

# SUB-COMMITTEE A

UNREVISED

1

JOINT COMMITTEE  
ON INDIAN CONSTITUTIONAL REFORM

## MINUTES OF EVIDENCE

taken before Sub-Committee A  
of the Joint Committee on

# INDIAN CONSTITUTIONAL REFORM

*Die Lunae, 17<sup>o</sup> Julii, 1933*

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# SUB-COMMITTEE A

DIE LUNAE, 17<sup>o</sup> 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.

Mr. H. L. CHABLANI and Rai Bahadur HIRANAND KHEMSING are called in, and examined, as follows.

Lord *Eustace Percy*.

A1. Mr. Chablani, you are Joint Secretary of the Executive Committee of the Sind Hindu Conference Committee?—(Mr. Chablani.) Yes.

A2. And Dean of the Faculty of Arts in Delhi University?—Yes.

A3. I think you were also the leader of the Deputation of the Sind Hindu Association before the Statutory Commission?—Yes.

A4. Rai Bahadur Hiranand Khemsing, you are in the legal profession, and you are a Zamindar I think?—(Rai Bahadur *Hiranand Khemsing*.) I was in the legal profession, but am not now. I am at present a Zamindar.

A5. And you were President of the Hyderabad Municipality for a number of years?—Yes.

A6. Gentlemen, we have your Memoranda of Evidence before us, and it is as follows:

## MEMORANDUM 39 BY THE SIND HINDU SABHA AGAINST SEPARATION OF SIND FROM THE BOMBAY PRESIDENCY.

With reference to a brief statement of "The Case against separation of Sind from the Bombay Presidency," submitted by the Sind Hindu Sabha, 100 copies of which are sent herewith in compliance with the cable received in India from your office on the 20th of May, we have the honour to invite attention to the fact that this statement is merely a convenient summary of the broad facts of the question, and that, for the proper appreciation of the issues involved, it is necessary to refer not only to the officially published literature on the subject (which in this case includes the relevant portions of the Bombay Government's memorandum prepared for the Indian Statutory Commission, the reports of the Committees appointed by the Bombay Legislative Council, and the Indian Central Legislature to assist the Simon Commission, together with the notes by Dr. Ambedkar and Sir Harising

Gour, the report of the Indian Statutory Commission and the evidence led before it by the Sind Hindu Association, the proceedings of the Sind Sub-Committee of the Indian Round Table Conference, the report of the Sind Financial Enquiry Committee, Mr. Brayne's report on the Sind Conference and the full proceedings of the Sind Conference), but also to the following non-official publications:—

(1) "Financial Aspect of the Separation of Sind from the Bombay Presidency," published by Mr. H. L. Chablani in 1927.

(2) "Separation of Sind from the Bombay Presidency" (a rejoinder to K. B. Mahomed Ayoob S. Khuhros' story of the sufferings of Sind), published by Mr. H. L. Chablani in 1928.

(3) "The True Facts Regarding the Separation of Sind from the

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Bombay Presidency," published by the Executive Committee of the Sind Hindu Conference Committee in reply to the mis-statements made by the separationists at the Indian Round Table Conference.

(4) The written statement on the financial consequences of separation of Sind presented by Mr. H. L. Chablani to the Sind Financial Enquiry Committee (particularly pages 10-18).

(5) An address by Mukhi Gobindram Pritamdas, Chairman of the Reception Committee of the Sind Anti-Separation Conference (1932).

(6) An Address by Sardur Sampuran Singh, President of the Sind Anti-Separation Conference and a member of the Sind Sub-Committee of the Indian Round Table Conference (1932).

(7) A criticism of Mr. Brayne's report of the Sind Conference issued by the Executive Committee of the Sind Anti-Separationists Conference (1932).

2. At the very outset we desire to emphasise the fact that the decision of His Majesty's Government to constitute Sind into a separate Governor's Province in the new Indian Federation with a *subvention* from the Federal Government, is not only *against* the recommendation of the Bombay Government, the Bombay Legislative Committee, the Indian Central Committee, the Simon Commission, the Nehru Committee, Sir Purushotamda's Committee, the Indian National Congress, the All-Parties Conference at Lucknow, and the Indian Round Table Conference, but has been made in the teeth of opposition of the Hindu minority in Sind, supported by almost the entire Indian Press, including Anglo-Indian journals like *The Times of India*.

3. It should be further remembered in this connection that even the *conditional* recommendation of the Sind Sub-committee of the R.T.C. in favour of the principle of separation was an *ex parte* decision secured by misrepresentation of facts and fallacious arguments, which, in the absence of any Hindu member from Sind, went unchallenged. For instance, statements were freely made at the meetings of the Sind Sub-committee that "95 per cent. of the people of Sind are for separation of Sind" (Lpp. 73), that "it is a demand by Sindhis, including Europeans and everybody" (Lpp. 19), that "the

overwhelming majority of the people in Sind want separation, not only the Musulmans, but the Hindus and Parsis and Europeans and others" (Lpp. 29), "that the most enlightened community, though they are a handful in Sind, the Parsees, have been urging the separation of Sind" (Lpp. 4), that "on this question there is virtually no difference of opinion between the Hindus and Mahomadans of Sind," that "Hindus were the first to be in favour of separation," that "Seth Harchandrai, the greatest leader we have had in Sind, and a Hindu," made a representation to the Right Honourable Mr. Montagu that Sind be separated, that he moved at the Indian National Congress of 1913 a resolution for the separation of Sind from Bombay (pp. 22-3), and that "he protested again and again, in resolutions passed by the Indian National Congress, urging upon Government to separate Sind" (pp. 22-3), and that "the demand was pressed by Sind Hindus in a deputation to the late Mr. Montagu and Lord Chelmsford when the current Reforms were on the anvil," that the question "has been mooted from time to time, and the Hindus were the first to be in favour of the separation of Sind," that "in earlier years there was no controversy about it at all, as shown by my friend on the right, that Hindu, Parsis, Europeans and Mushims, not only in Sind, but outside Sind, and all agreed that it was an injustice to Sind to keep her tied to the apron strings of Bombay" (p. 27), that in 1922 Sir Montagu Webb headed a deputation of Sindhis and waited on the Governor of Bombay, threatening that if they were not properly dealt with, they would ask for "a separation," that "non-official Europeans, headed by Sir Montagu Webb, are in favour of separation," and that European officials in Sind favour separation but "owing to official etiquette, they cannot commit themselves in this connection." Each of these statements is *either wholly devoid of truth, or at best a gross misrepresentation of actual facts*; and ample proofs in support of this serious charge will be found in the Introduction (page 3), Chapter I, "Are Parsis and Europeans in favour of Separation of Sind"; Chapter II, "The Hindu attitude regarding Separation"; and Chapter III, "The Past History of the question of the pamphlet on 'The True Facts Regarding the Separation of Sind from the Bombay Presidency,' fifty copies of which are submitted herewith to enable

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each member of the Parliamentary Committee to see for himself the extent to which grossly unfair advantage was taken of the absence of the other side at the R.T.C. to misrepresent the true facts and mislead the members of the Sind Sub-committee into committing themselves in favour of the principle of separation of Sind from the Bombay Presidency. Attention is invited to the review of the past history of the question, supported by documentary evidence contained in Chapter III of this pamphlet, which clearly brings out the fact that up to 1920 the leading Hindus and Muslims of Sind, jointly pressed for the repeal of the Sind Commissioner's Act, which meant a more complete amalgamation of Sind with the Presidency proper and that the present agitation for the constitution of Sind into a separate Province was initiated and fostered by the All-Indian Muslim politicians outside Sind, with a view to make Sind a pawn on the chess-board of Communal politics in India.

The main arguments advanced in favour of separation of Sind at the meeting of the Sind Sub-Committee were, firstly, that Sind was not really a deficit province, but was shown to be a deficit area by manipulation of figures by the Bombay Government and Mr. Chablani, and secondly, that Sind was badly neglected by the Bombay Government. The financial fallacies of the Muslim Separationists are examined in detail in para. 2, chapter IV of the "True Facts Regarding Separation," and have now been fully exposed by the expert Sind Financial Enquiry Committee, which has shown that the Presidency has been spending annually on Sind nearly one crore more than the revenue from Sind. In the face of this, the second charge likewise falls to the ground, for the Bombay Government cannot be justly accused of neglecting Sind when it has been spending on it nearly 50 per cent. more than its revenue. A detailed examination of four specific allegations in this connection will, however, be found in para. 3, pages 49-57 of the pamphlet referred to above. If further proof is needed of the immense progress made by Sind under the administrative connection with Bombay for the last 80 years, it is furnished by the contrast between Sind in the days of the Talpurs and Sind to-day, a brief reference to which is made on page 1 of "The Case Against Separation." In this connection

a presumption was drawn against the Bombay Government from the mere fact of "the geographical isolation of Sind from Bombay and the difficulties of communication between the two," owing to which it was alleged that "Sind does not depend on Bombay to any extent," that "once in a blue moon some question crops up as regards Sind which is discussed or debated in the Legislature," that "the Bombay Government cannot govern Sind from such a distance." But a careful consideration of the facts will show that there is not much substance even in this line of attack. In almost every major province, there are places between which and the Headquarters it takes as much time to travel as between Karachi and Bombay. Secondly, the difficulties of communication between the two has of late decreased considerably, so much so that the Bombay Legislature Committee, of which Sir Shah Nawaz Khan Bhutto was the chairman, definitely stated that "with the changes which have taken place during the last few years the delegation of powers (under the Sind Commissioner's Act) is no longer necessary." At the present time Sind has a regular service of three different means of communication with the Headquarters: by air, by sea and by rail, which few divisions of other provinces can boast of. The Bombay Government has all along supported the demand for a more direct railway route to Bombay, and thanks to their persistent efforts the Government of India have recently approved of the demand for a shorter and quicker railway route between Sind and Bombay, so that even this grievance will be removed at an early date, whether Sind is separated or not. Thirdly, the allegation that because of the distance, the heads of departments in Bombay and Poona are unable to get first hand knowledge of the conditions in Sind, and are ignorant of the local conditions, is untrue, in as much as the Bombay cabinet has always included not only a non-official from Sind, either as Minister or Executive Councillor, but also one or two civilian members who have served in Sind for quite a long period. Finally, the instances given on page 54 of "The True Facts Regarding the Separation of Sind from the Presidency" will conclusively show how baseless is the statement that "only once in a blue moon some question crops up as regards Sind which is discussed or debated in the Bombay Legislature."

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There remains to notice the implied application to Sind of the linguistic principle of redistribution of provinces to India. Three points are worthy of notice in this connection. In the first place, the case of Sind is not being considered as a part of a general scheme of redistribution of provinces on any principle, linguistic or otherwise, as was definitely recommended by the Simon Commission, for then the merits of all alternative schemes of amalgamation, such as the suggestion of amalgamating Sind with Panjab, or a part of the Panjab will have to be considered. Secondly, the linguistic principle in the form in which it is usually stated is inapplicable to Sind, for, as pointed out by the Sind Hindu Association in their memorandum to the Simon Commission, the case of Sind is materially different from that of Orissa or Karnatic. There is no question of bringing together, under one administration, people speaking the same language but now scattered about under different administrations; the Sindhi speaking people are already under *one* administration. The administrative divisions of the Bombay Presidency are even at present *linguistic areas*. Sindhi is, as far as possible, even now in Sind, the medium of instruction in primary and secondary schools; it is the language of official business and of law courts, quite to the same extent as it would be in a separate province of Sind; and so far as Sindhi language can aid a special variety of culture, traditions and literature, the administrative connection of Sind with Bombay does not act in any way as an obstacle to its development. Bombay does not propose to interdict the use of Sindhi language, or use its political power to force Gujrati or Marathi on Sind. Nor will any rational Government in a separate province of Sind forbid the use of Gujrati in the business world of Karachi, or as the medium of instruction in some schools at Karachi and in Thar and Parkar District. The transformation of a *linguistic* division into a province will bring about no change whatever in these important respects, and therefore all this philosophy of benefits from linguistic provinces is wholly irrelevant to the main issue. Thirdly, the linguistic principle is, as was pointed out by the Simon Commission, only *one* among the many factors in the problem, and all the over-riding administrative, financial and political considerations, which in the opinion of the Simon Commission must

prevail against it, exist in the case of the Sind.

4. The facts and the arguments referred to above will, it is hoped, be considered sufficient to prove that, for from there being "an impressive case for the division of Sind from the Bombay Presidency and the creation of a separate Provincial Government there," as the Sind Sub-committee of the Indian Round Table Conference was led to believe by false representations, no adequate reason exists for severing the administrative connection that has continued for more than 80 years, and proved to be so beneficial to Sind. But apart from this negative aspect of the case, there are very serious administrative, economic, financial and political reasons against the proposed change. The real smallness of Sind in area, population and financial resources, the economic difficulties of an undeveloped small province owing to the smallness of the security it can offer for development loans, the fluctuations in its total revenues, and the consequent uncertainty of the security it can offer for its loans, and the less insurance it will have against risk of failure for its development schemes, and the administrative objections against constituting Sind into a separate Governor's Province, were first pointed out by Mr. Chabiani on pages 1-3 and 13-17 of his pamphlet on the "Financial Aspects of the Separation of Sind from the Bombay Presidency," a copy of which is submitted herewith. Some of these were supported by the Bombay Government in their memorandum prepared for the Simon Commission, and considered sufficiently weighty to justify their "strong opposition" to the constitution of Sind into a separate province and to make the proposal "both impracticable and *undesirable*." The Bombay Legislative Committee (including its chairman, Sir Shah Nawaz Khan Bhutto) came to the definite conclusion that "the administrative difficulties are real and cannot be ignored," while the Simon Commission were of the opinion that "there are *grave* administrative objections to isolating Sind and depriving it of the powerful backing of Bombay before the future of Sukkar Barrage is assured." Even after the Round Table Conference, the Sind Financial Enquiry Committee were compelled incidentally to admit two serious disadvantages of the proposal, as the following extract from their report will show:—"Top-heaviness is almost inevit-

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able in a province so small as Sind will be. That the cost of constituting a separate Government for a comparatively small area is inevitably disproportionately high, is, in our view, a fact which cannot be controverted, and which must be squarely faced when the arguments for and against separation are being weighed" (para. 431). . . . We contemplate that, in certain cases, Sind will be unable to maintain a cadre of officers of its own, and will be forced to the expedient of borrowing men either from the Presidency or from some other province. We realise the cogency of the argument that any such system is unsatisfactory from the point of view of the Government of the Province, since naturally, they cannot have the same control over officers who are merely lent for a period, and whose future advancement does not lie in their hands, as they have over their own permanent servants, *but this is a disability which must, we think, be faced.* We would make it clear that our proposals in this regard are framed not in the interests of the officers in question, but entirely in the interests of efficient administration. It is impossible to secure an even flow of promotion if the total number of men borne on a cadre falls below a certain point; a very small departure from the normal scale of casualties, such as would hardly affect a large cadre, will result, in a small one, either in a complete block in promotion, with the result that senior officers have to be retained in junior posts, or in undesirably accelerated promotion, junior officers being promoted to senior posts before they have the experience necessary to enable them to fill them efficiently. Moreover, these effects are complementary; a block in promotion almost invariably entails accelerated promotion as soon as the block clears, and *vice versa.* Where, therefore, the number of officers required for a service is small, or where, as in the case of the judicial cadre, it is impossible to obtain, in the junior appointments, the kind of experience necessary to enable the duties of the higher ones to be efficiently discharged, we can see *no alternative* to resorting to the expedient of borrowing officers of the required qualifications from elsewhere." (Para. 44.)

It has to be remembered further that the expert financial enquiry committee has in their estimates merely assessed the cost of separation, and made no estimate of the cost of "independent in-

stitutions of all kinds for the new Province" (para. 46), so that Sind will have to depend on the generosity of other Provinces, not only for its higher education and research to a greater extent than Assam, which has been bitterly complaining of being the only Province in India without a University of its own, and without a single college for the training of teachers or for higher education in agriculture, Veterinary Science or medicine (*Vide* pp. 6-7 of the Volumes of the Reports of the Provincial Committees attached to the Simon Commission), but also for its Borstal Jail (p. 56), its Police Training School (p. 57), its reformatory school and school of arts (p. 59), its Director of Industries, Industrial Engineer, and Industrial Chemist (pp. 63-4), and its Consulting Architect (p. 65). The undesirability of such a state of affairs will easily be realised by those who know the difficulties of securing admission of students from the Delhi Province into the professional and technical institutions of the neighbouring Provinces of the Panjab and the United Provinces. The special administrative difficulties connected with the Sukkur Barrage which will cover three-fifths of Sind, were pointed out to the Simon Commission, both by the Sind Hindu Association and the Chief Engineer of the Sukkur Barrage, who summed up his views in the sentence: "The whole difference between success and failure depends on the strictness, efficiency and impartiality of subsequent administration, and if I may mention it, it is a very difficult thing in a country like Sind—far more difficult than it is in the Bombay-Deccan." Their importance was emphasised by Mr. Brayne in para. 37 of his report on the Sind Conference, and the need of making some special arrangements to meet these difficulties seems to be implicitly admitted by the authors of the White Paper, which includes the administration of the Sukkur Barrage in Sind among the "special responsibilities" of its future Governor—an arrangement which will either break down if the Governor is a weak man, or reduce provincial autonomy to a farce if he is a strong and assertive personality.

