

THE CASE
FOR
INDIAN HOME RULE

Being a general introduction to the Congress-League Scheme
of political reforms in India

*"A Nation's liberty could not be meted and parcelled out in
gratitude. No man can be grateful at the expense of his
conscience ; no woman at the expense of her honour ; no
nation at the expense of its liberty."*

—H. Grattan.

BY

BSINHA CHINTAMAN KELKAR, B.A., LL.B.

Secretary, Indian Home Rule League, Poona

(Published under the authority of the Indian Home Rule League, Poona)

PŌONA :

PRINTED AT THE ARYABHUSHAN PRESS.

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PREFACE



THE present pamphlet is issued under the authority of the Indian Home Rule League, Poona. It is an attempt to put together some of the main arguments in what may be called, in forensic language, the 'Case' for Self-Government or Home Rule in India.

Copious literature is being issued for the last two or three years on the subject. But of literature of this sort there can never perhaps be too much. The whole country is waiting for political education. Even 'enlightened' statesmen in England apparently require an amount of enlightenment on this particular topic.

The welcome visit of the State Secretary for India has naturally given one more stimulus to the advocates of Indian Home Rule to put their arguments on paper. Mr. Montagu, while in India, will probably make it a point to collect, preserve, and digest everything that is intended to be read by him with reference to the object of his visit. May we not hope that he will be able to bring a fresh and an unbiased mind to bear upon whatever he reads in this connection?

The present pamphlet had to be produced practically under an inexorable time limit of ten weeks. Being myself hustled, I could not help hustling my readers over this panoramic subject.

I should like to express my thanks to my assistants Messrs. V. M. Bhat, B. A., J. S. Karandikar, B. A. LL.B. and D. V. Gokhale, B. A. LL. B. and particularly to Mr. Bhat, for carefully seeing the pamphlet through the press.

HOME RULE LEAGUE OFFICE,
Poona, 20th December 1917.

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N. C. KELKAR, B. A., LL. B.

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A SCHEME* OF REFORMS

PASSED BY

THE INDIAN NATIONAL CONGRESS

On December 29th, 1916

AND BY

THE ALL-INDIA MUSLIM LEAGUE

On December 31st, 1916

CONGRESS RESOLUTION XII.

(a) That having regard to the fact that the great communities of India are the inheritors of ancient civilisations and have shown great capacity for government and administration, and to the progress in education and public spirit made by them during a century of British Rule, and further having regard to the fact that the present system of Government does not satisfy the legitimate aspirations of the people and has become unsuited to the existing conditions and requirements, this Congress is of opinion that the time has come when His Majesty the King-Emperor should be pleased to issue a proclamation announcing that it is the aim and intention of British policy to confer self-government on India at an early date.

(b) That this Congress demands that a definite step should be taken towards self-government by granting the reforms contained in the scheme prepared by the All-India Congress Committee in concert with the Reform Committee appointed by the All-India Muslim League (*detailed below*).

(c) That in the re-construction of the Empire, India shall be lifted from the position of a Dependency to that of an equal partner in the Empire with the self-governing Dominions.

RESOLUTION XIII.

That this Congress urges the Congress Committees, Home Rule Leagues, and other Associations, which have as their object the attainment of Self-Government within the Empire, to carry on through the year an educative propaganda on law-abiding and constitutional lines in support of the reforms put forward by the Indian National Congress and the Muslim League.

Reform Scheme.

I—PROVINCIAL LEGISLATIVE COUNCILS.

1. Provincial Legislative Councils shall consist of four-fifths elected and of one-fifth nominated members.
2. Their strength shall be not less than 125 members in the major provinces, and from 50 to 75 in the minor provinces.
3. The members of Councils should be elected directly by the people on as broad a franchise as possible.
4. Adequate provision should be made for the representation of important minorities by election, and the Muhammadans should be represented through special electorates on the Provincial Legislative Councils in the following proportions:—

PUNJAB—One-half of the elected Indian Members.		
UNITED PROVINCES—30 p. c.	”	”
BENGAL—40 p. c.	”	”
BIHAR—25 p. c.	”	”
CENTRAL PROVINCES—15 p. c.	”	”
MADRAS—15 p. c.	”	”
BOMBAY—One-third	”	”

* This scheme has been adopted by both the Home Rule Leagues, now working in India, as embodying an irreducible minimum of political reforms which must be immediately granted to India in full, as a first instalment of self-government or Home Rule which is declared to be the goal of British policy in this country.

Provided that no Muhammadan shall participate in any of the other elections to the Imperial or Provincial Legislative Councils, save and except those by electorates representing special interests.

Provided further that no Bill, nor any clause thereof, nor a resolution introduced by a non-official member affecting one or the other community, which question is to be determined by the members of that community in the Legislative Council concerned, shall be proceeded with, if three-fourths of the members of that community in the particular Council, Imperial or Provincial, oppose the Bill or any clause thereof or the resolution.

5. The head of the Provincial Government should not be the President of the Legislative Council but the Council should have the right of electing its President.

