then restricted the export of Indian opium to other Far Eastern markets. The effect of this restriction was that instead of 42,600 chests yielding Rs. 8 crores revenue in 1910, there was the sale of only 7,500 chests yielding Rs. 1,21,00,000 in the current year. Then, as a result of the Hague Convention, India adopted a system by which no opium was exported except under license of the Government of the importing country. The Government were endeavouring to carry out this policy and the Govern-

ment would not be influenced by any financial considerations. Should any country wish to reduce the consumption and eradicate the evil the Government of India would not say no.

The resolution was lost without a division

Life Assurance Claims.

Mr. SETHNA then introduced his Bill to amend the Succession Certificate Act, 1889, and in moving that it be referred to a Joint Committee of the Council and the Assembly of twelve members explained that its object was to incorporate a provision whereby any claimant to life assurance policy monies would be compelled to apply for a succession certificate in proof of his title. Difficulty had been experienced, he said, by reason of subordinate courts (in Bengal for instance) having held that a certificate was not necessary in certain cases. The certificate would be issued at a small cost to the claimant and the claim would be immediately settled. All life assurance companies, whether Indian or non-Indian with their head offices in India or elsewhere, could not but favour this Bill because of the help it would extend to them. If such a provision as that contemplated in the Bill was not expressly contained in the Act, life assurance companies stood the risk of having to pay a claim twice over, should it be proved subsequently that the title they first accepted was at all erroneous. It had been suggested by some lawyers that if it was provided that the word "debt" in the Act already in existence were stated to include moneys payable upon the death of a person under a policy of life assurance, then the position could be met. If the proposed Committee was of that opinion, he had no objection to its being considered.

Mr. CRERAR, on behalf of the Government, accepted the reference of the Bill to a Joint Committee. The Government, he said, fully appreciated the points mentioned by Mr. Natesan. It was desirable that Local Governments should be given an opportunity to express their opinion and to ascertain public opinion on the merits of the Bill. If the Bill was referred to a Joint Committee the Government of India would, by executive order, obtain the opinion of Local Governments and High Courts.

The motion for reference of the Bill to a Joint Committee was then accepted.

On the motion of Mr. CRERAR the Indian Prisons Bill, giving effect to certain recommendations of the Jail Committee, was passed.

General Discussion of the Budget

SIMLA—5TH MARCH 1925.

On the 5TH MARCH, the business of the Council of State was confined to the general discussion of the budget. Sir Umar HAYAT KHAN was the first to speak on the Budget. He congratulated the Finance Member on the surplus budget. He thanked the Government for the reduction in provincial contributions and for the pronouncement regarding Muslims in the services. The Muslims did not want any reform or any Government in which their voice might be drowned. He urged that the money reduced in provincial contributions should be set apart for sanitation and education.

The Hon'ble Mr. SETHNA congratulated Sir Basil Blackett for turning the corner after five successive deficit years and launching India again into surpluses. It was high time that this result was attained particularly because of the increase of several crores of rupees in taxation since the date of the reforms. He hoped that Sir Basil was correct in his assumption that exchange would not go lower than one shilling six pence, and that the Government would do all in their power to prevent its going lower. This assumption was strengthened by their proposal relating to the ways and means where a reduction of cash balance in London by 179 crores was proposed.

Mr. Sethna, dealing with exchange, said the Indian Merchants Chamber and Bureau, of which he was the President, did not see eye to eye with the Finance Member and invited him to visit the Bureau on his way to England so that they might have an opportunity of meeting his arguments. India might not be the heaviest taxed country in the world, but taking into account its poverty India could not by any means be said to be lightly taxed. Then again there was the dread of the recommendations of the Taxation Committee now sitting and Mr. Sethna asked his Committee to take note of the unanimous conclusions of the Royal Commission in regard to taxation in New Zealand.

After thanking the Commander-in-Chief for reducing the Military expenditure, Mr. Sethna complained that in the Budget Bengal had been unduly favoured and this partiality of Sir Basil towards Bengal might be due to the fact that he first saw the light of day in Calcutta. But this partiality was beyond comprehension when the Government of India did not know whether there would be surpluses in the next two years or not. Bombay had been treated as a step-child although like Bengal she had been clamouring for revision of the Meston settlement under which the Nation-building departments were practically arrested for want of funds. Bombay was an industrial province and in a normal year the amount of Incometax and Super tax collected in it was about one third of the total of the whole of India under that head. A fair percentage of this collection, Mr. Sethna claimed, was urgently needed for Bombay to enable the Transferred Departments to progress as they ought to. If more cotton mills of Bombay had not gone to the walls than now, it was because they laid by reserves during the boom period ; but now so heavy were their losses that Mr. Sethna feared that the Income tax and Super tax revenue from the Bombay Presidency must drop by far more than a crore of rupees from the average in a normal year.

If Bombay was left in the cold in the matter of relief in provincial contribution, it had fared worse still on the subject of cotton excise. This duty was an obnoxious one and one of the greatest wrongs done to this country under British administration and was a standing blot on their financial policy. While relief was being afforded from the surplus to some of the provinces in their contribution and also to the services in higher pay and emoluments in accordance with the Lee Commission's recommendations, against the wishes of the people, the Finance Member did not choose to make even a passing reference to this most vexatious tax.

Mr. Sethna proceeding criticised the policy of the Government in writing off so large a sum as 423 crores made up of 82 lakhs, being discount charges on the 1923 loan and 3·41 crores of loans and advances to the Persian Government. This policy, he said, was contrary to what Sir Basil Blackett himself advocated a year ago. The sum of 3·41 crores was entirely the look-out to be repaid by them and it must therefore be struck off from India's suspense account. He mentioned these items with a view to show that if only the Government had had the will, it could have easily repealed the Cotton Excise duty and earned the gratitude of the nation and removed the suspicion that the duty was continued to help Lancashire at India's expense. If the Labour Government had been now in power, they would have done justice to India in this respect. Possibly opposition to the removal of this duty at present might have come from the present Conservative Government. In this connection Mr. Sethna suggested to His Excellency Lord Reading to discuss this point with the Secretary of State when he would be in England on leave.

Mr. Sethna regretted that the Government had not reduced the Customs duty on motor car in spite of a universal desire to that effect. Motors were not a luxury, but a necessity and Mr. Sethna quoted the views of the Chairman of the Trades Association delivered in Calcutta sometime ago. The speaker objected to the tax not being levied on the importation of silk, matches, etc., in the Indian States that had an opening to the sea and which passed them on to British India dishonestly. The continuation of higher postal rates was a misfortune.

Concluding, Mr. Sethna referred to the Government proposal to refund duty to certain provincial Governments in respect of the purchase of stores by those Governments outside India and urged on the Government the necessity of consolidation of Stores rules involving a deliberate policy to secure the Indian Industries a fair chance of success.

Sir Maneckjee DADABHOY congratulated the Finance Member for presenting a surplus Budget, but the surplus had been achieved after a succession of year, in which heavy taxations were imposed. Except the fact that customs revenue had increased by 2·72 crores, there had not been a general response in the matter of trade as anticipated by the Finance Member. The Textile Industry was still passing through a critical period and was living on its resources. If the situation continued, he feared a terrible crisis might result in India. The surplus of 3·24 crores presented by the Finance Member, did not represent the true position. It had been arrived at by making important modifications in the financial policy of the Government. He failed to understand the expediency of the policy of writing off eighty-two lakhs, being discount charges of 1923 loan and 3·41 crores of loans and advances to the Persian Government. This figure added to 3·24 crores of surplus, brought the total figure up to seven crores. The Government of India ought to have utilised this amount not only to remission of Provincial contributions, but also to removing certain imposts which were regarded by the country as wholly unjust. He did not grudge the remission of contributions to Madras, United

Provinces, Punjab and Burma, and even to Bengal, because it was the policy of the Government to work gradually to the extinction of the contributions, but it was the usual practice when a surplus occurred that the general tax-payer must get the advantage in the shape of a reduction of tax. There, however, appeared to be no hope for it this year, nor in the coming three years, if the policy of the Government was not to afford relief to the general tax-payer till the Provincial contributions were wiped off. Then it was a policy that was open to serious objection not only in this House but also in the country at large. He did not see why 73 lakhs should be kept in reserve while the estimate of the revenue for the next year had been placed on the most cautious estimate and while the Government had already kept up their sleeves a surplus of 4·25. The country had a right to get back this money in the form of some relief to the general tax-payer. A surplus of 72 lakhs against possible disappointments was not justified and if the time came for reapportionment of this sum a very large portion of it should go to Bombay which had a superior claim. As one who had signed the majority report of the Fiscal Commission, Sir Maneckjee Dadabhoy supported the claim for reduction, if not immediate abolition of Cotton Excise Duty which was promised by Lord Hardinge. He was glad that a sum of 4·78 crores had been provided for reduction or avoidance of public audit This policy would raise the credit of India in the world. He was sorry that there had been ill-conceived opposition in the Assembly to this policy, but he assured Sir Basil Blackett of the support of this Council in this matter. Sir Maneckjee Dadabhoy complained that super-tax had been kept very high and in this connection promised the Finance Member support of this Council to any measure to prevent evasion of the tax. The super-tax had alienated the commercial community of India including the Marwari community from the Government. It was destructive of industrial initiative and enterprise. "This Assembly, constituted as it is of Swarajists, might be reluctant to reduce this tax now because it is anxious to create differences between the Government and the commercial community ; but as a friend of the Government let me tell you that the present policy is a ruinous one. Before concluding, let me thank the Commander-in-Chief for reducing Military expenditure and hope that he will see his way to bring down the figure to what the Inchcape Committee had recommended, namely, 50 crores."

Mr. BELL congratulated the Finance Member on the favourable budget and congratulated particularly Mr. McWatters on the extraordinary grasp of details of the financial position when he lucidly explained all obscure points in presenting the budget. Mr. Bell took no exception to the writing off of 82 lakhs being discount charges on 1923 loan and 341 lakhs being amount of advances made to the Persian Government, because this was obviously a desirable procedure in each case. The first was a liability which they knew about, but the second was a liability of which they had no knowledge. It had been hanging over their heads, but came as a shock with the result that more than half of the real surplus of a good financial year had been wiped out in meeting it. But this House was entitled to know from the Finance Member whether there were other such sums for which provision might have to be made in future budgets. Referring to customs figures, Mr. Bell pointed out that the protective duties imposed last year had imposed on the country a burden of 2 and a one-forth crores. This was only a part of the burden and who would have to bear the greater portion of it was known to all. As regards exchange, Mr. Bell said the more optimistic view of the Finance Member last year had been justified. He did not wish to refer too often to the policy of protection as a result of which a certain Act was passed last June, but this Council would observe that within a few months of passing of Steel protection Act a further burden had been placed on the shoulders of the public and that before the end of the current month a sum of sixty-two lakhs would have been paid in bounties and that was not the end of it by any means. Now that the storm raised over the recommendations of the Lee Commission had passed over and further time given for reflection, Mr. Bell did not think there was any member of this House who did not feel gratified that it had been possible to include in the revised figures for the current year provision to the extent of 25 lakhs towards pay, pension and concessions to superior services and that their claims had been met to some extent. The provision for avoidance of public debt was not one that would impose a very serious annual burden on the finances of the country. As regards Military expenditure Mr. Bell said that no country with great responsibilities could afford to take great risks and trusted that in their anxiety to effect every possible reduction, the Government would not be tempted to sacrifice efficiency to economy. Here Mr. Bell thanked the Government for passage concessions to officers of superior civil services granted in terms of the recommendations made by the Lee Commission. Continuing Mr. Bell assured Government that Bengal would be very grateful for further remission of provincial contributions for three years. Bengal also rejoiced in no grudging spirit to find that it had been possible to announce substantial

reductions in contributions of Madras, United Provinces, Punjab and Burma. They trusted that in not too distant future these Provincial contributions would be entirely and permanently cancelled, because they recognised that until this was done it would not in the first place be possible for provinces financially embarassed as they were to develop along their own lines or in the second place for the Government to turn their attention to reduction of other taxation which was at present seriously hampering development of the country.

Sir Devaprasad SARBADHIKARI said the discussion in the Council on the Budget reminded him of the discussion in the Councils of pre Minto Morley days, because the Finance Bill was now framed on the basis of discussion in the Assembly and this Council was powerless to do anything in the matter. He did not think that there was any immediate necessity for providing for redemption of debt because there was salt duty which still stood at the certificated level and postal rates had to be reduced. Touching Provincial contributions Sir Devaprasad said that what Bengal got was only bare justice but at the same time he put in a plea for revision of the Meston award. As regards Military expenditure he supported the observations of Mr. Natesan and took Sir Umar Hayat Khan to task or his remarks about a National Army. What the Council wanted was that the Army should be national in the real and larger sense of the term.

Mr. Ramsarandas :—How many years should it take?

Sir Devaprasad :—"I do not think any honest soldier thinks that it will take a thousand years. Let there be not one Dehra Dun College, but ten, because military education is one of the essential factors of nation building. My complaint is that more provision had not been made for military education. Reference has been made to Sir B. N. Mitra's and Lord Rawlinson's mission to England in connection with the settlement of the War Office claims. We must be thankful for what has been done by them; but my regret is that a great deal more could not be done. One cannot fail to recognise the immense services of Sir B. N. Mitra and I am glad recognition of it came from the Government, when they select him for the post of Executive Councillor, and I hope that in that Council he will not get spoiled". (Laughter)

H. E. Lord RAWLINSON said that the reasons for reduction in Military Expenditure were largely due to the strict economy instituted by the assistance of the Inchcape Committee and to the return of normal times compared with what was obtained some five years ago. Mr. Natesan had referred to the feeling of suspicion that existed throughout the country with regard to the intentions and policy of the Government on Military expenditure. There was no denying that suspicion existed and it was one of the greatest difficulties which he and the Government had to overcome. He doubted whether they would ever overcome that suspicion. After all, they were all suspicious when their interests were in the hands of somebody else, those actual motives and desires they did not quite understand. It was only human nature that there must be some suspicion as to whether their immediate interests would be pushed in the direction they all desired. There was nothing that he could say, that would eliminate and overcome the whole of that suspicion. The Government of India had done their best and would continue to do their best to overcome that suspicion and to deserve a little more confidence; but he could not say when they would be ever able to entirely overcome that doubt. Reference had been made to the visit of himself and Sir B. N. Mitra to London in connection with disputes with the War Office. Here again, there was suspicion that the interests of India were not perhaps being pushed with the strength that they might have been. Sir B. N. Mitra and he himself had fought hard on this matter before the higher authorities, who would not do everything in their favour, but the results they were able to achieve would mature to the benefit of India at no distant date.

Mr. Lalubhai SAMALDAS said that, though they had their differences with Sir Basil Blackett, he felt that the Budget showed they had a sincere cause for congratulation. The speaker drew the attention of the Finance Member to the feelings expressed by Lord Curzon for State aid to Indian Industries. A special responsibility lay on the Government to raise the country industrially. The claim of the most important industry should not, therefore, have been neglected and the Cotton Excise Duty should have been remitted. He said that India had enough of communal jealousies and deprecated the introduction of Provincial jealousies. He pointed out that, while Sir Basil Blackett had himself laid down a year ago that payments of discount on loans were spread over a number of years, he had himself this year gone back on that principle by providing paying off discount in a lump sum. He said that the Finance Member the day before took objection to the remarks that he had shown sympathy to Calcutta and antipathy to Bombay. The speaker did not question the Finance Member's motive, but pressed with

equal force that Bombay's view was also put forward in the interest of the whole of India and that Sir Basil Blackett had unnecessarily emphasised in his Budget speech that Bombay was pressing reversion of exchange solely in her interest.

Sir S. R. M. M. Annamalai CHETTIAR said that it was a very interesting Budget because of the separation of Railway from General Budget. He said that the general taxpayer had the first claim to the surplus and that the Meston award was unjust because it led to heavier burden on some Province than on the other. It was a matter of gratification that the military expenditure was reduced and he appealed to the Commander-in-Chief to effect further reduction so that money so saved might be spent on nation-building departments. He said lack of funds in his Province had stood in the way of education and sanitation and felt grateful to the Finance Member for partial relief given by reduction of Provincial contribution. He concluded by saying that the era of deficits was over and the era of hope and progress was ahead.

Sir Basil BLACKETT thanked the House for the shower of congratulations which would encourage him, and the Finance Department to continue to do their best. He agreed with the last speaker as to the paramount need for the development of agriculture. By reducing provincial contribution the Government was precisely doing the same and was helping the provincial Governments to push forward their programme in respect of nation-building department. The Finance Member then began to calculate that if he were to accept the suggestions made by the various members of the House to reduce taxation then he would find himself on the wrong side to the extent of 20 crores instead of having his surplus of 75 lakhs.

Sir Basil Blackett referred to the suggestion of Sir Maneckji Dadabhoy that the realised surplus of over 4 crores in 1923-24 should have been used to take off the cotton excise duty and super tax. He could have done so because the surplus was not recurring, and he could not utilise it for giving up recurring sources of taxation The answer was so simple. Instead of using the surplus of four crores for reduction of the debt, he had used 80 lakhs out of it to pay off discount of the Loan, and 341 lakhs in respect of loan to the Persian Government. By paying off 80 lakhs in a lump sum he had increased the surplus of the year by four and half lakhs, and had relieved the Finance of a similar obligation for a number of years.

As for the provision for 341 lakhs he did not agree with Mr. Bell that it had been disclosed for the first time. It had appeared as an outstanding amount in the accounts of the Secretary of State. It has been shown in the audit report of the Home Auditor. Of course it had not hitherto drawn the attention of the members. The liability which was covered by 341 lakhs was without dispute, and was incurred more than nine years ago, and the reasons for it had now become a matter of history. There was of course a dispute about the expenditure incurred in East Persia which the Government of India had refused to recognise as their liability, while the War Office had always claimed that India shared the liability. India's point of view was forcefully represented by Lord Rawlinson, the Commander-in-Chief and Sir B. N. Mitra in England recently. As a result of that, new proposals were under consideration, and soon they hoped to come to an agreement. He assured Mr. Bell that the liability would not be very heavy, that the current year's surplus would be enough to meet it. India also had claims against the War Office and on the whole they did not know which side the final balance would go.

The Finance Member then dealt with the question of Cotton Excise Duty. He admitted that Lord Hardinge gave a pledge that the duty would be removed as soon as financial considerations permitted it. Of course this pledge was given in 1915 when the Provincial contributions formed no part of the central revenue. Logically therefore so long as the provincial contribution remained they could not say that they had a surplus and could not devote their attention to reducing the central taxation. Some members had referred to the fact that he was keeping 74 lakks as too big a surplus against contingencies and misadventure. The Finance Member explained that out of this only 18 lakhs surplus was recurring, which could be available for either further reduction in the contribution or in taxation, but he asked if the House thought that 18 lakhs was a big surplus to carry with them against unforeseen contingencies. By asking him to reduce the Cotton Excise Duty on the basis of the non-recurring surplus they were really putting his balance on the wrong side. Next year he would however assure the House that the Government of India have every intention of fulfilling the pledge in respect of the Cotton Excise Duty (applause) but the time had not yet arrived. They must admit that the claims of the provinces were prior and supposing the Cotton Excise Duty were now abolised, it would only postpone the day when the contribution of the Bombay

Government would be reduced and remitted and the question of the Meston award would be reopened.

The Finance Member assured Mr. Lallubhai Samaldas that the speaker's remarks about Bombay in his Budget did not question the sincerity of Bombay in holding the opinion about the Exchange honestly. Only Bombay appeared to have paid lesser attention to the interests of India as a whole. He reminded Mr. Lallubhai that Bombay had never minced words in vigorously attacking the Finance Department of the Government of India. (Laughter.)

Sir Basil Blackett next replied to the various suggestions made. He said the remission of kerosene duty would mean considerable loss to the revenue. On the other hand reduction in petrol duty might bring in an increased revenue. He admitted that the super-tax diminished savings, and that its remission would help the trade by cheapening money. Similarly high tax on motors was hindering full development of a useful form of transportation. He mentioned that commercial cars did not pay 30 per cent duty, but only private cars were so charged. The Government could not, however, indulge yet in the luxury of taking off these taxes. There were other forms of taxes, which weighed heavily on the poor. He did not want to draw a distinction between the rich and the poor and admitted that the industrial and agricultural development of India was retarded by high taxation. They were not, however, within sight of early action in the direction of reduction in taxation. Concluding Sir Basil Blackett again defended the debt redemption scheme and warned those who wanted to raid it partly that they would be making India pay the same amount by way of interest that they were now paying in the sinking fund.

Thus the Budget discussion came to an end and the Council adjourned for a week.

On the 12TH MARCH, the Council of State reassembling, on the motion of the Commander-in-Chief the Cantonments House Accommodation Act Amendment Bill as passed by the Legislative Assembly was passed.

Haj Pilgrims Bill.

Sir Mahomed HABIBULLAH, moved the consideration of the Haj Pilgrims Bill, as passed by the Assembly. He regarded it as a humanitarian piece of legislation. He related the inconvenience and discomfort to which pilgrims were put in the course of their tours. Either public funds had to come to the rescue to repatriate destitute Moslems to India, or private charities had to be tapped for the same purpose. That state of affairs should be ended. There was no question of mending it. The present age of destitution had been increasing during the last few year,, and in 1924 it became necessary for the Government to introduce an experimental system of demanding the deposit of return tickets in the case of every pilgrim intending to go to the Hedjaz. The result was that the percentage appreciably decreased. But when it was remembered that there was still an element of option in that system, it was not possible to eradicate the evil altogether. It was not fair to the general tax-payer that the Government of India should be called upon to shoulder the financial responsibility incidental to the repatriation of a large number of pilgrims who went without means to return to their homes. In 1921 the Government had to spend Rs. 40,000, in 1923-24 the expenditure was Rs. 35,000. It therefore became necessary to devise means for suppressing the evil. The Dutch East Indies and Malaya, both of which contributed 42 per cent. of the pilgrims every year, had introduced a compulsory return ticket system.

The Bill was passed without opposition.

Mr. CHADWICK moved the consideration of the Cotton Ginning and Pressing Bill as passed by the Assembly. The Bill was passed without any opposition.

Frontier Committee Report.

Syed RAZA ALI moved a resolution urging the Government to give effect at an early date to the Frontier Committee Report. He referred to the events which led to the appointment of the Committee. That Committee examined 22 official witnesses, 18 of whom were European officers. The non-official Indian witnesses examined numbered 76, of whom 28 were Hindus, the rest being Musalmans. The widest publicity was given to the proceedings of the Committee, which attracted even the non-co-operators, who tendered their evidence. It was unfortunate that the report of the Committee was not unanimous. Messrs. Rangachariar and Samarth had drawn up their own separate report, but that did not affect the question contained in his resolution. The main question before the Committee was whether it was expedient to separate the unadministered tracts from the five Settled Districts of the Frontier and if so, whether those five Settled Districts

could be reamalgamated with the Punjab, as it was before 1900 when they were dismembered from the Punjab, and if separation was not expedient and amalgamation with the Punjab impossible, what administrative reforms were necessary.

The Majority section of the Committee had, in view of the intimate relations that existed between the people of the cis-border and trans-border areas, came to the conclusion that separation of the tracts was impossible. Expert opinion on the question was wide and voluminous. When separation of the Settled Districts from the adjoining areas was considered impossible, the Majority consequently ruled out the amalgamation of the Settled Districts with the Punjab. The Majority then proceeded to make liberal recommendations for the administration of the Frontier districts. They suggested the establishment of a legislation therein and the appointment of an Executive Council and a Minister. It was proposed to give Hindus double their share of representation in the Council on the lines of the Congress-League Pact of 1916. The Majority further recommended the appointment of an Additional Judicial Commissioner and suggested a drastic curtailment of the Frontier Crimes Regulation. Such were the liberal recommendations by the Committee, which Mr. Raza Ali contented should be given effect to without any delay, because the people of the Frontier were getting impatient at not having obtained any kind of reforms along with the rest of India in 1919.

Subsequently, after a long debate, the resolution was withdrawn.

Savings Bank Interest on Mahomedan Deposits.

Mr. Haroon JAFFER moved that the Government should keep a separate account of the interest payable by the Government on deposit accounts in the Post Office savings banks opened by Mahomedan depositors who, owing to their religious belief, had made a request that no interest should be credited to them, and that that sum should be set aside as a special fund, to which also any interest on Government Securities foregone by Mahomedan holders under similar circumstances should be credited. It was proposed that that fund should be utilised in awarding scholarships to poor Mahomedan students in the Moslem University at Aligarh. There were several Mahomedans who refused to take interest through religious scruples on loans and deposits in banks. Whatever the origin or justification of the idea the effect could not be ignored that some Mahomedans considered it a meritorious deed enjoined by religion to forego interest. They kept money in banks only for safe custody, and they invested in Government Securities as a means of providing safety for their savings. If education was to spread among Mahomedans, the vast majority of whom were very poor and backward, then the suggestion should be adopted. The Government could not have any objection to utilising the money for that noble cause. It was not their money, but the money of the Mahomedan depositors. It was not difficult to devise machinery for awarding and distributing the proposed scholarships.

Haji Ismail Choudhry, Khan Sahib Aman Ali and Mr. Yamin Khan supported the resolution. They said it was a laudable object and the Moslem community were in favour of the resolution.

Mr. McWATTERS explained what he called the non-committal attitude of the Government. He said that in the savings banks the Mahomedans had at present Rs. 3 and half lakhs bearing interest at about Rs. 10,000 There would be no difficulty in keeping a separate account of that for whatever object that would be decided upon. Regarding cash certificates also, there would be no difficulty. But the trouble was in Government securities, which were transferable. If the community favoured the proposal of Mr. Jaffer, then Government would have to introduce a system by which all Mahomedan investors in Government securities would have to take a non-transferable deposit receipt. But the other difficulty was that those who would part with their interest might insist on other charitable objects. Unless, therefore, the Government felt sure that the Mahomedan opinion was more or less unanimous, it would be difficult for them to proceed on the lines suggested in the resolution.

Sir Devaprasad SARBADHIKARI supported the resolution, and asked the Government to accept it and then decide, in consultation with the Moslems, upon what form the money should be spent.

The Finance Bill.

On the 20TH MARCH the Finance Bill as passed by the Legislative Assembly came up for consideration in the Council of State. Large number of members of the Assembly were present in the galleries.

Mr. McWATTERS, Finance Secretary, in moving for the consideration of the Finance Bill, explained the chief features. While a year ago the Government hoped on the existing basis of taxation to balance their budget, this year they were in a position if the Bill was passed, in the form they desired, i e , if the Salt Tax was restored to make the first and substantial reduction in provincial contributions. He referred to the reduction in Petrol duty and justified it on the ground that the 15 lakhs loss that would be incurred could be made up by the increased revenue expected in the long run by increase in the Import of motor cars and lorries and motor accessories. He also justified the provision for Paper Currency Reserve as justified in the present circumstances. As regards the Salt duty he would move an amendment to restore it to one rupee and four annas per maund. If this was not restored, there would be loss to revenue of about 125 lakhs.

Mr. V. RAMADASS opposed the consideration of the Finance Bill on the ground that Government had forfeited the confidence of the people of this country and were neither responsive nor responsible in any form. There was no element of responsible legislature, and whatever might the representatives of the people demand, the Executive could ignore them lightly and, indeed, whatever cuts were proposed by the representatives in the popular chamber (Assembly) and whatever reductions in expenditure were proposed were either restored or certified by the Governor-General. Where then was the element of responsibility in the Central Government? It was no use in deluding themselves and in deluding the people that this Government was based on the popular will, because neither in theory nor in practice was there responsibility. This was the view not only of the Swarajists, but of also the Independents as evidenced by the rejection of allowances for members of the Executive Councillors. The moment that motion was carried in the Assembly, the members of the Executive Council, particularly the Indian members, ought to have resigned their seats, because they were on the Executive Council, not merely to carry on the administration of Government, but to voice the popular view. There could be no better means of voicing that view than by resigning their seats after the vote of censure was carried. They would have thus established a convention where none existed.

Proceeding, Mr. Ramadass referred to the policy of the Government on the question of the Reforms when the President said, that he would not allow a general discussion of the Reforms or general policy of the Government on a motion for consideration of the Finance Bill. The members would be in order on such a motion to criticise the financial policy of the Government. Beyond that the President would not allow any other subject.

Mr. Ramadass drew the attention of the President to the fact that in the lower house, the President allowed a discussion of the general policy of the Government and on the Reforms when a similar motion for consideration of the Finance Bill was made. He appealed to the President to admit discussion with a view to clarify the situation.

After a few seconds Mr. Ramadass said, that if the President was to stick to his ruling, then he was obliged to confine his observation to financial policy. Mr. Ramadass then referred to military expenditure and complained that the Legislature had no hand in framing the budget. There was no need to provide for debt redemption at a time when the credit of the Government of India was high. There was need for reducing the postal rates, the duty on kerosene oil and salt tax and not provide prematurely for paying up money borrowed for productive capital. The whole position turned on the fact that the Government of India was not based on popular will. Let the Executive do as they please. It was the duty of those elected by the people to refuse to consider the Bill.

Sir Narasimha SARMA, leader of the House, vigorously challenged the statement of Mr. Ramadass that the Government of India did not enjoy the confidence of the people of this country. So many half-truths and untruths and mischievous misrepresentations had been made both here and in the interests of the general well-being of the people that the Government ought not to allow the challenge of that description to go unanswered. He regretted to find that Mr. Ramadass and his friends had adopted an attitude which if persisted would only lead to disaster. As a senior member of the Government he wanted to explain the progress made in India during the last five years to show that far from deserving a vote of censure they deserved a vote of confidence. They deserved the recognition of sympathy and satisfaction, if not gratitude.

When Sir Narasimha SARMA proceeded to detail the achievements of the Government, Mr. Ramadass asked the President to state if, when he had ruled out a discussion of the general policy of the Government in any particular, the leader of the House could dwell upon the achievements of the Government.

President: I was awaiting to see if the leader of the House did intend to refer to any specifications of the Government in detail. I shall be obliged if the leader of the House confines himself to the general aspect and not make any detailed references except on the financial policy of the Government.

Sir Narasimha SARMA said that he did not want to deviate from the ruling of the chair. He contended that financially the Government had inherited a very difficult situation in 1920 but they had been able to overcome and present a satisfactory budget. It would be remembered that men's minds were unhinged as a result of the war and immediately after there were the Punjab occurrences followed by failure of crops and the influenza epidemic. The Government had at such a time to meet Treasury Bills to a large amount and there were also at the time external disturbances requiring additional expenditure. But the Government with the assistance, the loyal assistance and co-operation of both the Houses of the Legislature, were able to face the situation. Were we to embark on a policy of retrenchment? True, the military expenditure was large and that if money was required for development purposes the military expenditure should be reduced. As a result of their policy the Government have been able to maintain cordial relations on the Frontier. They had established the Chamber of Princes and made other changes which brought the Indian States under the direct control of the Government of India. These would in course of time make possible for the constitution of a federal Government.

The Government had not been idle in the economic sphere either. They had spent more than 50 crores and brought 20 million acres under crops. The Railway programme had been pushed forward. The Cotton industry had been placed on solid foundation. A policy of discriminating protection was being followed in order to help the Indian industries and labour legislation had been taken in hand. So everything had been done so far as financial circumstances permitted. Now the position was bright. The Government of India was now pursuing a policy of reducing outside debt and Sir Basil Blackett was doing everything in that direction. It was just what they in the Congress had been demanding for several years. The Government had now provided for the healthy Indianisation of the services. Thus it would be seen that since 1920 they had advanced a great deal.

No Government could say it had not made a mistake; but the Government of India practised extreme tolerance to show to a certain section of the Indian people the unwisdom of carrying on their unhealthy activities. He admitted that they had not fully succeeded in doing so; but the heart of the people was sound and if only the ignorance of the masses was not taken advantage of by a certain section the situation would vastly improve.

He did not want to deal with the question of reforms in detail. It was perfectly legitimate on the part of those who had entered the Legislature to advance the cause of the Reforms to the extent that prudence dictated, but he had been asked by Mr. Ramadoss to resign because the Assembly had carried a motion refusing allowances for members of the Executive Council If he (Mr Sarma) felt convinced that he had done anything in the Executive Council of which he was ashamed, if he felt that he was not receiving that co-operation from his colleagues on the Executive Council then he should have felt bound to resign his place. But to ask him to resign merely because the Assembly wanted to make a general attack on the Government policy was ridiculous. If Mr. Ramadoss could show that the Government had on any particular account done anything detrimental to the interests of the public of this country he would certainly resign. The motion to which Mr. Ramadass referred related to the resentment of the Assembly that the Muddiman Committee Report was not satisfactory. The Government of India had not even discussed that report and yet friends of Mr. Ramadass wanted the members of the Executive Council to resign. If the Government of India as a whole had come to a decision which in his (speaker's) opinion was detrimental to the interests of the people of this country then it would be time for him to resign. Meanwhile to ask him to resign was ridiculous. If the Government members were to take their position of responsibility so lightly and were to resign their seats on a motion of the description to which Mr. Ramadass referred then the Government would be powerless. Indeed, he refused to think that any responsible member, European or Indian, would give weight to a vote of that description.

Sir Basil BLACKETT said he did not propose to deal with the political question which had been fully and admirably dealt with by Sir Narasimha Sarma. If the policy of obstruction was to be pursued to prove that the framers of the Constitution were wise in putting emergency provisions that had arisen that purpose had been served; but continuance of that policy would not take them a step further.

First of all he concentrated on meeting the criticism often advanced about high taxation that had been imposed since 1913-14. Some had said that taxation had gone up by 48 crores and some had put forward other figures. He took the trouble to ascertain the correct position by comparing revenues in 1913-14 with that in 1923-24, when fresh taxation was imposed last. The revenue of India in 1913-14 stood at a total of 71 crores, 85 lakhs, inclu-

ding proceeds from land revenue of 31 crores, two lakhs. The revenue of India in 1913-14 stood at a total of 71 crores, 85 lakhs, including proceeds from land revenue of 31 crores, two lakhs. The revenue of India in 1923-24 stood at a total of 135 crores, 86 lakhs. Taking the index figure of 100 the revenue of India had increased from 100 to 187 from 1913-14 to 1923-24. During the same period the population of British India had increased from over 243 millions to over 247 millions. The revenue in 1913-14 was calculated to be Rs 2·15 per head compared with Rs. 5·8 per head in 1923-24. The main increase in the revenue had occurred under Customs and Income-tax. Of course, the customs duty was paid by the whole of India and not merely by British India.

He next turned to examine the increase in wholesale prices and taking the index figure of Bombay he found that during the same decade wholesale prices had risen from 100 to 182. Thus between 1913-14 and 1923-24 taxation had gone up almost exactly in proportion to the increase in prices. Therefore the commodity value of the Government revenue was very little more that what it was before. He did not say that the point was very accurate, but these figures should supply a useful corrective to unthinking statements that the cost of administration and military expenditure had risen to staggering proportions. The Government record was thus better than its critics would allow. People who went into a shop to buy goods to-day paid the same proportion for value of the services as they paid for the services of the Government compared with 1913-14. This was creditable when they recognised that during the decade the great war had occurred and had cost India considerably.

In the case of railway fares and rates the department of Sir Charles Innes was charging lesser in proportion to the increase in wholesale prices. Therefore railways in terms of commodities were cheaper to-day than before the war. Prof. Hamilton delivered the other day an interesting lecture in Patna on the subject. So far as land revenue was concerned the return from it had risen during the decade from 31 crores 20 lakhs to 34 crores 62 lakhs. Thus in terms of commodity the burden of land revenue had been considerably diminishing and wherever there was permanent settlement it went on diminishing as prices changed. He had made these observations to apply correction to the charge of extravagance against the Government. The whole system of taxation was however now under enquiry. He hoped this was the subject in which the whole country was interested. He realised that the fact that taxation had not been above the commodity value compared with pre-war prices, did not mean that the burden on the individual tax-payer was the same. He expressed his views on the rupee tax a fortnight ago.

His speech should not be understood as suggesting that he was not in favour of reduction in taxation and expenditure. As regards army estimates he did not think they could now look forward to large savings under this head though they would continue to economise as far as possible. He thought improvement should be in the direction of increased yield from the existing sources of taxation. He also hoped that as a result of the debt redemption scheme considerable saving would result in charges on account of interest. Indeed he looked forward to a decrease in expenditure under this head and to increase in their total revenue to get rid of provincial contributions and make reductions in other items. They had however to remember that some items like excise and opium revenues were not on secure footing. On the other hand he hoped for increase from such sources as railways.

The motion for taking the Finance Bill into consideration was then put to vote and passed, only Mr. Ramadass crying "No."

Restoration of Salt-Tax.

Mr. McWATTERS next moved the amendment to restore salt-tax to Re. 1-4-0 per maund. This rate of tax, he said, had been in force for the last nine years with the exception of one year when it was doubled. The rate of Re. 1-4-0 was in force at the time the reformed constitution was put in operation and the promise of eventual extinction of provincial contribution was given on the basis of this tax at Re. 1-4-0. He now asked the House to restore that rate to enable the Government to redeem its pledge and reduce the contributions this year substantially. If, however, the tax remained at Re. 1 the Government would lose Rs. 90 lakhs this year and 125 lakhs in the succeeding years. They would thus lose 6 crores in 5 years at a time when the provinces were crying for money for schemes of development. This morning's telegram reported that the Madras Council had unanimously carried the motion of adjournment against the reduction of salt tax by the Assembly. Indeed the speaker felt that one of the causes which had retarded the healthy development of the constitution had been lack

of funds. As regards the so-called burden on the consumer which reduction in duty by four annas would relieve it would result in the removal of the tax of three-fifths of an anna per head per annum. This might be the only gain to the consumer on a theoretical basis but in practice even this would go in to the pocket of middlemen. For the sake of this insignificant advantage they were sacrificing 125 lakhs a year. Indeed they would be sacrificing substance for shadow.

Mr. RAMADASS opposed the Government amendment. The Assembly, he said, was primarily responsible for taxation and should not be upset. He held that man's right to eat salt ought to be as free as his right to breathe air. Mr. Ramadass contended that the budget contained room where retrenchment could be made and the salt tax be fixed at Re. 1 decided by the Assembly. It was not the duty of the Council to frame the budget. That was the function of the Executive. This Council had no hand in it.

The House divided and Mr. McWatter's amendment to restore salt duty was carried by 35 votes against 4. These 4 were Mr. V. Ramadass Mr. K. V. Rangaswamy Iyengar, Mr. Vedamurthi and Mr. Karandikar.

Reduction of Postal Rates.

Mr. RAMADASS next moved the amendment to reduce the rates of postcards to quarter anna. He said that the raising of postal rate was a war measure and it was high time that some relief was given to the poor specially when the cost of living had gone up. Against the argument that the higher rates were justifiable because the Post and Telegraph Department should be self-supporting, Mr. Ramadass said that the postal department rendered services to many departments like Customs and also to Indian States. Unless the accounts were separated and the principle of commercialization was thoroughly introduced, it was difficult for the House to know how much the department had contributed towards the running of the Postal Department. The rate of postage could be reduced by reducing the number of highly paid superior officers. He strongly appealed to the House to support his amendment.

The amendment of Mr. Ramadass was rejected without division.

Finance Bill Passed.

Mr. McWATTERS next moved that the Finance Bill as passed by the Assembly and as amended by this Council be passed.

Mr. RAZA ALI took the Assembly to task for reducing the salt duty on a false issue, thereby placing the members of this House in an awkward situation. He justified the salt tax being put at one rupee and four annas, but suggested that the question of reduction might be seriously taken next year.

Mr. KARANDIKAR, while supporting the passage of the Bill, asked the Government not to forget the poor man's salt. If necessary they might consider the situation in the light of the recommendations of the Taxation Enquiry Committee.

Mr. RAMADASS opposed the passage of the Bill and said that in so doing he was only entering a contitutional protest.

The Bill as amended was passed. Mr. Ramadass being the only dissentient.

Remission of Provincial Contributions.

On the 23RD MARCH the Council of State disposed of official business only. Loud applause greeted the announcement made by the Secretary that the Legislative Assembly had agreed to the amendment made by the Council of State to the Finance Bill, namely restoration of salt tax. Mr. McWATTERS moved the Government resolution regarding remission of provincial contributions in the same terms as was passed by the Legislative Assembly on the motion of Sir Basil Blackett. The speech with which the Finance Secretary recommended the acceptance of the resolution was brief and in the main covered the grounds advanced by the Finance Member in the Assembly. He added that the Government was grateful to the Council and the Assembly in passing the Finance Bill in the form presented by the Government and thereby enabling them to make substantial remission of contributions.

On the motion of Mr. Lallubhai SAMALDAS the Council agreed to the addition of a rider to the resolution recommending to Provincial Governments that the amounts released or given to the Provincial Government be mainly devoted to expenditure in the Transferred departments.

Mr. McWATTERS did not oppose the amendment, but he made it clear that the circumtances differed in each province and the Government had no information justifying any

partition of sums between the two sides of the Provincial Governments. The Government was anxious that as much money as was available should be spent in nation-building departments, but the Government must approach the matter with caution.

The amendment of Mr. Lallubhai Samaldas was carried and the original resolution with this rider was accepted.

Other Measures.

On the motion of Mr. Chadwick, Commerce Secretary the Council passed the Indian Tariff Bill as passed by the Assembly. Then finally on the motion of Mr. McWatters the Stamp Bill and the Income-Tax Amendment Bill as passed by the Assembly were passed.

On the 24TH MARCH on the motion of Sir Mahomed Habibullah, the Council passed the Cotton Cess Act Amendment Bill as already passed by the Assembly.

The Bengal Ordinance Bill.

Sir Narasimha SARMA then announced that the only business left was the Bill to supplement the Bengal Criminal Law Amendment Act, and it was hoped to place the Bill before the Council the next day in the form in which it was originally introduced in the Assembly.

A good deal of discussion ensued as to the date on which the Bill should be discussed in the Council. Divergence of view was expressed and eventually the President decided that it would be convenient both to the Government and the Council if the Bill was formally placed before the Council the next day and discussion taken up on Thursday the 26th.

Accordingly the Bengal Criminal Law Amendment Act Supplementary Bill, as recommended by the Governor-General was placed in the Council of State on the 25th March and discussed next day, the *26TH MARCH*, for over five hours and passed, oppositionists not claiming division although they had opposed the Bill, especially clause 6, which suspends the Habeas Corpus Act.

Earlier in the day, the motion for the consideration of the Bill was vigorously opposed by non-officials, but was carried by 20 votes against three, the latter being Messrs. Rangaswami Iyengar, Kaiandikar, and Sukhbir Sinha, while during the discussion, Messrs. Ramadass and Vedamurthi had walked out of the Chamber as a protest against the passing of the Bill at the point of the bayonet, as they described Lord Reading's recommendation.

Mr. CREAR, in moving that it be taken into consideration, said he did not intend to inflict upon the House a recapitulation of the melancholy series of crimes and outrages which had rendered necessary the enactment of special legislation in Bengal. The Governor-General in promulgating an Ordinance for that purpose issued a statement and though he regretted that some tragic items had still to be added to that tragic category it still stood a concise and cogent justification of the action which was then taken and which the Council of State was invited to endorse. The formidable recrudescence of revolutionary conspiracy, designed to subvert the Government by violence, and the preparation of a series of horrid outrages with that object, could no longer be regarded as a matter of controversy. The facts were on record. They were admitted even by those who most solemnly denounce the action of the Government and they were avowed by revolutionaries themselves. It was unhappily the fact that when a matter such as this had been for a long time under discussion and under controversy there was a dangerous and deplorable tendency for the facts to degenerate into phrases. He urged the Hon. Members to envisage the circumstances of those facts and give due weight to their terrible implications. It appeared to him a very difficult conclusion to say: "A revolutionary conspiracy with these objects was in existence, but it was not a matter of great importance."

They were not dealing merely with academical associations of theoretical Nihilists, but with men who believed less in propaganda and pamphlets, than in pistols and picric acid, who, though they indulged in both preferred murders to manifestoes and who had acted and were prepared to act on these beliefs and these preferences. The Government did indeed require special procedure in order to give due application of penal laws. Above all else, what they required was an effective measure of prevention, of precaution and of protection and those which had been taken were not hasty and ill-considered expedients. They had emerged from prolonged and exhaustive enquiries of the past and ascertained results of experience. They were supported by a consensus of opinion from successive Governors and from judicial, administrative and executive officers of every variety of experience. Could it be argued that these were hasty, ill-considered and rashly

undertaken? Measures of this character were resorted to in Bengal during the years of war and the immediate result of those measures was that, by the year 1918, an end had been put to the long series of similar outrages which unhappily found their place in the annals of Bengal in those years.

Continuing, Mr. Crerar said it would be abdication of the Government to permit a revolutionary organisation to pursue its course and perfect its machinery to a stage which would enable it to suspend the rule of law and defy the Government. So long at least as the axiom was accepted, the fundamental duty of the Government was to preserve public security on which political advance and all functions of a civilised organism depended.

Turning to the immediate object of the Bill, the Home Secretary said in the first place it provided for an appeal to the High Court by any person convicted on trial by commission. It provided also for confirmation of any death sentence which might be passed by the Commissioners. Those were the safeguards which the Government of India and all authorities who had to consider this measure deemed necessary and proper in order to ensure a just and equitable operation of the Bengal Act now on the Statute Book. There were provisions which would authorise the Government of Bengal in any case in which it was found necessary to commit a person to jail outside the province of Bengal and the object of that was the interests of public security, in order that, when such a necessity arose, a person against whom such an order was made may be removed from his dangerous associations and from the scene of his activities. He did not deny that the grant to the Executive Government of the powers of that character was a very serious matter, but if this measure was to have any effect it must be made effective from the outset. He had heard the authority of Lord Morley quoted as a ground of criticism against the principles of such a measure. In reply he quoted Lord Morley in which the latter had said that his view was that the powers given under the Regulation of 1818 did constitute in emergency powers which might be lawfully applied, if there was an emergency.

Concluding Mr. Crerar did not think that he had left it open to any candid Judge to enquire whether behind the brief clauses of this Bill or the more comprehensive, but equally undisguised provisions of the measure which it supplemented, there was concealed any subtlety of policy or any unexplained intention. It had been alleged that this measure, taking advantage of some insane outrages committed by irresponsible and isolated individuals, was aimed at a political party whose activities had been embarrassing to the Government. He would not plead to a charge so absurd, so manifestly untenable, so remote from facts; but he would not deny that this Bill was inspired by a political motive. The Government of India were, with His Majesty's Government and with the Parliament and with the British people, pledged to a programme of political advance in India towards Self-Government. "They perceive clearly, perhaps more clearly than their critics who are not so closely in touch with the forces which make for progress as with those which make for retardation, that nothing could be more fatal to these intentions and these aspirations than the obstacles which are interposed by lawlessness and violence by the cult of the pistol and the bomb. The Government are determined to do all that in them lies to remove these obstacles and to keep open the path for all men of good-will to walk in, without let or hindrance. That is the political motive, and is the resolve, the determination which inspires this measure." (Applause).

Mr. YAMIN KHAN regretted that in promulgating the Bengal Ordinance, the Governor-General did not share his responsibility with the Indian Legislature. This Bill was to supplement that Ordinance, and what was more regrettable was that it had come before this House with the recommendation that it be passed in the form as originally introduced. The necessary conclusion was that this Council had not the right to say that it agreed to this clause and was opposed to the other. Now, however the Governor General has taken upon himself the entire responsibility for the passage of the Bill in the form as introduced and on the basis of facts which had been communicated to him by the Bengal Government, but which had not been placed before this Council. In the circumstances it was not fair for this House to either oppose or support the present Bill. The only possible course was to leave the Bill to be passed by those members who wanted to share the responsibility with the Governor-General. He, for his part, was not prepared to accept the responsibility, because he was not convinced of the necessity for the Ordinance. No doubt Lord Reading considered it necessary to pass the Bill as recommended; but the procedure adopted by the members of this Council would have been very different if the Bill had come up before this Council in the first instance. On the other hand, it had been certified by the Governor-General. There must have been certain reasons which made the Governor-General adopt this attitude; but this Council was

not in possession of even those reasons. He therefore, left the Bill to be passed with the vote of those who were in possession of the secret facts and felt that it must be passed.

Mr. NATESAN said he could not respond to the appeal of Mr. Crerar. He spoke, he said with a deep sense of responsibility and with a heavy heart. He confessed with shame that there was an anarchist movement in Bengal, the existence of which was acknowledged by more than one leader of a well-known party. He condemned the anarchists, because they were enemies to India. It was nothing but illusion to suppose that self-government could be achieved by anarchist methods. He did not share the view that the Ordinance was aimed at Swarajists as such. He agreed that the anarchist must be put down, but he did not agree with Mr. Crerar that the Ordinance and the Supplementaay Bill were the only methods of putting down anarchists. Facilities which were given even to Sir Roger Casement had been denied to the accused under this Act. While on the one hand the right of appeal had been conferred, on the other hand the ancient privilege of Habeas Corpus had been denied and the accused could be detained for any indefinite period. Much had been said of Lord Morley's views. Mr. Natesan argued that much water had flown under the bridge. It was a matter of deep regret that this Bill had been brought before the Legislature at a time when the non-co-operators were becoming co-operators The Bill would also become an Act, but he asked the Government to realise their responsibility in this matter. He urged the Government to see that the evidence against each accused be placed before the Commissioner and that all reasonable facilities be given to him to explain his innocence. He feared that by bringing this Bill, in the manner the Government had done, they were thinning the ranks of the co-operators. He begged the Government not to convert India into another Ireland. Indians were for transforming the existing system of Government only by peaceful and legitimate methods and therefore nothing should be done which would interfere in this, their noble task. He regretted he could not support the motion of Mr. Crerar.

Sir D. P. SARVADHIKARI in a lengthy speech opposed the consideration of the Bill. He analysed the Ordinance in great detail and said it was difficult to consider a measure of this character. He did not think that such an emergency had arisen to warrant a measure of this description. Materials had not been placed before this Council to prove the necessity for the promulgation of the Ordinance and much less for the inclusion of some provisions of the Bill, especially the removal of the right of Habeas Corpus. He was prepared to admit that there were revolutionary criminals in Bengal; but he was not prepared to admit that there was a revolutionary movement for the furtherance of political wants and aspirations. Sir D. P. Sarvadhikari then examined the Ordinance from the legal and constitutional aspect and complained that it has been brought before the House for consideration. Sir. P. C. Mitter, who was a party to the framing of the Rowlatt report, was opposed to the Ordinance Bill. He (the speaker) asked what was the necessity for providing for the removal of prisoners to other province, when there were endless number of jails within Bengal. He severely criticised the removal of the right of Habeas Corpus and said in the face of this provision he could not consider the right of appeal to the High Court as any very much hopeful provision. In conclusion he opposed the consideration of the Bill.

Mr. VEDAMURTHI regretted that owing to his ill-health he was not able to take an active part in this session, but his ill-health could not prevent him from recording his protest against the introduction of the Bill. He was entirely opposed to the principles that underlay the Bill, and the policy enunciated in it. He held that the suspension of Habeas Corpus was a very extraordinary procedure which deprived a citizen of his most cherished right. Proceeding Mr. Vedamurthi said that there was an impression in the country that the Council of State was a handmaid of the Government of India and that it existed in the constitution only to register the decrees of the Government. Even this Council to-day was offered an ultimatum in the shape of not only a recommended Bill, but of a certified Bill by the Governor-General. It was an insult to the House to be called upon to pass the Bill at the point of the bayonet. It was a sheer waste of time to discuss the Bill as the Government had come with the determination of not being convinced. Their discussion and adverse vote would not make the Government deviate even by a hair's breadth from the course they had chalked out for themselves. The discussion would only be a farce. He felt that he could not therefore be party to the passing of the Bill and he declared that, to emphasise his protest against the Bill, he would withdraw from the House when the Bill was under discussion.

After his speech Mr. Vedamurthi bundled up his papers and walked out of the Chamber with a bow to the chair.

Mr. KARANDIKAR opposed the consideration of the Bill. He said that the whole affair betrayed lack of trust by the Government for the people of Bengal and also for their own judiciary. He saw no justification for the Government to deprive their judiciary of its powers. He referred to the Bengal Bill before the local Council of Bengal and how it was opposed by prominent public men of that province. He then criticised the Bill under discussion in detail and said that High Courts should not be deprived of their powers. No case had been made out for the suspension of the Habeas Corpus Act.

Lala Sukhbir SINHA also opposed the consideration of the Bill. He averred that he was not for any revolution in the country. Men of position and property wanted protection of life and property. It was a pity that in recommending this Bill the Governor-General had taken the entire responsibility for the passage of the Bill on himself. He had forgotten that the members of this House had some responsibility in the administration of the country. In regard to the promulgation of the Ordinance he did not consult the Central Legislature. There the matter rested and the responsibility rested with the Governor-General. What was the use of this Council now discussing this Bill when it had been certified? Therefore he thought that they should not consider the Bill on its merits, but leave it to the Government to do what they thought best for the country.

The Raja of DIGHAPATHIA (Bengal) regretted that he was unable to support the Bill. He feared this Bill would not have the desired effect but might have the opposite effect. There was nothing but martial law in Bengal and any man could at any time be arrested by the Police without any warrant. It was not right to punish the whole province of Bengal for the crimes of a few. Already ninety persons had been arrested and detained for several months. The appointment of Commissioners was a mere eye-wash. Moreover it was difficult to understand the necessity for a provision enabling the Government to transfer the prisoners from Bengal to jails outside Bengal. This would create unnecessary hardship to the prisoners. Concluding the Raja said he had received several communications from several associations in Bengal asking him to emphatically protest against this Bill.

Syed RAZA ALI said the right of appeal given to the accused dwindled into insignificance before the supension of the Hæbeus Corpus Act contained in Clause VI. The implication of this clause was very serious A man could be detained for any length of time without information against him being put to the judicial scrutiny. The Repressive Laws Committee had clearly laid down that restraining the personal liberty without trial of any subject was inconsistent with the recent constitutional changes and therefore the committee recommended that to be repealed. Section 491 of the Criminal Procedure Code expressly exempted action under the Bengal Regulation from liability to a writ of Hæbeus Corpus, because the Government had declared that their policy was to confine their operation of the regulation within the strict limits proposed by the Repressive Laws Committee, that is, to be used only in the Frontier and backward tracts and not to be used in cases of internal commotion. But the Police of Bengal had been given extraordinary powers to arrest any person without warrant. The very fact that these measures were necessary showed that the Bengal Police was not so efficient as it ought to be. He, for one, would not give a *carte blanche* to the Bengal Government to order the Police to do things as they liked. He feared that under the Act a Police constable was a mightier individual than Sir Alexander Muddiman and Mr. Crerar. (Laughter.)

Mr. V. RAMADAS (Swarajist) said that two years ago this Council was invited to co-operate with the Government in taxing the poor man by doubling his salt tax and the members very obligingly accepted the invitation of the Government. To-day they were invited once more to accede to the Viceroy's view that this Black Bill was essential for the good of India. He declined to accept that invitation. Their co-operation was only wanted when something extraordinary was required to be done against the wishes of the whole country and of the Assembly. As to the utility of discussion and debate he argued that the representatives of Bengal and of India had unhesitatingly and in no uncertain terms condemned this Black Bill. After the rejection of three clauses of this measure in its present obnoxious form, they could not reject the Bill, nor could they allow it to become law. He held therefore that there was no use of discussing and debating the clause of the Bill. Similarly it was no use to convince the bureaucracy who were the steel frame of the Indian constitution and who were not liable to change its views. He emphatically entered his protest against the misuse of Section 67-B of the Government of India Act. Concluding, the speaker felt that without doing any injustice to his electorate and without failing to discharge his functions, he must withdraw from the deliberation of the Council so far as the debate of this Bill was concerned.

After Mr. Ramdas had concluded his speech, he walked out of the Chamber.

After Mr. Ramdas has left the Chamber in protest against the passing of the Bill, Sir Alexander MUDDIMAN addressed the Council. He said that in bringing the Bill in the recommended form, there was no intention of treating this House in any other way than with the greatest respect. He had for sometime enjoyed the honour of presiding over the deliberations of the Council of State and he would do nothing to lower the dignity and the great reputation which this Council enjoyed in India. It had been suggested that the Bill had been brought forward at the end of the session. That was not the fault of the Government. They had to lay the Bengal Criminal Law Amendment Act itself before the two houses of Parliament for eight working days, and the Act itself received the sanction of His Majesty only on the 18th March. No surprise was sprung on this Council as had been alleged by some members, because this had been before the Councillors since last Friday. Regarding the necessity for the Act itself Sir Alexandar Muddiman said, that the fact of a very serious terrorist conspiracy making the life of the man in the street intolerable, was admitted. The ordinary law had broken down. Juries had failed in their duty. The witnesses were intimidated and Bengal was sliding slowly towards that state which filled everyone in Bengal with sorrow, with horror some years ago. It had been argued that the action taken by the Government was not the right one, but no one had suggested any alternative. The Raja of Digapathia had stated that the situation in Bengal was something like the Martial Law regime, but under the Martial Law, the suspected person could be shot. Did they want it in Bengal?

Concluding, the Home Member appealed to the Council to shoulder some part of the responsibility which attaches to the maintenance of law and order in India. It had been a charge repeated by those opposed to reforms in India that the legislatures did not favour any action taken by the Government for the maintenance of law and order. He did not suggest that this House should blindly without consideration endorse all that had been proposed. It was a matter on which the Members must examine their own conscience very closely, and see whether they were justified in refusing that support to the Government which it was the right of the Government to look for from the Central Legislature, and the House in particular.

Mr. CRERAR emphasised that there was a revolutionary conspiracy very well organised and sustained. In support of this statement he pointed out that there had been large importation of ammunitions which could not be obtained by any legitimate means. Then there was distribution of a very large number of revolutionary publications, and thirdly there was manufacture of a highly efficient type of bomb. The object of these revolutionary organisations was the overthrow of the Government established in India by force and subvert the social organism which was the primary duty of the Government to support.

Mr. Crerar's motion that the Bill be taken into consideration was put to vote and carried by 29 votes to 3.

The *3 members* were Messrs. K. V. Rangaswamy Iyengar, R. P. Karandikar and Sukhbir Sinha. The *29 members* were Sir Narasimha Sarma, Sir Mohamed Habibullah, Mr. Abbott, Sir Charles Mcwatt, Mr. Berthould, Mr. Zahiruddin, Mr. Dawn, Mr. Chadwick, Mr. McWatters, Mr. Crerar, Mr. Ley, Col. Patterson, Dewan Tekchand, Sir Umar Hayat Khan, Sardar Charanjit Singh, Nawab of Loharu, Mr. Shyam, B. Misra, Mr. K. N. Mitter, Mr. Wild, Raja of Dumraon, Major Akbar Khan of Hoti, Mr. Dutt, Mr Natesan, Mr. Khaparde, Sir D. P. Sarbadhikari, Raja Digapathia, Mr. Raza Ali, Mr. D. C. Barua, and Khan Sahib Amanali.

After launch, that is, after Mr. Raza Ali's speech, the first three clauses were passed without any discussion. A short discussion ensued on Clause IV which authorises the Government to order custody of prisoners in jails outside Bengal, but this clause too was passed without any slight opposition.

The last clause, that is, suspension of Habeus Corpus Act, was opposed by Mr. Raza Ali and Dr. Sarbadhikari, but the Home Member emphasised that they could not have revision of the grounds of action by a Judicial Tribunal when ex-hypothesi they were enacting a law in which they could not disclose the sources of information. The clause was put to vote and a few members said 'No', but no member claimed division when the Bill (as recommended by the Governor-General) was put to vote and carried. Here again a few members said, 'No', but did not claim division.

The Council then adjourned *sine die*.

The Autumn Session

SIMLA—25TH AUGUST 1925.

The Autumn Session of the Council of State commenced on the 25TH AUGUST in the Council Chamber at the Viceregal Lodge. Feeling references were made to the deaths of Lord Rawlinson, Mr. C. R. Das and Sir Surendranath Banerjea.

A resolution moved by Mr. Khaparde for an enquiry into the condition of the piece-workers in Government presses was rejected.

A resolution of Sir D. P. Sarbadhikari for a delegation of a few elected members to form the nucleus of a convention to draft a constitution for British India was postponed, as the Government motion on the Muddiman Report was going to be placed shortly before the House.

On the 26TH AUGUST Six Government Bills were introduced in the Council of State without discussion. These included a Bill to supplement the Oudh Courts Act, 1925, a Bill to amend the Criminal Tribes Act, and a Bill to amend the Cotton Transport Act, 1923. By the latter Bill Local Governments were given some discretion in the matter of restricting the import of cotton in any protected area.

Sir Narasimha Sarma introduced a Bill making very minor alterations in the Trusts Act, 1882; Electricity Act, 1910; Mines Act, 1928; Workmen's Compensation Act, 1923; Civil Procedure Code Amendment Act, 1923; High Courts Jurisdiction Act, 1872; and the Criminal Procedure Code, 1892; and repealing the Burma Laws Act, 1898.

A Bill was then introduced supplementing certain provisions of the Madras, Bombay and Bengal Children Acts, which contain provisions affecting the appellate and revisional jurisdiction of the respective High Courts. It was held that such provisions are ultra vires of the local Legislature. Hence this validating measure. The last Bill introduced was one to amend the Ports Acts, 1908, by which the Government of India was empowered by notification to exempt, from the operation of Section 31 for any port, sailing vessels below a specified tonnage.

The Oudh Court Bill.

On the 31ST AUGUST, on the motion of Mr. CRERAR the Bill to supplement the Oudh Courts Act, 1925, was taken into consideration. Dr. Dwarkanath Mitter moved a series of amendments for the addition of the words "or Chief Court" after the words "High Court" in several clauses of the schedule to the Bill. He pointed out that without such additions the position was not clear, especially in regard to the rule-making powers of High Courts.

Sir Narasimha SARMA said that the Government of India had followed exactly those sections which had been referred to in the Oudh Courts Act. The High Courts, constituted under the Government of India Act and the Chief Court of Oudh, would have to appoint a rule-making committee and would have to take the committee's report into consideration before the rules were framed, whereas in the case of other Courts the constitution of a committee was not compulsory before the rules were made. Moreover, the expression includes a Chief Court under the General High Court Clauses Act.

Syed RAZA ALI, on behalf of the people of Oudh, expressed gratitude to the Government for establishing a Chief Court for Oudh. He looked forward to a time when the Chief Court would be raised to the status of a chartered High Court at Lucknow, the jurisdiction including some western districts of Agra Province. The Bill was then passed.

The Council next passed without discussion the Criminal Tribes Act (Amendment) Bill, the Cotton Transport Act (Amendment) Bill, the Bill amending certain minor enactments and repealing certain others, the Bill supplementing certain provisions of the Madras, Bengal and Bombay Children Acts and the Bill amending the Port Act of 1908.

The Opium Evil.

On the 1ST SEPTEMBER Sir Devaprasad SARBADHIKARI proposed that the area for the cultivation of opium be restricted and brought under stricter control, and the practice of making advances to cultivators discontinued from next season.

Mr. McWATTERS said that in seven years the area of cultivation had been reduced from 200,000 acres to 116,000 and the Government had arranged to reduce cultivation next year to 74,000 acres. The Government were considering the question of concentrating cultivation in certain areas in order to bring it under stricter control. Moreover, the rate of payment to the cultivator had been reduced from Rs. 15 to Rs. 13 per seer. The average revenue from opium had been also reduced from Rs 8 crores to Rs. 114 lakhs. Export was allowed only under the licence system. Export would be stopped to those countries where opium found its way into illicit channels. He announced that an independent committee of the League of Nations would visit India and the Government would allow them to examine their system. The age-long practice of making advances to cultivators must continue, as otherwise the cultivators would be in danger of getting into the hands of money-lenders.

A suggestion for the adjournment of the discussion till next session was negatived. The first part of the resolution suggesting restriction of the area of cultivation was lost by 29 votes to 11, while the other part was rejected.

Mr. Yamin Khan next introduced a Bill to amend the Interest Act, which aimed at preventing the accumulation of interest.

On the 2ND SEPTEMBER Sir Henry MONCRIEFF SMITH, as President of the Statute Law Revision Committee and Chairman of the Joint Committee on the Bill to consolidate the law applicable to intestate and testamentary succession, moved for consideration of the Bill as it emerged from the Joint Committee.

Sir Henry said: The Bill, introduced two year ago by Sir Alexander Muddiman, purported to be a measure of consolidation. The Bill now before the Council had brought together all scattered law on the subject of intestate and testamentary succession and a large number of textual amendments had been made which were merely of a drafting nature. The Bill was passsed.

Repeal of Repressive Laws.

On the 3RD SEPTEMBER a heated debate was held in the Council of State on the motion of Mr. RAMDAS, Swarajist, for consideration of Mr. Patel's Bill passed in the Legislative Assembly last March repealing five special enactments; including the Bengal and Madras Regulations and the Prevention of Seditious Meetings Act.

An attempt by Dr. Dwarkanath Mitter for reference of the Bill to the Select Committee was also opposed as the Government would not commit itself to the principle of repeal when the ordinary law was not sufficient to deal with offences against the State.

Non-officials, including Sir Devaprasad Sarbadhikari and Mr. K. C. Roy, emphasised that the Assembly had carried the Bill as a party measure, designed to create a political effect, and no detailed consideration had been given to the recommendations of the Repressive Laws Committee. By

agreeing to the Committee stage the Bill could be shaped in acceptable form, and the powers necessary for the Government to deal with dangerous offences against the State would be maintained.

The motion for a Select Committee was lost by 30 votes to 13.

In the discussion for consideration of the Bill a large number of speakers participated. Mr. RAMDAS, relying on statements in the Sapru Committee's report, pleaded for repeal of all five enactments, some of which, he alleged, were being applied by the Government for the suppression of all forms of political agitation.

Syed RAZA ALI, who remained neutral, justified his action by stating that while on the one hand Mr. Ramdas wanted a repeal of all five enactments, the Government, on the other, opposed even a Committee for consideration.

Sir Maneckjee DADABHOY opposed the Bill as a repeal of the enactments would result in anarchy, bloodshed and riots in the country, thereby impeding industrial, agricultural and commercial progress.

Messrs. Karandikar and Khaparde, supporting the Bill, pointed out that repeal of the enactments would not weaken the hands of the Government, as the Governor-General could promulgate ordinances in 24 hours whenever an emergency arose.

Mr. CRERAR, Home Secretary, opposed the motion. While he acknowledged Mr. Ramdas's moderation he did not agree that the Bill was moderate. The Bill before the House did not contain the enactments which were included in it when the original Bill was before the Assembly. The Assembly removed the Punjab Murderous Outrages Act from among the proposed measures for repeal and there was partial mitigation of the original Bill in so far as it affected the Moplah Outrages Act, but Mr. Patel had told the Assembly that he would introduce another Bill for the repeal of these two as well. In so far as the laws mentioned in the present Bill were concerned, they undoubtedly conferred upon the Government the power of committing to custody without a regular form of judicial trial. Mr. Crerar shared repugnance in the feature of the laws in question, but it was only hard necessity which compelled the Government to retain them on the statute book. The Repressive Laws Committee's report should be taken as a whole.

The Committee were themselves very much impressed by apprehensions of the future and, indeed, the ink was hardly dry when they had the Moplah rebellion, which was followed by a recrudescence of revolutionary activities in Bengal and the discovery of a Communist conspiracy in India. The judgment of the High Court in the Cawnpore Conspiracy case would reveal that the dangerous Communist conspiracy was not a thing of bureaucratic imagination. It had been alleged that these measures were archaic, antiquated and obsolete. They were not more archaic than revolution, not more antiquated than conspiracy and not more obsolete than assassintion.

Retention of these laws was due to a very real danger. Persistent attempts had been made from foreign sources to introduce in India propaganda against India's peace and security as a whole and not merely on the frontiers. There was subversive propaganda in the form of incitements to murder and rebellion and in the concrete form of illicit arms and ammunition. That was a danger which could not be lightly diminished, especially when they referred to the case of China where the trouble was due to Communist activities. Mr. Crerar added :—" The Government of India have documentary proof to show that attempts have been made and are being made by Communist elements in China to secure connection with India."

Proceeding, the Home Secretary asked the House to consider the international obligations of the British Government in India with regard to its own undesirables, that is, those persons, like Indian Communist agents who were very recently in Germany. The German Government had applied to the Government of India to receive those agents on the ground that their activities were dangerous to the German State. The Government of India were bound to receive these agents back to Indian shores, but could the Government allow them to carry on their propaganda.

Concluding, Mr. Crerar said the real object of the Bill was not to improve the statute book but to impair the Government's power and weaken their responsibility. The obligations of the Government must be accepted and vindicated. No honest Government whether in its own interest and of the peoples committed to its charge or in the interests of its successors in title and liability can possibly be met with an aggression of this character and omit to repel it by every means in its power.

The motion for consideration of the Bill was put and lost, 9 voting for and 29 against it,

Mr. Phiroze C. SETHNA introduced his Bill to amend the Transfer of Property Act 1882. The object of the Bill was to amend Section 123 by providing an exception clause dealing with gifts.

