

SUB-COMMITTEE A

UNREVISED

2

JOINT COMMITTEE
ON INDIAN CONSTITUTIONAL REFORM

MINUTES OF EVIDENCE

taken before Sub-Committee A
of the Joint Committee on

INDIAN CONSTITUTIONAL REFORM

Die Mercurii, 19^o Julii, 1933

*Ordered by The House of Lords to be Printed
9th May, 1933*

*Ordered by The House of Commons to be Printed
20th July, 1933*

LONDON

PRINTED AND PUBLISHED BY HIS MAJESTY'S STATIONERY OFFICE

To be purchased directly from H.M. STATIONERY OFFICE at the following addresses
Adastral House, Kingsway, London, W.C.2; 100, George Street, Edinburgh
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1933

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H.L. 79(II)
H.C. 112(II)

DIE MERCURII, 19^o JULII, 1933

Present:

Lord EUSTACE PERCY in the Chair.

Lord Hutchison of Montrose.
Major Attlee.

Sir Reginald Craddock.
Mr. Davidson.

DELEGATES.

Sir P. Pattani.
Sir Hari Singh Gour.

Dr. Shafa' at Ahmad Khan.

Sardar M. V. KIBE, Mr. L. M. DESHPANDE, are called in and examined as follows.

Lord *Eustace Percy*.

A212. Sardar Kibe, you are President of the Sardars and Inamdars Association of the Bombay Presidency?—(Sardar Kibe.) Yes.

A213. Mr. Deshpande is President of the Inamdars Central Association, of Satara?—(Mr. *Deshpande*.) Yes.

A214. You have presented to us a Memorandum with accompanying statements?—Yes; they are as follows:—

MEMORANDUM 44 BY THE SARDARS' AND INAMDARS' CENTRAL ASSOCIATION OF THE BOMBAY PRESIDENCY.

On behalf of the Sardars' and Inamdars' Central Association of the Bombay Presidency representing the ancient landed aristocracy and gentry of the Bombay Presidency, we have the honour to submit the following statement to the Joint Parliamentary Committee.

It has been the proud and esteemed privilege of this Association to represent the class of the landed aristocracy and gentry commonly called as "Landholders" before all Parliamentary Committees and Commissions. This Associa-

tion had on previous occasions presented the views of our class to the Right Honourable Mr. Montague and His Excellency Lord Chelmsford in 1917, to the Parliamentary Franchise and Subjects Committees in 1919, to the Muddiman Committee, to the Simon Commission, and to the Franchise Committee presided over by Lord Lothian. Our Association had the honour of being called upon to send representatives to tender oral evidence before all the Committees and Commissions mentioned above.

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This Association had also sent a statement to the Second Round Table Conference on behalf of the Sardars and Inamdars of the Bombay Presidency.

Representation.

1. We feel it a misfortune to record that our representation in the Legislature was not increased in proportion to the increase in number of members of the Legislatures by the reforms of 1892, 1909 and 1919, in spite of our strenuous efforts to secure it. It is a great injustice to our class, and we felt keen disappointment when the White Paper not only perpetuated the injustice, but intensified it by not increasing our seats. Our class claims increased and adequate representation consistent with the magnitude of our interests, our historical and political importance, and our great utility to the nation by securing stability and by guiding its progress on sound lines.

2. The Sardars and Inamdars of the Presidency proper (exclusive of Sind) own 2,070½ villages as alienated, the total number of villages in the Bombay Presidency proper being 20,834½. The alienated land revenue of our class is Rs. 1,07,13,995 the total land revenue of the unalienated villages being Rs. 4,80,15,007. It can thus be roughly said that the Sardars and the Inamdars hold one-tenth of the villages of the Presidency proper and one-fourth of its revenue. We urge that the magnitude of our interests entitles us to have adequate representation, and we are not and cannot be satisfied with merely two seats which the White Paper allots to us.

3. Our class has on its lists persons of all religions, castes and communities and we are above all narrow feelings of communalism which is so rampant in the Bombay Presidency at present. Our presence in adequate numbers will be a great asset to the Legislatures.

4. We form an educated and cultured class which has the advantage of coming into direct contact with the public and with the Government and all its Departments, and no class is better fitted for the development and uplift of the villages and the rural population which forms the vast bulk of the population.

5. Paragraphs 147 and 148 of the Montague-Chelmsford Report describe us and lays down the policy with respect to our class as follows:—

“The acknowledged and natural leaders in the country areas are the

landed aristocracy. They generally represent the ancient and well-born families, and their estates are often the result of conquests or grants from some mediaeval monarch. By position, influence and education they are fitted to take a leading part in public affairs. Some of them are beginning to do so, and our aim must be to call many more of them out into the political lists.”

6. The representatives of our class will always be persons of balanced views and will be of great help to direct the progress of the nation on proper lines.

7. Our class has the largest stake in the country, and with our education and culture, our representatives in the Legislatures will be guided with reason and responsibility.

8. The principles of natural justice entitles us to have an increase in the number of our seats proportionate to the increase in the number of members of the Legislatures.

9. All alienations or Inams are included under the head of land revenue for administrative purposes which has so long been a reserved subject, and the Executive Government is not at present bound by any vote or resolution of the Legislature. Such a resolution of the Legislative Council is merely recommendatory and not binding on the Government. This will change with the advent of provincial autonomy when the land revenue will be a head directly subject to the provincial legislature. Instances can be quoted when the majority party in the Council have tried to rush through anti-landholder legislation, and where the Government at times came to the assistance of the landholders. The experience of the past twelve years has given sufficient proof of the existence of a strong feeling against the landholders' class. A solitary representative of the landholder class cannot meet all adverse criticism under the existing rules in a House of one hundred and seventy-five members, and this aspect strongly strengthens our case for increased and adequate representation.

10. Having regard to all these considerations, we modestly claim twelve seats in the provincial legislature and two in the lower house of the Federal Legislature.

11. Assuming that the Sardars and the Inamdars are given 12 seats in the Provincial Legislatures we suggest that three seats should be allotted to the

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Northern Division, four to the Southern and five to the Central Division. Our Association strongly favours plural constituencies with cumulative voting.

Second Chamber for Bombay Presidency.

12. Our Association has strongly been favouring a Second Chamber for the Bombay Presidency. We fail to understand why a Second Chamber was constituted in three Provinces only and not in the Bombay Presidency, where there is a consistent demand for the same. We urge with all force that this question should be reconsidered.

13. The bi-cameral system of Legislature prevails in almost all European countries, and in America which has the reputation of being the most democratic country. The units constituting the American Federation have a Second Chamber. Experience has proved the desirability and utility of a Second Chamber.

14. The Indian Provinces which will constitute the units of a big Federation and which have a population which is divided by acute feelings of castes, communities and religions, the need for a Second Chamber is the greatest. It is inconceivable that at the threshold of a new era of great constitutional reforms, the affairs of the vast areas and populations of the Bombay Presidency should be left to the unrestricted control of a single Chamber. We do not think that the power of veto or the extra-ordinary powers vested in the Governor will be in practice an effective check on hasty, ill-considered or discriminating actions of a single Chamber. The check for over-hasty and panicky or anti-communal legislations must be found from within, and cannot either effectively or for a long time be imposed from without.

15. The necessity for a Second Chamber is more pressing at the initial stage of Provincial autonomy when the Legislature will be new to the Power with which it will be invested, and the voter has yet to learn the value and proper use of the vote.

16. We have the honour of pointing out that there is a clear demand for a Second Chamber in the Bombay Presidency. The Committee of the Bombay Legislative Council co-operating with the Simon Commission, the Bombay Provincial Franchise Committee and the Bombay Government have made definite recommendations for the establishment of a Second Chamber.

17. We are compelled to observe that the recommendations of the White Paper contained in paragraph 74 of the Proposals are like putting the cart before the horse. The real necessity for a Second Chamber exists during the initial stage of the reforms, and the proper course, we suggest, would be to establish a Second Chamber in the Provinces at the outset with provision for its abolition at the end of twenty years if the public opinion favoured such a course.

Guarantees.

18. Our Association has all along been pressing the question of guarantees for safeguarding the property rights resulting from solemn pledges and Sanads given by the Secretary of State on behalf of His Majesty's Government. Our Association feels grateful that the question was favourably considered by His Majesty's Government as announced in paragraph 134 of the White Paper.

19. As observed in paragraph 147 of the Montague - Chelmsford Report, "The estates of the landholders are the result of conquest or grants from some mediaeval monarch." In pre-British times many of the ruling princes and many of the landholders stood practically on the same level. After the introduction of the British Government, "landholders" having extensive territories were constituted into ruling princes by entering into treaties with them. Such of the old magnates as did not then possess extensive estates were not invested with territorial powers and these now constitute the class styled as "landholders" of the Bombay Presidency. Solemn pledges were given and Sanads were issued to them on behalf of the Secretary of State for India as representing His Majesty's Government that their estates would be continued to them from generation to generation without any further increase in land tax or succession duty. Our Association urges that the Indian or Provincial Legislatures should not be given any power to impose any tax on Inams and Saranjams in contravention to the terms of the Sanads and pledges, nor should they have any power to attach, abrogate or curtail an Inam or Saranjam in any way either directly or indirectly, and that specific provisions be inserted in the new Government of India Act to effect this.

20. As stated above, the landholders and the Ruling Princes stood on the same level in pre-British times, the only difference being the extent of their estates

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and their political importance. While it is unanimously agreed that treaties made with the princes shall be respected, our claim for statutory provision for respecting the Sanads and pledges given by His Majesty's Government is just, modest and reasonable.

21. There are many alienations guaranteed and recognised by the British Government which have passed on account of territorial exchange in some Indian States. Such alienations are mentioned either specifically or in general terms in the treaties with the States concerned. These alienations were not included in the calculations of revenues forming the basis of exchange of territories. Fortunately, now the representatives of the Indian States are sitting along with the representatives of British India and His Majesty's Government, and we most

earnestly request that specific provision should be made in the new constitution for their undisturbed continuation without any interference or hindrance by such Indian States. The Indian States have no claim over them, and these alienations ought to revert to the British Provinces concerned in case of lapse.

22. In case of any dispute arising with respect to such alienations, the British Courts should have the exclusive power to adjudicate with respect to them.

23. We request that specific provisions should be incorporated in the new constitution which would safeguard undisturbed continuation of such alienations.

We respectfully request Your Lordship and the Honourable Members of the Committee to condone the delay in submitting this statement.

MEMORANDUM 45. SUGGESTED MODIFICATIONS FOR THE BOMBAY PROVINCE.

(1) Central Division:—

- (a) Deccan Sardar or Registered holder of an alienated village, 1 seat.
- (b) Holder of Inami lands assessed at not less than Rs.500/-, 1 seat.

(2) Southern Division:—

- (a) Deccan Sardar or Registered holder of an alienated village, 1 seat.
- (b) Holder of Inami, or Khoti lands assessed at not less than Rs.500/-, 1 seat.

(3) Northern Division and Bombay Sub-District:—

(a) Gujerat Sardar or Registered holder of an alienated village, 1 seat.

(b) Holder of Inami or Talukdari lands assessed at not less than Rs.500/-, 1 seat.

N.B.—Where there are more than one Registered Holder of an alienated village, all the Registered shareholders should have the right to select a delegate from among themselves to record vote for that village.

Total number of seats claimed by the Bombay Landholders is six.

MEMORANDUM 46.

Dharwar (Bombay Presidency),
17th April, 1933.

From H. R. Desai, Esq., B.A., LL.B., M.L.C., Secretary, The Bombay Provincial Sardars and Inamdars' Conference Working Committee, Dharwar (Bombay Presidency), to the Clerk to the Joint Select Committee, House of Lords, London.

SIR,

I have the honour to confirm the following telegram sent to you by me today:—

“Bombay Sardars Inamdars Conference Committee offers evidence through M. V. Kibe of Indore.”

The evidence to be submitted on behalf of the Landholders of the Bombay Presidency is on the following points:—

(i) The seats allotted to the Landholders of the Bombay Presidency proper by the White Paper are grossly inadequate. In the present Council, the Presidency proper has only 2 seats for the Landholders, and Sind has 1 seat. In the future Council, with 175 seats, the Presidency proper, with a population of 18 million, will continue to have the same number of seats, viz., 2 for the Landholders, as in the present Council, whereas Sind, with a population of 3.9 million and with a Council consisting of 60 seats will have two seats for Landholders as against one seat allotted at present.

The extent of the interest of the class of Landholders in the Presidency proper has to be taken into account. Nearly one-tenth of the total number of villages in the Presidency proper are held in

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Inam, and the "alienated" revenue of all "alienated" holdings (including the Inam villages) is nearly one-fourth the total Land revenue. Further, the importance of this class is specially noted in the Montagu-Chelmsford Report in paragraphs 147 and 148. It may also be noted that the class of Landholders represents almost all the leading castes of the country, viz., Brahmins, Marathas, Lingayats, Jains, and other Hindu castes, including the depressed classes, and also the Mahomedans.

It has also to be noted that questions of land tenure are likely to engage the attention of the Provincial Councils, and it has been regrettable to notice that the tendency of the Councils has been to undermine the position of the Landlords, especially in relation to their tenants. With the large extension of the franchise now proposed, this tendency is likely to be further emphasised in the future, and the Landholders cannot look with equanimity to that future unless they are given sufficient safeguards, of which adequate and separate representation must be one.

There is one more reason why more seats should be allotted to this class. The Presidency proper is comprised of three divisions, the Northern (Gujarat), the Central (Maharashtra) and the Southern (Karnatak, with two Marathi-speaking districts of Ratnagiri and Kolaba). The Sardars and Inamdars of the Northern division have one seat allotted to them, and the Sardars and Inamdars of both the Central and Southern divisions have together only one seat. The Central division includes eight districts, all Marathi speaking, but the Southern division includes six districts, of which four are Kanarese speaking and two are Marathi speaking. Of the four Kanarese-speaking districts one, viz., Karwar, has no Inamdar or Sardar, so that the Kanarese Inamdars and Sardars of the three districts with about 250 voters are always at a disadvantage numerically when they have to compete with the Inamdars of the Marathi-speaking districts, wherein the number of voters for the special constituency is more than 350. The number of voters in the Southern division is equal, if not more, than the number in the Northern division, and there is absolutely no reason why the Southern division should not have at least one seat allotted to it separately, as recommended by the Bombay Government.

(ii) It has to be noted with satisfaction that at page 61, paragraph 134, of the White Paper, reference has been made for the safeguarding of the property rights under Contracts of Sanads or Orders. It is suggested that an illustrative note may be added to the new Government of India Act making specific mention for the safeguarding of the guarantees given by the Secretary of State for India on behalf of the Crown by the issue of Sanads and Orders.

(iii) There should be a Second Chamber in the Bombay Presidency as well. Such a Chamber will, in addition to assuring stability and exerting a steady influence, avert precipitous legislation.

(iv) Agricultural income should not be liable for Income Tax, as it would be a double tax in some cases and would be violating solemn pledges given by express Sanads in others.

The above are the salient points on which evidence is proposed to be given as affecting particularly the class of Landholders of the Bombay Presidency proper.

As regards the selection of the person to submit the evidence, I am directed to suggest the name of Sardar Rao Bahadur Dr. M. V. Kibe, M.A., Ph.D., M.R.A.S., Deputy-Prime Minister of Indore. The Sardar-Saheb had been the President of the third session of the Bombay Provincial Sardars' and Inamdars' Conference held in Dharwar in May, 1931. The Sardar-Saheb had also the unique advantage of having attended the second session of the Round Table Conference, though on behalf of the Indore State, and, while in England for that purpose, had carried on a lot of propaganda work on behalf of the class. It may be mentioned that he has, all along since 1931, been taking an active part in the interests of the Bombay Presidency Sardars and Inamdars and had also been given an opportunity of waiting on His Excellency, the Viceroy, specially for that purpose in 1932. Thus he is eminently fitted to give evidence on behalf of the class before the Joint Parliamentary Committee, and I earnestly pray on behalf of the Conference Working Committee that he should be invited to give evidence.

I have the honour to be,

Sir,

Your most obedient Servant,

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[Continued.]

MEMORANDUM 47 ON BEHALF OF THE PROVINCIAL CONFERENCE COMMITTEE OF THE SARDARS, INAMDARS, VATANDARS AND TALUKDARS OF THE BOMBAY PRESIDENCY.

1. We present this Statement on behalf of the Bombay Provincial Conference Committee of the Sardars and Inamdars.

The first Provincial Conference was held at Satara under the auspices of the Inamdars' Central Association, Satara. It was due to an idea to widen the scope of the activities of the different Associations for consideration of the problems regarding the class. The Associations are restricted to members and the Conference is open to all.

The second Conference was held at Poona, under the auspices of the Doccan Sardars' and Dumaldars' Sabha, Poona. At the Conference a Resolution was passed creating a constitution and the formation of a working committee. The Committee includes representatives from all the districts.

Most of the Presidents, Vice-Presidents and Secretaries of the different Inamdars' Associations are members of the working body.

The working committee is empowered to carry on the work on behalf of the Conference. The working committee decided at its meeting to present a case before the Joint Select Committee in London.

It is submitted that the extent of the interest of the class of landholders in the Presidency proper has to be taken into account. Nearly one-tenth of the total number of villages in the Presidency proper are held in Inam and the alienated revenue is nearly one-fourth of the total land revenue. Further, the importance of this class is specially noted in the Montague-Chelmsford Report, paragraphs 147 and 148. It may also be noted that the class of landholders represents almost all the castes of the Province including the Depressed Classes and the Mahomedans.

We beg to quote below two extracts from the Montague-Chelmsford Report, paragraphs 147 and 148 already referred to:—

“(1) The natural and acknowledged leaders in country areas are the landed aristocracy. They generally represent the ancient and well-born families and their estates are often the result of conquest or grants from some mediaeval monarchs. By position, influence and education they are fitted to take a leading part

in public affairs. Some of them are beginning to do so and our aim must be to call many more of them out into the political list; they are conservative like the ryot but like him they also will learn the need to move with changing times.”

(2) “No men are better qualified to advise with understanding and great natural shrewdness on the great mass of rural question which will come before the Provincial Legislature.”

2. The landed aristocracy of the Bombay Presidency is most important in the history of India. It has founded empires, led armies, fought battles and was chiefly responsible for the Civil and Military administration of this country. This constituency is free from any communal bias as only the special interest is recognised in forming it.

3. The preservation intact of this class is not only a necessity, but solemn engagements made with it by way of Sanads or specific orders by the past rulers and the British Government ought to be guaranteed in future. It has to be noted with satisfaction that at page 61, paragraph 134 of the White Paper, reference has been made for the safeguarding of the property rights existing under Statutes and contracts. It is further submitted that there should be a specific clause in the future Government of India Act making a definite provision for the safeguarding of the guarantees given by the Secretary of State for India on behalf of the Crown by the issue of Sanads or orders.

4. There should be a Second Chamber in the Bombay Presidency as well. Such a Chamber will, in addition to assuring stability and exerting a steadying influence, avert any precipitous legislation. In such a Chamber alone can this class have representation adequate to its status and stake in the country. The second Chamber has been recommended by the Government of Bombay on reconsideration.

5. Agricultural income should not be liable for income-tax as it would be a double tax and would be violating solemn pledges given by express Sanads and orders and would be against the estab-

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lished usage and principle underlying taxation.

6. At present there is no representation of the land-holding class in the Council of State. We propose that a separate constituency of landholders be formed to return at least one member to the future Federal Council of State from every Province in India.

7. The representation of the landholders in the Federal Assembly as proposed in the White Paper, is inadequate. It should be increased in proportion to its increased strength.