To sum up, the final picture of the administration of the proposed Province of Sind, which emerges from these considerations, is an undeveloped Province with small and fluctuating revenue resources, with a small credit in the open market or with the Federal Government

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for raising loans to cover its deficits or to develop its resources, with no control over its higher officers borrowed from other Provinces, or over the Barrage which will cover three-fifths of its area, and dependent on unreliable outside generosity for higher education and research. It is difficult to imagine how the creation of such a Province will mean an improvement on the existing connection with Bombay, from the point of view of the political ambitions of even the Sind Muslims; for, as an important group with weightage of representation on the Bombay Council, they will be able to influence and control the administration in the *whole* of Sind in *all* questions of major policy far more effectively than under the proposed arrangement. To the Hindus of Sind it means a double loss; they will not only lose their share in the amenities, the credit, and the increased power open to the Hindu majority in Bombay including Sind, but will be relegated as an ineffective minority in a Council with limited powers of control over the greater part of Sind and with little or no capacity for developing Sind.

5. The financial objections were upheld by the Sind Financial Enquiry Committee and Mr. Brayne, and are presumably no longer denied. And, as has been pointed out in the "case against separation," if the British Government were to adhere to the resolution of the Sind sub-committee, endorsed by the Indian Round Table Conference and professedly accepted at one stage by the Prime Minister, or the Muslims were to honour the statements made by their leaders at the meetings of the Sind Sub-committee of the R.T.C., and the All Parties Conferences, the question should now be closed; for this resolution, according to the authoritative interpretation given by its chairman (Lord Russell) in reply to a specific enquiry by Sir Phiroze Sethna, during the sittings of the Committee and agreed to by Sir Shah Nawaz Khan Bhutto himself, meant that "*if Sind cannot show that it can successfully stand on its own legs, the separation does not take place.*" (Vide p. 87 Proceedings.) The Muslim demand of a subvention from the central Government at this stage amounts to a repudiation of all the emphatic assurances given in the Sind Sub-committee as to Sind's ability to stand on its own legs—assurances on the strength of which alone even the principle of separation had been accepted by the R.T.C. For some unaccountable reason, the British

Government has rewarded the party guilty of this breach of faith by accepting the unreasonable demand for a subvention. The whole episode is unworthy of the high tradition of justice and fair play built up by generations of Britishers in the past, and has created a most painful impression on the Hindu mind.

Even the promised subvention by the White Paper does not, however, solve the financial problem. In the first place, it is temporary, and no future national Federal Government attempting to do justice to all Provinces would tolerate it for any length of time, for statistical calculations show that in the decade 1912-21 the average *income per capita* was the highest in Sind among the Indian Provinces, and that in 1928-29 it was higher in Sind than in any other Province except Bombay Presidency proper, that the expenditure *per capita* on nation-building activities in 1930-31 was higher in Sind than in any other Province except in Bombay, and that the percentage of taxation *per capita* in 1930-31 to the total income *per capita* in 1928-29 was substantially lower in Sind than in the Panjab, Madras, Bombay Presidency (excluding Sind), United Provinces, Central Provinces and Berar, and the N.W. Frontier Province. (See the statistical Tables in Mr. Chablani's paper on the Federal Financial Committee and Provincial Contributions, a copy of which is sent herewith. Exhibit VIII.)

Secondly, a subvention of 80 lakhs a year will not be *enough* to cover the *initial* deficit of Sind on the date of separation, for a careful scrutiny of the latest available figures will show that Mr. Brayne's estimate of the initial deficit on 1st April, 1933, the assumed date of separation, has already gone wrong by several lakhs. As the Hindu members of the Sind Conference point out in a note printed as Appendix G to Mr. Brayne's report, "The revenue receipts in 1930-31 and the Revised Estimates of 1931-32 are lower than the basic figures assumed by the Miles Committee by as much as 24 lakhs, while the expenditure in 1930-31 exceeded the committee's basic figures by 2.3 lakhs." In spite of this fact, and notwithstanding the warning given by the expert committee, that by their basic figures of income and expenditure, they "*do not altogether mean a budget estimate for the year 1933-34,*" (Para. II of their report), Mr. Brayne has adopted as the basis of his estimate of the *initial*

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deficit in the year 1933-34, the "basic figures" adopted by the expert committee under all heads of revenue, except Excise (see Appendix A of his report). For instance, in spite of the committee's explicit statement that under Land-revenue, "with matters as they now stand, it would not be in the least safe to budget for more than about 90 lakhs for 1933-34" (*vide* page 36 of their report), and with the information available to him that according to the accounts of the latest year (1929-30) for which complete figures were compiled, the Land-revenue collections amounted to only 91.28 lakhs, Mr. Brayne persisted in assuming a figure of 102 lakhs for Land-revenue in 1933-34. Subsequent figures, now available, have fully justified the estimate put forward by the three Hindu members of the Conference, the Accounts for the year 1931-32 showing the Land-revenue collections to be only 92.41 lakhs. Similarly, Mr. Brayne has assumed for Excise receipts 29 lakhs a year, against the committee's basic figures of 33 lakhs, while the actual for 1930-31 and 1931-32 are only 25.79 lakhs and 25.66 lakhs respectively. The receipts from Stamps are estimated by Mr. Brayne at 20 lakhs, while the actuals for 1931-32 are only 16.89 lakhs. Moreover, Mr. Brayne's statement that 80.5 lakhs "is a reasonable estimate of the probable initial deficit of Sind on a date assumed for present purposes to be 1st April, 1933," is very misleading; for a glance at the figures given on page 27 of his report will show that even on the basis of the figures assumed by him, the initial deficit amounts to 91.45 lakhs, of which 11 lakhs are to be covered by additional taxation in the form of a new cess on Land-revenue, and 80.5 lakhs by a subvention. In addition to these manipulations, Mr. Brayne has reduced the expert committee's estimate of Sind's liability for pension charges from 16.5 lakhs to 9 lakhs a year without pointing out any mistake in the actuarial calculations of the expert committee on the basis of a wrong analogy, as has been pointed out on page 8 of the pamphlet "A Criticism of Mr. Brayne's Report of the Sind Conference." He has further effected a cut of 4 lakhs under interest and repayment of debt by proposing what really amounts to a questionable device of postponement of repayment at the very start of Sind's new career, viz., that instead of the existing arrangement of repayment of unproductive debt

in 30 years, a separate Sind Province should not only repay the same in 50 years but be allowed to count the 50 years' period, not from the point of time at which the particular loan was borrowed but *de novo* from the date it is constituted into a separate Province. For a fuller discussion of Mr. Brayne's estimate and justification of the estimate put forward by the anti-separationists, reference may kindly be made to pages 38-9, 45-6, 54-8, 61-6, 76-8, 86-7, 107-110 and 112-131 of the Proceedings of the Sind Conference, a note by three Hindu members of the Sind Conference printed as Appendix G of Mr. Brayne's report, and the pamphlet "A Criticism of Mr. Brayne's Report of the Sind Conference," a copy of which is submitted herewith.

The conclusion to be drawn from the figures given above, is that, even with a subvention of 80 lakhs, the process of balancing the Sind budget on the date of separation will involve additional taxation to the tune of 33 to 44.5 lakhs (i.e., 33 if Mr. Brayne's estimate of pension liability and debt charges be accepted, and 44.5 if the expert committee's figures are adopted). And this heavy taxation will be imposed in a province whose total receipts from taxation, including Land-revenue and water-rate, amounted to only 158 lakhs in 1929-30 and about 145 lakhs in 1931-32, at a time of unprecedented trade depression and an exceptionally severe fall in the prices of agricultural produce, and on people who are already complaining bitterly of the sudden and steep rise in the rates of Land-revenue assessment in the Sukkur Barrage Zone, which covers 3/5ths of its area.

In spite of this heavy taxation and a subvention of 80 lakhs a year, the standard of administration and amenities in the new province of Sind will be below the level of even Assam, which has been complaining bitterly of its forced backwardness because of insufficiency of its financial resources. Nor do the estimates of the Expert Committee and Mr. Brayne include the cost of institutions like a University and Government Colleges of all kinds, Engineering, Medical, and others, adequate mileage of Government Provincial Roads or medical relief, the absence of which was cited as a proof of neglect by the Bombay Government and made a ground for demanding separation of Sind from Bombay during the discussions at the meet-



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ings of the Sind Sub-Committee of the Indian Round Table Conference (see pages 10-11, 29, Proceedings). A reference to paragraph 46 of the Report of the Expert Committee will show that they rejected the view that any scheme of separation will fail to meet the case unless provision is made for institutions and items, the absence of which was one of the main arguments advanced in favour of separation, considered that "their task is to assess the cost of separation" and did not "feel that the provision of such institutions falls properly under this head." Nor has the Expert Committee included in their estimates for the next 30 years the development expenditure at the rate at which the Bombay Government has been incurring it on Sind during the post-reform period except the few items to which the Bombay Government have already committed themselves (see pages 76-8 of their report).

Mr. Brayne has gone even further and his estimate of a subvention of 80 lakhs makes no provision whatever, even for the items of capital expenditure and expenditure charged to revenue, to which the Bombay Government has already committed themselves (*vide* Chapter V of the Sind Financial Enquiry Committee's Report), nor for the normal growth of expenditure and 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 advantages of her resources in the new era of development upon which she has entered (*vide* para. 35 of Mr. Brayne's report). And his estimate of the period for which this subvention will be necessary not only knocks out 345.2 lakhs out of the accumulated interest on the Barrage debt by debiting it to Bombay—a suggestion now ruled out as unfair by the British Government, but takes full credit for the *entire* anticipated proceeds of the land sales and receipts from land assessment from the Barrage Zone without providing a pie for the inevitable growth of expenditure due to the developments in the Barrage Area. A fuller discussion of his untenable position will be found on pages 14-15 of "A Criticism of Mr. Brayne's Report" issued by the Executive Committee of the Sind Anti-Separation Conference, to which the attention of the Parliamentary Committee is specially invited; but enough has been said above

to make it plain that under the budgetary conditions proposed by Mr. Brayne, in spite of a sharp increase in taxation of 20 to 33 per cent. which will make Sind's taxation *per capita* the heaviest among the Indian provinces even after a subvention of 80 lakhs, Sind will become what Earl Russell feared "a backward province in the middle of India" (*vide* p. 50, Proceedings of the Sind Sub-committee) and what the majority of the Sind Sub-committee of the R.T.C. "did not want to create in India—a semi-bankrupt province that will be a source of weakness to the whole community" (*vide* Mr. Isaac Foot, p. 62 of the Proceedings).

6. Both the Expert Committee and Mr. Brayne rest their hopes for the future on the anticipated surplus from the Sukkur Barrage. Both admit that Sind cannot stand security for the Barrage debt and that the question is whether the Barrage can stand security for Sind. The members of the Expert Committee, however, take particular care to begin their observations with the warning that "it is never an easy matter to forecast with confidence the financial prospects of a new irrigation scheme, and to do so during the period of a serious economic crisis, the duration and ultimate effect of which are at present and will for some time remain unknown, is clearly an impossibility." And yet it is on the basis of this "clear impossibility" that absolute reliance is being placed by Mr. Brayne and the authors of the White Paper for the financial solvency of a separate province of Sind in the *near future*. Some idea of the complicated factors involved may be had from even a cursory perusal of pages 12-8 of the written evidence submitted by me before the Sind Financial Enquiry Committee, a copy of which is sent herewith, and pages 107-9 and 127-8 of the Proceedings of the Sind Conference. The wide difference between different estimates based on different sets of assumptions makes all the difference between substantial surpluses and heavy, almost crushing, deficits, as can be easily seen by a reference to para. 83 of the Sind Financial Enquiry Committee's report, para. 34 of Mr. Brayne's Report, and para. 4 of "Criticism of Mr. Brayne's Report of the Sind Conference," issued by the Executive Committee of the Sind Anti-Separation Conference. The major facts involved in these divergent estimates are the Land-values, intensity of cultivation,

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the rates of land-revenue assessment and the prices of agricultural produce, each of which is subject to so many varying economic influences, local and world wide, that few qualified economists would venture a definite prophecy regarding what would happen in the next 30 years. As it is, neither the Expert Committee nor Mr. Brayne had any claims to be considered as expert economists. To give only one illustration of their profound knowledge of economics, the Sind Financial Enquiry Committee state with approval in para. 62 of their report that "it is the firm conviction of both the irrigation and revenue authorities in Sind that both the area which can be disposed of and the prices which will be obtained for it can safely be considered as being *independent of the value of the agricultural produce.*" When the absurdity of this proposition was pointed out during the proceedings of the Sind Conference, the Expert Revenue Officer of the Barrage changed front and said "that the Committee had misunderstood the irrigation and revenue authorities in Sind. They had enunciated no such proposition." The plain truth of the matter is that both the Expert Committee and Mr. Brayne have accepted as correct the estimates put by the Barrage Officials, who consider it a point of honour to stick to their old estimates in one *form* or the *other*, though through causes beyond their control the bases on which the original estimates were framed have been proved to be wrong by the actual course of events. Compared to the original project estimates, the capital outlay has increased, the rate of interest has gone up, the working expenses have risen, the land-values and prices of agricultural produce have tumbled down, but all this makes practically no difference to the *productive* character of the Barrage and the anticipated surplus therefrom, a *minus* figure in one place being easily offset on paper by a *plus* entry elsewhere.

Nor is this all, the experts themselves differ according to the degree of optimism they can command, Mr. Brayne being invariably more optimistic than the Expert Committee, his task being to balance the Sind Budget *somehow*. The Expert Committee thought that "both sales of land and payments will have to be spread over a considerably greater number of years," and that "so long as prices generally remain low, the amount of money available for land purchase must inevitably be *limited*" (para. 62). Mr. Brayne is troubled by no such thought; he bases

his estimate on the express assumption of "recoveries from land sales at prices more or less according to the programme anticipated" (para. 34 of his Report). The Expert Committee regarded it "a *very rash assumption* in existing circumstances" to realise "the *full rates of assessment*" (page 29), based upon the *prices* of 1919-29, but Mr. Brayne considered it quite safe to assume for the purpose of his estimate a drastic revision of assessment after only *five years*" according to the higher rates proposed in the settlement reports on the basis of *pre-slump* prices during the decade 1919-29. Under the rates based upon the prices of *May*, 1931, called the slump prices, the Expert Committee thought that "the financial prospects of the Barrage would be *precarious* in the extreme, and on the criterion utilised in the case of irrigation schemes, it would have to be classed as *unproductive* (para. 80). Mr. Brayne thinks otherwise. On the basis of a series of assumption including the rates based during the first five years upon the agricultural prices of *January*, 1932 (when there was a temporary rise of prices owing to the sterling and the rupee having gone off the gold standard since September, 1931) and thereafter upon the prices of the decade of 1919-29, the Barrage is shown to be a *productive* asset. Had the basis been the prices of *April and May*, 1932, when Mr. Brayne was holding the Sind Conference, instead of the prices of *January*, 1932, Mr. Brayne's substantial surplus would have turned out to be a huge deficit. Such is the arbitrary and precarious basis on which Mr. Brayne's optimistic estimates are based.

Whatever may be the value of these varying estimates, it is common sense to suggest that if reliance is to be placed upon the Barrage as the security for a separate province of Sind, we must allow some reasonable period of time for uncertain factors of this magnitude to disappear so that there may be a *firma terra* to base one's estimates upon. To ignore the stern realities of the existing agricultural depression particularly in cereal producing areas and to stake the welfare of the people of Sind on a gamble on the future course of land value and prices of agricultural produce grown in Sind would be the height of unwisdom and nothing short of a leap in the dark. And the responsibility of this serious plunge into the deep dark, it must be repeated, rests on the British Government and the British Government alone, for they are

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effecting this separation of Sind, not only against the considered judgment of the Bombay Government and the Bombay Legislative Committee and in the teeth of opposition of a million of loyal Sind Hindus who constitute an overwhelming majority of the literate and educated community in Sind but also in direct contravention of the provisions of the existing Government of India Act and the express conditions laid down by the Sind Sub-Committee of the Indian Round Table Conference.

