CHAPTER III

THE LIBERALS AND THE REFORMS, 1921-23

A POLICY OF CO-OPERATIVE ASSOCIATION
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THE LIBERALS IN THE NEW COUNCIL, 1921-23 : A POLICY OF
CO-OPERATIVE ASSOCIATION

The first reformed Legislative Council of the Central Provinces and Barar as it emerged after the elections and nominations, as we have seen, did not have any nationalist elements. It was dominated by the Liberals, the Loyalists and the Independents. An attempt has been made in this chapter to analyse the role of the Liberals in the Council in the context of the national movement, which was active outside the legislature. An effort has also been made to assess their role in the scheme of constitutional evolution, political education and social and economic legislation.

From 1921 to 1923 the Liberals and the Loyalists who dominated the legislature adopted the policy of 'Co-operative Association', that is to cooperate where they could, and oppose where they must, with the government. During that time the Liberals gave up their independent political line, which they considered to be the basis of the welfare of India and of the success of the national movement ever since their break from the Congress in 1919, and assumed the role of intermediaries working to balance or harmonise conflicting political interests.

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A brief account of the Nagpur Congress and of the Non-Co-operation Movement is necessary to highlight their significance in the provincial politics and echoes in the Council chamber, respectively.

The annual session of the Indian National Congress took place after the elections in Nagpur in the last week of December, 1920. The session commenced with the presidential address of C.Vijayaraghavachariar. In fact, the name of Vijayaraghavachariar was proposed by the leaders of the Vidarbha region to have a strong man as president who could oppose the Non-Co-operation resolution. 2 The defeat of the opponents of the Non-Co-operation resolution at Calcutta did not deter them and they were still making efforts to establish their majority in the Congress to oppose the resolution. P. Pattabhi Sittaramayya described the situation thus: 'C.R.Das brought a contingent of about 250 delegates from East Bengal and Assam, bore their expenses to and fro and spent Rs.36,000 from his pocket to undo what was done in Calcutta'. 3 But at Nagpur, C.R.Das instead of opposing the resolution actually moved it in the open session. 4 B.S.Moonje and G.S.Khaparde were also confident

enough to get the support of the Bengal and Panjab camps in opposing the resolution. But seeing the changed circumstances they had no choice except to support the resolution. Lajpat Rai attempted to form, with C.R. Das and Radan Mohan Malaviya an opposition block against Gandhiji. But he was forced by the Panjab delegates to support Gandhiji fully or forfeit his leadership in Panjab. Thus Gandhiji won over the delegates from Bombay, Panjab and Bengal and isolated the nationalist leaders and delegates from the Central Provinces and Berar. G.S. Khaparde recalls the scene on 26 December, 1920 shortly before the delegates voted on Non-Co-operation: 'Today the confusion was greater than ever. Gandhiji proposed his creed . . . . Jinnah opposed (it) and was very badly treated by the audience. I wished to speak. Dr. Moonje asked me not to and recommended that I should not even vote against the motion. This I would not submit to and I went to the platform, when at last he said that he would use physical force. The confusion was so great (however) that I also deemed it wise not to speak. In this way all the opposition to Gandhi's scheme had been overcome without difficulty. Narrating the magic of

5. Home Pol., February 1921, 77 Deposit, FR, Second Half of December 1920, p.16, NAI.
7. Times of India, 26 December 1920, p.9
8. Khaparde Papers, Diary, 28 December, 1920, NAI.
Gandhi's personality, the Government report stated: 'the moderates of Nagpur were not heard; the extremist opponents under Khaparde and Moonje were brushed aside; Madan Mohan Malaviya's efforts were nugatory; Jinnah carried no influence; Lajpat Rai was mobbed and became silent.' In fact, the eleventh hour support of C.R. Das and Lajpat Rai assured the smooth passage of the Non-Co-operation resolution. Sitaramayya rightly pointed out: 'The support that Gandhi obtained at Nagpur was undoubtedly greater than that he had in Calcutta... the stool of the Non-Co-operation (at Calcutta) was resting on but one leg. At Nagpur, it stood on all its four legs with perfect equipoise. Gandhi and Nehru, Das and Lalaji were all for it.' At the end, the Congress reaffirmed the resolution of Non-Co-operation passed at Calcutta. Writing on the selection of the venues of both sessions, Pattabhi Sitaramayya commented: 'It is by a strange irony of fate and of politics that the resolution of Non-Co-operation should have been accepted at two successive Congresses held in the Headquarters of the two provinces that strenuously opposed the new movement.'

It appears that the Congress Working Committee which met at Benaras in May 1920, took notice of the strong opposition in the form of heated opposition to Non-Co-operation from Bengal and the Central Provinces and Berar

contingents. The possibility cannot be ruled out that
the choice of Calcutta and Nagpur as venues of a special
session and the Annual Session of Congress, respectively,
was dictated by the possible opposition to Non-Co-operation
resolution by these units. The leadership might have
felt that the opposition could be blunted by holding the
session with the critics themselves as the hosts. As the
records show, the same C. R. Das who opposed the resolution
at Calcutta, finally moved the resolution on Non-Co-operation
at Nagpur.

Before this momentous session ended it passed
another resolution which was destined to have far-reaching
influence on the country in the years to come. India was
divided into 21 provinces; each province having a

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<td>20.</td>
<td>Assam</td>
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Diwakar in N.V. Rajkumar’s Development of the Congress Constitution, pp. 48-49, New Delhi, All India Congress Committee, 1949.
Provincial Congress Committee and, District, Sub-
divisional, Taluqa or Tahsil, Firka or other local
(town or village) Congress Committees. The distri-
bution of the Congress Provinces was 'mainly on a
linguistic basis, so that the provincial language might
be used in transacting business in the provinces'.
As a result the Central Provinces and Berar was divided
in three regions and each was put under a committee.
The Berar was put under the Vidarbha Provincial Congress
Committee. The remaining Marathi speaking districts
were to be looked after by the Nagpur Provincial
Congress Committee. For the Hindi speaking part of
the Central Provinces the Mahakoshal Provincial Congress
Committee was formed. This had important repercussions
in the growth of the national movement in the Central
Provinces and Berar.

Thus, the Nagpur Congress constitutes an important
landmark in the history of the freedom movement in India.
It established finally the 'unquestionable leadership of
Gandhiji in the freedom struggle.'

The Non-Co-operation campaign had two aspects
constructive and destructive. First, it was decided to
collect a fund of one crore of rupees in the name of
Tilak to finance the Non-Co-operation activities. Secondly,

13. Diwaker R.R., in Rajkumar N.V., Development of the
Congress Constitution pp.48-49, New Delhi,
All India Congress Committee, 1949.
14. Ghosh, Prafulla Chandra, From Nagpur to Lahore :
A short history of the Indian National Congress,
p.8 (Comilla, Abhay Ashram, n.d.)
16. Ibid.
17. Williams, L.F.Rushbrook, India in 1921-22 (Cal.1922)p.44
programme of triple boycott i.e. the boycott of Councils, the law courts and the educational institutions was formulated. Besides these, subsidiary items of boycott were the surrender of honours and titles, the boycott of British goods and the prohibition of liquor.