8. In the White Paper proposals, only two seats have been allotted to the landholders in the Bombay Provincial Legislative Assembly. This representation ought to have been enlarged in proportion to the enlargement of the present Legislative Council. The Government of Bombay have repeatedly recommended three seats to be allotted to them, one each for the Northern, Southern and Central Division. We hold about one-tenth of the total number of villages in this Presidency as Inam and about one-fourth of the revenue of the Presidency proper is alienated. Though the number of our Inam villages is about 2,075 still the number of voters in our constituency is only about 700 in the three Divisions of the Presidency proper, as the qualification for a voter is to be the sole holder of an entire alienated village both for the Legislative Council and the Assembly. This reason for the smallness of our constituency is lost sight of by the people generally. The removal of this restriction and further extension of the franchise to joint registered holders of an alienated village, to holders of alienated land (apart from an alienated village) assessed at not less than Rs.500/- and to Khots holding lands assessed at not less than Rs.500/-, will considerably enlarge the constituency. This widening of the franchise will, while not impairing its character, increase the number of voters. The variety and vastness of the interests which we have must be taken into consideration while allotting seats to our class. Not only this, but the exigencies of the rules guiding the procedure in the Council must also be taken into consideration for the increase in the number of our seats.

The representations of the Bombay Landholders on the Provincial Assembly compares very unfavourably when we consider the ratio of the landholders'

seats to the total number of seats in it, as would be seen in Appendix 3, Part I, of the White Paper.

From this class from 1862 to 1892 one representative was nominated to the Provincial Council. By the Reforms of 1892 the Sardars of the Deccan were enfranchised and given the right to send one representative to the Provincial Council. In 1909 one representative from Gujarat Sardars was taken in addition to one of the Deccan Sardars. As the result of our deputations and representations, in the Reforms of 1919, the constituency was enlarged by the addition of Inamdars and Jahagirdars, but the number of representatives to be sent from the Presidency proper was kept the same, viz., 2, i.e., with all the expansion of the Council from time to time, the Deccan Sardars are in the same position as they were in 1862.

It is often argued that there is no necessity of special representation to the landholders in the Legislatures when they can well be elected through the general constituencies. In this connection, it must be remembered that in the general constituency election, unless the landholder, Sardar or Jahagirdar, champions the cause and goes under the ticket of some Party, such as Communal, Liberal, Nationalist, Congress, etc., there is no chance of his success. He is, moreover, bound by the mandate of his constituency and as such cannot put forward the special view point of the class to which he belongs. Class representation is altogether different from communal representation.

By their position as Inamdars, members of this class are familiar with the difficulties of administration. No class is better fitted to represent the rural areas than this class, as it is the only class with culture and education that comes directly in contact with the rural areas.

9. There should be a specific clause in the new Government of India Act, or in the Instrument of Instructions, regarding the enlistment in higher Public Services—both civil and military—of the landholders' class. This class would most faithfully and loyally play their part in those services, as they have got a real stake in the country and traditions behind them. Their loyalty, which has invariably stood the test, deserves to be regarded, by guaranteeing to them a fair percentage in the Public Services in all departments of the future Government of India and thus they should be

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called upon to take their proper share in the administration of the country as already proposed by the Right Honour-

able Sir Samuel Hoare in his Despatch of December last to the Government of India.

MEMORANDUM 48 ON BEHALF OF THE DECCAN SARDARS AND DUMALDARS SABHA, POONA.

We beg to present this Statement on behalf of the Deccan Sardars and Dumaldars Sabha, Poona, in order to put forth the case of the Landholders of India in general and of the Bombay Province in particular.

This class of landholders is the most stable element of the population. The chances of the landholders securing return in the future through the general constituencies is correspondingly less, as the franchise to be introduced in the Federal and provincial legislatures is such that representation will be increasingly popular in character. The existing landholder-electories in different provinces consist, in the main, of men of position, who exercise an important influence in the countryside, who have the means and leisure to travel and acquire experience beyond their own locality. They are well-qualified to speak with authority on matters affecting agriculture and rural life which will inevitably bulk prominently in the business in the provincial legislatures. These are some of the facts which have been unmistakably admitted by all the Provincial Governments, the Provincial Simon Committees and the Government of India regarding the position and status of the landholding class in India.

In the White Paper proposals only two seats have been allotted to the landholders in the Bombay Provincial Legislative Assembly. This representation ought to have been enlarged at least in proportion to the enlargement of the present Legislative Council. At least three seats ought to have been allotted to them, one each for the Northern, Southern and Central Division Landholders, as was originally recommended by the Government of Bombay. We hold about one-tenth of the total number of villages in this presidency as Inam, and about one-fourth of the revenues of the Presidency proper is alienated. Though the number of our Inam villages is about 2,075, still the number of voters in our constituency is only about 700 in those three divisions, the qualification for a voter being the sole holder of an entire alienated village both for the Legislative

Council and the Assembly. But this fact is always lost sight of by the people generally. The vastness of the interests which we have got must be taken into consideration while distributing seats to our class.

From this class, from 1862 to 1892, one representative was nominated to the Provincial Council. By the reforms of 1892, the Sardars of the Deccan were enfranchised and given the right to send one representative to the Provincial Council. In 1909 one representative from Gujerat Sardars was taken in addition to the one on behalf of the Deccan Sardars. By the reforms of 1919, the constituency was enlarged by the addition of Inamdars and Jahagirdars, but the number of representatives to be sent by all of them was kept the same, viz., three, that is, with all the expansion of the Council from time to time the Deccan Sardars and Inamdars are in the same position as they were in 1862.

It is often argued that there is no necessity of special representation to the landholders in the legislatures when they can very well be elected through the general constituencies. In this connection it must be remembered that in the general constituency elections, unless the landholder-Sardar or Inamdar, champions the cause of and goes under the ticket of some party, such as communal, liberal, nationalist, Congress, etc., there is no chance of his success. Class representation is altogether different from communal representation.

The presence of this class in adequate numbers will serve as a healthy check on hasty and ill-considered legislation. These representatives having a very big stake in the country will always be persons of balanced views, and their voting will be guided by reason and sense of responsibility.

The landed aristocracy of the Bombay Presidency is most important in the history of India. It has founded empires, led armies, fought battles and was chiefly responsible for the civil and military administration of this country. This constituency is free from any communal bias. Only the special interest

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[Continued.]

is recognised in forming this constituency. This constituency consists of all castes, creeds and communities.

Their special advantage is that by their position as Inamdars they are able to understand the difficulties of administration. No class is better fitted to represent the rural areas than this class, as it is the only class with culture and education that comes directly in contact with the rural areas.

We beg to quote below two extracts from the Montagu-Chelmsford Report, paragraphs 147 and 148:—

(1) "The natural and acknowledged leaders in country areas are the landed aristocracy. They generally represent the ancient and well-born families, and their estates are often the result of conquest or grants from some mediæval monarch. By position, influence and education they are fitted to take a leading part in public affairs. Some of them are beginning to do so; and our aim must be to call many more of them out into the political lists. They are conservative like the ryot, but like him they also will learn the need to move with changing times."

(2) "No men are better qualified to advise with understanding and great natural shrewdness on the great mass of rural question which will come before the Provincial Legislature."

This class of landholders has always stood by the side of Government in keeping law and order in the country, in spite of the odium that they have incurred at the hands of the general public and in some cases even at the risk of their life.

Under the circumstances stated above, we strongly propose that representation to this class in both the legislatures should be increased in proportion to their interests.

At present there is no representation of the landholding class in the Council of State. We propose that a separate constituency of landholders be formed to return at least one member to the future Federal Council of State from every Province in India.

There is no provision in the White Paper for a Second Chamber in the Bombay Province. In view of the recent happenings, agitations and movements in

this presidency during the last five years, a Second Chamber is, in our opinion, necessary, which would surely serve to check the hasty and ill-considered decisions of the provincial legislative assemblies.

As the future legislatures are going to be very democratic in character, this class keenly feels the necessity of inserting in the future constitution Act a specific clause of guarantee for the unmolested and undisturbed possession and enjoyment of their Inams, Jahagirs, Vatans, cash allowances, etc., which the British Government have recognised, confirmed and continued by issuing their Sanads, Executive Orders, etc. No Indian legislature should have any power to meddle with them or their rights and privileges, hitherto guaranteed to them by the Secretary of State.

We earnestly request you to kindly insert a specific clause in the new Government of India Act or in the instrument of instructions regarding the claim for Public Services of the Landholders' Class. This class would most faithfully and loyally play their part in those services, as they have got a real stake in the country and traditions behind them. Their loyalty, which has so far stood test, deserves to be rewarded by guaranteeing to them a fair percentage in the Public services in all departments in the future Government of India and thus they should be called upon to take their proper share in the administration of the country as already proposed by the Right Honourable Sir Samuel Hoare in his despatch of December last to the Government of India.

We may state here that no representative of the landholders of the Bombay Province was nominated as a delegate to any of the last three Round Table Conferences held in England. The land tenures of the Bombay Presidency are quite different from those of the other Provinces in India. The Zemindari system in Bengal, United Provinces, and Bihar and Orissa and the Malguzari system in the Central Provinces are quite different from the system of alienations in the Bombay Province.

We are, therefore, very much grateful to the Committee for kindly complying with our telegrams and inviting Sardar M. V. Kibe of Indore to give evidence before the Joint Parliamentary Select Committee in London on behalf of the Landholders of the Bombay Presidency.

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A215. Do you wish to add anything to your Memorandum and statements before cross-examination begins? — (Sardar Kibe.) Yes, my Lord, I wish to make a statement. I think it is desirable that at the outset I should indicate the broad general principles on which these representations are based. The considerable class which comprises the Bombay Presidency land-holders has no parallel in other parts of India. It consists of Jahagirdars or, to use a local term, Saramdamdars, Taluqudars, Inamdars and Watandars. All these are commonly known as Dumaldars, that is, landowners in respect of whom Government dues are either strictly limited or non-existent. These proprietors of the soil lay claim to the great antiquity of their order as descended from the ancient Hindu kingdoms of Western India. Another class of Inamdars, known as Khots, predominates in the Southern Division and is also to be found in the Central Division of the Presidency. They are the descendants of persons who colonised and brought under cultivation uninhabited jungle. Successive rulers of the land confirmed the status of the old and created new families, conferring rights and leaving limited obligations on them. The British Government has done the same. In old days the Jahagirdar class performed military duties but in these peaceful times in consideration of the surrender by them to the State of some portion of their domains or some such consideration such service has ceased to be obligatory. The only obligation on this class now is to pay the Nazarana or duty on succession. The Taluqudars who are mainly found in Guzarat have sprung from ruling houses and, like the Jahagirdars, differ from the autonomous States only in having no civil or criminal jurisdiction in their estates. The Inamdars are a vast and varied class, being owners of one or more villages or even scattered lands of varying extent. Their full proprietorship is recognised by the Government and no revenue is levied on them except in the form of some mutually agreed sum. The Watandars are a large class of service tenure holders and are remunerated in cash or land or both. In respect to all these landholders, unlike those in other Provinces, there is no question of conflict of interest between them and their tenants. Unfortunately, the act of the Bombay Government in applying the Land Revenue Code to these estates led to serious infringement of old-established rights. Although the

tenures of the landholders are governed by different codes such as the Talqudari Code or the Khoti Act, their special interests are not always kept in view when changes are made in the Land Revenue Code. It would be even more unfortunate for the tenants than for the landowners if there were departure from the long accepted principle of the exemption from the agricultural income from direct taxation. The point to be chiefly emphasised is that definite assurances were given when the British Government conquered or annexed the territories now comprising the Presidency proper, mostly from the Peshwa. I quote a high authority, Mr. A. K. Nairne, whose "Handbook for Revenue Officers," first published in 1872, still has authoritative value. He says: "The continuance of all Watans, Inam Lands, established pensions, and Annual Allowances was guaranteed by our Government to all those who should withdraw from the Service of Bajirao, while on his surrender all Jahagirdars who had adhered to his cause and all Brahmins and religious establishments supported by his family were likewise secured in their possessions." Further, all these holders of land were separately assured of their rights by the grant of Sanads from the British Government from about 1818 onwards. This historical fact is only too lightly to be forgotten and the nature of relations with Government to be obscured unless there is acceptance by Parliament of the appeal made in the Memoranda I submit for the inalienable rights of the landowners to be embodied in the forthcoming Statute. Writing on this subject, the great Sir John Malcolm, who was the Governor of Bombay (1827-30), laid it down that: "Where any circumstances call for the interference of the British Government or an engagement or guarantee is given no departure from that is permitted. It is indeed by the maintenance of the impression that the signature and seal of the British officer is, to whomsoever granted, the completest of all securities for his rights, privileges or possessions that our power over the multiplicity of States and Chiefships depends, and it is above all others a point upon which we can never with safety admit the slightest evasion, much less deviation." In view of such assurances, it cannot be questioned that the unimpaired preservation of the rights acknowledged or granted to the landholders by Sanads by His Majesty's Government are no less binding than the similar engagement made with the Indian

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States. While the landed aristocracy of the Bombay Presidency is in complete agreement with the declared policy of the British Government to bring the Indian people to self-government, it cannot but press that its just rights should be guaranteed in the Constitutional Act. All the suggestions or demands made in the Memoranda, I submit, turn on this vital issue. The writers cherish the belief that the justice of the claim will appeal to the Committee.

A216. Thank you, very much?—On a particular point about the representation, Mr. Deshpande wishes to submit a note.

A217. Is that a written note again on the subject of representation?—(Mr. Deshpande.) It is a typewritten note.

A218. Would it meet your views equally well if it was handed in, instead of putting you to the trouble of reading it?—It is quite short.

A219. Very well?—The comparative table of the number of seats allotted to the landholders' special constituencies in the provinces clearly shows that the Bombay Presidency proper has been very badly treated so far as the number allotted to them in the special constituency is concerned. The reason for this appears to be that the Statutory Commission expressed the view that the owners of the larger estates who are in the electorate of the special landlords' constituencies are at present returned to the Legislatures through the general constituencies in such numbers that "the special protection now furnished can safely be withdrawn." Whatever may be true as regards other Provinces, I submit, with due deference to the Commission, that so far as the Bombay Presidency proper is concerned, the view is not correct. The number of seats occupied by persons who are in the electorate of the Special Landlords' Constituency has seldom gone beyond five or six at any time and, looking to the vast interest they have in the presidency, this number, even in the present Council, cannot be considered large. This is due to the peculiarity of the Landholders' Constituency, which in addition to title holders gives the right to vote to a sole alienee of an entire village. Alienation of the Royal share of Revenue—no matter whether it is coupled with the proprietary right in the soil or otherwise—is the principal feature of the constituency and hence it differs practically from all other similar special constituencies in other

Provinces. The Landholders in this Presidency proper, therefore, never got their due share and now their position has gone from bad to worse inasmuch as they are given the same number of seats in a house which is to contain double the present number. The difference in the demand in the number of seats in the two memoranda is to be attributed to this, because one wants its equitable share while the other is content with at least the minimum number of seats. Further, the constituents of the Conference have thought it advisable to increase the number of their votes by extending the franchise so as to include persons who hold alienated lands assessed at not less than Rs. 500 and that the co-sharers of an entire village should have a right to select one from amongst them to vote in the constituency. Both these are quite consistent with the principal features of the constituency. This will substantially increase the number of voters, and the seats claimed by the Central Inamdars' Association would appear quite reasonable. A glance at the proposed representation to this Special Constituency in the Presidency as a whole will show the necessity of the increase. Bombay Presidency consists of four principal divisions. They are Sind, N.D. (Gujerath), C.D. (Maharashtra), S.D. (Karnatak). Two seats are allotted to Sind Division which is admittedly backward than the other divisions in many respects. Next comes N.D., which includes 269 entire alienated villages and is given one seat. And, lastly, come the C.D. and S.D., each of which contains 1,044 and 713 entire alienated villages respectively, but both together are given one seat. It is not known why such an iniquitous division is made in the allotment. The Government of Bombay appear to have noticed the injustice done to C.D. and S.D. and in their Memorandum to the Statutory Commission in 1928, have recommended that three seats should be allotted to the Presidency proper, i.e., one for each Division. This new recommendation also appears to have gone unheeded and the new proposals only reiterate what is still going on. The Landholders' Constituency has, therefore, approached the Joint Committee to place the facts before them with a hope that justice will be done in the allotment of seats and in the increase of seats, as put forward in the Memorandum. There is equally a necessity of giving increased representation at the Centre. Second

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Chamber: The Landholders of the Presidency are strongly in favour of a Second Chamber in the Province. The Government of Bombay also have recommended the same and, therefore, there should be no difficulty in giving a Second Chamber to this Province.

A220. There is just one point in your Memorandum, which I think it is only fair to you to comment on in one word to begin with. In paragraph 18 of the Memorandum from the Central Association, you refer to Proposal 134 in the White Paper, and you assume that that proposal in the White Paper is intended to give some security to the landholders in respect of their Sanads or privileges. I think I ought to say that, as I understand it, Proposal 134 of the White Paper is not intended to have any such effect; it is intended to be confined only to statutory or contractual rights under contracts with the Secretary of State, and would hardly extend to anything, for instance, like the permanent settlement in Bengal or analogous privileges elsewhere?—(Sardar Kibe.) I should like to submit some observations on this remark.

A221. Certainly; perhaps we can defer that till we have examined you?—Yes.

Sir Reginald Craddock.

A222. You represent landholders of great antiquity, you were saying?—Yes.

A223. Some of those grants that were extended to you were found by the British Government in existence and extended to you?—Yes.

A224. Were they all in perpetuity or for a certain life or lives?—Those which are existing at present are for perpetuity; those that were given for life have already expired.

A225. Some of them went on for two or three generations?—Yes. They are all given in perpetuity.

A226. Those that are left?—Yes.

A227. And does Mr. Deshpande belong to the same class of landholder?—(Mr. Deshpande.) Yes.

A228. Or have you got in some Provinces, both in Berar and the Central Provinces, certain Deshpande allowances?—Yes.

A229. Besides the life?—Yes, we have, and there are the Watans and Inam Lands. Now they are all in perpetuity, nothing for life.

A230. Then as landlords of your lands, are your tenants protected at all?—Certain lands stand on quite a different footing from those of the Inamdars. The

Inamdars have the property and the right as well as a share of the revenue by the tenants and previous tenants.

A231. That is to say, that no tenants of your land acquire any rights?—No tenants acquire any rights.

A232. In the case of Inamdars, who have got whole villages?—In the case of villages, the case is somewhat different because in the records the names of such tenants appear in the account books. They are the tenants of the soil and the Inamdar has to recover their dues as fixed by the settlement by Government, from time to time, in the case of villages where Service settlement is extended. There are some other villages to which the Service settlement has not been extended, and there the right is up to three times the assessment thereof.

A233. That is to say, you charge up to three times the assessment?—Yes, but there are very few villages of this kind; but in the Central Division almost all the villages have been surveyed.

A234. That is to say, they are protected tenants?—They are protected tenants.

A235. How can their rent be raised?—In the Southern Division, many of the villages have not been surveyed and there the Inamdars come on their right to increase up to three times the assessment.

A236. That is to say, if you charge a tenant more than three times the assessment on your land, the tenant can secure redress, can he?—No; the position is quite the reverse. The Inamdar cannot charge three times of his own; he has to go to the Revenue Court or Civil Court before he can demand anything more.

A237. But they are protected adequately?—They are protected, yes.

A238. The point I wanted to bring out was: You are asking protection to yourselves for your grants in perpetuity, that the Land Revenue demand should not be increased on yourselves?—That is so.

A239. I just wanted to find out how far your tenants had some protection from the landlord?—There is that protection according to law now.

A240. You do not know the term Mokhasa?—I know it, but it is seldom applied in the Bombay Presidency.

A241. That, of course, is the usual Maratha term?—Yes, I know the term, but it has no legal meaning, in so far as the Bombay Presidency is concerned.

