

The Fourteenth Session
OF
The National Liberal Federation of India
HELD
AT CALCUTTA
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PRESIDENTIAL ADDRESS

BY

Dirvan Bahadur M. Ramachandra Rao.

The National Liberal Federation of India

Fellow Delegates, Ladies and Gentlemen,

I am deeply sensible of the high honour, which the Reception Committee of the National Liberal Federation has done me in electing me to preside over the deliberations of the session this year and I offer you my cordial thanks. I very much regret, along with all the members of the Liberal Party that the Right Hon'ble V. S. Srinivasa Sastri, who was first elected President of this Conference has not been able, by reasons of health, to undertake the duties of this office. I realise that the Presidentship of the Federation is the highest distinction which it is in the power of my fellow Liberals to bestow upon any one. As I, however, stand before you today, it is not so much the honour of the position great as that is, as the responsibility which it imposes upon me that occupies my thoughts. I am, however, confident that in the discharge of my duties, I shall have the fullest co-operation from every member of this Federation. A visit to this city recalls to my mind the many meetings held here in connection with our national movement, the foundations of which were laid by men like W. C. Bonnerjee, Sir Surendranath Bannerjee, R. C. Dutt, Lal Mohan Ghose, Sir Rash Behari Ghose, Bupendranath Basu, Ambicacharan Muzumdar and others. The prominent part played by the late Mr. C. R. Das in more recent years in the political life of the country has also had enduring results. There is now a supreme crisis in the affairs of our country, and I beg to express the hope that the decisions arrived at by all of us during the next two days in this City on the many vital questions awaiting solution may contribute to our national emancipation.

OUR LOSSES

Fellow delegates; scarcely a year passes by without leaving us the poorer in the ranks of our public men. It is my melancholy duty at the beginning of our proceedings to refer to some of our losses.

His Highness the Maharaja Jam Shri Ranjitsinghji of Nawanagar was a distinguished repre-

representative of the Princely Order. As the Chancellor of the Chamber of Princes and as a representative of India on many occasions at the League of Nations and other gatherings, he played a great part in the affairs of this country. His patriotic services as a member of the Round Table Conference are so recent that it is unnecessary to dilate on them at any length. More than all, he earned undying fame as a great exponent of the game of cricket and became the champion batsman for all-England in the prime of his life. He had an international reputation as a great cricketer and sportsman, and his sudden death is widely regretted throughout the country.

The late Sir Sved Ali Imam's unique experience at the Bar and on the Bench, as a member of the Governor-General's Executive Council and as the President of the Executive Council of His Exalted Highness the Nizam of Hyderabad gave him opportunities of acquiring a unique and intimate knowledge of the judicial and administrative systems of British India and of the Indian States which was always available to us in the discussion of important constitutional problems. He had always a national outlook and was a tower of strength to the national cause. We miss him greatly at this time of crisis in the affairs of the country.

The late Rao Bahadur R. V. Mahajani of Akola rendered great service to our cause as the President of the Berars Liberal League and was much respected for by all classes and communities in the Berars. We sympathise with the families of these distinguished patriots and offer them our condolences.

THE PRESENT WORLD CRISIS

Fellow Delegates, we are meeting to-day at a time of unexampled stress and strife throughout the world. The unhappy economic position in which the world finds itself to-day is a legacy of the Great War. Wholesale commodity prices expressed in gold, have declined since October 1929 by roughly a third, and the prices of raw material on the average by 50 to 60 per cent. In countries which depend for their export on primary products like India, the gold prices of their products have in many cases fallen to a third, a quarter, or even less, of the former price with disastrous effects on the position of

foreign payments of these countries. The fall in prices has lowered national incomes in many countries by more than 40 *per cent.* Though it is nearly three years since this economic blizzard set in, nobody can forecast when the world recovery of prices will begin. This prolongation of the depression and the continued decline in commodity prices as a whole have reduced the primary producers to the verge of insolvency. In the field of international trade, high tariff prohibitions, quotas, clearing agreements, exchange restrictions and other similar devices have throttled business enterprise and individual initiative. These measures have brought about an unprecedented reduction in international trade and threaten it with complete paralysis. The currency systems of the world have also been thoroughly disorganised. The gold standard has culminated in a gold scramble. National hoarding of gold has taken place and the precious metal has been sleeping in the treasuries of five countries, which have kept to themselves 80 *per cent* of the world's monetary gold and the price of silver has also fallen by more than one half in less than three years. The world monetary and economic conference is to assemble in a few months and the draft annotated agenda issued by the preparatory committee of experts to the Council of the League of Nations gives an indication of the immensity of the task before the nations of the world who will assemble at that conference. It is impossible to foresee what the results of this conference are likely to be or what length of time the measure they may recommend would take to relieve the present affliction. In the field of politics and political organisation, there is the same kind of dislocation and disturbance. The spirit of unmixed hatred to-day towards the existing world order which Professor Gilbert Murray has compendiously summarised as Satanism is perhaps more rife to-day than it has been for years. It is felt to some extent against all ordered Governments but chiefly against all Imperial Governments. The weakening and disorganisation of some of the existing Governments are now more frequent than at any other period of history. Revolutions and counter revolutions are becoming familiar phenomena in world politics at the present day. It was thus that Dictatorships have been established in Russia, Turkey, Germany, Hungary, Italy, Spain, Poland, Yugo Slavia and

Portugal and also in some of the South American States. A vast volume of hatred, just and unjust partly social, partly nationalist, partly the mere reaction of intolerable misery has grown up everywhere. The reactions of all these world movements on the economic and political life of this country have created a most serious situation. The agrarian problem throughout the country has become very acute and the tillers of the soil are not able to pay their way. It is impossible to foresee the very grave consequences of the indefinite prolongation of the present depression and the continued fall of the commodity prices as a whole. Sir Samuel Hoare and Sir George Schuster are never weary of congratulating themselves on the maintenance of the financial stability of this country as evidenced by the flotation of Government loans. But they have never realised the consequences flowing from the present helpless condition to which the people have been reduced by the high level of taxation. None but the blind can fail to notice the cumulative effect of the conditions prevailing at the present day throughout the country.

THE POLITICAL SITUATION

Fellow delegates, grave as the economic and financial situation is, the political situation is still graver. The spirit of world politics since the termination of the Great war and its reactions on India and the march of events in this country since the introduction of Montagu Chelmsford Reforms have strengthened the Indian National Movement to such an extent that the Indian political problem has now become a world problem. It was during Lord Irwin's Viceroyalty that the movement attained a *momentum*, which, if it was not wisely handled, would have ended in irretrievable disaster. The five years of his term of office as Governor-General have, therefore, been regarded as years of destiny for India. His personality and that of the great protagonist of Indian freedom, Mahatma Gandhi, have caught the imagination of the people and riveted the attention of the whole world on India as perhaps nothing else had done. These two have played a very great part in the recent political history of this country. Lord Irwin laid down his office in April 1931 to the universal regret of the people of this country. But it was during his Viceroyalty that a

fundamental permanent change in both the quality and character of India's relationship with Great Britain took place. This change was fittingly and truly symbolised by the summoning of the Round Table Conference, and the settlement known as the "Gandhi-Irwin Pact". The change was intended to secure co-operation between Great Britain and India on equal terms in the framing of the Indian constitution and India's participation in shaping its own political destiny. The Gandhi-Irwin Pact is an emphatic negation of an Imperial philosophy which is out of date and out of harmony with the present day facts. It is an open recognition of the fact that a willing and contented India can be kept within the British Commonwealth of Nations, only by an agreement with the people of this country. But this settlement was not to the liking of the official hierarchy and the Pact was looked upon as an alliance with lawlessness and disorder and as an exhibition of weakness on the part of Lord Irwin. (The precipitate arrest and imprisonment of Mahathma Gandhi on his return to India after the second sessions of the Round Table Conference was one of the gravest blunders in the recent political history of this country. Sir Samuel Hoare and His Excellency Lord Willingdon have often congratulated themselves on the outward calm that has been produced by their present policy. But everybody who knows the political forces now working in the country, knows also very well that the irritation and unrest caused by this policy has driven discontent underground.) Mahathma Gandhi, therefore still dominates the political situation, though he is in prison, and any political settlement without his good will and co-operation cannot be an enduring one. (Whatever be the differences of opinion between us and him as to methods and outlook, the cause that he represents is the cause of Indian freedom so dear to all sections of the Indian people. In the felicitous words of our distinguished friend, the Right Hon'ble V. S. Srinivasa Sastri, at the opening session of the Round Table Conference, the men and women who are following the lead of the Mahatma "are not hereditary criminals; they are not savage barbarian hordes; they are not the sworn enemies of Great Britain or of British institutions. They are men of culture, men of honour, most of them men who have made their mark in the professions. They are our

kmsmen, both in spirit and by blood. It is a sense of political grievance that has placed them in this position which we view with so much distrust and so much disapprobation. Remove that discontent and you will find them along side you, working the new constitution that we shall frame to its highest issues, and drawing from those new institutions that we frame all the benefit of which they are capable". If these words of wisdom had been borne in mind, the present representatives of His Majesty's Government in India would not have again pursued a policy which produced the very conditions to avoid which the Round Table Conference was summoned. It is therefore, a grave mistake to suppose that this cause has weakened or that the political forces behind the Mahatma do not continue to occupy a dominant position in the politics of this country. The revival of the Ordinance rule and the persistent refusal of His Majesty's Government and of the authorities in India to release him and his political associates until they make an open confession—or what virtually amounts to it—that they have been beaten is a complete reversal of the Irwin policy. Sir Samuel Hoare's declaration that he does not want a drawn battle between the Government and the Indian National Congress shows the spirit animating British policy to-day in dealing with an essentially political problem. The appeasement of the people and the promotion of good understanding between the Government and the political leaders of the country cannot be secured till there is a change of spirit. The obduracy of the Government in this matter, notwithstanding the repeated requests of our leaders, has added considerably to the difficulties of the situation.

