

THE LEGISLATIVE COUNCIL OF THE GOVERNOR
OF
BIHAR AND ORISSA.

Thursday, the 20th August, 1931.

The Council met in the Council Chamber at Ranchi at 11 A.M., the Hon'ble the President in the Chair.

QUESTIONS AND ANSWERS.

COMMENT ON THE CONDUCT OF SUB-INSPECTOR H. O. DAVID
OF KHUNTI POLICE-STATION.

31. Babu SRIKRISHNA PRASHAD*: (a) Has the attention of Government been drawn to the news published in the press on the 1st July 1931 under caption "Stricture on Police Inspector"?

(b) Have Government enquired into the matter and taken any action? If so, what?

(c) Did Government look into the service history of the officer concerned?

(d) If so, will Government be pleased to state if this officer was in Khunti ever before in or about the year 1921-22?

(e) Will Government be pleased to state the circumstances in which he was transferred from Khunti?

Mr. M. G. HALLETT: (a) Yes, Government have seen the report referred to after receipt of the hon'ble member's question. Previous to this they had received a report from the local officers about the case.

(b), (c), (d) and (e) The local officers are making enquiries about the action of the sub-inspector concerned and Government have not therefore made any enquiries.

* In the absence of the questioner the answer was given at the request of Rai Bahadur Dwarka Nath.

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Member told us yesterday that "those provinces which depend on commerce and the export of raw products have been hit more severely than we have". I think under the category of these provinces Bombay is included but the Government of Bombay have made remissions in land revenue and rent. A resolution which was moved in this Council for suspension of rent and revenue was not adopted by this Council only about six months ago. If we had made certain remissions and suspensions of rent and revenue which would result in decrease in revenue there would certainly arise the question of making retrenchment on the lines adopted by Government. But Government have not made any such remissions. They have not foregone any of their revenues. On the other hand the excise revenue is showing signs of increase as the Hon'ble the Finance Member told us yesterday. Under these circumstances I feel that Government are not justified in making the little retrenchment that they have already made; particularly since they have touched the nation-building departments and have left the watch and ward departments intact. On these grounds I have stood up to oppose this motion. But if Government accept this motion subject to the appointment of a committee, I shall be the first member to support it since in that case Government will not be at liberty to apply the pruning knife in the way that it suits them best.

The Hon'ble the PRESIDENT: The question is :

This Council recommends to Government to adopt adequate and necessary measures of retrenchment in the expenditure of the different departments of Government.

The motion was adopted.

REPRESENTATION OF ABORIGINES ON ROUND TABLE CONFERENCE.

Mr. GARBETT CAPTAIN MANKI: Sir, I rise to move the resolution which stands in my name. The resolution runs thus :—

This Council recommends to Government that the representation of the aborigines in the Round Table Conference and particularly in the Minorities Sub-committee of that conference is essentially necessary to safeguard their interests and urges upon them the importance of calling the immediate attention of His Excellency the Governor General and the Secretary of State for India to the urgency of the claims of the aborigines to be represented on the Round Table Conference,

[Mr. Garbett Captain Manki]

Sir, in moving the resolution I do not propose to take much time of the House. I shall try to be as brief as possible.

In the Round Table Conference I find that all communities excepting the aborigines have been represented. But the aborigines have been neglected as they have not been represented in the said Conference. The aborigines who form a population of about one crore and sixty lakhs in India should have representation in the Conference. Even the depressed classes have got representation in the Conference, but these aborigines who form a most important community have not been represented. It is therefore necessary that attention of the Government should be drawn immediately to take steps for representation of the aborigines in the Conference. The interest of the aborigines are quite different from those of other communities and the members who are in the said Conference are not familiar with these interests, and thus separate representation of the aborigines is essentially necessary. With this object I have moved the resolution and hope that the resolution would be accepted. I therefore appeal to the hon'ble members of the House that they should accept the resolution unanimously.