7. The Political consequences of constituting Sind into a separate Governor's province are no less serious. The economic and social facts, given in some detail on pages 59-63 of the pamphlet on "The True Facts regarding the separation of Sind from the Bombay Presidency" will show how serious are the abstacles in the way of establishing in Sind a really democratic responsible provincial Government. The bulk of the rural population consists of either tenants—at will without any security of tenure or a written deed or landless labourers on the land. Out of a total population of 38 lakhs, only 83 thousand holders own 91.1 per cent. of the land and only 2,251 holders own as much as 32.4 per cent. of the total area held. The curse of the province is the big zemindar, owning much land and sometime even enjoying honours from Government, often the patron of the *Patharidars* who are the owners of the *Patharis*—"the clearing houses of stolen property" and "the ganglion of the nervous system which gives to cattle theft in Sind its special character of organised crime" (*vide* the Report of cattle lifting Committee in Sind), ever ready to give evidence against other zamindar's *Badmashes* (bad characters) while shielding his own, most unwilling to pay a fair price of land or the cost of water supplied to him at the expense of the taxpayer or taxes on property, and ever anxious to influence by all the means at his command the course of justice in order to free from the just clutches of law his criminal relatives and tenants. His normal attitude towards women is reactionary in the extreme, kidnapping and abduction of women being a matter of everyday occurrence and in case the victim is a Hindu a matter of glory for his faith in which every Muslim must help the Muslim aggressor rather than the Hindu victim. Wife-killing, the one crime which Sir Charles Napier could not suppress, is almost as common among the

Baluchis to-day as it was 80 years ago. The rural population in Sind lives in a semi-feudal regime under the thumb of the big zemindar and the fanatical Pir, in mortal dread of their oppression, mitigated occasionally either by the intervention of the Police, the civil Court and the strong English civilian touring in the district, or the fear of a rival Zemindar or a Pir in the neighbourhood. The recent case of Pir Pagaro in which a human being was confined for years in a cage reminds one of an incident recorded by Sir Charles Napier 90 years ago. The incidence of crime per 1,000 of population is much higher in Sind than in any other province of India (excluding Burma) while the percentage of literates among the Sind Muslims is the lowest in India. The Larkana riots, the Jacobabad murders, the organised gang dacoities in the Sukkur District show that the Sindhi Muslims continue to be almost as intolerant as they were in the forties of the last century, when James Burnes described them to be "the most bigoted, self sufficient and ignorant people upon earth," adding that "there is no country in Asia or rather on earth, so perfectly priest ridden." What is still more serious, they refuse to be influenced by other communities, even in political matters; for though in a majority of 73 per cent. in Sind, they are still wedded to separate electorates and demand an irremovable statutory communal majority in the legislature and the local bodies. In these conditions, it is impossible to achieve any political progress in a separate province of Sind, and the only way to give Sind the benefit of the coming reforms is by association with the more democratic and progressive forces in the Bombay Presidency.

8. For these reasons, the Sind Hindus feel strongly that not only no case has been made out for severing the 90 years old connection of Sind with Bombay, but that exceptionally strong reasons exist for turning down the proposal to constitute Sind into a separate Governor's province in the interests of the welfare of the people of Sind in general and of the Sind Hindus in particular. If, however, owing to the political prejudice against the Hindu community in general and the hidden forces working in favour of an Anglo-Muslim alliance at any price, these arguments and protests prove of no avail, they would as an alternative urge that the proposal may be deferred for a decade till the future of the Sukkur Barrage

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is assured and the province recovers from the acute agricultural depression from which it is suffering heavily at present.

Should neither of these alternatives be acceptable, they would earnestly ask the British public to recall to mind the circumstances under which they were invited by the Hindus of Sind to free them from the intolerable misrule of the Talpurs in the forties of the last century, the professions made in this regard by the first British administrators, the continuous and loyal co-operation they have had from the Hindus in Sind in evolving order out of chaos, and the substantial contribution which they have made to the economic, social and educational advancement of Sind on the assurance of British protection of life and property and encouragement of freedom of enterprise in Sind. According to the information given to Captain Hamilton at the beginning of the 18th century, "the proportion of Hindus to the Musulmans was then *ten to one*"; Mr. Crow wrote in his memoirs (1800), "in number with the Musulmans they (Hindus) are two to three"; while in 1840 James Burnes stated that "the Hindus are not now more than one-fifth of the community." The change is accounted for by the terrible persecution of the Hindus by the Kalohras and the Talpurs, on account of which, according to the narrative of James Burnes, he found "that amongst the many who secretly pray for such a consummation, none seemed to have a more devout wish to see the British colours flying in the bastions of Hyderabad, than the Hindus of respectability, who uninvited entered on the subject of their grievances and discoursed largely of the cruelties and indignities to which they were subjected." Lest this dark history, which explains the transformation of "a land as rich as covetousness would wish it," according to Portuguese travellers of the 16th century, into a land of "shikargahs," at the time of Burnes' visit, repeats itself and the British charged by posterity with breach of trust, adequate safeguards are necessary (a) to protect life and property and maintain economic security; (b) to maintain the existing standards of administration at least in the departments of Police, Justice and Education; (c) to prevent the establishment of an oligarchy of ignorant, bigoted and medieval big zamindars of Sind, and (d) to secure the protection of the minorities

in Sind, particularly the most substantial minority of the Hindus.

To secure the first, the Sind Hindus press that Law and Order and Justice (especially the highest court in Sind) should be made reserved subjects in Sind and the control of the town police be made over to the municipalities. If, for any reason, this is deemed inexpedient, a convention may be established that these departments shall be in the hands of a non-Muslim for the first 20 years. Further, a statutory provision be made that in all cases of communal riots, a punitive tax shall, if demanded by half the number of Hindu or Muslim members in the Sind Legislative Council, be imposed on the Muslims to provide adequate compensation to the families of Hindu sufferers and on the Hindus to compensate adequately Muslim families who suffer losses thereby.

As regards the second, our demand is that the subvention given to Sind on the date of separation should be adequate to cover the *initial deficit, whatever it might be*, and to maintain the existing standard of administration at least in the Departments of Police, Justice and Education till such time as the net surplus from the Barrage, over and above the expenditure directly or indirectly due to it, is not adequate enough to cover Sind's deficit. Should, for any reason, additional *direct* taxation be imposed to cover any part of the *deficit* during the next 10 years, the Hindu community, which has all along opposed the constitution of Sind as a separate province, should in fairness be exempted from such direct taxation.

In order to secure the third object, the composition of the Sind Council proposed in the White Paper be altered in such a way as to impose a reasonable limit on the representation of the big Zamindars in Sind. This can be done by *increasing* the number of seats specially reserved for them from two to six and declaring them ineligible for contesting other seats. At the same time, the representation accorded to European and Indian Trading and Commercial interests should be at least doubled in view of their importance in the economic life of Sind, and one seat be given to graduates of the University as is the case in all other provinces.

For the protection of minority interests, our first demand is that for the first four terms of office, the Governor

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of the Province to whose hands the White Paper entrust the duty of "safeguarding the legitimate interests of minorities," shall be a non-Muslim, particularly in view of the grave fears and suspicions roused by the statements made by accredited Muslim leaders that the Hindus of Sind are required as hostages for the good conduct of Hindu majority towards Muslim minorities outside Sind. Secondly, we demand *joint electorates* for elections to the local legislature, to local bodies and to any representative body that might be constituted by Statute. In justification of this demand, it may be pointed out that *separate electorates* were originally established on the demand of the Muslim minority as a device for safeguarding their position as a minority and that there is no reason why they should be tolerated in a province, where the Muslims form 73 per cent. of the population and will form an overwhelming majority of the electors under the extended franchise and where the minority community itself demands joint electorates as its best protection. The Sind Hindus attach great value to joint electorates, mainly for two reasons. They soften the aggressive communal consciousness of the majority community and give the minority an opportunity to educate the Muslim public on political issues at the time of elections and to organise political parties on a common programme or policy; occasionally, they will make it possible for the minority to punish a fanatically communal member by throwing their weight in a contested election on the side of a more moderate member, and a lesson learnt by one intolerant member is bound to have an educative effect on others. The Sind Hindus feel that separate electorates, far from protecting them, will make for their oppression at the hands of an irresponsible majority returned on a communal ticket, and consider it very unfair and unreasonable that the Muslims and the Government should thrust upon them a supposed safeguard for the minorities, which they are convinced is not only a dangerous poison in the body politic aggravating communal consciousness and preventing the growth of a moderate party from the ranks of both Hindus and Muslims, but also an open door for their oppression by fanatics among the majority community.

Regarding representation on the local legislature the composition of the proposed Sind Council indicated on page

79 of the White Paper does not appear to them to be a fair distribution of seats among different interests, considering their economic, social and educational position in Sind. In the first place it is unfair to classify the seats in Sind into (a) General, and (b) Muslim; the classification should be rather (a) General, and (b) Hindu, since the Hindus are the most important minority in Sind just as the Muslims are in other Provinces. As it is, the Parsis, the Indian Christians, the Anglo-Indians and Sikhs are expected to share with the Hindus the General seats, leaving to the Hindus much less than their importance and position in Sind entitles them to. Considering the fact that the Hindus pay nearly 40 per cent. of the Land revenue partly as owners and partly as lessees and Mortgagees in possession, the bulk of the Excise Revenue, Stamps, Registration, Income Tax in Sind, that the number of literates among them is three times the number among the Muslims and that of English knowing adults eight times as large, that on the basis of the existing franchise for the Bombay Legislative Council the Non-Muslims have 67,087 qualified voters, as against 60,838 Muslim voters, and above all the weightage enjoyed by the Muslim minorities in other Provinces, the Hindus of Sind have reason to be greatly dissatisfied with the representation proposed for them. The total number of general seats open to all minorities (except the Europeans) is only 19, of which one will certainly be captured by a Non-Hindu, either a Parsi, a Sikh or an Indian Christian so that Hindus will have only 18 out of a total of 55 seats (excluding special constituencies). The Sind Hindus feel strongly that even if no allowance is made for the fact that they are being taken away against their wishes from a big Province in which as a part of the Hindu majority they would have shared the political power of the majority community and being reduced to the position of a minority in a small Province, they are in justice entitled to at least 40 per cent. representation in the Legislature. Quite apart from the special facts referred to above in favour of this claim, the weightage in representation asked for is not in excess of what the Muslims have secured in other Provinces. Excluding special constituencies, 14.3 per cent. of the seats in the Madras Council have been reserved for Muslims who form only 7 per cent. of the population; in Bombay 8.2 per cent. Muslims have been given

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19 per cent. representation in the Legislature; in the United Provinces Muslims who constitute only 14.2 per cent. of the population have secured 30.7 per cent. of the seats in the Legislative Council. Similarly Muslims who are only 11.2 per cent. of the population in Bihar and 4.4 per cent. in O.P. have been accorded 28.5 per cent. and 13.4 per cent. of the seats in the provincial legislation, while in Sind, the Hindus who form 26.8 per cent. of the population and an intelligent and progressive section with considerable stakes in the Province, have been given only 32.7 per cent. representation. Thus in the light of the weightage enjoyed by the Muslim minority in other Provinces, the Hindus' claim for 40 per cent. seats will appear an exceptionally strong one. It may here be added that in this case there is no Lucknow Pact to be adhered to and that even the Sind Pact and the Allahabad Unity Conference agreements conceded 37 per cent. to the Hindus in Sind.

The seats assigned to the special constituencies in Sind also call for comment. Of the two seats reserved for Landholders, one should be reserved for the Hindu Zamindars who as Owners and Lessees and Mortgagees of land pay nearly 40 per cent. Land Revenue. The number of seats reserved for Commerce and Trade, European and Indian, is unfairly low compared to other Provinces. Karachi is a port of considerable commercial importance and commerce and trade of Sind are the very life-blood of the Province, and yet only one seat has been given to European Chambers of Commerce and one to two Indian Chambers, while in Assam the European commercial interests have secured eight and Indian three. These important interests, in a maritime Province like Sind, with a port like Karachi and its enterprising merchants now found all over the business world, should have at least four seats for Europeans and four for Indian commerce and trade.

For the rest, the Hindus of Sind demand for the individual members of their community nothing more than *equality* with the members of the majority community before the law and the public administration of the Province, and safeguards against invidious discrimination against them or vexatious restrictions on their enterprise and economic activity. With this end in view, they would press for equality of franchise qualifications for both Hindus and Muslims in rural as well as in urban constituencies, an open door through competitive examinations to the public services without any reservation of posts in favour of the majority community and express provisions in the constitution in some such terms as the following:—

(1) There shall be no discriminatory legislation or taxation and none shall be prejudiced merely by reason of his caste, creed or tribe in acquiring or enjoying civic and economic rights, including the right of *owning*, purchasing or disposing of landed estates in the open market and the freedom of choice of any profession or calling.

(a) Any legislative measure or administrative policy undertaken by the Ministry to which objection is taken in the Council by more than three-fourths of the members belonging to all the minority communities on the ground that the policy or measure is discriminatory or that it injuriously affects particular interests of any of the minority communities shall, if the Ministry accepts the objection as valid, be withdrawn. If the Ministry does not admit that the measure or policy is of such a character, a reference shall be made by the Ministry to a special tribunal appointed for the purpose by the Central Government consisting of three Indian judges, no two of whom shall belong to the same community and one shall belong to the aggrieved community, and their opinion, which shall be given within a month of the reference, shall decide the question and be binding on the Provincial Government.

#### MEMORANDUM 40. THE CASE AGAINST SEPARATION OF SINDH FROM THE BOMBAY PRESIDENCY.

##### SINISTER MOTIVE.

The separation of Sindh has been demanded not on its own intrinsic merits but in pursuance of a policy of having more Muslim provinces to preserve the 'balance of power.' The statement has

been openly made by accredited Muslim leaders that the Hindus of Sindh are required as hostages for the good conduct of Hindu majorities towards Muslim minorities outside Sindh. This brutally frank statement of the real motive of

17<sup>o</sup> Julii, 1933.]

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the Muslim separationist's demand has rightly caused grave fears and suspicions among the Sindh Hindu population, which have been greatly enhanced by the persistent rumours of the contemplated appointment of a Muslim as the first Governor of Sindh, to whose tender mercies the White Paper assigns the task of minority protection in Sindh.

#### PROSPEROUS UNDER BOMBAY.

Separation is urged ostensibly on the ground that Sindh had suffered greatly on account of the connection with Bombay, but this has been proved to be wrong both by the Indian Central Committee attached to the Simon Commission and the Simon Commission.

It is flying in the face of truth to say that Sindh had suffered under Bombay. To appreciate how far this is a travesty of truth, it is necessary for the British public to recall to mind the past history of Sindh and the remarkable transformation it has undergone, during the last eighty years of its administrative connection with Bombay, from the "Unhappy valley" of Burton's days, full of "shikargahs" and wild beasts, to the land of the Barrage canals and the flying aeroplanes. Its population has increased by over 300 per cent.; its cultivation has extended even more; its canal irrigation has transformed barren lands into smiling fields; its system of education and local self-government has been brought into line with that of advanced Bombay; its residents enjoy in association with the more advanced people of Gujrat, Bombay and Maharashtra the largest measure of self-government that any province has in India; its port of Karachi has risen from a fishing hamlet to a position of approaching equality with Madras, Bombay and Calcutta; financially, it has all along received considerable help from the Bombay Presidency; economically, one of the gigantic schemes of irrigation ever undertaken in the history of India has been initiated by the efforts of the Bombay Government and the guarantee of its taxpayers; commercially, most of its leading commercial communities, Europeans, Hindus, Parsis, and Khojas have close business and social connections with Bombay; and so strong has grown to be the tie between Sindhis and the people of the other divisions of the Bombay Presidency that to-day the majority of the residents of Karachi, the seat of the Commissioner in Sindh, speak languages, other than

Sindh. And just at the time when the people of Sindh were looking forward to a more rapid economic progress owing to the Sukkur Barrage, and the heavy programme for construction of roads, feeder railways, and a new Barrage at Kotri, to which the Bombay Government had committed itself, an apple of discord has been thrown among the people of Sindh by outside politicians, who have dragged Sindh as a pawn on the chess-board of all-India communal politics, and demanded for the so-called "balance of power" between Hindus and Muslims in India, the separation of Sindh from the Bombay Presidency and its constitution as a separate Province.

Eighty years is not a small period in the history of any province or even a nation; and there should be *exceptionally strong reasons* for severing the administrative connection that has continued so long and worked so much to the benefit of Sindh. No such cause has yet been shown to satisfy any reasonably-minded person.

#### AN EX-PARTE DECISION.

So far as the Hindus of Sindh are concerned, they have not been consulted by the Government at any time before they accepted the principle of separation at the Round Table Conference. Not a single Sindh Hindu was a member of the R.T.C. to place the Hindu case before that body; its decision was thus purely *ex-parte*; and Sindh Hindus feel that this decision was taken hastily and on false representations made by the Sindhi Muslim members of the Sindh Sub-Committee of the Round Table Conference.

#### PROTECTION OF SINDH HINDUS—A BRITISH PLEDGE.

Sindh was conquered by the British, at the direct invitation of Sindh Hindus, to free it from the intolerable misrule of the Talpur Mirs. It is now being made over to a still greater misrule—that of an ignorant, fanatical and criminally inclined oligarchy of Sindh Zamindars without any adequate protection to the enlightened minority of the Sindh Hindus, whose unstinted co-operation with the British for the last 80 years has brought order and progress to the Unhappy Valley of Burton's days.

#### NO DEMAND FOR SEPARATION.

There has never been a demand for the separation of Sindh from any of the non-Muslim communities in Sindh. The wild statements made on this point have been

17<sup>o</sup> *Julii*, 1933.]

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proved to be either wholly devoid of truth or at least a gross misrepresentation of real facts. At no time were the European commercial community of Sindh in favour of an independent province, although at one time they thought that amalgamation with Punjab would be beneficial. But after the recent economic and agricultural developments in connection with the Barrage, they have expressed the opinion that Bombay has played a wonderful part in helping Sindh and have not asked for separation through their two accredited bodies—the Karachi Chamber of Commerce and the Sindh European Association.

The Hindus of Sindh constituting more than 26 per cent. of the population are strongly opposed to separation.

The smaller minorities like Parsis and Indian Christians have at no time asked for it.

Up to 1927, even the Muslim leaders like Rais Ghulam Mohammad Bhurgri, Haji Abdulla Haroon, and Ghulam Ali Chagla, joined the Hindus in demanding a *more complete amalgamation* with Bombay by the repeal of the Sindh Commissioner's Act.