THE ADVENT OF THE NATIONAL GOVERNMENT

The great change in the political atmosphere in this country since we last met under the presidency of my distinguished friend, Mr. C. Y. Chintamani, is due mainly to the change of Government in Great Britain. A great financial and political crisis had overtaken the Labour Government which went out of office and men like Messrs. Wedgwood Benn, Pethwick Lawrence and Lees Smith who did yeoman service to our cause and whose broadminded sympathy with our political aspirations was beyond all praise, disappeared from the scene, and we thus lost

their valuable services to India. The advent of the National Government and of a new Parliament during the Second Session of the Round Table Conference constitutes one of the most dramatic developments in the history of British political life. These events have had the most far-reaching consequences on the work of the Second and Third Sessions of the Round Table Conference and in the formulation of the proposals contained in the White Paper. We have been frequently assured by some of the members of the present Government that there is no change in the spirit of British policy or in its outlook towards India in consequence of these political changes in Great Britain. During recent years many expressive political phrases indicative of different mental attitudes in relation to India have come into vogue in British Parliamentary life. Mr. Wedgwood Benn's very memorable phrase "the Birkenhead tone" can never be forgotten. "Irwinism" was freely used in the debates of the House of Lords where Lord Burnham described it as "the quintessence of weakness". Even "Willingdonism" has come into vogue as an antithesis to "Irwinism". Whatever be the value of the assurances that are given to the contrary, nobody acquainted with the present day tendencies of political life in Great Britain will say that the change from the late Government and the late Parliament to the present Government and the present Parliament does not indicate a change of attitude in regard to the political problems of India. The huge Conservative majority of the present Parliament has been regretted even by some of the prominent leaders of the Party and is a source of great embarrassment to them. The British Parliamentary system is based on an effective Opposition and in the case of the present Parliament, the Opposition has become so weak in numbers and prestige that it has ceased to be an effective check on the actions of the Government.

REPRESSION AND THE ORDINANCES

It is widely felt, however, in the country that many politicians belonging to the "govern or get out" school of British politics are now in Parliament, and the recent British policy in relation to India is not a little due to the pressure exercised by these politicians on those charged with the administration of Indian affairs. We do not see anywhere

the spirit of conciliation and good will and the desire to come to an enduring settlement between the Indian people and the British nation. The doctrine of force has again been enthroned in the counsels of the Government. I venture to think, however, that the responsibility for this state of things cannot wholly be placed on the shoulders of Government. There was much that was done by both the sides which precipitated the crisis with such disturbing effects on the course of events in this country. Of the two principal actors in the present political stage in India, His Excellency Lord Willingdon, the present Viceroy, a few days after his arrival in this country, expressed a wish that he might go down to history as the first constitutional Governor-General of India, a wish and ambition, I believe, he still cherishes. Within a few months after his arrival, he took the responsibility for initiating a policy of repression, which, even according to Mr. Winston Churchill, is the most severe since the Indian mutiny. The suspension of the ordinary laws of the country, the reign of ordinances and the revival of all kinds of excesses for a whole year was the result of this policy. In regard to the Mahathma, it is conceded on all hands that, when he returned to India, he had no intention whatever to revive the Civil Disobedience movement.

The fact, probably is, that both the Government of India and the Indian National Congress did not shake off their war mentality even after the Pact. It was well known that the former had completed their preparations for meeting the revival of Civil Disobedience while in certain Provinces politics had taken a turn which had caused grave mis-givings even to Congressmen. Had Lord Willingdon given an opportunity to Mahatma Gandhi to have a heart-to-heart talk with him, which he desired, it is very probable that the history of the last fifteen months would have been very different. That two such men should be responsible for the present state of things is a tragedy. The Indian political firmament, is, therefore, thickly clouded and cannot improve till the realities of the situation are again recognised. The Government of India have entirely failed to create a favourable atmosphere for the consideration of the proposals of His Majesty's Government contained in the White paper. After the declarations made from

time to time, that His Majesty's Government would endeavour to frame a constitution for India based upon the willing consent of the people of this country, it is inconceivable that they should now proceed to enact a new constitutional structure for India without giving an opportunity to the many men and women who are now in prison to say what they think of it. The words of Lord Irwin in his parting message to India in regard to the constitutional settlement between India and Britain are still ringing in our ears. He said:—"The only way of achieving the end is by a synthesis of the best statesmanship of the East and West, by the collaboration of the two partners working side by side, not in any huckstering spirit as to who would get the best of a bad bargain, not with a view to this or that individual, or this or that community gaining advantage or victory over a rival, but with the sole purpose of creating and perpetuating a prosperous, strong, contented India, embracing both British India and the States as an honoured member of the British Commonwealth of Nations". A successful working of the future constitution of India can only be secured by carrying out the spirit of the message of Lord Irwin. In bringing the present proposals for the future Indian Constitution for final consideration in the circumstances in which we find ourselves today His Majesty's Government have entirely failed to recognise the requirements of the situation.

DOMINION STATUS

Fellow Delegates, the proposals contained in the White paper have already been subjected to a good deal of criticism throughout the country in the public press, in the Provincial Legislatures and the Central Legislature, in Conferences and Associations, in communal organisations and by public men of all schools of political thought. The one striking note of all these utterances is a sense of profound disappointment with these proposals. His Majesty's Government cannot now be under any mistake about the reception of these proposals in this country. Before referring to the proposals in detail, I should like to place before you two outstanding facts. In judging of the present scheme, we cannot forget what nationalist India has been demanding all these years, and the pledges made by His Majesty's Government

from time to time. For the last 10 years we have pleaded, that if we are to remain within the Empire, we should be granted equality of status with other self-governing units within the British Commonwealth of Nations. Nobody knows India and Indian political sentiment better than Sir Stanley Reed, the well known editor for many years of "The Times of India." He was never wearied of impressing on his countrymen in Great Britain that "the passion for equality in the eyes of the world is a dominating force in India, and if it is to be for ever denied, India would be driven out of the Empire." We have been subjected to all kinds of humiliations and indignities in the self-governing Dominions and also in our own country, and in recent years the political mind of India has realised as never before, that, unless the status of India external as well as internal, is improved, there can be no sense of equality between this country and any other country in the British Commonwealth of Nations or outside. Britain has repeatedly declared that India's place would be exactly the same as that of any other self-governing Dominion in the British Commonwealth of Nations in due time. In His Majesty's proclamation announcing the new constitution in 1919, he was pleased to promise that "British India may attain its due place amongst His Majesty's Dominions." It was also stated therein that "the control of her domestic concerns is a burden which India may legitimately aspire to take upon her own shoulders." Doubts were, however, expressed by the agents of the Crown in this country whether His Majesty's Government really intended that by the declaration made in 1919 India should attain the status of a self-governing Dominion. These doubts were dispelled by the historic declaration made by Lord Irwin in 1929, acting under the orders of His Majesty's Government, "that in the judgment of that Government it was implicit in the declaration of August 1917 that the natural issue of India's constitutional progress as there contemplated was the attainment of Dominion Status". This declaration was made not to indicate merely an aspiration of the people of this country and a distant goal of the policy of His Majesty's Government without any relation to the immediate application of the policy to the political conditions in the country. This is clear from Lord Irwin's statement a few months later that "India would obtain as large

a degree of management of her own affairs as could be shown to be compatible with the necessity of making provision of these matters in regard to which she was not yet in a position to assume responsibility". In the debate in the House of Commons on Lord Irwin's declaration about Dominion Status Mr. Benn, the then Secretary of State for India, went so far as to contend that Dominion Status was already in action in this country. He pointed out that India was already enjoying tariff autonomy and had the same liberty to consider the question of tariffs from her own standpoint like Australia, New Zealand and South Africa. Mr. Benn said that this was a Dominion attribute which had become part and parcel of the rights of India. He referred to her independent position at the League of Nations and to the fact that Indian representatives signed the Treaty of Versailles in their own right and as a separate political entity. Her position as a separate member of the Dominion Legislation Committee, the Five Power Naval Conference, the Washington Conference and the various other assemblies of the self-governing Dominions, where important questions relating to the whole Commonwealth were discussed, was also pointed out by Mr. Benn. When the Round Table Conference was summoned, it was the universal expectation in India that the status of a self-governing Dominion would be conceded and that the form of Government to be established in India would be the same as, and not lower than, that of any other self-governing Dominion with the necessary transitory provisions. The proposals for a new constitution contained in the reports of the All-Parties Conference in 1928 were based on these assumptions and reflected the general political sentiment in the country at the time. At the Round Table Conference which began to sit soon after, the representatives of the three political parties accepted Dominion Status as the goal of British policy in India and the Prime Minister, at the end of the first Session, made the memorable declaration that "the view of His Majesty's Government is that responsibility for the Government of India should be placed upon Legislatures, Central and Provincial, with such provisions as may be necessary to guarantee, during a period of transition, the observance of certain obligations and to meet other special circumstances and also with

such guarantees as are required by minorities to protect their political liberties and rights". This declaration was reiterated at the end of the Second Session and further confirmed by the present Parliament in December 1931 after a historic debate in both Houses of Parliament. The declaration of His Majesty's Government has been understood as pledging the British Government to frame a constitution for all for India with certain reservations during the period of transition, that these reservations should disappear as soon as the necessary conditions are established for their abrogation, and that they should be so framed and exercised as not to prejudice the advance of India to the full status of a self-governing Dominion. In other words, we contend that these pledges rule out any advance of India by successive stages to be decided by Parliament from time to time and that India should be given a constitution as near as possible to the status and function of a self-governing Dominion and for the automatic disappearance of such reservations as may be made within a reasonable period of time.

HAVE THE PLEDGES BEEN KEPT?