6. The right of asking supplementary questions should not be restricted to the member putting the original question, but should be allowed to be exercised by any other member.

7. (a) Except customs, post, telegraph, mint, salt, opium, railways, army and navy, and tributes from Indian States, all other sources of revenue should be Provincial.

(b) There should be no divided heads of revenue. The Government of India should be provided with fixed contributions from the Provincial Governments, such fixed contributions being liable to revision when extraordinary and unforeseen contingencies render such revision necessary.

(c) The Provincial Council should have full authority to deal with all matters affecting the internal administration of the Province, including the power to raise loans, to impose and alter taxation and to vote on the Budget. All items of expenditure, and all proposals concerning ways and means for raising the necessary revenue, should be embodied in Bills and submitted to the Provincial Council for adoption.

(d) Resolutions on all matters within the purview of the Provincial Government should be allowed for discussion in accordance with rules made in that behalf by the Council itself.

(e) A resolution passed by the Provincial Legislative Council shall be binding on the Executive Government, unless vetoed by the Governor in Council, provided, however, that if the resolution is again passed by the Council after an interval of not less than one year, it must be given effect to.

(f) A motion for adjournment may be brought forward for the discussion of a definite matter of urgent public importance, if supported by not less than one-eighth of the members present.

8. A special meeting of the Provincial Council may be summoned, on a requisition by not less than one-eighth of the members.

9. A Bill, other than a Money Bill, may be introduced in Council in accordance with rules made in that behalf by the Council itself, and the consent of the Government should not be required therefor.

10. All Bills passed by Provincial Legislatures shall have to receive the assent of the Governor before they become law, but may be vetoed by the Governor-General.

11. The term of office of the members shall be five years.

II.—PROVINCIAL GOVERNMENTS.

1. The head of every Provincial Government shall be a Governor who shall not ordinarily belong to the Indian Civil Service or any of the permanent services.

2. There shall be in every Province an Executive Council which, with the Governor, shall constitute the Executive Government of the Province.

3. Members of the Indian Civil Service shall not ordinarily be appointed to the Executive Councils.

4. Not less than one-half of the members of the Executive Council shall consist of Indians to be elected by the elected members of the Provincial Legislative Council.

5. The term of office of the members shall be five years.

III.—IMPERIAL LEGISLATIVE COUNCIL.

1. The strength of the Imperial Legislative Council shall be 150.

2. Four-fifths of the members shall be elected.

3. The franchise for the Imperial Legislative Council should be widened as far as possible on the lines of the electorates for Muhammadans for the Provincial Legislative Councils, and the elected members of the Provincial Legislative Councils should also form an electorate for the return of members to the Imperial Legislative Council.

4. One-third of the Indian elected members should be Muhammadans elected by separate Muhammadan electorates in the several Provinces, in the proportion, as nearly as may be, in which they are represented on the Provincial Legislative Councils by separate Muhammadan electorates.

Vide provisos to section, I, clause 4.

5. The President of the Council shall be elected by the Council itself.

6. The right of asking supplementary questions shall not be restricted to the member putting the original question but should be allowed to be exercised by any other member.

7. A special meeting of the Council may be summoned on a requisition by not less than one-eighth of the members.

8. A Bill, other than a Money Bill, may be introduced in Council in accordance with rules made in that behalf by the Council itself, and the consent of the Executive Government should not be required therefor.

9. All Bills passed by the Council shall have to receive the assent of the Governor-General before they become law.

10. All financial proposals relating to sources of income and items of expenditure shall be embodied in Bills. Every such Bill and the Budget as a whole shall be submitted for the vote of the Imperial Legislative Council.

11. The term of office of members shall be five years.

12. The matters mentioned herein below shall be exclusively under the control of the Imperial Legislative Council:

(a) Matters in regard to which uniform legislation for the whole of India is desirable.

(b) Provincial legislation in so far as it may affect inter-provincial fiscal relations.

(c) Questions affecting purely Imperial Revenue, excepting tributes from Indian States.

(d) Questions affecting purely Imperial expenditure, except that no resolution of the Imperial Legislative Council shall be binding on the Governor-General in Council in respect of military charges for the defence of the country.

(e) The right of revising Indian tariffs and customs duties, of imposing, altering or removing any tax or cess, modifying the existing system of currency and banking, and granting any aids or bounties to any or all deserving and nascent industries of the country.

(f) Resolutions on all matters relating to the administration of the country as a whole.

13. A Resolution passed by the Legislative Council should be binding on the Executive Government, unless vetoed by the Governor-General in Council; provided, however, that if the resolution is again passed by the Council after an interval of not less than one year, it must be given effect to.

14. A motion for adjournment may be brought forward for the discussion of a definite matter of urgent public importance if supported by not less than one-eighth of the members present.

15. When the Crown chooses to exercise its power of veto in regard to a Bill passed by a Provincial Legislative Council or by the Imperial Legislative Council, it should be exercised within twelve months from the date on which it is passed, and the Bill shall cease to have effect as from the date on which the fact of such veto is made known to the Legislative Council concerned.