#### OBJECTIONS UPHOLD.

The Bombay Legislative Committee attached to the Simon Commission, of which Sir Shah Nawas Khan Bhutto (the Sindhi leader of the Muslim group in the Bombay Council) was chairman, came to the conclusion "that administrative difficulties which have been pointed out by the Bombay Government are real and cannot be ignored" and that "for financial reasons alone the proposal is impracticable"; and that Sindh "must, in order to secure this advantage (full provincial autonomy) continue as part of the Bombay Presidency."

The Simon Commission definitely stated that "there are grave administrative objections to isolating Sindh and depriving it of the powerful backing of Bombay before the future of the Sukkur Barrage is assured," stressed the financial objections against, laid down a number of conditions which must be fulfilled by all proposals for constituting new provinces, and recommended a *general Boundary Commission* to which the class of questions, "of which Sindh and Orissa are only particular illustrations" should be referred.

#### UNFAIR TACTICS.

At the R.T.C., Sir Shah Nawas Bhutto, instead of presenting the case against separation as the Bombay Government had been led to believe on account of his signing the report (referred to above) of the Bombay Legislative Committee attached to the Simon Commission, turned a somersault and strongly advocated separation of Sindh.

Sir Ghulam Hussain Hidayatullah, another Sindhi gentleman and a member of the Bombay Governor's Executive Council, who was sent by his Government as member of the R.T.C., refused to call himself the representative of the Bombay Government. He claimed individual independence for himself to demand separation, though his own Government was opposed to it, and was chiefly instrumental in committing the Russel Sub-Committee to the *principle* of separation.

Gross mis-statements of facts and fallacious arguments alike went unchallenged. The Bombay Government was actually "dished"; it had no representative of its own and no Sindhi Hindu to present the case against separation.

Even so, the result of this *ex parte* hearing of the case by the Russel Sub-Committee and the R.T.C., was that only the principle of the separation of Sindh was accepted and a recommendation made, which in the explicit words of Lord Russel meant that "*if Sindh cannot show that it can successfully stand on its own legs, the separation does not take place.*"

#### THE DEMAND FOR SUBVENTION—A BREACH OF FAITH.

At no stage of this controversy, did the Muslim separationists talk of a subvention. They repeatedly assured the Congress, the All-Parties Conferences at Delhi and Lucknow and the Russel Sub-Committee of the R.T.C., that Sindh was financially self-supporting; or if there was any slight deficit, it could and would be made up by Sindh. At the All-Parties Conference at Lucknow, a Sindh agreement was signed by Muslim leaders like Maulana Shaukat Ali, Sheikh Abdul Majid, Haji Abdulla Haroon, Mr. M. C. Chagla, Maulana Zafar Ali and others, and this was unanimously accepted by the whole Conference. This important agreement, which was intended to close the whole controversy, reads as follows:—

"Simultaneously with the *establishment of Government in accordance with*



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the Nehru Committee's report, Sindh shall be separated from Bombay and constituted into a separate Province.

Provided—

(1) after an enquiry it is found—

(a) that Sindh is financially self-supporting.

(b) in the event of its being found that it is not financially self-supporting, on the Scheme of separation being laid before the people of Sindh with its financial and administrative aspects, the majority of the inhabitants favour the scheme and express their readiness to bear the financial responsibility of the new arrangement.

(2) that the form of Government in Sindh shall be the same as in the other provinces under the constitution;

(3) that the non-Muslim minority in Sindh shall be given the same privileges in the matter of representation in the Provincial and Central Legislatures as the Muslim minorities are given under the Nehru Committee's Report in areas where they are in a minority."

Even the Congress is bound in honour to respect this agreement. Not only the Congress leaders signed it at Lucknow, but they re-iterated the position taken up in this agreement in subsequent resolutions. At the R.T.C., Mahatma Gandhi presented the Congress scheme for a communal settlement, of which paragraph 7 runs as follows:—

"Sind shall be constituted into a separate Province provided the people of Sindh are prepared to bear the financial burden of the separated province."

The position taken up by separationists before Government was no less clear and emphatic. The Muslim evidence before the Simon Commission asserted that Sindh was not a deficit province. The Muslim members of the Indian Central Committee of the Simon Commission agreed to making separation of Sindh conditional on its being self-supporting, for they were "of the opinion that if the people of Sindh are prepared to face the financial burden and other disadvantages which seem likely to result from the constitution of a separate province, their wishes in the matter should be complied with." Again, the assurance given by Sir Shah Nawaz Bhutto, His Highness Aga Khan, and Mr. Jinnah at the Russel

Sub-Committee definitely ruled out a subvention to a separated Sindh.

If, at any time, there was any question of a subvention either from the Government of India or the Government of Bombay to set up Sindh as a separate province, there was no need to call the Brayne Conference in Karachi to ask the representatives of Sindh how they were going to meet the deficit—such a deficit having been disclosed by the expert investigation of the Miles Irving Committee.

The question of a likely subvention was never in the mind of the Sindh Separation (Russel) Sub-Committee of the R.T.C., and it was never in the mind of any member of the Round Table Conference for the simple reason that the Sindh Muslims had made it a grievance that Bombay had received more from Sindh than it spent on it and contended Sindh was always a self-supporting province.

Sir Shah Nawaz Bhutto said in the Russel Committee that "Sindh must stand on its own legs" and that "we do not want any financial help." Further, he plaintively asked "if we are not able to support ourselves how can we ask for separation"?

Both H.H. Aga Khan and Mr. Jinnah also said "it is up to the representatives of the proposed new province to show how the deficit should be met by taxing themselves" (page 82 of the proceedings).

The Chairman of the Sub-Committee, the late Earl Russel, observed in reply to Sir Phiroze Sethna: "I will tell you, in view of the last words of Mr. Jinnah, what the recommendation of the Sub-Committee is: it is if Sindh cannot show that it can stand successfully on its own legs, then separation does not take place."

The recommendation of the Sindh Sub-Committee, as interpreted by Lord Russel, was endorsed by the Round Table Conference; and in pursuance of it, the Prime Minister, on behalf of His Majesty's Government, appointed the Miles Irving Sindh Financial Enquiry Committee. This expert committee showed that on the day of separation Sindh would have to face an initial deficit of 110.42 lakhs a year, which would grow to 144.19 lakhs in 1962-63 unless the Lloyd Barrage came to the rescue (para. 84 of the report). They further pointed out that even if the full rates of assessment proposed for the Barrage area were realized, "a very rash assumption in the existing circumstances,

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Sindh will always be a deficit province on our basis of calculation, although the deficit will fall to below half a crore of rupees after 14 years and below a quarter of a crore after 18 years. If only the slump rates are imposed, the deficit will never be less than a crore of rupees. At the average of the two rates, the deficit will not fall below a crore of rupees until the fourteenth year after separation, the ultimate deficit on the full development of the Lloyd Barrage being 63.71 lakhs" (para. 83 of the Miles-Irving report).

An enormous deficit of over a crore of rupees having been disclosed by the expert committee, Government took the next step of ascertaining from the representatives of Sindh as to how they were going to finance themselves satisfactorily in the event of separation, as announced by the Prime Minister. And Mr. Brayne was asked to preside over this Sindh Conference.

After a three weeks' conference at Karachi, Mr. Brayne disclosed a deficit of 80 lakhs, *which is considered to err grossly on the side of over-optimism*; and the representatives of Sindh, having failed to find the means to overcome the deficit, *this chapter must close and the status quo must be maintained.*

#### THE UNREASONABLE DEMAND ACCEPTED.

Having failed to make out a case for separation on its merits, having failed to prove that Sindh was a surplus province, having failed to show that by retrenchment or by additional taxation, Sindh could stand on its own legs, the Muslim separationists have shifted their ground now, and rest their hopes on a subvention from the Central Government. Thus they repudiate all the emphatic assurances given in the Sindh Sub-committee as to Sindh's ability immediately to pay its way—assurances on the strength of which alone even the principle of separation had been accepted by the R.T.C.

"If Bombay has been paying the deficits of Sindh, let the stronger partner, the Government of India, relieve Bombay of this burden and pay the deficit itself, which Bombay will greatly appreciate, and Sindh, too, will enjoy the pleasure and glory of separation"; that is the last argument now advanced by the separationists.

It is not correct to say that Sindh is receiving a subvention from Bombay. Sindh at present is a part of the Bombay presidency; the whole of the presidency, including Sindh, is one administrative

and legislative unit; the people of both parts control expenditure and determine policy; but a subvention from Simla is a different matter altogether, as there will be no union of interest and unification of control of policy and expenditure in that case. It is this unwarranted demand for separation of Sindh and for a subvention of 80 lakhs from the Federal Government at the cost of Hindu majorities in other Provinces, which the White Paper has endorsed for no ostensible reason except to placate the Muslims under the pretence that it was supported by the R.T.C.

#### ILLUSORY HOPES FROM THE SUKKUR BARRAGE AND PROSPECTS OF INCREASED TAXATION.

The Miles Irving Committee has laid it down that it is not a question of the Sukkur Barrage standing security for Sindh, but whether Sindh with hardly 150 lakhs of revenue can stand security for the Barrage—Sindh which is already a deficit province without any of the Barrage commitments yet thrown on its shoulders. Mr. Brayne was, however, of the opinion that the Barrage will be able to stand security for Sindh seven or eight years after separation. This is too impossible a forecast on account of the acute depression, the slump in prices and fall in the demand for the Barrage land and its value. His estimates are not only opposed to the definite finding of the expert Sindh financial enquiry committee, but are also based on a number of unjustifiable assumptions including the realisation of full rates of assessment and the assumed prices of land sales in the Barrage zone after five years. At present the fall in the prices of primary products and land is over 50 per cent.; and the chances of these assumed rates being realised are almost nil. On the question of these rates, we wish to invite public attention to the speeches made in the Bombay Legislative Council by Muslim Members so recently as 20th February, 1932, and 11th March, 1932, and to the resolutions passed at a meeting of Larkana Muslim and Hindu Zamindars, Jagirdars and Agriculturists under the chairmanship of Sir Shah Nawaz Bhutto in May, 1931. On the general ability of the people of Sindh to bear more taxes, Sir Shah Nawaz Bhutto expressed himself at the R.T.C. as follows: "The people have no money and they are already starving and cannot pay more taxes." The Barrage is too gigantic a project to be run by the untried hands of the new

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Sindh provincial ministers. And any one knowing anything of the conditions in Sindh should say that the anticipated Barrage revenue would be hardly sufficient for the inevitable growth of expenditure in the Barrage zone.

Even with a subvention of 80 lakhs, Sindh cannot stand on its legs. The consequential attempts to add to the height of taxation in this period of acute depression will only create serious discontent among all classes of people of Sindh, on whose shoulders the main burden of any proposed taxation must ultimately call.

#### NO MONEY FOR DEVELOPMENT AND THE PROSPECTS OF A C, PROVINCE.

With the Barrage revenue mortgaged for a generation, there will be no money for nation-building services. Being a purely agricultural province, Sindh has no expanding sources of provincial revenue. Education, sanitation, medical relief, transportation and every branch of nation-building activity will receive a serious set back; and, as the late Earl Russel said, "Sindh would be a black spot on the map of India amidst progressive sister provinces," if they separated this deficit province from Bombay.

The Hindus of Sindh, who are associated with a first class and progressive province, take the strongest objection to have to be satisfied with the amenities provided by a C, province, which Sindh will be after separation.

As the Muslim evidence and arguments before the Sindh Financial Enquiry Committee and the Brayne Conference show, even the increasing expenditure to which the Bombay Government has committed itself in respect of primary education and prohibition, and the programme entailed by the Barrage are to be washed out. No additional headquarters establishment is to be provided for Land Records, Excise, Stamps, Forests, Registration, Police, Education, Public Health, Co-operation, Industries, for our *chhota sahibs* are quite fit to be transformed into *barra sahibs* at the magic words "separate Sindh from Bombay." The Chief Court Act will be repealed; no judicial district is needed for Nawabshah; no Inspector of Schools as distinct from the Director of Punjab Public Instruction is required for inspection of Indian or European Schools; there should be no Borstal School or Police Training School; the proposed new Districts at

Dabu and Guni are not wanted; the Civil Surgeons of Karachi and Hyderabad are lightly worked and should be shifted for half the time to the district jails as Superintendents; we need no university, no Government Arts or Science College, no professional college in Agriculture, Medicine or Art, in Electrical and Mechanical Engineering or Technology, nor are special arrangements with Bombay necessary for these branches of higher education; and there will be no town-planning schemes or a sanitary division, no revenue commissioners, Dastadars, Supervising Tapedars or Huzur Deputy Collectors. The Legislative Council will be housed in the rooms of second floor of the J. C's Court. Or if this is found inconvenient, the J. C's Court must be shifted bag and baggage to their old premises which they have quitted out of sheer perverseness. There will be no further expenditure on revenue and police; the programme of agricultural Research and development must be cut down; and that of roads and education ignored for the time being. So the new heaven of "better education, better roads, better amenities" which the separationists have been promising us, has boiled down to this catalogue of noes."

#### A SUMMARY.

Let us summarise:—

(1) Sindh is being used as a pawn in the game of high Muslim politics. The statement was openly made by Muslim leaders that the Hindus of Sindh would be held as hostages for the good conduct of six Hindu majority provinces towards Muslim minorities. This has rightly caused fears and suspicions among the Sindh Hindu population.

(2) The Hindus of Sindh, who form the most influential and educated minority, have not had a fair deal; they have never been consulted and they were treated in this matter as of no consequence at all. Hitherto, they have supplied the bulk of administrative staff and professional talent. They have been pioneers in the field of education, social reform and local self-Government; they sowed the seeds of public life in Sindh; they stimulated internal trade and built up the indigenous banking system; they have connected Sindh with the trading centres of India and the world; and they supply the most enterprising element among the

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zamindari class. But their very existence depends upon political and economic security and freedom from invidious and crushing taxation; and anything that is likely to affect this essential basis of modern civilisation is a matter of life and death to them.

(3) The conditions on which separation had been sought by Muslim leaders have not been fulfilled. There was no question of a subvention from Simla at any time.

(4) Sindh was conquered and annexed by the British because of the misrule of the Mirs and yet it is being made over to the control of a Council dominated by an ignorant, fanatical and medieval oligarchy of Sindh Zamindars without any adequate protection of Sindh Hindus against oppression and misrule.

(5) Association with a first class presidency like Bombay means full provincial autonomy for Sindh and the credit and security which a bigger unit assures for all its component parts.

(6) Taxation will be widely distributed and no invidious distinctions will be made if Sind continues to be a part of the Bombay Presidency.

(7) The future of the Barrage will be assured under the management of the experienced and decently paid Bombay experts belonging to the permanent services.

(8) On account of continuity of policy, a decent standard of administrative and material and moral progress will be maintained.

(9) By continued association with the more advanced people of Guzerat, Maharashtra and Karnatak and Bombay city and the large European official and unofficial elements, Sindhis will learn the art of Parliamentary Government quicker; they will know how to give and take and to compromise, to lead and to command which are the essentials of successful Self-Government. Communalism will gradually occupy a back-seat and will disappear altogether, which is the greatest need of Sindh to-day.

(11) Separation at present is a leap in the dark. It will create immense communal, political, social and economic complications which it is the duty of wise statesmanship to avoid.

I do not know whether there is anything you would wish to add at this stage by word of mouth?—(Mr. Chabiani.) If your Lordship will permit me, I might sum up the general drift of our representation, and add one or two observations that I would like to make.