The point for our consideration, therefore, is whether the proposals now made in the White Paper have carried out these solemn pledges and whether the scheme adumbrated therein lays the foundation necessary for raising India to the status of a self-governing Dominion. The answer to this question can only be in the negative. The only way in which these pledges can be carried out is to give us a constitutional charter which, while recognising the status of India as equal to the other self-governing Dominions, would provide us with the structure of a constitution which would finally establish the same form of Government as prevails in the self-governing Dominions, without a periodical examination by Parliament of the Indian problem. Even the Indian Statutory Commission dwelt at length on the evils of a temporary constitution and they devoted a whole chapter to the mechanism of advance. In their view the new Constitution should, as far as possible, contain within itself provision for its own development without any revision at stipulated intervals. The statement made in the recent debate of the House of Commons by Sir Samuel Hoare "that Britain's

pledge to India was not the grant of self-government as all of us have been thinking, but the continuous bestowal of new instalments of constitutional progress" has, therefore, come as a surprise and has caused the most profound disappointment throughout the country. His interpretation of the pledges, I venture to say, is totally opposed to the letter and the spirit of the declarations made by Lord Irwin and by the Prime Minister on behalf of His Majesty's Government at the Round Table Conference. The Conference was not summoned merely for the purpose of evolving a further instalment of reform, but to come to an enduring settlement with the people of this country and to keep this country as a contented member of the British Commonwealth of Nations. In these circumstances, we do not see anywhere in the scheme, any attempts made by His Majesty's Government to set up India as a self-governing Dominion from now, or to lead to it in the near future, with a period of transition, during which certain powers will be reserved in the hands of His Majesty's Government.

RESPONSIBILITY AT THE CENTRE

There is another equally important feature of the present proposals which has greatly disturbed the public mind. Sir Samuel Hoare gave the most emphatic assurances that His Majesty's Government are committed to the simultaneous introduction of responsibility at the centre, and Provincial autonomy in the provinces and that His Majesty's Government will do everything in their power to remove all obstacles to the Federation. Notwithstanding these assurances, nothing has been done so far to remove the existing obstacles. On the other hand, the difficulties in the way of the Federation have been still further accentuated. A mere enumeration of all of them together will show the stupendous nature of the conditions set for the purpose. In the first place, the establishment of the Reserve Bank is a pre-requisite to the inauguration of responsible government at the Centre, but the establishment of the Bank cannot be undertaken "until the Indian budgetary position is assured and until the existing short-term debt is substantially reduced and adequate reserves have been accumulated and also until India's normal export surplus has been restor-

ed". These are all dependent on world economic conditions and he would be a bold man who can prophesy when these conditions will be fulfilled and when the Reserve Bank will be established. In the second place, His Majesty's Government have stated that the Federal constitution can only be brought into operation when the rulers of the States representing "not less than half the population of the Indian States and entitled to not less than half of the seats to be allotted in the Federal Upper Chamber" shall have executed instruments of accession. It was expected that the rulers of the States would be able to give an indication of their minds in this respect. The recent proceedings of the Chamber of Princes have however, not only given us no indication, but have strengthened the doubts that have existed as regards the creation of an All-India Federation. On the top of these difficulties, the White Paper lays down a further condition that the Federation cannot be brought into being unless both the Houses of Parliament present an address to the Crown with a prayer for the promulgation of a Royal Proclamation for bringing the Federation into being. Apparently the procedure in the British constitution for the issue of a Proclamation after the presentation of the address by both the Houses is intended to mark the solemnity of the occasion and has some constitutional importance. The White Paper has made provision for the solution of all kinds of conceivable situations in the working of the new constitution. If it is expressly provided in the new Constitution Act that the Federation can be brought into being only after the presentation of an address by both the Houses of Parliament, one may legitimately ask what is to happen if one of the two Houses refuses to vote the address for the promulgation of the proclamation. Is the inauguration of the Federation to wait till the differences between the two Houses are solved? In the face of all these difficulties for the creation of an All-India Federation some inherent and some contrived, anxiety has been felt that if the Federation does not materialise, the question of responsibility at the British Indian Centre should be immediately taken up, and representations have been made to His Majesty's Government on this matter during the sittings of the third Session of the Round Table Conference. His Majesty's Government have, therefore, stated in the

White paper that "if causes beyond their control should place obstacles in the way of their programme for the introduction of a Federation Constitution, they would take steps to review the whole position in consultation with Indian opinion". Notwithstanding this express statement in the White Paper, Sir John Simon has stated in the debate "with the greatest firmness and without any qualification whatever that he understood it to be the Government's and Sir Samuel Hoare's policy that if the conditions for an all-India Federation are not fulfilled, it was not proposed in the White Paper that there should be development of self-government at the centre". This statement has not been contradicted by Sir Samuel Hoare and is a fundamental departure from the considered decisions of His Majesty's Government. The one prevailing note of all the utterances of Indian representatives at the three sessions of the Round Table Conference was that British India will not accept any constitution unless provision is made therein for responsibility at the centre. In his opening speech in the recent debate, Sir Samuel Hoare has himself admitted this fact. "Every one", he said, "was anxious to see autonomy started in the Provinces, but we must realise that there was little or no chance of that being achieved in a reasonable atmosphere of good will if we did not at the same time make proposals covering the Federal Centre". The desire to enact a constitution with the willing consent of the people of this country, has altogether disappeared and Sir John Simon apparently desires to force a constitutional scheme on India whether there is goodwill of the people behind it or not. We have already spent three years in discussing and considering the problem of an all-India Federation, and if it fails to materialise, we have no assurance as regards the introduction of responsibility in the British Indian Central Government, and Sir John Simon has gone so far as to state that this matter will not come up for consideration. I have referred to these two matters at the outset as they go to the root of the whole scheme. Without a modification of the scheme in these two essential matters there is no chance of the acceptance of the proposals in the country.

THE FEDERAL POLITY

Fellow delegates, I now pass on to a consideration of the problems relating to the creation of a Federal polity for India set out in the White Paper. It may be admitted at the outset that the creation of a Federal State by agreement between autocratically governed Indian States and British Indian Provinces is beset with very great difficulties and it is only natural that there should be a great number of anomalies in the constitutional structure now foreshadowed. Whatever the difficulties and whatever the anomalies pointed out by constitutional theorists, a satisfactory solution of the problem can only be found in bringing the States into living touch with the ultimate facts of Indian political life. We have, therefore, accepted the All-India Federation, however weak, defective or anomalous as a supreme necessity of the situation. Without the acceptance of this new bond we cannot secure for India as a whole the status of a self-governing unit in the British Commonwealth of Nations. The Princes have repeatedly declared that they are entirely in favour of an All-India Federation. Nevertheless, serious doubts are still entertained whether the Federation will become a reality in the near future. The whole scheme embodied in the White Paper in regard to the Federation was discussed at the three sessions of the Round Table Conference with the Indian Princes and other representatives of the Indian States' Delegation. But the Princes have now put forward 18 conditions precedent for joining the Federation, some of which, if accepted, would totally alter the basis of the proposals agreed to at the Conference. For example, the Princes now want that provision should be made for the States joining the Federation collectively through a Confederation, an idea which was much discussed and given up at the Conference. The Princes have again revived the proposal that Federal laws should not apply *proprio rigori* to Indian States. But the States should accept and pass Federal laws as state laws, a proposal which did not find favour at the Conference. This proposal altogether destroys the foundations of the future Federation as embodied in the White Paper. Some of the other 18 proposals relating to the amendment of the constitution and the amendment of the Federal laws are equally destructive of the proposals embo-

died in the White Paper. Notwithstanding three years of discussion and consideration, the problem of federation is still in the air, and there is no finality whatever to the proposals made by the Princes.

Moreover, the insistence of the Princes that their sovereignty should be fully preserved and respected, that their rights under treaties, sanads or engagements should remain "inviolable and inviolable" and that the rights and obligations of the Crown to the States should remain wholly unaltered after the establishment of the Federation is somewhat inconsistent with their desire to enter an All-India Federation. The creation of the Federation necessarily involves not only a surrender of the sovereignty of the Princes in regard to matters placed within the Federal sphere, but also the modification of the rights and obligations of the Crown to the same extent. Otherwise, the existence of the Federal Government on the one side and that of the Crown on the other with all its rights and obligations, must end in conflict of authority in the federal sphere and the position of the Indian States under such a state of things can never be happy. Though there is no express statement in the White Paper as to how far the rights and obligations of the Crown in relation to the Indian States will be modified by the establishment of the Federation, it is clear that the creation of a separate office of the Viceroy apart from the Governor-General for the exercise of the functions of the Crown in regard to the Indian States in the non-federal sphere, is necessarily based on this assumption. For example, Defence will be a Federal subject though reserved. The Federal Government would be responsible for the military protection of the Indian States, but not the Viceroy acting under the orders of the Secretary of State. It was contended by Sir Leslie Scott that "the British Government as Paramount Power has undertaken the defence of all the States, and therefore, to remain in India with whatever military and naval forces may be requisite to enable it to discharge that obligation. It cannot hand over these forces to any other Government—to a foreign power such as France or Japan; to a dominion government such as Canada, Australia or even to British India." This extraordinary contention, if accepted, would

have interposed a most effective barrier against the progress of India towards Dominion Status now and for ever. Happily some of the Indian Princes have made it quite clear at the Round Table Conference that they do not share these views nor do they object to the gradual withdrawal of British troops from the country. The transfer of Defence to the federal sphere, though reserved, will not give any further room for ingenious constitutional theories such as the above. The rights and obligations of the Crown to the States, cannot therefore, be the same as they are now.