The Hon'ble the PRESIDENT : Babu Swayambar Das has sent an amendment to this resolution, which runs thus—

After the word "aborigines" in the two places where it occurs the words "and agriculturists" shall be inserted.

This amendment was not sent in time and therefore it can only be moved if no member of this Council objects to it.

Mr. M. G. HALLETT : I strongly object to the amendment.

The Hon'ble the PRESIDENT : The hon'ble member cannot therefore move his amendment.

Maulavi MUHAMMAD ABDUL GHANI : چونکہ resolution کی کاپی ہم لوگوں کو late کر کے ملی ہے اس لئے ہم لوگ درخواست کرتے ہیں کہ آپ مہربانی فرما کر standing orders کو suspend کر دیں۔ ہماروں کو اگر resolution کی کاپی وقت پر ملی ہوتی تو ہماروں کو وقت ملتا کہ ہمارے amendment کو وقت پر پہنچے۔ ریزولوشن کی کاپی ہماروں کو صرف کل ہی ملی ہے۔

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The Hon'ble the PRESIDENT : I have not heard this explanation from the hon'ble member who has sent this amendment. If he did not receive a copy of the resolutions in time and if it is due to the fault of my office then I can exercise my powers to suspend the standing order but I am not willing to accept any explanation from any other hon'ble member.

Babu SWAYAMBAR DAS : Sir, I cannot blame anybody for the late submission of my amendment. But I think if it lies in your power to suspend the standing order it is only fair and just that my amendment be allowed to be moved.

The Hon'ble the PRESIDENT : The hon'ble member is aware that this is an extraordinary power given to the President to suspend standing orders. It is only under certain circumstances that I am inclined to exercise that power. I would not exercise the power when I find that the hon'ble member had time enough to send his amendment. If he did not, it was his fault. If I go on suspending standing orders in this way there would not be any meaning in the standing orders at all. Therefore, I am not inclined to suspend the standing order unless I am convinced that for some sufficient reason the hon'ble member was prevented from sending the amendment in time. As no such statement has been made before me, I am not going to suspend this standing order.

Babu DEVENDRA NATH SAMANTA : Sir, I rise to give my whole-hearted support to the resolution moved by Mr. Garbett Captain Manki. The demand made by the resolution is a very simple one. It wants that the Council should advise Government to call immediate attention of His Excellency the Viceroy and the Secretary of State for India, to the fact that the aborigines have sufficient claims to be represented in the Round Table Conference.

That the aborigines were all along under the impression that they would also be represented in the Round Table Conference but to their utter disappointment they find that none has been invited to represent them in the said Conference.

That the Government of India as well as the Round Table Conference have totally ignored the aborigines by not inviting their representatives to the said Conference.

That having been so neglected and ignored by the Government of India, we the aborigine members thought it

[B. Devendra Nath Samanta]

proper to bring the matter before this House in the hope that the House will call attention of His Excellency the Viceroy and Secretary of State for India to the claims of the aborigines to be represented in the said Conference.

That the aborigines form a population of about a crore and eighty lakhs in India and their number being so are not such as to be neglected for ever. Sir, the aborigines form one of the most important minority community of India and thus they deserve attention of Government.

These aborigines have maintained their identity and independent spirit throughout ages. They have special rights in lands. We find that these interests are at stake and these require special protection. I may add that the claims and interests of the aborigines are different from those of other communities. And it is highly desirable that there ought to be some one in the Round Table Conference to represent these interests and rights. That unfortunately none has been invited to represent the aborigines in the Conference and there is none in the Conference who is familiar with the conditions, claims and interest of the aborigines. Thus we the aborigines reasonably apprehend that our interests and claims will go unrepresented. We the aborigines require special treatment as regards the system of judicial administration also. In the circumstances as stated by me, we the aborigines are strongly of opinion that for the solution of special problems concerning us separate representation is absolutely necessary.