A7. Certainly?—In the first place, we wish to invite the attention of the Parliamentary Committee to the fact that almost every Committee and Commission that has sat on this particular question has not recommended the constitution of Sind into a separate Province on the basis of the White Paper proposals: that the weight of administrative experience of the Government of Bombay, under which we are at present, the opinion of persons who have spent their lifetime in service in Sind, including those who have been members of the Bombay Government, have been opposed to this proposal. In the second place, we wish the attention of the Parliamentary Committee to be invited to the broad fact that, excepting before the Simon Commission, the other side of the case has never been heard by the British public. At the Round Table

Conference, in spite of repeated representations by the Sind Hindus, they were not given an opportunity of placing their point of view before the Round Table Conference, but statement after statement which have absolutely no foundation, or which are, more or less, perversions of the actual facts, went absolutely unchallenged before the last Round Table Conference; that even the conditional recommendation of the Round Table Conference in favour of the principle of the separation of Sind has been accepted on the basis of this *ex-parte* hearing of the case. Therefore, we wish that this Committee would do us the favour of ascertaining the facts upon which that principle of separation was agreed to at the Round Table Conference, and not merely go on the impression that the case was argued before the Round Table Conference and that the principle of separation had been accepted. Thirdly, we wish to invite attention to the fact that the formula adopted by the Round Table Conference on the recommendations of a Sub-Committee was given an authoritative interpretation by Lord Russell, as the Chairman of the

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sub-Committee, which is on the record of the Proceedings of the Conference; that the Members of the sub-Committee were led to commit themselves to the Resolution on the distinctly expressed interpretation put by its Chairman, that if Sind cannot show that it can stand satisfactorily on its own legs, separation does not take place; and that therefore the decision of His Majesty's Government as embodied in the White Paper is a radical departure from the Resolution which was adopted by the Sub-Committee of the Round Table Conference and endorsed by the full Round Table Conference. Then we wish also to draw attention to the fact that Sind has had for ninety years administrative and historic connection with the Bombay Presidency. *Prima facie*, an administrative connection which has continued for nearly a century should not be severed excepting on very exceptional grounds, and that no such exceptional ground has ever been advanced by any responsible body of people. Then, Sir, we have pointed out a number of administrative, economic, and political considerations against separation. Sind, although large in area, is a very small unit for the constitution of a Governor's Province, its population is less than that of many districts and divisions in other Provinces. Its area also is very thinly populated, only 14 houses to a square mile being its density; its financial resources are small and hence its credit in the open market for the purpose of borrowing on the credit of its revenues, is bound to be extremely small. It is an undeveloped area, which is looking forward to an era of very rapid economic development in coming years, in view of the new factor in the situation, viz., the Sukkur barrage. In order to make that Sukkur barrage itself a success, certain preliminary conditions are absolutely necessary; in the first place, economic and political security in the Interior; in the second place, a rapid development of its communications; in the third place, attention to the new problems that would arise, problems of sanitation owing to the new area being developed agriculturally, and problems of agricultural development. It is on the eve of a momentous change in the economic conditions of Sind that this proposal has been put forward. It is at a time of acute economic depression in trade, which leaves very little money available

for the purpose of development. It is a time when economic conditions of cereal producing countries have been very, very adversely affected, and all the estimates of the barrage rest finally upon the prices of agricultural produce, upon the capacity to export cereals from Sind, nearly ten times the exports which are taking place to-day. It is a time when the World Conference has been considering limitations on the export of cereals and restrictions on the production of food grains that this vast export from Sind is expected. Each of these factors may upset all the estimates. Further, we invite attention to the peculiar political circumstances of the case: the man-power available to run a responsible Government in Sind is extraordinarily poor in quality, particularly within the majority community, whether we take the test of literacy or whether we take the incidence of crime; whether we take the number of educated people understanding English, or whether we take the number of people with a modern outlook. From all points of view, the political circumstances of the case are such that it is difficult to contemplate in the near future the establishment of any kind of democratic responsible government. The broad fact of the economic situation in Sind is that only 2,000 individuals hold 32 per cent. of the land; that 80,000 individuals hold 92 per cent. of the land; that the entire rest of the agricultural population are tenants at will and can be ejected without any notice whatever. The rural areas are completely under the domination of the big Zamindar, and this big Zamindar is not a descendant of the old agriculturist; this big Zamindar is a descendant of a military chieftain who took possession of the land in the disorders of the previous rule and were confirmed in their possession at the time of the British conquest. That is the real position of the situation. On the administrative side, with which the financial question is closely linked up, in the first place, it is a deficit area at the present moment. The Expert Committee stated that the initial deficit would be 110 lakhs, rising to 144 lakhs in 30 years' time. Mr. Brayne has eliminated several of the items which the Expert Committee took into account, and reduced the so-called deficit to 91 lakhs and not 80 lakhs, 11 lakhs being expected to be made up by additional taxation. But this estimate

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of the initial deficit is based on the average of the Revenue during two years, 1927 to 1929, but the actual figures of Revenue in the succeeding years shows a shortage of 20 to 24 lakhs over these basic figures which have been assumed. The Expert Committee itself issued a warning that these basic figures were not to be understood as indicating the deficit in the years 1933 or 1934, when they calculated the normal deficit of 110 lakhs rising to 144 lakhs. The Province, therefore, will have to add immediately to the existing taxation, even if it gets a subvention of 80 lakhs from the Central Government, taxation to the tune of 38 to 40 lakhs. Its total Revenue to-day is 1½ crores to 1½ crores. In other words, it means the additional taxation of 20 to 30 per cent. immediately in this period of depression. Mr. Brayne's estimates wash out all the commitments of the Bombay Government for capital and Revenue expenditure in the next 30 years. For instance, arising out of the barrage, is the project of another barrage in Lower Sind to save Lower Sind from ruin. Some money has been provided in the Bombay Government's programme for roads and communications in the Barrage area, but Mr. Brayne's calculations, as distinguished from the Expert Committee's estimates, have eliminated all this expenditure which the Expert Committee took into account on a very, very conservative basis. The second point to remember is that neither the Expert Committee, nor Mr. Brayne, has included in their estimates any money for those independent institutions of research and higher education which every Province in India has, excepting N.W.F. Provinces and Assam, in some respects, e.g., a University, Government colleges of agriculture, electrical engineering, and medicine and technical institutions of all kind. The Province is expected to be dependent upon outside charity and generosity for the admission of its own students, a position which is very unsatisfactory, as revealed by the fate of the Delhi students. The students of Delhi, speaking from personal experience, find the door shut against them in other Provinces, with the exception of one or two individuals admitted to the medical college of Lahore. It does not provide anything for these items of expenditure. The Expert Committee suggested that public servants will have to be borrowed for many Departments from other Provinces, and they point out that this position, from the

political point of view, will be unsatisfactory. The difficulties in the administration of the barrage have been pointed out by Sir Charleton Harrison before the Simon Commission. He stated that for the last 50 years the Sind administration has been struggling continually against the big Zamindar at the upper end trying to have water at the expense of the Zamindar at the lower tail of the canals, and summed up his view by saying that the whole difference between success and ruin of the barrage really depended upon the integrity, impartiality and efficiency in the distribution of water to the barrage lands. Then there are other difficulties such as Sir Charleton Harrison pointed out to the Simon Commission in answer to questions by Sir Hari Singh Gour. At present the Secretary of State and the Indian Government have prevented the Punjab from launching other schemes of irrigation till it is sufficiently known what the effect of the barrage is going to be on the supply of water but under Provincial Autonomy there would be grave difficulties. To-day, in a quarrel over the division of water between the Punjab and Sind, Sind is backed by the Bombay Government which has direct access to the Secretary of State and the prestige of one of the three older historic Presidencies. This, Sir, broadly speaking, is our case against separation. We have in the last paragraphs of our Memorandum considered other possibilities, in case, for any reason of high politics the British Government decides against us. We do not wish to be dragged at all in these high politics, we plead that the question of Sind must be decided upon the basis of the welfare of Sind and Sind alone; that any kind of external considerations of the balance of power between the different communities in India or the dreams of a Pan-Islamic federation with countries across the Frontier or a new consolidated Islamic unit in the Indian Federation should not come in the way of deciding the case of Sind on the basis of the Sind conditions and the Sind conditions alone. That, Sir, is our earnest prayer. We have had the bitter experience of being treated as purely pawns in this game of communal bargaining at the Indian Round Table Conference and at the sessions of the Congress. The second alternative we have hinted at, if, for any reason, the British Government sticks to its commitment to the principle of

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Separation, is that it should not be given effect to till the economic situation improves or the future of the Barrage is known definitely. We are at present really in the dark as to what is going to happen as to the Barrage area. If both these alternatives are rejected, we should have at least adequate securities for our protection. We ask for securities, broadly speaking, of four different kinds. In the first place, we want security of life and property. In the rural areas of Sind during the last ten years there have been occasional outbursts of communal rioting and communal dacoities and pretty frequent cases of kidnapping of women and children of the minority communities, which have naturally raised considerable alarm. We require that life and property should be adequately secured. In the second place, if democratic Government is to mean anything, some limit ought to be placed upon the power of the big Zamindar to capture the bulk of the seats on the Sind Council. As I said before 2,000 individuals hold 32 per cent. of the land in Sind and 80,000 hold 92 per cent. and the tenants are tenants at will, completely at the mercy of the Zamindar. Thirdly, we ask for securities for the legitimate rights of the minorities; we ask for no special privileges; all that we ask for is that no member of our community should be discriminated against, on the ground that he is born a Hindu. Whether it is a question of buying and selling land in the open market, or a question of admission to the Services or to educational institutions, we want an open door. In the matter of taxation we want no discrimination against us. We have had a bitter experience of the professional taxes proposed by the local Boards in rural Sind which had to be turned down by the Bombay Government on account of this objectionable feature. Tax schedules were so manipulated as to hit only the minority communities. We have had bitter experience of this mentality at the Sind Conference when proposals were made which hit only the minority communities, their trade and their income. We want protection against this administrative discrimination against the members of our community. Above all, we want some method open to us, in case of mis-government, of turning out a Government that misbehaves. If we have separate electorates, if we have reservation of seats for a majority of 73 per cent., it is impos-

sible to turn out any fanatical Minister. My community, therefore, attaches very great importance to Joint electorates as they would give them some power of influencing public opinion, of forming political parties and of displacing intolerant members. In other Provinces, the minority communities have asked for separate electorates for their protection and not the majority community. Here is a minority community that pleads for joint electorates, and if minorities are to be given the protection they consider necessary, which is consistent with democratic ideas and the principles of democratic government, our case for joint electorates is an exceptionally strong one. We claim adequate representation on the basis of joint electorates. As a matter of fact, we own 27 per cent. of the land, a figure corresponding to our population ratio, but we hold about 13 per cent. more land as lessees and mortgagees in possession, so we pay 40 per cent. of the land tax. We pay almost the entire Income Tax; we pay an overwhelming part of the Excise as it is almost wholly paid by the cities wherein we are in a majority. We form a majority in all the urban areas of Sind. The number of literates among us is three times as large as the number of literates in the Muslim community; that of the English educated people, we have eight times the number Muslims have; of voters to-day we have about the same number as the majority community. We claim, Sir, that as a minority community we have contributed much to the building up of modern Sind with the help of the British Government; the entire educational and administrative system have been built by us; the professions, the trade and commerce of Sind, are entirely our making. We plead, Sir, that such a minority community deserves at least the same weightage as has been accorded to minority communities in other Provinces. That, Sir, is really briefly the case that we have put forward.

A8. Do you wish to add anything, Rai Bahadur Hiranand Khemsing?—(Rai Bahadur Hiranand Khemsing.) No, Sir.

A9. Perhaps I may just put two questions to clear up questions of fact. You said, Mr. Chablani, that the Expert Committee estimated the deficit of Sind at 110 lakhs to start with, rising to 144 in 30 years?—(Mr. Chablani.) Yes.

A10. That was the estimate, not including the out-turn of the barrage?—Yes.

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A11. Including the Lloyd barrage, they arrived at a deficit, with revenue from the Irrigation at full rates of 6.86 lakhs in 30 years' time, and at slump rates 120 lakhs. That, I think, is right, is it not?—They made three estimates, one is on the basis of slump rates, according to which they say, that on page 29 of the Report the deficit will never be less than a crore. Then they have made an estimate on the average of the two, the slump rates and the full rates, in which case they place the deficit at 63.7 lakhs in 30 years. The last is the estimates based on what they call the full rates.

A12. Yes, I just wanted to get those figures, that is all?—May I draw attention to the fact that about the full rates, they definitely said that it would be "a very rash assumption" on the existing circumstances. Even on the basis of full rates they said that the deficit would be below a  $\frac{1}{4}$  of a crore only after 18 years.

A13. 6.86 in 1962?—Yes.

A14. Then another question on figures, but here more a question of opinion. Do you accept Mr. Brayne's estimate of 12 lakhs as the additional cost of separation?—No, Sir, I do not accept it at all. I accept it as a correct estimate if you include only the items which he has taken into account. But then the standard of administration contemplated is below the standard in some cases, even in the North-West Frontier Province; it is certainly not the Bombay standard of administration; it is not even the Assam standard of administration; it is what the Expert Committee and Mr. Brayne consider as barely necessary to add immediately for running the administration. It does mean a considerable deterioration in the existing standard of our administration.

A15. But then would you agree with his statement that the highest estimate of the additional cost of separation is 23 lakhs?—I do not agree to that. My evidence before the Expert Committee will indicate that. I put it at a much higher figure, about 36 lakhs.

*Sir Reginald Craddock.*

A16. Mr. Chablani, unfortunately Sind was the only part of India that I was not able to visit, or I should have been able to put my questions with more local knowledge. Could you tell me whether the Bombay Government has published any correspondence or despatch of the

Bombay Government which gives an opinion on this subject?—Yes, they published a Memorandum which was submitted to the Simon Commission. It is a published document.

A17. Was it in favour of separation?—Strongly against separation of Sind. If you will permit me, I will quote it.

A18. Have the Bombay Government changed their minds since then?—My information is that they still retain the same opinion.

A19. I remember a good many years ago there was an idea of joining up Sind with the Punjab, was there not?—That was so.

A20. That would not find any favour now, I understand?—The position is that we think that it would be very much better than a separate Province of Sind, because, after all, Sind will be a part of a bigger unit, and there are certain points of common economic interests between Sind and Punjab which certainly makes it a far better proposition than a separate Sind; but we certainly prefer to continue with Bombay. The change of opinion really has been largely in the Punjab; originally the Punjab wanted Sind, but to-day, for certain communal reasons perhaps, neither the Hindus nor the Muslims of the Punjab want it.

A21. I just wanted to find out what your opinion was upon that?—We prefer it to a separate Sind, but our first preference is the existing connection with Bombay. The European Chamber of Commerce has however been always in favour of the amalgamation with the Punjab.

A22. Now I have heard it said that the number of Hindus opposed to separation is quite an insignificant section. Have you any remarks to make upon that point? Yes. I have already submitted, but, unfortunately, it does not seem to have been circulated owing to technical reasons, a pamphlet entitled: "The true facts regarding the separation of Sind from the Bombay Presidency," containing a true statement of facts. In Chapter 2 on page 7 (seq.) the Hindu attitude regarding the Hindu separation of Sind is dealt with at length and the misstatements made by the separationists fully exposed. I have given you the number of prominent people who have openly issued manifestoes and statements against separation. On page 14 you will find their names. On



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page 16 I have given the text of another manifesto. On pages 17 to 19 I have given you the number of Panchayets protesting again it. On pages 21 to 24 I give you the list of 138 Panchayets which have passed strongly-worded resolutions against separation. I have also given you in this the proceedings of various Conferences that has been held in Sind against separation. Then in Chapter 3, you will find the past history of the question, before 1924, which has often been grossly misrepresented. All this will show you that this statement has no basis of fact at all, but it continues to be repeated.

A23. Then there are a certain number of Hindus who are in favour of separation, are there not?—No, Sir; at present there is not even one person, but some years ago there were about 19 individuals who came to a certain kind of compact with some Muslims in Sind, and they agreed to the separation of Sind on certain very important conditions which have never been accepted by the general body of Muhammadans. I have got their manifesto, which was issued only the year before last, in which they make their position clear that they would never support a separation of Sind without these conditions. For instance, they insisted on joint electorates all over India; they were influenced by outside Congressmen who were bargaining with the Muhammadans outside Sind, and in return for joint electorates and other conditions were prepared to give Sind to Muslims. This handful of Hindus supported that bargain.

A24. That was on conditions which applied to the whole of India, and which were not confined to Sind?—That is so.

A25. That is to say, as part of a bargain?—As part of a bargain.

A26. Taking the purely local points of view, are there some Hindus still who are in favour of the merits of the proposal?—No, there is not one at the present moment in favour of separation on the basis of the White Paper or the Muslim demand.

A27. You are saying this with some confidence?—Yes, Sir. I am prepared to quote the writings and public utterances of people whose names are often cited by the other side. Some of them are even members of executive committees of conferences against separation.

A28. The Hindus are in a minority of 27 per cent., I think you said?—Yes.

A29. I gather from what you said, that in the matter of wealth and education, they are 50 per cent. of the whole; that is to say, if you take the education and wealth, if you judge it by income tax, for example, you would find that the proportion of income tax paid by the Hindus is greater than that paid by Muhammadans?—The Hindus pay about 95 per cent. of the income tax. The Muslims are largely agriculturalists, who pay no income tax.

A30. But then, when you come to the Land Revenue, the Muhammadans would pay the rest?—Yes, but we also pay about 40 per cent.

A31. Have you got 40 per cent. of the area, or is the 40 per cent. due because you have much richer land?—I am talking of the Land Revenue.

A32. Does it rise to 40 per cent. because the land held by the Hindus is rich land?—No, because of the acreage, either owned or leased.

A33. It is average land?—Yes, it is average land.

A34. If you take the Provincial Service man, and the Subordinate Service and the Civil Services, I suppose the Hindus have got a share in that much more than their numbers?—Yes, in most Departments, but in certain Departments, they are even below the population ratio; in the Police, they are absolutely negligible.

A35. That is the case, of course, in many parts of India, the Muhammadans in the Police. Of course, you have not the Forests there, but in the Police and Forests, and most of those lower Executive posts, the Muhammadans are largely in excess of their population proportion?—Yes, but there is another fact, too. In the last ten years, the Hindus' percentage in the higher Services has gone down considerably. For instance, in education department they have practically been wiped out, because of the transfer of primary education to local bodies. The local bodies have thrown out all Hindus educational officers.

A36. And the higher Civil appointments, like the Judges, subordinate Judges and District Judges—are they mostly Hindus?—I think it is a fair share; we have just a bare majority, I should say, of the higher posts in the Revenue and Judicial Departments.

A37. And the Bar?—It consists almost wholly of Hindus.

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A38. Almost all Hindus?—Yes. Medical men are almost all Hindus; engineers almost all Hindus.

A39. Then the fear of the Hindus is that you would get a Muhammadan Legislative Council, or very largely a Muhammadan Legislative Council which would exert influence over the Ministers?—Certainly.