On the 7TH SEPTEMBER the business of the Council of State was purely official and lasted only half an hour. After interpellations, Mr. Crerar moved for consideration of the Civil Procedure Amendment Code Bill 1908. There was no discussion and the Bill was passed. Similarly the Council agreed to the passage of the Bill to amend the Religious Endowments Act, 1863, which was brought forward in consequence of the recommendation of the Civil Justice Committee.

Mr. McWATTERS, in moving for consideration of the Bill amending the law relating to salt and salt revenue, said that its object was to bring under direct control of the Central Government the administration of salt in the Madras and Bombay presidencies. Apart from affording administrative convenience the Bill was in strict accordance with the spirit of the Reformed Constitution. The Council again without discussion passed this Bill.

The Bill conferring certain exemptions on members of legislative bodies was then taken into consideration by the Council at the instance of Mr. Crerar and passed, as was also the Sikh Gurdwara Act Supplementary Bill.

Indianisation of High Commissioners Office.

On the 8TH SEPTEMBER Mr. Sethna moved that steps be taken to Indianise the staff and establishment of the High Commissioner in London.

The debate lasted more than two hours and the motion was carried, with an amendment by Sir Maneckjee Dadabhoy suggesting that Indianisation must be carried out as far as is compatible with economy and efficiency, and must take place among the higher staff and establishment.

Transfer of Property Act.

Mr. SETHNA, in moving for consideration of his Bill to amend the Transfer of Property Act, said the object was to clear the doubt that at present existed whether assignments without consideration of certain actionable claims—those, for example, which consisted in life-policies, were governed by Section 123 or by Section 130 of the Act. It stood to reason that when a man assigned his life insurance policy to his wife, or other relative, a mere written instrument ought to suffice, and that he should not be put to the trouble and expense of getting the instrument registered. But Section 123 was capable of an interpretation by which registration

might be made compulsory, though unnecessarily, in the case of written instruments transferring without consideration actionable claims. This inconsistency might be removed by adding an exception to Section 123.

At the instance of Mr. Chadwick certain drafting amendments to give effect to the intentions of the mover were made and the Bill as amended was passed.

Women's Franchise Rules.

On the 9TH SEPTEMBER Mr. CRERAR, in asking the acceptance of the Council of State to amendments being made in the electoral rules as recommended by the Majority Report of the Muddiman Committee explained the history of the case by quoting recommendations of the Joint Select Committee. These recommendations referred only to franchise, that is, to the admission of women to electoral rolls as voters. There was no reference to their standing as candidates either for local Councils or to the Central Legislature. The Joint Select Committee expressly contemplated that the initiative in this matter must come from the Legislatures. The electoral rules provide that on a resolution passed by the Council recommending sex disqualification for registration to be removed in respect of women the Government should make regulations accordingly. In so far as admission of women to the franchise to vote was concerned no further amendment of the electoral rules than contemplated in the present resolution, either in the case of Provincial Councils or in the case of the Central Legislature was necessary. If the disqualification in respect of standing as a candidate for the Council of State was proposed to be removed then there should be a specific and separate resolution and the Provincial Councils must also pass similar concurrent resolutions. So far Bombay, Madras, the United Provinces and Bengal had passed such resolutions and Burma stood on a different footing. If a resolution to remove that disqualification was actually passed in this Council then it would apply in the case of these Provinces and would not apply to the other Provinces unless and until the Councils in those Provinces also passed similar resolutions. The question was whether the Council endorsed the recommendations of the Reforms Enquiry Committee that the electoral rules should be amended in such manner that if this Council subsequently passed a resolution removing the restric ions regarding standing as candidates and if the necessary concurrent resolutions were obtained in the local legislatures then disqualification could be removed.

The resolution was subsequently carried.

Bounty for Steel Industry.

The Council then discussed a Government resolution proposing payment of a bounty to the steel industry up to Rs. 60 lakhs for 18 months from the 1st October, 1925, to the 31st March, 1927, the bounty being at the rate of Rs. 12 per ton.

Mr. Chadwick said the case for a bounty rested on three-fifths of the quantity produced by the industry and pointed out that if Rs. 60 lakhs were granted it would considerably help the industry to establish itself. At the same time there was need for a reduction of the works cost and if the Government's anticipations proved true the Tata Company would earn a profit very soon.

Non-official members gave general support to the resolution which was eventually carried.

Indians in South Africa.

On the 10TH SEPTEMBER the position of Indians in South Africa, with particular reference to the Areas Reservation and Immigration and Registration Bill, at that time on the anvil of the South African Parliament, was discussed in the Council of State on the motion of Sir

Devaprasad Sarbadhikari, who urged immediate steps to secure and safeguard the rights of Indians.

Mr. Natesan and Mr. Ramdas Pantulu described the Bill before the South African Parliament as a direct violation of the Smuts-Gandhi agreement, and, if passed, the rights and privileges of Indians both born and domiciled there, would be taken away. Mr. Karandikar said the prestige of the British Empire was involved. Sir Umar Hayat Khan suggested repatriation if the problem could not be solved otherwise.

Mr. K. C. Roy strongly supported the proposal for a round-table conference, first suggested by Mr. Thomson (ex-Colonial Secretary) and said there was a clear case for intervention by His Majesty's Government so that there could be a solution, not in the interests of Indians alone, nor in the interests of South Africa alone, but in the bigger interests of the Birtish Empire.

Mian Sir Fazl-i-Hussain accepted the motion and said that although the position was delicate, because South Africa was a self-governing Dominion, yet the door for negotiation was not still closed. When the Indian Government were negotiating for a round-table conference a bombshell, in the form of the Reservation of Areas Bill, was introduced in the South African Parliament. The Standing Emigration Committee, as well as Sir Devaprasad Sarbadhikari and Messrs. Motilal Nehru and Jinnah were of opinion that the Indian Government should use its good offices for a better understanding between India and South Africa and not for the intervention of higher authorities in the internal affairs of South Africa. The Government of India had already expressed disapproval of the Bill to the South African Government, and would follow it up with a detailed representation. The Government would try to secure justice and fair play, and not concessions.

Age of Consent Bill.

The Council next passed the Age of Consent Bill as passed by the Legislative Assembly with a minor amendment. There was a heated debate on the proposed age-limit in the case of marital relations, but it was accepted by a majority.

The Reforms Enquiry Committee Report.

On the 11TH SEPTEMBER the Muddiman Report came up for discussion in the Council of State. Mr. CRERAR, Home Secretary, in moving the Government resolution for acceptance of the Majority Report asked the Council to see the problem in its true perspective not only of dimension, but of time. From the amendments to the resolution on the agenda it was clear that the leaders of all political thought in India had themselves definitely declared that the political progress of India must proceed on and be governed by these principles, but the Council must recognise the vast dimensions of the common enterprise. Durable institutions were of slow growth. He was not suggesting that India must wait for centuries to achieve her goal, but he pointed out that the inception of responsible government in India was not yet six years old.

There were legal and constitutional conditions inherent in the task itself. The first of these was sufficiently recited in the preamble to the Government of India Act, which states the fundamental doctrine of the responsibility of Parliament and that the time and manner of each advance can be determined only by Parliament. All responsible public opinion, however divergent in other matters, was agreed or, at least, was prepared to accept it as the basis of all practical discussion. "We must satisfy Parliament," said Mr. Crerar. "We must satisfy the tribunal that Parliament is to set up to examine and report on all claims and all evidence of every step that we propose should

be taken. We must use to the full all the resources in our possession, discarding none till its utility has been fully tried and found wanting. The co-operation invited and required by the Secretary of State and the Viceroy is not merely a stipulation made by one party to the negotiation, but a plain and candid statement of a fundamental condition for the solution of the problem which lies before us both, and without which neither can succeed. I, therefore, invite the Council to consider the resolution in this spirit."

Mr. SETHNA then moved his amendment, which was substantially the same as Pandit Motilal Nehru's amendment in the Assembly.

Mr. RAMDAS said his amendment was also on the lines of Mr. Sethna's amendment. He felt that the Government had no legal or moral right to continue to keep India as a dependency.

Sir Devaprasad SARBADHIKARI then moved his amendment suggesting a convention and otherwise materially covering the ground of Mr. Sethna's amendment.

Sir Alexander MUDDIMAN expressed disapointment at Mr. Sethna's speech. He regretted the reflection cast on the Maharaja or Burdwan who was one of the biggest zemindars in Bengal and had therefore as great a stake in the country as Mr. Sethna. He particularly regretted the prejudices against Indians who had been in the service of the Crown. If that was to continue India would not be as well served as in the past The Minority Report had made only one recommendation, that the Constitution be ended and another Constitution be suggested by a Royal Commission. This House consisted of practical men, to whom he appealed to take a practical view of the situation.

Sir Maneckjee DADABHOY supported the Majority Report of the Muddiman Committee and regretted that he could not agree with the amendments of either Mr. Sethna or Sir Devaprasad Sarbadhikari. He did not want to discuss whether the majority was really a minority, but he accepted what was practicable and attainable, and not what was chimerical. The proposals of the Minority Report went beyond the scope and purpose of the Act, as their ultimate recommendation was the appointment of a Royal Commission. It was surprising that two signatories to the Minority Report should have supported the amendment of Pundit Motilal Nehru, because the proposals contained therein were matters for separate consideration and were irrelevant as amendments to the Government resolution, which had reference only to improvements in the Gevernment machinery by rule-making powers. These amendments could not be moved constitutionally in the face of the preamble to the Act. The amendment asked for immediate full responsible Government, if not Dominion Government. Was it right or within the power of the Council of State to come forward with a catalogue of these formidable demands and ask by a stroke of the pen that the present Constitution should be set aside, and that a new Constitution should be given ? Even the authors of the Montagu-Chelmsford Report did not contemplate such a demand. Concluding, Sir Maneckjee said : I have a large stake in the prosperity of this country. I yield to none, uot even to Mr. Ramdas, in my love of country, but I believe that the policy adopted in these amendments, which are intended to defeat the main resolution of Mr. Crerar, is unwise and short-sighted.

Sir William CURRIE said that the business communities wanted the politicians to inspire confidence in their sense of responsibility. Businessmen wanted peace and quiet to carry on their avocations. If politicians could prove within the next two years their real desire to co-operate and that the minority would be protected and that business could carry on

peacefully, then Indian's political aspirations would not be opposed by the European commercial community.

Mr. KARANDIKAR said the difference between the Majority and the Minority lay in that one depended on the preamble while the other on the right of India to determine the stages of her advance by herself. Why should the amendment frighten Parliament out of its wits? It was put forward loyally in the interests of Great Britain and of greater India.

Dr. Dwarkanath MITTER disagreed with Sir Maneckjee Dadabhoy that the amendment offered an ultimatum. He however believed that as destiny had placed them under British rule they must accept the position in the preamble and depend upon the good wishes of Parliament for a future advance.

After a few more speeches the Council adjourned for the next day.

On the 12TH SEPTEMBER the Council of State concluded the debate on the Muddiman Committee Report.

Mr. K. C. ROY moved the addition of the following rider to Mr. Crerar's resolution :—" And that he do consider and recommend the appointment of a Royal Commission, or any other suitable agency, not later than 1927." Mr. Roy said that several members of the Assembly, particularly Pundit Madan Mohan Malaviya, had urged the appointment specifically of a Royal Commission. The Home Member admitted the day before that if co-operation was forthcoming, there was no reason why the Commission should not be appointed earlier than 1929. Sir Basil Blackett had also, in another place, indicated the same view. Mr. Roy believed that co-operation was forthcoming, and that the Swarajists were doing useful work as members of the various committees and in the Assembly. Acceptance of the proposal would mean a great gesture on the part of His Majesty's Government, and he appealed to the Home Secretary to accept his amendment on behalf of the Government and thereby record the necessary gesture.

Sir Alexander MUDDIMAN, in opposing the amendment congratulated Mr. K. C. Roy on his wise speech. The date of the Royal Commission, he said, was not so important as what the Commission was to go into. That material was not available now. What was required was not the capacity of the electorates alone, tried even thrice, but the sense of responsibility shown by the members of all legislative bodies sent up by the electorates in working the existing machinery. As Lord Birkenhead had clearly pointed out, there must be evidence of a genuine desire to co-operate with the Government in making the best of the existing Constitution. No doubt the Council of State had co-operated, but the co-operation received in other quarters was not encouraging, especially in Bengal and the Cental Provinces Legislative Council, where there was no attempt to work the Reforms granted by the Government of India Act. The test for an acceleration of constitutional progress must be facts; and the Government could not now commit itself to any date named in the amendment. The popular leaders should endeavour to bring the Royal Commission earlier by earnestly working the present Act fully and producing convincing material.

Sir Devaprasad SARBADHIKARI opposed the amendment because it implied acceptance of the preamble. Reference had been made to the necessity of working the present machinery fully, but there was a great divergence of opinion about the possibility of working Dyarchy.

Mr. K. V. Rangaswami IYENGAR also opposed the amendment because no Royal Commission was needed to find out what India wanted. India's demands had been repeatedly put forward and were already well known.

Mr. ROY withdrew, his purpose in eliciting the opinion of the House on the subject having been served.

Syed RAZA ALI moved a rider proposing that the Government should also take into careful consideration the recommendations contained in the Minority Report. He recalled that Sir Fazl-i-Hussain, as a Minister in the Punjab, had asked for the unitary system of government in the Provinces by the abolition of Dyarchy and partial responsibility in the Central Government. This showed the Indian view. Mr. Raza Ali however felt that both the Majority and the Minority had put their cases very well. The communal question was partly dealt with by the reports. He emphatically stated that the allegation that the Government was responsible for or promoted communal differences was entirely without foundation. Appeals had been made by the Government for co-operation and goodwill. Had not the Council of State supported the Government in the maintenance of law and order throughout? Had they not come to the help of the Government when the Assembly had rejected the Princes' Protection Bill, the Finance Bills of 1923 and 1924 and even the Special Laws Repeal Bill?

Mr. CRERAR regretted he could not accept the amendment, although he appreciated the courtesy of the observations made by Mr. Raza Ali. In a very few cases the majority went beyond the minority, and in others the minority went beyond the majority. The difference between the majority and the minority was largely one of method and expediency. Syed Raza Ali, in the first part of his amendment, wanted the Government to give effect to all the Majority recommendations. The Government would do this as they had been endeavouring to do, but it was difficult for the Government to accept the Minority Report, because the recommendations of the Minority had not been correctly understood. For, while accepting the recommendations of the Majority Report, the Minority, at the same time, stated that there could be no improvement without an enquiry by a Royal Commission. The Government could not commit themselves to the actual implications of this amendment, although the Government had every desire to show a spirit of reciprocity and good-will to the Council for the assistance it had rendered. The Government rejoiced that wise counsels had prevailed in the House and would rejoice still further if they prevailed still more by accepting the Government resolution as it was.

Mr. RAMDASS welcomed the amendment because it had given an opportunity for the Government to refuse Mr. Raza Ali's offer of co-operation except on its own terms. The attitude of the Government had shown to the Council of State that the co-operation which the Government often talked about was to be all one-sided.

Sir Alexander MUDDIMAN, replying, noted Mr. Ramdas's confession. The latter had supported neither the Majority nor the Minority. If Dyarchy had promoted communal differences, then it had brought the people to a sense of the realities of the situation. What was the cause of communal differences? The cause was that the power of the vote was being realised, and that the loaves and fishes of office were being divided and the people were getting familiar with hard facts. It was not by controversy, and not by speeches that these matters were brought to their notice, but by the hard logic of facts.

Mr. Raza Ali's amendment was rejected by 28 votes to 7. Mr. Crerar's resolution was then put and was carried by 28 votes to 7.

On the 14TH SEPTEMBER the Council of State dealt with official business. The Bill to amend the law relating to the carriage of goods by sea was passed. Mr. Chadwick briefly explained minor changes. He characterized the Bill as useful and said it was passed unanimously by the Assembly.

The Council then passed without discussion the Provident Fund (Amendment) Bill and the Opium Bill as passed by the Assembly.

The Coal Grading Bill.

Mr. CHADWICK next moved for the consideration of the Coal Grading Bill as passed by the Assembly.

Sir Maneckjee DADABHOY welcomed the Bill. The coal trade, he said, had been in five years. It was a matter of controversy now whether the Government were justified in putting an embargo on the coal trade. It was regarded by many that it ruined the trade. Coal was the basis of all industries in India and he congratulated the Government on their undertaking the proposed legislation. The Bill followed the provisions of the South African and Australian Coal Acts.

Sir Devaprasad SARBADHIKARI observed that railway freights made it impossible for Indian coal to compete successfully with foreign coal even in India. He asked for a fresh assurance from the Govt. that the larger question of the coal trade would be referred to the Tariff Board at an early date.

Mr. CHADWICK, replying, thanked the Council for their support. The measure dealt with one section of the coal trade only and that was the question of the export trade. He repeated the assurance given by Sir Charles Innes in the Assembly that the question of the coal trade would be referred to the Tariff Board at the earliest opportunity, but as whatever the Tariff Board recommended would have nothing to do with the question of the export trade, he asked the House to pass the Bill.

After a minor drafting amendment moved by him had been accepted, the Bill, as amended, was passed,

On the 15TH SEPTEMBER Lala RAMSARANDAS'S resolution suggesting a special concession on coal freights in the case of journeys of 500 miles and above was carried by the House. The Government opposed the resolution, but did not challenge a division.

Use of Fire-arms.

Mr. V. RAMDASS moved for consideration of Mr. Rangachariar's Bill passed in the Assembly on the 9th September, providing that when fire-arms are used for dispersing an assembly, preliminary warning should in certain circumstances be given. Mr. Ramdass asked the House to remember that authors of this measure were not wicked Swarajists like himself—(laughter)—but Mr. Sastri and Mr. Rangachariar who could not be said to have been actuated by any desire to weaken the hands of the Government, He was aware that the Government would not allow its officers to inflict any more injury than was necessary, or to destroy human life, except to the extent that was absolutely necessary to avoid a greater danger to the community, but public feeling was strongly for the Bill. Mr. Ramdass explained the necessity of every section being included in the Bill in order to avoid unnecessary bloodshed, to protect innocent victims against the unlawful use of firearms.

Mr, CRERAR, while acknowledging Mr. Ramdas's persuasive eloquence, opposed the motion, although the Government was in full sympathy with the humane consideration, involved. What was wanted in regard to any riot was prompt, resolute, cool, responsible and intelligent action of an officer, but the Bill interfered with an officer in all these respects. It had been pointed out that this Bill was framed on the lines of the English Law. Under the Law of England every citizen had a positive obligation of taking the necessary initiative in suppressing disorder. The English Law also laid down that any person who remained after a proclamation had been read by a magistrate was a felon. The present Bill did not protect the law-abiding citizens, it did not certainly protect the officers, bnt it protected the rioters. The effect of the Bill was that not only the initiative of the officers would be gone and they would be reduced to machines, but the

Police would be prevented from attacking in certain cases a gang of dacoits whom they had laboured hard to pursue. Then, under the Bill a report was essential and must be submitted to the Local Government within 24 hours. In cases of riot it generally took three or four days to ascertain the facts. Of what value would a report be if it was prepared within 24 hours? Moreover, the report was to be a public document and could be used against the officer who prepared it, because the last sub-clause allowed prosecution against the officer without the permission of the Local Government. Could any officer report fact which he knew would be used against himself in a criminal court? There was no equity nor reason in the last sub-clause. By such a provision officers would be deprived of a measure of protection which they now enjoyed. In India the position in this matter was very different from that in England. Riots took place in which communal passions were roused and popular passions were inflamed. These feelings took a long time to subside, and while that exacerbation of feeling continued, while the odium of having fired was still there, Mr. Ramdas proposed to expose the officer to prejudiced attacks of those who might find it convenient to take advantage of the situation in order to take some revenge. If the Bill was passed it would discourage those who were responsible for the maintenance of order and be a source of encouragement to those who were out to break the law.

Eventually, after a long debate, the motion for consideration was lost without being pressed to a division.

On the 16TH SEPTEMBER the Council of State held its last business sitting when official business was transacted.

Bamboo Paper Protection Bill.

Mr. CHADWICK, in moving for consideration of the Bamboo Paper Industry Protection Bill, said that had it not been for recent developments which were indicative of the great potentialities of the bamboo paper industry at a moderate cost this Bill would not have been brought forward. The results obtained by the Niabati Mill out of bamboo pulp were very striking and it was possible that India would not only in the near future be self-supporting, but also be in a position to export paper to other countries. At present unless the bamboo paper industry was protected it would fail under the stress of foreign competition. If the industry did not make a success of their process then nothing would prevent the Legislature and the Government from withdrawing the proposed protection. As regards super-calendered paper being exempted from the protective duty, the Government would, through the departmental committee, consult paper manufactures and newspaper representatives.

Sir Maneckjee DADABHOY supported the motion because, as a Protectionist, he was in sympathy with an industry which needed their special commisseration, not only because it helped them during the war but also because it was a means of spreading knowledge. He, however, wanted to know why the preamble referred to protection for the bamboo paper industry only while the tenour of Mr. Chadwick's speech indicated protection to all kinds of the paper industry. He also wanted to know what would be the difference between the present revenue under 15 per cent. ad-valorem and a specific duty of one anna per pound.

Sir Devaprasad SARBADHIKARI doubted whether the proposed protection would be adequate when compared with the possibility of foreign manufacturers reducing their prices in order to dump their goods. Sir Devaprasad put in a vigorous plea on behalf of the smaller newspaper, especially the Vernacular Press when the Govt. took into consideration the question of exempting from the protective duty super-calendered paper.

Mr. RAMDASS supporting consideration of the Bill pleaded for a loan or subsidy to the Carnatic Paper Mill at Rajamundry, which according to the Tariff Board, should receive help if the success of the soda process on a commercial scale was to be decided.

The Bill was then taken into consideration and passed without alteration.

Sir Narasimha SARMA asked for consideration of the Limitaton Act (Amendment) Bill as passed by the Legislative Assembly with the main object of extending the period of limitation in the case of certain suits from six months to one year. The Bill was considered and passed without alteration.

Standing Committees on Communal Legislation

Mr. CRERAR then moved: "This Council recommends to the Governor-General-in-Council that in order to give effect to the recommendation in Para. 120 of the report of the Reforms Enquiry Committee, the Indian Legislative Rules and the Standing Orders of this House be amended so as to provide as follows; (a) The standing committees, one to deal with Bill relating to Hindu Law and the other with Bills relating to Mahomedan Law, shall be appointed; (b) appointments to these committees shall be made by a committee of selection, the members of which shall be appointed at one of the first meetings of the Council to be held in each year, and should hold office for one year from the date of nomination; (c) the committee of selection shall consist of the President and the Leader of the House, supplemented up to a total number of six members on a motion moved by the Leader of the House so as to represent the main divisions of opinion in this House; (d) the Standing Committee for Bills relating to Hindu Law shall consist of the Hon. the Home Member, the Hon. the Law Member (if they are members of the Council) and Hindu members, nominated by the committee of selection so as to include persons well versed in Hindu Law, and representatives both of the orthodox and reforming sections of the Hindu community; (e) the constitution of the Standing Committee for Mahomedan Law shall be similar to that of the Committee on Hindu Law, except for the substitution of 10 Mahomedan members for 15 Hindu members; (f) the members of each Standing Committee shall hold office for one year, but may be re-nominated by the committee of selection in successive years; (g) a Bill which has been referred to the Standing Committee or a special Select Committee in the House shall not be referred to the Standing Committee or special Select Committee in the other House; (h) as soon as leave is given to introduce a Bill other than a Government Bill, and subject to Para (g) as soon as a Bill other than a Government Bill which has been passed by the other House is laid on the table of this House, if the Bill is certified by the President to relate to Hindu or Mahomedan Law, it shall be referred to the Standing Committee concerned without further motion; (i) The standing committee shall have power to examine witnesses and to circulate a Bill, but when it directs circulation the fact shall be reported to the Council; (j) further procedure in the Council after report of the Standing Committee is received shall be the same as the procedure on receipt of the report of a Select Committee." The resolution was adopted.

Business having concluded the Council then adjourned till the next day, the 17TH SEPTEMBER, when H. E. the Viceroy addressed the Council and announced its dissolution.

Proceedings of

The Provincial Councils

BENGAL LEGISLATIVE COUNCIL
MADRAS LEGISLATIVE COUNCIL
BOMBAY LEGISLATIVE COUNCIL
PUNJAB LEGISLATIVE COUNCIL
ASSAM LEGISLATIVE COUNCIL
U. P. LEGISLATIVE COUNCIL
B. & O. LEGISLATIVE COUNCIL
C. P. LEGISLATIVE COUNCIL

Madras Legislative Council

MADRAS—3RD FEBRUARY 1925.

The election of the President of the Madras Legislative Council was held on the 3RD FEBRUARY when the Council assembled with a full attendance of members, Dewan Bahadur Swamikannu Pillay occupying the Chair. The first item on the agenda was the election of the President. Only two candidates stood for election, namely Dewan Bahadur Swamikannu Pillay and Rao Bahadur A. S. Krishna Rao.

After the President had announced the names of the candidates for election the House proceeded with the election which was done by ballot. Dewan Bahadur Swamikannu Pillay secured 64 votes and R. B. A. S. Krishna Rao 42. The election of Dewan Bahadur Swamikannu Pillay having received the approval of His Excellency the Governor Mr. Swamikannu Pillay assumed the Chair.

Judicial and Executive Functions.

On the 6TH FEBRUARY a resolution was moved urging the separation of Judicial and Executive functions with effect from the next official year. The Law Member pointed out that the matter was at present under the consideration of the Government of India and when their decisions were obtained the Local Government would give an opportunity to the Legislative Council to discuss the scheme. The resolution was thereupon withdrawn.

Revenue Collection in Tanjore.

The motion for the adjournment of the House to discuss the situation in Tanjore district owing to the collection of the enhanced rate of revenue was then discussed. Members from all sides of the House supported the motion, which on being put to the vote was carried.

The mover referred to the distress created by the recent floods in the district and the sorry plight of the ryots. He urged a reduction of 6¼ per cent. in revenue in the case of all lands and the stopping of revenue collections for two months till a careful investigation of the condition of the district had been made and the remission applications filed by the ryots had been disposed of.

On the 7TH FEBRUARY the Council voted a supplementary grant of Rs. 65,000 under the Excise Department, and Rs. 1,23,827 for grants to local bodies for the repair of damage to roads caused by the floods.

The Hon. Mr. C. P. Ramaswamy Iyer, Law Member, presented the report of the Select Committee, on recommittal, on the Bill to amend and consolidate the Madras Civil Courts Act 1873, and moved that the Bill as now amended by the Committee be taken into consideration. The Bill after discussion was passed into law.

Among the non-official business transacted on this day was the discussion on the resolution of Dr. C. Natesa Mudaliar recommending to the Government that at least 40 per cent. of the posts in both the lower and upper grades of the services under the Government be reserved for non-Brahmin Hindus, 10

per cent. for the depressed classes, 15 per cent. for Mahomedans, 10 per cent. for Indian Christians, 10 per cent. for Brahmins and the rest for representatives of other communities, and for recruitment by competitive examinations.

There were vehement speeches both in support of and against the resolution. The discussion was not closed when the Council adjourned till 2nd Mar.

The Financial Statement 1925-26.

On the 2ND MARCH, after interpellations, the Hon. Mr. R. A. Graham presented the Budget for 1925-26. In an introductory speech, he reviewed the position during the past two years, and pointed out how, after several years of deficit, it was possible for his predecessor to announce an estimated surplus of Rs. 11 lakhs at the close of 1923-24, but when the accounts of that year were finally made up, the position was found to be more favourable than had been anticipated, and the surplus amounted to Rs. 28½ lakhs, the whole of which was allocated to the repayment of the outstanding debt. The year 1924-25 started with the anticipation in that the revenue would exceed expenditure by Rs. 15·18 lakhs. Events belied the expectations formed one year ago. Unforeseen calamities, such as the occurrence of floods and the uncertain factors of excise revenue considerably affected receipts, leaving the estimated deficit at Rs. 32,36,500 at the close of 1924-25. The estimates of revenue for 1925-26 had been framed on a comparatively conservative basis, in view of the disappointment in the current year, the total result being an anticipated revenue of Rs. 16,51,79,100, or Rs. 20,72,000 more than the revised estimate for the current year, with an expenditure chargeable to revenue of Rs. 17,19,87,800 leaving a total uncovered revenue deficit of Rs 88·03 lakhs.

Referring to the Transferred Departments, the Finance Member said that a total allotment of Rs. 24·66 lakhs had been made, of which Rs. 11·63 went to education. The Council might complain, he continued, in spite of the figures just given, that too little had been provided for nation-building. The Hon. the Minister for Local Self-Government would like to press on with the scheme for rural water supply and for the extension of medical aid. The Minister for Education felt that he had only made the first two steps towards universal education, and wanted to get on with the Andhra University, while the Development Minister had many proposals for the improvement of agriculture and the encouragement of industries. In fact, observed the Finance Member, even to finance the projects already embarked on there must be either additional taxation or retrenchment, which besides being unpopular, had already gone so far that if ingenuity could find further scope, it would be at the expense of efficiency. The only justification for the Budget lay in the hope of a diminution of contribution to the Government of India.

Referring to the proposed remission of Rs. 126 lakhs, he said they might combine thankfulness and congratulations to the Government of India and the controllers of their finances on their being in a position to give the Provinces this measure of justice, but he added that it must not be supposed that there remained nothing to be done. They had not yet got the remission. They had only the proposals of the Government of India, in which they contemplated inviting the concurrence of the Assembly, and until all the processes necessary had been completed, their figures could not be altered, and they must remain with a deficit Budget. They had ample warning

that there were powerful interests at work to raid their surplus, or to divert it to other uses. They were able to exercise great influence in the Assembly. They were well organised and had the services of skilful propagandists in the Press and on the platform, but to put it baldly the choice now was between the needs of the people and the profits of the millowners, and so long as the issue was kept clear, he could not imagine that there would be any hesitation as to which was to be preferred. He believed that there would be such strong and unanimous expression of opinion on this matter as to show their representatives at Delhi that there was no lukewarmness or weakness here. He said: "The responsibility will lie with them, and they are not likely to treat it lightly. They will be heartened by the assurance thst we shall accord full recognition to the steadfastness with which they will have to reinforce their patriotism, if they are to stave off all attempts to diminish or retard the rectification of the injustice from which we have so long suffered."

General Discussion of the Budget.

The general discussion of the Budget which was begun on the 4th March was continued till the 6TH MARCH and concluded on that day after the Government members had replied to the non-official criticisms regarding various aspects of the Budget.

The Chief Minister, in the course of his reply, said that the reduction of the Provincial contribution depended on the passing of the Finance Bill of the Government of India, and expressed the hope that the Madras members of the Assembly would do their duty towards the Madras Presidency.

The Minister for Excise, replying to the demand for excise reform and the introduction of prohibition, said that the problem was entirely one of revenue, and, if the members could suggest a new source of revenue to replace excise revenue, the matter would become practical for solution.

After other members had replied the Finance Member replied on the debate. Referring to the Bombay Council's protest on the subject of the reduction of the provincial contribution he characterised the Bombay members as great believers in the game of bluff. Those that were interested in the abolition of the cotton excise were not likely to slacken their efforts, and he sincerely hoped that the Madras representatives in the Assembly would carry on their righteous work of reducing the Provincial burden until in the course of the next few years the iniquitous impost was completely wiped out.

Voting on Budget Grants.

The Reforms Enquiry Report.

The Voting on Budget Grants commenced on the 16TH MARCH when an adjournment motion brought forward by the member for Coimbatore to discuss the unsatisfactory character of the Muddiman Committee Report was discussed and was carried unanimously. Government members refrained from participating in the discussion or voting. Non-official members, Swarajists, Independents, United Nationalists and Ministerialists joined in condemning the Report as unsatisfactory, retrogressive and disappointing. The mover referred to the Majority recommendation as amounting to a stab from behind. He appealed to the parties in the House to join together in condemning the Report and requested

the Ministers to decline to accept responsibilities of office unless their demands were granted fully.

Another member saw in the Majority Report evidence of mistrust of the British in the capacity of Indians for Self-Government and enmity of the bureaucracy towards further constitutional progress.

Mr. Ramaswami Mudaliar, a prominent Ministerialist, in condemning the Report expressed the hope that it was not the last word. On the question of the further constitutional advancement in India he said that he and his party and all Constitutionalists in India who had given genuine proof of their bonafides in the working of the Reforms found that Dyarchy was unworkable and that an immediate change in the constitution was necessary. He wanted the British Government and British statesmen to take a larger view of the situation in India where the political consciousness of the people, both classes as well as masses, had developed to a remarkable degree and further reforms had to be initiated immediately, for the Constitutionalists would have to be expunged altogether. Referring to communal and racial differences existing in the country he said that such differences existed even in England and Ireland, and these could not be held to be a bar to political progress.

Sir K. V. Reddi, ex-Minister, strongly condemned the Majority report and said the Committee had not moved even an inch in the direction of further Reforms. The motion was carried and the Council adjourned.

Land Revenue Administration.

On the 17TH MARCH the Council voted Government demand of Rs. 254,51 lakhs for Land Revenue Administration subject to the reduction of Rs. 1,20,000. Government policy in regard to the introduction of Land Revenue Bill in local Legislative Council and other matters such as resettlements in certain districts etc., were discussed before demand was disposed of by token motions and a substantial cut amounting to Rs. 1,18,000 was effected from the sum by the House by refusing the provision for the Board of Revenue and urging its abolition.

Excise Policy Attacked.

The Minister for Excise next moved his demand for Rs. 42,38 lakhs for excise administration. Rao Bahadur C. V. S. Narasimha Raju, leader of the Opposition, proposed to cut down this sum by omitting the provision for excise officers. He pointed that this was merely a token motion and his party might agree to the cut being reduced to a smaller sum. In order not to hamper administration their object in bringing this motion was to express want of confidence in the Minister for Excise in the matter of excise reform. He then went into vigorous criticism of the Minister's policy, in that there had been no active attempt made to put down drink evil during the last four years and a half. He held that while Bombay, United Provinces and Calcutta had moved forward in the matter, however haltingly, Madras had done nothing beyond constituting advisory committee.

The hon'ble Mr. Patroin replying characteristed the mover's attempt as a party move after the Hon'ble Minister enumerated various measures initiated by him in the reduction in drink evil in this presidency. There was a reduction of 2000 in total number of Arrack and Toddy shops and the price of liquor had been raised while steps were also taken to reduce the strength of liquor. Import duty on foreign liquor had been raised. Besides several restrictions were imposed in the location of the shops and their closing at a particular

time of the day. All these measures had resulted in reducing consumption and loss of revenue to the extent of two laks. He held that the measures taken in the direction of excise reform in Madras were far in advance of Bombay. The system of licensing boards with non-official presidents was also being tried and the Minister expressed hope that such measures as he had enumerated would lead them to the goal of prohibition. With regard to the adoption of a rationing system he quoted from the Administration report the opinion of the Bombay Government with regard to its working and said he would not recommend the adoption of that system in Madras. He concluded with a few remarks on the financial aspects of the matter.

On the 18TH MARCH Mr. Satyamurti led the debate for opposition on Mr. Raju's motion of want of confidence in the Excise Minister. The speaker held that the Excise Minister had made no earnest move forward during the last twelve months for bringing down the drink evil and he had not initiated any policy tending to reform. He was also party to ruthless campaign of repression which was launched against temperance workers in the days of non-co-operation. With regard to finding fresh source of revenue the speaker held that it was unfair to throw responsibility on the Council which was not in confidence of the Finance Member.

Mr. O. Thanickachalam Chetty in opposing the motion characterised the present motion as a bid for office without convincing credentials. Turning to the work of the minister he pointed out there had been reduction both in consumption and number of persons going for drink since 1921.

Dr. John Mathai opposing the motion said while he recognised the increased need for temperance reform, the cause they advocated was not likely to make any move forward unless those interested in it gave sufficient thought to complex financial issues involved.

Sir James Simpson opposing the motion said they could not make people sober by act of legislature. In his opinion steps advocated could not take them nearar to goal.

Mr. C. R. Reddi supported the motion and appealed to the Muslim and nominated members to vote with the opposition basing their action on record of ministry.

Mr. A. Ramaswami Mudaliar, a prominent Ministerialist, then spoke supporting the Ministry after which the motion was put to the vote and declared defeated by a large majority of 73 to 31 votes with the result the motion of no confidence in the Minister was turned down into one of confidence by a large elected majority of votes.

After the excise demand was disposed of the Council proceeded to discuss the grant relating to stamps and voted the sum fully subject to nominal reduction of rupees one hundred.

Governor's Household, Staff and Bodyguard.

On the 21ST MARCH, the House proceeded to discuss a grant relating to the Governor's staff and household. The question of appointing an Indian as Private Secretary to the Governor was raised. It was pointed out that such an appointment was desirable with a view to keep His Excellency in touch with the Indian view. A Christian member said that in view of the existing clash and suspicion between the various communities it was desirable to have a European Private Secretary who would be above such suspicions and prejudices and would command the confidence of all communities. The motion was rejected.

Another motion urged the abolition of the Governor's bodyguard on the ground of economy. It was pointed out on behalf of Govt. that even in democratic countries such paraphernalia was recognised as emblems of dignity and the bodyguard had distinctive popular value. The proposal was rejected.

The Hydro-Electric Development.

The Hon'ble Mr. C. P. Ramaswami Iyer then placed his statement in the Council regarding the Government's policy and programme in the matter of the Hydro-electric development in the Presidency.

After referring to the schemes embarked on by the Bombay and Punjab Governments he said that Madras had great possibilities and was well-suited for these enterprises. Referring to the Pykara scheme on the Nilgiris he pointed out that it would cover areas in four districts and was capable of linking up a number of hydro-electric centres in this Presidency. This scheme would cost three crores of rupees and fifty lakhs would be required for initial expenses.. The member was convinced that in the development of this enterprise lay the industrial future of the country. With regard to the ways and means of making a start he suggested the formation of a registered company under the Trade Facilities Act of England. With reference to the question whether sufficient capital could not be raised locally he said nothing would be better, but that was not likely. In conclusion, he said that a comprehensive statement on the subject would be prepared and placed before them before July, and that Government would not find any decisive step until then.

Reduction of Executive Strength.

On the 23RD MARCH two non-official motions proposing small cuts in travelling allowances and establishment of the Executive were carried. The former urged the desirability of reducing the strength of the Executive Council from four to three or two on the ground that there was not enough work for four Executive Council Members, and some of the port-folios, for political and economic reasons, could be transferred from the reserved side to the Ministers. The second motion raised the question of reducing the salaries of Executive Council members on the ground that this country being too poor could not afford to pay at the present scale. Both motions were carried.

Another motion for omitting the allotment for the Staff Selection Board gave rise to a heated debate. The motion was brought by ministerialists who pointed out that the non-Brahmin Hindu community was not adequately represented on the Board and that they being the majority community had the right to control the work of the board.

The Finance Member speaking on the motion said that the staff selection board was intended to eliminate patronage and to give equal opportunities to all communities. The motion was put to the vote and resulted in a tie, thirty-five members voting on either side. The president gave his casting vote against the motion in favour of retention of the allotment.

Reduction of Ministers' Salary.

On the 24TH MARCH the Council rejected the motion for reducing the Ministers' salaries without division. In attacking the motion for reducing the Ministers' salaries some members observed that the Opposition proposal, if accepted, would seriously impair the dignity of the Ministers. The House once thought that the Ministers' salaries should be fixed at four thousand a month. The Ministers had voluntarily

agreed to that proposal and now the Opposition wanted their salaries to be reduced still further. They urged that it would not be consistent with the dignity of the House, if such motions were repeatedly to be brought before the House. The Opposition replied that the sponsors of the motion in fixing the amount at three thousand and five hundred were more generous than the Muddiman Committee and Lord Lytton. They raised the question for retrenchment and believed that the Ministers should set an example in the matter. The motion was rejected.

Reduction of High Court Strength.

The motion urging reduction of the strength of the Madras High Court was discussed in connection with the Budget demand for the High Court.

The Member for University raised the question on the ground that the present strength was unnecessarily large and wanted the number of judges to be reduced from 14 to 12.

The Law Member observed that he could not accept the proposal without prejudice to the interests of litigant public in view of arrears which had accumulated and the question could be considered when the arrears were disposed of. The motion was pressed and carried by a majority of votes.

Administration of Jails.

On the 26TH MARCH interestings question relating to Government's Jail Policy were raised in the Council and the Home Member's demand for Rs. 30'14 lakhs for administrations of Jails was agreed to subject to the reduction of rupees one lakh one hundred. The reduction was effected under two motions. The first one was a token motion proposing a cut of Rs. 100 to request Government to do away with racial discrimination in the matter of diet between Europeans and Indians. The second motion was raised for the purpose of economy by reducing the allotment by one lakh. Two members including the Deputy President of the House while speaking on this motion voiced dissatisfaction of the House in regard to the Government's policy regarding M. P. Narayana Menon (Hindu Congressman) who was convicted for complicity in the Moplah rebellion and whose release was urged by the Council last year by means of a resolution.

The Home Member in explaining the position of the Government said it would be very unfair to single out Narayana Menon for release while hundreds of Moplahs, most of whom his followers, who were convicted for minor offences, were still in the jail. Such course was likely to create resentment in Moplah circles. The Home Member understood that Moplahs in the rebellion area were not in favour of his release. Both the motions were, however, carried.

The Police Budget.

The Hon'ble Mr. C. P. Ramaswami Iyer next introduced the Police Budget. A nominal cut was proposed by a member to urge reduction in strength of the City C.I.D. staff. The Law Member pointed out that the staff was not unnecessarily large and was too small compared with other cities. With regard to the charge that every political worker was being shadowed and tracked by two constables the Law Member held it was a very exaggerated statement and could not be true. The motion was lost.

On the 27TH MARCH during the discussion on the Police Budget several members criticised the Government's policy in regard to the Special Police which are posted in Malabar and East Coast areas. A sum of rupees 3,67,300

had been provided in the budget for the maintenance of these special forces in the rebel areas of Malabar and the Agency tracts and a reduction of one lakh in the provision was proposed on the ground that there was no necessity for keeping these special forces in the areas concerned at the proposed strength. This motion was carried by 32 against 30 votes and the demand for police administration (Rs. 153,97 lakhs) was agreed to subject to reduction of one lakh.

The Council next voted 9'07 laks for education reserved; 151'11 lakhs for education transferred. All the remaining demands were put from the chair and agreed to without discussion.

Governor Certifies the Police Budget.

On the 30TH MARCH the President read a message from the Governor certifying certain items of the Budget provisions as being essential for the discharge of his responsibility for the administration. These provisions were adversely voted upon by the Council during the Budget debate and relate to the abolition of the Official Receiver, the reduction of the number of High Court Judges, the abolition of the Board of Revenue, and the disbandment of the Special Police.

The Leader of the Opposition in making statement said that in view of the certification of certain Budget provisions against the wishes of the House, his party had decided not to attend the day's proceedings. He requested the President not to take their actions as disrespect shown to the Chair, the House or the Government. He then withdrew.

The Remitted Provincial Contribution.

The House next considered the supplementary grants and when a few demands had been disposed of, the member from Kistna moved that further demands be adjourned till the Government had considered in the Cabinet the question of the disposal of the Rs. 1,16 lakhs derived from the remission of the Provincial contribution. The mover was interested in the allocation of sufficient funds for the nation-building departments. He was supported by several other members and the remaining demands was carried.

Cochin Port Trust Bill

The Finance Member next introduced the Cochin Port Trust Bill, providing for the regulation, conservancy and improvement of the Port of Cochin. The Bill proposed to constitute a Board of Trustees to carry out the provisions of the Act consisting of 10 to 15 members, including the Chairman and the Vice-Chairman, as the Local Government may notify, two Trustees elected by the Cochin Chamber of Commerce, one by the United Planters' Association of Southern India, two trustees appointed by the Local Government and two Trustees nominated by the Cochin and Travancore States each. Not less than two-fifths of the number of Trustees shall be Indians and no person shall be qualified to be a Trustee if he is not a British subject of an Indian State. The Bill was referred to a Select Committee.

On the 31ST MARCH the Council discussed non-official business. One non-contentious Bill of purely local interest relating to municipal affairs was passed and two other similar bills were introduced.

Mr. Satayamurthi's Bill to amend the President's Salary Act, providing for the President of the Council to be a whole-time officer, who should not engage himself in any other remunerative work, was postponed to next

session on the advice of the Hon. Mr. C. P. Ramaswamy Iyer, leader of the House, who suggested that the question be considered by a conference of leaders of all parties in the House with a view to introducing a Bill to which the House could consent unanimously.

Loans to Malabar Planters.

A member from Malabar moved adjournment to raise a discussion on the Government's proposals to write off loans given to private individuals and planters, so far as such proposals related to loans of Rs. 1,000 and above and the payment of Rs. 41,000 to Poliankode Rubber Estate (a European concern) in Malabar on account of losses suffered during the Moplah rebellion.

This matter was the subject of a lively discussion. The mover and his supporters complained that, while the Government extended their help to the estate referred to and some other individuals, hundreds of other sufferers were left in the cold. They would have had no objection if the same treatment had been meted out to all people concerned, irrespective of race or position on the mere merits of the cases. They held that the Government's policy underlying this matter was questionable. The motion of adjournment was carried.

The Houses next proceeded to discuss the resolution relating to the appointment of a committee of officials and non-officials to enquire into and suggest measures to put a stop to the existence of corruption amongst public servants of all grades.

The Law Member pointed out the impracticability of the proposal and pointed out that individual cases were receiving the attention of the Government. The resolution was rejected.

On the 1ST APRIL the Council held its last meeting of the present session. The resolution for the appointment of a committee to inquire into the grievances of non-gazetted officers was carried after prolonged discussion.

The next important matter discussed related to the excise policy of the Government, and a resolution was moved that the excise policy should be radically changed and immediate steps should be taken to secure a substantial reduction in consumption of intoxicants in the presidency at once, and total prohibition in the near future.

The Minister for Excise gave assurance that he would give the House opportunity to discuss the report of the Excise Committee before orders are passed on it and the resolution was thereupon withdrawn.

The House then adjourned sine die.

Autumn Session

MADRAS—18TH AUGUST 1925

The autumn session of the Madras Legislative Council commenced on 18TH AUGUST in the Council Chamber, Fort St. George, Dewan Bahadur Swamykannu Pillay presiding. There was a large attendance of members.

Governor on Hydro-Electric projects.

After the new members had taken the Oath of Allegiance, H. E. the GOVERNOR addressed the Council. His Excellency referred to the loss which the Counci and the Presidency in general had sustained in the death of one of their foremost citizens (Sir T. Chetty), who was at one time a familiar figure in the Council.

Passing on to other matters His Excellency said :—"The Hon. Members will share with my Government the satisfaction we feel that, as a result of the conclusion of

negotiations with Mysore, we were enabled to obtain the sanction of the Secretary of State to the construction of a project which will not only help to irrigate over 300,000 acres of fresh land, but will also protect and safeguard the existing irrigation system in Trichinopoly and Tanjore districts.

"Before I leave this subject I should like to congratulate my colleague, Sir C. P. Ramaswamy Iyer, and all those who have worked under him, on the success that has attended their unflagging efforts to promote one of India's greatest irrigation projects. It is the object of my Government to initiate and push through as expeditiously as possible certain schemes for the cheap production of power from hydro-electric centres.

"The most promising of the scheme is the one in relation to the Pykhara water-falls, which the Government are anxious to inaugurate, not only because of the natural facilities of the particular locality, but because for various reasons it will, in our opinion, be the best object-lesson to the people at large of the advantages of cheap power.

"Certain negotiations which have been pending for the purpose of enabling the Government to re-acquire control over water-power in the locality, and to re-purchase the concession that had been granted by the Madras Government before they envisaged schemes for the utilisation of such power have just now been happily concluded, and, I trust, that it will be possible to start work at a very early period.

"The Hon. Members of this Council will also be interested to learn that a joint investigation of hydro-electric possibilities in South India is now being carried on by the Government and the South Indian Railway Company, and if, as is hoped, the results of such investigation are favourable, the subject of the electrification of a part at least of the South Indian Railway will come within the range of practical politics. Such electrification will not only be of great use from the railway point of view, but will establish centres of distribution and utilisation of our power resources".

After the Governor's speech demands for supplementary grants under various heads were discussed and disposed of.

Mr. Iyengar's Adjournment Motion

The President announced before the House adjourned that the Governor had disallowed Mr. Venkataramana Iyengar's adjournment motion regarding Lord Birkenhead's speech on the ground that the subject matter of the motion was not the primary concern of the Government.

Consequent on the Governor's message disallowing the motion relating to Lord Birkenhead's speech the Nationalists in the Legislative Council held a meeting and decided to oppose the first motion for a grant on the Reserved side. Accordingly when the Home Member moved a supplementary grant, Mr. Venkataramana Iyengar raised the question of Lord Birkenhead's statement.

Mr. Ramaswami Mudaliar on behalf of the 'Justice' party said that all parties were agreed in the view that the statement was a very disappointing one, but the question of the Secretary of State's statement was too important to be raised on the motion for a supplementary grant. He therefore appealed to Mr. Venkataramana Iyengar to withdraw his motion, as he had virtually gained his object in drawing attention to it.

The motion was not pressed and the grant was made.

On the 19TH AUGUST, on Mr. A. Ramaswami Mudaliar's motion, the Government was recommended to appoint a Committee of the House to examine Mr. Courtenay's report and evidence and to sift further evidence, if necessary, on the question of advising the Government to expunge the passages from the public records and the reflections cast on Mr. Kesava Pillay, the Deputy President of the House, in the report of Mr. Courtenay, and the Government order thereon. The motion was carried.

On the 20TH AUGUST discussion was resumed on the Madras Borstal Bill providing for the establishment and regulation of Borstal schools in the presidency for the detention and training of adolescent prisoners. The Bill was referred to a select committee.

Sir A. P. Patro then moved the introduction of the Andhra University Bill and made a lengthy speech dealing with the reasons for constituting a university, its aims and special features. Next day, the 21ST AUGUST, the first reading was passed and the Bill was referred to a Select Committee.

There was a heated discussion on the motion of the Development Minister for applying certain provisions of the Cotton Transport Act restricting the exportation of cotton from some of the cotton producing areas of Madras Presidency. Members from the cotton producing districts objected to the proposal on the ground that it would adversely effect the interests of the cotton growers. Further discussion was, therefore, postponed.

On the 24TH AUGUST the most important Bill on the agenda was one by the representative of the depressed classes to amend the Madras City Tenants' Protection

Act, 1922. The mover pointed out that the Bill sought to rectify certain omissions in the original Act by providing reasonable compensation for all improvements effected by tenants on the land, and the fixing of a fair rent. After a short discussion the Bill was referred to a Select Committee.

Moplah Colonisation in Andamans

Mr. Uppi, Moplah member, moved a resolution urging the suspension of the scheme to colonise the Andamans with Moplahs and urged the appointment of a committee of non-official members of the Council to visit the Andamans and report on the conditions prevailing there.

The discussion of Mr. Uppi's resolution was taken up on next day, the 25TH AUGUST when several members supported the motion and condemned the scheme on moral, social and physical grounds. The Government members, however, repudiated the suggestion that in embarking on this scheme the Government were actuated by a political motive to deplete Malabar of Moplahs and maintained that it was a humane scheme to promote the interests of the Moplahs concerned. The resolution was carried.

The Council also passed a resolution urging the appointment of a committee to hold an investigation into the problem of unemployment in the Madras Presidency and report suggesting remedial measures.

On the 26TH AUGUST the Council resumed discussions on the motion of the Development Minister approving the notification and rules issued under Sections 3 and 7 of the Cotton Transport Act of 1923. The object of these notifications and rules was to declare certain cotton growing areas in the Madras Presidency as protected areas to prohibit the importation of cotton into those places from the neighbouring areas with a view to preventing the adulteration of high class Combodia cotton with inferior varieties. The motion with slight amendments was passed.

On the 27TH AUGUST the outstanding demands for supplementary grants were discussed after the usual interpellations.

The Minister for Local Self-Government moved a grant of Rs. 625 lakhs for distribution among local bodies to improve the water supplies in the rural areas. The Minister pointed out that the necessity for liberal contributions to local bodies for improving the sanitation and water supplies in the rural areas was strongly felt in the past, but owing to financial stringency the Government could not do much in the matter. They were enabled to make the present provision out of the remission of the provincial contribution. The grant was voted.

After the remaining items on the agenda had been disposed of the Council adjourned till the 28th October.

MADRAS—28TH OCTOBER 1925

After a prolonged recess the Council met on the 28TH OCTOBER, the newly elected President, Mr. Ratnaswami Pillai, occupying the Chair.

After the day's interpellations were over, the member from Coimbatore moved the adjournment of the House with the object of discussing famine conditions in Coimbatore and measures of relief. The President having admitted the motion the matter was discussed later in the afternoon when the adjournment motion was carried after a full discussion. The mover drew a vivid picture of the sufferings of the people in the affected villages in respect of food grains, fodder and drinking water, and requested the Government to place a sum of Rs. 20,000 in the hands of the Collector for their relief.

The Andhra University.

Dr. U. Rama Rao next presented to the House a petition signed by a number of persons requesting the House to exclude Bellary from the jurisdiction of the proposed Andhra University and to allow the district to continue under Madras University till the establishment of Karnataka University.

Sir A. P. Patro moved for the second reading of the Andhra University Bill.

Sir Venkata Reddy moved an amendment to the effect that the University be called the Telugu University. The amendment was defeated by a majority of two votes.

The Minister for Development and most of the Ministerialists supported the amendment, but the Government with the exception of the Minister for development remained neutral.

Minister's Unconstitutional Remark

On the 29TH OCTOBER, after interpallations, the Leader of the Opposition moved for adjournment to call attention to a definite urgent matter of public importance, namely, "the inappropriate and unconstitutional observations recently made by the Minister of Education before the South Canara Christian League at Mangalore and the Moplah deputation at Calicut, purporting to request them to send a particular type of representative to the Legislative Council if they expected favours from the Government."

Speakers, supporting the motion, pointed out that the remarks of the Minister were unparliamentary and against the rules laid down by the Government of India Act. They admitted that Ministers had a right to address party meetings to elucidate party policy, but objected to them making use of their official position for electioneering purposes and making such remarks to deputations.

Sir A. P. Patro explained that the remarks attributed to him were inaccurately reported and that they were made, not in reply to a deputation, but in the course of a friendly conversation. He claimed for himself the right of an elected member to express his individual views on political subjects.

Mr. Moir said that the speeches made revealed that there was a good deal of misconception in the minds of members, but Sir A. P. Patro's statement had convinced him that he had not violated the rules.

Sir C. P. Ramaswami Iyer, appealed to the mover to withdraw the motion in view of the statement made by the Minister. The motion was accordingly withdrawn.

Andhra University Bill.

On the 30TH OCTOBER, at the resumed discussion on the Andhra University Bill in the Council an amendment, giving power to the Local Government to exclude by notification any area of institution from the operations of the Act, was accepted by the Minister in charge of the Bill and carried.

Amendments for excluding Bellary, Anantpur, Cuddapah and Kurnool, which comprise the Ceded Districts, and also for the exemption of Ganjam (Oriya District) were lost. Further discussion on the Bill was adjourned.

Officials and Political Controversies.

On the 30TH OCTOBER another motion for adjournment was made, the object being to discuss the question of the alleged growing tendency among public servants in the Province of taking part in political controversies and expressing opinions on acutely controversial subjects as illustrated by recent speeches of the Collectors of Ramnad and South Arcot and certain observations by the Commissioner of Police, Madras, in his administration report.

The motion was brought by Mr. A. Ramaswamy Mudaliar, a Ministerialist, who read extracts from Commissioners' report which stated, inter alia, "the Congress Party was not much in evidence. The Swarajist party gained strength and was able to capture seven out of nine vacant seats in the corporation. In the Legislative Council a few members of this party made themselves conspicuous. The Unity Conference at Delhi helped to bring together various parties and the new Ordinance in Bengal gave an unexpected impetus to the cry for unity. The non-Brahmin movement showed signs of decay."

These observations, the speaker contended, were out of place in a Police administration report. The second charge related to remarks made by the Collector of South Arcot in a speech on the occasion of opening the hall of the District Board. The Collector was said to have stated that communal electorates were only ephemeral. The third charge related to remarks made in the course of a speech by the Collector of Ramnad criticising the present educational system.

A lively discussion followed and the motion being talked out the Council adjourned.

The Andhra University Bill

On the 2ND NOVEMBER, after interpellations, the House proceeded with the discussion of amendments to the Andhra University Bill. The discussion mainly centred on the exclusion of certain non-Telugu areas, such as Bellary District and certain portions of Ganjam District, and the idea of concentration involved in the Andhra University scheme. It was contended that the idea underlying the university scheme was to foster and improve the Vernacular of Andhra Province, which was Telugu, and that non-Telugu areas should, therefore, be excluded from the operation of the Bill.

The idea of concentrating university life in a few centres, as was proposed to be done under the Bill, was also opposed on the ground that the educational interests of a vast area of Andhra Province would suffer. Both the amendments were, however, lost.

On the 4TH NOVEMBER the debate on the Andhra University Bill was resumed. After a prolonged discussion the House, by a majority, decided to have Bezwada as the headquarters of the University on the ground that it enjoyed a central position. The claims of Rajahmundry, one of the University concentration centres, were strongly pressed on the plea that the largest amount of academical atmosphere in the Andhra country was focussed there. Vizagapatam was also mentioned as a suitable place for the location of the head-quarters if Rajahmundry was rejected.

Another amendment, to throw open the office of Vice-Chancellor of the University for election by the Senate was also rejected.

On the 6TH NOVEMBER *the Andhra University Bill was passed into law.* The Leader of the Opposition opposed the motion for final reading of the Bill on the ground that the basic principle of the Bill, namely, concentration, had been violated by acceptance of a clause providing for the growth of first-grade colleges in centres other than those decided on according to the principle of concentration.

Messrs. C. R. Reddi and Satyamurthi also criticised the provisions of the Bill. Mr. T. E. Moir, referring to the financial aspect, observed that no statutory provision had been made in the Bill, but the matter would receive their fair and impartial consideration.

The Minister for Education, in winding up the debate, expressed the hope that the new University education in Andhra Desa would proceed on sound lines and promote Andhra culture in the true national spirit.

Sir C. P. Ramaswami next introduced a Bill to amend the Indian Ports Act, 1908, in its application to Madras Presidency Under the definition of "vessels" in the present Act motor boats escaped from payment of port dues To avoid such a contingency the present amendment of the Act is proposed. The Bill was passed.

Supplementary Grants

The House next discussed motions for supplementary grants. On the motion of the Home Member the grant was made of an additional sum of Rs. 85,000 under Forest Reserves for the establishment of three saw mills which are intended to supply 200,000 sleepers to the South Indian Railway during the year. Certain members urged the Government to Indianise the Forest Service and appoint Indians as Conservators of Forests.

The Home Member pointed out that out of 11 appointments made during the year to higher posts ten were given to Indians.

Another grant of Rs. 2,40,500 was also made to the Government for the purchase of two buildings in Bellary to be used as jails, one of which was to accomodate prisoners suffering from tuberculosis. In the course of the discussion it was elicited from the Government that the Andamans scheme for colonisation of Moplah prisoners had been temporarily suspended and the Local Government was in correspondence with the Government of India with regard to the constitution of the Committee as urged by the Legislative Council to enquire into the scheme.

The House, by a majority, granted a sum of Rs. 1,65,000 to the Government for the purpose of loans to the Madras Hindu Religious Endowment Board, which required this amount to meet its initial expenses and establishment charges, and also to defray legal expenses in defending some suits against it.

On the 7TH NOVEMBER the Council passed a number of supplementary demands for grants

The principle of communal representation as applied to educational institutions was opposed by some members, with special reference to the Madras Medical College, on the ground that the tax-payers' money should not be utilised for the advantage of a particular community. It was pointed out by one speaker that in the Madras Medical College two-thirds of the accomodation was reserved for non-Brahmins.

One member defended the Government's policy in the matter of reservation on the ground that the community for which seats were reserved was not so well advanced in education that it required special facilities, and also on the ground that this community constituted more than 90 per cent. of the population of the Presidency.

The Council then adjourned till the *14th December.*

On the 14TH DECEMBER, after questions, Mr. Satyamurti's motion for the adjournment of the House to discuss the Government's nomination to the Madras Corporation of Mr. Thanikachalam Chettiar, who was defeated at the election, was disallowed by the President, who stated that the purpose could have been achieved by moving a resolution.

Mr. Krishnan Nair's motion for adjournment for discussion of the policy of the Government in issuing an order prohibiting Exhavas and others from entering the streets

of Kalpathi during the car festival there, between the 13th and 16th November, was also disallowed.

Sir C. P. Ramaswamy Iyer, the Member-in-Charge, stated that the order was to have effect only during the car festival; that it was not intended to question the right of any community to enter the public highways and was only to preserve law and order. The Government left the matter to the discretion of the local officials. The Government were satisfied that there were possibilities of a disturbance at that time at Kalpathi, necessitating the promulgation of such an order. The Government policy was always to maintain the principle that everyone of His Majesty's subjects had the right to pass through the public highways, but they held that where the right pertained to a particular road, it had to be established by regular judicial proceedings.

The Council then proceeded with the introduction and discussion of certain non-official amendment Bills to the Madras Local Boards Act, the Madras City Municipal Act, and the Madras District Municipalities Act, but all the amendments were lost, except one by a member representing the depressed classes, who moved to amend the Madras Local Boards Act in order to give statutory effect to the Government order allowing any person belonging to any class or community to walk through any public road, street, or pathway in any town or village, and giving any person belonging to the depressed classes access to the premises of any public office, well, tank, or places of public resort, and to places and buildings where public business was transacted.

The amendment Bill was read for the first time, and referred to a Select Committee.

On the 16TH DECEMBER the Council took up the Madras Borstal School Bill, as amended by the Select Committee. The discussion was resumed the next day when the House unanimously passed the Bill into Law.

Sir C. P. Ramaswami Iyer, Law Member, moved a resolution recommending that the Madras City non-Mahomedan constituency be divided into two constituencies to be called the Madras City North Constituency and the South Constituency, for purposes of election to the Madras Legislative Council. He said there was public opinion behind the motion, and the Commissioner of the Corporation was also in favour of it. The Government was indifferent whether the motion was accepted by the House or not. The Government merely undertook to accede to public demand, and, therefore, brought the motion before the House to be accepted or rejected. Mr. Thanikachalam Chettiar and Mr. A. Ramasamy Mudaliar opposed the motion, on the ground that if it was accepted, it would curtail the privilege of voters, inasmuch as they would only be able to vote for two candidates, while, under existing arrangements, they could vote for four members. Mr. S. Satyamurti welcomed the resolution as a step towards the creation of single-member constituencies, not only in Madras but throughout the Presidency and declared that true democracy could function properly only in single-member constituencies.

The motion was lost, 21 voting for and 35 against.

Corrupt Practices Bill.

On the 18TH DECEMBER Sir C. P. Ramaswami Iyer moved the following resolution: "The Council accepts the principles of the Legislative Bodies Corrupt Practices Bill, introduced in the Legislative Assembly, on the 25th August 1925."

The Law Member in doing so said that the House was asked to accept the principles of the Bill, namely, that bribery of members of legislative bodies was to be made punishable. He had been asked by the Home Member of the Viceroy's Executive Council to take the opinion of the House on the matter.

The leader of the Opposition moved the following amendment to the resolution: "For the words 'principles of the Legislative Bodies' Corrupt Practices Bill introduced in the Legislative Assembly on the 25th August, 1925,' the following be substituted: 'The principle of making punishable corruption on the part of members of legislative bodies in India in the execution of their duties, and concerns (1) That a Committee of the legislative body concerned be appointed (by a single transferable vote), of which the President shall be the President ex-officio, and the Deputy President member ex-officio, and should be constituted a court of record to try the offences mentioned in the Bill; (2) that a person convicted of any such offence should be liable to the maximum punishment of expulsion from the House; and (3) that the previous sanction of the President shall be necessary for the initiation of proceedings for any such offence"

The amendment was put to the vote and carried by 50 voting for and none voting against it. The Treasury benches and the nominated official benches remained neutral.

The House adjourned to meet again on the 8th February next.

Assam Legislative Council

SHILLONG—2ND MARCH 1925.

Governor on Increased Taxation.

The Budget Session of the Assam Legislative Council commenced on the 2ND MARCH 1925. Moulavi Abdul Rahim Chowdhry was elected President of the Council by a majority of votes. His Excellency Sir John KERR, Governor, in opening the Council, reviewed the financial condition of the province for the past five years, and pointed out the improvement in its position. He said the present remission of the provincial contribution granted to Assam would be of no benefit. Though the fact that the Government of India had been able to make a beginning with the reduction of the contributions was decidedly satisfactory and they might fairly cherish the hope that would not be many years before their turn came. His Excellency urged that until that time it would be a serious mistake to reduce deliberately the existing sources of revenue, and that was their justification for asking the Council again to pass Bills providing for an increase of court fees and stamp duties to raise additional revenue for the maintenance of the Transferred Departments. He undertook, if those Bills were passed, to devote during the next three years Rs. 10 lakhs to non-recurring schemes in the Transferred Departments, and a selection of those scheme would be made by the ministers, with the help of a committee appointed by the Legislative Council.

Financial Statement for 1925-26.

Sir William REID, the Finance Member, then introduced the Budget for 1925-26. The main features of the Budget were that for the first time of the history of the reformed Government the Finance Member had been able to record that the coming year would witness a real closing balance of Rs. 24,62,000. Several schemes of improvement under road repairing and building operations had been included in the list of schemes for the ensuing year. The local Government had also paid off to the Central Government the overdraft of Rs. 12,67,000 of the previous year. The financial progress was due to the large closing balance of Rs. 23,28,000 appearing at the end of the year 1923-24 as against the budgetted closing balance of Rs. 8,97,000. The opening balance for the coming year was shown to be Rs. 27,15,000. Receipts have been augmented under the heads of Excise, Land Revenue and Taxes on Income. The total receipts from all sources during the coming year were shown to be Rs. 2,41,31,000 as against Rs. 2,40,000 of the current year and Rs. 2,25,45,000 of the last year. The total expenditure last was estimated to be Rs. 2,43,48,000 in the coming year against Rs. 2,36,50,000 of the current year and Rs. 2,29,95,000 of the last year. The stamp revenue had been shown as reduced by 3 lakhs as a possible loss to the revenue if the Council do not sanction the further continuance of the present Stamp and Court Fees Acts.

Salaries of the officers of the Imperial Services were budgetted for the coming year at Rs. 30,11,000 against Rs. 27,89,000 of the current year, the increase being due to the effect being given to the recommendations of the Lee Commission. Retrenchment and economy effected by the Government of Assam during the past years were also responsible to a great extent for the present prosperity budget.

In conclusion, the Finance Member, summed up the financial position of the Province: "I must candidly admit that the present improvement in our financial position is far beyond by utmost expectations. The most I dared to hope was that the end of the current financial year would find us after we had paid off the first instalment of three lakhs of our overdraft from the Central Government with a few lakhs in hand and with the prospect of clearing our debt in another year or two while at the same time adding little by little to our reserves in actual fact. We have paid off the whole to the overdraft and thereby incidentally effected a considerable saving in interest charges and we hope to end the year under budget with a balance of twenty-four and a half lakhs.

Remission of Provincial Contribution.

On the 3RD MARCH, after question time, Lieutenant-Colonel W. D. Smiles, a Planting member, proposed the adjournment of the House to protest against the unfair treatment meted out to Assam with regard to the remission of the Provincial contribution by the Government of India. The President allowed the motion on the condition that it be taken up for discussion the next day.

The House then considered and passed the Assam Municipal (Amendment) Bill, 1925, moved by the Hon. Rai Bahadur Promoda Chandra Dutta, and leave to introduce the Assam Settlements Bill, 1925, as asked for by the Hon. Sir William Reid was granted.

Mr. Nilmoni Phukan's resolution, recommending the Assam Government to move the Government of India to take the necessary steps for introducing a uniform all-India price of opium, was accepted by the Government.

Rai Sahib Har Kishore Chakravarty withdrew his resolution recommending the fixing of the salaries of the Ministers at Rs. 3,500 each, remarking that he would reserve his remarks for the discussion of the demand which will be put forward by the Government providing for a similar sum.

Prohibition of Opium.

Mr. Kuladhar Chaliha then moved a resolution recommending that the sale and consumption of opium in Assam, except for medicinal and scientific purposes, be totally prohibited, and accordingly legislation be undertaken immediately. He accused the Government of having no excise policy and quoted figures to show that the issues in opium were on the increase till 1921, when as a result of the vigorous efforts of the non-co-operation movement a reduction was effected.