Following the Nagpur Congress, Gandhiji toured the province and explained to the people the decisions taken by the Congress. After his visit to Wardha Gandhiji left Nagpur for Chhindwara on 6 January 1921. "All along the route large number of people mustered at every station to have darshan of the great leader(s) . . . . (There was) a rousing reception at Chhindwara . . . . The little town of Chhindwara can rightly feel proud of having taken the lead in such a pronounced and enthusiastic manner as was evidenced by the fact that six leading Vakils . . . announced that they had suspended practice. About 2500 was subscribed on the spot, which was neither anticipated nor previously asked for." From Chhindwara the movement spread in different parts of the province and created enthusiasm among the masses.

The campaign of the boycott of law courts first affected the middle class politicians. Before the advent of the movement the political leadership of the

province was mainly in the hands of the lawyers. It was they who first conceived the desire to boycott the law courts and give their full support and cooperation to the Non-Co-operation movement. In response to the call of the Congress some 86 lawyers in the province suspended practice and boycotted the law courts. 20

The next group to participate in the campaign was that of students. The boycott of schools and colleges had got off to an early start at Jabalpur in November, and students from the Mahakoshal region voted in favour of Non-Co-operation at the 'All-India College Students Conference' which met at Nagpur on 25 December 1920. The conference was presided by Lala Lajpat Rai. 21 This conference passed a resolution supporting the boycott of educational institutions. 22

During January 1921, however, this enthusiasm languished, and nationalist leaders assisted by the national press, conducted a strong campaign to persuade the students to observe the boycott. 23 However, the first

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20. CPLC, Vol. III, 30 November 1921, p.170. In reply to the question of Seth Sheotel, The Hitavada, 13 August, 1921, p.6; Home Pol., No.953, 1924, p.280. The number of lawyers who suspended practice in the various districts of the province were: Chhindwara 7, Sagar 6, Damoh 3, Nimar 3, Burz 3, Bilaspur 3, Balaghat 2, Betul 2, Narsinghpur 2, Jabalpur 1, Seoni 1, Raipur 1, Nagpur 22, Wardha 7, Chanda 6, Bhandara 5, Amraoti 9, Yeotmal 1, Akola 1 and Buldhana 1.


23. The Times of India, 28 December 1920, p.13; Indian papers, CPB No.16, 1921, p.53. Karamavir (Jabalpur), 29 January 1921, NAI.
report of the boycott was published in the Hitavada, on 8 January 1921 which read as follows: 'nearly 64 students of the male Normal School, Nagpur, out of a total number of nearly 133 have left the school yesterday at 11 a.m. in accordance with the Non-Co-operation Movement'.

Following the example of Nagpur, the students of surrounding area also withdrew from their schools. The credit of this boycott goes to Sunderlal, Arjun Lal Sethi and Mahatma Bhagwandin, who launched the campaign in Nagpur and persuaded many students to boycott their schools and colleges.

Elsewhere, in the same issue, an open letter by Makhulal Chaturvedi was published: it passionately appealed to the Mahakoshal students to withdraw immediately from Government and aided schools. This had an immediate effect on the student community. On 8 February 1921, the Bombay Chronicle reported that 29 students of Government College, Jabalpur have withdrawn themselves unconditionally and more are expected to follow suit. At Nagpur, 'the first and third year Arts and Science Students' of Hislop College decided to withdraw in a body. This gave a lead

24. The Hitavada, 8 January 1921, p.5
25. The Bombay Chronicle, 10 January 1921, p.9
26. See Biographical Account, Appendix-A
27. Ibid.
28. Ibid.
30. Indian Papers, CPB, No.6, 1921, p.53. Karamayir (Jabalpur), 29 January 1921, NAI.
31. The Bombay Chronicle, 8 February, 1921, p.10.
32. The Times of India, 14 February 1921, p.9. Home Pol.
12 Deposit, FR, First Half of February 1921, p.17, NAI.
to the withdrawal by students in other towns of the province. 33

As a number of students left schools and colleges run or aided by the Government, the Non-Co-operators established 'National Schools' and 'Ashrams' in the province for their education. 34

In the Mahakoshal region, National Schools were established at Jabalpur, Katni, Sagar, Rehli, Khurai, Damoh, Seoni, Gadarwara, Kareli, Chhindwara, Raipur and Rajnandgaon. About 600 students were admitted in these schools. 35

In January 1921, the three leaders, Sunderlal, Mahatma Arjun Lal Sethi and Bhagwandin, at the initiative of Javmalal Bajaj, 36 founded a number of National Schools and Ashrams in Nagpur Division. 37 Thus, one of the most enthusiastic sections of the society got involved in the movement.

33. The percentage of Non-Co-operating students was higher in Chhattisgarh Division where 50% of the students left high schools, and Anglo-Vernacular Schools. In Jabalpur Division 23% of students left high-schools and 35% left Anglo-Vernacular Schools. In Narmada Division 9% left High schools and 25% left Anglo-Vernacular schools. 14% students left their schools in Barar Division. For number of students taking part in the boycott see CPLC, Vol. II, 10 August 1921, Appendix-B, pp.725-29.

35. AICC Papers, F.No.6, 1922, Report of the Non-Cooperation work in Hindustani Co., during 1921, p.196.
36. See Biographical Account, Appendix-A.
Another major item of the Non-Co-operation programme was prohibition. Gandhiji was opposed to drinking because he considered it the worst evil.\textsuperscript{38} Prohibition had four aspects, moral, social, economic and political. Its moral aspect was to save the people from a harmful social evil. The political aspect aimed at depriving the Government of its excise revenue.\textsuperscript{39}

To achieve these goals, the programme of prohibition was addressed to the masses and liquor contractors were urged to boycott the excise auction. As a result, in certain parts of the province public opinion became so bitter against the alcoholic beverages that even the contractors of liquor shops did not bid for further contracts. Under such circumstances the Deputy Commissioner of Raipur had to give up the auction of licences.\textsuperscript{40} The local newspapers also forced the government to restrict the opening of liquor shops in certain areas of the city.\textsuperscript{41}

In some towns, Municipal Committees and District Councils also supported the anti-liquor campaign.\textsuperscript{42}