THE VICEROY AS AGENT OF THE CROWN

Nevertheless, the announcement now made by His Majesty's Government about the creation by statute of the separate office of Viceroy apart from the Governor-General is a very fundamental change to be introduced for the first time in the constitution of the Government of India. The Agent for the Crown in India is now the Governor-General-in-Council, and it is the corporate entity known as the "Government of India" that now deals with all subjects relating to the Indian States. This change has been suggested by the Indian States Committee presided over by Sir Harcourt Butler. It was argued by the Committee that the change had three distinct advantages. "First it will gratify the Princes to have more direct relations with the Crown through the Viceroy; secondly, it will relieve them of the feeling that cases affecting them may be decided by a body which has no special knowledge of them which may have interests in opposition to theirs, and may appear as a judge in its own cause; and thirdly, it will lead to much happier relations between the States and British India, and so, eventually make coalition easier". This recommendation was made at a time when the creation of an All-India Federation was not contemplated or was in sight. The proposals in the White Paper have changed the entire position. For example, the Federal Executive would include two or three representatives of the States and the Federal Legislature will have a very substantial element of State representatives in both Houses. The Maharajah of Bikanir, the Maharajah of Patiala, the Nawab of Bhopal and others made it perfectly clear that they will not federate with the present Government of India and that they will not surrender any of their sovereign powers unless they can share their

honourably and fully with British India in the Federal Executive and Legislature. The present scheme amply satisfies these conditions. In these circumstances, there can be no longer any feeling that the Federal Government of India would have any interests in opposition to the interests of the States and that they would be judges in their own cause. Perhaps, in the new order of things, it is more than likely that no decisions relating to matters pertaining to the States will be taken without the concurrence of a Federal Minister recruited from the Indian States. Under these conditions I am not aware why the Indian Princes still desire this change or as to why they should still feel to have these questions decided by the Viceroy as the Agent of the Crown. As pointed out so often, the term, "the Crown" in the British Constitution is a compendious expression for His Majesty, the Secretary of State and the Parliament of Great Britain taken together. I am not aware where the gratification comes in if the affairs of the smallest Indian States are to be looked after by an authority 6,000 miles away from this country. In the nature of things, such an arrangement must be entirely unsatisfactory. As regards the third point, nobody can have any doubt that much better relations between British India and Indian India are bound to be brought about by the establishment of an All-India Federation, in which representatives from both sides will sit together in a common legislature and discuss their affairs. The recommendation of the Indian Statutory Committee, after the proposal for the establishment of an All-India Federation has been accepted by the Indian Princes, is therefore, entirely out of date and I sincerely hope and trust that the Rulers of the Indian States will frankly recognise these facts and change their attitude in this matter. The holding of two offices by the same person who has sometimes to be Dr. Jekyll and sometimes Mr. Hyde and the many possibilities of conflict between the Viceroy and the Governor-General are very convincing reasons against the change. It is, therefore, essential that the Governor-General-in-Council should continue to be the Agent of the Crown perhaps with the exception of personal matters such as succession etc. In case of a conflict between the Viceroy and the Governor-General, nobody can have any doubt that the Viceroy will win in the long run.

FEDERAL CITIZENSHIP

Fellow delegates, I shall now invite your attention to two other matters of great importance on which the success of the future Federation entirely depends. In his every day life, a citizen in a Federation is under two Governments, the Central and the State. It is true that the sphere of authority of the Federating States very vitally affects the citizen's activities at almost every turn, e.g. in Education, Health, Sanitation, Law and Order and in the case of most of the taxes he pays. But in such other matters as Posts and Telegraphs, Railways, Military Laws and his dealings with foreign countries, the citizen is under the authority of the Federal Government, and for any violation of the rules or laws of this Government he is as much directly answerable to it as he is to the State Government when he infringes the State laws, and the State Government cannot protect him from the punishment which the Federal Government chooses to inflict on him. And this is essentially the result of the federal tie that binds the States to the Federal Government. A Federation is the result of the cumulative consent of not only the States but their citizens as well. In summoning the Round Table Conference and in discussing the proposals for an All-India Federation, His Majesty's Government have completely ignored the existence of the people of the States. They failed to provide for even a single representative of the people of the States at the Conference. The present position, therefore, is that the creation of an All-India Federation is to be undertaken without having heard the views of one fifth of the people of the future Federated India. This does not augur well for the success of the future constitution. Even as it is, it has been contended that the people of the States owe a double allegiance to their States and also to the King Emperor. Whether this is so or not, this matter should not be left in doubt any longer, after the establishment of the Federation. So far as the States members of the Federal Legislature are concerned, they have, under the present proposals, to take the oath of allegiance to His Majesty, the King Emperor. We have already enough of anomalies in the scheme for an All-India Federation, but the absence of a provision for Federal citizenship will lead to the most serious consequences in the working of the Fede-

ral Constitution. Unless the rights of federal citizenship are defined and recognised the right of deporting the subjects of Indian States from British India and British Indian Subjects from Indian States will continue to exist. British Indian subjects have been frequently detained without trial in the Indian States but at present the matters relating to this class of subjects cannot be ventilated in the Indian Legislature. The Indian States are now foreign territory in relation to British India. After the establishment of the Federation this position is indefensible. Under the present scheme, members of the British community residing in Britain can come to India to reside, travel and hold property and exercise all the rights of citizenship. While His Majesty's Government have taken care to provide for the maintenance of citizenship rights in India to British subjects, they have not, even after the Federation, removed the serious anomaly of treating the people of the Indian States as foreigners in British India and *vice versa*. Various minority communities have strongly urged that certain fundamental rights should be embodied in the new constitution. Every school of political thought in British India has advocated for some years that, with a view to secure the full enjoyment of political, religious and communal equality a declaration of rights should be embodied in the constitution. If a declaration of fundamental rights is necessary in the case of British India, it is even more necessary for safeguarding the rights and liberties of the people of Indian States where the rule of law has not yet been established. It is also obvious that such a declaration of rights cannot be enacted only for British India but that it must apply as well to the Indian States joining the Federation.

METHOD OF REPRESENTATION

The other unsatisfactory feature of the future Federal constitution as envisaged in the White Paper relates to the representation of the people of the Indian States. The Federal Legislature is not only weighed by full representation of the Muslims and other minorities, but is further re-inforced to the extent of 1/3 in the Lower Chamber and 40% in the Upper Chamber

by the nominees of the rulers of the Federating States. His Majesty's Government have now finally decided that the representatives in both the Houses from the Federal Legislature are to be appointed by the rulers of the State. It was pressed at the Conference that the representation of the people of the States in at least one of the Houses should be by a system of election and some of the members of the States delegation expressed considerable sympathy with this proposal. During the sittings of the Federal Structure Committee, some of the Princes stated that wherever legislatures are in existence in the States they will endeavour to give a voice to these legislatures in the selection of the representatives to the Federal Legislature and these statements raised some hopes that a system of election will be agreed to by the States. We now find, however, that His Majesty's Government have finally stated that the representatives of the States in both the Houses would be appointed by the Rulers. This failure to recognise and provide for the due representation of the people of the Indian States must be regarded as one of the most outstanding defects in the new constitution. The Rulers of the Indian States and their Ministers have been some of the strongest advocates at the Round Table Conference for enlarging the political freedom of India. The refusal to concede representation to their own people and the advocacy of self-governing institutions for India as a whole are not consistent with each other. By conceding the right of representation to their people, the Princes will secure, I have no doubt, the permanence of their thrones, the loyalty of their own people and the unhampered progress of their States. This is the best step which the Princes can take for the successful working of the Federation. It is not too late even now to rectify this omission and it is the British Indian representatives at the Joint Select Committee who must seriously tackle this problem as much in the interests of British India as of the people of the Indian States. The success of the new constitution will largely depend on the removal of these two outstanding defects in the constitutional machinery put forward in the White Paper.

THE FEDERAL LEGISLATURE AND THE POSITION OF
THE MINISTERS

I will now proceed to set out briefly a few facts showing the degree of responsibility that will devolve on Indian shoulders under the scheme. I shall first deal with the Legislative organ of the future Government of India. The Federal Legislature will continue to be a subordinate parliament and its powers *vis-a-vis* the British Parliament are to be limited in various ways. The Indian Legislatures, federal and provincial, will not have the power to alter the Constitution Act except in the most trivial matters. These powers will necessarily remain indefinitely with the British Parliament and can only be devolved on the Federal Legislature by further legislation. Even on such matters as the franchise and composition of the legislatures, any further modifications required cannot, under the constitution now foreshadowed, be secured without further Parliamentary legislation. Then again, matters such as alterations of the boundaries of existing Provinces or the formation of new provinces cannot also be secured by any action in the Indian Legislature, but would require Parliamentary sanction. Apart from these large deductions in the constituent powers of the Federal Legislature, the reservation of the Defence, External Relations, and Ecclesiastical departments necessitates Parliamentary legislation from time to time in regard to these departments and the Federal legislature cannot, therefore, undertake any legislation in these spheres. In the departments transferred to the charge of Ministers, the Governor-General has a special responsibility in respect of:—

- (a) the prevention of grave menace to the peace and tranquility of India or any part thereof;
- (b) the safeguarding of the financial stability and credit of the Federation;
- (c) the safeguarding of the legitimate interests of minorities;
- (d) the securing to the members of the Public Services of any rights provided for them by the Constitution Act and the safeguarding of their legitimate interests;

- (e) the prevention of commercial discrimination;
- (f) the protection of the rights of any Indian State;
- (g) any matter which affects the administration of any Department under the direction and control of the Governor-General.

The language employed in these clauses is so vague and elastic as to embrace practically the whole sphere of legislation and administration in respect of the subjects placed in charge of the Ministers. In regard to all these matters, the Governor-General has the power to arrest the progress of any Bill at any stage, to direct the amendment of a Bill in any manner he likes and to direct that the Bill should become law with or without amendments suggested by him before a particular date. If the Ministers and the Legislature fail to carry out these directions, the Governor-General can himself enact the necessary law on his own responsibility without any reference to the legislature. In addition to these extensive powers of controlling and enacting legislation, he can also issue "Ordinances" on his own authority and discretion not only in the Reserved departments but also in regard to all matters pertaining to "his special responsibilities" in the transferred department. He can also issue ordinances with the approval of his Ministers which can be withdrawn by him without any reference to them. Even in the matter of rules of procedure in the two federal houses, he is empowered to make rules for the conduct of business in relation to matters affecting the administration of the Reserved Departments or of any other special responsibilities with which he is charged. Some of the discretionary powers proposed to be conferred in the Governor-General and the Governors are also much beyond the existing constitutional practice. These extensive powers of the Governor-General to shape the legislative proposals of the Ministers and also to frame rules of Business will reduce the Ministers and the Federal Legislature to the position of mere automatons.