A242. There is a distinction between the Mokhasa and the Waksi?—Yes. The

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Mokhasa is the head of the village, but that is not legally acknowledged.

A243. Then what you are afraid of is, supposing that you do not get enough representation on the Council, the additional amendment that you ask for, that the future Government will cancel your grants, or what are you afraid of?—They may say choose to do so.

A244. The whole practice for all these years has been that those Revenue free grants are in perpetuity, and no Government has ever, to my knowledge, forfeited any of those grants, ever since British Rule began?—That is so.

A245. And before that, if there was a Raj, and an Imandar displeased him exceedingly, he might possibly forfeit his grant?—Yes.

A246. But the British Government has not done so?—No.

A247. Are there any other conditions in which you hold your Sanads? Have you the condition of loyalty to the British Parliament?—Yes, there is that.

A248. And you have never made any attempt to cancel it on those grounds, I suppose?—No. We do not want that that condition should be dispensed with; we only want that the condition should be there, as well as the other part of the contract, that it will be continued, and that it should also be there.

Sir Hari Singh Gour.

A249. I understand your contention to be that you want larger representation in the local Council and the Federal Assembly with a view to safeguard your special interests?—Yes.

A250. Now the interests that you have acquired are either justiceable or they are not?—Yes.

Sir Hari Singh Gour.] If they are justiceable, you have no grievance at all, because you have the right of recourse to the Civil Courts?

Sir Reginald Craddock.

A251. I do not know whether *Sir Hari Singh Gour* is aware of the point that Revenue-free grants (at all events, they are in the Central Provinces, and probably also in Bombay) are withdrawn from the jurisdiction of the Civil Courts?—Some of these grants are regarded as political grants.

Sir Hari Singh Gour.

A252. So far as the protection is justiceable, you have no grievance?—That is a question to be argued; we have some doubt about it.

A253. But you must have taken legal advice?—That question has never come before the Courts.

A254. Then it is a doubtful question, at any rate. You have no certain grievance. Subject to what the legal opinion might be, you have no definite grievance?—Exactly.

A255. There remain the question of matters which are non-justiceable and which are entirely within the discretion of the Revenue officers. Is that not so?—Yes, with the Government.

A256. With the Executive Government?—Yes.

A257. Now in what way would you be able to influence the decision of the Executive Government by having one extra seat in the local Council?—We want representation in the Council. We have pointed out three reasons for having extra representation in the Council—more than one; that is in paragraph 8 of the Memorandum.

A258. But I am analysing those reasons, and asking you to convince me as to what measure of protection you are likely to get by having an additional seat in the Bombay Council. You have got one seat in the Federal Assembly?—Yes.

A259. You want another seat?—Yes—two at least.

Lord Eustace Percy.

A260. The maximum demand is six?—Six in the Provincial Council.

Sir Hari Singh Gour.

A261. You want four more seats in the Provincial Council?—Yes.

A262. And in the Federal Assembly?—In the Federal Assembly we have one. We want one more, because the number of members has increased.

A263. Now I was dealing with the non-justiceable claims, and I want to know in what way you will be able to protect your non-justiceable claims by having four seats in the Local Council and one in the Central Legislature?—The fact is, as I have stated in my Minute. There are different classes of these Inamdars, and their viewpoints are also different.

A264. I have studied all that question, as you know, I am connected with the same tenure as you are; but my point of view is that you want to have four extra seats in the Local Council and one extra seat in the Federal Council. I want to know in what way you are likely to influence the decision of the Local Coun-

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cil and of the Federal Assembly with regard to the protection of your rights?—Apart from our main request for a guarantee, there are several things which arise as regards the disputes between tenants and Inamdars, and so on, and there have been instances in the Bombay Legislative Council in which new taxes have been imposed on these people. Mr. Deshpande will quote one instance of that, and that is given also in the Report of the Bombay Government to the Statutory Commission.

A265. What I want to know is how will six seats out of 175 improve your position?—We simply wish that all our points of view shall be placed before the Council.

A266. Two members can do as much as six?—Yes.

A267. That depends upon the personality of the members?—The tenures are different.

A268. But you are only represented by your mouthpiece, two are as good as six, provided they represent the special grievance you have in the matter?—We say that one or two members are probably not able to explain all the points of view.

A269. That is all your grievance?—Yes.

A270. Your grievance is that two members will not be able to explain your point of view?—Yes.

A271. But when you have these different tenures, it is only one Executive Officer who decides the question?—Sometimes the collectors decide the question.

A272. You have got two here to represent you?—Yes. An increasing number of members have been given to other constituencies.

A273. Your whole point of view is that, because there has been a general increase, your proportion should also be increased?—I would not quite agree to that, but we give reasons for having asked for the increase.

A274. I am trying to examine those very reasons. As regards the Second Chamber, the general view in Bombay is against the establishment of a Second Chamber?—No; the Bombay Government has favoured it.

A275. Do you remember what the Provincial Committee before the Simon Commission said? Do you remember that there was the Provincial Committee which co-operated with the Simon Commission?—Yes, but I think even before

that Committee there were some Members who asked—

A276. I am not concerned with individual opinions. I am only concerned with the collective opinion of the Bombay Provincial Committee?—I submit that some Members of the Committee, perhaps the majority, were of that opinion, but there were others who held a different view.

A277. The Committee, as a whole, was against the establishment of a Second Chamber. That is right, is it not?—The Bombay Government has urged that there should be two Chambers.

A278. And the Simon Commission did not recommend the establishment of a Second Chamber?—No.

A279. What fresh facts have since been elicited which justify you in asking the Joint Committee to take a different view?—For that I must refer to the different views which have been expressed by people in different Provinces, also in favour of a Second Chamber.

A280. Those are matters of opinion are they not?—Of course.

A281. And there can be two opinions on the same subject?—Yes, but that will not go against me, I suppose.

A282. Now as regards the claim that the Land Revenue demand should not be increased, is that your claim?—We pay no Land Revenue to the Government.

A283. The Watandars, some of the tenure holders, pay Land Revenue?—It is not Land Revenue, as such, but some agreed sum with the Government.

A284. Let us not call it the Land Revenue, let us call it the due. You say that your land dues should not be increased?—I would not call them land dues, but I would submit that for certain things the Government agree with us that they will take this much and will exempt us from any further service or anything of the sort.

Sir Reginald Craddock.

A285. You have a quit rent?—Yes, only a very small amount out of the Revenue. (Mr. Deshpande.) There are certain cases in which the Inamdars have not to pay anything to the Government and they are quite free.

Sir Hari Singh Gour.

A286. Then whatever you may call it, you may call it a demand or a due or a quit rent—by whatever name you call it, what you say is that whatever you have been paying, you must continue to pay. Now what do you want to say about that

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right?—(Sardar Kibe.) Perhaps, I should explain one more thing; that is that when the British Government settled with these Inamdars in the Bombay Presidency, for those whose rights were examined by the Simon Commission, their rights were admitted, but for others, they said: "If you do not want that your right should be examined, then pay us so much every year and we will give you proprietary rights on that account," and that has been done, and no further demand will be made.

A287. That is a historical fact, a very interesting fact, but it does not come near the point I am making. I want you, please, to tell me, if you can, this: You say that a quit rent or a demand that has been up to now payable by you should not be increased, is it not so?—Yes.

A288. How do you want that to be done?—We want to be safeguarded in respect of our general right.

A289. In what way? That something should be inserted in the Constitutional Act, that so many Inamdars and so many Sardars of the Bombay Presidency shall hold their tenure for all time and will not be liable to pay any increased rent?—Yes.

A290. But then altogether you are very much better off on account of railways, post-offices and telegraphs, and the general improvement in the conditions and social life of the people?—Some local cesses have been levied.

A291. Who has to pay for all that?—I should submit that some local cesses have been levied too, but the Saramdamdars have not objected. For instance, the local fund, and so on, and we pay for these improvements.

A292. Then you are prepared to pay, in spite of your contract, extra sums for the benefits received?—That will be a political question.

A293. But you have said so just now?—Yes, we have hitherto paid.

A294. Then what is your grievance? The Government of the future will only make you pay what is justly due from you?—(Mr. Deshpande.) We are not willing to pay anything more, and why we want a safeguard is for this reason, that there may be some persons who would like to have this Revenue. This has not been given free; they have been given for some consideration already, and for services rendered, so when there is a contract to the effect that this shall be

continued on certain terms, they may be prevailed upon to increase their demand on these lands.

A295. But in one sentence, do your rights create a legal obligation or a moral obligation?—Both.

A296. If it is a legal obligation, it is justiceable; if it is a moral obligation, it will be considered by the Executive Government?—But I say it is legal and moral.

A297. If it is legal, you are protected?—Protected because we have to go to law.

Lord Eustace Percy.] May I just say, before the examination continues, that we have had, of course, the other landholders before us already, before the full Committee, and you did not attend then, because you could not arrive, I think, soon enough. As we have been over all the general questions of exemption, and so on, before, I think, perhaps, the Committee and the Delegates will feel that we could confine ourselves this morning to the special features of the Bombay case.

Dr. Shafa' at Ahmad Khan.] To the Memorandum itself?

Lord Eustace Percy.] Yes.

Dr. Shafa' at Ahmad Khan.

A298. Sardar Kibe, you said just now, I think, in the statement you read out that you would be prepared and others would be prepared to accept the reform if your rights were safeguarded?—(Sardar Kibe.) Yes.

A299. And you thought, until the Lord Chairman pointed out otherwise, that paragraph 134 of the White Paper adequately safeguarded your right?—If we had that fully, then we would not have made the Prayer to insert a section in the Act.

A300. Now, after knowing that this paragraph does not completely or even partially safeguard your right, would you suggest to the Committee any alternative proposal whereby your rights could be safeguarded?—Our Prayer is that there should be explicit mention in the Act that the Sanads granted to the Bombay landholders will be safeguarded. The rights given by the Sanads will not come before the Legislatures; that is what we say.

A301. Do you really think that the Constitution could go into the details of the various kinds of tenures held in various Provinces? Is it possible for a Constitution Act to do that? I am not talking of the Act passed by the local

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Legislature or the Central Legislature, but I am speaking of the fundamental instrument of Government. Do you think it is possible for the framers of the Constitution to go into all the minutiae of the Land Revenue administration?—Our submission is that our Sanads are in the nature of contracts, and, therefore, they should be safeguarded. (Mr. Deshpande.) If the present Section 134, as it is worded, does not admit of the interpretation which some of us think can be put upon it, then the addition of the word "Sanad" will, I think, probably, remedy the whole thing.

A302. Are you sure that the Sanad would be added in the context, which may refer to an entirely different subject altogether?—If "contract" does not include Sanads, then Sanads will have to be specifically mentioned, just as treaties with chiefs and rulers were mentioned. Just as treaties are respected, similarly, Sanads should be respected.

A303. But do you think that if this provision is inserted, you would not be prepared to pay your equitable share in the demands which may be made by the local government in future for the social advancement of the country?—There are so many other demands which we are paying and which we will pay, but not upon the particular land upon which we are exempt. We have to pay for many other things to the Government; there are many taxes we have to pay, and we do pay, but we only want that this very income should not be taxed.

A304. I can only tell you this, that in my own Province the landholders have been obliged to remit 4½ crores of their rent in one year alone, and, therefore, if you insist upon this, I am afraid there will be very little possibility of any law being passed for the improvement of the condition of the tenants. You do not exclude the possibility of legislation being introduced which, while safeguarding your position and giving you adequate compensation, if necessary, will also improve the position of the tenants?—The position of the tenants is there according to the Land Revenue Code. Their position has been protected.

A305. I am not talking of the present time; I am speaking of the future. Supposing the Legislative Council of Bombay or the Legislative Assembly brings in a Tenancy Bill with a view to giving them what is called a "statutory" right, a word which is very familiar to us in the United Provinces, life tenures, and convert tenants at will into tenants for life,

would you be prepared to concede this right to the tenants?—I say that does exist at present.

Sir *Reginald Craddock*.] It would in the Bombay Presidency.

Dr. *Shafa'at Ahmad Khan*.

A306. So you are prepared for tenancy legislation being introduced if necessary, if your rights are safeguarded?—Irrespective of this thing, the tenancy rights will be there.

A307. Now in paragraph 9 of your memorandum, you say: "Instances can be quoted where the major party in the Council have tried to rush through anti-landholder legislation, and where the Government at times came to the assistance of the landholders." Have there been many instances of this kind?—(Sardar Kibe.) Yes; I have a note here which will give all the instances.

A308. During the last 11 years?—I have got a note here which gives those instances from 1925, and there are several instances.

A309. I take it that you desire increased representation in the Bombay Legislative Assembly, not because that by itself will completely safeguard your position, but because it will be one of the means of voicing your genuine grievances in the Assembly?—Exactly.

A310. That is not the only way of safeguarding your interests?—No.

A311. But it is one of the means of keeping prominently in view the peculiar and special position you hold in the province?—Exactly.

A312. You say in paragraph 14 of the same memorandum, that: "The Indian Provinces which will constitute the units of a big Federation and which have a population which is divided by acute feelings of caste, communities and religions, the need for a Second Chamber is the greatest." Do you not think that in making a demand for a Second Chamber you should take into account the Resolution or the opinion of the Provincial Legislative Council on this subject, instead of taking the opinion of individuals?—That point was not put before the Bombay Legislative Council, either by the Governor or by any Member of it, but this question was raised in the Legislative Assembly at Delhi.

A313. For Bombay?—Yes, for Bombay, in April, 1933, but as the whole debate, I think, proved abortive, no Resolution was passed upon that.

A314. So there is no organised opinion in the Legislature which is in favour of

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a Second Chamber in the Province?—The question of Bombay was never before the Legislature. (Mr. *Deshpande*.) All the same, the Government of Bombay have recommended that there should be a Second Chamber.

A315. That we know; I am only talking of the Provincial Legislative Council?—(Sardar *Kibe*.) Yes.

Sir *P. Pattani*.

A316. Only one question. I take it your main contention is that your Sanad rights should remain undisturbed under the new Constitution?—Yes.

A317. That is, that your Sanads should receive the same regard for consideration at the hands of the reformed Councils as they have received from the present Government?—Exactly.

A318. On the ground that they must receive the same respect as the Sanads in the jurisdiction of the Princes, because promises given by the present Government are promises equally binding with regard to the State Sanads and with regard to the Inamdars' Sanads?—That is exactly what we mean.

Mr. *Davidson*.

A319. I think the Witness said that they were claiming six seats in the Provincial Legislature, but I notice that in paragraph 10 of the Central Association's statement, they say: "we modestly claim 12 seats in the Provincial Legislature and two in the Lower House of the Federal Legislature." Which of the figures is the claim? Is it six seats?—The Central Association of Sardars has been always claiming that, but this Conference of all the Associations and Members considered the matter and said that at least we should have six. The Conference was held at Poona early in June, 1933.

Lord *Eustace Percy*.

A320. I think that concludes the questions that the Committee wish to put to you. The statements you have laid before us are very clear, and I do not

think we need trouble you with any further questions. Is there anything further, you would like to say before the conclusion of your evidence?—Yes, your Lordship. Your Lordship just now mentioned that Section 134 of the White Paper does not cover this. I should like to put some consideration before you about it, although my point has been made quite clear, in answer to the question which Sir *P. Pattani* put to me, but I know that the genesis of this Section 134 in the White Paper is, perhaps, due to a representation which the Law Member gave in the Legislative Assembly on 10th March, in which he said—I am reading from a newspaper report—"Sir *B. L. Mitter* said that none of them could anticipate the forthcoming constitution but without betraying anything he could say that the Government of India had recommended that personal and property rights should be safeguarded under the new constitution and under the category of property rights there was place for the landlord and agriculturist." So, perhaps, on the recommendation of the Government of India, as mentioned here, this has been put in, but as we have some doubts whether this will cover our case or not, we are making our representations. Even before the Statutory Commission, we submitted this: "The treaties or engagements with the Indian Princes, the Sanads of lands and villages given to Sardars, Inamdars and Vatandars must remain untouched." Then before the Second Round Table Conference also we circulated a Memorandum making the same request, and the Sardars Association made the same request. We are coming before your Lordship and the Committee with the same request; so our submission is that, if it is not covered, as there is some doubt about it, there should be a specific mention in the Act that our Sanads will be respected. That is our submission.

Lord *Eustace Percy*.] The Committee entirely appreciate that point, I think. Thank you very much.

(The Witnesses are directed to withdraw.)

Khan Bahadur M. A. KHUHRO, M.L.O., is called in and examined as follows:—

Lord *Eustace Percy*.

A321. Mr. Khan Bahadur Khuhro, you are Vice-President of the Sind Separation Conference, I think?—Yes.

A322. General Secretary of the Sind Muhammadan Association?—Yes.

A323. A Member of the Bombay Legislative Council since 1923?—Yes.

A324. And a Fellow of the University of Bombay?—Yes.

A325. We have your Memorandum before us?—Yes; it is as follows:—

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[Continued.]

MEMORANDUM 53. SIND'S SEPARATION FROM BOMBAY BY KHAN
BAHADUR M. A. KHUHRO, M.L.C.

*A Short History of Sind's Connection
with Bombay.*

The beginning of British Government's connection with Sind dates back to 1830 when Sir Alexander Burnes was permitted by the then rulers of Sind to go to Lahore, by boat, through the Indus, to meet Ranjitsingh. In 1838 again the British Army was allowed free passage through Sind on its expedition to Afghanistan, and on its return Sir Charles Napier took the opportunity to annex Sind in 1843.

A study of subsequent events and more particularly of the causes that led to Sind's amalgamation with Bombay will convince any impartial observer of the fact that it was not based on any sound consideration. It was merely an outcome of the quarrel between Lord Ellenborough, the then Governor-General, and the Government of Bombay, that Sind came to be linked up with Bombay. Thus it will be found that this amalgamation was merely an accident.

It is significant to note that in the first few years of its annexation, Sind was placed under a separate Governor. It was only after its first Governor, Sir Charles Napier, had resigned his office, that as a result of the machinations of the Bombay Government, Sind for the first time lost its separate entity and became a part and parcel of the Bombay Presidency.

A reference to the early history of Sind will also show that Sind has always been a separate territorial unit. Even when it owed allegiance to a foreign central authority, it enjoyed full provincial autonomy with its seat of government in the province. The recent excavations at Mohan-jo-daro also show that as early as five thousand years before Christ, Sind had its own civilisation which she could have evolved only as a separate unit.

*An Unnatural Connection and its Evil
Consequences.*

Sind's connection with Bombay is as unnatural as it is unbearable for the people whom it has placed in a distinctly inferior position.

Separated geographically from the Presidency by a wedge of non-British territory—namely the States of Cutch and Rajputana, Sind with a population of nearly 4 millions and an area of 53,000 square miles, lies at a distance of about 800 miles from the seat of Government.

Linguistically, ethnologically, culturally and even climatically Sind has nothing in common with the Presidency Proper. Its affiliation has therefore brought about results which can only be described as catastrophic.

Our ninety years' experience of Sind's connection with Bombay has shown us that the latter has neglected our economic and social development and has checked the growth of Karachi Port which possesses vast potentialities for development, being the nearest port to the West. Our roads and communications are in an extremely undeveloped condition. Our nation-building departments are starving. Education is at its lowest ebb. The present system of Government is highly despotic and the Commissioner's Delegation Act, which raises the Commissioner-in-Sind to the position of a Provincial satrap, has tended to create an atmosphere of autocracy which has always impeded the growth of healthy public life. The present Bombay Legislative Council, which forms a curious combination of heterogeneous elements, is unable to understand our peculiar problems. The Heads of departments who are presiding over our destinies from a distance of over 800 miles are not able to discharge their responsibilities to the people of Sind in a satisfactory manner. Bribery, corruption and official oppression have reached the limit.