\textsuperscript{38} M.K.Gandhi, \textit{Young India}, 8 June 1921.
\textsuperscript{39} \textit{The Bombay Chronicle}, 28 December 1920, Congress Secretaries Report.
\textsuperscript{40} \textit{Indian Papers}, CPB, 1921, p.20, \textit{Maharashtra} (Nagpur), 9 February 1921.
\textsuperscript{41} \textit{The Maharashtra}, (Nagpur), 12 Oct.1921.
The Municipal Committees of Akola, Amravati, Nagpur, Raipur, Wardha, Yeotmal and several local bodies passed resolutions to prevent the sale of liquor within their areas.\textsuperscript{43} Gandhi highly appreciated the decision of these Municipal Committees and asked other Municipalities to follow the same.\textsuperscript{44}

In spite of the appeal of the leaders, resolutions passed by the various Municipalities and strong public opposition, some liquor contractors did not boycott the auctions and refused to close down their shops. The Congress Volunteers then started an intensive campaign of picketing these wine shops, with the result that in some places picketing of liquor shops resulted in violence and the police found it difficult to maintain law and order in the province.\textsuperscript{45}

The boycott of foreign goods and foreign cloth was one of the important items of the programme of the Non-Cooperation campaign. The campaign aimed at stopping the use of foreign cloth and promoting the use of Khadi. The boycott of the foreign cloth first started at Khandwa. While giving the details of the activities of 1 August, 1920, the Karmavir wrote: 'Use of Swadeshi was propagated, bonfire of foreign cloth was lit at public places'.\textsuperscript{46}

\textsuperscript{43} Home Pol., June 1921, No.45 Deposit, PR, Second Half of March, 1921, p.17, NAI.

\textsuperscript{44} M.K.Gandhi, Young India : 1919-1922, 29 Sept.1921, pp.772-73.


\textsuperscript{46} Karmavir (Jabalpur), 6 August 1920; Madhya Pradesh District Gazetteer, East Nimar, p.18.
After Gandhi's visit, the campaign spread in different parts of the province. He appealed to the people at Bhatwadi and Chhindwara to take a vow to wear Khadi throughout their life. 47

In January 1921, Makhan Lal Chaturvedi, Sunder Lal, K.R. Khandekar 48 and a few others visited Salaghat and Varanasi. On their arrival, a public meeting was organised at Salaghat under the presidency of Rai Bureshwar Prasad. The meeting ended with a big bonfire of foreign cloth. 49 The intensity of the boycott was taken as a challenge by the provincial government by enforcing unjust laws and issuing insulting orders.

In the Vidarbha region this campaign was led by Jamna Lal Bajaj. He persuaded Poonam Chand Tanka 50, a prominent cloth merchant in Nagpur, to give up his business and join him in urging merchants to spin yarn and wear Khadi and sell their stock of foreign cloth. 51 They organised meetings, processions, burnt foreign clothes and picketed some foreign cloth shops. 52

48. See Biographical Account, Appendix-A.  
49. Shresham Singh Thakur, 'Swadhistha Sangram Mein Salaghat Jile Ki Bhumi,' Andhra Pradesh Sandesh (Bhopal), 26 October, 1972, p. 18.  
50. See Biographical Account, Appendix-A.  
52. Indian Papers, CPR, No. 42, 1921, p. 470, Rajasthan Kesari (Jodhpur) 9 October 1921, N.I.
surrender of honours and titles was also one of the main items of the non-co-operation programme. The British Government, in order to obtain powerful support, conferred titles and honours on leading public men. The recipients of honours from the government were mainly big zamindars, jagirdars and wealthy people. In return for the honours conferred on them, they were expected to give their support to the British government.\textsuperscript{53} The non-co-operators aimed at cutting the source of this support to the government.

In the Central Provinces and Berar, some of the well-known figures, surrendered their titles and honours. The prominent among them were Jamnalal Bajaj, Bishanudutt Shukla, Waman Rao Lakhe,\textsuperscript{54} Seth Govindas and E. Raghavendra Rao.\textsuperscript{55} Besides, nine persons renounced their titles and 18 honorary registrates surrendered their positions during the campaign.

Besides these activities the Congress also arranged campaigns like the boycott of Duke of Connaught's and the Prince of Wales' visits to various places.

\textsuperscript{53} Gandhi Papers, Frank ly, Governor of C.P. & Berar to Nasiruddin Khan, 30 December 1920, S.No.4416, NML

\textsuperscript{54} See Biographical Account, Appendix-A.

\textsuperscript{55} Home Pol. Januar, 1921, F.33 Deposit, PR, Second Half of November 1920, pp.19-20, RAI; A.I.C.C. Papers, No.6/1922, pp.199-200, NML.
Thus, just when the Non-Co-operation Movement was in full swing in the province and beginning to become a force, Gandhiji suspended it, following a tragic event at Chauri-Chaura on 5 February 1922.

The sudden stoppage of the movement distressed many of the Congress leaders. Narrating the reaction of C.R. Das, Subhas Chandra Bose records: 'Deshbandhu was ... with sorrow and anger at the way Mahatma was repeatedly bungling. The Bardoli retreat came as staggering blow'\(^{56}\). Lajpat Rai exploded in jail while addressing a letter to the Congress Working Committee saying that 'the Congress had to swallow the bitter pill of ignominious defeat today!'\(^{57}\). A few leaders from the Vidarbha region in the province including B.S. Moonje, strongly criticised the decision of Gandhiji.\(^{58}\)

The significance attached to the suspension of Non-Co-operation Movement in the provincial politics was far reaching. On the one hand, the influence of the Congress declined in the province and it divided the Congress leaders into two groups:

(i) those in favour of continuing the Non-Co-operation movement and the boycott movement and (ii) those who desired to abandon the boycott of the Councils in order to

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use them for the national purposes. On the other hand, it paved the way for the Tilkaties to condemn Gandhi's programme and follow the strategy of their leader Lokmanya Tilak.

While the people in general were engaged in the Non-Co-operation Movement throughout the province, the first session of the reformed Council met on 27 January 1921. The Liberals and the Loyalists, who had entered in it with the express objective to adopt the policy of 'Co-operative Association' with the Government, proceeded to express their reactions by way of resolutions, budget discussions, demands for grants, adjournment motions and interpellation.