OBSTACLES TO THE GROWTH OF RESPONSIBILITY

The Governor-General's relations with his Ministers are characterised by the same illimitability of the powers of the Governor-General in the departments under their control. First, in regard to matters within the ambit of the reserved departments a good deal has been said about consultation for the encouragement of joint deliberations between the Governor-General, his Councillors, and his Ministers, and that the Ministers' views in relation to Defence will be ascertained and duly weighed before the appropriations for the defence are laid before the Legislature. I shall have to deal with some aspects of the problem later on under the head of safeguards. But for the present, we may take it that the Ministers will have very little influence in these departments. But a more interesting and important fact is that even in the departments entrusted to the Ministers, the Governor-General fills a very large space and may refuse to accept their advice in regard to the very extensive sphere of administration in regard to which the Governor-General is to be held specially responsible. As I have already pointed out the eight comprehensive clauses mentioned above almost exhaust the whole field of administration, and it is not possible to find any other sphere of governmental activity which has been left out. In these circumstances, the Governor-General will have the right to intervene at any stage and to overrule the Ministers at any stage in the entire field of administration transferred to them if he is so minded.

My point is that, underlying all these extensive limitations on the powers of the Executive and Legislature, Federal and Provincial, His Majesty's Government do not believe in the capacity and bonafides of all these authorities. The cumulative effect of all these limitations is that Ministers cannot feel any real sense of responsibility when every act of theirs can be challenged by the Governor-General at his will and pleasure. This state of things will be wholly detrimental to the growth of independence in the Ministers so valuable in the working of the constitution. It is unprofitable to discuss whether the Governor-General will or will not indulge in meddling interference, nor is it wise to make any assump-

tions one way or the other. The difficulties in the exercise of responsibility by the Ministers in the Provinces under the existing constitution came up for consideration by the Muddiman Committee, and many interesting disclosures have been made by ex-Ministers like my esteemed friend, Mr. Chintamani as to how these powers were exercised. It is, therefore, necessary that the working of any constitution should not be made to depend as far as possible on the personal qualities of the Governor-General or the Governor. In my opinion, if all these extensive safeguards and reservations are permitted to be a permanent feature of the constitution, the British Parliament will be leaving to India a *damnosa hereditas* in the form of an unworkable constitution.

THE SAFEGUARDS *Versus* RESPONSIBLE GOVERNMENT

I must now invite your attention to another feature of the scheme as now set out in the White Paper which has formed the subject of acute controversy throughout the country during the last two years. A good deal of the time of the three Sessions of the Conference was taken up with the most acrimonious discussion about the need and the extent to which various "safeguards" should be provided for the working of the new constitution and for the protection of various interests and communities. It was generally felt that as the Conference proceeded these "safeguards" became more and more numerous and more and more rigid. Safeguards for the working of the constitution, military safeguards, financial safeguards, commercial safeguards, safeguards against discriminatory legislation, safeguards for the Public Services, safeguards for the minority communities, these and other safeguards have been insistently pressed. Even Indian Princes have begun to demand all kinds of possible and impossible safeguards for their protection. We are now told that the Princes have increased the number of safeguards from eighteen to twentyfour. In the words of Mr. Neville Chamberlain, "His Majesty's Government have surrounded their proposals with all the safeguards which the wit of man could devise". There is now a strong feeling throughout the country that if all these "safeguards" are embodied in the Act, they will greatly hamper the working of the constitution and would destroy even the modicum of

responsibility that may be transferred to the Legislatures. Prof. A. B. Keith, the eminent authority on Dominion Constitutions, has very recently expressed the view that "responsible Government and external safeguards are mutually incompatible". "Either the safeguards or responsible Government must fail. Nor is there much doubt which will go under". The history of the British Dominions conclusively proves that external safeguards are futile. Neither the vesting of wide over-riding powers in the Governor or Governor-General, nor the retention of a British Army under their control, nor other safeguards of the kind have in the past worked in Canada, New Zealand or Natal. Prof. A. B. Keith, therefore has advised "that the application of 'safeguards' to responsible Government is to attempt the impossible and that instead of relying on external safeguards, British interests and control should be secured by a wise constitution of the legislature by using the best elements of the States assisted with 'advice and aid' from Great Britain". Speaking last year in the House of Commons from a different angle of vision, Mr. Winston Churchill said more or less the same thing and urged that if all the safeguards adumbrated at the Conference are enforced, the responsibility proposed to be transferred to the Indian Legislature would completely disappear and that the so-called transfer of power to the Indian shoulders would be a myth. These two eminent men have taken two opposite views and it is clear that both cannot be right. If all these safeguards are enacted, India will have to pass through a long period of travail before it is found that either the safeguards are inconsistent with the transfer of responsibility or that the safeguards have completely destroyed the modicum of responsibility that may be transferred under the present proposals. The only sound course is therefore to reduce safeguards to the absolute minimum and to give the new Constitution a fair chance of success, and a certain amount of elasticity and to provide for their ultimate disappearance. The financial and commercial interests in Great Britain and the die-hard elements in Parliament have been clamouring for more and more statutory "safeguards" and have been pressing for a still greater rigidity in the new constitution. Sir Samuel Hoare has stated that these safeguards "are not stone walls that block the road, but

are hedges on each side of the road which no good driver ever touches but that prevent people on a dark night falling into the ditch" nor can they be considered as "ultimate controls". This euphemistic description cannot be accepted and there is a very serious apprehension that they will, as now expressed in the White Paper, be a permanent barrier to the growth of responsibility of the Federal Legislature and the Federal Ministry.

THE MILITARY SAFEGUARDS

I should like to say a few words with regard to each of these proposals. It has been generally agreed that the Army questions and the Army administration should be reserved during the period of transition but is it necessary to wholly deprive the Federal Legislature of the power of voting supplies for the defence purposes? The Army scandals of wasteful and extravagant expenditure which have come to light during the investigation of the Military Retrenchment Committee show that uncontrolled military officials responsible to nobody except to their official chiefs can never administer public funds with a sense of responsibility to the people of the country. The only ultimate solution of the problem is the control of the Federal Legislature. It is, therefore, regrettable that under the new constitution, the 50 and odd crores of military expenditure will escape effective public discussion and scrutiny and that the future Indian Legislature will have no more power in this matter than at present. A further proposal was made that with a view to promote a sense of responsibility for army administration, the Army Member should be selected from the members of the Legislature in British India or from the Indian States. But this proposal has been turned down by His Majesty's Government. In my view, a more suitable method of maintaining the responsibility of the Governor-General for Defence is either to give the Governor-General the power to restore rejected grants or to fix the defence expenditure, as suggested by the Government of India, by a contract system for a number of years subject to revision at periodical intervals. But if the Military Budget is wholly non-votable hereafter as proposed in the White Paper, the reign of irresponsibility of the military authorities will be indefinitely extended. Past ex-

perience has shown that financial liabilities which should have been met from the British Budget have been thrust on the finances of India or have been too readily accepted. We have contributed to wars in Africa and Persia, we have paid for the conquest of Burma and various other liabilities of the same kind have been paid from the Indian revenues without any challenge. We have also paid for military operations in Abyssinia from the Indian revenues. This is entirely due to the fact that no effective scrutiny of army expenditure by a popular assembly has been permitted in the past. There is no doubt that under the present scheme the future in this matter will be no better than the past. India has been protesting against many other unjust and unfair claims for over thirty years. The report of the Capitation Tribunal has not been published as yet and it is suggested that the report may not be published at all and that the Government of India and His Majesty's Government may come to some understanding on these points without any public criticism of the report. This action, if true, would be the worst financial scandal of our day and would be widely resented throughout the country. Neither the Prime Minister of the Federal Government nor the Finance Minister will have any effective responsibility whatever for the organisation, strength, cost and composition of the army in India. They may be consulted in these matters by the Army Member but they will have no effective voice in coming to a decision. It was suggested that in view of a definite policy of Indianisation the subject of military education may at least be transferred to the Ministers but even this small proposal has not been entertained. In all these matters the Army Member, the Commander-in-chief, and the Viceroy will be supreme acting under the orders of the Secretary of State on behalf of His Majesty's Government. The Federal Legislature will thus have no voice in the total military expenditure of the country. There is nothing in the White Paper from which we can infer that these safeguards are transitional in their nature and any constitution with these safeguards must not only destroy all sense of responsibility for the defence of the country but must indefinitely delay the formation of a national army in this country.

FINANCIAL SAFEGUARDS

One of the gains of the third session is the unequivocal statement of Sir Samuel Hoare on behalf of His Majesty's Government that "there can be no effective transfer of responsibility unless there is an effective transfer of financial responsibility".

But the financial safeguards contained in the White Paper have imposed very serious restrictions on the Finance Minister and the Federal Legislature. Everybody in this country will agree that adequate security for those British investors who have invested their funds in the Indian securities should be given and that the repayment of the debt incurred on behalf of India on the responsibility of the Secretary of State should be effectively safeguarded. But the lengths to which the British investor has gone in this matter is illustrated by the attitude of Mr. Montagu Norman, the Governor of the Bank of England, who took up the most extraordinary position that the transfer of financial control to the Indian shoulders cannot be thought of till the last pie due to the British investor has been paid back. The earlier discussions at the Round Table Conference proceeded on the footing that certain transitional safeguards would be required to maintain the financial stability of the country till the Reserve Bank had been established. But as the discussions proceeded, these safeguards became more and more rigid till they have been crystallised in the form in which they are now found in the White Paper. For example, the conditions for the establishment of the Reserve Bank have been made more stringent. Under the present proposals, the Bank cannot be established until India's normal export surplus has been restored and until adequate reserves have been accumulated. As I have already pointed out, can anybody say with any degree of reasonable certainty when these two conditions would be fulfilled? In the earlier discussions, it was the idea that the provision for obtaining the Governor-General's sanction for the introduction of a Bill to amend the Paper Currency or the Coinage Acts should be a transitional provision till the Reserve Bank had been established. This condition is now a permanent feature of the constitution even after the Reserve Bank Act had been enacted. Anyway, the powers now given to the Governor-General to in-

tervene for the purpose of securing "the financial stability and credit of India" are so wide, and comprehensive that they are likely to become a source of friction between the Governor-General and the Finance Minister. The financial adviser for whom provision has been made in the White Paper may easily become a rival to the Finance Minister of the Federation. The financial safeguards have raised more directly certain questions between the Indian and the British interests. Fears are, therefore, entertained that there is nothing in the present proposals to prevent the Secretary of State from intervening at any stage and directing the Governor-General to take a particular course of action in regard to financial matters irrespective of the interests of India.