Now, Sir, my submission before the House is that the numerical strength as well as other factors entitle the aborigines to claim representation in the Round Table Conference. But they are highly aggrieved to find that they have not been represented in the said Conference. They have been convinced that they have been neglected, and this sort of neglect has given rise to much discontent amongst them. They are more aggrieved to think that even the depressed classes have been represented by two members, whereas their claims have been ignored. I believe that their discontent is growing more and more and I reasonably apprehend that if their grievances are not redressed, their discontent will reach such a height as may give rise to rebellions in some form or the other and my belief is confirmed when I look to the past history of the aborigines. Many of the hon'ble members are aware of the aborigine rebellion

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of 1832 in Ranchi and Singhbhum districts, of Birsa rebellion of 1897 and 1899 in Ranchi district and of Santal rebellion in Santal Parganas in the latter half of the 19th century. That it is needless to say that these rebellions were due to discontent amongst the aborigines for unsuitable administration. I myself am of opinion that opportunity should not be given to such undesirable things. It is absolutely necessary that aborigines should have representation in the Round Table Conference and they should be given opportunity to suggest suitable form of administration. We aborigines too hanker after self-determination.

I beg to submit again that it is not too late for Government to consider the matter and remove the grievances of the aborigines. Under these circumstances I appeal to Government that they should consider the matter seriously and favourably. With these observations, Sir, I support the resolution and hope that the House will give their favourable consideration to the same.

Rai Bahadur SARAT CHANDRA RAY : Sir, I rise to support the resolution with all the emphasis at my command. As the majority of my constituents belong to the aboriginal communities it is my bounden duty to voice their insistent demand. That demand has been formulated in more than one cablegram and representations to the Right Hon'ble the Secretary of State, to the President of the Round Table Conference and to Sir John Simon and his colleagues, and telegrams and representations to His Excellency the Viceroy and representation to His Excellency the Governor. The aborigines have forwarded copies of all these to me with a request to press the matter in this House on their behalf. As I feel that the aborigines have a just grievance in this matter, the present resolution has my whole-hearted support.

Among the different minority communities in India, Sir, the aborigines are, if not the most important, at least one of the most important. In some parts of this province, the aborigines constitute the large majority of the population. Thus, in the Ranchi district they number over 10 lakhs out of a total population of 13½ lakhs in round figures. In the Singhbhum district the proportion of aboriginal population is even larger.

In the whole of the province out of a total population of 8,79,61,858 in 1921, the aborigines numbered as many as 57,00,000 or 15 per cent.

[R. B. Sarat Chandra Ray]

In the whole of India the aborigines numbered roughly 1,80,00,000 or 1/20th of the total population.

Thus, Sir, one man in every 20 in the population of India is a pure aboriginal; and over and above this, as anthropologists tell us, there is an appreciable admixture of aboriginal blood in a considerable proportion of the rest of the population.

The aborigines thus undoubtedly form an important element in the population of India.

In numerical strength, they constitute a very important minority community of India.

Even more than their numerical importance is their importance in other respects.

A large proportion of the aboriginal population of this province are agriculturists who possess special prescriptive rights in land, and these rights are liable to constant encroachment and require special protection.

Their economic, social and educational problems are in many respects different from those of the Hindu and Muhammadan population and require special attention, special treatment and special safeguards, and special administrative arrangements.

Justice to their special requirements and special problems can only be expected from the Round Table Conference, if their case is presented by themselves or by persons who have been in prolonged and intimate touch with their lives and have learnt to see things with their eyes, to appreciate their view-point and understand their categories of thought, or, as an eminent anthropologist quaintly but expressively put it, "to think black".

We do not know of any member invited to the Round Table Conference who is familiar with first-hand information or, at any rate, has given the requisite time and attention to the study of special needs and problems of the aborigines.

And it is apprehended by the aborigines and their well-wishers that their requirements and special problems will be overlooked or ignored, and their case will go by default in the Round Table Conference, as it is at present constituted.

