

THE BENGAL LEGISLATIVE COUNCIL

1921 - 1936

Ph.D.

BY

SHAWKAT ARA HUSAIN

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**THESIS SUBMITTED TO THE UNIVERSITY OF DHAKA
FOR THE DEGREE OF DOCTOR OF PHILOSOPHY**

OCTOBER, 1985

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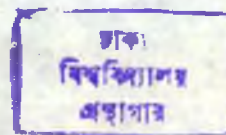
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ABSTRACT

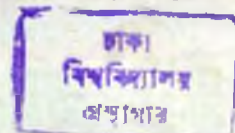
The thesis is a study of the working of the Bengal Legislative Council between the years 1921 and 1936. The analysis focuses on the complex web of interrelationship of society, government and this body during the period under review. While analysing the work of this Council answers to the following questions are sought:

- (a) What type of legislative ^{body} was it? (b) What was the influence of nationalist movements, government policies, class conflicts, communal cleavages and revolutionary stirrings on Council proceedings? (c) What was the social background of the Bengali councillors? (d) What type of interest did the legislators represent — class, communal or party? (e) What level of organisational development did the parties manifest inside the Council? (f) Did the parties serve as institutional basis for unity in the Council? and (g) What constraints did the legislators face within the Council and how did they work under those constraints?

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The analysis progresses through a number of thematic divisions. The first theme is introduced by the input-output conceptual framework which provides the theoretical perspective. To place the discussion in its proper context this section also refers to the historical background of legislature in Bengal, and its formation and procedures in 1920. For explaining the role of the members their social background is also analysed.

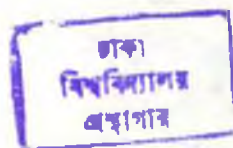
The second section, the core one, analyses the working of the four Councils that met between 1921 and 1936 by using the conceptual framework outlined in the beginning. It is seen that the



overall societal perspective provided inputs to the Council the amount of which varied under different circumstances and according to class/communal perceptions of elected members. The analysis further shows that as the elected element in the Council was composed mostly of the bhadroloks there is very little input of questions relating to peasants and labourers. This section also brings forth how communal perception of the members gradually diluted the class bias of politics within and without the Council.

The third section threads together various skeins of analysis. The Bengal Legislative Council introduced under the system of dyarchy in 1920 was far from being what a real legislature means. Its status and role were circumscribed by the government rules. And the role of the members within this Council was influenced mostly by their communal orientation, and very rarely by class bias. A society riven by communal tension produced inputs to the Council that had very little to do with socio-economic issues of the common masses. The outputs piloted by the bhadrolok members and government thus reflected not the society of common men.

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ACKNOWLEDGEMENTS

Any research is a difficult and painstaking task. Apparently it involves the labour of one or more than one person when source-materials are sifted and generalisations formulated. But in reality this means an excruciating process all through and the pains of which are only eased by persons who at different stages contribute in their own ways to a happy ending. There is thus always scope for the author of a research product to acknowledge the deep debt that he or she incurs to such persons over a period of time. Perhaps acknowledgement in words only appears too little in comparison with the amount of debt. But this is the only means preferred in the absence of any better one.

I owe a special debt to National Professor Abdur Razzak for suggesting this stimulating field of investigation. To my Supervisors Dr. Emajuddin Ahamed and Dr. B. K. Jahangir my debt is greatest for providing me an inspirational guidance for over two years which helped me reach the cherished destination. I have to thank the University Grants Commission for supporting me financially and the University of Dhaka for granting me study leave.

I am grateful more generally to the institutions at which my research was carried out. These include the Dhaka University Library, the National Institute of Public Administration Library, the Local Government Institute Library, Bangladesh Secretariat Record Room Library, State Archives of West Bengal, Calcutta and the Calcutta National Library.

ABBREVIATIONS

- PBLC : Proceedings of the Council of Lieutenant-Governor of Bengal/Proceedings of the Bengal Legislative Council.
- IAR : Indian Annual Register.
- IQR : Indian Quarterly Register.
- RAB : Report on the Administration of Bengal.
- RINC : Report of the Indian National Congress.

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CHAPTER ONE

INTRODUCTION

The Government of India Act of 1919 is a landmark in the constitutional and political developments of India. Few Acts of India have aroused more enthusiasm as well as criticism than this one. The primary question regarding the Act was not how the government would work but how the transfer of more power to the Indians would be made with a view to the progressive realization of responsible government in India. The experiment was started not from the centre but from the province. The novelty of the provincial government was the division of its subjects into reserved and transferred. The responsibility of the transferred subjects would be vested in ministers who must be members of the legislative council and responsible to it. The reserved subjects were to be governed by the executives in governor's council and responsible to the governor. The system was popularly called dyarchy.

The new provincial legislatures with some new powers and responsibilities under the Act provides a stimulating field for investigation; and it was Bengal, and not the other provinces of India, which held the key to the new constitutional and political problems. The leaders of Bengal were perhaps more enthusiastic to give the new system a trial and to make the most out of it. Of course, there were some who expected more swaraj and would not like to give it a chance. During the period under review therefore Bengal was the focal point in the Indian constitutional and political controversies. These are some of the reasons which rationalize the selection of the study.

The choice of 1921 and 1936 as the terminal dates for this study may be justified by the fact that the Bengal Legislative Council under the India Act of 1919 first met in 1921 and continued to function till 1936. In 1937, another new set-up was established under the new Act of 1935.¹

A number of works has appeared on the twentieth century Bengal Legislature.² Perhaps Broomfield's Elite Conflict in a Plural Society : Twentieth-Century Bengal³, has received larger publicity and wider acclaim. This is both an exhaustive and intensive work on the political role of the Bengal elite. Despite a claim to focus on politics of the legislature in the preface, Broomfield has, in fact, very little to say on the institutional aspect of legislative politics.

Another recent work on legislature is, The Legislative Process in Bangladesh : Politics and Functioning of the East Bengal Legislature 1947-58, by Nazma Chowdhury.⁴ It is a study on the working of a provincial legislature although in a different perspective. It analyses the institutional organization and the

-
1. Bengal Legislative Council under the India Act of 1919 functioned until 18 December 1936. The India Act of 1935 received the royal assent on 4 August 1935. But it was implemented in the provinces from 1 April 1937. The election under the Act in Bengal was held in January 1937.
 2. Two such works are M. Rashiduzzaman, The Central Legislature in British India 1921-1947, (Dacca: Mullic Brothers, 1965) and Shamsul Huda Harun, Parliamentary Behavior in a Multi-National State 1947-58: Bangladesh Experience, (Dhaka: Asiatic Society of Bangladesh, 1984). But, they concentrate mainly on central legislature, any discussion on them seems unnecessary here.
 3. J.H. Broomfield, Elite Conflict in a Plural Society: Twentieth-Century Bengal, (California: University of California Press, 1968).
 4. Nazma Chowdhury, The Legislative Process in Bangladesh : Politics and Functioning of the East Bengal Legislature 1947-58, (Dhaka: Dhaka University Press, 1980).

behaviour of parties within the legislature. It also deals with the organizations and activities of parties to the extent that they influenced the political process within the assembly. But it overlooks social, political, economic and ideological aspects of society which always influence a legislative process. These 'foundational aspects' of a political system present to the legislature some demands, which are converted into actions. Legislative process, in the final analysis, is the culmination of the interaction between these aspects of society and legislature; and wherein members play the role of conveyor-belts between the two, screening, sifting, and shuffling the large number of proposals and enacting some of them into laws. This work has nothing to say on this important aspect of the legislative process.⁵ There thus remains a stimulating field for investigation. The aim of the present work is to focus on these hitherto neglected aspects of legislative process in relation to the Bengal legislative council, during the period under review.

The study will focus on how the Bengal Legislative Council worked under the influence of the complex web of interrelationship of society, government and this body. While analyzing inputs to turn legislative output this study will also seek to answer these specific questions: (a) What type of legislature was it? Why did it evolve like this? (b) What was the influence of nationalist movement, government policies, communal cleavages and

5. For a fuller evaluation of this work see Emajuddin Ahamed's review in, Journal of the Asiatic Society of Bangladesh, Vol. XXVII, No. 2, Dec. 1982, pp. 241-42.

revolutionary stirrings on council proceedings? (c) What was the social background of the legislators, what bearing did this have on their role in the council? (d) What type of interest did the legislators represent as members of the council — class, communal or party? How did these influence their role in the council? (e) What level of organisational development did the parties manifest inside the council? (f) Did the parties serve as the institutional bases for unity in the council? (g) What constraints did the legislators face within the council, and how did they work under those constraints?

Legislative functions form only a part of the political system.⁶ Legislature is the forum of all political views, and legislation is the process of adopting and compromising different ideas put forward by political parties, different groups within it or agencies outside the legislature. So the first step in the analysis of functions of a legislature is to ascertain those aspects of a society which influence the legislature significantly. Various political movements, government policies, crucial developments of communal relations revolutionary organizations economic conditions — all these factors have a definite bearing on the legislature. They provide both a picture of the environment and an inventory of the basic demands of the society. In other words, they furnish it both with the raw material or information that the system is called upon to process and with the energy to keep it going.

6. See David Easton, The Political System, (New York: Alfred A. Knopf, 1953). See also his, "An Approach to the Analysis of Political System", in World Politics, Vol. 9, 1957, pp. 383-400; and his, "The Analysis of Political Systems", in Alessandro Pizzorno (ed.) Political Sociology, (Penguin Books, 1971). Besides see, Richard L. Park, India's Political System, (New Jersey: Prentice-Hall, 1967), pp. iii-ix.

The demands, and at the same time, supports arising from the environment of a system or within the system itself are constantly being presented to the legislature by members, with the intention that they be converted into laws. The members are the dynamic agents of the system, sifting and choosing among the claims, formulating these in viable terms, gathering support and presenting the results in the form of demands for legislation. These dynamic factors i.e. the members — thus bridge the intra-system gap between the fundamental aspects of a society and the formal decision making body. Secondly, legislators possess different attitudes, roles and other personal characteristics shaped by age, sex, religion, education, socio-economic status and political character, that is, party competition or dominance, political organisation etc. All these variables affect the individual personality and character of the legislators in various ways.

The third major component is the legislature itself which performs the legislative functions.

In studying any system, we are thus interested in both the input and output aspects of it. Inputs are converted by the processes of the system into outputs. It is the nature, quality and effectiveness of the decisions that are accepted in the legislature. These have consequences both for the legislature and for the environment in which the legislative system works. If we see that the legislative system do not have important outputs for society, we would probably not be interested in them. So in viewing the functions of the legislature, particularly the role

and interactions between parties and grouping, we can apply the input and output aspects of its mechanism just to see whose demands the legislature seeks to meet, how much of their demands, at what time and under what conditions. In fact, these are the questions for investigation in this study. In other words, we need to concern ourselves with such key-questions as how a legislature works and why it works in a particular way under a given set of circumstances. The following diagram explains the input-output process as it relates to a legislature:

Legislative Input	A: <u>Sources of Inputs:</u>						
	<table border="1"> <tbody> <tr> <td>Govern-ment Poli-cies</td> <td>National Move-ments</td> <td>Communal Politics</td> <td>Radical Politics</td> <td>Peasant Politics</td> <td>Labour Politics</td> </tr> </tbody> </table>	Govern-ment Poli-cies	National Move-ments	Communal Politics	Radical Politics	Peasant Politics	Labour Politics
	Govern-ment Poli-cies	National Move-ments	Communal Politics	Radical Politics	Peasant Politics	Labour Politics	
B: <u>Dynamic Agents of the System: Legislators' Role Concepts:</u> (The sifting and supporting agencies)							
	<table border="1"> <tbody> <tr> <td>Elections</td> <td>Social Background of the Legislators</td> <td>Political Grouping of the Legislators</td> </tr> </tbody> </table>	Elections	Social Background of the Legislators	Political Grouping of the Legislators			
Elections	Social Background of the Legislators	Political Grouping of the Legislators					
Legislative Arena	C: <u>Legislative Arena:</u> Various kinds of Legislative Procedure, Legislators Individual Decisions and Actions						
	D: <u>Legislative Output:</u> Legislative Action						

Source: Adapted from John C. Wahlke, et.al., The Legislative System, Explorations in Legislative Behavior (New York: John Wiley and Sons, 1962).

In the light of above conceptual framework the study is divided into some chapters and sections. The introductory chapter opens the discussion by providing the political and constitutional background to the present study. The second chapter is devoted to an examination of the various political movements, government policies, crucial developments of communal relations and revolutionary activities that had a great impact on legislature. The third one examines the election politics of different parties, their ideologies and programmes. The fourth and fifth chapters analyse the socio-economic background of the members and groupings of the members inside the legislature. The sixth one deals with the rules and procedures of the legislature under the Act 1919. The next four chapters will explain the roles and behaviours of the members as reflected in the legislature. It also deals with the nature and quality of the various functions of the legislature. The last chapter makes some concluding observations.

CHAPTER TWO

EVOLUTION OF THE BENGAL LEGISLATIVE COUNCIL,
1861 - 1919

The end of the Company rule and assumption of Indian administration by the British crown in 1858 foreshadowed a series of constitutional changes. From that time until the end of the British Empire in 1947 the aim of the government was an increasing association of the Indians with administration while keeping imperial interests in tact. Between 1858 and 1947 the year 1919 is marked out distinctively as constitutional reforms introduced in that year signified a major advance in increasing this share of the Indians in administration. As an indicator of the policy of increasing association of Indians the process of legislative evolution always remained a significant aspect of constitutional development. Thus an objective evaluation of the Bengal Legislative Council as established in 1919 needs to be prefaced with a background discussing the record of its predecessors since 1861. During the course of the discussion an attempt will be made to examine the roles played by the legislators nominated or elected in the legislature. An analysis will also be made to see whether the role of the legislators was linked to their class interests or to political milieu of the province.

Bengal Legislative Council of 1861:

The Indian Councils Act of 1861 initiated a process of associating Indians with administration. The Governor-General was directed by the proclamation to establish ^a legislative council for Bengal.¹ On 18 January 1862, the first Bengal Legislative

1. Indian Councils Act, 1861, Section 44.

Council was established.² under the Lieutenant-Governor of Sir John Peter Grant.³

The power of the provincial council was limited in that with Governor-General's approval, it could legislate for the peace and good government of its own area.⁴ It was also implied that the provincial legislature could legislate on all matters over which the central government did not legislate or had no desire to legislate. Drafts of all official bills were required to be submitted by the provincial governments for prior approval of the Government of India. All bills passed by the provincial legislatures were to be ratified by both the Lieutenant Governor and the Governor-General. Even in matters which could have been conveniently left to the care of the provincial government the central government could press its justification on the plea of uniformity.⁵ The Bengal Tenancy Act of 1885⁶ was one of these on which the Bengal Legislative Council could easily legislate. It was first introduced in the provincial council, but had to be passed in the Governor-General's Council later.⁷

The Lieutenant-Governor of of Bengal was empowered to nominate 12 councillors for legislative purposes. It was provided that no less than one-third of such councillors should in every case be

2. C.E. Buckland, Bengal Under the Lieutenant Governor, Vol. I (Delhi: Deep Publications, 1976), p. 230.

3. He was the Lieutenant Governor of Bengal from 1859 to 1862.

4. Indian Councils Act 1861, Section 48.

5. Ibid., Section 22.

6. Act VIII of Governor-General's Council, 1885.

7. Buckland, op.cit., Vol. II, pp. 807-12.

non-official members and the nominations were subject to the consent of the Governor-General.⁸ Accordingly 4 official and 4 non-official European and 4 local members, 2 of whom were official members, were appointed.⁹ The non-official members were appointed for a term of two years, but no statutory provision was made for the nomination of Indians in the Councils. But at the time of the debate on the bill in the House of Commons Sir Charles Wood¹⁰ assured that some of the additional members would be Indians¹¹. In practice some of the seats were offered to them. But the number of Indians nominated was always insignificant. During the period of thirty years from 1862 to 1892, only 49 Indians were nominated.¹²

Despite all these limitations on its nature and scope the council was found to have played not an insignificant role. Acts and amendments were passed mainly on sanitation, health, local

8. V/8/308 and 314; Acts and Codes, 1858-1919, India Office Library, (London), Indian Councils Act 1861, Sections 44-45.
9. Buckland, *op.cit.*, Vol. I, p. 230. On 30 January 1862 the following twelve persons were nominated as Councillors: (1) T.H. Cowie, (2) A.R. Young, (3) H.D. Ferguson, (4) E.H. Lushington, (5) Babu Rama Persad Roy, (6) Maulvi Abdul Latif, (7) J.N. Bullen, (8) A.T.T. Peterson, (9) W. Maitland, (10) Raja Pertab Chand, (11) Babu Prosonna Kumar Tagore, (12) W. Moran. See Buckland, *op.cit.*, Vol. II, Appendix IV, p. 1098 and also Government of Bengal, Proceedings of the Council of the Lieutenant Governor of Bengal, Vol. I, 1 February 1862 (Calcutta: Bengal Secretariat Book Depot), [hereafter PBLC].
10. He was the Secretary of the State for India at that time.
11. Anil Chandra Banerjee (ed.), Indian Constitutional Documents, Vol. II (Calcutta: A. Mukherjee and Co., 1946), p. 30.
12. Buckland, *op.cit.*, Vol. II, Appendix IV, pp. 1098-1101.

self-governing bodies, police and general administration.¹³ Legislative proposals were often subjected to thorough criticisms, amendments were freely moved and a substantial amount of work was done in committees. For the Bengal Tenancy Act of 1885, there were 64 meetings of Select Committee and two hundred amendments were placed in the Council. The bill which finally passed was in many respects a compromise.¹⁴ The presence of non-officials in the Councils made "popular opinion effective to some extent."¹⁵ Official members were permitted considerable freedom to vote as they thought fit. The annals of the Bengal legislative council bear testimony to the fact that on many occasions exercise of independent voting power by the members often created difficulties for the President, the Lieutenant-Governor. In the debate on the Calcutta Municipal Act of 1876, the President was defeated by the members majority of them were officials.¹⁶

In the context of the development of parliamentary institutions in India, the Act of 1861 and the consequent establishment of the Council were certainly very significant. But it did not, in reality, signify the initiation of a parliamentary process in

13. For details see PBLC from 1862 to 1892, Vols. I to XXIV.

14. Buckland, op.cit., Vol. II, pp. 807-11.

15. John Coatman, "The Legislatures and the Coming of Parliamentary Institution", in John Cumming (ed.), Political India 1832-1932, (London: Oxford University Press, 1932), pp. 168-69, cited in Nazma Chowdhury, "The Evolution of Legislature in Bengal, 1861-1947", (unpublished paper)

16. Surendra Nath Banerjee, A Nation in Making, (London: Oxford University Press, 1925), p. 123.

the fullest sense of the term. A deeper and careful analysis of their functions shows that the Bengal council as well as other provincial councils established in 1861 were deliberately controlled and influenced by the central government. From the very beginning the British government through Secretary of State took all possible steps to prevent the councils from developing into "miniature parliaments".¹⁷ The Montagu-Chelmsford Report sums up the power of the councils as follows:

The legislative councils established by the Act, 1861 were merely committees for the purposes of making laws or committees by means of which the executive government obtained advice and assistance in legislation. Although the government enacted the laws through its councils, private legislation being unknown, the councils were not deliberative bodies with respect to any subject but that of the immediate legislation before them. They could not inquire into grievances, call for information or examine the conduct of the executive.¹⁸

While introducing the Indian Councils Bill of 1861, in the House of Commons, Sir Charles Wood declared that the establishment of representative councils was "simply and utterly impossible under the prevailing circumstances of the country". He further argued that "... where a dominant race ruled another the mildest form of government was a despotism".¹⁹ These reactions of the British

17. Great Britain, Parliament, East India, (Constitutional Reforms) Report on Indian Constitutional Reforms, Cmd. 9109, (London: HMSO, 1918), Ch. III, para 65.

18. Ibid, Ch. III, para 64

19. Banerjee, op.cit., Vol. II, p. 29.

authorities ultimately led to the formulation of the doctrine that, parliamentary form of government was unsuitable for India; a thesis which was repeated again and again by British Statesmen. With this preconceived notion the government nominated only those members who served nobody but their own class interests as well as those of the nominators. By modern standards of representative institutions, they could hardly be called the representatives of vox populi.²⁰ The proceedings of the council indicated that the Indian members hardly showed sufficient interests in the debates, except on rare occasions. Many of them absented themselves from the meetings for some reasons or other. The Bengal point of view therefore went unrepresented on important questions affecting the life and welfare of the people. The non-officials, as the President pointed out, were not the representatives of the masses; they chiefly represented the upper strata of the society.²¹ They were anxious to avoid any clash with the rulers because of their large interests. They rarely gave free and frank expression of their views unless encouraged by officials. Members of this social segment, behaved more as collaborators for the rulers rather than

20. Among the 49 Indian members who were nominated from 1862 to 1892, 35 were members of the British Indian Association; 26 were title holders. They had the notion that democracy was not suited for India and they styled themselves as the self-constituted leaders of the people. See B.B. Majumder, Indian Political Associations and Reform of Legislature (1818-1917), (Calcutta: Firma K.L. Mukhopadhyay, 1965), p. 74.

21. PBLC, Vol. IV, 25 March 1870, cited in Nazma Chowdhury, op.cit.

promoters of broader social interests. Sometimes, however, the spill-over effects of this collaboration did benefit some segments of the society. But on the whole, there was basically no larger societal inputs to the legislature thus instituted.

Bengal Legislative Council of 1892:

With the growth of the educated class, the political opinion of the country was gradually changing. The Indian National Congress, the foremost forum of the Bengali middle class of that time, took active steps for the expansion and reform of the legislative councils to enable admission of Indian elected members.²² Charles Bradlaugh, a member of Parliament and a staunch admirer of free institutions attended the fifth session of the Congress at Bombay in 1889. After returning to Britain he introduced a bill in Parliament for the establishment of more representative bodies in India. But His Majesty's government introduced their own bill, known as Lord Cross's²³ Indian Council Bill which became the Indian Councils Act of 1892 later.

The Indian Councils Act of 1892 was only an amending Act. The basic constitutional provisions relating to the composition of the councils remained as before. But it increased the number of

22. In Bengal, organised unofficial Indian effort to bring about the expansion and reform of the legislature with elected members and with enlarged powers had begun before the birth of the Congress. In 1867 Surendra Nath Banerjee established the Indian Association at Calcutta which focused the public opinion in an organised way.

23. He was the Secretary of State for India at that time.

additional members in the provincial councils from twelve to twenty.²⁴ This amendment benefited only the educated middle class.²⁵ In the councils an official majority was ensured. It introduced a limited and indirect method of election in filling up some of the non-official seats. The word election was never used in the statute.²⁶ The process was described as nomination made on the recommendation of certain bodies.²⁷ The final selection of 7 additional members in Bengal Legislative Council was vested in Lieutenant Governor "and not with the electors".²⁸ The recommending bodies of Bengal were the followings: (a) the corporation of Calcutta, (b) such municipal corporation other than the corporation of Calcutta as the Lieutenant Governor might from time to time prescribe by notification in the Calcutta Gazette, (c) such district board or group or groups of district boards, as the Lieutenant Governor might from time to time prescribe as aforesaid, (d) such association or associations of merchants manufacturers or tradesmen as the Lieutenant Governor might choose and, the Senate of the University of Calcutta.²⁹ For the first time "a species of indirect election was inaugurated" however rudimentary.³⁰ The recommending bodies were given the

24. Indian Councils Act, 1892, Section 1, Part 2.

25. Surendra Nath Banerjee, op.cit., p. 124.

26. Report on Indian Constitutional Reforms 1918, Ch. III, para 69.

27. Great Britain, Parliament, East India, Indian Statutory Commission, Vol. I, Cmd. 3568, (London: HMSO, 1930), p.116.

28. C. H. Philips (ed.), The Evolution of India and Pakistan 1858 to 1947: Select Documents, (London: Oxford University Press, 1960), p. 68 and Banerjee, Vol. II, pp. 129-30.

29. Bijoy Prasad Singh Roy, Parliamentary Government in India, (Calcutta: Thacker, Spink and Co., 1943), p. 32.

30. Indian Statutory Commission, Vol. I, p.116.

opportunities of expressing their views in the councils through these non-official members.

The Act enlarged the functions of the Legislative Council. As regards asking of questions, a member had the right to ask any question on that particular province.³¹ All such questions were to be so framed as to be merely requests for information. These were not to be in any way an argumentative or hypothetical form. Members could not ask questions with regard to matters of administration other than those under the control of the local government. They also abstained from asking questions on matters which had been subjects of controversy between a local government and the Governor-General in Council or the Secretary of State. Questions asked mainly by the non-official members were an education, executive and judicial services, judicial matters, various problems in districts, general administration, police, law and order, district boards, railways, public health, water supply, industries.³² As regards finance the discussion was confined to those branches of revenue and expenditure which were under the control of provincial government. The discussion on central finance was not allowed. The budget was placed and discussed annually but voting was not permitted.³³ The objects of the presentation of annual budget in the council were twofold. Firstly, to create opportunity for full and free examination of the financial policy of government by the competent representatives of the Indian and secondly, to give scope to the

31. Indian Councils Act, 1892, Section 2.

32. For details see PBLC from 1893 to 1909, Vol. ~~IV~~ to XLI.

33. Indian Councils Act, 1892, Section 2.

government of explaining its position and detending its policy.³⁴ It was the only occasion when a bureaucratic government laid its policy before people. It was an improvement upon the previous system. So when the council met for the first time under the Act, Lieutenant Governor A.P. Macdonell congratulated the council on its "enlarged functions".³⁵

The shortcomings of the 1892 Act were obvious. It was "a most halting and unsatisfactory measure" and conceded nothing in reality.³⁶ The main changes it introduced were a small increase in the number of the members of the councils, adaption of the principle of indirect election, the privilege to ask questions and the right to discuss the budget. The indirect election system left the general masses unrepresented. The recommending bodies elected mainly the most wealthy and educated sections of the society. In fact, "it was the representation of types and classes rather than areas and numbers."³⁷ These landlords and titleholders were very eager to preserve their interests and not those of the masses. In 1895 Guruprasad Sen³⁸ opposed the Bengal Sanitary Drainage Bill on the ground that it violated the terms of the Permanent Settlement by increasing the rate of tax from the zamindars.³⁹ In 1898 the British Indian Association⁴⁰ helped

34. Banerjee, *op.cit.*, Vol. II, pp. 88

35. *PBLC*, Vol. XXV, 22 July 1893.

36. Banerjee, *op.cit.*, Vol. II, p. 98.

37. *Ibid.*, p. 95.

38. He was a Member of the Bengal Legislative Council in 1895.

39. Majumdar, *op.cit.*, p. 364.

40. It was an association of the wealthy and educated men. It was established in 1851.

the government pass the Mackenzie Bill. It was introduced to deprive the Calcutta Corporation of its self-governing powers and to officialize it. The rationale for the bill was explained by Sir Alexander Mackenzie⁴¹ when he accused the Corporation as "an armoury of talks and an arsenal of delays". It was therefore suggested that to increase its efficiency the number of elected members would be decreased and must be placed numerically on the same footing as the nominated elements". As a quid pro quo the Association was rewarded with one seat in the council.⁴² Even the President of the Council Sir Charles Elliott declared that a member of the Council might be a representative of any association, or any corporation, interest body, but after his nomination he would be required to act according to his right and conscience. He ought not to cast his vote in accordance with the views of his constituency whom he represented, unless he personally agreed with them.⁴³

The Act gave right to ask questions and discuss the budget but it failed to satisfy the non-officials; particularly, the Indian members with its limited scope and non-effectiveness of participation. The non-officials described the financial

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41. He was the Lieutenant-Governor of Bengal.
42. The Lieutenant-Governor of Bengal, introduced the bill in 1847 with a view to reduce the proportion of the elected councillors from two-thirds to one half. He felt, as the elected members were in majority, the corporation did not work efficiently. It became an Act in 1899. For details see Surendra Nath Bajerjee, op. cit., p.130.
43. Bajerjee, op. cit., p. Vol. II, p. 110. Sir Charles Elliott was the Lieutenant-Governor of Bengal from 1890 to 1895.

discussion as one of academic character.⁴⁴ No member could move any resolution in respect of any item of the budget, or divide the council thereupon and the power on budget was just like a force.⁴⁵ While explaining this paradoxical position of a non-official member Surendra Nath Banerjea pointed out that for eight years from 1893 to 1901 he was a member of the Bengal Legislative Council. He knew how daring a task it was to battle for the people and the country against the solid phalanx of officialism arrayed against the non-officials in the council.⁴⁶

The only way they could ventilate grievances was by asking irritating questions, moving amendments to bills and criticising the government through the financial procedures. So when the reformed council met on 22 July 1893, the government members found themselves in a tight corner because Congressmen like Surendra Nath Banerjea, Lalmohan Ghose and W.C. Banerjee were these to censure their works and policy.⁴⁷ In other words, in a true parliamentary fashion they were ready to expose the shortcomings of the government. But the government reminded that the purpose of legislative council was simply to provide deliberative and consultative aid to the bureaucracy. The reality was that the living forces of the elective principle (direct election and

44. PBLC, Vol. XXVII, 4 April, 1896.

45. Banerjee, op. cit., Vol. II, 108.

46. Surendra Nath Banerjea, op. cit., p. 124 and also Report of the Indian National Congress, Benaras, 1905, (published annually from the Congress Secretariat), p.29 / hereafter BINC.

47. For details see PBLC, Vol. XXV,¹² July . . . , 1893.

more representative) was not breathed into the organisation of the enlarged councils. For the reason even, in December 1892 a frustrated Surendra Nath Banerjea felt that they should appeal to Mr. Gladstone and to the illustrious leaders of the Liberal Party for the application of the elective principle to the councils.⁴⁸

Eastern Bengal and Assam Legislative Council: 1905-1912:

The territory of Bengal consisted of Bengal, Bihar, Orissa, Assam and Chota Nagpur. With a population of 78,993,000 it was too heavy a charge for a single administrator. As a result, there had been a deterioration of the standard of government. Lord Curzon, the Governor-General of India partitioned Bengal on 16 October 1905.⁴⁹ The partition is believed to have been carried out on the ground of administrative efficiency.⁵⁰ And it created a separate province of Eastern Bengal and Assam and Dhaka was its capital.⁵¹

48. RINC, Allahabad, 1892, p. 30.

49. M.K.U. Molla, The New Province of Eastern Bengal Assam, 1905-1911, (Rajshahi: The Institute of Bangladesh Studies, 1981) p. 1.

50. For details see Syed Anwar Husain, Administration of India (1858-1924), (Delhi: Seema Publications, 1983), Chapter 4; also Muntassir Mamoon (ed), Bango Bhandog (Dhaka: Centre for Social Studies, 1980), Passim.

51. Government of Bengal, Report on the Administration of Bengal, 1905-06, (Calcutta: Bengal Secretariat Book Depot, published annually) p. ii, [hereafter RAB followed by the relevant year].

The legislative responsibilities of the new province devolved on the Eastern Bengal and Assam Legislative Council. Like the province itself the legislative body seemed to be in difficult times ahead. The immediate and sharp reaction of the Hindus and the consequent launching of militant politics in the garb of Swadeshi Movement posed serious threat to the successful working of this administrative innovation. Indeed the demand for Swaraj (self-government) by the Congress in 1906 which went on in parallel with the Swadeshi Movement Occasioned thorough reappraisal on the part of the British government. The Legislative Council of Eastern Bengal and Assam met only for 21 days and passed a total of 10 Acts. It looked more like a forum wherein the two leading communities of Bengal found themselves in two opposing groups. Agitation, not legislation was on the agenda.⁵²

... Bengal Legislative Council of 1909:

There was always a growing demand of the Indians for according them a meaningful role in the legislative process. To the statesmen in Britain a change in the spirit of time was quite clear. Lord Morley and Minto⁵³ read it clearly. The increasing readiness of the landed and commercial classes to share in public life and render assistance to government and the desire of the rapidly growing number of educated Indians to have a voice in administrative questions had convinced both Morley and Minto

52. Special Consolidated Indices of the Proceedings of the Imperial, Bengal and Eastern Bengal and Assam Legislative Councils, relating to Acts from 1862 to 1914 (August), (Calcutta: Bengal Secretariat Press, 1914), pp. 207-10.

53. Lord Morley was the Secretary of State and Lord Minto was the Viceroy of India.

that it was time to carry to a further stage the reforms effected in Lord Lansdowne's days.⁵⁴

A Committee under the Chairmanship of Sir Arundel was appointed to consider the question of increasing the Indian element in the legislative councils. On the basis of the recommendation of this Committee Morley presented the Indian Councils Bill in the House of Lords on 17 February. It became an act on 25 May of the same year.

The Indian Councils Act of 1909, like its predecessor, was an amending Act; it did not bring about great changes, though it was clearly a step forward. Both Morley and Minto had no intention of giving India a democratic institution in the western sense of the term.⁵⁵ Their aim was to bring in reforms and to grant whatever little could be given. The change was thus one of degree and not of kind.⁵⁶ They were based on the principle that the executive government should retain the final decision in all questions though some degree of popular control over legislation was attempted in the provinces by providing small non-official majority.⁵⁷ But inspite of their limitations, the Reforms were considered by some to be "the crowing triumph of constitutional agitation".⁵⁸ Gokhale^a summed up Congressmen's feelings as follows:

54. Report on Indian Constitutional Reforms, 1918, Ch. I, para 8.

55. Banerjee, op.cit., Vol. I¹, p. 139.

56. Report on Indian Constitutional Reforms, 1918, Ch. I, para.7.

57. RINC, Madras 1908, p. 48.

57. Ibid, Chapter I, para 9.

58. RINC, Madras 1908, p. 48.

"Hitherto we have been engaged in what might be called responsible association ... to responsible administration".⁵⁹ Such heightened expectations inevitably led to some intense frustrations as it became apparent that the council could not influence the policy and works of the government.

The Act greatly increased the strength of the local legislative councils. The number of the additional members of the Bengal Legislative Council was increased to a maximum of 50.⁶⁰ These members did not include the ex-officio members viz. the head of the government and the executive councillors. The additional members of the councils, instead of being all nominated by the Lieutenant Governor, some of them were elected. But the Congress remained unsatisfied. To them the non-official majority was an illusory one.⁶¹ The members were elected either by groups of local authorities, large landholders, trade associations or universities. So, the principal of election which remained implied in the Act of 1892 was embodied in 1909.⁶² Special provisions were made for the representation of the professional classes, the land holders, the Muslims, Europeans and Indian Commerce. Special provision was made for tea and jute industries in Eastern Bengal.

59. Ibid., p. 131.

60. Indian Council, ^{Act} 1909, Section 8

61. Banerjee, op. cit., p. 181.

62. W.H. Morris Jones, Parliament in India, (London: Longmans Green and Co., 1957), p. 48.

The most controversial measure introduced by the Act was the separate electorate for the Muslims. In addition to the general unrest in the country, Lord Minto had to face the discontent among the Muslims in India. With the knowledge that the British government was contemplating further constitutional reforms in the near future a group of Muslim aristocrats presented an address on 16 October 1906 to the Viceroy. The address was signed by more than one million Muslims, particularly from the urban areas.⁶³ They drew his attention to the inadequate representation of Muslim community in the legislative councils under the existing system. Even in the Muslim majority areas their interests had suffered. In Bengal the Muslims were about 52% of the population, but a bare 5.7% of the elected representatives were Muslims. So the Muslims demanded that they should be given separate communal representation in the legislative councils on the basis of their contribution to the defence of the empire, their political importance and their numerical strength.⁶⁴ In reply Viceroy expressed great sympathy and subsequently the demand for a separate electorate for the Muslims was granted.⁶⁵ The system gave a special significance to Bengal because it gave the Bengali Muslim a guaranteed number of seats. This raised vehement criticism by

63. Matiur Rahman, From Consultation to Confrontation : A Study of the Muslim League in British Indian Politics 1906-1912. (London: Luzac and Co. Ltd., 1970), pp. 8-9.

64. Indian Statutory Commission. Vol. I. pp. 183-84.

65. For details see Stephen E. Koss, John Morley at the India Office, 1905-1910. (London: Yale University Press, 1969) p. 146 and also Ram Gopal, Indian Muslim : A Political History, 1959-1947. (Bombay: Asia Publishing House, 1959) Appendix B and C.

the Hindu Leaders. Modan Mohan Malaviya in his Presidential address in the Annual Conference of the Congress in 1909 in Lahore blamed the government that, the proposal for the special representation of Mohamedans contained in it tended clearly to set one religion against another and to counterpoise the influence of the educated middle class".⁶⁶

The power of the councils was broadened by the authority of moving resolutions and asking supplementary questions. The resolutions were expressed as recommendations to the executives.⁶⁷ Divisions could also be held on resolutions on matters of general importance. Any resolution might be disallowed by the head of the government acting as President of the council without giving any reason.⁶⁸ The right to ask supplementary questions served the purpose of an inquest into the affairs of the government.⁶⁹ The institution of finance committee gave the elected members a direct share in framing limited portions of the budget. Their scope in this direction, however, was extremely restricted,⁷⁰ the amount was only one percent of the total provincial expenditure.⁷¹ However limited this power on budget seemed to be, it was a great concession to the Indians.⁷² The Indians, at least, were given

66. A.C. Banerjea, op.cit., Vol. II, pp. 171-172.

67. Report on Indian Constitutional Reforms 1918, Ch. I, para 8.

68. Ibid.

69. Ibid.

70. Ibid.

71. L. Curtis, Papers Relating to the Application of the Principle of Dyarchy, (Oxford: Clarendon Press, 1920), p. 7.

72. PBLC, Vol. XLII, 24 April 1910.

an opportunity for deliberating the questions relating to finance.⁷³ The quality of delivery of speeches was improved and there was less reading of manuscripts prepared earlier without reference to the actual debate. Questions were asked mainly on education, provincial services, municipalities, district boards, railways, police, judicial matters etc. But in fact, the years from 1910 to 1920 were marked by growing discontent between the government and the non-official members. In the council the members applied harassing methods, until the government, replied in conciliatory tones to these questions.⁷⁴

Indian Councils Act of 1909 did not effect any change in the position of the Legislative Councils. They remained as before subordinate to the executive and the old idea that legislative councils were only an arm of the executive government "to enable government to realise the wants and the sentiments, of the governed⁷⁵ Debates were lifeless and the official members with the help of the elected European members and nominated non-officials decided the issues. Non-official members seldom introduced bills; many official bills were passed without discussion. A large number of resolutions were withdrawn after the official replies or defeated on division.⁷⁶ It was even "ineffective as some of the elected

73. Morris Jones, op. cit., p.49.

74. Broomfield, op. cit., p.63.

75. Proposals of the Government of India and Despatch of the Secretary of State, Cmd. 4426, 1908, p.50 cited in S.R. Mehretra, "The Politics behind the Montagu Declaration of 1917", C.H. Philips (ed.), Politics and Society in India. (London: George Allen and Unwin Ltd., 1963), p.73.

76. Singh, op. cit., p. 61

members were practically official members.⁷⁷ So the non-official majority was nominal than real. It was said at the Calcutta session of the Congress in 1911 that though there was a non-official majority in the Bengal legislative council, 15 out of the 28 non-official members usually sided with the official on crucial issues.⁷⁸ The official members, on the other hand, were not free to speak and vote according to their conscience. They were not expected to ask questions or move resolutions, or to intervene in debates or even to raise a points of order without the previous permission of their governments.⁷⁹ The Reforms were based on the fundamental principle that "the executive government should retain the final decision of all questions, although some degree of popular control over legislation was established in the provinces by providing small non-official majorities ..."⁸⁰

The Congress welcomed the Act at the time of declaration; but very depreciatory criticism began to manifest itself and dissatisfaction has steadily increased".⁸¹ Even in 1909 Surendra Nath Banerjea declared that the Reforms did not come up to the expectations of the Congress in many important matters "we want definite control at least over some of the great departments of the state; over sanitation, education and the public works departments".⁸² The Act of 1909 did not satisfy the political demands of the

77. Banerjee, op.cit., Vol. II, p. 181.

78. RINC, Calcutta 1911, p. 85.

79. Report on Indian Constitutional Reforms, 1918, Ch. IV, para 85.

80. Ibid - Ch. I, para 9

81. Ibid.

82. Surendra Nath Banerjea, op.cit., pp. 276-77.

moderates as the political loyalists. In a sense, Morley-Minto Reforms thus refused to face the basic question posed by the Indian nationalism.⁸³

World War I accelerated the political activism in the country; India's political horizon was widened. The magnificent war service of the provinces and the people of India were highly appreciated in Britain.⁸⁴ It was widely felt that the reforms of 1909 "from which so much had been expected and by which so much had achieved were no longer adequate to India's needs".⁸⁵ In these circumstances the proposals of the 1919 reforms were shaped. The famous declaration of Montagu on 20 August 1917 in the House of Commons outlined the general goal of British Rule in India. The authors of the Montagu-Chelmsford Report wrote, "no further development is possible unless we are going to give the people of India some responsibility for their own government."⁸⁶ On 14 August, 1917, Secretary of State announced, "The policy of His Majesty's government with which the Government of India are in complete accord, is that of increasing association of Indians in every branch of administration and gradual development of self governing institution with a view to the progressive realisation of responsible government in India as the integral part of the British Empire".⁸⁷

83. S.R. Mehrotra, op.cit., p.73.

84. RAB, 1921-22, p.61.

85. Ibid.

86. Report on Indian Constitutional Reforms, 1918, Part IV, para 178.

87. Despatch of the Secretary of State to Viceroy, Cmd. 1365-17, 1917, p. 15.

The operative words used were 'responsible government' and not 'self-government' as demanded by the Indian National Congress and the All India Muslim League.⁸⁸ It seems the legislatures created under the new Act were given more powers than before. Within a non-official majority and the paraphernalia of a modern legislature, the provincial legislature created under the the Act of 1919 came to exercise great powers.

Up to 1920 all provincial councils including the one in Bengal played mostly the role of an advisory body. The financial powers were restricted to the discussion of budget only. Over the years the scope of Indian representation widened. In 1861 the Indian elements were represented by the members of the upper strata of society and in 1892 onwards this representation was supplemented by those coming from the emerging middle classes. But in reality, this widening of representation had no practical outcome as society at large remained unrepresented and legislative outputs did not really reflect societal inputs. It however remains to be seen to what extent the new legislature with comparatively greater power and representation could introduce qualitative change in the legislative process. But before doing so we need to take stock of the socio-political circumstances that prevailed in the twenties and thirties.

88. Curtis, op.cit., P. xxxvi.

CHAPTER THREE

BENGAL LEGISLATIVE COUNCIL 1921-1936

POLITICAL SETTING

The constitutional experiments of 1919 were mostly shaped by socio-political forces that originated both in Britain and India. At the implementation level, however, these experiments were conditioned more by the political circumstances. These circumstances also determined the type of inputs that flowed into the legislative process of the period. This chapter, therefore, proposes to consider political circumstances generated largely by activities of different political parties and groups in response to government policies and measures.

An Overview of Bengal Politics, 1921-1936:

Under the Act of 1919 dyarchy was indeed a unique political experiment which was tried in the provinces of British India for a little more than sixteen years. But the new reform was launched under the most unfavourable circumstances. Even an official version of the situation gave a very gloomy picture: "A marked feature throughout the period has been the persistent hostility of the most active political class towards the government, hostility which at one time seemed to involve almost the whole people Its causes are not easily removable, the acute economic distress of a large part of the Hindu middle class has embittered racial antipathy, and has enhanced the natural dislike of the dominance of a foreign race in both government and commerce".¹

1. Government of Bengal, Report on the Working of the Reformed Constitution in Bengal, 1921-27. (Calcutta: Bengal Secretariat Book Depot, 1929), [hereafter RWRGB], p. 98.

The Congress and League opposition right from the beginning was indeed a bad start for the reforms.² Holding the view that the proposed reforms were altogether inadequate and insufficient and not acceptable unless some other reforms were made in the local and central governments, Gandhi decided to boycott the new legislatures.³ At the same time, the Khilafat agitation among the Muslims,⁴ the feelings over the Rowlatt Act (1919); and events in Jallianwalla Bagh⁵ had given Gandhi the opportunity for uniting the two great communities in opposition to government and enabled to adopt a policy of non-violent non-cooperation endorsed by the Congress as well as the Khilafat Conference and Muslim League in September 1920 in Calcutta.⁶

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2. The Congress-League scheme to oppose the government was based on 3 principles:
 - (a) Power of the legislature over finance.
 - (b) Power of the legislature over legislation.
 - (c) Power of the legislature over the executive through resolutions.

Home Department, Political 'A', March 1919, pp. 251-59; cited in Shan Muhammad, The Indian Muslims: A Documentary Record, Vol. V, (Meerut: Meenakshi Prakashan, 1982), p. 225.

3. Pattabhi Sitaramayya, The History of the Indian National Congress, vol. I, 1885-1935, (Bombay: Padma Publications Ltd., 1935), pp. 149-55.
4. The Khilafat Movement took its name from the Indian Muslim's demand for the preservation of the Khilafat in Turkey.
5. The Non-Cooperation Movement culminated in the tragedy of Jallianwalla Bagh (Amritsar, Punjab) where on 13 April, 1919, unarmed Indians protesting against the Rowlatt Act were killed by the British army on the orders of general O'Dyre.
6. B.M. Taunk, Non-Co-operation Movement in Indian Politics (1919-1924): A Historical Study, (Delhi: Sundeep Prakashan, 1978), Appendix VI; and "Confidential Report on the Non-co-operation and Khilafat Movement" by Deputy Director, Central Intelligence Bureau, Government of India, pp. 251-55. English Translation of "Mutafiq Fatwa" published by the Jamat-ul-Ulema-I-Hind, cited in Shan Muhammad, op.cit., Vol. VII, p. 69-72.

The Non-cooperation programme, as finally worked out, included boycott of government schools and colleges, resignation of posts from the government services and legislative bodies, renunciation of titles and distinctions conferred by the government, boycott of British Courts by lawyers and litigants, refusal to pay taxes and boycott of foreign goods. Khilafat Committee also adopted these programmes. The aim of the Congress and the Khilafat Committee was the attainment of swaraj (self-government) by peaceful and legitimate means. To achieve the desired objectives, from the beginning of 1921 a more systematic attempt was made to stir up the masses. The boys in the established schools and colleges were exhorted to go out and engage in propaganda work so that swaraj might be obtained within one year. Strikes involving some colleges in Calcutta were followed by strikes in all districts.⁷ About 50,000 students out of 103,000 were withdrawn from government aided schools and colleges.⁸ But this was not going to be a negative agitational politics and before long parallel institutions sprang up. National schools were started in almost every district.⁹ Even arbitration courts as an alternative to the regular courts were established.¹⁰

7. Strikes began first at Bangobashi College followed by Ripon and City Colleges on 12 January 1921, Dhaka Prokash, 23 Jan. 1921.

8. Provincial Congress Committee made a statement for public stating of all the major events that had happened during the non-cooperation movement. Among the students 2,000 were college students. 8 college teachers and 98 school teachers resigned from their posts. For details see Ibid, 26 November 1921.

9. There were 15,000 students in 150 National Schools. In Dhaka and Calcutta there were National Medical Colleges also. See Ibid, 26 November 1921.

10. 350 lawyers abstained themselves from joining their profession, Ibid.

It is however, interesting to note that the prominent leaders of the Bengali Muslim Community like Nawab Salyed Nawab Ali Choudhuri, Nawab of Dhaka, A.K. Fazlul Huq and others though supported the Khilafat and Non-cooperation Movement were deadly against the boycott of schools and colleges.¹¹ They sought to counter the boycott by organising mass rallies and speeches and by warning that, boycott of educational institutions by the Muslim youth would ruin them as a community.¹² The rationale for such a move by these Muslim leaders seemed to be socio-economic reasons and certainly not communal feelings. They perceived rightly, that such boycott of education for an indefinite period would spell disaster for the already backward Muslim Community. But in those days when agitational politics caught fire, the voices of caution went unheard.

The initial success of the Non-cooperation Movement alarmed the government. The Prince of Wales was brought over to India to evoke the traditional feelings of loyalty. But the day of his arrival in India was observed as hartal in the country.¹³ In Calcutta the non-cooperators and Khilafat workers observed a complete hartal. There were several clashes between the mob and the police and the latter put them into jail. The government sought to cope with the situation by cracking down on the

11. Ibid., 12 to 19 January 1920.

12. Abdul Khaleq (ed.), Sher-E-Bangla Abul Kaseem Fazlul Huq (Bengali), (Dhaka: Jyoti-Barkat Prokashani, 1978); pp. 43-44.

13. The Prince of Wales arrived in Bombay on 17 November.

agatators. Notifications were issued under the Criminal Law Amendment Act (1908) and the Seditious Meetings Act (1911) was brought into operation within certain areas.¹⁴

On 1 February 1922, Gandhi announced his decision to start a mass civil *disobedience*. The announcement caused great expectations and excitements. But he suspended the proposed Civil Disobedience because of a sudden mob-violence on a police station at Chauri-Chaura in the United Provinces killing twenty-two policemen.¹⁵ Gandhi was arrested and sentenced to six years' imprisonment; and thus came to end the Non-cooperation Movement.¹⁶ On the other hand, with the transformation of Turkey into a secular republic under Kamal Pasha, the Khilafat Movement had also collapsed.

After the fizzling out of the Non-Cooperation Movement, the closing days of 1922 witnessed the beginning of a new phase in the movement. There was a serious divergence of views on the question of entering the councils for the purpose of wrecking them. The issue divided the non-cooperators, C.R. Das had apparently never been a very keen supporter of council boycott,¹⁷ and there were now Hakim Azmal Khan, Nehru and Patel who shared his feelings.¹⁸ Soon after C.R. Das received the report of the

14. PBLC, Vol. 7, No. 1, 1922, p. 553.

15. A meeting of the Working Committee of Congress met at Berdoli on 12 February 1922 and took the decision of suspending mass Civil Disobedience, Dhaka Prokash, 19 February 1922.

16. Ibid., 28 March 1922.

17. RAB, 1922-23, p. xii.

18. Dhaka Prokash, 25 June 1923.

Congress Civil Disobedience Inquiry Committee, he made a public statement in which he declared that, the only effective boycott was to end the councils. He stated :

The Reformed Councils are really a mask which the bureaucracy has put on. I conceive it to be our clear duty to tear this mask from off their face. To end these Councils is the only effective boycott... We should begin our operations [in the Councils] by a formal demand of the particular way in which we desire to mend the councils. If our demands are accepted we have obtained a real foundation of Swaraj. If our demand is not recognised we must non-cooperate with the bureaucracy by abstracting everything ... We must disallow the entire budget. We must move the adjournment of the house on every possible occasion. In fact we must so proceed that the council will refuse to do any work until our demands are satisfied.¹⁹

The programme evoked both support and criticism from the Congress and a few leaders were still disinclined to depart from the path of Gandhi. The issue between the two sections was decided at the Gaya Congress. After having failed to arrive at a consensus C.R. Das splitted and founded the Swarajya party on 31 December 1922.²⁰ From then the Swarajists were called the "pro-changers" and the followers of Gandhi were labelled 'no-changers'. In the 1923 election the Swarajists met with considerable success and entered the council with 47 members under the leadership of C.R. Das.

19. C.R. Das, "On Civil Disobedience Enquiry Committee", Indian Annual Register, 1923, Vol. I, (Calcutta: The Annual Register Office) pp.180-81 [hereafter IAR followed by the relevant year].

20. Dhaka Prokash, 7 January 1923.

C. R. Das boycotted the Bengal Council successfully. But the future of the country was uncertain. It needed some constructive policy to forge ahead. In the middle of 1925 he announced that he was prepared to adopt a constructive policy and cooperate with the government on honourable terms.²¹ In May 1925, at Faridpur Bengal Provincial Conference he spelt out the terms on which the Swarajists were willing to cooperate with the government. He pointed out in the first place that the government should divest itself of its wide discretionary powers and followed it up by proclaiming a general amnesty of all political prisoners. In the second place, the government should guarantee to them the fullest recognition of their right for the establishment of Swaraj within the commonwealth.²²

It meant that, if real responsibility was granted, C. R. Das and his party would be willing to cooperate with the government.²³

An analysis of C.R. Das's statement reveals that he was not making a new departure. What he wanted was a change of policy and heart on the part of the government. After the Faridpur speech, Das, in failing health, went to Darjeeling for a rest but there on 16 June 1925, he died suddenly.²⁴ After his death, J.M. Sen Gupta became the leader of the Swarajya Party in Bengal

21. "C.R. Das's Manifesto" quoted in IAR, 1925, Vol. I, p. 87.