Lack of space does not permit the enumeration here of specific instances in support of each of the above statements. The literature which has hitherto appeared on the subject of the Separation of Sind, inadequately proves that the grievances of the people of Sind are absolutely genuine. If I am examined orally, I will surely be in a position to convince the Committee of the truth of my statement by adducing concrete examples of the hardships from which we have suffered.

The only solution of these evils lies in the constitution of Sind as a separate autonomous province. That is the only legitimate way of restoring Sind to its rightful place in the future federation of India.

History of the Question of Separation.

Until 1913 Sind put up patiently with the disabilities entailed by her subordinate position. The public feelings for separation were for the first time voiced by a distinguished Hindu leader, viz.:

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[Continued.]

Mr. Harchandrai Vishindas, C.I.E., who in the course of his address as Chairman of the Reception Committee of the Indian National Congress at Karachi, put forth this demand in most forceful terms.

In 1918, the 5th Sind Provincial Conference appointed a Sub-Committee of five Hindu and one Parsi gentlemen to consider this question. The Sub-Committee reported that:—

“All the objections that are raised against the autonomy of Sind are, in the opinion of the Sub-Committee, unsatisfactory and unconvincing and the Committee has no hesitation in recommending that Sind should be constituted an autonomous province with its own legislature and executive.” On the strength of this recommendation the matter was pressed further by the deputation of the Sind Provincial Conference which waited on the late Right Hon'ble Mr. Montague and Lord Chelmsford at the time when the Montague-Chelmsford Reforms were on the anvil.

In 1927 the Indian National Congress resolved that a readjustment of provinces on linguistic basis be begun with Sind. This resolution was proposed by no less a person than Pandit Madan Mohan Malaviya, the foremost champion of the Hindu cause in India. Subsequently the All India Moslem League, too, gave its enthusiastic support to this demand. Soon after, the All India Moslem Conference adopted it as one of the proposals formulated by it at its first meeting under the Presidency of His Highness Sir Agha Khan.

Later the All Parties Conference, Lucknow, accepted the principle of separation and so also the Nehru Committee.

On 17th of July, 1928, the Hindus, Moslems and other minorities of Sind entered into a communal pact agreeing to the Separation of Sind.

In 1928 the Royal Statutory Commission commenced its inquiry. The Sind Muhamadan Association in their representation before the Commission pressed very strongly for separation. The Central Committee which worked in collaboration with the Simon Commission also recommended in very definite terms that Sind should be separated. The Statutory Commission itself expressed great sympathy with the claim of Sind for separation in principle.

In 1931 the First Indian Round Table Conference accepted the principle of the Separation of Sind and after the finan-

cial side of the question was examined by the Miles Irving Committee and the Brayne Conference the Secretary of State for India announced on 24th December, 1932, the definite decision of His Majesty's Government to separate Sind.

Sind's Right to Separation.

We have claimed separation of Sind on the following grounds:—

1. That it will give us the right of self determination which is the birth-right of every people.

2. That it will relieve the Province of numerous hardships under which it has been labouring for the last 85 years.

3. That it will facilitate the Agricultural development of the Province.

4. That it will help in rooting out the evils which have been the outcome of Sind being governed from a distance of 800 miles.

5. That the port of Karachi will be considerably developed, and that by opening a fast train service with Cawnpore and Delhi the whole business of the Northern and Central India will be captured.

6. That Sind will be able to regain its lost individuality. In this connection a mention may be made of the importance of Sind as India's frontier by sea, land and air.

7. That the Sindhi language which presents all the features of a classical language will receive a fresh impetus rather than die a slow death which at the moment looks imminent.

8. That the Sukkur Barrage lands cannot develop easily and rapidly unless they are placed under the control of a Government which is within easy reach.

9. Barring Burma the Bombay Administration being admittedly the costliest in the whole of India, Sind after its separation will get an opportunity of effecting reasonable retrenchment consistent with efficiency. This will enable Sind to transfer the amount thus saved to nation-building departments which at present are languishing.

Sind's Capacity to run Separate Autonomous Government.

Having gained sufficient experience in the art of self-government, Sind is quite capable of running a separate autonomous Government. It has had its share in the reforms as a part of Bombay since

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[Continued.]

their very introduction. It has produced and possesses men with excellent brains who can rise equal to any responsibility as efficiently as the people of any other part of India. The province which has produced among others men like His Highness Sir Agha Khan, the late Mr. G. M. Bhurgri, Sir Ghullam Hussain Hidayatullah and Mr. M. A. Jinnah who have occupied eminent ranks in the political field of India, cannot be said to be wanting in talent; nor can it be urged that its people will not be able to shoulder the responsibilities which may shortly devolve upon them. As compared with the North-west Frontier Province, Sind occupies a much superior position; and it will be anomalous to deny to it at this stage of India's political advancement what is contemplated to be granted to the former. For all practical purposes Sind is already a self-contained province. Its language is distinct; its system of agriculture and irrigation is different; its problems are peculiar to it; its cadre of subordinate service is separate; and its life and culture have nothing in common with the rest of the Presidency. Why not then to grant it a separate legislature and a separate Governor?

Sindhi members of the Bombay Council have been known for their solid and unostentatious work and have proved themselves to be quite successful legislators. Their record of service in the Council has indeed been most brilliant. It is a Sindhi legislator who has the unique distinction of being a very important member of the Bombay Governor's Cabinet ever since the introduction of the Mountford Reforms. And it was another prominent Sindhi member who was appointed Chairman of the Bombay Provincial Committee which collaborated with the Royal Statutory Commission.

Sind's Determination to be fully Autonomous.

Sind, as said before, has already had sufficient experience in the art of self-government; and it will therefore be only fair that it should be the same measure of autonomy as other provinces. It is but proper that it should definitely be made known to the British Government that Sind will not be satisfied with anything short of what other Provinces receive. It will be a sheer injustice to deny the fulfilment of this legitimate aspiration of four millions of God's people, because a certain section of the

population of Sind has been carrying on an unpatriotic agitation against the separation.

Sind is a Peaceful and a Law-Abiding Country.

If any Province could claim to be the most peaceful and law-abiding in the whole of India, it is the province of Sind; and I am perfectly sure that no one will challenge the truth of this statement. I would request the Joint Parliamentary Committee to examine on this point those of the British officers who have served in Sind. Provided that the consideration of Bombay's suffering a loss of prestige in consequence of Sind's separation does not influence their judgment, I am sure they will bear me out that I hail from a country which has maintained high traditions of unflinching loyalty to the Crown at all times and under all circumstances, never for a moment falling a prey to any anti-British influence. The toll which the Congress movement has taken from Sind is infinitesimally small and that too from the Hindu community which is now raising its voice against separation curiously enough on the ground that Sind is not a peaceful province.

During the Great War the people of my country rendered yeomen service to the Crown under most trying conditions; and if as a reward for those services India claims self-government, why not Sind? The pledges which British Government then gave to India are equally applicable to Sind.

Now to advert to the second part of this question. A group of Sind Hindus which is opposed to separation on communal ground and which entertains the high hopes of governing the Muslims of Sind through the medium of a Hindu Cabinet of Bombay has been trying to make out that if Sind is separated, the safety of Hindu life and property would be imperilled. But the very fact that the Hindus have amassed fabulous wealth, have monopolized all the trade, and have purchased, according to their own estimate, 40 per cent. of the cultivable land in Sind, and have rapidly increased in population, gives a lie direct to this allegation. Those who know Sind conditions will admit that the remotest villages of Sind are certainly safer for Hindus than are the streets of Sholapur, Ahmedabad and even Bombay, for Moslems. Since times immemorial Hindu life in Sind villages has been held by Muslims as dear as their own. On

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[Continued.]

occasions Moslems have even lost their lives in protecting Hindus; and it is certainly the height of ingratitude on their part to suggest that unless Sind continues to remain with Bombay, their life and property will be unsafe.

Undoubtedly, when the Maha-Sabha agitation had thrown the country in the throes of an India-wide communal trouble, Sind too did experience its repercussions, though to a negligible extent. Sind experienced two minor riots which, however, took place several years ago and which do not reflect credit on the Hindus themselves. If the record of the judicial proceedings in connection with these riots is gone through it would be found that the trouble originated with the Hindus; but they did not scruple to institute false prosecutions against innocent Muslims which cost their community several lakhs of rupees for securing justice.

In a country like Sind where moral and cultural progress has been greatly retarded on account of the step-motherly treatment it has received from Bombay Presidency, it is only natural that it should not be altogether free from crime. However, Sind is not more criminal than any other province in India and decidedly it is much less criminal than the so-called civilised America. The only difference between Sind and other countries is that here unfortunately we have got in the person of anti-separationist a batch of regular Drain-Inspectors whose main function in life is to have an eye for dirt.

I might quote here the most pertinent remarks made by the Chairman of the Reception Committee of Sind Separation Conference in his address which read as follows:—

“Granting Sind is not a safe Province for Hindus, what is the remedy? A Government at Bombay or Poona or at Mahabaleshwar can do little from such a distance to help Hindus at once, but a Government at Karachi responsible to a legislature containing about one-third of the Hindus and at a stone's throw from any Sindhi's door can do a lot. Every Hindu knows this to be most correct. Yet when some of them cry against separation their meaning can only be that they want one man's administration under which they presumably assume that they have thrived and will continue to thrive more than their backward neighbours.

If that be so I would make a present of the wise words of the Great American Negro sage Booker T. Washington to such of our Hindu friends whose eyes cannot travel beyond the horizon, ‘one man cannot hold another man down in the ditch without remaining in the ditch with him.’ If we are to remain in ditch Hindus also cannot get out of it, though they may have at best sorry and fanciful consolation of enjoying a warm corner in it.”

The Secret of Hindu Opposition.

The question may pertinently be asked as to why a boisterous group of the Sind Hindus is opposed to the idea of separation. The reply is simple enough. If you look into the history of this question, you will find:

1. That this demand was first put forth by the Hindus of Sind under the leadership of late Mr. Harchandrai Vishindas, C.I.E.

2. That the various predominantly Hindu organisations have from time to time supported it. The Nehru Committee, the All-Parties Conference, the Indian National Congress and the Sind Provincial Conference may be mentioned in this connection.

3. That the pact which was entered into by the Hindus and Muslims of Sind in 1928 provided Sind separation.

4. That the Sub-Committee consisting of one Parsee and four Hindu gentlemen which was appointed by the Sind Provincial Conference strongly recommended Sind's constitution as a separate Unit.

5. That the Hindus are not unanimous in their opposition. There are some amongst them who are no less enthusiastic than the Muslims in their demand for separation.

6. That on the occasion of the Second Round Table Conference, Mahatma Gandhi, the greatest *Hindu* leader, himself offered immediate and unconditional separation of Sind.

7. It is most significant to note that as recently as the end of last year, the Sind Hindus accepted the principle of separation at the Allahabad Unity Conference and it was only when the Muslims declined to accept some of their most unreasonable demands that they revived their agitation against separation.

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[Continued.]

Add to this the consideration that the Sind Hindus have no future in the Government of Bombay and that the separation is bound to benefit them to a very large extent. The Bombay Hindus may help the Sind Hindus to dominate the Muslim population of Sind, but there is not the remotest chance for any Hindu of Sind to enter the Bombay Cabinet. If Sind separates, there is the certainty of finding place for some in the Cabinet where they can make their presence felt.

It was indeed an evil day for Sind when the All-India Muslim League lent its support to this question. Since then the Hindu Maha-Sabha has considered this a purely Muslim demand and started agitation against it with a two-fold object:—

1. Firstly that the Muslims of Sind will be made to remain under the domination of the Hindu majority in the Bombay Presidency and will not be able to secure the rights and privileges to which they are entitled as a majority community in the event of separation.

2. Secondly, that even if they fail in their efforts to keep Sind tagged to Bombay, they (Hindus) will be able to extort a heavy price for separation from the Muslims in the shape of extraordinary concessions.

As regards the reasons repeatedly advanced by them against the separation, the less said the better. They are so absurd that it will be a waste of time on my part to discuss them at any great length. I would, however, deal in brief with each of the reasons hereunder in order to avoid misunderstanding:—

1. It is alleged that Sind is being used as a pawn in the game of high Muslim politics. The Muslims have never demanded separation as a mere concession. Times out of number they have made it clear that they claim it on its own intrinsic merits. At any rate, this demand cannot be called a pawn in the game of high Muslim politics, as it originally emanated from the Sind Hindus themselves, and has since been supported by the Hindu Organisation of All-India importance. If it were a purely Muslim demand, why should have the Hindus supported it? In fact they have been doing it all along until very recently, when the more fanatic element among them played a somersault. Even

now we have no hesitation in declaring that the question of Sind's separation has always been advocated by the Muslims on its own merits.

2. It is said that His Majesty's Government have not taken the Hindus into confidence while announcing their decision to separate Sind. It is absurd to make such an allegation when it is a matter of common knowledge that they had had their full say in the matter. Through all the stages of the Round Table Conference deliberations, the Maha-Sabha leaders of the type of Dr. Moonje and Raja Narendra Nath were given ample opportunities to put forth the Hindu point of view. On the Sind Sub-Committee of the Round Table Conference also they had had their best supporters in Dr. Moonje, Raja Narendra Nath and Messrs. Jayaker, Jadhav and Sampuransing. In the subsequent two committees, viz., the Sind Financial Inquiry Committee and the Brayne Conference, also the Hindu point of view was fully considered. It may be mentioned here that Professor Chhablani, who is now appearing before the Joint Parliamentary Committee as a witness, was also a member of the Brayne Conference. It is no fault of Government if their reasons have not carried conviction to the Government.

3. It is stated that the conditions on which the Muslims demanded separation have not been fulfilled. The Mussalmans of Sind has never agreed to a separation which may be hedged round with impossible conditions. If these conditions mean those that came up for discussion at the Allahabad Unity Conference, then it must be said that the Muslims of Sind never lent their support to them, and so the question of their fulfilment does not arise.

If, however, the financial aspect of the separation is alluded to, I would state that if only Sind were allowed to cut its coat according to its cloth and if the expenditure on Government machinery were to be so fixed as to tally with the earning capacity of the province, there will be no deficit. Besides, so long as Sind remains with Bombay, it will never become a self-supporting province in so far as there will be no chance of its development to its fullest extent.

4. "There was no question of a subvention from Simla at any time," say our Hindu friends. What we even now want is, in the first place, a mere financial adjustment on equitable basis. And if the

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[Continued.]

Government of India are not prepared to do so, a certain proportion of their revenues from Sind drawn through centrally-controlled departments might be allotted to us.

5. It is contended that the association of Sind with a first-class Presidency like Bombay means full Provincial autonomy for the former. But this argument cannot hold water, for Sind has also had as much training in the art of self-government as Bombay or any other province, and therefore it is only fair that it should have as great a measure of autonomy as any other province in India.

6. It is simply ridiculous on the part of the Hindus to suggest that invidious distinction will be made in imposing new taxation when Sind separates. In the first place no new taxation is to be imposed since the financial adjustment is expected to be made in such a manner that Sind will not be left in deficit. In any case how can distinctions be made in imposing taxation when a Government is responsible to a legislature and is under the control of a head with powers to safeguard the interests of the minorities? Besides, in the matter of taxation the units have to receive guidance from the centre; and directly or indirectly they have to follow the policy which is to be laid down from time to time by the Federal Government.

7. Our Hindu friends betray a lack of intelligence when they suggest that unless Sind remains with Bombay the future of the Barrage will not be assured inasmuch as its management will cease to be in the hands of experts. It is a novel suggestion, indeed. Do they seriously believe that in the event of Sind being separated, the management of the Barrage will be handed over to raw and untrained people? Sind, as every one understands, will continue to secure the services of experts drawn from the Imperial cadre of services as it is doing now; and thus there will be no change after Sind is separated. It is also suggested that if Sind remains with Bombay, she will have a decent standard of administration and of material and moral progress. This is not correct for the probable retrenchments which have been foreshadowed in the proposals placed by the Muslims before the Brayne Conference, are minor ones most of which have already been given effect to by the Bombay Government. As for the talk of Sind's progressing morally and materially because of its connection with Bombay I

may observe that it is merely a mawkish sentiment. Our 85 years experience of connection with Bombay which is called the most advanced Presidency, has convinced us that we have not made much headway either morally or materially. What then about the future?

8. In the matter of communications it has given us not more than 100 miles of Government provincial roads and not more than 30 miles of pucca roads. We have not got a single Arts, Law, Engineering, Agricultural or Medical College maintained by Government. We have received no encouragement in the matter of primary education. The following extract from the Hartog Committee report on this subject makes a very sad reading:—

“In spite of these improvements, the claims of Sind appear to have been overshadowed by those of more fortunate districts. We have been told that some of the Sind Local Boards were amongst the first to impose the Education Cess under Compulsory Education Act and yet the number of new schools sanctioned for Sind was much smaller than the number in other Divisions and that while in 1926-27, as much as Rs. 1,17,000 was paid as grant towards the expansion of Primary Education to the District Board of Satara and Rs. 37,700 to the Board of East Khandesh, all the District Boards of Sind together obtained only Rs. 18,000.” A study of comparative figures of literacy would further prove that the treatment meted out to us in this respect has been far from satisfactory.

The Medical aid that Sind has been getting from Bombay is negligibly small, and therefore the death rate is very high. Malaria, Cholera and such other epidemics have been taking a heavy toll annually from Sind.

The Land Revenue Policy which at present is decided by Government under the influence of a legislature which does not know Sind problems, and which has no sympathy with it, has brought about the ruin of Zamindars.

The administration being far from the immediate influence of the Government has deteriorated considerably. Corruption and high-handedness are the characteristic features of the present administration. Independent and honest public opinion in Sind does not exist at all. The working of the Judicial Branch of Administration too is unsatisfactory. To say the least, nowhere have the prophetic words of Lord Hardinge that “Unequally

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[Continued.]

yoked people do not pull on well together and that the weaker party suffers on account of the contact " have turned out so true as in our Province.

In the presence of such overwhelming evidence of Bombay's stepmotherly treatment it will be a height of folly to expect her to provide Sind with more amenities as promised by Sind Hindus in their memorandum, particularly when Bombay has discovered that she is already suffering an annual recurring loss of Rs. 80 lakhs on Sind.

9. Our Hindu friends urge that in Sind's continued connection with Bombay lies the solution of communal difficulties. But this idea does not appeal to us. On the contrary, if this unnatural state of things is continued, instead of bringing about peace and happiness, it is bound to spell our ruin. This arrangement is like tying two wild cats by their tails and expecting that it will promote peace and contentment among them. To link up four million discontented people with a presidency with which they are already fed up, in utter disregard of their feelings, is a novel way of establishing peace.

10. The suggestion that if Sind is separated many new complications may arise is absurd.

If Sind is not Separated Immediately.

I would like to mention here certain difficulties which Sind will have to face if its separation is not forthwith effected:—

(a) Since the Bombay Presidency is labouring under serious financial difficulties at present, it will not be able to give proper attention to Sind with the result that the latter will be all the more neglected, especially in the matter of agricultural development and educational progress. The hopes of the success of the New Barrage Scheme will also not be realised.

(b) As the Presidency people are now given to understand that they are spending as many as 80 lakhs of rupees annually to cover Sind's deficit, they will naturally demur still further to advance the interests of Sind.

(c) After the introduction of autonomy, the entire Ministry will be captured by the Presidency members who do not know anything of Sind and will do it scant justice.

If Sind Separates.

But if Sind is constituted a separate autonomous province, the following advantages will accrue to it as well as to Bombay and to India incidentally:—

(a) All the difficulties that have been shown above will be remedied and the grievances of as many as four millions of people will be redressed. The contentment and happiness of millions of God's people is certainly a noble achievement.

(b) Bombay will to a great extent be relieved of her financial worries, and will thus be able to run her own Government with considerable success.