That is obviously the reason why every aboriginal member of this Council sent notices to move present resolution and some of them have just spoken strongly in its support.

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I have personal knowledge, Sir, of the keen disappointment felt by the aborigines of Chota Nagpur at the neglect of the authorities to grant them representation on the Round Table Conference.

I know also that this disappointment among a large and important section of the aboriginal population has developed into resentment, since they have found that even the depressed classes have secured representation on that conference whereas they alone are going unrepresented.

In cablegram sent by the Chota Nagpur Improvement Society, which is the premier aboriginal association in the province, to the Chairman of the Round Table Conference and published in the *Amrita Bazar Patrika* of the 30th December last, we read—“Keenly deplore non-representation at Conference and bitterly resent unjustifiable stigma of inferiority implied in Simon Report and Bihar Government recommendations.”

Thus it is not my own subjective impression alone but the declaration of the aboriginals themselves, that testifies to their bitter resentment at this neglect.

If in the end they find that their special administrative needs and problems have not been considered at all or not sufficiently considered with proper knowledge and sympathy and that suitable provisions have not been made in the constitution to safeguard their interests, we should not be surprised if their present smouldering resentment ripens into silent disaffection, if not open revolt.

The hon'ble member for Singhbhum has referred to the Santal rebellion of 1855, the Kol rebellion of 1831-32 and of the Birsa rebellion of 1895-1900. In fact, past history and modern experience show that frustration of hopes of economic amelioration and political betterment has in the past misled aboriginal mobs into insane logic and awful aberrations.

Resentment which may be appeased by suitable measures of reform in time may not inconceivably develop hereafter into the virus of political trouble and social revolt. They insistently demand to have a voice in the framing of a constitution for them; and this just demand ought to be carefully considered by the authorities and suitably met by the Round Table Conference.

[R. B. Sarat Chandra Ray]

In these circumstances, Sir, it is expected that if the attention of His Excellency the Governor General and the Right Hon'ble the Secretary of State and the Right Hon'ble the Prime Minister of England is drawn to the urgency and reasonableness of this demand of the aborigines of the province to be represented on at least the Minorities Sub-Committee of the Round Table Conference, the authorities concerned, it is expected, will appreciate the necessity and justice of meeting the demand, and make immediate and suitable arrangements for it.

With these words, Sir, I beg to support the resolution with all the emphasis at my command.

Babu SWAYAMBAR DAS : Sir, I support the resolution moved by the representative of the aboriginal population and ably supported by other members. My association with the aboriginal population for sixteen years in Chota Nagpur has convinced me that this aboriginal population has not been properly treated by the powers-that-be in the past. They are mostly agriculturists and as a representative of the agriculturists I have the fullest sympathy with these people. Certainly it is not fair that a population—an agriculturist population, which is so numerous in the country should go unrepresented on the Round Table Conference. Sir, it is a well-known fact that the interest of the agriculturists have often been not well attended to, even by the present Government. We the agriculturists are in almost every way handicapped. In the matter of education, in the matter of appointment and in several other matters affecting the well-being of the population, we are almost helpless. Therefore I do not think, I need say, more than what has already been said on behalf of the aborigines who are mostly agriculturists, and I fully support the resolution which has been placed before the Council.

Mr. M. G. HALLETT : Sir, whenever a resolution comes from Chota Nagpur as the aboriginal tracts it usually falls to my lot to express my sympathy for them but afterwards to oppose almost every resolution. On this occasion I am glad to say that I need not take up that attitude. I am prepared to accept on behalf of the local Government this resolution and to undertake to bring it to the notice of His Excellency the Governor General and through him to the Secretary of State. Strictly speaking the local Government as such has not had much to do with the constitution of the Round Table Conference, but there is no