22. IAR, 1925, Vol. I, p. 394.

23. There was another purpose of the cooperation which will be explained later.

24. Hemendranath Das Gupta, Deahbandhu Chittaranjan Das. (Faridabad: Government of India Press, 1960), p. 138.

Legislative Council, President of the Bengal Provincial Congress Committee and Mayor of Calcutta.²⁵

With the opening of the year 1928, public attention was concentrated on the Simon Commission and the proposed boycott was the principal subject of discussion among the politically minded people.²⁶ The appointment of the Commission was made under section 340 of the Government of India Act, 1919, which provided for decennial reviews of the political situation in India. The composition of the Simon Commission provoked a strong protest among the politicians.²⁷ Up to the date of announcement, proposals and suggestions had been based largely on the assumption that the Commission would be of mixed composition. The departure from the tradition and practice took the country by surprise and was met with unyielding opposition.²⁸ On 3 February 1928, when the Simon Commission arrived in Bombay, the long expected hartal started. But some Muslim organisations were against the boycott. In Bengal the Central Muslim Party of A.K. Ghuznavi was prepared to make the best of the situation although it could

25. RAB 1927-28, p. 16. As the Swarajya Party was a branch of the Congress, many writers and daily papers called them Congressmen.
26. Dhaka Prokash, 3 July, 3 November, 13 November and 4 December 1927.
27. The Commission was composed of Sir John Simon (Chairman), (ii) Viscount Burnham, (iii) Lord Strathcona, (iv) Edward Colgan, (v) Stephen Walsh, (vi) Mayor Attbe and (vii) Lane Fox. S. Walsh resigned and was succeeded by Vernon Hartshorn. Of the seven members two were labours, one (the Chairman) was liberal and the rest were conservatives.
28. Dhaka Prokash, 3 and 13 November 1927.

not approve of the composition of the Commission.²⁹

Not satisfied with the Simon Commission, the Congress published the Nehru Committee's Report in order to give a draft constitution for India.³⁰ It was generally received by the Hindus with approval but the Muslims looked at it with great suspicion and reiterated their resolve not to part with a single safeguard.³¹ To consider the Nehru Report, All Parties National Conference met in Calcutta, in the last week of December 1928. Muslim League rejected the scheme and Muhammad Ali Jinnah presented his Fourteen Points. In his Fourteen Point demand he asked to reserve one-third of the Central Legislature seats for Muslims. But the Hindu leaders did not agree to the demand. To other points there were also a sign of disagreement from the Hindus.³² The failure to reach a common agreement in the All Parties Conference was a

29. RAB, 1926-27, p. 18

30. The Nehru Committee was appointed by the members of all parties to determine the principles of the constitution for India. It was constituted as follows: Pandit Motilal Nehru (Chairman), Sir Ali Imam and Shuaib Qureshi (Muslim), M.S. Aney and M.R. Jayakar (Mahasabha), G.R. Pradhan (non-Brahmin) Sardar Moughal Singh (the Sikh League), Sir Tej Bahadur Sapru (Liberal) and N.N. Joshi (Labour).

31. For details see The Report of the Committee Appointed by the All Parties Conference to Determine the Principles of the Constitution of India (Allahabad: All Indian Congress Committee, 1928). The Report observed, "We cannot have one community domineering over another, we may not be able to prevent this entirely but the object we should aim at is not to give dominion to one over another but to prevent the harassment and exploitation of any individual or group by another ... A minority must remain a minority whether any seats are reserved for it or not". pp. 25-29 and 32.

32. Saiyid Matlubul Hasan, Muhammad Ali Jinnah : A Political Study, (Lahore: Sheikh Muhammad Ashraf, 1953), p. 272.

turning point in Hindu-Muslim relations. This was possibly the first time that the conflicting nature of Hindu-Muslim interests was brought into a sharp focus. From now on there was not to be any common ground for these two communities and never was there to be anything like the Bengal Pact.³³ Even the Bengali Muslims also were aware of their claim of more seats in the Bengal Legislative Council. In December 1928, the Bengal Muslim All-Parties Conference was held. The Bengali Muslim leaders in their discussion made it clear that they would not agree to the percentage of seats less than what was due to them in the Bengal Legislative Council. Abdur Rahim, in his presidential address, pointed out that the Muslims of Bengal had received very unfair treatment. He argued, "we insist that this injustice be remembered and that either 55 percent of the seats be reserved for them through separate electorates or that at least Muhammadan Constituencies be formed in that proportion".³⁴

The Congress after failure to unite with the Muslims and to gain concession they wished from the government undertook a campaign of Civil Disobedience from 12 March 1930.³⁵ Muslims did not join the Civil Disobedience Movement as they did at the time of Non-Cooperation Movement. Intense propaganda for the boycott of foreign cloths and cigarettes and the looting of

33. For a discussion on the Bengal Pact see Chapter Five.

34. Statesman, 24 December 1928.

35. P.N. Chopra, India's Major Non-Violent Movements 1919-1934, British Secret Reports on Indian People's Peaceful Struggle for Political Liberation, (Delhi: Vision Books, 1974), p.110.

liquor shops began in the province. Meetings became very numerous and volunteers moved incessantly among the towns and villages. In addition, boycott of government officials, particularly the police, became one of the common subjects of propaganda. The districts of 24 parganas and Midnapore witnessed defiance of salt laws and Civil Disobedience Committees were formed in every district. The functions of the Committees were to recruit volunteers to collect funds and to conduct propaganda in outlying villages.³⁶

The government retorted by promulgating ordinances dealing with picketing, boycott and with the no-tax campaign.³⁷ The prevention of Intimidation Ordinance was extended to Calcutta and to every district except Malda, Pabna and the Chittagong Hill Tracts. The unlawful Instigation Ordinance was extended to respect of union boards and chaukidari taxes to 18 out of the 27 districts of the province.³⁸ Unlawful Association Ordinance was also extended to certain areas in Bengal.³⁹

The Government, on the other hand, published the report of the Simon Commission on 27 May 1930. But the Report was rejected by all political parties. Having no alternative, the government convened a Round Table Conference to hammer out a workable solution of the Indian constitutional problem. Though the Congress

36. RAB, 1929-30, pp. viii-xv.

37. Chopra, op.cit., p. 110.

38. RAB, 1929-30, p. xvi.

39. Ibid, p. x.

refused, the Muslim and other leaders attended the First Round Table Conference inaugurated on 12 November 1930.⁴⁰

But the government was keen to arrive at a settlement with the Congress. So on 5 March 1931, the Gandhi-Irwin Pact was signed⁴¹ under which the British government agreed to release political prisoners and in return, the Congress agreed to suspend the Civil Disobedience Movement.⁴² It was also understood that the Congress would not boycott the Second Round Table Conference. Gandhi did attend the Conference which opened on 7 September 1931. The main work of the Second Conference was done under two heads; "Federal Structure" and "Minorities". But after returning India Gandhi found that the Gandhi-Irwin Pact seemed to have already broken down. Ordinances were again implemented in many districts. In Bengal, the people were under a state of martial law. So Congress again started Civil Disobedience Movement.

As the Indians could not arrive at any settlement on communal problem in the second Round Table Conference, British Prime Minister Ramsay MacDonald announced his famous award known as the Communal Award on 16 August 1932. The Award was mainly confined in scope to the Provincial Legislatures.⁴³ The Communal Award

40. For details see, Great Britain, Parliament, Indian Round Table Conference, Proceedings, Cmd. 3778, 3997, 4238. (London: HMSO, 1931-32).

41. Chopra, op. cit., p.121.

42. Sitaramayya, op.cit., pp. 437-442.

43. For details see, Great Britain, Parliament, East India, (Constitutional Reforms), Communal Decision, (London: HMSO, 1932).

gave a house of 250 members for Bengal.⁴⁴ The consequent readjustment in the numbers between Muslims and Hindus was very badly received by the Hindus. Their numbers, relatively to their strength in the present council, were considerably reduced. Only 80 seats were allotted ^{to} them. The Congress reaction was aptly summed up by Amrita Bazar Patrika: "one must frankly confess, it had not fallen to our lot for a long time to come across such a preposterous document as reached our hand last evening in Bengal out of 250 members of the legislature only 80 were allotted for Hindus".⁴⁵ Many Hindu leaders asserted that the decision deliberately victimised them as a community on account of their past political activities. On the other hand, the treatment of the depressed class as a minority, seriously perturbed the high caste Hindus. In protest Gandhi declared "fast unto death".⁴⁶

44. The number of representatives of the chief communities was fixed on their population ratios. Muslims were given 119 seats including two for women. Eighty of these seats, including two women's seats, were allocated to the general electorate which is equivalent to the present non-Muslim electorate. Of the eighty general seats, ten were to be given to the depressed classes of the Hindus. Indians Christians were given two, Anglo-Indians, four including one for a woman, and Europeans eleven. Of the special seats universities were given two, landholders five, labour, eight; commerce, industry, mining and planting nineteen — fourteen for Europeans and five for Indians.

45. Amrita Bazar Patrika, 17 August 1932.

46. The term Depressed class was used to describe one section of the Hindu community who were untouchable, inferior and caste Hindus. ^{not fit for social and religious intercourse with the caste Hindus} Government of India, Census of India, 1931, Vol. V, Bengal, Part I, (Calcutta: Central Publications Branch, 1931-32), p. 499.

To save his life the Hindu leaders and the depressed classes leaders, reached an agreement, which is known as Poona Pact.⁴⁷ Under the Pact the depressed classes gave up their demand of separate electorate. But it reduced the representation of the caste Hindus of Bengal drastically. The Pact reserved 30 seats in Bengal for the depressed classes out of the 80 general seats. The government accepted the Pact.

After the completion of the third Round Table Conference on 24 December 1932, the British government published the White Paper⁴⁸ on 1 March 1933. It contained the complete outline of the new constitution for India. It was prepared in the light of the conclusion arrived at the three Round Table Conferences. The Hindus intelligentsia now began to realize that a new constitution, in some form or other, was approaching. There was a renewed outcry against the Poona Pact, and an attempt to secure modification of the Communal Award. The caste Hindus were certain that the depressed classes may make an agreement with the Muslims for a political alignment in the legislature, thus relegating the caste Hindus to an ineffective position in the legislature.⁴⁹

In 1934, some evidence was forthcoming indicative of a desire for peace. Government was approached in February with a view

47. For details of the Poona Pact see, All-India Congress Committee, Indian National Congress, 1930-34, (Allahabad: All India Congress Committee, n.d.), pp. 170-172.

48. For details see, Great Britain, Parliament, East India, Constitutional Reforms, Proposals for Indian Constitutional Reforms, 1932-33 (London: HMSO, 1933).

49. RAB, 1932-33, pp. xxvi-xxvii.

permitting a meeting of the All-India Congress Committee if that body could pass a resolution calling off Civil Disobedience. This was followed by an announcement by Gandhi on 7 April, to call off Civil Disobedience Movement. The prevailing frame of mind was well expressed in an article of Forward: "The present political depression", it asserted, "is bound to be over sooner or later and in tiding it over the Congress programme may help a great deal".⁵⁰ The British government took the next step. The recommendations of the Joint Select Committee which was appointed in April 1933 were embodied in the Government of India Bill of 1934.⁵¹ The Committee was appointed to discuss, and examine the proposals of the government as contained in the White Paper. After the passage of the Bill through the Parliament it received the royal assent on 2 August 1935, and came to be known as the Government of India Act of 1935.

Radical Politics:

The radical⁵² politics in India got popular support and was successful to some extent only in Bengal. In other provinces it

50. Forward. 11 April 1934.

51. The Joint Select Committee consisted of 16 members from both the Houses — the House of Commons and the House of Lords. Lord Linlithgow was its Chairman. For details see, Great Britain, Parliament, House of Commons, Reports and Papers (1932-33), Joint Committee on Indian Constitutional Reform, Vol. I, Part I, Reports (London: HMSO, 1934).

52. Here the term "radical" is used to mean that particular line of politics which tends to make extreme changes in the existing conditions or institutions.

was quickly and effectively suppressed through ordinary criminal procedures.⁵³ But in Bengal government had to apply special measures to subdue it. During the non-Cooperation Movement of 1920-22 there was no trace of revolutionary activities. Jugantar⁵⁴, an organization of the West Bengal revolutionary groups, supported the Non-Cooperation Movement and Anushilan Samity,⁵⁵ an East Bengal organization, though opposed the Congress policy, stopped its revolutionary activities during the period.⁵⁶ But having been frustrated by the sudden end of the Non-Cooperation Movement they again began their revolutionary activities in the mid-twenties.

From 1923 onward a series of armed raids were committed culminating in the murder of the Postmaster of the Sankharitola Post Office in Calcutta.⁵⁷ In January 1924, Mr. Dey, a businessman was murdered in broad day light in Calcutta in mistake for the Commissioner of Police Mr. Tegart. Gopinath Saha⁵⁸ who killed

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53. Joint Committee on Indian Constitutional Reform, op.cit., Session 1933-34, Vol. II, Records, p.321.
54. Jugantar was named after the revolutionary journal, Jugantar. It was founded in 1915.
55. Anushilan Samiti was founded in 1900 or 1901 by Satish Chandra Bosh. Satish Chandra was a student of General Assembly College, Calcutta. For details see, Jiban Tara Halder, Banglar Proshido Anushilan Samitir Shankhpta Itihas (Bengal), (Calcutta: Jiban Tara Halder, 1950).
56. Gopal Halder, "Revolutionary Terrorism," in Atulchandra Gupta (ed.), Studies in the Bengal Renaissance, (Jadavpur: The National Council of Education, Bengal, 1958), p. 249.
57. Ramesh Chandra Majumdar, Banladeshar Itihas (Bengali), (Calcutta: General Printers and Publishers Private Ltd. 1975), p.270.
58. A School student.

Mr. Dey had caused a sensation at his trial by expressing sorrow at having killed the wrongman. But he expressed that he was glad to pay with his life and hoped that every drop of his blood would sow the seeds of freedom in every Indian home.⁵⁹ A resolution was moved at the Serajganj Conference by C.R. Das expressing admiration for his patriotism, "although eschewing all kinds of violence and accepting the true character of the basic principle of non-violence, this Conference realizes the high and noble ideal of Gopinath Saha and makes its respect for the noble self-sacrifice he had made for the preservation of the interest of the motherland".⁶⁰ There may arise a question as to why no other party except the Swarajya moved the resolution. C. R. Das not only depended on the Swarajya Party to carry on the programme of the party; he also persuaded bulk of the Bengal revolutionaries to support his programme. The revolutionaries were uncompromising fighters for the freedom of India, and as such had little love for the programme of entering the Councils and creating a constitutional deadlock there. C. R. Das was aware of that. So an agreement was arrived between C. R. Das and the revolutionary groups to the effect that the Swarajya Party would give benevolent patronage and in the Council they would fight for the release of all revolutionary political prisoners. On the other hand, the revolutionaries would enter the Congress, run the Congress machinery

59. R.C. Majumdar, op.cit., pp. 273-74.

60. IAR, Vol. I, 1929, p. 671.

at the primary and district levels and popularise the Swarajist programme, but at the same time they would be free to carry on their revolutionary activities.⁶¹

The death sentence of Gopinath Saha could not, however, dampen the spirit of the revolutionaries. In March, a factory for the manufacture of sophisticated bombs was found at Maniktola in Calcutta and evidence came to light of the existence of another at Faridpur.⁶² In July, a member of the revolutionary party was arrested in the streets of Calcutta in possession of a fully loaded revolver. At the end of this month there appeared the "Red Bengal" leaflets, announcing a programme for killing certain police officers. There were five attempts to murder police and other high officials.⁶³ In these circumstances on 25 October, government promulgated an Ordinance,⁶⁴ and arrested almost all the leaders of Congress including Subhas Chandra Bose and two members of the Council, Anil Baran Roy and Satyendra Chandra Mitra from Calcutta and other places. These arrests were made partly under the new Ordinance and partly under Regulation III of 1818.⁶⁵ To bring an end to the revolutionary activities government introduced the Criminal Law Amendment Bill in the Council.⁶⁶

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61. Gautam Chattapadhyay, Bengal Electoral Politics and Freedom Struggle 1862-1947 (Delhi: Indian Council of Historical Research, 1984), p. 74.
62. Dhaka Prokash, 23 March 1924.
63. RAB, 1923-24, pp. VIII-IX and Dhaka Prokash, 2 November, 1924.
64. It gave special powers to the Government of Bengal to arrest and imprison without trial and without any reference to the Government of India.
65. 72 were arrested in Bengal, 30 from Calcutta, Dhaka Prokash, 2 November 1924.
66. Ibid., 11 January 1925.

From 1924 until 1927 a total of 183 persons were arrested under the Ordinance and the Criminal Law Amendment Act.⁶⁷ The arrests were effective to bring an end to the movement. But this success was, however, short lived.

In 1930, a fresh spate of revolutionary activities rocked Bengal. At the very beginning of the year a house search in Mechuabazar in Calcutta in connection with the 'Puthia Mail Robbery Case' disclosed the existence of a well organised network of revolutionary activities. They were successful in organising an uprising in Chittagong. With many revolutionary parties co-operating, the Chittagong Armoury Raid began on 18 April 1930.⁶⁸ Although initially successful, they were ultimately overpowered.

Again, on 29 August, Benoy Bose, a medical student of Dhaka, murdered Lowman. On 30 August, two bombs were thrown in Mymensingh at the houses of Detective Department Inspector of Police and the other, an Excise Sub-Inspector. On 8 December, three young Bengali murdered Lieutenant Colonel Simpson in Writer's Building. The Writers' Building raid brought the revolutionary activities for the year 1930 to a close. In the process eleven British officials were killed and twelve were injured.⁶⁹ On 7 April 1931, J. Peddie, the District Magistrate of Midnapore, was shot. On 27 July, R.R.

67. David M. LaUshey, Bengal Terrorism and Marxist Left, (Calcutta: Firma K.L. Mukhopadyay, 1975), p. 29.

68. Biplobtirtha Chattagram Smritisangstha (ed.) Biplobi Mahanayak Surya Sen (Bengali), (Calcutta: Granthamela, 1971).

69. Joint Committee on Indian Constitutional Reform, op.cit., p. 342.

Ganlick, District Judge of 24 Parganas was shot dead. On 30 August Inspector Ahsanullah of the Bengal Police, who had been active in the prosecution of the Armoury Raid case was murdered in Chittagong. On 6 February 1932, at the Convocation of the Calcutta University, a woman graduate attempted to shot the Governor, Sir Stanley Jackson.⁷⁰

During these years there were not only murders but so many cases of armed operations. These outrages roused the utmost fear among Europeans and government tightened the law against the revolutionaries. On 16 September 1931, in Hijli detention camp, the jail authority opened fire on defenceless political prisoners. As a result, two prisoners, Sontosh Mitra and Tarakeswar Sen died. Moreover, on 29 October, the Bengal Criminal Law Amendment Act, 1930, was amended by Ordinance IX of 1931. This new Ordinance made it possible to take preventive action not only against members of revolutionary associations but also against persons who, though not members themselves, did any act to assist the operations of any such association.⁷¹ The promulgation of the Ordinance was followed by an acceleration of the rate of arrests to a figure never attained before. From January 1932 there was rapid rise in the number of arrests again. In 1933, government arrested a number of important revolutionarist and recovered a large quantity of unlicensed arms and made the revolutionary activities weak.⁷²

70. RAB, 1931-32, p. XV.

71. Ibid.

72. RAB, 1932-33, pp. XXV-XXVI

The actors of this revolutionary movement were youngmen, mostly from the Hindu Community and they had a strong Hindu communal bias.⁷³ Mainly they were students belonging to respectable and educated families. Deep-seated political and social malaise and acute economic distress had rendered this class discontented. By their activities they wanted to make their country free from the dominance of a foreign race. Violent speech of leaders, revolutionary books, pamphlets and articles in the press became the sources of their inspiration to free their motherland both politically and economically. Overt communal bias of these leaders explains the absence of the Muslims in these movements.⁷⁴

Communal Politics:

The drifting apart of the Hindus and Muslims after failure of the Non-Cooperation and Khilafat Movements heightened sensibilities free to operate against each other.⁷⁵ In this state of feeling the reformed constitution again served, to some extent, to increase the estrangement between the two leading communities.⁷⁶ Apprehensive that a system of popular government would ultimately mean a Hindu tyranny, the Muslims steadily retired from association with the Hindus in the political arena and concentrated on the

73. Gautam Chattapadhyah, op.cit., p. 91.

74. For details see Bimalananda Sasmal, Bharat ki ... kore Bhag Holq. (Bengali), (Calcutta: Tin Sangi, 1981), pp. 103, 106.

75. Great Britain, Parliament, East India, Constitutional Reforms, Government of India's Despatches on Proposals for Constitutional Reforms, 20th September, 1930 (London: HMA SO, 1930), p. 5.

76. RAB, 1925-26, pp. 1-11.

consolidation of their own ranks. In 1924, there was a separate Muslim Conference at Serajganj demanding the implementation of the Bengal Pact.⁷⁷ In 1925, the Muslims also held aloof from the deliberations of the Provincial Congress at Faridpur and preferred to attend the District Muslim Conference which was being held as a counter-attraction at the same time and same place. The Congress was thus representative of Hindu opinion only and although resolutions were carried advocating Hindu-Muslim unity, the discussions on them, elicited little or no enthusiasm. At the Muslim Conference the trend of debate was rather in the direction of the airing of communal grievances than establishing mutual goodwill. Such incidents were symptomatic of the weakening of Swarajist influence over the Muslim Community.⁷⁸

The most effective war-cry in India for politically motivating the masses had always been the slogan that religion was in danger. The mobilisation of Hindu interests under the Suddhi and Sangathan movements in 1922-23 created almost a panic among the Muslims who replied by organising the Tanjim and Tabligh.⁷⁹ Though these movements originated and were principally active in the Upper India, they spread also to Bengal and influenced the minds of politically oriented persons. The propaganda of Hindu Sabha in Calcutta in 1925 brought the danger nearer home.⁸⁰ The frequent occurrence of

77. Ibid, 1924-25, p. xi.

78. RAB, 1924-25, p. XI and Dhaka Prokash, 15 June 1925.

79. Khalid Bin Sayed, Pakistan : The Formative Phase 1857-1948, (Karachi: Oxford University Press, 1978), pp. 56-58.

80. Ibid.

communal riots in several parts of Northern India since 1922 had also intensified the strain.⁸¹ After C.R. Das's death, Abd-ur-Rahim sounded out to the government that it could win Muslim support against the Hindu non-cooperators if it adopted a policy in favour of Muslims in the matter of recruitment to government services. To support the proposal in December 1925, government had announced an intention to reserve for the Muslims a larger percentage of vacancies in certain services,⁸² but although there was a similar provision in the Bengal Pact, Swarajist Hindus not only resented the concession but endeavoured to prevent it.

The reign of undisguised communalism was given a fresh impetus by the speech of Abd-ur-Rahim in December 1925 at the All-India Muslim League session at Aligarh.⁸³ He argued that the political existence of the Muslims was endangered by the Hindus, and the Muslims should resist it.⁸⁴ The speech for the first time clearly exposed the extent of the breach between the two communities, and the worst episode happened on 2 April 1926. It started with a fracas between the members of an Arya Samaj procession and some Muslims concerning the playing of drums in front of a mosque. The Arya Samajists claimed that they had been organising the procession for many years without any trouble. The Muslims alleged on the

81. RAB, 1925-26, p. ii.

82. Dhaka Prokash, 27 December 1925.

83. RNRGB, p. 104.

84. IAR, 1925, Vol. II, pp. 355-357.

contrary, that the music was interfering with their prayer inside the mosque.⁸⁵ Mosques and Temples were the chief objects of attack; looting of shops was frequent and there were no less than 151 fires caused by incendiarism. The struggle was at first between up-country Hindus and Muslims,⁸⁶ but gradually Bengali Hindus and Muslims were also roused against each other.

"Music before mosques" became during this period of communal tension the question around which antagonism centred, as it made a ready appeal to religious susceptibilities in the masses of both the communities. In order to arrive at a working compromise, Lytton, Governor of Bengal, called the leaders of both communities to a Conference on 17 May.⁸⁷ This was, however, inconsequential, as each side put their claims at their highest with no regard for the difficulties of the other. On 5 June, government published a report reviewing the question of music before mosques in Calcutta and promulgating their decision that, while no alternative would be made in the existing form of license, which prohibited music in the neighbourhood of religious institutions during public worship; the Commissioner of Police would in future define in the license the precise hours of prayer. At other times music would not be prohibited before the mosque. But the police could direct it with a view to secure public safety or convenience.⁸⁸ The decision satisfied neither the Hindus nor the Muslims.

85. Dhaka Prokash, 4 April 1926.

86. RWRCE, pp. 104-105.

87. Dhaka Prokash, 23 May 1926.

88. Ibid, 13 June 1926.

Nothing was more conspicuous during the riots than the total inability of the popular leaders to restrain the members of their community. So strong was communal fanaticism that to show moderation was to run the risk of losing popular favour.⁸⁹ It is noteworthy that the most important Hindu and Muslim leaders of the city made repeated representations to government officials during and after the riots seeking protection for their community and making allegations against the other.⁹⁰ However, attempts at reconciliation produced some results in Calcutta, and by the end of the year 1926 a general improvement was visible.

But the question of "music before mosque" had not been settled. At the beginning of 1927 in Kushtia a procession passed a mosque with music and the local Muslims promptly replied by slaughtering cows publicly.⁹¹ In Pirojpur (Bakerganj), in February, a dispute near a mosque led to a riot.⁹² At Ponabatia (Bakerganj), there was a riot on 2 March where police firing caused death to rioters. This incident aroused the widest excitement throughout the province.⁹³ Protest meetings were held everywhere, and an insistent demand was made that the ministers resign.⁹⁴ The Hindu leaders, while not positively defending the police, agreed that

89. RAB, 1925-26, p. IX and Dhaka Prokash from 11 April 1926 to December 1926.

90. Muhammad Waliullah, Yug Bichitra (Bengali), (Dhaka: Mowla Brothers, 1967), p. 152.

91. Dhaka Prokash, 5 December 1927.

92. RAB, 1926-27, p. 10.

93. Ibid., 1926-27, p. 11.

94. Forward, 10 March 1927.

the victims of the disturbance had brought the punishment on themselves by their own behaviour. But not only the riots but some other incidents like the Rangila Rasul case complicated the contemporary communal scenario of 1927. Swami Sraddananda, the organiser of the Suddhi movement was the author of the book Rangila Rasul. The book was regarded as derogatory by the Muslims and Abdur Rashid, a youngman, murdered Swami believing that he was an enemy of Islam.⁹⁵ So, like 1926, the year 1927 was also a tense one.

But the year 1928 was comparatively free from violent communal riots, although the strained feeling between the two communities persisted. Also the years from 1930 to 1936 were fortunately free from any serious communal disturbances. But the political cleavage between the two communities on the vital issues had an important effect on the events of these years. Now the Muslims recognised the necessity of pressing for their full share of representation and government posts.

From now on the economic issues also played a dominant role in the relationship of the two communities. The Kishoreganj riot of July 1930 differed from the usual communal clash in that it was due to any religious issue.⁹⁶ It was mainly for economic reasons. The mischief-makers from outside the district had announced to the Muslim peasants that government was on the side of the Muslims; and government would not put them into jails if

95. Waliullah, op.cit., p. 241 and RAB, 1926-27, p. 13.

96. Mussalman, 18 July 1930.

they demanded back their bonds from money-lenders. The economic issue was thus predominant. On one side, were the cultivators who were all Muslims and on the other, were all the money lenders; almost all of whom were Hindus, though a few Muslim money-lenders also had their houses looted and bonds stolen.⁹⁷

Even the Muslims generally kept themselves aloof from the Civil Disobedience Movement of the Congress in 1930. In June 1930, at a largely attended meeting of the District Muslim Association held at Barisal, it was resolved that it was not conducive to the best interests of the Muslims to join the Civil Disobedience Movement. The meeting was presided over by Fazlul Huq. The Bengal Muslim Conference and the Calcutta Khilafat Conference held in Calcutta in August maintained the same attitude. This attitude of the Muslims towards the Congress circumscribed the campaign for Civil Disobedience so that in areas where Muslims predominated the movement made little progress.⁹⁸

The relations between the two great communities could hardly improve. Anxiety for the future naturally led to a certain amount of political restlessness among the Muslims. They were becoming more and more anxious and claimed that increased share in the administration should not be overlooked.

Underneath such communal tensions lay the inherent antagonistic aspirations of the rising Hindu and Muslim middle classes. The lead taken by the Hindus in upward social mobility because of historical reasons gave the Muslims enough reasons to worry about

97. RAB, 1929-30, pp. XXVII-XXVIII.

98. Ibid, 1929-30, p. XXV.

and to feel insecure. To catch up with the Hindus the Muslims were now pressing hard their demands for increasing administrative and political share. The strident voices of the Muslim elite alongside those of the Hindus introduced a phenomenon in the political scene that subjected constitutional innovations to severe test. But the political scene, as we will see later, was to be complicated by some other social factors as well.

Peasantry and Politics:

Both the non-violent Non-cooperation and Khilafat Movement aroused consciousness among the working people. Both the movements engender a new spirit among the peasantry and the established rights of zamindars were no longer considered sacrosanct by the villagers. The peasantry seemed to be poised even for extremist ways to establish their rights.⁹⁹ It was a significant phase in the growth of consciousness of the peasantry. The Khilafat movement was religious only ⁱⁿ form but in its deeper essence it was the rallying point for the Muslim masses. This movement embraced broad sections of the Muslim population, including workers, handicraftsmen, peasants, representatives of the petty and middle bourgeoisie and the clergy. The main driving force were the workers and especially the peasants and handicraft workers, all of whom suffered most under the colonial rule. Despite the predilections of a few hard-core fundamentalists the Khilafat and the fate of Turkish Sultan was of little significance to them. They were concerned with their own particular economic grievances.¹⁰⁰ So the

99. R.K. Mukerjee, "Agrarian Unsettlement", Indian Journal of Economics, Vol. VIII, 1927-28, pp. 541-42.

100. Jawaharlal Nehru, An Autobiography, (London: The Bodley Head, 1958), p. 69.

anti-imperialist movement went hand in hand with a growing consciousness of the peasantry and the working class.

The peasants discovered in the Non-Cooperation and Khilafat Movements something useful for their own struggle for survival. They took a great interest in the programme of non-payment of taxes and the boycott of law-courts. Behind the great national upheaval of 1921 there were shadows of agrarian movement and an embryonic working class agitation. For the time being they overlapped and all pulled together under the banner of an Indian Nationalism.

In 1921 peasant unrest was precipitated by a bad harvest. In May, some disquieting incidents were reported from Rajshahi where serious disputes had arisen between the Midnapore Zamindari company and their tenants.¹⁰¹ In some villages no taxes were paid and no agricultural rents were collected either by government or by landlords. Attempts to execute warrants and criminal process were met by assault and where armed police were sent to make arrests the villagers were evacuated. Even after the calling off of the Non-Cooperation Movement, the unrest among the peasants continued. This was mainly because the interests and demands of the non-cooperators and the peasants were not same. So even in September 1922, in Pabna and Bakerganj, there were agrarian uprisings leading to firing by the police. The incident at Pabna arose out of an attempt by a peasant to cut grass from a land declared by a law-court to be in the possession of a zamindar. The Bakerganj incident was also the outcome of a dispute between a landlord and

101. Shive Kumar, Peasantry and the Indian National Movement 1919-1933 (Meerut: Anu Prakashan, 1979-80), p. 88.

tenants. The peasants of Naxalbari (Darjeeling) attacked the police, who had always sided with the landlords. Police sent to arrest peasants were also attacked in Rangpur and Tipperah.¹⁰²

C. R. Das could read the signs clearly and desperately felt the need for organising the peasantry. But the alarm signal for the bourgeois elite was the newly formed Communist Party,¹⁰³ which seemed to be taking a keen interest in the peasantry. In 1922 C.R. Das presided over the First All-India Trade Union of Congress. Here he made, for the first time, a call for Swaraj of 98 percent of the population.¹⁰⁴ Das was aware that the Congress had been dominated by the high caste Hindus and Zamindars. He also criticised the bureaucrats for not considering the workers and peasants fit to take part in politics. He assured the workers and peasants that in the event of the middle class attaining Swaraj he would wrest power from this selfish class.¹⁰⁵ Even the first Swarajist programme of the Swarajya Party assured a bright future to the workers and peasants of India.¹⁰⁶

But C. R. Das could not follow his own proposals. This pro-peasant and labour stance of C.R. Das alarmed the zamindars and high caste members of the party. The British government was also

102. Ibid.

103. The Communist Party was founded in India in 1921.

104. Subhas Chandra Bose, The Indian Struggle, 1920-1942, (Calcutta: Netaji Research Bureau, 1964), pp. 129-20.

105. IAR, 1923, Vol. I, p. 958.

106. Ibid. Vol. II, p. 144.

gravely perturbed from 1921 seeing the increasing consciousness among the peasants and labourers. The government was further alarmed by the Bolshevik propaganda which urged that British domination could only be overthrown by a violent revolution and that workers and peasants were alone capable of carrying such a revolution to success.¹⁰⁷ So the ground was prepared for an anti-people alliance between the government and the property-owned high caste Swarajists.¹⁰⁸ It seemed both government and the swarajists were alarmed by the strident voices of the toiling masses apparently under the Bolshevik influence. Thus a common threat perception brought C.R. Das and Governor Lytton together, who in 1925, secretly worked out a compromise: Das would not press for 98 percent "Awaraj", and in return, government would cooperate with the Swarajists. This cooperation would help checkmate Bolshevism, a prospect that satisfied both. But after the death of C.R. Das the arrangement fell through.

Meanwhile, some Muslim leaders stole a march on C.R. Das by taking timely steps for forming a platform for the peasantry. In February 1925, some proja leaders organised a Proja Conference at Bogra, where it was decided to form the Proja Samity of Bengal. The rally was attended by Abd-ur-Rahim, Maulana Akram Khan, Shamsuddin Ahmed, Rajibuddin Tarafdar and other prominent leaders, who formed the All-Bengal Proja Association.¹⁰⁹ In the next session

107. RAB, 1922, p. XXIV.

108. Gautam Chattapadhyay, op.cit., p. 87.

109. Abdullah Rasul, Krishak Sabhar Itihas (Bengali), (Calcutta: Nabajatak Prokashan, 1969), p. 51.

Proja Association demanded to make amendments in the Tenancy Act with a view to protecting the interests of the tenants.¹¹⁰

The Muslim peasantry of Bengal became totally disillusioned with the Congress and, at the sametime, they were aware of the ineffectiveness of the Muslim League to protect their interests which gave birth to the Nikhil Bangla Proja Samity in 1929 with Abd-ur-Rahim as its first President. The Proja Party¹¹¹ was also founded in the Council with a view to safeguarding the interests of the tenants and labouring classes of Bengal.¹¹² The creation of the Proja Party gave a new dimension to the politics of Bengal. It tried to organise masses on the basis of an economic programme. It believed in bringing about an agrarian revolution through parliamentary and constitutional methods.¹¹³ The party functioned mainly in the rural East Bengal where population was predominantly Muslim. It concerned itself primarily with the needs of the peasantry. So it failed to build up much support from the dominant section of the Muslim middle class and the caste Hindus.¹¹⁴

110. Muzaffar Ahmed, Amar Jivan O Bharater Communist Party: 1920-1929, (Bengali), (Dhaka: The Star Press, 1977), pp. 390-97.

111. In the Council the Proja Party was founded on 2 July 1929.

112. Humaira Momen, Muslim Politics in Bengal : A Study of Krishak Proja Party and the Elections of 1937, (Dacca: Sunny House, 1972) pp. 40-41.

113. Humayun Kabir, Muslim Politics 1906-47 and other Essays, (Calcutta: Firma K.L. Mukhopadhyay, 1969), pp. 37-38.

114. Abul Mansur Ahmed, Amar Dekha Rainitir Panchas Bachar (Bengali), Dhaka: Nawroj Kitabistan, 1968), pp. 11-15.

Various peasant associations made their appearance between 1930 and 1935. They flourished mainly in East Bengal and were particularly vocal in the districts of Noakhali, Tippera, Bakerganj, Rangpur, Dinajpur and Murshidabad. The economic depression of the early thirties was responsible for their emergence.¹¹⁵ In March 1933, meetings of cultivators were held in Dinajpur and Murshidabad. Resolutions were passed for the amendment of the Bengal Tenancy Act and the abolition of landlords' transfer fees.¹¹⁶ In the majority of cases the primary object of these organisation was the amelioration of the lot of the cultivators by means of concerted action, mainly in respect of debts but sometimes also in respect of rent.¹¹⁷

Another peasant organisation known as the Bengal Kisan Sabha functioned where the majority of the population were Hindus. It had ^a Marxist orientation but during the Civil Disobedience Movement the party was infiltrated and overtaken by the members of the Congress.¹¹⁸

During the Civil Disobedience Movement, no tax campaign was launched in Bankura, Nadia, 24 Paragonas and Hooghly districts.¹¹⁹ In Rajshahi peasants were on boycott of British goods and in some

115. RAB, 1934-35, P. XXX.

116. Ibid, 1932-33, p. XL.

117. Ibid, 1934-35, p. XXXI.

118. Myron Weiner, The Politics of Scarcity, Public Pressure and Political Response in India, (Chicago: University of Chicago Press, 1962), p. 135.

119. Congress Bulletin Issued by the All India Congress Committee, (Allahabad: All India Congress Committee) 15 January 1933.

areas of Mymensingh, Jessore, Nadia, Rajshahi and Tippera, 'Communist' ideas were preached to the ryots.

In Nadia a procession carrying banners "Land belongs to him who ploughs it" and "we do not care for zamindars" was taken out.¹²⁰ A similar procession was reportedly organised by the peasants in some places of Bengal.¹²¹

The late twenties and early thirties witnessed an incipient radicalization of Bengal politics, in particular and Indian politics in general. The worldwide economic slump in the thirties and its impact unsettled Indian economy. Consequently the peasantry, the sinews of colonial economy, was the first to be hit. As the Congress failed to represent the views of the peasantry satisfactorily other exclusively peasant organisations with required programme emerged in quick succession. From now on the two main currents of Indian politics would be provided by elite and mass organisations. The character of leadership in both cases however differed very little. This explains the subsequent sorry fate of most of the working class or peasant movements.

Labour and Politics

The Non-Cooperation Movement also aroused consciousness among the industrial labour. The non-cooperators took advantage of the bad economic plight of the workers. They went to the plantation labourers and advised them to cease work if their grievances were

120. Shive Kumar, op.cit., p. 177.

121. Dainik Soltan, 11 April 1931.

not redressed by the tea-garden owners. This resulted in the exodus of 5,668 labourers and their dependants from the gardens.¹²² The exodus was politico-economic in origin but it is fair to admit that no amount of political propaganda would have been successful with the labourers if their economic position had not been bad.¹²³ The Assam tea garden strike led to sympathetic strikes by the Assam Bengal Railway and the river steamers. The Assam Bengal Railway strike involved about 11,000 employees. It lasted for two and a half months.¹²⁴

In 1926, 35000 men of the Bengal Nagpur Railway went on strike owing to an alleged victimization of an official of the Kharagpur Branch of the Bengal Nagpur Railway Union. The strikers also demanded an increase in wages.¹²⁵ The story of industrial labour in Bengal in 1928 was one of strikes and the increasing activity of the communist group.¹²⁶ The most important strike

122. Satyen Sen, Gram Banqlar Pathe Pathe (Bengali), (Dhaka: Kali Kolam Prokashani, 1970), pp. 165.

123. Ahmed Mukhtar, Trade Unionism and Labour Disputes in India, (Madras: Longmans Green and Co. Ltd., 1935), p. 9.

124. For details see Dhaka Prokash from June 1921 to August 1921.

125. Ahmed Mukhtar, op.cit., p. 42.

126. The British authorities regarded emerging Communist movement as a real danger and resolved to crush it before becoming strong. In 1924 they staged the Kanpur Bolshevick Conspiracy Case. Several Communist were arrested and prosecuted on a charge of conspiracy against the King-Emperor. Again in 1929 the government instituted the Meerut Conspiracy case against some prominent leaders of the Communist Party, including Muzaffar Ahmed, implicating them a conspiracy to overthrow the British government.

of the year was that in the East Indian Railway Workshop at Lillooah. It began early in March with a demand for the reinstatement of men who had been dismissed, to which was added the demand that the wages of the unskilled workmen increased by 25 percent.¹²⁷ The strike was not only confined to the railway; strikes occurred also in jute and Cotton mills.¹²⁸ A special feature of the strikes was that, they were better organised and more militant than in the early twenties. At the Calcutta session of the Congress in 1928, ten thousand workers demonstrated with red flags and shouted the slogan "Long Live Complete Independence". Their deputation told the Congress leaders that the labour was against Dominion Status.¹²⁹ The importance of the incident inheres in the completely different goals of the Congress and the workers. By nature of its class character was predisposed to a sharing of power within the framework of Dominion status. But as the Dominion Status would not have brought about effective changes for the workers, they had reasons to be militant.

Again, in 1929, strikes occurred in the jute mills. It began early in July and lasted till the middle of September.¹³⁰ The immediate result of the strike was to shorten the working hours of all mills from sixty to fifty-four hours a week.¹³¹ The number of trade disputes involving stoppages of work was 44 in 1929-30 and 41 in 1930-31. The number of workmen involved was approximately

127. RAB, 1927-28, p. 19.

128. Dhaka Prokash, 1 June, 24 June, 1928.

129. R.C. Majumdar, op.cit., p. 321.

130. Dhaka Prokash, July to September 1929.

131. RAB, 1928-29, pp. XXII-XXIII.

working class in its organisation, socialism, the new ideology of the working class, began to develop for the first time as a political factor in India. Communist groups began to be formed in Indian Industrial Centres. On the other hand, in January 1926, the Indian Trade Unions Act passed. From now on the working class began to be more organised. By the end of 1926 there were about 200 trade unions in India with 360 local branches. From 1927 to 1933 there were 83 trade unions in Bengal. The following table shows the trade unions in Bengal from 1927 to 1933:

Table - 3.2

Trade Unions in Bengal, 1927-1933

Year	No. of trade unions	No. of members total	Males	Females
1927-28	2	2,029	2,021	8
1928-29	* 9	37,645	37,455	190
1929-30	+ 19	55,268	54,516	752
1930-31	20	55,268	54,516	752
1931-32	33	81,725	81,471	254
1932-33	—	71,860	71,420	440

* One Union did not submit its returns.

+ Returns for two unions not received. One union was disclosed. One Union was dissolved and two did not submit their returns.

Source: Ahmed Mukhtar, Trade Unionism and Labour Disputes in India, p. 106.

348,800 in 1929-30 and 76,078 in 1930-31.¹³² The industrial situation throughout the rest of the years was, on the whole, quiet. The following table shows the nature and extent of labour disputes for the years 1921 to 1933 in Bengal:

Table 3.1

Extent of Labour Disputes, 1921-1933

No. of Disputes	No. of men involved	Days lost	Demands					Results		
			Pay	Bonus	Personnel	Leave and Hours	Others	Successful	Partially successful	Unsuccessful
719	1,699,520	20,134,037	363	27	143	54	132	86	134	492

Source: Ahmed Mukhtar, Trade Unionism and Labour Disputes in India, p. 81.

In the early twenties, the industrial working class was conscious of its grievances relating to inadequate wages, disagreeable conditions of work, bad treatment by the employer and irregular dismissal of employees, but not well organised to press the demand to the authority. From the middle of the twenties the labourers emerged as an independent force, conducting their own struggle with great energy and heroism and began to develop their own leadership. From now on a new tendency developed to be observed towards more stubborn, better organised strikes which lasted for larger period of time.¹³³ With the advance made by the

132. RAB, 130-31, p. 81.

133. Shive Kumar, op.cit., p. 131.

working class in its organisation, socialism, the new ideology of the working class, began to develop for the first time as a political factor in India. Communist groups began to be formed in Indian Industrial Centres. On the other hand, in January 1926, the Indian Trade Unions Act passed. From now on the working class began to be more organised. By the end of 1926 there were about 200 trade unions in India with 360 local branches. From 1927 to 1933 there were 83 trade unions in Bengal. The following table shows the trade unions in Bengal from 1927 to 1933:

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Source: Ahmed Mukhtar, Trade Unionism and Labour Disputes in India, p. 106.

As time passed trade unions continued to increase in numbers in Bengal and the workers were becoming more conscious of their interests.

Broadly speaking, political, social and economic conditions of Bengal militated against the successful working of the reformed constitution. Throughout the period, government had to face a position of continuous difficulty created mostly by the Congress, revolutionaries, communal riots, the peasantry and the workers. The political scene was complicated by the divergence of attitudes of the two leading communities vis-a-vis the reforms and the political future. This was thus a period of social and economic upheaval and political disquietude. Throughout the period the reforms were at work, transforming the administrative machine in various directions and introducing new ideas and conditions. How much of these stirrings were reflected in the legislature? Were the elected Bengalis representing the society at large, or a particular class or some vested interests? Did they act as conveyor-belts for the output which was supposed to have been based on social inputs? If not, what was the nature of the legislative output of the Bengal Legislative Council throughout the four of its sessions during the period? These are some of the questions that we now prepare to turn to. Before analysing these questions we need to outline the formation of the Council after the implementation of the Act of 1919.

CHAPTER FOUR

**ELECTIONS TO THE BENGAL LEGISLATIVE
COUNCIL**

There were four elections during 1920-1936, which returned candidates to four Councils. These elections were guided by the rules set by the government. But the participation of the electorate and the level of electoral activities reflected the party manifestoes and their programmes. The discussion that follows thus draws attention to the political scenario that prevailed before the formation of each of these councils.

Composition of the Bengal Legislative Council:

The Act of 1919 increased the total number of members of the Bengal Legislative Council to 140. Of them 26 were nominated members. Again, these nominated members were divided into 22 officials and 6 non-officials. 22 seats were divided among special electorates and 92 were assigned to general constituencies.¹ These general constituencies fell into four divisions, representing different sections of the community. Muslim, non-Muslim, European and Anglo-Indian. The Muslim and the non-Muslim general constituencies were further classified into urban and rural. The bulk of the council consisted therefore of members elected by general constituencies. Qualifications of a voter were based partly on the community to which he belonged and partly on residence and payment of taxes of a certain amount.² The main qualification of an elector in the non-Muslim general constituencies in rural areas was the payment of cess of not less than Rs. 1 or union rate of not less than Rs. 2 per annum, and in urban areas payment of municipal taxes of Rs. $\frac{1}{8}$

1. Bengal Electoral Rule no. 3.

2. The Bengal Legislative Council Electoral Rule no. 8(1).

Table - 4.1

Composition of the Bengal Legislative Council

Constituencies		Number of Constituencies	Number of Members
1. Non-Muslim	Urban	11	11
	Rural	35	35
2. Muslim	Urban	6	6
	Rural	33	33
3. Landholders		5	5
4. University		2	2
5. European General		3	5
6. European Commerce		5	11
7. Anglo-Indian		1	2
8. Indian Commerce		3	4
Total :		104	114
<u>Nominated Members</u>			
1. Indian Christian		-	1
2. Depressed Classes		-	1
3. Labour		-	2
4. Others		-	2
5. Officials, including ex-officio members		-	20
Total :		-	26
Grand Total :		114 + 26 = 140	

Source: Report on the Working of the Reformed Constitution in Bengal, 1921-27, p. 116.

per annum, Rs. 3 for Howrah and Cossipore Chitpur Municipality.³ The Act of 1919 increased the number of voters from nine thousand to one and a half million in Bengal. As the property qualification was the basis of suffrage, it was lowered to enfranchise the bulk of the small cultivators and a large section of the poorer classes. Any person could be nominated as a candidate for election in any constituency for which he was eligible.⁴

The distribution of seats between Muslims and non-Muslims in the general constituencies was based on the agreement arrived at in the Lucknow Pact (1916) at the joint session of the Indian National Congress and the All-India Muslim League. It was decided that 40% of the total elected Indian members be Muslims. Actually the elected Muslim members numbered 39 and the elected Hindu members 57, so the percentage was slightly over 40%. But the Muslims were not satisfied with the arrangement; and in February 1926, they moved a resolution in the Bengal Legislative Council recommending readjustment of seats in the council.⁵ But the government of Bengal declined to take any action on the resolution because they regarded the matter of Muslim representation in the council as closed until it came to be reopened by the Statutory Commission.⁶

3. RWRGB, p. 130

4. The Bengal Legislative Council Electoral Rule no. 11(1).

5. PBLC, Vol. 20, no. 1, 1926, p. 130. The resolution is described in details in Chapter Eight.

6. RWRGB, p. 138.

The number of elected seats for Europeans and Anglo-Indians was 18 (15.8 per cent). For commercial and Industrial Interests the Act provided for 15 seats; of these 11 were held by Europeans and the rest for Hindus. There were 5 landholders' constituencies all of which usually returned Hindu members to the Council. Calcutta and Dhaka Universities each returned one member. Of the nominated members labour and depressed classes were given two members each, and one nominated seat was reserved for the Indian Christian Community.⁷ The breakdown of representation the commercial interest as well as of the landed interest clearly foreshadowed the type of legislature that was to take shape.

The First Election 1920:

The first general election under the Act of 1919 was held in 1920. It was contested by the moderates who had the idea that the reforms as a vehicle of progress were worth trying.⁸ It was boycotted by the Congress and Gandhi launched his Non-Cooperation Movement before the election to the first reformed legislature took place. The first outcome of it was an announcement in June 1920 by C. R. Das and other twenty-four prospective Hindu candidates that, in view of the resolution passed by the Congress they would not offer themselves for election.⁹ Side by side with abstention from candidature there was also a movement for discrediting

7. RWRCE, pp. 138-140.

8. The National Liberal League was founded in June 1919 in Calcutta. Surendra Nath Banerjea, became its first President. As the liberals were not well organized in the first council they contested in the election as independent members.

9. RWRCE, p. 98.

the council by securing the return of obscure personalities.¹⁰ Six persons of no social status were returned by large majorities over well known local men.¹¹ In Noakhali, one shoe-maker Rasik Chandra Charmakar and one cart-driver Munshi Makramali were elected polling more votes than their well-known opponents.¹²

The Non-Cooperation and the Khilafat movements did influence the election; but not to the extent the leaders had hoped for. Both the movements influenced the poorer sections of the society more than the upper ones. This is shown by the fact that, there were 322 nomination papers for a total of 113 seats.¹³ All Maharajas, Rajas, Nawab and big landholders were eager to contest the election. The percentage of voters that exercised the franchise showed that, the effect of movements was more strongly felt in the case of the Muslim constituencies owing to the intense feeling over the khilafat question. All other constituencies representing landholders, universities; and Indian commerce did not seem to have been influenced much by the movements.

10. Waliullah, op.cit., p. 152.

11. RAB, 1922-23, p. XX

12. Waliullah, op.cit., p. 152.

13. RAB, 1922-23, p. xx.

Table - 4.2

Percentage of Voters in the Election of 1920

Non-Muslim urban	41.8
Non-Muslim rural	33.8
Muslim - urban	16.3
Muslim - rural	22.4
Landholders	84.1
University	66.4
European General	49.1
European Commerce	....
Anglo-Indian	27.2
Indian Commerce	95.2
All contested constituencies	29.3

Source: Report on the Working of the Reformed Constitution in Bengal, 1921-27, p. 147.

The Second Election 1923:

By September 1923, the Congress policy to boycott the council had collapsed. On the otherhand, it had been replaced by the one supporting entry into the council for the purpose of obstruction within the council.¹⁴ Throughout the year the Swarajists were organising and when finally the Delhi Congress accepted the principle of council entry, they were ready to take the field. In the election manifesto they declared that they would contest the

14. For details see Chapter Three, pp. 37-38.

general elections to achieve certain demands. Firstly, as soon as the elections were over they would ask the government to accept and fulfil the demands for Swarajya,¹⁵ within a reasonable time. Secondly, if the demands were not met to the satisfaction of the party, occasion would then arise for the elected members of the party to adopt a policy of continuous and consistent obstruction with a view to making the government impossible. Thirdly, in no case would any member of the party accept office.¹⁶

There were two principal groups in the 1923 elections: the Swarajists and the liberals. There remained another group who described themselves as independents. The independent candidates had, as a rule, one thing in common: they were generally men of local influence. Often indeed they were landholders. In any case, they possessed a definite status within their constituencies which enabled them to seek election without reference to a party ticket.¹⁷

As the main interest of the election centred on the struggle between the liberals and the Swarajists it is necessary to make a comparative analysis of their position in Bengal. For three years the liberals had been in power. They had of course, some achievements in the nation-building activities. Yet with all

15. The main goal of the party was the attainment of Swarajya, but the immediate objective was a speedy attainment of full Dominion Status, that is, the securing of the right to frame a constitution adapting such machinery and system as were most suited to the conditions of the country and to the genius of the people.

16. IAR, "Election Manifesto of the Swarajya Party", Vol. II, 1923, pp. 221.

17. Ibid. p. 222.

these achievements to their credit the liberals found themselves in a very disadvantageous position. Considering the financial disabilities no progress could be achieved in education, public health, sanitation, industrial expansion and the like.¹⁸ Moreover, they were identified with all that the government stood for: "brute force, irresponsibility, high taxation, crushing the spirit of the nation and fattening the favoured few" by the skilful propaganda of their opponents. The ministers were regarded as an additional wing of the bureaucracy.¹⁹ Besides the liberals were disunited and unorganised. In December 1922, the President of the National Liberation League criticised the reformed constitution from various points of view and advocated the acceleration of the pace of reforms by the grant of provincial autonomy.²⁰ Their doubts as to the efficiency of the reform and their lack of confidence in the government had been developing since they were in the council. This disillusionment encouraged the growth of different factions within the liberals. Early in 1923, there had been some talk of an independent party being formed. One section of the moderates which had indulged in continuous vilification of the Ministers, exhorted the "Independent Liberals", as distinguished from "Ministerial moderates" to make common cause with the Swarajya Party in order to show that India was not satisfied with the reform.²¹

18. For details; see PBLC, Vol. I, 1921, pp. 449-654; Vol. 7, No. 1, 1922, pp. 9-157; Vol. 11, No. 3, pp. 9-225.

19. IAR, Vol. II, 1923, p. 226.

20. Ibid.

21. RAB, 1922-23, p. XX.

The Swarajists profited from the weakness of the liberals. Besides, they enjoyed some advantages over their opponents as they were connected with Congress and already known to the people as heroes of the Non-cooperation Movement. Moreover, it could be said that, for the first time in Bengal there was an election with a leader like C.R. Das and a central organisation to nominate its candidates. Secondly, their manifesto stressed the fact that, they were entering the council to ensure that the new reform should not, be a medium of exploitation for antinational purposes. Thirdly, their election programme overshadowed the liberals. They stated that the reform was unsatisfactory, immediate advance was essential.²² Again, they conducted a campaign of great vigour, for which they had enough funds and also applied new techniques which hitherto unknown in Bengal. For example, B.C. Roy spent most of his time among the electors and appealed to all classes of people.²³ Practically all the Swarajist candidates struck a balance between the interests of the bhadrolok²⁴ and the new mass electorate and appealed almost door to door. On the other hand, moderates failed to emulate this example. This was because they did not make personal contact and appeal directly to new mass electorate.²⁵

22. IAR, Vol. II, 1923, p. 229.

23. Indian Statutory Commission, Vol. VIII, p. 143.

24. Here the term bhadrolok is used to mean that segment of the society who were western in orientation and mentality. See Broomfield, op.cit., pp. 3-20. The members of the Council elected and nominated, belonged mainly to this segment of the society.