(c) Sind, with its own Government, will be able to give adequate attention to its peculiar problems, such as the Agricultural development, the materialisation of Barrage forecasts, the development of roads and communications, the progress of the port of Karachi, the growth of industries and of all kinds of useful arts and trades, the spread of education, the establishment of Sind's University, the development of the great mineral wealth of the province, the evolution of independent public opinion, which all will be great assets to the cause of Indian nationalism.

FINANCES.

Preliminary Observations.

While considering the financial position of Sind it must be borne in mind that Sind is a country with vast potentialities of development in the matter of agriculture, commerce, minerals, etc.

The Sukkur Barrage has just begun to operate and it will increase the area of cultivation. Within 10 years of its operation, of the total cultivable area of 6,529,705 acres covered by the Barrage, 50 per cent. will be under cultivation; after 20 years 65 per cent. and after 30 years 81 per cent. There will be large cotton cultivation and the province of Sind alone will yield two-thirds of the total cotton product of India. At present India produces three million bales and in 30 years Sind alone will produce two-thirds of that quantity.

This is with regard to cotton alone. When we consider the increase which is bound to come in the production of every kind of raw material and the corresponding growth in population, education and other useful arts and trades, and when sulphur and mineral deposits of Sind are

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tapped, we can confidently hope that the economic condition of Sind will improve by leaps and bounds.

Again, if the port of Karachi, which is nearer than Bombay to Europe on the one hand and to Arabia and Mesopotamia on the other, is developed to its fullest extent we will be able to achieve so many things, e.g., we will draw five-sixths of the whole Moslem pilgrim traffic; we will arrange for the direct arrival of the English mail; and we will capture the trade of the whole of Central India (including U.P. and C.P.) by opening a direct fast train service. All these achievements will greatly promote the commercial interests of Sind. It is noteworthy that at present we have not got even sufficient shipping facilities at the Karachi port.

Sind has great possibilities in the matter of Minerals also. In 1857 coal was discovered at Leilan, 27 miles north-west of Kotri, and specimens of it sent to England were found to be highly satisfactory. When the development of the province is undertaken, Sind will have its own coal-fields. Gypsum is abundant in Sind and so is Iron-ore in many places near Kotri and the hills south-west of Jherruck. Petroleum can also be found in Sind, and so can Carbonate of Soda and Sulphur. Sind's soil being rich there are chances of other minerals and commodities being yielded by it.

There are endless methods of producing money which the future will disclose. Nature, it is hoped, will reveal her vast hidden wealth as she did in America when a proper development of Sind's resources is attempted.

Two broad commercial features of Sind still need special consideration. A glance at the imports and exports of Karachi for a period of fifteen years preceding the economic depression will show its steady growth as a prosperous port-city:—

1907-08 ...	109,000,000	327,000,000
1917-18 ...	195,000,000	595,000,000
1922-23 ...	236,000,000	708,000,000

Let us also cast a glance at the approximate quantities of crop in the Sukkur Barrage area at present and the anticipated yield after final development:—

Crop.	As grown at present.	Full yield hereafter.
Wheat ...	68,000	935,000
Rice ...	280,000	515,000
Jowar ...	52,000	190,000
Cotton ...	300,000	575,000
Exports ...	183,000	1,380,000

It is significant to find that within this first year of its operation, the Barrage has yielded results which exceed the official forecast. As to the area brought under cultivation the following comparative figures will show that whereas the Kharif cultivation has been raised to the extent of 98 per cent. of what was expected, the Rabi cultivation exceeded by 30 per cent. the figure provided in the forecast:—

Crop.	Area which was to be cultivated according to the forecast.	Area actually cultivated.
Kharif ...	1,394,880	1,365,947
Rabi ...	890,000	1,155,000

Thus it appears that so far as revenues from Barrage are concerned, the results are very much encouraging. Similarly, the land sale programme has also been successful. According to the original programme it was anticipated that during these first two years about 90,000 acres of Barrage land will be disposed of, but as a matter of fact about 1,10,000 acres have been disposed of. The prices which the lands have fetched are also higher than those provided in the forecast.

When we contemplate this tremendous increase in the products and revenues after Sind separates, we cannot help experiencing a sensation of joy.

Sind's Fitness to Become a Self-Supporting Province Within a Short Time.

A province with such vast possibilities of development is bound to become self-supporting at no distant date. It would be desirable here to take into consideration the present financial position of Sind with a view to making a forecast of its future. We can be guided in our calculations by the report of the Brayne Conference. It will be noticed that this report takes for the figure of basic deficit Rs.68.5 lakhs and for cost of separation Rs.12 lakhs, making 80.5 lakhs altogether. Now even if the present standard of administration is maintained and the retrenchment which has already been effected by the Government of Bombay is not taken into consideration, and even if the new sources of income are not tapped nor the leakage of Government funds stopped, Sind's deficit begins automatically to decrease from 1939-40 onwards, until it is completely wiped out in 1944-45, for which year the report estimates a surplus of 4.74 lakhs.

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After that the surplus goes on progressively growing until it reaches a figure of 89 lakhs in 1961-62.

This is one view of the question. I shall now advert to the other. The scheme which I placed before the Brayne Conference boils down the deficit to 6 lakhs, and by suggesting various sources of increased revenue it points to a surplus of 20 lakhs for nation-building departments. I append that scheme at the end of this memorandum for ready reference. Thus it is quite obvious that Sind's future in the matter of finance is not so dark as the anti-separationists depict. It is absolutely certain that if Sind is allowed to pursue its only line of development independently of Bombay's interference she will be a self-supporting unit within a short time and will ultimately become surplus and prosperous.

Our Right to have Financial Help from Central Government.

While considering the question of financial help to Sind, it must also be borne in mind that it has been paying large amounts into the coffers of the Central as well as the Bombay Governments. It is an established fact that prior to 1920 Sind was a surplus province. This is evident from a statement made by the late Right Honourable Mr. Montague, the then Secretary of State for India, in his Indian Diary: "It is undoubtedly true that Sind gives more funds to Bombay than what Bombay pays to Sind" (Page 151).

The Irrigation works in Sind which are productive commercial undertakings have up to date given a net profit of over Rs.6 crores to the Government of India and to the Bombay Presidency, whereas the Presidency proper Irrigation works which are unproductive ones have swallowed over 5 crores, evidently at the cost of Sind. These figures are available in the Administration Report of the Bombay Presidency P.W.D. Besides, the Central Government have been getting large revenues from Sind through the departments which are directly under their control, such as Posts, Telegraphs, Railways, Income Tax, Customs, etc. In consequence of the Barrage works also the Central Revenues from Sind have been greatly increased.

I would give the latest figures of the Income from the two of the centrally-controlled departments:—

Customs	6 crores.
Income Tax	over 21 lakhs.

The figures of the earnings from the Railway, Posts and Telegraph Departments are fluctuating, though they too yield enormous sums of money.

In the distribution of assets, too, the Bombay Government have done a very great injustice to Sind, as is shown in the Miles-Irving Committee Report.

Coming to the question of financial relief from Central Government, I submit that we demand it on the basis of the same principle which has been enunciated by the Percy Committee that: "All the units of the Federal Government should be treated as integral parts of the Federal Government as a whole and therefore the Central Government revenues should, as far as possible, be so distributed among them that none is left with any deficit." What Sind really demands is, in the first place, a mere adjustment of finances with the Central Government on the same basis as recommended by the Peel Committee of the Round Table Conference and the Percy Federal Finance Committee. They both have, as shown above, emphatically suggested that the distribution of income tax revenues which at present are wholly utilised by the Central Government, should be made in such a manner that every Province big or small is ensured an autonomous existence. In the case of Bombay and Bengal, they have suggested special basis of distribution of Income Tax Revenues in order to enable these two provinces to pay their way. They have further changed the basis of distribution in regard to Behar and Orissa and Assam. We desire to have similar adjustment and similar concessions in the case of Sind as well, which are quite justified in law and equity, and are quite consistent with the theory of Federal Finances.

Under the Government of India Act, 1919, all revenues of British India belong to His Majesty the King Emperor and are in theory controlled by the Secretary of State in Council. Under section 20 of the same Act, all liabilities of any part of British India are charges on these revenues. But in practice, in the interests of efficiency and autonomy, certain revenues have been assigned to the provinces under the Devolution Rules. There is, however, nothing in the Constitutional Law and usage to prevent His Majesty's Government from making any changes in these assignments of revenues in the interest of order, justice and good Government. The only

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limits to its constitutional power of interference in this respect are those imposed by considerations of administrative efficiency and of the material and moral well-being of the Provincial Units.

As long as the Provinces are not independent sovereign units and the Central Government retains this power of altering their obligations and their share of the revenues, the latter is bound to make necessary reasonable adjustments in order to ensure to the former adequate revenues for normal scales of expenditure. The situation at present is that His Majesty's Government having accepted the principle of separating Sind from Bombay, the Central Government after theoretically resuming the functions, revenues and liabilities which it had allotted to the Bombay Presidency under the Devolution Rules, is reassigning them to two new Provinces of Bombay and Sind in accordance with the Federal principles governing the division of functions and financial resources settled by the Round Table Conference. This does not mean that the Federal Structure Committee and the Federal Finance Committee can write on a clean slate, and run away from existing facts. But this does imply the power and obligation to make some adjustment necessitated by certain intractable facts, e.g., the obligation to cover the "deficit" of Bengal, Bombay, Behar and Orissa, Assam, and of Sind. In re-assigning revenues and liabilities to Sind and Bombay, practical rather than strictly equitable considerations governing the divisions of the assets and liabilities of a partnership, will have to be followed and the constitutional necessity of dispensing, as far as possible, with a subvention will have to be borne in mind.

If Sind is not separated, the Bombay "deficit" would not be 65 lakhs as given on page 22 of the Federal Finance Committee's Report, but 145 lakhs; and that will have to be met somehow by other federal adjustments, if Bombay Presidency is to enjoy autonomous existence. With Sind, Bombay will not have a surplus of 54 lakhs, as it has been anticipated by the Federal Finance Committee, but a "deficit" of 38 lakhs, even after the income tax has been distributed.

In this connection I would like to explain the confusion which surrounds the use of the word "deficit." There can be really no "deficit" Province, as long as a whole joint-family, i.e., India, is financially sound. A provincial deficit only

means that under certain artificial conditions of division of revenues and functions, a certain province has a deficit. But these artificial conditions may themselves be the subject of dispute and argument.

The Miles-Irving Committee, which came to examine the financial position of separated Sind in 1931, have rightly remarked that "the charges which are assumed as debitable to Sind represent an equal relief to the Presidency of Bombay. It is the cost of separation alone that imposes a fresh burden on the revenues of India as a whole." It may be mentioned here that according to the finding of the Miles-Irving Committee, the actual cost of separation will be only 11.05 lakhs.

It has been argued by the opponents of the separation that the cost of separation should be borne entirely by Sind. But in practice it has to some extent been already effected. The Tobacco Tax, the Electricity Tax, the charge on transfer of property and the enhancement in the court fees and stamps recently sanctioned by the Bombay Legislature, have automatically increased the revenues of Sind to the extent of Rs. 3 lakhs, even as estimated by the Miles-Irving Committee and the Brayne Conference. In the course of next two or three years, the revenues from these heads are likely to increase to about 5 lakhs. The Sind Conference had suggested some additional reasonable taxation such as Excise duty on cotton at the Karachi port and one anna cess. These two between themselves will yield about 21 lakhs of rupees, which amount will be more than double the cost of separation and the Brayne Conference has accepted the principle of both these taxes.

Even according to the view taken by the Finance Secretary of the Government of Bombay in his note to the Federal Finance Committee Bombay will benefit to the extent of about 75 lakhs by the separation of Sind. Thus the claim of Bombay to the share of Income Tax will proportionately decrease and, to put in the language of Federal Finance Committee, Bombay's contribution to Federal Government will correspondingly increase. I quote here the relevant para. from the Finance Secretary's note:—

"These forecasts, it is believed, make it abundantly clear that if Sind remains attached to the Presidency or, if separated, leaves a burden on

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the Presidency's Finances in the shape of a contribution, then it is clear that some other method of relief must be found if the Presidency is to start its career of autonomy with any prospect of success."

SUMMARY OF REASONS FOR SUBVENTION.

Granting that the relief we get from the Government of India does not come to us by way of financial adjustment, I submit that it should be given to us under the label of "subvention." The reasons on which our demand for subvention is based are summarised hereunder:—

1. It should be remembered that the province of Sind is contributing large sums of revenue to the Central Government in the shape of Customs duties, Railway, Post, Telegraph charges and the Income Tax. These sums are bound to increase from year to year as the result of the growing success of the Barrage. It has been estimated that Central Government will benefit to the extent of about 75 lakhs a year.

2. Sind has the unique port of Karachi, whose outstanding features have been already discussed. The Government of India even at present are deriving about 6 crores a year in the shape of Customs dues. If Bombay and Bengal give Government of India large sums by way of Income Tax Sind does so by way of Customs; whereas Punjab, U.P., Assam and other provinces do not contribute directly or indirectly to Government of India as much as Sind does.

3. The Government of India have already benefited greatly on account of the launching of the Barrage project in Sind, as they have received large Customs revenues in respect of Machinery imported, etc.

4. Sind is of greater importance to the whole of India than even the North-West Frontier Province, it being the frontier of India by land, sea and air.

5. If, as stated above, Sind receives financial support from the Central Government, Bombay will be correspondingly relieved of its present financial burden on account of Sind; and therefore the latter's claim to the share of Income Tax will automatically diminish and the claim of the Government of India for

its contribution from Bombay will correspondingly increase.

6. If Bengal, Behar, Orissa and Assam receive special consideration for financial adjustment, then why not Sind?

7. The claim of Sind for financial help is of a temporary nature, since Sind is sure to stand on its own legs in the near future, as is foreshadowed in the report of the Honourable Mr. A. F. L. Brayne.

AMOUNT OF SUBVENTION.

On behalf of the Sind Separation Conference, I would like to state that in the present circumstances the findings of the Brayne Conference placing the subvention at about Rs.80.65 lakhs are acceptable to us. It has already been made clear that the Government of India will have to part with this sum in any case according to the results of the investigations carried on by the Percy Committee. I mean this amount will have to be paid to Sind in any case, the only difference being that in the event of separation, it will have it directly from the Government of India and in the alternative through the Government of Bombay.

Period for which Subvention is Required.

As estimated by the Brayne Conference this amount is required provisionally for a period of ten years, and after that period the Barrage revenue will, it is hoped, obviate the necessity of going in for this help.

An Important Point.

The Sind Conference is emphatically of the opinion that a statutory provision should be made for the amount of subvention to Sind so that the newly constituted province be not left to the tender mercies of the Central Legislature with its Hindu majority. It can easily be seen that it will be very harmful for a new province struggling to stand on its own legs, to be a pawn in the game of communal politics at the centre at the very beginning of its career.

Constitution.

1. Sind requires full autonomy with the same powers and privileges which the other autonomous provinces are going to have. The composition of the Legislature would take place on the lines of the Premier's Communal Award, which gives weightage to the extent of about

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10 per cent. to the Hindus of Sind. Separate Electorates are absolutely indispensable.

2. So far as the Cabinet is concerned a provision may be made to have at least three Ministers. Their number should be decided by a vote of the Legislature, from time to time, according to the requirements of the Province. No statutory reservation need be made in favour of any community in the matter of allotment of Cabinet seats. It should be left to the judgment and the discretion of the Legislature and the Governor.

Statutory Reservations are uncalled for.

Statutory reservations guaranteeing special rights to any particular community in Sind are absolutely uncalled for. The Moslems, being in a majority, do not require them and the Hindus who, according to their own admission "form the most influential and educated minority, and have supplied the bulk of administrative staff and professional talent" and who are the "Pioneers in the field of education and local self-Government and command tremendous influence in all walks of life in Sind" need not clamour for them.

Safeguards are needed only for those minorities which are backward and are numerically weak. But such is not the case with the Sind Hindus. The percentage of literacy among them is much higher than that among the Moslems; and according to their own calculation their population is 26 per cent. On their own admission, the trade of the entire province is in their hands. And according to their own estimate, they possess not less than 70 per cent. of the agricultural land of Sind. The bulk of Government offices are held by them and above all they are a most enterprising community. Safeguards are not meant for such advanced communities; and it will be most unfair to the Moslems of Sind to grant them to the Hindu community, for it is feared that the safeguards may be used to obstruct the smooth working of the future constitution by this hostile minority.

A326. Is there anything which you would like to add to your Memorandum at this stage?—Yes. With your permission, I would like to make a short statement to amplify certain points and to clear certain issues.

A327. Is it a statement which you could hand in to be added to your record rather than that you should read it now?—They are short notes, and they are not in a good readable condition.

A328. Very well?—My Lord Chairman, I would, at the very outset, submit that the question of separating Sind from Bombay and constituting it an autonomous province is of the utmost importance to the people of Sind. They have been anxiously looking forward to the day when it actually happens, ever since the year 1913, when the political consciousness and the practical experience brought home to them the real and practical evils of being governed by a Government which was placed at such a long distance from their Province. The natural consequence of this evil was that the Government took very little interest in the administration of the Province and it began to be almost entirely dependent upon the advice of the Commissioner in Sind who was entrusted with the extraordinary powers under the Special Delegation of Powers Act, 1860. This naturally resulted in the despotic and irresponsible, one-man's rule in Sind. There have been very frequent protests from both Muslims and Hindus about it. The real remedy, of course, lies in granting Sind a separate government of its own, which will be directly in touch with the people and closely connected with the administration of the province. I would, therefore, my Lord Chairman, crave your indulgence to allow me adequate time to deal with this question at somewhat greater length than I am ordinarily expected to. I would like to briefly trace the history of this question, particularly of the recent past, and the manner in which the question has been carefully gone into at the successive stages and how it has been closely and carefully examined under the directions from the British Government and that of the Government of India. I would, in the first place, wish to make it clear that I have come down here in my capacity as the representative and spokesman of the Sind Separation Conference, which body has the largest numerical support in the Province, as it can claim to speak on behalf of 80 per cent. of the people of the Province. The Conference has, by passing a special resolution, desired me to submit before you, with all the emphasis that I can command, that the people of Sind have a firm belief in the solemn pledge of His Majesty's Government that Sind will be constituted a separate autonomous pro-