A40. So that in any action taken with regard to legislation or administration, the Muhammadans would be unduly favoured. That is your idea, is it?—The real position is this: We are not even afraid of that, if the choice of the Muhammadan Ministers is confined to Sindhis. In the Services what we fear is that the Muhammadans, for communal reasons, will import people from outside Sind.

A41. You mean that there are not enough educated Muhammadans for posts drawn from Sind itself, and, therefore, they will get Muhammadans from other parts of India?—Among the graduates, the Muhammadan percentage would be less than 10; among the matriculates it would be, perhaps, below that; among the educated females perhaps, not a single Sindhi Muhammadan girl has passed the matriculation examination.

A42. Then you said you wanted weightage but you did not want a communal electorate?—Yes. We want weightage to the extent of 40 per cent. only for the first ten years. Thereafter we will be quite content with the reservation of seats on the population basis, with the right to contest additional seats, which was conceded by the Mehru Report to all minorities.

A43. Do you want reserved seats now?—Yes.

A44. With a weightage giving you 40 per cent., is that it?—Yes; that is because the communal consciousness at present has been raised to a pitch which will probably impose a very serious handicap on minorities in the first ten years, but given joint electorates for ten years, we expect at the end of ten years we shall not ask for anything more than reservation on the population basis with the right to contest additional seats.

A45. And, in addition to your reserved seats, you would contest for a share of the other seats in the general electorate?—Yes. The broad principle that I am enunciating is the absence of a statutory

majority, so that it would be possible for us to have political parties.

A46. Therefore, you want to have 40 per cent., plus anything you can gain on the general electorate?—No, at present only 40 per cent., ten years after, 27 per cent., which is the population ratio, plus any share of the general seats which we can get.

A47. But how are you going to get that 40 per cent.?—By reserved seats.

A48. With liberty to contest other seats, too?—No, Sir.

Lord Eustace Percy.

A49. Not until ten years?—Not until ten years.

Sir P. Pattani.

A50. After ten years, you would revert to the population percentage?—Yes; after ten years we will have the population percentage, plus any seats which we can secure from the general seats.

Sir Reginald Craddock.

A51. Then you said that Sind was inclined to be rather lawless at times?—Yes.

A52. What are your ideas about Law and Order, whether it should be a Transferred subject, or Reserved for a time?—We have asked for Law and Order to be Reserved, and even if the whole thing is not reserved, at least certain species of lawlessness should be reserved—the kidnapping of women and children and dacoites, particularly.

A53. It is a little difficult, is it not, to reserve particular crimes?—If the C.I.D. Department originally was constituted for Thugees, I do not see why a special agency cannot deal with this specie of crime in Sind.

A54. You would have a kidnapping and a Dacquoity Department, like there used to be a Thugee Department? It was there in my time?—I am only suggesting it, if for any reason it is not possible to Reserve Law and Order.

A55. But you would prefer Law and Order to be Reserved in the first instance, but, failing that, to have a special Department for the special kind of crimes, that Department being Reserved?—Certainly, and I would certainly add, what I have said on page 13 of the Memorandum, about justice. Unfortunately, we have no High Court, we

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have only a Judicial Commissioner's Court, which is intended to be raised to a Chief Court, but the appointments, whether of the Chief Court or the Judicial Court will rest with the Local Government. We want the highest Court in Sind to be outside of political influence and the appointment of its Judges to rest with the Central Government or the Secretary of State.

A56. What is the composition of the Judicial Commissioners at present?—Four judges, including one barrister and one civil servant.

A57. And the other two are drawn from the Bar?—One man is drawn from the Bar.

A58. Are they Sindhis or from other Provinces?—Only one Sindhi, so far.

A59. What is that, a Hindu or a Muhammadan?—It has been a Christian or a Hindu, so far.

A60. Therefore, you want the Courts, that is to say what you call the Department of Law and Justice, which includes the Courts and the Police, to remain reserved, at all events, for the present?—The position of Justice is slightly different. If the Highest Court appointments are in the hands of the Central Government or the Secretary of State, and there is a separation of the Judicial and the Executive, then Justice need not be formally a reserved subject, all because, if the lower judiciary is under the control of the High Court and the High Court appointments are above political influence, then there is a sufficient safeguard.

A61. That is to say, if the judiciary are entirely under the Chief Court, you would be satisfied about them, but the Police would still remain?—Yes.

A62. What about the Magistrates? You know that is always a difficult question; it is very expensive; it has always been found to be rather too expensive. At the same time, the Magistracy that you get under the present system is a Magistracy that goes about on tour and gets to know local life, and so forth, and they are, therefore, better fitted to discharge their duties from their general experience, whereas a Magistracy who do nothing else are apt to become purely urban. I am only putting to you what is very often the case?—If financial considerations do not permit that reform, then it has to be reserved.

A63. With all your financial difficulties about which you have been talking, the

separation of judicial and executive would merely be a little added expense?—Certainly.

Major Attlee.

A64. Mr. Chablani, your community is the wealthier of the two communities in Sind, I take it?—No. If you include land in the form of wealth, it would not be, because of the big Zamindar who owns considerable land.

A65. In proportion to population, you are a wealthier community, man for man, so to speak?—If you take it man to man, certainly; but if you take the men at the top, then the men at the top are largely the big Zamindars.

A66. Are most of the trading classes Hindu?—Almost entirely; you could put it as high as 99 per cent., and, of course, the European community.

A67. You say the Hindus and Zamindars are owners, lessees and mortgagees, and they, therefore, pay nearly 40 per cent. of the Land Revenue?—Yes.

A68. Are there a large number of mortgages held by Muhammadans?—Yes, because the big Muhammadan Zamindar is very often not able to manage his land, and most of the cases go to Court afterwards.

A69. Therefore, I take it, your community will have a considerable influence due to its economic position?—Provided there are joint electorates.

A70. Of course, it is quite possible to put up somebody in a separate electorate?—It is not possible at all, with the communal consciousness at present; it will only mean more trouble.

A71. I have heard it suggested elsewhere?—I must tell you about the local conditions. The Hindu merchant class is afraid of the big Zamindar, and he can only get on with the good will of the big man. In fact, he cannot execute the decrees of the Law Courts, unless the big man helps him or he creates no trouble, so that the big man, particularly in Upper Sind, has a tremendous power; it is not the merchant class that has the power.

A72. Is your community as a whole in favour of an extension of self-government in India?—Certainly; but may I add here that a denial of the right of the hill tribes of Assam to a separate Province does not mean denial of the right of self-government to the whole of India.

A73. The point I was going to ask you about was your suggested veto, that the Governor should be a non-Muslim, and

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that anyone in charge of Law and Order should be a non-Muslim for the first 20 years. Is that not rather a dangerous suggestion? What might happen in other Provinces in India?—I do not see the evil. If the position in other Provinces was such that the minority communities were afraid for the security of life and property, they ought to be entitled to have the assurance that they are to be in the hands of somebody they can trust, but I deny that the position is the same.

A74. I have heard exactly the same opinions expressed by minority communities in every Province?—If that is so, I am afraid it will have to be done.

A75. With slight variations, stronger or weaker, but the position has been put pretty fully on that?—If the position is as you state it to be, and if the communal protection rests upon nothing else but the Governor of the Province, there is no alternative.

A76. Now you want to remain in with Bombay?—Yes.

A77. You have, as a matter of fact, have you not, had a Muslim Minister for a large number of years in Bombay?—Yes, always we have had a Muslim Minister.

A78. How did Sind get on with him as a Minister—all right?—It did get on all right, but in certain cases we had a very sad experience, not exactly because of the Muslim, but because of the combination of the non-Brahmins with the Muslim. The non-Brahmin in the Presidency wanted a free hand against the Brahmins in the Presidency, and he got the support of the Muslim Minister. If the Muslims would have a free hand in Sind against the Hindu, we had rather a bitter experience, particularly in the Education Department.

A79. Now one other question. Do you expect considerable immigration into Sind when the Barrage gets under way?—I do, and my fear is that the immigration will not be of the quality which Sind needs.

A80. Who will that be, do you think—Sikhs?—Border tracts.

A81. You do not think they will come down from the Punjab?—I do not think the Punjab people will come down; they have already burnt their hands sufficiently.

A82. Has the proposal been put up to you for joining Sind with the Punjab?—It has never been formally put up

before us; 20 years ago, it was a question of active controversy. At that time, the Muhammadan leader was against it, and his ground at that time was that the Muhammadan leader commanded the confidence of the Hindus, too. His idea was that economically the Sind peasant would not be able to stand against it, and he felt that for the economic life of the Province with the administration in the hands of the Punjabis, they would be worse off.

A83. One last question with regard to the cost of separation. You suggest that Mr. Braynes' estimate does not allow for a full establishment for a Province on the Bombay model?—Certainly.

A84. But do you think that Sind is entitled to have every kind of institution if it cannot pay for them? Why should Bombay pay for them more than anybody else?—Quite true, but there are certain amenities of civilised existence that civilised people ought to have even in association with others, if they cannot have their own. If Sind cannot have a medical college of its own, it must have it in association with others.

A85. But why should it be paid for by the people of Bombay rather than by the people of All India?—May I give a little explanation? Who are the people of Bombay? I may tell you, as a matter of fact, that other places have a greater deficit than Sind; one has a deficit; and another is just self-supporting. It is only the City of Bombay that has a surplus, and the City of Bombay is not made by any one community or any one particular party. It is the surplus of the City of Bombay that is financing the rest of the Province.

A86. And as a port, Karachi is the chief rival of the City of Bombay?—We have not seen the rivalry at present. I can refer you to the Report of the evidence before the Simon Commission where it definitely said that Karachi is not.

A87. The point is whether Bombay should suffer. You are asking that Bombay should pay the cost for its rival port?—Even Sind has contributed something to the making of Bombay. Take the banking community; take the silk trade of Bombay; it is in the hands of the Sindhis.

Sir Hari Singh Gour.

A88. Mr. Chablan, in the Report of the Sub-Committee of the Round Table

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Conference four reasons are given on the question of the separation of Sind; the first is the social and linguistic differences?—Yes.

A89. Second, geographical isolation; third, insistency of demand; and the fourth is not a reason for a separation but a reason for dealing with the question of separation, namely, the question of financial borrowing. I wish to take you through all these four reasons very briefly. As regards the last question, they said they are in favour of separation, if the Expert Committee and the other investigations showed that Sind would be a self-contained and self-supporting Province. In the course of your statement to-day, you said that Lord Russell committed the Sub-Committee to the view that if investigations showed that Sind stood to remain in deficit for a long time, then the question of separation must go by the board. Will you please refer me to that statement?—It is on page 87 of the Proceedings of the Sub-Committee. Sir Phiroze Sethna asked the question.

A90. Then I am limited to this, that if Sind is not able to stand on its own legs, separation does not take place. That is the view of the Round Table Conference?—Yes.

A91. We have therefore to enquire whether Sind would ever be in a position to stand on its own legs. Now, as regards its present and potential revenue, we shall first deal with the present revenue. The present revenue of Sind is a crore and a-half?—Yes.

A92. Rising to about a crore and three-quarters?—Yes.

A93. And the potential revenue of Sind depends upon the success of the Sukkur Barrage?—That is the only source of revenue.

A94. Before the Simon Commission a very long and searching inquiry was made of the Chief Engineer of the Sukkur Barrage, Mr. Harrison—now Sir Charles Harrison—and is it not a fact that he very categorically stated that the future of the Sukkur Barrage is on the lap of the Gods, or words to that effect. Will you please refer me to that statement?—I will refer you to the page.

A95. I think the questions are on pages 121 and 122?—I will give you the exact words. On pages 121 to 122 of the Fifteenth Volume of the Simon Commission the question was put to Sir

Charles Harrison: "I am told that the Government of the Punjab want to tap the Indus and its tributaries higher up?" His answer was: "They want to take a certain amount of water, yes. (Q.) Have you come to any arrangement with the Punjab Government as to how much they will take and how much they will leave for the use of the Sukkur Barrage?—(A.) The Punjab Government have put in their demands and we have put in our counter-demands, and the matter will eventually come under the consideration of the Irrigation Board. (Q.) Consequently the question of what amount of water you will get in future depends upon the result of the negotiations which are proceeding between yourselves and the Government of the Punjab?—(A.) No, the question at stake is only as to the amount of water we will get in very bad years, and then only for a few days in those very bad years. It is not a question of the failure of the scheme, but of avoiding what might be considerable inconvenience to the Sind cultivator. (Q.) I think I am right in saying that the amount of water you are able to assure to the people of Sind in future depends on the result of these negotiations?—(A.) Yes, exactly." Then the Chairman intervened, and the question was again put to the witness: "You have the Punjab Government very anxious to utilise all the flow of water that passes through its land, and if a scheme such as that to which the Chairman has referred is brought into operation it will materially affect the success of the Sukkur Barrage?—(A.) If we permit it, yes. (Q.) You see the uncertainty?—(A.) No, there is no uncertainty now the orders of the Secretary of State and the Government of India have been given that until such time as we can prove there is water available the Punjab projects must not be taken in hand. (Q.) Suppose they get provincial autonomy" (that is the important question) "and all the powers of the Secretary of State and the Government of India are transferred to the Punjab Government, then your scheme would be imperilled." The answer was: "And the Bombay Government will then have to exert its influence to abolish provincial autonomy. (Q.) They will use their good offices with the Government of the Punjab, but the Government of the Punjab might say: 'This is our water, not yours; hands

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off! In that case, your scheme would be jeopardised?—(A.) That is on the assumption that each province will fight entirely for itself, without any correlating authority, which for the Irrigation Department might easily be the Irrigation Board, a technical Board. If the provinces desire to live together in any degree of amity, they must decide to abide by the decisions of the Irrigation Board for the whole of India. (Sir Hari Singh Gour.) Yes, but they may or may not, you see. It will depend on the attitude of the Punjab Government, influenced as it must be by its legislative council.”

A96. The position then, according to Sir Charles Harrison, is this: There is only sufficient water that flows through the Indus; it flows first to the Punjab and then goes to Sind. The Punjab has been holding up its irrigation scheme out of deference to the orders of the Secretary of State and the Government of India in favour of Sind. If you give provincial autonomy to the Punjab and also to Sind, there will be a conflict of interest as between the quantity of water that each province is entitled to receive from the River?—Certainly; and there have been quarrels.

A97. And as there is not enough water to feed the two irrigation schemes of the Punjab and Sind, the future of the success of the Sukkur Barrage depends upon what development is made in the irrigation projects of the Punjab?—Certainly.

A98. That introduces an element of uncertainty which neither the Expert Committee nor the Brayne Committee went into, but which was present to the mind of the Chief Engineer of the Sukkur Barrage?—Yes, that is so; and there are other uncertainties of which neither the Expert Committee nor the Brayne Committee have taken note; for instance, under the old irrigation project of barrage, they expected to be able to export 130,000,000 tons of cereals. At present the World Economic Conference is considering how to limit production.

Lord Eustace Percy.] I do not think we need go into the question of the world demand for wheat.

Sir Hari Singh Gour.

A99. Broadly speaking, I suppose what you would say is that the difficulty in the Punjab regarding the apportionment of water is the difficulty that has

been presenting itself nearer home, in Egypt, in the case of the water of the Nile, as to who should get it and how much of the water they should get?—There have been frequent quarrels. Even the Bombay Government are fighting the Government on behalf of Sind.

Lord Eustace Percy.] We are not here, I think, discussing whether the Punjab should have proper quantities.

Sir Hari Singh Gour.

A100. Now I ask you another question. Supposing the middle course is adopted and things go on as we expect they might go on, do you not think that with the accrual of fresh revenue from the Sukkur Barrage Sind will be able to stand upon its own legs, say, within ten years?—Not within 40 years. The Expert Committee itself rules out 30 years.

A101. How long would you give Sind to be able to stand upon its own legs, in any case?—I think the period could be shortened if somebody were to play the fairy godfather or godmother, whatever you call it, and Sind got a tremendous amount of money in developing Sind. For instance, if you now on railways and roads sink about 50 crores more, probably the whole thing would be hastened.

A102. But would it not be over-capitalised by that time?—Sometimes, on a big scale, things may succeed which, on a small scale, are doomed to failure.

A103. An argument has been used, and Major Attlee had it in his mind when he put to you a question, that the Bombay-cum-Sind Province is now a deficit Province?—Yes.

A104. Somebody has got to pay that deficit amount?—Yes.

A105. Why should you object to paying that amount to Sind rather than to Bombay plus Sind?—May I explain the position? Supposing Bombay gets no money for wiping out its deficit—

A106. I am asking you the question?—I am just explaining my position. It is open to Bombay to make a retrenchment and save a crore of rupees, and that is not open to a small Province.

A107. The question that I am putting to you is this: Supposing the money which is the deficit at present of Bombay and Sind is allocated to Sind, would it in any way satisfy the claim of the Bombay Presidency without Sind?—No.

A108. Therefore that argument does not hold good. The deficit of the Bombay

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Presidency, if it is made over to Sind, still remains and will have to be made good by the Government of India?—Certainly.

A109. The point, therefore, is that the present difficulty of Bombay plus Sind is no answer to the separation of Sind?—It is no answer at all.

A110. Now I pass to the other questions that have been raised by the Sub-Committee. One is the racial and linguistic differences between the inhabitants of Sind and the Presidency of Bombay. Is there a racial and linguistic difference between Sind and Bombay any more than exists, as it were, in other provinces?—I am afraid even in Sind, Upper Sind and Lower Sind, there is a racial and linguistic difference. Upper Sind is quite different. You will have every ten miles linguistic and racial differences, if you want to go by linguistic and racial differences.