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reason why we should not support and represent the view put forward by the aboriginals themselves for a voice in deciding their future constitution. The importance of the problem is recognised by all who are acquainted with it, its difficulties were forcibly brought out in the Simon Report. They pointed out that it is necessary not only to protect this large population of aboriginal people and to preserve their old-established system of land tenure, but they also emphasized the point that it is necessary to frame a constitution which would allow this population to develop on their own line and thus asserted the principle of self-determination. The solution of the problem proposed by them was not generally accepted though the problem was clearly stated, and for that reason it is more necessary that it should be further considered by the Round Table Conference or by some committee of the Round Table Conference or by some other body which will deal with the problem of the future constitution. Ranchi has recently been fortunate in having a personal visit from His Excellency the Governor-General, though we all regret that it was too short. But I feel sure that this short visit and the loyal welcome which he got from all sections of the population of Ranchi and Hazaribagh will make him feel sympathy for the inhabitants of these parts and take an interest in the problem of the aboriginal people. I feel sure that His Excellency will do all he can to see that their interests are not neglected. I will therefore undertake on behalf of Government to bring this resolution and speeches which have been made in support of it to the notice of His Excellency the Governor General at the earliest possible opportunity.

Rai Bahadur SARAT CHANDRA RAY : Sir, on behalf of the aborigines I beg to thank the hon'ble the Chief Secretary and Government for accepting this resolution.

Mr. GARBETT CAPTAIN MANKI : Sir, I thank the hon'ble Chief Secretary for accepting my resolution.

The Hon'ble the PRESIDENT : The question is :

This Council recommends to Government that the representation of the aborigines in the Round Table Conference and particularly in the Minorities Sub-committee of that conference is essentially necessary to safeguard their interests and urges upon them the importance of calling the immediate attention of His Excellency the Governor General and the Secretary of State for India to the urgency of the claim of the aborigines to be represented on the Round Table Conference.

The motion was adopted.

[M. S. Muhammad Hafeez]

Maulavi SAIYED MUHAMMAD HAFEEZ: Sir, with the permission of the House and of the Chair, I beg leave to move the resolution* of Babu Shrinandan Prashad Narayan Singh Sharma with the necessary alterations that I wish to make to it.

The Hon'ble the PRESIDENT: I think that cannot be done because Babu Shrinandan Prashad Narayan Singh Sharma must get in writing an authority from the hon'ble member to move the resolution and my assent as well. I was quite prepared to give it but as he has not brought the authority in writing I cannot do that.

Babu KALYAN SINGH: Sir, I do not wish to move the resolution† standing in my name but I wish to add an explanation.....

The Hon'ble the PRESIDENT: If the hon'ble member does not want to move the resolution then he cannot say anything except a brief explanation of his withdrawal.

ADDITIONAL HOLIDAYS FOR IDUL-FITR AND ID-UZ-ZOHA FESTIVALS.

Maulavi KHALILUR RAHMAN: Sir, I beg to move :

This Council recommends to Government to revise the list of holidays and to add one day more before the 'Id-ul-Fitr' and one day more after the 'Id-ul-Zoha' to the holidays already allowed for these festivals.

My object in moving this resolution is that we feel great inconvenience on account of the uncertainty in the visibility of the moon. We have got, as the House is aware, only two days for Id-ul-Fitr, namely, the day on which we observe the festival and the day following it and it sometimes so happens that the moon is visible on the 29th of the month and we feel great inconvenience in going home and observing the festival at our respective homes. Therefore it is desirable that there should be one day more added to the two days we have already got for Id-ul-fitr, that is, one day before the Id-ul-Fitr holiday.

Similarly in the case of Id-uz-Zoha we feel great inconvenience in performing the sacrifice on the last day which is fixed

* This Council recommends to Government to take steps to make provision for the teaching of Hindi as an optional subject in the Patna College during the present academic session.

† This Council recommends to Government to take necessary steps for authorizing the district boards in the province to allow carters to use the metalled roads.