25. Singh, op.cit., pp. 70-71.

So the Swarajists had against them, a disorganised band of non-abstentionist candidates. Even in the Muslim constituencies, a large number of candidates stood as Swarajist candidates. There were two causes for it. Firstly, they had worked together with the Swarajists on the Khilafat question. Secondly, they were eager to reap benefits from a well established party organisation.²⁶ The result was that, the election was marked throughout by solidarity on the part of the Swarajists who did not put more than one candidate in any constituency. On the other hand, as there were divisions among the liberals, there were as many as five or six candidates.²⁷ The result showed an overwhelming victory for the Swarajists. In the Hindu constituencies they captured 36 out of a total of 46 seats. In the landholders' constituencies 3 out of 5 and in special constituencies 4 out of 6 seats.²⁸ Only 7 Liberals returned. Surendra Nath Banerjea was defeated by B.C. Roy, and secured only 2,283 votes and B.C. Roy 5,689.²⁹ This victory ensured the Swarajists a sure influence within the council. As Forward quipped "... Sir Surendra Nath represents Diarchy and, in his fall, was voiced the free will of the people."³⁰

The election gave indications both of better organisation for bringing voters to the polls and of greater interest taken in politics. But in some places communal and religious appeals

26. RAB, 1922-23, p. xii.

27. Ibid.

28. Statesman, 1 December 1923.

29. PBLG, Vol. 14, No. 1, 1924, p. 37.

30. Forward, 1 December 1923.

were in evidence and a distinct antilandlords tendency displayed itself. But, for the most part, the anti-reform candidates tried to content the masses fastening the whole blame for all the supposed ills of the people or government and the bureaucracy.³¹ The number of nomination papers came down to 280 in 1923; the chief reason for which was the introduction in 1923 the rules requiring a deposit on nomination and diverting the forfeiture of the same if the candidates failed to secure one-eighth of the total number of votes polled. In the election 61 out of 225 candidates had their deposits forfeited³² and all of them were non-Swarajists.³³ In the urban as well as rural areas the percentage of votes polled was extremely satisfactory.

31. RAB, 1922-23, p. xii.

32. RWRGB, p. 143.

33. PBLG, Vol. 14, No. 1, 1924, pp. 36-46.

Table - 4.3

Percentage of Voters in the Election of 1923

Non-Muslim - urban	50.1
Non-Muslim - rural	42.8
Muslim - urban	49.6
Muslim - rural	32.4
Land holders	82.9
University	76.8
European general	....
European Commerce	91.2
Anglo-Indian	....
Indian commerce	71.1
All contested constituencies	39.0

Source: Report on the Working of the Reformed Constitution in Bengal, 1921-27, p. 147; Government of India, Reports of the Local Governments on the Working of the Reformed Constitution, 1926, (Delhi: Manager of Publications, 1927), pp. 186-87.

Comparing with the table of 1920 it can be easily remarked that the 1923 election was an exciting occasion to the people of all communities than it had been in the past. The figure in 1923 shows a slight decrease in the number of Muslim voters and a considerable increase of non-Muslim voters. The increased interests taken by the Hindus as a result of the emergence of the Swarajya party might have been responsible for it.³⁴

34. Jotindra Mohan Datta, "The Electorate in Bengal - Its Problems", Modern Review, Vol. XLIX, No. 6, 1931, p. 634.

The Third Election 1926:

After the death of C.R. Das, the leadership of Swarajya party went into the hands of such Hindu persons as were insensitive to Muslim demands and as a result "the Muslims of Bengal moved away from the Congress and the first seeds of partition were sown".³⁵ The year 1926 was marked by strife between the two great communities in Bengal.³⁶ Communalism, the annulment of the Bengal Pact and the general election contributed in large measure to the fermentation of party politics. Particularly among the Muslims such interest was visible. The main plank in the platform of the Muslim parties was apparently the communal issue. The riots had left bitterness in Muslim minds and they did not forget the roles played by some of the Hindu communal organisations.³⁷ This time no Muslim leader made an alliance with any Hindu leader or party to gain an advantage in the election. Besides, the Muslim leaders had an intention to hit the dominant Hindu community by organising separate Muslim party. But a spirit of personal rivalry caused serious discussions and prevented them from uniting on one party.³⁸ Abd-ur-Rahim formed the Bengal Muslim Party at the beginning of the year 1926. He explained in the party manifesto that, they had been led to form the party, not in a spirit of narrow communalism or religious exclusiveness, but because, as inheritors of a great democratic social system, with their outlook

35. Abul Kalam Azad, India Wins Freedom, (Bombay: Orient Longmans, 1959), p. 21.

36. Dainik Basumati, 23 March 1926.

37. Mussalman, 4 June 1926.

38. RAB, 1925-26, p. xiii.

unembrassed by limitations of caste and untainted by untouchability, they felt a special responsibility rested on them to contribute their best to the realisation of that time ideal of a government of the people, by the people, for the people.³⁹ He argued, of the total population in Bengal Muslims formed 56 per cent; but were suffering considerable disabilities and difficulties regarding their political and economic development. As the representative of the Muslim community it was incumbent on them to unite for the purpose of promoting special measures for their removal. The Muslims did not want to be subordinate to any Hindu organisation, neither did they want to be mere tools in the hands of government.⁴⁰ The experience of the last three years from 1924 to 1926 had shown them "the Muslim members of the council belonging to the Swarajya or the Nationalist parties had to sacrifice the clear interest of the Muslim electorate".⁴¹ Besides, the party proposed to work the reforms and aimed at achieving for India a Federal constitution.⁴²

Almost at the same time A.K. Fazlul Huq founded the Bengal Muslim Council Party with the object of the "attainment of Swaraj by the people of India by all peaceful and legitimate means and protecting and safeguarding of Muslim interests."⁴³ Moslem Chronicle, the organ of the party, wrote that, they at long last realised that the Congress was a Hindu organisation; and that

39. Modern Review, Vol. XXXVIII, No. 5, 1926, p. 601.

40. Dhaka Prokash, 26 May 1926.

41. IAR, Vol. I, 1926, p. 67.

42. RAB, 1925-26, p. XIV.

43. Ibid.

the Muslims would not be henchmen and slaves to the cunningly planned intrigues of the Hindus.⁴⁴ Three more Muslim parties came into existence by August. Their leaders were A.K. Ghuznavi, H.S. Suhrawardy and Akram Khan. The Central Muslim Party of Ghuznavi was founded with a view to protecting Muslim interests. But it preferred to retain its separate entity. H.S. Suhrawardy was prepared to oppose the Hindus when there was a clash of interests and held anti-government views. The constitutional programme of Moulvi Akram Khan was to seek election on a Congress ticket if the latter gave immediate effect to Bengal Pact.⁴⁵ In the latter part of August the Muslim Council Party joined with the groups of H.S. Suhrawardy and Moulvi Akram Khan to form the Independent Muslim Party. Besides, the Muslim leaders who resigned from the Bengal Congress after the annulment of the Bengal Pact joined the newly formed Independent Muslim Party.⁴⁶ Thus the Bengal Muslim Party and the Independent Muslim Party were the two principal parties which ultimately fought during the election.⁴⁷

44. Moslem Chronicle, 24 September 1926.

45. RAB, 1925-26, p. XIV.

46. The following are the names of some important Muslim leaders who resigned from the Bengal Congress after the annulment of the Bengal Pact and joined the Independent Muslim Party: Mujibur Rahman, Arafuddin Ahmed Chowdhury, Abdul Matin Chowdhury, Moulana Abdullah Hill Baqi, Moulvi Amiruddin Ahmed Chowdhury, Moulvi Shaïque Ahmed, Nurul Haq Chowdhury, Amanat Khan, Hazi Abdur Rasheed Khan, Asimuddin Ahmed, Mukuleswar Rahman, Aftabul Islam, Mahiuddin Khan, Abdul Majid Khan, Shamsuddin Ahmed and others. Ujjal Kanti Das, "The Bengal Pact of 1923 and its Reactions", Bengal Past and Present, Vol. XCIX, Part I, serial 188, January-June 1980, p. 42.

47. Ibid.

Not only the Muslim leaders had to harp on communal passions in order to push their own political interests, the Hindus also tried to take advantage of it. The Swarajist Big Five⁴⁸ with the help of Karmi Sangha⁴⁹ annulled the Bengal Pact on 22 May 1926 at Krishnagar in the Provincial Congress Conference. They argued, "it had proved a fruitful source of communal discord and had unduly encroached upon the rights of the Hindus".⁵⁰ On 25 June, they issued a manifesto in which they accused J.M. Sen Gupta for destroying the solidarity and prestige of Swarajya Party in Bengal and argued that the Bengal Pact was never ratified by the Indian National Congress. This was the reason why they annulled the Pact.⁵¹ By November, J.M. Sen Gupta also came to the same conclusion that the Pact had not found favour with 88 per cent. of the Hindus.⁵²

To the non-Swarajist Hindus the riots and the Bengal Pact gave an impetus for closing their ranks at the time of election. The manifesto of the Bengal Branch of the newly formed Indian Nationalist Party was issued by a number of prominent Liberals.⁵³ The

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48. The Big Five were: Bidhan Chandra Roy, Nirmal Chandra Chunder, Nalini Ranjan Sarkar, Sanat Chandra Bose, Tulsi Chandra Goswami.
49. The ex-political prisoners founded the Karmi Sangh to work with the Swarajists. See Sasmal, op.cit., p. 47.
50. BAB, 1925-26, p. XV and Dhaka Prokash, 30 May 1926.
51. Forward, 25 June 1926.
52. Amrita Bazar Patrika, 4 November 1926.
53. The Liberals after the election of 1923 dwindled into oblivion and the members joined such different parties as Responsivist and Nationalist in the 1926 election. The Nationalist Party had been formed in April 1926 by Pandit Madan Mohan Malaviya and Lala Lajpat Rai.

manifesto apprehended the possibility that "the exponents of communalism" with the help of nominated and official members would form a ministry with a communal bias, and by pursuing their "particularist aims and method would foster communal disorder and discussions in the province". They exhorted the public "to rise to the occasion and by boldly abjuring the policy of pacts and bluffs and destruction they would initiate a new chapter in national life."⁵⁴ The Responsivist Party, which had been formed in February 1926⁵⁵ also issued a similar manifesto in which they deprecated all communalism and pacts which ignored the inherent rights of Hindus. They wrote, "let the Muhammadan throw in their lot with the non-Swarajists and they will find themselves no longer a mere adjunct to a decadent party but a valuable ally to those who want to remove the present deadlock and get the constitution to work".⁵⁶

As it turned out, the real fight of the non-Swarajist Hindu parties was with the swarajist in the election. They recognised the necessity for the mobilisation of all non-Swarajists forces "to fight both bureaucracy and Swarajist unreason."⁵⁷ The Responsivists in their manifesto declared that they did not believe in continuous and consistent obstruction in the legislature. The much trumpeted policy of wholesale obstruction had failed to bring about the expected result and had only led the Swarajya party

54. RAB, 1925-26, p. XV.

55. M.R. Jayakar and Kelkar announced the formation of the party in February 1926.

56. Dhaka Prokash, 9 May 1926.

57. RAB, 1925-26, p. XV.

into futile and harmful paths. Furthermore, the policy of walk-out had proved a complete failure.⁵⁸ So the Responsivists took a stand very much different from the Swarajists⁵⁹ and declared themselves ready to accept offices, if necessary power, responsibility and initiative for the effective discharge of duties were provided to ministers.⁶⁰ As a means to achieve their objects the Responsivists recognised a mass movement of resistance throughout the country. But, as it was impossible at that time, they argued that, the reforms be given a chance in order to promote the grant of full responsible government. On essential matters, both the Responsivists and Nationalists agreed but upon minor points they seemed ready to hold their separate existence.⁶¹ On 12 September 1926, another party, the Independent Congress Party was formed from within the Congress. In the party resolution they pointed out that, they would work in full concert and cooperation with the Responsivists believing that the party would function independently if such occasion would arise.⁶²

But when the election approached, the Swarajists once again proved themselves the best organised and best equipped party in the field. Backed by a powerful press and active and young enthusiasts of the Karmi Sangha, they dominated the election

58. For example see, PBLC, Vol. XIV, No. I, 1924, pp. 84-90; Y Vol. XIV, No. 5, 1924, pp. 61-62, and 183-84; Vol. XVI, 1924, p. 45.

59. Dhaka Prokash, 9 May 1926.

60. IAR, Vol. II, 1926, p. 34.

61. RAB, 1925-26, p. XV and Modern Review, Vol. XXXIX, No. 5, 1926, p. 607.

62. IAR, Vol. II, 1926, pp. 62-63.

everywhere. The Swarajist manifesto also gave an indication of future strategies of action which was also supported by the bhadrolok. These included inter alia:

- a. refusal to accept offices;
- b. obstruction of budgets;
- c. opposition to all legislative proposals by which the bureaucracy would seek to consolidate its powers;
- d. introduction of measures and bills which could be necessary for the healthy growth of national life and the advancement of economical, agricultural, industrial and commercial interests of the country;
- e. introduction of measures to secure fixity of tenure and other advantages with due regard to the rights of zamindars; and
- f. finally, introduction of measures which would generally protect the rights of agricultural and industrial labour and adjust relations between landlords and tenants on the one hand and capitalists and workmen on the other.⁶³

This presaged for the Swarajists both negative and positive roles in the forthcoming council. At the same time, the socio-economic programme were carefully worded to enlist the support of a vast spectrum of society. It should be noteworthy that the Swarajist manifesto for the second council election (1923) did not contain everything constructive. But in this manifesto we see some positive plans and programmes which they would follow in the council. It was the direct outcome of C.R. Das's changing attitude. In 1925 C.R. Das wanted to change the policy of council

63. IAR, Vol. II, 1926, p. 17 and Modern Review, Vol. XLI, No. 1, 1927, p. 110.

obstruction if granted real responsibility.⁶⁴ Whether or not granted real power the Swarajists felt that the whole obstruction did contribute nothing to the progress of the country. So this time with the obstruction policy they mixed some constructive programme for the welfare of the country.

Compared with the previous election there was also noticeably a better organisation among the other Hindu parties. Independent candidates were few and Responsivists and Nationalists did not generally contest the same constituency against each other in order to avoid a split in the non-Swarajist votes. The results of election in this state of the parties were therefore, nothing surprising. Of the 46 general seats 35 were captured by the Swarajists and 8 felt to be Responsivists and the Nationalists. The result of the election proved that the Swarajists were much popular than any other Hindu party. S.C. Bose, the Swarajist candidate who contested for the first time from Calcutta University, got twice more votes than his opponent Sir Nilratan Sarkar, Vice-Chancellor of the University. Even Ray, Kumar Shib-Shekhareswen got only 48 votes in the election.⁶⁵ An interesting spectacle was provided by Midnapore Municipal constituency, where owing to differences with the Swarajya party B.N. Sasmal stood as an independent candidate but through the efforts of the Karmi Sangha was ousted by the Swarajist candidate, Debendra Lal Khan, the zamindar of Narajole.⁶⁶

64. For details see Chapter Three, p. 39

64. Dhaka Prokash, 5 December 1926.

66. Sasmal was unpopular to the workers of Karmi Sangha because of his attitude towards them. In the Provincial Conference of Congress in 1926 at Krishnagar² Sasmal delivered his Presidential which was disliked by the Karmi Sangha. This incident explains the enmity between Sasmal and the Karmi Sangha. See Sasmal, op. cit., p. 60.

The Muslims seemed much more active than they had been at any time. Among them, the Bengal Muslim Party of Abd-ur-Rahim easily held the field. Abd-ur-Rahim was himself very popular among the Muslims and it was illustrated by the fact that he got 641 votes out of 648 in the election. The contest was, however confused by a number of candidates of doubtful political views who stood on their own account owing allegiance to no party. This time the support lent by the Swarajya Party to Muslim candidates was negligible owing to the present circumstances of the country.⁶⁷

The percentage of votes polled was 39.4 in the year. It is seen that in non-Muslim urban constituencies more votes were polled than in the rural. The results of the extension of the franchise to women in 1926 were not reassuring for both the Hindus and Muslims. The number of Muslim votes polled in rural areas increased to 37.02 percent against 32.04 of the previous election to which the recent upheavels and the propaganda of organised Muslim political parties and organisations must have contributed.

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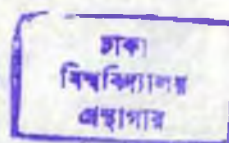


Table - 4.4

Percentage of Voters in the Election of 1926

	Male	Female	Total
Non-Muslim - urban	53.6	23.1	48.3
Non-Muslim - rural	42.4	15.5	39.4
Muslim - urban	45.7	11.3	41.02
Muslim - rural	37.3	7.3	37.02
Land-holders	82.1	26.4	78.9
University	77.8	51.8	77.7
European general	....	....	....
European commerce	....	....	....
Anglo-Indian	76.1	22.1	71.4
Indian commerce	94.6	....	94.6
All contested constituencies	40.1	16.5	39.4

Source: Report on the Working of the Reformed Constitution in Bengal 1921-27, p. 147, Reports of the Local Governments on the working of the Reformed Constitution, 1926, pp. 186-87.

The Fourth Election 1929:

In 1929, at the end of April, owing to the impossibility of finding a ministry with any hope of stability in the Legislative Council the Governor decided to dissolve the Council and announced another election soon.⁶⁸ Only the Swarajya Party considered the dissolution as their victory and defeat on the part of the government

68. Dhaka Prokash, Amrita Bazar Patrika and Forward, 21 April, 1929.

and welcome the election.⁶⁹ As in 1926 the Swarajya Party alone possessed an organisation better than any other party in 1929 as well. The Swarajists announced that they would fight the election on the four issues of the overthrow of dynarchy, the boycott of Simon Commission, the Public Safety Ordinance and the Meerut Trial.⁷⁰ They further declared that they would try their utmost to develop the economic and social condition of general masses and protect the rights of labour and peasants.⁷¹ But the first issue of the Swarajya Party to contest the election again created interest in the public mind.

To enthuse the electorate in its manifesto the liberals and Nationalists declared, "we want to give special attention to rural reconstruction and bettering of lot of the Bengal raiyats and agriculturists whose cause was so shamefully betrayed in the last council by their vaunted friends, the Swarajists."⁷² We propose to adopt a really progressive and liberal policy for improving the condition of the labouring classes which at the same time will not militate the best interests of the industrial development of the country".⁷³ Some independent Hindu candidates also criticised the Bengal Tenancy Amendment Act, 1928. Another measure, the Rural Primary Education Bill greatly affected the lives of the rural

69. Dhaka Prokash, 5 May 1929.

70. RAB, 1928-29, p. IX.

71. Election Manifesto of the Swarajya Party: Dhaka Prokash, 5 May and Amrita Bazar Patrika, 26 April 1929.

72. The Liberals and Nationalists also voted in favour of the Tenancy Amendment Bill of 1928. But the Swarajists played the main role to make the bill into an Act.

73. Amrita Bazar Patrika, 30 April 1929.

people^{NCS} also an issue of the election. But the impact of this Act/Bill, labour's and peasants' welfare were not great to the Hindu electorate.⁷⁴

Among the Muslims two political parties were main: the newly formed Bengal Muslim Legislators' Association⁷⁵ and the Muslim League. The Bengal Muslim Legislators' Association was in favour to promote the welfare of the peasants, so they were against the Bengal Tenancy Amendment Act of 1928. The Muslim League declared that in the last council many of the members of the different Muslim groups, far from furthering the interests of the community and the country as they were expected to do, conducted themselves in such a manner as to bring discredit upon themselves and their constituencies. The League made it public that, if elected, their candidates would not play such an anti-people role.⁷⁶ In the election manifesto it was stated, "the object of the Muslim League is the attainment of self-government by all legitimate and peaceful means". They also assured that the League would refuse to co-operate with the government if and when the government refused to redress any legitimate grievances of the community and the country.⁷⁷

74. RAB, 1928-29, p. IX.

75. Amrita Bazar Patrika, 25 April 1929. It was the provincial branch of the All India Muslim Legislators' Association. After the election was over and on the second day of the meeting of the fourth council prominent leaders of the party formed another party called Bengal Proja Party. The Bengal Proja Party, in course of time, became the only strong Muslim Party in the fourth council.

76. Amrita Bazar Patrika, 28 April 1929.

77. Ibid.

The Bengal branch of the Muslim League was opened in 1915. But it was so disorganised that no member under this name contested in the election under the reformed constitution. When Muslim League for the first time wished to contest, the Swarajya Party had offered them a proposal that they could nominate candidates in cooperation with the Swarajists. The Swarajya Party made the proposition because, after the annulment of Bengal Pact in 1926 and passing of the Tenancy Amendment Act of 1928 there was hardly any Muslim who remained in the party. But to give an effective check against the unreasonable bureaucracy in the legislature the Swarajist needed the supports of the Muslims, on the other hand, the Muslim League, being disorganised accepted the offer.⁷⁸ Alongside, these two parties, the Muslims on the whole, remained absorbed in personalities and were divided into three or four factions. But the most agreeable surprise of the 1929 election was the withdrawal of Abd-ur-Rahim from the election contest by declaring that the Muslims would never be united in one party and not be able to act collectively in the Council for the welfare of the general Muslims.⁷⁹

On the eve of the election the only potent political force of the Hindus seemed to be the Swarajists; but they were opposed to the formation of any ministry; other parties who hoped to form a ministry were not organised strongly. Even in many constituencies they could not nominate efficient candidates.⁸⁰ In Muslim circles

78. Amrita Bazar Patrika, 3 and 8 May 1929.

79. Amrita Bazar Patrika, 11 May and Dhaka Prokash, 12 May, 1929.

80. Amrita Bazar Patrika, 8 May 1929 and Dhaka Prokash, 2 June 1929.

the circumstances were quite opposite. Though there were divisions among the leaders, all of them wished to work under the constitution for their community's interest. Not only that all of them were against the Bengal Tenancy Amendment Act of 1928 and the influence of Hindu Sabha over the Hindu political parties, Rural Primary Education Bill was another important issue to the Muslim voters.⁸¹

These conditions determined the outcome of the election. In the non-Muslim constituencies the Swarajya Party gained a striking success. Out of fifty seven elected Hindu members, forty-four were Swarajists. Among the Muslims thirteen were Muslim Leaguers and fifteen were members of Muslim Legislators' Association.⁸² For comparison it may be recalled that in 1924 C.R. Das had led a compact party of forty-seven of whom twenty-one were Muslims and also secured the general support of nineteen Independent Nationalists. In 1926 there were one Muslim in the party; but in 1929, there was none. This was the result of the sharp cleavages between the two communities.

The 1929 election did not create sufficient interest among the people. The electoral roll was almost three years old. The election came at a short notice at the summer time of the year. A rumour was spread that there would soon be another election. There were only 114 nomination papers as against 226 in 1926.⁸³ One

81. RAB, 1928-29, P. X.

82. Humaira Momen, op. cit., p. 76.

83. RWRGB, p. 144.

striking development of the election was the discovery by the parties and candidates that it was easier and cheaper by influencing other candidates to withdraw there to fight the election. In many cases the results of the election depended on manoeuvring the candidate before election. In the election 64 out of 114 candidates returned unopposed.⁸⁴ In no election before such a large number of candidates returned unopposed. That the election could not create any enthusiasm can be shown by the fact that in the contested constituencies the percentage of votes polled was only 26.5 as compared with 39.4 in 1926. In one European general constituency the percentage of female voters was only 1.5.

84. The number of candidates who had returned unopposed to the Bengal Legislative Council in 1929 election from the different parties were: (1) Swarajya Party - 26; (2) Non-Muslim Independent - 4; (3) Liberals - 3; (4) Bengal Muslim Legislators' Association - 5; (5) Muslim Independent - 5; (6) Bengal Muslim League - 5; (7) European and Anglo Indians - 13. Mussalman, 17 May 1929.

Table - 4.5

Number of Elected Seats Filled with and Without Contest During the Four General Elections

	1920		1923		1926		1929	
	With- out con- test	After contest	With- out con- test	After con- test	With- out con- test	After con- test	With- out con- test	After con- test
Non-Muslim urban	3	8	1	10	3	8	7	4
Non-Muslim rural	3	32	3	32	6	29	20	15
Muslim - urban	1	5	--	6	1	5	2	4
Muslim - rural	5	28	3	30	3	30	14	19
Land holders	3	2	1	4	--	5	3	2
Universities	--	1	--	2	--	2	1	1
European general	2	3	5	--	5	--	2	3
European commerce	11	--	10	1	11	--	11	--
Anglo-Indian	--	2	2	--	--	2	2	--
Indian commerce	2	2	1	3	2	2	2	2
Total :	30	83	26	88	31	83	64	50

Sources: Reports on the Working of the Reformed Constitution in Bengal 1921-27, p. 144.

Table - 4.6

Percentage of Voters in the Election of 1929

	Male	Female	Total
Non-Muslim - urban	26.8	14.5	25.0
Non-Muslim - rural	35.1	19.3	34.4
Muslim - urban	45.1	1.9	38.8
Muslim - rural	20.5	4.9	20.3
Land holders	79.2	25.0	6.7
University	6.1	1.5	6.0
European commerce	....	....	....
Anglo Indian	....	....	....
Indian commerce	87.7	....	87.7
All contested constituencies	26.8	12.4	26.4

Sources: Report on the Working of the Reformed Constitution in Bengal 1921-27, p. 147.

By-Election in 1930:

In January 1930, the Swarajists withdrew from the Council in response to a directive of the All-India National Congress. All Swarajists except one resigned from the Council. So there were by-elections for the Hindu seats. With the others three new parties which never contested before joined the election. One was the newly formed People's Party, the other, Bengal Hindu Sabha, and the third one Proja Party.

The People's Party was formed following the Lahore Congress mandate of withdrawal from the legislatures of the Swarajya Party. They desired to enter the legislatures in places of those who would resign. They announced that they would work in the legislative council in consonance with the ideals and aspirations of the people and for the attainment of immediate Dominion Status.⁸⁵ Later the party joined with the Liberals.

The Bengal Hindu Sabha for the first time decided to run candidates in the election.⁸⁶ They pointed out that they would nominate such candidates who refused to allow the council to be controlled and exploited for bureaucratic ends. Further, they would check communalism.⁸⁷ It declared, that the Congress, so long, had in vain tried to satisfy the communal demands by pacts and concessions. So the members of the Provincial Hindu Sabha would go to the council to resist the extension of communalism through the council. The interest of the nation would be their sole guiding principle.⁸⁸ The party announced that they would contest the election in cooperation with the Nationalist Party.

The third party was the Proja Party. Jitendra Lal Banerjee, on behalf of the party, appealed to the raiyots and tenants to cast their votes in favour of the Proja Party nominees. He announced that though there was a Proja Party in the Council, it

85. Amrita Bazar Patrika, 14 January 1930.

86. Ibid.

87. Ibid., 22 January 1930.

88. Ibid., 7 February 1930.

was entirely consisted of Muslims. Now there would occur by-election in Hindu seats. A Proja Party, with a balanced composition of Hindu and Muslim members would constitute a force which would have taken into serious reckoning both for co-operation and for opposition. Moreover, the party would solve the problem of communalism in politics.⁸⁹ But the by-election did not create as much interest as the fresh election.

The four elections that led to the formation of the council were distinctively different from each other. Despite much publicised obstructionist stance by the adherents of the Non-cooperation and Khilafat movements the enthusiasm for the 1920 election, as reflected in the number of nominations/number of votes cast, was remarkable. The 1923 election showed a great rise in the total turn-out with a rise in both Hindu and Muslim participation. The 1926 election was significant in the sense that, this was the first time that all the contesting elements emphasised on the socio-political conditions of the electorate in their manifestoes. So there was a rise in the votes; particularly rural Muslims showed greater enthusiasm. In the 1929 election, again, all the political parties in their manifestoes reflected the socio-economic and political condition of Bengal. But the circumstances created by the appointment of the Statutory Commission and the suddenness with which the election was held resulted in the comparatively lowest voter turn-out. Throughout the period under review the moderates (1920-1923 and 1930-1936) and the Swarajists (1924-1929) shared between them the bulk of the legislative power meant for the elected elements.

89. Ibid., 15 January 1930.

CHAPTER FIVE

**COMPOSITION OF THE BENGAL LEGISLATIVE
COUNCIL 1921-1936 : SOCIAL BACKGROUND
AND GROUPINGS OF THE MEMBERS**

An analysis of the social background and political groupings of the elected members is essential for a proper understanding of the role played by them inside the legislature. The first section of this chapter will deal with the occupational classification; and the second, with the political groupings of the members.

Social Background of the Elected Members:

The members elected to the Bengal Legislative Councils in 1921,¹ 1924, 1927 and 1929 were men of high social status. On the basis of the information available, it is apparent that, during the period under review two groups were predominant in the Council - the landholders and the lawyers.² It should, however, be remembered that land was the major source of income of all classes of Indian members. Even lawyers and businessmen had landed property in their villages and also landed interests. In the councils half of the members belonged to the legal profession, one-third to the landowners, more than one-fourth to the trading and commercial interests; and the rest belonged to medicine, teaching, journalism and other professions. So the members represented varied classes.

The British during their rule established a new social economy through Permanent Settlement and its direct consequence was the emergence of ^a new social class known as zamindars. This was also the first time in Indian history that private property in land ^{was} created.³ Due to such a genesis, the zaminars on the whole,

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1. In the first council there were only six members of no social status.
 2. RNRCE, p. 149.
 3. A.R. Desai, Social Background of Indian Nationalism, (Bombay: Popular Book Depot, 1954), p. 174.

Table - 5.1

The Average Occupational Status of the Elected Members in 1921, 1924, 1927, 1929.

Legal profession	...	42%
Landowners	...	28%
Banking and commerce	...	22%
Other occupations	...	8%

Source: Indian Statutory Commission, Vol. V, p. 149.

always supported the British Government and opposed it only when their rights were in any way encroached upon. The British government, on its part, counted upon them as a reliable loyal force and treated them with favour. For that very reason, in various reforms and constitutional schemes introduced by the British government the zamindars were given special representation.⁴ In the councils from 1921 to 1936 the Muslim ministers were represented by Nawabs and zamindars who zealously preserved government interests except A.K. Fazlul Huq and Khan Bahadur Azizul Huq. Among the Hindu ministers only Surendra Nath Banerjee, Surendra Nath Mallik and Byomkes Chakravarti were not land-holders. In the first council when the Congress boycotted the legislature and in the fourth council with the withdrawal of the party, there remained a solid phalanx of pro-government members. Such men were appointed

4. Under the Act of 1919 the zamindars had been given special representation by the Bengal Electoral Rule 8, schedule II, clause 9.

ministers as Nawab Ali Choudhury, P.C. Mitter, Khawaja Nazimuddin, Kumar Shib Shekhareswar Roy, B.P. Singh Roy - all Nawabs and big landholders who had more to benefit from siding with the government than going along political agitation and making strident nationalist demands.

The Indian Census Report classified the landholders under the head "cultivation". But this is unsatisfactory and open to criticism for various reasons. The landholders constituted an important and powerful occupational group and considerable amount of social status was associated with their position. Moreover, a landlord never participated directly in the work of agriculture. Actually, landholders were the "non-cultivating proprietors taking rent in money or kind".⁵ Alongside, the vast number of agricultural workers, they constituted a very narrow social class. Within their class, there was a hierarchy like Nawab, Nawab Bahadur, Raja, Moharaja. These titles were based on wealth and heredity. The British government conferred these titles to create a solid core of loyalists. In the first council there were sixteen title holders, in the second eleven, in the third fifteen and in the fourth council initially fourteen and after by-election eighteen title holders.⁶ The Congress boycotted the first and fourth councils, so there was an increase in the number of the title holders in these two councils. The role of this group was always conservative in social,

5. Government of India, Census of India, 1931, Vol. V, Part I, (Calcutta: Central Publications Branch, 1931-32), pp. 268-9.

6. Information gathered from PBLC from 1921 to 1936.

economic and political spheres. As a class of vested interests they made a common cause with the official members in the Council to obstruct any socio-economic measure aiming at improving the condition of the peasantry.⁷ They even opposed the enlargement of the franchise under the Act. They felt that the franchise should not be enlarged enough to include ordinary cultivators. In a memorandum to the Reforms Enquiry Committee in 1924, A.K. Ghuznavi had even the self-complacency to draw the attention of the government to the fact that the qualifications of a voter fixed by the Act was so low that it conferred the vote on thousands of illiterate and easily-mimed villagers.⁸ This was how these conservative elements sought to protect their entrenched position in socio-political spheres under the aegis of a colonial rule.

For a stable income from the land, and the leisure it provided the land-owners could afford to take an interest in parliamentary politics. But their politics was self-perpetuating and primarily geared to safeguarding their own interests. In Bengal, no exclusive party of landowners emerged and they supported one or other parties. They were only loosely grouped together in the British Indian Association, but showed no signs^{of} integrating themselves with any political platform.⁹ Of the 57 elected Hindu seats in 1920, 43 were filled by members of the Indian Association and British

7. See the Bengal Tenancy Amendment Act 1928, the Primary Education Act, 1930.

8. Great Britain, Parliament, East India, Report of the Reforms Enquiry Committee, 1924, Cmd. 2360 (London: HMSO, 1925), Appendix 5, pp. 210-11. *op.cit.*, pp. 33-40, 73-89.

9. For details see, B.B. Majumder, op.cit., pp. 33-40, 73-89.

Indian Association.¹⁰ They had considerable local influence^{and} for that reason they could achieve substantial representation in the legislature.

On the other hand, the lawyers appeared to be the most politically organised social class in Bengal. Many of them had interests in land, but with their independent and handsome income from the legal profession they could, to some extent, liberate themselves from the narrow class orientations, of the landowning group. In the pursuit of their profession they were able to establish contact with the poor but litigating village folks in the countryside. With their roots stretching to land and links with the masses coupled with liberal political outlook acquired through training in British legal tradition and institutions, these lawyers played a most vital role in politics and supplied the bulk of professional politicians. They occupied the top echelon of leadership of the parties and as expert tacticians dominated political scenes both within and outside the legislature. For example, C.R. Das, J.M. Sen Gupta, A.K. Fazlul Huq, Suhrawardy, Sir Abdur Rahim — all were lawyers.¹¹ But lawyers were not always found to be sympathetic to the common people. When it came to save a political purpose they would be espousing the cause of the masses in the council. C.R. Das described the peasantry as the backbone of the country and assured a bright future to the workers and peasants, at the same time he had love and sympathy for the nationalist Zamindars, who were his,

10. They were two pro-Zamindar associations of Bengal. For details see Broomfield, op.cit., p. 176.

11. J. M. Sen Gupta and Abd-ur-Rahim were also Zamindars.

"comrades in arms."¹² He sought means to prevent exploitation of labour by capitalists and landlords. Yet he urged the labourers and peasants not to make extravagant and unreasonable demands.¹³ For that very reason in the Bengal Tenancy Amendment Act, 1928 J.M. Sen Gupta supported the zamindars and not the peasants.¹⁴ This was a clear illustration of a dichotomous psychology that made the personalities of these leaders.

Businessmen were third in position. Most of the businessmen in the council were Europeans. Of course, there were also Bengali and Marwari businessmen. The leadership of the Europeans in the council mostly belonged to these businessmen. Their attitude to the government was always moderate. They co-operated with government specially on the measures favourable to the growth of trade and commerce. Rejection of the budget and other measures affecting stability of currency and exchange were not favoured by them. On the otherhand, measures affecting finance, commerce and industry were proposed by them.¹⁵ They emphasised the need for state aid to small industries. Politically, the swarajist agitation was an anathema to them. But sometimes Indian businessmen voted with the Swarajist on the question of release of political prisoners or repeal of repressive laws etc. But such occasional and superficial pro-nationalist stance could be explained as either opportunistic ambivalence or expediency.

12. IAR, Vol. II, 1923, pp. 220-21.

13. Sitaramayya, op.cit., p. 274.

14. For details see, PBLC, Vol. 30, No. 1 and II, 1928.

15. See the Budget discussions in the Bengal Legislative Council Proceedings.

Besides businessmen, there were ^a few doctors, journalists and other professionals. Surendra Nath Banerjee was a journalist and Bidhan Chandra Roy was a doctor.

The above analysis shows that represent^{ation} in the Bengal Legislative Council was mainly confined to certain upper classes. In fact, they formed segments of the society that emerged under the colonial administration. Therefore the representative character of the legislature was unsatisfactory and mostly this body was used as the instrument of the vested interest groups. Representatives from the peasant and labour were conspicuous by their absence.¹⁶ There was a provision in the constitution for two labour representatives. But they were mainly nominated from the upper classes of the society. Roy K. C. Choudhury was one of the labour nominees whom it was difficult to call a labour representative in the real sense.¹⁷ At the same time, elected members generally did not seem to be sympathetic to the question relating to labour. This is evidenced by their turning down of a suggestion for a bill to legalise picketting; but appeared to support strikes only when these were connected with political motives as in the case of the coolies at Chandpur and train way strikes.¹⁸ A similar tendency was shown by the members in the Council to amend the Bengal

16. In the first council, of the 19 Muslims elected from rural constituencies in eastern and northern Bengal, ten came from big cultivating families and stood as representatives of the agricultural interests. Broomfield, op.cit., p. 176.

17. He was a labour representative during 1921 to 1936.

18. Reports of the Local Government on the Working of the Reformed Constitution, 1923, (Delhi: Manager of Publications, 1924), p. 119.

Tenancy Amendment Act, 1928. On the whole, peoples like big business magnet, wellknown or rich zamindars, scion of the Nawab family and well-to-do family who were born and brought up in luxury in urban areas and had very little connection with rural Bengal became the members of the Bengal Legislative Council.

Nausher Ali, in June 1938, after resignation from the ministry gave the following picture of A.K. Fazlul Huq's Cabinet:

Mr. N.R. Sarkar representative of the Bengal National Chamber of Commerce, capitalist, a gentleman too well-known in Bengal to require any comment; Khawaja Nazimuddin, scion of the Nawab family of Dacca cannot express themselves in the language of the people of Bengal, perhaps have not passed a single day in any rural area in their life, having nothing in common with the masses of Bengal except perhaps the relationship of landlord and tenants; Mr. H.S. Suhrawardy born and brought up in luxury in towns. Those who had the honour of working with him in public life known thoroughly well about his mentality and attitude towards the poor which was specially prominent during the passage of the Bengal Tenancy Bill in 1928, Sr. B.P. Singh Roy, a landlord and representative of the zamindar of Burdwan Division, Maharaja Srischandra Nandy of Cassimbazar, a well known zamindar of Bengal; Nawab Musharraf Hussain a zamindar, wellknown tea magnate whose whole position is due to the labour of tea garden coolies.¹⁹

19. Nausher Ali to A.K. Fazlul Huq, 14 June 1938 cited in Partha Chatterjee, "Bengal Politics and the Muslim Masses, 1920-47", Journal of Commonwealth and Comparative Politics, Vol. XX, No. 1, March 1982, p. 40. *They were members of the Bengal Legislative Council off and on between 1921 and 1936.*

A thorough investigation of class background of the members of the Bengal Legislative Council between 1921 and 1936 produces enough logic to agree with Nausher Ali's statement. The so-called electoral mechanism was devised in such a way as mostly to secure the representation of those elements that were conspicuous for pro-government attitudes. The nationalist segment composed mainly of the Swarajists also did not differ much in the context of social position. The provincial legislative organ that was composed of such representatives was thus very much a bhadrolok council.

Groupings of the Members:

Roles played by the members in the legislative process are also influenced by their varied political orientations. For this purpose we need to understand their groupings within the council.

Groupings in the First Council:

Table - 5.2

Groupings in the First Council

Officials, Nominated non-officials, Anglo-Indians and European Members	...	44
Opposition Group (almost all Hindus)	...	30
Ministerial Group	...	66
Total :	...	140

Source: Report on the Working of the Reformed Constitution in Bengal, 1921-27, p. 151; Reports of the Local Governments on the Working of the Reformed Constitution, 1923, pp. 119-20; Bijoy Prasad Singh Roy, Parliamentary Government in India, p. 73.

So, in the Council the Hindu and Muslim non-cooperators were not represented, except by a few from the Chittagong Division. In political terms the council reflected only the moderate opinions.²⁰ The elections were fought without any party label. The candidates depended mostly on personal influence and popularity for their success. For this reason in the first two months, there were no groupings on the basis of issues in the council. But there were a large number of members who sounded notes of criticism against the government.²¹ After passing the Summer and Autumn of 1921 the ministers exerted themselves to form a definite political party for two reasons. Firstly, to mobilise support in matters relating to the transferred subjects; and secondly, to increase the bargaining strength for securing the money necessary for financing these subjects. To obtain enough money could only be possible by supporting the proposals of the government as a whole for raising taxation. The new taxation bill brought a large number of non-official Bengali members into much greater harmony with the executive government as a whole than had formerly been the case. The agitation of the non-cooperators and the agrarian unrest caused by that movement also forced property owners to lean more heavily on the government.²² Consequently, Ministerial group was formed by the moderates,²³ under the leadership of Sir Surendra Nath Banerjee.

22. Ibid.

23. The term 'moderate' is used here in a loose sense. It does not stand against a party. On the other hand it includes liberals, loyalists and those members who always supported the government in the council until their vested interests suffered.

The moderates seemed to have been enamoured of the merits of British democracy. They considered the British rule in India as providentially brought about and designed to lift India to a high place of free, progressive, democratic national existence. As Surendra Nath Banerjea put it in 1895, "to England we look for inspiration and guidance ... England is our political guide ... the exalted sphere of political duty".²⁴ The Indian moderates considered the interests of Britain and India allied rather than antagonistic. Hence they were loyalists and enthusiastic champions of British connections. They believed in orderly progress, subscribed to the principle of slow evolution and were opposed to any revolutionary change.²⁵ For that very reason they supported the Montagu-Chelmsford Reforms, completed the election and in the legislature joined with the government and formed the Ministerial Group. The policy of the group was generally to support the ministers, to maintain an independent attitude in matters of law and order,²⁶ but not to create a deadlock. Its strength was shown by the fact that since its formation there was no dangerous attempt to drive out a minister. The three ministers Surendra Nath Banerjea, P.C. Mitter and Nawab Salyed Nawab Ali Choudhuri were in the office for three years.²⁷ The ministers, as expected, always sided with the government and irrespective of the merits of a motion they voted for the government.

24. Surendra Nath Banerjea, Speeches and Writings, (Madras: G. A. Natesan & Co. n.d.), pp. 94-95.

25. Moni Bagchi, Rastroguru Surendra Nath (Bengali), (Calcutta: Shrish Kumar Kunta, 1963), p. 230.

26. Sometimes, the members of the Ministerial group joined the Opposition Group to oppose the government's measures.

27. From 1921 to 1923, they were ministers. There were resolutions to reduce the salary of ministers and to reduce the number of ministers but never to drive out a ministers from the office.

Surendra Nath Banerjee, the ex-leader of the Congress, and the new leader of the liberals gave unstinted support to the Montagu-Chelmsford reforms when the constitution was in ^{the} making.²⁸ He left the Congress with a number of colleagues and founded a new party, the National Liberal League, because the Congress decided to reject the constitution. In the Presidential address to the All-India Moderates' Conference, Banerjee defined the moderates as "the friends of reform and the enemies of revolution".²⁹ As the father of Indian Nationalism his position was unique; he had great prestige and till his break with the Congress and acceptance of office he had great influence in Bengal as a political leader. But his popularity and influence suffered greatly because of his acceptance of office.³⁰ From then he became familiar in Bengal as "Lost-Leader" or "Sir Surrender" not Sir Surendra.³¹

P. C. Mitter, another liberal leader was the Minister for Education and Registration. He was a big landholder. He had also unlimited faith in the Montagu-Chelmsford Constitution. As he was

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28. Surendra Nath Banerjee wrote in his book, A Nation in Making, that he said in his evidence before the Joint Parliamentary Committee: "we (and here I was speaking on behalf of the National Liberal Federation) support diarchy, not because it is an ideal system, but because it seems to be the only feasible system for giving effect to the message of August 20, 1917. It provides for Responsible Government at the first start, and it brings Responsible Government within sight by providing progressive stages and therefore we support it". S.N. Banerjee, op.cit., p. 382.
29. Presidential address of Surendra Nath Banerjee at the All-India Moderates' Conference, Bombay, November 1918, cited in Daniel Argov, Moderates and Extremists in the Indian Nationalist Movement 1883-1920, (Bombay: Asia Publishing House, 1967), p.161.
30. Wallullah, op.cit. p. 153.
31. Amrita Bazar Patrika, 31 December 1920, 14 January 1921.

a minister in the First Council he always sided with the government. But in the second and third council until he was reappointed a minister, voted against the government. But when he became a minister, again in the third council, he repeated his earlier role as a minister. An analysis of the role of this member thus produces certain peculiarities. Firstly, he was always after a government post. Secondly, whenever he was out of office he seemed to have suffered from an injured psyche and gave vent to it by voting against the government.³² A man playing such a role could hardly have what Leonard Gordon has erroneously called an "Independent mind".³³

The Ministerial group included those Muslim members who followed the lead of the minister, Nawab Saiyid Nawab Ali Choudhuri. The emergence of a communal questions in connection with the Calcutta Municipal Bill increased the followers.³⁴ Nawab Saiyid Nawab Ali Choudhuri was the follower of Nawab Abdul Latif. Abdul Latif held the view that British patronage and favour were necessary for the development of Muslim community. So Nawab Saiyid Nawab Ali Choudhuri believed the Muslims should co-operate with the British for their own good. In the council, he suffered a series of defeats in matters connected with the policy of his department.³⁵ He did not regard these as votes of censure upon

32. Not only P.C. Mitter but all ministers of the reformed council played this role when they were out of office.

33. Leonard A. Gordon, Bengal : the Nationalist Movement 1876-1940, (New York: Columbia University Press, 1974), p. 210.

34. Reports of the Local Governments on the Working of the Reformed Constitution, 1923, p. 121.

35. He was minister for Agriculture and Industry.

himself or upon the government as a whole. He always accepted the decision of the council and modified his policy accordingly.

There was also an opposition group. The opposition group was not against the reformed Constitution. But they desired more power for the Legislative Council. It was composed entirely of the Hindus. It was vocal on questions of Indianisation and opposition to the police. The group also devoted itself to the proposals for the release of political prisoners. But these activities became less pronounced after a warning by the government in the council. They had an opportunity to be credited with the victory in regard to the cut of 23 lakhs in the police demand of 1921-22 budget. But shortly afterwards they were overtaken by a fear that their precipitate action might be quoted against them in 1930 when Simon Commission would come to India. So they restored the grant in a special session. In 1923, during the July session they stepped up their activities relating to opposing the government, a strategy aiming at the next election.³⁶

36. Reports of the Local Governments on the working of the Reformed Constitution, 1923, p. 121.

Table - 5.3

Groupings in the Second Council

Swarajists (including 21 Muslims)	...	47
Hindu moderates (including Liberals, Hindu loyalists and independent Hindu)	...	12
Independent Nationalists.	...	19
Muslim moderates (including Muslim loyalists and independent Muslims)	...	18
Europeans and Anglo Indians	...	18
Nominated members including officials	...	26
Total :	...	140

Sources: Report on the Working of the Reformed Constitution in Bengal, 1921-27, pp. 155-56; Reports of the Local Governments on the Working of the Reformed Constitution, 1927, p. 178; Report on the Administration of Bengal 1923-24, p. 1; Leonard A. Gordon, Bengal: the Nationalist Movement 1876-4 1940, pp. 209-10; Shila Sen, Muslim Politics in Bengal 1937-1947, (Delhi: Impex India, 1976), p. 53.

The Second Council was radically different in its composition. The Swarajya Party was formed in December 1922 by C. R. Das. It represented that wing of the Congress which had broken away from Gandhi on the question of Council entry. Its members were bitterly anti-British and belonged to the ultra-nationalist group in politics. Their object was to force the concession of a full responsible government on a representative basis by making every other form of government impossible. In the Council this party tried to put an end to the pretence of government that they carried out the administration with the consent of the people.

By obstruction policy they also tried to open the mask of the bureaucracy and to show the vicious character of the system of government in its markedness and to bring into prominence the legitimate but unrealised political rights of the people. Their leader C.R. Das never believed in or suggested revolutionary means to bring about Swaraj. Paradoxically enough, at times he was found paying high tributes to revolutionaries. He also distinguished himself by espousing the cause of communal harmony between two major communities of Bengal. In doing so his principal weapon was the Bengal Pact.³⁷ On 16 December 1923 the Pact was ratified at the meeting of the Swarajya Party. It provided that, representation in the Bengal Legislative Council should be on the population basis with separate electorates; that representation on local bodies be in proportion of 60% for the community in the majority and 40% in the minority; and that 55% of government posts go to the Muslims, and until that percentage was reached, the community might supply up to 80% of all recruits. No resolution affecting the religion of any community was to be passed by the Legislative Council without the consent of three quarters of the elected representatives of that community. There was to be no music in procession before mosques and cow-killing was not to be interfered with.³⁸ By this Pact C.R. Das managed to secure Muslim votes in the Council.

37. Though the Pact was formed by the Hindu-Muslim Councillors of the Swarajya Party, the first initiative was taken by some Muslim leaders as Maulvi Abdul Karim, Moulvi Wajed Ali, Ujjal Kanti Das, "The Bengal Pact of 1923 and its Reactions", in Bengal Past and Present, Vol. XCIX, Part I, Serial 188, January-June 1980, p. 30.

38. Abdul Karim, Letters on Hindu Muslim Pact, (Calcutta: The Oriental Printers and Publishers, 1924), pp. 2-3 and Appendix - A.

C. R. Das also managed to win over the Independent Nationalists. The Independent Nationalists differed from the Swarajists for not having pledged to refuse office. They had a nominal leader in Byomkes Chakravarty, who immediately after the election gathered some members and organised a group. By March 1924 it consisted of 19 members. The peculiarity of this group was, that for the most part it consisted of individuals who owned allegiance to no one and who would accept office themselves, but who could support no one else in office.³⁹ Byomkes Chakravarty like C. R. Das wanted full responsible government for India. He was originally a Congressite and had also participated in the Non-Cooperation Movement; but subsequently left the Congress and accepted the office of a minister.⁴⁰ The most outstanding Muslim member of this group was H.S. Suhrawardy. In 1923 his frequent outbursts against the government policies and measures earned him a comment from Surendra Natu Banerjea, "He is dissatisfied with government — that he always is".⁴¹

Besides these major groups there were Hindu moderates including liberals and loyalists. There were 7 liberals in the Council and they were represented by P.C. Mitter and Jatindranath Basu. These members mostly supported the government.

The position of the Muslim group within the council is aptly described by Lytton, the Governor of Bengal, in his memoirs, "The Muhammadan Moderates were divided into groups composed of personal

39. RAB, 1923-24, p. ii.

40. Waliullah, op.cit., p. 204.

41. PBLC, Vol. 9, 1923, p. 852 and Leonard Gordon, op.cit., p.210.

In the Third Council we see only one Muslim member included in the Swarajya Party. The annulment of the Bengal Pact⁴⁴ and the bitter Hindu Muslim strife of 1926 had rendered it impossible for the Swarajya Party to obtain any substantial votes from the Muslims. J. M. Sen Gupta, after the death of C. R. Das, became the leader of the Swarajya Party.⁴⁵ firstly J. M. Sen Gupta did not agree to annul the Bengal Pact, but latter he also gave his consent to it to win the coming election. In the election the Swarajya Party achieved a considerable success and it was however the strengest party in the new council. Their main war cry this time was also for an obstruction. The Nationalist and the Responsivist Party did not pursue the same policy, they would cooperate with the government. But sometimes they did censure the government.⁴⁶

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44. On 22 May 1926 in the Provincial Congress Conference at Krishnagar, majority of the delegates under the presidentship of J. Chaudhuri and with the help of Karmi Sangha annulled the Bengal Pact on the ground that it had proved a fruitful source of communal discord. J. M. Sen Gupta left the Conference and announced the rescission of the Pact was unconstitutional and that the question of the rescission or modification of the Pact should be postponed in view of the present state of feeling in the country. Modern Review, Vol. XL, No. 1, 1926, p. 114.
45. J. M. Sen Gupta backed by Gandhi became the leader of the Swarajya Party, Mayor of Calcutta and President of the Bengal Provincial Congress. But some Congress workers felt that he did not deserve it. And from then we notice two factions in the Congress of Bengal. The rivalry began first between J. M. Sen Gupta and Sasmal, with Sasmal's defeat in the Council election in 1926 it disappeared. But again the contest developed between J. M. Sen Gupta and Subhas Chandra Bose. Subhas got the support of both Karmi Sangha and Big Five. The rivalry between them continued until the death of Sen Gupta in 1932. Sen Gupta believed in Dominion Status of India but Bose wanted complete independence. But the clash was mainly for power and of personalities between the two.
46. Modern Review, Vol. XLI, No. 2, 1927, p. 261.

followers of three or four prominent individuals with little liking for each other.⁴² But the two major groups were led by A.K. Fazlul Huq and A.K. Ghuznavi.