COMMERCIAL SAFEGUARDS

The subject of commercial safeguards has been often debated and has revived racial antagonisms between the British and the Indians during the last two years. As I understand these proposals in the form in which they have finally emerged in the White Paper, the British community in India and in Britain demand that their present and future trade interests should be safeguarded, that every British citizen either resident in this country or in the United Kingdom or Northern Ireland, his children born and unborn and the British trading companies in India now carrying on trade and also to be established hereafter either in India or in the United Kingdom and Northern Ireland should be permitted to trade in this country for all time, without any legislative or administrative discrimination whatever against them. These demands are based on the ground of reciprocity. British Indian subjects of His Majesty's Government are not now subjected in Great Britain to any discrimination in these matters. It is their plea that for all purposes of trade and commerce India and Great Britain should be regarded as one country without the necessity of any express understanding arrived at in a special commercial treaty or trade agreement and that Britain should have equal opportunities with Indians in this country as if they are the citizens of the same State. This in the main was the general attitude of the British politicians and the British Commercial men at the Round Table Conference. His Majesty's Govern-

ment have virtually accepted these demands, but in para 22 of the White Paper, His Majesty's Government seems to extend these rights to all British subjects whatever be the place of their birth or domicile. The effect of this proposal would be, as pointed out by Prof. A. B. Keith, that India would not be able to retaliate against those Dominions which have not recognised the claims of Indians in the matter of citizenship and trading rights. It is not known whether this is an intentional or unintentional expansion of the demands put forward at the Round Table Conference. Whatever may be said of the other safeguards, the commercial safeguards, cannot come, by any stretch of imagination within the formula of the Gandhi-Irwin Pact as safeguards solely in the interests of India. We fully recognise the great part which British capital and British commercial enterprise has done for India and we have no desire to injure their interests. The cry of confiscation and expropriation of their properties is altogether unfounded. We entirely agree that the British community in India should have all the protection needed for a minority community in India and should identify itself with the interests of this country. These demands are so much in advance of anything put forward hitherto on this subject and are in conflict with the principles accepted by the Imperial conference that India should have the right of deciding the composition of its own population like any other Self-governing Dominion. It is my view that in the unequal circumstances in which India is now placed in regard to trade and commerce with Britain, the statutory application of the principle of reciprocity will place India at a great disadvantage in all these matters. Apart from this, we attach the greatest importance to the fact that the future Governments and Legislatures should not be prevented from adopting any policy for the promotion of infant industries or for the reservation of key industries to the nationals of this country. During the proceedings of the conference, Mr. Ramsay MacDonald conceded that India should have the right of reserving to its own nationals the key industries of the country and it is satisfactory that His Majesty's Government have made some provision in para 124 to safeguard this right. In these circumstances, the complexities of the problem would be more adequately met by a suitable trade convention

than by statutory safeguards in the Constitution Act. At one time, the British commercial community also took the same view. The two ultimate safeguards for the British trader in India are the good-will of the people of India and the undoubted capacity of the Britisher to protect his own interests. Constitutional safeguards cannot, by themselves, do much.

SAFEGUARDS FOR THE SERVICES

The last topic to which I should like to invite your attention relates to the Public Services. As regards security services namely the Indian Civil Service and the Indian Police Service, it was agreed by a majority of the members of the Services Sub-Committee of the Conference that the recruiting and controlling authority should be the Government of India. Provincial autonomy and Central responsibility necessarily postulates complete control over the services, their recruitment, and enrolment being vested in the Central and Provincial Governments. His Majesty's Government have not accepted this view and have decided that the Secretary of State for India-in-Council should continue to be the recruiting and controlling authority in regard to these two services, and that at the end of five years from the commencement of the new Constitution Act a statutory enquiry will be held into the question of future recruitment for these Services, and the decision on the results of this enquiry will vest in His Majesty's Government, subject to the approval of both Houses of Parliament. In the meanwhile, the present ratio of British to Indian recruitment will remain unaltered. In regard to the superior Medical and Railway Services recruited by the Secretary of State, His Majesty's Government have promised to submit their recommendation to the Joint Select Committee direct. But from the speeches made by the Secretary of State from time to time, I believe he favours, at any rate, for the present the same system of control and recruitment as now exists. It is clear therefore that in regard to these important All-India Services neither the Government of India nor the Provincial Governments will have any hand. The indefinite perpetuation of this state of things and the preservation of Parliamentary control over the Civil Services is a further inroad made in the sphere of responsibility transferred to the Le-

gislatures. Apart from this the stupendous list of guarantees to the existing and future security and other Services under the control of the Secretary of State shows the extent to which Indian revenues have already been pledged in advance for a number of years. The question of lower scales of salaries for these services even for future entrants has been placed beyond the competence of Indian legislatures and Parliament alone can deal with these services. The proposals made in the White Paper, if accepted, will effectively debar the Ministers from dealing with these questions for several years. These proposals go very much beyond the requirements of the case for the protection of the existing members of the civil services and unless modified will be a source of the greatest embarrassment both in the provinces and in the Government of India.

I shall not detain you any longer with the discussion of the other problems relating to the All-India Federation. The division of resources between the Federation and the Units has been one of the outstanding difficulties of the scheme. The supreme importance of an adequate financial system for the maintenance of a stable Federal Government in the country fully capable of discharging the duties entrusted to it is obvious. The Peel Committee, The Percy Committee, and the Davidson Committee have examined the problem of finance in all its aspects and made various recommendations on the subject. The third session of the Conference tried to harmonise all these proposals and has put forward a tentative scheme and the proposals in the White Paper are practically the same as those generally discussed at the Conference. Nevertheless, there are many parts of the scheme on which no final agreement has been reached. Many of the difficulties of Federal Finance are due to the unwillingness of the States to permit direct taxation by the Federation for Federal purposes in their own territories. The States will not agree to the imposition of income-tax in their area for federal purposes and the Corporation tax is the only tax which they have consented to levy. The proportions in which the Income-tax is to be shared between the Federation and the Provinces has not yet been decided. It is believed that the Provincial share of this tax will be something between 25 and 50% but the Provinces will be

permitted to levy a surcharge on Incometax for their own purposes. But whenever the Federal Legislature is obliged to impose surcharges on taxes on income in British India, the Federating States will pay a proportionate contribution to the Federal revenues but without the obligation of levying the tax in the form of an incometax. The existence of "immunities" and "contributions" paid by the States to the Indian revenues are other factors which have complicated the whole situation. On the top of these we have deficit provinces like Northwest Frontier Provinces, Sind and Orissa, which would receive subventions from Federal revenues and these may be permanent or terminable after a period of years. In all these circumstances it is clear that the present scheme of Federal finance is transitional and that a further enquiry into the whole scheme of financing the Federation is inevitable.

In bringing this imperfect examination of the problems relating to an All-India Federation to a close, I desire to say, that much of my criticism about the working of the Federal Legislature and the Federal Executive is equally applicable to the provincial sphere. The special responsibilities and discretionary powers of the Governors are more or less the same as those of the Governor-General. They will have the same autocratic powers in the administration and the minister's responsibilities are crippled in all directions. The Governors will have the power of enacting the Governor's Acts, Ordinances and also have extraordinary powers in regard to the appropriation of revenues. In many respects the position of the Ministers will be much worse than it is under the existing constitution and the Governors will have the right of overruling the Ministers at every turn. It has been suggested by some of the Governors of the Provinces that these safeguards and discriminatory powers for carrying out their special responsibilities are not intended to be exercised often and that their exercise by them will largely depend upon the Ministers and the Legislatures. This is not the view that has been taken of these safeguards in the Parliamentary discussions. The question as to what view the Governors will take of their action in any case must be perpetually present in the minds of the Ministers and a free and unfettered exercise of their responsibilities in the circumstances is impossible.

THE PROBLEM OF DEFENCE

Lastly, the important problem of Defence now remains to be noticed. Provincial Autonomy and a responsible Federal Government at the centre are mere empty words unless the vital problems of the defence of India are satisfactorily solved. It has been pointed out by responsible statesmen that self-government without an effective Indian army is an impossibility and that full Dominion Status means "a Dominion army under the full control of the Dominion Government". Even before the Prime Minister's declarations made at the first and second sessions of the Round Table Conference, the Commander-in-chief in India explained the policy of His Majesty's Government in the Legislative Assembly in 1928 and in doing so he said—"The object which we all seek to achieve, is to fit Indians to undertake the defence of India. As constitutional advance progresses, the question will continually be asked how far the military side of Indian Swaraj has kept pace. Government contemplates that, as India progresses towards full self Government within the Empire, there may be, in the process of development, an army of the same character as the Dominion armies organised on a national basis, and officered by Indians holding their own distinctive national form of commission. That is our policy of Indianisation. The process of development will naturally be contingent on the success achieved in the various stages of the experiment." His Majesty's Government have now pledged their word that India would be raised to the status of a self-governing Dominion and it necessarily follows that with a view to carry out this pledge there should be a new orientation of military policy for the creation of a national army in this country. The past policy of the Government has been mainly influenced by a consideration of the best method of maintaining British rule over an alien population and for that purpose preventing the growth of martial spirit and leadership to an extent which may prove inconvenient and embarrassing to the Government. The results of the policy have been referred to in detail on many occasions by that distinguished statesman, Sir P. S. Sivaswami Aiyar, to whom India owes a deep debt of gratitude for his continued advocacy of the problem of self defence of India. That illustrious son