He gave a very lucid history of the introduction of opium into Assam and how the policy of the Government had the effect of increasing the consumption. He gave figures from 1874 to 1924 and proved conclusively that the Government had no policy as regards opium. From the figures he stated that in 1920 the incidence for taxation per head of the population from opium revenue was Rs. 7-8-10 for Lakhimpore district,

Rs. 1-3-9 for Sibsagar, Rs. 2-3-8 for Nowgaon and Rs. 1-3-8 for Darrong. In his reply Sir William referred to the death of Lt. Singer for the alleged suppression of the poppy cultivation. Mr. Chaliha was ready with his facts and referred to the letter of Mr. Lushinton, Secretary to the Bengal Government, dated the 31st May 1862, where the reason of the death of this officer was given quite differently. Sir William looked very small and could hardly find words to support his arguments. Mr. Chaliha further stated that the public opinion of Assam is unanimous in condemning this Imperial traffic and he cited the evidence of Raibahadurs and Raisahibs before the Assam Opium Enquiry Committee in support of his contention. When he finished his speech the whole House was with him.

Mr. Rohinikanta Hatibaruah supported the resolution ably and he said the opium question is the only politics in Assam, specially in the Brahmaputra valley. Sj. Sarbeswar Baruah also supported the resolution. The entire national party contributed to the success of the resolution for the total prohibition of opium.

On the 4TH MARCH Mr. Sadananda Dowera moved that the provisions of the Assam Land Revenue Manual, relating to the rights and liabilities of the Government and the people and also to the settlements of land, be replaced by an Act or Acts of the Legislature. He pointed out that the decisions of the revenue courts were not uniform, and did not command the same amount of confidence as the judgments of the Civil Court.

Sir William Reid, on behalf of the Government, accepted the resolution, promising to appoint a committee to investigate the matter.

Travelling Allowance to Members.

Babu Brojendra Narain Chaudhury moved that in place of the 1 three-fourth first class travelling fares granted for railway journeys to Government officers and Council members, only two-second class fares be allowed, while the maximum halting allowance be fixed at Rs. 7½ per diem. He stated that in its present economic condition, the country could not afford to provide luxurious travelling and living and that the present day second class compartments were as comfortable as the first class compartments of 20 years ago.

The Hon. Sir William Reid replied that as regards Government officers, 1st class fares were granted only to officers who, in private life, would travel first class. As far as Council members were concerned, he left it to the House to determine the question. The Government would readily meet their wishes in the matter. The motion was lost by a lage majority.

Remission of Provincial Contribution.

Lieutenant-Colonel W. D. Smiles moved the adjournment of the House to protest against the unfair treatment meted out to Assam, as compared with Bengal, in the matter of the remission of the provincial contribution. He declared that by the remission of Rs. 63 lakhs to Bengal, the Meston Committee's findings had been flouted, and asked why other provincial Governments were not consulted previously. Apparently it did not matter what taxes Assam paid, she got no benefits at the hands of the Central Government. The medical fee for attendance on dyarchy, which was seriously ill in Bengal, was Rs. 63 lakhs, and a further sum of Rs. 63 lakhs for two years more had been given her for convalescence. It was a gross injustice to Assam.

The Hon. Rai Bahadur Promode Chandra Dutta, Minister for Local Self-Government, in supporting the motion, said that Assam was always treated as a step-child. He declared that by not granting any remissions to Assam, the Ministry was especially embarrassed financially, and that paved the way to the unpopularity of dyarchy.

The Hon. Sir William Reid, speaking as leader of the House, said that when he became aware of the unjust treatment accorded to Assam in the matter, his loyalty to the Indian Government and to the Provincial Government got perilously near conflict. He regretted the decision of the Government of India.

Several other members also condemned the Government of India's action. The motion was ultimately put and carried, with only one dissentient, in the person of Babu Brojendra Narayan Chaudhury, on the ground that the principle on which the Meston Award was based was not explained by the mover.

Transfer of Sylhet to Bengal.

Discussion on the resolution of Babu Krishna Sundar Das recommending to the Government that immediate steps be taken to open B.Sc. classes and to teach economics in the B.A. course in the Murarichand College at Sylhet from the commencement of the next session was then taken up.

The Hon. Syed Mohammad Saadulla, Education Minister, replied that in view of the fact that the question of the transfer of Sylhet was in abeyance as a result of the resolution passed by the House last session, Government did not think it just or equitable to take any steps in the matter, specially as acceptance of the present motion would involve heavy recurring liabilities. Nor would it be fair to saddle Bengal with such fresh liabilities if Sylhet was to be annexed by Bengal.

A number of members opposed the motion, which was lost by one vote.

General Discussion of the Budget.

On the 5TH MARCH the general discussion of the budget was opened by Babu Brojendra Narayan Chaudhuri. He criticised the policy underlying the preparation of the budget which was to budget for large expenditure but actually to spend far less with the result that consciously or unconsciously the Government built up a balance of 27 lakhs. He criticised the P. W. D. and Land Revenue Budgets.

Babu Krishna Sundar Dam on the other hand congratulated the Finance Member on the prosperity of the provincial finances. He, however, deplored the expansion of opium revenue and regretted to observe that in the list of new schemes presented to the House the just claims of Sylhet and Cachar for water supply and medical relief have not found the recognition.

Col. Smiles suggested that the Finance Member in the next year's budget should omit contribution of 15 lakhs to the Central Government. He hoped that the scheme to convert Chittagong into major part would be supported by the Assam Government as it would ultimately benefit this province.

Mr. E. S. Roffey asked the Finance Member to press the Assam Oil Company for a reduction in price of petrol in Assam which was the scene of production and yet the price was higher than it was outside the province. This he characterised as scandalous.

Several other members spoke asking for further improvement of rural water supply and village sanitation for which purpose the Ministers should be provided with more liberal funds.

Next day, the 6TH MARCH non-official discussion on the Budget having unexpectedly terminated the day before, the Government benches proceeded to reply.

Sir William Reid, Finance Member, confessed there were few points for him to reply to. Referring to a criticism he stated that one provincial service officer was being appointed to the charge of a district and that in Surma Valley division all subdivisions were under P. C. S. Officers. As regards criticism on the Stamp Bills, that subject, he said, would be dealt with when it came up for discussion later. He disillusioned the mind of the House regarding the fallacy about allocation of expenditure between the Transferred and the Reserved sides.

Khan Bahadur Kutubuddin, Judicial Member, stated that he hoped to prove by quoting figures when the demands for grants were put forward that there was no ground for accusing the Government of selling justice nor would criticisms against the Jail Budget be justified.

Hon. Rai Bahadur P. C. Dutta, Minister of Local Self-Government made detailed reply to various criticisms levelled against his department.

To the criticism that no provision for a time-scale of pay for Subordinate Educational Service was made Hon. Maulavi Syed Saadulla, Education Minister, replied that he would deal with that question when the resolution on the same subject was discussed. As regards allocation of grants in aid the Hon. Minister pleaded insufficiency of funds.

Mr. H. C. Barnes replied that Mr. Roffeys remarks about the high cost of petrol would be brought to the notice of Assam Oil Company and with regard to the port of Chittagong Government realized its immense importance to Assam and sympathised with the wishes of the House but the subject did not come within the score of this province.

Mr. G. E, Somes, offg. Chief Secy. quoted facts and figures dispelling illusion that the reserved depts. had been unduly favoured to the detriment of the transferred depts. Mr. G. T. Lloyd explained the opium policy of Government and Mr. O. H. Desenne that of P. W. D. budget. The general discussion of the Budget thus came to an end.

Court Fees and Stamp Bills.

On the 7TH MARCH, the House discussed two bills moved by Hon. Sir. William Reid, Finance Member, viz., the Assam Court Fees (amendment) bill 1925 and the Assam Stamp (amendment) bill 1925. In moving the bills Sir William stated that the object of extending operations of these measures for another 3 years was to provide a margin for expenditure on schemes of development and he gave an assurance to the House that the proceeds of these bills which would amount to approximately 10 lakhs would be utilised for developing those schemes in transferred depts., which the House may decide upon. The annual income would be 3 lakhs and Government would undertake to provide this sum for 3 years. There was a lengthy discussion on the subject which detained the House till evening. The argument against the introduction of the bills were mainly (1) that Government had enough funds at their disposal in view of a surplus budget this year and any improvements to be effected in transferred depts. could be

financed from this surplus; (2) that it would create a bad precedent to assent to these bills, as in future years transferred debts would be called upon to levy taxation for carrying out improvements in the transferred side and thirdly that the country was opposed to the introduction of taxation on principle.

The non-official members monopolised the whole discussion allowing the Finance Member no time to reply. There were many amendments which were all put and lost so that the bills were ultimately passed.

Sj. Sadananda Dowera then moved that a Committee of the House be appointed to consider how best to allocate the proceeds that will be derived from the bill and suggested that the revenue should be expended on improving rural water supply. This raised a protest from Babu Brajendra Narayan Chaudhury and the motion was dropped.

Demands for Grants.

On the 12TH MARCH the Council discused demands for grants. Srijut Khirode Chandra Deb moved that the Ministers' salaries be reduced to Rs. 2. He argued that the Ministers did not command the confidence of the majority party in the House, and by voting for the Court-fees and Stamp Amendment Bills they lost the confidence of the people.

The Hon. Sir William Reid, on behalf of the Government, maintained that the present salary of Rs. 1,500 granted to the Ministers was inadequate.

Mr. Roffey moved that their pay be raised to Rs. 2,500 a month.

Both the amendments were, however, turned down by the House and the original motion of the Finance Member asking that a sum of Rs. 3,500 be provided was passed.

Another motion recommending that the sum of Rs. 80,000 for the establishment of Commissioners be reduced was carried.

On the 13TH MARCH demands for grants with one or two exceptions were voted. A censure motion by Babu Brajendra Narayan Chaudhury recommending that the demand for the grant under jails be reduced by Re. 1 was carried by the house. The mover criticised the administration of jails generally and stated that the recommendations of the Jails Committee were not given effect to in their entirety. Sj. Kuladhar Chaliha in supporting the motion recounted his experiences in jail and condemned the lack of care and attention bestowed on convicts by the jail authorities.

On the 14TH MARCH Babu Brajendra Narayan Chaudhuri moved that the demand for the grant under European and Anglo-Indian Schools be reduced by Rs. 26,000. He pointed out that preferential treatment was being shown in the case of European education, and by way of comparison quoted figures for the education of European and Indian boys.

Sir William Reid, Finance Member, appealed to the House to protect the interests of the minority community. As regards the suggestion that Bengal should contribute part of the grant, Sir William said that the number of children who went from Assam to Bengal schools was greater than the number from Bengal to Assam schools. The motion was negatived.

Several other motions were discussed, after which the House adjourned.

On the 17TH MARCH demands for grants in the Transferred Departments under the heads Registration, Education (other than European) Medical, and Public Health came up for discussion in the Council. There

were several reduction motions calling for cuts of one rupee which, although ostensibly in the nature of censures, were put down evidently for inviting discussion and withdrawn on the Hon. Ministers making the necessary explanations. Thus the House passed on this day a total sum of over 37½ lakhs for the use of the Transferred Department.

On the 18TH MARCH the Council considered and passed demands for grants aggregating over fifteen lakhs partly under reserved and partly under transferred departments. There were four censure motions for reduction three of which were ultimately withdrawn and the fourth put to the vote and negatived. One motion moved by Babu Brojendra Narayan Chaudhuri was to the effect that the demand for the establishment of Superintendent, Civil Veterinary Department be refused. The mover's objective was the Superintendent Civil Veterinary himself, but that officers salary being non-voted, he being an imperial service officer, would serve purpose if provision for his staff were refused. The mover urged the replacement of this officer by an expert from provincial services.

Hon. Maulavi Syed Muhammad Saadulla, Education Minister, replying on behalf of the Government stated that this question would be considered on receipt of Government of India's instructions in connection with the general question in accordance with the Lee Commission's recommendations.

Another reduction motion moved by Sj. Nilmoni Phukan was to the effect that more money should be allotted for village communications which were being neglected by local boards.

The Hon. Rai Bahadur Promode Chandra Dutta, Minister Local Self-Government, reminded the House that local boards were autonomous bodies and Government had no power over them in the matter of spending money on village communications. Nor did Government pretended to be more familiar with local village needs than boards themselves but the desirability of paying more attention to this aspect of question would be impressed on boards. On being pressed to division the motion was negatived.

On the 19TH MARCH the report of the Select Committee on the Assam Water Hyacinth Bill was presented in the Council. The Report states that the Bill as originally drafted requires extensive amendment to make it of practical utility and at the same time to avoid as far as possible interfering with the rights of owners or occupiers of land. In view of material alterations its republication has been recommended.

A motion recommenning the introduction of charka-spinning in primary schools was negatived

The Muddiman Report.

In the afternoon Maulavi Faiznur Ali moved adjournment of the House to consider the Muddiman Committee's report. Before the discussion commenced the Hon. Sir William Reid informed the House that official members, save Ministers, would not take part in the discussion as Government had not yet been able to formulate their views in the matter. The sense of the House was to the effect that they subscribed to the findings of the Minority report but condemned those of the Majority report.

The following resolution was ultimately carried: "This Council disapprove of the recommendations of the Majority Report as retrograde, disappointing, and calculated to delay the attainment of full responsible Government in the country, and this Council while agreeing with the

Minority in the view that Reforms have failed and are incapable of yielding better results in future, recommend the adoption of such steps as will lead to the appointment of either a Round Table Conference or Royal Commission for devising a constitution for granting full responsible Government to the country.

On the 20TH MARCH Babu Krishna Sunder Dam moved a resolution recommending that suitable arrangements be made by the Government to provide free conveyance for the non-boarder students of the Murarichand College, Sylhet from the town to the new college site at Thackeray Tilla. The motion was pressed to a division and carried.

On the 21ST MARCH, after question time, the Hon. Sir William Reid moved that Assam Settlements Bill 1925 be circulated for the purpose of eliciting opinion thereon. The motion was adopted.

The House next proceeded to consider certain supplementary demands for grants. All the motions were carried except a demand of Rs. 2,800 under 47 Miscellaneous (Transferred) which was reduced by Rs. 1,800. This sum represented the allowance intended for senior E. A. C. of Shillong for performing duties of Vice-Chairman of the Municipal Board. It was contended that as Vice-Chairman of other Municipal Boards who were non-officials had not been similarly remunerated there was no justification for the present demand. The reduction motion was put and carried by 22 votes to 11.

There was some discussion under grant 'Administration of Justice' in connection with the expenditure incurred over Sylhet note forgery case. It was argued that as arrests in this case were made in Bengal and majority of witnesses came from that province the case should have been taken up in Bengal and resultant expenditure by that Government. The Hon. the Judicial member pointed out that although the arrests were made in Bengal the case originated in Assam and therefore it was incumbent on this Government to conduct it. The motion for reduction wss defeated.

His Excellency the Governor then *prorogued the Council sine die.*

The Autumn Session

SHILLONG—7TH SEPTEMBER 1925

The autumn session of the Assam Legislative Council commenced on the 7TH SEPTEMBER with Moulvi Abdul Hamid, President, in the Chair. After questions the President made feeling reference to the death of Sir Surendranath Banerjea, and subsequently moved the following resolution which was carried unanimously all standing:

"That this Council records its profund sense of sorrow at the sad death of Sir Surendranath Banerjea, the great pioneer in the field of Indian politics, who contributed full 50 years of devoted service to the material, social and political uplift of the Indian people, and offers its sincere condolences to the bereaved family.

Khan Bahadur Alauddin Ahmed CHAUDHURY next moved that the Assam Water Hyacinth Bill be taken into consideration.

Rai Bahadur P. C. Dutt, while sympathising with the object of the Bill, said that he felt constrained to oppose the motion on the ground that in the absence of the discovery of an effective remedy for the destruction of the

water hyacinth pest it was unfair to introduce a bill designed to give local bodies power to compel the people to destroy the weeds.

The discussion on this Bill had not concluded when the House adjourned.

On the 8TH SEPTEMBER the debate on the Water Hyacinth Bill, was resumed. Rai Bahadur Amarnath Roy's amendment, recommending that the Bill be re-committed to a select committee, was accepted by the House.

Khan Bahadur Alauddin Ahmed CHAUDHURI moved that a permanent committee, consisting of five officials and five non-officials, be appointed for advising the Minister for Education as the means to be adopted for stimulating Mahomedan education in the Province.

On the Minister explaining that a conference would shortly be convened, consisting of both officials and non-officials interested in the spread of Mahomedan education and the development of Islamic ideals so far as possible to work in harmony with the Text Book Committee, the mover withdrew his motion.

Babu Gopendralal DAS'S resolution recommending that the increased free rates in the high and middle English schools of the Habibganj subdivision in the district of Sylhet be at once reduced to the level of the tuition fees prevailing in all other such school in the Province was pressed to a division and carried.

On the 9TH SEPTEMBER the Council discussed partly official and partly non-official business. Two demands for supplementary grants amounting to Rs. 65,550 were discussed and ultimately passed.

Mr. H. C. Barnes, Finance Member, laid before the House a note on the present financial situation of the province and the Education Minister introduced the Assam Primary Education Bill, 1925.

Settlement of Waste Land.

Discussion on Mr. Rohinikanta Hati Barua's resolution was resumed. There were three amendments to the motion, which was ultimately accepted by the House in the following form :

"This Council recommends that the waste land in the Province should ordinarily be settled with the natives of the Province for special and ordinary cultivation with a view to encouraging agriculture by small capitalists in the Province without hampering the claims of immigrants."

The mover alleged unfair treatment on the part of the Government in the case of settlement of land as between Indians and Europeans, the latter, he stated, invariably being shown preference. He was supported by Mr. Kamakhyaram Barua, who cited certain instances purporting to show preferential treatment to Europeans in the settlement of land. Mr. Sadananda Dowera stated that the resolution was merely the embodiment of the Government's pledge made during a previous session to the effect that they were encouraging small capitalists to open up land for cultivation.

Mr. H. C. Barnes and Mr. Bentinck, on behalf of the Government, considered that the resolution sought to exploit the poor ryots in favour of the small capitalist and this was most unjust and unfair. Mr. Barnes maintained that the rules under which the Government acted were just and did not result in unfair dealing. Certain vague charges had been made against the officers of the Government, accusing them of unfair treatment. These officers were not here to defend themselves, and it was unfair to make such attacks on them. At all events, the charges were very vague. This was the first

time be had heard such charges in all his service, and if any member had definite cases to put forward, the proper place was outside the House, when the Government would investigate the matter fully.

The Grazing Tax.

On 10TH SEPTEMBER the discussion on the resolution moved by Srijut Mahadev Sarma, recommending the abolition of the grazing tax in Assam, was continued. Two other resolutions on the same subject, one in the name of Mr. Sadananda Dowera and one by Srijut Nilmani Phukan were taken up simultaneously.

The mover said that the grazing tax was most unpopular in the Province and should be abolished.

Mr. Sadananda Dowera proposed the appointment of a committee to consider the draft grazing rules with special reference to the needs and wishes of every party. Srijut Nilmani Phukan suggested that the tax might be abolished altogether, except in the case of professional grazers.

Mr. Barnes on behalf of the Government said that the revision of the grazing rules was expressly undertaken as the present rules were working badly. The Government were desirous of relieving the ryot from the tax on his cattle and to tax professionals. He would not undertake to offer much consideration to the proposal for the total abolition of the tax. He had already written to a dozen members asking them to meet in committee to consider the new draft grazing rules, and further than that he would not go.

The amendment of Mr. Dowera recommending that Government appoint a committee to consider the draft rules was ultimately put to the vote and carried by 15 votes to 10.

Amendment of Tenancy Law.

On the 11TH SEPTEMBER a resolution recommending the amendment of the Tenancy Law of 1869 in the districts of Goalpara and Sylhet on the lines of the Bengal Tenancy Act, and the appointment of a Committee to make recommendation, was carried by a narrow majority.

Mr. Barnes, on behalf of the Government, said that he knew that no demand had been made by the people of the district for the amendment of the present Act. The Govt. were contemplating the appointment of a committee to enact the new tenancy law, which would meet the needs of Assam.

Srijut Nilmani Phukan moved a resolution suggesting that no waste land be granted to railway companies in Assam for other than railway purposes.

Mr. Barnes said that as the Government had always adopted that policy, he saw no objection to the resolution.

On the 12TH SEPTEMBER the Council concluded its autumn session when Mr. S. C. Barnes (Finance Member) presented the report of the Committee on Public Accounts on the audit and appropriation reports of 1923-24.

Maulvi Faiznur Ali suggested that the House should be given an opportunity of discussing such reports in future, to which the Govt. consented.

The Rev. Nichols Roy presented the report of the Select Committee on the Assam Temperance Bill and intimated his desire to introduce the Bill in the next session.

The Council was then prorogued.

Bombay Legislative Council

BOMBAY—20TH FEBRUARY 1925

The Bombay Legislative Council opened on the 20th February when Sir Ibrahim Rahimtullah took the chair on receipt of His Excellency's approval of his unanimous election to its Presidentship. Mr. Pahalajani, Deputy President, who invited Sir Ibrahim to occupy the Chair, paid a tribute to his defence of popular rights and privileges, not only as President of the Legislative Council, but also as a member of the Executive Council before that. Sir Ibrahim Rahimtullah occupied the Chair amidst applause, and after expressing gratitude for his election, promised to uphold the dignity and traditions of the House.

The Governor's speech.

His Excellency, the GOVERNOR, in opening the session, delivered a lengthy speech which was listened to by the House and by the large number of visitors present. The Governor congratulated the House on its unanimous choice of its President. He also congratulated the Government on the fact of their first nominee to the chair being accepted by the House.

Referring to the Budget Sir Leslie Wilson pointed out that a very large proportion of the increase in expenditure in the new financial year's Budget was on account of the Transferred Departments Out of new items of demands amounting to about Rs. 50 lakhs, no less than Rs. 33 lakhs were proposed for these departments. This allocation of revenue had been made in pursuance of the deliberate policy of the Government, the steady expansion of departments for the administration of which the executive was directly responsible to the Legislative Council. It remained now for the Council to consider how the necessary funds could be raised by the proposed taxation. He felt sure that in coming to a decision the needs of the Presidency as a whole would be considered. With regard to the suggestion that more money should be made available for the necessities of the Transferred subjects by reducing the Reserved Departments' expenditure, and the arguments that the Transferred Departments were the only nation-building departments of the Government, His Excellency reminded them that for buildings of all kinds a sound foundation was required, and many of the Reserved Departments were engaged in maintaining those secure foundations on which alone a national edifice could be safely erected. It would, for example, be useless to provide schools and teachers in the rural areas, if on account of gangs of robbers and dacoits the roads were unsafe for children to attend the schools.

His Excellency then left the Council Chamber, and the House proceeded with the day's business.

Presentation of the Budget.

The Hon. Mr. H. S. LAWRENCE, Finance Member, presented the Budget for the year 1925-26. The opening balance of the current year was Rs. 5·45 crores, and the closing balance Rs. 4·67 crores; while there was a net increase in revenue of Rs. 34 lakhs. There was a reduction in expenditure of Rs. 65 lakhs.

Next year (1925-26) the estimated revenue amounts to Rs. 15·68 crores, and expenditure debitable to revenue to Rs. 16·09 crores, leaving a deficit of Rs. 41 lakhs. To meet this it was proposed to impose extra taxation to bring in Rs, 42 lakhs in the following manner :—

Rs. 18 lakhs by increasing Court fees, another Rs. 18 lakhs by increasing the transfer of property fees, and Rs. 6 lakhs by taxing the Turf Club totalisator bettings.

While there is no increase in the total demand on the Reserved side there is an increase of Rs. 65 lakhs on the Transferred side. The opening balance of the year is Rs. 4·67 crores. From this Rs. 57 lakhs is being taken for non-recurring capital expenditure leaving a balance of Rs. 4·11 crores, or adding an estimated surplus of Rs. 1 lakh, a closing balance of Rs. 4·11 crores, including Rs. 1·48 crores in famine funds.

General Discussion of the Budget.

The General discussion of the Budget took place on the 23RD FEBRUARY. The opposition to the new taxation bills poposed by the Finance member was voiced by non-official members. Messrs. Lalji Naranji and others appealed to the House to reject the measures. The development department also came in for a good deal of adverse criticism.

Next day, the 24th February, Mr. Joseph Baptista led the attack and complained of the executive irresponsibility.

Mr. A. N. Surve warmly acknowledged the Government's response to Non-Brahmans' demands. Other members severely criticised the inclusion of Lee Commission's proposals. Mr. A. M. E. Dehlavi, Minister for Excise, explained Government's policy regarding excise revenue and called attention of the House to the resolution issued on the subject this week.

Mr. Jadav, Minister for Education, who was constantly interrupted, narrated progress of education under stewardship and appealed to the House to view the Stamp Act Amendment Bill with favour as a measure if passed into law would affect only the rich.

On the 25TH FEBRUARY vigorous attacks on the Budget estimates were made by the Swarajists led by Mr. K. F. NARIMAN who criticised the Government policy. The speaker compared the debt position of Bombay with that of other provinces in India and said that while others were regularly decreasing their debts the Bombay Government systematically went on increasing their debts. It was said that India was not fit for home rule, but he would suggest transference of Finance Department to non-officials and they would show in three years that Indians were far better in financial administration than members of the present Government.

Mr. MONTGOMERY, Home Secretary, said that Government had cut down expenditure to the lowest possible limit. It was sheer impossibility to go any further. The incidence of crime in Bombay Presidency, said the speaker, was greater than in England and pointed out that there were no less than 827 murders in 1922, while in England and Wales there were only 60. In face of this, asked the Home Secretary, was it possible to reduce expenditure in Home Department ?

Mr. JAYAKAR complained of Government extravagance and characterised the Budget as an adversity Budget.

Hon'ble Mr. H. S. LAWRENCE, Finance Member, replying to the debate attributed most of the criticism to imperfect understanding of the Budget probably owing to its complexity. He repudiated the charges of extravagance and pointed out that the complaints that nothing was done to cultivators were baseless and unsubstantiated by facts. Were no education, communications, medical relief, and sanitation, he asked, for the benefit of cultivators? He would appeal to the members to co-operate with Government in the war they were waging against ignorance and disease.

The general discussion on the Budget concluded and the House adjourned.

Stamp Act Amendment Bill

On the 26TH FEBRUARY the Stamp Act Amendment Bill was formally moved for the first time by the Finance Member. The measure was one of the three of its kind suggested by the Finance Member in his budget proposals for 1925 26 in order to meet the anticipated deficit of 41 lakhs ; other two measure being Court Fees Act Amendment Bill and Turf Club Amendment Bill. In introducing the Stamp Act Amendment Bill the Hon'ble Mr. Lawrance explained the objects of the Bill and said that more money was wanted for proposed grants in a generous measure to municipalities and local boards for the cause of education, medical relief and easy communications which were all for the benefit of cultivators.

Consistent with the attitude revealed in the course of the general Budget discussion for the past three days non-official members offered uncompromising opposition to the very principle of extra taxation involved in the Bill. Mr. R. G. P. Pradhan's amendment inserting in the Bill that the whole of the revenue derived under this measure should be devoted for the purposes of education only was ruled out of order by the President on the ground that during the first reading only the principles of the Bill could be discussed and no details.

Mr. C. H. Hidayatullah, Minister for Local Self-Government, said that when Government with a view to economy introduced the photo-copying system in registration Departments members set up a hue and cry on the ground of forced unemployment of people.

Mr. R. G. Pradhan wanted an assurance from Government that revenue from this measure would be wholly ear-marked for nation-building departments only.

Hon'ble Sir Maurice Hayward assured the House that as far as possible Government would give preference to nation-building departments. He appealed to the House to pass the first reading of this Bill and that of the next one so that in the Select Committee they could consider whether extra taxation proposed was or was not for popular benefit.

On the 27TH FEBRUARY the Government sustained a defeat when the Council rejected the first reading of the Stamp Act Amendment Bill by 44 votes to 43. Heated speeches were made from both sides of the House, the non-officials appealing for rejection, and the Government benches appealing to the Ministerial party not to be dictated to by the Swaraj party which had a wrecking policy.

Court Fees Act Amendment Bill.

After a debate, lasting over two and-a-half hours, the Council adjourned further discussion on the first reading of the Court-fees Act Amendment Bill, which was introduced by the Finance Member and which met with strenuous and uncompromising opposition from the non-official benches, on the ground that it was an unbearable burden upon the poor agriculturists.

Demands for Grants.

The Meston Award.

On the 2ND MARCH the officials and non-officials unanimously condemned the attitude of the Finance member of the Government of India in regard to the injustice done to the province of Bombay by the Meston award and its very unjust execution. Mr. Lalji Narayanji proposed an adjournment motion in order to express the disapproval of the Government and the people of Bombay, of the present policy of the Central Government. He said that " the direct policy of Central Government is to kill Bombay industry and see that Bengal flourishes at the expense of other provinces." The Finance Member, Mr. H. S. Lawrence, endorsed the above charge and himself quoted figures and facts to prove that Bombay was done a great injustice He threatened that steps would be taken to make the Government of India feel the weight of public opinion in Bombay. In order to avoid any feelings of bitterness, he also announced that the further consideration of the Bill to enhance Court Fees was postponed. He appealed to all to consolidate their ranks and to take joint action together in the common cause. The appeal was well responded to, and in a dignified speech Mr. Jaykar associated himself and the Swarajya Party with the Finance Member in condemning the Central Government.

Bombay Development Scandal

Mr. NARIMAN proposed a cut of Rs. 62 lacks in the Bombay Development Department. Instances after instances were quoted by him by which he proved that curruption of the worst type was going on in the department under the very nose of the great gods of the Directorate. The Hon. Mr. Cowasji Jehangir tried to dodge the issue, with a view to hush up the whole scandal. Sir Lawless Hepper observed : " There was only one person more despicable than the anonymous letter-writer and that was the person who was making base charges against public officials without being able to substantiate them." Mr. Nariman retorted : ' he was not making vague charges. He made them openly and without any anonymity. He was prepared to prove that the charges were true, if he were given an opportunity of substantiating them.'

On the 5TH MARCH the non-officials scored a victory when Mr. D. B. Adhwani's motion to reduce by Rs. 33,80,000 the total grants of Rs. 2,83,80,000 under the head " Construction of Works in Lloyd Barrage and Other Canals " was carried by 48 votes to 44. The non-officials complained that detailed information had not been given. The Hon. Mr. Cowasji Jahangir, replying on the debate, said that owing to the rise in the price of steel they had to increase expenditure.

The Muddiman Report

10 MARCH 1925

A fiery stream of indignant eloquence swept the floors of the Council on the 10TH MARCH during the debate on Mr. JAYKAR'S motion to adjourn the House to call attention to the highly unsatisfactory nature of the Muddiman Committee's report and recommendations.

Sir Maurice HAYWARD, Home Member, at the very outset announced the Government's intention of not taking part in the debate as their opinions had already been published by the Reforms Committee in the appendices to their report. The Committee themselves were appointed by the Government of India and reported to the same Government, but not to the Bombay Government; but he would not like, however, to hinder a full discussion of this important subject.

Mr. M. R. JAYAKAR the leader of the opposition, then moved for an adjournment. In doing so Mr. Jayakar said that judged by any tests of popular advance the Majority recommendations were highly unsatisfactory. One would employ any tests one liked, whether from the point of view of the Legislatures, Ministers, or popular rights, and the answer was the same, namely that no advance was made in any of those directions. Did the recommendations enlarge the powers of the Legislatures over the Executive Government? Did Ministers get more control over the services, or over the finances of the Presidency? Was the distinction abolished between transferred and reserved departments and greater approximation arrived at between the two? The answer to all these questions was dismal. No doubt the terms of reference to the Committee were extremely limited. Though in a sense, circumscribed by a limited reference, there was no doubt that the Committee, if they were so minded, could have made the most valuable recommendations towards the abolition of many of the defects in the working of the Act and enlarging popular rights by doing so. It seemed to the speaker that the Committee's main concern had been to protect above all the right of the Indian Civil Service. In more than four places, there were references to the interests of those services made with the utmost care and solicitude and towards the end of the report, they wound up by saying that all attempts should be made to protect the rights and privileges of the Indian Civil Service.

The Committee were unnecessarily obsessed with the difficulty relating to the electorate. They forgot that when the Reforms Act of 1832 commenced in England not more than three to four per cent. of the population had vote and the percentage increased slowly right up to 1834. Similarly the Committee failed to realise adequately that Dyarchy had been tried for three years by the utmost enthusiasts of the Reform. Notwithstanding the fair trial given it, Dyarchy had failed. One had only to read the evidence given by the Central Provinces Ministers and one at once realised that the defect of Dyarchy lay in its inherent nature and not merely in the atmosphere in which the experiment was worked. Dealing with the recommendations Mr. Jayakar said that they were extremely unsatisfactory. No important department had been recommended to be transferred. Boilers and Gas, Labour housing, Forests and Fishery, these really did not teach people any responsible self-control or corporate power. Speaking of such departments as were considered in the Bombay Presidency as absolutely worthless, like stationery and stores, Law report, etc., even these, said Mr. Jayakar, had been very cautiously hemmed in by limitations which he characterised as unjustified under the circumstances.

He therefore held the view that in their recommendations the Committee were extremely halting but their recommendations by no means stopped there. In many particulars they were retrograde. Mr. Jayakar cited instances of Presidents of Legislative Bodies having been recommended to be made immune from the jurisdiction and control of High Courts and the non-removal of residential qualifications in the case of citizens of this country except Europeans. Mr. Jayakar amidst cries of 'hear' 'hear' said he did not know what share of the blame attached to the Bombay Government, at least such members of it as formed the minority of that Government. He however congratulated the Indian members of the Bombay Government on their courage and sagacity and uprightness in recommending full provincial autonomy. For their retrograde suggestions he could not think of congratulating the other members of the Government.

They talked freely of electorates, learning lessons of electing representatives with the sole view of securing a return of popular representatives. One might ask the question how were the electorates to learn the lesson? Had they learnt it in every country which enjoyed Self-Government? It had been well said that nothing fitted a man for liberty like the enjoyment of liberty itself. The Government had forgotten that they were not dealing with a subject race, but with a race which had all the consciousness of a civilised and cultured community, and which wanted little or no guidance in the attainment of Self-Government. Indians had enjoyed it before, and although they might have lost it during the interval the consciousness itself would not be long in coming. His complaint was that the present experiment would not produce that consciousness. They had been deliberately torn asunder by the devise of a system of Government which kept them in the puddles of opposition. He was glad to read in newspapers that Lord Reading's own bent of mind was towards the Minority recommendations. He could only hope

that the news was true. "If India is to be saved or lost to the British Empire," concluded Mr. Jayakar with great feeling, "depends very largely on the step that H. E. Lord Reading takes to persuade the British Cabinet to take in that direction."

Mr. H. G. PRADHAN said that the Majority recommendations, particularly those relating to the Transferred Subjects, were most unsatisfactory. It was the duty of the Bombay Council to record its protest in no uncertain voice against the narrow illiberalism which was a feature of the recommendations. The speaker condemned the doctrine set up by the Committee that so long as Law and Order remained a reserved subject, land revenue should not be transferred. He pointed out that this was against even the Montford Report.

Moulvi Rafiuddin AHMAD said that he could not understand Mr. Jayakar raising the point of the unsatisfactory nature of the report. He thought Mr. Jayakar and the Swarajists were avowed opponents of Dyarchy and wanted to kill it. First and foremost they must have inter-communal and inter-party unity and then the Government would not dare refuse any reform they demanded.

Mr. A. N. SURVE (Non Brahman), in further supporting the motion observed that if Bombay was given provincial autonomy no harm would arise. He condemned the report if only because it had placed the Ministers in an absolutely unenviable and anomalous position. They were mere advisers to the Governor who could, if he wanted, override their advice. In that case the legislature might pass a vote of censure on the Ministers. Was this the development of a spirit of responsibility?

Mr. D. R. PATIL (Non-Brahman) declared that communal difference were bound to exist till the end of the world. Were they therefore to put off all reforms till the end of the world? No. They must ask for more and more reforms with a united voice, notwithstanding communal difference. Until and unless Dyarchy was done away with, the representatives in the Council could do no real service to their people.

Rai Sahib Dadubhai DESAI condemned the report as recommending retrograde steps The subordination of Ministers to Civilian Secretaries was sought to be perpetuated by the Committee. He had expected transfer of all departments under the control of the Home Member at present to the control of popular Ministers, so that they could reduce expenditure on them with a view to increase expenditure on Nation-building departments, but he was disappointed.

Mr. JAYAKAR, replying, observed that if amusement should cost Rs. 45,000 of the tax-payers' money he would rather deny himself any amusement. (Laughter in which the officials joined). He agreed with Mr. Patel that notwithstanding communal difference they must take forward steps towards self-Government. Replying to Moulvi Rafiuddin Ahmed, Mr. Jayakar asked the former whether he and other non-officials did not desire to end Dyarchy. Dyarchy was sapping the very foundations of their life. Which Indian could tolerate it? The speaker concluded with an acknowledgment of Sir Maurice Hayward's courtesy in not participating in the debate.

Sir Maurice acknowledged the compliment with a bow. **The motion was carried nem con.**

Budget Grants—(*Contd*).

On the 12TH MARCH discussion on budget grants was taken up. Mr. Nariman directed his gunshots against the Department of Industries and pointed out how people, other than Indians when appointed to responsible posts like the Director of Industries, try to give every sort of opportunity to foreign industries in India at the cost of indigenous ones. He urged the Government to take seriously to heart the advice of Mahatma Gandhi to encourage Cottage Industries. Mr. Dev of Dhulia observed that the Minister in charge should take notice of the fact that all the money that was being spent was nothing but waste and the department must be run entirely according to the will of the people. Mr. Jayakar asked the Government what they were going to do with the report of the Rahimtoola Committee. Messrs. Hussenbhoy Laljee and G. I. Patel exposed the ignorance of the Hon. Member for Education and showed to him how the industries of match and pottery were being subjected to unfair foreign competition.

After the Industry Department was dismissed the Agricultural Department was ushered in the Council Hall. Messrs Dev and Chaudhari spoke very enthusiastically on various questions relating to agriculture. Mr. Bhopatkar observed that an enquiry should be made into the conditions of the agriculturists. Also the Deccan was gradually decreasing in rain supply, and the Government must take notice of it and teach the farmer to utilise the little rainfall that he gets, as was done in America. He also com-

plained about the insufficient arrangements made to diffuse agricultural knowledge in the peasant class. He concluded by touching the question of milch-cattle.

There was a lively discussion on the grants for the Public Health Department. Mr. Dev proposed a cut of 4 lacs and Mr. Jayakar while speaking on the motion of Mr. Dev questioned the utility of the services of the fat-sallaried 'experts' in this department. Mr. Pahaljani further proved the utter uselessness of these so-called experts. The Hon. Mr. Dehalvi and Jadhav tried to explain the Government position. Ultimately the grant was voted.

On the 13TH MARCH an important ruling was given by Sir Ibrahim Rahimtullah, the President, during the discussion of a motion by Mr. Pahlajani for the reduction of Rs. 1 lakh from the total demand under the head Medical. Dr. Velkar, which speaking on the motion, referred to the alleged misconduct of certain officials of the Karachi hospital, and one of them discussed the conduct of the officials of another department. Sir Maurice Hayward raised a point of order, and the President, after citing a number of previous rulings on the subject, ruled that except where the salary of any particular official was concerned no member should attack that official, except by a distinct resolution of censure.

The Meston Award.

On the motion of Hon. Mr. H. S. Lawrence, Finance Member, the Council resolved to send a representation to the Government of India on the question of provincial contributions as decided by the adjournment of the 2nd March. In carrying out the motion, the Government had prepared a representation more or less on the lines of the speeches delivered on the last occasion by the mover of the adjournment motion, Mr. Lalji Naranji.

The representation, which was placed before the Council for its approval, expressed its conviction that grave injustice had been done to Bombay by the Meston Settlement. The case against the settlement was based on two distinct grounds, namely (1) that the distribution of the surplus revenue assigned to the provinces of India, over and above provincial revenue existing at the time of the Reforms, was determined in a haphazard manner, and bore no relation to the needs of the provinces and total taxation derived from those provinces, and (2) that this haphazard distribution was founded upon the application of federal principles of finance, which had not been adopted in any other federal government in the world. The position of Bombay was compared with other provinces in the matter of taxation and it was stated that Bombay was the most highly taxed province in India. An amplification of the arguments of the Hon. H. S. Lawrence and Mr. Lalji Naranji constituted the main features of the representation.

Mr. LAWRENCE, having moved that the draft representation be approved, several speakers rose to support it. Chief among the speakers were Messrs. Lalji Naranji and Mr. Jayakar. The former suggested certain changes in Mr. Lawrence's draft representation, where a reference had been made to federal as well as State income-taxes in Canada and the United States. Mr. Lawrence agreed to the change suggested.

Mr. M. R. JAYAKAR, leader of the Swarajya party, said that while he had no desire to obstruct his colleagues of the other parties if they wanted to send a representation in the name of the House, he was bound to tell them that personally he had no faith or confidence in the Government of India. Was it the first time that a representation to that Government had been made on behalf of Bombay? They should not forget that the Central Government had been treating the Bombay representation with scant courtesy. He urged sterner and stronger measures. He was sure that ere long the Bombay Government would find out that mere representations would not do, and that sterner measures ought to have been adopted. The Bombay Government should show that Bombay was by no means willing to face any new taxation.

The motion was carried unanimously.

Indian Match Industry.

When the grant for the Industries Department came up for discussion, several members accused the Minister of want of any knowledge in matters industrial, and a motion was proposed reducing the grant by Rs. 1,000.

Mr. Hoosainbhai LALJI said the Minister did not know anything about the match or any other industry. There were, he said, four match factories in the Bombay Presidency, one of which at Ahmedabad had been struggling for existence for the last 20 years. They were importing into Bombay logs of wood from Siberia, as it was found that steamer freight from Siberia to Bombay cost less than the railway freight on wood from Northern India to Bombay. That was not all. An American Syndicate with a capital of about £2 millions had started a big factory at Ambarnath, near Bombay, and were going to build

factories at Karachi, Calcutta and Rangoon, not with a view to supplying India's needs, but for the purpose of killing the existing factories in India. This syndicate, he said, had already taken in hand the match industries of Sweden, Czecho-slovakia and China, though they failed to secure a footing in Japan, owing to the Japanese Government's resistance. That American match trust had cornered a chemical most essential in match manufacture which could not be bought except through that syndicate. They were also offering higher wages to experienced Indian workmen from existing match factories. He urged that the Government of India should intervene.

Education Minister's Policy Criticised.

On the 14TH MARCH discussion was continued on Mr. P. G. Joshi's motion brought forward the day before to reduce the total demand for education by Rs. 1 lakh. The mover made it plain that it was not to be considered as a motion of censure on the Minister for Education. Mr. M. R. JAYAKAR, while agreeing with the mover that it was not a censure motion, severely criticised the Minister and told him that on occasion the Swaraj party, which had been vilified by the Minister on all and sundry occasions and which had been represented by the same Minister as something horrible even to think of joining, was now standing between him and the vote of censure. He accused the Minister of humiliating his office by acting like a paid whip of the Government, instead of acting like the other two Ministers.

The Hon. Mr. B. V. JADHAV, Minister for Education, justified his non-Brahmin policy which had been questioned by some speakers. He was constrained to treat the motion as a censure motion, but he was not afraid of it. His conscience told him that he was not a failure. He knew that the majority of the house was with him. Speaking of the non-Brahmin policy he said that they were actuated by the same motive as the Swarajists and others, namely, looking after the country's advancement. If they did not agree with the Swarajist policy of obstruction they were not wholly supporters of the Government either. He recalled instances when non-Brahmins even in that session had voted against the Government.

Mr A. N. SURVE, referring to the non-Brahmin policy, said he strongly resented any patronisation. As a self-respecting party they could not and would not stand any patronisation. If the House felt that the Minister was a failure, then let it not waste public money on him.

The Hon. Mr. JADHAV, replying to the debate, said that if the motion were carried, he was willing to lay down office. He then detailed the number of improvements he had introduced in the field of education.

Mr. JOSHI said he was satisfied that the Hon. Mr. Jadhav was seriously engaged in satisfying national aspirations and he withdrew his motion.

The House then proceeded to discuss other reduction motions. All reduction motions moved were either withdrawn or defeated. A motion refusing the grant under European Education (Reserved) was pressed to a division and lost. Another motion to reduce police expenditure shared a similar fate.

Mr. K. F. Nariman moved a reduction of Rs. 10 lakhs from the total Police grant. In doing so he drew attention to the Bawla murder which occurred soon after sunset in a prominent locality near the residence of the Commissioner of Police.

The President, intervening, said that he would not allow reference to be made to a case sub-judice. The President set the guillotine in motion at 5 o'clock and put to the vote the total demands. In five minutes all the motions for grants were carried.

The Bombay Rent Act.

On the 16TH MARCH an official Bill was introduced in the Council by the Hon. Mr Cowasji Jehangir to amend the Bombay Rent Act in respect of residential premises which expires by the end of 1925. The Bill, which passed its first reading, seeks in a restricted measure to extend the provision of the expiring Act only in the case of residential premises, the parts applying to non-residential premises having expired in October last.

Mr. K. F. Nariman's amendment to the principle of the Bill extending protection to non-residential buildings also was ruled out of order by the President on the ground that it sought to go beyond the scope of the Bill. The President also explained that inasmuch as the House refused leave to Mr. Addyman at the last Poona session to introduce a measure on the lines of Mr. Nariman's amendment, the latter should be deemed as altogether separate from the scope of the present Bill.

The members then criticised the Bill generally and condemned it for not going far enough. Mr. M. R. Jayakar, leader of the Swaraj party, while supporting the restricted

Bill observed that the Swaraj party did not often find itself in a position to support a Government measure. He, however, thought that the Bill, whose principle he supported, should be radically altered in the select committee.

The first reading was then agreed to. The Swarajists having consented to work on the select committe.

On the 18TH MARCH the Council gave leave to introduce the following new Bills: A Bill to enable the Hindus of the Province of Sind to restrict themselves to Monogamous Marriages—by D. B. Adwani. A Bill further to amend the Bombay Land Revenue Code, 1879—by R. D. Shinde. A Bill further to amend the Bombay Town Planning Act—by L. B. Bhopatkar.

Mr. BHOPATKAR'S Bill to alter the constitution and to widen the powers of the municipalities was the first private Bill to come before the House for its first reading. This Bill from its very inception, sustained a strong opposition from the Government. Even the leave for its introduction was very grudgingly and ungraciously given by the Government in the last Poona session.

Mr. Bhopatkar's intention in moving that Bill was to meet the growing public demand to alter the constitution of the municipalities in the Presidency including the Province of Sind in such a way that the municipalities should be really useful to the public and free from official control. This Bill proposes to make all city municipalities wholly elected, the nomination being confined to 1/5 of the whole number of Councillors. There is a clause in the Bill intending to do away with the necessity of securing the previous sanction of the Collector for the discharge of certain functions.

The Hon. Member for Local Self-Government opposed the Bill on the ground that the Bill was of a very sweeping character and also the Government was very shortly going to introduce a similar Bill. Mr. D. R. Patil moved an amendment that the consideration of the Bill be postponed till the next session of the Council. The amendment was carried.

Amendment of Standing Orders.

After the private Bills were disposed off the second reading of motions to amend Standing Orders, which had been referred to Select Committee, were taken-up. The Select Committee had recommended that "provided the President permits, a member may move any of the resolutions that stand in his name, whatever their order on the agenda be, but no permission shall be given unless 24 hours' notice has been given to the Government member in charge, if he so desires." It was a very useful amendment but the Government benches opposing it very strongly it was rejected by 40 votes against 30.

Next day the 19TH MARCH, the last day of the Session, other motions to amend standing orders were taken up. Mr. Dev of Dhulia moved that the 12 days that were allotted to the Budget discussion should be considered very important and sacred and in those days no questions should be answered, or adjournment motions be moved. His intention in moving that amendment was to enable the House to consider the whole Budget. But the amendment was lost. Several other useful amendments proposed by the Swarajists were discussed and rejected by the House.

There were nearly 150 resolutions on the agenda paper of which only three could come before the House. One of them was to the effect to prohibit fishing in the Sabarmati river. The Government assured Mr. Swaminarayan that it would consider the question sympathetically upon which he withdrew his resolution.

The other and the most important resolution regarding pay of Bombay peons stood in the name of Mr. Bole and was carried without a division even though the government benches opposed it strongly. Mr. Jayakar paid tribute to the loyalty, integrity and patience of the Bombay peons and supported the resolution on behalf of the Swarajya Party.

The Council session was then prorogued by order of His Excellency the Governor.

The Swaraj Party—Review of Council Work

"True to the wishes of the people they have to the best of their lights offered a fight to the Government at every turn and corner and have often come off successful after a hard fought struggle".

In those words the Swarajya Party in the Bombay Legislative Council concluded its report of one year's work in the Council. The report which was submitted to the electorates of the Bombay Legislature is a closely printed document of 44 pages recording in detail the part played by the party independently as well as in collaboration with the other parties in the Council in the legislative work of the presidency. The Bombay Council

Swarajya Party consisted of 23 Swarajists and 11 Independents and thus commanded "a trifle less than a third of total of 111 members who compose the Council"; about a third of the total forms the Government block while the remaining third is composed of the non-Brahmin party. The report claims for the Swarajya Party that it has creditably acquitted itself of the trust reposed in it by the electorates. It was not, however, able to oppose the Government as vigorously as sister branches could do in C. P. and Bengal Councils. Explaining the circumstances that led to this position the report chronicles the fact that the Bombay Legislature is more heterogeneous than any other Council in India and consists of representatives of four different parts namely Maharashtra, Guzerat, Sind and Karnatic which differ from each other not only in language and traditions, but even in their stages of political advance. The report says that the result is that the representatives from backward districts are still not free from official control and are unable to realise the significance of the Swarajist policy and programme. Referring to the non-Brahmin party which, the report says, invariably decides the vote of the Council, the Swarajya Party complains of the former party's persistence in not even giving an opportunity to the Swarajists to understand them by joint deliberations at least on important questions. The non-Brahmin party could not be persuaded, continues the report, to lend a strong and vigorous hand to the Nationalists in their struggle for political freedom In the face of all disappointing factors the Swarajists and Independents have had to work. It is further claimed and it is in light thereof that their work has to be appraised by the electorates. The report also proudly chronicles the fact of the place of honour as the leader of opposition having been by common consent assigned to the Swarajist leader, Mr. Jayakar, and also the fact of the party members being clad in pure simple khadder.

The Autumn Session

POONA—20TH JULY 1925.

The Autumn Session of the Bombay Legislative Council commenced at Poona on the 20th July. After the swearing-in of new members the Council proceeded with the consideration of official Bills. The Government intimated the withdrawal of the Land Revenue Bill. Consideration of the Statistics Bill was postponed.

A resolution eulogising the services of the late Mr. C. R. Das was then moved, members of all the different parties and the President associating themselves with the spirit of the motion, which was carried unanimously.

The Council then proceeded with the second reading of the Bill for the Prevention of Adulteration of Food. Mr. Nariman urged the inclusion of a provision to include imported tinned food in the operation of the Act. Mr. Nariman's proposition did not meet with support.

On the 22ND JULY the Council passed the Adulteration of Food Act. The Bill to amend the Bombay Municipal Act which was under discussion and the clause regarding the appointment of a Municipal Commissioner was vigorously debated, Mr. Nariman moving an amendment suggesting the transfer of the powers of appointment and the removal of the Municipal Commissioner to the Municipality. The discussion was resumed next day, the 23RD JULY when the Council passed the third reading of the Bill to Amend the City of Bombay Municipal Act.

Co-operative Societies Bill.

The Minister for Excise then moved the second reading of the Bill to Consolidate and Amend the Law relating to Co-operative Societies in the Bombay Presidency. The object of the Bill was to facilitate the formation of co-operative societies for the promotion of thrift, self-help, and mutual aid, particularly among the agriculturists, in order to bring about better living, better business, and better methods of production.

There were 126 amendments notified. One of these suggested that the Bill be returned to the Select Committee to consider the question of popular control of the societies and a reduction of the autocratic powers of the registrar. The Government opposed the amendment, which was lost, and the second reading was passed.

On the 24TH JULY the debate on the Bill and an amendment to the clause relating to exemption from income-tax, court fees, etc., was adopted proposing that the Government should give loans to registered societies, or guarantee the payment of interest on debentures issued by them.

With regard to the clause relating to contributions to a charitable purpose, it was agreed that, with the approval of the Bombay Central Co-operative Institute, and after the stipulations regarding the reserve fund had been satisfied, a society might set aside a sum not exceeding 20 per cent. of its net profits, and utilise from time to time the whole of such a sum in contributing to any public or co-operative purpose, or to a charitable purpose, as defined in Section II of the Charitable Endowments Act of 1890.

On the 25TH JULY after a protracted discussion lasting nearly three days, the Bill to consolidate and amend the law relating to Co-operative Societies in the Bombay Presidency passed its third reading.

Bombay Rent Act.

The Bill to further amend the Bombay Rent Act, 1918, was then presented for its second reading. The report of the Select Committee, consisting of 17 members, showed that eight members wrote minutes of dissent.

Mr. Surve's motion for the return of the Bill to the Select Committee was rejected, and the House proceeded with the second reading of the Bill.

On the 28TH JULY the report of the Select Committee on the Rent Act Bill was again taken up. Clause II of the Bill, which was altered by Mr. Nariman's amendment, extended the life of the Act till 1928. It was sought to be amended by Mr. Surve's motion that the Act should be made applicable only to tenements, the rents of which ranged between Rs. 8 and Rs. 150 instead of Rs. 85 as stated in the Bill. The amendment failed when put to the vote.

Another unsuccessful amendment, which took up a good part of the day's debate, was one which sought to decontrol the rents of chawls and dwelling houses erected by employees.

Clause II of the Bill, amending Section I of the second Bombay Rent Act, was then adopted.

Consideration of Clause III was postponed, and the amendment of Dr. Velkar to insert in Clause IV, a provision to safe-guard workmen against ejectment when a lock-out or strike had been declared, was forced to a division and declared lost.

On the 29TH JULY after some minor verbal amendments had been duly incorporated in the measure, the **Co-operative Societies Bill was read a third time and passed into law.**

The Council next proceeded to consider the Bill to amend the Bombay Rent Act clause by clause.

Several members took part in the debate caused by Mr. Nariman's amendment, which sought to re-adjust the sliding scale of the increase in rents during the years 1926 and 1927. The amendment proposed a reduction

of the increase allowed by the report of the Select Committee from 30 per cent. to 20 for the first year, and from 40 per cent. to 25 per cent. for the second year.

The Government said that the increase of 30 per cent. was allowed as no increments in rents had been allowed for the last ten years, and the measure would prevent land-lords to be exacting or to profiteer in a commodity required by all classes of the community; yet it would give them a normal increase, so that tenants might not take undue advantage of the protection afforded by the Bill under consideration.

The remaining clauses were incorporated after some discussion and alterations. Rental for houses occupied after 1926 were granted an annual increase of 10 per cent. The second reading of the Bill was left over till next day to enable the Government to examine the Bill as amended.

The discussion of the first reading of the Bill to amend the Bombay Smoke Nuisance Act was not finished when the Council rose for the day.

On the 30TH JULY after consequential amendments the Bill amending the Rent Act passed the second and third readings.

The Bombay Port Trust Act was so amended that in future there should be no discrimination in the liability of the trustees between goods discharged by day or by night. Also the trustees were not to be held responsible if cargo was not removed by owners within 11 days of its landing in the Board's premises.

The Bombay Cotton Industry.

Mr. S. K. BOLE was then allowed to move the adjournment of the Council for the discussion of a matter of public importance. He submitted that in view of the grave situation in which the Bombay cotton textile industry found itself, and the possible effect of the decision of the Millowners' Association to reduce the wages of their workmen, which would affect 150,000 operatives of Bombay and their families, and also the effect of this situation on the welfare of the Presidency as a whole, the Governor-in-Council would be pleased to place the gravity of the situation before the Governor-General-in-Council, urging him to take such steps as would bring about immediate relief to the mill industry and the operatives working therein.

Mr. JAYAKAR, on behalf of his party, supported the motion, declaring that the Swaraj party had now vindicated their position that they were not subsidised by capitalists, as was the general belief some time back, but were some party standing between Labour and Capital. He asked the mill-owners if they had really investigated the question thoroughly, and if they had not found it reasonable to reduce profits and the salaries of their highly paid officers before deciding to cut down the wages of the mill operatives. He thanked the mill-owners' representatives for urging the Government to make a representation to the Government of India to take this Industry in hand.

The FINANCE MEMBER said that the Bombay Government was placed in a difficult position. The abolition of the cotton excise, he said, must be debated with sober deliberation, and not with picturesque epithets. He believed that it was established that the mill industry was in a bad condition, and the loss on the citizens of Bombay would probably be not less than Rs. 10 crores. He reminded the House that the ques-

tions of exchange and currency were most complex, and it was unfortunate that the policy of the Government of India was accused of moral depravity. According to him, the millowners had not put forward their case with all the detail which they no doubt possessed, and that, whenever their allegations against Japanese competition were contradicted, the Millowners' Association did not move sufficiently to prove their case. He advised the establishment of a system of commercial intelligence. He refuted the charge of mismanagement levelled against the Bombay millowners, but he believed that the abolition of the excise duty would not put the mills on their feet, though it would serve as a palliative for the reduction of a part of their losses. As regards the wages of labour, he said that a cut of 11½ per cent. would be only a very minor palliative of the evil, as it would amount to only Rs. 70 lakhs, or a little more than 1 per cent. of the value of the total out-turn of cloth. Whether Japanese imports should be welcomed or not he left the House to judge. He also advised both the millowners and the advocates of labour to ask for an enquiry by the Tariff Board.

After the Government had expressed its desire to mitigate the difficulty of both the labourers and the capitalists, the motion was carried unanimously.

The Act to impose a tax on totalisator betting passed the first reading and a Select Committee to report thereon was appointed.

Abkari Act Amendment Bill.

On the 31ST JULY after question time, the first reading of the Bill further to amend the Bombay Abkari Act of 1878 was moved. The proposed amendment makes it illegal for any Club to sell liquor without a license, and enables the Government to obtain fuller control over the consumption of foreign liquor. Very little opposition was offered, and the Bill passed into law.

The Bill to give wider power in the management of Municipal affairs in certain cities was then introduced. The Bill was read for the first time, and referred to a Select Committee.

Transfer of Improvement Trust.

On the 5TH AUGUST Khan Bahadur Shaikh Ghulam Husain HIDAYATULLAH moved the first reading of the Bill to transfer the powers and duties of the Trustees for the improvement of the City of Bombay to the Corporation and to vest the property and rights vested in the Trustees in the Corporation. In explaining the provisions of the Bill the Minister emphasised that in order to prevent speculation in prices of land the new Board would determine the price of land while considering a scheme and not when the scheme was finally sanctioned.

After further discussion the Bill passed the first reading and the proposition to refer the Bill to Select Committee was also passed.

Khan Bahadur Shaikh Gulam Husain HIDAYATULLAH next moved a Bill to amend the Bombay Local Boards Act, 1923. He explained that the need for the Bill was due to the discrepicancies in the elections brought to light in the past on account of the defective wording of the Act. This Bill also passed the first reading.

The Council also passed the third reading of the amendments to certain Standing Orders.

Children's Act Amendment.

Sir Maurice HAYWARD then moved a Bill amending the Bombay Children's Act 1924. Five new clauses had been added to the Act making it penal to be drunk while in charge of a child, to give intoxicating liquors to a child, to sell tobacco or any smoking mixture to a child or young person, to incite a child to bet or borrow and to take pawn from a child.

The Home Member pointed out that the Bill had been brought forward in fulfilment of a promise made to the House.

The first reading of the Bill was passed, and on the motion of the Home Member it was referred to select committee.

Mr. Lalubhai SAMALDAS moved that a certain sum be appropriated from the item "Miscellaneous" for the purpose of revising the pay of village establishments in Sind. A lively debate ensued during which the non-officials demanded from the Govt. a definite assurance to the effect that the Govt. would put an end to the "Rasai" and "lato" systems in vogue in Sind.

The Home Member explained the point of view of the Government and gave an assurance that if public co-operation were forthcoming, and if the House would help in putting into effect the recommendations of the "Rasai" Committee the Government would do all they could to end the "Rasai and "lato" systems. The demand was then granted.

Among the other demands moved one relating to the purchase of a plot of land near Jacob Circle, Bombay, for Rs. 1,54,945 for the purpose of further strengthening the position of the police so that they could meet disturbances during times of industrial unrest was sanctioned.

On the 11TH AUGUST the Council resumed discussion on the Bill to amend the Bombay Village Police Act of 1867. The first reading of the Bill was passed and on the motion of the mover referred to a Select Committee.

Bombay Town Planning Act

Mr. L. B. BHOPATKAR then moved the first reading of a Bill further to amend the Bombay Town Planning Act of 1915. According to the statement of objects and reasons the Act had proved a source of danger to the rights of those persons whose lands happen to be included in the town planning scheme as the Arbitrator was invested with autocratic powers. The Tribunal of Arbitration was a mere tool in the hands of the Arbitrator. The whole Act was so conceived and framed as to benefit the local authority at the cost of the landholders within its jurisdiction. All sorts of restrictions are imposed upon the landholders without corresponding liabilities put upon the local authority concerned. Mr Bhopatkar gave concrete instances from what had taken place in Poona.

Mr. HIDAYATULLAH, Minister, raised a point of order as to whether the local Legislature had the power to add powers to the appellate jurisdiction of the High Court and whether such a power did not constitute interference with Acts of Parliament.

Mr. M. R. JAYAKAR, leader of the Swaraj Party, observed that the Bill proposed to add certain powers to the appellate jurisdiction of the High Court. A mere addition of such powers could not be deemed as affecting any Act of Parliament. If the Bill had aimed at taking away from the appellate jurisdiction of the High Court any of the powers vested in it

by Letters Patent of Parliament, then the Bill could be considered as being out of order.

Sir Maurice HAYWARD held that Mr. Jayakar's interpretation was not correct and that whether what the Bill had proposed was a mere addition or a subtraction of powers, it nevertheless affected the Act, and as such the local Legislature could not deal with such a Bill.

The PRESIDENT said a similar point of order had been raised in connection with the Bombay Children's Bill and was referred to the Governor-General. Mr. Bhopatkar's Bill to amend the Bombay Town-Planning Act of 1915 was referred to the Governor-General subsequently and yet sanction was given without any reference whatsoever to any part of the Bill. It was common knowledge that before sanction was given to any Bill the Governor-General usually referred it to the head of the Department concerned. It was, therefore, a matter of surprise that sanction should have been given to Mr. Bhopatkar's Bill, which contained a debatable provision similar to the one contained in the Children's Bill and referred to the Governor-General. He (the President) could either rule the whole Bill as out of order, or allow the House to proceed with the consideration of the first reading of the Bill, and the point of order could be considered before the Bill came up for the second reading. He preferred to adopt the latter course.

The discussion of the Bill was then continued and the first reading being put to the vote was lost.

The Swarajists' Withdrawal.

A meeting of the Swarajist members was held on the 14th August to protest against the treatment they were receiving in the Council, particularly the way in which the non-Brahmins supported the Government in refusing the formal motions for the introduction of Bills by Swarajist members at the meeting of the Council on the 13th August. After Mr. Joshi's Bill was defeated on this day (13th) he refused to ask for leave for any more Bills, and his example was followed by other Swaraj Party members. Since then they apparently decided to take no more part in that session.

On the 14TH AUGUST, when the Council met, the House proceeded to discuss non-official resolutions of general public interest. Mr. P. V. Joshi, who was the first on the list of resolutions, refused to move any of his three resolutions, and his example was followed by Mr. Dave, who had 10 resolutions in his name.

On the 15TH AUGUST in pursuance of the decision arrived at the day before the Swarajist members did not put the questions of which they had given notice, nor did they move the resolutions in their names. One or two members of the non-Brahmin party also joined in the chorus of "I do not move the resolution, Sir."

The business of the Bombay Council was finished on this day primarily on account of the Swarajist members declining to move the resolutions that stood in their name. As the Governor had not intimated the proroguing of the House, the Council was adjourned sine die.

The Swarajists' Reasons for Withdrawal.

In announcing their decision not to take part in the proceedings of the

Bombay Legislative Council the Swarajist members issued a statement criticising the attitude of the non-Brahmin and Sind Moslem members. They state that they had given support to the non-Brahmins and Sind Moslems whenever their motions were in danger, but the result had been that the Swarajists had come to be regarded by those two parties as powerful levers for obtaining from the Government one concession after another, either communal or personal. The Government had gone on distributing their patronage among persons representing those parties in a manner which had had the effect of winning them over to the side of the Government.

The Swarajists did not desire to be converted into the unwilling instruments of communal or personal aggrandisement. The Government did not appear to be willing to accord to the Swaraj Party the position of respect and dignity which it deserved, by reason of its work and importance. Their one effort had been to try by all means, fair or foul, with the aid of the non-Brahmins and Sind Moslems, to defeat the Swarajists. Constituted as they were, the Swarajists were powerless to meet the tactics of the Government. They had, therefore, been compelled to resolve not to take part in the deliberations of the House, so that, with their withdrawal, the other section of the House which had so far remained inactive, would be thrown on their own resources, and would come to occupy their merited position, commensurate with their intelligence, strength and importance.

Concluding, the statement observes: "We are aware that this step involves the immediate sacrifice of minor advantages to the public, but this is inevitable. We are awaiting further development, and we venture to assure our constituents that all steps will be taken which are demanded by their self-respect and the dignity, of which we regard ourselves the custodians."

The October Session

POONA—21ST OCTOBER 1925.

The first meeting of the third session of the Bombay Legislative Council was held on the 21st October at the Council Hall, Poona, Sir Ibrahim Rahimtullah presiding. Curiosity as to what the Swarajists would do during this session, whether they would continue the tactics of non-participation in the proceedings, or revert to the old method of responsive co-operation, had brought in a good number of visitors. When question-time came the Swarajist members did not put the questions they had sent in nor read the answers which had been prepared and printed in the list of questions and answers. They acted in pursuance of the decision they arrived at their meeting the day before to continue the policy of non-participation which they inaugurated during the closing days of the last session.

On the motion of the Home Member the consideration of the first reading of the Bill to provide for the collection of statistical information for public purposes was postponed.

Betting Tax Bill.

The Finance Member moved the second reading of the Bill to impose a tax on totalisator betting and presented the report of the Select Committee thereon. The Select Committee had, by a majority, accepted the preamble of the Bill as well as the rate of tax recommended, namely, four per cent.

The motion for the second reading of the Bill was put to the vote and carried. Amendments to the Bill were then taken up for consideration.

Mr. S. K. Bole supported the Bill on the ground that the rate of tax proposed therein would go to add to the revenues of the Government. He suggested a rate much higher than that provided in the Bill.

Mr. C. N. Wadia, representative of the Millowners' Association, moved an amendment to the effect that the maximum rate of tax fixed by the Bill should be reduced to 2½ per cent, inasmuch as the Turf Club was a charitable institution and its capacity for doing charity would be crippled by the high rates of tax. After some discussion the amendment was lost.

Mr. H. M. Rahimtulla moved an amendment with the object that the tax proposed to be levied should really be a tax on the Turf Club and not on the public. The amendment was to provide that 90 per cent. of all the monies paid into the totalisator should be distributed among the winners. The amendment was lost.

The Home Member explained the point of view of the Government as being one of discouragement of gambling. The idea of a third enclosure did not originate in the Government but in the Turf Club; but when the third enclosure was started it was found helpful in suppressing the bucket shops and betting outside. He then moved the third reading of the Bill which was passed.

Stock Exchange Reform.

On the 22ND OCTOBER Mr. H. S. Lawrence, Finance Member, moved the first reading of the Bill to regulate and control certain contracts for the purchase and sale of securities in the City of Bombay.

The object of the Bill is that Government should take authority to enforce such rules as they may consider necessary for the interests of the public. This measure is in pursuance of the recommendations of the Stock Exchange Committee. Subject to the sanction of the Governor-in-Council, a stock exchange may make rules for the regulation and control of all transactions in securities other than ready delivery contracts. The Bill further provides the Governor-in-Council with power to refuse to sanction any or all of the rules and to add to, amend, vary, or rescind any of the rules. The first reading of the Bill was carried. The Bill was then referred to a Select Committee.

Children's Amendment Act.

Sir Maurice Hayward, Home Member, moved the second reading of the Bill to amend the Bombay Children's Act, 1924. Every one of the amendments of which notice had been given, was lost. A division was demanded on one of the amendments and the result was that the Government got a clear majority of 33 to 7. The Bill was read a third time and passed.

The Bill further to amend the Bombay Port Trust Act of 1879 was read a third time and passed.

Municipal Act Amendment Bill.

The Bill to give wider powers in the management of municipal affairs in certain cities was read a second time. As laid down in the statement of objects and reasons the principal object of the Bill is to provide a more adequate basis for municipal administration in the large cities of the Bombay Presidency. The Bombay District Municipal Act of 1901 applies to all municipalities in the Presidency, except the Municipal Corporation of the City of Bombay, and it has been felt each year with increasing force that the same Act cannot adequately provide for the needs of the larger and the smaller municipalities. Under the same Act, save where a chief officer or a municipal commissioner has been appointed the executive

administration centres in the managing and other committees. This may still be possible in the smaller municipalities, and in these the President may still be able to supervise and control the Municipal staff, and the Municipal Committee to perform the functions of an executive body. But in the large cities the Municipality can do little more than determine questions of policy. The Committees can exercise only a general control over the Municipal staff. It is therefore necessary to define with greater clearness the powers of the executive and to secure proper supervision and control by the appointment of a responsible executive officer, with clearly defined statutory powers, at the head of the Municipal staff.