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vince along with the inauguration of new reforms in India, i.e., simultaneously with the grant of autonomy to other provinces. This decision, as everyone knows, was taken by the British Government after mature and careful consideration. During the course of the last five years, that the detailed inquiry into the Indian political reform has been systematically carried on, this question, too, has simultaneously been receiving its due attention. The Royal Statutory Commission which came down to India in 1928-29 offered the first constitutional opportunity to the people of my Province to place their case for separate government for their Province, before them, and this was done through the Deputation of the Sind Muslims Association which I had the honour to lead, at Karachi. The Simon Commission expressed their sympathy with this question, but they temporarily brushed this question aside by suggesting that a Boundary Commission be appointed to go minutely into the question and make special recommendation about it. The question was again reopened at the time of the first Indian Round Table Conference in 1930-31 when a Sub-committee was set up to thrash out this question and make a specific recommendation. The question with regard to the administrative difficulties and the unsatisfactory method of the present administration of the Province, was fully discussed at this stage and it was finally held that the solution of these practical difficulties lies in making Sind a separate province. As a result of this, the principle of separation was accepted. In the middle of 1931 the Government of India appointed an Inquiry Committee known as Miles-Irving Committee to examine the financial side of the question. This Committee issued their report, and it was duly considered by the British Government. In April, 1932, Government called a Sind Conference, which began its deliberations under the Chairmanship of Mr. Brayne, wherein the representatives of Sind were invited to find ways and means to balance the budget. The Conference came to the conclusion that the extra cost of separation will be at the most Rupees 12 lakhs per annum, although the Expert Committee calculated it to be 11.05 lakhs. The Sind Representatives agreed to make good this amount by extra taxation, and they voluntarily agreed to impose one anna cess in every rupee of the Land Revenue and Water Rate. This will bring in

about 11 or 12 lakhs to start with. In addition to that, some other taxations were considered, which can advantageously be imposed to either reduce the deficit or to utilise it in improving the nation-building departments. The Government of Bombay have, after that, with the support of Sind legislators, imposed the Tobacco Tax, the tax on Electricity, the enhancement in court fees, stamps and the transfer of property tax. These taxations will give the benefit of at least three lakhs this year to Sind alone and will rise up to about 10 lakhs in the course of next five years. The ordinary deficit of 80 lakhs debited to Sind means an equal relief to the Presidency of Bombay. This clearly shows that the separation of Sind does not impose any extra cost on the finances of India as a whole. What we may call deficit of Sind is the equal relief to Bombay. The Government of Bombay have more or less acted as agents of the Government of India in this respect, as it is purely the function of the Central Government to so distribute their finances that no province is left with any deficit, and I maintain, the Government of Bombay finds no place in this arrangement. This principle was propounded by the Federal Finance Committee in early 1932, which was presided over by you, Mr. Chairman. This Committee, on page 22 of their Report, clearly show that Bombay, even after the separation of Sind, will be left with a deficit of 65 lakhs, unless a share of income tax is transferred to it by the Central Government. But if Sind continues to remain with it the deficit will mount to about 1½ crores. The Percy Committee have also expressed that in view of the fact that Sind may be made a separate autonomous province, it should receive the required subvention from the Central Government direct, out of the Income Tax, just as the North-West Frontier Province shall have to get. As a result of these investigations, the Government of Great Britain, through the Secretary of State, have in general accepted the conclusions of the Brayne Conference and the statement made by Sir Samuel Hoare on the 6th of December, 1932, while addressing the Third Indian Round Table Conference, is quite clear on the subject. I should like to reproduce a paragraph of his remarks dealing with the subject: "Lastly, there are two questions on which one or two observations should be made before the

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general discussion begins, viz.: the question of separation of Sind and the separation of Orissa. In the first place, there is the separation of Sind which His Majesty's Government have accepted in principle subject to the discovery of satisfactory means of financing the new province and which the Conference accepted in principle last year. The financial problem has been examined both by an Expert Committee and a Conference of representatives of Sind presided over by Mr. Brayne whose report indicates there will be a deficit of 80½ lakhs from 1933-34 to 1938-39, after which it would be continuously reduced until, in 1944-45, a net surplus of gradually increasing amount would be established. These estimates represent a reasonable working hypothesis." He further goes on to say: "On this basis, after allowing for certain possible economies and for the fact that additional cost of separating Sind is expected to be covered by fresh taxation within the province, there is likely to be an initial deficit on the administration of Sind amounting to about Rupees ½ of a crore which would be extinguished in about 15 years or earlier if new resources become available." Similarly, the Peel Committee of the Round Table Conference, in their final conclusions, have recommended Sind to be treated on the same footing as the North-West Frontier Province for the purposes of subvention, although they suggest that the subvention should be given only for a specified period, under the Constitution, out of Income Tax that accrues to the Central Government. I reproduce a portion of their recommendations in this respect: "Sind is in a special position in that careful investigations have already been made which show that it will be heavily in deficit for a considerable number of years, but that a surplus may eventually be expected to emerge. The whole financial outlook of the Province depends upon the the Sukkur Barrage. In this case, it is suggested that there should be subvention from the Federal Government on a pre-determined programme." The reasons for the subvention in accordance with the recommendations of the Brayne Report are indeed overwhelming, and I have categorically dealt with them in my Memorandum, which is already in your possession. On the 24th December, 1932, the Secretary of State for India, while winding up the deliberations of the Third Round Table Conference, made a statement on behalf of the Government that:

"His Majesty's Government have come to a definite decision that Sind will be constituted a separate autonomous province." Again, in April, 1933, the White Paper was issued by Government, wherein it has been laid down that Sind, along with the rest of the Indian Provinces, will be constituted a separate autonomous province (vide pages 23 and 24). For all these reasons, you will find, Sir, that the decision has not been taken in a haphazard manner, but that all that has been done is with due deliberation and after careful consideration. We, therefore, sincerely believe that the British Parliament will endeavour to redeem the solemn pledge given to the people of Sind and to the people of India as a whole. We rightly regard this question as finally settled. I do not for a moment challenge the Constitutional authority or the competence of this august Committee. It is far from my intention. What I merely mean is that the question, having been fully discussed and decided upon, does not need to be reopened. I am, however, prepared, Sir, to help this Committee in clearing any doubts that may have been created by the misleading propaganda on the part of the anti-Separationists, or any information that I may be called upon to give with regard to the details of the Constitution of the future Province of Sind. I would, however, like to mention a few important points which may have been misrepresented by the anti-Separationists with a view to prejudice the Committee. The first is that it has been alleged that the calculations made by Mr. Brayne in the Conference and the Report that has been issued have already gone wrong by several lakhs and that they will never be realised hereafter. I fail to understand how they come to this conclusion. For three years, viz., 1929-30, 1930-31 and 1931-32, owing to the extraordinary depression and the low prices of agricultural products, the Bombay Government, like other Provincial Governments, allowed special rebates in the Land Revenue, and that, of course, must naturally upset the ordinary calculations that were made. In the year 1932, the Land assessment rates have been revised in accordance with the Barrage programme throughout the Barrage area, and have been considerably enhanced. Besides, the Government have allowed no special rebates in the current year. This will naturally bring more revenues to the Province, and, perhaps, much more than what Mr. Brayne has calculated. Then

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there is one interesting point to note, that there has been 30 per cent. more cultivation within the Barrage than was even forecasted. For instance, with regard to the authenticated figures which I have got from an official record, they show that the original forecast according to the cultivation was to be 22 lakhs, 84,880 acres, whereas actually in the current year the cultivation has been 25 lakhs, 20,947 acres. That means that there is an excess of 2 lakhs, 36,067 acres. This will give us roughly about 10 lakhs more than was anticipated. Then with regard to Excise, the Government of Bombay have now realised the defect of the prohibition policy, and with the support specifically of some of the legislators, some of the Muslims, they have allowed them to open more liqueur shops and higher bids have been received in the auctions than before, so we anticipate greater Revenues in the shape of Excise as well. It is specially misleading to say that the deficit of Sind is 91.45 lakhs. You have got to take into consideration 12 lakhs, the extra cost due to the separation, which amount is being entirely met from extra taxation. Then, Sir, with regard to the Barrage, some of the anti-Separationists in Sind have been rather circulating misleading rumours, that it will fail, and it will not succeed, and so forth. From the figures of cultivation, you must have realised that there has been more cultivation than was anticipated by the Chief Engineer himself. I have already said that the cultivation exceeded by 30 per cent. the original forecast. I would like to inform the Committee that there have actually been higher land sales than was anticipated according to the programme in the first two years, to the extent of 50 per cent.; the estimate was 125,000 acres, whereas I have got actual official figures from the Revenue Commissioner of the Barrage, under his signature, that they have disposed of 2 lakhs—that means 50 per cent. more than they anticipated, and the rates have been exactly according to the forecast, and the forecast has not been in the least affected by the present depression, so far as the sales of land or cultivation go. Then another special point in this connection is that they have actually leased out land, 1 lakh, 25 acres. This is quite a new item; it never existed in the forecast, and this will give us 8 lakhs more. Then it has been said by the anti-Separationists that the capital outlay on the Barrage has increased, and that the rate of interest

will affect the borrowing for the Barrage adversely, and the working expenses have increased and the land values have tumbled down. These are all false statements, and are absolutely misleading. In the first place, the capital outlay has not increased, but is down by 1 crore of rupees, and the statement of Sir Charlton Harrison, the Chief Engineer, is also very clear on the point and, subsequently, the figures which the Chief Engineer has submitted to the Government also represent an equal amount of saving. The rate of interest does not, one way or the other, affect the Barrage debts, because they were made on the specific agreement with the Government of India that all the borrowings will be at the rate of 6 per cent. interest, irrespective of the fluctuating market rate at different times. Then as regards the working expenses, I might inform you that the working expenses have not increased. The Government of Bombay are very carefully looking into this question. At the recommendation of the Committee, the Government have abolished the appointment of Second Chief Engineer; that has effected a saving, and they are looking into the question of still further reducing the expenditure. As regards the land sales, I have already submitted figures showing that there have been more sales than were anticipated; therefore, it does not affect it at all. These are the few main points that I wanted to mention at the outset, and I am prepared to give any further information that I am asked for.

Lord Hutchison of Montrose.

A329. I take it from the statement that you have made that you accept the figures as contained in the Brayne Report?—Yes; on the whole, they are satisfactory and reasonable.

A330. You anticipate that in the course of 10 years the Barrage will be a productive concern?—Yes; I think these figures are quite reasonable, and in the course of about 10 years, as it was anticipated, we shall have no deficit. In about 1944-45 it will not stand in need of a subvention.

A331. You admit, of course, that these figures are based on world prices?—Yes. They have taken into consideration the slump rates. Mr. Brayne has clearly shown that the land assessment rates will be according to the slump rates, for five years, in any case; and, for that reason, he has made three different calculations; he has worked out his own calculations, which include the slump rates; therefore,

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the slump rates are already taken into consideration. They do not alter the position at all.

A332. But, naturally, the world prices will govern the ability to pay towards the use of water and land?—Yes; but at present the world prices are at the lowest, I suppose; and we do not expect that they will go down. As things stand, the prices are very low at present.

Sir P. Pattani.

A333. You agree, I suppose, that autonomy includes both rights and duties?—Yes, exactly.

A334. And an autonomous province undertakes not only the rights but also its duties?—Certainly, yes.

A335. Therefore, the administration should be in a position not only to administer its rights, but also to carry out its duties?—I am sure it will be.

A336. Do you think that Sind would be autonomous if Sind has to depend upon an outside authority for financial subvention to carry out its duties as an administration. Would you call it full autonomy?—The case of Sind is somewhat different. I would like to point out, as I have said in my statement, that even now Sind—you may call it subvention or whatever you like—receives from Bombay. Originally, when Sind was conquered, it happened to be conquered by the Army, which was of Bombay, but Sind was far nearer to the Punjab, and should, in ordinary circumstances, have been occupied by Northern Army; but circumstances so developed that the Bombay army which went to Afghanistan, while returning conquered Sind. Therefore, Sind began to be linked up with Bombay; but Sind has never been connected with Bombay in the past; or as a matter of fact any country in the south, and at no time has Sind been connected with any other province. It should have in natural way had connections with the North and not with the South. I maintain that this connection with Bombay is purely an artificial one. Besides Sind gives a lot to the Central Government. Sind gives five to six crores a year in the shape of Customs Duties to the Central Government from the port of Karachi. Certain revenues came to be called Central revenues; certain revenues came to be called provincial revenues; but, according to the Government of India Act, Section 20, the British Government have a right over the finances; they can distribute them in any manner they like. The division of finan-

cial sources and revenues between 10 provinces and the Central Government, according to the Meston award is purely an artificial one and British Government can alter it in any way they like. Therefore, I should call this the financial adjustment or a temporary financial help. There was a good deal of discussion over this point. If you were to take the case of Assam, Assam is a Deficit Province; Bihar and Orissa is similarly a Deficit Province and so is Bengal.

A337. I am applying that to all the Deficit Provinces?—Exactly.

A338. Supposing that the final principle is adopted that Deficit Provinces should have no claim on the Central Government for financial help, would you claim that Sind should be an exception to that?—Yes. I am afraid I should say that Sind has an exceptional case, and can rightly claim to be placed on special footing in that respect.

A339. Can you give any exceptional grounds for that?—Yes. I have just traced out the whole history. I have referred to the difficulties we have and the discrimination linguistically, ethnologically, culturally and even climatically. You know the Bombay Presidency members of the Legislative Council do not understand anything of the Sind Province in regard to its agriculture and irrigation system. Sind is dependent more or less entirely upon irrigation, but the Bombay Presidency depends upon the monsoon. Everything is materially different in all practical aspects.

A340. You have said that Sind has suffered because of its amalgamation with Bombay?—Yes, because the Bombay Government has been very far from Sind.

A341. Do you think that the Barrage would have been possible if Sind had not been with Bombay?—May I point out that Bombay has not found that money at all; that money comes from the Government of India. The Government of India has borrowed the money in the market and lent it to Bombay and, through Bombay, Sind has got it.

A342. Do you think that the small Province of Sind could get such big amounts?—I would like to point out that Bombay has not contributed anything towards Sind for the Barrage.

Sir P. Pattani.] It has contributed its name and its reputation.

Sir Hari Singh Gour.] It has plenty of security.

Witness.] That is more or less moral security.

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[Continued.]

Sir P. Pattani.

A343. Another point I would like to put to you would be this: Do you think that Sind will be able to find money for its full university wherein you can have all the education in Sind that you are now given in Bombay?—There are other Provinces which have not got universities and, besides, a university does not cost much.

A344. There are Provinces that have not got universities. Would you be satisfied with the absence of educational facilities in Sind?—No. We have got our colleges; we have got an Engineering College, a Law College, and an Art College.

A345. What about the Agricultural and Medical Colleges?—Yes, we can have these too in due course of time.

A346. There is no desire to keep Sind arbitrarily linked up. The desire is only to find sufficient means for an autonomous Province in order that the autonomy can be so exercised that it can lead to the development and real progress of the people, and it is from that point of view that I am putting my questions?—I would submit that there are very many important points which do entitle Sind to have a separate Government. There are other Provinces which have not got their own universities, such as Assam, for instance.

A347. That means then that you will be satisfied with lesser educational facilities for the sentiment of being autonomous?—There will not be lesser educational facilities. There are universities in Bombay and other provinces near about to which students may go.

A348. Do you think they will be prepared to take your students?—Yes. Students from Sind have not necessarily to go to Bombay. We have got Arts Colleges and other colleges in Sind. But for any research work or further education they could go to any other place convenient.

A349. They are going to Bombay University because it is cheaper. I must tell you that Bombay University has been refusing, or some of the Colleges have been refusing Indian State students since our transfer to Delhi from Bombay, and I am afraid that these Provinces, when they become component entities, might be tempted to make, first, provision for their own students, and then provision for students from other Provinces. It is from that point of view that I am asking you whether you think it will be in your interest to separate at first, before you got the funds from a Province that

gives you educational facilities and irrigation facilities and many other advantages?—I am afraid I cannot hold that view. We have got an Engineering College in Sind. In the whole of the Bombay Presidency there are only two Engineering Colleges, one at Poona and the other in Karachi. We have been admitting students in Karachi College from outside quite willingly and we would be only too willing to fill up the College.

A350. You have given as your main reason that if Sind is separated, by adjustment and by reduction of expenditure, you will be able to meet your financial obligations?—The extra financial obligations only and further development of the province.

A351. Can you give me some idea as to the direction in which reductions will be possible?—There was a long discussion which took place for about twenty days in the Sind Conference, and I will refer you to the proceedings of the Conference. Just to give you an idea, Sind expenditure is the highest in the whole of India. If you only take general statistics of the Provinces and compare Sind with them, you will find this. I have got here statistics which are authenticated and have been taken from the published figures of Government. Take the case of Land Revenue and General Administration: Sind spends per head Rs.1-1-9 whereas the Punjab spends Rs.0-10-3 per head, Assam spends Rs.0-9-1, the United Provinces spend Rs. 0-8-1, Bengal spends only Rs.0-5-5 and Bihar and Orissa spend annas -/4/- only, per head. Take the case of the Police, about which there is a lot of criticism. On the Police per head we spend one rupee and one anna, United Provinces spend annas 6, the Punjab spends Rs.0-8-9 and the Central Provinces spend Rs.0-6-5 only. I will refer you to the Brayne Conference Report, where Mr. Brayne himself has expressed the opinion on page 15: "I therefore share the views of those who maintain that still further preening of expenditure in Sind could be effected though without a very detailed examination, it is not possible to indicate specific items. The police expenditure, however, is undoubtedly high and requires special examination." That is the opinion held even by Mr. Brayne. We gave him certain figures, and he said that of course it was beyond the terms of reference; therefore, he could not examine those figures, although he held in general that there was considerable room for agreement.

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[Continued.]

A352. By that you mean the salaries of officers?—They too are very high, but there is all round enough room to retrench just as I read out Mr. Brayne's opinion in general.

A353. Under the new scheme, with officers stabilised as they are, how will Sind alone be able to reduce its expenditure?—Much of the expenditure is in respect of the subordinate and provincial services too. Take the case for example of the primary school teachers. I am giving you merely an illustration of the smallest men, who are at the bottom and are paid the least. In Bengal they get Rs.10; and in Sind they get Rs. 20 p.m.

Lord Eustace Percy.

A354. Surely not now? The Bombay rate has been reduced in the last year a good deal?—Yes; but now they get Rs.18. If you will read the Thomas Committee Report which last year sat on this question of retrenchment, they have said a good deal about salaries in Bombay Presidency.

Sir P. Pattani.

A355. You said that in ten years probably by the income from the Barrage you might be able to meet all your financial obligations?—Yes. It can be safely anticipated.

A356. Because of the Barrage income from the Barrage irrigation scheme and by the sale of land, you might be able to balance your financial budget without making any subvention?—I am quite hopeful about that, and the results so far have proved that. I have read out the figures just now about the cultivation and land sales.

A357. Have you ever known any Chancellor of the Exchequer even being able to keep the annual figures of his budget?—No; it is more or less a forecast.

A358. But how can you prophesy any results from now?—You have got to go on a certain basis and on certain calculations. The budgets themselves are the matter of certain calculations. They may sometimes go wrong, but that does not mean that they must always go wrong. The calculations may be better off or worse off.

Lord Eustace Percy.

A359. May I just interpose a question here on Finance? Mr. Brayne's rough calculation was that the basic deficit would be covered by the available Barrage surplus from 1944-45 onwards. That is so, is it not?—Yes.

A360. But he specially said that that did not take into account the question of expansion or development expenditure. He said: "It will be seen that no allowance has been made for normal growth of expenditure on revenue under non-Barrage heads or for the considerable expenditure which must be incurred upon communications, agricultural and other beneficent services if Sind is to reap the full advantage of her resources in the new era of development upon which she has entered." The question I want to put to you is this: Is the development expenditure there referred to, which has not been allowed for, the expenditure which appears in the Expert Miles-Irving Committee's Report, on page 28, as net cost of expansion which is calculated, in 1944-45, to amount to 23 lakhs, and to rise, after that, to as much as 35 lakhs?—The point is this, that the Expert Committee took into consideration all the paper programmes made by the Bombay Government. I would like you to turn to page 18 of the same Report of the Expert Committee, if you would permit me to examine those figures and the items which appear in the Table on page 18, I would show you how difficult it will be to believe that most of them will ever be carried out.

A361. I did not want to go into a detailed examination of these figures, because they are more or less hypothetical?—Yes.

A362. But I gather that your position is that this development expenditure, this cost of expansion estimated for by the Expert Committee, is excessive?—Yes, exactly.

A363. And, therefore, should not be held to invalidate Mr. Brayne's basic estimate that Sind can be self-supporting by 1944-45?—Yes. I want to explain it in one word. The Expert Committee have been guided entirely by the paper programme, whereas Mr. Brayne has been rather more practical in that respect. He has expressed the opinion in his Report that all the normal growth of expenditure should be met from the extraordinary room that the Province has for retrenchment and so many other taxations which have been suggested. All these sources will be found adequate to meet the growth of expenditure. Your Committee, for instance, recommended the tobacco tax which the Bombay Government have already imposed, with our support.

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[Continued.]

Sir P. Pattani.