Moderates composed of both Hindus and Muslims always voted on the government side except on a few occasions. This cooperation was amply rewarded by the government because such loyalists as Nawab Saiyid Nawab Ali Choudhuri, Nawab Musharraf Hossain and Raja Manmatha Nath Roy Choudhuri served as ministers at different times between 1921 and 1929.⁴³

Table - 5.3

Groupings in the Third Council

Swarajists (including one Muslim)	...	38
Responsivists and Nationalists	...	18
Independent Congress	...	2
Bengal Muslim Party	...	16
Independent Muslim Party	...	8
Central Muslim Party	...	6
Muslim independent members	...	8
European and Anglo-Indians	...	18
Nominated members including officials	...	26
Total :	...	140

Sources: Report on the Working of the Reformed Constitution in Bengal, 1921-27, p. 157. Report on the Administration of Bengal 1925-26, p. xix.

42. Earl of Lytton, Pondits and Elephants, (London: Peter Davies, 1942), pp. 45-46.

43. Gordon, op.cit., p. 210.

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46. Modern Review, Vol. XLI, No. 2, 1927, p. 261.

Of the 39 Muslims of the Legislative Council 38 were in favour of the existing system of government.⁴⁷ Among the Muslim Leaders Abd-ur-Rahim was most prominent in the Third Council. He was very much known for his personal communal bias in politics.⁴⁸ The main purpose of his newly formed Bengal Muslim Party was to promote the exclusive interests of the Muslims. The Independent Muslim Party and Central Muslim party had the same view. But they were not strong enough as the former.

Groupings in the Fourth Council:

Table - 5.5

Groupings in the Fourth Council

Swarajists	...	44
Independent Congress	...	3
Hindu independent members	...	6
Liberals and Nationalists	...	4
Muslim League ⁴⁹	...	13
Muslim Legislators' Association	...	15
Muslim independent members	...	11
European and Anglo-Indian	...	18
Nominated members including officials	...	26
Total :	...	140

Source: Report on the Administration of Bengal, 1928-29, p. X; Amrita Bazar Patrika, 19 June 1929; Musalman, 28 June 1929.

47. Though two Muslim members were Swarajists in the Third Council, one had ^{no} definite policy. Sometimes he joined with the Swarajists and sometimes with the other Muslim members of the Council.
48. Abul Mansur Ahmed, op. cit., p. 61.
49. The following candidates returned to the Council from Muslim League: (1) Md. Hassan Ali; (2) Syed Jalaluddin Hashmi; (3) Majid Baksh; (4) Nurur Rahman Khan; (5) Ashrafuddin Ahmed; (6) Abdul Ghani Choudhuri; (7) Azizur Rahman; (8) Abdul Hakim; (9) Abdus Samad; (10) Md. Sadatullah; (11) Abdul Karim

In the Fourth Council we see the overwhelming victory of the Swarajya Party. On the Muslim side A.K. Fazlul Huq, Khan Bahadur Abdul Momin and other members of the Council who founded the Moslem Legislators' Association also formed the Bengal Proja Party on the second day of Council entry to advance the welfare of the peasants in the legislature.⁵⁰ Any member of the former party could join the Bengal Proja Party. Outside the council, Abd-ur-Rahim became the first President of the Party.⁵¹ The members of the party always remained separate from the other Muslim groups, though it had the same policy of working with the Constitution. But in January 1930, the Swarajists withdrew from the Council in response to a directive of the All India National Congress.⁵² Withdrawal of the Swarajya Party from the Council was marked by the entry of the moderates.⁵³

50. PBLC, Vol. 32, 1929, p. 22.

51. Humaira Momen, op.cit., p. 41.

52. A list of the members who resigned from the Bengal Council:
 (1) Amrendra Nath Chatterji, (2) Jogendra Nath Moitra, (3) Bidhan Chandra Roy, (4) Mohini Ranjan, (5) P.D. Himatsingkr, (6) Santosh Kumar Basu, (7) Sha yama Prosad Mukhopadhyaya, (8) Sadhan Chandra Roy, (9) Manmotha Nath Roy, (10) Kumar Debendralal Khan, (11) Subhas Chandra Bose, (12) J.M. Sen Gupta, (13) Pramathanath Banerjea, (14) Surendra Mohan Moitra, (15) Sarat Kumar Dutta, (16) Romesh Chandra Bagchi, (17) Hrishikesh Moitra, (18) Barada Prasona Pain, (19) J.C. Gupta, (20) Bimalananda Tarkatirtha, (21) Akhil Chandra Dutta, (22) Kumud Sarkar Roy, (23) Dr. J.M. Das Gupta, (24) Bejoy Kumar Chatterji, (25) Jogindra Chandra Chakravarty, (26) Bejoy Krishna Bose, (27) Sukhlal Nag, (28) Amarantranath Ghosh, (29) Mohini Mohan Das, (30) T. N. Mukerjee, (31) Mohendra Nath Moitra, (32) Pratul Ganguly, (33) Ranjit Pal Choudhury, (34) Kiran Shanker Roy, (35) Radhagovinda Roy; IAR, Vol. I, 1930, p. 336.

53. RAB, 1929-30, p. xxxi.

They had taken their seats by March.⁵⁴ Now the Council was composed of these groups:⁵⁵

1. Liberal and peoples' group led by J.N. Basu.
2. Nationalist group led by B.C. Chattajee.
3. The Proja Party led by A.K. Fazlul Huq.
4. Muslim League led by Moulvi Abdus Samad.
5. Non-official European group led by W.H. Thompson.

The European and Anglo-Indian Groups:

The Europeans and Anglo-Indian non-officials in the council sided with the government on practically all important issues. Their policy was to support the constitution as laid down by Parliament. In accordance with the policy they consistently supported the government. The leader of the Europeans in the Council claimed that they had striven their best and done their utmost to give dyarchy a chance to function in Bengal. In doing so they had the support of the Anglo-Indian members and formed a compact, well organised party in the Council.⁵⁶ In pursuit of their policy they supported the reserved side of government and the ministers who were from time to time in office. They also joined the Indian non-officials and voted against the government when they thought that the government measures affected their interests.⁵⁷

54. In the by-election Babu Hosen Rout was elected from Midnapore North. He was a sweeper of Midnapore European Club. Amrita Bazar Patrika, 27 March 1930.

55. Amrita Bazar Patrika, 12 February 1930; IAR, Vol. II, 1930, p. 211 and RAB, 1932-33, p. XXVII.

56. RWRCB, p. 108.

57. There was objection from the Europeans to the first part of the Amendment Tax Bill, 1922.

Nominated Members:

Of the nominated members the officials were always present to support government, who could usually rely on votes of the nominated non-official save when a question such as the proposal to release the political prisoners came up for discussion. Sometimes the nominated non-officials asked questions attacking government for their wrong policies and moved resolutions of public interests. Even the members voted against the government when he felt that the government did not save the interest of that particular community for which he was represented. On the otherhand, the official members always presented themselves as a bloc, to vote for the government. According to the Simon Report, it was never found "practicable to adopt the proposals of the Joint Select Committee that officials should be allowed a right of free speech and vote."⁵⁸ A solid bloc of votes was not only decisive for the government or divisions in the Council, but it also helped to rally support for government from amongst the non-officials who were unattached to any political group. So the presentation of an official bloc was absolutely necessary for the government from the practical point of view.

Hindus versus Muslims:

But across these divisions there was another line of division which separated the Hindus from Muslims. Since the annulment of partition of Bengal and the inauguration of the first reforms a new permanent source of jealousy i.e. the political one, had come into being and spread the infection of communal suspicion to the educated

58. Indian Statutory Commission, Vol. I, 1930, p. 227.

59. RAB, 1929-30, P. XXIV and Sasmal, op.cit., pp. 21-25.

The Muslims, outside the Council, had no separate organisation apart from the various associations of which they were members. But while there were Muslim ministers they accepted their leadership and had a party whip.⁶⁰ On all communal questions they were united in the defence of their interests and endeavoured to secure as many appointments as possible. Their bond of union was the protection of interests, but this bond was not strong enough to hold them together when personal interests were involved. The thirty-nine Muslim members were divided into at least three parties, the divisions were on personal grounds rather than on principle; and it was the weakness or dissensions of the leaders which had prevented the Muslims from wielding that influence in the Council which seemed open to them.⁶¹

Political alignments and polarisations within the Council reflected the broader socio-political scenario that prevailed all over Bengal. Except the First and Fourth Councils the Hindu community was represented by the Swarajists, the pro-Council group of the Congress. The Muslims however, were the victims of confusion and lack of cohesion which had been shaping their institutional politics at that time. The Bengal branch of the Muslim League had been opened in 1915; but it was not until the late thirties that it could equal the prominence of its counterpart.⁶² This is the reason why in the Councils, except the one in 1929, there was not

60. RWRCB, p. 110.

61. Ibid.

62. Bazlur Rahman Khan, "Bengal and Muslim League, 1906-1916", Asian Studies, no. 5, February 1983, p. 41.

any Muslim leader who had Muslim League credentials. Whatever Muslim representation we come across in the Councils worked either as a part of the Swarajists or as a part of the factions headed by the leaders like A.K. Fazlul Huq, Ghuznavi and Abd-ur-Rahim. Before we turn to analysing the role of these members as conveyor-belts between socio-political inputs to the Council and legislative outputs it is essential to detail the procedure through which the Council worked.

CHAPTER SIX

**PROCEDURES IN THE BENGAL LEGISLATIVE COUNCIL
1921 - 1936**

So far we have discussed the sources of inputs to the legislative process. The rules of business of any deliberative assembly act as means for converting such inputs into outputs. This chapter seeks to detail the procedure which guided this conversion process.

The Government of India Act of 1919 authorized Rules and Standing Orders to be made for legislating the course of business and for the preservation of order in the Bengal Legislative Council.¹ The Governor of Bengal, therefore, appointed the time and place for holding a session of his Legislative Council.² Unless the Governor otherwise directed, the Council met at 11 a.m. then Calcutta Town Hall and sat till 4 p.m.³ He could also prorogue the Council by notification. On the termination of a session all pending notices lapsed and fresh notices were to be given for the next session.

The normal duration of a Legislative Council was three years. But it could be dissolved earlier by the Governor. Under special circumstances he could also prolong its life for a period of one year.⁴ Within six months of the dissolution of the council, the Governor would fix a date for the next session of the council.⁵ The third Bengal Legislative Council was dissolved earlier and the fourth lasted for seven and a half years. When its normal duration of three years expired, its period was extended by one year at a time.

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1. Government of India Act, 1919, Sections 67 and 72D(5).
 2. Government of India Act, 1919, Section 72B(2).
 3. PBLC, Vol. I, 1921, p. 1.
 4. Government of India Act, 1919, Section 72B(1).
 5. Government of India Act, 1919, Section 73B(2).

Every member, elected or nominated, before taking his seat was to take an oath of allegiance to the crown.⁶ The business of the council was transacted in English, but any member who was not fluent in English could speak in Bengali.⁷ Some members did speak in Bengali.⁸ The minimum number of members to form a quorum was 25. The council could not transact any business unless there was a quorum.⁹ After the Calcutta riot in 1926 H. S. Suhrawardy moved a resolution in the legislature to enquire into the incidents of Calcutta riots. But almost all the Hindu members left the Council and the required number of members to form a quorum was not there. So the resolution could not be discussed.¹⁰

All questions were determined by a majority of votes of the members. The President of the Council had a casting vote in order to obtain a decision. No discussion was allowed on his vote. In the third council, at the Deputy President's election both Razaur Rahman Khan and Maulvi Syed Majid Baksh got 68 votes each. The President cast his vote in favour of Razaur Rahman Khan who was

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6. Bengal Electoral Rule No. 24. The oath ran as follows: "I, A.B. having been elected/nominated a member of the Bengal Legislative Council do solemnly swear that I will be faithful and bear true allegiance to His Majesty the King-Emperor of India, his heirs and successors and that I will faithfully discharge the duty upon which I am about to enter".
 7. Provincial Legislative Rule No. 14, Gazette of India Extraordinary, 27 September 1920.
 8. For example, Shah Syed Emdadul Huq addressed the First Council in Bengali. PBLC, Vol. I, 1921, pp. 12-13.
 9. Provincial Legislative Rule No. 13.
 10. PBLC, Vol. 23, 1926, p. 178.

elected Deputy President.¹¹ Again, in the case of Bengal Medical Amendment Bill, the President cast his vote in favour of the bill to make it into an Act.¹² Votes were taken by voices or divisions. But in most of the cases votes were taken by division.

At the beginning of each session, the Governor allotted "as many days as were in his opinion compatible with the public interests" for the business of non-official members in the council.¹³ He could, however, during the session alter such allotment. But at all times government business had precedence. On 7 January 1925, Sarat Chandra Bose complained in the Council that the Governor had decided not to allot any time for non-official business during the session. The President answered: "If the Governor thinks that no days are necessary, he will allot no days. The matter is one over which I as President of the Council have no control and with which I have no concern. It is a matter entirely within the discretion of the Governor."¹⁴ Secretary of the Council prepared a list of business for each legislative session and every member was given a copy of it. No business was to be transacted other than that included in the list.

These were the general rules of procedure in the Bengal Legislative Council. Now an attempt will be made to discuss other aspects of the rules of business.

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11. Ibid, Vol. 32, 1929, p. 26.
 12. Ibid, Vol. 30, No. 1, 1928, p. 340.
 13. Provincial Legislative Rule No. 18.
 14. PBLG, Vol. 17, No. 1, 1925, p. 11.

Questions:

The first hour of every meeting of the Council was available for questions and answers.¹⁵ For the purpose of obtaining information on a matter of public concern, any member could address a question to any government official.¹⁶ But the question must be a matter of administration or should relate to the public affairs that the officer was responsible for it or connected with it. Otherwise the questions would not be answered.¹⁷

This right of asking questions was introduced for the first time by the Indian Councils Act, 1892. But in the Old Councils many questions were disallowed or the information supplied was of no value. This right of asking questions was generally regarded as a powerful weapon in the hands of the members for checking the day-to-day acts of the executives. For the purpose of elucidating any fact regarding which an answer had been given, the member could ask supplementary questions.¹⁸ Any member desiring an oral answer could put a star against his questions. Any questions was not so marked could not be answered orally, but printed. Therefore, supplementary questions could not arise out of the answers to unstarred questions.

15. Bengal Legislative Council Standing Orders no. 10, The Calcutta Gazette, 15 December 1920, part III. (Calcutta: Bengal Government Press), pp. 61-71.

16. Provincial Legislative Rule No. 8(1).

17. PBLG, Vol. 30, No. 1, 1928, p. 73.

18. From the Second Council the number of supplementary questions increased. It may be because the Swarajist liked to gather information about political department.

The utility of asking questions was indeed very great. They were asked by the member simply to obtain information; sometimes to draw public attention to a grievance, sometimes to embarrass the government, and sometimes with a view to demonstrating to his constituents the attention which he devotes to public affairs and to their special interests .

Adjournment Motion:

By asking questions a member had no opportunity for passing judgement upon the actions of the government. But an adjournment motion provided an opportunity by which any act or omission of the government could be criticised or censured. "For the purpose of discussing a definite matter of urgent public importance", any member of the council with the permission of the President could move any adjournment motion.¹⁹

Resolutions:

Every member of the legislature had a right to move a resolution on a matter of general public interests. A member moved a resolution to bring forward "a favourite project of his own". It might not be connected with the politics of the country.²⁰ Mostly elected members moved the resolution with a request to the government for doing or abstaining from doing a certain act.

The mover of the resolution, when called upon in the council, might either withdraw or move it. If he moved it, he was to

19. Provincial Legislative Rule No. 11.

20. Ibid, no. 22.

begin his speech by a formal motion.²¹ No member could speak on a resolution for more than fifteen minutes except with the permission of the President. To the Governor, resolution passed in the Council would be regarded as a mere recommendation. There was no constitutional means of making the resolution binding upon him.²²

Legislations

The predominant role of the Bengal Legislative Council like any such body was in the realm of law-making. Most of its time of the official days was spent on the discussion of bills. The sources of the bills were the demands of the non-officials or the requirements of the government. But in the course of passing the bill into an act it was subjected to influence or change by the majority votes of the members.²³

When a bill was introduced in the Bengal Legislative Council, the mover made a motion either for the consideration of the bill at once by the council or for its reference to a Select Committee, or for its circulation for the purpose of eliciting public opinion.²⁴ Most of the movers wanted that the bill would be considered at once or sent to a select committee. But on the other hand, elected members liked the circulation most of the government bill for the

21. Example of a resolution moved in the Council, by Moulvi Tamizuddin Khan: "I beg to move that this council recommends to the government to undertaken legislation at an early date for the eradication of the water-hyacinth pest", PBLC, Vol. 30, No. 1, 1928, p. 568.

22. Provincial Legislative Rule No. 24.

23. Bengal Legislative Council Standing Orders No. 43.

24. Ibid.

purpose of eliciting public opinion. The members demanded circulation of the Bengal Criminal Amendment Bill of 1925, 1930, 1932 and 1934 for the purpose of eliciting public opinion. A bill could be taken up for second reading when the motion to introduce was formally accepted by the council.²⁵ An important example of a bill being rejected at the stage of introduction was the Bengal Salt Bill of 1923.²⁶

The mover could propose to send the bill to a select committee at the time of second reading. If the bill was sent to the select committee, the mover who introduced the bill and the member of the government to whose department the bill was related must be members of the select committee.²⁷ The government member would be ordinarily the Chairman of the committee. The committee after examining the bill could submit a report in the council. In the Bengal Tenancy Amendment Bill of 1928, 45 members were included in the select committee.

Amendments were to be moved to the bill, when the motion that the bill be taken into consideration was accepted by the council.²⁸ To modify the official bills, the elected members always moved a large number of amendments. There were, for example, two hundred amendments to the Bengal Children Amendment Bill of 1922 and two hundred fifty to the Bengal Criminal Law Amendment Bill of 1934. The amendments were moved by both individual members and political parties for the purpose of improving the quality of the bills for making them more acceptable to the people.

25. *Ibid.* 44.

26. *PBLC*, Vol. 12, 1923, p. 55.

27. Bengal Legislative Council Standing Orders No. 40.

28. *Ibid.* no. 48.

After the passage of the bill in the council it had to be signed by the President. Then it was to be submitted to the Governor for his assent. If assented to by him it would go to the Governor-General of India. It became an act after the assent of the Governor-General.²⁹ On 15 September 1926, the Governor of Bengal refused to assent to the Calcutta Municipal Amendment Bill moved by Dr. A. Suhrawardy. Though passed in the council, it could not become an act because of Governor's refusal.³⁰

There were provisions for the Governor in case of failure to pass legislation in a council. If the members refused to introduce or pass any bill relating to a reserved subject, the Governor had power to certify the bill on the ground that "the passage of the bill was essential for the discharge of his responsibility for the subject".³¹ The Bengal Criminal Law Amendment Bill of 1925 had been refused by the council but subsequently certified by the Governor under Section 72E of the Act of 1919.³²

29. Government of India Act, 1919, Section 81.

30. Reports of the Local Governments on the Working of the Reformed Constitution, 1926, p. 170.

31. Government of India Act, 1919, Section 72E(1).

32. PBLC, Vol. 17, No. 2, 1925, p. 1.

Though the Bengal Legislative Council could make laws for the peace and good government of the territories, the right was subject to certain restrictions.³³

Budgets

There were three stages through which a budget had to move: presentation, discussion and voting. The Governor appointed a day for the submission of the budget in the Council.³⁴ In Bengal Legislative Council the budget was presented in February. On the day of its presentation no discussion was allowed.³⁵ Then the Council dealt with the budget in two stages: firstly a general discussion and secondly the voting of demands for grant. At the time of discussion no motion of reduction could be moved.³⁶ At the end of

33. The Council could not taken into consideration the following laws without the previous sanction of the Governor-General: (1) imposing or authorizing the imposition of any new tax, (2) affecting the public debt of India, (3) affecting the discipline or maintenance of any part of His Majesty's naval, military or air forces, (4) affecting the relations of the government with foreign princes, (5) regulating any provincial subject which had been declared subject to legislation by the Indian legislature, (6) regulating any central subject, (7) affecting any power expressly reserved to the Governor-General in Council by any law for the time being in force, (8) altering or replacing the provisions of any law ... which is declared by rules made under the Act to be a law which cannot be repealed or altered by it without such previous sanction, (9) altering or repealing any provision of an Act of the Indian Legislature which by its own provisions could not be repealed or altered by the local legislature without such provisions sanction. Section 30A of the Act of 1919.

34. Provincial Legislative Rule No. 25.

35. Ibid, no. 27.

36. Ibid, no. 28.

discussion the Finance Member replied.³⁷ Governor allotted only twelve days for the discussion of the grants.³⁸ Before beginning the voting of grants in the first council the President announced, "His Excellency's object is to give the council, during the 12 days allowed for the discussion under the rules, an opportunity of considering the grants under each major head. If the discussion of all the amendments under a particular head for which a separate allotment of time has been made is not finished within the time allotted, every amendment which has not been moved within that time will fall through".³⁹ Motions could be moved to refuse or reduce the grants but not to increase when a demand for a grant was made.⁴⁰

If any demand of a reserved subject was refused, the Governor could certify the expenditure on the ground that the demand was essential to the discharge of his responsibility for the subject.⁴¹ In 1924 the Governor of Bengal exercised this power to restore all the budget demands which were rejected by the Legislative Council for reserved subjects.⁴²

Privileges and Powers:

Members of the Bengal Legislative Council enjoyed the right of freedom of speech and vote. For his speech or vote in the legislature or for anything published in any official report of the

37. The procedure was non-official members spoke first, then the various official members to reply to the debate so far as their departments were affected.

38. Provincial Legislative Rule No. 29.

39. PBLG. Vol. I, 1921, p. 745.

40. Provincial Legislative Rule no. 30.

41. Government of India Act, 1919, section 72 & (2) (a).

42. Amrita Bazar Patrika, 16 April 1924.

proceedings of the legislature, he was not liable to any proceedings in any court.⁴³ Every member was protected from any action for "libel, imprisonment, molestation or censure", for the exercise of this right. He was bound, of course, by the Rules and Standing Orders of the Council.

But such privileges were not without restrictions on the floor. While speaking a member could not, (1) refer to any matter sub-judice, (2) make personal allegation against a member, (3) make use of offensive language regarding the conduct of Indian or local legislatures, (4) reflect upon the conduct of His Majesty the King or the Governor or any Court of Law, or (5) utter treasonable, seditious or defamatory words. If any member used unparliamentary languages, he would be censured by the President or might have to offer apology. On 7 July 1921 Khan Bahadur Wasimuddin Ahmed made some comments on the actions of Justice Mukherji of the Calcutta High Court. But the President advised him not to mention the name of the Judge.⁴⁴ Again, when one elected member was criticising the act of Governor, the President warned him not to do it.⁴⁵ On 4 July 1923, Jindu Bhushan Dutta discussed the incident of Charmanair. But the President did not allow him because the matter was sub-judice.⁴⁶ So it seems that the proceedings of the council were very orderly on the whole, though within restriction.

43. Government of India Act, 1919, Section 72D(7).

44. Wasimuddin Ahmed criticised Justice Mukherji for his verdict on the Bengal Tenancy Act, PBLC, Vol. 3, 1921, p. 314.

45. Kishori Mohan Chandhuri resented the act of the Governor for his certification of money. Ibid., Vol. 3, 1921, p. 523.

46. Police opened fire on public at Charmanair, Ibid. Vol. 12, 1923, p. 153.

President:

In the council the position of the President was unique. In the Bengal Legislative Council, for the first four years, there were two Presidents: Nawab Shamsul Huda and Sir Evan Cotton. They were appointed by the Governor.⁴⁷ On 12 August 1925, Kumar Shib Shakhareswar Ray became the first elected President of the Council.⁴⁸ He remained in office for a short time. But during his short term, President Shakhareswar asserted the position of the chair and dignity of the House. The next elected President was Raja Manmotha Nath Ray Choudhuri of Santosh. He was elected on 11 January 1927.⁴⁹ He was re-elected again on 2 July 1924.⁵⁰

The President was to help the council in establishing conventions to facilitate the conduct of business. He should be impartial and above party-politics. As appointed Presidents Nawab Shamsul Huda and Sir Evan Cotton did not present any problem in this respect. But the elected President were the party-men. Kumar Shib Shakhareswar Ray's election was received with mixed feeling as he was the candidate of the Independent Nationalists. The Swarajist candidate Dr. A. Suhrawandy did not win in the

47. Government of India Act, 1919, Section 72C(1).

48. PBLC, Vol. 18, 1925, p. 3.

49. Ibid, Vol. 24, 1927, p. 7.

50. Ibid, Vol. 32, 1929, p. 14.

competition.⁵¹ He got 61 votes and Shekhareswar 67.⁵² On 18 February 1926 when Shekhareswar, President of the Council allowed Sir Abdur Rahim to move his amendment Swarajist Nurul Huq Chaudhury objected to it. He remarked, "It was the arbitrary power of the President which was doing it". President ordered Nurul Huq Choudhury and some Swarajists who did not show due respect to the chair to leave the council for the rest of the day.⁵³ J. M. Sen Gupta, the leader of the party protested against the conduct of the President and suggested that the President had gone too far and was wholly undignified.⁵⁴ After that, B.N. Sasmal on behalf of the Swarajya Party brought no-confidence motion against the President. But the motion was lost.⁵⁵

But in discharging his duties Shib Shekhareswar Ray was impartial. Both Shib Shekhareswar and Raja Manmotha Nath Roy Choudhury declared, after winning the election, that, in performing their duties they would, assured the council, observe strict impartiality in dealing with all sections of the council irrespective of party considerations.⁵⁶

51. The following candidates submitted their nomination papers to contest the post of President in the Bengal Legislative Councils:

- a. Ray, Kumar Shib Shekhareswar-proposed by B. Chakravarti and seconded by Akhil Chandra Datta.
- b. Abdus Salam Khan - proposed by Khan Bahadur Mirza Shujaat Ali Beg and seconded by Khan Bahadur S. Mahboob Aley.
- c. Suhrawardy, Dr. A. - proposed by Naliniranjan Sarkar and seconded by Babu Manmohan Neogi. PBLC, Vol. 18, 425, p. 3.

52. Ibid.

53. Nurul Huq Choudhury, Dr. Kumud Sarkar Roy, Dr. J.M. Das Gupta and other two members of the Swarajya Party and one independent member A.C. Banerjee were ordered to withdraw from the Council.
Dhaka Prokash, 28 February, 1926.

54. PBLC, Vol. 20, No. 1, 1926, p. 146.

55. Ibid. Vol. 20, No. 1, 1926, p. 306.

56. Ibid. Vol. 18, 1925, p. 5 and Vol. 24, 1927, p. 11.

The President was required to devote all his time to the duties of his office, because he was a full-time officer of the Council. In the President's Salary Act of the Bengal Council it was written that the elected President of the Council must not during the term of his office practice any profession or engage in any trade or undertake for remuneration any employment other than his duties as President.⁵⁷ It was one of the duties of the President to maintain order. He was given by the Act all the powers necessary to enforce his decisions on all points of order. He could order any member to withdraw from the council whose conduct was *disorderly*.

In the council there was also a Deputy President.⁵⁸ In the absence of the President he would preside over the meetings of the Council. At the time of presiding, he could exercise all the powers of a President. But unlike President he could exercise the power of voting and participate in the debates.

Apparently, the rules of procedure would have us believe that the Bengal Legislative Council was a legislative body with requisite power and position with some limitations. In practice, however, its position was circumscribed by two obvious factors. Firstly, it was not truly a representative of the society; and secondly, it had to work very much as an organ of an imperial government. It remains to be seen how this body functioned as an instrument for converting socio-political inputs into outputs.

57. PBLC, Vol. 17, No. 2, 1925, p. 74.

58. Government of India Act, 1919, Section 72C(2).

CHAPTER SEVEN

**THE FIRST COUNCIL 1921-1923:
MODERATES' COOPERATION**

We have seen that originating out of two different sources of disaffection both the Non-Cooperation and Khilafat movements at a certain stage made a common cause against the imperial domination of the British Raj. Both these movements considered the reforms inadequate, unsatisfactory, and disappointing.¹ As a result, most of the Hindu and Muslim remained aloof. Only the moderates contested in the election for the first Council.² But at the time of election they were not sufficiently organised; most of the members fought as independent members. So there was no party manifesto at the time of election.

The first council met on 28 January 1921 and was dissolved on 24 September 1923. During the three years Surendra Nath Banerjea, P.C. Mitter and Nawab Saiyid Nawab Ali Choudhuri served continuously as ministers.³ So the first council worked somewhat smoothly. Politically, the two groups: Ministerial and Opposition, were predominant.⁴ The Ministerial Group mostly supported the ministers. The Opposition Group, mostly led by Kishori Mohan Chaudhuri and Surendra Nath Mullick,⁵ started opposition only when they were convinced that the government was not acting for the welfare of the people.

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1. For details see Chapter Three, p. 34.
 2. For details see Chapter Four, p. 76.
 3. Surendra Nath Banerjea was in charge of Local Self Government, Public Health, Medical; P.C. Mitter, Education, Registration; Nawab Saiyid Nawab Ali Choudhuri, Public Works, Agriculture and Industries, Excise. Surendra Nath Banerjea - member from 24 Parganas Municipal. P.C. Mitter - member from Presidency Landholders. Nawab Saiyid Nawab Ali Choudhuri - member from Mymensingh East.
 4. Actually under the period of investigation there was no political party in the Council except the Swarajya Party, the pro-council branch of the Congress Party. But there were many groups in the Council headed by influential members. But sometimes these groups or factions were to be called party by their leaders.
 5. Kishori Mohan Choudhuri - member from Rajshahi. Surendra Nath Mullick - member from Calcutta South.

This chapter seeks to show how far the legislative behaviour of the members, especially the elected members, were conditioned by the contemporary events. In doing so a linkage will be established between the role of the members and the prevailing circumstances. It will also examine whether the members were the true representatives of the electorate at large or whether they acted only to serve the interests of the classes they belonged to. These points can be made clear only through an analysis of the legislative behaviour of the members as manifested in questions, resolutions, bills, budgets; and adjournment motions.

Questions:

The first council was in session for 164 days;⁶ and during this period 3,449⁷ questions were asked on the floor. Whether on transferred or reserved subjects the nature of these questions revealed a clear class bias of the members. The analysis further shows that by asking questions relating to public interests the moderates were trying to steal a march on the non-cooperators in attracting public sympathy. This explains why most of the questions concerned the transferred subjects. The reason for doing so was to create pressure on the ministers for playing a more committed role in public affairs. To them, upon the activities of these "nation building" departments depended the "progress" of the country.⁸ But the word "progress" should be placed within

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6. In 1921 the Council sat for 60 days, 60 days in 1922; and 44 days in 1923.
 7. This number includes all types of questions. Reports of the Local Governments on the Working of the Reformed Constitution, 1923, p. 113.
 8. Surendra Nath Banerjea named the 'transferred' subjects as "nation building" departments.

parenthesis and construed to mean only the well-being of the bhadroloks and not of the common men.

The members through such questions on transferred departments gathered information about the kind of actions taken on agriculture, local self-government, public health, medical and education. The questions relating to such direct public interests as railway rates, construction of new railways, roads, bridges were also raised. These questions were mainly asked by the members of the Ministerial Group. Occasionally, however, they asked questions on such reserved subjects as pay, promotion and recruitment in the Provincial Government Services. These questions directly related to the interests of the classes which the members represented. On the otherhand, the questions relating to the peasantry and labour welfare were hardly raised.⁹

The Opposition group was unequivocal on the questions of Indianisation, retrenchment¹⁰ and opposition to the police and generally on a desire to emphasize racial questions. The higher pay of the British officers and their various allowances were also attacked.¹¹ ~~Even the treatment meted out to political activists~~

9. There were two nominated labour representatives, K.C.Choudhury and Hemchandra Bhattacharia, in the council. Only a few members of North Bengal were known as tenants representatives.

10. The government's reply on the question of retrenchment was that, instructions were issued by the government in October 1921 to secure economy in all departments of governments offices. PBLC. Vol. I, 1921, p. 32.

11. Reports of the Local Governments on the Working of the Reformed Constitution, 1923, p. 120.

imprisoned drew attention of these members.¹² Debendra Lal Khan,¹³ for example, asked, "whether it is a fact that until very recently special class prisoners had to eat out of iron plates whereas ordinary European criminals in jails were allowed enamel plates?"¹⁴ Needless to mention, this camaraderie was indeed a reflection of the common class background. On all these questions the Ministerial Group was found to make a common cause with the Opposition. It thus becomes apparent that the class basis of these two groups was the same; and their differences in position was really one of strategy and not of orientation.

As the Councillors were all moderates and there was absence of any opposition party in a real sense, questions on Non-Cooperation and Khilafat movements, political prisoners and the like were few and far between. Sometimes questions were asked as to how many non-cooperators were imprisoned in each district, whether any school or college in the province had given up government aid since the movement begun, whether any school or college had written to the Calcutta University seeking disaffiliation, whether the government was aware that no-tax campaign had been going on or what measures government took to protect the interests of the

12. Singh, op.cit., p. 80.

13. He was a member from Midnapore North.

14. PBLC, Vol. 8, 1922, p. 105.

landholding class.¹⁵ It seems both the Ministerial and Opposition groups sought to elicit information about the position of the government vis-a-vis the contemporary socio-political circumstances. To all intents and purposes, the exercise looked like drawing the government into an enlightened discussion that lacked the flair of opposition invectives. Such a legislative role of the members needs explanation. It has already been shown¹⁶ that a wall really divided these members from the common man. Consequently, their actions did not reflect the major issues that affected the country. After all, the class basis precluded these members from playing a different role.

15. Example of a question which was asked on Non-Cooperation Movement: Babu Surendra Narayan Sinha: "Will the Hon'ble Member-in-charge of the Department of Politics be pleased to state whether the government contemplate holding a conference with the zamindars and others in order to devise ways and means to deal with or to counteract the cult of civil disobedience?"

The Hon'ble Henry Wheelers: "government is in constant touch with all interests likely to be affected were a general movement of civil disobedience to be inaugurated, and they do not consider that any formal conference needs to be convened at the moment. The action to be taken by government in the event of such a movement clearly depends on its nature and extent."
PBLC, Vol. 7, No. 2, 1922, p.

16. See Chapter Five, pp. 105-113.

Resolutions

In the first council 314 resolutions were moved by the elected members.¹⁷ Most of these were in the realm of transferred subjects which related to the nation-building departments. A few resolutions on reserved subjects were also moved by the members.

The first category of resolutions concerned such nation-building issues as, vocational education, technological institution, medical training schools for the training of village doctors, budget provision for water supply, improvement of river communication etc. Mostly, such resolutions were accepted without division or withdrawn after assurance by the ministers.¹⁸ The moderates were so eager to make the reformed constitution a success that immediately after entering the council they moved resolutions urging the government to make legislation in eleven specific cases of transferred departments. These were legislations to exclude fermented date juice from the provisions of the Excise Act,¹⁹ early amendment of the Calcutta Municipal Act of 1899,²⁰ amendment

17. Upto July 1923, of these, 109 had been carried. The local government had taken full action in accordance with the recommendations in 51 cases and part action in 29 cases. In 15 cases, government had refused to accept the recommendations. In the remaining 14 cases, final action had not been decided on or the recommendations could only be given effect in future.

18. Members always asked the ministers what measures had been taken to the resolutions of their departments, passed in the Council.

19. Legislation to stop the harrasment to which the poor people had been subjected for the last 50 years by the underlings of the Excise Department. PBLC, Vol. I, 1921, pp. 119-24.

20. A new act was proposed in the council to change the existing one, to cope with the present condition of the Calcutta city. Ibide, pp. 124-32.

of the Calcutta Municipal Act in the direction of an improved milk supply,²¹ amendment of the Bengal Tenancy Act,²² legislation to create a Board of Secondary Education,²³ legislation to alter the Constitution of the Senate of the Calcutta University,²⁴ legislation to control public fairs,²⁵ legislation to empower District Boards to tax motor vehicles,²⁶ legislation for the prohibition of sale of intoxicating liquors and drugs to children under 16,²⁷ amendment of the local self-government Act,²⁸ legislation for the eradication of water hyacinth.²⁹ In their view, implementation of a policy envisaged in these resolutions would serve two purposes. Firstly, public welfare would help creating

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21. Improved method was proposed to supply cow milk by the Calcutta Municipality. Ibid, pp. 1346-48.
 22. To amend some provision of the Bengal Tenancy Act of 1885. Ibid, Vol. 3, 1921, pp. 306-15.
 23. To create a Board of Secondary Education for the superintendence and management of all secondary schools, government aided and unaided, be placed under their authority. Ibid, pp.554-80.
 24. The Senate of the Calcutta University was proposed to be elective because in the management of the University the elective principle might help nationalise university education. Ibid, pp. 172-87.
 25. For proper control of fairs and melas and also for the prevention of the outbreak of cholera and other epidemics in Bengal. Ibid, pp. 590-94.
 26. The power of imposing taxes on motor vehicles was proposed to be vested on Districts Boards. Ibid, Vol. V, 1921, pp.388-91.
 27. To provide legislation that no children under 16 could buy intoxicating liquors from any liquor shop. Ibid, Vol. 7, No. 3, 1922, pp. 231-33.
 28. Amendment of the local self-government Act to provide more autonomy to the local self-government bodies. Ibid, pp. 233-37.
 29. For the purpose of drinking water, irrigation laws was enacted for the eradication of water hyacinth. Ibid, Vol. 10, 1922, pp. 353-57.

public confidence in the reforms. It is however to be mentioned that, of these only four resolutions related to the poor and the rest to the urban bhadrolok.

Though resolutions to establish medical, technical, agricultural and educational institutions all over the province and to provide money for sanitation, health were generally passed in the Council, the financial stringency of the government of Bengal was such that members' plan for improvement in those fields were very limited and implementation was slow. They drew attention to the necessity for materials for building up the national edifice. It was pointed out that no effective government was worth the name unless there was any desire on its part to pay greater attention to better sanitation, broader education and better facilities to the people for having at least one square meal a day.³⁰ An awareness of financial constraints of the government and its consequent unsatisfactory role in nation-building activities induced the moderates to harp on moral arguments. Moreover, they were also aware of the acute problem of the educated middle class unemployment. On 30 March 1922 Nawabzada K. M. Afzal described a painful picture of the unemployed young people of Bengal, "Youths-pole and hazzard, and prematurely sick of life for want of work - going about begging recommendation letters and testimonials from school masters and college lecturers, from barristers and councillors, from magistrates and commissioners are but a familiar, ah! painfully too familiar, sight in Bengal".³¹ So they sought to make some realistic attempts.

30. PBLC, Vol. V, 1921, pp. 292-314.

31. Ibid., Vol. 7, No. 1, 1922, p. 398. He was a member from Dhaka City.

These were evidenced by the moving of resolutions to alter the Meston Award,³² to set up a retrenchment committee,³³ allocation of 40 percent to the transferred subjects,³⁴ reduction of Executive Councillors and discontinuation of Darjeeling Exodus. The first three resolutions were taken unanimously. But the later two resolutions were opposed by the Ministerial Group, European non-officials and official members. Kishori Mohan Choudhuri proposing reductions of the number of members of the Executive Council from four to two which would have saved 1,28,000 rupees per year moved the resolution of reduction of executive councillors. The resolution was drawn by 74 to 31 votes.³⁵ Of the elected members only two Hindu members supported the government.³⁶ The resolution

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32. Lord Meston, Finance Member of Viceroy's Executive Council, was the President of the Financial Relations Committee. The Committee was appointed to devise a scheme of provincial contribution to government of India. Moderates' opinion was that, Meston Award was responsible for the worst financial condition of Bengal. Early steps were taken to impress the government of India with the gravity of the situation, and towards the middle of the year 1921 a deputation met Viceroy at Simla. As a result of this conference the Government of India agreed to waive their claim for the contribution of Rs. 63 lakh from Bengal for a period of 3 years with effect from 1922-23, RAB, 1922-23, p. IV.
33. A Retrenchment Committee was appointed in the autumn of 1922 and it submitted its report early in 1923. Much of the savings effected agriculture and public health.
34. The proportion of allocation between reserved and transferred subjects were 65% and 35% respectively.
35. PBLC, Vol. I, 1921, p. 108.
36. As Englishman viewed the role of the elected members, "It is no doubt too high politics for the members of the Bengal Legislative Council to deal with. We have no doubt that the resolution, though carried by a majority, will be consigned to the waste paper basket and a note will be taken of this exhibition of bad conduct on the part of the council members", 8 February 1921.

on Darjeeling Exodus was moved by Surendra Nath Mullick with the argument that exodus was merely a waste of money and a luxury indulged in by irresponsible authorities. This resolution was also passed by the votes of the elected members.³⁷ Analysing the behaviour of the elected members it is clear that they attempted to give the new system a fair trial.

It is interesting to note that those members who had been arguing for economy in administration were subsequently found not ready to reduce the number of ministers to two and lower their salary. Both these resolutions were ostensibly moved on the ground of economy. The idea was to direct the money thus saved to more pressing needs in nation-building activities. But somewhat paradoxically, these moves failed not for intransigence of the government but for the opposition from most of the elected members. Here the tenor of the argument seemed different. They argued that the reformed constitution had provided for three ministers to administer the transferred departments and any tampering with this provision could be harmful. It was further pointed out that the reforms would slowly though gradually pave the way for the emergence of a responsible government.³⁸ The resolution to reduce the salary was opposed by the elected members both of

37. The popular view on the matter had, on numerous occasions, been put forward with rigour and zeal by Surendra Nath Banerjee. In 1886 in a big meeting at the Town Hall Sir Alexander Wilson moved a resolution against the hill exodus and Surendra Nath Banerjee seconded it. Since then Surendra Nath Banerjee spoke publicly against the exodus. But now he voted against the resolution in the council - because the other half of the government was against it. Amrita Bazar Patrika, 26 April 1921.

38. PBLG, Vol. I, 1921, p. 174.

Ministerial and Opposition groups on the ground that it would reduce the status of the ministers.³⁹ A comprehensive analysis of the role of the members thus shows that Broomfield's sweeping generalisation that a council member would only agitate against the government does not seem to be well founded.⁴⁰ In the first council, members were never against the government only for opposition's sake. Again, his observation that, Ronaldshay, disliked using the official block to defeat the resolution of the reduction of ministers' salary⁴¹ is also found to be untrue. The official block was meant to support government. They were always used to defeat the elected members on every issue which was disliked by the government. The same had also happened to this particular resolution.

Beside the questions relating to economy the moderates, mainly of the Opposition group, seemed to have taken some degree of interests in the political happenings. Their role in this context had two features. Firstly, they opposed the government policy of suppressing legitimate organisation and avenues of public opinion; second, it was argued that retaliatory violence on the part of the government was only strengthening the non-cooperators by further estranging public feelings. The second argument contained an

39. The resolution was vehemently opposed by the ministers. They warned that they would not make matter easy for the bureaucrats by accepting lower salaries. Surendra Nath Banerjee described the attack as the move of the extremist press. But several public meetings were held to protest against the proposed high salaries of ministers. Amrita Bazar Patrika, 20 January, 4 February 1921.

40. Broomfield, op.cit., p. 181.

41. Ibid.

undertone of pro-establishment leanings of the Opposition group. Their role in this regard could hardly be called pro-people and was very much status quo and establishment oriented. Such an attitude is illustrated by the resolutions against the conduct of the local officials which demanded an inquiry into ejection of the codies and their families from Chandpur Station on 20 May 1921⁴² and against the laws of the government to cope with demonstrations, disorders and revolutionaries⁴³ which were brought into operation on the day of hartal when the Prince of Wales came to visit India.

We get a better idea of the mentality of these moderates if we analyse their role vis-a-vis the widespread political extremism that ^{had} emerged after the fizzling out of the Non-cooperation and Khilafat movements. Early in 1923, a resolution piloted by Dr. Pramatha Nath Banerjee⁴¹ member of the Opposition group, demanded immediate release of political prisoners who had been rounded up recently.⁴⁵ In view of the moderates' role in the past⁴⁶ it was expected that they would support this move. But they did not. Despite an element of apparent surprise the ever present pro-government leanings made such a stance almost inevitable. It seemed they could see reason in Henry Wheeler's argument that

42. For details of the incident of Chandpur Station see Chapter Three and PBLC, Vol. 3, 1921, pp. 452-85; and also Amrita Bazar Patrika, 12 July 1921.

43. PBLC, Vol. I, 1922, pp. 549-87; Dhaka Prokash, 5 February, 1922.

44. He was a member from Calcutta East.

45. PBLC, Vol. 13, 1923, p. 471.

46. In 1922 S.C. Mukherjee (Nominated non-official, for the Bengal Christian Community) moved a resolution to withdraw some of the repressive laws including the Criminal Law Amendment Act of 1908 as amended in 1920, the Seditious Meetings Act of 1911; and the release of all political prisoners under these two acts. The resolution was passed by 50 votes to 36. PBLC, Vol. 7, 1922, pp. 544-87.

"offences against the state are less serious than the offences against the individual".⁴⁷ Considered in this context the offences covered by such resolutions as on the release of political prisoners was however insignificant and the government did not seem to bother much. But a change in nature and scope of extremism altered the perspective for their role; they were now covertly pro-government. As the moderates were the friends of reform and the enemies of revolution, did not like going against the government when revolutionarise parties increased their activities.

Communal Divisions

In the Council communal tension between the Hindus and Muslims cut across the division line between the Ministerial and the Opposition group. Despite the fact that the Non-cooperation and Khilafat movements had been instrumental in forging a semblance of harmony between these major communities the communal interest related resolutions very often pushed them apart within the council. On 22 February 1921, Indu Bhusan Dutta⁴⁸ moved a resolution that, recruitment to various Provincial Services" be made by means of suitable open competitive examination".⁴⁹ The resolution was countered by Yaquinnuddin Ahmed⁵⁰ through an amendment seeking directly to safeguard Muslim interests.⁵¹ For obvious reasons

47. PBLG, Vol. 13, 1922, pp. 471-72.

48. He was a member from Tippera.

49. PBLG, Vol. I, 1921, p. 345.

50. He was a member from Dinajpur.

51. Reports of the Local Governments on the Working of the Reformed Constitution, 1923, p. 123.

an open competition system would have certainly acted against the Muslim community. A reflex performance was staged when on 25 August 1922, A.K. Fazlul Huq⁵² moved a resolution for the creation of a staff selection board, raising the question of the treatment of Muslims in recruitments made to government service. The Hindus protested that the proposal had nothing to do with the competitive system and that communal interests should not be pressed in season and out of season.⁵³ However, all Muslim members, except Dr. Hassan Suhrawardy⁵⁴ and Khan Bahadur Abdus Salam,⁵⁵ supported Fazlul Huq.⁵⁶

Again, on 4 April 1921, Deputy President Surendra Nath Roy,⁵⁷ moved a resolution "that in any matter relating to purely transferred subjects the official members other than the ministers be requested not to vote though they may take part in the discussion".⁵⁸ The Muslims being a minority group in the council considered official votes as the safeguard of their interests. Thus they put the matter definitely on a Hindu versus Muslim basis and opposed the resolution so clearly that the mover did not press for a division.⁵⁹

52. He was a member from Khulna.

53. Reports of the Local Governments on the Working of the Reformed Constitution, 1923, p. 124.

54. He was a member from Hooghly cum Howrah Municipal area.

55. He was a member from Jessore North.

56. PBLG, Vol. 9, 1922, p. 197.

57. He was a member from 24 Parganas- Municipal South.

58. PBLG, Vol. I, 1921, p. 1314.

59. Reports of the Local Governments on the Working of the Reformed Constitution, 1923, p. 123.

Any anti-cow killing proposal would increase the tension between the Hindus and Muslims. The Hindus liked to show their strength by anti-cow killing propaganda and the Muslims, by the killing of the cow. On 29 August 1922, Amulyadhone Addy⁶⁰ moved a resolution for the appointment of a Committee to increase the supply of pure cow milk by stopping cow killing. The resolution was innocent in its form but was opposed by Madassur Husain,⁶¹ who pointed out that, Addy's anti-cow killing activities had created a good deal of mischief, consternation and agitation.⁶² Even the Europeans joined the Muslims to defeat the resolution;⁶³ because they were beef-eaters.

Class Division:

The communal division between the Hindus and Muslims vanished when the Council was divided into pro-landlords and pro-tenants group. On occasions like this the interests of the Hindu and Muslim zamindars appeared to be one and the same, that is, to protect their entrenched position as a landed aristocracy from any threat posed by the peasantry. Syed Erfan Ali,⁶⁴ on behalf of the tenants, moved resolution that a committee be appointed to inquire into the cause of unrest prevailing among the tenants of the Midnapore Zamindari Company in the district of Murshidabad and

60. He was a member from Bengal National Chamber of Commerce.

61. He was a member from Burdwan Division North.

62. PBLC, Vol. 9, 1922, p. 347.

63. Reports of the Local Governments on the Working of the Reformed Constitution, 1923, p. 124.

64. He was a member from Nadia.

Nadia and to suggest remedies. Erfan Ali claimed that he got hundreds of applications from the tenants pressing their grievances. In one application 71 items of the grievances were put forth by a large number of tenants against the zamindars.⁶⁵ Midnapore Zamindari Company was founded by the British. Everybody expected that the Company would develop the lands for the benefit of the tenants. But the Company absolutely did nothing to ameliorate the sufferings of the tenants.

The resolution came to the council at a time when the Non-cooperation and Khilafat movements had already made the common people politically conscious. Moreover, the initial organisational activities of the Communists were also rousing the peasantry against the zamindars.⁶⁶ A bad harvest and economic slump also precipitated widespread unrest. There were several incidents of showdown between the Midnapore zamindars and the peasants,⁶⁷ but the zamindars appeared to be oblivious of the disaffection of the peasants. On the other hand, when the resolution to set up an inquiry committee came before the Council all zamindar members reacted sharply. Immediately, the members were divided between pro-zamindars and pro-ryots blocks. The former group was composed of the zamindars who were mostly Hindus and the other groups, mainly the Muslims. The Hindu landlords in the council also tried their best to protect the interests of the British landlords of Midnapore Company. Maharaja Kshaunish Chandra Roy Bahadur⁶⁸ made an attempt

65. PBLC, Vol. 7, No. I, 1922, p. 592.

66. For details see Chapter Three, pp. 61-62

67. Ibid.

68. He was a member from Nadia.

to dismiss strained relations between zamindars and tenants as 'private affairs'. He pointed out that, the occasional strained relations between landlords and tenants were not a novel feature. He also assured the Council that there was nothing serious which called for a committee of inquiry in the Nadia district. He criticised the workers of the Non-cooperation Movement who by their incendiary speeches raised high hopes for ~~disrupting~~ disrupting the Permanent Settlement in the minds of the unsophisticated ryots.⁶⁹ The Muslim members of the council, in general, supported these ryots. But the resolution was defeated by 23 votes.⁷⁰ All Europeans, officials and Hindu except six members, were against the resolution.

It is noteworthy that Abd-ur-Rahim,⁷¹ who became the first President of Proja Party, not only supported the zamindars but also voted in their favour. A. K. Fazlul Huq abstained from taking part in the discussion and voting. It appears that their subsequent masquerade as spokesmen for the peasantry was influenced by consideration of political expediency and not by any love for the peasantry.

69. PBLC, Vol. 7, No. 1, p. 605. The zamindars were always against the legitimate claim of the tenants. They always took an anti-democratic stand on questions affecting the life of the Indian people. They were against the Non-cooperation and Khilafat movements. To them these two movements agitated the peasants against the zamindars. Of course, it is true that Non-cooperation and Khilafat movements firstly brought an organised movement to the Muslim peasantry in Bengal. For details see, Partha Chatterjee, "Bengal Politics and the Muslim Masses 1920-47", The Journal of Commonwealth and Comparative Politics, Vol. XX, No. I, March 1982,

70. PBLC, Vol. 7, No. 1, p. 622.

71. He was a member of the Executive Council.

There was also a clash of interests between labour and the elected members in the Council. Labour representative K. C. Ray Chaudhuri moved a resolution that steps be taken to establish Industrial Boards for fixing a minimum wage for the labourers. Almost every member were against the resolution. They argued that, this was not within the realm of business of the Council and that the fixing of a minimum wage was required for the educated people and not for the labour. The condition of labour was much better off than they were supposed to be.⁷²

But a few months before, on 4 March 1921, the Council had passed a resolution to set up a committee to investigate the causes of strikes of workers of Tramways and East Indian Railway carriage builders and to advice on measures to settle disputes between the employers and the employees. Moderates accepted the resolution because the mover had pointed out that Jute Mills were affected mostly by these strikes in the less than eight months, from 1 July 1920 to 28 February 1921, the employers of those industries lost 36 lakhs of rupees.⁷³ It seems that to moderates employer's financial losses mattered more than the genuine grievances of workers.

Bills and Acts

The first Council had to its credit a large volume of legislation. Twenty four acts were passed and members discussed 1,887 amendments.⁷⁴ Acts were passed both for reserved and transferred

72. PBLC, Vol. 3, 1921, p. 326.

73. Ibid., Vol. 1, 1921, pp. 657-67.

74. Reports of the Local Governments on the Working of the Reformed Constitution, 1923, p. 119.

subjects. Towards government legislation the attitude of the Council was cooperative. The moderates - neither Ministerial nor Opposition group - brought any drastic change to the provision of the bill.