An amendment was moved by Mr. R. G. PRADHAN to the effect that for the words, " the member of wards to be constituted for Mahomedans, non-Mahomedans and depressed classes," the words, " the constitution of wards, including a special ward for depressed classes," be substituted. The amendment was then put to the vote and lost.

On the 23RD OCTOBER the discussion on the Municipal Bill was resumed and considered clause by clause. Mr. A. N. Surve proposed an amendment that a person who pays, or promises to pay, any person whomsoever on account of the conveyance of any elector to or from any place for the purpose of recording his vote, as well as the person who hires, employs, borrows, or uses for the purposes of the election any boat, vehicle, or animal usually kept for letting on hire shall be deemed to have committed corrupt practice. Mr. Surve explained how in the past rich, but not deserving candidates had got into power by spending money freely and profusely for the conveyance of the voters to the polling booths and how specially in Bombay during elections corruption used to be rife. On the Minister in charge of the Bill accepting the clauses proposed they became part of the Bill.

On the 24TH OCTOBER Mr. A. N. Surve moved an amendment to the effect that a municipality should have power to regulate and restrict the slaughter of animals. The Minister in charge raised a point of order and held that the amendment proposed an addition of powers which did not fall within the jurisdiction of a municipality. Besides, the Government of India had not approved of the amendment. The President ruled the amendment out of otder.

On the 26TH OCTOBER Mr. R. G. Pradhan moved an amendment to the clauses giving power to the District Magistrate to suspend by means of an order the execution of any order or resolution of a municipality and prohibit the doing of anything which is about to be done, or is being done by, or on behalf of, a municipality, and is doing, or is likely to cause, injury or annoyance to the public, or to lead to a breach of the peace, or is unlawful. The Collector is required by the Bill to forward such orders to the Commissioner and to the municipality affected thereby. The Commissioner is on his part required to submit to the Government a report of every such case.

Mr. Pradhan complained that in the past Collectors had interfered too often and for insufficient or no reasons with the working municipalities and that the Bill under discussion had left the autocracy of the Collectors unimpaired. It was, however, unreasonable and inexpedient to disarm the Collectors of all powers of interference inasmuch as the maintenance of law and order and the prevention of a breach of the peace were considerations of paramount importance in all administrations. It was but meet, therefore, that the Collector in his capacity as District Magistrate should have power to issue provisional orders.

The amendment was eventually lost. The Bill was read a third time and passed.

Mr. Hidayatullah then moved the second reading of the Bill to transfer the powers and duties of the trustees for the improvement of the City of Bombay and to vest the property and rights vested in the trusts in the Municipal Corporation of the City of Bombay. The Minister also presented the report of the select committee.

Both the motions were assented to by the Council.

Improvement Trust Bill.

On the 27TH OCTOBER the consideration of the Improvement Turst Transfer Bill was proceeded with.

Mr. A. N. Surve moved an amendent to provide for the representation of the poorer and working classes on the committee to be constituted under the Bill. The amendment also sought to deprive the mercantile classes of the representation proposed to be accorded to them. The amendment was lost.

Mr. Joseph Baptista moved the inclusion of the following clause: "The powers conferred by, and the duties imposed under, this Act on the Committee shall be exercised and performed by the Committee, subject to the general control of the Board."

The Minister in charge of the Bill agreed to the inclusion of this clause.

Mr. H. M. Rahimtullah moved the addition of the following clause: "The Board shall take over such of the development schemes of the Corporation as the Corporation may decide to transfer to the Board, subject to such financial adjustments and conditions as may be agreed upon, and on such decision being communicated to the Board all the formalities required under this Act before a scheme can be undertaken by the Board shall be deemed to have been observed." The amendment was put to the vote and lost.

On the 28TH OCTOBER Sir Vasantrao Dabholkar moved an amendment that all references pending before the Tribunal of Appeal be transferred to the High Court. After some discussion the amendment was lost.

Mr. Hidayatulla, Minister, moved a Government amendment to Section 10 which made municipal commissioners ex-officio members of the Improvement Trust Committee. The number of nominated members was increased to four by adding one representative of labour from among the members of the Municipal Corporation.

All other amendments were gone through, but the third reading was postponed for purposes of consequential amendments

Official Bills Passed.

On the 29TH OCTOBER the Bombay Port Trust (Amendment) Bill was read a third time and passed, the most important of the amendments made being that goods, if not removed in seven days after landing, should remain on the premises of the Port Trust at the risk and expense of the owners.

The Bill to impose a tax on totalisator betting was read a third time and passed after being amended to the effect that the Act should come into force in Bombay during the ensuing racing season in December.

The Major Municipalities Bill was then taken up. A number of verbal and consequential amendments were moved and passed. The Bill was read a third time and passed.

The Finance Member then moved the recond reading of the Stock Exchange Control Bill and presented the report of the Select Committee. In doing so the Finance Member said that the report was unanimous. It did not mean, as it might strike some people, that the Committee did not go fully into the merits of the Bill. The views of the Bombay Native Shares and Stock Brokers' Association were heard. The Bill had been so

amended by the Select Committee as to give power to the Government to extend the Act to cities other than Bombay.

Mr. Joseph Baptista congratulated the Government on the introduction of such a useful and long-needed measure. The Bill would put an end to what had long been one of the greatest scandals of the City of Bombay.

The Bill was then read a third time and passed.

Improvement Trust Bill.

A number of amendments to the Bombay Improvement Trust Transfer Bill were moved on this day and passed.

Mr. Hidayatullah, Minister, thereupon moved that the Bill be read a third time. In doing so he said that the Bill had been framed and brought forward in response to an insistent public demand for years. He hoped that the day would soon come when the Improvement Trust would merge completely into the Bombay Municipal Corporation. Many members congratulated the Minister on initiating such a bold measure in deference to public opinion. The Bill was then read a third time and passed.

Bombay Municipal Act (City and District).

Mr. Hidayatullah then moved the first reading of the Bill to amend the Bombay District Municipal Act, 1901. The objects of the Bill are to provide that (1) persons sentenced by a criminal court to imprisonment or whipping for an offence punishable with imprisonment for a term exceeding six months, or to transportation, such sentence not having been subsequently reversed or quashed, should be relieved from the disqualification on the expiry of the sentence or by an order of the Government in that behalf (2) persons dismissed from Government service, such dismissal having been notified in the "Bombay Government Gazette," and those being pleaders whose sanad had been withdrawn by the High Court, should no longer be disqualified from being members of a municipality.

The Bill was read a second and third time and passed.

The Bill to amend the Bombay Village Panchayats Act, 1920, and the Bill further to amend the Bombay Local Boards Act, 1923, on the same lines as the previous measure, were read three times and passed.

The first reading of the Bill to amend the City of Bombay Municipal Act, 1883, was moved. The object of the measure is to provide that persons sentenced by a criminal court to imprisonment or whipping for an offence punishable with imprisonment for a term exceeding six months, or to transportation, such sentence not having been subsequently reversed, or quashed, should be relieved from the disqualification on the expiry of the sentence, or by an order of the Government in that behalf. The Bill was, however, read the first time and referred to a select committee.

On the 30TH OCTOBER, on the motion of the Finance Member, the Council approved of the report of the Committee on Public Accounts for the year 1923-24 and recommended to Government that effect be given to its recommendations. The Council also recommended to Government the introduction, as soon as possible, of the scheme for the formation of the Bombay Subordinate Engineering Service.

The Council then proceeded to deal with demands for supplementary grants. Mr. Jadhav, Education Minister, moved for a demand of Rs. 21,130 for a grant-in-aid to the Bombay Boy Scouts Association. In doing so he said that the Government had decided that the Boy Scouts movement could no longer be regarded as a Government establishment. The financial assistance to the Association should, therefore, in future be regarded as grant-in-aid.

After some discussion the grant was sanctioned. Some other demands of a technical character were also passed.

Proposed Corrupt Practices Bill.

Mr. Joseph Baptista moved a resolution in order to voice the views of the Council on the Corrupt Practices Bill proposed to be introduced into the Legislative Assembly. He said that there was no one more intolerant of corruption of all kinds than himself and yet he could not see his way to support the Bill. The Muddiman Committee had, no doubt, unanimously recommended such a piece of legislation. The Muddiman Committee had muddled unanimously through many things. Their recommendation was not based on any evidence of corruption. There was no need for the legislation proposed. If it was passed it was bound to be a dead letter. Besides, it was likely to tamper with the independence of the members of the Legislatures. It was possible to bring charges against members. In the United States of America such legislation had not been found useful. On the other hand, it had led to ingenious evasions of the law.

Proceeding, Mr. Baptista said that he did not believe in the potency of the Penal Codes, nor in their purificatory character. He did not believe that laws could make men moral. He relied upon the sense of honour of members of the Legislatures.

Sir Maurice Hayward said that when he announced before the House at the commencement of the present session that the Government of India had sought opinion on the proposed Corrupt Practices Bill, and that it would be in the fitness of things if a non-official member of this House would move a resolution expressing the view of this House, he hardly realised that the question would be dealt with in the manner in which Mr. Baptista had treated it. What he (Sir Maurice) did expect was approval of the principle of the Bill after the good example of the Legislative Assembly and constructive suggestions for the improvement of the Bill in parts. He did not expect the wholesale and sweeping condemnation, that the Bill was derogatory to the dignity and independence of the members of this House.

The resolution was lost, 27 voting against it and 24 for it.

Non-Official Bills.

On the 31ST OCTOBER the second and the third reading of the Bombay Village Police Act (Amendment) Bill were gone through in a few minutes with slight amendments.

Mr. D. R. Patil moved the second reading of the Bill further to amend the Bombay Heriditary Offices Act, 1874, and presented the report of the Select Committee. The original purpose of the Bill was to do away altogether with the power of Government to punish the representative "watandar" or "watandars" for the offence or misconduct of a deputy. The Select Committee however had by a majority decided that it was necessary that Government should retain the power of directing the absolute forfeiture of the watan of the nominating "watandar" and of his co-sharers, at least as regards offences against the State.

After some discussion the consideration of the Bill was postponed.

Mr. S. K. Bole moved that a Bill further to amend the City of Bombay Municipal Act, 1888, be read a first time. The object of this Bill is to democratise the constitution of the Municipality of the City of Bombay by reserving seats on the Corporation for representatives of the backward and the depressed classes. It proposes also to correct the distribution of the elected seats to be filled by each Municipal ward by introducing representation according to population and the lowering of the franchise from a Rs. 10 rental to a Rs. 5 rental.

On the 2ND NOVEMBER during question time Sir Vasantarao Dabholkar asked if the attention of the Government had been drawn to a confidential circular sent by a non-official member of the Council to the Indian members of the Imperial, Provincial and Subordinate Forest Services requesting them to furnish him confidentially with information regarding the constitution and working of the Forest Department, and whether a copy of the circular would be placed before the Council.

Bombay Municipal Act

The discussion of the first reading of the Bill to amend the City of Bombay Municipal Act was then resumed. There was a great deal of opposition to the Bill, both from the official and the non-official benches. Put to the vote, the motion for the first reading of the Bill was lost.

The Home Member then moved that a Bill to regulate and amend the law relating to the Courts in Sind be read for the first time. The object of the Bill is the creation of a Chief Court, consisting of a Chief Judge and three or four Puisne Judges with salaries sufficient to attract and retain permanently experienced judges, both from the Bar and the Services. The Chief Court, under the Bill, will have the power of making special rules for its own procedure, not only on the Appellate but also on the Original side of its jurisdiction as a High Court.

After some discussion the Bill was read the first time and referred to a Select Committee.

The Bill further to amend the Bombay Hereditary Offices Act. 1874, was taken up and with slight amendments read a third time and passed.

Mr. Noor Mahomed moved that a Bill further to amend the Bombay Local Boards Act, 1923, be read for the first time. The object of the Bill is to have an authenticated record of marriages for the purpose of production whenever required in a court of law. The debate on the first reading was not over when the Council rose.

On the 3RD NOVEMBER after some discussion the motion for the first reading of the Bill to amend the Bombay Locals Act was put to the vote and carried. Subsequently the Bill was referred to a Select Committee.

The President held that under the Standing Orders Mr. Surve's Bill further to amend the City of Bombay Municipal Act, 1888, was out of order, inasmuch as the principle underlying it was the same as that underlying Mr. Bole's Bill which the Council had rejected by a majority.

Mr. Joseph Baptista was then given leave to introduce a Bill further to amend the Bombay Prevention of Gambling Act with the object of making certain verbal alterations in the Act in order to remove the ambiguity in the definition of the term "gambling."

Leave was also granted to introduce a Bill to amend the law relating to the emoluments claimable by Watander Hindu priests and a Bill further to amend the Mamlatdars Courts Act, 1906.

Sir Vasantarao Dabholkar moved: "This Council recommends to the Governor-in-Council that an extra allowance be paid to the Police Force in Bombay up to the rank of Inspector for the hard and risky work which they have to do during the present mill strike in the city and for any other labour strikes in future."

Mr. Montgomery, on behalf of the Government, said that the matter was already under the consideration of the Government.

Dr. K. E. Dadachanji moved: "This Council recommends to Government to draw up a comprehensive scheme of sanitation and medical relief, both in the municipal and rural areas, and place it before the Council so as to reduce the heavy mortality from plague, cholera, malaria and other epidemics in the Presidency."

A number of speakers laid stress on the need of a medical relief and

sanitation policy complemetary to the education and excise policies of the Government.

Next day, the 4TH NOVEMBER, the Education Minister, Mr. Jadhav, said that the Government had already taken up the consideration of problems of sanitation and medical relief and were endeavouring to extend the scope of medical relief in municipal and rural areas. The mover of the resolution had slightly exaggerated the conditions in the rural areas. Those conditions were not so bad as had been pictured. The mover had asked for a committee. It was doubtful if the Council would agree to it. The resolution was then put to the vote and carried.

The excise policy of the Government of Bombay came in for criticism by Mr. R. G. Pradhan, who moved a resolution asking for a small committee consisting of some elected members of the Legislative Council, officials and financial experts, to consider and report on the financial measures that should be introduced in order to give full effect to the policy of prohibition of the traffic in alcoholic drink and drugs.

Mill Workers' Wages.

On the 5TH NOVEMBER, the last day of the Session, Mr. Surve moved : " This Council recommends to the Government to appoint a committee to enquire if the 11½ per cent. reduction in the wages effected by the millowners of Bombay is at all necessary."

Mr. Surve said that the millowners had resisted and fought against all attempts at an enquiry, and thus alienated every section of public opinion. The millowners were obstinate in their attitude. They had no case. If they had a case, why should they refuse to submit to an independent enquiry ?

Refusing on behalf of the Government to accept the resolution, Mr. Cowasji Jehangir said that the enquiry asked for was impracticable and futile. The resolution was put to the vote and rejected by a large majority.

Betting by Youths.

Mr. Surve next moved " This Council recommends to the Government to insert a condition in the license given to the Western India Turf Club prohibiting persons under 21 years of age from betting on the totalisator."

Mr. Montgomery, the Home Secretary, pointed out the impracticability of the suggestion made in the resolution. The resolution was put to the vote and lost.

The Council then accepted a resolution, moved by Mr. S. Nekaljay, recommending to the Governor-in-Council to recommend to the Imperial Government to consider the question of giving further opportunity to Mahars of enlisting in the army.

The Council was then prorogued.

Punjab Legislative Council

SIMLA—6TH JUNE 1925.

The Gurdwara Bill.

After a fortnight's adjournment the Punjab Legislative Council re-assembled on the the 6th June in the Assembly Chamber, Simla to consider the Gurdwara Bill as amended by the Select Committee. (See Vol. I).

The agenda also included other official business. The visitors' galleries were crowded, the Sikh element being predominant. A large number of members were present. Lady Hailey watched the proceedings from the Viceregal box.

Although the list contained over 100 questions these were quickly disposed of. In the majority of cases the Government's reply was: "The answer is not yet ready and will be communicated to the member when ready." In a number of cases members asked for a reply to be laid on the table. Mr. Bodh Raj asked why an answer was not ready, and was told by Sir Fazl-i-Husain that the enquiry and the collection of material took time. Mr. Ruchi Ram Sahani protested, urging that the replies should be available when asked for after due notice later. Sir John Maynard said that the delay was due to the fact that the detailed information asked for required time to collect, hence the Government's inability in the majority of cases to supply the information that day.

Sardar TARA SINGH moved the consideration of the Gurdwara Bill. He congratulated the select committee, composed of members of all communities, on the cordiality and expedition which they brought to bear on their deliberation of such an important and historic piece of legislation. The Bill was divided into four parts. They had to decide what places were Gurdwaras, what property attached to them, what compensation was to be awarded to those who at present controlled them and what form of management should be provided for the future. The Bill was a compromise measure. He was not, however, satisfied with every provision in the Bill. He wanted the Central Board to be adequately armed to discharge its duties and responsibilities together with the local committees of management. He appealed to all members of the House to support the Bill. He did not consider the notes appended by Raja Narindranath and Dr. Narang as dissenting notes, but as the suggestions of friends of the Sikh members.

Dr. Gokulchand NARANG, leader of the Swaraj Party, speaking on behalf of the Hindu members of the Council, supported the Bill. He said his note attached to the Select Committee's report was not dissenting, but only contained suggestions for the consideration of the Sikh members. He had appealed to them to be generous in their hour of victory. The Udasis were the most hit. They had partly to thank themselves for it. A large number of them were good and pious men, but the sins of a few among them had fallen on the heads of all. Nor had they organised themselves sufficiently to impress their point of view on the Government. He and the Hindu members had done their best to put forward the Udasi view, but it entirely depended upon the Sikh members to accept their suggestions or not. The Udasis were faced with a similar situation as confronted the monks and nuns during the reign of Henry VIII. King Henry told the Members of Parliament that if they did not enact the law confiscating propertied monastries, he would take the heads of some of them. The members of the Punjab Council were in a lucky position. No such threat hung over their heads (laughter). Mr. Craik, Chief Secretary had told them that the weaker must go to the wall. He (the speaker) considered no sin greater than weakness.

Mr. Craik: I said the minority must go the wall.

Dr. Gokulchad Narang: That makes no difference. It does no credit to a representative of a Government to say that a minority must go to the wall. In this case the minority interest involved is not so material but when in future the Government has to protect the interests of the minority and do it justice it will have to revise the dictum.

Continuing, Dr. Narang said that as regarded Gurdwara management, in the interest of justice and fair play, Sikhs might favourably consider the cases of those

Mahants who were suitable for their present posts. He was glad to find that Sikh members were willing to agree to take proper care of the Samadhs (graves) of Udasi Saints.

However, he was sure that the Gurdwaras would be safe in Sikh hands. (Applause.) Whether they should be in Sikh hands or in Udasi hands was a matter of domestic concern to the Hindu community. What was important was that a third party should not interfere. The Hindus and the Sikhs were brothers, and he congratulated the Sikhs on having secured a treaty with the Government represented by the Gurdwara Bill. He hoped that its terms would be honestly adhered to, and that by direct or indirect means, the provisions of the Bill would not be undone. He also hoped that, as a result of private discussions with Sikh members, some amendments would be carried. He hoped the Sikh members, on the conclusion of their religious struggle, would throw the full weight into the national movement in the country.

Sir John MAYNARD said he wished to correct a misinterpretation put upon Mr. Craik's observations by Dr. Narang, who had taken one sentence from the text. What Mr. Craik was pointing out was that in a religious matter such as the one dealt with by the Bill the view of the majority of a community must prevail, and that of the minority go under. The Government always stood for the protection of minorities. Indeed, the Gurdwara Bill itself was proof of their anxiety to protect all interests. That was why, for instance, they had provided for local committees of management to be elected by the local electorate to manage the local gurdwaras. He repudiated the suggestion that the Government would not protect the minority against encroachment on the part of the majority.

Sardar Narain SINGH referred to the history of the Sikh movement and the alleged mismanagement of the Udasis, which led to the organisation of the movement. The speaker was called to order when referring to Jaito, where he said the Sikhs had gone only for religious reasons. Continuing, he assured the members that the Sikhs did not aim at a Sikh Raj, but would co-operate with sister communities in the management of the country's affairs.

Mr. Maqbool MUHAMMAD welcomed the Bill. The solution of a most difficult question was in sight. He attached the greatest importance to the provision for universal franchise and female franchise. He hoped the Sikhs would establish, by proper use of the franchise, an irrefutable argument for its extension in the country. He congratulated the Government for having displayed constructive statesmanship in the past. Government had an unpleasant duty to perform, and they did not forget it, even in face of unpopularity. He assured the Sikhs of the hearty support of the Moslems.

Mr. Jawahar SINGH said that all was well that ended well. Sikh relations with the Government would now be more closely cemented than hitherto. He particularly thanked Sir Malcolm Hailey, who had piloted the Sikh ship through the troubled waters.

The motion for taking up consideration of the report of the select committee was then put and carried without dissent.

The Amendments.

The amendments were next discussed and a large majority of them were either not moved or withdrawn after discussion.

Dr. Gokulchand withdrew one amendment after receiving an assurance from Sardar Jodh Singh and Sardar Tara Singh that the graves of Udasi saints in the Gurdwaras would be kept under repair and respected, and that Sikhs would always be ready to separate the temples and Hindu places of worship from the Gurdwaras.

Another amendment of his was accepted in an amended form. It proposed the deletion of the words " for himself " which were inserted at the instance of the Legislative Department of the Government of India. The object of this was that a petition of claim to property included in a consolidated list be made by a person, either because of his own interest or because of his interest in an institution. As the Bill stood, it conceded the right only on personal interest.

The House then proceeded with the consideration of each clause of the Bill. Although there were 90 amendments, mostly in the name of Lala Bhodraj, Sardar Bhoota Singh and Dr. Gokulchand Narang, only a few were actually moved. Two amendments of Sardar Bhoota Singh were accepted. One amendment proposed that no person should be eligible for election as a member of the Board who was an Amritdhari Sikh.

Sir Fazl-i-HUSAIN said that the adoption of the amendment would deprive a large number of Sikhs of the right of election to the Board. If the Central Board, by a majority of three-fourths of its members, passed a resolution not less than two years after the

first board came into office to the effect that no Amritdhari Sikh be eligible as a candidate for membership to the board, the special Committee of Management or Local Committees of Management, then the Government would agree to sanction that decision. He emphasised two points, firstly—that the majority to pass the resolution should be a very big majority ; secondly, the calm atmosphere they all desired would, it was hoped, very soon be reached, and, it was believed, would be in full swing after two years. If such a resolution was carried by the Board, it would carry very great weight,

Sardar Bhoota SINGH than withdrew his amendment. The other amendment of Sardar Bhoota Singh was to the effect that the General Board Fund should be applied not only to the payment of expenses lawfully incurred, but that any surplus amount might be used for religious, charitable or educational purposes.

Sardar Tara Singh accepted the amendment, which was carried. Practically all the amendments were withdrawn and the last clause, Clause 147, was agreed to amidst applause.

Court Language of Commission.

Saidar Bhoota SINGH moved the addition of a new Clause 148, laying down that the court language of the Judicial Commission under the Bill be Gurmukhi (Punjabi) unless the Commission directed the use of any other language. Several Moslem members raised the objection that the amendment had not been circulated.

Sir John MAYNARD said an amendment had originally been tabled urging Punjabi as the court language of the Commission, and the present amendment only amended that drastic amendment by giving discretion to the Commission in respect of the use of any other language.

Mr. Sadiq, Mr. Shah Nawaz, Mr. Afzal Haq and Mr. Abdul Aziz strongly protested against making Punjabi the court language. The Hindu members Mr. Nanak Chand and Mr. Bodh Raj supported the motion, pointing out that the Judicial Commission would consist only of Sikhs.

Mr. AFZAL HAQ asked whether that was the first fruit of Moslem support for the Sikhs, and blamed the Government for abandoning the Moslem members, though they had always supported the Government in the past. Mr. Shah Nawaz said that the select committee had rejected a similar suggestion.

Mr. Abdul AZIZ suggested as a compromise that only English be used by the Commission, and neither Urdu nor Punjabi. The Government was in a mood to concede all that the Sikhs warned. He wanted the Sikhs of the attitude which Moslem members might adopt in the discussion of the schedules next day.

Sir Fazl-i-HUSAIN, replying in Urdu, said the discussion had both pained and amazed him. The question raised by the amendment was of no material importance. The Government had not even considered it in the Executive Council. The Commission was not a law court, but only a special body, and the amendment left to the discretion of of the Commission the use of any language. He however left it to the Sikh members to consider whether they should press that unimportant amendment, in view of the feeling expressed by some members.

Sardar Jodh SINGH said he regretted that an innocent motion should have been made the occasion of threats by the Moslem members. He was therefore, obliged to say that if anybody helped the Sikhs in respect of the Gurdwara Bill, it was the Government and not any other community.

The President at this stage adjourned the Council till next day when the amendments were further discussed and the schedule considered.

On the *7TH JULY* Sardar Jodh SINGH, continuing his speech in support of the amendment suggesting the adoption of Punjabi as the Court language of the commission, assured Moslem members that the amendment was not the thin end of the wedge to raise the language issue. He repudiated the insinuation that the Hindus had instigated the Sikhs to move the amendment.

Sir Fazl-i-HUSAIN suggested a new amendment, namely, that the language of the Judicial Commission be determined by the Commisson from time to time. This amendment was carried without opposition.

Schedule I was next considered and, without discussion, five Gurdwaras were omitted from it and two were added. This was done as a result of private arrangement. The remaining schedules were passed without discussion.

Sir Fazl-i-HUSAIN contradicted the rumours among Sikhs outside the Council that the Government would not agree to the adoption of the title of Shromani Gurdwara

Parbandhak Committee as the name of the Central Board, if the Board so decided. If he Committee dissolved and transferrred its assets to the Central Board and gave up the control of gurdwaras to the local committees, or to the Central Board, till the local committees were constituted, the Government would have no justification in refusing to sanction the name of the Parbandhak Committee.

Sikh Prisoners.

Sardar TARA SINGH, in moving that the Bill, as amended, be passed, thanked all those who helped in framing the Bill and in supporting it. Special thanks were due to Sir Malcolm Hailey for his efforts in the solution of what at one time appeared to be a difficult problem. He also thanked Mr Craik, Chief Secretary, the Education Minister, Mr. Dalip Singh, and the members of the Sikh Council for their help. He appealed to the Government to remove all their doubts and strengthen the hand of friendship which had been extended by Sir Malcolm Hailey and accepted by the Sikh community. The Government could easily create a healthy and pleasant atmosphere by releasing those who were in jail. Such an event would remove apprehensions and enable both sides to start a new era with a clean slate. (Applause.)

Sheikh Muhammad HUSAIN, in supporting the motion, said the release of the Sikh prisoners in jail, including those leaders of the present Sikh movement, before whom Sardar Tara Singh and his friends were but small fry (laughter), was essential if the Bill was to be given a fair trial.

Mr. Sewak Ram also appealed for the release of the Sikh leaders now in jail.

Sardar Gurbakh SINGH (Ambala), said there could be no joy in the hearts of the Sikhs unless the Sikh leaders were released. In order that there should be a healthy atmosphere for the successful working of the Bill the Sikh prisoners should be unconditionally released, kirpans should be free from restriction, the Jaito pilgrims should be free to conduct their religious observances and notifications declaring as unlawful such organisations as the Parbanbhak Committee, Akali Dal and Akali Takt should be withdrawn. He thanked also the Sikh Sudhar committees for their help in connection with the Bill. He hoped the Sikh pant would give the Bill a fair trial.

Tribute to the Governor.

Professor Ruchi Ram SAHNI said the Governor had shown both justice and statesmanship in tackling the question, and the thanks of all were due to Messrs. Buckle and Emerson for their help. He also appealed for the release of Sikh prisoners when the Bill received the assent of the Governor and the Viceroy.

Sardar Jodh SINGH, in supporting the motion, said in all their consultations with the Government the Sikhs confined themselves to the Bill and did not refer to any other matter, as had been alleged. The Sikhs knew that it was utterly useless to make other requests to the Government before a basis of agreement was found. Now, however, the fight was over, but there was the question of release of prisoners. One thing the Sikhs had learnt from the fight, and that was that the Government would not tolerate defiance of the law. Dr. Gokul Chand had pleaded for no harsh treatment for the Udasis and others under the Bill. He assured them that it would be the duty of Sikhs to treat the Udasis in no harsh spirit. He appealed to the Government not to wait for a request from the Sikh prisoners, but to release them. Justice demanded it.

The Bill was then passed amidst loud applause.

On the motion of Sir John Maynard, the Punjab Motor Vehicles Taxation Amendment Bill was introduced, taken into consideration and passed without discussion.

Similarly, on the motion of Sir Fazl-i-Hussain, the Vaccination Law Amendment Bill was introduced and finally passed. The remainder of the business was left over for consideration in the next session in Lahore.

H. E. The Governor's Speech

9TH JULY 1925.

On the *9TH JULY* Sir Malcolm HAILEY, Governor of the Punjab, addressing the members of the Punjab Legislative Council on the subject of the passage of the Gurdwara Bill made the following announcement regarding the conditions of release of certain of the Sikh prisoners who were arrested during the Gurdwara agitation :—

"The Punjab Government will release (or will withdraw from the prosecution of) any person (other than those persons who have been convicted of or are under trial for crimes of violence or incitement to such crimes) who has been convicted by criminal courts, or is under trial in such courts on charges arising out of the recent agitation in the Sikh community, or on charges involving offences against the Criminal Law (Amendment) Act, provided such relase will be conditional on such persons signing an undertaking that they will obey the provisions of the law recently enacted, securing to the Sikh community the control and management of shrines and their endowments, and will not seek by means of force, or show of force, or by criminal trespass, to gain control or possession of any shrine or property attached to it or its endowments.

"The Government will deal in a similar spirit with cases of forfeiture of land or pensions.

"The notification of the 12th October 1923 declaring certain bodies to be unlawful associations under the Criminal Law (Amendment) Act will be withdrawn, if and when the Central Board provided by the Bill is duly constituted."

In the course of his speech His Excellency said :—

"This is not the occasion on which to stir up the smouldering ashes of past controversy or to recall events which seemed at one time to have set a large portion of the Sikh community in hostility to a Government with which it had so many ties of close friendship, honourable alike in peace and war. Those differences compelled the Punjab Government, reluctantly but inevitably, to use its powers for the maintenance of order and for the defence of rights conferred by the existing law. They led large numbers of Sikhs into open opposition to that law, and to action which subjected them to conviction by our criminal courts. With every desire to foster the new atmosphere in which we can hope now to envisage the future of this question, I could not conscientiously extend to all of that number the excuse that they were actuated purely by a desire to right a religious disability, or to secure the better management of their religious institutions. Nevertheless, it is true that large numbers were impelled to these courses, mistaken and dangerous as we ourselves held them to be, by a sense of offence to their religion. We deplored that belief. We denied that there was anything in our law or the administration of justice which interfered with the freedom of religious worship, and we claimed that if there was anything which militated against the religious developments which Sikhs sought to secure, or against the attainment of a better management for their religious institutions, a remedy could be found in legislation. We believed that a statute could be framed which, while it would not unduly prejudice the rights of others, would meet any legitimate claim which reasonable and religious minded men of the community could advance. If in the long and troubled chronicle of those events much has to be recorded which has resulted in resentment of the action of Government and much that we have had to deplore in the attitude of some members of the community yet history will at least render us this tribute that we never ceased our efforts to secure, and even to promote, legislation of this nature, for there was at the back of all this trouble a difficulty of real substance, which only a change of law could remedy. The attention of the outside world has been concentrated so much on the externals of the conduct that the actual problem which troubled those who were interested purely on the religious side has perhaps been obscured.

Revival of Sikhism.

"There has, in the latter half of this generation, been a keen revival of Sikhism of the stricter type, taught by the Tenth Guru. I need not analyse the course of this revival, or its course, but the inevitable tendency of a movement of this nature, with its insistence on a more rigid ritual, not only to quicken religious interest but to emphasise the consciousness of difference between the Sikhs and the Hindu community, from which they sprang. Furthermore, it brought into conflict the Amritdhari Sikhs, who now constitute the great majority of the population, with the minorities which still claim to be within worship which characterised the followers of the earlier Gurus. But the Amritdhari Sikh, with all his growing strength and with a central organisation ministering to his advance, found that many of the most revered and the best endowed shrines of Sikhism were in the hands of men who did not necessarily follow the Amritdhari form. They have indeed lately, as a body, publicly denied that they are now or ever had been Sikhs. True Sikhism was in the past under great obligations to the Udasis. They had been instrumental in building up the shrines and securing for them grants of land and money. In earlier days it was they who constituted the religious element in a militant

community, but the position occupied to-day by the managers of these shrines, secured as it was by a hereditary tenure, was not an easy one for the preponderant majority of Sikhs to face, and it was clearly not one which our civil courts, with their regard for established possession and settled usage could attempt to rectify.

Powers of the Courts.

"On another point of difficulty our courts could not operate. Many of the managers were men whose lives and whose services to the institutions were not open to reproach, but there were others of whom that was certainly not the case, and in this life the irritation bred by one open scandal will destroy obligations established by years of good work. With the scandals our courts could deal, but here again the procedure was far from rapid, and the result not always certain. It is not perhaps surprising that a demand should have arisen for the recognition of a purely communal management of Sikh institutions, and for liberty to deal both with endowments and their managers, unhampered by rights based on the usage of the past. Demands of this nature have constituted a common feature of religious development elsewhere in the world, and in one form or another efforts have generally been made to meet them. Our attitude was never one of opposition to the principle itself. If we differed, it was in our contention that the change could not and should not be effected by direct action, or by show of force. It could only be secured with the assent of the other communities which would be affected by the contemplated change of system, and could not be effective unless it were ratified by legislation.

The Gurdwara Bill

"Here, then, was the real problem. There were times when other issues seemed to obscure it, and we ourselves felt strongly that the religious difficulty was being pressed by sections to all appearance for other objects, and certainly in a manner which could not conduce either to the advantage of the community itself or the ordered progress of the Punjab. Nevertheless, it remained for settlement, and if other issues existed, they could not be judged on their merits, nor handled in an even temper on either side until the religious problem had been isolated. It is that problem which the Bill you have just considered is intended to solve. How far it meets the primary requirements of such a measure, the safeguarding of interests of other communities which claim their share in the use of shrines, the protection of minorities within the community itself, the compensation of persons whose connection with the management is terminated, are questions which time must answer. It has already this in its favour. It is a Bill promoted by Sikhs themselves, and accepted in this House by other communities with a cordiality which has obviated the necessity of a single dividing vote. It is freighted with the hopes of Sikhs for their future tranquility and the religious security of their community It is launched amid the fair auspices of good-will from others, but its success depends on the spirit and temper in which Sikhs themselves approach the administration of its provisions. Hindus have long worshipped at many of the shrines with which it deals. Some of those contain relics of Hindus who have ministered to their service in the past. Let a wide spirit of tolerance regulate the dealings of Sikhs with them. The Udasis have in the past deserved well of the Sikhs. Let a discriminating liberality characterize relations with those members of the sect, against whom no charge of mismanagement can be laid (Hear, hear). The minorities among the Sikhs cherish their position in the community. They share its traditions and have contributed to its achievements. Let the majority remember that rigidity in doctrine and exclusiveness in practice foster schism and disintegrate religions. (Hear hear.)

Akali Prisoners' Problem.

"I have given my word of advice to the Sikhs, and you will reasonably ask: What share is the Government prepared to take in endeavouring to secure the smooth and successful working of this measure? It has shown its goodwill in the preparation of the Bill. It has given its support to the Council. Is it ready to go no further? Appeals have been made to us to remove the sting and to obliterate the memory of the differences of the last few years by a general amnesty to all prisoners, and by the withdrawal of all pending prosecutions. It is admitted that we have throughout maintained the attitude that this measure must be considered on its merits as the legislative solution of a religious problem. We gave our support to the measure under no conditions, express or implied, but it can be pleaded against us, and on our own admission, that many of those now imprisoned have offended against the law with no felonious intent. At the best they are sufferers in the cause of religion. At the worst they have yielded inadvisedly to the misdirection of others. It is urged again that so long as large numbers of the community

are still held in prison misunderstanding and rancour will persist, and the efforts of those who have been working for this settlement will be frustrated. Their task has not been easy, for they have met with much opposition from certain extreme sections. Unless we now assist them the very operation of the Bill itself may be imperilled. The appeal is powerful. It is one which would carry force even were the Government itself not anxious to work for that better understanding which we hoped that the Bill would help to foster. We have considered that appeal anxiously, and with every sympathy. Nor did it seem right to miss the earliest occasion of acquainting the Punjab legislature with our decision. I must remind you that the Bill still has to obtain the assent of the Governor-General, and that certain of its clauses require validation by the Indian Legislature.

The Government's Contribution.

"The Punjab Government is, however, prepared at once to take such steps as it feels to be possible, without risk to the maintenance of order or to a recurrence of those troubles which it is our object to compose. We cannot agree to a general or unconditional amnesty, but we are prepared to liberate all those who will undertake to follow the procedure laid down by the Bill for the settlement of difficulties which may arise in connection with the possession of shrines and their future management—(hear, hear)—and to refrain from resort to other courses We feel that those who cannot accept or give effect to a solution proposed by their own representatives in this Council, and supported there unanimously by all the representatives of other interests concerned, are not fit subjects for the clemency of the Crown, nor would their liberation conduce to the atmosphere of peace and mutual toleration which can alone make this measure successful in operation. But it is best that I should read to you the precise terms of our decision. It is as follows :—

Here follows the announcement given on page 287.

Release of Jaito Jathas.

"That is the contribution which the Punjab Government brings to the furtherance of those aims which actuated this Council when it passed the Gurdwara Bill. But there is another outstanding problem, one intimately connected with the trouble which has agitated the Sikhs in the Punjab, though its scene does not lie within our own borders I mean that arising from the despatch of jathas to Jaito. I am permitted to say that the Government of India, on their part, have not been less anxious than the local Government to recognise the determination now evinced by the Sikh community to seek a constitutional solution of their religious difficulties. They desire to mark this occasion by a measure which, while maintaining the authority which every Indian States must claim for itself, and which it is our duty to assert for a State under our charge, will nevertheless allow full freedom of access to those who desire to use the shrine at Jaito for legitimate purposes of worship. (Hear, hear.) By the favour of His Excellency the Viceroy, I am allowed to read the following announcement which will appear in the next "Gazette."

"The Administrator of Nabha will release Sikhs now detained in Nabha, or imprisoned there after conviction by criminal courts (other than persons who have been convicted of or are under trial for crimes of violence or incitement to such crimes), in connection with charges arising out of the recent agitation regarding the Gangsar Gurdwara."

"The Administrator of Nabha will permit bands of pilgrims to proceed for religious worship to the Gangsar Gurdwara under the following rules :

(a) That they abstain from holding political diwans or spreading political propaganda during their sojourn within the State boundaries.

(b) That they confine themselves to the use of the gurdwara itself, and such reasonable space around it as may be set apart for their accommodation.

(c) That they will be self-supporting during their visit, the village and mandi of Jaito being excluded from the area set apart for their accommodation.

(d) That any such band will arrive at Jaito by rail or by a road decided upon by the Administrator, and that suitable arrangements shall have been made to ensure that any such band of pilgrims will be unaccompanied by any sangat or following.

(e) That the date of the arrival of any such band at Jaito is communicated to the Administrator in order to enable him to make suitable arrangements in connection with the same."

Need for Cooperation.

"These then are the decisions of the Government, framed with the single and sincere desire to contribute to the successful working of this measure, and in the sincere hope

that this may be followed by the return of the Sikh community to the paths of settled order, and to its old relations of trust and confidence in the Government. And now it is for those who guide the opinions of the community, whether inside or outside this Council, to make their choice and to shape their course. If they have ever felt the cause of their religion was at any time in peril, they must now realise that, with the assistance of this legislature, they have secured a measure which enables them to look with assurance on the future. For the rest, I counsel them to think with earnestness and with foresight on the future of their community. It cannot stand alone. Its welfare and its progress are bound up with the development of the great province of which it forms a part. For that development we need harmony and tranquillity, mutual trust, not only between the community and the Government, but between every section and class of the people. On that foundation alone we can rear the great edifice of the future. If they truly desire to establish the position of their own people, let them strive for that concord, realising that in the well-being of the whole lies their own prosperity and their own success. Their people have inherited great traditions from the past, they have great qualities no less valuable in the conditions of to-day. Let them contribute these not to any jealous or partisan ambition for their community alone, but to the tranquil, the ordered and the united progress of the whole of the Punjab".

The December Session

LAHORE—3RD DECEMBER 1925.

The December Session of the Punjab Legislative Council was held at Lahore on the 3rd December. After the election of Chaudhuri Sahabuddin as the President of the Council the House proceeded to transact official business.

The Punjab Tenancy Amendment Bill was introduced and referred to a Select Committee, and eight Government demands for supplementary grants were voted without discussion.

A lively debate followed over the next demand, in respect of Miscellaneous (reserved), asking the Council to vote supplementary grants of Rs. 26,150 to meet the estimated expenditure during the current year over the Police Enquiry Committee, and Rs. 20,850 to meet the expenditure over the Jail Enquiry Committee.

A number of non-official members opposed the motion, criticised the scope of the terms of reference of the two Committees and put in a strong plea for more non-official members on both Committees. The administration of the jails came in for a good deal of severe criticism from members, who asked that the scope of the terms of reference of the Jail Enquiry Committee be widened, and include among its members such men as Lala Lajpat Rai, who had experience of jail life, and who could elicit valuable information from witnesses.

Mr. Dunnett, Home-Secretary, replying on behalf of the Government, pointed out that Government had not fixed any period for the Jail Enquiry Committee, and if the volume of evidence was considerable and the Committee could not finish its work within the time limit, the Government would certainty extend the period.

On the *4TH DECEMBER* the Council discussed a non-official resolution which recommended to the Government that non-official members of the Council be made non-official visitors of jails within their respective constituencies, and after a lively debate the resolution was carried without a division.

Female Franchise.

Lala Bodh Raj then moved a resolution recommending the Government so to amend the Punjab Legislative Council electoral rules as to remove sex disqualification in the matter of registration on the electoral roll of persons who are entitled to vote in elections held for the Punjab Council. He strongly advocated the cause of female franchise, saying that the time had come when no restrictions should be put on women's rights simply on account of their sex, or on account of some false and ancient conservative custom prevailing in India.

On the *7TH DECEMBER* Mr. Bodhraj's resolution on the female franchise was continued, and after three hour's debate in which several non-official and official members took part, the resolution was adopted without a division amidst applause.

Mandi Hydro-Electric Scheme.

Professor Ruchiram next moved a resolution recommending the appointment of a Committee to enquire into and report on the relative merits of the Mandi hydro-electric

and Madhopur schemes, and requesting that no further expenditure be incurred on the Mandi scheme till the report of the proposed Committee had been examined by the Government. The resolution was opposed by Mr. Sanghter, Chief Irrigation Engineer, Punjab, and was under discussion whe the Council adjouned.

Next day, the *8TH DECEMBER*, afer three hours' debate the Council rejected Professor Ruchi Ram's resolution on the Mandi Hydro-Electric scheme and the Madhupur scheme.

Rai Sahib Chottu Ram, Minister for Agriculture, opposed the motion, and said the Madhopur scheme was technically unsound. The appointment of another committee would only delay the Mandi scheme and waste a good deal of the money the Government had already spent.

Another resolution moved by Chaudhuri Dulichand, recommending preferential treatment to statutory agriculturists and the stoppage of further recruitment of non-agriculturists till the deficiency of zamindars in the various Government services was made good, was talked out after an hour's discussion.

Supplementary Demands

On the *11TH DECEMBER* Sardar Jodh Singh's amendment for a reduction of Re. 1 from the supplementary grant demanded by the Government to meet the expenses of elections under the new Gurdwaras Act was resumed, when a number of non-official members once more took the opportunity of appealing to the Government to release the Sikh prisoners.

Sir John Maynard, replying on behalf of the Government, informed the House that the time for the measure asked for had not yet arrived, and he did not want to add to the mischief which was being done by too much talk on the subject.

The amendment, however, being put to the vote, was carried without a division.

The original demand with a reduction of Re. 1 was then passed without discussion, and the rest of the supplementary demands of the Government were then voted in quick succession.

Punjab Money Lender's Bill

On the *12TH DECEMBER* Mr. Maqbool Mahmud introduced the Punjab Money Lender's Bill amid some opposition, and moved that the Bill be referred to a Select Committee.

Sir John Maynard, explaining the attitude of the Government, said that the money-lender was essential for the rural people and their requirements, and about Rs. 10 crores were required annually by agriculturists in the Punjab from money-lenders to carry on their business. The aim of the present Bill was to deal with one particular evil, namely, the bad and vicious system of account-keeping by money-lenders, and, in the event of the Bill issuing from the Select Committee in a form which the Government did not approve, it might take any attitude it thought fit, but for the present he supported the Bill on behalf of the Government for reference to a Select Committee.

On the *14TH DECEMBER* the Council devoted fully four hours to the discussion of the motion of Mir Maqbool Mahmud for referring the Punjab Money-lenders Bill to a Select Committee, which evoked strong opposition when the Bill was introduced.

After a lively and heated discussion the motion was carried by 44 votes to 10.

Raja Narendranath moved an amendment to the effect that the names of Mr. Gray, Rai Bahadur Dhanpat Rai, and Sardar Narain Singh be added to the Select Committee. He said that the measure savoured of a class and communal measure, and, in requesting the Council to add the names of those three members, he wanted to balance the number of supporters and opponents in the Select Committee.

Sir John Maynard opposed the amendment and said that the Select Committee should not consist of such a large number of men.

Dr. Gokalchand Narang challenged the statement of the Government that the measure was a purely economic one and pointed out that it was special pleading for a special class. He was surprised to see the Government supporting the measure and hoped there would be a limit to such unholy alliances.

The amendment was lost and the Bill was referred to the Select Committee consisting of the members proposed by the mover.

The Punjab Aerial Ropeways Bill was introduced and referred to a Select Committee, and the Punjab Tenancy Act (Amendment) Bill, as reported on by the Select Committee, was taken into consideration and passed.

The Council then adjourned *sine die*.

U. P. Legislative Council

LUCKNOW—19TH AUGUST 1925.

The first meeting of the United Provinces Legislative Council was held on the *19TH AUGUST*, Rai Bahadur Lala Sita Ram was elected President by a majority of votes.

References were made to the death of Mr. C. R. Das, Sir Surendranath Banerjea and others.

Municipalities Act.

On the *20TH AUGUST* Pandit Hargovind PANT moved that the Bill to amend the United Provinces Municipalities Act of 1916 be taken into consideration. He said the Bill sought to extend the municipal franchise and aimed at removing the ban against political offenders who had been imprisoned for more than six months. Raja Jagannath Bux Singh's motion that the Bill should be circulated for the purpose of eliciting public opinion was carried by 38 votes to 30

The Bill to amend the District Boards Act of 1922 was referred to a select committee consisting of 23 members.

Pandit Yajna Narain UPADHYA moved a resolution recommending the appointment of a committee to suggest means of alleviating unemployment among the educated classes in the Provinces. The motion was adopted with an amendment by Khan Bahadur Fasihuddin who suggested that the Directors of Agriculture, Industries and Education should be members of the committee.

On the *21ST AUGUST*, the debate on the resolution regarding the amendment of the Municipal Act of 1916 was resumed. After considerable discussion, in the course of which several members stated that the Act contained many defects and needed overhauling, while others declared that it was impossible to postpone the elections on such grounds, Mr. Merhotra's amendment to the effect that the elections should not be postponed was accepted. The resolution, as amended, was then discussed and defeated.

High School and Intermediate Education.

Dr. Ziauddin AHMAD moved that the Governor, acting with his Ministers, should appoint a committee to consider the scheme of high school and intermediate education, and the desirability of reducing the secondary education course to eleven years, followed by a three years course for the ordinary B. A. course.

In the course of the discussion, Dr. Ganeshprasad and Dr. Saafat Ahmad supported the motion. They considered that the Board of High School and Intermediate Education Act had done more harm than good to education in the Province. Dr. Ziauddin said the recommendations of the Sadler Commission were not suited to the Province. Dr. Ganeshprasad said he feared that the operation of the Board of Intermediate Education Act had tended to lower the standard of examinations in the Province. Dr. Saafat Ahmad Khan said that boys were made to waste two years of their life in studying for intermediate examinations..

Jail Administration.

On the *22ND AUGUST*, Babu NEMISARAN moved a resolution recommending to the Government to appoint a committee to revise the Jail Manual so as to make jail administration more humane and more in accordance with modern ideas. Further, that all practices in jails which savoured of racial distinction should at once be stopped ; that expenditure per head of the jail population should be uniform, irrespective of the class, or race of any individual prisoner, and that a standing committee of the Council be appointed to advise the Government in the Jail Department.

The mover made a number of allegations of ill-treatment in the jails although he admitted that many improvements had been made.

The Maharaja of MAHMUDABAD, Home Member, said he had been trying his best to remove all just and reasonable grievances. That prison diet was more or less wholesome was evident from the fact that prisoners mostly gained in weight. In conformity with

the rules of the Jail Manual the Government were doing their best to eradicate all racial distinctions. After further discussion the resolution was carried without a division.

Punitive Police Tax.

Chaudhry Badan SINGH moved a resolution recommending to the Government to absolve the residents of places where punitive police were stationed from liability for the payment of punitive police tax from the 1st August, 1925.

The Home Member, in opposing the resolution, pointed out that the demand put forward in the resolution was in itself against the express provision of the law. The tax had a different effect on would be rioters, and before Chehelum and Dasehra had passed off it was impossible for the Government to withdraw the punitive police from the areas where communal relations were strained. The resolution was carried by 29 votes to 25.

Political Prisoners.

Babu Damodar DAS recommended to the Government to exempt all those persons who were dismissed from Government service or sentenced to imprisonment in connection with the non-cooperation movement or on political grounds, from the disqualifications debarring them from seeking election to local bodies.

Mr. Hafiz Hidayet Hussain moved an amendment inserting the phrase "not involving moral turpitude" after the words "dismissed from Government service." The amendment was accepted by the House but the resolution as amended was defeated.

Raja Jagannath BUX SINGH moved a resolution recommending that the Council Chamber, including the wings, should be completed at as early a date as possible. It surprised him to learn that the present intentions of the Government were to build a Council Chamber without the wings. As originally planned all the Ministerial offices attached to the Secretariat were to be accommodated in the wings of the Chamber, and if the building of the wings were postponed there would be considerable difficulty in accomodation. The resolution was carried.

Encouraging Jail Industries.

On the *24TH AUGUST* a demand for Rs. 64,377 (gross Rs. 70,367) under the head "General Administration" resulted in some discussion. Amendments were moved urging a reduction in the amount of purchase of tents for district officers on grounds of financial stringency, but Sir Samuel O'Donnell explained that considerable reduction had already been made. Nearly a lakh and a half was badly needed to renew tents but in view of the present financial conditions Government were going to provide at present only Rs. 50,000 on this account The amendments were negatived.

The Council adjourned *sine die.*

The December Session

LUCKNOW—14TH DECEMBER 1925

After an interval of about four months the United Provinces Legislative Council met on the *14TH DECEMBER* with Rai Bahadur Lala Sitaram in the Chair. The business of the House was confined to a condolence resolution on the death of the Queen-Mother, swearing in of Members, and presentation of the report from the Committee of Public Accounts.

Compulsory Primary Education Bill.

On the *15TH DECEMBER*, in introducing the Bill on rural education, the MINISTER of Education said that the first thing that attracted his attention on assuming the duties of Minister was the need for extension of primary education in the rural areas. In spite of the best intention of the Government and public spirited men nothing substantial could be done for the welfare of the villagers owing to their lack of education. Their ignorance stood in the way of the eradication of social evils from their midst. Villagers could not understand the elementary principles of hygiene, of modern methods of agriculture, and of co-operation for the common good, in short, they could not discriminate between what was good and what was bad for them. The sole remedy was the spread of education amongst them. Owing to various reasons, nothing short of compulsion would do so far as the ignorant villagers were concerned. If it were left to their will to send their children to school, several ages would elapse before the average villager could be

deemed sufficiently educated to understand what was conducive to his welfare. He would remain in ignorance to be driven and directed by his fellowmen from the cities.

The element of compulsion in the Bill need frighten no one. Compulsion would be enforced in small selected areas at the outset, and, if it succeeded, its scope would be widened. The Government had brought the Bill before the Council after careful and anxious consideration. The state of primary education in the Province was carefully investigated by Mr. K. P. Kichlu, who was deputed for that purpose. Mr. Kichlu submitted a report and the Bill was based on that excellent report. Further, Kunwar Jagadish Prasad, Education Secretary, and Mr. Mackenzie, Director of Public Instruction, had carefully considered the Bill in all its aspects and in all its clauses. It would go to a Select Committee which would suggest additions and alterations to improve the Bill. The Bill was being discussed when the Council adjourned.

On the *16TH DECEMBER*, the debate on the Ministerial motion that the Compulsory Primary Education Bill be referred to a Select Committee, was resumed.

Lala Mathura Prasad MERHOTRA said the curriculum of the primary schools should be so drawn up as to render compulsory education most beneficial to the sons of agriculturists. The children of the soil must be taught how to improve their methods of agriculture and their cottage industries. They must be made to understand the principles of co-operative credit. The Government should not ignore the question of funds. If the District Boards were left alone to finance their own primary schools, they would never take the initiative and apply for the introduction of compulsory education within their jurisdiction. The Government should shoulder the greater portion of the financial burden and render all possible assistance of the District Boards.

Mr. Kunwar Jagadish PRASAD, Education Secretary, said the Government were perfectly alive to the fact that unless the education sought to be spread in the villages was in conformity with the need of the rural population, the Bill, when enacted would be worse than useless. The Government would carefully consider the question of specially trained teachers for employment in rural primary schools. There was no occasion for the Government to insert a taxation clause in the Bill. Under the District Boards Act of 1922 local bodies had been given sufficient powers of taxation and their sources of supply were not yet exhausted.

Rai Rajeswar BALI, Minister of Education, expressed his gratitude for the reception that had been accorded to the Bill from every section of the House. The schools which would come into existence under the Act would be primary schools for boys of ages varying from 6 to 11 years, who could not be expected to understand much of religion or morals. The best thing would be to get the type of teachers that would be able to influence the boys by setting good examples. The Bill was only in its elementary stage now and before its final adoption the Government would certainly take advantage of the valuable suggestions from the different members.

The Minister's speech brought the debate to a close and the Bill was referred to a Select Committee.

Government Service and Caste Distinction.

On the *17TH DECEMBER* Pandit Brijnandan Prasad MISRA moved : "The Council recommends to the Government to remove all prohibitions of caste with respect to the admission of people to the public services if they are otherwise qualified, and to cancel all orders, regulations or instructions containing such prohibitions, and to order the consequent correction of the departmental manuals and other papers accordingly." At the outset the mover made it clear that he did not intend that any sort of racial bias should enter into the discussion. The motion was restricted to the question of castes belonging to different races and it had nothing to do with any religion. In the Police Department certain castes were debarred from entering some branches of the forces. As an instance of his remark he quoted a paragraph from the Police Manual in which it was put down that Brahmins should seldom be nominated for entry into the mounted police force. In another paragraph of the Police Manual it was stated that enlistments to the armed and civil Police forces from certain low castes should, as far as possible, be avoided and that Kayasthas and Banias should seldom be enrolled. The speaker asked to be informed on what basis and with what motive the Government make those restrictions.

In seconding the resolution, Mr. MUKANDILAL moved the following amendment :— For the words "Remove all prohibitions of caste with respect to the admission of people to the public services if they are otherwise qualified, and to cancel all orders, regulations or instructions containing such prohibitions and to order the consequent correction of departmental manuals and other papers accordingly", substitute the words "issue instruc-

tions to all departmental heads, offices, selection boards and selection committees that they should admit into and select for Government service all persons (otherwise qualified), irrespective of caste, creed, religion and race, and that the Government be pleased to cancel and expunge from the departmental manuals or codes all prohibitions, restrictions, disqualifications, regulations and orders which bar any individual from entering into, competing, or offering himself for any department of Government service. Mr. Mukandilal said that the original resolution and his amendment were both based on the Queen's Proclamation of 1858.

The Maharaja of MAHMUDABAD, Home Member, regretted that he could not accept the resolution on behalf of the Government. The principle underlying the resolution was undoubtedly excellent, but unfortunately there were administrative difficulties in the way. If a chamar were to be enrolled in the police force and be appointed sub-inspector of police, he would not only not be able to discharge his duties properly, but his own life would be made miserable because of caste prejudices. If he were to go to a village, he would not be permitted to enter the house of any high caste man, Hindu or Musalman. Not many men would give him a glass of water to drink if he were thirsty. He would not even be permitted to draw his own water from the village wells. There were certainly restrictions in the Police Manual in regard to the enlistment of the members of criminal tribes and wandering gangs, but those restrictions had to be made, as the Government did not think that habitual lawbreakers were suitable candidates for enlistment to the police force

After a prolonged discussion Mr. Mukandilal's amendment wat put to the vote and rejected, while the original resolution was carried without division.

Adult Education.

Khan Bahadur Hafiz Hidayet HUSAIN moved: "This Council recommends to the Government to take steps for the promotion of adult education in the municipal and rural areas of these Provinces at an early date." The mover said the subject had now begun to attract considerable public attention, but he doubted if its scope or significance was fully realised. According to the census report the proportion of literacy per thousand was 24 in 1911, and 37 in 1921. The progress made was insignificant and inadequate. More sustained efforts were needed both by the Government and by the public. There should be a network of night schools, and a portion of the educational grants to the District Boards should be earmarked for this purpose. The mover referred to the Governor's Durbar speech and appealed to every one to aid the Government in educating the Council's "masters"—the voters.

Mr. A. H. MACKENZIE Director of Public Instruction, said that the Education Department had no intention to oppose such a resolution. On the contrary they welcomed it. The Department had already taken the initiative in that direction. As early as 1921 they addressed a certain number of municipal boards in regard to this matter. The Government had first to make some experiments and watch if there was a demand for adult schools. The experiments were confined to six municipal boards only. In those six boards there were at present 80 schools with a total roll of about 2,200 students. Government readily defrayed the entire cost. The experiments had proved sufficienty successful and the Education Department hoped similar schools would be started by more municipalities. But the Government's financial responsibility must have a limit and in future municipal boards would be asked to bear their reasonable share of the cost. The speaker was afraid that the municipal boards would not be much inclined to finance even such an excellent scheme. In the interior of certain districts similar attempts had been made, but only with indifferent success. Failure was due not merely to lack of finance, but because of the difficulty of finding a sufficient number of adult students at one centre and because of the lack of suitable teacher for such institutions.

The resolution was adopted unanimously.

Motion for Adjournment.

On the *18TH DECEMBER* Babu NEMISARAN wanted to know what action the Government had taken against Mr. T.J.C. Acton, District Magistrate of Bulandshahr, for alleged discourtesy to Pandit Nanakchand, M.L.C. when the latter wanted an interview with him.

The Finance Member replied that the Government had received no complaint from Pandit Nanakchand and therefore did not propose to take any action.

The Finance Member's reply gave rise to a series of supplementary questions and ultimately two members, Pandit Brijnandan Prasad Misra and Babu Vikramjit Singh, gave notice to the President of their intention to move the adjournment of the House in order to

discuss the action of the Government on the conduct of Mr. Acton, the District Magistrate of Bulandshahr.

Rai Bahadur Lala Sita Ram, President of the Council, expressed the view that the adjournment motion was in order and ruled that unless it was disallowed by the Governor, the motion would be taken up that day.

The Council then discussed non-official resolutions.

Pandit Hargovind PANT moved: "This Council recommends to the Government to remove Kumaon from the Scheduled Districts Act and to appoint a committee to revise and to consolidate the local rules with a view to presenting a Bill which serves this purpose for the consideration of the Council." The mover said Kumaon was much in advance of the rest of the United Provinces in the matter of education, and it was a pity that such a division should be classified in the same category as the wild tracts inhabited by half-civilised people like Bhils and Gonds.

Babu Bhagwati Sahai Bedar moved an amendment recommending the appointment of a committee to suggest necessary measures for getting Kumaon removed from the scope of the Scheduled Districts Act. The resolution as amended, was adopted by the Council.

Mr. Aslam SAFI moved for leave to introduce a Bill to amend the United Provinces Municipalities Act of 1925, as amended by Act 2 of 1919. Leave was granted by the Council.

Pandit Nanak Chand was granted leave to introduce a Bill to amend the Allahabad University Act of 1921.

The Council then discussed the following resolution: "This Council recommends to the Government that instructions be issued to the Record Officers that in districts where record operations are going on they should not disturb the existing rights wherever they are corroborated by the last (current) settlement entries.

The Finance Member and the Member of the Board of Revenue opposed the resolution which, after a dull discussion, was adopted by the Council.

Adjournment Motion Carried.

The motion for the adjournment of the House subsequently came up for discussion.

Pandit Brijnandan Prasad MISRA moved: "This House be now adjourned." He narrated at length the incidents that led to the questions put to the Council. Pandit Nanakchand, M. L. C, wanted an interview with Mr T. J. C. Acton, Collector of Bulandshahr. Mr. Acton refused it and some curt letters were exchanged between the Pandit and the Magistrate. The Pandit took exception to certain remarks of the Magistrate. Babu Vikramjit Singh, in seconding the motion, said that an insult to a member of the Council was an insult to the Council. The Magistrate's letter was discourteous to a degree.

Mr. BURN dealt point by point with the matter. Firstly, there was a grievance because an official had been discourteous to a member of the Council. The Government always disapproved of discourteous behaviour on the part of any of its officials to any visitor, but such instances were admittedly rare. Secondly, the House had made its grievance that the Government took no action. As a matter of fact, the Government took action one month before notice of the question had been received The Chief Secretary had already addressed a letter to the Commissioner of Meerut Division to convey to Mr. Acton the Governor's disapproval of his action. If the replies to the questions and supplementary questions put to-day were not to the satisfaction of the members, he (the speaker) craved the indulgence of the House. It was unfortunate that Sir Samuel O'Donnell, who was to reply to the questions, had been, by reasons of his health, kept away from the House. The speaker had had no time to prepare himself for the questions.

After the Finance Member's speech, several members requested the mover to withdraw the censure motion After some discussion, the adjournment motion was put to the House and carried by 31 votes against 20.

Development of Rural Area.

On the *19TH DECEMBER* Pandit Govind Ballabh PANT, the leader of the Swaraj party moved the following resolution:—

"That this Council recommends to the Government to allot the sum of Rs. 56 lakhs remitted this year by the Government of India out of the Provincial contribution, fixed by the Meston Committee, for rural development, such as the promotion of agriculture, cottage industries, primary and vocational education, improvement of sanitation, water-supply, communications, and housing in villages, etc., to form a development fund, to which the above and all other sums that may hereafter be so remitted be transferred, and

to constitute a Development Board, consisting chiefly of members elected by this Council, with a Secretary or a commissioner appointed by the Board from among the public men, to carry out such development?

In moving the resolution, Pandit Govind Ballabh referred to the condition of the rural population in the United Provinces. Education was in a very backward state in the rural area. Their economic position was worse still. The industrial scope of the people was narrow, and their resources very restricted. Pressure on land was on the increase from day to day, and the transfer of holdings was going on continuously. The different cottage industries that were a source of income to agriculturists had been throttled by Manchester, Tokio, Liverpool, and New York. The Government must tackle more earnestly, more vigorously, the problem of rural re-organisation.

Rai Bahadur Babu Vikramjit SINGH moved an amendment to the effect that for the words "transferred and to constitute a Development Board, consisting chiefly of members elected by this Council, with a Secretary or a Commissioner appointed by the Board from among the public men to carry out such development" be substituted by the words "placed at the disposal of the Hon. Ministers to spend in accordance with the advice of a Development Board, to be constituted of official and non-official members of the Legislative Council, on which there should be a non-official majority, to carry out the above scheme."

The amendment was supported by Thakur Hanuman Singh, Nawab Mahomed Yusuf, Thakur Mashal Singh, Dr. Safaat Ahmed Khan, and Mr. Mukandilal, and accepted by the mover of the resolution.

The Nawab of CHATTARI, Minister of Industries, assured the Council that the Ministers and the Government were trying their level best to develop the rural area in every respect. The Government was aware that there was much that yet remained to be done. He greatly appreciated the anxiety of members to devote more money for the Nation-building Departments, but he feared that the establishment of a Development Board was unsound on principle. There was not much sense in adding a fifth wheel to the carriage of State.

After several other speeches Babu Vikramjit Singh's amendment was put before the Council and adopted. The resolution, as amended, was then carried by the Council.

Government's Excise Policy.

On the *21ST DECEMBER*, Pandit Govind Ballav PANT moved. "This Council recommends to the Government that they should declare unequivocally by embodying in the Excise Manual, that the aim and object of the excise policy of Government is total abstinence, which should be promoted by all legitimate means." The mover pointed out that on the 31st March, 1925, a resolution was adopted by the Council asking the Government to accept total abstinence as the aim and object of their excise policy. A similar recommendation was made by the excise conference held early this year.

Mr. BLUNT, Financial and Excise Secretary to the Government, pointed out that the present excise policy of the Government, as stated in paragraph two of the Excise Manual, might be epitomised in the phrase: "the promotion of temperence by all legitimate means". Was there a great difference between this statement and the aim enunciated by the mover in his resolution.? During the past few years the force of public opinion among the consuming classes, on the one hand and the restrictions imposed by the Government in pursuance of their policy, on the other hand, caused a striking decrease in consumption. Government doubted whether the absence of any reference to excise revenue in their statement of excise policy would materially improve matters. Further, the Excise Manual was now being revised and would shortly be published in a new form.

After some further discussion the resolution was put to the House which divided before the proposal was negatived by 39 votes to 16.

Revenue Commissionerships.

On the *22ND DECEMBER* Chaudhury Badan SINGH moved: "This Council recommends to the Government that they should move the Government of India to take necessary steps for the abolition of the Revenue Commissionership in these Provinces.

Rai Sahib Lala Jagdish PRASAD moved an amendment urging upon the Government to make proposals in pursuance of the recommendations of the Commissioners' Committee appointed in 1922 to the Government of India for reduction in the number of Revenue Commissioners.

The amendment was accepted by the House.

The FINANCE MEMBER regretted that the Government could take no action in regard to the reduction in the number of Commissioners until the effect of the new tenancy legislation on the Commissioners' appeals was seen.

The resolution, as amended, was carried by the Council.

Representation of Depressed Classes.

On the *23RD DECEMBER*, the last day of the December Session, Babu KHEMCHAND moved : " This Council recommends to the Government to arrange that at least one member from among the depressed classes shall be nominated to each municipality and notified area in the United Provinces of Agra and Oudh with the exception of the municipalities of Agra and Cawnpore, to which two members should be nominated."

In moving the resolution Babu Khemchand pointed out that the depressed classes were represented in all the district boards in the United Provinces. It was only just that those men should have some sort of representation in the administration of municipal areas, where a large number of them resided.

Rai Rajeswar BALI, Minister of Local Self-Government, said the resolution had all his sympathy. As a matter of fact in making the nominations this year he had already acted upon the principle recommended. Wherever it was possible he had nominated one member to a Municipal Board to represent the depressed classes. The Minister, however, regretted his inability to accept the resolution as it stood. The Government could make only two nominations in the Municipal Boards of Agra and Cawnpore and at these two places the Government could not restrict their choice to the depressed classes only.

After some further discussion the resolution was amended by Thakur Manjit Singh Rathore to read as follows :—" This Council recommends to the Government to arrange that at least one member from among the depressed classes shall be nominated to each municipality and as far as possible in the notified areas in the United Provinces.

The resolution, as amended, was adopted by the Council.

Khan Bahadur Maulvi FASIHUDDIN moved : " This Council recommends to the Government to issue instructions to all record and settlement officers to the effect that they should not force or ask zemindars to pay for coolies employed by amins for doing survey work, or to supply such coolies at their own expenses.

After a prolonged discussion, the resolution was adopted by the Council.

Translation of Science Books.

Pandit Yajna Narayan UPADHYA moved : This Council recommends to the Government to establish a bureau of translation for rendering all useful books in modern sciences and other branches of knowledge into the vernacular, and to provide at least one lakh of rupees every year for this purpose."

Mr. A. H. MACKENZIE, Director of Public Instruction, said he appreciated the intention of the mover. It was not possible for the large majority of men in these Provinces to get a glimpse into the untold wealth of scientific literature, for lack of readable vernacular books on the subject. He could not commit the Education Department in any way but he would not oppose it.

The resolution was adopted by the Council.

Retiring Home Member.

At this stage the President of the Council announced to the House that within a fortnight the Maharaja of Mahmudabad was relinquishing charge of the office of Home Member, an office he had held since the inauguration of the Reformed Council. Before taking his seat the President paid a glowing tribute to the services rendered to the Province by the Maharaja as a Member of the Executive Council.