At first their loyalty towards the British Government affected their attitude. They approached every problem from the loyal point of view. The following instances will clarify this matter. The Congress decided to boycott the Duke of Connaught's and the Prince of Wales' visits to India. Their visits were boycotted because they came as representatives of the British empire, 'which has trampled under foot the feelings of India'. 59 The provincial government made all the preparations to make Duke of Connaught's visit a success, but the Duke's visit was totally boycotted in the province. Wherever he went he was greeted with a hartal by the people. 60

59. Indian Papers, CPD, 1921, p.23 The Tai (Jabalpur).
60. The Prajapakesha (Akola) 16 January, 1921.
While the nationalists were preparing to boycott the visit of Duke of Connaught in the province, the Liberals and the Loyalists decided to give a warm welcome to the royal visitor. On 27 January 1921, a resolution was moved by R.R. Jayaward 61 according a hearty welcome to the Duke who came to India to inaugurate the reforms. 62 Taking a loyalist stand he pointed out the usefulness of the reforms and described them as beneficial to the people of the province in the fields of political education and self-government. He appealed to the Council to utilise the opportunity for constructive work and sought-cooperation and loyalty of the members. 63

The resolution was seconded by N.A. Dravid and supported by almost all the Liberals and the Loyalists except K.P. Pande. 64 K.P. Pande, refused to be a party to the welcome. In opposing the welcome motion he said that the Panjab affairs, the Khilafat question and the misery of the people would keep the people of the province from participating in the welcome. 65

As on the occasion of the Duke's Visit the Central Provinces Government did everything possible to ensure a hearty public welcome to the Prince of Wales, 66 but the

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61. See Biographical Account, Appendix-A.
63. Ibid, p.36
64. See Biographical Account, Appendix-A.
66. Later on became King Edward VIII.
public remained indifferent. By the efforts of the Congress workers a successful hartal was observed throughout the province on 17 November 1921. When the Prince of Wales visited Nagpur on 30 January 1922, a complete hartal was observed on that day throughout the province. All public functions connected with the Royal visit were boycotted by the people. All business was suspended and the people did not even stir out of their houses. Wherever the Prince went, the people boycotted his visit. The Prince was not satisfied with the reception he had from Indians.

The subject of according welcome to the Prince of Wales was again raised in a resolution in the second session. A resolution proposing that a welcome address should be drafted and presented to the Prince of Wales on his visit to India was moved by Nawab Mir Mehdi Ali Khan on 13 August, 1921.

The proposal of presenting a welcome address to the Prince of Wales was strongly opposed by K.P. Pande.

67. AICC Papers, P.6/1922, Report of the Non-Cooperation in Hindi C.P., NML.
68. Home Pol., F.18, 1922, FR, Second Half of January 1922, p.61, NAI.
69. Indian Papers, CPB, 1922, p.67, Samal Sevak (Nagpur), 7 February, 1922, NAI.
70. S.D. Waley, Edwin Montague, A Memoir and an Account of His Visit to India, p.261.
71. See Biographical Accounts, Appendix-A.
While opposing the resolution he feelingly argued 'the Panjab grievances are not redressed. The Khilafat question is yet in the melting pot. Many of the Non-Co-operators are rotting in Jail. ... What has brought the country to such a dire state of desperation? It is the policy of our Indian Government which has brought matters to this state.... I regret I can not support this resolution either on my behalf or on behalf of the constituency which I represent.' 73 While opposing the resolution, R.M. Deshmukh 74 said, 'The course of events in the country and the treatment within and without the borders of India meted out to Indian citizens has been, I submit singularly unfortunate. There has been no change which would soothe our heavy and lacerated hearts. ... Under the circumstances, I find myself unable to support this motion'. 75 D.K. Kane 76 and Maganlal also opposed the resolution on the same lines. 77

Both the resolutions on the welcome address were passed in the legislature by the support of the Liberals and the Loyalist elements. But opposition showed by some nationalist members exposed the Government's intention of

74. See Biographical Account, Appendix, A.
76. See Biographical Account, Appendix-A
exploiting the traditional loyalty of Indians to the Crown and thereby arrest the growth of the Non-Co-operation movement. This was clearly evident from Lord Curzon's statement which he had given in the House of Lords, that 'the presence of the Prince would make a good impression not only on the Princes of India but also on the masses'. 78

Secondly, a large number of the nominated and elected Indian members of the Council did not represent the general people but special constituencies, and were responsible to the community which they represented. This sectional grouping of representatives affected their attitude towards the public questions which they approached from the point of view the community they represented. For instance, on the issue of uplift of depressed classes K.G. Mandagaoli 79, a nominated member representing the depressed classes, moved a resolution on 16 March 1921 recommending the appointment of a committee to enquire into the problems of the depressed classes. 80 During the course of his speech he threw light on the social, economic and educational status of the depressed classes and regretted that even primary education was not given free to these classes.

78. Debates on Indian Affairs, House of Lords Session 1921, 11 and 12 George V, from 15 February to 10 November (London, 1922), p.212.
79. See Biographical Account, Appendix-A
80. CPLC, Vol.1, 16 March 1921, p.364
He drew the attention of the Council on the motion presented by M.B. Dadabhai, a Liberal leader in the Imperial Legislative Council on 16 March 1916, asking the government to appoint a mixed committee to recommend the best ways of improving the economic, social, educational and moral conditions of these classes. He urged the Council to pass a legislation on the lines suggested by him. 81

The resolution was debated at length in the Council. On behalf of the government A.E. Nelson, Chief Secretary, agreed with the issues raised by the mover and accepted the proposal for appointing a committee. 82 During the course of the debate almost all the Indian members showed a most progressive attitude in supporting the motion.

On 10 August 1921 K.G. Nandgaoli moved another resolution recommending nomination of men from the untouchable classes in case they failed to get elected as members of local boards, district councils, sanitation committees, school committees, dispensary committees, municipal committees and gram panchayats. 83 In support of his contention he pointed out that owing to poverty it would not be possible for the men of depressed classes

81. CPLC, Vol.I, 16 March 1921, p.364
82. Ibid, p.368.
to pay enough taxes to gain the franchise. He further observed that the absence of any member from the lowest classes in those local bodies was responsible for the most unsatisfactory arrangements of water supply, public latrines, lamp-posts, roads and sanitation. He further said that the backwardness of these classes in matter of education would not be fully remedied until some representation of those people was provided on those bodies. 84

In explaining the government policy on the said nominations, A.E.Nelson said that government intended to stick to the policy laid down in 1919, viz., that suitable persons of those classes should be given opportunities to work as representatives in such bodies. 85

During the course of the debate, the motion was opposed by the Marathi Brahmin members, viz., N.T. Khalatkar and M.C.Deshpande from the Vidarbha region. 86 In opposing the resolution Khalatkar urged the Council to limit the scope of the motion to only district councils and large municipalities because the uneducated and orthodox members of elevated classes in rural areas would refuse to associate with the members from the depressed classes. The people would object to sitting with members of depressed classes in the local bodies. He further

84. CPLC, Vol.II, 10 August, 1921, p.680-88
85. Ibid., pp.681-82, pp. 68-82.
86. Ibid., pp.682-85.
said that caste feelings would be entertained not only by Brahmans but also by Kunbi people of the rural areas. Many people in Barar did not allow even washermen to drive their carts. He observed that so long as caste distinctions were not abolished by the spread of education, the enforcement of the resolution in respect of school, dispensary, sanitation committees, local boards and municipalities in rural areas would cause serious discontent. He requested the mover to withdraw his motion. 87

K.P. Panda, Anandi Prasad, 88 G.A. Gavai. 89
N.M. Dravid, however, supported the resolution. 90 In supporting the resolution Panda, criticised the views of Khaletkar expressed on the issue. He regretted that old prejudices against low classes were echoed even in the Council. 91

The motion, as amended by N.K. Kelkar 92, minister for Local-Self government, recommended to the Government 'that suitable men belonging to the depressed classes be nominated as members of the local bodies and representative institutions, on which nomination by the government was permissible', was adopted by the Council without division. 93

88. See Biographical Account, Appendix-A.
89. Ibid.
90. CPLC, Vol.I, 16 March 1921, pp.684-85
91. Ibid. 684.
92. See Biographical Account, Appendix-A
K.G. Nandagaoli yet again moved a resolution in the Council on 28 November 1921, recommending to the government 'to provide the same privileges to the depressed classes as were enjoyed by other higher castes in making use of wells, dharmashalas (sarais), ghats of tanks and waterpipes already built or which may be built in future at the expense of the public funds in the province.' While speaking on the motion he raised the question that when the higher classes were enjoying common rights relating to these facilities, why should this opportunity be denied to the members of the depressed classes who had contributed their quota of revenue towards the public funds to government and local bodies? He appealed to the House to support his motion.