One of the important Acts was the Bengal Children Act, passed in 1922. The bill produced a very lively debate in the council. The moderates welcomed the introduction of the Children Bill as it sought to take into account the changed social values, the changed theory of punishment and the revised ideas of the duties of society towards children. The object of the bill was to provide for the custody, trial and punishment of youthful offenders and for the protection of children and young persons.⁷⁵ Generally speaking, as the Act finally passed substituted educational treatment for penal measures in the case of children and young persons convicted of an offence.⁷⁶

The members moved 200 amendments to the bill and a number of them was by Kishori Mohan Choudhuri. None of the amendments, however questioned the principle on which the bill was passed. On the other hand, the object of all the members who had sent amendments was to make the application of the bill even wider than what it was proposed in the select committee.⁷⁷

The Council also extended its cooperation to the government to pass three taxation bills in 1922. These were the Bengal Amusements Tax Bill for imposing taxes on certain forms of amusements

75. PBLG, Vol. 7, No. 1, 1922, p. 162.

76. BAB, 1922-23, p. Lxiii.

77. Reports of the Local Governments on the Working of the Reformed Constitution, 1923, p. 105.

including betting on horse racing, the Bengal Court Fees Amendment Bill, for increasing the rates of Court-fees and the Bengal Stamp Amendment Bill for increasing rates of stamp duties. The government was planning to use all the extra-money from these new taxation for the promotion of transferred departments.⁷⁸ But all the three measures were unpopular to the Opposition group. Economically, the people of Bengal were in a terrible condition. They were starving and at the same time they had no clothes to wear.⁷⁹ Seeing government's determination to make these bills into acts, the opposition seemed to be ready to give the government a go-ahead for a short duration mainly to tide over the pressing financial crisis, which they believed to be of a temporary character.

Of the three taxation bills, the Amusements Tax Bill was placed firstly in the council. The first part of the Bill evoked sharp criticisms from Europeans, Anglo-Indians and Opposition group. This part of the bill dealt with the taxation of theatres, cinemas etc. The rates to these entertainment were halved during the passage of the Bill. The tax on betting on the other hand, was raised during the consideration stage by the acceptance of an amendment. Ministerial group extended their co-operation to the bill. Unlike the Court Fees (Amendment) Bill the Ministerial group wanted this legislation on a permanent basis. Obviously deterrent impact of the act to betting and gambling was what they were concerned with. There was another ground; it was going to be a principal source of revenue to government. It was expected to yield Rs. 30 lakhs a year.³⁰

78. RWRCE, p. 155.

79. Amrita Bazar Patrika, 27 January 1922.

80. PBLC, Vol. 7, No. 4, 1922, p. 270.

In the Court Fees Amendment Bill, government aimed at a general increase of 50% per cent in Court Fees. Government argued that they started with a lower rate in the case of suits of lower values so that they would not press hardly on the poor section of the society.⁸¹

But the real struggle was over the Court Fees Amendment Bill. It would affect the village people more seriously than others. The opposition members strongly opposed the bill. Their argument was that the people of the country had been reduced almost to skeletons for want of sufficient food and nourishment; it would add a heavy burden to the people to accentrate and aggravate the discontent. It was at one time very doubtful whether in the face of such strong feelings of opposition it would be at all possible to place the bill permanently on the statute book. But ^{the} development changed the circumstances infavour of the government. On the day when the Court Fees Bill was to be taken up for consideration, the news of Montagu's resignation reached Calcutta and when the question of the permanent or temporary nature of the bill was under discussion, Fazlul Huq announced that the council should ^{not} reassamble after the adjournment for prayer in order to express their sincere regret and sorrow at the resignation of Montagu. But after the adjournment was over, 40 members, all supporters of the bill, were present.⁸² The motion to make the bill temporary was lost without a division.

81. For example in the case of a rent suit effecting a small holding and valued, say, Rs. 50, the enhancement of court fees under the bill would be from Rs. 3.12 to Rs. 5.9 an increase of Rs. 1.13. PBLC, Vol. 7, No. 3, 1922, p. 287.

82. All officials, Europeans and members of the Ministerial group were present.

Of course, some more concessions had to be made in respect of low value suits to enable the bill to be an Act.⁸³

The Stamp Amendment Bill was the last of the three bills to be an act. It did not appear to be so unpopular. It was a bill which would only affect property owners and men of substance. Proposed variations in the existing rates would affect numerous important legal and commercial interests. So far as the ordinary people were concerned, the Stamp Amendment Bill was the least harmful of the three bills. It was anticipated that it would hit the European merchants more than the ordinary Indians. But the Europeans did not oppose the bill. In supporting the bill even at the cost of their own financial loss the Europeans simply repeated their persistent pro-government stance. This became clear when they explained that the bill originated out of government's financial stringency. For the same reason the Ministerial group also extended support.⁸⁴

The three bills were passed with the help of the Ministerial group and vehemently opposed by the Opposition group.⁸⁵ The Opposition group however believed that instead of raising money from new sources a good deal could be saved through retrenchment in the various departments of the government. The core of their argument was that the First World War and its aftermath had already strained resources of the people to the utmost and the burden was felt heavily by the middle class of Bengal.⁸⁶

83. PBLC, Vol. 8, 1922, pp. 86-87.

84. Ibid. Vol. 7, No. 4, 1922, pp. 43-50.

85. RAB, 1921-22, p. 1.

86. PBLC, Vol. 7, No. 1, 1922, p. 564.

Another example of cooperation of the moderates was the safe passage of the Goonda Bill in 1923, though framed on the model of the Rowlatt Act,⁸⁷ the bill was remarkable as being welcomed by the Council.⁸⁸ It was extended at the request of the Marwari members of the Council to Bengali hooligans, who were to be removed from Calcutta and its thickly populated neighbourhood.⁸⁹ The Ministerial group allowed the bill to be strengthened in its passage. A significant feature of the debate was the suspicion by the Opposition group that the government contemplated the use of the Act against the 'political offenders'.⁹⁰ When the suspicion was removed the Council agreed to the executive restrictions on personal liberty of action which were contained in the bill.⁹¹

The Calcutta Municipal Act of 1923, on the other hand, was the signal victory of the moderates in the Council.⁹² It took eighteen months for its passage-through the council. The mover, Surendra Nath Banerjee, after passing the bill in the Council announced, "Today is a momentous day in our annals We have sought to establish in this great city the essential principles of democracy, the government of the people, by the people and for the people".⁹³ In the Act, the principle of one man one vote was affirmed by a

87. Reports of the Local Governments on the Working of the Reformed Constitution. 1923, p. 106.

88. Dhaka Prokash. 5 November, 1922.

89. But the Marwari Association was of the opinion that if proper steps had been taken the existing law was enough to cope with the evil of goondaism. Amrita Bazar Patrika, 31 January 1923.

90. Dhaka Prokash, 21 January 1923.

91. PBLC, Vol. II, No. 1, 1923, pp. 433-68.

92. To amend the Calcutta Municipality Act of 1899 the moderates moved a resolution in early 1921 which was mentioned before.

93. PBLC, Vol. II, No. 4, 1923, p. 237.

large majority and the constitution of the corporation was democratised. The number of municipal commissioners were raised from 80 to 90 to provide adequate representation for the added areas. The number of nominated commissioners were also raised from 8 to 10. In making the nominations it would be the duty of government to secure the representation of minorities of backward classes, of labour, it would also include experts. In the Act the removal of the sex disqualification was embodied. And women were entitled to cast their votes. Further, the Act imposed a statutory obligation on the corporation to spend at least one lakh of rupees every year on primary education.⁹⁴ Surendra Nath Banerjee, the doyen of the moderates, seemed to have been supported by logic when he declared in the council that they had broadened the franchise, enfranchised the womenhood of Calcutta, relaxed the letters of government control, provided for sanitation and promote the happiness to their civic amenities.⁹⁵

But the Calcutta Municipal Bill brought forth communal feelings. The Muslim showed open dissatisfaction for not adapting communal electorates for the corporation. A communal showdown was, however, averted by the compromise formula of R.H.L. Langford James, a non-official European,⁹⁶ which provided for a communal electorate for nine years in 15 seats and thereafter a general electorate.⁹⁷ But the Hindus were dismayed at the acceptance of this arrangement by

94. RAB, 1922-23, p. Lxiv.

95. PBLC, Vol. II, No. 4, 1923, p. 237.

96. He was a member from Indian Jute Mills Association.

97. Of 15 seats reserved for the Muslims, 7 were captured by non-Bengali speaking merchants in the first election of the Municipality under the Act. Cited in Bazlur Rahman Khan, "Muslim Business Community and Politics in Bengal 1920-1940", unpublished paper.

the Minister. In the division in regard to the acceptance of the compromise the dissenters, with the exception of one non-official European and two Muslims, were all Hindus.⁹⁸ The result in favour of the compromise was regarded by the Hindu members as a great victory for the Muslims. They regarded it as the revival of that old scenario better described as "the quarrel between two cats over a piece of cheese that they had purloined."⁹⁹

The only government bill defeated during the period was the one introduced in the July session of 1923 to amend the Indian Salt Act in order to remove those provisions which required the presence of police officers at all search made by officers of the Salt Department for detection of offences under the Act.¹⁰⁰ The bill gave the salt officers power to make search without the assistance of the police, but it would not debar them from calling in the police when necessary.¹⁰¹ The elected members disliked the salt tax and the recent enhancement of its police as they would do nothing to facilitate the collection of salt revenue. Their main object was to protest against the certification of the salt tax by the Viceroy.¹⁰² The members viewed the salt tax as another heavy burden on the people of Bengal.

98. The European member was F.E.E. Villiers and Muslims were Nakey Mirza Muhammad Ali and Dr. A. Suhrawardy. PBLC, Vol. XI, 1923, p. 274.

99. Amrita Bazar Patrika, 16 February 1923.

100. Leader, 4 July 1923.

101. Dhaka Prokash, 8 July 1923.

102. The Government of India proposed to raise salt tax from Rs. 1.4 to Rs. 2.8 in the Indian Legislative Assembly. It was rejected by the members of the Assembly by 55 votes to 48. But Governor-General certified the bill and made it an Act. The salt tax also discussed in the Parliament and Labour members were against the tax. Dhaka Prokash, 24 June 1923.

At that time people residing on the sea-shores and the banks of the salt water rivers could not manufacture salt for their own consumption. The motion to take the bill into consideration was defeated by 42 votes to 28. Only four elected members voted in favour of the bill; and the rest were nominated officials and non-officials, Europeans and Anglo-Indians. Ministerial group joined the Opposition group to defeat the government.¹⁰³ Such a fate of the bill was decided not by the apparent concern of the members for mass economic hardship but by the careful consideration in which the election (which was very near) stake was predominant. It was perceived and with reason, by the members that immediately before the election passage of such a bill would certainly antagonise the electorate against the moderates. Here expediency was the determinant.

Non-Official Bills

Thirteen non-official bills were introduced in this council; only two became law.¹⁰⁴ The non-official bills were crude in drafting and in conception. Most of them required considerable revision before introduction was possible.

The non-official bills exercised a very real pressure upon the government to come forward with proposals of its own in particular directions. One such bill was the Bengal Village Chaukidari Amendment Bill of 1923. It was passed in the face of strong

103. PBLC, Vol. 12, 1923, p. 60.

104. The other non-official bill which was passed in the Council was the Calcutta Suppression of Immoral Traffic Bill, 1923, moved by S. C. Mukherji.

opposition from the government. It transferred the power of fixing ^{the} number of Chaukidars by the District Magistrate to the panchayat, subject to the approval of the District Magistrate.¹⁰⁵ Indu Bhusan Dutta, member of the Opposition group introduced the bill on the ground that the original Chaukidari Act of 1870 provided that the number of chaukidars be determined by the panchayat and not by the Magistrate. But the system had been upset in 1892 and the power was given to the District Magistrate.¹⁰⁶ The mover made the pertinent argument that if reforms meant a gradual making over of power to the people, the new bill was but a small step in that direction.¹⁰⁷ The government could not produce a logic to refute this argument; but drew attention of the Council to the fact that, the bill did not have anything to do with the people. But when put to vote, the bill was passed by 63 to 31. Only two elected Hindu members voted against.¹⁰⁸ In this case the prospect of coming elections worked in the mind of moderates, especially to the Opposition group.

Budgets

The first Council placed a budget which showed a deficit of 198 lakh and drew forth criticisms from the elected members. With the introduction of reforms it was hoped that the members would have extended powers on the purse-strings. To their great disappointment the members found that the budget had afforded little encouragement for such hope and disclosed a grave situation for the province.¹⁰⁹ The allocation for the reserved and transferred

105. Dhaka Prokash, 25 December 1923.

106. PBLQ, Vol. 12, 1923, p. 88

107. Ibid, p. 100

108. Amrita Bazar Patrika, 23 July 1923.

109. Amrita Bazar Patrika, 23 Feb. 1921. Not only the Opposition group but the Ministerial group and the ministers also were disappointed when the skeleton of the budget was first presented in the council. Ibid. 6 March 1921.

departments were 65 percent and 35 percent respectively.¹¹⁰ Members criticised the budget because while some of the most useful departments were suffering for want of money, want of imagination and boldness, the expenditure of other departments, particularly the General Administration and Police was growing to an alarming dimension. Administration was alleged to be top-heavy and the non-official members always suggested retrenchment and economy. The members pointed out that the cost of the Presidency Police, which was Rs. 21,36,000 in 1918-19 was proposed to be put at Rs. 36,37,000 in the 1921-22 budget in an increase of nearly 80% percent in four years.¹¹¹ The table 7.1 as introduced by Harendra Nath Choudhuri,¹¹² showed how education, sanitation and agriculture had not only been allowed to keep pace with the general increase in expenditure but also not allowed to expand at the past rate in the budget of 1921-22.

110. The proportion of funds allocated to reserved and transferred departments in the three budgets presented since the inauguration of the reforms is shown below:

Year	Reserved	Transferred
1921-22	70 percent	33 percent
1922-23	66 "	34 "
1923-24	66 "	34 "

Source: Reports of the Local Governments on the Working of the Reforms Constitution, 1923, p. 99.

111. PBLG, Vol. I, 1921, p. 466.

112. ^{He was a} Member from 24-Parganas, Rural.

Table - 7.1

Budget Showing Expenditures in Some of the Transferred Subjects

Heads of Expenditure	Budget estimate for 1920-21	Percentage of the total expenditure estimated at Rs. 9,32,40,000 for the year 1920-21	Budget estimate for 1921-22	Percentage of the total expenditure estimated at Rs. 11,800,13,000 for the year 1921-22
		(in Rs.)		(in Rs.)
Excise	13,06,000	1.40	17,82,000	1.51
General Administration	37,92,000	2.96	37,19,000	3.15
Police	150,32,000	16.12	190,85,000	16.17
Education	121,42,000	13.02	126,07,000	10.68
Public Health	15,67,000	1.69	19,46,000	1.64
Agriculture	21,15,000	2.27	21,41,000	1.81

Sources: Proceedings of the Bengal Legislative Council, Vol. I, 1921, p. 466.

Moreover, the members expressed a great deal of dissatisfaction at the existence of the non-voted items.¹¹³ On the whole, to the moderates particularly to the Opposition group the preparation of the budget showed that the reforms had any utility.¹¹⁴

At the time of voting in the first council the Opposition group with the help of the Ministerial group defeated the government in a number of cases. Khan Bahadur Wasimuddin Ahmed¹¹⁵ moved a resolution

113. Non-voted item - Government of India Act, 1919, Part-I, Section 3, Sub-section-II.

114. Amrita Bazar Patrika, 6 March 1921.

115. He was a member from Pabna.

to cut the Police budget by 23,32,700 lakhs.¹¹⁶ The mover pointed out that he did not intend to minimise the importance of the department; on the contrary, he was aware that the safety of life and property of the people dependent on the good work of police. But at the sometime he was convinced that the rate at which the expenditure was increasing required immediate check and curtailments. The motion was carried by 51 to 42 votes. Eleven non-official members; 8 Hindus, 1 Jew and 2 Muslims voted with the government. The rest who supported the government were officials, Europeans and Anglo-Indians.

The council also reduced the following demands which they thought excessive and unnecessary:

1. The demand for the paper book department of the High Court was rejected by 71 votes to 35. Only 4 non-official elected members, two Hindus and two Muslims, voted with the government.
2. The demand for the Publicity Officer was rejected by 71 votes to 36. Only two elected Hindu members voted with the government.
3. The demand for the salary of the Additional Legal Remembrancer who had conducted various political prosecutions was rejected by 62 votes to 33. Only 4 elected members; 1 Hindu, 1 Jew and 2 Muslims voted with the government.
4. The demands for works in connection with the partition of Mymensingh was rejected by 61 votes to 31. Only 3 elected members; 2 Hindus and 1 Muslim member voted with the government.

116. PBLG, Vol. I, 1921, p. 872.

5. The demand for works in connection with the partition of Midnapore was rejected by 58 votes to 32. Only 4 elected members; 3 Hindus and 1 Muslim voted for the government.
6. The demand for the Chief Justice's residence was rejected by 63 votes to 34. 8 non-official members; 5 Hindus and 3 Muslims voted in favour of government.
7. The demand for the Police Hospital extension in Calcutta was rejected by 51 votes to 33. Only 3 elected members; 3 Hindus and 1 Muslim voted for government. Even the nominated non-officials voted against the government.
8. The demand for police quarters in Calcutta was rejected by 57 votes to 29. No elected members voted with the government.¹¹⁷

All these demands were rejected for the stringent condition of finance. Practically all the main projects of the Appointments, Political and Police departments of the reserved side except the grant for the Alms House at Calcutta were defeated and hardly had any non-official support. There were some proposals for the reduction of the ministers' salaries of transferred department on the ground of economy. But both the Ministerial and Opposition group refused the proposal because there were so many ways and means to meet the crisis and no justification of reducing the ministers' salary.¹¹⁸

117. Ibid., Vol. I, 1921, pp. 795-1056.

118. RAB, 1920-21, p. 11.

If we analyse the voting on the budget, we see the elected members did not exercise properly their power to refuse the grants of the budget.¹¹⁹ At the time of voting the elected members sent as many as 212 motions for refusal. But latter they withdrew many motions when government or ministers argued that these grants were necessary to perform the functions of the departments.

Table - 7.2

Withdrawal of the Motions by the Elected Members

Name of the Members	Motion sent	With-drawal	Carr-ied	Lost	Assu- rance Compro- mise
1. Babu Kishori Mohan Choudhuri.	30	20	5	3	2
2. Maulvi A.K. Fazlul Huq	28	23	4	1	-
3. Babu Surendra Nath Roy	27	18	5	-	4
4. Rai Radha Charan Pal Bahadur.	18	12	3	3	-
5. Babu Indu Bhushan Dutta	10	1	4	4	1
6. S. G. Mukherji	9	2	4	3	-
7. Dr. A. Suhrawardy	9	5	2	2	-
8. Rai M. C. Mitra Bahadur	6	2	3	1	-
9. D. C. Ghosh	6	5	1	-	-

Sources: Amrita Bazar Patrika, 1 April 1921.

119. Amrita Bazar Patrika, 19 March 1921.

Not only that members withdrew their motions to cut budget demand but the Governor, with his power of certification, certified almost all the refused amounts. The decision of the Council in regard stopping of work on the partition of Mymensingh was accepted by the Governor, but certain expenditure was certified. The expenditure for the creation of a new district headquarters at Hijli was certified by him. A sum of 2,83,000 lakhs was also certified in connection with the acquisition of land for police buildings in Calcutta. He also sanctioned Rs. 7,287 for the Director of Information and his staff up to 15 June 1921. Government exercised his power of restoration under Section 72D(2)(a) and 72D(2)(b).

Table - 7.3

A List of Certification of the Government

For Works in Connection With	Under Section 72D(2)(a)	Under Section 72D(2)(b)
a. Midnapore Partition Scheme.	-	1,62,000
b. Mymensingh Partition Scheme.	-	2,00,000
c. Midnapore	5,53,000	-
d. Requisition of land for the Lal Bazar Police Headquarters.	2,83,000	-
e. Expenditure in the Chittagong Port for five months.	-	16,000
f. Paper-Book department of the High Court.	53,000	-
g. Payment of the amount decreed on account of the acquisition of premises No. 113 upper Circular Road for the Calcutta Police.	-	14,143

Source: Proceedings of the Bengal Legislative Council, Vol. 3, 1921, pp. 149-50.

Besides, Governor thought, the Council felt little responsibility for the reserved departments.¹²⁰ This attitude was encouraged by the invention of the phrase "nation-building" departments for exclusive use in reference to the transferred departments.¹²¹ For the reason, the Council passed all the budgets without any major cut on the transferred side. Dissatisfied with the measures which were taken by the members in the reserved half, Governor expressed the view, "the members of the council had treated it as if the reserved half of the Governor was responsible to the members."¹²² The Governor further pointed out that there was a great and fundamental difference between the two. The difference had arisen out of the fact that whereas the ministers in charge of the transferred subjects were responsible to the Council, the members in charge of the reserved halves were not.¹²³

After the budget session was over, Governor encouraged Satish Ranjan Das to act as a ministerial whip and Satish Ranjan did it very well.¹²⁴ He and three ministers convinced some members to cast their votes for the government.¹²⁵ When on 21 April 1921 demand for Police grant was again moved, members restored the grant of 23 lakhs. It was surely a great triumph of the bureaucracy, their plan was successful.¹²⁶ There was another reason

120. Englishman, 18 March 1921.

121. RWRCB, p. 152.

122. PBLC, Vol. I, 1921, p. 1447.

123. Ibid., pp. 1448-54.

124. He was a member from Calcutta North-West and cousin of C.R. Das. Amrita Bazar Patrika, 2 August 1923.

125. RAB, 1920-21, p. 11.

126. Amrita Bazar Patrika, 23 April 1921.

why the members voted for the Police budget. They were in fear that their action in curtailing the demand might be quoted when Simon Commission would come to India.¹²⁷

To avoid such catastrophe which the government met at the time of the first budget session of the first Council, a fairly compact Ministerial group with whips and a club of its own came into being. The Non-cooperation, and Khilafat movements and the agrarian unrest stirred by these movements also caused moderate members to lean more heavily towards the government.¹²⁸ For this reason the next two budgets of the first council were passed without any major cut under the reserved departments. The members criticised the budgets, but any attempt of drastic cut proved a failure.

Adjournment Motions

There were five discussions on motions to adjourn the council on a matter of urgent public importance. Two of these: a discussion of the situation arising out of the cutting of the police grant by 23 lakhs in the budget session in 1921¹²⁹ and on the situation caused by the general strike on 17 November 1921¹³⁰ (the day before the Prince's visit) were moved by members of the Ministerial group. But the Opposition members objected to the first motion and no detailed discussion could be held. The second motion was withdrawn and again no discussion was held on it.

127. Reports of the Local Governments on the Working of the Reformed Constitution, 1923, p. 118.

128. Ibid., p. 120.

129. PBLC, Vol. I, 1921, pp. 1219-42.

130. Ibid., Vol. V, 1921, pp. 93-111.

The other three motions were moved by the Opposition members against the government. These included a discussion on the repressive measures taken by the government against the non-cooperators,¹³¹ the reported flogging of Panchanan Chakravarti and Surendranath Singha, two political prisoners in the Barisal Jail,¹³² and the alleged excess of the police when investigating a dacoity case in Faridpur.¹³³ All these motions severely censured the government and warned that such actions offended the feelings of the people. But the Ministerial group, however, played the usual role of defending the government on all these motions.

A clear pro-government stance of the moderates on questions of reforms was demonstrated in the first Council. In raising questions, moving resolutions, participating in debates on bills and budgets the moderates were guided by the idea that the reforms needed a fair trial. In doing so they did not carry with them the bulk of the society but only a segment of it. The role of the moderates had another dimension. By jealously participating in the process to make the reforms a success they were intensely influenced by a desire to falsify the non-cooperator's notion that reforms were all bad. To them, the reforms, if not satisfactorily adequate, were at least workable with a view to improving the situation further. Such an orientation compelled them to focus on a few selected societal issues within the Council. In their zeal to go along the reforms the moderates even okayed such repressive measures as the Goonda Act, a more heinous

131. Ibid. Vol. 6, 1921, pp. 30-55.

132. Ibid. Vol. 9, 1922, pp. 272-96.

133. Ibid. Vol. 12, 1923, pp. 152-76.

step than the Rowlatt Act. They also burdened the country with a heavy load of taxation. Again, the class bias of their role comes out most strongly when we see that they ~~is~~ turned down a resolution for the establishment of Industrial Boards to determine a minimum wage for the labourers. The same role was repeated at the time of discussion on the resolution to set up an inquiry committee to investigate the grievances of the tenants of Midnapore. The debates and discussions made it clear that these members were actively opposed to and not sympathetic towards labour and tenants. At the same time, the communal harmony effected in the political arena by the leaders of the Non-Cooperation and Khilafat Movements was not reflected within the Council. Interests relating to jobs and other constitutional privileges drew the Muslims and Hindus apart. Here communal interest, and not class was the dominant consideration.

CHAPTER EIGHT

**THE SECOND COUNCIL, 1924-1926:
SWARAJIST OPPOSITION**

The Second Council met on 22 January 1924, and was dissolved on 22 September 1926. This Council was radically different in its composition. After the fizzling out of the Non-Cooperation Movement C.R. Das founded the Swarajya Party to enter the council. The aim of the party was to obstruct dyarchy within the Council. In the election manifesto they declared they were contesting the election for three purposes: firstly, to achieve swaraj within a short time; secondly, if swaraj was not granted they would not cooperate with the government in the council; and thirdly, until the swaraj was achieved they would not accept the office.

The Swarajya party carried ^{on} their election campaign with vigour and met with considerable success. To win over the Muslim support for building up an effective pressure on the bureaucrats in the legislature C.R. Das hammered out an alliance with the Muslims by the Bengal Pact. He also managed to get support of the Independent Nationalists. Independent Nationalist Party was founded after the election and within the council. They were ready to co-operate with the government if ministers were selected from their party, otherwise they would oppose the government.

The passing of the Non-Cooperation Movement had another impact on the politics of Bengal. This movement had almost over-shadowed all other activities relating to extremist politics. But a number of revolutionary organisations reappeared. The Hindu members of the council, mainly the Swarajists were sympathetic to the revolutionaries. But most of the members although agreed on the ultimate goal, did not really like violent activities. Much of the political

condition was confused by a steady deterioration of the Hindu-Muslim animosity which culminated in the riot which broke out in Calcutta in 1926. The riot killed the well-meaning but never practicable Bengal Pact and thus the short-lived semblance of communal harmony disappeared.¹ It will be analysed how far this general context determined the role of the members of the Council.

Ministers and the Councils:

Emerging with a clear majority from the election of 1923 C.R. Das' Swarajya Party was called upon to form a ministry. In keeping with the pre-election declaration and manifesto Das refused to accept the offer. Lytton, the Governor of Bengal did not however pursue the matter, he started looking for an alternative personality. Thus Lytton was happy to get rid of a person whom he considered, "a man influenced by sentiment rather than by argument."² For ministers Lytton now turned to the moderates, who in the words of himself, "believed that the best way of achieving the end which is desired by all is not to refuse but to accept responsibility, not to destroy foundations, but to build upon them, not to abstract but to construct".³ The persons fitting into this description were such moderates as Surendranath Mallik, Fazlul Huq and A.K. Ghuznavi.⁴ Shortly thereafter, Mallik was unseated by a Swarajist's petition

1. For details see, Chapters Three, Four and Five, 37-38 ; 78-84 ; 119-121.

2. Lytton, op. cit., p. 44.

3. PBLG, Vol. 14, No. 1, 1924, p. 5.

4. Byomkes Chakravarti had a desire to be a minister. But Lytton was not willing to take three ministers from his party as the Independent Nationalists could not constitute a majority in the Council. A. K. Ghuznavi - member from Mymensingh West.

which challenged the legality of his return to the Council from the Calcutta South Constituency. A by-election was ordered; the Swarajists and the Independent Nationalists jointly nominated Surendranath Halder, who won the election.⁵ Thus the first move of the Swarajya party against the ministers and government was successful. Governor asked P.C. Mitter to accept the ministership fallen vacant by the resignation of Surendranath Mallick. But P.C. Mitter being a shrewd politician understood clearly that the Swarajists would not let any one remain in the post. So he expressed his inability to accept the offer.⁶ This left the two Muslim ministers with their personal followers and the backing of officials, Europeans and other moderates who constituted about half of the House.

In February, however, the Swarajya and the Independent Nationalist parties received a temporary setback. On 24 February 1924, Kumar Shib Shekhareswar Rdy⁷ moved an adjournment motion by way of censuring the ministers for their action in voting against the majority of the Council on the resolution moved on 25 January for the release of all political prisoners and the repeal of repressive laws. The resolution was against the government and the ministers as usual voted against it. By their actions they suppressed the popular wishes and kept themselves aloof from the masses, a fact utilized by the Swarajists and Independent Nationalists. They,

5. Lytton, op. cit., p. 48.

6. Forward, 1 April 1924.

7. He was a member from Rajshahi landholders.

however could not carry the resolution.⁸

But on the issue of Ministers' salaries the government was defeated. On 24 March, the Swarajists, with the help of the Independent Nationalists, rejected Ministers' salaries at the time of voting on budget.⁹ Swarajist, Nurul Huq Chaudhury¹⁰ moved the refusal motion of the demand for ministers' salaries. The motion had been moved with the principle and spirit of the programme which had been laid down by the Swarajya Party. The difficulty created by the refusal of salaries for ministers was met for the time by the ministers consenting to remain in office without salaries until the question could be resubmitted.¹¹ It was decided that the demand for ministers' salaries would be resubmitted to the Council on 7 July. J.M. Sen Gupta¹² on 3 July made an application in the High Court for an injunction to restrain the President of the Council from putting the motion for demands which had been rejected previously.¹³ The application was granted but the Government of

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8. On 24 February many Muslim volunteers came with banners in front of the Legislative Council. It was written, on the banners, in Urdu and English, that, "Muslim members please support the Muslim Ministers. Do not cast your votes in favour of the Hindus". Dhaka Prokash, 2 March 1924. Four Hindu Moderates also voted against the adjournment motion. The motion was defeated by one vote only. PBLC, Vol. 14, No. 2, 1924, p. 150.
 9. PBLC, Vol. 14, No. 5, 1924, p. 174.
 10. He was a member from Chittagong.
 11. In course of an interview with the Calcutta correspondent of the Indian Daily Mail, Fazlul Huq stated that he did not accept the one vote majority as the verdict of the Council. Forward, 1 April 1924.
 12. He was a member from Chittagong.
 13. Dhaka Prokash, 6 July 1929.

India framed new rules to put the demand again.¹⁴ On 26 August the demand was put in the Council but was again rejected by 68 to 66 votes.¹⁵ The ministers immediately resigned. During the period of confrontation, Fazlul Huq and A.K. Ghuznavi used every means to stay in office. They even offered bribes to some councillors and influenced others not to cast votes with the Swarajists.¹⁶ They incited their co-religionists against the Swarajist Muslims.¹⁷ Not only that, they also tried to organise a Muslim Party on communal basis,¹⁸ *but without any success.*

Lytton, finding no alternative, prorogued the Council on 27 August on the completion of the government business till 1925. In 1925 it seemed that a majority of the members were willing that there should be a ministry. The Governor, on 17 February accordingly brought forward a resolution that provision should be made in the ensuing budget of 1925-26 for ministers' salaries. Government cleverly held out the prospect of a ministry to many groups in the council and before voting it had not proposed the name of any person as ministers.¹⁹ In this way government successfully

14. While the matter was sub-judice a new sub-rule 32(2) was issued on 21 July 1924 by the Government of India authorizing the bringing forward of additional or supplementary grants in respect of demands already refused by the Council.

15. PBLG, Vol. 16, 1924, p. 69.

16. Muhammad Hasan, Nationalism and Communal Politics in India 1916-1928, (Delhi: Manohar Publications, 1979), p. 221.

17. Amrita Bazar Patrika, 16 May 1924.

18. Ibid., 26 April 1924.

19. RAB, 1924-25, p. VII.

divided the Independent Nationalists and the Swarajists.²⁰ Their leader Byomkes Chakravarty²¹ made it clear that although opposed to dyarchy on principle, his party had not accepted the policy of obstruction for the sake of obstruction in the Council. Moreover, they had only opposed the personnel of the ministry and not the institution of responsible government. He announced that their attitude towards the measures brought before the Council had been determined in each case partly on their merits and partly on their attitude towards the government.²² It seemed^{that} all the groups except the Swarajists were in favour of formation of a ministry.²³ C. R. Das²⁴ attended the session even in sickness but became unsuccessful to defeat the resolution. The resolution was carried by a majority of 24.²⁵

But Lytton did not select ministers from the Independent Nationalists because it could not command a majority.²⁶ He appointed his new ministers from the moderates — Nawab Salyid Nawab Ali Choudhuri and Raja Manmatha Nath Roy.²⁷ The Independent Nationalists being disappointed joined the Swarajists again.

20. Mussalman, 23 January 1925.

21. He was a member from Bengal National Chamber of Commerce.

22. PBLC, Vol. 17, No. 2, 1925, pp. 14 and 18.

23. Amrita Bazar Patrika, 19 February 1925.

24. He was a member from Midnapore South.

25. The resolution was carried by 75 to 51 votes.

26. Forward, 15 July 1925.

27. Raja Manmatha Nath Roy - member from Dhaka Landholders.

But only after two weeks of their appointment the ministers had to resign on 25 March. On 23 March, the demand for Ministers' salaries was placed before the Council at the time of voting on budget. It was an open secret that Fazlul Huq, with his eight followers, decided to vote with the Swarajists against the demand.²⁸ During the debate the main contention of Fazlul Huq was that it was impossible for ministers to carry on their legitimate duties as they had to face constant attacks directed against them in the shape of votes of censure by a large hostile element in the Council. Fazlul Huq emphasized; "the political conditions prevailing in the country, and especially in the Council, are such that, however well intentioned, however strong a cause may be, and however illimitable a ministers' resources may be, he cannot put forward any constructive scheme for the simple reason that his time is taken up in useless warfare with his political opponents".²⁹ There was a good deal of truth in this description of the circumstances. But at the same time it was known that Fazlul Huq on the eve of the demand had been making ~~enquiries~~ enquiries regarding the possibility of four instead of three ministers being appointed.³⁰ On the otherhand, C. R. Das, though differed with Fazlul Huq's view supported him to refuse ministers' salaries. The result of the voting was a personal triumph for C.R. Das and demand was lost by six votes.³¹ European members attacked Fazlul Huq as a traitor. The government had no

28. RWRCB, p. 156.

29. PBLC, Vol. 17, No. 4, 1925, p. 223.

30. Reports of the Local Governments on the Working of the Reformed Constitution, 1927, p. 172.

31. PBLC, Vol. 17, No. 4, 1925, p. 240 and Modern Review, Vol. XXXVII, No. 4, 1925, p. 474.

alternative to conclude that the Council had no desire to give the reforms a trial and there were no ministers in Bengal from June 1925 to December 1926. This appeared to be a victory for the Swarajist philosophy of obstructing the constitution.

Questions:

The ambition of the representatives of the people to prove their usefulness in the Council was shown by both the nature and number of questions put by them. The number of questions decreased as compared with the first Council and this was due partly to the smaller number of meetings and partly to the action of the Council in restricting to 12 the number of questions which an individual member could send in during one session of the Council. A considerable number of questions previously lapsed in each session because government was not ready with replies.³²

In the second Council the questions embraced a wide spectrum, but those relating to the political detenus figured prominently. In this respect as well the Second Council differed from the first. Their number, their treatment, their food, conditions of their health were always asked.³³ After that waterways of Bengal claimed the largest share, the policy of the government in the matter of

32. RWRCB, p. 160.

33. For example, these questions were asked in the Council: (i) What amount had been sanctioned for the diet of ordinary and state prisoners in the different jails of Bengal? (ii) What clothing had been given to them at government cost? What facilities if any, were being given to such prisoners for their religious observance both in matter of their daily worship and performance of special Puja ceremonies? PBLC, Vol. 17, No. 2, 1925, p.88.

water supply, health and sanitation was frequently censured. The members both Swarajists and non-Swarajists also explored the grievances of employees in the government services, government's intention regarding the increase of facilities of education and the separation of judicial and executive functions. The questions relating to the appointment of different communities to government posts and expenditure on salaries of offices of various communities were also raised from time to time.³⁴ The last category of questions were new in the Council; these had not been heard in the first Council. Such questions related to the demand for equality in number of officials in government services from mainly the Muslim community. It seemed that such questions were the outcome of the Bengal Pact. Non-Swarajist Muslims were found to be mostly eager to raise such questions, but the Swarajists were almost silent. The Swarajists seemed to have been working with the conviction that they should not jeopardise the newly formed Hindu-Muslim unity by raising any communal issue.

The outbreak of the Calcutta riot in 1926 occasioned a flurry of questions in the Council on this issue. These questions were related mainly to the number of persons killed during the riots, of persons sent to jails and the comparative ratio of Hindu and Muslim police officer deployed to control the situation. The Council sessions became scenes of nasty mud-slinging between the Hindu and Muslim members when they sought to apportion the responsibility for the riot. Each community, in its own way thought that the other

34. PBLG, Vol. 14, No. 1, 1924, pp. 1-52; 141-50; Vol. 17, No. 1, 1925, pp. 11-15; Vol. 17, No. 2, 1925, pp- 43-70, 84-88.

was responsible.³⁵ Such questions were examples of how societal inputs influenced the role of the Council.

Resolutions:

In accordance with the published programme the first move of the Swarajya Party in the Council was to put forward resolution recommending the release of the detenus under regulation III of 1818, the release of all political prisoners and the repeal of repressive laws.³⁶ The first part of the resolution recommended that the prisoners who had been arrested under Bengal Regulation III of 1818 and detained without trial be placed before a court of law. The same resolution also pressed for cross-examination of witnesses produced against these political prisoners. The second part of the resolution recommended release of all political prisoners. Firstly, it recommended release of those convicts who were arrested before the Royal Amnesty granted in the Royal Proclamation issued on 23 December 1919;³⁷ Secondly, those convicted under the Criminal Law Amendment Act (Act XIV of 1908) during 1921 and 1922 and thirdly, those imprisoned under section 108 of Criminal Procedure Code for delivering seditious speeches during 1921, 1922 and 1923.

35. At the time of riot majority of the council members outside Council accused other community responsible for it. Only a few members requested the public to resist killings and loots. Waliullah, op.cit., p. 213.

36. J.M. Sen Gupta on behalf of the Swarajya Party moved the resolution in the Council. Among the non-swarajists Kumar Shib Shekhareswar Ray and Rai Harendra Nath Choudhuri moved the same type of resolutions.

37. PBLC, Vol. 14, No. 1, 1924, p. 54.

The third part of the resolution recommended the immediate repeal or withdrawal in regard to Bengal of the following laws: (a) the Prevention of Seditious Meetings Act, 1911 (X of 1911), (b) the Indian Criminal Law Amendment Act, 1908 (XI of 1908), (c) section 15 and 15A and other sections in so far as they were relate to sections 15 and 15A of the Police Act, 1861 (V of 1861). The Swarajists' argument was that the release of the political prisoners and the repeal of these repressive laws were a national demand. They also prignantly argued that the existence of these laws were veritable proofs of government's inefficiency and inability to tackle a situation with the skill and wisdom necessary for running a state. It was further pointed out that the government, for its own interest, had never admitted its shortcomings, but used these unwise and inhuman laws. These laws directly robbed the freedom of speech, safety of person and created a horrible panic among the people. As a whole, the supporters of the resolution brought forward arguments which the aplogists of the government absolutely failed to answer.³⁸ But the government's supporters argued that it would ^{not} be possible under the existing unrest of the country to release the political prisoners or to withdraw acts which gave power to protect the interests of public. Inspite the argument, the resolution was carried and the force of their rhetorics proved inconsequential. In reality, however, this resolution did not affect the position of the government nor did it change the authoritarian character of the administration.

38. Amrita Bazar Patrika, 26 January 1924.

On all these points the government was defeated by considerable majorities.³⁹ Only the officials, elected Europeans and non-official nominated members cast their votes against the resolution. On the other hand, all the elected members, except Nawab Saiyid Nawab Ali, Khan Bahadur Choinuddin, Rai Bahadur Pyari Lal, Khan Bahadur Debendra Lal and Goenka Babu Badridas voted for the resolution.⁴⁰ The first two members were always found to be supporting the government. Rai Bahadur Pyari Lal and Khan Bahadur Debendra Lal were influenced by Fazlul Huq to vote for government,⁴¹ and the last member Goenka Babu Badridas being a Marwari always behaved like a perfect loyalist.⁴²

The Swarajists brought some more resolutions of political nature.⁴³ But besides political other resolutions were also moved by the Swarajists members. In other resolutions they recommended the re-adjustment of Meston Award. For retrenchment they requested to abolish the post of Director of Public Instruction because it

39. PBLC, Vol. 14, No. 1, 1924, pp. 117, 132 and 188.

40. Khan Bahadur Choinuddin - member from Rajshahi North.
 Rai Bahadur Pyari Lal - member from Dhaka City.
 Khan Bahadur Debendra Lal - member from Midnapore North.
 Goenka Babu Badridas - member from Bengal Marwari Association.

41. He was a minister at that time.

42. Goenka Babu Badridas was elected from the Bengal Marwari Association, Marwari members always voted for the government unless their interest hampered. On 12 September 1924 M.N. Das (member of the Bengal Legislative Council) charged that Marwaris, "the local agents of the foreign exploiters" to the Editor of daily Forward.

43. Forward, 22 August 1925, 12 December 1925.

was an unnecessary post held by a big official. For more autonomy they asked the government to transfer more subjects to the charge of ministers. With a motive for pressing for Indianization of services they demanded the appointment of an Indian lady to the post of Principal of the Bethune College.⁴⁴ All these resolutions were passed with substantial votes from the elected members.

The Swarajists even carried, resolution for the redress of the grievances of labourers. But this was not the case as far as the interests of the tenants were concerned. On 3 December 1925, Hemanta Kumar Sarkar⁴⁵ who happened to be the Secretary of the All-Bengal Tenants Federation introduced a resolution suggesting a modification of the land system introduced by the Permanent Settlement and returning land to the actual proprietors according to the ancient law and custom.⁴⁶ But no discussion could be held as Hemanta Kumar withdraw the resolution on 10 December. Why was this somersault? The Swarajya party high-ups had by then coaxed him into accepting the view that such a move would question the sanctity of the Permanent Settlement and smack of Bolshevism.⁴⁷

Not only the Swarajists but moderate members also moved a number of resolutions. Their resolutions mainly related to the transferred departments. These category included such resolutions as grant of rupees fifty lakh for the development of the Port of Chittagong, resolution recommending a recurring grant of three lakhs to Calcutta University. It is quite interesting to note

44. PBIC, Vol. 14, No. 2, 1924, pp. 89-101, 103-125.

45. He was a member from Nadia.

46. PBIC, Vol. 19, 1925, pp. 82-83.

47. Ibid. pp. 331-332.

that members from urban areas took keen interest in the resolution relating to Calcutta University. Other resolutions of this category drew attention to the desirability of free primary education for all children, the need for setting up veterinary charitable dispensaries, the government assistance to indigenous industries specially in the form of banking facilities on long term credits, the improvement and maintenance of the waterways of Bengal.⁴⁸ Generally in the absence of controversy these resolutions had a smooth sailing. And the economic maladies that had been crippling Bengal and the members' eagerness for nation building efforts, explain the zeal with which these resolutions were carried through. The Swarajists always supported these kind of resolutions.

But the most sensational event that rocked the Bengal political scene in the 1920s was the Calcutta riot of 1926. Whatever communal harmony that had been achieved by non-cooperation and khilafat movements was shattered by this unfortunate blood-letting between these two communities. The Council, the only organised forum for political deliberations, was affected by the waves of sensation created by the riot. Resolutions mostly introduced by H. S. Suhrawardy⁴⁹ sought to introduce broad-based discussions that included such issues as the administration of the Calcutta police, its efficiency and the cost involved for its maintenance and finally the incidents of the riot.⁵⁰ Although of a communal origin, these resolutions were worked and presented in such a

48. *Ibid.*, Vol. 18, 1925, pp. 234-239; 267-287; Vol. 20, No. 1, 1926, pp. 209-232, Vol. 22, 1926, pp. 104-106; Vol. 23, 1926, pp. 157-167.

49. He was a member from Calcutta South.

50. The Amrita Bazar Patrika, 15 July 1926.

intelligent manner that apparently they seemed to be free from any communal overtone. As Suhrawardy explained, "It [resolution] is a sincere attempt to bring about a solution of the problem [communal tension]."⁵¹ For a better control over the law and order situation he even proposed a "better proportion of Muslim officers in the Calcutta police."⁵² Apparently all these proposals seemed innocuous seeking to bring about a better rule of law through the reorganisation of the Calcutta police. But underneath all these, Suhrawardy was representing a community that had been suffering from an insecurity that originated out of the evaporation of the Bengal Pact. But these resolutions were defeated or could not be discussed because of the strong opposition of the Hindus. Such a fate of these well-meaning resolutions was clearly reflective of the societal perspective at large.

Bengal Pact and the Council:

An urge to fight a common enemy provided the rational basis for a communal rapprochement as effected by the Bengal Pact. But from the very beginning this pact became the subject of suspicion by certain sections of both the Hindus and Muslims. The non-Swarajist Hindus viewed it as a concession to the Muslim demand and as a result a signal for a possible outburst of communal antagonism all over Bengal. On the otherhand, non-Swarajist Muslims were very much skeptical about the final outcome of this Pact. Provoked by these Muslims Khan Bahadur Musharraf Hossain⁵³ introduced a

51. PBLC, Vol. 23, 1926, p. 178.

52. Ibid, Vol. 22, 1926, p. 62.

53. He was a member from Malda cum Jalpaiguri.

resolution in the Council demanding 80 per cent posts for the Muslims until such time as they occupied 55 percent of all offices.⁵⁴ This was done to test the genuineness of the spirit of the Pact, and on the assumption that the Hindu Swarajists would refuse to concede to such a demand. Consequently, the Swarajist Muslims would withdraw from the party and thus render it a weak party for any effective opposition against the government.

While participating in the discussion, the supporters of the resolution pointed out that the Pact was nothing but a bait to catch the Muslim members of the Swarajya Party.⁵⁵ European non-officials, Anglo-Indians and official members supported the resolution and demanded that the Pact should be carried out as soon as possible. The Hindu moderates and the Independent Nationalist repudiated the Pact and announced in the Council that they did not accept it. The Swarajist Muslims sided with C. R. Das and emphasized that the condition of the Pact was meant to come into operation only upon the attainment of Swaraj. Therefore to forestall the anti-pact move C.R. Das brought another resolution demanding the shelving of Musharruf Hossain's resolution sine-die. He recognised that Muslims were not enjoying a proper share in the administration of this country, but when time would come the Muslims would see the Swarajist were true to their words.

C. R. Das succeeded in carrying his amendments. Only eleven Muslims voted against the C. R. Das's amendment and some were absent. Five out of eleven were ministers in Bengal under the constitution

54. PBLC, Vol. 14, No. 4, 1924, p. 67 and Forward, 14 March 1924.

55. PBLC, Vol. 14, No. 4, 1924, pp. 70-79.

at different times.⁵⁶

The successful Swarajist move to ride roughshod over Musharraf Hussain's resolution gave the skeptic Muslims further reason to doubt the real spirit of the Pact. The Swarajist assurance that the provisions of the Pact would be implemented after the attainment of Swaraj appeared to be a hoax. Besides, they were too frustrated to wait any longer for the redress of their genuine grievances. Even the Swarajist Muslims began to feel genuine grievances and started joining the moderate Muslims to safeguard their communal interests. And in 1926 there were only few Muslims in the Swarajya Party. Not only that the extent of the frustration could be understood when we see a former Swarajist Abdul Gafur⁵⁷ moved a resolution to amend the Bengal Electoral Rules so that the election of representatives to the Bengal Legislative Council be proportionate to the numerical strength of the different communities.⁵⁸ According to the Lucknow Pact in 1916 the Muslims of Bengal were given only 40 per cent seats in the Council. They were not satisfied with this arrangement. So they *imposed* the resolution.⁵⁹

56. The eleven Muslims were Choudhuri Nawab Saiyid Nawab Ali, Khan Bahadur Maulvi Choinuddin, K.G.M. Faroqui, A.K. Ghuznavi, Khan Bahadur Kazi Zahirul Huq, Shah Syed Emdadul Huq, Khan Bahadur Maulvi Musharruf Hossain, Maulvi Ekramul Huq, Fazlul Huq, Muhammad Lal Hazi, Allah Baksh Sarkar. PBLC, Vol. 14, No. 4, 1924, pp. 107-108.

57. He was a member from Pabna.

58. Forward, 3 February 1926.

59. For details see Chapter Four, p. 75.

But this displeased the Europeans because their representation in the Council was greater than their population. To save the resolution Abd-ur-Rahim,⁶⁰ who had entered the Council through a by-election in January 1926 proposed an amendment to it by adding the sentence, "with just and proper representation of minorities and commercial interests". This amendment to the resolution was liked by the Europeans and ^{they} advocated it.

The Council was divided into two groups. In one group there were only Hindus, both moderates and Swarajists, and in the other group Muslims, Europeans and Anglo-Indians. The Swarajists expressed that if Muslims were given special representation in the council then landholders even the educated class must also be given special representation. With a great frustration J.M. Sen Gupta led the Hindus out of the Council and the amended resolution was carried without a division.⁶¹ So, the resolution was successfully piloted by the Muslims and the Europeans in the face of the Hindu opposition. The Muslim members being hopeful that one of their demands was passed in the Council moved another resolution to further their communal interest. This resolution was also moved by another former Swarajist Muslim, Abdul Quader.⁶² The resolution demanded that at least 50 per cent of government posts be given to the qualified Muslim candidates.⁶³ All Muslim members

60. He was a member from Calcutta North.

61. PBLC, Vol. 20, No. 1, 1926, p. 146.

62. He was a member from Jessore South.

63. Ibid, Vol. 20, No. 1, 1926, pp. 129-146. Government also published a circular in which it announced that in Bengal Civil Service Muslims were given 45% jobs. Dhaka Prokash, 27 December 1925. The effect of this governmental step was to intensify communal ill feelings.

of the Council, Swarajists and non-Swarajists, were keen for the increased employment of qualified Muslims in the government services.

Again the Council was divided into two hostile groups. Muslims and Europeans in one group and the Hindus in the other. The Hindus opposed it strongly. They expressed the view that C. R. Das's Bengal Pact had done a lot of mischief and aggravated the communal feeling. The Hindus criticised the Muslims that they had always demanded: "... give us more appointments ... you [the Muslims] come as beggars, can't you come straight on your merits?"⁶⁴

The Hindu opposition as a whole denounced the Pact, they apprehended a threat to their vested interests if such strident Muslim claims were successful. The mover did not dare put the question for a division, he withdrew the resolution from the Council.⁶⁵ He could not however, withdraw the wedge that had split the delicate edifice of communal harmony. In the broader societal context, the Bengal Pact, instead of creating a real fraternity, had only created genuine bitterness. The rhetories and invectives flung across the Council floor clearly reflected the reality that dominated the political condition outside the walls of the forum.

Bills and Acts:

The Swarajist policy of making dyarchy difficult clouded the fate of bills in the Second Council uncertain. As a precautionary move the government curtailed the number of sessions to a minimum for the disposal of the essential business of government. And the government was also afraid of moving any serious bill in the Council

64. PBLC, Vol. 22, 1926, p. 91.

65. Amrita Bazar Patrika, 13 June 1924.

and submit to the tender mercies of a body which exhibited a hostile attitude. In the first year only one bill was moved and passed; in the second year five and in the third year only seven. Compared with the first Council the legislative output of the second council was certainly smaller; and this ~~was~~ exemplified the extent of success that attended the Swarajists policy in the Council.

Communal Divisions

One example of the reflection of social reality in the Council proceedings was the Swarajist opposition to the Dhaka University Amendment Bill of 1925. The bill proposed an annual government grant of five and a half lakh rupees to the University of Dhaka. It was made solely on financial grounds. The Swarajists opposed it on the ground that the provision for such a big grant would lower the importance of the Calcutta University at a time when the government revenue was very limited.⁶⁶ The Swarajists even moved a dilatory motion that the bill be circulated for the purpose of eliciting opinion. But the motion was defeated; and the bill was passed by the votes of moderate and Swarajist Muslims, Europeans and officials.⁶⁷

The Swarajists also opposed the introduction of the Bengal Municipal Bill in December 1925. The bill was given its final form by Surendra Nath Banerjee. But it was stalled in the process as the first Council was dissolved shortly after its introduction.