A364. If a subvention is granted, would you accept submission of your budget to the Central Government so that they can realise what sort of subvention is really justified?—I think the Central Government will have the Governor as their Agent. He will be quite able to look after their interests.

A365. You will not have any interference from the Central Government which is really helping you by a subvention such as you have asked for?—Yes; but I think I should not express an opinion on that point one way or the other. I would maintain that the province under the guidance of the Governor will be able to take care of itself.

A366. Now when Sind is able, after ten years, to meet its financial responsibilities, supposing the principle is accepted that Sind, from considerations other than finance, should have a claim to separation, but because of the financial difficulties it is decided that it should wait for ten years, when finances are adjusted properly, would you mind that?—Certainly, I should mind that. I strongly oppose that view for two very sound reasons. One is that after the enquiry into the finances the Government of Bombay have definitely known that Sind is to receive a sort of subvention from them of about 80 lakhs a year which, naturally, the Government of Bombay will resent. My information is that originally in their Memorandum to the Simon Commission they objected to the separation of Sind, but subsequently they have waived their objection; and, not only that, but why should Sind be made to have that money from Bombay instead of the Government of India, because Bombay even otherwise will have a deficit of a crore and a half, and there is no conceivable method or reason whereby they can make up that deficit. They have already done their utmost so far as retrenchment goes. I think I will give the opinion of the Secretary of the Bombay Government when he submitted his Note to your committee, my Lord Chairman, when you were touring in India. He said that Bombay will find it very difficult to balance their budget unless they get something from the Government of India for expenditure; and there was a special resolution passed unanimously last year in the Bombay Council when a demand for funds from the Central Government was made in excess of what even the

Percy Committee recommended for Bombay. So that I really do not think that is the true position.

A367. Your analogy of the income tax does not hold good, because the income tax is a direct tax?—I do not say income tax at all. I say any subvention from the Central Government, in whatever form.

A368. If the subvention to the Bombay Government from the Central Government is necessitated because the Central Government is pocketing all the income tax, which is a direct tax on its own people, so any amount which might go to that Government is not a subvention, but really their own money re-transferred to them on a certain percentage. Therefore, I do not think your analogy holds good?—That is a mere difference of opinion between us. You might call that own money of the Government of Bombay. I might call certain other taxation as own money of the Government of Sind.

Major Attlee.

A369. The cost of administration in Bombay is higher than that of most other Provinces in India, is it not?—Yes, exactly.

A370. Is it your case that Sind should have a standard of administration more on a level with those of other Provinces than that of Bombay?—Yes, but I may add one point, which is that the administration of Bombay becomes costlier when you include Sind with it. If you separate Sind from it, it becomes slightly cheaper. I will mention two figures: The Administration of Police, for instance, if you include Sind, it becomes as high as Rs. 1-1-0 per head, but for Bombay and Sind together, it becomes only 14 annas per head. The chief reason for that is that in Sind the Government of Bombay have got into the habit of paying special allowances; that is, I mean a special allowance is being paid to officers who come to Sind, and even salary paid in Sind is higher than in Bombay Presidency proper.

A371. Do you contend that, if necessary, you are prepared to pay a price for your separation by accepting a somewhat lower standard than that which they have in Bombay—that is to say, a less provision for universities, and so forth, and lower salaries?—My point is, if you were to take into consideration as a basis the Brayne Conference Report, and the calculations therein, the administration that we will in that case get is almost identical

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to what it is at present in Bombay, with the exception of what you call the University of Bombay, or some such minor things. But, it may also be added, that the Brayne Conference and the Expert Committee both have fully dealt with this question of having separate heads for all Departments, and they have provided extra emoluments for the heads. Almost every Department in Sind has a separate head. The Commissioner of Sind is the head of the Revenue, Excise and the Police; he exercises all powers of Inspector-General, Police, and has a power of supervision and control in almost all Departments. Sir P. Pattani said that there should be the Science institution and Medical institution, and so forth, which really does not in any way enhance the reputation or improve the administration of Sind, for all practical purposes.

Major Attlee.

A372. My point is quite a short one. My point is that you claim, do you not, that it is not necessary that Sind should have all these things?—Yes. I have just said that all these things that Sind must have, have already been provided in the scheme propounded by the Brayne Conference. I think I can safely say that Sind can afford to do without those things which Sind will not have, to start with.

A373. The next point is, you would agree, would you not, that the future of Sind depends upon the Barrage?—Yes, very largely.

A374. Would you say, therefore, that a judgment on the Finance of Sind must be a judgment over a number of years as Sind is in process of development?—In the future, you mean?

A375. If you want to judge the finances of Sind, Sind is in the position of an undeveloped property which has had a large amount of capital put into it, and you will not get a full return for some time, will you?—Yes, for about 10 years, it has been calculated. After about six years or so, there will be some return and gradually it will rise till in about 1944-45 we shall not stand in need of any outside help.

A376. Would you claim, therefore, that the question whether Sind can stand financially by itself should not be judged on whether it can do it this year or next year or in a year or two, but taken over a period of years?—Sind will ultimately stand on its own footing, after 10 or 12 years.

A377. I was asking you whether you would claim as has been suggested, that Sind should not be separated until she is actually financially sound? Would you say you must take that considering a period of development over a number of years, that if in the future she can become financially self-contained, that, therefore, she has a right to separation?—No. As a representative of the Conference, which, as I said, speaks for at least 80 per cent. of the people, I have to voice their feelings, that we are strongly of this opinion, that Sind must separate immediately, and for that I have given adequate reasons in my original Memorandum, and also for the temporary financial help. Sind has to get help from the Government of India for 10 years or 15 years at the most.

A378. Now would you be prepared to accept any special safeguards for the Barrage administration? The whole financial future depends upon that Barrage scheme being properly run, and there being proper payments made for the water provided. Do you agree?—Yes, largely. But I do not see how you can bring in the safeguards.

A379. If, as a matter of fact, that scheme is not wrong, and if the water is not properly distributed, your finances fall to bits?—To a large extent, it does depend upon the proper distribution of water.

A380. You will also agree that the representation in the Sind Council will be largely by people who are elected by agriculturalists who will naturally desire to get their water as cheaply as possible, will they not?—I am afraid, no, because the thing is that the distribution of water is quite a separate thing. It is in the hands of the administration, which is a well organised administration; they have a Chief Engineer at the head of it, and he is a man of Imperial Service. He also has men of Imperial Service directly recruited by the Secretary of State for India as the Superintending Engineers. Then there is a definite scheme. They have got to give water in accordance to that scheme. The duty has been already assigned for all crops, which has been approved by Government; and there could be no variations or alterations in that scheme.

A381. Why not? Suppose that is transferred, and comes under a Minister, you do not think there is any danger of pressure being put upon a Minister by his constituents?—I, personally, feel it

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will not be so. The White Paper besides says the Governor will have supervisory powers, and the supervisory powers of the Governor in that case will be quite enough.

A382. You do not think there is any need for any special powers?—No; the supervisory powers of the Governor in that case are enough.

Lord Eustace Percy.

A383. May I clear up that point? Do you mean that you accept the proposals in the White Paper that the Sukkur Barrage should be a special responsibility of the Governor of Sind?—No; a special responsibility is a very wide world. As a matter of fact, I have no apprehension whatever about the administration of the Sukkur Barrage; and I maintain there will be no difficulty whatever about it. Besides, we do not think that anybody in Sind or anywhere means to do away with such a competent establishment and to institute in its place an incompetent or an inefficient establishment. It is not a practical proposition. But if it is feared at all that the Governor who has the special power of supervising the work will be misled by the Ministry, of course, that apprehension I am afraid is groundless.

Sir Reginald Craddock.

A384. Khan Bahadur Khuhro, you mentioned that you collected at Karachi, I forget the exact figure you said, a certain amount of Customs. You mentioned the figure, did you not?—Yes.

A385. How much was that?—I said it was 6 crores. Of course, it has been now somewhat affected by the present depression. That is according to the figures that I got from the Customs Department themselves.

A386. But as a matter of fact, the Customs collected at Karachi are not confined to the articles consumed in Sind?—No.

A387. All that is not paid by the consumers in Sind?—Exactly. I only said as a general proposition that in the Government of India Act it is provided that all the Revenues vest in His Majesty's Government. There are different kinds of taxations. You call it Customs Duty, Income Tax, Land Revenue, and all that, and they are assigned to the Central Government and some to the Provincial Governments. I said what has been collected in Sind, has been collected within the province of Sind.

A388. That has rather neutralised the effect of a Province receiving the subvention, as a matter of fact. All the Maritime Provinces in India collect Customs which are really paid by people inland, who consume a large part of it?—Quite true. But Punjab and U.P. or C.P. do not pay as much to the central revenues. We have the advantage of Karachi port.

A389. Then to go to another matter, you referred to Sind administration being very expensive?—Yes.

A390. You said that that was due to somewhat higher salaries, and you instanced school teachers?—Yes.

A391. I presume that when the Bombay Government sanctioned these higher salaries in Sind, it was because the cost of living in Sind was at that time, at all events, higher than the cost of living in the Presidency generally?—I do not agree; but the cost of living in Sind now, I think, is hardly as much as it was in 1913.

Lord Eustace Percy.

A392. Surely, there is a misunderstanding here. The school teachers' salaries of 20 rupees a month was the general rate for the whole of the Bombay Presidency, was it not?—Yes, but in Sind they get Rs.5 p.m. over and above that pay.

A393. It is not, in fact, higher than in the Bombay Presidency?—As a matter of fact, I want to point out that in Sind each teacher gets 5 rupees extra, because of Sind conditions.

A394. You mentioned the figure of 20 rupees, which happens to be the salary of a school teacher in the Bombay Presidency generally?—Yes, but in Sind it is 5 rupees higher.

Dr. Shafa 'at Ahmad Khan.

A395. It does not include the Sind allowance?—Yes. Those in Sind get enhanced pay in all departments.

Sir Reginald Craddock.

A396. Are all the teachers local men?—Yes, local men.

A397. They are all local men born and bred in Sind?—Yes.

A398. That is to say, the higher salaries or the Sind allowances are not really due to the unwillingness of people from Bombay to go and serve in Sind, but they are due to expenses, the cost of living in Sind having been in other times higher?—I do not accept that principle, that the cost of living is higher. I accept that those people

belong to Sind, but it is the creation of the Government of Bombay that gave them these allowances and higher pay. I will give you an example; in 1924, when I was in the Bombay Council, the question of salaries of tapidars came up. It is the village establishment in Revenue Department; Sind Members very strongly opposed that they should not be given higher salaries than what they were getting. That was clearly said in their speeches, but still the Bombay Government carried it in spite of that. What could you do with such kind of things?

Sir P. Pattani.

A399. May I ask a question. If you had reductions there, possible to be made after Sind becomes autonomous, you think that the Ministry, as soon as it is formed there, should go into these questions of readjustment and reductions of expenditure, so that the amount of the subvention from the Central Government may be reduced?—I do not say that they will necessarily do it immediately. The position is that at present the Brayne Committee has not taken into consideration these savings at all. That does not affect, therefore, this present scheme laid down therein. They will have time enough to do it.

Dr. Shafa'at Ahmad Khan.

A400. Your objection is not to establish extremely cheap and inefficient administration but to keep up the standard?—Yes.

Sir Reginald Craddock.

A401. Then you mentioned that the cost of Police was higher in Sind per head?—Yes.

A402. Of course, if you have a large area and a proportionately small population, all those per capita calculations will be higher. I mean, your area is relatively larger than your population compared with other parts of India?—Yes, to some extent, that is right. But if you consider the number of policemen and the entire staff, it is much larger than even in the Bombay Presidency.

A403. But is it not a fact that your records of crime are greater than in most parts of India?—No, it is only on the hillsides or the borders; but Sind is certainly not more criminal than other provinces.

A404. We have had in other evidence that there are a great many dacoities in Sind, and kidnapping of women was prevalent, and on the whole your record

as a law breaking Province is rather bad?—I would like to inform the Committee that this is the kind of false propaganda which is being carried on, in order to thwart the efforts of getting Sind separated.

A405. But those are facts, they can be tested on the criminal statistics?—No. It has been said that there is a lot of communal feelings and dacoities and abductions of women and things of that kind, but the fact is that Sind has been the most peaceful Province, as I can claim, in the whole of India. If you were to see the history of 90 years of her connection with the British Rule, there have only been three instances of communal riots. They do clearly show up the Hindu frame of mind in Sind. While quoting the specific instance of Lerkana riot I would refer to what the impartial English Judge says about it. The learned Judge, Mr. Norman, says that the Magistrate who took the initiative in arresting innocent people and the Public Prosecutor who conducted those cases have shown communal bias in this respect and have wrongly involved innocent people. In the case of Subbur riots, 95 per cent. or more cases were withdrawn by the Government themselves, they being false.

A406. But, if under existing circumstances, there was communal bias in favour of the Hindus, under the new Government may there not be communal bias in favour of Muslims—at least that is what the Hindus are afraid of?—No, I feel it will not be so because there will be responsible government of the people themselves, and they shall have to work together.

A407. You have a very large majority of Muhammadans in Sind, therefore, the great majority of the Members of the Councils will be Muhammadans, and that is what the Hindus are afraid of. Would you object to weightage being given to the Hindus, and their getting a larger proportion of seats than they would have under their numerical standard?—The Premier Award has given them the extra representation, and they will be getting about 33 per cent. The Premier's Award is a very reasonable scheme, and everyone in Sind, whose feelings I voice here, sticks to the Communal Award. Why should there be any particular community objecting to it? There are other minorities in Sind and there are minorities in other Provinces too, but none of them object to the communal award—why should Sind Hindus object?

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A408. Why are the Hindus apparently so frightened?—I say this is all false propaganda, deliberately carried on to oppose separation of Sind. They do not seriously mean what they say.

Sir Hari Singh Gour.

A409. You complain of the neglect of Sind by the Bombay Presidency, is that not so?—By the Bombay Government, you mean?

A410. In the second paragraph on the second page of your Memorandum, you say: "Our ninety years' experience of Sind's connection with Bombay has shown us that the latter has neglected our economic and social development and has checked the growth of Karachi port which possesses vast potentialities for development, being the nearest port to the West. Our roads and communications are in an extremely undeveloped condition. Our nation-building Departments are starving. Education is at its lowest ebb." This is the essence of your complaint against the Bombay Government which you wish to redress by separation?—Yes.

A411. What would be the cost of improving the condition of Sind in the next 10 years?—The question is of choosing which is the lesser evil.

A412. Have you calculated the cost of these improvements which have been denied to you by the Bombay Government and of which you complain and which have prompted you to ask for separation?—I give you general instance that if you were to take the case of roads, for the last 90 years, the Government of Bombay have only given us 130 miles of provincial roads, and how can you expect that the same Government will ever spend 1 crore and 35 lakhs on the roads which they show in their paper programme.

A413. I admit all that, for the sake of argument, but the question I asked you is, what will be the cost of developing Sind to make up the very heavy leeway that you have to make up in consequence of the neglect of your Province by the Bombay Government?—There is no question of calculating cost on that point. What I would say is that Sind, having its own Government, will be able to devote more attention to the problems of Sind and whatever money they will be able to save they will be devoting to the Province itself. The Bombay Government will not do that. We have to go by past history in their case. Besides

there could be no guarantee that Bombay will ever worry about Sind conditions.

A414. According to the Brayne Report, 75 lakhs of rupees are required every year for the next 10 years, and in 1944-45, if the calculations are right, and do not go wrong, which they very often do, then you will be a self-sufficient Province?—By 1944-45. Yes, I expect so.

A415. But suppose if they all go wrong, then do you admit that after 1944 the Province will have to be re-amalgamated with Bombay Presidency?—No. It is a hypothetical case; I cannot answer it. Why should it at all be presumed like that?

A416. Therefore, you are landed in a very difficult position?—I do not think you have sufficient reasons to assume that.

A417. We are launching into a scheme banking upon an uncertainty with no chance whatever of retrieving the position in case the worst happens, and our anticipations do not come true. Is that not so?—No; if I may say so, you are holding a pessimistic view, which is not in the least justified.

A418. No, I am not; I am only looking into the future?—If you were to be guided by these principles which are hopelessly pessimistic, there would be no progress in the world; no scheme would be launched; nothing would be done. You should remember that the whole Barrage scheme was based on calculations. All big schemes are always launched, basing them on certain figures of income and expenditure. The Government of India gave nearly 20 crores for the Barrage scheme which they fairly anticipated would bring out good results. If they were such pessimistic people, they would not have agreed to give 20 crores. Then there would have been no Barrage scheme and no development in Sind, or as a matter on that basis there will be no progress made anywhere in the world. We will permanently be where we are and no further. Will it not be so?

A419. The next point I wish to ask you is: It has been admitted by you that the future of Sind lies on the Barrage?

A420. Sir Charlton Harrison, in his evidence before the Simon Commission, and later on, has stated, and it is a fact which cannot be denied, that the water which flows through the Barrage is limited; would you agree that that is so now?—Certainly not. Things have changed since then. You are referring

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[Continued.]

to what he said in 1928, but perhaps you do not know the later conditions. The Barrage has, of course, a limited quantity according to the Scheme. The Government of Punjab wanted to launch certain schemes. On this point dispute arose between the Provinces, and the Government of India as a deciding party invited them to send representatives, and the Government of India decided that for the future the Government of Punjab will not have more drawn from the River.

A421. The Government of India have held that the Punjab Irrigation Scheme must be held up, because if their Irrigation Scheme was to continue *pari passu* with the Barrage Scheme, both will suffer?—They have been held up *sine die*, and if you mean to say that by separation of Sind, Sind will be in an inferior position, I do not hold that view at all.

A422. What I mean to say you will hear presently, but at the present moment what I do say is that there is a limited quantity of water, and there are two Claimants, the Punjab and Sind. or rather Bombay?—Yes.

A423. Influenced by the powerful advocacy of the Bombay Government, the Government of India have overruled the contention of Punjab?—Yes, but I do not agree with the view that that is because of the power of advocacy.

A424. Never mind; that may not be the promoting cause. The Government of India have at the present moment decided that Punjab must hold its hand, because that would imperil the success of the Barrage Scheme?—Yes.

A425. Now Punjab is going to get autonomy, and you cannot stay the hand of Punjab?—No.

A426. And you want autonomy?—Yes.

A427. And now there will be a hand-to-hand fight between you and Punjab for the water?—Why should there be? I cannot see the point at all, because if there is dispute between the two Provinces, naturally the Government of India, the Governor-General in his discretion, will have power to decide which is right. I maintain myself that the question must be finally settled between the Government of Bombay and the Government of Punjab by arbitration at the hands of the Government of India. The whole frame is laid down, and the Scheme settled; so that with regard to Sir Hari Singh Gour's suspicion that there will be a hand-to-hand fight, may I say I do not suspect anything of the kind. Any question between the two Provinces must

be settled by the Government of India. It is not a question of a hand-to-hand fight.

A428. I was using that in a figurative sense; you did not understand me; but let that pass. The fact remains that there are two Claimants to a limited supply of water, which at the present moment flows through the Barrage, and the other claim has not yet been satisfied and may be insisted on in the near future?—I do not hold that view.

A429. In which case the future of the Barrage would be very seriously affected?—No, I certainly disagree with that view.

Lord Eustace Percy.

A430. May I interpose one supplemental question here? Do I understand that your position is this, that if there is no provision under the White Paper which would enable the Governor-General in his discretion to settle the dispute as to the diversion of water between the two Provinces, you think that a provision should be inserted in the White Paper giving the Governor-General that power?—Yes. I think, if I remember rightly, there is something like that in the White Paper.

A431. We need not trouble about that at the moment; at any rate, that is what you desire?—That is what I desire.

Sir Hari Singh Gour.