of India, the late Lord Sinha of Raipur was nurtured in British social and political institutions and had a lively and abiding sense of the value of the British connection. He was never known to exaggerate his case or to have entertained any anti-British feeling. In speaking on the subject as the President of the Indian National Congress in 1915 Lord Sinha made a most scathing indictment on the results of British policy in the past to which attention may be called. He said; "England has ruled this country for considerably over 150 years now, and surely it cannot be a matter of pride to her that at the end of this period, the withdrawal of her rule would mean chaos and anarchy and would leave the country an easy prey to any foreign adventurers. There are some of our critics who never fail to remind us that if the English were to leave the country today we would have to wire to them to come back before they got as far as Aden. Some even enjoy the grim joke that, were the English to withdraw now, there would be neither a rupee nor a virgin left in some parts of the country. For my part, I can conceive of no more scathing indictment of the results of British rule". Looking at the question from a different angle of vision, the late Lord Birkenhead admitted unconsciously, in one of his memorable speeches in defence of his Indian policy the justice of this charge. He stated that the moment Parliament repudiated its responsibility India would be involved in the same kind of chaos as that from which Britain had rescued her two centuries ago and that after two centuries of British domination, the people of India had become so emasculated, so demoralised, and so degraded that if left to themselves they would fly at each other's throats. There is thus a substantial agreement as to the results of British policy between the two eminent men who looked at the question from two different stand points. There can be no two opinions as regards the soundness of this criticism. The past policy of the Government in neglecting to develop and even suppressing the qualities of leadership in the Indian people for over a century has had disastrous consequences. Nevertheless, if India is to be convinced that His Majesty's Government are aiming at the attainment of self-government in this country and that they are in earnest about it, they should satisfy Indian

public opinion that the proposals made by them are such that the change would be brought about within a reasonable period of time. The Simon Commission are perfectly right in pointing out that "units recruited in Britain and officered by British officers are going to be mercenaries in some future India where the ultimate military authority rests with an Indian Minister for War or with an Indian Cabinet responsible to an Indian elected Assembly". It is, therefore, essential to the honour of Great Britain that the transfer of Defence to Indian shoulders should be effected with all reasonable speed. His Majesty's Government have not discussed this problem in the White Paper and all that was done during the sittings of the Round Table Conference was the passing of the two resolutions of the Defence Sub-Committee (1) recommending that the question of the reduction of the number of British troops in India to the lowest possible figure should form the subject of early investigation, and (2) that the defence of India must to an increasing extent be the concern of the Indian people and not of the British Government alone, and that immediate practical steps should be taken to increase the Indianisation of the Indian army to make it commensurate with the main object in view, having regard to all relevant considerations such as the standard of efficiency. The problem, therefore, before us is the reduction of the British garrison to the lowest possible minimum at once and its gradual elimination in course of time and the building up of a national army in this country to shoulder the defence of the land.

REDUCTION OF BRITISH TROOPS

In regard to the first of these questions, the Government of India have appointed a Committee of military officers and it was expected that the report of this committee would be made available to the second and third sessions of the Conference. It has never been suggested that the British troops should be withdrawn immediately on the introduction of the new Constitution and it is conceded that during the period of transition and till the Indian army is fully ready to take over the defence of the country, British troops will have to remain in India. This does not, however, mean that we should have in the country for an indefinite period a standing British

army maintained on its present strength and a military organisation wholly under the control of the British military officers. This will be absolutely inconsistent with the development of India into a self-governing Dominion. It is not known whether this report will at all see the light of day. It is therefore, unfortunate that so representative a gathering as the Round Table Conference should have terminated its proceedings without expressing its considered views on this subject. In the first place, the British army in India is not maintained solely for the purposes of India, but also for the purpose of maintaining the British supremacy in the East. Assurances were given to the Statutory Commission that the British Army in India is not artificially enlarged with a view to making some portions of it available for service elsewhere or for the purpose of keeping on Indian soil a reserve not needed in India at the expense of the Indian taxpayer. Its strength is not more than is calculated to be necessary for meeting the emergencies of "internal disorder and the possibilities of external attack". The report does not state the persons and authorities who had given these assurances. These assurances are opposed to the statements made by responsible authorities from time to time, to which it is necessary to invite your attention. The late Marquis of Lansdowne, who was the Secretary of State for War at the time of the Welby Commission stated in his evidence that if India were isolated from the United Kingdom, it would be certainly not necessary to maintain a force such as is borrowed from the United Kingdom and in the same degree of efficiency. He said that the Indian Army was organised with a view to the possibility of its employment upon operations which had nothing to do either with the internal policy of the country, or with the mere repression of tribal disorders upon the frontier. His Lordship also remarked that the present system was really in a great measure contrived to serve the two-fold requirements of Great Britain on the one hand and India on the other, and that millions of money had been spent on increasing the Army in India to provide for the security of India, not against domestic enemies or to prevent the incursions of the war-like peoples of adjoining countries, but to maintain the supremacy of the British power

in the East. Lord Curzon made a similar statement that the Indian Army in fact has always possessed and has been proud of possessing a triple function: the preservation of internal peace in India itself; the defence of the Indian frontiers; and the preparedness to embark at a moment's notice for Imperial Service in other parts of the globe. "In this the third aspect, India has for long been one of the most important units in the scheme of British Imperial Defence, providing the British Government with a striking force always ready, of admirable efficiency and assured valour". The Esher Committee proceeded to make its recommendations that the Indian Army should be organised as part of the British Imperial system. Finally reference may be made to the observations made by the present Prime Minister that a large part of the Army in India, certainly one half—is an Imperial Army which "we require for other than purely Indian purposes and its cost therefore should be met from Imperial and not from Indian funds." From these admissions, it is clear that the British garrison in India is maintained at least partly for carrying out the British policy in the East, and the assurances given to the Indian Statutory Commission are wholly unjustified. In the second place, the proportion of British troops to Indian has been substantially increased since the Indian Mutiny. On the eve of the Mutiny the Indian troops in India outnumbered the British by nearly 8 to 1. The present proportion is about $2\frac{1}{2}$ to 1. The reasons for this increase have been so often stated in Conferences and Congresses and in the Central Legislature that it is unnecessary for me to go into them again. The conditions in regard to external defence and internal security have undergone considerable changes since the Indian Mutiny. The growth of Military expenditure in this country has formed the subject of continuous agitation during the last 30 years, without any results. After several years of agitation, the Capitation Tribunal has been set up to examine various claims made by this country against Great Britain and *vice versa* and amongst them is India's claim that a contribution should be made from Imperial revenues to the Indian Revenues towards Military Expenditure. On all these political and financial grounds, there should be a definite understanding before the new constitution is inaugurated about the reduction of British troops in the country.

His Majesty's Government have not made any reference at all to this subject in the White Paper and fears are entertained that neither the report relating to the reduction of British troops nor the report of the Capitation Tribunal will be published or discussed with the Indian representatives. But the maintenance of the British garrison in India for an indefinite period in its full strength under the control of British officers is wholly inconsistent with the growth of responsibility in India for its own defence.

THE PACE OF INDIANISATION

I shall now proceed to indicate to you how the second of the two resolutions adopted by the Defence Sub Committee has been dealt with. It was contended that some definite indication should be given as to the rate of Indianisation or that some period should be fixed within which the Indianisation should be completed. The majority of the members considered it impossible for practical reasons, to lay down any definite rate of Indianisation, and recommended that immediate steps should be taken to increase substantially the rate of Indianisation in the Indian Army to make it commensurate with the main object in view, viz., the increase of the responsibility of the people of India for the defence of their country. It is a legitimate inference from the proceedings and resolutions of the Defence Sub Committee that the principles as to the pace and method of Indianisation would be discussed by the committee appointed under resolution 2 (c) of the Defence Sub Committee, which was directed to take into consideration the reports of all the committees hitherto appointed in regard to this matter. Nevertheless, the Government of India, in contravention of the intentions of the members of the Defence Sub Committee themselves decided the question relating to the pace of Indianisation. The Commander-in-Chief, who presided over the deliberations of the Indian Military College Committee, gave a ruling that the question of what should be regarded as a substantial increase in the rate of Indianisation commensurate with the main object of the resolution did not come within the terms of the reference to the committee. The work of the Military College Committee was, therefore, practically restricted to a consi-

deration of the educational and financial details relating to the establishment of the College. The question of the pace of Indianisation has not, therefore, been hitherto discussed either in the Defence Sub-Committee or at the three sessions of the Round Table Conference or by the Indian Military College Committee set up in accordance with the resolutions of the Conference. His Majesty's Government have taken upon themselves the task of deciding the pace of Indianisation without any discussion at the Conference. The scheme provides not only for the continuance of the eight units scheme but also for the extension of the principle of that scheme, to sixteen units forming one whole fighting formation. The eight unit scheme was universally condemned by all the commanding officers of the Indianised units, by the Indian cadets, and by almost every witness that appeared before the Indian Sandhurst Committee presided by Sir Andrew Skeen. Among the military men of the highest rank who condemned the scheme may be mentioned Lieut. General Sir John Shea, Adjutant-General in India, who stated that from his own point of view, as an officer responsible for providing efficient personnel to the Army, he would far sooner see in the intermediate stage Indian cadets mixed throughout the Indian units with British officers, and he expressed the opinion "that we shall have a far more efficient army if a mixture of Indian and British boys in the same unit is permitted than by totally Indianising certain units". After a review of the whole evidence, the Sandhurst Committee came to the conclusion that "both for psychological and practical reasons, the continuance of the scheme, can, in their opinion, only conduce to failure." Notwithstanding this weighty opinion of the committee based upon most important evidence, the decision to continue the eight units scheme and to extend it to sixteen units is a serious blow to all chances of successful Indianisation. This step has been taken by His Majesty's Government notwithstanding the criticism made against the eight unit scheme during the last six or seven years and notwithstanding the vigorous protests of Sir P. S. Sivaswami Ayyar, Major General Rajawade and Sir Abdur Rahim and other members of the Indian Military College Committee. It has been so often pointed out that if British recruitment is stopped from to-day it would

take thirty five years from the date of stoppage for the disappearance of the last British officer from the Indian Army. The Indianisation of one division and one brigade now proposed is not a substantial increase in the rate of Indianisation as contemplated by the Defence Sub-Committee of the Round Table Conference. The scheme now proposed is so indefinite that it is impossible to say what length of time would be required to Indianise the whole army, making all the necessary assumptions as regards the availability of the candidates.