G.P. Dick, G.A. Gavai, B.K. Bose, Anandi Prasad and B.Y. Deshmukh supported the motion. In supporting the motion B.Y. Deshmukh pointed out that 'there are also at least 25 per cent of those who are not social reformers, such as Patils, Patwaris, Deshmukhs and Deshpandes, who do not object to it.' He further said, 'a convert pariah is not only allowed to use public well etc., but he is also

94. CPLC, Vol. III, 28 November 1921, p. 9
95. Ibid, pp. 59-61
96. See Biographical Account, Appendix-A
98. Pariah: The untouchable from Tamil Nadu.
actively engaged at various social functions and it is most regrettable that Hindus should refuse to extend the same concessions to him when he is a faithful followers of their religion'.

The motion was opposed by the Brahmin and Kunbi members of the Vidarbha region who opined that merely passing a resolution would not solve the problem. They advised the mover to wait for the public opinion to move to their favour.

On behalf of the government, A.K. Nelson reiterated the government's policy of non-interference in the social customs of the Hindus.

At the request of the mover the motion was put to vote. The result was 10 for and 23 against. The motion was thus lost. Almost all the higher class members, except R.P. Awasthi and M.R. Dixit, voted against the motion.

On 13 August 1923, K.G. Sandagaoli moved another motion, recommending to the government 'that depressed classes be authorised to use wells, sarais and bath-ghats equally with other classes, which were built or may be built at the expense of public fund'.

100. Ibid., pp.61-62 and 64. Speeches of M.G. Deshpande, L.G. Katare and R.V. Mahajani
101. Ibid., p.66.
102. Ibid., pp.67-68.
103. Ibid., Vol.III, 13 August 1923, p.422.
The resolution was debated at length in the House and widely supported by the officials and Indian members from the Mahakoshal region. In supporting the resolution they were of the view that difficulties which the depressed classes were facing because of the taint of untouchability should be removed.  

Again, the motion was opposed by the Brahmin and Kunbi members from the Vidarbha region. In opposing the motion they said that in the rural areas the idea of using wells, sarais and bathing ghats by the depressed classes would not be approved of by the higher caste people. They emphasised that in spite of passing the resolution, public opinion should be made to accept the principle which was embodied in the resolution. They also urged the mover to withdraw the motion. At the end of the discussion, the resolution was put to vote and carried by the Council without division.

The same sectional feelings were reflected in the kind of questions put by the members in the House. On 2 March 1921 G.A. Gavai, nominated to represent the depressed classes, drew the attention of the government to the social boycott of Mahars by some Hindus and Mohammedans for their non-participation in the Non-Co-operation activities. He sought protection from the Government to such ill-treatment by the higher communities.


A. E. Nelson on behalf of the government assured Gavai that the government would take necessary steps to check this offensive activity. \textsuperscript{108} It is to be noted that Gavai who had raised the issue of ill-treatment of Mahars at the heads of the caste Hindus was himself a Mahar. On 9 August 1921, Syed Yasin, elected to represent a Mohammedan rural constituency, enquired whether the number of posts held by Mohammedans in the provincial and upper subordinate services of the government was according to the proportion of their population. If no, he further wanted to know, whether the government intended to provide to the Muslims offices in proportion to their numbers. The reply given was evasive in nature. \textsuperscript{109} On 20 November 1921, Syed Yasin complained that trousers provided to the Mohammedans prisoners in jail did not cover the knees of the wearer which was against the Mohammedan's religion. He pressed the government to provide long trousers to the Mohammedan prisoners. It was replied that no complaint of that nature was made to the government. \textsuperscript{110}

Thus, from the foregoing it is plain that legislators cared more for their section feelings than for wide national issues.

The Indian members in the Council were agitated by the policy of racial discrimination practised by the government in the matters of appointments to government

\textsuperscript{108} CPLEC, Vol.I, 2 March, 1921, p.52.
\textsuperscript{109} Ibid. Vol.II, 9 August 1921, p.579
service. A resolution protesting against the government's racial policy was moved on 4 August 1921 by G.P. Jaiwval¹¹¹ asking the Council to pass legislation to discontinue the policy of appointing only Europeans and Anglo-Indians to the posts of stenotypist in the office of the Inspector-General and the Deputy Inspector-General of Police.¹¹²

On behalf of the government A.E. Nelson accepted the resolution gladly without any explanation.

Ultimately the motion, as amended by Mahant Ramsahaigir, recommending to the government that the policy of appointing only Europeans and Anglo-Indians to the posts of stenotypist, and the like in the offices of the Inspector-General and the Deputy Inspector General of Police and some other departments be discontinued, was adopted.¹¹³

Critical attention of the members was focussed on the acts commission and commission of the administration through interpellation. A few instances may be cited in this regard. On 27 January 1921, B.P. Pachory drew the attention of the government to the articles published from time to time during the preceding twelve months in the Karmavir of Jabalpur alleging the existence of tyranny and repression in the Narsinghpur District. He wanted to know if the allegations were true. A.E. Nelson replied

¹¹¹ See Biographical Account, Appendix-A.
that an enquiry had been made and the reports were found to be groundless.\textsuperscript{114} K.P. Pande sought information relating to those cases in which the enquiry had been made.\textsuperscript{115} The answer to the question was put off under the excuse of non-availability of information.\textsuperscript{116}

Then again a series of questions were put on the same issue criticising the maladministration in the Narsinghpur district. On 27 January 1921, G.P. Jaiswal drew the attention of the Government to the article 'Narsinghpur zile mein Khalbali' published on 20 November 1920 in the Hindi weekly Karmavir by Makhlanlal Chaturvedi. It was asked whether the said allegations were true. If yes, he wanted to know what steps government had been taken to safeguard public tranquility. The reply to the first part of the question was in the affirmative. As regards the second part, the questioner was directed to refer to the answer given in reply to the question asked by B.P. Pachory.\textsuperscript{117} On the same day G.P. Jaiswal further drew the attention of the government to the article 'Narsinghpur ki Bali Bedi par' by Makhlanlal Chaturvedi in Karmavir dated 4 December 1920 and demanded an enquiry into the matter. In his reply A.F. Nelson directed the questioner to refer to answers given earlier in relation to the same issue.\textsuperscript{118}