16. The Imperial Legislative Council shall have no power to interfere with the Government of India's direction of the military affairs and the foreign and political relations of India, including the declaration of war, the making of peace and the entering into treaties.

IV. THE GOVERNMENT OF INDIA.

1. The Governor-General of India will be the head of the Government of India.

2. He will have an Executive Council, half of whom shall be Indians.

3. The Indian members should be elected by the elected members of the Imperial Legislative Council.

4. Members of the Indian Civil Service shall not ordinarily be appointed to the Executive Council of the Governor-General.

5. The power of making all appointments in the Imperial Civil Services shall vest in the Government of India, as constituted under this scheme, due regard being paid to existing interests, subject to any laws that may be made by the Imperial Legislative Council.

6. The Government of India shall not ordinarily interfere in the local affairs of a Province, and powers not specifically given to a Provincial Government, shall be deemed to be vested in the former. The authority of the Government of India will ordinarily be limited to general supervision and superintendence over the Provincial Governments.

7. In legislative and administrative matters the Government of India, as constituted under this scheme, shall, as far as possible, be independent of the Secretary of State.

8. A system of independent audit of the accounts of the Government of India should be instituted.

V.—THE SECRETARY OF STATE IN COUNCIL.

1. The Council of the Secretary of State for India should be abolished.

2. The salary of the Secretary of State should be placed on the British Estimates.

3. The Secretary of State should, as far as possible, occupy the same position in relation to the Government of India, as the Secretary of State for the Colonies does in relation to the Government of the Self-Governing Dominions.

4. The Secretary of State for India should be assisted by two permanent Under-Secretaries, one of whom should always be an Indian.

VI.—INDIA AND THE EMPIRE.

1. In any Council or other body which may be constituted or convened for settlement or control of Imperial affairs, India shall be adequately represented in like manner with the Dominions and with equal rights.

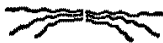
2. Indians should be placed on a footing of equality in respect of status and rights of citizenship with other subjects of His Majesty the King throughout the Empire.

VII.—MILITARY AND OTHER MATTERS.

1. The military and naval services of His Majesty, both in their commissioned and non-commissioned ranks, should be thrown open to Indians and adequate provision should be made for their selection, training and instruction in India.

2. Indians should be allowed to enlist as volunteers.

3. Executive Officers in India shall have no judicial powers entrusted to them, and the judiciary in every Province shall be placed under the highest Court of the Province.



Indian Home Rule League

Head Office :-486, Narayan Peth, Poona City

I. OBJECTS.

(i) To attain Home Rule or Self-Government for India within the British Empire by all constitutional means.

(ii) To educate and organize public opinion in India, the United Kingdom and elsewhere towards the attainment of the same.

II. MEMBERSHIP.

The Membership of the Indian Home Rule League shall be open to all men and women of over twenty one years of age who sign a declaration to the effect that he or she accepts the objects and the constitution of the League.

III. SUBSCRIPTION.

(i) Every member shall pay Re. one as annual subscription of the League.

(ii) Any one who pays a subscription of Rs. 100 or more in one lump sum shall be considered a life-member and such members shall not be required to pay the annual subscription.

IV. OFFICE-BEARERS.

The following gentlemen are elected as Office-bearers for the year (1917-18).

President

Mr. Joseph Baptista, B. A., LL. B. (Cantab), Bar-at-Law, L. C. E. (Bombay).

Vice-Presidents

1. Mr. Bai Gangadhar Tilak, B. A., LL. B. (Poona).
2. The Hon'ble Mr. Ganesh Shrikrishna Khaparde, B. A., LL. B. (Amraoti),
Member of the Supreme Legislative Council.
3. The Hon'ble Mr. Dattatraya Venkatesh Belvi, B. A., LL. B. (Belgaum).
Member of the Bombay Legislative Council.

Treasurers

1. Prof. Shivaram Mahadeo Paranjape, M. A. (Poona)
2. Mr. Teshwant Vishwanath (Bombay)

General Secretary

Mr. Narsinh Chintaman Kelkar, B. A., LL. B., Editor, the *Kesari* and the *Mahratta*. (Poona)

Assistant Secretary

Mr. Damodar Vishwanath Gokhale, B. A., LL. B. (Poona).

V. EXECUTIVE COMMITTEE.

A committee of the following gentlemen is appointed to execute the work of the League.

- (1) President. (2-3-4) Vice-Presidents. (5-6) Treasurers. (7) Secretary.
- (8) Mr. Raghunath Pandurang Karandikar, High Court Pleader (Satara).
- (9) Mr. Gangadhar Balvant Deshpande, B. A., LL. B. (Belgaum).
- (10) Dr. Dinkar Dhonddev Sathaye, F. R. F. P. S. (Bombay).
- (11) Mr. Narayan Ranganath Alekar, B. A., LL. B. (Nagpur).
- (12) Mr. Wasudev Laxman Chiplonkar, B. A., LL. B. (Akola).