A111. The Central Provinces have got two very sharply divided racial and linguistic differences between the Hindustanis and the Maharratas?—Yes. On the other hand, I may point out that commercially the language of Sind even to-day is Punjabi.

A112. The second point raised is the geographical isolation of Sind from Bombay. Is it not a fact, if I understand aright, that the Government of India were going to eliminate this geographical isolation by linking up Sind with a railway?—The Government of India have approved of the scheme in the preliminary considerations.

A113. And that would do away with the alleged isolation of Sind from Bombay?—Certainly; but even now we have three different means of communications; the aeroplane service, the sea service and the railway service.

A114. The aeroplane at present is not a popular means of communication. The last point that is made by the Sub-Committee is the insistency with which separation has been advocated. I want to know what amount of public opinion and agitation has supported the separation of Sind, and since when?—It is since 1927 that this demand has arisen. The proposals emanated from outside Sind. Before 1927 the leading Hindus and Muslims were all united in demanding a more complete amalgamation with Bombay, by doing away with the Commissioner of Sind Act, which gives the Commissioner of Sind a certain amount

of independence. Up to 1929 Sir Shah Nawaz Khan Bhutto who was Chairman of the Bombay Committee himself said that Sind should not be separated from Bombay. He signed the report, which is an official document. He made a somersault at the first meeting of the Round Table Conference.

Major Attlee.

A115. I think he made that somersault, if it was one, while the Simon Commission were going their way round?—At least he signed the Report all right.

Sir Hari Singh Gour.

116. Then what originated the demand for separation in 1927?—It was the Muslim proposal first of all. It emanated from a conception of keeping a kind of balance of power, or for holding the Muslim majorities in some areas hostages for the good behaviour of the Hindu majority. Behind it also there have been some ideas of a new federation of the Western States. It has sometimes taken the form of a new unit in federation. The whole idea has emanated from external considerations.

A117. Do you mean to say that you ascribe the agitation to a dream of the consolidation of the Muslim power?—Partly it is that, outside, and partly it is the communal bonds within India itself. That is, holding the Hindu minorities hostages in some parts for the good behaviour of the Hindus elsewhere.

A118. Apart from the external influences that are brought to bear upon this question, is there any local demand on the part of the Muslims?—As I have said, it is difficult to say about the local demand. It is only a few individuals who are putting it up. I even now here have a speech from the leading Counsel of Hyderabad Municipality, who issued only last month an interview with the Press; but I must say that at the present stage of almost complete ignorance the more vocal section of the Muslim leaders certainly are for separation, and they are largely in alliance with the outside forces. I have also told them to take a referendum, placing before the people the actual consequences of separation, but they have always declined to put the matter to the voters.

A119. What is the view of the European officials? I do not refer to serving officials, but to those who have retired. What is their view as to the question of separation?—To my knowledge, you could hardly find a retired European official who would say "Yes." As far as the

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facts are concerned the retired officials who are near about London could certainly be asked to give you confidentially what they think.

Lord *Eustace Percy*.] Certainly; that will always be within the power of the Committee.

*Sir Hari Singh Gour.*

A120. Then your statement is that the European officials connected with Sind who have since retired from service, so far as you know, are almost unanimously against separation?—Yes; so also the European non-officials, through the Chamber of Commerce. The European Association, the Simon Commission have stated, do not want separation.

A121. The European Chamber of Commerce?—The European Chamber of Commerce. The European Association of Sind definitely stated before the Simon Commission that they are against separation.

*Dr. Shafa' at Ahmad Khan.*

A122. My difficulty, my Lord Chairman, is that I did not wish, and nobody from our side wished, to raise this question at all. As, however, it has been raised, in deference to the wishes of the Committee, I am prepared to cross-examine the Witnesses. I am afraid my cross-examination may take some time, because a controversial document has been given to us, and I pray for your indulgence. It is comparatively long. Mr. Chablani, would you kindly turn to paragraph 2 of your Memorandum. I do not at this stage wish to cross-examine you upon what you have spoken of to-day, when we started these Proceedings, because I do not think anything additional to what you have put down in your Memorandum arises, though in the course of the cross-examination, some points have actually been developed by you which will necessitate some examination further on. In paragraph 2 you say that the separation of Sind was opposed by the Bombay Government, the Bombay Legislative Council. Of course, you mean the Committee of the Simon Commission?—Yes.

A123. "The Indian Central Committee, the Simon Commission, the Nehru Committee, Sir Purushotamda's Committee,"—what is that Committee?—It was a Committee appointed by the All-Parties Conference of Delhi.

A124. In 1927?—In 1927 or, probably, 1928.

A125. "the Indian National Congress, the All-Parties Conference at Lucknow"—which was that? Last year?—No, 1928.

A126. "and the Indian Round Table Conference, but has been made in the teeth of opposition of the Hindu minority in Sind, supported by almost the entire Indian Press, including Anglo-Indian journals like 'the Times of India.'" Of course, I know that the Bombay Government has opposed the separation of Sind, but I am not absolutely certain whether the recommendation of the Committee that co-operated with the Simon Commission, opposed the separation of Sind in principle?—May I read out to you the passage, if you want it?

A127. Yes. It opposed it on various other grounds?—I think it opposed it altogether. I will just read out the passage: (*Reading the same*).

A128. That will do for my purpose. Do you not think that the principle of separation is threatened in the paragraph you have read out?—I am not able to understand the meaning of the word "separation." The financial, practical, administrative and political considerations are again something which you call a principle.

A129. I do not think they say political there, do they?—They have said political autonomy.

A130. It depends mainly upon the financial considerations then as regards the Indian Central Committee?—Yes, if Sind is prepared to stand the financial burden. That was carried by a majority of one.

A131. Then the Indian National Congress, did it oppose the separation of Sind in principle?—I do not understand the word "principle."

A132. My contention is that so far as the political suggestion is concerned, it was asserted by the Round Table Conference in 1930, but this principle had been accepted by various Committees before?—May I point out in paragraph 2 what I have said? Kindly read the words, that "it is proposed" to constitute Sind into a separate Governor's Province in the new Indian Federation with a subvention from the Federal Government. I submit that all these Reports are against it.

A133. Perfectly right, but I was dealing only with the principle of the separation of Sind?—What about the principle of a subvention?



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A134. I will deal with that separately. Then you said that this proposal was opposed by almost the entire Indian Press?—Yes.

A135. What do you mean by the entire Indian Press?—Shall I give you a few? The "Indian Daily Mail", "The Times of India", and the Indian "Social Reformer".

A136. What about the "Daily Gazette" of Karachi?—The "Daily Gazette" of Karachi had never been in favour of separation.

A137. Have they opposed it?—Yes, several times, but you could quote some passage which would raise a doubt.

A138. And, of course, the Muslim Press in Sind have been supporting it?—There is only one paper supporting it.

A139. There is one daily paper and several weekly papers. I have been reading them for the last five years?—I do not think there are more than 100 subscribed circulation. I do not read them.

A140. I am not sure about the estimate of their circulation. Now as regards the other point that has been developed by you, that it was opposed by the Europeans, did the Europeans oppose the separation of Sind before and do they oppose still?—Yes.

A141. What about Sir Montagu Webb?—A statement was made, and I can give it you.

A142. Here in London?—Yes. He said he never supported such a proposal.

A143. My point is this: That the representative of the European Community on Mr. Brayne's Committee, Mr. Price, was a wholehearted supporter of the separation of Sind last year, and that has come out in the proceedings of Mr. Brayne's Committee. He represented and voiced the opinion of the European Community about Sind?—May I say that the Sind Conference were prepared to accept the separation subject to the question of finance.

[Lord Eustace Percy.] I think we must really confine ourselves to the arguments advanced by the Witnesses, and the question of how far they represent the community represented by the Witnesses. I do not think we can go into the question of how far they are supported by other sections of opinion.

Dr. Shafa'at Ahmad Khan.] The question was put and Mr. Chablani said

quite definitely that the Europeans in Sind opposed the separation of Sind.

[Lord Eustace Percy.] I am not complaining of any questions put.

[Witness.] May I say that I said the European Chamber of Commerce and the European Association are opposed to constituting Sind into a separate Province, and that statement can be verified by the Statement and Memorandum before the Indian Statutory Commission, and they have never resigned from that position. There is no Resolution of the Chamber of Commerce or of the European Association and no discussion on it.

A144. But, I believe, Mr. Price was voicing the sentiments of the European Association on Mr. Brayne's Committee?—You are entitled to draw your own inferences, but that is not supported by any Resolution of the Chamber in question.

A145. Then in paragraph 3, which is highly controversial, and which discusses some very serious issues, you have dealt with a number of recommendations of various Committees, and then you have, in other paragraphs, attacked Mr. Brayne himself, one of the most capable and one of the most efficient officers who India has produced?—I am sorry, Sir, that any prejudice should be credited against me by any such observations. I make no such observations. Mr. Brayne is a friend of mine.

A146. Then you say in paragraph 6: "Nor is this all, the experts themselves differ according to the degree of optimism they can command, Mr. Brayne being invariably more optimistic than the Expert Committee, his task being to balance the Sind budget somehow"?—If you ask me a question on it, I will answer it.

A147. I could quote other paragraphs, but I do not want to deal with this aspect of it myself. Is it not a fact that the late Mr. Harchandrae and others saw Sir Montagu Webb in 1917 and urged upon him the necessity of separating Sind, which is proved almost from the diary of Sir Montagu himself, which has been published?—Excuse me, the diary says just the reverse, and I could quote to you from the diary.

Sir P. Pattani.] Are these individual views to influence the decision of the Joint Select Committee, I wonder?

[Witness.] Here is the text from the diary, page 10: "The interesting part of the discussion occurred when we came

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face to face with the separation of Sind. The Sind Provincial Conference, which came on behalf of the Congress Muslim League Scheme, wants the abolition of the Commissioner in Sind, pending the creation of a special Province. They do not want a special Province at present because of the expense."

Dr. Shafa'at Ahmad Khan.

A148. Quite, but they did see him?—And the full text of the memorial is given on pages 9 and 10. If the Committee wants it, I gave it to Sir John Simon, and I can hand it over.

Lord Eustace Percy.

A149. I wonder if we could shorten the Proceedings, perhaps, if I put this question to the Witness? Is the contention of your Memorandum confined to the issue of the constitution of Sind as a separate Province in the present circumstances?—Yes.

A150. And you are not arguing, necessarily, in your Memorandum against the constitution of a separate Province of Sind at a future time under different circumstances?—No.

Lord Eustace Percy.] Therefore, I think we can leave the question of principle, perhaps.

Dr. Shafa'at Ahmad Khan.] Yes.

Lord Eustace Percy.] And treat only the existing circumstances.

Dr. Shafa'at Ahmad Khan.] Perfectly right, my Lord Chairman. I was only trying to show that the movement for the separation of Sind had its origin prior to 1927; that the demand had been put forward by the people of Sind long before the Reforms of 1928, and that quite a number of prominent Hindus, Muslims and Parsees have advocated the separation of Sind and had advocated the separation of Sind, since then. That was the only point I wished to make.

Lord Eustace Percy.] Quite.

Dr. Shafa'at Ahmad Khan.

A151. Mr. Chablani, the Chairman of the Karachi Municipality, I suppose, supports the separation of Sind?—Yes—not unconditionally.

A152. I am talking of the separation of Sind?—But subject to those conditions.

A153. Then as regards the Sind Muslims, I think you said, in reply to a question by Sir Hari Singh Gour, that the

prominent Muslims leaders of Sind had advocated the separation of Sind?—After 1927.

A154. But that the masses, if a referendum was taken, would oppose?—I do not make any statement. It is very doubtful whether they would agree to stand any burdens. I cannot say what the result would be, because the masses at present are certainly uneducated. I do not know to what extent they would be governed by other considerations. If you plead to them Muslim Raj, you may get any vote, but if you gave them a specific vote, taxation, "Are you prepared to cut down the expenditure here?" I have not the slightest doubt a straight vote would be against you.

Dr. Shafa'at Ahmad Khan.] I should like to say the Muslim leaders of Sind are voicing the feelings, not only of Muslims, but of a very large number of Hindus.

Sir Hari Singh Gour.] I should like the Doctor to give evidence, so that I may have a chance of cross-examining him.

Lord Eustace Percy.] Sir Hari, I hope the Committee will remember that we are hearing evidence on this subject from both sides, and, therefore, it will be unnecessary, I think, for the Members of the Committee, or the Delegates, to argue with the Witnesses, because we shall be having the view of the other side presented to us with equal strength.

Sir Hari Singh Gour.] That is so.

Dr. Shafa'at Ahmad Khan.

A155. Then, Mr. Chablani, in paragraphs 3 and 4, you have adduced reasons to prove that there are no linguistic or racial differences that divide Sind from Bombay?—I never said anything of the sort, in any sentence.

A156. That, so far as the distance is concerned, it is not really very far from Bombay?—I have said that.

A157. Do you not agree with me that parts of Sind are at a distance of about 800 miles from Bombay?—Yes, it takes you more time to reach one end of Sind from Karachi than from Karachi to Bombay.

A158. But you believe, in some cases, it is absolutely essential for persons who have to do with the Headquarters of the Bombay Government to go all the way from one part of Sind to Poona, a distance of 900 miles. Do you not think that people do find it very inconvenient

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to have to cover all that long distance?—I do not find the distance any longer than between certain parts of Bengal.

A159. Do you not think that there is any difficulty at all?—If you have at the Headquarters, members of the Secretariat, Ministers, Executive Counsellors, who have experience of Sind, I think there is absolutely no difficulty in dealing with the matter. We have rather felt that the Bombay control all along has been for the benefit of the people.

Mr. Davidson.

A160. May I ask what was the reason for the appointment of a Chief Commissioner if it was the fact that communication was difficult?—He is an ordinary Revenue Commissioner, with certain powers of local government delegated to him from 1860, and, for reasons of economy, it was joined to Bombay, and in those days, when there was not even a railway throughout Sind, it was found necessary to delegate certain powers of local government. It is a historic relic of the past, and, since 1919, certain powers of the Commissioner have been transferred back to the Ministers. In fact, our case has been that those historic reasons now do not exist; that Sind should be placed on a par with other divisions by a more complete administrative amalgamation. That was the case right up to 1922. Hindus and Muhammadans urged time after time in favour of the repeal. That is why the Bombay Committee itself now says that those reasons do not operate, that the Commissioner's special powers should be now removed.

Dr. Shafa 'At Ahmad Khan.

A161. Now in the last sub-paragraph of paragraph 4 you have dealt with the question of the appointing of extra heads of all Departments, and creating separate institutions, educational, agricultural, veterinary, scientific, medical, and so on?—Yes.

A162. I think so far as I am concerned, it is futile to discuss these questions, because they have been very thoroughly discussed by the Expert Committee, and because the Committee of 1931 went into the whole question very thoroughly and then Mr. Brayne's Committee also went into it, and later on they fixed the amount that would be needed for separation at 12 lakhs, Mr. Brayne's Com-

mittee. I cannot possibly go, and I do not think that many persons would be able to go, minutely into the various points raised in it. All that I would like to point out is that the 12 lakhs that would be needed for separating Sind will be, in a way, met by the agreement of the Sind Zamindars, an agreement that was announced by them in Mr. Brayne's Committee, to impose a cess which would realise 11 lakhs of rupees. That objection which we have heard, therefore, will really be met?—Excuse me; in the first place, it is not a correct statement of the position. The Expert Committee refuse to go into it—not that they went into it and rejected it. They say: "It is not part of our task to assess the cost of these independent institutions, the absence of which was urged as a ground for separation, for the university or the medical college, and so on." They said: "It is no part of our task." I submit that when the case of separation is exactly this: that Bombay has neglected Sind because there is no university, because there is no Government college, because there is no agricultural college; that when they want to create a separate Province on that very ground, surely the cost of instituting the Province must include an estimate of the cost of providing these institutions, the absence of which is given as the ground for separation.

Lord Eustace Percy.] I hope we shall not get into a metaphysical discussion as to what the cost of separation is to cover. It was used in one quite clear sense by Mr. Brayne, and by the Expert Committee. You may say that you would like to use those words in another sense.

Dr. Shafa'at Ahmad Khan.] Yes.

Lord Eustace Percy.] But I have intervened, because I am afraid that if we get to a discussion of the financial details of those two Reports, we shall certainly never conclude this discussion. I think that we must assume that those Reports are before the Joint Select Committee; that the Joint Select Committee will take them into consideration with Mr. Chablani's evidence, and that we cannot possibly cross-examine Mr. Chablani on all the points discussed by the Conference or by the Expert Committee.

Witness.] May I just only say one word. The point of my remark is not to question those estimates; the point of my remark in this Memorandum is that

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this Committee should visualise the kind of problem that is going to be created. It will be a Province in which these amenities would not exist. That is all the point of my Memorandum, if you will kindly look at the concluding paragraph.

Lord *Eustace Percy*.] I quite appreciate your point.

Dr. *Shafa'at Ahmad Khan*.