The announcement of the President was followed by valedictory speeches from every quarter of the House.

The Council concluded the last day of its winter session and adjourned till January, 1926.

Bengal Legislative Council

CALCUTTA—12TH AUGUST 1925.

The August Session.

The first meeting of the August session of the Bengal Legislative Council was held on the 12th August. Sir Evan Cotton, the President of the Council, presided.

After the new members had taken the oath of allegiance, the President made reference to the death of Sir Steuart Bayley, Mr. C. R. Das, and Sir Surendranath Banerjea.

Referring to Mr. C. R. Das and Sir Surendranath Banerjea Sir Evan Cotton said: "Leaders may be of many kinds, but one attribute which is essential to success as a leader is a magnetic and commanding personality. This quality was possessed in the fullest degree by the two great men whose death we are deploring. Mr. Das had been a member since 1921, and the Council Chamber will seem a very different place without him. To me he always conveyed the picture of a great Roman Senator, and I used to sit and watch with admiration the consummate skill with which he led his party. Of Sir Surendranath, we can truly say that, during his long life of 78 years, he stood for the whole history of politics in Bengal. He had a long tenure of office in the Bengal Council, and was one of the first Ministers under the Reforms Act. The eloquence of these two great men was not alike, but there is not one of us who will not miss the silvery tongue of Sir Surendranath, and the calm compelling voice of Mr. Das.

The only other item was the election of the President. Out of three candidates Kumar Shibsekhareswar Roy secured the largest number of votes.

Next day, the *13TH AUGUST*, Kumar Shibsekhareswar Roy, the first elected President of the Bengal Legislative Council presided over the discussions of the Council, his election having been approved by the Governor. After taking his seat, Kumar Shibsekhareswar paid an eloquent tribute to Sir Evan Cotton, the retiring President.

The Howrah Bridge Bill.

The Legislative business consisted of the reference of the Howrah Bridge Bill to a Select Committee of 24 members, and the introduction and passing of the Bengal Highways Bill.

Mr. T. EMERSON, in moving that the Howrah Bridge Bill be referred to a Select Committee, said that at the August session of 1924 a Select Committee was appointed by the votes of that Council, but, as a result of a subsequent motion that the Bill should be circulated for the purpose of eliciting opinions, the appointment of the Select Committee fell through. It was for that reason that a fresh Committee was proposed to be appointed at that session. The result of the circulation of the Bill for the purpose of eliciting opinions had been to show that the weight of opinion generally was against the expense that would be incurred in constructing a permanent bridge for which purpose that Bill was originally framed. The Bill, however, admitted of modifications in its taxation clauses, so as to provide for a semi-permanent bridge, if such a type was preferred by the Council on account of its smaller cost. Omitting from consideration bridges of the pier and girders type, as they were considered inadvisable on account of the risk to the Fort owing to the possible effect of the piers on the course of the river and its tides, there were three main types of bridge which were considered suitable for their purpose: first, a cantilever bridge, the cost of which would be Rs 32 lakhs per annum spread over 60 years; second, a turn floating bridge, which would cost with its approaches Rs. 24 lakhs per annum for 40 years; and, thirdly, an improved and wider single floating bridge on the present site, the cost of which was estimated to be Rs. 15 lakhs per annum for 40 years.

Continuing, Mr. Emerson said the finance clause of the Bill provided for raising by taxation the amount required to meet the loan charges for the capital cost of a permanent bridge of the cantilever type as recommended by the Committee of Engineers. If the construction of such a bridge were undertaken, the Government of India would

consent to the taxation specified in clause 8, sub clauses 3, 4, and 5. If, on the other hand, a bridge of a semi-permanent type were to be constructed, such as a floating bridge, taxation under those sub-clauses would have to be omitted from the Bill. Though adhering to the opinion that the need of Calcutta could be met adequately only by the provisions of a permanent bridge, the Government, in view of the great weight of opinion opposed to the expense that would be involved in its construction, were prepared to accept the Council's decision as to the cost that should be incurred in constructing the new bridge. It would be the duty of the Select Committee to consider all the opinions that have been elicited by the circulation of the Bill, and to give full weight to such opinions in making their recommendations to the Council.

Dacca University Bill

Sir Abdur Rahim then introduced a Bill further to amend the Dacca University Bill. There were several amendments, which were being discussed when the Council adjourned.

On the *14TH AUGUST* the Dacca University Amendment Bill was passed. Both the amendments moved by Swarajists, one urging the circulation of the Bill, and the other referring it to a Select Committee, were defeated by 15 votes. The Bill aimed at making statutory the provision of Rs. 5 lakhs, which the Council granted for the last five years. The Bill was passed without opposition.

There was a lively discussion on the supplementary demand made by Sir Hugh Stephenson of Rs. 14,000 for expenditure under "Band Establishment of the Governor." Sir Hugh explained that in the last year's Budget, the original demand for this purpose of Rs. 80,000 was reduced to Rs. 34,250. It was impossible to maintain a fine orchestra with that amount. Several amendments refusing the demand were negatived, and the demand was ultimately granted, after which the Council adjourned.

On the *19TH AUGUST* the Council carried three resolutions without opposition from the Government.

The first resolution was for a grant of 30 lakhs to the Calcutta University Post Graduate Department. The Government did not oppose it, but wanted time to examine the demand. The resolution passed unanimously.

The second resolution recommended the removal of the sex disqualification from the electoral rolls. This resolution was opposed by some of the Mahomedan and orthodox Hindu members. It was carried by 54 votes against 38.

The third resolution asked the Bengal Government to communicate to the India Government that the Bengal Council were in favour of the transfer of Sylhet to Bengal.

The Government wanted time to ascertain the views of the Assam Government on the subject, but the resolution was carried, unopposed.

Removal of Sex-disqualification.

Ladies invaded the public galleries of the Council Hall in anticipation of a lively debate on the question of the enfranchisement of women. Mrs. Sarala Devi Chaudhurani and Miss Ganguly made the women's demonstration inside the Chamber a success, and their presence immensely influenced the votes.

The question was left to be decided by a free vote. The Swaraj Party also adopted the same attitude. Mr. Nurul Huq announced that the Swaraj Party had no mandate on the resolution and that the question was left to a free vote. This announcement caused widespread disappointment among the ladies in the galleries, who had expected the solid votes of the Swarajists in their favour.

Eloquent speeches were made by Dr. Moreno, Mr. F. E. James, Mr. Umesh Chandra Bose, and Dr. Mohini Das and Mr. Nirmal Chandra Chander in favour of the enfranchisement of women.

Dr. MORENO, who moved the motion for removing the sex-disqualification said, Bombay and Madras had enfranchised women. Why should women in Bengal alone be not enfranchised? He could not understand what insurmountable difficulties there were in the way of the enfranchisement of women.

Mr. Ghaznavi, an ex-Minister, opposing the resolution, read a long manuscript speech.

Mr. Umesh Chandra Bose (Swarajist) in a powerful speech supported the resolution.

Mr. F. E. James warned that there was no rational principle in disqualifying a large section of the community from the franchise. It was the fundamental right of women-citizens to participate in legislation. Europeans had no right to oppose the resolution as their women had earned that right.

Dr. Mohini Das, wanted to know how they could refuse to grant women their just rights and at the same time demand Swaraj.

Mr. Nirmal Chandra Chunder said, "You are refusing women the right to serve the country. You ask women to come to the Congress, to come to the Liberal Federation, and to come to the Swarajist meetings. Can you refuse them permission to come to the elections?"

The resolution granting franchise to women was passed by 54, against 38 votes.

Swarajists and Ministers' Salaries.

On the *20TH AUGUST* the House transacted Government business. Supplementary grants, most of which were not granted by the Council at the last Budget discussion, were presented. A large number of motions for reduction or refusal were proposed in respect of a demand of Rs. 3,82,985 for Education. There were altogether 12 demands for the grant, and most of them were carried without serious opposition. In 10 demands, excepting grants under Police and Education, there were 124 motions for either refusal or reduction, but only eight were moved.

The President announced that the Governor was not prepared to grant an extra day for non-official business alone, but as an extra day was required for Government business he allotted Friday the 21st for that purpose, and at the end of the Government business non-official business would as a special concession be taken.

Taking advantage of this announcement the Swarajist party, who were responsible for most of the amendments, decided to endeavour to finish the official business on this day, so that no non-official business could come before this session of the Council and the resolution granting salaries to the four Ministers for their actual period of work would be left unmoved. At the end of the business, however, the President announced that the Governor would allow the Council to meet next day for the transaction of non-official business.

The Council, without a division, granted a total sum of Rs. 11,51,763 as supplementary grants. In this session the total supplementary grants agreed to amounted to Rs. 12,83,638.

On the *21ST AUGUST* three non-official resolutions were discussed and the Government opposed all of them.

The first resolution demanded the appointment of a Committee to revise the Bengal Local Self-Government Act and the Bengal Village Self-Government Act. It was carried.

The second resolution, moved by Mr. F. E. James and supported by Mr. J. Campbell Forester, urged the exemption of theatres and cinemas from liability to pay the Amusements Tax. The Government opposed the motion on the ground of financial loss. The resolution was supported by Swarajists and carried by 65 votes against 27.

Motion for Production of imprisoned M.L.C.s.

The third resolution urged that Babu Anil Baran Ray and Babu Satyendra Chandra Mitra, two Bengal Ordinance prisoners, who have been returned to the Council from the Bankura and Noakhali constituencies, respectively, be brought up for taking the oath of allegiance, at the next session of the Bengal Legislative Council.

The Deputy President, Mr. H. S. Suhrawardy, in supporting the resolution said :—

"I do not know from which point of view I could best support it. But I feel I would have ample grounds for doing so from any reasonable point of view. Firstly, I would do so because we know that there is absolutely no justification for their incarceration. They were the heart and soul, the spirit and fire of the Swaraj Movement. Justification there was because their presence inspired and their self-sacrifice enthused, but of the charges that have been levelled against them, they are absolutely innocent. I know that our voice and our testimony, nay the voice and testimony of the great tribune of the people, is as naught, compared with the inspired reports of the lowest spy, but I do hereby give my testimony and I speak for all others who knew them, that they were blameless of the infamous charges on which they were arrested. Secondly, I would support the resolution on all the rational grounds advanced so ably by Mr. S. C. Basu. If you have given them the right to stand, the right to be elected, you must give them the right to attend. Thirdly, I would support the resolution because I want to see them. When the figure of Satyendranath Mitra rises before me, so gentle, so kind, and yet, so brave, I feel a fierce indignation at the injustice that has condemned him to a felon's cell. I want to see them, to clasp them by the hand. I want to congratulate them. On the glory of martyrdom they have attained. I want to be inspired by their presence if it is in me to be inspired. I know the Government is afraid of demonstration. The whole of Bengal will flock to pay its homage to its leaders, who have suffered for its sake and we shall pay to them the homage of a suffering people for its suffering heroes."

The resolution was declared carried. Moulvi Nurul Huq Choudhari demanded a division which was granted, 54 members voted for the motion and 24 against it.

The Council was then prorogued.

The December Session

Bengal Tenancy Amendment Bill.

The cold weather session of the Bengal Legislative Council met on the *3RD DECEMBER*. Kumar Shibsekhareswar Roy, President, took the chair.

After withdrawing the Bengal Local Self-Government Bill, the Maharaja of NADIA introduced the Bengal Tenancy Act Amendment Bill. He said that details relating to the advantages to be derived by tenants including rights to trees, greater facility for the payment of rent, abolition of the harassing system of the realisations of rent by distraint, the commutation of produce rent, also the advantages relating to landlords namely, facilities for the realisation of rent, and other matters were dealt with in the statement of objects and reasons. The position of the Government was that they had accepted the necessity of a change in the law relating to certain matters affecting the relations of landlords and tenants. They thought that the proposals made by the Committee which considered those relations were an honest attempt to solve the difficult problem. The Bill was referred to a select committee.

On the *4TH DECEMBER* Government sustained three consecutive defeats without much discussion.

The Maharaja of Nadia asked leave to introduce the Bengal Municipal Bill, but leave was denied, 36 voting for and 60 against.

The Council next passed the Food Adulteration Bill, validating the grant by the Chairman of the Municipality of sanction to prosecute.

Sir Hugh Stephenson moved a resolution asking the Government of India to abstain from taking measures for the inclusion of Sylhet in the Bengal Presidency on financial grounds. The resolution was negatived by 64 votes against 46.

Mr. J. Donald moved a resolution urging the Government to contribute towards the cost of the Bally Railway. He said that this scheme of a bridge over the Hughli River near Bally was sanctioned ten years ago but was not executed owing to the War. The people of Bally wanted the provision of roadways for ordinary traffic, and to meet this cost he was asking the Government to contribute. This bridge had nothing to do with the Howrah Bridge. This motion was also negatived, 41 voting for and 62 against it.

Treatment of Political Detenues.

On the *8TH DECEMBER* the Government was defeated by eight votes in a motion for the adjournment of the House.

Mr. J. N SEN GUPTA, leader of the Swaraj Party, moved the adjournment to discuss the recent treatment of political prisoners, as evidenced by the transfer on the 22nd November last of political prisoners Jogesh Chunder Ghose, Samarendra Sen and Santosh Kumar Dutt from Berhampore jail to Hazaribagh jail without proper clothing or without giving them any notice to make provision for their journey. On the night of the 22nd November those prisoners received a chit from the Jail Superintendent that they were wanted in the office. At that time they had no clothes on the upper part of the body as they were taking exercise. They were compelled to undertake the journey that evening without any warm clothes. He questioned whether the Ordinance was being administered in the spirit and according to the letter of the law. Was there any justification for not allowing those prisoners to get their clothes from their cells? It could only be justified if there was a desire to ruin their health, so that when they came out they would not be able to allow the ordinary avocations of life.

Sir Hugh STEPHENSON, replying, said there had always been considerable difficulty in dealing with detenues at Berhampore. In the last few months the state of indiscipline had been particularly bad, and the jail officers had been threatened with assault. The Government issued orders for the transfer of four detenues and asked the Police Superintendent to see orders served on the four offenders. In view of the attitude of the detennes and previous incidents, it was considered advisable to arrange for transfer without warning the detenues. The Assistant Police Superintendent went to the jail at six in the evening to serve orders on the four detenues. He was informed that one was unable to travel. The other three came to the jail gate and were told that they were transferred to Hazaribagh and they would have to go that night. The detenues declined to receive orders, on the ground that they had no warm clothes. At that time the detenues had warm coats, woollen shirts, woollen socks, rugs and sweaters and the Civil Surgeon, who was the Jail Superintendent, certified that the warm clothes they had were ample for the journey.

The Jail Superintendent then sent the warders to the detenues' cells to collect their clothing, but they were not allowed to do so and were abused. Other detenues by that time crowded in the yard opposite the gate and shouted instructions to the three detenues to resist to the end and throw off all their clothing. They had on their bodies warm shirts and chudders which they passed through the window to the other detenues in the yard. They were then only clothed in dhoties. The Police Superintendent then sent for four hospital blankets and four sheets for each of the detenues. They refused to eat any food, and the police had to lift them into the carriage. The same performance was repeated at Berhrampore station, and they had to be lifted out of the carriage and put in a reserved compartment. There was no justification for regarding that incident as a piece of unwarrantable *zoolum* on the part of Government or the police.

The motion was discussed for two hours, the European and some Mahomedan members supporting the Government, the Swarajists and Nationalists supporting the motion.

The motion was passed by 58 votes to 50.

Ministers' Salaries Granted

On the *10TH DECEMBER* Mr. P. N. GUHA moved that salaries for the actual period of work be given to all the four Ministers who were appointed by His Excellency, and who had to resign owing to the total refusal of their salaries by the Council.

The statement made by Mr. J. M. SEN GUPTA, giving reasons for not voting against the resolution, moved in the Council, for salaries to the four Ministers for the actual period they had worked, was not sympathetically received by the Nationalists, who had, on three previous occasions, voted with the Swarajists in opposing similar resolutions.

Mr. J. M. Sen Gupta explained the position of the Swaraj Party. He said when the party voted against the Ministers' salaries and threw them out, on three occasions, during the lifetime of the present Council, they made it perfectly clear that they were not actuated by personal considerations. The votes were against Dyarchy. He desired to repeat that whether it be Maulvi A. K. Fazul Huq, Mr. Surendranath Mullick, Mr. A. K. Ghuznavi or the Raja of Santosh, they were not prepared to support them as Ministers, be they Hindus or Mahomedans. They were not prepared to support the Dyarchical form of Government, with Ministers and Executive Councillors, the former being merely tools in the hands of the latter. The issue before them was not to be confounded with the issue of the continuance of Dyarchy. The two issues were distinct and separate. He wished to make it perfectly clear that, if any demand for Ministers' salaries was brought forward, for carrying on the present dyarchical system of Government, they would oppose it, whatever the constitution of the Ministry might be. On this resolution for payment of back salaries, as the party had no personal bias, or vindictiveness, against the gentlemen concerned they would vote for it. Their fight was against dyarchy, continued Mr. Sen Gupta, and until the constitution of the Government was so altered as to be acceptable to the people of India, their representatives would refuse to accept or work it; but they were not willing to act in any way which might be construed as an act against particular individuals.

The position, concluded Mr. Sen Gupta, had been made perfectly clear by the mover of the resolution, who admitted that the Ministers were wrong constitutionally, in continuing in office even after their salaries were refused. The position that the Swaraj Party took up should be no encouragement to the Government to appoint Ministers, who had no majority in the House and whose salaries were bound to be rejected, in the hope that, after they had worked as Ministers the House would be lenient and pass their salaries later on.

Nationalist opposition.

Mr. Manmatha Nath RAY (Nationalist) did not see how having voted against dyarchy, they could vote for the pay of the principal actors brought into existence by dyarchy.

Mr. Akhil Chunder DATTA (Nationalist) said the present motion had not raised any fresh issue. There was no justification for setting aside their previous decision. There was no use disguising the fact that, both personal and communal considerations had clouded the real issue. To say that the Ministers' salaries were refused out of communal bias was a perversion of truth. It had been stated that reason dictated their voting against the motion, but sympathy and sentiment impelled otherwise. As representatives of the people it was not open to them to be charitable at the cost of the taxpayer. If they did so, the speaker warned his friends, the people would bring a charge of breach of trust at their door. They were opposed to dyarchy and the Ministers

who worked for dyarchy. By paying the Ministers' salaries for a certain period they would become a part of dyarchy, so far as that period was concerned.

Mr. Bejoy Kristo BOSE, Swarajist, said that he opposed the resolution on principle, but in obedience to party discipline he could not vote against it. He would be failing in his duty if he did not point the hollowness of the motion. One of the Ministers for whom their sympathy was wanted had last year said he would work without salary.

Two of the ex-Ministers, the Raja of Santosh and Nawab Nawabali Chowdhury, refused to accept the salaries. The resolution was carried.

On the *12TH DECEMBER*, the last day of the December Session, Mr. Daud moved a resolution urging the Government to take early steps to move the proper authorities to amend Rule III of the Bengal Electoral Rules, with a view to remove the present disability of the labouring classes to send their own elected representatives by granting special electoral franchise to them. The resolution was carried.

Criminal Law Amendment Act.

Rai Harendranath CHAUDHURI (Nationalist) moved that immediate steps be taken to repeal the Bengal Criminal Law Amendment Act of 1925. He gave the following reasons in support of his motion :—

(1) It was a barbarous legislation, unknown in any civilised and self-governing country.

(2) It was an emergency measure, but at present no emergency existed.

(3) The Act had become an engine of oppression.

(4) It was a measure to terrorise all people who were not in the good books of the all-powerful Police, controlled by an irresponsible executive.

(5) Prisoners under this Act served long terms of imprisonment without trial.

(6) The Act had utterly failed to achieve its purpose.

(7) In January last, Sir Alexander Muddiman had said that it would be kept only so long as public interest demanded and not a day longer.

Mr. J. M. SEN GUPTA said that the Government adopted the measure without tackling the root cause of discontent, which was the desire for freedom. In attempting to stop that desire, the Government was following the Government of Russia and the British Government in Ireland, and he predicted that the same fate would overtake the India Government. As regards the administration of the Act, Mr. Sen Gupta said that in January last, Mr. Satyendranath Mitter, a member of the Legislative Council and Mr. Subash Chandra Bose, Chief Executive Officer of the Calcutta Corporation who had been arrested under the Act, were transferred from Berhampore to Mandalay Jail. They were brought down to Calcutta on their way, and detained one night in the dirty Police lock-up meant for drunkards and loafers. That was certainly not justified under the Act.

In Mr. Sen Gupta's opinion, the reasons why they and other prisoners were kept in an unhealthy place at Mandalay was that they should contract diseases. Some of them were suffering from insomnia, diabetes and other disease. The Jail Superintendent behaved in such a manner that there was hunger-strike. Mr. Sen Gupta knew that his was a cry in the wilderness, but he warned the authorities that they would not be able to stop the people from gaining their freedom. The Government would go the way of the British administration in Ireland, if they opposed the onward march of the people.

Sir Hugh STEPHENSON, in reply, said that, in spite of the tortures and inhumanities in jail, the detenues preferred jail to Bengal villages. He said the Government had no intention to stop the desire for freedom by force. The Government only said it was a mistaken method to try to attain freedom by terrorism. The reason why the detenues were transferred to Mandalay was that it was desirable that there should be complete isolation. The Government had, in their possession, proofs of communication between the prisoners inside the jail and terrorists. Since the Act was passed 15 arrests had been made under it. The reason for detaining the prisoners was that the conspiracy still existed. There still existed a party intent upon violence. If the Act were repealed, there was every reason to believe that the main conspiracy would swing back to the cult of terrorism.

The resolution was carried, 55 voting for and 35 against.

The Council adjourned *sine die*.

B. & O. Legislative Council

Budget for 1925—1926.

The Bihar and Orissa Legislative Council met at Patna on the 13TH FEBRUARY 1925 when the Hon. Mr. Sachchidananda Sinha (Finance Member), in introducing the Budget, said :—

The estimates for the current financial year, as passed last March, anticipated an opening balance of Rs. 1,69,68,000, including Rs. 32,39,000 in the Famine Insurance Fund, which we can only draw upon for actual relief operations, protective irrigation works, or other works for the prevention of famine, or the grant of loans to agriculturists under the Agriculturists Loans Act or for relief purposes The remainder Rs. 1,37,29,000 represented the balance which could be utilised, if necessary, for more general purposes. When the accounts for 1923-24, were closed the actual opening balance for the year now current proved to be Rs, 6,25,000 in excess of the estimate or Rs. 1,75,93,000 in all. According to the latest figures available on revised estimates show a revenue of of Rs. 5,31,48,000, or a shortage of Rs. 2,94,000, and under the head of expenditure from revenue an increase of Rs. 6,09,000 ; while our total receipts are Rs. 2,93,000 in excess, and our total expenditure is Rs. 12,55,000 in excess. The net result is that, after allowing for the increase, to which I have already referred over our budgeted opening balance, our closing balance is expected to be Rs. 1,85,81,000 or Rs 3,37,000 below the estimate.

The total closing balance, now estimated at Rs. 1,85,81,000 includes, Rs. 39,89,000 of Famine Insurance Fund money, leaving an ordinary balance of Rs. 1,45,92,000. Our estimates for the coming year assume a revenue of Rs. 5,43,88,000 and total receipts of Rs. 5,71,49,000. On the expenditure side, exclusive of new schemes, the expenditure charged to revenue is Rs. 5,20,98,000 and the capital expenditure Rs. 18,08,000 or a total expenditure of Rs. 5,39,06,000, leaving a surplus of Rs. 32,43,000. Of this latter amount, however, Rs. 14,99,000 appertains to the Famine Insurance Fund, and the net surplus, therefore, available for general expenditure is thus reduced to Rs. 17,53,000.

New Schemes.

I now turn to the provision for new schemes in the budget. It is impossible to propose at present any reduction of taxation, which, if carried out, would seriously affect for the worse the nation-building departments. On the contrary, in future years, if local bodies do not raise their own taxation for development purposes, and the present tendency continues of expecting Government to bear all the burden of expansion, we shall obviously either have to call a halt or seek after now sources of revenue. Now our ordinary balance is estimated at Rs. 1,45,92,000 at the end of the current year. At the beginning of this year it was Rs. 1,43,33,000 and at the beginning of 1922-23 it stood at Rs. 84,77,000. Thus, by a conservative policy of husbanding our resources, we have raised that balance by Rs. 61,15,000 in three years. In the circumstances, we felt fully justified in taking the view that there was now no good reasons for striving deliberately after further accumulations at the expense of postponing indefinitely a number of sound schemes for the benefit of the tax-payer. We accordingly obtained the approval of the Government of India to draw, if necessary, on our total balance to the extent of Rs. 30,10,000 which means Rs. 15 lakhs from our ordinary balance, so that we may be able to spend this amount on useful projects. Adding this Rs. 45 lakks from the ordinary balance, the total amount available for new schemes in the budget amounts to Rs. 52,53,000—a truly large amount of more than half a crore. This sum has been distributed between the Reserved and the Transferred sides (excluding Angul) as follows :—

	Recurring	Non-recurring	Total
Reserved	99,000	6,03,000	7,02,000
Transferred	13,48,000	31,27,000	44,75,000

A sum of Rs. 3,09,000 goes to the police of which Rs. 2,01,000 is for buildings for housing the force better and Rs. 74,000 is to supplement the stores of clothing. We have provided a further recurring grant of Rs. 5 half lakhs for primary education and Rs. one and half lakhs non-recurring, towards buildings for primary schools; also Rs. 5,30,000 for land acquisition for the long deferred University project. Under Medical, the non-recurring grant of Rs. 3 lakhs for building new dispensaries has been raised to Rs. 4 lakhs, and the recurring grant for medical relief from Rs. 2 lakhs to Rs. 3 lakhs. Under Public Health we have for the next year made a special addition of Rs. 3 half lakhs to the annual grant of Rs. 45,000 for rural water supply in order to enable a determined attempt to get ahead with this very necessary and beneficial reform. Under Industries we have provided Rs. 85,000 for a demonstration match factory at Patna and a generous sum of Rs. 5 lakhs for loans under the State Aid to Industries Act. Under Civil Works we have included two items of Rs. 40,000 each towards two much needed bridges over the Bhargovi and Burabalang rivers in the Puri and Balasore districts, respectively.

After the Finance Member's statement the different heads of the Budget were introduced by members in charge of departments.

Bettiah Court of Wards.

On the 18TH FEBRUARY, discussion was resumed of the non-official resolution that a Committee be constituted to enquire into the working of the Court of Wards, Bettiah Estate, with special reference to the strained relation between the Court of Wards and the Bettiah Municipality. His Excellency Sir Henry Wheeler was present in the distinguished Visitors' Gallery for part of the proceedings.

Mr. Hari Shanker Sinha supported the resolution.

Mr. Morrison opposed the resolution on the ground that no case had been made out for the appointment of a Committee of Enquiry and it was not the proper remedy to apply in this connection.

Mr. Foley in his speech dealt with each specific allegation and said that the blame attached to the management of the Bettiah Court of Wards

Khan Bahadur Nawabzada Ashrafuddin Ahmed opposed the resolution observing that it was not the function of the Legislative Council to interfere with executive administration and the proper remedy for the injuries alleged to have been done to some Congress workers and Municipal Commissioners was to go to the law courts and demand redress of their alleged grievances. He concluded "Here is a sad spectacle of Swarajist municipality giving evidence of a spirit of intolerance which is so much opposed to their lofty notions and ideas of democratic government."

Mr. Sri Narayan Sahay supporting the resolution, observed that the right of the Legislative Council to enquire into the conduct of a subordinate officer was unquestioned and he urged the necessity of an enquiry.

Mr. Madan opposed the resolution on constitutional grounds and said that it was not right to be guided by irresponsible allegations made by two or three members of the Council.

Mr. Hammond, Chief Secretary, said that the debate had at least served the useful purpose of presenting before them an illuminating example of what a Swarajist Council would be in the days when Swaraj government came. He then dealt with each specific allegation made against the management of the Bettiah Court of Wards and showed that they were entirely untrue and unfounded. As to the mover's remark that Mr. Gandhi was a very shrewd man, the Chief Secretary said that he agreed with him. He had had the pleasure of working with Mr. Gandhi. He had come under his influence, he had realised his magnetism and his unselfishness, and in one matter he was utterly at one with him. He was all for charkha spinning. They had a proverb in England which said: "Satan finds some mischief still for idle hands to do" and Mr. Gandhi thought that if the men who followed him were not occupied in spinnings they would get into mischief. The speaker continued: "So let them turn to charkha, let them make as much khaddar as they can and sell it as cheaply as they can, but do not let them come into these Councils and spin their foolish and ridiculous yarns, which they do not believe themselves and which they know the Council will not believe." (Cheers)

Sir Hugh McPherson then replied on the debate and refuted certain mis-statements and allegations made against the management of the Court of Wards, Bettiah. He reiterated that the Council was not concerned with details of administration. In conclusion he hoped that the Municipal Commissioners of Bettiah would show a change of heart and work in harmony with the management of the Court of Wards in carrying out projects of public utility.

The resolution was rejected by the Council by 44 votes to 24.

The August Session.

At the meeting of the Bihar and Orissa Legislative Council at Ranchi on the 19TH AUGUST the only item of business before the House was the election of the President.

Rai Bahadur Jyotish Chandra Bhattacharjee (nominated member representing the domiciled Bengali community) having withdrawn his candidature there were only two candidates, Khan Bahadur Khwaja Mahomed Noor and Rai Bahadur Dwarka Nath. Khan Bahadur Khwaja Mahomed Noor secured 53 votes, while Rai Bahadur Dwarka Nath secured only 28 votes.

On the 20TH AUGUST Khan Bahadur Khwaja Mahomod Noor presided over the meeting of the Council, his election having been approved by the Governor.

The President then announced the formation of a panel of chairmen for the current session consisting of Mr. Sri Naran Sahay, Babu Ram Narayan Misra, Mr. F. E. L. Morrison and Rai Bahadur P. C. Lall Choudhry.

Supplementary Grants.

Mr. B. A. Collins moved that a supplementary grant of Rs. 5,000 under Education (Reserved) for a secondary direct grant to non-Government European and Anglo-Indian schools, non-recurring, be assented to. The grant is the Government contribution towards the electric installation of St. Joseph's Convent School, Bankipur.

Babu Krishna Ballabh Sahay (Swarajist) opposed the motion on the ground that it would mean preferential treatment to Anglo-Indian boys.

Sir Hugh McPherson refuted the assertion and said the Government was prepared to provide electric installation to Indian educational institutions by meeting two-thirds of the cost of any such scheme that might be proposed after they had examined it.

The motion was agreed to.

Mr. Collins then presented another supplementary grant of Rs. 74,165 under Civil Works (Transferred) for the acquisition of a factory for the establishment of an agricultural farm. The site would be more conveniently situated than the Sepaya farm and the land and buildings could be purchased for the amount of the grant. It was proposed to put forward a scheme for a buffalo breeding farm on the Sepaya site.

Babu Jaleswar Parsad opposed the motion and stated that the Sepaya farm could adequately serve their purposes

The motion was ultimately rejected by 54 to 20 votes. Other motions were agreed to and the Council adjourned till next day.

On the 21ST AUGUST, the Council re-assembling, after interpellations the remaining eight motions for supplementary demands for grants were brought forward, and carried without opposition.

Legislative business consisted of the Bihar and Orissa Mining Settlements (Amendment) Bill, 1925, and the Chota Nagpur Rural Police (Amendment) Bill, 1925.

B. & O. Mining Settlements (Amend.) Bill.

The Hon. Ganesh Dutta Singh, introducing the first-named Bill, said that it proposed to amend the Mining Settlements Act in order to provide that the Jharia Mines Board of Health could keep the balances of its fund in any bank or branch bank used as a Government treasury. The motion was adopted.

Chota-Nagpur Rural Police Amend. Bill.

Sir Hugh McPherson, introducing the Chota Nagpur Rural Police (amendment) Bill, 1925, said the Bill referred to the problem of dealing with crime in the coalfields. The mining area had become a happy hunting ground for criminals, and it had long been plain that the ancient watch and ward system of rural India was here an anachronism. The remedy proposed in the Bill was to substitute for the existing chaukidars a constabulary force which would be disciplined under the Police Act, and to levy from the collieries concerned a contribution towards the extra cost, more or less equal to the amount which might be levied under the present Chota Nagpur Police Act. The remainder of the cost would be provided from the public revenues

The member representing the Indian Mining Federation raised several points regarding the measure, and the Government expressed its willingness to refer the Bill to a select committee.

Mr. D. M. Madan (representing the industrial interests) opposed the measure, stating that it was most inopportune to levy a tax at the present time on the coal industry.

The amendment for reference of the Bill to a select committee was finally carried without a division.

Supplementary Grants Refused.

On the 25TH AUGUST four amendments to the Standing Orders of the Bihar and Orissa Legislative Council were moved and referred to a Select Committee of the House to be formed later, and two supplementary demands for grants were discussed. Both were token demands, one for the construction of quarters for members of the Legislative Council at Ranchi (Doranda) and the other for the construction of a residence for the Chief-Secretary at Ranchi.

These demands were brought forward by the Government to meet the demand for the proper accommodation of members of Legislative Council, as in the previous years the quarters proved insufficient for the purpose.

Sir Hugh McPherson, in asking the House to accept these demands, observed that the general conclusion arrived at by the Housing Committee, which met the day before was that they should build one set of quarters of a superior bungalow pattern at Ranchi. The present Chief Secretary's House should also be taken over and utilised, partly for the residence of the President of the Council and partly for a hostel or common room for members; also two blocks of quarters should be built for members, one on the lines of the existing B type quarters and others of the dak-bungalow type on the site on which the present Chief Secretary's House stood, and which was very near the Secretariat. This would involve the construction of a new house for the Chief Secretary, which it was proposed to build at Ranchi.

The motion for a supplementary grant for the construction of quarters for members of the Council was rejected, as also the second token demand for the construction of a residence for the Chief Secretary.

Irrigation Facilities.

On the 27TH AUGUST the Council reassembled to discuss non-official resolutions which were purely of local interest.

Kumar Rajivaranjan Prasad Sinha moved a resolution urging the construction of an irrigation canal from some suitable river in the Bhabua sub-division in the district of Shahabad.

The Hon. Mr. S. Sinha, for the Government, stated that a scheme for irrigation facilities to that part had been under the consideration of the Government for sometime past. The cost of a tentative scheme regarding a reservoir in that area was estimated at about Rs. 21 lakhs. If it were possible a provision for it would be made in the next Budget.

The resolution was ultimately adopted by the Council.

Another resolution asking for the introduction of legislation with a view to requiring the previous approval of the Council to a revision of canal water rates was carried in spite of Government opposition.

Land Rent in Orissa.

Mr. Jagabandhu Sinha moved that the rent on certain lands in Orissa be not enhanced. The mover said that the paying capacity of the tax-payer was not taken into account by the Government in adjusting rents.

Sir Hugh McPherson for the Government in opposing the motion said that Oriya ryots had been sympathetically treated by the Government and the assessments imposed were very moderate. There was no part of the Province on which the Government had spent more for improving agriculture than Orissa. The resolution was ultimately negatived.

Another resolution for appointing Hindi and Urdu reporters to record the Vernacular debates of the Council was carried.

AUGUST 28TH was the last day of the autumn session of the Bihar and Orissa Legislative Council.

In view of the sympathetic reply of the Government Mr. Mabarak Ali withdrew his resolution regarding closing of public offices, courts and educational institutions for three successive days after the 29th of Ramzan (fasting month.)

Another resolution moved by Mr. Rameshwar Prashad Singh demanding the representation of the Legislative Council and local bodies on the Text Book Committee for Primary and Secondary Education was adopted without a division.

This completed the business of the session and the Council was prorogued.

C. P. Legislative Council

Governor's Opening Speech.

Sir Montagu Butler, addressing the Central Provinces Legislative Council on the 3RD AUGUST said that when he last addressed them he appealed to the Councillors for their co-operation, particularly in the direction of financing nation-building projects. The Council, said His Excellency, met him more than half way by voting the greater part of the demands, and he recognised that a loaf was better than no bread, and that three-quarters was better still. His Excellency expressed his thanks in person, and said that his Government appreciated this change of attitude.

After paying a tribute to the officers of His Government Sir Montagu narrated the steps taken by him after the last Council session. His Government withdrew the special instructions to the District Officers to take active steps to explain the action of the Council in refusing to vote supplies. As regards the holding of District Durbars, His Excellency assured them that he would not delegate this duty to any subordinate officer.

After explaining the further steps taken by the Government to meet the wishes of the Council, Sir Montagu Butler said: "I had hoped when the last session ended to lay before you once more a demand for the Ministers' salaries, and I continued strong in this hope until recent events changed, for the time being, the political atmosphere. From the statements made publicly by the responsible leaders of the dominant party amongst you as reported in the Press it has been made to appear that their present policy is to harness the political future of this Province to Bengal. Whether this is so or not, and whether, if it is so, the policy is a wise one in the interests of this Province, I am not concerned to argue. It is for you yourselves to judge whether our Province has had so much political education in the past as to be able to afford to neglect the present opportunity for gaining political experience. My duty is to face the present situation Obviously, if you do not want yourselves to administer the wide range of subjects included under the Transferred head, it is idle for me to ask you to vote salaries for the Ministers of your own choosing to hold the portfolios. At the sametime, I wish to make it clear that the decision is yours, and not mine, and that the responsibility for the retardation of the political progress of the Province is with you, and not me or my Government. We have settled, therefore, to come to no decision on the question of presenting a demand for the Ministers' salaries until you have had a chance of consulting together and formulating final opinions, We are ready, nay anxious, to see you take up your responsibilities, and will put forward a demand for salaries next Saturday, or some subsequent day in this session, provided we get a lead from you. To this I propose to invite the leaders of the dominant party amongst you to confer with me during the next few days in order to hear from them at first hand what are their wishes."

Late Mr. C. R. Das.

After the Governor's address Mr. Tambe, the President, made a reference to the death of Mr. C. R. Das and was followed by Dr. Moonje, Swarajist leader, Mr. S. M. Chitnavis, Liberal leader, and Sir Bertram Standen on behalf of the Government. The Council then proceeded with the interpellations, of which there were 274.

Sir Bertram Standen next moved that in view of the remission by the Government of India of Rs. 9 lakhs out of the Provincial contribution some specified appropriations be made and that supplementary demands be presented for the sums which can be spent on the specified objects in the current year. Excepting Rs. 25,000 for the construction and improvement of forest road, the rest of the amount will be spent on the Transferred Departments, such as education and medical relief. Over Rs. 4 half lakhs have been specified for the promotion of education out of which Rs. 65,000 will be given to the University Library and Rs. 1,50,000 to the Science College hostel and Rs. 1 half lakhs for three high schools in Berar, at Buldana, Morsi and Basim.

On the 5TH AUGUST only one important resolution was passed that an Advisory Board be constituted to advise the Government in the selection of Honorary Magistrates. On the 6th August 29 resolutions were on the paper, but so little interest was taken in the proceedings that no less than 17 movers were absent and the majority of motions were withdrawn at once after a short explanation from the Government. Two were passed, one relating to an increase of the pay of Assistant Medical Officers and the other recommending an irrigation survey of Berar.

No Demand for Ministers.

On the 7TH AUGUST Sir Bertram Standen, Revenue Member, announced that in pursuance of the undertaking given in his address to the Council on the 3rd August, the Governor invited Dr. Moonje, Mr. Raghavendra Rao and Mr. B. G. Khaparde to confer with him. The meetings took place on the 5th and 6th August. Dr. Moonje and Mr. Raghavendra Rao were unwilling to accept office and Mr. B. G. Khaparde represented that the Berar section were not unwilling to accept, but did not think that a stable Ministry would result and so declined. In the circumstances no demand will be presented to-morrow for salaries for Ministers.

Mr. Raghavendra Rao, Swarajist, moved for leave to introduce a Bill to amend the Municipalities Act, the object of which is to disqualify Honorary Magistrates from standing for election, selection or nomination as members of a Municipal Committee. Another clause is intended to extend the disqualifying period of imprisonment from six months to five years

Sir M. V. Joshi, Home Member, opposed the Bill and pointed out that the dominant party in the Council aimed by means of this Bill to keep out men who were inconvenient and embarrassing to them in their elections. He wanted specific instances of Honorary Magistrates who had unduly influenced or otherwise interfered with elections before disqualifying and disfranchising them.

On the 8TH AUGUST after interpellations the President referred to the unexpected death of Sir Surendra Nath Banerjee. Sir Bertram Standen, Mr. P. E. Raghavendra Rao and Mr. S. M. Chitnavis associated themselves with an expression of grief and mentioned in brief the achievements of the departed leader. Then the resolutions moved by Sir Bertram Standen regarding the appropriation of 9 lakhs regarding certain specific purpose was accepted.

Mr. Kolhe moved an amendment that the provision for an extension of the central Museum at Nagpur be omitted. Sir Bertram opposed the amendment on the ground that money was required for good purpose. Mr. S. M. Chitnavis assured the house that the money was needed. The amendment was put to vote and lost by 12 votes against 34 votes.

An amendment stood in the name of Mr. D. K. H. Kane that instead of a grant for the University Library of Rs. 65,000 the amount should be given for the introduction of compulsory primary education. This was withdrawn. The grant was voted.

Mr G. S. Gupta moved and Mr. Thakur Chhedilal seconded that grant of Rs. 150,000 to the Science Collage Hostel, Nagpur be reduced by Rs. 75,008. Mr. R. H. Backett on behalf of the Government opposed the motion on the ground that it was proposed to make it an entire and self-contained college which would leave pressure on the Morris Hislop Colleges. The amendment was put to vote and lost. Another amendment of Mr. R. H. Beckett to increase the grant from 1 and a half lakhs to Rs. 164,000 was put to vote and declared lost. The sum of Rs. 50,000 for the aided Anglo-Vernacular School in Berar and Rs. 40,000 for manual training in Berar were voted. Mr. G. S. Gupta proposed that the sum of Rs. 50,000 be added to appropriation of Rs. 1,50,000 proposed for three High Schools in Berar Mr. K P. Pande opposed the grant and referred to the injustice of the Sims Committee report which deprived the people of the Central Provinces of several advantages. After some more speeches in which there was good deal of wrangling between claims of Berar and Central Provinces, the appropriation was put to vote and declared carried.

The Council next discussed other supplementary grants covered by appropriation. There were 29 amendments to the resolution regarding the allocation of 9 lakhs remitted by the Government of India but ultimately after protracted and uninteresting discussion lasting for 5 hours the House voted for all demands including extra demand of Rs. 50,000 for one high school at Drug. Another demand of Rs. 4,50,000 to be given to Nagpur Municipality as loan for improvement of water distribution system and extension of sewage farm was also passed without opposition. The Council next voted Rs. 2,60,000 under the head civil works transferred.

At the close of the proceedings the president refered with regret the impending retirement of Sir Bertram Standen and enumerated his good qualities of head and heart especially his impartial services as leader of the house. Dr. B. S. Moonje on behalf of his party reciprocated with the feeling.

The Hon'ble Sir Bertram suitably replied and thanked the members of the house for their co-operation. He said he was really very much sorry to have his connection severed from the province where he spent the best past of the life. The Council then adjourned *sine die*.

Congress and Conferences

1925

FORTIETH SESSION OF THE

Indian National Congress

CAWNPORE—26TH DECEMBER 1925

The Opening Day

The 40th session of the Indian National Congress commenced on the 26th December afternoon in a spacious pandal. Decorations were simple. Khaddar was, as usual, extensively used. Portraits of Leaders on the dais were those of Mahatma Gandhi, Lok. Tilak, Pt. Malaviya, Deshbandhu Das and Pt. Motilal. Oil paintings of Deshbandhu C. R. Das and Lok. Tilak were prominently placed. Unlike other sessions mottos were few and taken from quotations of pithy sayings of various leaders—"Be Honest"—(Gandhi) "End or Mend"—(Deshbandhu) "Deeds not Words"—(Lajpatrai) "Home Rule is our Birthright"—(Tilak). The main motto in front of the dais declared "Unity is Strength." Delegates and visitors began to pour in from 12 noon. Lady delegates and visitors were quite numerous.

Great Confusion.

At 1-30 a considerable stir was caused by Ajmere-Merwara Delegates trying to force their way into the pandal. They numbered about sixty and held themselves entitled to attend the Congress in defiance of the Congress Subjects Committee's ruling invalidating their election. A large number of volunteers had to be collected to prevent the onrush. Doors were barred and volunteers armed with lathis formed a cordon. Still the Ajmer delegates, who had determined to fight their way in, continued to press and refused to disperse in spite of persuasion by the volunteers who cried "no violence please" But Mr. Arjunlal Sethi, leader of the Ajmer delegates, lay across the entrance and a few delegates of other provinces in their hurry to get in trampled upon him. By this time the pandal was packed though not very fully. After some time the rush was controlled and the Ajmere delegates were kept out. Sj. Arjunlal Sethi soon regained consciousness but another Ajmere delegate had to be taken out as he also wanted to force in. Some minor injuries were reported in two or three cases.

By 2-30 the leaders arrived in a procession, the band playing. Pandit Motilal entered first with Lala Lajpat Rai on his right. Dr. Murarilal came next with Moulana Abul Kalam Azad. Mahatma Gandhi's appearance was the occasion for shouts of "Gandhikijai" and next came in order Maulana Mahomed Ali, Mrs. Sarojini Naidu, Mr. M. R. Jayakar, Mr. S. Srinivasa Iyengar, Mr. J. N. Sen Gupta, Maulana Shaukat Ali, Mr. V. J. Patel Mr. Vallabhai Patel, Shiva Prosad Gupta, Rajendra Prosad, Doctor Ansari, Mr. Purshottamdas Tandan, Mr. Rafi Ahmed Kidwai, Swami Shradhanand and Mr. N. C. Kelkar. A number of distinguished persons were on the dais. Over a dozen European ladies and gentlemen were present including Mr. and Mrs. Hubley and Dr. Rutherford, and Miss Slade. Dr. Abdur Rahaman and

other members of the South African Indian Deputation were also on the dais. The other Indian leaders present included Munshi Ishwar Saran, Dr. Kailash Nath Katju, C. V. S., Narasinha, Mr. Mohamed Safee, Khan Bahadur Sarafraz Hussain Khan, Mr. C. S. Ranga Iyer, Mr. Duni Chand, Mr. Barucha, Mr. Deepnarain Singh, Lala Hansraj, Dr. Syed Mahmud, Mr. A. Rangaswami Iyengar, Mr. Prakasam, Mr. Abhyanker, Dr. Moonji, Mr. Gangadhar Rao Deshphande, Swami Govindram, Mr. Goswami, Mr. Chamanlal and Mr. D. P. Sinha.

Proceedings began at 2-45 P.M. The pandal was packed to overflow by over fifteen thousand people. Only the Ajmere-Merwar gallery was vacant. The proceedings began with national songs all standing. After Vishnu Digambar and others had sung, Dr. Murarilal delivered his address as Chairman of the Reception Committee. He narrated the difficulties put in their way by the authorities and declared that non-co-operation was not dead but had taken firm root. He took fifteen minutes to deliver his speech. The following is the summary of his address.

Chairman's Address

In the course of his speech Dr. MURARILAL said that at the time of extending invitation to Cawnpore they had great hopes and high aspirations about according a reception befitting the dignity of the representatives of the National Assembly, but combination of causes stood in their way. Besides difficulties which faced the country they had to contend with local difficulties. After referring to deaths of Mr. C. R. Das and Sir Surendra Nath Banerjee he mentioned the Hindu-Muslim tension which in Cawnpore however led to no untoward happenings. The Opponents of Indian National progress, seeing their temporary weakness, had begun to talk dispairingly of their policy and programme, but they had not grasped the full significance of their peaceful methods of work. Mutual recriminations had led many a seasoned soldier to relax his interest in healthy national activities. Their workers were handicapped for want of adequate financial aid owing to depression in trade. The economic policy of Government was one of heartless and cruel exploitation. Organised pillage of the disarmed nation had undermined their manhood and the deadly evil of poverty had made the lives of millions unbearable. Despite these and several other discouraging factors like obtaining site for Congress they worked undaunted and there was the Kakori trial which had snatched away many of their ardent and sincere workers, many of whom had not been even admitted to bail. Those incidents painfully reminded them of the low value that was attached by bureaucratic Government to their rights of liberty and citizenship but he was confident about the success of their struggle. The gospel of non-co-operation had shaken off their frightful terror of coercion and intimidation. To say that the movement was dead was to ignore facts. They might have temporary set-backs but at no distant date the movement would bear fruit.

After the Chairman's Speech Dr. Abdur RAHAMAN, leader of the South Africa Indian Deputation, in a short speech said the Deputation was presenting to one of the greatest women of the world (Mrs. Naidu) her photo The South African Indians had given India the greatest living man (applause). "Mahatmaji belongs to us (applause). Mrs. Naidu also belongs to us. You will have to give us at least one of the two to go to South Africa and fight our battle. If we take the greatest woman of India we are leaving behind her

photograph so that you may look at it and be satisfied. We present this photo to our mother and our aunt in token of love of the South African Indians."

MESSAGES OF SYMPATHY

Mr. Girdhari Lal then read the following messages received from eminent persons wishing success of the Congress :—

Sjta. Basanti Debi (widow of Mr. C. R. Das) asked the President to light up undying fire and let the united nation rise out of smouldering ashes purified and strong. India's freedom's battle must be made a worthy fight for which Deshabandhu Das gave his life and for which two hundred of their sons were abiding their time behind prison-bars.

Dr. Rabindranath Tagore requested Mrs. Naidu to direct the Congress to love and service to the cradle of the people. The great mother's milk for her children had run dry through poverty, ignorance, disease and disunion, where life was waning and light of joy was nearly extinct.

Mr. B. Chakravarti urged a policy by which to consolidate national forces and make national demand irresistable.

Mr. C. Vijiaraghavachari (Salem) suggested the constitution of a committee for drafting Indian constitution to be adopted in a special session of the Congress.

Mrs. Annie Besant wired : " May Congress be guided by you along the path to Home Rule by union of all parties who work for India's freedom and revive her splendid past."

Hon. Mr. G. S. Khaparde wanted Mrs. Naidu to restore the Congress to its truly political character with responsive co-operation as the settled policy.

Lord Sinha sincerely hoped there would be great gathering and a successful session.

Mr. Jinnah said the immediate issue was securing the revision of the present constitution, but any action of principle of direct action would be fraught with serious consequences and imperil political advance.

The Indian Congress Committee of Nairobi said, unless the whole of India was united and attained Swaraj, all efforts to secure equal status for Indians in British colonies and foreign countries would be futile.

The Transvaal Indians through their committee asked the Congress to support the South African Deputation. The Pretoria British Indians' Association made a similar request.

Hon. Syed Raza Ali from Maritzburg wired appealing for modification of the constitution to admit all parties.

The Presidential Address

Mrs. Sarojini Naidu, the first Indian lady to preside over the National Congress, then proceeded to the rostrum and received a great ovation. She spoke for over an hour extempore. Her printed address no doubt briefly covered most of what she said, but she spoke at the spur of the moment without restricting to language used in the address. She kept the audience spell-bound. The following is the full text of her Address :—

"Friends—Were I to ransack all the treasuries of human language I fear I should fail to discover words of adequate power or beauty to translate my deep and complex emotion in acknowledging the signal honour you have done me, by entrusting to my unskilled hands the high burden and responsibility of so exalted an office, which for two score years has been ennobled by the brilliant and memorable achievement of my distinguished predecessors both of our own and of alien race. I am fully aware that you have bestowed upon me the richest gift in your possession, not merely as gracious recompense for such trivial service as I may have been privileged to render at home or abroad ; but rather in generous tribute to Indian womanhood and as token of your loyal recognition of its legitimate place in the secular and spiritual counsels of the nation. In electing me to be the chief among your chosen servants, through a period so fraught with grave issues and fateful decisions, you have not treated a novel precedent. You have only reverted to an old tradition and restored to Indian woman the classic position she once held in a happier epoch of our country's story : symbol and guardian alike of the hearth-fires, the altar-fires and the beacon-fires of her land. Poignantly conscious as I am of my own utter unworthiness to interpret so exquisite, so austere an ideal of wisdom, devotion, and sacrifice, as embodied through the ages in the radiant heroines of our history and legend, I trust, that to the fulfilment of the lofty task you have allotted me, even I might bring some glowing ember of the immortal faith that illumined the vigil of Sita in her forest exile, and bore the feet of Savitri undaunted to the very citadels of Death.

"The accepted convention of this august assembly imposes upon me, alas, the duty of placing before you a formal document of plans and policies of work for the coming year. I therefore, contrary to the impulse and custom of a life-time, am vainly groping for appropriate phrases that might serve dimly to foreshadow some of the thoughts that can only find spontaneous expression when I stand in your midst and the inspiration of your living presence shall give to my heart its voice of hope, and to my words their wings of fire.

Homage to Departed.

"Before we reach the central purpose of our labours in this northern city, to which we have journeyed from the farthest ends of India, let us offer our mournful homage to the memory of our illustrious dead—to that great patriarch of our national renaissance, Surendranath Bannerjee, who for well-nigh half a century assailed the heavens with the thunders of his splendid oratory in indignation at the burning wrongs of his people ; to Ramakrishna Bhandarkar, the famous Scholar of the Deccan, who with patient and dedicated hands rekindled the lamps of our ancient Sanskrit culture, and lifted it high above the clamour and conflict of political throngs ; to Deshbandhu Chitta Ranjan Das, kingliest of dreamers, whose whole being was a Vaishnavite rhapsody of incomparable passion for the liberty of his motherland, who died with his hand outstreched in a royal gesture of reconciliation towards a powerful antagonist against whom he had fought so often with such reckless and victorious chivalry.

"Would that he were with us to-day to guide us aright in our anxious deliberations and help us to apprehend the true and tragic significance of the stupendous problems that call for immediate settlement and cannot with impunity be deferred to a more convenient season. A singular combination

of domestic and international circumstances has conspired to implicate us against our will and almost without our knowledge in a labyrinth of intricate and unparalleled difficulties that threaten the stability and integrity of our national existence. Our imperative duty, therefore, is to survey with eyes unhooded of their habitual illusion, the sinister and melancholy spectacle of our abject helplessness born of our foolish disunion and nourished by our long dependence upon the caprice or the compassion of Imperial policies. What means shall we devise, what schemes shall we evolve to deliver ourselves from the manifold dangers that encompass us? How shall we combat the deadly forces of expression that challenge our human rights of liberty, how defeat the further encroachment of ruthless and rapacious Imperialist exploitation that despoils the remnants of our moral and material heritage? How circumvent the insidious and ingenious aggressions of other foreign races eager to profit by the conditions of our economic and intellectual servitude? How shall we avert the implacable doom that menaces our unfortunate kindred in the Colonies, how quell the rampant forces of reaction or divert the disaster of our internecine feuds?

Non-Violent Non-Co-Operation.

"The answers that we need are fully enshrined in the magnificent Gospel of sacrifice enunciated by Mahatma Gandhi, in which he vainly strove to teach us the heroic secret of national self-redemption. But we, so long disinherited from the epic faith that sustained our brave forefathers, were too weak and unworthy to respond for more than a brief period to the demands of that noble and exacting creed. Whatever may be the verdict of history, it cannot be gainsaid that the movement of non-violent non-co-operation that swept like a tempest over the country shook the very foundations of our national life, and though to-day it is quiescent and its echoes are almost still, it has irrevocably changed the aspect of our spiritual landscape.

"However remote may be all our programmes for the future from the principles and ideals of Mahatma Gandhi, they must inevitably be permeated by the influence of these recent years which have permanently shifted the current of our political thought and altered the direction of our political destiny.

"We need to-day some transcendent miracle of intrepid and enduring statesmanship to enable us to remobilize, reconcile and discipline our scattered and demoralised energies to a supreme unanimous effort for the final deliverence of India from the last shackles of her political subjection; and to devise a comprehensive scheme that shall act as a natural and indispensable auxiliary of political emancipation, and include within the scope of its interest or benediction all the enterprises and endeavours that substantially contribute to the social, economic, industrial and intellectual advancement of India, consistently with the requirements of her own peculiar conditions and in accordance with the finest ideals of modern progress.

Village Reconstruction.

"To give concrete expression to our decisions in regard to these ancillary activities, the Indian National Congress should create definite departments to be governed by groups of men and women specially qualified by their capacity or enthusiasm to administer to the vital and divergent wants of the people. The main divisions might be few but should include within their

sphere of responsibility all cognate matters. To my mind it is of paramount importance to formulate a practical scheme of village reconstruction on the lines of Deshbandhu Das's dream. For this purpose we must try to enlist a large band of missionary patriots of burning zeal who, set free from material wants by the pious charity of the householders of the country as in ancient times, should carry through the length and breadth of the land the beneficent evangel of self-reliance and self-respect, taking the immemorial twin symbols of the plough and the spinning wheel as the central text of the teaching that shall liberate our unhappy peasantry from the crushing misery and terror of hunger, ignorance and disease. Closely allied to the task of village reorganisation is the task of organising the industrial workers in the crowded cities, who are so often compelled to live under conditions that degrade and brutalize them ; and who, dislocated from the steadying influences of the familiar traditions and associations of the rural homes they leave in search for bread, are so hopelessly exposed to the temptations of immorality and vice. It should be our endeavour to assist in securing for them improved housing conditions, better wages and a cleaner atmosphere, and to establish an equitable and harmonious co-operation between Capital and Labour as a valuable joint asset of national progress.

The Education Problem.

"I am appalled at the criminal apathy of our general attitude towards the urgent problem of Indian education. The surpassing evil of foreign domination has been to enslave our imagination and intellect and alienate us from the glorious tradition of our national learning. We are to-day no more than the futile puppets of an artificial and imitative system of education which, entirely unsuited to the special trend of our racial genus, has robbed us of our proper mental values and perspectives, and deprived us of all true initiative and originality in seeking authentic modes of self-expression. It is pre-eminently our duty towards the young generation to so recreate our educational ideals as to combine in felicitous, and fruitful alliance, all the lovely regenerating wisdom of our Eastern culture with all the highest knowledge of art and science, philosophy and civic organisation evolved by the younger peoples of the West.

National Militia.

"In addition, I would insist with all the force at my command on including a complete course of military training as an integral part of national education. Is it not the saddest of all sameful ironies that our children whose favourite lullabies are the battle songs of Kurukshetra and whose little feet march gaily to the stirring music of Rajput ballads, should be condemned to depend for the safety of their homes, the protection of their sanctuaries, the security of their mountain and ocean frontiers, on the fidelity and strength of foreign arms The savage Massai, the primitive Zulu, the Arab and the Afridi the Greek and the Bulgar may all carry their tribal weapons and claim their inalienable right to defend the honour of their race, but we, whose boast it is that we kindled the flame of the world's civilization, are alone defrauded of our privilege and have become cowards by compulsion, unfit to answer the world's challenge to our manhood, unable to maintain the sanctity of our homes and shrines.

"Whatever the experiments recommended by the Commission now sitting to explore the avenues of military advancement for our people, it is incumbent

upon the Congress to form forthwith a national militia by volunteer conscription, of which the nucleus might well be the existing volunteer organisations. Further, we should also carefully consider the question of nautical as well as naval and aerial training to equip the nation for all purposes of defence against invasion or attack.

South-African Question

" Let it not be said of us, however, that our selfish absorption in our own domestic affairs has made us oblivious to the distress and difficulty of our kinsmen in foreign lands. Our adventurous compatriots, who have crossed the seas to seek their livelihood in the dominions and colonies have from time to time been subjected to restrictive and repressive legislation. The White Paper still stands as a reproach against our failure to redress the wrongs of Indian community in Kenya. But in the whole chronicle of civilized legislation there has never been so cruel and relentless an outrage against humanity as is deliberately embodied in the anti-Asiatic Bill, which is calculated to exterminate the Indian community from South Africa.

"Shall we not send across the seas a loving and ready response to their heart-rending cry for succour, and, through their ambassadors whom we welcome to-day, offer to our harassed and afflicted brothers in South Africa the assurance that India stands behind their courageous struggle to vindicate their inherent civic and human rights against the onslaught of such terrific injustice and oppression ?

An Overseas Department

" Never before has duty to our kindred in foreign countries been so vividly brought home to our minds , nor the necessity of establishing a close and living contact with all their changing fortunes. We should not lose a single moment in forcing an Overseas Department in the Congress manned by those who can keep themselves vigilantly aware of all the legislations and enactments that adversely or otherwise affect Indian settlers abroad.

"Here my heart pleads with me to remember those sorrowful and lonely exiles, pining in strange and far-off corners of the earth, consumed with a desperate hunger and nostalgia for a glimpse of their motherland, to which they cannot return because, once they sought to serve her and win her freedom in ways unrecognised by the common law. But many amongst them surely have made fullest atonement for all the fervent folly of their too impatient youth. Surely they, who have been chastened in the searching crucibles of dreadful suffering and privation have been refashioned to become consecrated vessels of selfless service for the amelioration of the poor, the fallen, and the depressed.

Foreign Propaganda

"I cannot conceive how we have allowed ourselves to be so heavily handicapped by the lack of an efficient publicity which is the first essential of any campaign. We should therefore take immediate steps to form a department for widespread political propaganda and for the education of the masses in all matters pertaining to their civic and social interests, to the wrongs under which they labour, the struggles in which the nation is engaged, the iniquitous and unstable fiscal and financial policies so ruinous to the prosperity of the country. I am confident that we could secure the willing co-operation of those who, otherwise prevented from active participation in public affairs, would gladly place their expert knowledge at our disposal, to advise us on

questions connected with the revival of cottage industries, on commerce, railway shipping, co-operative banking, and all other branches of development necessary for our material welfare.

"The nationalist press, both vernacular and English, should be amongst the accredited channels of our propaganda; above all a reliable foreign news service should be established to transmit to all the chief centres of the world the correct version of Indian affairs, and friendly embassies appointed to foster feelings of goodwill and understanding betwen India and the people of other lands.

Hindu-Moslem Question

"And now I approach with the utmost hesitation and regret the most baffling and most tragic of all the problems before us. I, who have dedicated my life to the dream of Hindu-Muslim unity, cannot contemplate without tears of blood the dissensions and divisions between us that rend the very fabric of my hope. I have tried to arrive at a just appreciation of the many unfortunate causes that have brought about so deep a gulf between the two communities, and tended to quicken such a sharp and importunate sense of aloofness on the part of my Muslim brothers, which, to the profound alarm and resentment of the Hindu community, manifests itself in a growing and insistent demand for separate and preferential rights and privileges in academic, official, civic and political circles of life. Though I am convinced that the principle of communal representation, whether through a joint or a separate electorate frustrates the conception of national solidarity, I am compelled to recognise that situated as we are to-day in an atmosphere so tense and dark and bitter with unreasoning communal jealousy, suspicion, fear, distrust and hatred, it is not possible to reach any satisfactory or abiding readjustment without the most earnest and patient collaboration between Hindu and Muslim statesmen of undeniable patriotism to whom we should entrust the delicate and difficult task of seeing some sovereign remedy for so devastating a disease.

'I beseech my Hindu brothers to rise to the height of their traditional tolerance which is the basic glory of our Vedic faith aud try to comprehend how intense and far-reaching a reality is the brotherhood of Islam, which constrains seventy millions of Indian Mussalmans to share with breathless misery the misfortunes that are so swiftly overtaking the Islamic countries and crushing them under the heel of the military despotism of foreign power.

"In their turn I would implore my Muslim comrades not to permit their pre-occupation with the sorrows of Syria, Egypt, Iraq and Arabia to obliterate the consciousness of their supreme duty to India, their motherland, which must always have the first claim upon their devotion and allegiance.

"If Hindus and Mussalmans would both learn to practise the divine qualities of mutual forbearance and accord to one another perfect liberty of living, without the tyranny of fanatical interruptions of one another's appointed rituals and sacrifices, if they would but learn to reverence the beauty of each other's creeds and the splendour of each other's civilizations, if the women of the two communities would but join together in the intimate friendship of their common sisterhood, and nurture their children in an atmosphere of mutual sweetness and harmony, how near we should come to the fulfilment of our heart's desire!

The States and Frontier

"We should grossly fail in our duty to our neighbours were we to omit to try and foster cordial ties of sympathy and trust between ourselves and the princes and the people of the great Indian States scrupulously refraining from all interference in their internal concerns but always ready to serve in their wider interests.

"Nor can we afford to ignore the claims of the Frontier Provinces, which owing to their peculiar geographical and strategic position on the map, are governed by a form of perpetual martial law. We should render them all the assistance in our power, in their efforts to obtain the normal civic and social amenities which are so abundantly enjoyed by their sister provinces.

Our Common Goal

"These are some of the accessory features of our work. The real function however of the Indian National Congress is the speedy attainment of Swaraj.

There is a large and influential section of Congressmen who still cling with touching and jealous loyalty to the orthodox creed of Non-co-operation. Sternly refusing to take cognizance of Legislative bodies they devote themselves to the pursuit of Mahatma Gandhi's benevolent mission, propagating the cult of the spinning wheel and ministering to the lowly and pitiful outcastes of our society whom, in our arrogance, we have so long deprived of their elementary human rights.

"To-day therefore, the Swaraj Party with its highly disciplined organisation and its striking record of success is the only political body within the Congress engaged in actual combat with bureaucratic authority. Is it not in this crucial hour the unmistakable duty of all the other political parties in the country, irrespective of their particular labels and particular beliefs to return to the Congress, which invites them with open doors, and coalesce all their divided energies and talents in devising a common programme of action in pursuance of common goal.

"All of them have openly acknowledged that the Reforms of 1919 which were to have created a new era of progress have proved nothing but a mirage and the powers they professed to transfer to the people nothing but a deceptive myth. All of them surely, are tacitly agreed upon some common maximum of the wrongs they are still prepared to endure, some common minimum of the rights they are now determined to enforce. And whatever be my own personal conviction, they at all events are all in favour at least as an initial form of self-government, of the ideal of Dominion Status, so elaborately expounded in the Common-wealth of India Bill, and more succinctly and emphatically embodied in the National Demand which has been endorsed by the representatives of all political schools in the Legislative Assembly. Below the limits of that demand the Indian nation cannot descend without irretrievable damage to its dignity and self-respect. It is now for the Government to make the responsive gesture that shall decide our fnture attitude. If the response be sincere and magnanimous, with ample guarantees of good-will and good faith on its part, it will necessitate an immediate revision of our present policy. But if by the end of the Spring Sessions we receive no answer or an answer that evades the real issues, or proves unworthy of our acceptance, the National Congress must clearly issue a mandate to all those who come within its sphere to vacate their seats in the Central and Provincial Legislatures and inaugurate from Kailas to

Kanyakumari, from the Indus to the Brahmaputra an untiring and dynamic campaign to arouse, consolidate, educate and prepare the Indian people for all the progressive and ultimate stage of our united struggle and teach them that no sacrifice is too heavy, no suffering too great, no martyrdom too terrible, that enables us to redeem our Mother from the unspeakable dishonour of her bondage, and bequeath to our children an imperishable legacy of Peace.

"In the battle for liberty, fear is the one unforgivable treachery and despair, the one unforgivable sin.

"With palms uplifted in ardent supplication, I pray that, to us, in our coming hour of travail, may be granted in sufficient measure an invincible faith and an inflexible courage, and that he in whose name, we begin our labours to-day will in the hour of our triumph keep us humble and in the beautiful words of our ancient invocation,

"Lead us out of the Unreal into the Real,

"Out of the Darkness into the Light,

"Out of Death into Immortality".

Proceedings and Resolutions.

1.—The Condolence Resolution.

After the Presidential Address Mrs. Naidu moved from the chair a resolution mourning the death of the departed leaders, which was passed, all standing.

2.—The South African Indians.

Mahatma Gandhi then moved the following resolution about South African Indians in the form passed by the Congress Subjects Committee.

"The Congress extends its cordial welcome to the South African Indian Congress Deputation and assures the Indian settlers of South Africa of its full support in their struggle against the consolidated forces which threaten their very existence in that sub-continent.

"This Congress is emphatically of opinion that the proposed legislation known as the Areas Reservation and Immigration and Registration (Further Provision) Bill is in breach of the Smuts-Gandhi Agreement of 1911, in that it is racial in character and is calculated not only to make the position of settlers much worse than it was in 1914, but is designed to make residence in that country of any self-respecting Indian impossible.

"In the opinion of the Congress if the interpretation of the said agreement as put upon it on behalf of the settlers is not accepted by the Union Government, it should be decided by reference to arbitration, as was done in 1893 in connection with matters affecting the Indian settlers of the Transvaal, and in matters arising from the administration of Law 3 of 1895.

"The Congress heartily endorses the suggestion that a Round Table Conference, containing, among others, proper Indian representatives, should be called to settle the question, and trusts that the Union Government will accept that reasonable suggestion.

"In the event of the proposal of a Round Table Conference and the proposal regarding arbitration failing, the Congress is of opinion that the Imperial Government should withhold Royal Assent to the Bill should it pass through the Union Parliament.