66. PBLC, Vol. 18, 1925, pp. 78-97 and Forward, 15 August 1925.

67. Ibid. p. 159.

When in the Second Council it was introduced, the Swarajists refused the bill on the ground that it was reactionary. But the real reason was that the discussion was bound to raise again the question of communal representation which had arisen in an acute form at the passing of the Calcutta Municipal Act of 1923. The Swarajists were afraid that the introduction of the bill might ruin the party solidarity and they seemed not ready to accord a fair representation to the Muslims.⁶⁸

Repressive Measures

The Swarajists were opposed to all legislative enactments by which the bureaucracy proposed to consolidate its powers.⁶⁹ In the second council they were against the two repressive measures. These two bills were, the Bengal Criminal Law Amendment Bill and the Presidency Area Emergency Security Bill. After the end of the Non-Cooperation Movement the activities of the revolutionary groups again appeared in Bengal. The Ordinance to deal with the situation had been promulgated by the government in October 1924, was to expire in April 1925. So the Bengal Criminal Law Amendment Bill was introduced by the government to take its place which would remain in operation for five years. On 7 January 1925, Governor called a special session of the Council to consider the bill. In order to make clear the full gravity of the situation with which government was faced and which led to the adoption of drastic measures for their suppression Lytton addressed the Council and

68. Ibid., Vol. 18, 1925, pp. 106-108.

69. Amrita Bazar Patrika, 24 May 1924.

explained, "the Council meets in a special session for one purpose only, namely to consider the proposals of the government for suppressing terrorist crime in the Province. The only justification for a bill of this kind is that the welfare of the state as a whole is in danger and that the danger could not be averted by any other means".⁷⁰

Sir Hugh Stephenson, member of the Executive Council, adduced irrefutable proofs of the existence of highly organised well-armed revolutionary organisations against which almost all attempts to set the machinery of the ordinary law had failed in the past.⁷¹ He argued, "In the government statement, the Serajganj resolution praising Gopinath Saha⁷² is referred to as the starting point of a new impetus to the conspiracy".⁷³ But such a weighty argument produced no effect on the Swarajists. In their eyes all kinds of revolutionary activities were an indication of love of the country. Moreover, they considered that the issue was but another challenge of the government to the Council. To defeat the government the Swarajists employed all their means to influence the members of other groups not to support the bill.⁷⁴ Strengthened by the cooperation of Independent Nationalist and other groups the Swarajists opposed the introduction of the bill in the Council. P.C. Mitter of Liberal Party warned the government, "the bill proposes not a physician's treatment of the malady but a quack's remedy. I think that if the bill be certified or passed by the Legislative

70. PBLC, Vol. 17, No. 1, 1925, p. 3.

71. RAB, 1924-25, p. iii.

72. For details see Chapter Three, pp, 48-50.

73. PBLC, Vol. 17, No. 1, 1925, p. 17.

74. RAB, 1924-25, p. iii.

Council, it will not only fail in its object but will perhaps be, ... a helpful measure towards the propagation of the revolutionary movement.⁷⁵ The bill was defeated by 57 to 66 votes. Even some non-Swarajist Muslims voted against the introduction of the bill. Only three Hindus and 13 Muslims of the elected members voted for the bill.⁷⁶ But the government, convinced of the necessity for maintaining law and order, got the bill through by means of certification.⁷⁷ The Councillors thus failed to prevent the government from taking bureaucratic measures.⁷⁸ Another repressive measure, the Presidency Area Emergency Security Bill of 1926 was the

75. PBLC, Vol. 17, No. 1, 1925, pp. 24-25.

76. Names of the candidates who voted for the government are given below:

Addy Babu Amulya Dhone, Doss Rai Bahadur Pyari Lal, Hoy Raja Moniloll Singh, Ali Mr. Altaf, Beg Khan Bahadur, Mirza Shujaat Ali, Choudhuri Nawab Bahadur Saiyid Nawab Ali, Choinuddin Khan Bahadur, Ghuznavi Hadji, A.K. Ahmed Khan, Huq Khan Bahadur Kazi Zahirul, Hossain Khan Bahadur Moulvi Mursharruf, A.K. Fazlul Huq, Nazimuddin Khaja, Pahlowan Abdul Jubbar, Rahman Mr. A.F., Sabur Khan Bahadur Moulvi Abdus, Sarkar Moulvi Allah Bakhsh.

77. Certification of the Bengal Criminal Law Amendment Bill: The President of the Council is command from His Excellency the Governor of Bengal to announce that;

"on the 10th of January, 1925, His Excellency under subsection 72E of the Government of India Act certified that the passage of the Bengal Criminal Law Amendment Bill, 1925 is essential for the discharge of his responsibility for the reserved subject of Administration of Justice and by his signature on the 19th of January, 1925 made the Bill an Act of the local legislature in the form of the Bill as proposed to be introduced in the Council".

78. Amrita Bazar Patrika, 7 January 1925.

direct outcome of the Calcutta riots. It was introduced on 17 May in a special session of the Legislative Council. Addressing the Council Governor Lytton pointed out the very exceptional circumstances of Bengal which had necessitated the assumption by government of such exceptional powers. The provision of the bill was to give power to the Commissioner of Police and District Magistrate to eject dangerous persons from the Presidency area to safeguard life and property. This power could only be exercised in a state of emergency while the local government was empowered to declare after formulating reasons of his activity.⁷⁹

Government failed to convince the Swarajists by its arguments. Though they walked out of the Council on 15 March 1926 to seek country's approval of the policy which had so far been followed by them came back again to oppose the bill. The Swarajist opposition was based on two grounds. Firstly, they believed the existing powers were adequate in respect of the goondas.⁸⁰ But the law was not exercised properly and in time. And government's inaction turned the riot into a frightful phenomenon. Secondly, there was no safeguard for individual in the provision of the bill. There was also no safeguard against its misuse, no charge was to be framed and the accused would not be in a position to know what the charge against him was.⁸¹ Moreover, there would be no right of appeal by the person who had the misfortune to incur the displeasure of the police. So the proposed legislation would be a

79. Modern Review, Vol. XXXIX, No. 6, 1926, p. 728.

80. Council passed the Goonda Act in 1923 which vested enormous power on the authority to cope with the goondas.

81. Forward, 18 May 1926.

source of panic to the people. A. C. Banerjee,⁸² an independent member also expressed the same opinion and pointed out that the proposed increase of power in the bill might be exercised by the government against any community to crush political opposition.⁸³

But both non-Swarajist Muslims and Hindus welcomed the bill. A.K. Ghugnavi while supporting the bill demanded the reorganisation of the police force through which the power of the bill would be administered. He further complained that the Muslims had scarcely any confidence in the police. About 80 to 85 percent of the Calcutta Police force was Hindu and nine out of ten constables had been recruited from the very same class who was responsible for riots. So within a reasonable period the entire police force should be reorganised with a view to restoring the balance between the various communities by strengthening the European element of the Calcutta Police force and at least by equalising the proportion of the Hindu and the Muslim. The Liberals and the Independent Nationalists supported the bill so far as it was calculated to weed out the "goodda" of the Calcutta City who had succeeded in spreading anarchy and disorder.⁸⁴ As a result, both Byomkes Chakravarty and P.C. Mitter who once had cast vote against the Bengal Criminal Law Amendment Bill, voted this time in favour of the Security Bill and the Bill was carried by 61 to 46 votes.⁸⁵

82. He was a member from Calcutta South Central.

83. PBLG, Vol. 21, 1926, p. 38.

84. Byomkes Chakravarty was Editor in Chief of "Bengalee". He through the paper supported the Bill in principle but wanted it to be amended in certain vital points - for details see, Bengalee, 15 to 17 May, 1926.

85. Forward, 20 May 1926.

Non-Official Bills:

There was, however, a large increase in the number of non-official bills. Of these only two bills - the Calcutta Rent Amendment Bill of Dr. H.W.B. Moreno and the Calcutta Municipal Amendment Bill of Dr. A. Suhrawardy were passed.⁸⁶ And the rest were thrown out at one stage or another. These two bills were of not much importance.⁸⁷

Budget:

The first year of the second Legislative Council saw a continue struggle between the government and the Swarajists who with the Independents were determined to oppose the former. The main object of the Swarajya Party was to reject the budget, particularly ministers' salary in toto. At the opening of the budget session, Lytton warned against the consequences of rejecting the budget and of refusing to vote the ministers' salaries. He explained,

I have come here not to make a speech, nor to employ a single argument, but to state what will, or rather I should say, what can happen if the budget is rejected. The first thing that would happen would be not only the present Ministers have to resign, but no other Ministers could be appointed in their place because there would be no funds from which to pay their salaries. The entire budget having been rejected, no expenditure can be incurred except or my authority. I regard to reserved subjects I have power to restore every single grant in the budget which has been rejected. No interest therefore, on the reserved side of government need suffer by the rejection of the budget.

86. H.W.B. Moreno was an Anglo-Indian Member, Dr. A. Suhrawardy member from 24-Parganas rural.

87. PBLC, Vol. 14, No.4, 1924, p.55; Vol.22, 1926, p.222.

With regard to the Transferred subjects however, I have no power, whatever my wishes may be, to restore a single grant. Even though I may be temporarily in charge of the Transferred Departments and my power of certifying does not apply them.⁸⁸

The Swarajists did not change their strategy. On the reserved side they rejected every demands till 31 March except the one relating to police which was finally voted with certain amendments. Lytton, following the gravity of the situation, invited all the members except the Swarajists to discuss the budget on 31st March. Throughout the whole of the day's debate on 1 April Swarajists and Independent Nationalists pronounced that the Governor's action was illegal and ingenious attempt to influence the votes of the representatives. As a protest they boycotted the council.⁸⁹ After they had left the Council all the remaining demands were passed. The presence of the Swarajists so far influenced the other members in the Council. But when they left the Council, the members were influenced by the Governor and other official members and supported all government demands.

But the Swarajist efforts were successful. Because on the reserved side almost all demands were rejected and on the transferred side all demands were granted except those for ministers' salaries, education Inspectorate and Medical establishment. Although the opposition had failed in its object of rejecting the budget in toto, a position of considerable constitutional difficulty had been

88. PBLC. Vol. 14, No. 5, 1924, p.16.

89. Amrita Bazar Patrika, 2 April 1924; Forward. 2 April 1924, Dhaka Prokash, 6 April 1924.

created by the results of the debate. The net result was that out of a total demand of Rs. 914.11 lakhs for votable expenditure presented to the Council Rs. 568.09 lakhs were voted by the Council and 346.02 lakhs were refused. With regard to those demands for reserved subjects which had been rejected not on their merits or from motives of economy or as a criticism of the policy of the department concerned, but as a protest against the present form of the constitution. But Governor restored the full amount. Of the refused amount Rs. 317.05 lakhs were certified under section 72D-2 provision "a" of the Act 1919 and Rs. 2.70 lakhs authorised as a measure of emergency under section 72D-2 provision "b".⁹⁰ So the power of throwing the budget could not affect the bureaucracy as long as the power of certification would remain.⁹¹

In the case of the transferred departments, however, government was not able to certify any of the refused demands. The demand relating to the subordinate staff of the education department amounting to Rs. 6,35,400 were regranted. Government notified that as there was no provision in the budget for their salaries, their services would be dispensed with. The Council subsequently voted the amounts when a supplementary demand was made in August. So with the exception of the demand for the pay of ministers all the demands relating to the transferred departments were granted.⁹²

90. Reports of the Local Government on the Working of the Reformed Constitution, 1926, p. 171 and Forward, 16 April 1924.

91. Amrita Bazar Patrika, 24 May 1924.

92. RAB, 1924-25, p. IV.

The annual budget of 1925-26 was submitted to the Council in March.⁹³ The Swarajists could not reject this budget as they had done ⁱⁿ the previous year.⁹⁴ In the opening demand for Revenue, the opposition was defeated on three occasions, but was successful ~~in~~ ^{only} once. Subsequently the demands under Stamps, Forests, Registration, Irrigation, Navigation, Embankment and Drainage works were passed in full inspite of the opposition. The opposition was successful in making minor cuts in the demand for Excise. On the motion for the grant for General Administration the opposition was defeated on 11 occasions. Only once was government defeated and that on a motion to reduce the grant for the Bengal Establishment of the Governor by Rs. 40,000. Swarajists with the help of A. K. Fazlul Huq also refused the salary of the ministers. The Police demand was also opposed successfully and there was a cut to the tune of Rs. 3,40,000. On 25 March, the Swarajists and Independent Nationalists were defeated on 10 Occasions and finally, after some exchange between the President of the Council and A.C. Banerjee, the Swarajists and Independent Nationalists walked out and took no further part in the budget proceedings. So, the demands under the remaining heads were passed with little or no opposition.⁹⁵ The total reductions of the demands were Rs. 3.02 lakhs on a gross demand of Rs. 37.15 lakhs. Out of the total reductions effected by the Council Rs. 14,000 were certified by the Governor.⁹⁶

93. Modern Review, Vol. XXXVII, No. 3, p. 366.

94. RWRGB, p. 157.

95. PBLG, Vol. 17, No. 4, 1925, pp. 13-380.

96. Reports of the Local Governments on the Working of the Reformed Constitution 1927, p. 172.

The divisions on the budget motions were very closed. The strength mustered by the Swarajists and the Independent Nationalists on most of the votes indicates that there was still a large body in favour of the refusal of supplies. But the opposition was handicapped by the absence through illness of C.R. Das during the early part of the debate. It was possible that their obstructive tactics might meet with more success by convincing the Independent members of both the Hindu and Muslim if C.R. Das was not ill.

On 15 March 1926, all the Swarajist members walked out before the voting on grants began. They left the Council in pursuance of the policy laid down by the Indian National Congress at Cawnpore.⁹⁷ The leader of the party J.M. Sen Gupta claimed in a brief announcement that though they had failed to mend the system of government, they had destroyed dynarchy. The Independent Nationalists also absented themselves. The budget accordingly went through with little difficulty.⁹⁸ Through motions for nominal cuts of grants a large volume of criticism was brought by the moderates upon the policy of the different departments. But what it lost in obstructiveness it gained in the bitterness of recriminations inspired by communal feeling. The Calcutta University was denounced by Abd-ur-Rahim as "the monument of communalism" because it was run by the Hindus for the interest of Hindus and it neglected the Arabic and the Persian education.⁹⁹ At the time of discussion of the budget he also strongly condemned the proposal to introduce Bengali as the medium of instruction upto the Matriculation Standard, on the

Vol. 20, No. 3, 1926, p. 25.

99. Amrita

98. Idid, pp. 27-257.

99. Amrita Bazar Patrika, 20 March 1926.

ground that Muslim education would greatly suffer thereby.¹⁰⁰ He said, "My luckless community specially will be put back again, my community will not accept it".¹⁰¹

Adjournment Motions

There were only two discussions in the Second Council on motions to adjourn the House on a matter of urgent public importance. The first discussion was on 24 February 1924 moved by Kumar Shib Shekhareswar Roy. It was brought to censure the ministers for their past actions.¹⁰²

The second one related to the treatment of political prisoners with special reference to certain allegations against the government. The motion was moved by J.M. Sen Gupta. The prisoners were transferred from the Berhampur jail to Hazaribagh jail without any sort of clothing or without giving them any notice of transfer. This kind of treatment towards the political prisoners were regarded as inhuman by the elected members. The motion was carried by 59 votes to 50 votes.¹⁰³ This was the first time in the life of the present council that an adjournment motion of this character had been carried.¹⁰⁴

We see in the role of Swarajists an apparent class bias. While the questions relating to peasantry were eschewed, those relating to political prisoners received serious

100. RAB, 1925-26, p. Lxxii.

101. Forward, 4 March 1926.

102. It was discussed before under the heading "Ministers and the Council".

103. PBLC, Vol. 19, 1925, pp. 195-215.

104. Forward. 9 December 1925.

attention. A common class background of the Swarajist Councillors and the political prisoners explain such a role of the former.

In the end, however, two factors conditioned the inputs to the Second Council ² the Swarajist election manifesto for obstructing the government bid to make dyarchy a success, and the communal tension arising out of Calcutta riot of 1926. While the first factor explains the predicament of the government in getting the legislations through, the second one shows why communal dimension was added to the legislative deliberations and debates. Under the given conditions, the Swarajist opposition was a ^{face} and the government could always get away under the cover of certification. But the intense and rising communalism did wreck whatever chances that had been created by Bengal Pact for putting up a common phalanx against authoritarianism. In both ways, however, the Second Council was more or less a reflection of the societal milieu.

CHAPTER NINE

**THE THIRD COUNCIL (1927-1929):
SWARAJIST OPPOSITION AND COOPERATION**

Convened on 10 January 1927, the Third Council was in existence upto 22 April 1929.

We have already observed that an opposition to the Simon Commission was signalled by the publication of the Nehru Report. But the Nehru Report was itself challenged by Muhammad Ali Jinnah's Fourteen Points, declared at the All Parties' National Conference in 1928. The Fourteen Points were the clear indicators of the extent to which the Muslims were disillusioned with the Hindu leadership. So the inputs to the proceedings of this Council arose out of two distinct sources: the political turmoil created out of the Simon Commission and the communal tension between the Hindus and Muslims that had reached almost the point of no return. If not a major one, but certainly not an insignificant source of input was the economic condition that had been deteriorating fast. With the adverse economic conditions there were several industrial disputes too.

In the election the Swarajya Party was the most organised, and secured maximum general Hindu seats. They contested in the election on the basis of refusal of government offices, obstruction of budgets, opposition to all legislative proposals by which the government could consolidate its power; and, finally introduction of measures which would protect the rights both of zamindars and tenants; capitalists and labourers. So in the third Council the Swarajists had both positive and negative programmes. But all other parties as well as the independent members were in favour of acceptance of office. Like the first and second Councils majority

of the members belonged to the upper classes of the society.¹ This chapter therefore seeks to consider the role of the councillors in the context of the prevailing political conditions.

Ministers and the Council:

We have seen that in the last Council the Swarajists made it a point not to allow the ministry to function smoothly by obstructing salary bills. The same trend was repeated in this council, and much more vigorously. The government had the experience of an opening salvo when on 17 January, it introduced a demand for a grant of money to pay the ministers for the short portion of the financial year still remaining. To get the support from all parties government did not disclose the names of the prospective ministers.² All elected members: the Responsivists and Nationalists, Independent Congress, the Bengal Muslim Party, Independent Muslim Party, Central Muslim Party, independent Muslim candidates, Europeans and Anglo-Indians were in favour of formation of a ministry except the 38 Swarajists.³ In 1925 C.R. Das indicated a change of heart and invited co-operation from the government on honourable terms. But they opposed the motion because they considered that the demand signified an unconditional surrender to the government. To them it was just like the appointment of 'coolie sardars' (coolie headman) in a tea garden.⁴ They believed that

1. For details see Chapters 7, Three, Four and Five, pp, 40-41, 57-58, 85-93
122-124.

2. Forward, 9 January 1927.

3. Indian Quarterly Register, edited by H.N. Mitra (published annually by the Annual Register office), [hereafter IQR], Vol. I, 1927, pp. 323.

4. Forward, 20 January 1927.

the ministers were given nominal powers and not the real one; they were not given such constitutional authority and financial support as would leave them free to tackle in their own way the innumerable moral and material problems of the country. The ministers were not free agents of a free people but mere tools in the hands of the bureaucracy. As the Swarajists found no honourable terms for a settlement, they refused the motion. All other parties believed that with all "ifs and buts" dynarchy was capable of being worked for the welfare of the people.⁵ All the Muslim members except one Swarajist returned to the Council on the distinct understanding that they should make the fullest use of the constitution in order to advance responsible government and to save their community. Such a determination and assertiveness of the Muslims were absent in the second Council. On the other hand, their increasing distrust of the Hindus caused them to lean more and more on government. In a full house, the demand was passed by 94 votes to 38.⁶

5. Forward, 17 January 1927.

6. PBLC, Vol. 24, 1927, p.52. The names of the 38 Swarajists who voted against the resolutions:
- (1) Bagchi, Babu Rames Chandra, (2) Banerji Dr. Pramathanath,
 - (3) Banerji, Babu Promotha Nath, (4) Banerjee, Mr. A .C.,
 - (4) Banerjee, Babu Jitendralal, (6) Basu, Babu Sasi Sekhar,
 - (7) Basu Mr. P.C., (8) Basu Mr. Sanat Chandra, (9) Biswas, Babu Surendra Nath, (10) Bose Babu Bejoy Krishna, (11) Bose Mr. S.C.
 - (12) Chakravarti, Babu Jogindra Chandra, (13) Chakravarti Babu Jatindra Nath, (14) Chatterjee, Srijut Bijoy Kumar, (15) Chaudhuri, Rai Harendranath, (16) Das Gupta, Dr.J.M., (17) Datta Babu Akhil Chandra, (18) Datta, Babu Amulya Chandra, (19) Dutta Babu Sarat Kumar, (20) Ghose Babu Amerendra Nath, (21) Gupta Mr. Gogesh Chandra, (22) Himatsingka, Babu Probhu Doyal, (23) Hoque Kazi Emdadul, (24) Khan Babu Debendra Lal, (25) Lalg, Babu Saroda Kripa, (26) Maiti, Babu Mahendra Nath, (27) Moitra, Srijut Jogendra Nath, (28) Mukherjee, Srijut Taraknath, (29) Nasker, Babu Hem Chandra, (30) Ray Dr. Kumad Sarkar, (31) Ray Babu Monmatha Nath, (32) Ray, Dr. Bidhan Chandra, (33) Ray Mr. Kiron Sarkar, (34) Ray, Mr. D.N.
 - (35) Roy Choudhuri Rai Bahadur Satyendra Nath, (36) Sarkar, Babu Nalimranjan, (37) Sen babu Nagendra Nath, (38) Sen Gupta Mr. J. M.

The formation of the ministry aroused the keenest interests among the legislators. On 22 January, Abd-ur-Rahim was appointed minister on condition that he would have to find out a Hindu colleague. But Abd-ur-Rahim was not acceptable to the Hindu members for his role in the communal riot of 1926. His uncompromising views alienated Hindu feeling and it was extremely difficult to find a Hindu leader who would have otherwise cooperated with him.⁷ Until 26 January, Governor found no team willing enough to be yoked to the cabinet plough.⁸ So Governor had to fall back on A.K. Ghuznavi, who had the support of the Central Muslim Party and was able to find a common basis of policy with Byomkes Chakravarti the leader of the Responsivists and Nationalists.⁹ But the incident surrounding the formation of this ministry, which was sworn in on 27 January aroused much controversy. Many Muslims were incensed at the conduct of Ghuznavi whom they regarded as a renegade and an opponent of all that Abd-ur-Rahim represented.¹⁰ They were deeply imbued with the idea that hostility to Abd-ur-Rahim on the part of the Hindus was communal rather than personal in character and origin. At meetings held in Calcutta and throughout the province Ghuznavi was censured in no unmeasured terms, and he was personally subjected to considerable invectives.¹¹ An appeal was made by the Muslim students of Calcutta that Byomkes Chakravarti was a Hindu communalist and had worked to the prejudice of Muslim interests.

7. Amrita Bazar Patrika, 8 January 1927 and Forward 25 January 1927.

8. Forward, 23 January 1927.

9. Ibid., 16 January 1927.

10. Amrita Bazar Patrika, 4 February 1927.

11. HAB, 1927-28, p. 8.

In accepting ministry () Ghuznavi had therefore betrayed the interests of his community. Equally Chakravarti¹² faced severe criticism for accepting office with Ghuznavi.¹³

Nevertheless, the ministry survived till the debates on the budget. Abd-ur-Rahim's Bengal Muslim Party and the Swarajists voted jointly for the reduction of salary.¹⁴ The Swarajists held the same view as dyarchy was inadequate for the country. But Abd-ur-Rahim's case was personal. Abd-ur-Rahim regarded Ghuznavi as a communalist and in no way better than him. Moreover, Ghuznavi would be a tool in the hands of Chakravarti. In spite of opposition the salary bill of the ministers was passed without modification. The motion for reduction of salary was thus lost. The Swarajists and the twenty-two Muslims voted for the reduction motion; the other elected members, non-officials nominated officials, Europeans and Anglo-Indians voted against.¹⁵ The reformed system of government therefore appeared to have survived an initial opposition.

The attack failed for the moment. But it was renewed at the earliest possible opportunity in the form of a vote of no-confidence motion at the next session of the Council in August. Thus the

12. Byomkes Chakravarti had the notion that the constitution did not confer much real power to the elected representatives and ministers. But through administration of nation building departments, such as education, sanitation and local self-government, the legislature and the ministers had at least some power. For this very reason he took the responsibility of a ministerial post. Modern Review, Vol. XLI, No. 2, 1927, p. 261.

13. BAB, 1927-28, p. 8.

14. ICR, Vol. I, p. 329.

15. PELC, Vol. 25, No. 3, 1927, p. 110.

Swarajists were trying to make good use of the new system of government. But there were also other parties opposing the ministry for reasons exclusive to them. The fall of the Bengal National Bank in June 1927 weakened the position of Chakravarti.¹⁶ It became an issue in the Council. There were also hints that improper methods to secure votes had been adopted by Ghuznavi.¹⁷ Moreover, the events which undermined the ministry and brought Rahim's Party and Swarajists into one lobby were the riots. Riots at Ponabalia (Bakerganj) and Palassipara (Nadia) played an important part in the fall of the ministry. Ghuznavi was attacked for his inactivity in protecting the Muslims. Abd-ur-Rahim resigned from the Council after the Ponabalia riots. He within a short period returned unopposed in a by-election from his constituency with a fresh mandate in support of his policy of opposing ministry for riots. The election results signalled a great increase of strength for Abdur-Rahim's party, in the council. Last but not the least, the decision of the 'Rangila Rasul Case' also consolidated the Muslim groups together. The Muslim leaders found in the promotion of the Suddhi and Sangathan movements the root-cause of the misguided activities of Swami Sradhananda. They did not hesitate, attributing Abdur Rashid's action, the murder of Swami by him, to the

16. Chakravarti was a Director of the Bengal National Bank. Many Bengali bought shares from patriotic motives. For the loss of their money when the Bank failed, they imputed responsibility to Chakravarti, mainly Swarajists attacked him for this.

17. It was alleged that promises were made by Ghuznavi to the members of the Council that nominations to public offices, for example, in local and district boards would be given to those who would support him in the Council.

18. Waliullah, op.cit., pp. 241 and 258.

cause of Islam. So majority of the Muslims united together under the leadership of Abd-ur-Rahim to oppose Ghuznavi. The Swarajists and Abd-ur-Rahim jointly carried the no-confidence motion on 25 August against the ministers.¹⁹ The Muslims had their own reasons for ousting the ministers especially Ghuznavi. The Swarajists on principle objected to dyarchy, whatever the ministry might be.²⁰ Hereafter the transferred subjects were taken over by the Governor.

After the collapse of the ministry in August negotiations to replace it continued some what slowly. On 12 October 1927, P. C. Mitter and Nawab Musharraf Hossain²¹ were appointed ministers and at the end of the year were still in office. The ministers generally relied on the support of the Muslim parties although some members of the Central Muslim Party of Ghuznavi appeared to be rather fickle in their allegiance. On the other hand, the liberal members among the Hindus could not but recognise the experience and ability of P. C. Mitter whose return to office meant strength to government. It could not be claimed, however, that the composition of the ministry aroused public enthusiasm, and the bitter personal attack introduced at the time of the fall of Ghuznavi-Chakravarti did not augur smooth sailing in the immediate future.

19. The motion was moved by B.C. Roy. The motion that "This Council has no confidence in the Hon'ble Mr. Byomkes Chakravarti, Minister for Education" was carried by 68 votes to 65 votes and the motion, "This Council has no confidence in the Hon'ble Hadji Mr. A.K. Abu Ahmed Khan Ghuznavi, Minister for Local Self-Government," was carried by 66 votes to 62. PELC, Vol. 26, 1927, pp. 259-60. The crowd outside the Town Hall received the news with shouts of "Allah-O-Akbar" and "Bondematram", IOR, Vol. II, 1927, p. 260.

20. RAB, 1926-27, p. 12.

21. Nawab Musharraf Hossain - member from Malda cum Jalpaiguri.

Further, the severe financial stringency in Bengal deprived the ministry whatsoever of any chance of proving its capacity. Nevertheless, there seemed to be, a general desire to give the ministry a fair chance to make good, and the year closed with dyarchy in operation, though on a shaky foundation. In the next year on 16 March, 1928 the motion to refuse the ministers' salary was defeated by 80 to 40 votes. All the Swarajists voted for the motion.²² Even the no-confidence motion a few days later was only defeated by a narrow margin.²³

P.C. Mitter was elevated to be a member in the Governor's executive Council. Raja Bhupendra Narayan Sinha Bahadur of Nashipur²⁴ was appointed minister in his place. These two ministers survived till February 1929, when votes of no-confidence against them was passed by very small majorities. The motion on the Musharruf Hossain was carried by 65 to 59 votes, and that Raja of Nashipur by 62 to 59 votes. Therefore the ministers resigned. The attack was almost entirely directed to Musharruf Hossain. He was charged with using his control of the Excise Department and in a lesser degree of the Registration Department for the purpose of buying off political enemies and rewarding

22. PBLC, Vol. 28, No. 3, 1928, p. 206 and Amrita Bazar Patrika, 17 March 1928.

23. The motion, "this Council has no confidence in the Hon'ble Nawab Musharruf Hossain Khan Bahadur, the Minister for Education" was defeated by 65 to 60 votes and the motion, "this Council has no confidence in the Hon'ble Sir Provash Chandra Mitter, the Minister for Local Self-Government" was defeated by 64 to 61 votes. PBLC, Vol. 28, No. 3, 1928, pp. 378-380.

24. He was a member from Burdwan landholders.

friends. As the ministers avowed their joint responsibility Raja of Nashipur also shared the same fate of his colleague. Half the Muslim members joined the Swarajya Party to carry the motion.²⁵ During the course of the debate the leader of the European Party W.C. Travers²⁶ announced that if there was a change in the ministry his party would not support any minister unless the ministers were able to give real guarantees that they would have a majority.²⁷

But in the voting on the budget in March 1929 a motion to refuse ministers' salaries was defeated.²⁸ The mover, S.C. Mukherji brought the motion to raise a discussion on the question of the stability of the future ministry. S.C. Mukherji gave the responsibility of the wreckers and breakers of the Constitution to the Muslim groups who were practically pledged to the Constitution but not putting their heads together to give a right man.²⁹ But the motion was defeated by a large majority.³⁰ Showing that there was still a substantial non-official majority in favour of ministers. But leaders with a sufficient followers to support them in office were not forthcoming.

Dynarchy in order to function needed support from political parties and those political parties were to be based upon political

25. Dhaka Prokash, 24 February 1929.

26. He was a member from Rajshahi.

27. PBLC, Vol. 31, No. 2, 1929, pp. 41-44.

28. Amrita Bazar Patrika, 13 March 1929.

29. PBLC, Vol. 31, No. 2, 1929, p. 308.

30. The motion was defeated by 69 to 34 votes, ibid, p. 332.

considerations. In the Council there was only one organised party, the Swarajya Party, but which was opposed to dyarchy. The Liberal party even at the apex of its power and prestige consisted of two members only. But of these two, one was the President of the Council, Raja Manmatha Nath Ray Choudhuri and the other P. C. Mitter, member of the Executive Council. With the disappearance of these two gentlemen, the Liberal Party had disappeared into oblivion. Even the Responsivist Party was not so organised and 38 Muslims were divided into so many groups.³¹ Such being the case, there was no organised party in the Council to form a ministry. Governor dissolved the Council on 22 April.³²

Questions:

More than 1,000 questions were asked in the third Council.³³ The figure does not include the supplementary questions. The matters on which information was demanded ranged over a wide field, and there were few aspects of the administration regarding which a keen and inquiring spirit did not prevail. There were questions on riots, political prisoners and transferred subjects. The questions on political prisoners were not very many in the third Council. On the otherhand, questions on the transferred subjects increased in the third Council, because the members including the Swarajists according to their party manifesto were taking more interests in the transferred subjects. Perhaps the most striking feature of the year was an increasing skill in the

31. BAE, 1928-29, p. ix.

32. IQR, 1929, vol. I, p. 302.

33. Information gathered from PBLC, 1927 to 1929.

framing of the supplementary questions, which at times amounted almost to cross-examination.³⁴

34. An example of a cross-examination:

Rai Harendranath Chaudhuri: "Will the Hon'ble Member in charge of the Political Department be pleased to lay on the table a statement showing:

(i) The names of persons now detained under Bengal Regulation III of 1918 and the Bengal Criminal Law Amendment Act, 1925; (ii) The dates of their arrest; (iii) the latest report regarding the health of each of them; (iv) their weight when they were arrested, (v) their present weight, (vi) how many times each was reported to be ill during the period of detention, (vii) how many occasions there were hunger-strikes amongst them, (viii) the names of the detenus who were involved in the hunger strikes, and (ix) the number of days for which the hunger strikes continued on each occasion".

The Hon'ble Mr. A. N. Moberly: (Member in charge of Political Department) "I and I the statement is laid on the table, viii to ix government are not prepared to publish this information". Rai Harendranath Choudhuri: will the Hon'ble Member be pleased to state why the latest report regarding the health of the detenus cannot be published? What reasons are there?

The Hon'ble Mr. A.N. Moberly: I gave my reason yesterday.

Mr. Subhas Chandra Bose: will you, Sir, as the custodian of the rights of this House allow the Hon'ble Member to evade an answer in this manner?

Mr. President: How can you call it evasive when the Hon'ble Member refers you to reasons already given by him?

Babu Jitendralal Banerjee: May I know if it depends entirely upon the sweet will of the Hon'ble Member to answer a question or not? Is it not a part of his duty to supply information to this House?

PBLC, Vol. 26, 1927, pp. 108-110.

Resolutions:

In the third Council 309 resolutions were tabled for discussion but 40 were actually discussed.³⁵ There was a similarity of the resolutions between the second and the third Council. Like the second the Third Council moved the resolution to release political prisoners belonging to Bengal who were put under restraint under Regulation III of 1818 and Criminal Law Amendment Act 1925. In the discussion the Swarajists claimed that the Ordinance³⁶ which had been promulgated before the certification of the Criminal Law Amendment Act, 1925 was directly used against the Swarajya Party. Not only that the official members in the Council also declared that the revolutionary party was an invisible wing of the Swaraj Party; which was not true. The Swarajists brought the resolution in the Council in accordance with their party manifesto.³⁷

The Muslim members supported the motion strongly because All India Muslim League passed a similar resolution in its Delhi Conference last year.³⁸ P.C. Mitter also expressed that the National Liberal League at the last session of the Akola Conference passed the resolution, "The National Liberal Federation strongly reiterates its protest against the continued detention of many persons in Bengal under the Criminal Law Amendment Act of 1925 and urges the repeal of the Act as well as the Deportation

35. Information gathered from PBLC from 1927 to 1929.

36. See Chapter Three, p. 50.

37. PBLC, Vol. 25, No. 1, 1927, p. 143. Forward, 23 February 1927 and IQR, Vol. I, 1927, p. 327.

38. Ibid. Vol. 25, No. 1, 1927, p. 157 and IQR Vol. I, 1927, p. 327.

Regulations, Regulations of 1818, 1819 and 1827".³⁹ So the Liberals supported the resolution. Practically all elected members even the nominated non-officials cast their vote for the resolution and it was carried by 71 to 26 votes.⁴⁰

Among the other resolutions on reserved subjects, some recommended the appointment of a Committee for inquiry into the grievances of the workers of the Bengal Government Press, Jail and the Settlement Presses. All the elected members except the Europeans supported the motion.⁴¹

The Council discussed resolutions mainly on transferred subjects. The most important one was moved on 14 December 1927. It discussed that steps be taken to secure the proceeds of the export duty on jute for Bengal to be utilised for agriculture, sanitary improvements and free primary education. The elected members argued that jute is produced in Bengal only so that it would be just if government handed over this particular revenue to Bengal. It was passed in the Council.⁴² Besides there were resolutions about eradication of water hyacinth, ^{and improvement of} health, agriculture etc. The Swarajists/^{not} only supported these resolutions but they also moved some of these.⁴³

Some resolutions divided the Council into two blocks: the Hindu and Muslims. In the third Council it was seen that the Muslims became very conscious about their communal interests.

39. PBLC, Vol. 25, No. 1, 1927, 149.

40. *Ibid.* p. 158.

41. *Ibid.* Vol. 31, No. 1, 1929, pp. 251-55; 256-62.

42. LOR, Vol. I, 1927, p. 264.

43. *Forward*, 23 February, 1927.

In February 1927, a resolution recommending provision for one more Muslim minister in the Budget for 1927-28 was moved and discussed. The Muslim members explained that from 1921 to 1923 two Hindu ministers and one Muslim minister administered the nation-building departments. In 1924, the Muslims had two ministers. But within six months both the ministers had to resign. The Muslims could not have the opportunity of utilising their services for a term of full three years for the uplift of their community and also of the country. So they demanded two Muslim ministers for a full term of three years.⁴⁴ The Hindus opposed the resolution and argued that it was a communal question. The Europeans were also against the resolution on the ground that provision of one more minister violated the rules of the Act. ~~All Hindu members~~ All Hindu members opposed the resolution; on the other hand, all Muslims except the Swarajist Muslim whole-heartedly supported the motion. But the motion was defeated.⁴⁵

The interest consciousness of the Muslims was also seen when government resolution on Simon Commission was discussed in the Council. The resolution relating to the appointment of a Committee of the Council to assist the Statutory Commission was discussed on 9 and 10 July 1928.⁴⁶ The Simon Commission invited these Provincial Committees not only to hear the evidence but also to study all documentary materials put up by the Local Governments, with a view to enabling them to guide the Commission towards a fair and partial judgement.

44. PBLG, Vol. 25, No. 1, p. 54.

45. Ibid. Vol. 25, No. 1, 1927, p. 71.

46. IQR, Vol. II, 1928, p. 276.

The mover of the resolution, Nawab Saiyid Nawab Ali, though regretted not for including the Indian elements in the Commission, recognised that there were great practical difficulties in selecting and including Indians.⁴⁷ Practically this was the view of all the Muslims. The Committee member would be in touch with the Commission and later on with Parliamentary Committees. So the Indian members would be able to influence the Commission members. The members of the Committee would be given power to examine all documents placed before the Commission. The members by doing this could render great services to the land.

The Swarajists were solidly against the proposals and Nalini Ranjan Sarker moved a motion to postpone the resolution⁴⁸. They opposed it because it was an all-white Commission which was formed in utter and wilful disregard to the declared views and sentiments of the Indian people. They were convinced that it was preposterous, most humiliating, ^{and} quite *impracticable*. They regarded it as a standing [^]insult to their awakened political consciousness.⁴⁹ Moreover, the Swarajists accused Governor, Sir Stanley Jackson, of interference with the freedom of action of the members. The Governor, sent for several non-official members of the Council and tried to influence them to cast their votes for government.⁵⁰

47. PBLC, Vol. 29, 1929, p. 65.

48. Amrita Bazar Patrika, 11 July 1928.

49. PBLC, Vol. 29, 1928, p. 69.

50. Maharaja Sashikanta Acharya of Mymensingh openly admitted in the Council that he for one was summoned by the Governor on the eve of the debate. Amrita Bazar Patrika, 11 July 1928.

Two amendments were proposed by H.S. Suhrawardy. One recommending that the Committee be given similar status and powers as the members of the Simon Commission in terms of the examination of witnesses and access to documents and the other providing that the Council be given an opportunity for expressing their opinion on the Committee's report before it was presented to the Commission. Both the amendments were accepted by the government and agreed to by the Council. Thus the resolution with two amendments was carried on in the Council.⁵¹ Europeans, nominated non-officials and all Muslims except two—Asimuddin Ahmed and Kazi Emdadul Haque voted for the resolution.⁵² Liberal members also voted for the resolution.

The other government resolution in connection with Simon Commission was carried without a division. The resolution recommended to form the Committee of seven members to assist the Statutory Commission, to be elected by the Council.

In the election Swarajists took no part, while the Muslims were combined to secure a majority on the Committee; the result was that ~~four~~ Muslims, two Hindus and one European ~~was~~ elected. On 3 August the Council elected Abul Kasem, Fazlul Huq, K.G.M. Farouqi, Maharaja of Nashipur, Maharaja of Mymensingh, W.L. Travers and A.K. Ghuznavi — to assist the Committee.⁵³

51. PBLC, Vol. 29, 1928, p. 182.

52. Asimuddin Ahmed - member from Tippera South and Kazi Emdadul Huq - member from Rangpur East.

53. IQR, 1928, Vol. II, p. 278; Abul Kasem - member from Burdwan Division North, K.G.M. Farouqi - member from Tippera North.

It has already been shown that from the third Council onward the Muslims made it their main concern to protect their community's exclusive interest. To do so and also to solve the political and constitutional problems in their ^{own} way Abd-ur-Rahim moved a resolution in the first week of August, 1928.⁵⁴ The resolution suggested these proposals:

- a. The status of India be that of a self-governing dominion under the British Crown as an equal partner in the Commonwealth of Nations within the British Empire ...,
- b. The Constitution of India be on the basis of a Federal^{of} autonomous states; the Federal government administering only such subjects which concerned the whole of India;
- c. The present system of government in the provinces popularly known as Dyarchy be abolished and full responsible government be inaugurated in the provinces,
- d. In the constitutional instruments the citizens' rights as recognised by all responsible governments be defined and adequate and effective safeguards be provided for the protection of the rights and interests of minorities,
- e. In lieu of Meston Settlement fresh financial adjustments be made with the Central Government,

54. PBLC, Vol. 30, No. 1, 1928, p. 37.

- f. Appropriate provisions be made for the proper and adequate representation of important sections of the population in the various legislatures and other statutory self-governing public bodies;
- g. In the recruitment of the public services due regard be paid, in addition to the requisite academic qualifications of the candidates, to the need for securing the widest possible confidence in the administration by averting a communal or class monopoly; and
- h. For effecting ^{unt} the above mentioned objects all necessary measures be adopted.
- The Council carried the resolution with some minor amendments by Naliniranjan Sarker of the Swarajist Party. ⁵⁵

Bills and Acts:

The third Council, like the Second one, passed few Acts. One of the important acts the Bengal Borstal School Act was passed in 1927. The object of the Borstal School Bill was to provide for the detention of adolescent offenders in a Borstal institution instead of in jail, for their training in that institution and for their after-~~care~~ ^{care} on release.

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55. Amendments of Naliniranjan Sarker to motion of Abd-ur-Rahim,
- i. that to clause (e) the words "on a more equitable basis" be added and
 - ii. that from clause (f), lines 3 and 4, the words "and other statutory self-governing public bodies" be omitted.

PBLC, Vol. 30, No. 1, 1928, p. 47. Naliniranjan Sarker was a member from Mymensingh.

Prisoners between the ages of 16 and 21 were to be treated as adolescents. All the elected members gave their consent to the bill and the bill was made into an Act.⁵⁶

The other important bill was the Bengal Village Self-government Bill 1928. The object of the bill was to rectify two defects in the Bengal Village Self-government Act, 1919, by authorising Union Boards (a) to combine in order to maintain joint dispensaries for men or infirmaries for cattle, and primary schools and (b) to spend money on veterinary treatment.⁵⁷ The report of the select committee was presented on 3 August 1928. The Council took the bill into consideration on the same date and adopted two amendments depriving Commissioners and District Magistrates of powers of control over Union Boards. The amendments were: (i) in case of a difference among the Union Boards regarding the proportion of the cost, reference should be made to the District Board whose decision should be final and (ii) the District Board should have power over the proceedings of joint meetings of Union Boards and over committees constituted by them.⁵⁸ Both the amendments were moved by Bejoy Krishna Bose,⁵⁹ a Swarajist member for more decentralization of power to the village self-government institutions. After passing these two amendments the mover of the bill Nawab Musharruf Hossain did not move for the third reading of the bill. He expressed his views that the amendments which had been made in the bill, would be practically unworkable.⁶⁰ So the bill was never

56. Ibid., Vol. 26, 1927, p. 169.

57. RAB. 1927-28, p. 23.

58. Ibid. 1928-29, p. 17.

59. He was a member from the Calcutta University.

60. PBLG. Vol. 30, No. 1, 1928, p. 239.

passed. But the actual reason was that the government would never handover too much power to the people.

Communal Divisions:

The fear of the political dominance of the Hindus ^{the} convinced Muslim of the necessity for fighting for their own interests. This was also reflected in the Council at the time of discussion of some bills. When the Dhaka University Amendment Bill was under consideration in the Council it was opposed by the Hindu members but solidly supported by the Muslims.⁶¹ The bill was introduced to remove certain defects discovered in working the Dhaka University Act, 1920.⁶² The most important point was to make the Executive Council the final authority for payment of fees of examiners and of emoluments of teachers instead of the Academic Council.⁶³ The Academic Council had the power of initiation in matters of fees and emoluments of teachers. It had power of fixing the salaries of its own members. This was against the principle of sound finance. So, the bill suggested that the finance of the University should be under the control of the Executive Council. If the Executive Council at any time wanted to reduce the salary of any members of the teaching staff it had no power to do so unless it was recommended by the Academic Council. But as the Executive Council was responsible for the finance of the University as such they ought to have the final say on the remuneration of the men employed by the University.⁶⁴

61. RAB, 1928-29, p. 17.

62. PBLC, Vol. 30, No. 1, 1928, p. 239.

63. Amrita Bazar Patrika, 22 July 1928.

64. PBLC, Vol. 30, No. 1, 1928, p. 477.

But the Swarajists opposed the bill ^{as}, they did not find any reasonable ground for this change.⁶⁵ Naliniranjan Sarker brought a motion to circulate the bill for the purpose of eliciting public opinion, because the amendment sought to ignore the important right of the Academic Council in this matter. But on the other hand, all the Muslims and some Liberal Hindus supported the bill and the bill was passed.⁶⁶

The influence of communal feeling on educational questions was also obvious when the long expected Bengal Rural Primary Education Bill was introduced in the Council. The Hindu members were opposed to the bill en masse. The object of the bill was to impart primary education to the masses. But the proposed method of financing primary education by levying taxes on zamindars, majority of whom happened to be Hindus, was opposed. The bill was sent to the select committee which consisted first of 12 members; later the number was increased to 32. Of them 15

65. Modern Review, Vol. XLIV, NO. I, 1928, P. 107.

66. The names of the Hindu members who voted for the bill,

(i) Acharjya, Choudhuri, Maharaja Shashi Kanta, (ii) Mitter Sir Provash Chunder, (iii) Ray Chaudhuri Mr. K. C., (iv) Sarker Rai Sahib Rebati Mohan, (v) Sinha, Raja Bahadur Bhupendra Narayan. PBLC, Vol. 30, No. 1, 1928, p. 508.

were Hindus and 10 were Muslims. But the select committee could not prepare its report in the third Council.⁶⁷

The most important Act of the third Council, the Bengal Tenancy Amendment Act of 1928 not only divided the Hindus and Muslims into two groups for their different interests, but brought distrust of the Muslims towards the Hindus. The bill was introduced to remove some defects in the Act of 1885. The bill was based on the report of the committee appointed by the government under the Chairmanship of Sir John Kerr in August 1921. The principal changes were made in the law of landlord and ryots. The occupancy ryots were given some rights.⁵⁸

67. The names of the 32 members of the Select Committee:

- | | |
|---|------------------------------------|
| (1) Nawab Musharruf Hossain | (17) Bijoy Krishana Bose |
| (2) J. G. Drummond. | (18) Jitendralal Banerjea |
| (3) A.J. Dash | (19) Amohendra Nath Ghose |
| (4) H. E. Stapleton | (20) Abdul Karim |
| (5) Khan Bahadur Azizul Haque | (21) Nurul Huq Choudhury |
| (6) A. F. Rahman | (22) A.K. Fazlul Huq |
| (7) Maulvi Abul Kasem | (23) Syed Atiquallah |
| (8) W.C. Wordsworth | (24) Syed Nausher Ali |
| (9) Raja Bhupendra Narayan
Sinha Bahadur of Nashipur | (25) Shamsur Rahman |
| (10) Satyandra Chandra Ghose | (26) Syed Abdur Rauf |
| (11) A.D. Gordon | (27) Taraknath Mukerjea |
| (12) Nalini Ranjan Sarker | (28) Rai Saheb Robati Mohan Sarker |
| (13) Pramathanath Banerjea | (29) R. N. Guha |
| (14) S. C. Bose | (30) Sarat C. Basu |
| (15) Subash Chandra Bose | (31) Nagendra Nath Sen |
| (16) Dr. Bhidan Chandra Roy | (32) Bijoy Singh Roy |

PBLC, Vol. 30, No. 1, 1928, p. 568.

68. Government of Bengal, Report of the Land Revenue Commission in Bengal with Minutes of Dissent, Vol. I (Calcutta: Bengal Government Press, 1940), p. 29.

1. Holdings were declared to be transferable in whole or in part, subject to a transfer fee amounting to 20 per cent of the sale price, or five times the rent. The landlord was given a right of pre-emption on payment of the sale price plus 10 per cent as compensation to the purchaser. He also retained the right to levy a fee for the sub-division of holdings in the case of past transfers, because it was not legally incumbent on the landlord to divide the holdings in such cases.
2. In order to prevent land from passing on mortgages for indefinite periods; occupancy ryots were allowed to give usufructuary mortgages only for a period of 15 years.
3. Occupancy ryots were given all rights in trees.
4. The right to commute rent from kind into a cash was abolished because such commutation might affect the interests of many middle class people. The real purpose was to prevent bargadars from acquiring tenancy through such commutation.

The bill was a compromise of rights between the landlords and the ryots. P.C. Mitter at the time of introducing the bill declared, "if this House can settle the conflicting class-interests with justice and fairness to all; it will be laying deep the foundation of true nationalism in this province".⁶⁹ The bill produced a remarkable effect upon the Council. In a matter vitally affecting the interests of so large a part of the people, the Swarajists were no longer able to follow their standard policy of opposition to government, nor were they able to vote against the interests of

69. PBLC, Vol. 30, No. 1, 1928, p. 381 and Statesman, 8 August

the many landlords and tenure-holders among their supporters. They wanted to protect and preserve the rights and privileges of the zamindars. On the other hand, the sympathies of most of the Muslim members were with the tenants. Only exception was A.K. Ghuznavi who welcomed the introduction of the bill. He viewed that the interests of the landlords and his tenants were entirely intertwined.⁷⁰ On the other hand, Khan Bahadur Azizul Haque,⁷¹ Sir Abd-ur-Rahim and others came to the conclusion that, as a whole if this amending bill would make the position of the tenants much worse than it had been and would enrich the landlords at their expense. Khan Bahadur Azizul Haque pointed out that the representatives of the people in the Council should look after the interests of the tenantry in Bengal and not the interests of the zamindars, unlike the Swarajya Party which was composed of a majority of landlords.⁷² Abd-ur-Rahim expressed the view,

I am not surprised that Sir P. C. Mitter, who until the other day was representing a landlord constituency in this Council and was the Secretary of the British Indian Association, is in charge of this Bill, and that one of his principal supporters is Sir Abdel-Karim Ghuznavi. There is no hoodwinking the fact that as things stand at present the interests of the landlords and the tenants are in collision, are in serious conflict As it stands, it is really a Bill for the spoliation of the raiyats....⁷³

70. PBLC, Vol. 30, No. 1, 1928, p. 385.

71. He was a member from Nadia.

72. Ibid, p. 389

73. Ibid, p. 399

Among the elected Hindus, only the Swarajist Jitendralal Banerjee, had ^a different view. He announced, "It has been suggested in some [^] quarters that the Bill introduced by the Hon'ble member is a Tenants' Protection Bill. I beg wholly to differ from that proposition. I should rather consider it as a Landlords' Protection Bill"⁷⁴

The pattern of voting on the various clauses and amendments⁷⁵ of the bill produced three distinct blocks. Firstly, the Swarajists block comprising all the Hindu members except one or two. Secondly, the Muslims comprising all Muslim members; and thirdly, the officials and Europeans (who always sided with the government). In fact the voting by blocks was consistent and it was not difficult to identify the members of each block.⁷⁶ All Hindu members ^{were} combined together and with the help of Europeans and official members tried to protect the interests of the landlords and the Muslims showed a keen desire

74. *Ibid.*, p. 398, Jitendralal Banerjee - member from Birbhum.

75. The amendments were moved mostly on the following points:
 (1) the question of transferability of occupancy holdings,
 (2) the treatment of under-ryots, (3) adjustment of rights of landlords and tenants with regard to the question of cutting and appropriation of trees, (4) the question of burgadars,
 (5) the amendment of Section 22 of the existing Act regarding merger of occupancy rights when purchased by the immediate landlords, (c) certain facilities to tenants for payment of rent and simplification of the procedure for realisation of arrears of rent so that there may be less temptation either for the landlord or the tenant to indulge in avoidable litigation.

76. Partha Chatterjee, "Agrarian Relations and Politics in Bengal: Some considerations on the Making of the Tenancy Act Amendment, 1928", (monograph) (Calcutta: Centre for Studies in Social Sciences, 1978), p. 31.

to further the interests of the ryots. It is seen, as Tamizuddin Khan moved the first amendment on the question of the right of bargadars. The amendment was moved for the deletion of the qualification of being a bargadar. Because the new proviso had taken away whatever rights the bargadars had under the existing law.⁷⁷ But the Hindu members sharply reacted. Akhil Chandra Datta pointed out that this was not a question between the zamindars and the ryots, but ; between ryots on one side and the bargadars on the other. The arrangement of bargadars that half of the crops would go to the land owners and half to the labour was the most equitable arrangement that one could conceive of between capital and labour. The right of the landlord who invested money in land was thus secured. The mover withdrew the motion seeing the strength of the opposition.⁷⁸

Another heated debate ensued on the question of landlord's fee on transfer of occupancy holdings. The bill provided the landlords' transfer fee as 25 percent. Fazlul Huq moved an amendment that transfer fee should be a nominal and not more than 10 percent

77. Maulvi Tamizuddin Khan moved the following amendment:

"I beg to move that sub-clause a of clause 4 be omitted. The proviso ran thus:

"Provided that a person who under the system generally known as "adhi", "barga" or "bhag" cultivates the land of another person on condition of delivering a share of the produce to that person is not a tenant unless before the commencement of the Bengal Tenancy Amendment Act 1928.

i. he has been admitted in a document by the landlord to be a tenant, or

ii. he has been held by a Civil Court to be a tenant".

PBLC, Vol. 30, No. 2, 1928, p.19, Tamizuddin Khan - member from Faridpur North.