A163. I simply wish to point out that these proposals on pages 46 to 82 have been very thoroughly probed by the Expert Committee of 1931, and they went into all these details with the greatest possible care and, if I may say so, with great impartiality. Then, Mr. Chablani, you have said, about the middle of paragraph 5: "Subsequent figures, now available, have fully justified the estimate put forward by the three Hindu members of the Conference, the accounts for the year 1931-1932 showing the Land Revenue collections to be only 92.41 lakhs"—Yes.

A164. For three years, 1929-30, 1930-31, and 1931-32, owing to extraordinary circumstances of depression and low prices of agricultural produce, the Government of Bombay, like other Provincial Governments, gave special rebates in the Land Revenue, and that naturally upset the ordinary calculations, but in the year 1932-33, the revision of Settlement of Land Assessment has been effected throughout the barrage area, and besides, the Government have given no rebate whatsoever. This will naturally result in the increase of Land Revenue income in Sind, even much beyond Mr. Brayne's estimate—

Lord *Eustace Percy*.] Is this a question?

Dr. *Shafa'at Ahmad Khan*.] I am putting this forward in reply to the contention put forward in the Memorandum.

Lord *Eustace Percy*.] I really do not think we can get into an argument on the subject. We want to know Mr. Chablani's views, and having ascertained his views, and put any questions for our own enlightenment to him, we must form our own conclusions.

Mr. *Davidson*.] May I suggest, Mr. Chairman, that my own feeling about it is this. If each of us were to go through a Memorandum put in by a Witness, and traverse every statement with which we should not agree, we would be doing

two things which I think would be wrong. First of all, we would be disclosing what I think a judicial body ought not to disclose—their own views. We want to ascertain the views of the witnesses. Secondly, I think we would be spending a great deal of time in doing something which was, in fact, not what we, perhaps, ought to do.

Dr. *Shafa'at Ahmad Khan*.] My difficulty is this: For the last two years, the question has been thrashed out in all its details, and we thought that the whole question had been practically settled and finished, as far as we were concerned. Now, in this Memorandum, the old figures and, if I may say so with the greatest respect, the old controversies, have been revived, and as a member of the Muslim Delegation I cannot allow these figures to go unchallenged. I should be neglecting my duty if I did. It is for this purpose that I want to challenge the figures which have been given here, because I believe that these figures are proved to be not strictly in accordance with the results of the Revenue administration of last year.

Lord *Eustace Percy*.] I do not complain of any question put for the purpose of challenging one of Mr. Chablani's figures, but you are reading out a long statement.

Dr. *Shafa'at Ahmad Khan*.] Not at all. I was simply showing that the estimates of Mr. Brayne's Committee have, not only been proved, as it were, but the actual collection of revenue has gone much beyond Mr. Brayne's estimates, and that the proposition he put forward is really a workable proposition, and Mr. Chablani says, "No; the estimates are really under-estimates."

Witness.] My answer is that, in the first place, the accounts for the year 1932 to 1933 are not closed, and no figures are available. What Dr. Shafa is putting is really an assumption of something he has heard. Really, no accounts will be available till October—1932 and 1933. The second thing is that there is a good deal of confusion and mixing up of figures. The revenue figures for 1932 and 1933 mix up two things; the non-barrage area and the barrage area. So far as the barrage is concerned, we have included those estimates in the estimates of income from the barrage. If you take the two periods then certainly the income is greater in 1931, but whether the revenue is greater than the figure

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that I have given for 1931 to 1932, plus the expected revenue from the barrage, would be a different matter. For proper accounting you have to add these two things together in order to see how far the thing is borne out. The statement made by Dr. Shafa is not strictly accurate. As the world knows, since 1925 there has been an exceptional fall in the prices of agricultural produce, and since 1929 it has continued, with only slight variations here and there. Whether we should count the prices of 1919 and 1918 as normal, or whether we should consider 1925 to 1929 as normal, or 1929 to 1932 as normal—these are three different issues. What we are banking on is the continuation of conditions which existed in the post-war and the war boom periods; those are the periods on which full rates of the Barrage are based.

Lord *Eustace Percy*.] May I simply say this, that all of us who have had to examine Indian finances, or even the finances of any country at the present moment know that all the figures given in all reports, and all the figures given by Mr. Chablani in evidence, are highly hypothetical and should be subjected to the very closest examination, and the Joint Select Committee will subject them to the very closest examination before they accept any figures put before them. On that understanding, I suggest that in this Sub-Committee we should refrain from any detailed attempt to impugn any figures in any of these reports, leaving that to a subsequent examination.

Dr. *Shafa'at Ahmad Khan*.] I accept your ruling, my Lord, and I will not refer to any figures, but this, of course, should not imply that I accept the figures which have been given in this memorandum.

Lord *Eustace Percy*.] Nor do any of us at the moment.

Dr. *Shafa'at Ahmad Khan*.

A165. Quite. (To the witness): Then turning to paragraph 7, this, if I may say so, with the most profound respect, is a highly controversial paragraph, and I certainly do not wish to deal with it in detail. I think you will agree with me that the impression is likely to be created (I will not go further) that you are really indicting the whole administrative community of Sind?—I am not.

A166. I am afraid that is an impression it has left, and therefore I do not

wish really to go into it. I am absolutely certain of this, that all the sensible, and all the best, elements of the Hindu community of Sind do not subscribe to this paragraph?—I do not understand upon what authority that statement is based. I certainly dispute the statement. They are only facts which can be got from the figures of Government publications. I have merely put them together.

A167. I will just mention only one point then regarding the riots you have mentioned, the Larkana and Sukkur riots. The witness has mentioned in paragraph 7, the Larkana riots, the Jacobabad murders, the organised gang dacoities in the Sukkur District, and so on?—I do not wish to deal with all this; it is very distasteful; and if I had to perform the duty of collecting all the facts from my own province I could give about 10 times the amount; but I do not wish to do it. I am also a member of the minority community. I have always said that I am quite prepared to have confidence in the Hindu community, and I have always taken this attitude.

A168. You have mentioned about the Larkana riots. So far as the Larkana riots are concerned, am I right in my information that the judgment of an impartial judge like Mr. Norman is an adequate proof that all the 80 Muslims that were clapped in jail at the false complaint of Hindus were innocent and were completely liberated?—Excuse me; I deny the fact that it was on the initiative of Hindus. The Police got at some people; some people were innocent.

A169. But were they liberated?—Of course not. One was convicted. That is my grievance. The riot took place in broad daylight in the district headquarters. We heard that the whole of the headquarters was given over to rioting and not one man was punished.

A170. Mr. Norman's judgment is very clear upon that point?—It is a reflection upon the Police, on insufficient evidence.

Lord *Eustace Percy*.

A171. That was not the question put to you. The question was, what was the judgment?—I am not aware of that judgment at all. I am only aware that not one man was convicted.

Dr. *Shafa'at Ahmad Khan*.

A172. Then you refer to a very curious phenomenon, which is called the Anglo-

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Muslim alliance, in paragraph 8. What is that alliance?—You have heard of the Minorities Pact?

A173. Yes; but what does the alliance refer to?—All that I am saying is that there is a great prejudice against the Hindu community at the present moment. I am giving rise to the feeling that we wish our case to be judged on its merits, and not because of anything Hindus might have done in other Provinces. We do not want that our case should suffer because of the associations with various matters.

A174. Where is there a great prejudice against the Hindu community?—We do find it.

A175. Here, also, in England?—The feeling has been expressed.

A176. I will not deal with it further. I only wish to say that I have not come across any instance of it?—Then I see no reason why Sind should be separated.

A177. Then I will not deal with the historical portion with which the rest of that paragraph is concerned?—I would welcome any examination upon that.

A178. Then, later, in paragraph 8, you give, if I may say so, the constructive part of your memorandum. You make certain suggestions for protecting the life and property of the Hindu community?—Yes.

A179. Are you prepared to concede the same rights to Muslims in minority provinces?—Yes, wherever the conditions make it possible.

A180. But do you not think that the Muslims in minority provinces may say that their own condition is very peculiar?—It is for the Joint Select Committee to see if the facts are approximately what we have suggested, and if the facts are approximately as we have suggested, I suggest that they should be protected in the same way as we have asked.

A181. If they are, what happens to constitutional reform in India?—After all, in any constitution there are elements of civilisation that must form the basis of any constitutional structure. All that I ask for is that those essentials of modern civilisation must be maintained at any cost.

A182. Personally speaking, without committing anyone, I should have thought that we are starting a new era in India, and that we should have gone on the policy of forgetting the past, and starting a new chapter in the book. I, personally, when I issued my interview last year, after my return from India, advise

all the Muslims of Sind to give as many concessions as they possibly could to their brethren?—Did they?

Lord *Eustace Percy*.] Here again this is hardly question and answer.

Dr. *Shafa' at Ahmad Khan*.] Mr. Chablani, in his memorandum, has said that it is the Muslims from outside who have started this agitation, and I want to disprove that. I feel that this demand has really sprung up and originated in Sind itself; and Sind Muslims are undoubtedly backed by Muslims from other provinces. In the first place, the movement to which Mr. Chablani has referred is not supported by any responsible Muslims in any part of India. I can assure you, Mr. Chablani, that, so far as Muslim officials are concerned, they have got no other desire but to see a contented Sind in which the Hindus, with their extraordinary power of organisation, their wealth, their culture, pull their weight and play their part in building up a new Sind.

Lord *Eustace Percy*.] Dr. Shafa was, I think, perfectly justified, from his point of view, in making that statement in reply to the statements made by the witness in the memorandum before us; but that statement having been made, I think we can pass now to the next question.

Dr. *Shafa' at Ahmad Khan*.] I have finished, my Lord Chairman.

Sir *P. Pattani*.

A183. With reference to the remarks which the Witness has made in reply to questions put by my four colleagues on the other side, I do not know that I can add anything very important by putting many more questions. I will only deal with three questions. I think that a perusal of your Memorandum shows that we come to only three important issues, namely: (1) Your fear, which is a communal sentiment, merely; (2) that you are afraid of administrative inefficiency; and (3) the incapacity for bearing financial burdens. Beyond that, I do not think there is anything really important. Now with regard to the first, namely, the communal sentiment, do you not think there has been a recent growth, considering its historical point of view, that even the Muhammadan was not a communal man, because if he was, there being 800 years of Muhammadan rules, no Hindu would be left?—May I answer that that refers to the peculiar history of Sind right up to the 17th

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century. Your broad generalisation is true, that the rule of the Muhammadan in Sind was not very oppressive; but when you come to the 17th and the 18th centuries, you will notice something like a catastrophe has taken place. In 1599 the population of Sind is 10 Hindus to 1 Muslim; in 1700, it is 2 to 3; in 1830, it is 1 to 4. One can easily see what a transformation took place during that period. So, in a space of about 80 years, something like the destruction of an old civilisation took place. That was the position; it is really a slow recovery under the British rule that has taken place, and during the period of slow recovery, right up to 1919, I should say, the communal problem did not exist in Sind, but under the strong British administration, it is only since 1919 that it has begun, and with the death of the Great Muhammadan leader in 1924, things have become very bad indeed in Sind.

A184. Do you not think that if the administration of the Province is altered in the way suggested, things may improve?—It is quite possible to improve it; I hope it will improve, but the process must be left open for improving it, and the process that I can visualise is nothing short of a complete joint electorate. That is the only process that they can gradually understand, probably; not statutory majorities and separate electorates. That is not the path down which any communal adjustment can take place in Sind.

A185. So you are afraid of the majority of the Muhammadan community not giving you a fair share in the administration?—I would not like to put it like that.

A186. The majority community in that Province?—You can put it as a majority of the people, because, after all, the Muhammadans do belong to different states of civilisation; some are 20th century men; some have hardly emerged from the 10th.

A187. It is, therefore, that you have suggested that the Law and Police should be Reserved and that there should be financial solvency?—Yes.

A188. You know that the Governor has the special power reserved to himself to intervene and protect life and property in any Province in India?—I do feel that if things go very, very wrong indeed, a strong Governor would intervene, but so far as the ordinary affairs of life

are concerned, I do not think the Governor would feel that, in discharge of a special responsibility, he ought to intervene. Take, for instance, the kidnapping of women; take, for instance, a riot in one particular place, by itself it may not justify the Governor intervening; it is only when he finds a cumulative series of incidents over a couple of years that he might think it is sufficient time for him to intervene, but it is not a consolation to a minority community that only when things break down the Governor will act.

A189. But that is likely to happen in any other place?—If you have got an area in which 14 houses to the square mile is the density, in which communications are so imperfect, in which there are 10,000 miles of desert land, in which cattle lifting is an ordinary sport, as the Commissioner of Sind put it, in which the crime incidence is the highest, and literacy is the lowest in India—if such conditions exist in the rest of India, I must say Law and Order must be reserved.

A190. I will not proceed on that question any further. Then the second question is the administrative inefficiency due to illiteracy, as you said just now?—From two points of view, the financial resources are not adequate.

A191. I am coming to the financial aspect last. With regard to the fear of administrative inefficiency because of the illiteracy of the majority of the inhabitants of that Province?—I will not put it so strongly as that, because of the kind of elected member that is probable under the conditions existing in Sind. After all, if only the elected members are enlightened, one would expect a different state of affairs.

A192. That is your fear?—That is my fear.

A193. That the administration will suffer and there not being capable administrators to run the State?—They are only interested in two things, water and gun licences.

A194. It is, therefore, that you would like to remain in Bombay, because your idea, probably, is that by contact with a far advanced portion of the Presidency, the backward Province may develop and progress towards improvement?—That is exactly my idea. As a matter of fact, it has happened.

A195. Do you not think that by making people responsible for their own domestic

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affairs, they will, in course of time, work more for their own welfare?—I do not see a sufficient amount of leadership at present.

A196. Being like that and linked to a Province at this distance and not having a State in the hands of the people, there is less chance of a Province advancing than if it took the chances?—May I refer to the question of achievement during the last 10 years as far as Sind is concerned. How much capital expenditure has been incurred in Sind by the Bombay Council? I think that the record of the Proceedings is a sufficient answer as to what progress has been made when Sind, along with Bombay, has ruled the Presidency.

A197. I do not want to prolong the controversy unnecessarily. You said that the Muhammadans want to hold the Hindus in Sind as hostages, in order that the majorities in other Provinces may behave. Is that really the danger? Do you believe in this?—I do, because I have given you the ground.

A198. I am sorry if you do. Then this Constitution, if granted to India, will be a Constitution for mutual harassing, instead of self-government. Now the last question, which is financial incapacity of the Province to administer itself. You will agree that if Sind finds its own funds, you will not oppose separation?—I never suggested that.

A199. So it is only a question of time?—If Sind, not only meets its own deficit at present, but could go on at the rate of progress at which it has been going on with Bombay, then certainly most of my objections would disappear.

A200. If Sind takes it over, promising that they will put on no taxes rather than be linked with Bombay, would you agree with that?—Everybody says somebody else should be taxed.

A201. Without discrimination of communities—no discrimination in method of taxation?—May I submit that under the economic conditions of Sind, there are only about 3,000 individuals of taxable capacity, the big Zamindars, and there is no ghost of a chance of their footing the bill. The Bombay Council, on every occasion, have refused to tax them.

*Lord Hutchison of Montrose.*

A202. I have only one question. All the points that I wanted to ask have

been touched upon. As regards administration, you point out in paragraph 4 of your Memorandum, that if Sind became a separate Province, it would have to borrow officers from other parts of India?—Yes.

A203. And for that reason, there would not be sufficient control over those officers?—Not a great amount of control.

A204. And the argument you give is that administration would be faulty because their future advancement does not lie in the hands, as they would be, of their permanent servants?—That is one reason. The second is that sometimes a comparatively junior official will shoot up into a responsible position, and sometimes very good people rot in subordinate positions.

A205. But, surely, good administration does not depend on the control over the advancement?—It does certainly depend on the efficiency of people. A good many people would like to go to a Province which is sufficiently slow for them.

A206. Is not the administration to-day run very largely by the bulk of the people borrowed from other offices?—That is perfectly true; but the bulk of the people are under the same provincial government.

A207. The other question in relation to that is this. Do you think it is necessary for a Minister to enforce his control over the administration and to have the welfare of the officers in his hands?—No. I would certainly welcome that; but under the system contemplated it would not be so.

*Lord Eustace Percy.*

A208. I should just like, before rising, to ask one question. You have mentioned in your memorandum several cases of unfortunate incidents in Sind, riots, and so on, and you have emphasized that in your verbal evidence. That has taken place under the existing Bombay regime, has it not?—Yes, when the Bombay Government had to retrench Police expenditure.

A209. And you have also referred in your evidence to a tendency to bargain within the Bombay Government?—I could give you instances. The Committee could send for the actual details. There was a model



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[Continued.]

system of irrigation; it had to be withdrawn because of the bargaining of the members of the Council. Officers were transferred from one district where the bargaining took place.

A210. Supposing the White Paper proposal of provincial autonomy was carried out without the separation of Sind, would you ask for guarantees for the

minority community in Sind against the majority community in Bombay?—No; because then we can represent our case to the majority in Bombay.

A211. And, therefore, under that set of circumstances you would not ask for the reservation of Law and Order?—I would not.

*(The Witnesses are directed to withdraw.)*

*(Ordered, That the Sub-Committee be adjourned to Wednesday next, 10.30 o'clock.)*

# SUB-COMMITTEE A

## 1

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

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*Die Lunae, 17<sup>o</sup> Julii, 1933*

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