In moving the above resolution Mahatma Gandhi delivered the following speech :—

"This is the resolution which I have not only the greatest pleasure in submitting to you for approval, but I consider it a rare privilege that I am authorised by Sarojini Devi to place this before you. She has introduced me to you as a South African. She might have added "By adoption, though born in India." I was adopted there and you will discover that when Dr. Rahaman, the leader of the deputation, to which you will extend your cordial welcome, will tell you that Indians of South Africa claim that they have given me to you. I accept that claim. It is perfectly true that whatever service I have been able to render—it may be disservice—to India, it is because I come from South Africa. If it is disservice it is not their fault; it is my limitation. Therefore, the evidence that I propose to give before you in support of the statement made here is that the Bill which is hanging like the Sword of Damocles over the heads of our countrymen in South Africa, is designed not merely to heap greater wrongs upon their heads, but virtually to expel them from South Africa.

Indians' Feeling

"Such is admittedly the meaning of the Bill. It is admitted by the Europeans of South Africa. It is not denied by the Union Government itself. If such is the result, you can imagine how keenly the Indians in South Africa must feel. Imagine for one moment that the Expulsion Bill is to be passed in the next session of the Assembly, expelling one hundred thousand Indians from India. What should we do or how should we behave under such a crisis? It is under such circumstances that you have the deputation in your midst. The deputation comes here for support from the people of India, from the Viceroy, the Government of India and through it the Imperial Government itself.

"Lord Reading has given them a long reply, and I wish I could have said also a satisfactory reply. The reply His Excellency has given is as unsatisfactory as it is long, and if that was all the efforts Lord Reading proposed to give to the members of the deputation he could have said that in a few words and spared them and spare this land the humiliating spectacle of a great Government confessing its inability to render proper redress to those who for no fault of their own, who, as many South African Europeans would admit, for their very virtues, are now in danger of being expelled from South Africa. To some of them South Africa is a land of their birth. It was no comfort to those friends of our, it was no comfort to us to be told that the Indian Government has always reserved to itself the right to make representation to the South African Government—the right of petitioning—that is to say by a mighty Government, a Government which is supposed to hold the destiny of 300 millions of people in the hollow of its hands. That Government confesses its powerlessness. And why, because South Africa enjoys Dominion Status.

Domestic Policy

"Lord Reading has told the deputation that the Indian Government or the Imperial Government cannot interfere with the domestic policy of a colony enjoying Dominion Status. What is the meaning of "domestic policy" when that policy is calculated to bring ruin upon the homes of thousands of Indian settlers domiciled there whom they deny the common rights of

humanity? Well, what would be the case if instead of Indians they happened to be Europeans or Englishmen?

"Let me quote a precedent. Do you know why the great Boer War took place? It took place in order to protect the Europeans of South Africa who were domiciled there, or "uplanders," as they were described by the Transvaal Republican Government. The late Mr. Joseph Chamberlain claimed for the British Government that even if the Transvaal was an independent Government he declined to believe that this was purely a domestic policy, or domestic question. He claimed to protect the rights of the "Uplanders" of Transvaal, and that was why the great Boer War took place.

Where are the Declarations?

"Lord Lansdowne said that it made his blood boil when he thought of the disabilities of Indians in Transvaal. He held that one of the potent causes of the Boer War was the disabilities of Indians in South Africa, or more accurately Indians of the Transvaal. Where are the declarations to-day? Why does not the British Government go to a war against the Union Government when the life, honour and livelihood of 150 thousand Indians are at stake?

"No body questions the description I have given. No body questions the ever growing grievances of the British Indians in South Africa. If you have seen a little pamphlet by Bishop Fisher who had been to South Africa you will find that there he gives a summary of the wrongs that are going to be heaped upon the South African Indians. The Bishop has come to the impartial conclusion that for these wrongs the Indians are not to blame. It is the Europeans; it is the jealous European traders; it is the insolence of the European power that is responsible for these wrongs. He gives his testimony that Indians deserved better at the hands of Europeans of South Africa.

"If justice can possibly eradicate this wrong, if admission by South African European statesmen could eradicate the wrongs, if right rules this world—for South Africa it will be impossible to bring about this Bill and it will not be necessary for me to waste your precious time and the time of the deputation and waste the money of the poor people of South Africa.

Thrifty Indians

"But no! Might is right. The Europeans of South Africa have chosen to heap these wrongs upon our countrymen, and for what purpose? Conflict of the two civilisations, as General Smuts said. He cannot put up with that and he thinks Europeans of South Africa consider that they will be overwhelmed by the East if they allow these hordes to pour down to South Africa from India. But how could we corrupt their civilisation? Is it because we are not ashamed to hawk vegetables and fruits and bring to the very doors of the South African farmers? This is the conflict.

"Someone has said (I do not know where, but only recently) that Europeans in South Africa dread the advent of Islam that civilised Spain, that took the torch of light to Africa and preached to the world the Gospel of Brotherhood, they are afraid that the natives of South Africa are embracing Islam. If brotherhood is a sin, if it is equality of coloured races that they dread, then that dread is well-founded. The thing is they want to become lords of the universe. They want to appropriate the land for themselves. The Kaiser, though down-trodden, fears an Asiatic federation and speaks even from his haunt that it is a danger which Europeans should

guard themselves against. That is the conflict of civilisations and that is why Lord Reading is power-less to intervene in their domestic policy.

Unequal Struggle

"Such are the tremendous consequences of the struggle which this resolution describes as unequal, and it is in that unequal struggle that this Congress is called upon to be privileged to take its due share. I want to make an appeal, if my voice can go as far as South Africa, to the statesmen that are ruling the destiny of the South African Indians.

"I have so far given only the dark side of South African Europeans. Let me also say that I claim among them some of my most precious friends and I have received from individual South African Europeans the greatest kindness and greatest hospitality. I claim also to know General Smuts, though I may not claim to be his friend. He was a party to the agreement on behalf of his Government. He it was who said that the British Indians in South Africa deserved this settlement. It was he who said that this was a final settlement and that Indians should not threaten passive resistance and that the European settlers in South Africa should allow rest to the Indian community.

Broken Pledges

"But hardly had I turned my back from South Africa than a series of wrongs began to be heaped upon them. Where is the plighted word of General Smuts? General Smuts will go one of these days the same way that every human being has to tread, but his words and deeds shall remain after him. He is not a mere individual. He spoke the right thing in his representative capacity. He claims to be a Christian and every one of the members of the South African Government is Christian. They claim to be Christians. Before they open their Parliament they read out the common prayer from the Bible and a South African Divine opens the proceedings with a prayer that goes up to God, not of white men, not of the Negro, not of the Mussalman, not of the Hindu, but the God of all.

"I say this from my place of position, and knowing my responsibility to its fullest extent, that they deny their Bible, they deny their God, if they hesitate for one moment, if they fail to render the elementary justice that is due to the Indians of South Africa".

Maulana MOHAMED ALI deplored that it was because the nation had not taken to the spinning wheel and had on the other hand established many war fronts in the form of fights between Hindus and Muslims, Brahmins and non-Brahmins, No-changers and Swarajists, and now the latest between Swarajists and Responsive Co-operators that they were feeling helpless in helping their brothers in South Africa. Was it not a shame that one among every four of Indians was untouchable? He, however, felt that Mahatma Gandhi had introduced a new force—the readiness to die—with which they could defy the most mighty. The speaker offered himself for service in South Africa any time that his life was required.

Mr. KARANDIKAR, ex-member of the Council of State, in supporting the resolution said some time ago this question was discussed in the Council of State. He became aware of the attitude of the Government that it was anxious to do all that was possible, but in the end it turned out to be nothing more than impotent rage. He asked the Government of India

to do its duty in ameliorating the conditions of Indians in South Africa, for it was the Government of India, who under pressure from the Home Government, sent them there to develop that land.

The resolution was then put and carried unanimously amidst acclamation.

Dr. Abdur RAHAMAN then came to the rostrum to acknowledge thankfully the resolution passed, which he said was the first thing since their arrival in India that had inspired them with a little hope for the future (Applause.) He had no doubt that if only they could get Mahatmaji to put their case before the Indian people there would be no difficulty in getting the Indian nation to stand by the sons of India in their sufferings in South Africa.

The Union Government's Bill intended that the Indian community be either exterminated or hounded out. "The majority of us in South Africa are not going to give in. (Hear. hear.) We feel we are fighting your battle; when a wound is inflicted on us we feel it has been inflicted on our Motherland—the Great Indian Empire.

As Mahatmaji has said, we are disappointed with the Viceroy's reply. He said that we could not interfere with domestic legislation of South Africa. Why is it domestic? We are fortunately or unfortunately a part of the British Empire, and it is because we are a part of the Empire that the Government of India is impotent and helpless. (Shame.) If the British Empire only means exploitation of non-European races, if it stands only for letting Europeans exploit the weak, the sooner the Empire is done with the better it is for the world." (Applause).

He asked those in the Councils that if the Government of India failed to assist them, they should put the South African issue in their elections and throw out all Bills. "Do not sanction a farthing and hold up all government machineries until we who are treated as political helots and are held in industrial serfdom, are treated honourably." (Applause).

Dr. Abdur Rahaman pleaded that they should let Mahatma Gandhi go to South Africa just for a few months and all their troubles would be over. Mahatma Gandhi did not look ill. The longer he spoke the stronger his voice grew. Mahatmaji knew their difficulties. Either their shops were stopped, or they had no schools to give education to their children or to learn skilled trade. The law of the land prohibited them from being so employed. (Cries of shame.") If only Matatmaji could go with them, all troubles would vanish, just as snow melted before the morning sun.

They must have discovered again and again that they were suffering because they were members of the British Empire. "If you had some battleships to-day, if you had your army, a little handful of the so-called whites, who were vomitted forth on the shores of Africa from the slums of Europe, would not have dared do what they are doing to-day. No Englishman would be let to suffer these conditions for 24 hours.

We are going through the country. I have told the Viceroy that we are going to ask the people of India to back him up. The Viceroy must tell Great Britain that she must exercise the power reserved under Section 65 of the South Africa Act, that if they don't give us a Round Table Conference, then the British Government should veto that Bill, and if the British Government does not use it, then it will show that they have tricked us, that they

have betrayed us, because they put that Section into the Act, and they refuse to use it. We are your soldiers. We are not beaten. We are not going to give in. It is your duty to say : Go on boys ; fight on in South Africa ; we will stand by you ; we will support you in every way. Then we will go on and maintain the honour of the great Indian Empire. (Loud Applause).

The Congress then rose for the day and adjourned till 12 noon the next day.

SECOND DAY—27TH DECEMBER 1925

The Congress reassembled at 1-30 p.m. Attendance was as large as yesterday, as the agenda on this day contained the central resolution of the session regarding the political programme of the Swarajya Party as finally approved of by the Congress Subjects Committee on the previous day. Other resolutions condemned Government's action under the Bengal Ordinance, demanded unconditional release of Sikh prisoners, urged the Viceroy to withhold sanction to the Expulsion of Non-Burman Offender's Bill and Tax on the Sea Passenger's Bill. Pandit Malaviya attended on this day.

3.—The Bengal Ordinance Condemned.

Mr. J. M. Sen Gupta moved :—

" This Congress strongly condemns the abuse of Regulation III of 1818 and the autocratic enactment of the Bengal Ordinance Act and the arrest and detention without definite charge and open trial of a large number of patriotic youngmen of Bengal under the said Regulation and the Act and further condemns their continued incarceration, maltreatment and deportation outside Bengal notwithstanding the clearly and repeatedly expressed opinion of the people both inside and outside the legislatures."

Mr. Sen Gupta said Government had broken its pledge given in a Government Resolution on the Repressive Laws Committee's Report to repeal Regulation III of 1818. On the other hand the Bengal Ordinance was secretly hatched and 150 persons were arrested for conspiracy, but not a single document or ammunition of an incriminating nature was discovered. The Ordinance itself was so framed that to silence some critics it was provided that there would be trial by Special Magistrates. More than a year had, however, passed and the 150 patriots were kept in jail without trial and without any charge against them. (Shame, shame). Government apologists had stated that witnesses and jury would be intimidated. This was a lie. One single European, Mr. Day, during the last five years has been killed and it was a jury with a majority of Indians that returned a verdict of guilty. Witnesses, all Indian, gave evidence in the case. Same was done in the case of a bomb thrown into a shop. The fact, however, was that Government had no proof which could stand the test of judicial scrutiny.

" My charge is that their object is not to punish criminal activity. but to smash the legitimate activities of the Swaraj Party and the Congress." (Applause). Mr. Sen Gupta charged the Bengal Government for violating the Ordinance by not providing comforts to the prisoners promised by the Act and held it unlawful on the part of Sir Hugh Stephenson to have stated that it was a part of the Burma Government's job and not the Bengal Government's to fix the allowance of detenues transferred to the Rangoon jails. He declared that the administration which stood in the way of the

forces of liberty would be demolished as similar institutions have been demolished in the past in other countries. (Applause).

Mr. M. R. Jayakar, seconding the resolution said the Ordinance was a disgrace upon any civilized Government, much more so on a Government which had in its own country produced the Common Law and the Law of Evidence to sift falsehood from truth. He did not know of any instance since 1908 when a prisoner killed a co-prisoner for perfidy or where a witness had been intimidated.

Mr. Shyamsunder Chakraverty held that mere passing of resolutions on the Bengal Ordinance every year showed only impotent rage.

After Dr. Satyapal and Mr. Purushottam Roy had spoken the resolution was passed unanimously.

4.—The Gurdwara Prisoners.

Lala Lajpat Rai moved :—

"This Congress deeply regrets that the Punjab Government has not yet released the Gurdwara prisoners in spite of the settlement brought about by the Gurdwara Act merely on the technical ground that the Gurdwara prisoners would not give an undertaking which high-souled prisoners declared to be derogatory to their self-respect. This Congress is of opinion that there will be no proper settlement of the Gurdwara questions until the Gurdwara prisoners are unconditionally released."

Lala Lajpat Rai said the Bengal Partition agitation and the Sikh Gurdwara agitation stood before them as outstanding examples of what a determination to win a right cause could achieve. The Sikhs were determined and made the life of the Government most inconvenient and they had their way. The Government paid no heed to mere bluff and threat. He was one of those who had previously advised the Sikhs to accept the condition, but when the Sikh prisoners had gone on better and had enrolled themselves as voters under the Act there is no basis for the Government to insist on its particular condition being iulfilled.

Mr. Srinivasa Iyengar held that it was nothing but a spirit of meanness that the Government was exhibiting in asking for an idle undertaking.

Maulana Shaukatali's advice to the Sikhs was that let all their leaders rot in jail but never to give an undertaking.

Pundit Nekiram said the Sikhs had won right through and the Government had now put the last hitch to keep up its prestige. But the Sikhs who had sent in thirty thousand men to jail, had suffered four hundred of them to death and had paid eleven lakhs to penalties, could not yield.

Qazi Abdur Rahiman and Mr. Barucha also supported.

Sardar Mangal Singh in thanking the Congress for the support said Sir Malcolm Hailey's Government would have to surrender. How were they saying that the country was not fit for Civil Disobedience, when hundreds of them in the Punjab who were members of unlawful bodies—the Akali Dal and the S. G. P. C. of which he was the President—were not being arrested? The Government dared not. When Mahatma Gandhi and Lala Lajpat Rai told them to accept the condition of the Punjab Government, Sikh leaders felt that it would involve national humiliation, if they did so after such sacrifice. He assured them that the Sikhs would be prepared for even greater sacrifices for national liberty but on one condition that the Hindus and the Muslims did not fight. It was, indeed, because of the Congress's

weakness that it took them two years to win their point at Jaito, because the Government thought that without the help of the Hindus and the Muslims the Sikhs could not hold on for long.

The resolution was passed.

5.—Non-Burman Offenders' Bill.

Mr. T. Prakasam then moved :—

"This Congress regards the expulsion of Non-Burman Offenders' Bill and the Tax on Sea Passengers' Bill of Burma to be an attack on the liberty of the citizens and in the opinion of the Congress the first Bill imperils the vast interests of Indians resident in Burma inasmuch as it exposes innocent men to the mercy of the Executive and is of opinion that the Bills should not receive Viceregal sanction".

Mr. Prakasam said he had recently been touring in Burma, closely studying the conditions there. The real object of the Expulsion Bill was the prevention of political propaganda among the Indians there. Schedules attached to the Bill included trivial offences like the failure to take out license for keeping wireless installation. If the Bill became law they would soon have a Kenya in the very heart of India. The Viceroy expressed his powerlessness to do anything substantial for the Indians in Kenya. But Burma was a part of India and the Bill was introduced with his previous permission. He could not plead now powerlessness.

Continuing Mr. Prakasam described in detail the effects of the Sea Passengers' Bill that proposed a tax of Rs. 5 on every Indian getting into boat for Burma from any part of India. It was the paramount duty of India to see that these two obnoxious Bills did not get into the Statute Book. Concluding Mr. Prakasam said the Burmans themselves did not give their approval to these two Bills. Even the Nationalists who were originally responsible for the passing of them had come to realise their mistake. Mr. Prakasam hoped that the Indian M.L.C.s in the Burma Council would cooperate with the Swarajists and the Home Rulers and get these Bills revoked. Mr. Prakasam also put in a strong plea for the regulation of the emigration of labour from India to Burma and Ceylon. India was fast becoming, said Mr. Prakasam, a labour depot. Was it not our duty, he asked, to see that labourers who went out were not subjected to ill-treatment ?

Mr. HALDER seconding said there was no organised movement to support our resolutions. The trouble in Burma was the same as the trouble in South Africa. Everything was a question of bread and butter, especially so in the country of virgin soil. The mighty Europeans who were exploiting the Indians must be attacked on their weak spot. The speaker asked, would there be an organised movement from India which would go to Burma and vindicate our rights there ? This could be done by the peaceful weapon of the Akalis.

Sj. N. C. BANERJEE, ex-editor of the "Rangoon Mail", deplored that the Indians here had not realised the danger that threatend the Indians in Burma. After the qualified Home Rule given to Burma the cry of 'Burma for the Burmans' had been raised to the detriment of the Indians and the Burmans and in the real interests of the British exploiters. The Burmans were opposed to the Bills but the leaders of such Burmans were in jail. Sir Harcourt Butler, very courteous but very astute, had managed to

divide the Burmans from the Indians. It was for the Viceroy to remedy the injustice and danger proposed by the Bills.

Mr. Abdul Sattar WALI (Burman) supported the resolution, The Bills referred to were clearly directed against the Indians because they constituted the majority of the Non-Burman foreign element in Burma.

Mr. MADANJIT (Burma) appealed to the Indians here to come to the rescue of the one million of the Indians in Burma who could not peacefully breathe there if the proposed legislation were not vetoed by Lord Reading. The Indian Congress was taking interest in the position of the Indians in South Africa, of those in Fiji and Kenya, but not of those in Burma.

The resolution was carried unanimously.

6.—The Franchise Question.

Dr. SATYAPAL in place of Mahatma Gandhi moved the resolution approving and confirming part I of resolution passed by the A. I. C. C. at Patna regarding the alternative Franchise and creating the All-India Spinner's Association. He made a long speech explaining the importance of Khaddar.

Mr. C. Venkatramana IYENGAR, though he possessed shares in Mills, supported the resolution as he believed there was at present no antagonism between the mill industry and the Khaddar industry. If the manufacture of hand-spun yarn was increased there would be great possibility of reducing the import of foreign cloth and foreign yarn. Mills in India could not completely clothe us and there would always be demand for Khaddar and if the quality and quantity of Khaddar was improved it would be all the better.

Moulana Hasrat MOHANI opposing the resolution objected to the insistence of Khaddar dress for Congress work although he believed in the utility of wearing Khaddar. To be a member of the Congress was the right of every Indian and to deprive him of it on the ground that he did not put on Khaddar was nothing short of coercion. He wondered if the Congress would appreciate the resolution that those who were not vegetarians should not be entitled to exercise their Congress membership rights. It was argued that there must be a National Uniform but what was the need for it. By these sartorial requirement the Congress was shutting out persons like Mr. Jinnah, Sir Tej Bahadur Sapru and Mr. Chintamani who were not opposed to the Congress nor to Khaddar. Maulana Hasrat Mohani had a suspicion that the Congress workers did not always put on Khaddar. At best each could have but one pair of Khaddar cloth to put on on Congress occasions and yet why have the compulsion and disqualification in case of not wearing Khaddar?

Maulana MOHAMED ALI complained that what India possessed was not intelligentsia but unintelligentsia, for if they really had intelligentsia the country could never have remained for so long in the occupation of a handful of Englishmen. Mr. Hasrat Mohani had opposed the resolution on the ground of his dislike of conscription. The speaker asked whether it was not a fact that during the last war when voluntary recruitment did not come up to the standard, conscription was a necessity. The speaker emphasised that what India needed was not protection to transfer 70 crores from the pockets of

Manchester to those of Bombay, but a machinery for the proper distribution of wealth so that these 70 crores might be distributed among twenty crores of poor "Kisans." They jeered at Mahatma Gandhi's prescription for liberty, perhaps because it was so cheap. He asked them to remember that Napolean used to say that every army was a reptile. It marched on its bellies. It was, therefore, important to feed the bellies in India. Crores of people did not fill their bellies by two meals a day and until they did that India would be unfit for liberty. The same was true regarding the "untouchables." "If you do not remove untouchability and ask for liberty, you are fools and you pretend to be philosophers."

The resolution moved by Dr. Satyapal was then put to vote and carried, only a few voting with Hasrat Mohani.

American's Tribute to Mahatmaji.

Mrs. Naidu then introduced Professor Holmes of U.S.A. whom she described as the American Ambassador who had come to tell them that America was looking to India to get her freedom as speedily as possible. (Applause).

As Professor HOLMES rose from the dais towards the rostrum, dressed in English clothes and wearing a white Gandhi cap, he was cheered. He said he could not claim in an official way to represent America. He belonged to the Society of Friends known as Quakers and was a member of the Federation of Labour. He could unofficially claim to speak for his Society and labourers and in those two capacities he was there to express sympathy and interest of the American people for the service of humanity as well of India that the Congress had undertaken and especially American affection and loyalty for the great leader who had risen among them. (Applause). "Yesterday I heard Dr. Abdur Rahman claiming Mr. Gandhi as a South African. May I not to-day claim him for the world? (Applause). May I not say that the Society of Friends which I represent regard him with the same reverence and believe in his work as you do? (Hear, Hear). I ought to say that we people have been very far wrong in our western civilization. We have gone too far in the pursuit of wealth and power. It is a deep evil in our whole western civilization. Our love of wealth has resulted in the concentration of wealth among some and has caused labour troubles. Our longing to the west for power has brought on war after war and seems likely to plunge into still further war until perhaps it destroys our civilization. So we gladly turn to you who are indicating another and better way and we hope that while keeping good things in our civilization regarding the power over nature and inventions we should follow the brotherly spirit which is represented by the great prophet among you (applause)..'

"It would be presumptuous for me to say anything about the problems before you but let me say that no one brought up in U.S.A., however he or she might have gone wrong, can fail to be touched and thrilled by every movement for human freedom and for the liberty of the people of the world (applause).

7.—The Political Programme

At 5-45 p.m. Pandit Motilal rose amidst cheers to move the main

resolution of the session outlining the political programme. The following is the full text of the resolution as amended by the Subjects Committee.

"This Congress confirms Part B of the resolution passed by the All-India Congress Committee, at the meeting held at Patna, on the 22nd and 23rd September last, and resolves that the Congress do now take up, and carry on, such political work as is necessary in the interest of the country and, for this purpose, do employ the whole of the machinery and funds of the Congress, save and except such funds and assets as, under that resolution, have been declared to belong to the All-India Spinners' Association, and such funds and assets as may be earmarked.

"This Congress reiterates its faith in civil disobedience as the only effective weapon to be used, in the last resort, to enforce the national honour; but realizes that the country is not now ready for it; and in view thereof, this Congress resolves that the guiding principle, in carrying on all political work, shall be self-reliance in all activities which make for the healthy growth of the nation, and resistence to every governmental or other activity that may impede the nation's progress towards Swaraj; and this Congress adopts the following programme of political work:—

"(1) The work in the country shall be directed to the education of the people in their political rights and training them to acquire the necessary strength and power of resistance to win those rights by carrying out the constructive programme of the Congress, with special reference to popularising the spinning wheel and khaddar, promoting inter-communal unity, removal of untouchability, ameliorating the conditions of the suppressed classes and removal of the drink and drug evils; and shall include the organisation of villages, the capture of local bodies and the promotion of education on national lines and of labour, both industrial and agricultural, the adjustment of relations between employers and labour, and between landlords and tenants, and the general advancement of the national, economical, industrial and commercial interests of Indians, both in India and Overseas.

"(2) The work outside the country shall be directed to the dissemination of accurate information.

"(3) This Congress adopts the terms of the settlement offered by the Independent and Swarajya Parties of the Assembly on the 18th February, 1924, and incorporated in its resolution of the same date, as terms on behalf of the country, and, having regard to the fact that the Government have so far not made any response even to the said offer, the following further action shall be taken—

"(1) The Swarajya Party in the Assembly shall, at the earliest opportunity, invite the Government to give their final decision on the said demand, and in case no decision is announced before the end of February, or the decision announced is held not to be satisfactory by a special committee consisting of the Working Committee of the Congress and the members named below, the party shall by adopting the proper procedure, intimate to the Government on the floor of the House, that the party will no longer continue to remain and work in the present legislatures as heretofore, but will go into the country to work among the people. The Swarajist members of the Assembly and the Council of State will vote for the rejection of the Finance Bill and, immediately after, leave their seats. The Swarajist members of such Provincial Councils as may be in session at the time shall also leave their seats and report themselves to the Special Committee aforesaid, for further instructions. Swarajist members of such Councils as are not in session, at the time, shall not attend future meetings of the said Councils, and shall, likewise, report themselves to the Special Committee.

"(2) No member of the Swaraj Party in the Council of State, Legislative Assembly or any of the Provincial Councils shall thereafter attend any meeting of any of the said legislatures, or any of their committees, except for the purpose of preventing his seat from being declared vacant, provided that it shall be open to the special committee to allow the Swarajist members of any legislatures to attend the said legislatures when such attendance is, in its opinion, essential for some special or unforeseen purpose, and provided also that, prior to their being called upon to leave their seats, it shall be open to the Swarajist members of the various Legislatures, to engage themselves in such activities in their respective legislatures as permissible to them under the existing rules of the party;,

"(3) The special committee shall immediately on receipt of the reports mentioned in Sub-clause (1), call a meeting of the All-India Congress Committee to frame a programme of work, which shall be carried out by the Congress and the Swaraj Party organisation in co-operation with each other throughout the country;

"(4) The said programme of work shall include selected heads of the general work mentioned in Clauses (1) and (2) above, as also the education of the electorates in the policy herein laid down, and shall indicate the lines on which the next general election is to be run by, and in the name of the Congress and state clearly the issues on which Congressmen shall seek election;

"The Congress hereby authorises the Provincial Congress Committees to select candidates for the Provincial Legislative Councils and the Indian Legislative Assembly in their provincial areas for the general election next year, as early as possible, provided that the policy of non-acceptance of offices in the gift of the Government shall continue to be followed until a response to the terms of settlement aforesaid is made by the Government.

"(5) In the event of the final decision of the Government, on the terms of settlement of the Assembly, being found satisfactory and acceptable by the aforesaid Special Committee, a meeting of the All-India Congress Committee shall forthwith be held to determine the future course of action.

"(6) Until the Swarajists leave the legislatures, as herein provided, the constitution of the Swaraj Party and the rules made thereunder shall be followed in the legislatures, subject to such changes as may be made by the Congress or the All-India Congress Committee, from time to time;

"(7) For the purpose of starting the work under Sub-clauses (3) and (4), the All-India Congress Committee shall allot such funds as it may consider sufficient for the initial expenses of the necessary propaganda in that behalf; but any further funds required for the said purpose shall be raised by the Working Committee or, under its directions by contributions from the public."

Pt. Matilal spoke for little less than an hour in Hindi mainly explaining the provisions of his long resolution for the information of the delegates who had not been yet supplied with the Hindi version of it. He said he knew the resolution would be strenuously opposed by some. He would, therefore, reserve his arguments for the final reply, but he emphasised that since the Gaya Congress this was the first time that a resolution was moved representing the common demands of the two wings of the Congress. It had come before the Congress in the shape he was putting it forward after undergoing many alterations aud after a stiff fight in the Swaraj Party Council and Congress Subjects Committee.

PANDIT MALAVIYA'S AMENDMENT

Pandit MALAVIYA then rose amidst cheers to move his amendment, which was supported by Mr. M. R. Jayakar. Pandit Malaviya's amendment proposed considerable alteration in the main resolution :—

Firstly, it omitted the para referring to Civil Disobedience.

Secondly, it amplified the Congress programme of political work, by including in it the following: "That the work in the legislatures shall be so carried on as to utilize them to the best possible advantage for early establishment of full responsible Government, co-operation being resorted to when it may be necessary to advance the national cause and obstruction when that may be necessary for the advancement of the same cause."

This suggestion, Pandit Malaviya said, embodied exactly what Lokamanya Tilak end Deshbandhu C. R. Das had stated in their speeches at the Amritsar Congress in 1919. Lokamanya Tilak had said: "We shall utilize the Reforms Act to the best possible advantage, and Mr. C. R. Das had said: "We shall co-operate when it may be necessary to advance the national cause, and shall obstruct when that may be necessary for the advancement of the same cause."

Another change proposed by Pandit Malaviya's amendment was that

While Pandit Motilal's Resolution commits the Congress only to the Assembly's resolution of 18th February regarding a Round Table Conference, he wishes to commit the Congress also to the acceptance of demands for Reforms enunciated in the Assembly's resolution of September last.

A further change proposed was that

The Congress should call upon not only the Swaraj Party but also jointly the Independent Party of the Assembly to ask for final decision in the next session of the Assembly.

Pandit Malaviya's amendment finally proposed

To omit all the details proposed to be taken in connection with the withdrawal from the Councils in case the Government's reply was not satisfactory.

Pandit Malaviya's amendment merely said that in case the reply was held to be unsatisfactory by the All-India Congress Committee, it should call a Special Session of the Congress before the end of May to decide the future course of action.

Pandit Malaviya said he had come there to give his honest opinion. They should not let the people have jokes at their expense by setting forth a detailed programme, which he knew the Swaraj Party would not be able to carry out. In the past the Swaraj Party had not been able to fulfil all pledges about the programme. He wanted to avoid that in future. Why tie their hands now at this stage?

As the hour was late the Congress was adjourned for its final sitting the next day.

THIRD DAY—28TH DECEMBER 1925

The concluding sitting of the 40th session of the Congress was held on the 28th December and was mostly devoted to the discussion of the resolution about the political programme. The Pandal was full of delegates and visitors.

The proceeding were begun at 12 30 by Mr. Syed MAJID BUX moving an amendment, declaring that the country was fit for Civil Disobedience. He ridiculed the idea of the resolution, in one breath admitting the country's unfitness for Civil Disobedience and in another giving an ultimatum to the Government. They would be merely laughed at and ignored by the Government. His opinion was that the leaders were reluctant to lead, but the country was fit for Civil Disobedience. (Applause). He proposed that the Special Committee should be asked to declare Civil Disobedience in case the Government did not respond.

Mr. SAMBAMURTI moved another amendment. He would not entrust it to a Special Committee to declare Civil Disobedience. He held that the country had in the past responded nobly to calls of civil Disobedience. He told his Swarajist friends that nothing would capture the imagination of the electors at the forthcoming elections than the launching of resistance campaigns in various provinces, on the issue of prohibition, tax, or some other local grievances. If they would wait till the minor communal differences were got over, they would have to wait for the Doomsday. The best way to train

the country to fight the battle of freedom was to engage in skirmishes in numerous places.

Mr. Srikrishnadas LULLA moved an amendment urging that when the Swarajist members of the Councils withdrew, those holding elective or nominated offices in the Legislatures or Committees should also resign their posts. He said his motion would have the effect of making Pandit Motilal resign his Committee membership of the Skeen Committee and Mr. Patel the Presidentship of the Assembly. He warned that Pandit Motilal's refusal to agree to his motion made him feel that there was some camouflage being practised.

Pandit MALAVIYA received an ovation on rising to explain his amendment, moved the day before towards the close of the sitting.

Pandit Malaviya recalled the proceedings at Amritsar where Deshbandhu Das, Mahatma Gandhi and Lokemanya Tilak were all united in making an earnest effort in working the Reforms Act, to co-operate or to obstrnct as country's interests required. Pandit Motilal's resolution however was neither fish nor flesh and he appealed to the Congress to save the honour of the nation by not passing it, for the Swarajists would not be able to carry out the programme and would make the Congress a laughing stock of the world. Pt. Malaviya drew attention to a motto in the Pandal, " Be Honest " giving Mahatma Gandhi's advice. Pt. Malaviya endorsed this and asked them to be honest. His view was that non-co-operation did not succeed. Then the Swarajists entered the Councils with a manifesto in favour of consistent and uniform obstruction. This programme was not carried out and, indeed, could never have been carried out. In effect only responsive co-operation had been observed and had caused amusement. He did not want to bring in personalities, for he himself felt ashamed in confessing that his brother Pandit Motilal's policy had failed. He asked the Congress to place the interest of the nation above personality. He knew that the Swaraj Party would not be able to do what Pandit Motilal's resolution had outlined. As for acceptance of office it had been decided already by Mr. Patel and Pandit Motilal accepting the Chair of the Assembly and the Skeen Committee membership respectively. Pandit Motilal expected a great deal from the Skeen Committee. The speaker did not, because his experience of the Military Requirements Committee before whom he was examined for 3 half hours, had made him less hopeful. But the speaker was pleased at their accepting office. For, he believed, that if they could fill the places of Ministerial and Executive responsibility with patriotic men whose policy they could control, the cause of the country would be advanced. In his fifty years of public life he had not come across a sharper intellect than that of Lokemanya Tilak. (Applause), Even Mahatma Gandhi had been deceived, bnt Lokemanya Tilak was never deceived. And Lok. Tilak had advised responsive co-operation, for he believed in entering into all quarters of Government and squeezing as much as possible for national advance. The Swarajists, however, had entered Government quarters, but refused to exploit them.

Continuing Pundit Malaviya asked why should any reference be made to Civil Disobedience ? Mahatma Gandhi, the greatest authority on the subject, had stated that the country was not fit for it.

Pundit Malaviya further emphasised that no fight was possible without unity and Mahatma started his movment, because Indian opinion had become united on the Rowlatt Bill issue. If they wanted Government to yield, the only

way was to embrace all political parties and establish only one Congress Party. Up till 1919 the doors of the Congress were open to Musalmans, big Zemindars and all took part in it. Now, however, the Congress was being handed over to a handful of Swarajists, Muhammedans and landlords were prominent by their absence. The resolution itself was full of inconsistencies. While they had opened the door of the Congress for all, they had kept it virtually closed, even by their revised franchise. Pandit Malaviya warned that the Swaraj Party did not succeed at the last election and it would succeed even less at the next. If the Congress adopted the resolution, it would ruin the interests of the country during the next four years at the end of which a Royal Commission must in any case be appointed.

Concluding Pandit Malaviya said he was glad that there was larger section now to support him than during the past four years. Even if he failed on that day he would not be disappointed, but hoped to succeed soon. He pleaded that the honour of the nation demanded that the Swarajists who had not fulfilled their previous pledges, should no longer be trusted to carry out a new pledge. His suggestion was safe, inasmuch as it urged that a Special Congress should be summoned to give them a fresh mandate in May.

MR. JAYAKAR'S RESIGNATION.

Mr. JAYAKAR seconded the amendment of Pandit Malaviya. At the outset he made a dramatic announcement that he (Mr. Jayakar), Mr. Kelkar and Dr. Moonje had resigned their seats in the Bombay Council, the Legislative Assembly and the Central Provinces Council respectively. This step they had to take because, being members in the Councils on the Swaraj Party ticket, they could not at present subscribe to the policy and moreover they wanted to educate the country regarding Responsive Co-operation. This announcement was received amidst applause from a section of the House.

Mr. Jayakar said that there were only two ways open to them, viz., either they believed in the Council programme or they did not. If they did not believe in the Council entry they must get out of it and educate the country for such action as the country would be ready for. If, on the other hand, they remained in the Councils they must, as Pandit Malaviya rightly observed, take the last juice out of it by occupying every place of power, initiative and responsibility and would give no quarter to the bureaucracy. He agreed that it did mean considerable humiliation, that people who went to the Council to obstruct should have to take offices of power and responsibility. But if they wanted to be honest they must suffer the humiliation of working the Councils.

They all admitted that the country was not ready for civil disobediance, and yet outlined it in the resolution. This weakening process ought to be dropped. What was the use of this pious expression that civil disobedience was the only effective weapon and all that? If they believed in that then "Come out of the Councils and start Civil Disobedience." If they did not believe in it "Don't say so." There was one man who understood this civil disobedience and who knew when to practise it. It was Mahatma Gandhi. Let all be guided by him. If they did not believe in civil disobedience then the most honest course was to work the Councils for such as they were worth. He could understand the proposition of leaving the seats in the event of unsatisfactory reply. But what was this statement in the resolution that the Special Committee might allow the members to get in

again for special or unforeseen circumstances? Then the proviso to clause 3 talked of the non-acceptance of office in the gift of the Government till the response was made. It logically followed that Pandit Motilal Nehru and Mr. Patel must leave their respective seats on the Skeen Committee and the Presidentship. But it was a great mistake to be logical in politics. So let them be there and carry out their duties with honour and self-respect as they had been doing up till now. The principle of Responsive Co-operation was, however, established by their actions and in course of time it would become the accepted policy.

Mr. J. N. SEN GUPTA supported Pandit Motilal's resolution. First of all he drew the attention of the House to the proviso that no offices in the gift of the Government would be accepted until the Government response was satisfactory. This must not be lost sight of by those who would vote on this proposition. It was mere academical at present to talk of civil disobedience. Mahatma Gandhi did not feel confident of starting civil disobedience. Pandit Motilal was also hesitant and so also was the late Deshbandhu Das. But God willing if this resolution of Pandit Motilal Nehru was passed by the Congress and Congressmen were sent in a large majority in the next general election then in the February of 1927 Bengal would not hesitate to start civil disobedience. With the Congress mandate behind them they would return in a majority in Bengal, Madras, Assam and several other Legislative Councils.

Mr. Jayakar's Responsive Co-operation was mere co-operation without any response. But if the motion was passed the working of the Reforms machinery would be stopped in February 1927. Pandit Malaviya had talked of Lok. Tilak's Responsive Co-operation. But that was in 1919. Demand after demand in the Assembly and in the Provincial Councils had been refused by the Government and Mr. Jayakar still talked of Responsive Co-operation. Pandit Malaviya had also talked of unity and no-party. But the duty of all Congressmen was to submit to the decision of the Congress and not to create parties.

A voice: What about Gaya?

Mr. Sen Gupta: At Gaya we had faith in our own programme and therefore we got out and raised the standard of revolt. But our friends want to be in and create parties. So I say, either submit and unite or raise your revolt.

Mr. ABHYANKAR supported the resolution of Pt. Motilal and controverted the arguments of Mr. Jayakar. He was surprised that Mr. Jayakar and Pandit Malaviya who had never stood within ten miles distance of Lok. Tilak in his life were invoking his name. To say that the acceptance of ministership was Responsive Co-operation was an insult to the doctrine of Responsive Co-operation. He had no quarrel with the doctrine as such but with the programme that was sought to be shoved under it. Pandit Malaviya had talked of swords. Great words indeed—India would indeed thank herself if Pandit Malaviya could come to swords. However, Mr. Abhyankar congratulated Messrs. Jayakar and Kelkar on having dragged Dr. Moonje into the open. (Laughter). Mr. Jayakar had asked the Congress to think of the country and not of the party. Had he forgotten that the Swaraj Party—in the words of Mahatma Gandhi, Lord Birkenhead and Lord Reading, was the only party which was going ahead with its programme. Did Mr. Jayakar think that the Swaraj Party was not for the

country. There might be differences between the pure No-changers and the Swarajists. But they would be able to join hands soon and stand boldly in the face of the Government. But Mr. Jayakar with his programme of Responsive Co-operation was falling at the feet of Government.

Mr. Jayakar said that civil disobedience was a camouflage. Was it not a camouflage to which he agreed only 24 hours ago and that he changed his views about it the moment Pandit Malaviya arrived from Benares? Then again was it not Mr. Jayakar who in the Subjects Committee agreed not to oppose this resolution.

[Mr. Jayakar intervening, explained that he merely told in the Subjects Committee that he would not move his own amendment and he had done so.]

Mr. Abhyanker continuing said that Mr. Jayakar had asked them to be logical by remarking "either join the Council, work or get out of it." But the next moment he changed his logic and said that Responsive Co-operation meant the acceptance of office, such as ministerships. Mr. Jayakar and his party had indeed reached the top of the hill and the next step was descent. It was for them to decide whether that descent should be orderly or disorderly, graceful or disgraceful (Applause).

Mr. PALLIWAL in eloquent Hindu supported Pandit Motilal's proposition and pointed out that the country was certainly not for civil disobedience at present. There was no use embarking on it at present. All the same they all believed that it was the last weapon to be used against the Government in order to enforce their national demand. But in the meanwhile the programme of work chalked out in the resolution of Pandit Motilal was the best and should obtain the approval of the entire Congress. Pandit Malaviya had quoted Mahatma Gandhi's dictum hung on one side of the pandal, "Be honest." But he had forgotten to see the other side of the pandal where there was the motto of Deshbandhu Das, "End or Mend." It was this policy that was embodied in the resolution.

Sj. Shyam Sunder CHAKRAVARTY (No-Changer of Bengal) opposed the resolution. It was a pain to him to have to oppose a motion which was said to have the sympathy of Mahatma Gandhi. Mahatmaji was certainly not in very much sympathy with it. His heart was against it. But what could he do? Like Jesus, Mahatma Gandhi, too, was not listened to or to be more accurate, obeyed. This resolution was the denial of Gandhism. It was all words. It was an inconsequential document and it was inconsistency personific. The resolution talked of self-reliance in one breath and in the next suggested asking the Government to give an answer to the Assembly's resolution. By passing the resolution the chariot of progress would be dragged back and the Non-co-operation policy would be jettisoned. Non-co-operation was a creative programme notwithstanding its negative name and it was the one "mantra" which would in the end bring Swaraj.

Dewan CHAMANLAL declared that responsive co-operation would mean in practice responding to every kick received from the bureaucracy. No Governor would appoint a Minister pledged to obstruction. Then, again, even the Liberal Ministers had told the Muddiman Committee that the Reforms were unworkable. Pandit Malaviya's amendment would weaken the backbone of the people of the country at a time when the need was to strengthen it.

Dr. MOONJI said Lala Lajpat Rai had said that he could not find his way in the prevailing darkness. Responsive co-operation showed him the way. He agreed with Lalaji that Government service was not desirable, but in a case where a party was in majority then its leaders must be nominated Ministers and these Ministers could not be dismissed by the Governor and would be servants not of the Government but of their own party. He knew that just as at Gaya Lalaji patted them on their back two years hence Lalaji would do the same when the speaker's plea would succeed.

The English were a heartless people. No amount of sacrifice moved them. Twenty-five thousand men went to jail but the Criminal Law Amendment Act was not repealed. They should take a lesson from the Bengal partition and work to success through respo nsive co-operation.

PUNDIT NEHRU'S REPLY

Pandit MOTILAL, replying to the debate, said Pandit Malaviya had quoted the speeches made in 1919. The speaker's honest view was that Pandit Malaviya might have more appropriately quoted from Ramayana. (Laughter). For who did not know to-day in India why since 1919 their opinions had changed and why Mahatma Gandhi had to launch non-co-operation.

Pandit Malaviya had quoted Das of 1919, but had forgotten what Das had on his lips at his last moment in his Faridpur speech, with which even the Government was pleased. The speaker had followed the course outlined by this speech. Das had said that if a settlement was not arrived at, the Government must be let to carry on government by exercise of exceptional powers, and that then the people be advised to refuse to pay taxes. Civil Disobedience, however, required a high state of organisation and he saw little hope of India being ready for Civil Disobedience until she was prepared to work Mahatma Gandhi's constructive programme. But the ultimate end must be kept in view if freedom must be own.

Mr. Jayakar had in Bombay held this speech of Das as the last will and testament. Pandit Malaviya had not taken part in the disobedience campaign, but like one sitting high up and seeing beyond had told them: "Did I not tell you so." Pandit Malaviya had accused the Swarajists of loud talks but doing little. Pandit Motilal challenged to prove that the Swarajists had carried out their pledge to every inch of it. They had declared in favour of uniform obstruction only if they were returned in a majority. Otherwise, how could they obstruct successfully?

Pandit Motilal declared that he as the Leader of the Swaraj Party—a party whom even Lord Birkenhead had described as highly organised—was surrendering it to the Congress. The Swarajists were of the Congress, and were not like Pandit Malaviya, who had stood all through aside.

Pandit Motilal defended Mr. Patel's presidentship of the Assembly as even the King could not dismiss him. His ruling were binding on all and so long as he did not come nothing that the Government could do would enable them to have a session of the Assembly. Was such an office one in the gift of the Government?

As for his seat on the Skeen Committee the Assembly had asked for an Indian Sandhurst and the Government said: "Show us the way." What they wanted was negotiation to show the Government the way to

Sandhurst and meet their demand. And if in the same way the Government asked them to show the way to the reforms they would certainly co-operate.

Pandit Motilal made reference to the appeal of Pandit Malaviya "Be Honest," and quoted from Pandit Malaviya's speech in the Assembly regarding the throwing out of the Finance Bill showing that Pandit Malaviya had characterised the Reforms as a sham. And he was asking them to work those very Reforms ! Pandit Malaviya had emphasised the need for unity. The speaker agreed, but unity by itself could not achieve their end. Unless they had sanction behind them in the form of the ultimate idea of Civil Disobedience the Government would not yield. He emphasised that Mahatma Gandhi had given his approval to the resolution. Pandit Malaviya on the other hand wanted them to divorce themselves from all that had occurred since 1919 and accept the programme of Amritsar.

Pandit MALAVIYA then came to the rostrum for a personal explanation. He said: "Mr. Sen-Gupta, Pandit Motilal and others who spoke in the same strain with them have misrepresented me in two or three respects. (Voice—no, no, yes, yes, go on, go on.) Mr. Sen-Gupta told you that I misrepresented Mr. Das. I wish to point out that a compromise clause was added to the Amritsar resolution and on that occasion Mr. Das said he wanted full responsible Government and he would use co-operation when it would be necessary and resort to obstruction when that would be necessary to attain the same object. Lok. Tilak said on that occasion that—(At this stage several delegated cried: Order, Order).

Pandit Malaviya—"Learn to hear the truth even if it is unpleasant. I quoted the 1919 speeches not to say that Gandhiji, Mr. Das and Lok. Tilak are authorities for your action at present. I never suggested that I wanted to show that the policy which the Swarajists pursue is the same as that advocated in 1919. After that Gandhiji advised non-co-operation which has failed and the Swarajists started in effect responsive co-operation. I wish Gandhiji had been here to hear all these points and bear out my statements. I am sure if he had been here he would not have supported Pandit Motilal's resolution".

Pandit Motilal NEHRU characterised Pandit Malaviya's statement not as a personal explanation but that dealing with his arguments. This was not fair. The audience was not here to decide what Gandhiji might have thought if he had been here but judge on the merits of the proposition before them and vote.

AMENDMENTS LOST

Mr. Majid Buksh's amendment regarding Civil Disobedience was withdrawn, as also Mr. Sri Kishendas Lullah's amendment regarding acceptance of elected offices. The latter withdrew on an assurance that the All-India Congress Committee could deal with it.

Sri Govindanand's amendment for deletion of the statement that the country is not now ready for Civil Disobedinence was lost.

Pandit Malaviya's amendment to Pandit Motilal's resolution was lost without division.

Then Pandit Motilal's resolution was carried by a large majority amidst applause.

Other Resolutions.

The other resolutions on the agenda were formally put from the chair and carried without any opposition.

1. The first was that the proceedings of the Congress Committee, All-India Congress Committee and Working Committee should ordinarily be conducted in Hindusthani, English or any provincial language may be used if the speaker is unable to speak in Hindustani or whenever occasion arises. The proceedings of the Provincial Congress Committee should ordinarily be conducted in the language of the Province. Hindustani may also be used.

2. The second resolution authorised the opening of a Foreign Department under the Congress to look after the interests of Indians abroad and carry on an educative propaganda in the country regarding their position in the British Empire and foreign countries.

3. The Congress placed on record its grateful appreciation of valuable services rendered by the General Secretaries, Messrs. Jawaharlal Nehru, Bharucha and Shuaib Quarashi; and in their place the following were appointed for 1926 : Dr. M. A. Ansari, Mr. A. Rangaswami Iyengar and Pandit K. Santanam. Old Treasurers and Auditors were re-appointed. The report of the All-India Congress Committee together with accounts was presented.

The next session of the Congress was decided to be held in Assam.

Thanks to Delegates.

Dr. MORARILAL, on behalf of the Reception Committee, thanked the delegates and said by having come to Cawnpore in such numbers they had strengthened the local people in Congress work, and added to their earnestness for political work. He also thanked those who contributed to the success of the exhibition and helped the Reception Committee by contributing to its funds. Volunteers were also particularly thanked.

Pt. Ganesh Shankar VIDYARTHI seconded, remarking that they would have been able to serve better had a number of difficulties not been put in their way, and made special mention of the Kakori Dacoity Case which took away some of the most important Congress workers from amongst them.

Mr. S. Srinivasa IYENGAR thanked Cawnpore on behalf of the delegates. The Congress had been a success in as much as unity had been reached between several sections of the Congress, and Lala Lajpat Rai had supported the main resolution. But his satisfaction was tempered by the fact that some of his most able colleagues had perhaps chosen to part company. But he hoped they would think over the position.

President's Closing Remarks.

Mrs. NAIDU in her closing remarks dissolving the session said : " In the course of these three days you have repeatedly taken the oath that you will choose between liberty or death. You will be sinners if you do not stick to your vow. I am only a standard-bearer. I shall keep up the standard of liberty that you have entrusted to a woman, with my whole strength, and assure you I shall not allow it to fall down." (Applause.)

All-India Khilafat Conference

CAWNPUR—24TH DECEMBER 1925.

The All-India Khilafat Conference opened its proceedings on the 24th December at 2 P.M. under the presidency of Maulana Abul Kalam Azad. Prominent among those present were Maulanas Mahomed Ali and Shaukat Ali, Janab Yakub Hassan, Mr. Murtuza Sahib, Mahatma Gandhi, Mrs. Sarojini Naidu, Messrs. S. Srinivasa Iyengar, A. Rangasamy Iyengar and T. Prakasam. The proceedings commenced with prayers. A message of sympathy from Hakim Ajmal Khan was then read.

Fundamentally opposed views on the Hedjaz were expressed at the Conference on this day by Maulana Hasrat Mohani, Chairman of the Reception Committee, and Maulana Abul Kalam Azad, President of the Conference. Some excitement was caused when the former spoke.

The Chairman's Address

Maulana Hasrat MOHANI, in welcoming the delegates, said the Turks had no power to end the Khilafat, which must endure so long as Islam existed. It was only the responsibility for the office that the Turks had refused to assume. He held they were prepared to help the Khilafat. They had indeed already received a message through Dr. Ansari that the Turks after settling their internal difficulties would be able to undertake the responsibilities of the Khilafat. But the Turks insisted that it must be democratised, namely that the Khalifa be elected and be helped by a Council whose opinion be voiced through the chosen Khalifa. With the Turks refusing to have the Khilafat it must go to the King of Hedjaz or President of the Republic of Hedjaz. He would prefer the latter, though there seemed no immediate prospect of getting it.

Maulana Hasrat Mohani, however, held it was impossible to protect the Khilafat without the aid of Turkey, and therefore the strongest blow to the Khilafat was the English and French mandate over Iraq and Palestine. The speaker held that the only silver lining in Sheriff Hussain's career was that he refused to sign an agreement with Britain regarding the Jewish Home in Palestine, but what Sheriff Hussain refused to do has been readily done by Ibn Saud in the form of the Clayton-Ibn Saud agreement, thereby jeopardising the interests of Turks and Druses. Indeed, he held that this settlement opened the way for Britain to do a gross wrong to Turkey by securing the League's decision in her favour regarding Mosul.

Maulana Hasrat Mohani urged that the Central Khilafat Committee should cease to support Ibn Saud and should stand for a Republic in Hedjaz. For, if Ibn Saud once established himself in the Hedjaz, it would be impossible to have a Republican form of Government. After the formation of the Hedjaz Republic its head should act in Council and be declared Khalifa in Council, India being duly represented on this Council to consolidate the Khilafat. Efforts should be made to rid Syria, Palestine and Iraq

of foreign control and establish direct contact between Turkey and the Hedjaz. He declared any one opposed to this programme should be repudiated. He asked the Central Khilafat Committee to rise above party factions, or it would lead to ruin.

The Presidential Address

Maulana Abul Kalam AZAD in his Presidential Address, which was delivered " extempore," first dwelt on the need for continuing and strengthening the Khilafat organisation. This body, he held, was the only " bona fide " body representing Muslim opinion on the issues now troubling the Muslim world. To dissolve the organization would be held to be a serious set back to their work.

The Hedjaz question was the most important. They should all have rejoiced at the downfall of the Sherifian family aud should applaud Sultan Ibn Saud's efforts. In this behalf the Central Khilafat Committee had already declared its abhorrence at demolition of some of the holy places. Ibn Saud had declared that he was for the inquiry done to the holy places in his absence and he had declared his willingness to abide by the opinion of theologists and to afford facilities for repair. A Conference of Muslims of the world should be soon held. India should be properly represented on it. The Khilafat organization was representative of the Muslims in India.

Touching on the internal politics, Maulana Azad said the Khilafat Committees should ally themselves with the Congress organization for the furtherance of the national programme. The Khilafat Committee should have definite views on the question of Council-entry and the Maulana would himself advocate Council work. The Khilafat Committee should put forward its programme in clear and unambiguous terms. The Maulana laid stress on the political education of the people so that the desired end could be achieved.

MAHOMED ALI'S ATTACK ON MOHANI

After the Conference was over, the Khilafat demonstration was held late at night when several speakers addressed a large audience in the Khilafat Conference. Maulana MOHAMED ALI spoke adversely on the speech delivered by Maulana Hasrat Mohani as Chairman of the Reception Committee in which Mohani Saheb had gone beyond his province on commenting upon various matters. Maulana Mohamed Ali held that they must not, as Maulana Hasrat had done, accept the newspaper rumour of the Clayton-Ibn Saud Agreement. Of course, if Ibn Saud behaved in the manner Sheriff Hussain had acted they would all oppose him too. But so far no definite proof was forthcoming about the Agreement. On the other hand, Ibn Saud had done well in turning out the Sheriffians.

As regards the necessity for the Khilafat Conference, he said, if the Turks had won their independence the Indian Khilafatists had in some small way made that possible by carrying on the agitation that it was " haram " (sin) for the Muslim to kill a Muslim. This had prevented the Government in those days to send Indian troops to fight the Turks. The same situation might now arise, if the League's decision about Mosul was enforced. He prayed that the Turks might remain in possession of Mosul. The Khilafat Committee's activities would be required to prevent

Indians being again asked to assist to turn out the Turks from Mosul. Moulana Mohamed Ali at this stage was handed over a cable just then received from the Khilafat Deputation which had gone to inquire into the true state of affairs in Hedjaz. He read it to the audience amidst applause.

The following is the text of the Cable which was published in newspapers under the caption

"How Ali's Garrison Surrendered".

"Emir Ali's Medina garrison surrendered on the 4th of December. Ula on the 10th. Alwajh on the 13th and Tabuk and Zuba on the 14th. Governor Yamboo is reported to have fled. Troops are expected to surrender soon. Vast quantities of arms, ammunition, railway materials and five wireless apparatus fell into the Mejdi's hands. Amir Mohammed entered Medina on the 6th and we on the 10th and offered Juma prayers, all the Mejdis joining. The Amir presented robes to Imam.

"The reports of a crack in the dome of the Prophet's tomb is entirely false. A minute examination disclosed two stray bullet marks on the dome and one minaret, all from Ali's side headquarters. The Bedouins are hostile to Ali. The location of responsibility is impossible. The tomb and the dome of Sydna Hamza is uninjured. Only two of the ornamental tops on the iron railing surrounding the tomb and the portion of the pucca Tawiz Aqil's tomb next to Sydna Hamza (since restored) are injured. One raised platform facing the tombs known as Masjid Abuzar also suffered. Other tomb domes and historical monuments are quite safe.

"Quba and Hamza Mosques in the Mejdi's occupation zone were slightly hit by sharpnels from Ali's guns. Maghribi Bukhari and the Hindi houses near the city wall were destroyed by Ali's troops. Interviewed Abdul Majid, Ali's commander, justified their action. Reports of indecent search of women leaving Medina by Ali's soldiers, removal carpets and money from Harem of Nabvi by Husain and Ali are confirmed by Shurafai, Medina Harem officials, Abdul Baqi, Farangimaholi and others. Documentary proof of the offer of Medina to Transjordania by Ali's officials is available. Amir Mohammed are treating the Medinites with brotherly affection and providing relief but distress is acute and extensive. We are opening free kitchen with four thousand rupees under the Supervision Committee consisting of Shaikhul Hurem, President Municipality, Maulana Abdul Baqi, Farangimahali, Shaikh Mohammed Hussain, Samman Syed Malmood Fyzabadi Mohammed and Husain Gabbad."

Maulana Mohamed Ali after reading the telegram appealed for funds to relieve the distress in Medina. Rs, 337 were subscribed on the spot and more was promised.

Proceedings and Resolutions

25TH—28TH DECEMBER 1925.

The Khilafat Conference re-assembled next day on the 25th December. As Maulana Abul Kalam Azad was indisposed, Maulana Mohamed Ali took the chair.

The first resolution moved was regarding the Riffs whose valiant stand against the two mighty European Powers was referred to and their love of Islam and patriotism were applauded. The following resolutions were also passed :—

"The All-India Khilafat Conference resolves that enlistment of volunteers in every district and province should be taken in hand with a view to execute with vigour the constructive programme of Khilafat organization :

"This Conference expresses its profound sympathy with its South African Indian brethren in their struggle for protection of their national and civic rights, and assures them that every Indian fervently desires success to their

cause and would do everything possible for them in their present condition of helpless slavery:

"The Conference invites the attention of all Khilafat workers to the critical and serious situation that has arisen and calls upon them to strengthen the Khilafat organizations in the various districts and provinces within the next three months of the coming year, if they do not want to kill the progressive spirit of national consciousness created in the Muslim community".

IRAQ AND MOSUL

On the 26TH DECEMBER the Conference re-assembled with Maulana Abul Kalam Azad presiding. The first resolution adopted, after several speakers had spoken, was regarding Iraq and Mosul. It was moved by Maulana Abdul Rahman and was seconded by Maulana Shaukat Ali. It reiterated the opinion of the Conference that from a religious point of view they could never accept foreign interference in the affairs of Jazirat-ul-Arab, that Iraq was a part of Jazirat-ul-Arab and that the present administration of Iraq was really British.

The Conference further held that the decision of the League on Mosul was not acceptable, in asmuchas it was against the understanding given by Lord Curzon on the occasion of signing of the Lausanne treaty that no decision regarding Mosul would be taken in defiance of the wishes of the Turks.

The Conference declared that if the Turks were consequently forced to a war, they would be justified in so doing, and that the Khilafat Conference would consider it its duty to help Turks.

Further that Indians should learn from the bitter experience of the last war and should not repeat the same mistake. If, therefore, a war arose on the issue of Mosul, the Conference would try to see that Indians did not render any help in men or money to the British Government.

BOMBARDMENT OF DAMASCUS.

The next resolution condemned the brutal bombardment of Damascus by the French, expressed whole-hearted sympathy with the people of Syria in their struggle for freedom. This was moved by Maulana Suleman Sahib Nadvi and supported by M. Mohamed Ali.

The third resolution declared that Ukba and Muan were essentially a part of the Hedjaz and protested against any attempt by Britain to separate these from the Hedjaz.

The last resolution passed on this day urged the Conference workers to join the All-India Spinner's Association in greater numbers, so that they may not lag behind other communities in this respect.

MOULANA MOHANI'S ADDRESS EXPUNGED

On the 27TH DECEMBER an importaft decision was taken by the Khilafat Conference to expunge from the official Khilafat documents the address which Maulana Hasrat Mohani delivered as the Chairman of the Reception Committee. It was held that the address advocated views opposed to the declared views of the Central Khilafat Committee and that the views condemning the Khilafat policy for the year had been made in the spirit of irresponsibility. Maulana Azad, President of the Conference, made it clear that in passing the resolution they should not mix up personalities with prin-

ciples and should be guided solely by sense of responsibility and of loyalty to the Khilafat. They had to weigh on one hand the gravity of the issue at stake and on the other the consequences of being forced to deal with personalities. They could not allow such a document to form part of the Khilafat literature without causing grave misunderstanding.

Regarding the attitude of the Conference Maulvi Habibur Rahman said that the address had been condemned in moderate language and that the activities of Moulana Hasrat Mohani in connection with the Khudamul Harman had made him forfeit their confidence. Islam was respector of no person, however great his past services, if he defied the Muslims in religious matters.

Another resolution of the Conference resolved to take steps to create an atmosphere for healthy annual pilgrimage to Hedjaz, to establish, in case of necessity, Khilafat organization centres in Arabia.

On the 28TH DECEMBER the Conference concluded its session after passing some more resolutions two of which were important namely, those relating to proposed settlement of Moplahs in Andamans and the liberation of Hedjaz.

The Moplah Settlement.

The resolution regarding Moplahs was adopted by the Conference on the motion of Mr. Yakub Hossain of Madras. It declared its resentment at the proposal of the Government of India to make Moplahs with their families settle down in Andamans for the reason that the Jails Committee had already declared against the island being made an abode of prisoners. Moreover, the Conference was opposed to Moplahs being sent away from their homelands to any country, however suitable. Further, the Conference feared, that as men number ten times the women in the island, this would have a very serious effect on the morals of Moplah prisoners and their children.

Liberation of Hedjaz.

The Conference in the resolution about Hedjaz " offers its congratulations to Ibn Saud on the peaceful entry of his forces in Medina and Jeddah and expresses its hearty gratification for complete liberation of Hedjaz from the tyrannical regime of the Sheriffian Government. The Conference further affirms its full satisfaction and confidence in the policy of the Sultan regarding the future of Hedjaz as conveyed in all his declarations, and trusts that the whole Islamic world will welcome his invitation and an International Islamic Conference will soon meet to decide the future of Hedjaz. This Conference resolves that the Central Khilafat Committee should widely proclaim in India that the present well-ordered and peaceful conditions of Hedjaz provides all possible facilities for despatch and return of a very large number of pilgrims during the coming Haj season and may also open its offices at Jeddah or other places, if necessary, for the attainment of this object ".

The President's Concluding Speech

Moulana Abul Kalam AZAD delivered a brief spirited address in bringing to a close the proceedings of the Khilafat Conference. Referring to the main resolution of the session passed, he said: " These urge the Muslims to take the vow of earnest, uninterrupted, solid work for the performance of the duties that are binding on every individual. Nations have their duties

in the same manner as have individuals. Corporate life can be illustrated by the example of bricks and walls. Bricks not joined together can be picked off easily, but once they are joined together—that is, a relation is established (on solid foundation) between each of these—a blow to the bricks would result in injury to one's own feet. This difference was created through a change of relationship. When one brick was put in such a position as to help and support the others, it was made infinitely more strong than it originally was, when it was deprived of the support of others. For nations there are fixed codes of conduct, deviation from which renders them weak, helpless and morally and politically degenerated and deformed. The Indian Muslims are a hopelessly divided and disorganized people—a flock of slaves, a herd of men no better than cattle, neither of use for itself nor of any benefit to the community at large. India's independence cannot long be withheld now but our shameful indifference to our duties and our disregard of the most fundamental political demands might postpone it and the responsibility is great, if we feel that we are retarding the progress of a people advancing towards Swaraj.

"There is an auspicious change in Hedjaz. The land of Arabia has been purged of a great tyrannical administration. From the very first Sultan Ibn Saud had made his policy and position clear and unambiguous. He had declared that he was not seizing Hedjaz for establishing control over it. After the autocratic atrocities of Hussain he was inviting representatives from different countries to decide the future of Hedjaz. There is no possibility of any further doubts as regards his intentions. Past events are proofs conclusive on this vexed question. Those who have eyes can see things clearly and in their true perspective. It was a great mercy that the Almighty showered on us when after ten years of shameful mismanagement and disorganization that was rampant in the very heart of Arabia and which was the cause of much sorrow and suffering, a man came forward to liberate that Holy Land. For full ten years that tyrannical Government of Sharif Hussain was supreme in Hedjaz, in spite of the declared wishes of forty crores of Mussalmans of the world to the contrary. During the course of these thirteen hundred years there has not been an evil of such portentous magnitude than the reign of the Sharifian family. The devastation of Damascus was but a natural corollary to that evil."

"The Mosques should be educational centres for Muslims. Unless a change is sought to be effected in the daily life of a Muslim, no useful results are likely to accrue. Orphanages should also be established where there is need for them. The Khilafat Committee should fix three months for collecting, if necessary, funds required for carrying on its work and the rest of nine months to actual completion of the work taken in hand. This will insure economy of time. Energies will thus not be frittered away in unuseful direction. On an appropriate occasion the Committee shall be accountable for a fixed quota of work undertaken at the beginning of the year. It shall have to fulfil the promises it made at the beginning of the year and provide the much-needed religious education of the Muslims. This would mean enlightenment and education in its truest sense on every seventh day. This refinement of mind would thus be repeated with unfailing regularity. This would be establishing an educational institution, as it were with the minimum expenditure of energy."

All-India Hindu Mahasabha

CAWNPUR—29TH DECEMBER 1925.

The special session of the Hindu Mahasabha was held in the Congress Pandal on the 29th December, the admission being free. Over twenty thousand attended and heard Lala Lajpat Rai, Mr. Kelkar, Pundit Malaviya and others expounding the aims and objects of the Hindu Mahasabha organisation. The pandal was packed to the utmost capacity. A quite large number of Hindu ladies were present.

Rai Bahadur Vishamber NATH, in his address as the Chairman of the Reception Committee, emphasised that so long as the Hindu community did not stand united, India's salvation would not be achieved. Sangathan was therefore, the most important part of their programme.

Lala Lajpat RAI said, in his capacity as the President of the All-India Mahasabha, that he had invited Mr. N. C. Kelkar who had succeeded to Lok. Tilak's 'gadi' to preside over the day's function. Lalaji himself spoke briefly. He said that the Hindu community, perhaps excepting only the Chinese, was the oldest in the world. It was not inferior to any community in Asia in matters of brain and intellectual equipment, for it had produced a poet of Dr. Tagore's eminence, a scientist of Sir J. C. Bose's calibre and a chemist of Sir P. C. Roy's reputation. What then was the Hindu weakness due to? It was the lack of unity and organisation. The Hindu Mahasabha had been, therefore, brought into existence to unite all the Hindus of India with a common bond. Let them have their own differences of caste or creed, if they liked, but they must stand together as a community. The Mahasabha's business would be to organize the community and render help wherever necessary. He was most pained to find the Hindus declare that they had been robbed or killed. He wanted them to remove this weakness and this fear. Let them all harden their mind and face the world in the belief that none could bring them to dust. He reminded them that the Hindus' religion told that they were born to die and that they died to be re-born. Why then the fear of death in upholding their faith and the community's honour? The Hindus' weakness lay in their being too analytical. They must now learn also to synthetise the first lesson which every Hindu child must be taught was not to care for the riches or education, but to stand for his Dharma, to give up cowardice and become lion-hearted in the defence of his faith, not to depend upon the Government or any other powers' help to protect them but to learn self-defence.

Illustrating his point of view Lalaji said that when Sita was in the custody of Ravana and Hanuman reached Lanka and told Sita that he could take her away to Rama, Sita refused to go, because her protection was Dharma of her husband Rama, and that if any one else helped in the escape, Rama would not be able to fulfil his Dharmic obligation (applause). The same way it was the religious obligation of the Hindus alone to protect their wives and children and not to depend upon the Government help. In India

to-day there were not even a dozen true Brahmins. If they had been the cows would not have been sacrificed. There were not even half a dozen true Kshatriyas. If they had been the community would not have had its present difficulties. There were no true Vaishyas who when the community was in danger should have placed their riches at its disposal, as they believed in old times that riches were intended for these ends. The existence of untouchables was a disgrace and should be removed.

Mr. N. C. KELKAR delivered his Presidential address which could be summed up in his sentence that "Hindus not only wish to attain political Swaraj in India, but they also wish to have their proper share of remaining Hindus." The full text of the address is given below.

Pundit NEKI RAM referring to the mass of surging humanity that had filled the pandal felt pleased that it showed that the Hindu community was awake. He said just as to-day the doors had been kept open for free admission, so also must the Hindu community keep the doors open for all to come in. A firm which continued to the debit and put nothing to the credit soon went into insolvency, so would happen to the Hindus, if they continued to diminish and did not add to their numbers.