78. Ibid. p. 20. Akhil Chandra Datta - member from Tippera.

because it was a kind of unearned income of the zamindars. But the fee was fixed ^{at} 20 percent with the Swarajists support.⁷⁹

The question of pre-emption was connected with transfer fee. The zamindars claimed the right of pre-emption on three grounds. First, if there was no provision for pre-emption the ryots would cheat landlords in respect of the transfer fee. Second, pre-emption would check the transfer of occupancy holdings to non-agriculturists. Third, landlords could avoid undesirable tenants by this right. Tamizuddin Khan placed the arguments for the ryots. It was argued that the right of pre-emption of zamindars would decrease the value of the ryoti holdings. Intending purchasers would be few and make lower offers. Moreover, it would ~~create~~ a sense of insecurity among the ryots discouraging sales and encouraging usurious mortgages. But the amendment on the question of pre-emption was ~~also~~ defeated.⁸⁰

Not only these three particular cases, but the Swarajist and other Hindu members opposed all amendments which did not serve the landlords' interests properly. Explaining the rationale for such a policy J.M. Sen Gupta, the leader of the Swarajist Party, argued that the Swarajya Party took the middle course which was in consonance with its election manifesto. In the election manifesto it was mentioned that they would promote the interests both of zamindars and tenants.⁸¹ So it was wrong that the party ignored

79. Ibid, p. 560.

80. Anil Chandra Banerjee, The Agrarian System of Bengal, 1793-1955, Vol. 2, (Calcutta: K.P. Bagchi and Company, 1981) p.312.

81. See Chapter Four, P. 91.

the rights of the tenants and elevated that of the zamindars.
 In other words, the Swarajists were trying to balance the interests of the zamindars as well as those of the ryots. By this way, they thought ^{they} would serve the nation better.⁸²

The Swarajists committed a great political blunder by ignoring the rights of the ryots and taking up the cause of the zamindars. Their policy alienated the Muslims. On the other hand, if they sympathized with the interests of the peasantry, they could create a new political image in Bengal for themselves.

It is at this stage necessary to explain why the Swarajists and other Hindu members were keen to get the amended Bill passed. There are indeed quite a few factors that explain it. Firstly, the rank and file of the Swarajya Party was made up mainly of the representatives of the landed interests. Secondly, the role of the Swarajists and other party members appeared to be a self-defensive one. The beginning of the twenties in Bengal witnessed a rapid increase of peasant militancy and some peasant organizations had staged demonstrations against the zamindars at many places. To the landed interests this new development was certainly indicative of things to come and early attempt to nip it in the bud was called for. Thirdly, the Swarajists had a special reason. The Swarajist success in the election of 1926 had been ensured by the active role of the members of the Karmi Sangha. And as the members of the Karmi Sangha were intensely anti-Muslim, the Congress representatives had hardly any other alternative.

82. PBLC, Vol. 30, No. 2, 1928, pp. 154-55.

Again, it was reported that the representatives of the landed interests⁸³ were actively involved in the manipulation for getting the bill passed. In a bid to ensure a safe passage they even bribed some Swarajist Councillors, and at one stage Sub^has Bose and J.M. San Gupta quarrelled over the proper share of the bribe money.⁸⁴ The Tenancy Amendment Bill episode thus clearly shows to what extent of the activities of the Councillors were conditioned by their class bias.

There remains a pertinent question: why ^{did} the Muslims espouse the interests of the ryots in the Council? Two explanations could be given to answer this question. Firstly, as most of the ryots were Muslims there must have been some sort of fellow feeling. Secondly and more importantly, the Muslim councillors seemed to have been aware of the future developments. By then there had been a radicalization of politics with increased participation of militant peasants. It was certainly an act of political expediency on the part of these Muslim councillors to focus on the aims and aspirations of these newly emerging political elements.

83. One Muslim member complained that in the Council there were "no representatives of the ryots". Among the members apart from the Muslims who advocated the ryots' interests were "some generous-hearted Hindus (mainly nominated non-official) and the Europeans. There were 13 big zamindars in the Council. Eight of them represented general constituencies. Besides, most of the members directly connected with the landed interests. Of the two Executive Councillors one was a Muslim zamindar - Nawab, Nawab Ali Choudhuri and the other was a Hindu zamindar - P.C. Mitter. The only minister - Nawab Musharruf Hossain was a tea magnate. Anil Chandra Banerjea, op.cit., p. 313.

84. Sasmal, op.cit., p. 119.

Non-Official Bills

There were many non-official bills in the third Council. But only one Bill, the Bengal Village Self-Government Bill was passed in 1928. The Swarajist member Rai Harendranath Chaudhuri⁸⁵ moved the Bill to deprive the District Magistrate of his control over the village police and to give it to the Union Board.⁸⁶ The Bill was passed on 6 August⁸⁷. But the Governor instead of giving his assent returned the Bill for reconsideration with certain amendments. The members who once voted for the increased power of Union Board, this time voted to retain the power with District Magistrate. Only the Swarajists did not accept Governor's amendment. The amendment was carried on 7 February 1929. But Rai Harendranath Chaudhuri did not move for the third reading of the Bill, which was accordingly not passed.⁸⁸

Budgets

The criticism on Budget in the third Council was as usual keen and vigorous. The subjects in the transferred list also remained neglected.⁸⁹ At the time of presentation of budget the Finance member always gave gloomy picture about Bengal's financial condition. In 1928, he said, "No one realises more than I do that this is a very unsatisfactory budget which does not do justice to

85. He was a member from 24-Parganas Rural North.

86. Amrita Bazar Patrika, 8 August 1928.

87. PBLC, Vol. 30, No. 1, 1928.

88. RAB, 1928-29, p. 18.

89. Forward, 22 February, 1927.

any department of government and especially to the Transferred Departments".⁹⁰ Yet government never allocated more money to the transferred departments and the Council also acted with moderation in reducing grants. The Swarajists in the third Council could not oppose all the demands on the reserved side. Sometimes they opposed some demands, but the other parties or factions voted in favour of the demands. In 1927, two cuts reflected on the credit of the Council. The Swarajists took active part to reduce the grants. The demand for Rs. 2,000 for the subscription to the Indian News Agency Telegrams was refused by 63 to 53 votes.⁹¹ And the demand for Rs. 70,000 for the Band Establishment for Governor was refused by 60 to 57 votes.⁹² These were refused as the proposed expenses were considered an extravagant waste by the Council. Both these refusals were certified by the Governor under Section 72(d) of the Government of India Act.⁹³

The Swarajya Party in the third Council had little chance of securing a majority for any substantial cut, a fact which they attributed to the unwillingness of aspirants to the ministry to vote against government. Even sometime they were unable to refuse ministers' salary. Like the second Council they were not getting substantial help from any other parties to defeat the government, because all the groups were in favour of the constitution.

90. Amrita Bazar Patrika, 22 February 1928.

91. PBLC, Vol. 25, No. 3, 1927, pp. 53-55.

92. Ibid, pp. 60-63.

93. RAB, 1926-27, p. 60.

In 1928, one substantial cut was made under Education (transferred). The salary of the Vice-Chancellor of the Calcutta University was refused on the ground that since the creation of the University, the post of the Vice-Chancellor had been an honorary one. It was therefore argued that the post should remain honorary and not a salaried one.⁹⁴ Again, on the increase in the pay of various ranks of the police met with the lack of sympathy and therefore demand of Rs. 5,37,000 under the head 'Police' was rejected.⁹⁵

In 1929, the only cut of a substantial amount was made in the demand of "Forests". It was done with a view to refuse the expenditure required for the management by the Forests Department of private forests in Tangail sub-division. While the European group supported the motion in order to protest against the insufficiency of the grant.⁹⁶

In the third Council the number of token cuts increased. Numerous token cuts were carried against government to express the dissatisfaction of the Council that they were not happy with the measures taken by the government. On the other hand, the refusal of whole grants were few. Any member of any party could move the token cut. Sometimes the European members joined with the Bengali elected members to oppose the government. Police, Irrigation, Forests, General Administration were the main fields where the frequent token cuts took place.⁹⁷

94. IQR, Vol. I, 1928, p. 318.

95. Ibid., P. 310 and RAB, 1927-28, p. 64.

96. PBLG, Vol. 31, No. 3, 1929, p. 180.

97. Amrita Bazar Patrike, 14 March 1928.

Adjournment Motions:

Many adjournment motions were discussed in the Council. They were a true reflection of the general political conditions which prevailed throughout the year. The most important one was ^d directly connected with communal disturbances. At Ponabalia in Bakerganj there was a riot and to restore order police ^{had to open} fire. ⁹⁸ By the firing of the police seventeen rioters mostly Muslims were killed leaving countless injured. This incident aroused much excitement and protest meetings were held everywhere demanding the resignation of the Muslim ministers as they did not solve the problems. The adjournment motions on it were moved on 14 March 1927 by Abul Kasem. Abul Kasem at the time of moving the motion made it clear that he was not raising any question of a communal character. The sole question was whether in that circumstances District Magistrate Blandy was justified in firing or ordering to fire, on the crowd with the result that some persons died and some were in a very bad way. Every Councillor specially the Muslims blamed District Magistrate for his irrational activities. ⁹⁹

B.C. Roy ¹⁰⁰ moved an adjournment motion to discuss strike of the Bengal Nagpur Railway employees and firing on them on 11 February 1927. ¹⁰¹ He announced his object in bringing the motion was to clear two points. The first was the statement made by

98. For details see Chapter Three, pp. 57-58.

99. PBLC, Vol. 25, No. 3, 1927, pp. 116-145.

100. He was a member from 24-Parganas Municipal North.

101. RAB, 1926-27, p. 62 and Forward, 22 February 1927.

government that no more violence was used than was necessary. The public would not be satisfied with that statement, unless it was tested by a committee of enquiry. Again, it was not denied that violence was used and the question was whether the Magistrate was justified in calling out the Auxiliary Force. The Swarajists expressed the views that this was a dispute between black labour and white capital. So the government threw its weight on the side of capitalism. But this was a part of a higher fight for the freedom of the country. Government version on the other hand was that the workers were entirely out of control of their leaders on that night so government had no other way but to fire on the workers.¹⁰²

The Council was also marked for serving mostly the interests of the upper classes. The Bengal Tenancy Amendment Act, however, introduced a new element by bringing about at least a minor improvement in the conditions of the tenants. But questions relating to labour and depressed class interest went almost unattended. During the time the Council was sitting labour unrest provoked by genuine grievances had been rocking the Bengal industrial scene. The overimposing perspective for all the issues within this Council was provided by the increasing communal antagonism which had started in the communal riots of 1926. One remarkable upshot of this communalism was to make the Muslims more and more conscious of their communal interests.

102. PBLC, Vol. 25, No. 1, 1927, pp. 73-106.

CHAPTER TEN

**THE FOURTH COUNCIL, 1929-1936:
RETURN OF THE MODERATES : A NEW DEVELOPMENT**

The last Council was convened on 2 July 1929 and dissolved on 4 December 1936. It lasted for more than seven years. In 1937 a new legislature came into being under the Act of 1935. The perspective for this Council was set by the Civil Disobedience Movement, organised peasant politics and a strained relationship between the Hindus and Muslims. A chain of factors interlinked with each other comprised the political context against which we would be explaining the role of this Council. Perhaps the first factor to be mentioned here was the Simon Commission. But the Commission did not have the desired impact; and the Civil Disobedience Movement of 1930 was the Congress retort to government for fumbling with the political future of India. The Gandhi-Irwin Pact (1931) was thrashed out mainly to put a stop to agitational politics and the Civil Disobedience Movement was indeed called off for the time being. But the government failure to meticulously carry out the provisions of this pact compelled the Congress to renew the movement. The announcement of the Communal Award in 1932 under such circumstances added a new dimension to the already emotionally charged political scene. But whatever the turmoil the British Government seemed to ride roughshod over it and went-ahead with framing new constitutional provisions. Thus a White Paper and Joint Select Committee Report were published in 1933 and 1934¹ respectively.

In the election of 1929 the Swarajists were the only organised party. Their election manifesto was an echo of the past: a clear no to dyarchy. The other political parties contested the

1. For details see Chapter Three, 41-47; 58-60; 64-66.

election of the issue to work with government. Among the Muslims mainly there were two parties, Muslim League and Proja Party. They had a general consensus to work with the government.²

As expected in the election of 1929 the Swarajya Party achieved a landslide victory. But J. M. Sen Gupta, leader of the party was not eager to form a ministry. The Muslims were divided into many groups and it was unlikely that any individual minister who might be appointed would have the support of a clear majority. The difficulty of forming a ministry acceptable to all sections of the non-Swarajists members of the Council persisted; and ultimately the Governor, after the conclusion of the first session appointed as ministers Kumar Shib Shekhareswar Ray, Khan Bahadur Golam Mohiuddin Faroqui and Khawaja Najimuddin.³ The composition of the ministry was a sharp departure from those of 1921, 1924 and 1927. The government tilt towards the Muslims for picking up ministers was the result of a policy based on political expediency. In view of a rising militancy of the Hindus and increasing accommodating gestures of the Muslims it was indeed a master-stroke of policy to patronise the Muslims.⁴ The Muslims, had been demanding two ministers of their own community since the time of the third Council and at last, they were successful.

Among the ministers, Kumar Shib Shekhareswar Ray had already proved his ability as the first elected President of the Council

2. For details see Chapter Four, pp, 94-103.

3. Khwaja Nazimuddin - member from Bakerganj South.

4. The government began their policy of patronizing since 1925 by giving more government jobs to the Muslims.

in 1925. The two Muslim ministers had practical experience of administration in the spheres of Local Self-Government, one being the Chairman of the District Board and the other the Chairman of the Dhaka Municipality.⁵ But the ministry was greeted with hostile criticisms by both the Hindus and Muslims. Kumar Shib Shekhareswar Ray was at once denounced by the Swarajists on the ground that, at the time of the election he had undertaken not to support ministry.⁶ Fazlul Huq made no secret of his disappointment and hostility to the new ministers. He angrily declared that the entire Proja Party⁷ had been ignored with typical bureaucratic indifference who held the view that with the peasant politics Bolshevism was penetrating into the country,⁸ sufficient to good the party to desperation. It needs to be emphasised that all the members of the ministry represented the landed aristocracy. Possibly this was done deliberately to set up a counterpoise to increasing peasant militancy.

At the beginning of the year 1930, interests centred round the decisions of the Congress at Lahore. The Independence resolution and the resolution to launch a Civil Disobedience movement included boycott of the Councils and the Round Table Conference. The Bengal Congress was the only party to welcome it whole heartedly. All Swarajists except one, Hem Chandra Chowdhury of

5. RAB, 1928-29, p. xi.

6. Dhaka Prokash, 22 December 1929.

7. In the first session of the fourth Council Fazlul Huq announced the formation of the Proja Party which had the support of eighteen Muslim members. They attempted to form a strong party in the Council.

8. Mansur Ahmed, ppcit., p. 75.

Noakhali⁹ resigned their seats in the Council. No members of other parties resigned. So, there were by-elections during the tenure of this Council. The constituencies returned members of moderate views who took their seats by the middle of March. Now, the new Council was composed of the following group and parties: People's Party, Nationalist Party, Proja Party, Muslim League and non-official European group. Each faction had twelve to eighteen members. ^{the} ministers remained the same as before. A.K. Fazlul Huq in a letter to the Editor of Mussalman described their position nicely, "It is well known that present ministers do not belong to any political party and except one or two relation they cannot honestly claim to have any following in the Council. But nevertheless we have always rallied round them in cases of danger, and at the present moment they are more secure than ever before since 1924".¹⁰ So here we find a great similarity between the first and ~~fourth~~ Council. There was again like the first Council a smooth working of dyarchy. In 1930 Kumar Shib Shekhareswar Ray resigned from his post in protest against the Bengal (Rural) Primary Education Bill. The vacant place was filled up by Bejoy Prasad Singh Roy.¹¹ Again in 1934 Khwaja Nazimuddin became a member of the Executive Council. Khan Bahadur Azizul Haque was appointed minister in his place. Golam Mohiuddin Faroqui, Bejoy Prasad Singh Roy and Azizul Haque continued as ministers till after the election under the Act of 1935. In spite of differences in personalities the Muslims supported their Muslim ministers for the

9. Mussalman. 7 February 1930.

10. Ibid. 8 August 1930.

11. He was a member from Burdwan South.

first time in the fourth Council. Everyone was eager to give the dyarchy a fair trial. Now the functions of the Council and the role played by the members in it will be discussed.

Questions

Nearly 4060 questions covering a variety of fields were asked during the fourth Council. But there was marked dominance of questions relating to political prisoners government policies. The reason was the mood generated by the prevalent Civil Disobedience Movement all over Bengal. Next in order of prominence came the questions relating to riots. Even the role of the police in connection with riots and their actual strength in affected areas came under discussion.¹² A steady growth of revolutionary organisations and the deepening economic crisis, which was linked to worldwide economic depression, were also reflected in the questions asked in this Council.¹³ The members also asked questions about Round Table Conference, Gandhi-Irwin Pact, Communal Award and White Paper. It is noteworthy that the quantum of questions relating to political issues showed a considerable increase in the fourth Council. This was indicative of the magnitude of the political turmoil that had been overtaking the society.

12. Amrita Bazar Patrika, 19 and 21 August 1930; 2 and 5 April 1933. PBLC, Vol. 35, 1930, pp. 177, 247, 259, 268, 269, 373, 378, 470, 471, 833, 841.

13. Questions were asked mainly on house searches in connection with the revolutionary movement, the number of persons arrested and convicted for committing the offense of sedition, the health of the prisoners etc. PBLC, Vol. 33, 1929, p. 35; Vol. 35, 1930, p. 31. On economic crisis Retrenchment Committee's Report; awareness of government on distress prevailing in many districts in Bengal etc. Ibid., Vol. 37, 1931, p. 157, 159, 211, 610.

That the members were definitely influenced by the societal context is shown by the fact that these questions were asked with two perspective. Firstly, to elicit information, and secondly, to influence the government policy by initiating discussions on the basis of information thus elicited.

Resolutions

No. less than 118 resolutions and special motions¹⁴ were discussed in this Council. Resolutions, on both reserved and transferred departments were discussed. One of the important resolutions was discussed in 1930. It has already been observed that the Bengal Tenancy Amendment Act of 1928 was not welcomed by the peasants. So Jitendralal Banerjee¹⁵ of the newly formed Proja Party, moved a resolution to Amend the Tenancy Act for the abolition of the right of pre-emption of zamindars, to reduce land lord's transfer fee to 2 per cent and to prevent landlord's enhancing rent so long as their own land revenue remained fixed.¹⁶

The resolution was keenly debated for three days, which, in effect divided the Council into two sections: the Hindus and Muslims. The Muslim members urged that the Tenancy Act was full of omissions so far as the rights of tenants were concerned. On the other hand, Raja Bahadur Bhupendra Narayan Sinha,¹⁷ on behalf of the Hindu members, pointed out that the Act was the outcome of a mature deliberation and discussion in the last Council; and

14. Special motion was also a kind of resolution.

15. He was a member from Birbhum.

16. PBLC, Vol. 34, No. 1, 1930, p. 152; and IQR, Vol. 11, 1930, p. 202.

17. He was a member from Burdwan Landholders.

any change would be tantamount to dishonouring the members who had authored it. In fact the Hindu members had two reasons for not supporting the resolution. Firstly, any amendment to the existing Act would hamper their interest from landed property. Secondly, majority Muslims would be gainer if the Act be amended further according to the resolution. The Hindus were afraid of the Proja Party, because it was the only organised peasants' party in the Council which included programme for the wellbeing of the peasants. For the reason, in the middle of discussion Bijoy Prasad Singh Roy asked the mover whether he was a member of the Proja Party.¹⁸ The analysis of the voting revealed the fact that only two Hindus, the mover and another member, both member of the Proja Party, voted in favour of the resolution. And all Hindu members voted against the resolution.¹⁹

But in the same year of 1930, the Hindus and Muslims joined to pass three resolutions against the government. One was the provisions of Rs. 26,00,000 for the Bhairab Drainage Scheme to protect the peoples from malaria.²⁰ Another was to recommend a committee to enquire into the conditions of service of the process serving establishment and to bring an improvement of their precarious conditions. Thirdly, they protested against the proposal of the Government of India to impose a further duty of 4½ annas per maund on all imported salt. They argued that government's intention to impose an unfair burden on the peoples of Bengal was unjust and inequitable. So they emphatically protested against

18. PBLC, Vol. 34, No. 1, 1930, p. 192.

19. Ibid, P. 193.

20. Amrita Bazar Patrika, 19 February 1930.

the proposal and requested the Government of India to abandon it. The motion was agreed without a division.²¹

The moderates, both the Hindus and Muslims, were aware of the adverse economic conditions of Bengal. They carried a resolution to constitute a committee to investigate the economic distress in Bengal.²² They even argued for a retrenchment committee²³ with a view to (a) balancing the Budget, (b) supplying funds for the most neglected nation-building departments, (c) meeting the increased expenditure which was sure to follow with the introduction of a new constitution, (d) or relieving the people from further increase in taxation.²⁴ Without any division they carried the resolution that the so-called Meston Award which proved wholly unjust to Bengal and left the Presidency with resources utterly inadequate to her needs, should be changed immediately. They even moved resolution regarding the unemployment problem to find out a solution.²⁵

Moderates were also aware of the increasing activities of the revolutionary organisations and the government's repressive policy in response to these activities. Some of them could not forget the brutality of the Hijli detention camp.²⁶ So Shanti Shekhareswar

21. PBLC, Vol. 34, No. 1, 1930, p. 216; Vol. 35, 1930, p. 471; Vol. 36, No. 3, 1931, p. 438.

22. Ibid. Vol. 38, No. 1, 1932, pp. 34-50.

23. Mussalman, 19 February 1932.

24. Retrenchment Committee was set up to advise the government in 1932 after passing the resolution. IAR, Vol. I, 1932, p. 212.

25. PBLC, Vol. 42, No. 1, 1933, p. 37.

26. Modern Review, Vol. LI, No. 4, 1932, p. 471.

Ray²⁷ moved a resolution to release all persons detained without trial under the Bengal Criminal Law Amendment Act or other similar Acts.²⁸ The mover declared that government in the exercise of these powers betrayed the confidence placed in the moderates by the Council. He did not think that there was a single elected member in this Council, who when he had given his support to the Bengal Criminal Law Amendment Bill of 1930 had not the slightest idea that the policy would lead to the terrible tragedy of the Hijli detention camp on 16 September 1931.²⁹ The government as usual answered that all these repressive measures and repression were necessary for the protection of life and property of the citizens. Surprisingly most of the elected members also had the same opinion and they cast their votes against the resolution which was defeated by a considerable majority.³⁰ So here we find a similarity between the first and fourth Council. In both Council members were more concerned with resolution relating to the transferred subjects or nation-building departments and on the question of political prisoners they did not dare risk their office by going against the government.

Resolutions and Special Motions on
Constitutional Reforms

Resolutions and special motions dealing with the constitutional reforms aroused the greatest interest in the Council. On these issues the interest orientation of the members divided the Council

27. He was a member from Malda.

28. PBLC, Vol. 38, No. 1, 1932, and IAR, Vol. I, 1932, p. 210.

30. For details of the incidence of Hijli detention camp see Chapter Three, p. PBLC, Vol. 38, No. 1, 1932, pp.153-154.

31. Ibid, Vol. 38, No. 1, 1932, p. 155.

into two groups: the Hindus and Muslims. Sometimes the Council was divided into caste Hindu and depressed class and whenever it happened the Muslims always tilted towards the depressed classes. The Europeans, Anglo-Indians and the officials always sided with the government.

One such resolution was moved by J.N. Gupta³¹ on 18 August that recommendation of the Simon Commission fell far short of Indian expectations.³² The resolution was carried without a division.³³ Every elected members, Hindu or Muslim agreed and came to the conclusion that the work of the Simon Commission was reactionary and conservative in character. They were not inspired by any genuine ideals of liberal statemanship to help India attain complete political self-determination within a reasonable period of time.³⁴ But a strong debate took place on the question of Dominion status of India in this connection. In the debate, the Muslim members except the Muslim League remained unsympathetic to the discussion on this issue. The Muslim League contested the 1929 election with the help of the Congress, so they did not like to go against the Congress on this issue. But the other Muslim members opined that the Dominion status had no significance at all unless their position under such a system was made clear. They further argued that if Dominion status meant that they would be given their rightful place, it would be acceptable by them. But

31. He was member from Bakura West.

32. PBLC, Vol. 35, 1930, p. 422.

33. IAR, Vol. II, 1930, p. 212.

34. Amrita Bazar Patrika, 20 August 1930.

if it meant that one community would be in a position to tyrannise the other, the Muslims would oppose it.³⁵

Again, on the next day on 19 August, the question of Dominion status in another resolution divided the Council. S.M. Bose³⁶ moved the resolution to discuss the coming Round Table Conference. The resolution recommended that the coming Round Table Conference to which the Bengal representatives would be elected by the Legislative Council, be held on the basis of immediate establishment of full Dominion status for India with responsible government in the provinces as well as in the centre.³⁷ Again the Council was divided into the Hindu and Muslim group. Only the Muslim League leader Abdus Samad³⁸ welcomed it. The Proja Party, the largest Muslim group was against the resolution on the same ground as the previous one that their proper share in the administration must be realized first. The resolution was defeated by 41 votes to 33. The European also opposed the resolution because they never liked Dominion status for India. The officials abstained from voting.³⁹

The Muslims were so concerned about their interests that they disliked the Delhi Agreement reached in the Gandhi-Irwin Agreement in which they took no part. The Hindu members of the Council, on the other hand, expressed their gratitude for the agreement. To them it marked a very important stage in the adjustment of political relationship between Great Britain and India. J. N. Basu⁴⁰

35. PBLC, Vol. 35, 1930, p. 439.

36. He was a member from Calcutta East.

37. Ibid, Vol. 35, 1930, p. 443.

38. He was a member from Murshidabad.

39. IAR, Vol. Iⁿ, 1930, p. 212.

40. He was a member from Calcutta North.

the Peoples' Party leader was the mover of the resolution. He hoped the task of bringing about a settlement of the outstanding problems regarding protection of minorities, the Hindu Muslim representation in the legislatures and in various local bodies would be easier now.⁴¹ But the Muslims persisted with the argument that they had been thoroughly ignored by the pact. And they would be no party to any compromise or agreement of peace unless they were assured of and convinced that the rights, privileges and interests of the Muslims were properly and duly safeguarded.⁴²

The announcement of the communal Award in 1932 gave rise to a storm of controversy among the Caste Hindus. The Caste Hindus felt the Award was unjust and unfair. It conceded the Muslims almost all their demands and it was also generous to the depressed class Hindus who never got such an unusual favour before from the government. Protest began against the Award all over the province. The agitation was reinforced further when the Award was modified by the government on the basis of Poona Pact. Two resolutions were moved in connection of Communal Award. The first one was moved on 25 November 1932 in favour of a second chamber constituted on non-communal line.⁴³ But the debate developed on communal lines.⁴⁴ All the Muslims and depressed class Hindus solidly opposed the proposal, which they considered would materially curtail the advantageous that their community would derive from the Prime Ministers' Award. The Muslims and depressed class Hindus viewed

41. PBLC, Vol. 36, No. 3, 1931, p. 60.

42. Ibid., Vol. 36, No. 3, 1931, p. 89.

43. Ibid., Vol. 40, No. 1, 1932, p. 198.

44. Amrita Bazar Patrika, Vol. 40, No. 1, 1932, p. 233.

if any second chamber in the Bengal Legislature was constituted on a non-communal line, their interests would be jeopardized. The caste Hindus supported the motion while the Muslims and depressed class Hindus opposed it⁴⁵ and the motion was defeated.

In the case of the second resolution which was moved in 1933, the Caste Hindus were successful to carry it in the Council. Jitendralal Banerjee pointed out three demerits of the Poona Pact in his resolution.⁴⁶ They were, the Pact was inapplicable, injurious and did not fulfil the conditions of an agreed settlement.⁴⁷ To ignore the Pact the Caste Hindus declared that there was no depressed class problem in Bengal. On the other hand, the depressed class Hindus announced, the population of the depressed class in Bengal was greater than any other province in India. For this reason neither communal Award nor the Poona Pact was against the interest of the Hindu Community or subversive of their solidarity. The Award and the Pact were against the sectarian interests of the three castes: Brahmins, Baidyas and Kayasthas who had in the name of the Hindus monopolised the political power and the public services in every branches of the administration superior or subordinate. The inner meaning of the resolution was fully realized by the depressed class Hindus but they could not defeat it. In the division, majority of the Muslim and the depressed class members opposed the motion, the official members and Europeans abstained from voting. While all the Caste Hindus voted in favour of the resolution and carried it.⁴⁸

45. PBLC, Vol. 40, No. 1, 1932, p. 233.

46. IAR, Vol. I, 1933, p. 185.

47. PBLC, Vol. 40, No. 2, 1933, p. 46.

48. Ibid, Vol. 4, No. 2, 1933, p. 121.

As British government took next step, it published in March 1933 a White Paper on Indian constitutional reforms on the basis of their decision in the light of considerations during the three Round Table Conferences. Again, it appointed a Joint Select Committee of Parliament to consider the future government of India. The Bengal Legislative Council also moved two motions to consider the White Paper and the recommendations of the Joint Select Committee. The special motions were moved by W.D.R. Prentice, Executive Councillor of Political Department, with two objects in view. One was to give an opportunity for the fullest and freest discussion of the White Paper. The other was, to ensure that whatever opinions were expressed would be forwarded to His Majesty's Government for consideration by the Joint Parliamentary Select Committee.⁴⁹

The motion on White Paper was moved on 1 April 1933. As the councillors were all moderates they regarded the White Paper as a distinct improvement over the 1919 Act. In the future Act the provincial government would be responsible to the legislature, there would be no distinction between reserved and transferred departments. Yet they suggested some improvements in a spirit of co-operation.⁵⁰

Their first suggestion was about finances. They argued that Bengal to be placed on sound financial footing, to provide for adequate expenditure for public health, sanitation, education, agriculture etc. Secondly, Bengal not to be bled for the benefit of other provinces. No further retrenchment could be possible in

49. *Ibid.*, Vol. 41, No. 3, 1933, p. 175.

50. Amrita Bazar Patrika, 2 April 1933.

Bengal. Thirdly, they demanded the allocation of all the proceeds from jute tax to Bengal.⁵¹

The motion to consider the Report of the Joint Select Committee of Parliament was moved on 18 December 1934. The Muslims declared that they had accepted the reform. In the future Act though they had not been granted a majority in Bengal Legislature which they could rightly claim, they would have a relief from the wrongs that had been done before. They believed that the reforms, with all its shortcomings, would be a welcome change.⁵² The depressed class Hindus also welcomed the change.⁵³ But to the Caste Hindus, who so far played the main role in the politics of Bengal, the Communal Award and the Poona Pact appeared to be a conspiracy to cripple the force of nationalism by securing a permanent segregation of the depressed classes from the rest of the Hindu community. Even some European members expressed their doubt as to the justice and wisdom of the Poona Pact so far as Bengal was concerned. For negotiation of the Poona Pact W.H. Thompson, the leader of the European group and Bijoy Prasad Singh Roy made a joint effort in the Council at the time of discussion of the motion. But Mukunda Behary Mullick,⁵⁴ a schedule caste leader, while indicating the readiness of the depressed class to negotiate, made it clear that any alteration in the Poona Pact would be acceptable only on their own conditions.⁵⁵

51. PBLC, Vol. 41, No. 3, 1933, p. 183 and Amrita Bazar Patrika, 4 April 1933.

52. Ibid., Vol. 44, 1934, p. 265.

53. IAR, Vol. II, 1934, pp. 136-138.

54. Non-official nominated member from depressed classes.

55. PBLC, Vol. 44, No. 1, 1934, pp. 254-55.

The relations between the two great communities did not improve but continued to deteriorate during the course of the years. The Communal Award added, a third dimension - the depressed classes, to this relations. The growing consciousness of the struggle for political power and anxiety for future naturally led the Muslims and depressed classes to a certain amount of political restlessness. They were becoming more and more anxious that claims for an increased share in the administration of the province should not be overlooked. For this reason they were more assertive to their demands than before.

Bills and Acts

Repressive Measures:

With the increase of activities of revolutionary organisations the Council had to ~~introduce~~ several times on the Criminal Law Amendment Act. The Criminal Law Amendment Act of 1925 was due to expire in April 1930. The Act contained two parts: one enabled the executive to arrest and detain without trial the members of revolutionary organisations, which according to government had for their object violence and assassination; the other provided for the speedy trial of certain offences. Government decided that it was necessary to retain only the provisions for speedy trial.⁵⁶ The Bill repeated the first sections of the Act of 1925 and retained the rest for five years.⁵⁷

56. IQR, Vol. I, 1930, p. 124.

57. PBLC, Vol. 34, No. 3, 1930 p. 673.

The introduction of the Bill was opposed by J.N. Basu, B.C. Chatterji,⁵⁸ A.K. Fazlul Huq and Abdus Samad. The leaders of the four parties in the Council. They announced that they would not accept the responsibility of passing repressive laws. Moreover, the introduction of the Bill gave no opportunity to amend the text of those portions of the Act which were being continued for another five years. When the motion to introduce the Bill was carried the opposition walked out led by B.C. Chatterjee. The Bill was then passed without a division.⁵⁹ It is interesting that though the leaders of every group of party opposed the bill,⁶⁰ not every member of each group opposed it. Many elected members supported the bill. Analysing the role played by the members in the Council, Amrita Bazar Patrika, in its editorial wrote, "the Council is devoid entirely of its nationalism elements".⁶¹

Again in 1932 the Bengal Criminal Law Amendment Bill appeared in the Council.⁶² On 29 October 1931 the Bengal Criminal Law Amendment Act, 1930 was amended by Ordinance IX of 1931, promulgated by the Governor-General.⁶³ This new Ordinance made it possible to take preventive action not only against members of revolutionary organisations as such instead of having to wait for evidence of their activities in certain specified directions before action was

58. J.N. Basu - member from Nadia, B.C. Chatterji - member from Bakerganj North.

59. IAR, Vol. II, 1930, p. 208.

60. Opposing the bill Fazlul Huq announced, "Sir, I have got to say something entirely personal and it has got nothing to do with my party". PBLC, Vol. 55, 1930, p. 675.

61. Amrita Bazar Patrika, 26 March 1930.

62. PBLC, Vol. 38, No. 1, 1932, p. 64.

63. IAR, Vol. I, 1932, p. 215.

possible, but also against persons who though not members themselves did any act to assist the operations of any such association.⁶⁴ This Ordinance would be expiring at the end of April 1932. As the Ordinance was temporary in nature the Government of Bengal wished to make it a permanent one. The opponents seriously fought to keep the bill temporary⁶⁵ and argued as before that the bill would be harmful than helpful; it would not stop revolutionary activities. They further complained, "official usurpation of legislative function bureaucratic dictatorship have rendered public opinion meaningless and popular representation a big ridicule."⁶⁶ But the Bill was made an Act with the help of officials, European and majority of the elected members.⁶⁷

Again, on 12 February 1934, the Bengal Criminal Law Amendment Bill was introduced with a view to make it permanent.⁶⁸ Two hundred and sixty-five amendments were tabled. The consideration of the bill was taken up on 5 March; and was passed on 10 March after six full days of tedious debate in which all the important provisions of the bill were keenly contested.⁶⁹ Though the opposition were highly successful in its obstruction tactics, the absence of strong leadership was marked. Obstruction came for the most part from individual members acting on their own responsibility. Khan Bahadur Abdul Momin,⁷⁰ N.K. Basu deserves mention

64. RAB, 1930-31, p. XVI.

65. Amrita Bazar Patrika, 13 December 1932.

66. PBLC, Vol. 38, No. 2, 1932, p. 79.

67. Ibid, Vol. 38, No. 2, 1932, p. 151.

68. Amrita Bazar Patrika, 1 February 1934; IAR, Vol. I, 1934, p. 161.

69. PBLC, Vol. 43, No. 4, 1934, pp. 442-754.

70. He was member from Noakhali.

for the ability and pertinacity with which they fought against the bill to end under discouraging circumstances.⁷¹ In all divisions there was an overwhelming government majority. The proceedings were *deliberated* by a sitting of the Council up to midnight on 10 March.

Another repressive measure was the Bengal Public Security Act of 1932. The Bill was introduced in the Council as a weapon to deal with the workers of Civil Disobedience Movement.⁷² It was showed by government that the ordinary law was inadequate to deal with certain aspects of the Civil Disobedience Movement. So, government was forced to introduce the Bill. The motion of eliciting public opinion was lost by 17 to 66 votes.⁷³ Only 4 Muslims voted for the motion. But the members who opposed the introduction of the bill, opposed to every clauses of it at the time of discussion.⁷⁴ But the bill was passed securing substantial votes.

It is noteworthy that all these repressive measures were passed by overwhelming majority. The opposition against these measures were not as much as it had been in the second Council. A number of factors explains this phenomenon. Firstly, the moderates never believed that independence could be achieved through revolutionary movements. And this was the reason why they also boycotted the Civil Disobedience Movement organised and spear-headed by the Congress. Secondly, an overt communal outlook of

71. N.K. Basu even did not sign the report of the Select Committee where he was a member. *Modern Review*, Vol. LV, No. 3, 1934, p. 369.

72. *IAR*, Vol. II, 1932, p. 167.

73. *PBLG*, Vol. 40, No. 1, 1932, p. 173.

74. *Musaalman*, 23 December 1932.

the revolutionaries was an anti-Muslim stand and this explains the outright Muslim support for the repressive measures directed against these extremist elements.

Communal Divisions

Hindu feelings in the Council was almost entirely against the Bengal (Rural) Primary Education Bill. The Bill was firstly introduced in 1928.⁷⁵ Yet it was not passed in the Council for Hindu opposition.⁷⁶ In the fourth Council it was introduced by Education Minister Khwaja Nazimuddin. The bill was introduced to make better provision for primary education in rural areas in Bengal by (a) providing a central authority for each district to control primary education,^(b) raising the funds necessary for the extension of primary education, and (c) providing for compulsory attendance at school.⁷⁷

Also in the fourth Council the Hindu members from the beginning did not favour the introduction of the bill.⁷⁸ According to them as to the financial aspects of the measure, the framers of the bill had committed an egregious blunder.⁷⁹ They viewed that in the context economic condition of Bengal it would not be

75. The Primary Education Bill was also discussed in the third Council.

76. Amrita Bazar Patrika, 12 August 1928.

77. Mussalman, 9 August 1929.

78. J.N. Basu, Peoples' Party leader said that having regard to the decision of the Council they felt that they could not usefully contribute to the debate and therefore proposed to retire in a body during its discussion.

79. Modern Review, Vol. XLVI, No. 2, 1929, p. 242.

wise to impose any fresh direct tax on the masses who were already groaning under heavy taxation and pecuniary disabilities. On the other hand, all the Muslim members were determined to brook no delay in having the measure placed on the statute book. The leader of the European group extended the support of his party to the Bill. And declared they were very conscious of their responsibilities in this vital issue. They had given much thought to every aspect of the case; they had carefully considered each pros and cons and it was their honest opinion that the proposal to refer the Bill to a Select Committee was a deliberate attempt to wreck the Bill.⁸⁰ Some stir was caused during the discussion of a motion to refer the bill to the Select Committee when Kumar Shib Shekhareswar Ray resigned as minister.⁸¹ The Hindus found themselves in a minority and complained that the new members were denied an opportunity for examining the Bill. The opposition to the bill took the form of a motion for the adjournment motion of the House to consider the situation caused by the continuance in office by the two ministers after the resignation of their colleague.⁸² The motion was disallowed by the Governor as not being the primary concern of the local government. The Hindu members then announced, "we think that the introduction of this bill at the present stage is without any justification. It is an abuse of the powers of administration; ... we cannot, therefore, ... consistently with our dignity as members of the Legislative Council, be

80. IAR, Vol. II, 1930, p. 208 and PBLC, Vol. 35, 1930, p. 290.

81. IAR, Vol. II, 1930, p. 210.

82. Amrita Bazar Patrika, 10 August 1930.

83. PBLC, Vol. 34, No. 3, 1930, p. 678.

a further party to the discussion of the details of the bill, and with your permission, Sir, we take leave to retire in a body".⁸³ After announcement they left the Council. The bill was rapidly considered in two sittings. All the Muslims and Europeans supported the the bill and it was passed on 26 August 1930. The Hindu opposed the Bengal (Rural) Primary Education Bill not only for the tax it imposed on the people. There was another side of the story. By the extension of compulsory primary education the Muslims would be gainer at the cost of Hindus. Besides the Swarajist weekly Atmashakti on 15 May 1925 gave the true picture why the Hindus should oppose the bill. It wrote, "If we introduce compulsory primary education among the peasants ... and thereby try to reform society by giving them newspaper education, it will be simply inviting ruin [to the Hindus]".⁸⁴

Again, the Bengal Municipal Bill of 1932 aroused communal feelings in the legislature. The Bengal Municipal Act of 1884 was one of the earliest statutes which conferred the right of self-government on local bodies. This was in a manner the first experiment in this direction. Municipalities with a majority of elected members with powers of taxation and improvement of civic amenities under the check and control of the Local Government in cases of abuse of power came into existence under this Act. The franchise was based on payment of rates or taxes besides educational qualifications.

83. PBLC, Vol. 34, No. 3, 1930, p. 678.

84. Gautam Chattapadhyay, op.cit., 94.

The present bill was based on recommendations by Select Committee which included amongst others, (1) those about franchise qualifications, (2) provision for the representation of minorities where necessary, (3) representation of labour, (4) and control of municipalities by the local government.⁸⁵

As regards the constitution, the proportion of elected commissioners was increased to three-fourths instead of two-thirds as at the existing constitution, in case of average ~~average~~ municipalities, while in certain advanced municipalities the elected proportion was raised to four-fifths.

To safeguard the rights of minorities under this wide extension of the elective system, government took power to alter the number of commissioners to provide specially by rule for the representation of minorities, and in the case of industrial areas to increase the number of nominated commissioners. The franchise had been greatly widened, payment of any sum in respect of municipal rates would qualify for a vote.

Actually increasing the elective element in municipal boards, government abandoned its old system of "internal control". The popular voice was thereby given greater freedom in the direction of policy and the details of administration.⁸⁶

But the Hindu members opposed the bill. They moved a motion to recommit the bill to the Select Committee. The mover, Satyendra Nath Roy argued that the bill was rushed through by the

85. PBLC, Vol. 38, No. 2, 1932, p. 844.

86. PBLC, Vol. 38, No. 2, 1932, p. 844-46.

Minister for Local-Self-government without considering the opinions of those who were at the helm of municipal administration.⁸⁷ But the real cause of opposition against the bill was the widening of the franchise. By widening of the franchise the number of Muslim voters would increase. The bill was passed by the votes of Muslims, Europeans, official and non-official members.

Acts Affecting the Rural Peoples

Of the 108 Acts which were passed in the fourth Council some seemed to be helpful to the rural people. The Bengal Money Lenders Bill of 1933 and the Bengal Agricultural Debtors Bill of 1935 were for the benefit of the rural people.

Of all the non-official Acts which were passed in the fourth Council, the Bengal Money Lenders Act was the most important one.⁸⁸ The bill was introduced by Khan Bahadur Azizul Haque and aimed at reducing peasant's accumulated debt. The main objects of the bill were (i) to abolish compound interests, (ii) to secure maximum rate of interests for secured and unsecured loans, (iii) to make registration compulsory for all money-lenders who were not permanent residents of Bengal, (iv) to make a debtor know all the information regarding his loans, (v) to make habitual usury a penal offence, (vi) to empower courts to take tender of money for loans as interests and principles.⁸⁹

87. Ibid, Vol. 39, No. 1, 1932, p. 180.

88. IAR, Vol. I, 1933, p. 188, PBLC, Vol. 42, No. 2, 1933, p. 247.

89. PBLC, Vol. 40, No. 1, 1932, p. 86.

The landlords and their association, the British India Association showed keen interest to support the bill. But the representative of Bengal Mohajan Sabha, Ananda Mohan Poddar and other elected members who were directly linked to this profession *voted* against the bill. Ananda Mohan Poddar pointed out that he had every sympathy with the purpose of the bill, but doubted as to the effectiveness of legislation in this matter. The opponents of the bill were anxious for the abolition of compound interests. The main contents of their argument was; the bill would not help borrowers, rather it would put the borrowers under great difficulties. In the money-lending business particularly in rural areas in Bengal the problem was not the rate of interest but the principal. The compound interest was a safeguard for speedy and regular realisation of interest. If the safeguard was taken away, money lender would not lend money to anybody and the persons who were in need of money would suffer. Some opponents expressed that the bill was no more than to serve the purpose of electioneering.⁹⁰ But the supporters of the bill congratulated the mover for such a bold step. The last Council had its credit to pass of many useful acts, but this Act was an economic measure of far reaching importance.

The another important act was the Bengal Agricultural Debtors Act of 1935 to some agricultural debtors from ruination by providing the establishment of debt conciliation boards".⁹¹ But the non-agriculturist members were against ^{this} government bill. Their main objection was to confine the bill only to the agriculturists

90. *Ibid.*, Vol. 40, No. 1, 1932, pp. 86-95.

91. *Ibid.*, Vol. 47, No. 2, 1935, p. 367.

alone. To them the middle class, the artisans, the petty shop keepers were as much and more in need of relief than the pure agriculturists. In their opinion the bill had been introduced by the government simply to penalise the educated middle class community to which agitators for political independence mainly belonged.

The Muslim Chamber of Commerce, also pleaded for the artisans, the shop-keeper and daily labourer as being more in need of help than the agriculturists. Even the Bengal Chamber of Commerce opined that the measures could be justified only as an emergency steps.⁹² But members of the rural constituencies thanked government for the introduction of the bill. They pointed out an alarming sign that in 1935, ^{the indebtedness of the} agricultural community in Bengal was upto 275 crores. So government took a proper step by introducing the bill in the right time. And they cast their votes in favour of the bill and the bill was passed.⁹³

These bills were moved owing to the wide-spread economic distress in Bengal, and because the fall in the price of agricultural products, the paying capacity of the cultivators became such that they were not in a position to repay their debts; and therefore, the bills were moved to lighten the burden of indebtedness to the extent of the paying capacity of the debtor. Moreover, government ^{was} perturbed by the growing consciousness of the peasants. Not only the Proja Party, many peasants' Samities were formed to redress the grievances of the peasants. "Non-payment of rent" was the main shibboleth of the cultivators to which they could

92. PBLC, Vol. 47, No. 2, 1935, p. 366.

93. Ibid, Vol. 47, No. 2, 1935, p. 367.

stick together unless their demands were fulfilled. The increasing agitation of the peasants compelled government to give at least some concession.

Budgets

The members of the fourth Council, like the previous three, criticised the government for presenting a deficit budget. They were surprised to find lack of sympathy of the government for the nation-building departments.⁹⁴ No money had been allocated to meet popular demands calculated to improve the condition of the country educationally, economically and physically; but on the other hand, police had taken the lion's share in the budget.⁹⁵ The government blamed Civil Disobedience Movement for deficit revenue and as a result for deficit budget.

Table - 10.1

Revenue Deficits in Lacs in Bengal

1930-31	...	174.45
1931-32	...	199.46
1932-33	...	129.79
1933-34	...	175.95
1934-35	...	5.28

Source: Haricharan Ghosh, "Review of Finances in Bengal (1937-41)", Indian Journal of Economics, Vol. XXI, 1940-41, p. 571.

94. Ibid. Vol. 34, No. 2, 1930, p. 93.

95. Modern Review, Vol. LI, No. 3, 1932, p. 347.

But the members did not agree to put blame on the Civil Disobedience Movement for any deficit of revenue in Bengal. To them a wrong financial policy, a bankruptcy of intellect and an utterly selfish outlook on the part of the government had driven Bengal to the verge of ruin. Nothing but the initiation of a bold and statesman like financial policy can restore the financial credit of the province and save Bengal from ruin.⁹⁶

But there was no serious attempt to make cuts of a drastic character in any demand. The moderate members of the fourth Council limited themselves only to criticising policy matters and details of administration by means of token cuts. In 1930, a motion to draw attention to the failure of the Irrigation Department to tackle the problems of the dead and *dying* rivers in West Bengal and of water hyacinth in Eastern Bengal resulted in a token cut.⁹⁷ Motions for token cuts initiated discussions about treatment of prisoners in jail, repressive policy of government and failure of the police to preserve the public peace.⁹⁸ The three motions to cut ministers' salaries were debated (i) for total refusal, (ii) for a cut of Rs. 64,000 and (iii) for a cut of Rs. 5. The first raised the old question of "Dyarchy" and was defeated without a division. The second was moved to advocate a reduction in the scale of the salary paid to ministers. This was

96. ICR, Vol. II, 1930, p. 203.

97. PBLC, Vol. 34, No. 3, 1930, pp. 195-208. A.K. Ghuznavi, member in charge of the Irrigation Department admitted that the province had one of the finest waterways in the World. But he regretted that the department being understaffed, found it impossible to attend the multifarious problems of the department.

98. IAR, Vol. II, 1930, pp. 205-206.

defeated by 87 votes to 13. The third motion - a token cut - was moved to press the view that as the present ministry was chosen from an unrepresentative Council, the government should, now that the Council was composed of persons willing to work the constitution, choose ministers who commanded the confidence of the majority of the Council. The mover disclaimed any intention to criticise the ministry or to condemn it from any other part of view.⁹⁹ On receiving an assurance from the Chief Secretary, that a copy of the debate on the motion would be laid before the Governor, the motion was withdrawn.¹⁰⁰ So the government got all the demands passed except a few token cuts. The Council also passed supplementary demands on jails and police Rs. 10,43,500 and Rs. 3,78,000 subsequently in connection with the Civil Disobedience and similar movements.¹⁰¹

In 1931, all demands for grants were accepted by the Council including ministers' salary and police. Without a single cut the Council sanctioned Rs. 1,99,88,000 for police. R. Maiti¹⁰² by a cut motion of Rs. 1,000 criticised, "the excess of the police in Midnapore in connection with the Civil Disobedience Movement". But the motion was lost.¹⁰³ The members also gave their consent to a supplementary grant of Rs. 5,15,000 under the head 'Police' to meet the cost of the extra police required to deal with the

99. IAR, Vol. II, 1930, p. 204.

100. PBLC, Vol. 34, No. 3, 1930, pp. 226-244.

101. Ibid., Vol. 35, 1930, pp. 75-90; 123-166, and Amrita Bazar Patrika, 16 August 1930.

102. Member from Madnapore South.

103. IAR, Vol. I, 1931, pp. 196-97.

disturbed situation in the province, a striking instance of the Council's co-operation with government in dealing with the political situation.¹⁰⁴

When the budget was presented in 1932 it revealed an anticipated excess of expenditure over income amounting to two crores of rupees. The members presented one thousand one hundred and sixty three motions for the reduction or refusal of demands. But government was defeated only on two occasions. One defeat was on a token cut on the demand under "Land Revenue" and was made in order to draw the attention to excessive assessment of cess.¹⁰⁵ The second defeat was in connection with a token cut under "Scheduled Taxes", and was made in order to draw attention to the prevalence of gambling in Calcutta.¹⁰⁶ Again, in 1932, the Council passed a supplementary grant of Rs. 3,00,000 for police on 5 December, to meet anticipated extra police expenditure in connection with revolutionary activities.¹⁰⁷ From now on the government was never defeated in connection with the Budget. Only there were token cuts. The cut motion was presented in the Council by individual members and not by party. In the fourth Council all the party lacked cohesion. On the other hand, being moderates the members were never against the government. They followed the convention which was gradually gaining favour of using the opportunity offered by token cut motions for raising discussion on questions of policy and administration.

104. PBLC, Vol. 37, 1931, pp. 559-96 and IAR, Vol. II, 1931, p.174.

105. IAR, Vol. I, 1932, p. 217.

106. Ibid.

107. PBLC, Vol. 40, No. 2, 1932, p. 264.

Adjournment Motions

This policy of patronizing the government was also seen in the case of adjournment motion. Some motions were related with the politics of the country. They were moved to censure the government. But most of them were defeated.

The first adjournment motion of the fourth Council was moved by Jalaluddin Hashemy¹⁰⁸, a Muslim Leaguer. He discussed the high handedness of the police in having made lathi charges on and in assaulting peaceful and unarmed processionists headed by Subhas Chandra Bose on 26 January 1931. The motion was defeated by 37 to 67 votes.¹⁰⁹

Again, when in 1931 a serious situation arose in the country with regard to Gandhi-Irwin Agreement by the execution of Bhagat Singh, Rajguru and Sukdeb, a motion was moved again by Jalaluddin Hashemy. For the execution of these three youngmen, the people of Bengal felt a deep resentment against the government. Though the general people did not believe in violence; nevertheless they liked the courage of these youngmen. But this motion was also lost by 26 to 54 votes.¹¹⁰

The only motion passed was to consider the matter of the health of Subhas Chandra Bose and J.M. Sen Gupta. They were detained as state prisoners under Regulation III of 1818. The public feeling was against their detention. So in this case, the moderates could not oppose the public feeling. They voted for the motion and it was carried in the Council.¹¹¹

108. He was a member from Khulna.

109. PBLC, Vol. 36, No. 1, 1931, p. 245.

110. Ibid, Vol. 36, No. 1, 1931, pp. 296-311.

111. Ibid, Vol. 40, No. 1, 1932, p. 233.

The preponderance of the moderates in this Council was in fact not that ^{much} meaningful. Any change in the policy of the Swarajya Party would have made a different story for them. The major thrust of legislative process was towards the issues emerging from the constitutional controversies. On these issues the Hindu members, despite their differing political orientations, demonstrated a solidarity in either opposing or supporting the government. After the announcement of the Communal Award the interests of the Caste Hindus and depressed class Hindus differed and they began to act according to their community interests.