\textsuperscript{114} C.P.L.C., Vol.I, 27 January 1921, p. 21
\textsuperscript{115} Ibid., p. 21.
\textsuperscript{116} Ibid., p. 21.
\textsuperscript{117} Ibid., p. 26.
\textsuperscript{118} Ibid., p. 27.
On 27 January 1921, R.V. Jayavant drew the attention of the government regarding several complaints made against begar\(^{119}\) in Berar in Uday, Rajapaksha and Lokmet. He further sought the results of enquiries, if any, made by the government on the problem and enquired about the steps taken against the officials concerned.\(^{120}\) On behalf of the government A.E. Nelson replied that complaints had been referred to the Commissioner of Berar for enquiry, and, in one case in Yeotmal the result of the enquiry showed that the complaint was false; the Vithoba Rangari's case referred to in the Lokmet was found to be baseless. The said Rangari did not take his bullocks and cart in begar. But at the same time he expressed his inability to publish the result of the enquiry.\(^{121}\)

Again, a number of questions were asked on the same issue. For example, on 27 January 1921, U.K. Kane inquired about the practicability of the suggestions made by R.V. Mahajani with regard to the begar in the meeting of the Council on 23 August 1920. He further wanted to know about the steps taken for implementing those suggestions. He was told that efforts to implement those suggestions were being considered by the government.\(^{122}\)

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119. **Begar**: Forced labour without payment.
120. CPLC, Vol. I, 27 January, 1921, p. 21
121. Ibid., p. 21
122. Ibid., p. 24.
On 2 March 1921, Mahant Ramsahaigir drew the attention of the government on the illegal practice of begar being practised in the Chhattisgarh Division. He pointed out that though the touring officers received travelling allowance, they usually levied begar in villages of the Chhattisgarh Division. He sought an enquiry into the matter. A.E. Nelson, while answering, showed the government's awareness of the problem. He invited the attention of the questioner to Circular II-3, Part V, paragraph 8, which reads: 'The exaction of forced labour (begar) from the people is entirely illegal and the practice is prohibited. No custom authority can be accepted as excuse for it and officers of all departments are enjoined to see that their subordinates strictly observed these orders. No animals or carriage must be impressed without the owner's consent and no person compelled to labour against his will'.

Quite often the Indian members asked questions to elicit and disseminate information with a view to enlighten the people about the acts and intentions of the administration. The following instances will clarify the issue. On 27 January 1921, R.V. Mahajani asked whether any orders had been passed by the Government on the proposal of the Excise Commissioner to restrict the hours of the sale of liquor referred to in the Report on the Excise Revenue. It was answered that orders had been passed restricting the hours of sale in Municipal and Notified Areas.

123. CPLC, Vol. I, 2 March 1921, p. 97
124. Ibid., p. 97
from 10 a.m. to 9 p.m., and in rural areas from 10 a.m. to 8 p.m., except in backward tracts, where with the approval of Excise Commissioner the shops might remain open from 9 a.m. to 8 p.m. On 3 March 1921, Seth Mojilal drew the attention of the government to the fact that many learned persons and former Councillors of the province had abstained from seeking elections to the Council held in December 1920 and that many students and pleaders had boycotted schools and law courts during the Non-Co-operation campaign. He wanted to know the reason for the same. He further wanted to know whether the government intended to remove popular discontent which was prevailing in the province by adopting such measures as would usher in an era of popular contentment. On behalf of the government A.E. Nelson conceded that abstention and boycott was due to the Non-Co-operation movement. He further expressed government's intention to remove sources of popular discontent. On 3 March 1921, R.V. Mahajani asked if the government considered the necessity of closing liquor shops on Sundays and festival days in industrial centres, i.e. Nagpur and other important towns, for protecting the labour classes from the dangers of intemperance. The reply was that suggestions given would be considered by the government.

128. Ibid, p.117.
R.M. Deshmukh asked whether the government would appoint a mixed committee to investigate the possibilities, and to suggest ways and means to effect a total prohibition of intoxicating drinks. C.U. Wills, Excise Commissioner, said that there was no indication of any popular movement in favour of total prohibition in the province which would justify the investigation suggested. On 15 March 1921 R.M. Deshmukh asked whether a clerk in the Deputy Commissioner's office at Amravati was dismissed for wearing a Gandhi cap. If yes, he further wanted to know if the government considered wearing the Gandhi Cap a crime. To the first part of the question the reply was that the said clerk was not dismissed but he himself resigned after a talk with the Deputy Commissioner. The latter had questioned his honesty in receiving pay from a government which he admitted that he wished to destroy. In respect of the second part of the question the questioner was told that the government considered wearing of the Gandhi Cap a breach of discipline for a government servant, who associated himself with the movement designed to overthrow the government. Badridas asked whether school authorities in some places objected to the boys' and teachers' wearing plain white caps on the ground that these were Gandhi caps. He further asked the government to put on the Council table any rules issued to the

130. Ibid., 15 March 1921, p. 255.
131. Ibid., p. 255.
educational authorities concerning the wearing of Gandhi caps by the boys and teachers. While conceding the facts, A.I. Mayhew replied that the government considered wearing of Gandhi caps by government servants as inconsistent with their position as government servants. He further told that no rules had been issued by the government to the educational authorities imposing restrictions on the wearing of Gandhi caps.  

The members often put inconvenient questions with a view to trouble or to expose the government. For instance, on 3 August 1921, Anandi Prasad wanted to know if there was not sufficient evidence to prosecute Chokkar for picketing of liquor shops in Nagpur, why did the government prosecute him? The reply given was evasive in nature. But questions of this type did not fail to expose the government by bringing to light the indiscreet acts of its officials. On 22 November 1922, Mohanlal wanted to know the number of times that Deputy Commissioner Bourne's administration of Narsinghpur was discussed and his conduct referred to and criticised by the Council. He further wanted to know that the number of occasions on which his superior officers had enquired into his conduct on the bases of allegations made against him and his administration. The detailed information, names of officers deputed to enquire, and the result of the enquiries were also sought. It was answered.