Sardar Sardul SINGH on behalf of the Gurdwara Prabandhak Committee thanked the Hindus from the platform of the Mahasabha for the help they had rendered in their struggle. He assured them that they would give their life for the protection of the Hindu community; for every one Hindu who died for its protection four Sikhs would lay down their lives (applause). The Punjab Government unsuccessfully tried to divide the Sikhs and the Hindus on the Gurdwara issue, but the Hindus' better sense prevailed. So far as Sikhs were concerned, he declared that in any dispute Pundit Malaviya, a Hindu, would be their nominee for arbitration (applause). Let the Hindus select another.

Mrs. Sarojini NAIDU, the President of the Congress, was given an ovation on coming to the rostrum. She said that for some six days they had been engaged in setting their political programme. But at the same time they realized that Swaraj was not possible so long as there was division among the Hindus and untouchability was not removed. She pleaded especially that the Hindu women must receive their just due and be brought into line with them in the national struggle and national service. The Hindus must organize to defend themselves, but they must see that in so doing they did no injustice to others. Hindu Rajas gave protection to all minorities.

Professors YEN of China, a Buddhist, spoke briefly in English. He pleaded that they should revive the ancient kinship among all ancient people and laid emphasis on social service as being the most important teaching of the religion.

Presidential Address

Following is the presidential address delivered by Mr. N. C. Kelkar at the Mahasabha:—

Ladies and Gentlemen,

Let me thank you for the honour you have done me by electing me to preside over this gathering. I value this honour less for the honour itself that for the opportunity it gives me for explaining my position with regard to the communal contest or controversy in which for the moment all of us seem to be involved willingly or unwillingly

I believe I am one of those who are the least affected by what is really a communal spirit. To me political life and progress in the country is of infinitely greater importance than the progress or set-back of any single community in this country and I can, if necessary, prove that my favourite motto has been the question asked by the Irish Poet in the following words :

Shall I ask the brave soldier
who fights by my side
In the cause of my country
if our creeds agree?
Shall I give up the friend
I have valued and tried
If he kneels not before
the same altar with me?

In saying this I am perhaps making a large order upon the credulity of those who believe that I am steeped over head and ears in the mire of a bad communal spirit. But whatever others may think of me I owe it to myself to make my own position clear as far as I can.

I have said that, left to myself I would give the complete go-bye to any communal movement in the country. But I find it impossible to ignore the hard realities of the situation. Strange as it may seem, the prospect of political advance though neither very concrete, nor substantial, has produced a reactionary effect upon the communal tendencies of the people in this country. And what is stranger still, in my opinion, is that the advance of education has, instead of ameliorating the bitterness of communal strife, apparently served only to furnish more abiding reasons for the continuance of its intensity than the unaided religious sentiment of the followers of the different religions in India. The proportional growth of communal feeling in India side by side with the progress of education and political sentiment looks indeed like a problem for a psychological investigator. But I think the problem is not insoluble or even hopelessly difficult. To any acute thinker the problem gives no surprise; for the rousing of sectional instincts is a necessary preliminary stage through which every national movement has to pass its early career. To my mind the communal reaction only accentuates the fact of the development of political instinct. It is probably because political rights and privileges have begun to loom large before the mind of even the common man in India that he has begun to take greater care of his religious and communal denomination. He finds in this denomination a much wider plane for the adjustment of his relations with other communities. Without meaning profanation or offence to any religiously minded man, I would say that the real beneficiary of his present much advertised religious movement is not his soul "vis-a-vis" salvation in the other world, but his desire to have more and better goods appertaining to this very worldly life.

In this manner only can I hope to account for the fact that the present political state of the country should seem to be overshadowed by communal squabbles and increasing communal bitterness. In saying this I many appear to be too cynical to some people. But I would make it clear that what I have said covers only one and the immediate aspect of the revival of communalism in this country. I am otherwise a believer in the possibility of religious missionaries who are absolutely disinterested in a wordly way in a communal strife and who honestly regard it a sacred duty to preach the truths of their own religion to people outside the pale of those religions.

Christian Community.

To be fair in the statement of the position I must say that there are at present three communities or religions who have been participating in the sectional contest or strife. Each of them, however, is in a distinct and peculiar predicament of its own and one must dive a little below the surface to assay the real quantity and quality of the contribution of each of them. We will first of all take the Christian Community in India. This designation covers both the Indo-British, the Anglo-Indian and the Indian Christian Communities. Of these the first can conveniently affect to separate their religious and political activity in this country, for the simple reason that the Indo-Britisher is indisputably the supreme political master in the country and Christian propagandism has very little of political fruit now left to be added to his table. He frankly bases the foundation, and continues to trust the maintenance of his political power on his military and industrial superiority. It must not be forgotten, however, that even so the European has provided for himself separate communal representation in the higher constituted bodies. And perhaps he wants nothing more personally because

he is merely a bird of passage with no deep-rooted personal interest in this country as a Christian.

As for the Anglo-Indian he is already more than adequately provided for in several Government departments and shares with the Indo-Britishers a kind of special prestige and protection even from the overwhelming Indian majority. He too, therefore seems to be not taking any interest in communal matters from a religious point of view. But as for the Indian Christian community, it must be said to their credit that they are showing the least sectarian or propagandist spirit though placed in a peculiar position. They might have asked for special representation or communal electorates, taking benefit of the prevailing communal madness. But they have not done this, and their spokesmen like my friends Mr. Baptista and Dr. Datta always give the first place in their hearts to a purely national sentiment, trusting absolutely to their own sterling worth, if any to secure to them the coveted place in the Sun.

Mahomedans.

The next community contributing to this communal contest is the Mahomedans. And their contribution is, in one sense, larger than that of any other community. Like the Hindus they occupy quite a subordinate place in this country, so far as real political power and authority are concerned. But unlike the Hindus they have connections and attachments outside India and what they lack in point of inspiration from their immediate Indian surroundings they can make up by hailing and hallooing to their co-religionists in other lands, who enjoy a kind of quality with European Nations in point of international prestige or military power. It is obvious to any one that but for this extra-territorial attachment the Mahomedans in India would not have been a great political problem. Perhaps nine-tenths of the Mahomedan population in India is made up of converts from Hinduism and they would naturally live content with their Indian setting like the native Christian community if political leaven were not introduced in the community by over-recurring thoughts of what is being said and enacted by Mahomedan powers in other parts of the world. The position has been aggravated by the ever irrepressible propagandistic tendency of the Mahomedan religion. Then territorial conquests and religious propagandism have acted and reacted upon each other with a kind of affinity the like of which has not been seen in any other instance. They have advanced themselves into the position of the largest numerical minority in the country. And yet their ambition and aspiration are not strictly in proportion to their numerical strength. They put forward a transcending claim to representation, and when they ask for an "effective" representation it is coloured less by a numerical sense than a sense of political importance based not only on the fact of their having once been the Rulers of India but brought into relation with the prospects however visionary or fanciful of ruling India once more This idea they do not of course put in a concrete form, for it offends the legal sense so far as the present Government is concerned and offends the national sense so far as the Hindus are concerned. The fact, they think, of a coherent continuous chain from Angora to Saharanpur of Mahomedan power and influence cannot be disputed The further prolongation of the chain is of course immediately unthinkable but what is impossible if a man like Kamal Pasha was found to secure the freedom of Turkey from hostile European powers and when Afghanistan is so near at hand and may be ready and willing to cross over to accomplish the eternal purpose of Islam and to secure a proper foundation for this future construction? The Mahomedans have already begun to advance a claim for complete separation of every political interest all along the line in the body politic of India, so that the identity of the Moslem Raj may be effectively emphasized and its integrity rapidly developed.

Hindus

Then comes the Hindu community which also may be said to be contributing to the communal contests by its Sangathan and other movements; but in this matter the issue must be clearly understood. It is obvious that the Hindus as Hindus have not complicated the political situation by putting forward any communal claim to anything. The Sangathan has no directly political significance. I am cognizant, however, of the retort, that the Hindus have everything to gain and nothing to lose by general electorates and by the maintenance of the status quo in other matters. But there is also a counter-retort to his. In at least two province the Hindus are in a minority and at least in one province and one sub-province they are hopelessly condemned to an insignificant numerical position for ever. And yet in those provinces the Hindus did not put forward any communal claim at any time. The only position which the Hindus have taken and which, I think, they should never give up is that the Mahomedans cannot be allowed

to claim special representation in different Provinces according to a special rule for that Province. In other words they do not object to any rule of universal application which Mahomedans may choose to abide by. But they object and will object to "ad hoc" pleas or rules, so that the Mahomedans may be enabled to say 'heads I win, tails you lose.' The application of any one universal rule would result naturally in hostages being given by both communities in different Provinces. In the Frontier Provinces, the Punjab, Bengal and Sindh the Mahomedans would be in a position of advantage. On the other hand the Hindus would be in a position of advantage in other Provinces. Does this not give a kind of automatic guarantee against the ill-treatment of any one community by another in any Province, assuming that the Hindu and Mahomedan communities are both animated by fellow-feeling for co-religionists ?

Shuddhi and Sangathan.

From the above it will be seen that the contribution by the Hindus to the communal contest from the political point of view is the least of all the communities in India. Why, then, it may be asked, the Sangathan is a frankly communal movement ! The answer to the question is that the movement though communal is both in point of religion and politics simply a defensive movement. It has only a negative character in that it seeks to prevent further losses to the Hindu community occurring by reason of the propagandistic activities of other religions. Hinduism has as much right to live as any other religion. One need not go into the question whether Hinduism was right or wrong in being, in the past, a passive, exclusive, non-proselytizing religion. Even now the most aggressive Hindu is not found to preach among his co-religionists that Hinduism should go forth and conquer those who have never been Hindus before. Unfortunately the idea seems to be too wild or even heretical to the typical or even to the average Hindu. He has not yet been reclaimed from that spirit of exclusiveness from foreign contact which led him to think that outside India there was nothing worth taking account of and that even within India the Hindu population that already existed was, as it were, numerically too big to be effectively good for its own welfare, that numerical plenty must be a cause of the degeneration of the social and religious ideal and that to shrink in the shell was the surer way to salvation and prosperity than to come out and advance. Even Shudddi, he thinks to be an adventure and would hedge it round with innumerable limitation and would propound in connection with it mystifying conundrums which would befog the average Hindu and react upon the typical Hindu. Even in the matter of prevention of future conversions he would make his own conditions and would rather loose the lower classes than give them even legitimate concessions. All this shows the narrow compass within which even the protective activities of the Hindu Community are being manifested, and yet there are men in this country who must accuse the Hindu of having started the cry of Hinduism in danger, and that the Hindus would be held responsible for spoiling the cause of national advance. I have always wondered that these critics have never given straight categorical reply to the categorical question, namely, why should the Hindus not still themselves to seek organised unity among themselves of other religious in India are doing not only that but much more ? Why should it be the responsibility of the Hindu alone to do nothing that would have even the most distant effect of disturbing the present complacent mood of Christians and Mahomedans who have been furiously nibbling not only at the fringe of Hinduism but daringly attacking at times even its heart and core. Will some body point out to me the least little breath of protest uttered by these wiseacres against the propagandistic activities of the Christian Missionaries and the Moslem Tablighists ? Their warning against danger to national interest could be appreciated, if they were impartial in their condemnation of the disturbing communal activities of all communities alike. I really wonder why their wholesome advice should have been reserved only for the Hindu community and yet none of them, I believe, is really ignorant of the ravages that are being made in the ranks of the Hindu community from day to day and, I may say, almost from hour to hour. Bishop Whitehead openly claims that the toll which Christianity levies upon Hinduism comes to two thousand souls or heads, which—ever you may like to call it, every week. The real figure of conversions to Mahomedanism from week to week cannot be precisely estimated. But it must be evidently a good round figure. All possible means are being preached and practised for the benefit of Christian and Moslem aggrandizement among Hindus and it is an open secret that even the resources of Hindu States governed by Moslem Rulers are being used for this purpose. But whereas complaint is heard against the Shuddi and Sangathan movements of the Hindus there is hardly an audible or even formal demur to the proselytizing propaganda of the non-Hindus.

Advice to Hindus.

But I would ask the Hindu community no longer to concern itself with the accusations brought against them in this matter by interested critics. The Hindus ought not to lose the continuity of their effort by the red-herring drawn across their path. They should have sense enough to see through the attempt to exploit their patriotism and national sentiment by people who have not themselves foresworn communal activity. The losses they have suffered in the past should now open their eyes to look at a future correct policy without the least blinking or hesitation. The Hindus cannot afford to lose their integrity even in the name of Swarajya. And in this respect history indicates the reasonable limits beyond which any religion or community cannot be called upon to make concessions. It is almost amusing that some people should affect to believe that Hindus have been guilty of a great crime in happening to be in a majority over other communities in Hindusthan, that is to say, their own native country. If the other communities in India are in a minority here, have they not more than a *quid pro quo* or counter-balancing set-off in other countries? Are the Hindus to blame that these others are in a minority in India? And can any one seriously say that, if other things were allowed to be equal, the present numerical proportion between the different communities would disappear or even materially change for centuries? And in that case have not the minorities in India to accept their position in a reasonable spirit without fretting and foaming over the irremediable situation. As a Hindu I can say this, that the Hindu community in India will always be prepared to abide by any rational scheme or method of giving protection to the minorities in India, which can be devised from any working parallel in any other country where a similar position may have been or is in existence. I may mention the methods of proportional representation, preferential vote, limited vote, and second ballot etc. It is open to any one even to suggest another and a better method. if imaginable. But as a Hindu, I would refuse, with all the insistence at my command, to be penalized or sheared like a sheep for the fault of being a numerical majority in this country. Further, I would insist upon the right being conceded to the Hindu of not only preserving in fact their present numerical strength by every conceivable method, but also increasing it by the Shuddhi movement for the sake of recouping at least the immediate losses. I would go even further and say this to my Hindu brethren: "You have a right to be proud of your religion, as every body else and you have a right to aspire to spread it." There is nothing reprehensibly boastful in saying that the Hindus are the custodians, on this side of what is called the Aryan culture and they will consider it a proper mission to give non-Hindus the benefit of it, if, of course, they would have it. One thing, however, I will warn my community against and that is, some of the methods by which Christian or Muslim propagandists carry on their conversions. This opens up a subject on which, for the sake of my own mental peace, I would not further dilate. But I would unhesitatingly say to my Hindu Brethren: "let the Hindu religion or the Hindu community die rather than practise fraud or force or other notorious methods of conversion, which are tinged with melancholy meanness of mind in any form." Matters of religious faith deserve, more than any other matters, to be sacred ground which ought not to be polluted by the footfall of any interests or motives of a wordly character.

Difficulties.

In conclusion, I would point out that even those who strongly feel the need of the movement of Hindu organization do not, in many cases, realise the difficulties which beset their path. And what is worse, many of these difficulties are of their own making. The Hindu Society, we must all remember, cannot be well organised unless it has purged itself of its own inherent impurity and injustice. Hindu organization cannot be had merely for the asking, that is to say, expressing approval for it. Its exclusive spirit has put it within a narrow and a straight jacket and even within that jacket it has been torn to pieces by the operation of quite a number of disintegrating forces. The caste system has been pushed to a ridiculous extent and we have been taught to glory in the very meagreness of our social groups. This naturally leads to each group acting for itself and working for its own exclusive welfare. Even the depressed and untouchable classes, though themselves kept at arm's length by the upper classes, practise the same fault in their own case and behave towards each other as they themselves were a superior caste and the rest no where. Another line of cleavage runs along religious sectarianism which in the fury of its internal quarrels and dissensions completely oblivious to the common danger which threatens from without. The Dwaiti and the Adwaiti, the Shankara and the Madhava, the Arya Samajist and the Sanatanist, the Shakta and the Shaivite, must all now agree to bury their small differences and to put in the forefront the one idea that they have all to lose in common equally, if they do not present a united front

and join hands in organising the Hindu Society. They have stake in the country greater than any other community in India. In the recent troubles the Indian Mahomedans could at least think of such a thing as 'Hijrat,' though of course they could not practise it successfully. But where in the whole wide would, is there an inch of space which the poor, unbefriended and threatend Hindu can call his own, outside Hindusthan? Other communities have their whole bases of operations and world-wide lines of communication and flotillas of boats and transports which can replenish them in India at need. The Hindu Society, on the other hand, has long ago burnt its boats, cut off every possible line of communication with the world with its own hands, and has cooped itself up unwisely with a ditch around itself and foolish contrivance in which the valve shuts against itself but opens out for any hostile soldier, adventurer or camp-follower to safely come across and give the best account of the slightest capacity of mischief or harm which he may possess. The only hope therefore of this beleaguered community now lies in strong fortifying itself at all points of attack, make friends with all amongst itself and take good care of the blind, the lame and the diseased and to enthuse the whole garrison with the hope that it can save itself even now, if it makes up its mind, the hope being reinforced by the warning that it is doomed to destruction if it faints or falters for a moment. Hindus not only wish to attain political Swaraj in India, but they also wish to have their proper share of it, remaining Hindus. Like the late Lokamanya Tilak at Lucknow they should of course be prepared to make all reasonable concessions to the minorities in the country, but also like Lala Lajpatrai at Bombay, they must be prepared to declare that they will fight for Swaraj cheerfully along with Mahomedans and others, shoulder to shoulder but will carry on the struggle by themselves and without the others if the worst comes to the worst. Swaraj will not be worth having if we cannot purchase it with any price less than the loss of Hinduism itself.

All-India Muslim League

ALIGARH—30TH DECEMBER 1925.

The 17th Session of the All-India Muslim League opened at Aligarh on the 30th December, Sir Abdur Rahim presiding. The President-elect entered the Pandal in a procession. Among those present were Sir Mian Mahomed Shafi, Sir Ali Imam, Mr. Jinnah, Moulana Mahomed Ali, Moulana Shaukat Ali, Seth Yakub Hassain, Dr. Kitchlew, Seth Mohani, Mr. Asaf Ali, Mr. Ali Nabi, Mr. Tasadduq Ahmed Khan Sherwani, Dr. Abdur Rahim and Mr. Sorabji Rustamji of the South African Delegation.

Mr. Sheikh Abdullah, Chairman of the Reception Committee welcomed the League to Aligarh, the place of its birth.

Mr. JINNAH in inviting Sir Abdur Rahim to take the chair said that Sir Abdur Rahim became famous when he was first appointed Member of the Royal Commission by writing his note of dissent. He was an upright Judge on the Bench of Madras High Court. After that he transferred his activities to the bureaucratic camp where he was a power. As a member of the Bengal Executive Council he rendered them many services which did not see the light of the day. The situation in India, he declared, was more serious than he had known during his life time. He felt no doubt that under the able guidance of Sir Abdur Rahim and by the co-operation of all who had assembled there the League would achieve results which would not only benefit the community but India as a whole. They desired unity in India between the different communities and the first step to this desideratum was to bring about unity among themselves.

Presidential Address

In his lengthy presidential address Sir Abdur Rahim reviewed the position of Indian Mussalmans and made some practical suggestions for advancing their moral and material progress. He strongly defended the attitude of Mussalmans towards their co-religionists and criticised a section of Hindu politicians whose mischievous activities according to him were a serious challenge to Islam and a grave menace to the political status of Mussalmans. He supported the proposal for communal electorates not only for Mussalmans but also for Englishmen and advocated the formation of a solid Muslim Party in the Legislatures as an essential and foremost need of the situation and without which he feared the political ruin of the community would be brought about by their own men.

He suggested the appointment of a strong committee fully representativ e of different communities and interests to investigate the entire position in regard to the question of making Provincial Governments entirely responsible to the legislature and ascertain the opinions and desires of the people on as large a scale as possible in the different concrete political and administrative problems that might arise and then recommend a constitution which would meet

the requirements of the situation. He dwelt on the political importance of the Muslim League and deplored the attacks on Muslim community in the form of Suddhi, Sangathan and Hindu Mahasabha movements and activities led by politicians like Lala Lajpat Rai and Swami Shraddhanand. Some of the Hindu leaders had spoken publicly of driving out Muslims from India as Spaniards expelled Moors from Spain. Mussalmans would be a too big mouthful for their Hindu friends to swallow. Thanks to the artificial conditions under which they lived they had to admit that Hindus were in a position of great advantage and even the English had learnt to dread their venomous propaganda. Hindus were equally adept in the art of belittling in every way possible the best Mussalmans in public positions excepting only those who had subscribed to the Hindu political creed. They had in fact by their provocative and aggressive conduct made it clearer than ever to Muslims that the latter could not entrust their fate to Hindus and must adopt every possible measure of self-defence. Muslims must tell these politicians frankly and explicitly that their claim that India belonged solely to Hindus was preposterous and unfounded and was unjust to India itself.

Anyone who was at all acquainted with the history of the Muslim races throughout the world would never deny that they were the greatest patrons of human talent, energy and enterprise without any consideration of race, colour or creed. Politicians should realise that it would be impossible to establish Self-Government without Muslim help.

He criticised the Swaraj Party and its incongruous mixture and said that unless Swarajists made up their minds definitely to free their party from the influence of monopolists and capitalists it was not possible for them to act as a genuine People's Party. He defended the accusation against Mussalmans that their patriotism was not wholly confined to this country and said Mussalmans are proud of their international outlook and India would have been a happier country if she was not embarrassed by caste and untouchability. He sympathised with the gallant Riffs and brave Druses. The most disquieting news to him was the award of the League of Nations on Mosul question. The decision was pregnant with sinister possibilities affecting the relations between England and Turkey and he fervently hoped that matters would not be pushed beyond limits of friendly negotiations.

Referring to the Hindu-Muslim problems Sir Abdur Rahim declared that it would perhaps be years before a substantial fusion of the two peoples came about and probably it would be as a result of some general social upheaval. He instanced the position of Mussalmans in Bengal, their past glory and their present abject position and pleaded for reconstruction of the community. English and Bengali were substituted for Persian and Urdu and in one generation Muslims were swept out of the administration. The motive was mainly political though it was supported on administrative grounds.

After dealing with the great value of Mussalmans to India he narrated his own experience in public positions and acknowledged without reserve that he had much to learn from his English colleagues at every stage of his career and he would have been a great looser if he had not the advantage of working with them. Most of the progressive measure were initiated by Englishmen themselves and he could not recall a single occasion when there was an agreement on any question among Indian members for a substantial fusion of the two of the Executive Council. Their opinion was disregarded.

If the Indian point of view had not prevailed on any question where it should have then it must be attributed more to the weakness of Indian members and Ministers than anything else.

As regards Indians in Government it was alleged that the system was such that an Indian majority in Government could not enforce their views. Even without any formal rules enunciating joint responsibility there was nothing to prevent all members of Government in any province acting together in enforcing their views if the Governor overruled any of them or all of them in any measure of importance. He emphasised the necessity that the Imperial Conference should be given a constitution in which India would have an honoured and equal place and he looked forward to the time when the League of Nations would become a greater League of Humanity. India, he said, was far off from the ideal of responsible Government in this essential respect that her electorate was not educated that it would be years before every man and woman would have a vote. Nor was it possible under present circumstances to have one common general electorate.

Subject to these limitations the present constitution should be modified for securing political and economic progress of the country unhampered. He also referred to the useful work of the Khilafat Committee and Tanzim and pleaded for a common language and common name for Indian people. He had no objection for Hindi with this compromise that Mussalmans would use Arabic Script.

Proceedings and Resolutions

2ND DAY—31ST DECEMBER 1925

ROYAL COMMISSION

The second sitting of the All-India Muslim League commenced on the 31st. morning, Sir Abdur Rahim presiding. The following resolution was moved by Sir Ali Imam :—

"Whereas the speedy attainment of full responsible Government is one of the declared objects of the League and it is now generally felt and recognised that the conception of Swaraj should be translated into the realm of practical Politics and whereas it is the declared policy of the British Government also to enable the people of India to take a decisive part in the moulding of their own destinies which is marked by the declaration of August 1917, and the enactment of 1919 which formed a definite epoch in the history of India, as a herald of the time when India will possess full autonomy and will rank as an equal with the Dominions and with the United Kingdom itself as a member of the British Commonwealth, the All-India Muslim League is of opinion that the present constitution of India must be amended and urges that for this purpose the Government should undertake the revision of the Government of India Act 1919 and without any delay appoint a Royal Commission to formulate after due enquiry and investigation a scheme so as to place the Indian constitution on a sound and permanent basis with provisions for automatic progress to establish full Responsible Government in India and thereby secure stability in the Government and the willing co-operation of the people, provided however, that for any scheme of the future constitution of India the All-India Muslim League reaffirms and unequivocally declares that the following basic and fundamental principles must be secured and guaranteed viz. (1) all legislatures of the country and other elected bodies shall be constituted on the definite principle of adequate and effective representation of minorities in every province without reducing the majority in any province to a minority or even to an equality (2) the representation of communal group shall be continued 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 electorate (3) any territorial redistribution that might at any time be necessary shall not in any way affect the Muslim majority in the Punjab, Bengal and the North-West Frontier Province, (4) full religious liberty of belief, worship, observances, propaganda association and education shall be guaranteed to all communities, (5) no Bill or resolution or any part thereof shall be passed in any legislature or in any other elected body if three-fourths of the members of any community in that particular body oppose such bill or resolution or part thereof on the ground that it would be injurious to the interests of that community, or in the alternative, such other method is devised as may be found feasible and practicable to deal with such cases "

In commending the resolution to the League Sir ALI IMAM said that the present constitution was considered to be insatisfactory because it did not give sufficient scope for proper expression of their political aspirations. Reforms were short in one thing that they had not in truth conferred upon the country self-Government. They wanted reforms which must secure Self-Government. The appointment of the Royal Commission should be declared as it would be legal step for the authorities in England to take. There should be no delay in the appointment of the Royal Commission as the wasting would only mean sheer loss of time.

It was in the interest of good Government that the people should not feel disappointed as regards the appointment of the Commission. Hope deferred would make the heart sick. If there was delay of this kind it might endanger the position in India as there was an idea for separation from British Empire. If their place was going to be of an equal partner in the Empire, then and then alone, they could be content. So much for the preamble of the resolution. As for the provisos obvious justice was contained in the provision for adequate and effective representation of minorities in the legislatures. Experience has shown how a sectarian majority could be of a wicked nature and a perpetual minority had always to bear from it in provinces where they had got a majority. That majority should in no way be reduced, but maintained. As to the representation of communal groups, he said that he had always felt a repugnance for separate electorates, the reasons being that no country could take long strides towards political advancement without joint action. He wished that the condition did not exist in India for separate electorates. The deplorable fact was that the country was so placed racially that it was incomprehensible to do without separate electorates It was a necessary evil according to him so far as the principle of separate electorates was concerned. It favoured both the communities wherever they were in a minority. He hoped and trusted that all these little rivulets and streams would grow into an united river of Indian nationalism. In these circumstances they would not help resorting to this sort of scheme and that would ultimately lead to harmony after which they were hankering. The most strategic provinces were Bengal, the Punjab and the North West Frontier Province, the last being a province which though looked upon as backward province was going to play an important part in the history of India. It was a province of the greatest possible value to the whole of India. Behind all their beautiful and progressive scenes they had to consider as to who would keep the peace. In order to maintain the peace of the country it was essential that the frontiers must be protected from foreign aggression.

The Hon'ble Shahibzada Aftab Ahmad Khan seconded the resolution.

MOHAMMED ALI'S AMENDMENT

Moulana MOHAMMED ALI moved an amendment to the resolution which ran as follows:—

"Whereas Swaraj is our birthright and the existing Government of India provides a constitution for India which falls far short of Swaraj and is extremely unsatisfactory, the All-India Muslim League calls upon the Government to invite a Round Table Conference of the representatives of all communities and political parties in India in terms of the demand made in February 1924 by the Legislative Assembly for the purpose of framing the constitution of Swaraj Government to be brought into force in the manner provided by the resolution of the Legislative Assembly passed in this behalf on that occasion. The League trusts that the constitution exacted in this manner would be based on the following principles for the protection of minorities: (1) that all communities shall have representation in all elected bodies as far as possible in proportion to their members; (2) that minority communities shall have their representation secured to them in every elected body by means of separate electorates, provided that it shall be open to a minority community in any elected body at any time to abandon its separate electorates in favour of joint electorates; (3) that no territorial redistribution shall affect the existing majority of any community in any province without its own consent, (4) that religious liberty, *i.e.* liberty of religious belief, worship, observance, association, propaganda and education shall be guaranteed to all communities; (5) that no Bill or resolution or any part thereof shall be passed in any legislative or any other elected body if three-fourths of the members of any community in that particular body oppose such Bill or resolution or part thereof on the ground that it would injuriously affect their community".

Amendment Ruled Out.

The PRESIDENT ruled this amendment out of order as it was a substantive resolution in itself and it was not placed before the Subjects Committee.

Moulana MOHAMMED ALI then opposed the original resolution. He said that that resolution was full of short-comings. They should not demand a Royal Commission, but Hindus and Mussalmans should sit together and frame a constitution for India. He was of opinion that the existing majority of any community should be maintained and that the representation should be based on proportion to numbers of each community.

Mr. JINNAH supporting the resolution asked them to concentrate their minds on the realities and facts placed before them. He referred to the speech of Lord Birkenhead in which His Lordship had remarked that they were not the slaves of dates and that all political parties in India should first hold a Round Table Conference among themselves and then frame a constitution for India. The speaker maintained that if all the people of India were agreed on a constitution then no Government could resist the demand for Self-Government. He asked them to come to an agreement between themselves first. The only issue between the Government and the people was that the present constitution be revised and that a scheme be formulated for putting the constitution on a permanent basis with provisions for automatic progress.

The resolution was put to the vote and carried by an overwhelming majority.

Reforms in the Frontier

Mr. Abdul AZIZ of Peshawar next moved a resolution

Urging upon the Government the imperative need to give effect to the majority report of the Frontier Enquiry Committee without further delay and asked the members of the Central Legislature and the Punjab Legislative Council to make efforts and press the Government to carry out the recommendations of the Frontier Enquiry Committee.

He went into the history of the question and asserted that the Chief Commissioner's plea in reply to the Muslim Deputation on the ground that

the Hindus were opposed to the extension of Reforms to the province was untenable.

Sir Ali IMAM in seconding the motion said that it was their duty to serve the province to their utmost. The geographical position of the province being such as it was, if the Reforms were not extended, it might create difficulties for the future self-governing India and progressive Afghanistan. It was necessary, therefore, he held that in the interest of defence of India the North-Western Frontier Provinces must be allowed to develop itself. This would create a feeling of affection in the hands of the frontier people for the rest of India. It would be a political blunder not to extend to them the Reforms which they demanded.

Maulana MOHAMMED Ali supporting the resolution said that their demand was just. He was surprised at the attitude of Sir Denis Bray who held one view as the President of the Frontier Enquiry Committee and quite another in the Council of State—representing the Government.

After further discussion the resolution was unanimously adopted.

3RD DAY—1ST JANUARY 1926

At the last meeting of the League on the 1st January the following resolutions were passed.

REFORMS AND CO-OPERATION

Mr. JINNAH moved a resolution that although in the opinion of the League the present constitution was unsatisfactory the Muslim representatives in the various legislatures should utilise the Reforms as far as they went and in view of the appeal of Lord Birkenhead and Lord Reading should show a spirit of co-operation in all measures calculated to advance the welfare of the people of India pending enquiry and investigation by Royal Commission whose appointment the League had already urged.

In a learned speech he said that he wanted the League to express its opinion on this question. He was not prepared to ask the Muslims to resort to civil disobedience. He urged upon them to show a spirit of co-operation in the measures which would benefit the people of India.

Mr. Asaf Ali seconded the resolution. The motion was put to the vote and carried.

IRAQ AND MOSUL

In another resolution which was unanimously adopted the League emphatically declared that Iraq was a part of the Jazirat-Ul-Arab and as such should not be left under non-Muslim control of the British as the mandatory power and that the Muslim League protested against the recent decision of the Council of the League of Nation which offered to the British an extension of their mandate over Iraq for 25 years. The Muslim League further protested against the Mosul decision of the Council of the League of nation as a glaring injustice to Turkey and hoped that Britain would recognise the right of Turkey to the Mosul Vilayet and settled the question by peaceful negotiation. In the event of war breaking out the League considered that the feelings of the Mussalmans of India were calculated to be inflamed beyond control throughout the country and might prove a great and serious disaster.

A resolution moved by Dr. Ziauddin AHMAD to the effect that while it was necessary to fix a suitable standard of educational qualification for the different Services and appointments the League was of opinion that it was extremely undesirable in the best interests of the people to place undue emphasis on the principle of competitive examinations at the expense of other considerations having an important bearing on the needs of an administration was adopted.

THE ASIATIC BILL

Before the resolution on the South African question was moved Dr. ABDUR RAHMAN of the South African Deputation was given the opportunity of explaining the position of Indians in South Africa. The speaker said that for the last twenty years the Indians in South Africa had their grievances and no relief was offered to them. Their rights were curtailed and their privileges abridged to such an extent that life to the Indians there had become intolerable. He then referred to the Areas Reservation Immigration and Registration Bill and pointed out the disabilities to which they would be subjected under it. They would not be permitted to trade, to live outside certain areas, to purchase property outside those areas and to take charge of a machine. They could not sit in the Parliament and had no political or municipal franchise. He was dissatisfied with the reply which the Viceroy gave to the Deputation. He considered the Bill not only a stigma, but an insult to the intelligence of India. If their demand for a Round Table Conference to bring about a settlement of the question was not acceeded to by the Union Government, they would resort to passive resistance and it was going to be a fight of East against West.

The following resolution was moved by Mr. Asaf Ali and adopted unanimously:—

"The All-India Muslim League whole-heartedly supports the Indian settlers of South Africa in their just and honourable struggle against the consolidated forces which threaten their very existence and extends its most cordial welcome to the South African Indian Deputation now in India. The League views with the greatest apprehension and enters its emphatic protest against the Areas Reservation and Immigration and Registration (further provision) Bill which the Government of the Union of South Africa proposes to pass during the next session of the Union Parliament. The League further urges upon the Government of India to make a strong representation to the Union Goveonment and secure a Round Table Conference before any further action is taken by the latter in respect of the proposed Bill, and should this reasonable proposal be declined and the Bill forced through the Union Parliament the Muslim League appeals to the Imperial Government to withhold its assent and disallow the measure."

Among other resolutions passed by the League was one related to the appointment of a Committee to frame a scheme for constitutional advance to be placed before the Royal Commission when appointed.

The other resolution dealt with the deplorable bitterness of feeling existing between the Hindus and Mussalmans in different parts of the country and the constitution of conciliatory boards consisting of representatives of all communities with a Central Board in the Capital of each province to settle all matters likely to create communal differences and to deal with all cases of conflict and enquire into the acts of aggression on the part of any particular community.

The next resolution protested against the Government attempt at the colonisation of Moplah prisoners in the Andamans and urged upon the Government to set free the Moplah prisoners convicted during the Moplah Revolt of 1921.

Another resolution supporting the Mussalmans of Behar and Orissa in their demand for option to present their pleadings in the courts in that province in the Urdu script and in their demand for extension of the system of separate electorates to all local bodies in that province was passed.

A resolution urging upon the Government the necessity of allotting two seats to the Delhi province in the Assembly, one of which should be reserved for the Mussalmans and one seat to it in the Council of State was adopted unanimously.

Sheikh Abdul Majid moved a resolution to the effect that Sindh should be separated from the Bombay Presidency. The resolution was carried with a vote of thanks to the chair. *The League then came to an end.*

All-India Volunteers' Conference

CAWNPUR—25TH DECEMBER 1925.

Mr. T. C. GOSWAMI, Swarajist M.L.A. of Bengal, presided over the Third All-India Volunteer's Conference which opened its session at Cawnpur on the 25th December 1925. Hon'ble Mr. V. J. Patel, Mrs, Naidu, Pandit Motilal, Maulana Shaukat Ali and Lala Lajpat Rai were among those present.

In opening the proceedings Maulana Shaukat Ali, the outgoing President, said the people had hitherto treated the volunteer organization as a joke. He felt, however, that they could never attain freedom without making the volunteer organization strong in the real sense. His duty to the country and to religion demanded that the British be turned out, but this could not be done so long as they were not organized and fought shoulder to shoulder. There was too much vain talk in the country now-a-days. He was distressed particularly to find how they were again falling into the hands of the British and instanced the programmes arranged for the Aligarh Jubilee celebration where a wrestler from Poland was being invited to meet a Punjabi wrestler.

Mr. PALIWAL, Chairman of the Reception Committee, emphasised that without a disciplined army of volunteers they could not win Swaraj and that even if Swaraj was won without such an organisation, it could not be maintained, because to keep Swaraj secure was even more difficult than to attain it.

Presidential Address

Mr. GOSWAMI began his presidential address by reading the message of the Congress President, Mrs. Naidu, which, he said, condensed the cardinal principle of the volunteer movement. The message ran :

"I should like to have a general conscription of the young generation to discipline it for national service. I believe that the volunteer organisation all over the country, trained to obedience, promptness, co-operation and self-sacrifice, would go far towards building up the foundation of national character a thousand times better than academic moral precepts and maxims."

The Cardinal Principle.

"In this short message is condensed the cardinal principles of the volunteer movement for which I offer my humble services and in which I earnestly invite the co-operation of all sons and daughters of India who wish their country well. I am sincerely thankful for the honour that has been done to me and I prize highly the distinction of being called upon to succeed such a well-known patriot as Maulana Shaukat Ali. He is conspicuous in more senses than one, Apart from his great position in the public life of India he has endeared himself to all sections of the people by his sincerity, by a complete absence of ill-will, by his wide tolerence and by a sweetness of temper which is such a power of good in all public activities and which is so indispensable in the volunteer movement. I appeal to him for his continued support and I know, and you all know, that my appeal will not be in vain. I invoke the blessings of other distinguished leaders of

our country—those who are not here to-day as well as those who have shown their interest and sympathy by their presence amongst us. This infant movement needs a good deal of sympathy and support and your President is only too conscious that he needs active help and guidance from those who are better equipped for leadership by wisdom, experience and service.

Record of past two years.

"It is now two years since the Hindustani Sevadal was formed at Coconada under the Presidentship of the best known and best loved young man of India, Pandit Jawaharlal Nehru (Applause), who with his characteristic modesty described himself as a mere soldier, a private called upon to lead a great venture as he put it, full of promise of high endeavour and noble achievement. We all know however that no better choice could have been made. There have been volunteers of various kinds, even volunteer organisations for a long time, not only in connection with the Indian National Congress but also in alliance with provincial and local activities. But Dr. Hardikar is the creator of a nucleus of an All-India Volunteer Organisation. To him and his province of Karnatak belongs the credit of a great beginning which it must be the endeavour of us all to magnify into a great achievement. The Karnatak volunteers proved the quality and strength of their organisation, their discipline and training at Belgaum last year, and besides drill and parade in which they exhibited smartness and martial bearing, they earned the gratitude of the delegates and visitors to the Congress by the constant and ungrudging readiness to assist and direct by their efficient regulation of traffic and by their entry work. They combined courtesy with efficiency. They were soldiers in the truest sense.

Value of Discipline.

"Our soldiers shall not be mere machines. But they must be most perfect examples of discipline. Discipline is not essentially a matter either of brute force or precepts and dissertations. It is primarily a matter of "espirit de corps." Ideas of unity and duty must be conscious ideas in every soldier and even obedience must be an intellectual process. Every man who strikes out a new line apart from his fellows in the name of conscience, is not true either to himself or to his fellow men, nor is the man a slave who has learnt to obey. There is often more merit in obedience than in self-assertion. It is a part of a true soldier's training to distinguish between judgment and conscience. In joining an association the volunteer not only enters an organised body, but also undertakes to serve a cause which he believe to be righteous.

The Imperialistic Idea.

"The militarist idea is different. The invader and the Imperialist have no better conception of soldiery than as the hired assasin's trade. The conception of a soldier as a licensed destroyer of life and property, is a very old one in history. But there have also been, from remote antiquity, other kinds of soldiers, whose weapons were not made of steel, whose power was not the power of gun powder. The power that is engendered by the consciousness of right and the will to serve is more potent than all the ammunition of mercenary hordes.

"When the English poet spoke of a soldier's duty.—"Theirs not to reason why, theirs but to do and die." I feel he was slightly censorious, perhaps slightly sarcastic. But even this little couplet may embody a great idea. For while soldiers of Imperialism are deliberately trained in dispensing with reasoning and individually so that they may be freely employed for plunder, for destruction of the sanctuaries of faith and learning, for

oppression and massacre of citizens, for preservation of Imperial dominions, for satisfaction of greed and lust, our volunteers, our soldiers of freedom, shall be those who have firm belief in the cause, who, far from having dispensed with reasoning, shall by deliberate conviction, after full analysis of the purpose of the work before them, have subscribed to the laws of corporate life and united action.

Value of Organisation.

"Discipline in appearance is mechanical, in purpose it is moral and its motive force is intellectual. The merging of individuality is not annihilation of individuality. Much of the self-assertion that one sees in this world is the assertion of our petty vanities. In corporate existence personal predilections are sacrificed in order to make personal freedom secure. Poets and philosophers for whom race and creed are no bars, who feel even the idea of nationality or nationhood too narrow, have declared that organisation is not brotherhood. It will be readily conceded that organisation is not necessarily brotherhood, but we must also agree that it does not exclude brotherhood. On the contrary it arms brotherhood with the power to do justice to themselves and others. While military organisations have generally been employed for national and Imperial aggrandisements, there is much in military training that is valuable, provided the directing idea "lidie directriee," is of the right sort The virtue of smartuess is not merely spectacular. It is an aid to efficiency, for sloth and smartness cannot live together. That is the inner meaning of a saying which one hears frequently in military camps viz. 'a regiment is known by its salute.' The object of the salute is impersonal, whether it be partly the General bedecked and bejewelled or merely a gaunt painted pole. The salute is to the cause. It is a token of the readiness to serve that cause with head erect. Even after the War I was told in Germany by peaceful Professors that the period of compulsory military training used to be the most valuable part of the education of the German youth. They were not so much regretting Germany's loss of military power. They were thinking of the effect that corporate life had in shaping character and producing citizenship. Rank and caste are in camps, at least for the time being, obliterated and what are called individual angularities are considerably rounded off. Careful observers cannot have failed to notice that in our colleges the problem of Hindu-Moslem unity, of removal of caste restrictions, even the problem of removal of 'untouchability' are solved by the exigencies and attractions of corporate life and by natural spirit of youth which rebels against artificial conventions. These two factors would operate in a much more potent manner in well-directed volunteer organisations.

Non-Violent Creed

"The volunteer organisations that we have had or at present contemplate, are not only non-violent, to use the current expression, but practically disarmed. This is so, as the President of the First All-India Volunteers' Conference pointed out in 1923, by the very nature of our struggle. While opposed to militarism, I cannot say that I regard non-violence as an absolute principle of conduct. I say this because I think there are dangers in quibbling and meanings are attached to words and phrases at the dictation or current controversies. Whether our national struggle can, or even ought to remain to the end non-violent, I do not pretend to be able to foretell. That would depend upon circumstances which in human affairs are so inconstant. Whether it is ethical under all circumstances to remain non-violent, great men may answer with a categorical 'yes'. But others would think of circumstances where the rule must be broken. Whether the

resistance should be of the passive character or civil disobedience, non-violent in thought and in deed, is a matter of academic controversy. The fact is that upon full consideration of all circumstances we have adopted a policy of non-violence. To contravene that policy would be an outrage on the movement itself.

Basis of Work

"And further it should be clearly understood that the basis of our volunteer work has been and shall be service. As I went about in the mofussils of Bengal in connection with the last general election (in 1923), I frequently heard from conservative and cautious men and from pensioned Government officials, who were afraid of supporting the Swarajist candidates the reluctant confession that when even a sick man, too poor to afford proper medical attention and nursing, had to be looked after or a dead body carried and cremated, it was always "these" young men of the "Congress Party." There are bands of selfless young men in most of the villages who do a great deal of humanitarian work. But as yet we are only on the threshold of organisation. But before I proceed to the subject of organisation, let me say again that the non-violent character of our volunteer movement is due to the nature of our political struggle and to our ideal being the ideal of service It is not with the object of keeping clear of the Law. Our volunteer organisations have not escaped the clutches of what passes for Law in this country and both Law and the Judiciary appeared in their true colours in connection with the wanton arrests and the still more wanton trials of 1921. Ordinances will be promulgated in the future, as they have been in the past, not to suppress crimes, but to suppress life, and since the volunteer organisations are calculated to stimulate and invigorate national life, the Executive will not shrink from full-throat d purjury and in the Judiciary there will not be wanting men with an adjustable sense of justice when our success becomes imminent. But let us always remember that the crown of thorns is a privilege.

Advantages of Volunteering

"Volunteering helps physical development and produces self-reliance and the capacity for obedience. The Westerner has an advantage over us in this because for them this training is provided in many ways by the State and by other public bodies without being hindered by foreign Government. There is no inherent incapacity in the Indian, physically, mentally or morally. There is no inherent superiority in the Westerner, despite the cant of which interested people seek to make an anxiom, merely by repeating it "ad nausam." The volunteer movement is primarily a young people's movement. There are in the provinces, I know, young men anxious to do work. We must not standardise volunteer work too rigidly. In my opinion provinces ought to be encouraged to form Volunteer Boards, not so much to control all the volunteer work, as to direct it and correlate it and above all to keep a census of the activities of all young men's unions. We should not limit ourselves to forming volunteer corps, uniformed and drilled, though the uniform and drill have in them secrets of discipline and united work. But it must be recognised that our volunteers are not like the standing army, paid, fed and clothed by the State and subject to a Special Code of laws, known as Military Law. The large majority or our volunteers would have to pursue normal vocations, but there must also be some paid-workers and officers and where possible provision for camping expenses should be made by local organisers with or without the help of the All-India Board. Provinces should have a very large amount of freedom in the matter of recruitment and organisation within their territorial limits, but the chief workers of the provinces should be represented on a Central (All-India) Board and should meet several

times during the year for the interchange of ideas and experience. I am not asking you to ride "federalism" to death. I am only suggesting a practical scheme so far as the All-India Association is concerned. I have not attempted to work out the details of the scheme or schemes for provinces nor to schedule all the various kinds of activities that might be regarded as volunteering. In my own province the All-Bengal Youngmen's Association started by that soldier of peace, Mr. Subhas Chandra Bose, is endeavouring to correlate the activities of youngmen.

Part of the Congress

"Young people trained to ameliorative or constructive work in the villages are also volunteers in the best sense of the term. The dreams and passions of youth must be guided into channels of national service in which they may have a scope for healthy realisation. The General Secretary of the Hindustani Seva Dal has always made it clear that his Association is a part of the Indian National Congress, but is not an appanage to any Party. It has sought to keep its fortunes apart from those of any Party. I do not deplore the fact that its relation to the Congress is somewhat indefinite. It may not be officially a part of the Congress, but no national movement can be apart from it. At the same time my own feeling is that the Congress should continue to support it by financial help. The question of finance is always the question of questions. It ought not to be formidable if a scheme of provincial and local devolution is devised.

"A question may be raised what relationship ought we should seek to establish with the Territorial Force units, established or proposed to be established by Government. I will not make this an occasion for making my comments on the report of the Auxiliary Forces Committee which has been with the public for nearly a year. The Congress should, in my opinion consider whether to allow its members either to enlist themselves or to encourage enlistment in the Auxiliary Forces even under the unsatisfactory conditions at present offered. But the volunteer organisation must be kept apart from them. It does not conflict with them and it is difficult to discover possible points of contact.

The National Flag

"The volunteers want to keep the National Flag flying. A National Flag is not merely a symbol. It is a great institution. The late King Edward VII is reported to have shown his keen sense of the honour that is due to the colours of a nation other than his own when on the occasion of a visit to a foreign country the organisers of his reception tried to bridge over a bit of road made muddy by unexpected rain by placing on it one of the flags used for decoration. King Edward recognised the colours and instead of stepping on the flag he picked it up with his hand and walked over the mud. Mr. Subhas Chandra Bose, the Chief Executive Officer of the Calcutta Corporation, hoisted the Swaraj Flag for the first time on the Town Hall of Calcutta and decorated it with Swaraj colours to the horror and dismay of the mighty. It had a tremendous moral effect, for it was a great challenge. The National Flag shall inspire in us loyalty to the land of our birth. It will restore loyalty from the mire in which alien rule has sunk. It shall be the emblem of law and order which shall proclaim to the world that law is without function, unless it be the law of the people and that order is worthless unless it stands for progress. It shall be the symbol of the union of the races and creeds of India, of all the sons and daughters of the Motherland. Let us salute the National Flag. Let us salute the Motherland."

Indian Communists' Conference

CAWNPUR—26TH DECEMBER 1925

The First Indian Communists' Conference met at Cawnpur on the 26th December. Mr. SINGARAVELU, the President, delivered a lengthy address in course of which he explained the aims and objects of the Indian Communist Party which, he declared, stood for the emancipation of workers from their present state of economic bondage. The Party, he continued, aimed at securing the rights of the working classes and establishing a Workers' State in India under any system of Self-Government.

Moulana Hasrat MOHANI, Chairman of the Reception Committee, described the aims of the Party to be the establishment of a Soviet Constitution in India after the establishment of Swaraj. In the course of his address the Maulana said :—

"The movement Communism is the movement of peasants and workers. The people of India generally agree with the principles and aims and objects of this movement, but owing to certain misunderstandings some weak and nervous people fear the very name of Communism, although these misunderstandings have been deliberately set on foot by Capitalists and others who are opposed to it. Some, for instance, consider that Communism necessarily heads for bloodshed and terrorism. The only basis for this wrong notion is that we sanction non-violence only as expedient and necessary and do not like Mahatma Gandhi accept it as a fixed principle for all time. Again, some people wrongly allege that Communism and 'thine is mine' doctrine are one and the same. The fact is we have divided property into two classes, viz personal (e.g. watch, umbrella, utensils, beds, clothing, etc.) and private (like land, factories, etc.). The Communist principle applies only to private property and not to personal one.

Aims and Objects.

"The detailed programme of our Party which resembles the Soviet Constitution will be discussed by them and passed by this Conference. Our aims and objects are as follows :

"To establish Swaraj or complete Independence by all fair means. After the establishment of Swaraj to see that it takes the form of the Soviet Republic on which all principles of Communism will come into force. Before the establishment of Swaraj to work for the freedom and prosperity of peasants and workers by all possible means and in this respect to co-operate with every political Party of India so far as they help the promotion of the above mentioned objects. To arrange for the propagation of the principles of Communism and create popular opinion in their favour so that they may be acted upon the moment Swaraj is established.

"Our organisation is purely Indian. It is necessary to mention here that at least for the present the work of our Party will be restricted to India alone. Our relation with similar Parties of other countries will be only that of sympathy and mental affinity to all these in general and to the Third International in particular. We are only fellow travellers in our paths and not their subordinates. Neither we give them any practical help, nor do they extend any financial aid to us.

"Some evilly disposed persons incriminate Communism as necessarily an anti-religious movement. The fact, however, is that in matters of religion we allow the largest possible latitude and toleration. Whosoever accepts our principles will be accepted in our Party, whether he is a Muhammadan, a Hindu, a Christian, a Buddhist or anybody with or without any religion. In other words, we recognise the existence of all religions and consider even no-religion also as a religion. Some of our Muslim leaders baselessly represent Communism as against Islam. The fact is, however, quite different. The opposition of Islam to Capitalism, for instance, is stronger than even the Communistic conception of

it and the obligation of 'Zakat' is imposed mainly for the consideration that so long as there is one single hungry creature left the Capitalists have no right to indulge in business.

"The emphasis laid on the 'Zakat' in the Qoran is next only to prayers and the first Kalif had ordered jehad" against those who refused to pay "Zakat." Besides the only reason of the prohibition of interest can be that the usurer profits by his capital alone without doing any actual labour and this is against the principles of Islam just as it is against Communism."

The Presidential Address

The President, Mr. Singaravelu, then began to read his address with the following significant remarks. The following are extracts from his speech :—

"At a time when the opponents of Communism are attempting to crush our beneficient movement for making this world happier and pleasanter for all human beings dwelling in it, we, Communists in India, are meeting in this hall to-day, to take a general view of the political and economic situation obtaining in India, and to concert measures by which we can render the life of our own countrymen better and happier. We wish that our peaceful movement will be better understood both by our countrymen and our rulers, by means of the deliberations we are having here in this Conference, and we hope that our work will be better appreciated by the general public, especially the industrial and agricultural workers for whose benefit this conference is mainly held."

"Judged by the persecution to which our comrades in this land and in other lands are put," continued the President "we should think that our movement is totally misunderstood and misinterpreted by the ruling classes, and to them we have only one answer to make—that is, the answer which one of the greatest of our race gave to his persecutors at Calvery 2000 years ago. "Oh, you know not what you do." It is unfortunate that in this world of ours, the pioneers of every reform whether social or religious, political or economic, scientific or philosophical, are obliged to suffer for their thoughts, ideas and actions. But as "Kalachakra," the wheel of time rolls on, the suffering which the world reformers have undergone, spur others to further suffering until in the end, the whole world stands to adore them. This has been the history of humanity from the dawn of ages. Perhaps this may be the history of the few Communists who to-day are put to unmerited suffering for trying to serve their fellow men, all the world over."

Tribute to Lenin

Next, after expressing sympathy for the persecuted Communists, both Indian and British, the President referred to the death of Rosa Luxemburge who was cruelly done to death while pacifying the mob in Berlin; Karl Liebknecht, who was also done to death while serving the German workers, and to Lenin, and said :—"By his death the world has grown sadder. Here was a man who cared nothing else in the world except the well-being of suffering humanity. Such a man was snatched away by the cruel hand of death at a time when the great Workers' State in Russia needed his advice and guidance. The Communist world has lost in him a real benefactor of mankind whose counsels would have immensely benefitted them in these trying times. In the days of the Revolution in Russia, following the Great War of 1914, the world of Capital misjudged him and as the old adage goes, that truth will be out, the thinking world is now in a position to judge of this man and his actions. That greatest Christian man now living in England, George Lansbury, has paid this man one of the greatest tributes ever paid to any other human being on earth, and in the course of ages, there can be no doubt that the work begun by this man in Russia, will ultimately benefit mankind and shower happiness and contentment upon the human race."

About "Our Country's martyrs" the President mentioned "the loss of some of the greatest of India's sons who have struggled in their own way and according to their own lights to serve their fellow men in various ways. On the topmost rung of the ladder stands that unique figure of Tilak—that beacon of light for all true lovers of freedom. It was only the other day that we lost the true lover of our country, our Deshbandhu Das, for whom the whole country wept. There was yet another man who left us, and whose head and heart was devoted to the freedom of our country. This was Siva of South India and we deeply deplore his loss."

Referring to "Our Countrymen" Mr. Singarvelu said :—"Among the peoples of the world, our countrymen alone form the saddest portion of the human race on earth.

Bereft of the necessaries of life—food, house and clothing, bereft of the higher necessaries of human life—freedom, equality and knowledge, the majority of our countrymen are far below the level reached by other nations of the world. It is computed that 40 millions out of over 300 millions of fellow beings are scantily fed and clothed; and nearly half of this seething mass of humanity are ill-housed and are devoid of decent human habitation. More than 80 per cent. are illiterate. Nearly a fourth are what are known as untouchables—a species of humanity who have no other social relationship with their countrymen than to serve their masters. They have no right of entry into public temples. They cannot bathe in public tanks. In some places they cannot use public roads.

"Then we have a million or two intellectuals who cannot serve their countrymen except in ways prescribed by the alien rulers of the land. In the land of ours to agitate against the wrongs under which many of our countrymen suffer is often times considered objectionable, and sometimes treated as crimes. The growing taxation of the necessaries of life is becoming intolerable. With it grows the expenditure, especially the military expenditure. Over sixty crores are spent annually for a mercenary army to keep out imaginary or fanciful foes. The Government of the country is not merely over-manned but over-paid. In the annual budget the essentials of national well-being are sacrificed for non-essentials. The health of the nation is far from satisfactory. Millions and millions die of preventable diseases. If the vital statistics is in any measure a test of civilised existence, Indian cities stand at the lowest ebb ever reached by any other country in the world. Education has become so costly that only a few thousands can afford to avail themselves of the highest education and culture, among these vast millions. Children of the soil are disarmed and unarmed and stand helpless to defend their home and their hearth when necessary.

"To recount the tale of woe under which this unhappy country suffers, will require more time and energy than I could afford in this address. A few rich men are more bent upon making riches for their own comfort, convenience and luxury, than for the commonweal. Of those who suffer most are the peasants of the country, and who alone number two-third of the population. Their life in the villages is awful. Swept by famine, pestilence, and disease, their existence is kept up by the high birth rates which often accompany poverty and destitution. The agricultural labour, while providing all, can have no direct access even to a morsel of what he procures by his toil. Living amidst plenty, he cannot get even the crumps. The industrial workers in the city are unable to meet both ends meet on account of their low wages. While all other countries are trying to secure a living wages to their countrymen, India alone does not even think about it and much less express it This is the sum and substance of the politico—economic conditions and under which a fifth of the human race has its existence under the British administration in India."

Explaining Communism and Swaraj the President went on: "In the great struggle for Swaraj which is now in progress throughout the country, we communists have to take up the greatest share in the struggle. Though small, even negligible in numbers, we form the vanguard of the future Workers' State of India. Therefore we have to see that the workers and peasants in the land have their rights recognised in any constitutional change that may come about in the immediate future. Whatever may be the form of Swaraj which we may get—that workers' and peasants' right to live a decent human life here on earth should be vouchsafed to them. Whether Swaraj is one of Home rule, or Free State or Republic, workers' right to be represented in the governance of the country by their fellow workers or by the intelligentsia of the country ought to be secured to them. Without this right being secured or conceded to the workers, no form of Swaraj is worth having. Therefore it is the duty of the communists to be vigilant enough to see that the future form of Swaraj does not essentially become bourgeois, but substantially become proletarian. In fact complete self-determination and universal workers' suffrage ought to be the ideal towards which we communists have to stand in next constitutional change that may come about in the near future. I therefore request you to consider in this conference the methods our party have to adopt with or without the conjunction of the existing political parties in the country, for securing the rights of the workers and peasants in the coming Swaraj State. The motto, therefore, of every Indian communists ought to be. "No life without Swaraj and No Swaraj without workers."

Referring to Congress, he said:—"We should define what our attitude shall be as regards this national organisation. This is the only organisation whose potentiality for good was great. The National Congress was once a power in the land. Though bourgeois in origin, in scope and outlook, it was the one organisation which continually voiced the political grievances of the nation. Under the leadership of Mahatma Gandhi, it was a live force for at least a year. During the campaign of the Non-co-operation movement, the

prestige of the Congress was at its height. It aimed at Swaraj without defining it or much less understanding it. It spoke in the name of the people. It acted in the name of the people. When its great leader called the nation to offer non-violent fight against the bureaucracy, thousands responded and they placed their all at the altar of freedom of the land. But it struck blindly. Instead of directing its whole weight against the bureaucracy and rendering it impotent for evil, it struck wildly in all directions. It burdened itself with the redress of all sorts of grievances, political, social, economical and religious and therefore it got itself hopelessly entangled in mutually contradictory ideas and actions. If it had only struck for Swaraj and sought for the co-operation of the workers in the fight for it, it would have succeeded. But it weighted itself with all sorts of considerations including those of ethics, that the N. C. O. campaign which opened so brilliantly under its auspices broke down under its own weight, and the retreat of the movement which began at Bardoli ended in the arrest and confinement of its great leader without a word of protest from his followers. The bureaucracy triumphed and the leaders humbled.

"Amidst turmoil and confusion in the nationalist ranks, the surviving leaders of the movement quarrelled among themselves and split into various parties, and the split is still undergoing further division. A very numberous party among Congressmen who survived the debacle at Bardoli, formed themselves into a new party and calling themselves Swarajists, they sought to capture the Legislative Councils and began to give fight to the bureaucracy within the councils which they once abandoned. But here again the bourgeois mentality has begun to show its cloven hoofs even in the Council fight, and the Swarajist Party which under Desabandhu showed some clean fight, has begun to degenerate into a fight for loaves and fishes of office among themselves.

"From this short resume of the rise and fall of various Congress parties engaged in the pursuit for Swaraj, one thing stands clear before the nation, that it is impossible for the bourgeois of the country to secure Swaraj for the nation unaided. Without the active co-operation of the working masses, the intelligentsia of the country are incapable of winning Swaraj. Neither the Congressmen nor the present dominant party of Swarajists will be able to bend the bureaucracy to their will without the active co-operation of organised workers. It is enough to state that the Congress bourgeoise leadership lacked sincerity in their relation to the workers of the land. The pious hope now and then expressed by various parties, of helping, educating, and organising the workers, both urban and rural, will never fructify for the simple reason, that their mutual interests are opposed and contradictory. Therefore, it is the duty of the communists to take up the organisation of the masses, and endeavour to obtain Swaraj. Whether with or without the co-operation of other political parties of the country, that is for you to decide."

Coming to Swarajists' work, the President continued. "Council entry with or without office has become the dominant plank of the Swarajists It stands to the credit of the Swarajists to have brought the bureaucracy to a halt in its triumphant career. This temporary defeat of the bureaucracy has made the bureaucracy look small in the eye of the world. But the Indian bureaucracy, like the others bureaucracies of the rest of the world, is inexhaustible in its resources, and it is too shrewd and too powerful to be easily defeated. Swarajists will be readily mistaken, as they should learn from the split in their own ranks, if they hold that unaided and with a house, divided against itself they can bend the bureaucracy to yield to them. Single handed they cannot. Nothing short of completely paralysing the bureaucratic administration will bring the bureaucracy to its legs, but to achieve this consummation, the active co-operation of the organised Labour is necessary for any party bent upon achieving Swaraj. Here again the Communists have to learn from the successive failure of every political party in this country that in the organisation of the workers and peasants, lies their salvation and that of their country. Whether you have to agitate for direct labour representation in the councils is also one of the subjects which you may tackle in your present deliberations."

"About "Communism and suppressed classes" he said it should be clearly understood that from the standpoint of communism, this question of untouchability is purely an economical problem. Whether this class of people are admitted into temples or tanks or streets is not a question connected with our fight for Swaraj. With the advent of Swaraj, these social and religious disabilities will fall of themselves. Communists have neither caste nor creed nor religion. As Hindus, Mohammadans or Christians, they may have any private views about them. The question of untouchability is essentially associated with economic dependance of the vast mass of these Indians. No sooner their economic dependance is solved, the social stigma of untouchability is bound to disappear. It is this inequality in the ownership of land which is mainly responsible for the existence of

helotry of the vast masses of the suppressed peoples. Not mere entry into temples, tanks and roads will raise these unfortunates in the social scale in equal terms with their affluent brethren.

"A word with reference to Khaddar and its potentiality to win for us Swaraj. Khaddar is hand-made or hand-woven cloth. It was claimed in the days of the N.C.O. movement that by producing Khaddar in enormous quantity, India can dispense with British-made cloth which is imported to the enormous sum of 60 million sterling annually. It was further thought that by clothing the nation by our own cloth, British cloth would be effectively boycotted, and to that extent the British worker would be injured, and that this injury would give rise to such clamour that the British Government will be compelled to go down and concede all that we wanted. It was further argued that if the nation, especially the workers, should take to the wholesale production of Khaddar, it would substantially help the unemployed in India in earning something by which they can supplement their scanty wages paid by the capitalists and the landlords. All these sounded very well during the short-lived enthusiasm of the N.C.O. movement, but when these theories were confronted with actualities it was found that Khaddar production had its own limitations. To wear Khaddar as a national costume in our fight for Swaraj, we can grant that it may be necessary in the absence of any other national uniform, but that it would supplement machine-made cloth is an impossible feat. And that such production would effectively boycott foreign cloth is still more problematical.

"The Americans were never able to boycott foreign cloth during their fight for Independance, in spite of their homogeneity of color, race and religion and their intense patriotism. It was Bunkers Hill that decided their independance, and not the boycott of British goods. So also the Irish in their recent fight for a Free State. To hold further that it would be an economic salvation for the masses is bad economics. For, the Indian working man wants higher wages and more leisure. To ask the famishing worker to drudge at the charka for few more hours, inorder to supplement his scanty wages with his still more scanty earnings by means of the charka, is simply cruel. If the agricultural labourer has no work for few months in the year, let him be provided with work which will give him higher wages or let him be given the opportunity to acquire higher knowledge, so as to raise himself equal to his more cultured brethren in the cities, but let us not make him drudge again throughout his weary life without any prospect of any intellectual improvement.

The President then explained communism as a system or doctrine which aims at the betterment of humanity from almost all the ills of life, and said :—

"Communism is as old as history. It was taught by Buddha in a form and practised by his disciples. Jesus Plato, Moore, Morris and others taught mankind a form of communism which was vague, indefinite and utopian. But it was Karl Marx who gave it a scientific and a definite form so as to be applicable in practice.

"Indian Communism is not Bolshevism, for Bolshevism is a form of communism which the Russians have adopted in their country. We are not Russians. Bolshevicks and Bolshevism may not be needed in India. Bolshevism literally means the doctrine of the Majority. And this Russian majority are men in power in Russia with their peculiar method of their rule, administration and propaganda. Bolshevicks are the political party in power in Russia as opposed to Menshvicks, the minority party, now out of power. We are one with the world communists but not with Bolshevicks. We hope this explanation of our position in India will clear all misapprehensions about our party and aims and method. We shall briefly state our aims, methods and ideals.

"Our Communist Ideal" :—First our ideal is, to end the domination of capital, make war impossible, wipe out state boundaries and frontiers and wield all states into one co-operate commonwealth and bring about real human fraternity and freedom. This is the dream of the Communist.

"Our immediate aims" :—And our immediate aim is to win Swaraj for the masses in India, to prevent exploitation of the workers and peasants by suitable land and industrial legislation, to secure to the bread-winner a minimum wages by which he and his children shall have the necessaries of a decent life and to end all distinctions of castes, creed or sect in all political and economical relationships.

"Our method." :—And all this we hope to achieve through the unions of Labour and when necessary, in co-operation with other political organisations in the country. We require the co-operation of all other parties in the country to secure the workers' right in the land. But we feel no doubt that we will be the party who will ultimately succeed in securing these rights to the Indian peoples and therefore we appeal to all thinkers and workers to join our party and work both for our communist's ideals and our immediate aims.

Political Sufferers' Conference

CAWNPUR—28TH DECEMBER 1925

The Political Sufferers' Conference commenced its sitting on the 28th December. The gathering consisted of a large number of those who at one time or other had been to jail, with a fair sprinkling of Communists.

Swami KUMARANANDA, welcoming those present doubted if India would ever require Swaraj if Mahatma Gandhi could get non-violence established. The Non-co-operation movement failed because it was not a movement for suffering India but a spiritual movement. The Congress was at the brink of a fall. Where was the challenge to the Government of 1920? Should their sufferings go in vain? If rumour was true the Government of the United Provinces was about to promulgate the Ordinance on the basis of the Kakori train dacoity. Political sufferers must unite to lighten the sufferings of soldiers for freedom.

Presidential Address

Swami GOVINDANAND, President, at the outset, cleared the misapprehension that this was a conference of dacoits and revolutionaries. It was a conference of those who for the sake of India winning freedom were prepared even to shed their blood. They considered the suspension of the 1921 programme as a national disgrace and wanted it to be resumed. Liberty first and unity thereafter, was their motto. The vain pursuit after Hindu-Muslim unity was the cause of all political blunders and disasters. The way to Swaraj lay through the prisons. They did not want politics and politicians but patriotism and patriots. Civil Disobedience (Satyagraha) was the only method of achieving Swaraj, and not bombs, nor spinning-wheels, nor Council debates.

Swami Govindanand in course of his address styled the Conference as a Conference of the Indian Emancipation Army, for theirs was the living faith that through prison and gallows lay the way to freedom. Remember the times, said he, when they were not only prosecuted and subjected to torments by the Government but were disowned by their party—very nation whose battle of self-respect and freedom they were fighting with very slender resources—nay, actually poohpoohed and considered as political untouchables. Through all those stages the sufferers had passed undaunted.

Attitude of Congress

It was only in 1917 when a resolution was moved from the Congress platform demanding release of detenues that the Congress gave some of them its first official recognition. But still they were not recognised as the builders of the nation. Yet they continued to serve the country believing that the way to freedom was through the horrors of Jallianwalla Bagh. Mahatma Gandhi forced attention to this truth but he had to abandon his

movement in the last Congress at Belgaum, when a resolution for relief to political sufferers and their families was rejected. That rejection was a calamity greater than the Bardoli retreat and it was a blow severer than the Bengal ordinance. Whatever concessions Britishers had been forced to yield had been wrung out by the sacrifices of these men whom the Congress was slow to recognise. That was his grievance against the Congress. If the Congress still refused to recognise them he would advise political sufferers to organise themselves. They must first be fully initiated into the mystery of sacrifice and then the enjoyment of fruits of victory.