The Muslims, on the other hand, could not put up a show like this in several instances. They differed from their members of their community depending on the differences in individual and party political orientations. It is, however, to be pointed out that the Council was conspicuous by a determined effort on the part of the Muslims to assert for securing and safeguarding their rights.

Above all, this Council differed from its predecessors in another sense as well. Even with some glaring limitations, quite a number of legislations were enacted that aimed at improving the lot of the peasantry and other depressed classes.

CHAPTER ELEVEN

CONCLUSION

The provinces were the spheres where the principle of responsible government was first applied and where the Indians had their first experience of sharing government, albeit with so many glaring limitations. The present discussion has tried to analyse the working of the principle of responsible government in the legislative sphere, or to be more specific, the working of dyarchy, as it was called under the Act of 1919. In doing so the analysis has been placed in the overall perspective of socio-political conditions under review (1921-1936). In fact, the working of the Bengal legislature during this period has been analysed with the help of the input-output model.

Upto 1920 all provincial councils played mostly the role of an advisory body. The Act of 1919 increased the non-official representation as well as the power of the Council. A close observation of the socio-political circumstances prevailing between 1921-1936 shows that the inputs to this legislature left a wide gap between expectations and achievements of the Bengalees.

The initial wind of change introduced by the reform was the enfranchisement of about a million new voters of whom a large majority were rural illiterates. Apparently there seemed to be a large legislature with an increased non-official representation. Most of the non-official members came off that segment of society known as "bhadrolok". For both the Hindus and Muslims this was equally true. The inputs to and output from the Councils were largely conditioned by the social bases and political orientations of these members. Of course, their role and for that matter,

the shape of the legislature was very much circumscribed by the rules of procedure laid down by the government.

The legislature thus emerged was not a truly representative body; it had to work very much as an organ of a colonial government. Again, our analysis has shown that the main purpose of sharing the new legislative powers by the elected members was to safeguard and further their interests, at times class but mostly communal.

Resolutions, questions and bills worked as mechanisms in the legislature for upholding both class and communal interests. This is evident from the fact that, on questions relating to ryots and Zamindars the Hindu and Muslim landed interests always tried to put up a stiff opposition against the ryots. The same scenario was repeated when the interests of the industrial workers came up for discussion. This explains why there was so little input of peasant-labour questions. This also explains an almost nonchalant attitude of the Bengali Councillors towards the plight of the masses caused by the widespread economic slump. At the same time the communal basis of these members was demonstrated in the case of sharing jobs and other administrative opportunities. Occasions such as those certainly divided the Hindus and Muslims. The much talked about Hindu-Muslim alliance effected by the Lucknow Pact (1916) was, in reality, a product of political expediency spurred by a common but transient nationalist fervour. But this alliance broke down under the weight of a divergence of Hindu and Muslim communal interests. At the time of its initiation the Bengal Pact (1923) appeared to be a much more exalted edifice of Hindu-Muslim

unity with a far more deeper common nationalist aspiration. But it too foundered on the rock of a sharp difference of communal interests of these two communities. If it succeeded, the Bengal Pact would certainly have given the Muslims a fair share of administrative opportunities. When the Muslim members of Council hastened to move resolutions to give effect to this pact their Hindu counterparts were alarmed. Perhaps they would have remained contented by leaving the pact as a pious wish. The Muslim exuberance about the pact was considered contrary to Hindu interests and was therefore declared void. The obvious clash of interests between these two communities that marked the society at large was thus reflected even within the council.

The Hindu-Muslim cleavage was further sharpened when the amendment of the Bengal Tenancy Act came before the Council in 1928. An unprecedented unity bound all Hindu members in support of this act, while the Muslims were united in opposition. How do we explain this phenomenon? The disillusionment resulting from the failure of the Bengal Pact had already given the Muslims sufficient logic to be united and active in achieving their separatist goals. Moreover, the tragic episode of 1926 riot appeared as a trauma never to be forgotten. These are the reasons why politics both within and without the Council since the mid-twenties had assumed a pronounced communal character. The furor created on the Council floor around the Bengal Tenancy Act was therefore an echo of the broader societal perspective. After all, no institution can work in a vacuum. A perspective needs to be in the background; and the Bengal society with all its class and communal moorings and interest bases provided that.

A series of disenchantments with communal partnership gradually led the Muslims to court the favour of the British government. This was a survival strategy dictated by circumstantial expediency. Government on its part, had been waiting with outstretched arms. This new development in Bengal politics could be seen in the increased Muslim membership in the ministry of the fourth Council; and in the Communal Award (1932) which raised Muslim representation in the Council.

An undertone in the legislative proceedings was provided by the role of the British non-officials. It certainly coalesced with their interests to stand by separatist politics. There were probably two explanations for such a role. First, by doing so they could protect their exclusive interests. Second, by promoting separatist urges and keeping the communities apart they could derive tactical advantages so necessary under those turbulent circumstances. In the Council, therefore, they always backed ^{The} government.

Such a perspective explains the nature of input to and output from the Bengal Legislative Council, 1921-1936. The moderates who got elected to the first Council (1921-23) had one conviction that the reforms, if not entirely satisfactory, were not all bad. So they decided to cooperate with government. They were, however, shows of opposition by some of them which proved inconsequential. ^{The} Government could always get away under the certification provision. This Council was conspicuous by the absence of any major societal input to the legislative process. We do not find any reflection of the Non-cooperation and Khilafat movements in the questions and resolu-

tions. But as far as incipient communal cleavage was concerned there was indeed some output.

The Swarajists, with their election manifesto for obstructing the reforms, were elected to the second Council (1924-26). The moral support extended by the Swarajists to the revolutionaries and other political activists was reflected in the Council in the nature of questions asked by them. But the communal issues added a significant dimension to the legislative process of this Council. A resolution by Nawab Musharraf Hossain demanding an early implementation of the provisions of the Bengal Pact led to the adjournment of the session sine-die.

In the context of input and output the third Council (1927-29) stood in the midway between the first and second and was marked by both cooperation and opposition by the Swarajists. The analysis shows that there was a fair amount of societal input to this Council. The rapidly widening rift between the two major communities and the growing Muslim assertiveness could be seen in the changed balance of composition and deliberations. On the other hand, there was hardly any concern for the labouring poor. A clear preponderance of communal over class perspective was thus evident.

The fourth Council witnessed a return of the moderates. The inputs to this Council were influenced by the constitutional issues arising out of the Simon Commission and the Round Table Conferences, Communal Award and the White Paper. On these issues the two communities found themselves on two hostile sides.

A number of specific conclusions emerge from an analysis of the Bengal Legislative Council during the period under review. First, inputs to and outputs from the Council was influenced by the social base and political orientation of the members who mostly belonged to that segment of society known as bhadroloks. Second, an exercise in legislative power sharing by the elected members was rendered a farce by the rules set by the government. Third, there were some minor occasions when a class bias brought the Hindu and Muslim bhadroloks together in defence of their interests. Fourth, class orientation in politics, both within and without the Council, got diluted when confronted by communal considerations. Perhaps the political career of A.K. Fazlul Huq, for instance, is such an example. Initially, he started his career in politics by organising the railyats as against the Zamindars. But forces of social reality gradually jostled him in espousing absolutely communalist aspirations of his own community. The somersault was complete when in 1940 he authored the Lahore Resolution, a charter of the separatist Muslim aspirations. In this sense the twenties and thirties through a growing communal rift presaged the Lahore Resolution.

GLOSSARY OF BENGALI TERMS

Bargadar	:	sharecropper
Bhadrolok	:	elite
Chaukidar	:	village police
Cooli	:	labour
Hartal	:	suspension of activities
Nawab	:	governor of a province under the Mughal rule
Panchayat	:	village judge
Proja	:	tenant
Raiyat	:	peasant
Samities	:	association
Sangathan	:	a movement of the Hindus which aimed at unity and knowledge for self-defence
Sardar	:	labour leader
Suddhi	:	purification of those who embraced other faiths than Hinduism
Swaraj/Swarajya	:	self rule
Tabligh	:	Muslim conversion movement
Tanzim	:	a movement which aimed at unity and education among Muslims
Zamindar	:	landlord

Appendix - I

Governors of Bengal (1921-1936) :

Earl of Ronaldshay	:	April 1917 - March 1922
Earl of Lytton	:	March 1922 - March 1927
Sir Francis Stanley Jackson	:	March 1927 - March 1932
Sir John Anderson	:	March 1932 - November 1937

Appendix - II

Members of the Council of Minister in Bengal (1921-1936):

First Council

3 January 1921	|	Sir P.C. Mitter	-	Education, Registration.
to	|			
3 January 1924	|	Nawab Saiyid Nawab Ali Choudhuri	-	Public Works, Agriculture and Industries, Excise.

Second Council

4 January 1924	|	S. N. Mallik	-	Local Self-Government, Public Health, Medical.
to	|			
29 February 1924	|	A. K. Fazlul Huq	-	Education, Registration
	|	A. K. Ghuznavi	-	Public Works, Agriculture and Industries, Excise.
1 March 1924	|	A. K. Fazlul Huq	-	Education, Registration, Medical
to	|			
27 August 1924	|	A. K. Ghuznavi	-	Public Works, Agriculture and Industries, Excise, Local Self-Government, Public Health.

28 August 1924 to 13 March 1925	No Minister	
14 March 1925 to 25 March 1925	Nawab Bahadur Salyid Nawab Ali Chaudhuri	- Education, Registration, Agriculture and Industries.
	Raja Manmatha Nath Roy Choudhuri	- Local Self-Government, Public Health, Medical, Public Works, Excise.
26 March 1925 to 21 March 1927	No Minister	
<u>Third Council</u>		
22 January 1927 to 25 January 1927	Sir Abdur Rahim	- All Departments
26 January 1927 to 28 August 1927	B. Chakravartti A. K. Ghuznavi	- Medical, Public Health, Education, Public Works, Excise. - Local Self-Government, Registration, Agriculture and Industries.
29 August 1927 to 11 October 1927	No Minister	
12 October 1927 to 31 July 1928	P. C. Mitter Nawab Musharruf Hossain	- Local Self-Government, Medical, Public Health, Public Works, Agriculture and Industries. - Education, Registration, Excise.
1 August 1928 to 21 February 1929	Nawab Musharruf Hossain Raja Dhupandra Narayan Sinha Bahadur	- Education, Registration, Excise. - Local Self-Government, Medical, Public Health, Public Works, Agriculture and Industries.

22 February 1929 |
to |
22 April 1922 | No Minister

Fourth Council

18 December 1929 | to | 14 August 1930 |	Kumar Shib Shekhareswar Ray	- Local Self-Government, Excise
18 December 1929 | to | 31 December 1936 |	K. G. M. Faroqui	- Agriculture and Indus- tries, Public Works.
18 December 1929 | to | 14 June 1934 |	Khawaja Nazimuddin	- Education, Registration.
15 November 1930 | to | 31 December 1936 |	Bijoy Prasad Singh	- Local Self-Government Excise.
15 June 1934 | to | 31 December 1936 |	Khan Bahadur Azizur Haque	- Education, Registration Wakf.

Appendix - III

Members of the Bengal Legislative Council (1921-1923):

Addy, Babu Awulya Dhone (Bengal National Chamber of Commerce).
Afzal, Khan Bahadur (Dacca City Muslim)
Nawabzada K. M.
Ahmed, Khan Bahadur (Pabna Muslim)
Maulvi Wasimuddin
Ahmed, Maulvi Azharuddin (Bakerganj West Muslim)
Ahmed, Maulvi Emaduddin (Rajshahi South Muslim)

Ahmed, Maulvi Mesbah Uddin	(Faridpur South Muslim)
Ahmed, Moulvi Rafiuddin	(Jessore South Muslim)
Ahmed, Moulvi Yakuinuddin	(Dinajpur Muslim)
Ahmed, Munshi Jafar	(Noakhali Muslim)
Ali, Maulvi A.H.M. Wazir	(Bakerganj North Muslim)
Ali, Maulvi Syed Muksood	(24-Parganas Municipal North Muslim)
Ali, Mr. Syed Erfan	(Nadia Muslim)
Ali, Mr. Syed Nasim	(24-Parganas Rural Muslim)
Ali, Munshi Amir	(Chittagong Muslim)
Ali, Munshi Ayub	(Chittagong Muslim)
Arhamuddin, Maulvi Khandakar	(Mymensingh West Muslim)
Azam, Khan Bahadur Khwaja Mohamed	(Dacca East Rural Muslim)
Banerjea, the Hon'ble Sir Surendra Nath	(Minister, 24-Parganas Municipal Non-Muslim)
Banerjea, Rai Bahadur Abinash Chandra	(Birbhum non-Muslim)
Barma, Rai Sahib Panchanan	(Rangpur non-Muslim)
Barton, Mr. H.	(Anglo-Indian)
Basu, Babu Jatindra Nath	(Calcutta North non-Muslim)
Basu, Rai Bahadur Nalinaksha	(Burdwan non-Muslim)
Battcharji, Babu Hem Chandra	(Nominated non-official Labouring Classes)
Birla, Babu Ghanashyam Dan	(Nominated non-official)
Birley, Mr. L.	(Nominated official)
Bompas, Mr. C. H.	(Nominated official)
Bose, Mr. S. M.	(Mymensingh East non-Muslim)

Campbell, Mr. J.	(Bengal Chamber of Commerce)
Carey, Mr. W. L.	(Indian Mining Association)
Catheart, Mr. M.	(Dacca and Chittagong European)
Charmakar, Babu Basik Chandra	(Noakhali non-Muslim)
Chaudhuri Babu Kishori Mohan	(Rajshahi non-Muslim)
Chaudhuri Babu Tankanath	(Dinajpur non-Muslim)
Chaudhuri Khan Bahadur Maulvi Hafizar Rahman	(Bogra Muslim)
Chaudhuri Maoulvi Shah Mohammad	(Malda cum Jalpaiguri Muslim)
Chaudhuri Rai Harendranath	(24-Parganas Rural North non-Muslim)
Chaudhuri Sir Ashutosh	(Bogra cum Pabna non-Muslim)
Chaudhuri, the Hon'ble the Nawab Saiyid Nawab Ali, Khan Bahadur	(Minister, Mymensingh East Muslim)
Cochran, Mr. A.	(Bengal Chamber of Commerce)
Cohen, Mr. D. J.	(Calcutta South Central non-Muslim)
Das, Babu Bhishmadev	(Nominated non-official - Depressed Classes)
Das, Mr. S. R.	(Calcutta North-West non-Muslim)
Das, Rai Bahadur Amar Nath	(Nominated official)
Das Gupta, Babu Nibaran Chandra	(Bakerganj North non-Muslim)
De, Babu Fanindralal	(Hooghly cum Howrah Rural non-Muslim)
Dey, Mr. G. G.	(Nominated official)
Donald, Mr. J.	(Nominated official)
Doss, Rai Bahadur Pyari Lal	(Dacca City non-Muslim)
Dutt, Mr. Ajoy Chunder	(Bankura East non-Muslim)
Dutt, Rai Bahadur Dr. Haridhan	(Calcutta North Central non-Muslim)
Dutta Bahu Aunoda Charan	(Chittagong non-Muslim)
Dutta, Babu Indu Bhushan	(Tippera non-Muslim)

Faroqui, K.G.M.	(Tippera Muslim)
Forrester, Mr. J. Campbell	(Presidency and Burdwan & European)
Ghatak, Rai Sahib Nilmani	(Malda non-Muslim)
Ghose, Rai Bahadur Jogendra Chunder	(Calcutta University)
Ghose, Mr. D. C.	(24-Parganas Rural South non-Muslim)
Gordon, Mr. A. D.	(India Tea Association)
Gupta, Mr. N. B.	(Nominated official)
Huq, Maulvi A.K. Fazlul	(Khulna Muslim)
Huq, Shah Syed Emdadul	(Tiperra Muslim)
Hopkyus, Mr. W. S.	(Nominated official)
Hornell, Mr. W. W.	(Nominated official)
Huq, Maulvi Ekramul	(Murshidabad Muslim)
Hussain, Maulvi Md. Madassur	(Burdwan Division North Muslim)
James, Mr. R.H.L. Zangford	(Indian Jute Mills Association)
Janab, Babu Sarat Chandra	(Midnapore South non-Muslim)
Karim, Maulvi Abdul	(Faridpur North Muslim)
Karim, Maulvi Fazlul	(Bakerganj South Muslim)
Kerr, the Hon'ble Mr. J. H.	(Member, Executive Council)
Khan Maulvi Hamid-ud-din	(Rangpur East Muslim)
Khan, Maulvi Md. Rafiqueuddin	(Mymensingh East Muslim)
Khan, Mr. Razaur Rahman	(Calcutta North Muslim)
Khan, Babu Debendra Lal	(Midnapore North non-Muslim)
Khan Chaudhuri, Khan Bahadur Maulvi Md. Ershad Ali	(Rajshahi North Muslim)

Lang, Mr. J.	(Nominated official)
Larmour, Mr. F. A.	(Calcutta Trade Association)
Law, Raja Reshee Case	(Bengal National Chamber of Commerce)
Lees, Mr. D. H.	(Nominated official)
Maharajadhiraja Bahadur of Burdwan, the Hon'ble	(Member, Executive Council)
Maitra, Dr. Jatindra Nath	(Faridpur North non-Muslim)
Makramali, Munshi	(Noakhali Muslim)
Man, Mr. A.	(Nominated official)
Mckenzie, Mr. D. P.	(Indian Jute Mills Association)
Mitra, Rai Bahadur Mohendra Chandra	(Hooghly Municipal non-Muslims)
Mitter, the Hon'ble Mr. Provash Chunder	(Minister, Presidency Landholders)
Morgan, Mr. G.	(Bengal Chamber of Commerce)
Mukharji, Babu Satish Chandra	(Hooghly cum Howrah Rural non-Muslim)
Mukherjee, Prof. S. C.	(Nominated non-official, the Indian Christian Community)
Mukherjee, Babu Nitya Dhan	(Howrah Municipalities non-Muslim)
Mukhopadhaya, Babu Sarat Chandra	(Madnapore South non-Muslim)
Mullick, Babu Nirode Behary	(Bakerganj South non-Muslim)
Mullick, Babu Surendra Nath	(Calcutta South non-Muslim)
Nakey, Mirza Muhammad Ali	(24-Parganas Municipal South Muslim)
Nasker Babu Hem Chandra	(24-Parganas Rural Central non-Muslim)
O'Kinealy, Lt. Col. Frederick	(Nominated official)
O'Malley, Mr. L. S. S.	(Nominated official)

Pahlowan, Maulvi Md. Abdul Jubbar	(Mymensingh West Muslim)
Pal Rai Bahadur Radha Charan	(Calcutta East non-Muslim)
Rayne, Mr. C. F.	(Nominated official)
Pugh, Colonel A. J.	(Presidency and Burdwan European)
Poddar, Babu Keshoram	(Bengal Marwari Association)
Rae, Mr. W. R.	(Presidency and Burdwan Burdwan European)
Raheem, Mr. Abdur	(Nominated non-official)
Rahim, the Hon'ble Sir Abdur	(Member of the Executive Council)
Raikat, Mr. Prasauna Deb	(Jalpaiguri non-Muslim)
Rauf, Maulvi Shah Abdur	(Rangpur West Muslim)
Ray, Babu Bhabendra Chandra	(Jessore North non-Muslim)
Ray Babu Surendra Nath	(24-Parganas Municipal South non-Muslim)
Ray Kumar Shib Shekhareswar	(Rajshahi Landholders)
Ray Rai Bahadur Upendra Lal	(Chittagong Landholders)
Ray Chaudhuri Babu Brojendra Kishor	(Dacca Landholders)
Ray Chaudhuri, Mr. Krishna Chandra	(Nominated non-official Labouring Classes)
Ray Choudhury, Raja Manmatha Nath	(Mymensingh West non-Muslim)
Rhodes Mr. C. W.	(Bengal Chamber of Commerce)
Roy Babu Jogendra Krishna	(Faridpur South non-Muslim)
Roy, Babu Jogendra Nath	(Dacca Rural non-Muslim)
Roy, Babu Nalini Nath	(Jessore South non-Muslim)
Roy Maharaja Bahadur Kshaunish Chandra	(Nadia non-Muslim)
Roy Mr. J. E.	(Bengal Chamber of Commerce)

Roy Mr. Tarit Bhusan	(Bengal Mohajan Sabha)
Roy Rai Bahadur Lalit Mahan Singh	(Burdwan Landholders)
Roy Raja Maniloll Singh	(Burdwan non-Muslim)
Roy Chaudhuri, Babu Sailaja Nath	(Khulna non-Muslim)
Salam, Khan Bahadur Abdus	(Jessore North)
Sarkar, Babu Jogesh Chandra	(Rangpur non-Muslim)
Sarkar, Babu Rishindra Nath	(Bankura West non-Muslim)
Sinha Babu Surendra Narayan	(Murshidabad non-Muslim)
Stark, Mr. H. A. (Anglo-Indian)	(Anglo-Indian)
Suhrawardy, Dr. A.	(Dacca West Rural Muslim)
Suhrawardy, Dr. Hassan	(Hooghly cum Howrah Municipal Muslim)
Suhrawardy, Mr. H. S.	(Burdwan Division South Muslim)
Swan Mr. J. A.	(Nominated official)
Travers, Mr. W.	
Travers, Mr. W. L.	(Rajshahi European)
Watson-Smyth, Mr. R. M.	(Bengal Chamber of Commerce)
Wheeler, the Hon'ble Sir Henry	(Member, Executive Council)
Wordsworth, Mr. W. C.	(Nominated official)

Members of the Bengal Legislative Council (1924-1926):

Ahamad, Maulvi Asimuddin	(Tippera Muslim)
Ahamad, Maulvi Rafiuddin	(Jessore North Muslim)
Ahamad, Maulvi Tayebuddin	(Mymensingh East Muslim)
Ahamad, Maulvi Zannoor	(Bardwan Division South Muslim)

Aley, Mr. S. Mahboob	(Calcutta North Muslim)
Ali Maulvi Sayyed Sultan	(Khulna Muslim)
Ali, Mr. Altaf	(Mymensingh East Muslim)
Bagchi, Babu Romes Chandra	(Malda non-Muslim)
Baksh, Maulvi Kader, B.L.	(Dinajpur Muslim)
Banerjee, Dr. Pramathanath	(Calcutta East non-Muslim)
Bajerjee, Babu Satya Kishore	(Burdwan Landlords non-Muslim)
Bajerjee, Mr. Ashiny Coomar	(Calcutta South Central non-Muslim)
Banerjee, Rai Bahadur Abinash Chandra	(Nominated non-Muslim)
Barma, Rai Sahib Panchanan, M.B.E.	(Rangpur non-Muslim)
Barton, Mr. H.	(Anglo-Indian)
Basu Babu Jatindra Nath	(Calcutta North non-Muslim)
Basu Babu Sarat Chandra	(Burdwan non-Muslim)
Bell, Mr. J.W.A.	(Bengal Chamber of Commerce)
Bose, Babu Bejoy Krishna	(Calcutta University)
Carey, Sir Willoughby, Kt.	(Indian Mining Association)
Chakravarti, Mr. Byomkes	(Bengal National Chamber of Commerce)
Chakravarti, Babu Jogindra Chandra	(Dinajpur non-Muslim)
Chakravarti, Babu Sudansar	(Rajshahi non-Muslim)
Chatterjee, Babu Umas Chandra	(Bankura East non-Muslim)
Chaudhuri, Nawab Saiyid Nawab Ali, Khan Bahadur, C.I.E.	(Dacca West Rural Muslim)
Chaudhury, Maulvi Md.Nurul Huq	(Chittagong Muslim)
Chaudhury, Maulvi Saiyed Abdur Rab	(Faridpur South Muslim)

Choinuddin, Khan Bahadur Maulvi Md.	(Rajshahi North Muslim)
Chowdhury, Maulvi Fazlul Karim	(Bakerganj North Muslim)
Chunder, Mr. Nirmal Chandra	(Calcutta North non-Muslim)
Cochran, Mr. A., C.B.E.	(Bengal Chamber of Commerce)
Cohen, Mr. U. J.	(Nominated non-official)
Cooper, Mr. Charles G.	(Indian Jute Mills Association)
Cottle, Mr. J.	(Calcutta Trades Association)
Craw , Mr. I.C.	(Indian Tea Association)
Das, Babu Charu Chandra	(Nominated non-official)
Das, Dr. Mohini Mohan	(Faridpur South non-Muslim)
Das, Mr. C. R.	(Midnapore South non-Muslim)
Das, Gupta, Dr. J. M.	(Bogra cum Pabna non-Muslim)
Datta, Babu Akhil Chandra	(Tippera non-Muslim)
Daud Mr. M.	(Nominated non-official)
Deare, Major-General B.H., C.S.I., I.M.S.	(Nominated official)
Delusle, Mr. J. A.	(Dacca & Chittagong European)
Dey, Babu Boroda Prosad	(Hooghly Municipal non-Muslim)
Dey, Mr. G. G.	(Nominated official)
Donald, the Hon'ble Mr. J, C.S.I., C.I.E.	(Member, Executive Council)
Donovan, Mr. J. T.	(Nominated official)
Doss, Rai Bahadur Pyari Lal, M.B.E.	(Dacca City non-Muslim)
Dunn, Dr. I.O.D.	(Nominated official)
Dutta, Mr. G. S.	(Nominated official)

Emerson, Mr. T, C.I.E.	(Nominated official)
Forrester, Mr. F. J. Campbell	(Presidency and Burdwan European)
Gafur, Maulvi Abdul, B. L.	(Pabna Muslim)
Ganguly, Babu Khagendra Nath	(Howrah Municipal non-Muslim)
Ghuznavi, the Hon'ble Hadji, Mr. A.K. Abu Ahmed Khan	(Minister, Mymensingh West Muslim)
Godfrey, Sir George, Kt.	(Bengal Chamber of Commerce)
Godfrey, Sir George, Kt.	(Bengal Chamber of Commerce)
Goenkar, Babu Badridas	(Bengal Marwari Association)
Guha, Mr. P. N.	(Nominated non-official)
Gupta, Mr. N.B., C.I.E.	(Nominated official)
Huq, Khan Bahadur Kazi Zahirul	(Dacca East Rural Muslim)
Huq, Shah Syed Emdadul	(Tippera Muslim)
Huq, the Hon'ble Maulvi A.K. Fazlul	(Minister, Bakerganj West Muslim)
Hoque, Maulvi Sayedal	(Noakhali Muslim)
Hossain, Khan Bahadur Maulvi Musharruf	(Malda cum-Jalpaiguri Muslim)
Hossain, Maulvi Wahed	(Barrachpore Municipal Muslim)
Huntingford, Mr. G. T.	(Nominated official)
Huq, Maulvi Ekramul	(Murshidabad Muslim)
Huq, Maulvi Mahbubul	(24-Parganas Municipal Muslim)
Joardar, Maulvi Aftab Hossain	(Nadia Muslim)
Jones, Mr. J. A., C.I.E.	(Presidency and Burdwan European)

Khaitan, Babu Debi Prosad	(Nominated non-official)
Khan, Babu Debendra Lal	(Midnapore North non-Muslim)
Khan, Maulvi Abdur Rashid	(Noakhali Muslim)
Khan, Maulvi Amanat, B.A.	(Chittagong Muslim)
Khan, Maulvi Mahi Uddin	(Rangpur East Muslim)
Lal Mohammed, Haji	(Rajshahi South Muslim)
Law, Raja Reshee Case, C.I.E.	(Bengal National Chamber of Commerce)
Less, Mr. D. H.	(Nominated official)
Mohammed, Maulvi Basar	(Rangpur West Muslim)
Mahtab, the Hon'ble Sir Bijoy Chand, G.C.I.E., K.C.S.I., I.O.M. Maharajadhiraja Bahadur of Burdwan.	(Member, Executive Council)
Maity, Babu Mahendra Nath	(Midnapore South non-Muslim)
Man, Mr. A, C.I.E.	(Nominated official)
Masih, Mr. Syed M.	(Faridpur North Muslim)
McAlpin, Mr. M.C., C.I.E.	(Nominated official)
Mitra, Babu Satyendra Chandra	(Noakhali non-Muslim)
Mitter, Mr. Provash Chander, C.I.E.	(Presidency Landholders)
Mobarly, Mr. A. N.	(Nominated official)
Moreno, Dr. H.W.B.	(Anglo Indian)
Mukerjea, Babu Taraknath	(Hooghly Rural non-Muslim)
Mukerjea, Mr. S. C.	(Nominated non-official)
Nandy, Maharaja Kumar Aris Chandra	(Murshidabad non-Muslim)
Nasker, Babu Hem Chandra	(24-Parganas Rural non-Muslim)
Nazimuddin, Khaje, M.A. (Central) Bar-at-Law	(Bakerganj Muslim)
Neogi, Babu Monmohan	(Mymensingh West non-Muslim)

Poblomari, Maulvi Md. Abdul Jubbar	(Mymensingh West Muslim)
Phillip, Mr. J. Y.	(Bengal Chamber of Commerce)
Quader, Maulvi Abdul	(Jessore South Muslim)
Rahim, the Hon'ble Sir Abd-ur-Rt.	(Member, Executive Committee)
Rahman, Mr. A. F.	(Dacca University)
Raikat, Mr. Prasanna Deb	(Jalpaiguri non-Muslim)
Roy, Babu Abanish Chandra	(Birbhum non-Muslim)
Ray, Babu Anilbaran	(Bankura West non-Muslim)
Ray, Babu Nagendra Narayan	(Rangpur non-Muslim)
Ray, Babu Surendra Nath	(24-Parganas Municipal South non-Muslim)
Ray, Dr. Kumud Sarkar	(Faridpur North non-Muslim)
Ray, Kumar Shib Shekhareswar	(Rajshahi Landholders)
Rose, Mr. G. F.	(Indian Jute Mills Association)
Roy, Babu Manmatha Nath	(Howrah Rural non-Muslim)
Ray, Dr. Bidhan Chandra	(24-Parganas Municipal North non-Muslim)
Ray, Mr. D.N. Bar-at-Law	(Jessore North non-Muslim)
Ray, Mr. Kiran Sarkar	(Dacca Rural non-Muslim)
Ray, Mr. Satcowripati	(Calcutta North-West non-Muslim)
Roy, Mr. Tarit Bhusan	(Bengal Mahaja Sabha)
Ray, Raja Mani Lall Singh, CIE	(Burdwan non-Muslim)
Ray Chaudhuri, Babu Sailaja Nath	(Khulna non-Muslim)
Ray Chaudhuri, Mr. K. C.	(Nominated non-official)
Ray Chaudhuri, Rai Bahadur Satyendra Nath	(Bakerganj South)
Ray Chaudhury, Babu Brojendra Kishore	(Dhaka Landholders)

Sarkar, Babu Naliniranja	(Mymensingh East non-Muslim)
Sarker, Maulvi Allah Buksh	(Dacca City Muslim)
Sarker, Babu Hemanta Kumar	(Nadia non-Muslim)
Sasmal, Mr. Birendra Nath	(24-Parganas Rural South non-Muslim)
Sen, Mr. Nisith Chandra	(Bakerganj North non-Muslim)
Sen Gupta, Mr. J. M.	(Chittagong non-Muslim)
Singha, Mr. Arun Chandra	(Chittagong Landholders)
Stephenson, the Hon'ble Sir Hugh, K.C.I.E., C.S.I.	(Member, Executive Council)
Stuart-Williams, Mr. S.C.	(Nominated official)
Suhrawardy, Dr. A.	(24-Parganas Rural Muslim)
Suhrawardy, Major Hassan	(Hooghly cum Howrah Muslim)
Suhrawardy, Mr. Huseyu Shaheed	(Calcutta South Muslim)
Swan, Mr. J.A.L.	(Nominated official)
Tarafdar, Maulvi Rajb Uddin	(Bogra Muslim)
Travers, Mr. W. L., O.B.E.	(Rajshahi European)
Villiers, Mr. Edward	(Presidency and Burdwan European)
Willis, Mr. Arthur d'Anyers	(Bengal Chamber of Commerce)
Wilson, Mr. R.B., C.I.E.	(Bengal Chamber of Commerce)
Yasin, Maulvi Muhammad	(Burdwan Division North Muslim)

Members of the Bengal Legislative Council (1927-29)

Acharyya Chaudhuri, Maharaja Sashi Kanta	(Dhaka University)
Afzal, Maulvi Syed Mahamud	(Bakerganj West Muslim)
Ahamed, Maulvi Asimuddin	(Tippera South Muslim)
Ahamad, Maulvi Kasiruddin	(Rangpur West Muslim)
Ahamad, Khan Bahadur Maulvi Emaduddin	(Rajshahi South Muslim)
Ali, Maulvi Syed Nausher	(Jessore South Muslim)
Ali, Mr. Altaf	(Bogra Muslim)
Atiquallah, Maulvi Syed Md.	(Mymensingh East Muslim)
Bagchi, Babu Romes Chandra	(Malda non-Muslim)
Baksha, Maulvi Kader, B.L.	(Dinajpur Muslim)
Banerjee, Dr. Pramathanath	(Calcutta East non-Muslim)
Banerjee, Dr. Babu Promotha Nath	(Midnapore South non-Muslim)
Bajerjee, Mr. A.C.	(Calcutta Central South non-Muslim)
Banerjee, Babu Sasi Sekhar	(24-Parganas Rural South non-Muslim)
Bajerjee, Babu Jitendra Lal	(Birbhum non-Muslim)
Basu, Mr. P. C.	(Burdwan South non-Muslim)
Basu, Mr. Sarat C.	(Burdwan North non-Muslim)
Biswas, Babu Surendra Nath	(Non-Muslim)
Biswas, Maulvi Abdul Latif	(Dacca West Rural non-Muslim)
Bose, Babu Subhas Chandra	(Calcutta North non-Muslim)
Bose, Mr. S. C.	(Calcutta University)

Chakravarti, Babu Jogindra Chandra	(Dinajpur non-Muslim)
Chakravarti, Mr. Byomkes	(Bengal National Chamber of Commerce)
Chakravarti, Babu Jatindra Nath	(Rangpur East non-Muslim)
Chatterjee, Babu Umes Chandra	(Bankura East non-Muslim)
Chatterjee, Srijut Bijoy Kumar	(Bankura West non-Muslim)
Chaudhuri, Rai Harendranath	(24-Parganas Rural North non-Muslim)
Chaudhuri, The Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, C.I.E., of Dhanbari	(Member, Executive Council)
Child, Mr. R. H.	(Bengal Chamber of Commerce)
Choudhury, Maulvi Khorshed Alam	(Bakerganj North Muslim)
Cohen, Mr. D. J.	(Nominated non-official)
Cooper, Mr. C. G.	(Indian Jute Mills Association)
Crawford, Mr. T. C.	(Indian Tea Association)
Das, Rai Bahadur Aman Nath	(Nominated official)
Das, Gupta, Dr. J. M.	(Calcutta Central non-Muslim)
Datta, Babu Akhil Chandra	(Tippera non-Muslim)
Datta, Babu Amulyer Chandra	(Hooghly Municipal non-Muslim)
De, Mr. K.C., C.I.E.	(Nominated official)
Dey, Mr. G. G.	(Nominated official)
Donald, the Hon'ble Mr. J., C.S.I., C.I.E.	(Member, Executive Council)
Dzummond, Mr. J.G.	(Nominated official)
Dutt, Babu Saral Kumar	(Bakerganj North non-Muslim)
Dutt, Mr. G. S.	(Nominated official)

Faroqui, Khan Bahadur K.G.M.	(Tippera North Muslim)
Faulkner, Mr. A. K.	(Bengal Chamber of Commerce)
Forrester, Mr. J. Campbell	(Presidency and Burdwan European)
Ghose, Babu Amarendra Nath	(Mymensingh West non-Muslim)
Ghose Manik, Babu Satyendra Chandra	(Noakhali non-Muslim)
Ghuznavi, Hadji Mr. A. K. Abu-Ahmed Khan	(Mymensingh South-West Muslim)
Gilchrist, Mr. R. N.	(Nominated official)
Goenka, Rai Bahadur Badridas	(Bengal Marwari Association)
Gofran, Maulvi Abdul	(Noakhali West Muslim)
Gupta, Mr. Jogesh Chandra	(Dacca City non-Muslim)
Habibullah, Nawab Khawaja	(Dacca City Muslim)
Haque, Khan Bahadur Maulvi Azizul	(Nadia Muslim)
Himatsingka, Babu Prabhu Doyal	(Calcutta West non-Muslim)
Haque, Kazi Emdadul	(Rangpur East Muslim)
Hosain, Nawab Musharruf, Khan Bahadur	(Malda cum Jalpaiguri Muslim)
Huq, Khan Bahadur Maulvi Ekramul	(Murshidabad Muslim)
Husain, Maulvi Latafat	(Nominated non-official)
Husain, Maulvi Syed Maqbul	(Chittagong North Muslim)
Ismail, Khan Bahadur Maulvi Muhammad	(Mymensingh Central Muslim)
James, Mr. F.E., O.B.E.	(Presidency and Burdwan European)
Jennaway, Mr. J. H.	(Indian Mining Association)

Karim, Maulvi Abdul	(Burdwan Division South Muslim)
Kasem, Maulvi Abul	(Burdwan Division North Muslim)
Khan, Babu Debendra Lal	(Midnapore North non-Muslim)
Khan, Khan Sahib Maulvi Muazzam Ali	(Pabna Muslim)
Khan, Maulvi Tamizuddin	(Faridpur North Muslim)
Khan, Mr. Razaur Rahman	(Dacca East Rural Muslim)
Lahiri, Mr. Basanta Kumar	(Nadia Muslim)
Laird, Mr. R. B.	(Indian Jute Mills Association)
Lala, Babu Saroda Kriper	(Chittagong Landholders)
Leicester, Lieutenant Colonel J.C.H, I.M.S.	(Nominated official)
Liddell, Mr. H.C.	(Nominated official)
Lindsay, Mr. H.	(Nominated official)
Maguire, Mr. L. T.	(Anglo-Indian)
Maiti, Babu Mahendra Natu	(Midnapore South-East non-Muslim)
Man, Mr. A., C.I.E.	(Nominated official)
Maula, Maulvi Choudhury Gholam	(Faridpur South Muslim)
Mazumdar, Rai Bahadur Jadunath C.I.E.	(Jessore North non-Muslim)
McCluskie, Mr. E. T.	(Anglo-Indian)
Mitter, Sir Provash Chunder, Kt, C.I.E.	(Presidency Landholders)
Moberly, the Hon'ble Mr. A.N., C.I.E.	(Member, Executive Council)
Morgan, Mr. G.	(Bengal Chamber of Commerce)
Mukerjee, Srijut Taraknath	(Hooghly Rural non-Muslim)
Mukerjee, Mr. S. C.	(Nominated official)

Nandy, Moharaja Kumar, Sri s Chandra	(Murshidabad non-Muslim)
Nasker, Babu Hem Chandra	(24-Parganas Rural Central non-Muslim)
Nazimuddin, Mr. Khwaja, CIE	(Bakerganj South Muslim)
Oaten, Mr. E. F.	(Nominated official)
Ordish, Mr. J. E.	(Dacca and Chittagong non-Muslim)
Phelps, Mr. Trever J.	(Calcutta Trade Association)
Philip Mr. J.Y.	(Bengal Chamber of Commerce)
Poddar, Mr. Ananda Mohan	(Bengal Moharaj)
Prentice, Mr. W. D. R.	(N
Rahim, Sir Abdur K.C.S.I.	(Calcutta North Muslim)
Rahman, Maulvi Azlzur	(Mymensingh North-West Muslim)
Rahman, Maulvi Shamsur	(Khulna Muslim)
Rahman, Mr. A.F.M. Abdur	(24-Parganas Rural Muslim)
Raikat, Mr. Prasanna Deb	(Jalpaiguri non-Muslim)
Rauf, Maulvi Syed Abdur	(Jessore North Muslim)
Ray Babu Nagendra Narayan	(Rangpur West non-Muslim)
Ray Babu Surendra Nath	(24-Parganas Municipal South non-Muslim)
Ray Dr. Kumud Sarkar	(Faridpur North non-Muslim)
Ray, Moharaja Jogindra Nath of Nator	(Rajshahi Landlords non-Muslim)
Ray, the Hon'ble Moharaja Bahadur Khsa Chandra, of Nadia	(Member, Executive Council)
Ray, Chaudhuri, Mr. K.C.	(Nominated non-official)
Ray, Chaudhury, the Hon'ble Raja Manmatha Nath of Santosh	(Dacca Landholders)
Ray, Babu Manmatha Nath	(Howrah Rural non-Muslim)

Ray, Dr. Bidhan Chandra	(24-Parganas Municipal North non-Muslim)
Roy, Mr. D. N., Bar-at-Law	(Jessore South non-Muslim)
Roy, Mr. Kiran Sarkar	(Dacca Rural non-Muslim)
Roy, Mr. S. N.	(Nominated official)
Roy Choudhuri, Rai Bahadur Satyendra Nath	(Bakerganj South non-Muslim)
Sachse, Mr. F. A.	(Nominated non-official)
Sadeque, Maulvi Mohammed	(Noakhali East)
Sanyal, Babu Sachindra Narayan	(Rajshahi Muslim)
Sarbadhikari, Dr. Sir Deva Prasad	(Nominated non-official)
Sarker, Babu Naliniranjan	(Mymensingh non-Muslim)
Sarker, Rai Sahib Rebatl Mohan	(Nominated non-official)
Sattar, Khan Sahib Maulvi Abdus	(Chittagong South Muslim)
Sattar, Maulvi Abdol Razak Hajee Abdool	(Hooghly cum Howrah Municipal Muslim)
Sen, Babu Nagendra Nath	(Khulna non-Muslim)
Sen, Mr. Satish Chandra	(Bengal National Chamber of Commerce)
Sen, Gupta Mr. J. M.	(Chittagong non-Muslim)
Shah, Mr. Golam Hussain	(24-Parganas Municipal Muslim)
Sinha, Babu Chaur Chandra	(Howrah Municipal non-Muslim)
Sinha, Raja Bahadur Bhupendra Narayan, of	(Burdwan Landlords)
Skinner, Mr. S.A.	(Bengal Chamber of Commerce)
Solaiman, Maulvi Muhammad	(Barrackpore Municipal Muslim)
Stuart-Williams, Mr. S.C.	(Nominated official)
Suhrawardy, Mr. H. S.	(Calcutta South Muslim)

Travers, Mr. W. I.	(Rajshahi European)
Wilson, Mr. R. B.	(Bengal Chamber of Commerce)
Woodhead, Mr. J.A.	(Nominated official)
Wordsworth, Mr. W.C.	(Presidency and Burdwan European)

Members of the Bengal Legislative Council (1930-1936)
(after by-elections)

Ali, Maulvi Hassan	(Dinajpur Muslim)
Ali, Maulvi Syed Nausher	(Jessore South Muslim)
Ali, Mr. Altaf	(Bogra Muslim)
Baksh, Maulvi Shaik Rahim	(Hooghly cum Howrah Municipal Muslim)
Baksh, Maulvi Syed Majid	(Jessore North Muslim)
Bal, Babu Latif Kumar	(Bakerganj South non-Muslim)
Bal, Mr. Sarat Chandra	(Faridpur South non-Muslim)
Ballabh, Rai Bahadur Debendra Nath	(24-Parganas Rural North non-Muslim)
Banerji, Mr. P.	(24-Parganas Rural South non-Muslim)
Banerji, Rai Bahadur Keshab Chandra	(Dacca Rural non-Muslim)
Banerjee, Babu Jitendralal	(Birbhum non-Muslim)
Barma, Rai Sahib Panchonan, MBE	(Rangpur West non-Muslim)
Basir Uddin, Maulvi Mohammed	(Rajshahi North Muslim)
Basu, Babu Jatindra Nath	(Calcutta North non-Muslim)
Basu, Mr. Narendra Kumar	(Nadia non-Muslim)
Blandy, Mr. E. N.	(Nominated official)
Bose, Mr. S.M., Bar-at-Law	(Calcutta East non-Muslim)

Bural, Babu Gekul Chand	(Calcutta South Central non-Muslim)
Buru, Mr. H.H.	(Bengal Chamber of Commerce)
Chatterjee, Mr. B.C.	(Bakerganj North non-Muslim)
Chaudhuri, Babu Kishori Mohan	(Rajshahi non-Muslim)
Chaudhuri, Dr. Jogendra Chandra	(Bogra cum Pabna non-Muslim)
Chaudhuri, Khan Bahadur Maulvi Alimuzzaman	(Faridpur North Muslim)
Chaudhuri, Khan Bahadur Maulvi Hafizur Rahman	(Muslim non-official)
Chaudhuri, Maulvi Syed Osman Haider	(Tipera Muslim)
Chaudhuri, Nurul Absar	(Chittagong North Muslim)
Chaudhuri, Haji Badi Ahmed	(Chittagong South Muslim)
Chaudhuri, Maulvi Abdul Ghani B.K.	(Dacca West Rural Muslim)
Clark, Mr. J.A.	(Indian Mining Association)
Cohen, Mr. D. J.	(Nominated non-official)
Coppinger, Major-General, W.V.	(Nominated official)
Cooper Mr. C.G.	(Indian Jute Mills Association)
Dain, Mr. G. R.	(Bengal Chamber of Commerce)
Das, Babu Satyendra Kumar	(Dacca City non-Muslim)
Das, Rai Bahadur Kamini Kumar, M.B.E.	(Chittagong non-Muslim)
Dash, Mr. A. J.	(Nominated official)
Dutt, Rai Bahadur Dr. Haridhan	(Calcutta Central non-Muslim)
Easson, Mr. G. A.	(Nominated official)
Eusuffi, Maulvi Nur Rahman Khan	(Mymensingh South Muslim)

Faroqui, the Hon'ble Khan Bahadur K.G.M.	(Minister, Tippera South Muslim)
Fawcus, Mr. L.R.	(Nominated official)
Fazlullah, Maulvi Muhammad	(Noakhali West Muslim)
Forrester, Mr. J. Campbell	(Presidency and Burdwan European)
Gangali, Rai Bahadur Sugil Kumar	(Nominated official)
Ghose, Dr. Amulya Ratan	(Howrah Municipal non-Muslim)
Ghose, Rai Bahadur Sasouka C.I.E.	(Dhaka University)
Ghuznavi, the Hon'ble Alhadj Sir Abdelkerim, Kt.	(Member, Executive Council)
Gilchrist, Mr. R. N.	(Nominated official)
Goenka, Rai Bahadur Badridas, C.I.E.	(Bengal Marwari Association)
Gordon, Mr. A.D.	(Indian Tea Association)
Guha, Babu Profulla Kumar	(24-Parganas Municipal North non-Muslim)
Guha, Mr. P.N.	(Nominated non-official)
Gupta, Mr. J.N., C.I.E., M.B.E.	(Baukura West non-Muslim)
Gunner, Mr. G.W.	(Nominated official)
Hakim, Maulvi Abdul	(Mymensingh Central Muslim)
Haque, Khan Bahadur Maulvi Azizul	(Nadia Muslim)
Hashemy, Maulvi Syed Jalaluddin	(Khulna Muslim)
Hoque, Kazi Emdadul	(Rangpur East Muslim)
Hosain, Nawab Musharruf, Khan Bahadur	(Malda cum - Jalpaiguri Muslim)
Hossain, Maulvi Muhammad	(Bakerganj North Muslim)

Huq, Khan Sahib Maulvi Bazlul	(Noakhali East Muslim)
Huq, Mr. A.K. Fazl-ul	(Bakerganj West Muslim)
Hussain, Maulvi Latafat	(Nominated non-official)
Hutachings, Mr. R.H.	(Nominated official)
Karim, Maulvi Abdul	(Burdwan Division South Muslim)
Kasem, Maulvi Abul	(Burdwan Division North Muslim)
Khan, Khan Sahib Maulvi Muazzam Ali	(Pabna Muslim)
Khan, Maulvi Tamizuddin	(Faridpur South Muslim)
Khan, Mr. Razaur, Rahman, B.L.	(Dacca East Rural Muslim)
Lal Muhammad Haji	(Rajshahi South Muslim)
Law, Mr. Surendra Nath	(Bengal National Chamber of Commerce)
Luke, Mr. N.R.	(Indian Jute Mills Association)
Maguire, Mr. L. T.	(Anglo-Indian)
Maiti, Mr. R.	(Midnapore South non-Muslim)
Marr, the Hon'ble Mr.A, C.I.E.	(Member, Executive Council)
McCutuskie, Mr. E.T.	(Anglo-Indian)
Miller, Mr. C.C.	(Bengal Chamber of Commerce)
Mittra, Babu Sarat Chandra	(24-Parganas Rural Central non-Muslim)
Mitter, the Hon'ble Sir Provash Chunder, K.T., C.I.E.	(Member, Executive Council)
Mookerjee, Mr. Syamaprosad, Bar-at-Law	(Calcutta University)
Mukherji, Rai Bahadur Satish Chandra	(Hooghly Rural non-Muslim)
Mukhopadhaya, Rai Sahid Sarat Chandra	(Midnapore South non-Muslim)
Mullick, Mr. Mukunda Behary	(Nominated non-official)

Nag, Babu Suk Lal	(Khulna non-Muslim)
Nag, Mr. K.C., M.B.E.	(Nominated official)
Nag, Reverend, B.A.	(Nominated non-official)
Nandy, Maharaj Sri Chandra, of Kasimbazar	(Bengal National Chamber of Commerce)
Nazimuddin, the Hon'ble Mr. Khwaja, C.I.E.	(Minister, Bakerganj South Muslim)
Norton, Mr. H.R.	(Calcutta Trades Association)
Ormond, Mr. E.C.	(Presidency and Burdwan European)
Phil Pat, Mr. H.C.V.	(Nominated official)
Poddar, Mr. Ananda Mohan	(Bengal Mahajan Subha)
Poddar, Seth Hunnman Prosad	(Calcutta West non-Muslim)
Prentice, the Hon'ble Mr. W.B.R., C.I.E.	(Member, Executive Council)
Raheem, Mr. A., C.I.E.	(Calcutta North non-Muslim)
Rahman, Maulvi Azizur	(Mymensingh North-West Muslim)
Rahman, Mr. A.F.	(Rangpur West Muslim)
Rahman, Mr. A.F.M. Abdur (	(24-Parganas Rural Muslim)
Raikat, Mr. Prosanna Deb	(Jalpaiguri non-Muslim)
Rai Mahasori, Munindra Deb	(Hooghly Municipal non-Muslim)
Ray, Babu Khetter Mahan	(Tippera non-Muslim)
Ray, Babu Nagendra Narayan, B.L.	(Rangpur East non-Muslim)
Ray, Kumar Shib Shekhareswar	(Rajshahi Landholders)
Ray, Maharaja Jagadish Nath, of Dinajpur	(Dinajpur non-Muslim)
Ray, Mr. Shanti Shekhareswar, M.A.	(Malda non-Muslim)
Ray, Chaudhuri, Mr. K. C.	(Nominated non-official)
Ray, Chaudhuri, the Hon'ble Raja Sir Mamatha Nath, Kt. of S Santosh	(Dacca Landholders)

Ray Chowdhury, Babu Satish Chandra	(Mymensingh East non-Muslim)
Reid, Mr. R.N., C.I.E.	(Nominated official)
Rout, Babu Hoseni	(Midnapore North non-Muslim)
Roy, Babu Haribansa	(Howrah Rural non-Muslim)
Roy, Babu Jitendra Nath	(Jessore North non-Muslim)
Roy, Babu Satyendra Nath	(24-Parganas Municipal South non-Muslim)
Roy, Mr. D.N., Bar-at-Law	(Jessore South non-Muslim)
Roy, Mr. Salieswar Singh	(Burdwan North non-Muslim)
Roy, Mr. Sarat Kumar	(Presidency Landholders)
Roy, the Hon'ble Mr. Bijoy Prasad Singh	(Minister, Burdwan South non-Muslim)
Roy Choudhuri, Babu Hem Chandra	(Noakhali non-Muslim)
Saadatullah, Maulvi Muhammad	(24-Parganas Municipal Muslim)
Sahana, Banu Satya Kinkar	(Bankura East non-Muslim)
Salauddin, Mr. Khwaja	(Dacca City Muslim)
Samad, Maulvi Abdus	(Murshidabad Muslim)
Sarker, Rai Sahib Rebati Mohan	(Nominated non-official)
Sen Gupta, Dr. Naresh Chandra	(Mymensingh West non-Muslim)
Sen, Rai Sahib Akshoy Kumar	(Faridpur North non-Muslim)
Shah, Maulvi Abdul Hamid	(Mymensingh East Muslim)
Singha, Mr. Arun Chandra	(Chittagong Landholders)
Singh, Srijut Taj Bahadur	(Murshidabad non-Muslim)
Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur	(Burdwan Landholders)
Sircar, Dr. Sir Nilratan, Kt. M.D.	(Calcutta South non-Muslim)
Smith, Mr. R.	(Bengal Chamber of Commerce)

Solaiman, Maulvi Mahammad	(Barrackpore Municipal Muslim)
Stapleton, Mr. H.E.	(Nominated official)
Stronach, Mr. K.F.G.	(Dacca and Chittagong European)
Suhrawardy, Mr. H.S.	(Calcutta South Muslim)
Summer, Mr. C.R.	(Bengal Chamber of Commerce)
Swan, Mr. J.A.I., C.I.E.	(Expert Nominated)
Thompson, Mr. W.H.	(Bengal Chamber of Commerce)
Travers, Mr. W.L., C.I.E., O.B.E.	(Rajshahi European)

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