133. Ibid., Vol. II, 9 August, 1921, p. 591.
134. Ibid., Vol. III, 28 Nov. 1921, p. 165.
that seven questions had been asked regarding the conduct of Bourne and his administration, but A.E. Nelson expressed his inability to lay on the Council table the reports of enquiries because of their confidential nature.\textsuperscript{135} On 14 August 1923, G.F. Jaiswal wanted to know the number of times when the Governor had utilised his emergency powers under Section 72-D (2) provisions (a) and (b) of the Government of India Act, 1919, empowering him to restrict the legislative and financial authority of the Council. Under these provisions, the Governor could certify expenditure rejected by the Council provided that the demand rejected was essential for the discharge of his responsibility towards the subject and necessary for the safety or tranquility of the province or for the carrying on of any department. He further elicited information regarding the number of times when both the ministers were consulted on matters relating to the reserved departments, the number of times when the ministers agreed or disagreed with the Government, the number of times when the ministers were not consulted, and the number of times when the Governor did not agree with the ministers in matters relating to the transferred subjects.\textsuperscript{136} In response to the first part of the question, it was disclosed that to restore grants refused or reduced by the Council the Governor's powers under proviso (a) to Section 72-D (2) of the Government of India Act, 1919 had been used on 12 occasions and the Governor's power under proviso (b) to that section had been used on four

\textsuperscript{135} CPLC, Vol.III, 28 Nov 1921, p.165.
\textsuperscript{136} Ibid, Vol.III, 14 August 1923, p.446.
occasions. A.E. Mathias Finance Secretary, refused to lay on the table of the Council any information till definite reasons were given in reply to the remaining part of the questions.\textsuperscript{137}

\textbf{Issues relating to the Non-Co-operation Movement} were reflected within the Council in two ways. First, through direct resolutions moved either out of sympathy with the movement or in order to retain popularity among the members' constituents. Secondly, indirectly, by resolutions moved to show that the Legislative Council took effective action on matters in regards to which the Non-Co-operators appealed to the public for direct action. The members, who moved or supported the resolutions, were neither connected with the Congress nor with the movement. They were, in fact, those Liberals and Loyalists who opposed the movement. But the direct clash between the militant nationalists and the British Government brought about an automatic change in their tenor and they began to think of moderating the course of events. Thus, they were against any action which they clearly considered repressive, such as extraordinary legislation allowing arrests, trials and arrests without ordinary process of the law or police action involving firing and beating, hand-cuffing, ill-treatment of political prisoners outside and inside the jails and other forms of repression.

\textsuperscript{137. \textit{Op.cit.}, p.446}
The issue of illegalities practised by the government officials to counter the political movement was raised in the Council. A resolution was moved by K.N. Deshmukh on 10 August 1921 recommending the appointment of a committee to enquire into the illegalities practised by government officials to counteract the political movement and to report on the grievances of the people.\textsuperscript{138} Deshmukh, while moving the resolution, pointed out a few instances of the illegal acts of the police and the magistracy. He said, for instance, that government instructions were issued, that section 144 Criminal Procedure Code was only applicable to cases where its use would tend to prevent a probable breach of the peace. 'But when we look at the areas to which this section has been applied we are stupified with wonder to see that government officials disobey the orders expressly laid down by their superiors!'\textsuperscript{139} While questioning the legality of the non-payment of taxes, he said that 'people only wanted to withhold baluta\textsuperscript{140} with a view to express their disapproval against the system of recovery adopted by the government. And most of them were willing to pay when process was issued against them . . . . Some people were put into

\textsuperscript{138} CPLC, Vol.II, 10 August, 1921, p.704.

\textsuperscript{139} Ibid, p.706.

\textsuperscript{140} Baluta :- Baluta means 'grain' in the local dialect. Since payment was made in grain to the Mahar Watchmen in Berar, the practice came to be known as 'Mahar Baluta'.
jail' in this connection and orders for forfeiture of land were issued against them'. The again pointed out the illegalities on the part of Patels and Patwaris who had come to trouble by being suspected of joining the Non-Co-operation Movement. He said, 'one Patel was asked by his tansildar, whether he preached Non-Co-operation. He asked what it meant? The tansildar thereupon asked him whether he preached against begar. The Patel replied, "I do preach against begar without payment". This is a good illustration of idea of Non-Co-operation, the tansildar had in mind, which submit is fairly representative of its type. 142

R.V. Mahajani and K.P. Pande while congratulating Deshmukh for bringing the repressive policy of the government in the Council supported the motion. In the course of their speeches they desired the government to give up its repressive policy. They also held that no useful purpose would be served by merely appointing a committee and requested the mover to withdraw his motion. 143 The Home Member, M.V. Joshi, also expressed the same view and requested the mover to withdraw his motion. 144 In the end the motion was withdrawn.

142. Ibid., p. 708.
143. Ibid., pp. 710-11.
144. Ibid., 709-10
145. Ibid., p. 712.
On 12 August 1921, a resolution was moved by K. P. Sande proposing an All-India Round Table Conference of leading officials and non-officials members of the Council and the recognised leaders of the Non-Co-operation movement to consider the necessary steps which should be taken with a view to pacifying the Indian people and ascertaining how far was it possible to secure their cooperation and good-will. The motion supported by almost all the members was adopted and forwarded to the Government of India.

One of the most important issues which engaged the attention of the Council throughout this period, and during the subsequent years, was the problem of ill-treatment of political prisoners. On 30 November 1921, a resolution was moved by Mohammed Ahmad regarding the ill-treatment of political prisoners by the police and jail authorities. Speaking on his motion he referred to the callous manner in which highly respected leaders had been treated by the police. He said, 'A political offender when arrested is, as a rule, handcuffed and paraded along the street. I do not know if this is done with a view to strike terror in the minds of the people and to inspire awe and fear regarding the might of the government. Let me humbly inform the mighty government that such a course serves rather to create a feeling of defiance and bitterness than a

146. CPLC, Vol.11, 12 August 1921, p.837.
147. Ibid., p.838.
feeling of awe and fear. People have begun to believe that "iron bars do not a prison make" and that the country's cause requires that they should manfully suffer imprisonment.\textsuperscript{148}

The resolution was supported by Seth Sheolal, Anandi Prasad, L.G. Katre, Chaturvedi Madan Mohan Pandey, D.K. Kane, K.G. Nandagaoli, N.A. Dravid, R.V. Mahajani, Mathura Prasad\textsuperscript{149} and G.P. Jaiswal.\textsuperscript{149-A}

The scope of the discussion was extended somewhat by an amendment moved by K.P. Pande which read: 'This Council recommends that standing orders be immediately issued to police and jail authorities in every district to treat political prisoners with general civility when on trial and after conviction according to their social position in life.'\textsuperscript{150}

On behalf of the government, M.V. Joshi speaking on the motion, opposed it at first. But after observing the feelings of the Councillors he accepted the motion as amended by K.P. Pande.\textsuperscript{151} The amended resolution was adopted by the Council.\textsuperscript{152} This constituted the first non-official victory in the Council after the introduction of dyarchy in the province.