How to Protect the Patriots

Proceeding Swami Govindanand observed that it was vain to protest against the Bengal Ordinance and Kakori dacoity cases. Government in so many words said : "If you are out to destroy us, we are out to destroy you." The Conference must, therefore, consider means of protecting their patriots against molestations and crushing out of existence. They must have an association in each province to keep a record of such persecutions. He felt that now that the U. P. Government had been forced to release some Kakori dacoity prisoners it would soon apply for an Ordinance, and the bogey or revolutionary societies, spread in every village and hamlet of the United Provinces and bands of dacoits and assassins threatening the life of every Englishman, would be raised "to justify the burial alive of every honest son and servant of India in British bastilles." There was no hope of national salvation through the Councils and spinning wheels. They wanted patriots and patriotism and not politicians and politics. Indians would gladly remain within this Empire if Britain forthwith abandoned the narrow idea of British Empire.

Indian Political Sufferers Abroad

Referring to Indian political sufferers abroad the President alluded to the fact that some of them were denied passports to return to their home and the properties of some had been confiscated and their dependants are starving. It would be impossible to bring these people back to India without winning freedom. But they could meanwhile establish connections with them and they should be ambassadors of Indian national movement in foreign lands. There should, therefore, be a Foreign Office for this Conference which would keep itself in touch with these nationals abroad and the latter in turn would suggest to us here the ways and means of changing tactics to suit altered conditions.

The President also urged starting of an organ in which would be recorded the history of Indians' struggle for freedom.

The States Subjects' Conference

CAWNPUR—29TH DECEMBER 1925.

Presidential Address

Presiding over the 3rd session of the All-India States Subjects' Conference, Mr. SHANKERLAL KAUL said that the inauguration of the Montford Reforms had drawn the people's attention to Indian States, and the forms of administration prevalent there. But the speaker deprecated the confusion of ideas on the subject of the future of Indian States. Gandhiji had, himself, recognised that they must provide for Indian States in the future Constitution of India. The speaker did not think there was such a thing as "Government, by the people, for the people," existent in any part of the world. Russia showed them what an Eastern Democracy could become. In U.S.A., Democracy had become an actual danger. They had all read about lynching, the Klu Klux Klan and the recent monkey trial. In Italy, Mussolini was the sole dictator. They need not therefore be anxious in India to introduce the latest western experiment. If limited monarchy was good enough for Great Britain, it should be good enough for Indian States.

The President asked the audience to remember that the States were more Indian than the provinces in British India. He believed in the process of evolving a common political destiny for whole of India. The relations between the Government of India and the States were, in theory dependent on treaties and sannads; but while these ensured the integrity of the States, there had always been an understanding that the Rulers, in their turn, should have a corresponding obligation of administering their States on sound lines. Mr. Kaul assured that even under self-government, the integrity of the States would not be disturbed. The Swaraj Party had left the Political Department out of their programme. If the Princes were wise, they would appreciate the modest ambitions of the people; but by denying the desire for legitimate ambitions they would stimulate desire for illegitimate ambitions. By behaving like little Czars they would become fathers of Bolshevism in India.

As to what changes should take place in the administration of Indian States was a big question. They could not think of British India as an entity; similarly they could not think of Indian States as one. The States were, in a real sense, independent of one another, and, theoretically, at least, independent of British India. Again the States were in varying stages of advancement. They could not, therefore, lay down a cut and dry programme applicable to all; but they could propound only the general proposals. He urged for the encouragement of local talent and quoted Lord Hardinge's address to an Indian Prince, wherein the ex-Viceroy had urged: 'Build up within your own States a body of your own subjects, on whom you can rely, to serve you. Take them, educate them. Select the best. Fit them for high places, and, when fit, confer high places on them. Give them responsibility and power. Enlist their interests and sympathy

in the work of the administration, and I confidently predict that you will not regret the step you have taken.' Another reform needed was that in States where there was no proper system of revenue collection, the needed reform should be introduced, and the peasantry saved from oppression by petty officials. It was also necessary to have codes of law for judicial administration. Complaints regarding lawless procedure were by no means uncommon in States. But finance was the most important question. The States were not zamindaris and jagirs. In some cases there was reckless misuse of public money. The Princes drew as much as they liked. There was no proper budgeting, auditing or accounting. Budget system should be introduced and the Princes should draw only the maximum of five per cent. of the State revenue for themselves and their entourage. That would be comparatively, more in proportion than their King-Emperor drew in England. Surpluses should be utilised for reduction of taxation.

Mr. Kaul pleaded for freedom of the speech. The Indian Princes should not consider their States sacrosanct. Instances of blackmailing had come to his notice. But that did not justify all the restrictions put on the press. His suggestions would not satisfy the people in the advanced States, but he had to give only a broad outline for all States. In dealing with Provinces, they must remember they would be dealing with their own people.

As for adoption of the constructive programme of Gandhiji, about khaddar and untouchability, definite proposals should be drawn up by a special committee. Mr. Kaul pleaded that instead of meeting only annually they should have a permanent organisation. He pleaded that the leaders should understand the system of government in the State, and not urge revolutionary changes. Above all, he appealed to the Princes to strengthen their position by responding to the spirit of the times. It was for them to show to the world that hereditary rulership could possess all the advantages of perfect democracy, without being open to its evils.

CAWNPUR—30TH DECEMBER 1925.

The Indian States Subjects' Conference met next day and passed a number of resolutions. First of all, it passed a resolution of condolence regarding the death of the Maharajas of Gwalior and Kashmir. Secondly, it framed a constitution declaring that the object of the Conference was the attainment of Responsible Government in Indian States by all legitimate and peaceful means.

Then, on the motion of Seth Jamanlal Bajaj, seconded by Manilal Kothari, the Conference passed a resolution, deploring the Nimucharna tragedy in Alwar, and, still further, the obstinate refusal of the State to permit an open and impartial enquiry into the causes of the atrocities and the irregularities committed by the State Police and Officers.

The Conference, while extending its warmest sympathy to the many bereaved families and to those rendered homeless by the wanton destruction of property in the name of law and order, wished that the Conference had the power to render some effective assistance to them in their present trial.

National Liberal Federation

CALCUTTA—28TH DECEMBER 1925

The opening of the 8th Session of the Nationl Liberal Federation took place in the Town Hall on the 28th December, Sir Moropant Joshi presided. Babu Krishna Kumar Mitter was the Chairman of the Reception Committee. The delegates numbered about 200 including those of Bengal. A batch of boys and girls sang a Vedic hymn and then the National Anthem—"Bande Mataram" after which the Conference opened.

Sir Chimanlal SETALVAD in proposing Sir Moropant Joshi to the chair said that the Chairman of the Reception Committee observed in his address that the Liberal Party and its principles had been thoroughly vindicated. That was, he said, perhaps literally true. When the cult of non-co-operation and civil disobedience was started by that great magician of Ahmedabad it was the Liberal Party that kept its head on that occasion. When the triple boycott was started by that great magician, it failed miserably and when they soon realised how wrong they were those, who formed what was called the Non-co-operation party, made up their minds—at least some of them—to enter the Councils. As they were all aware they were keeping up the pretence that they were entering the Councils for the purpose of non-co-operating, they wanted to non-co-operate still within the Councils and make Government impossible. They failed to make it impossible by triple boycott; they failed to make it impossible by that pretended non-co-operation in the Councils. On the contrary, as they were aware, they had done on many occasions all that was possible to do—all that lay in their power—to co-operate, and one of them had taken the presidentship of the Assembly (laughter). What greater proof of the success of co-operation could there be. He was there sitting in the chair to work the constitution which they despised—the very constitution, which, they said, they went into the Councils to destroy. They realised again—at least some of them—that it would not do to go into the Councils to throw down all measures, to throw out budgets and to do the rest of it. It won't do. They would do all that and not take office! Therefore they had now started the cult of responsive co-operation and they wanted to take office but again to keep up the pretence. The speaker saw in the newspapers the other day that they wanted to take office for the purpose of obstructing from within, for making Government impossible by taking office. They would still keep up the pretence and would clamour for exploding theories which had been discredited by them. However he would say that they were growing wiser.

Then they had their friends, the Independents, They had taken seven years to discover what the Liberal Party thought all along from the beginning. They now realised that the Swarajist tactics would not do: they must make frantic efforts to join hands with the people and to stop the mischief that the Swarajists were doing. Therefore some of them in a patronising

manner wanted to level up the Liberals (laughter), as if the Liberals stood in need of being levelled up. The real fact was that these people who were doing all these were the people who stood out in 1919 and had not the courage to take the public obliquy and disapproval and stuck steadfast to its principle, and in doing that they thought that it was in the best interests of the country. These Independents were of the same view then and were of the same view now; they wanted to cheekmate the Swarajists if they could. The speaker said that they had not the courage and honesty in doing that in 1919; they were not prepared to take the public disapproval. When they found that the Swarajists were dissociating from them they patronised the Liberals and said "Oh, you come: we will level you up and join hands with you." The speaker thanked them for their solicitude.

It was gratifying that even now they said that the Liberal way was really the proper way, it did not matter what their past work was—either of the Swarajists or of the Independents they were willing to welcome them in their fold. The speaker assured them that they (Liberals) were quite willing to go on with their own Liberal principles in the manner they had done. He failed to see where the difference lay between them and the Liberal principles. The speaker said that there was no difference at all, and if that was so why did they not come and join the Liberal Party. Why did they not level it up if they wanted to do so? Why did they say in a patronising way 'You, little people, do not understand; you must level up'. The Liberal Party and the Liberal principles had been all these long ago. They had consistently worked for it and they were prepared to work for it through good report or bad report. That was where the real strength and success of the Liberal Party rested. It they went on working as in the past in hoping for any popular clamour, he was sure that they (Liberals) should again put the country in the right path of political progress, of law and order and of ordered progress for constitutional Government. This, in that sense, was a memorable session of the Liberal Federation and it was only right that they should have selected a man of the history of the past, Sir Meropant Joshi, to be their President of this meeting.

Sir Tej Bahadur SAPRU in seconding the proposal said that he was not so much concerned in politics of his own. So far as the other parties were concerned he believed they stood on their merits, but what he was most anxious about was that they must do something to bring additional strength to their own party (hear, hear). Sir Moropant Joshi had been recognized as a level-headed and practical politician. He could do something to bring the strength to their party and to give a clear lead to it. Liberals might be weak but the principles of liberalism could never be weak and it had never been weak in the past. It was with that conviction alone that they could hope to acquire influence and power in the country; it would not do any harm to them. There was no doubt that so far as the country was concerned it had been for the last five years under the spell of politicians of different schools and notwithstanding the fact that that spell had very much been removed by their own conduct, but the fact remained that popular mind still preferred to cling to that delusion and it was for this reason that one of the most important duties of the Federation was to do something to bring their real convictions into the public mind so that they might convince them that although they might be described by another section as the arm-chair politicians, yet their convictions were as deep and as strong and

as powerful as they were prepared to abide by that conviction. He hoped that something should be done by Sir Moropant to add strength to their party and to their existence and that he would give a clear lead to the Liberal Party.

Sir Provas Chandra MITTER supported the proposal. He said that Sir Moropant was well known as an old Congressman. From the early days of the Congress he threw his own heart and energy into the cause of the Congress and that he made a name for himself. He hoped that Sir Moropant in the fulness of years with his name instinct would be able to lead them on and at the present day they were in need of such a man.

Presidential Address

Sir MOROPANT JOSHI then read his address of which the following is the full text. At the outset he referred to the loss the country suffered in the death of Sir S. N. Banerjee and Mr. C. R. Das and proceeded to discuss constitutional reform. He said:—

"The one theme of paramount importance to our and other political parties in the country is the possibility of the realization in the near future of responsible government and dominion status for India or as near an approach to it as possible. All of us have set our heart on the common goal and the existence of different political parties is based only on differences as to the methods of attaining the ideal. Expectant India awaited with extraordinary interest the result of the Viceroy's conference with the Secretary of State.

Lord Birkenhead's Speech

"The theme having been the subject of conference and deliberation between the two highest authorities in Indian affairs, it was some consolation to know that no decisions had been or would be reached till the Legislative Assembly and the Government of India expressed their opinions on the vital issue. The Secretary spoke at last and so did the Viceroy, and weighty pronouncements were made by them. The speech strikes me as a curious blend of light and darkness, of half truths and fond misconceptions, of rays of hope and a dismal trail of disappointment. It lays extraordinary emphasis on the preamble of the Government of India Act and is obviously saturated with a mentality adverse to any acceleration of the pace of reform and largely influenced by the recalcitrancy, real or supposed, of the political party now dominant in this country in not co-operating with the Government in working the quantum of reforms effected by the Government of India Act. Strangely enough, it takes absolutely no notice of the reasons which led to this obstreperous conduct of the Swaraj Party. The Swarajist mentality had for its foundation an almost complete mistrust of British policy and purpose caused by broken pledges and deferred hopes,—distrust which, I may say, has permeated not only the intelligentsia but the non-vocal strata of society. It was born of deep disappointment and desperation which found expression in non-co-operation and reached its adolescence in the attempt to create a constitutional dead-lock by open though frantic obstruction in the Legislature.

"His Lordship has authoritatively declared his view that the ten years' limit for the setting up of the statutory commission is not decisive against an

earlier reconsideration for further advance and said that one of two conditions was essential to such a reconsideration—loyal and cheerful co-operation by all political parties in India in working the present system or the disclosure of grave and glaring defects in it. He has discussed the former condition but said nothing about the latter, which is much the more important—unless indeed his opinion is implicit in the conclusion reached by him that diarchy has neither failed nor succeeded. His Lordship speaks of the high trusteeship of India as if it were a perpetual tutelage, though he no longer relies on the doctrine of holding the gorgeous East in fee, and calls upon India to associate with England in a fruitful and harmonious partnership. He asserts that India is not a nation and doubts if she ever will be, notwithstanding the fact that India is a recognised unit in the League of Nations and the Imperial Conference and her assent would be required if she with the dominions is to agree to the Locarno Pact.

"The answer that can emphatically be given to Lord Birkenhead is that the country as a whole is actually even now co-operating; non-co-operation has been officially suspended by the Indian National Congress, being merely hung up before it is solemnly buried. The talk of civil disobedience is a futile and empty threat. It was held to be impracticable by a special committee appointed by the Congress, of which Pandit Motilal Nehru himself was a most prominent member, and has lately been declared by Mahatma Gandhi himself to be impossible. Lord Birkenhead's insistence on co-operation by all political parties in India before advance could be thought of thus loses a great deal of weight. It is more than doubtful if a demand for the complete surrender of an adversary is an act of statesmanship calculated to secure the willing co-operation of a people who are particularly responsive to real good-will. Anything but co-operation was offered by the Boers, the Egyptians and the Irish but statesmanship in England never insisted on co-operation as a condition precedent for the conferment of responsible government. There is still time for his lordship to reconsider the position in view of the change that has taken place in the situation.

"The occasion for such reconsideration will be the action to be taken by the Secretary of State for India on the Muddiman Committee Reports. If Sir Muhammad Shafi's opinion expressed after his relinquishment of office in favour of a more extended enquiry be taken into account, the minority's recommendation for an enquiry by a Royal Commission or some other method for putting the constitution on a permanent basis becomes the majority recommendation.

"It would not here be out of place to take a brief review of the history of the demand for the acceleration of progress as pressed by the Indian Legislature. In 1921 a resolution was passed by the Assembly expressing the view that there should be a re-examination and revision of the constitution. The resolution was then accepted by the Government of India. It was, however, turned down by Lord Peel. In 1924 the Assembly passed a resolution for a round table conference for settling the constitution of this country. The Government in England sanctioned only the Reforms Enquiry Committee with a full consciousness of the then uncompromising attitude of the Swaraj party. Notwithstanding this, a distinct statement was made in the Indian Legislature that if the enquiry showed that within the scope and structure of the Act no substantial progress was possible, the question of revising the constitution would be a separate issue in regard

to which Government did not commit themselves. The most recent development was the motion carried by the Legislative Assembly last September. The opinions of local Governments on the working of diarchy were quoted by Lord Birkenhead in his speech. The general deduction that may be drawn from them is that diarchy can at best be worked with good-will and is being worked more smoothly where diarchy is least in evidence. The defects pointed out show that they are inherent in the system which cannot serve the purpose of advancing India ou the path of responsible government. The Majority Report acknowledged the fact that mere changes in the rules so as to minimize occasions of friction would not satisfy anybody in India, but it kept within the limits imposed by the terms of reference and suggested minor amendments. The Minority Report found that there was hardly any scope for progress under the existing constitution and urged that the constitution should be put on a permanent basis with provision for automatic progress in the future and that for this purpose a Royal Commission or other suitable agency should be employed for investigation of the problem.

"The Majority Report was disapproved by the Indian press and Indian public opinion generally and by the adoption of Mr. Nehru's amendment last September the Legislative Assembly has virtually set on it its seal of disapproval. Indeed there is no section of the Indian community which is opposed to advance. It is true that some communal organizations ask for special concessions for their separate communities but they all want progress, I know of none of them—I have not in mind the European Association—which is satisfied with things as they are. And differences among them can be adjusted on the basis of compromise, and suitable provisions inserted in the constitution to be framed. The Commonwealth of India Bill drawn up by Mrs. Besant's National Convention point to an almost unanimous public opinion in support of the principles embodied in the motion adopted by the Legislative Assembly. It is true that the Council of State has not agreed with it, but it is plain that the Assembly's demand has the support of the country.

The Secretary of State's Objections.

Lord Birkenhead has suggested several reasons for making little or no advance. That India is not a nation is one of them. Want of a national army to deal with the problem of external defence and internal peace and communal dissensions are the other two. It is significant that each time all advance, howsoever small, is to be made towards giving Indians political rights, these same reasons are put forward. They were there when the Morley-Minto Reforms were introduced and also when the Act of 1919 was passed. They are there still in full force. The objections have been repeatedly answered by Indians. The geographical area known as Hindoostan may be peopled by races of various creeds and different languages but all of them have common interests, common aspirations and a common political ideal and a strong desire to act as one nation. We are certainly no less a nation than the Poles or the other recently created nationalities in Europe. The objection loses much of its force when it is remembered that India aspires to be a "United States of India" suitable and necessary changes being made of provincial boundaries, as far as possible on a linguistic basis.

"That India has no national army at present is true enough, but British policy having been and still being one of preventing Indians from officering the army, a national army was not possible. Distrust of the people has

throughout been the British military policy in India and instead of frankly acknowledging the mistake, they fling the fact in our face as a plea for no further advance. This is to add insult to injury. Nobody says that the whole of the British Army with all the British officers should disappear at once; all are content to wait till military experience has been gained by Indians. But all want the Government to make an honest effort on a scale which within the next 25 or 30 years will give India Indian soldiers and Indian officers ready to defend the country. The eight units scheme of Indianization upheld by Government is condemned by Indians and it is disappointing to find the Secretary of State determined to make no advance till this very scheme has succeeded to the satisfaction of the Government. The Skeen Committee's scope of inquiry is so limited that it is very doubtful if it may not be as disappointing in its results as the Reforms Enquiry Committee.

"Communal tension is an old and favourite plea of the Government in power. When a national government comes into existence, it will be strong enough to uphold authority as is now the case even in the Indian States. All these are difficulties which are not incapable of solution and ought certainly not to bar the way to immediate further Reforms.

Diarchy.

"The most crucial fact in this connection, however, is the answer to the question. Has diarchy failed or succeeded? Its failure is said to be a necessary preliminary to exploring avenues for advance. This is the alternative stipulation made by the Secretary of State for advance before the expiry of ten years. In order to answer the question satisfactorily the test of failure or success must be first ascertained. Diarchy as a transitional measure was mainly intended to give valuable training to the people in responsible Government so that they might be prepared for complete responsible government. Diarchy must be said to have failed if such training is not possible under it. The Minority Report of the Muddiman Committee has among other reasons given three reasons to support this conclusion:—

(i) The position of the Ministry has not been one of real responsibility.

(ii) There has been no collective responsibility of Ministers, and no joint deliberation between the two halves of the Government in most provinces.

(iii) The close connection between the 'reserved' and 'transferred' departments has made it extremely difficult for Legislatures at times to make in practice a distinction between the two sections of the Government with the result that the policy and administration of the reserved half have not infrequently been potent factors in determining the attitude of the Legislature towards Ministers and have also prejudiced the growth and strength of parties in the Councils.

"Even the official reports quoted however, show that the system is working "creakily" at the best and in Madras where the system is claimed to have worked best as judged by the relations between the Ministry and a majority in the Legislative Council, both the Ministers and the ex-Ministers who recorded their opinions have pressed for complete provincial autonomy. It is apposite to quote here the testimony of Sir Frederick Whyte, the first President of the Legislative Assembly. Speaking at Calcutta to the

European Association, he said in effect that enough co-operation had been rendered by the representatives of the people, certainly in the first Assembly and to a lesser but an increasing degree in the second, and that unless a more generous measure of Reforms was introduced in the provinces the training of the people in responsible Government was not possible.

The Civil Services.

"The Secretary of State has praised the civil services in India. Nobody grudges the services' just and fair treatment, but it is expected that they will perform functions similar to those of the civil services of their countries. What strikes people in India is the extraordinary rapidity with which the question of the interests of the services was taken up and decided. The Bill for securing certain advantages to the services has passed its third reading in both houses of Parliament. Not only have their emoluments been increased but allowances which had been subject to the vote of the Legislature have been made non-votable. Not only has the financial burden of the tax-payer been considerably increased but a backward constitutional move has been taken, the limited power of the Legislatures being further curtailed, and the "steel frame" has been further strengthened. While a comparatively small interest, because it is concerned with the continuance of British domination, is thus dealt with promptly and generously larger questions of great public importance which concern the entire Indian nation have evoked little sympathy and powerful opposition. The contrast is so great : and it is painful.

Communal Disturbances.

"Unfortunately, communal disturbances do take place in this country, music before mosques and cow-killing being the two main heads of contention between Hindus and Mahomedans. The state of Hindu-Muslim relations is a very favourite plea with foreign rulers eager to show the dire necessity of their holding the balance in a disinterested manner between two contestants. The plea amounts to a justification of British domination over India for as long as the Sun and Moon endure as there is no hope of the two religions merging into one. No Britisher, I hope, expects to be here for all eternity. The fear of minorities being unfairly treated comes with ill-grace from the Britishers. Moreover, both the Indian and Muslim communities realize that they have to live here in this country side by side and that Islam has made its home in India. After the Unity Conference between Hindus and Mahomedans efforts are being made in several places to settle the music question and it is due to the efforts of Maulana Abul Kalam Azad and Pandit Motilal Nehru that a solution has been found at Nagpur by the Hindus agreeing to stop music at prayer times before certain ancient mosques and the Mahomedans not objecting to music at other times. This is being followed in several places in the Central Provinces and is a good working compromise for other provinces to follow.

Excise Duty on Cotton Goods.

"For once the Governer-General's power to promulgate ordinances has been employed for a beneficial purpose and the excise duty on cotton goods has been suspended. We ought to be thankful that the Central Government was in a position to suspend the duty. This resulted in ending the strike in the Bombay Mills. The impost was an unjust one and could always be characterized as having been imposed for the benefit of British interests and

to the detriment of Indian industry. It is inconceivable that the impost can be revived next year. In fact, we have been assured that it will be repealed.

Indians in South Africa

"The latest step taken by the Government of India towards the amelioration of the condition of the Indian nationals in South Africa is the recent deputation of one Englishman and three Indians to that country. We have to wait and see what results are achieved by this deputation. "A common Empire" becomes unmeaning to us here in India when Indians are treated as in South Africa. It is sought to deprive the Indians who have been there now for generations, of rights which they already enjoy, and England, "India's self-appointed trustee," can do little to support our nationals. The susceptibilities of the white settlers in the dominions and colonies always carry undue weight with the British Government while Indian susceptibilities are but a negligible quantity. A few politicians like Lord Willingdon and a few pious bishops in England hardly count in the struggle to secure justice to Indian nationals within the Empire, Kenya and South Africa.

Liberal Party and Government

"The Liberal party is the party which has all along put a discerning and discriminating trust in Government for taking suitable action to establish responsible Government and in the people to do their part in the country's advance. They are disposed to make favourable presumptions in favour of the established Government. They have worked the Reforms though they did not consider them wholly satisfactory. No one of us has ever been tempted to assume an attitude of non-co-operation. Candidates of our party were routed at the last elections, partly because of our defective organization, no doubt, but chiefly because they were critics but not opponents of the Government. Has Government policy been such as to enhance the prestige of its friendly critics and to confound its opponents? The Government's attitude was for a time responsive, but what afterwards? The people judge by tangible results, and by the perceptible impression made by a party on the Government in furtherance of the ideal. What have the Government done, however, so that the public may be inspired with confidence in the Liberal party?

"The Liberal party has been variously criticized and one Swarajist friend described it by saying, "You are a train without engines; you have first, second and third class carriages in plenty, the old four wheeler in Bombay and a powerful brake in Bengal." I never forgave him for this: but it has served to arrest my attention and made me think of suggestions for improving the static condition of the party. I am suggesting towards the end of my speech methods for more useful work. The Liberal party is at the present moment expected to answer two very important questions. Why does it find how can it still ask the people of India to work the Reforms when the Liberals, having co-operated and done their best, have found by experience that the present system has failed to achieve its main purpose and therefore assert that a far larger measure of responsibility must be given to the people? How is it that Jallianwala, Rowlatt Act, Certifications and Ordinances notwithstanding, the Liberals can continue to advise co-operation with a Government so irresponsible and so callous to public opinion? The answer is simple. The Reforms have put powers in the hands of Ministers which even under limitations they could use and did use for constructive work in the nation-building departments.

"Another question to which an answer is expected is what is the method which the Liberals are prepared to adopt to put pressure on Government and to enforce the national will to be free. The Liberals have always had an abounding faith in the people. They believe that it is quite feasible to bring adequate pressure to bear on Government to grant India dominion status if the electorate and the people as a whole take much keener interest in matters political. The will to be free must be infused in the masses and intensity of feeling secured by constant reiteration of the birth-right of Indian citizens. The Liberals have still faith in constitutional methods which they believe have not been adequately tried. As extreme measures nothing is ruled out for achieving political emancipation—not even revolutions, much less civil disobedience and obstruction.

"However unfortunate and deplorable their methods might happen to be the Liberals realize that all are working for a common objective. Circumstances which drive persons like Mahatma Gandhi and Messrs. Das and Nehru into a mentality that spurns co-operation and advises obstruction are certainly unfortunate and deplorable, and the Government responsible for them must reconsider its attitude. From our national point of view, the union of all political parties is extremely desirable at this juncture. It is quite conceivable that the Liberals, Independents, Conventionists and Responsive Co-operators would not find it difficult to have a common platform and the efforts that are being made in this direction will, I hope, prove fruitful. The greatest difficulty in achieving union is perhaps the desire of each party to have its own policy and methods adopted by the rest. A great deal of the energy that is now wasted in mutual recrimination and individual abuse is urgently required for the more beneficient purposes of common effort and common achievement. This must be realised by all, and it should not be impossible for all parties to unite by means of give and take.

Conclusion.

"The present condition of political parties in England may not warrant us in entertaining the hope that our views will receive favourable consideration or acceptance. Indeed, Lord Reading apprehends an adverse verdict from Parliament if matters are pressed now. The serried phalanax of party votes backing the party in power will protect an adverse Secretary of State in refusing us the freedom which is the birth-right of nations. The majority in Parliament consists of 67 per cent. representatives on a 47 per cent. poll and any decision by Lord Birkenhead may be the last word during the life of the present Parliament. Even then we still have the moral judgment of the wide civilized world to which an appeal could be made with considerable effect though it may not be immediately productive of solid results. It was the pressure of the moral sense of America that gave the Irish their freedom and perhaps to Egypt, and with the Locarno Pact the League of Nations may become a potent instrument of securing freedom for countries not yet emancipated. It will be increasingly difficult for England to continue to plead that the liberty of India is a matter merely of domestic concern between India and herself. To rouse the moral sense of the world our united effort for freedom must be continuous, and strident if need be, and that should inevitably lead us to that glorious partnership in the Empire of equals to which Lord Birkenhead has beackoned us. Let us work in Hope."

Proceedings and Resolutions.

2ND DAY—29TH DECEMBER 1925

Next day, the 29th December, the Federation resumed its sittings at the Town Hall under the Presidency of Sir M. Joshi. The main debate centred upon the resolution regarding constitutional reforms and the speakers in support of the resolution criticised the policy of the Government.

Mr. C. Y. CHINTAMONI opened the proceedings by moving the resolution on the constitutional reform of which the following is the full text :—

1.—Constitutional Reforms

(a) The National Liberal Federation of India records its sense of disappointment at the Majority Report of the Reforms Enquiry Committee, which is against the volume and weight of evidence placed before it and warmly approves of the Minority Report of the Committee. It records its sense of appreciation of the patriotic service rendered by the signatories of the Minority Report, three of whom, it notes with gratification, are among its ex-President.

(b) The Federation is deeply disappointed at the position taken by the Secretary of State and the Viceroy in their speeches of July and August respectively, and by the Government of India in the resolution moved by the Home Member in the Legislative Assembly in September, which position is against the unanimous opinion of all parties in India.

(c) While according its general support to the amendment to the Home Member's resolution, which was adopted by the Legislative Assembly, the Federation affirms its conviction of the necessity of a reform of the constitution without delay on the lines indicated below :—

(1) Provincial Governments should be responsible to the respective provincial Legislative councils which should be wholly elected.

(2) The Central Government should be responsible to the Legislative Assembly in the whole sphere of internal civil administration.

(3) The control of the foreign and political relations of the Government and of the military, naval and air defence of the country should remain vested in the Governor-General, for a definite period, after the expiry of which the position should be reviewed by a commission on which the Indian opinion is adequately represented.

(4) During the period a fixed amount should be allotted for expenditure on the departments controlled by the Governor-General, and should be free to spend up to that limit notwithstanding an adverse vote of the Assembly.

(5) When the Governor-General certifies that an emergency has arisen which requires additional expenditure for the safety of the country, he shall have authority to incur such expenditure, but he shall apprise the Legislative Assembly of such expenditure at its next sitting.

(6) Indians should be trained for and freely admitted to all arms of defence and such financial provision shall be made for their training as the Legislative Assembly may decide.

(7) The principle and conditions of recruitment for all All-India Services shall be laid down by, and the control over such services shall vest in, the Government of India; the actual recruitment being made by an independent statutory body like the Civil Service Commission.

(8) All subjects not specifically vested in provincial Governments should be under the control of the Central Government.

(9) The Council of the Secretary of State for India should be abolished, and his position should, as far as possible, be made analogous to that of the Secretary of State for the Dominions.

(10) The Strength of all legislative bodies should be increased, the franchise widened and lowered and adequate provision made for the representation by election of the backward, depressed and labouring classes.

(11) Alike in respect of franchise and of eligibility for membership of legislative

and local bodies as well as for the public services, women should be placed on an equality with men.

(d) The National Liberal Federation of India urges that His Majesty's Government should make an early announcement of the appointment of a Commission to report on the aforesaid proposals and that Indian public opinion should be adequately represented thereon.

Moving the resolution Mr. Chintamoni said that he spoke several times during the last two years upon the subject of the resolution and although there had been developments in recent months he found it no easy task to place before them any new matter in a speech upon the subject. In the first clause of the resolution the Federation expressed their decisive disapproval of the Majority Report of the Indian Reforms Enquiry Committee and their equally emphatic approval of the Minority Report. Since the publication of these reports there had been so much discussion on it that he believed every one was at least moderately acquainted with the course of affairs and was familiar with the principal recommendations made by the majority and the minority.

Proceeding Mr. Chintamoni said: "We are told by our Swarajist friends and by those who agree with them, "it is all right to say you want all these things, but what is the sanction behind them. How are you going to enforce your demands?" My reply is the sanction of the nation of India—the sanction of right. How are you going to enforce your demands—by Spinning wheel? Let Pandit Motilal Nehru answer that contention. By Triple boycott? Not even in museums can we find trace of such a thing? By continuous, uniform and consistent obstruction? Where is it? (A voice—Nowhere). We do not find obstruction anywhere. Where is indiscriminate obstruction? In the Madras Legislative Council, in the U. P., in the Punjab, in Bengal, in Bombay and in the Central Provinces? They have become dummies in Bombay. In the Legislative Assembly let the Steel Protection Act and the reference of Contempt of Court Bill to the Select Committee answer that. Let the Hon. Mr. Patel answer. Let the Skeen Committee answer. There is no indiscriminate, consistent or continuous obstruction anywhere. As regards consistency the leader of the Swaraj Party has told us that it is an assinine virtue. We have heard that by means of non-violent non-co-operation we shall get Swaraj, but the 31st of December 1921 has been left four years behind. Non-violence had degenerated into violence, Non-co-operation has become a hypocritical god for a species of co-operators. Are these the sanctions by which you will get Swaraj? Every species of political extremism that has got for its net result merely a repressive campaign and a new series of repressive laws resulting in the curtailment of liberties which we enjoy. Therefore the pursuit of constitutional agitation is the only method by which we can reach our goal. If any one tells me that it is a bankrupt method I should like to be a bankrupt of that description. If any one tells me that constitutional agitation will succeed no more in the future than it had been in the past I will say boldly and with the force and conviction that I shall be happy and content if in the future constitutional agitation India shall attain the same measure of success as in the past."

Concluding Mr. Chintamoni said: "If constitutional agitation fails it is because of the misleading prescriptions which Swarajists, non-co-operators and others like them placed before the people. It is because they misled the people and weakened the strength of the constitutional party. If in the

future we can devote ourselves to the pursuit of organised constitutional agitation with strength, force and convictions as we have done in the past,—if we are not unworthy successors of Dadabhoy Naoraji, Surendranath Banerjea and Gokhale, I say the present Liberal party strengthened, better organised, more active and doing more work from day to day will succeed in future in a richer measure than constitutional parties had succeeded in the past.

Mr. S. M. CHITNAVIS said that the present constitution had been worked honestly and in a reasonable spirit. It had been disclosed that it could not be worked satisfactorily, that it did not give them the responsibility to a legislature, it did not allow them to develop a party system or an unitary system of Government. In his personal contact with larger classes of people in his Province, he would say without hesitation that there was deep dissatisfaction over the present constitution and the only remedy for the Government was to take a bold and courageous step by giving full responsibility in the Provinces and introducing an element of responsibility in the Central Government and for this purpose they should get the present constitution examined by a Royal Commission.

Mr. Bepin Chandra PAL said they had been told that they must destroy before they could construct. Those who talked like that were in the mechanical plane of thinking. They did not understand that Society was not a house which must be pulled down in order to be rebuilt. Society was an organism and every medical man would tell them that he would never try to kill his patient first and then to improve his health. Similarly in the case of Civil Society they must preserve it to build up their Swaraj Government. If they went in for violence what would be the result? If it succeeded it would not give them Swaraj but a military dictatorship and their sons and grand-sons would have to shed their blood to get rid of the new shackles which would come from the revolt or revolution. And if it failed, the chances were that it would fail—there would be more rigorous repression which would demoralise the people. They were told that people had become courageous and that the prison had lost its terror. But if the prison was like the house of a father-in-law it was no wonder that it would create no terror in the hearts of the people and he maintained that the political prisoners were not treated with same rigor now as they used to be done before.

While deploring the death of Mr. C. R. Das, Mr. Pal said that Mr. Das had not acted like a wise statesman in declining the offer made by the Governor to form a Ministry in Bengal. If he had formed a Ministry and then resigned office after serving for a certain period for the difficulties and limitations in the post of a Minister he would have made a good case in his favour. They must work the constitution, otherwise they would suffer in the judgment by default. They could not overlook this fact that they could never get Swaraj except by two means, namely sword and constitutional methods. Dismissing the question of sword from consideration he would assert that the Congress had committed itself to the latter course.

What was the cause of the Swarajist's success? It was the universal and seething discontent in the country. The Government should take a note of that fact. If the discontent grew the inevitable result would be social convulsion, There was a time when they fostered discontent. It was divine up to a certain point but when beyond the limit it became diabolical. This discontent must

be fought by Government in their own interests. Something must be done to revive the people's faith in ordered progress. If the Government would co-operate with them in removing this discontent time would not be far when it would be possible for them to co-perate with the Government honorably and effectively for the future of India's freedom and the continuance of India's connection with the Empire.

The motion was put to vote and carried.

2.—The Bengal Regulations.

Mr. Charuchandra BISWAS moved the following resolution:

(a) The Federation protests against the continued detention of many persons in Bengal under the Criminal Law Amendment Act, 1925, and urges in the interests of justice that this should either be set free or tried under the ordinary criminal law.

(b) The Federation is further of opinion that the said Act should be repealed.

(c) The Federation urges once more that the Regulations of 1818, 1819 and 1827 which empower the Government to deport any persons for reasons of state should also be repealed.

Mr. BISWAS said that it was not for the first time that the Liberal party had recorded their protest against the repressive laws which still disgraced the Statute Book. Thousands of youngmen had been deported without trial and there had not been the slightest intention of Government to bring them for trial even now. A charge had been brought against the members of Liberal Party that they had entered into an unholy contact with the Government to support them in all measures that were required for the maintenance of law and order. Mr. Biswas said that that was a foul calumny which was indulged in by their enemies for the purpose of winning away votes from the Liberal candidates. They were often reminded that the spirit of anarchism was still abroad but he did not know if there was any one present in this hall who believed that there was anarchism still rampant in the country. He lost his father at the hands of anarchists, but whatever his personal feelings might be, his whole heart and soul raised a protest against the idea that people could be caught hold of, sent away, and detained without trial. In this matter all parties in Bengal and in other provinces were united. The Viceroy and the Secretary of State had declared that the people in India had not extended that measure of co-operation. But the fault was not theirs. If the Government persisted in adopting measures of this kind against the unanimous wishes of the people they could not fairly accept that amount of co-operation which they might otherwise have extended to them.

Mr. R. A. JAIVANT seconded the proposal. He said that the Government of Bengal for whose benefit this ordinance had been enacted had been in communication with the Government of India for a long time, but immediately before the promulgation of the Ordinance the Legislative Assembly was sitting but the Government of India did not think it right to take the Assembly into confidence. Speaking of the men detained without trial the speaker said that they must take it for granted that they were innocent men and hoped that they should be released as soon as possible.

Principal J. R. BANNERJEE supported the motion. He said that freedom was the birthright of every individual in a civilised country. People with one voice are said to have proclaimed that the men detained without trial should be set at liberty. If they were not going to be released they should be tried in open court so that the fair name of Britain might not be impaired. Was it British justice associated with the name of Britain, the home of

freedom, that people should be deported under the Ordinance, detained without trial ? (shame).

3.—COTTON EXCISE DUTY.

The following resolution which was put from the chair was carried.

The Federation gratefully welcomes the suspension of the collection of the excise duty on Indian cotton goods and the assurance of His Excellency the Governor-General that proposals will be laid before the legislature to repeal the duty from the next financial year.

4.—SEPARATION OF JUDICIAL AND EXECUTIVE.

Rao Bahadur S. N. BRAHMO of Central Provinces moved the following resolution.

The Federation strongly urges the immediate and complete separation of judicial from executive functions, the recruitment of the judiciary from the bar, and prompt action on the report of the Civil Justice Committee so as to expedite the disposal of suits.

He said that the separation of judicial from executive functions must be now carried out without further delay because the demand had been at least 35 years old. He hoped that the Swarajists would give their assent to this proposal.

Mr. R. K. DAS, seconded the motion. He said that in a resolution like this there ought to be unanimity of opinion of all parties. The matter was so obvious and so fair that one would get it by mere asking.

Mr. Kelkar of Nagpur supported the motion which was carried.

5.—BACKWARD CLASSES.

Dr. R. P. PARANJPEY moved the following resolution :

(a) The Federation re-affirms its deep sympathy for the so-called depressed classes, re-iterates its abborrence of the ungodly and unsocial sentiments that any section of humanity is untouchable and calls upon the Hindu community to exert to the utmost of their power to undo this grievous and impious wrong against those so treated and to take all possible steps to ameliorate their condition socially, economically and educationally.

(b) The Federation is in full sympathy with all legitimate efforts of all backward classes to improve their condition—educational, social and economic—and urges that the Government as well as relatively advanced classes should give them full support in their endeavours.

(c) The Federation is of opinion that whenever communal facilities are granted either in the matter of representation or in service or in educational institutions the backward classes should be allowed to participate in such facilities.

Dr. Paranjpey said that during recent years the question of untouchability had been usually considered in all political conferences. The Liberals were gradually keen on the question and they had considered it always as an integral part of their movement for freedom. If liberalism meant anything at all it was the full enjoyment of opportunity given to every person in the land irrespective of caste, colour, or creed. The disabilities imposed on the depressed classes should be removed simultaneously and agitation should be carried on as vehemently as possible as their agitation for political enfranchisement.

Mr. C. C. Banerjee and Mr. Dwijendra Nath Bhattacharyya supported the motion which was carried. The Conference then adjourned till next day.

3RD DAY—30TH DECEMBER 1925.

The Liberal Federation concluded its sitting on Wednesday the 30th Dec. after an interesting discussion on the plight of Indian emigrants in South

Africa and Kenya. The speech Sir Tej Bahadur Sapru created an impression in the Federation. The military policy of Government was severely criticised and there was a dramatic surprise when a porter of the Howrah Station appeared at the meeting and spoke of the hardship caused to the station porters by a Cooly contractor. Immediately after, the resolution demanding better conditions of labour was moved by Mr. Joshi and seconded by Mr. K. C. Roy Chaudhury, Labour Member, Bengal Council.

The President on arrival was given an ovation. The proceedings commenced with the singing of National songs.

6.—Financial Position of Provincial Government.

Sir Chimanlal SITALVAD moved the following resolution :

The National Liberal Federation has noted with grave concern the financial embrrasment of Provincial Governments which have severely handicapped ministers and Legislatures in developing beneficial services and contributed to the unsatisfactory working of the Reforms in the provinces, and urges the Government of India to abolish the system of provincial contributions, and to set up a Committee to reconsider the division of sources of revenue and taxation between the Central and Provincial Governments, so as to leave to every one of the latter, adequate sources of revenue for the efficient discharge of their responsibilities.

7.—Indians in South Africa and Kenya.

Sir Tej Bahadur SAPRU moved the following resolution :

(a) The National Liberal Federation of India records its indignant protest against the anti-asiatic Bill now before the Union Parliament, which is the most offensive and oppressive of the Union Government measures against the loyal and inoffensive Indians settled in that Dominion and which, if passed into law, will make conditions still more intolerable for them, and strongly urges that, if the Union Government should finally reject the proposals of a Round Table Conference, the Government of India should move His Majesty's Government to advise the Crown to disallow the Act under section 65 of the South Africa Act, 1909, and further, should not hesitate to take whatever retaliatory action may be feasible to mark the deep resentment of the people of India.

(b) The Federation reiterates its strong protest against the anti-Indian policy of His Majesty's Government in Kenya, and urges that the Government of India should not acquiesce directly or indirectly, in the policy of the segregation of races in separate areas in that territory.

Mr. Sachindra Prosad Basu and Mr. R. K. Mitter supported the resolution which was carried.

8.—Military Policy, Education and Expenditure.

Dr. R. P. PARANJPYE moved the following resolution :

(a) The Federation is deeply disappointed at the Secretary of State's decision to adhere to the so-called scheme of Indianisation of eight units of the Army, which is grossly inadequate as well as unsound, and has noticed with gratification that the opinion of Indian military officers expressed before the Committee of Military Training accords with Indian opinion generally on this matter.

(b) The Federation expresses the hope that the Committee on Military Training will recommend adequate measures for the provision of facilities in India for the training of Indians in all arms of defence and for all ranks.

(c) Indians should be eligible for employment in all branches and ranks of the defensive organization of the country.

(d) The recommendations for the Committee on Non-Regular Forces should be promply caried into effect, adequate financial provision being made therefore in the Budget for 1926-27.

(e) The strength of the Indian Army should be determined with reference to India's requirements and not upon consideration of the needs of Britain's Empire in Asia, and any excess of troops stationed in India for the latter purpose should be paid for by Britain.

(f) Military expenditure should without delay be brought down to Rs. 50 crores as recommended by the Inchcape Committee, and as the Federation believes that even at that figure it will be excessive and beyond India's capacity, it urges that an early examination should be made of the possibilities of a further substantial reduction.

Dr. Paranjpey in moving the resolution said that the people who took an interest in the general public questions in the country were at a peculiar disadvantage in speaking on military matters. The intelligentsia of the country had been kept away entirely from all contact with such holy matters as army, navy and defence. It was true that the ordinary ranks of the Indian army were recruited from among Indians, but these were people who were generally uneducated and who were unable by their own education and upbringing to give a lead on matters of the general policy.

When they made demands for political advancement they were always told that India was unfit for any such advancement because Self-Government in India would not be worth a month's purchase as India was unable to defend herself without the aid of the British. On the other hand under the present constitution they were unable to take the necessary steps to enable them to defend themselves. They were thus on the horns of a dilemma which must be got rid of.

Mr. Sachindra Nath MUKERJEE of Calcutta supported the resolution. He described the military policy of the Government as a colossal wrong done to the people whereby they had been made weak, helpless and emasculated. The right to bear arms for purposes of defending their hearths and homes and protecting the honour of their mothers and sisters had been denied. He concluded with an eloquent plea for throwing open military careers for all ranks to the young men, so that they might rise to the full development of their manhood and herald the advent of Swaraj.

The resolution was carried.

Other Resolutions.

The following resolutions which were moved from the Chair were carried:

This Federation is of opinion that Liberal Organisations, provincial and district, should, wherever possible, do social work for the improvement and uplift of the people in rural areas; and the Federation urges all Liberal party associations and leagues to apply themselves to such work.

The National Liberal Federation impresses upon the Government the necessity of providing adequate medical aid to the rural population by establishing more hospitals and dispensaries in villages.

The National Liberal Federation recommends that the relation between the tenants and landlords in various provinces should be improved so as to give free scope to the advancement of the masses of the country who are dependent upon agriculture.

The Liberal Federation places on record its opinion that the condition of labour in India, including wages, housing, care of health, education, provision against sick, unemployment and old age and general welfare of labour should receive the sympathetic attention of the Central and Provincial Governments.

The Federation also recommends to all Liberal Associations in the country to help the working classes to organise themselves into unions for the protection of their interests.

Agriculture and Industries.

Moving a resolution impressing upon the Government and the people the importance of improvement of methods of agriculture and establishment of educational institutions for imparting vocational education, Rai Bahadur Dr. Haridhone DUTT said that the latest pronouncement of the Secretary of State and the Viceroy foreshadowed strenuous activities on the side of agriculture. The appointment of the present Viceroy-designate confirmed

the great desire on the part of the authorities to take up the matters in real earnest. It was probable that with the advent of the Viceroy-designate a large influx of foreign experts would be employed to improve the condition of their agriculture. In his opinion, however, the attempt to improve the staple agricultural industries of India by super-imposed foreign experts disregarding the accumulated knowledge of over thousands of years was a vain attempt.

Thakur Hanuman Singh of Lucknow and Mr. M. D. Altekar of Bombay also supported the resolution which was passed.

Compulsory Elementary Education.

Mr. S. N. Mallick moved the following resolution :

(a) The Federation urges upon provincial governments the urgency of measures for the introduction of universal compulsory elementary education among both boys and girls of all classes and communities, and is of opinion that special encouragement shall be given to spread it among women and the depressed and other backward classes.

Moving the resolution Mr. MALLICK said that while it was certain that there was no panacea for all the evils which human society was subject to there was undoubtedly a great remedy for most of them and that was education. This was a very important question for the public men of the country to discuss but unfortunately their best men only bothered about politics as if with the exception of constitutional matter everything else was milk and honey.

Proceeding he said that the resolution urged upon the Government to introduce free compulsary education. But in Bengal Government had done very little in this direction. Let them urge the Government as much as they liked but what was really necessary was that the people themselves, the municipalities and the local boards should be asked to do their duty in this respect.

The resolution was carried.

Constitution of the Federation.

The Constitution of the Federation as determined by resolutions passed at its second, third, sixth, and seventh sessions, is hereby amended as follows :—

(1) Among the aims of the Federation shall be included " the promotion of inter-communal unity."

(2) The Punjab National Liberal League shall be included among the component parts of the National Liberal Federation of India.

(3) For " two General Secretaries " should be substituted the words "one or more General Secretaries."

(4) Every Reception Committee shall make over to the General Secretary (or secretaries) a sum equivalent to 250 pounds sterling for financing work in England, and shall be at liberty to decide what fee must be paid by Delegates.

It was resolved that Sir Moropant Joshi be elected President of the Liberal Federation for 1926 and that Mr. C. Y. Chintamoni be elected General Secretary. A strong Committee was formed consisting of a large number of office-bearers in all provinces.

Principal Heramba Chandra Maitra proposed a vote of thanks to the President. The Federation then came to an end.

The Non-Brahmin Congress

AMRAOTI—27TH DECEMBER 1925.

Presidential Address

The second All-India Non-Brahmin Congress met] on the 27th. Dec at Amroati, the Raja of Panagal presiding.

The President began his address by referring to the loss sustained by the Congress by the deaths of Sir P. T. Chetty and Dewan Bahadur Vijiaraghavalu Mudaliyar. In the couuse of his speech the President said :—

Non-Brahmin Party's Ideals

"It is too late in the day for me" he continued, "to defend what has been termed the Non-Brahmin movement; so small at its inception was it, that it was derided and contemptuously looked down upon, but to-day when it has become an All-India movement, when its activities have spread from Bombay to Madras, from the Vindhya mountains to Cape Comorin, its very extent and the lightning rapidity with which its principles have pervaded the country, will be the best justification of the movement. The future that our great leader predicted for us in his Presidential Address at Hubli in 1920 is come; the time when the movement of love for all and of hatred for none, the movement which seeks to afford equal opportunities for all, which makes everyone whatever his class or community or creed may be, feel that he is a common citizen of the land enjoying equal rights and liberties and exercising such privileges—the time when such a movement of all consuming love shall spread through the whole country carrying its message of hope and peace has arrived at last. The country is eagerly and longingly waiting for the lead which will bring it back to sane and practical politics. This therefore is the opportunity for us to expound our principles to give expression to the faith in us, to place our ideal before the country.

"We have realised from the very start that our true and ultimate masters are the masses, that in the village lives the nation and that democratic self-Government will be a hollow mockery if the ryot in the village is not given his proper share in the working of it. Look at the position of the masses ten years back and compare that with their position to-day. Their material position has been considerably advanced. Their ignorance is gradually being dispelled. During the last five years in Madras elementary education has increased by leaps and bounds and in nearly twenty out of eighty municipalities has free and compulsory education been introduced. In the rural areas likewise have so many elementary schools been started that before the end of next year it is expected that there will not be a single village with a total population of over five hundred which will not have its own village school. Side by side with the expansion of elementary education has secondary and higher education been developed and I need only refer to the large number of secondary schools that have been established and to the two University Bills that have been passed by the Madras Legislative Council. Nor have the physical needs of the rural population been ignored. Medical institutions in the country

have developed rapidly sometimes with the aid of Government and sometimes under direct Government management. A new system of rural medical relief has been started by which relief is carried to the interior of the district and dispensaries are opened in remote parts, the medical officer being an honorary worker receiving a small bonus from Government. Medical schools have been increased and another Medical College has been opened whereby more medical practitioners will be available for giving relief to suffering humanity.

"What is far more important is the organisation of an efficient sanitary staff, a corps of District Health Officers who will patrol the district and detect the faintest signs of coming epidemics and take the earliest opportunity to root them out, has been undertaken and the staff is functioning all over the Presideney. A College of Indigenous Medical systems has been established and training is given to young men to become proficient in these systems. Again facilities are being given for the opening of Ayurvedic dispensaries and it is hoped that all that is best and valuable in our indigenous systems of medicine will be conserved for the benefit of future generations.

"The problems of the village are the real problems of the nation. It is undeniable that after so many decades of self-government the question of village communications and water-supply for drinking purposes has not been completely solved.

"There is also under consideration a scheme of local self-government in which the village will play an important part and by which the ancient systems of village self-government will be attempted to be restored. It has been realised that to make local self-government a complete success one must build from the village upwards and not start from the top. Village panchayats will be formed and they will be given large powers of managing the internal affairs supervising the village schools, attending to sanitation, village communication and medical relief looking after the other public activities connected with the village. Every village with a minimum population will be brought under the panchayat scheme. Over village panchayats will be a District panchayat composed of members, some of whom will be elected by the village panchayats and some directly. The purpose for which the District panchayat is organized will be to correlate the work of the village panchayats, to help secondary education, to control trunk roads and other roads which are not purely village roads and to organize medical relief in the district and in general to do everything needed for the physical and material prosperity of the citizens of the district. By thes means it is hoped that the village ryot will be brought into a more reale touch with the problems of administration."

The Rajah of Panagal proceeded to observe that there were reforms which might not strike the imagination of some. To those, however, who complained that their programme was not militant enough the Rajah would reply that they should read the history of political parties during the last ten years—of "that strong militant organisation, the Home Rule League," of the Congress, "once the pioneer political organization of the country", of the Swaraj Party with "its perfect organization" and "its series of broken promises and pledges." The Swarajists had killed dyarchy in two provinces only to let "an undiluted bureaucracy" to reign in its place and had progressively diluted their programme to a mockery of obstruction. The Rajah continued:

"Our Policy."

"I have dilated on the activities of some of the different groups of political parties in the country with the idea of contrasting such activities with those of our own party. Our programme has been before the country during the last ten years. The principles for which we stand, of orderly

progress, of an evolutionary growth towards self-government, of taking the masses with us in all our endeavours to get greater privileges, of affording equal opportunities to all and of doing injustice to none, these have stood the test of time and are getting more and more adherence as the day go by. We need not be ashamed of our caste; our principles have been put to the acid test and have proved true metal. Turning over the pages of the history of this country during the last ten years, we can well say; Here and here our faith was tried and in its trial it was vindicated by the event. We do not live in the mere past; we find in it inspiration for the present and have boundless and confident hope for the future. And when we invite the confidence of the electorate we do not come empty handed with exaggerated promises for the future and with no accomplishment in the past. Our best recommendation lies in our own record and we bring with it the unimpeachable reference of our own achievements. We have won a place under the sun for each distinct community however backward and uneducated and ignorant it might once have been. We are trying to broadbase our institutions upon the people's will. We are trying to emancipate the labouring and the depressed classes. We have laid the foundations of a democratic system of finance. We have opened up the road to a better social order and we are trying to moralise the whole conception of Indian society and are endeavouring to establish better relations between the different communities. Our whole political tenet has been not to substitute one set of oligarchy for another, not to converse power in the hands of the few but to broadbase the government on a people's will, and while we are as keen as anyone else, perhaps really a little more keen than others, that our country should have full self-government, we realise that self-government can only mean Government by the people themselves.

Proceeding to speak of the achievements of his party, the President referred to the passage of the Hindu Religious Endowments Bill.

The Reforms Question.

The President then put forth a plea for further reforms. Referring to his memorandum on the subject to the Government of India, he said:

"I have stated in that memorandum the province of Madras, which, notwithstanding the inherent defects of the Act of 1919 has worked the Reforms fairly satisfactorily, must have responsibility conceded in respect of all subjects even as a reward for its good sense and loyalty. A concession of the kind to Madras will, I am sure, prove to be an inducement to the people of other provinces to improve their attitude towards the British Empire. There can be no doubt that the people of the province who under very trying circumstances were able to keep their head cool and work the Reforms as smoothly as they could, can be trusted to get on well with all provincial subjects transferred."

"In this connection," he continued, "may I be permitted to express the thanks of the Madras Ministry to the Earl of Birkenhead for the generous terms in which he has been pleased to refer to their work. But I must confess to a feeling of disappointment and regret that the speech of the Secretary of State has not given much hope of an advance in the direction suggested. It is no desire of mine to create an unhealthy rivalry between province and province, but when the objection is stated that conditions have not been satisfactory for the grant of a further instalment of reforms, one is constrained to point out that such is not the fact at least in some of the provinces. I feel satisfied that the time has come if it is not overdue when provincial autonomy ought to be granted in provinces like Madras. I shall not refer to the position of affairs in the Central Government, because conditions are more complicated there. But I believe that there is general consensus of opinion even among the most cautious of Indian statesmen

that there ought to be a certain amount of responsibility introduced into that legislature."

The President proceeded to what the Non-Brahmin Party had done to the Depressed classes and appealed for mutual confidence between the party and the Non-Brahmins.

"The question, therefore, of further constitutional Reforms is, indeed, the question of the hour, and Indian opinion is unanimous that the British Government should take steps towards this end. We, as a party, are anxious to promote cordial relations between Great Britain and India. And I have no hesitation in stating that a further constitutional advance for India is as much in the interests of India as it is of the British Empire. I feel sure that Britain itself realises how much it will ensure the stability of the Empire and promote that feeling of fellowship which ought to exist between the component parts of a great Empire.

"Signs are not wanting to show already how a section of the Indian people are viewing this problem. The question is asked, what shall be India's response, if, after all this appeal, the British Government turns a deaf ear? Will the country go back to civil disobedience, to that policy of passive resistence which was so vehemently preached till recently, as the only method of gaining political concessions? Even the most reckless of politicians will realise that, apart from the disasters with which such a policy is attended, it is an absolutely futile and impracticable course to pursue, specially in view of the Himalayan failure of such a policy on the last occasion when it was adopted. Will it take to obstructive tactics and preach the doctrine of bringing the Government to a standstill? I cannot conceive of any serious individual taking to such a course, after the travesty that obstruction has proved as a politcal weapon. What then? The only alternative seems to be meek submission or an appeal to the British nation and to the League of Nations, through the British manufacturers, by boycotting the British goods. Judging from the state of mind of the people, the former seems to be out of question, and I am sure that British statesmanship, which has been able to solve many a delicate international problem will rise equal to the occasion.

The South African Indian Problem

"Next to the Reforms, the question that is engaging the attention of the people is, undoubtedly the position of Indians in the colonies, in general, and in South Africa, in particular. The deputation that has been sent out to South Africa, by the Government of India, and the Indian Deputation from South Africa, which is in our midst, are but reminders of the gravity of the situation. The position of our countrymen in that country is indeed most unfortunate, and it is sad to contemplate that, inspite of all the appeals that have been sent up by the Government and the people of India, inspite of numerous pacts and promises, the question has become more acute than ever. Dr. Malan's Class Areas Bill is a piece of legislation, which I feel sure that none beyond the small (European) community in South Africa can justify. The most cautious of Indians feels that the situation is fast getting beyond control, and those who have watched the attempts that are being made to promote and build up a Pan-Asiatic Movement, realise how such acts afford valuable material for political incendiaries, and what a disservice is done to the cause of a united and harmonious Empire. May we not hope that the most strenuous efforts will be made to avert such undesirable results, as much in the interests of the Empire, as in the interests of justice and fairplay towards the Indian settlers?

"While expressing this view, may I not turn to my Indian brethren, and tell them that, so long as there is bigotry and intolerance in our land so long as one-sixth of our own race are condemned to live a miserable life,

not merely of poverty and ignorance which is universal, but of social degradation which is peculiar to India, so long as the frame of mind and that mental attitude which was exhibited at Kalpathi is either connived at or even tolerated, so long shall we lose much of that moral justification which is, and must always be, behind our condemnation of the South African Whites ?

" Our conscience will tell us that the impartial outsider, who smiles with incredulity at the virtuous indignation which we feel at the treatment meted out to Indians overseas, is not absolutely unjust and unfair. Let us strengthen our demand for the redress of our grievances in South Africa, by insisting on our countrymen chahging their attitude of mind towards the Depressed Classes."

The President went on to observe that the British connection with India was providential. "I feel certain also," he said, " that under no other empire could we have developed so well, and so rapidly as under the British empire. If therefore we desire changes in the form of government, if our hopes are centred on a day when we shall have a large share in the administration of our country—believe me, it is in no way becase we are unmindful for the benefits we have so far received through the British connection. It is rather a logical fulfilment of the training that we have received a natural climax to the lessons that we have learnt from western political science".

Proceedings and Resolutions.

2ND DAY—28TH DECEMBER 1925

At the second day's sitting of the All-India non-Brahmin Congress on Monday the 28th Dec. a resolution expressing deep sorrow at the demise of Her Majesty Queen Alexandra and conveying the respectful condolence of the Congress to His Majesty the King Emperor and Members of the Royal family, was passed first.

The next resolution expressed profonnd sorrow at the demise of Sir P. Theyagaraya Chetty, leader of the Non-Brahmin movement, and exhorted the Non-Brahmins in all provinces to commemorate his invaluable services, and, to keep his memory ever green by observing the 28th April, every year, as the Theyagaraya Memorial Day.

The third resolution expressed deep regret at the death of the late Maharaja of Gwalior, Sir Surendranath Bannerjee and Messrs. C. R. Das, Swamikannu Pillai and othere, and the next one exhorted the Non-Brahmins to commemorate the services of His Highness the late Sahu Chattrapathi of Kolhapnr, by observing the 6th May, annually, as the Memorial Day.

THE REFORMS RESOLUTION.

The next resolution was the subject of several speeches, and related to Reforms. Mr. A. Ramaswami Mudaliar of Madras moved;—

(a) " This Congress is, emphatically, of opinion that the time has come when further extension of Reforms ought to be given to all provinces, as many of the provinces have already in spirit and in letter worked the new constitution and helped to promote the development of democratic self-government and as Non-Brahmins of the Central Provinces and Berar are prepared to do the same , and, while expressing its regret at the disappointing reply of the Right Hon'ble the Secretary of State for India, urges on H. E, the Viceroy, the Secretary of State and the British Cabinet, the necessity of immediately granting full provincial autonomy to all provinces, with adequate safe-guards, if necessary, so as to remove the apprehension that the British Cabinet is not genuinely interested in ensuring the speedy realisation of Self-Government in India.

(b) "This Congress exhorts Non-Brahmins, excluding Mahomedans, Christians and Parsis, of the Central Provinces and Berar to secure as many seats as possible at the coming Legislative Council elections, to form a non-Brahmin Ministry, and to co-operate in working the Reformed Constitution and promoting the growth of democracy.

(c) "This Congress is also emphatically of opinion that the Central Government may be made responsible to the electorate."

Mr. R. G. Pradhan moved an amendment to the first clause, to insert the words "with adequate safeguards if necessary."

Mr. K. V. Reddy, Mr. Patel of Bombay and others spoke on the resolution which, as amended, was carried unanimously.

S. AFRICAN ISSUE.

The next resolution extended a hearty welcome to the Indian Deputation from South Africa. The following is the text of the resolution :—

"The Congress and the non-Brahmins in the country will do everything in their power to help them in their just and moral fight for getting their legitimate rights of equal citizenship recognised by the white population in South Africa.

"The Congress desires to impress on H. E. the Viceroy, the Government of India and the British Cabinet that nothing is calculated more to impair the unity of the British Empire than the feeling of resentment which is fast growing in the country at the iniquitous treatment, which is now given and is in future intended to be given, to Indian settlers in a portion of British Empire, and urges on them the necessity of giving practical manifestation of their sympathy by taking such steps, retaliatory or otherwise, as would ensure recognition of the just rights of Indians by the South African whites."

The resolution was carried, and the sitting adjourned at about 9 p. m. till next day.

3RD DAY—29TH DECEMBER 1925

The All-India Non-Brahmin Congress concluded on the 29th after passing some more resolutions accepting the Unity resolution passed at the All-India Unity Conference at Delhi in 1924, and impressing upon Non-Brahmins, both Hindus and Muslims, the need for bringing about Hindu-Muslim unity for promotion of national development, and calling upon them to act up to the principles contained in that resolution amidst cries of Hindu-Muslim-ki-jai."

Sir K. V. Reddi moved a resolution, observing that, when real unity between the two communities was accomplished Swaraj would be in their hands.

Resolutions relating to communal representation in the Councils, removal of untouchability, etc., were also passed.

Sir K. V. Reddy, speaking on the resolution, asked the audience to remember that they contributed the bulk of the revenue, and made a stirring appeal to them to return only Non-Brahmins in the coming elections.

The Congress exhorted the Non-Brahmins all over India to support the Justice newspaper, the only Non-Brahmin organ.

President's Concluding Remarks.

In dissolving the session, the President impressed upon the audience the necessity for relentless propaganda among the Non-Brahmin masses. He characterised the Non Brahmin movement as revolt of the masses against classes, who held monopoly over social and political concerns.

All-India Social Conference

CALCUTTA—31ST DECEMBER 1925

The All-India Social Conference was held on Thursday, the 31st December in the Albert Institute Hall, Calcutta. Srijukta Sarala Devi CHAUDHURANI presided.

The President in her address said that she felt honoured to have been asked to guide the deliberations of a Conference which owed its birth 40 years ago to the farsighted genius of Mahadeo Govind Ranade. Referring to herself she said that she had been born under a more enviable position than many of her countrymen, and that she had been served with the highest culture of the East and West in unstinted measure. She called upon her countrymen and countrywomen to rally under the flag of social reform. She invited fresh recruites of the young lovers of their race and of humanity to throw their strong arms around the sick and the weary, to cheer the faint and to lighten the burden of those whose future was black and hopeless. Unless, said Srijukta Sarala Devi Chaudhurani, their house was set in order, they could not step out, claim or bear the burden of political rights in the outside world. Continuing, she said that a selfish, narrow-minded, unenlightened priesthood was hampering the nation's march for freedom at every step, and it was doomed to advance at a ridiculously crawling pace. Either the women and priests must be left to take care of themselves or they must be turned into trained allies by education of mind and made to add to the strength of the nation and the happiness of the units.

The President said again that the average woman had been kept intellectually united for ages by the average men in India. It was only when the armed ships of the West anchored in her harbours, foreign aggressors sucked India's blood away, that Indian men were conscious of their self-created handicap—its unresponsive women-folk. Female education, abolition of purdah, widow re- marriage, prohibition of early marriage, child protection, drink prohibition, removal of untouchability, taking back to the social fold repentant apostates, were made the planks of the Social Reform platform. The Indian National Congress, she said, now looked upon the Social Reform Conference as a powerful ally and has engrafted much of its programme.

Continuing the speaker said that there were countless nooks and corners where its message had not reached yet, where human hearts had not reverberated to the call of social unlift and lives were being wasted away in misery and ignorance, in subjection and tyranny, in selfishness and sordid materialism. The speaker said once more that a vast mass of humanity awaited the torch-bearers of reform to help to disentangle the tangled threads of their lives. In conclusion, the President said that she prayed that the usefulness of the Conference might not wane for the want of focussing.

Resolutions

The following resolutions were adopted unanimously :—

"This Conference notes with satisfaction the growing interest of the people in female education and urges upon all Social Reform Associations and workers to make greater efforts to accelerate its progress both on general and vocational lines.

"This Conference, while recording with satisfaction the rise in the age of marriage, emphasises the need for further raising the age both for boys and girls in view of physical degeneration and other evils resulting from early marriage.

"This Conference is strongly of opinion that the system of Purdha is prejudicial to the physical and moral development of woman and ought to be abolished.

"This Conference condemns the practice of charging dowries at marriage as well as the practice of making extravagant expenditure at social functions as involving a heavy drain on the purse and being calculated to lower the moral tone of the people.

"This Conference views with satisfaction that opposition to the remarriage of widows is growing less and less, and urges that renewed efforts should be made to ameliorate the condition of widows and remove restrictions on their re-marriage.

"This Conference urges that the baneful restrictions of caste should be relaxed so as to promote the growth of nationality and the upbuilding of society on the foundations of justice and equality.

"This Conference records its firm conviction that the evil custom of regarding some castes as untouchable is unjust, degrading and humiliating and should be done away with. The Conference urges that measures should be instituted for improving the condition of the neglected classes of the society.

"This Conference calls upon the people to admit to society women and girls who have been innocent victims of crime and thereby save them from a life of perpetual misery and shame. In the opinion of the Conference, this measure of reform will help in effectively checking the crimes of kidnapping and abduction of girls which are rampant in the country.

"This Conference urges the necessity of giving women political franchise entitling them to become members of Legislative bodies and Municipal and other local Corporations so as to enable women to take their proper share as citizens in the national affairs of the country.

"This Conference is of opinion that the educational institutions should take up the cause of temperance and urges for the total prohibition of the manufacture and sale of alcoholic drinks and intoxicating drugs except for medical purposes.

"This Conference views with alarm the growth of the pernicious habit of gambling at races, which is bringing about discontent and distress in families and appeals to the people to make earnest efforts for its discontinuance.

"This Conference urges the establishment of rescue-homes and welcomes the enactment of legislation for the protection of children in some provinces and calls upon the other provinces to pass legislation on similar lines.

"This Conference strongly appeals to the people to make vigorous efforts securing the better administration of religious trusts and endowments in the country and in this connection it lends its support to the general principles of Mr. D. P. Khaitan's Bill introduced in the Bengal Legislative Council.

"This Conference calls upon the people to ceaselessly strive for the maintenance of cordial relations between Hindus and Mahomedans by cultivating a spirit of mutual trust and forbearance and by removing all hindrances to the growth of amity and fellow-citizenship in the country.

With a vote of thanks to the Chair the Conference terminated.

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