A432. In the introduction to the memorandum you have said that this is a genuine grievance, not only of the people of Sind, but of the people of India in general, with whom the former are closely bound up. What evidence have you that this is a grievance of the people of India generally that Sind is not converted into a separate Province?—I would refer you to the three Indian Round Table Conferences in which this question has been discussed, and it was agreed, and a compromise was, as a matter of fact, come to as well with the present Indian Delegation that was represented on the Round Table Conference. Therefore, it is a matter that affects not only the people of Sind but it has come from the representatives of India as a whole, and through them from the people of Sind.

A433. That is what you mean by this sentence?—Yes.

A434. Now will you kindly turn to another sentence which I have not been able to understand at page 5. You say about the middle of the page: "For all practical purposes Sind is already a self-contained Province"?—Yes, administratively. I would like to amplify that.

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[Continued.]

A435. That is the reason why I have read it to you?—Yes, quite right. My point there is that much is being made by the Anti-Separationist Group that Sind will need this and will need that. What I mean is that Sind at present is governed in such a manner by Bombay that, largely due to the distance between the seat of Government and the Province, almost every important department of Sind has its head of the Government at Bombay, merely guided by the advice of the man on the spot.

A436. That is what you mean by saying that for all practical purposes Sind is already a self-contained Province?—Self-contained administratively.

A437. Then what is your grievance? Supposing by a financial adjustment between the Bombay Presidency and Sind, Sind is made a sort of Sub-Province with a Deputy-Governor, would you not be satisfied?—I do not know that it is made a Sub-Province by having a Deputy-Governor. Perhaps you mean a difference of name?

A438. No; it is made a Sub-Province for the purpose of stamping upon it its own individuality under the Presidency of Bombay?—Do not you see that the Governor will have the elected representatives and the Legislative Council to advise him, and there will be responsibility to the people also, and responsibility to the Governor. Why should Sind have an inferior position where the elected people should have no voice at all in the administration?

A439. It has got an inferior position because it has got no money. Poor people always have an inferior position. You have said that this is a joint family in which Sind should receive money from the rest of India?—That is the principle which is accepted by the expert Committees, for instance the Percy Conference and the Brayne Conference.

Lord Eustace Percy.

A440. Let me Intervene. I notice that you have quoted the Percy Committee; but I do not recognise the quotation; and I cannot find it in my Report?—At page 22.

A441. I am referring to the bottom of page 17 of your Memorandum. I do not want to delay the proceedings; I just wanted to put in a caveat that I do not recognise my child?—These are not the exact words I have reproduced; I have only reproduced the sense of the recommendations.

Lord Eustace Percy.] Well, they are in inverted commas.

Sir Hari Singh Gour.

A442. You have said on page 19 in paragraph 3: "There can be really no deficit Province as long as a whole joint family, i.e. India, is financially sound," but where the parent itself is financially in deficit, what are you going to do?—It is an altogether different issue. I should say that that is what the Miles-Irving Committee themselves quoted.

A443. Are you aware that the Central Government is in financial straits and has been in financial straits for the last 13 years?—Every branch of the Government.

A444. And where is the money to come from?—Well, that has been gone into and there is a recommendation from the Federal Finance Committee.

Sir P. Pattani.

A445. That might mean that new taxation may have to be imposed by the Central Government in order to meet these demands for subvention from all these Provinces?—Yes.

A446. In that event, do not you think that if they impose more taxes Sind and all the deficit Provinces will have in a certain measure to contribute towards those taxes?—The Percy Committee have recommended that if need arises there should be other taxes, for instance, a tax on matches. There have been proposals made by which, if the Government of India want to find money, they could find it. Taxation of matches will give them two or three crores of rupees, if I remember rightly, and the Province of Sind subvention will not need more than about one crore and a half.

A447. Money will have to be found, but the deficit Province will also have to contribute to finding that money?—The deficit Province has already accepted the tobacco tax.

Dr. Shafa'at Ahmad Khan.

A448. In reply to a question of Sir P. Pattani regarding the deficit Provinces—not just now but before—may I refer you to the recommendation of the Third Round Table Conference Federal Finance Committee, paragraph 12, page 52? This is what they say: "We propose accordingly that any proved cases of deficit Provinces should be met by subvention from the Centre on certain conditions"?—Yes.

A449. Further on you will find that they have added: "It is important that

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[Continued.]

the position should be final, as periodic provision could not fail to react on constitutional independence and financial responsibility"?—Certainly.

A450. While they agreed, therefore, to subvention being paid from the Centre, they also laid it down quite clearly that there should be no movement of their financial responsibility. Therefore, you do not really think that if you get subvention from the Centre according to these proposals, which really are embodied in the White Paper, your autonomy will be affected?—No. Constitutionally it should be limited to that?—

A451. Yes?—Yes; quite right.

A452. And you want the subvention to be incorporated in the constitution itself?—Yes, in the Act of Parliament.

A453. So, as the Report says, if it comes up for periodic revision there is a liability of your autonomy being affected?—Certainly.

A454. Your second point was with regard to the standard of administration?—Yes.

A455. Am I right in assuming that you are as eager as anybody else for getting the proper level of efficiency of administration in Sind?—Yes.

A456. And that you are not going to have an inefficient administration solely and simply because you want an independent Sind?—Certainly. We do not want an inferior or incompetent administration.

A457. And therefore what readjustment of service may be undertaken by the Minister in future you think must keep in view the basic principle of administrative efficiency in Sind?—Yes.

A458. And that will not allow Sind to fall below the level of Bombay, which is the highest standard in the whole of India—at least of every Province of India?—Quite right.

A459. My point is this, that no saving could be effected at the cost of efficiency of administration?—Yes, of course.

A460. And you demand separation of Sind distinctly on this condition?—Yes. I have figures to show that Bombay has the highest and most expensive administration, but it cannot be said that Bengal and the Punjab are inefficient or incompetent in administration; they are equally good.

A461. Then another point was raised. May I draw your attention to the fact that there are certain arrangements in Provinces such as the Punjab Province whereby a certain number of students of the Punjab are annually admitted to the

Engineering College which agrees to take at least 60 students every year, because the Punjab Government itself cannot make arrangements financially for their own College, so that these arrangements regarding the universities and other institutions which transmit highly specialised knowledge of necessity of great value are not only possible but probable?—Yes, exactly. I will give you an instance. The Director General of Police in Sind was talking to me, and he said "It will be cheaper for Sind for their police training to go to the Government of Punjab because they will be able to do it at less cost than Bombay is doing it now". Bombay training is more expensive than Punjab, but Punjab is no less efficient.

A462. I can give you an example in my district of the training of probationers for the Police Department where you get students from all parts of India. Various Provinces make arrangements.

Lord *Eustace Percy*.] Are we to have a discussion here as to the degree as to which there is really interchangeability of Provinces in university education.

Dr. *Shafa'at Ahmad Khan*.] No, my point is this; that it is possible even if a Province does not make arrangements for them to get the benefit of university education of other Provinces.

Lord *Eustace Percy*.] You remember that Behar and Orissa tried to do that with the Universities of Bengal and did not succeed, and had to establish universities of their own.

Dr. *Shafa'at Ahmad Khan*.] Even the small Province of Delhi had to establish a university of its own because Punjab would not give facilities.

Lord *Eustace Percy*.] We had better not carry this discussion further.

Sir *P. Pattani*.] I have never said it is not possible to come to some arrangement with the Province, but I must say this, that what is possible under a Central Government may not be possible when each Province claims to be a separate autonomous Province.

Dr. *Shafa'at Ahmad Khan*.] May I reply that we have had for many years this arrangement for co-ordinate education and so on, and I do not see any reason why with the advent of provincial autonomy we should not have that provincial intercourse more intimate and still more effective.

Sir *P. Pattani*.] It may be possible but it is also possible and probable that it may not be acceptable to the Provinces.

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[Continued.]

Dr. Shafa'at Ahmad Khan.

A463. I think all these questions were very thoroughly considered by Brayne's Committee; I went through the proceedings last year?—They were considered both by the Brayne Conference and the Miles-Irving Conference.

A464. There was one point put by my Lord Chairman with regard to the actual amount needed for the separation of Sind over and above the basic deficit of 80 lakhs. Am I right in assuming that the Miles-Irving Committee estimated that amount after considering the need of Sind at pages 46 to 82 at 11½ lakhs and that Brayne's Committee practically upheld that, adding only half a lakh, so the basic amount needed is 12 lakhs, and that I suppose will be met by the cess which the Zamindars of Sind have agreed to levy to pay off this amount?—Yes; all the extra cost is to be borne by taxation.

A465. So the net amount will be 80 lakhs?—Yes; that is the amount estimated.

A466. And it will not be really 92 lakhs at all?—No, not at all, because they give credit on one side and do not give credit on the other side.

A467. Now I come to the Sukkur Barrage. Last year we came to a compromise regarding the Sukkur Barrage that Sind should have special power with regard to administration. I stand by that because I feel it is essential. What is your opinion with regard to that provision?—I have said that there will not be much need for it.

A468. But if there is need?—The supplementary powers provide for that.

A469. You mean that the Governor would exercise supervision?—That would be natural, but he cannot manage without the constitutional Government. The only thing is that the payment of the Chief Engineer will be made by the Government itself, so that he will have the assistance of the Chief Engineer in times of crisis, where it is considered necessary, so that the efficiency of the administration is not going to be seriously affected.

A470. Of course the detailed arrangements and the detailed rules and regulations which may be framed by the Governor in consultation with the Minister will have to be discussed later on, the Minister on the one hand and the Governor on the other?—Yes.

A471. If a satisfactory compromise is arrived at between the Governor on the one hand and the Minister on the other, with regard to responsibility, then you

will have no objection at all to it?—In those cases where he thinks there is need to interfere the Governor will interfere.

A472. Therefore, there will be really no difficulty in keeping the administration of the Sukkur Barrage up to the mark at a very high level of efficiency, if these are actually accepted?—I maintain that the administration will not be affected. I do not think any Government or Ministry will be so foolish as to ruin the efficiency of the administration and thereby affect the finances of the Province; they will not do it in self-interest.

A473. No Minister would really ever try to interfere in the day-to-day administration of the Sukkur Barrage?—Certainly not; he would resign rather than do it, because the consequences, if he has got any political career to look to, would be very serious.

A474. So that for all practical purposes the Sukkur Barrage will be practically autonomous, with the line of policy to be indicated by the Minister now and then?—Yes. Of course, I do not associate myself with the view that there should be interference with the Ministry by the Governor. If in any case there is genuine ground to feel that the efficiency is going to be affected, of course, the Governor can intervene, with consultation of the Chief Engineer and things like that, but ordinarily I do not think the Ministry will discharge their responsibility in such an inefficient manner, that they will ruin the administration of the Sukkur Barrage.

A475. And even if they do, it is highly improbable that the Governor will come down on the Minister?—Yes.

A476. Do not you think that all these schemes are based on the probability of a certain amount of success, if they are well executed and conceived?—Generally, of course. In all the schemes that are launched, you first and foremost make your calculations out properly, and they are thoroughly examined. In the case of the Barrage, that went on being thoroughly examined since 1907. The idea was mooted then and subsequently again in 1913 and 1914, when the Secretary of State turned it down. Then it was prepared by the Government and it was thoroughly examined by the experts of the Government of India, and experts here in London under the direction of the Secretary of State for India, and in 1923 it was finally passed by the Legislative Council, and it was fully discussed;

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but it was examined by the experts in Bombay of the Government of India and here.

A477. My point is simply this: you will agree with me that generally on the lines of policy indicated in the Sukkur Barrage Scheme, the hopes have been realised so far?—Yes, of course, so far.

A478. And there is no reason why in the course of time Sind should not become practically financially an independent Province?—I have every hope of that, and I have no reason to feel otherwise.

A479. Then there are some objections raised by various bodies that the demand for a separation of Sind is recent in origin, but it only dates back to about 1927, or something like that?—Certainly not. I said just now in my opening remarks, that as early as 1913 a discussion was being considered. The late President of the Congress and Mr. Harchandrai Vishindas were working hand in hand in this matter, at the time of the Montagu-Chelmsford Reform. In 1918 again the Congress had a Session, and they appointed a Sub-Committee to go into this question. That Sub-Committee consisted of no less than five Hindus, and they unanimously recommended that Sind should be immediately separated. That was in 1918, and that original Report was secured by me, and I had it circulated.

A480. When?—Last year. I got it republished last year for the intelligence of the members, for reminding them of what was done by the Congress. Again in 1927 it was reported upon by the Congress, and later the All Parties Conference at Lucknow accepted the principle of separation.

Sir P. Pattani.

A481. I think in 1918 an essential condition was attached to the recommendation that finance should be found by Sind? Was it conditional or was it unconditional?—I beg your pardon. In 1918 when they appointed a Sub-Committee in Karachi, they recommended that Sind should be separated, irrespective of any condition; no condition whatever was attached.

A482. But you are now attaching the condition of subvention. That means that Sind should be self-supporting?—No; they have not said that. I was saying that in 1918 they never said that.

Sir P. Pattani.] Let me tell you this, that I am not against the separation of Sind. I say that no communal considera-

tion, nor even consideration of administrative efficiency should come in the way of self-determination of any Province of India, but I should certainly wish that autonomy and financial responsibility should go together; that is all.

Dr. Shafa' at Ahmad Khan.

A483. Is there any truth in the statement that this demand is a mere matter of politics?—No. It has its origin in the Province of Sind itself, and all the leading people in Sind Province are in favour of it strongly.

A484. What is the state of communication now between Sind and Bombay; is it very difficult?—It is as bad as ever. From the Sukkur District, where the Sukkur Barrage is, the most important place of Sind, it would take 60 hours to reach Bombay and even more to reach Poona.

A485. Do the members of the Cabinet ever visit Sind at all?—No. We have Ministers who have been in office for three years and have never seen Sind once; there are common instances of that kind.

A486. And does the Legislative Council take a very active interest?—So far as the Legislative Council goes the members do not understand at all the problem; they are absolutely ignorant of the conditions. They do not know about irrigation; they do not know about land condition; they do not know anything about the other administration conditions at all.

A487. Do you think that the Muslims of Sind will be able to run the administration effectively without the help of the Hindu community?—The Hindus, of course, will have a share in the administration. They are 33 per cent, represented on the Legislative Council.

A488. And the Cabinet also?—And the Cabinet.

A489. Can you conceive the possibility of a Cabinet of Sind being constituted in which there is not a Hindu member?—It is impossible, I consider. There is bound to be a Hindu Minister.

A490. And you think that the parties in Sind will be based mainly upon non-Communal principles?—Yes; I think there will be a Communal Party. Even now in Bombay you have several Parties; you have the Backward and Depressed Classes and you have the Advanced Classes; there are three or four Parties in Bombay.

A491. Was Sind a deficit Province prior to 1919?—No. As a matter of fact

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[Continued.]

I have reported this also, that for five years between 1910 and 1920, for which we had the figures in the Legislative Council, Sind was a surplus Province. The position was that actually the deficit came later on after 1916-17, because at that time the War was terminating, and there had been special allowances for our officials and administration became costly, because everything was dear. Immediately after the War those allowances were amalgamated with the salary, and the salary suddenly increased to an enormous proportion at the time when the reforms were introduced, and since that time the administration has become more costly in that respect.

A492. I gathered from a reply that you gave to another Member that you accept the Brayne Report generally?—Yes

A493. And that if Sind is separated on the conditions indicated there, there is no reason why Sind should not take her place side by side with other Provinces on the same footing?—Oh, yes.

A494. Do you think that after responsible Government had been established in Sind there would become Communal Parties in Sind?—There is less chance of that than there is now.

A495. Why?—One thing is the responsibility, chiefly. People will have a responsibility of their own, and they will run on more economic lines, and the Communal community will not have any important part to play, because the Ministry will have to carry the goodwill of both communities and will need their support.

A496. Do you think it is possible for any Government in Sind to succeed even for 24 hours if the Hindu community is unanimously opposed to it?—The Hindu minority in Sind is a very powerful minority, although it may be 24 per cent. of the population. The thing is that they are a well organised community in the first place, well educated and well to do. They have such good qualifications that they are a community which could not be ignored in any respect, and they will have a very important part to play in the Province. They will have a substantial share in the Legislation and in the Government. It is impossible that you can ignore an important minority of that kind.

Mr. Davidson.

A497. I would like to ask two questions. On page 4 one of the claims you make with regard to the separation of Sind is that the Port of Karachi will be

considerably developed and that with a fast train service to Cawnpore and Delhi the whole business of Northern and Central India will be captured?—Yes.

A498. Would it be fair to say that not unnaturally Bombay has been inclined not to look very favourably on any very big development in Karachi?—Yes, that is true. Karachi Port is much nearer to Europe; it will be at least 36 hours nearer by steamer, and in the ordinary course of circumstances, if Sind had its own Government you would have seen all this European connection, steamers and freight connections and all that, first with Karachi and then with Bombay. Even up to now we have not got any direct or fast train service with Northern India. From Northern Punjab they are attempting to send a lot of agricultural products because it would be cheaper for them.

A499. The other question is in connection with the Sukkur Barrage scheme; that scheme of course is a scheme of development?—Yes.

A500. Scientific training for the bringing into irrigation in stages of large tracts of Sind?—Yes.

A501. When responsible Government is set up, it is possible that in India as in any other countries pressure will be brought by the electors in one constituency claiming that their district has greater needs than other districts, and pressure may be brought by that Ministry towards the general layout and development of the scheme. You would not object, I presume, to some safeguard being provided which would enable the scheme as a whole to be developed as it was planned scientifically by those experts who knew their job?—I take objection to that and I would add this that it will not be a practical proposition. What has been designed has been carried out and completed already and there is no practical possibility of effecting any change of that kind.

Lord Eustace Percy.

A502. Just one concluding question. To what extent does the success of the Barrage development scheme depend upon export trade?—I have said something about that in my memorandum too. I have said that Sind will be growing largely and it will be growing almost as much as the rest of India and there is a considerable demand for its produce at present. I was discussing this with the agriculture representatives of the European Chamber of Commerce at Bombay. There is much demand outside for the products, for instance oil seed and things

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[Continued.]

like that. With regard to rice, for instance, Sind is one of the most important Provinces that produce rice. Of course Burma rice is cheaper but Sind rice is much better and more appreciated.

A503. All I wanted to get at was this, that Sind will be looking to world markets and not to internal Indian markets, for the marketing of a large proportion of its produce?—That is so, but there is one point I might mention, that there is a growing need in Sind for the consumption of wheat. If you were to see the figures of late you would find that India as a whole is consuming gradually much more wheat than it used to, and with that consumption I feel for many years to come that what Sind produces could not be exported, but it will be consumed internally.

Sir *Reginald Craddock*.

A504. One question I forgot to put; in developing these new acres of land under irrigation of the Sukkur Barrage, will you be dependent on populations coming in from outside, or will the land

be taken up by the existing population of Sind?—At present we are concentrating more on the machinery. At present the Chief Agricultural Officer who has been appointed for Sind is carrying on experiments on that line. Perhaps we shall depend upon labour being introduced to a certain extent, but so far there has not been much, and that will depend how the lands are sold, whether they are being purchased by the local people or by outsiders. In those areas where they are purchased by outside people you will have outside labour, but in the greater enterprise you will have mostly machinery used. There is one gentleman who has taken up 40,000 acres for cotton and sugar cane in Sind, and perhaps there will be special sugar cane machines; he is going to make use of machinery mostly for that.

A505. Is it producing long staple cotton, or short staple?—They are trying different things from Egypt, America and Japan, but mostly the Sind local crop.

Lord *Eustace Percy*.] Thank you very much.

(*The Witness is directed to withdraw.*)

SUB-COMMITTEE A

2

MINUTES OF EVIDENCE TAKEN BEFORE SUB- COMMITTEE A OF THE JOINT COMMITTEE ON INDIAN CONSTITUTIONAL REFORM

Die Mercurii, 19° Julii, 1933

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