A NEW ORIENTATION OF MILITARY POLICY

It is, therefore, a matter of the utmost regret that His Majesty's Government have practically refused to face the implications of the new policy. The only reference in the White Paper to the pace of Indianisation of the Army is that it would be commended to the Governor-General in the Instrument of Instructions. This practically means that while His Majesty's Government are pledged to the transfer of responsibility to Indian shoulders they have practically refused to adopt any reasonable measures to transfer the defence of the country to Indian shoulders. For all these reasons it is absolutely necessary that we should strongly press for a new orientation of the policy of military organization in this country. We must demand for a definite scheme for the gradual withdrawal of British troops and for the creation of a National Army in which every class and community should be allowed to shoulder the burden of defence and given the opportunities to serve in the Army. It is essential that the Army should, as far as possible, be drawn from all classes and areas and that the responsibility for the defence of the country should be brought home to all sections of the population. This responsibility for national defence cannot be discharged merely by contributing a certain amount of money to meet the Military expenditure for the maintenance of a professional Army drawn only from particular classes. In fact the National aspect of defence must be brought home to every citizen in this country. This is the fundamental change that we demand on the inauguration of the constitution and an announcement of this new policy by His Majesty's Government and the steps taken to give effect to it will be the only way in which they can

convince our countrymen of the sincerity of their intentions. Unless these steps are taken, I have no doubt that the past policy will still dominate the situation and the nationalisation of the Army will be indefinitely postponed.

THE SECRETARY OF STATE'S COUNCIL

The abolition of the Secretary of State's Council as a step preliminary to all other political reforms was suggested at the first session of the Indian National Congress in 1885. It found a place in the Congress League Scheme in 1916. At the time of the Montague Chelmsford Scheme the Crewe Committee on the Home Administration of Indian affairs came to the opinion that they could not justify the retention in its essential features of the Secretary of State's Council in London, and they recommended that the authority vested in the Secretary of State in Council should be transferred to the Secretary of State with an advisory Committee. This recommendation has now been accepted except in regard to the rights and privileges of the Public Services. In regard to these matters the functions of the present India Council are retained. The Great Moghal at the India Office and his Council have always been a serious menace to the growth of responsibility in this country. His retention with a Council, though under a different name, gives us an indication of the measure of responsibility transferred to Indian shoulders. I venture to think, therefore, that the retention of the Secretary of State and his Council even after the establishment of responsible Government in the Provinces and at the centre is detrimental to the growth of Responsible Government in this country. Even if it is a constitutional anomaly many people in this country would prefer an irresponsible Governor-General in this country freed from the control of the India Office. Under the present scheme, the Governor-General becomes virtually an autocrat and we prefer the autocrat on the spot to the autocrat at the India Office. The proposals made in the White Paper maintain almost all the features of the present constitutional machinery of the Home Government for the administration of Indian affairs. This reduces the transfer of responsibility to Indian shoulders under the present proposals practically to a nullity. We must raise our strong voice against this feature of the scheme contained in the White Paper.

Finally, Sir Samuel Hoare has assured us in the most emphatic terms that His Majesty's Government are committed to the simultaneous introduction of responsibility both at the Federal centre and in the provinces. The introduction of the new constitution may after all result in the introduction of Provincial autonomy and the indefinite postponement of responsibility at the centre. The responsibility of avoiding such a contingency lies very heavily on His Majesty's Government. The impossibility of working the future constitution with responsible Government in the provinces and an irresponsible Government at the centre has been referred to so often that it is unnecessary to dilate on it again. The discussions that have taken place during the last three years will be in vain if such a contingency should happen.

Fellow delegates, I have already taken a good deal of your time and I do not desire to weary you any longer. But before I close, I should like to indicate to you briefly my opinion on a few other questions. (1) I am wholly in favour of the establishment of Supreme Court at the inauguration of the new Constitution. On account of differences of opinion between the Indian representatives, the establishment of the Supreme Court will be delayed for some time after the new constitution is established. This is unfortunate and it is to be hoped that this block will be removed. (2) The proposal for the creation of a statutory Railway Board to be established under the Constitution Act is made for the first time in the White Paper. The Establishment of a Railway Board was discussed at the Round Table Conference but it was understood that the necessary legislation would be undertaken in the Central Legislature. It is now clear that His Majesty's Government desire to settle the composition and powers of this Board by Parliamentary Legislation. No reasons have been assigned for this extraordinary step which would deprive the Central Legislature of the opportunity of initiating the necessary legislation. The Railway Budget is now passed by the Central Legislature, and if the Railway Board is appointed by the Constitution Act, every amendment regarding the composition and functions of the Board as circumstances may require,

will necessitate Parliamentary legislation. This proposal is therefore wholly objectionable. (3) As regards Burma, I am glad that a Special Session of the Legislative Council is being convened for stating in unambiguous terms whether Burma will enter the Indian Federation or accept the Prime Minister's offer. We shall be glad to welcome them as a unit of the Indian Federation, but if they decide to come in they cannot obviously have the liberty of seceding from it whenever they like. If such a right is conceded in the case of Burma, it will have to be conceded in the case of all the other units. It is impossible to constitute the Federation under these conditions. I am wholly against the proposal to concede the right of secession. (4) The redistribution of Provinces or the creation of new provinces should be dealt with wholly by the Indian Legislature and should not necessitate Parliamentary legislation. (5) As regards the Berars, the exact position is not yet clearly known. It was recently stated in the Legislative Assembly that the only point now under consideration relates to the Berars being allowed to join the Indian Federation as a separate unit. It has been stated that there is a proposal to restore the administration of the Berars to His Exalted Highness the Nizam, but if there is such a proposal it must be stoutly opposed. After hundred years of British administration, the people of Berars cannot be handed over to the autocratic administration of the Nizam. (6) In the present temper of the country the communal problem appears to be insoluble. The failure of the Unity Conference is an outstanding fact which cannot be lightly ignored. We have, therefore, to accept the award as a settled fact for the time being. There are so many inequalities and defects in the award which have to be set right, but it is doubtful whether it will be done. The position of Bengal under the award was bad enough and the excessive representation given to the European community is altogether unjustifiable, but it has been rendered worse by the Poona Pact. This, in my view, requires reconsideration by His Majesty's Government. (7) The introduction of Second Chambers in three provinces will considerably add to the difficulties of working the provincial constitution in those provinces. With so many safeguards introduced in the Constitution, Second Chambers are bound to complicate the machinery.

CONCLUSION

Fellow delegates, Ladies and Gentlemen, I am afraid I have exhausted your patience although I have not exhausted my theme. Let me therefore, bring my remarks to a conclusion. At the end of the first session of the Round Table Conference, we returned to this country with the belief that the period of suffering and strife was over and that Great Britain had at last made up her mind to lift this country to the highest stage of its national existence and to recognise her as a contented and willing partner in the British Commonwealth of Nations. The whole country has considered the proposals of His Majesty's Government and the almost unanimous verdict is that our hopes have not been realised. For a long time it was the practice of British statesmen to seek moral justification for British rule in India and they have repeatedly asserted that in governing 330 million people of India, Great Britain is discharging a solemn trust. They have asserted that British policy in India is not in any sense dictated by British interests and that the welfare of India alone is the determining factor in the formulation of their policy. They have frequently declared that as soon as the people of India are ready to undertake the burden of the Government of the country, they will willingly hand it over to them. Our trustees have opened a vigorous campaign in the British press on behalf of the masses of India whom they seek to represent and desire to find reasons for the perpetuation of the trust. The theory of trusteeship has now been modified and Sir Samuel Hoare stated at the third session of the conference that the problem of India is the problem of reconciling "the claims of three partners who have for many generations been united in an undertaking of far-reaching ramifications; Great Britain on the one hand, British India on the other, and Indian India on the other". A trust is a trust and can never be converted into a partnership between the trustees and the beneficiaries of the trust. Sir Samuel Hoare has further assured the British public that in putting forward the present proposals, British interests and British imperial interests have not been sacrificed in any way. This is the bare truth about the present proposals. They have been so designed as to perpetuate the domination of

Great Britain indefinitely over the affairs of this country. The idea that Britain should continue as a working partner in the Government of India along with the people of this country is altogether inconsistent with the ideal of Dominion Status so often declared to be the goal of British policy in this country. As regards the Princes, the recent resolutions adopted by the Chamber of Princes also indicate a retrocession in their views. The conception of a Federal constitution for the whole of India made a great appeal to the Indian Princes and the people of British India, and during the first two conferences, the Princes were inspired by sentiments of a common nationality and a desire for national freedom. I regret to say, judging from the sentiments expressed at the last session of the Chamber of Princes, that some of the Princes have receded from these ideals. They are more anxious now for guarantees for the preservation of the monarchical order and the prevention of the democratic sentiment spreading into the States than for a Federated India. Notwithstanding the courageous utterances of the Maharaja of Bikanir and others, I feel that they are continually higgling for better terms and are putting off their decisions on the ground that the "completed picture" is not still available. In these circumstances, the prospects of an All-India Federation are gloomy. One tries to pierce the darkness and uncertainty that hides the future of this country from our eyes. Will the future be a dreary resemblance of the past, or will it be anything better? I am not a pessimist. I see before me a long period of struggle and strife. In his speech in the recent debate, Mr. Baldwin referred to the Irish parallel and appealed to the Parliament that if the Indian problem is not satisfactorily solved in time it would end in the same way as Ireland. We are already on the highway for the creation of another Ireland in this country and the present scheme is not, I venture to say, of a kind that will divert the course of events. Unless the present proposals are very substantially improved, there is no chance of any political peace in this country. We may be driven to accept an imperfect constitution but even a poor constitution may work and yield results if a strong and united party in this country with its roots among the masses is bent upon extracting from it the ut-

most that it would yield. The essential need, therefore, is united action among the political parties and leaders at this supreme crisis in the affairs of the country. Many of those who have preceded us in this national struggle have been gathered to their fathers, while some of us who are still in the field belong to a fast vanishing generation. My last words are, therefore, addressed to the younger men whom I see before me and who have to carry on the fight for our national freedom till our emancipation is fully assured. Difficult as your task is, do not despair, for despair is a keynote of failure. The pendulum may be swinging forward and backward, but the hand of invisible time is perpetually marking its progress on the dial of the destiny of our country. There is no royal road to freedom. Reverses there must be; but reverses should only stiffen your backs. I exhort you, therefore, to carry on the fight for the evolutionary progress of our country and for the attainment of our freedom till the goal is reached.

BANDE MATARAM.