\textsuperscript{148} Ibid., Vol. III, 30 November 1921, p. 177.
\textsuperscript{149} See Biographical Account, Appendix-A.
\textsuperscript{149-A} CPLC, Vol. III, 30 November 1921, pp. 182-96
\textsuperscript{150} Ibid., p. 178
\textsuperscript{151} Ibid., pp. 189-96
\textsuperscript{152} Ibid., p. 197
The ill treatment of political prisoners continued even after the resolution had been passed in the Council. So that the ill-treatment of political leaders came up again in the Council. The occasion was an incident relating to the arrest of Ravishankar Shukla at Raipur. On 25 March 1922, leaders in Raipur held a District Conference with Shri Umakant Balwant Ghate as President. Before the Conference, they issued free passes to the public. The district police authorities decided to provoke the organisers of the Conference by forcing entry into the meeting. On the day of Conference, a Sub-Inspector tried to enter the Conference Pandal without paying for his ticket. When Shukla opposed his forced entry, the City Inspector immediately ordered the arrest of Shukla. The police handcuffed Shukla and marched him on foot to the Kotwali, where he was locked up for 48 hours. The incident became a major political issue. There was no rule entitling police officers to free entrance into the Conference.

On 13 September 1922, the issue of recommending to the government the appointment of a committee to enquire into the handcuffing of Ravishanker Shukla was moved by N.A. Dravid, in the Council. For two full days

154. Ibid., p.575.
the motion was debated and the Indian members spoke in
strong terms against the government policy of ill-treatment
of political prisoners. On behalf of the government
M.V. Joshi took part in the debate and while defending
government action he opposed the motion.

The motion was put to vote and was lost by 27 votes
to 31. Although the motion was lost, it proclaimed the
reaction of even the Liberals' and the Loyalists' opinion
on the conduct of authorities and exposed it in its true
colours.

Later in the year, another resolution on political
prisoners was brought by Anandi Prasad on 20 November 1922
in the Council. It wanted that all political prisoners
in the Central Provinces and Berar should be released.

In support of his motion he urged that the political
situation was peaceful throughout the country after the
suspension of the movement and, therefore, as an act of
clemency all political prisoners should be released.

When the Home Member, M.V. Joshi, urged the mover that they
could be released if they apologised or offered security,
Seth Sheolal retorted: 'Sir, political prisoners who are
serving their terms of imprisonment believe that they are
serving country by remaining in jails and, therefore, they
neither apologise nor give any security.

of Seth Sheolal, Anandi Prasad, L.G.Katre, J.P.Sane,
D.S. Pachory and R.N. Deshmukh.
156. Ibid., 14 September 1922, p.630.
157. Ibid., p.631.
158. Ibid., Vol.III, 20 November 1922, p.31
159. Ibid., pp.31-33
160. Ibid., p.34.
After a prolonged debate, the motion was put to vote and for want of support from the Liberals, the Loyalists and the Depressed classes members it was defeated by 10 votes against 31. But it had its political value; it disclosed the attitude of the Liberals and the Loyalists who did not want to go against the government.

In January 1923 session a resolution was again moved recommending to the government to release the political prisoners. It too was rejected for want of the support of the Liberals and the Loyalist elements.

Despite these motions, a series of questions were put in protest against the system of hand-cuffing of political prisoners, the condition of political prisoners in jail, the class and diet for them, the irksome work given to them which told upon their health and the medical and other facilities denied to them in jails. On 28 November 1921, G.P. Jaiswal registered his protest against the system of hand-cuffing of under-trial prisoners on their way to and from the court, which caused great hardship. He pressed the government to remove these grievances and amend the relevant rules. On behalf of the government, A.E. Nelson said that the rules could not be altered. On 29 November 1921, Syed Yasin wanted to

163. CPLC, Vol. III, 28 Nov. 1921, p. 36
know the steps that had been taken by the government to put a stop to the ill-treatment accorded to the political prisoners. The answer given by A.E. Nelson was evasive in nature. On 30 November 1921, Seth Sheolal enquired about the condition of Makhanlal Chaturvedi, Babasaheb Pandit Paranjape, Radha Mohan Gokulji and Sunderlal who were in jail for participating in the Non-Co-operation movement. Particulars regarding physical labour assigned to them were also sought. The questioner was told that the health of the convicts was satisfactory, their weight had increased and that labour was accorded to them according to their physical condition. On the same day, R.V. Mahajani wanted to know whether the treatment accorded to the political offenders was on the same lines as was given in England. If no, he pressed the government to issue orders to treat them on similar lines. He was told that the treatment to the political prisoners in India was not similar to that of England. If was further said that Indian Jail Committee made some recommendations about the political prisoners which government was considering.

On 3 December 1921, S.D. Deshpande, pointed out that United Provinces government had decided to treat political prisoners as first class offenders and to give them better treatment as regards food and personal liberty. He pressed the government to adopt the same policy. A.E. Nelson

164. CPLC, Vol. III, 29 Nov. 1921, p. 101
166. Ibid., p. 168.
responded by saying that he did not have any such information and assured the member that he would make an enquiry. 167

A major item of the Non-Co-operation Movement was prohibition of liquor. The Non-copperators supported the temperance movement on moral, social and economic grounds. The Council in supporting the movement passed two pieces of legislation to prohibit further sale of country liquor throughout the province, probably because country liquor was cheap, easily brewed and widely available. Most of the consumers belonged to the lower classes.

The first resolution was moved on 4 August 1921 by Seth Sheolal proposing to stop the sale of country liquor throughout the province. 168 The resolution was widely supported by almost all the Indian members, both nominated and elected. The motion, as amended by K.P. Pande, was carried. It read: 'This Council recommends to the government to stop within a short period as may be practicable sale of country liquor throughout the whole province.' 169 On 6 August 1921, another motion was moved by R. V. Mahajani. It recommended to the government that subsidies be given to the local bodies for carrying on propaganda for temperance with a view to eradicate the evil of drinking. 170 The amended resolution of K.P. Pande,

167. CPLC, op. cit. p. 352.
169. Ibid., p. 449.
170. Ibid., 6 August 1921, p. 515.
which read: 'This Council recommends to the government that steps be taken by government to educate the masses as regards the evil effects of drinking with a view to eradicate drinking habit', was adopted by the Council. 171

Thus the Council was successful in its efforts to raise the moral tone of the people among whom alcoholism had played a great havoc. The legislation adopted by the Council regulated liquor traffic, licensed liquor shops, and shortened the hours of sale throughout the whole province. As a result, the liquor shops in the province were reduced from 3454 to 2628 during 1920-22. A fall of 76 per cent was recorded in the consumption of country liquor. 172 Consequently, revenue from liquor also fell from Rupees 1,07,82,459 to Rupees 71,21,996 during the period. 173

Through Interpellation the members elicited information regarding the picketing of liquor shops by the Non-Co-operators, surrender of contracts, closing of liquor shops by the contractors, violent incidents that occurred during the campaign and arrest and prosecutions

172. Ibid., p.411. Statement given by C. U. Wills in the Central Provinces and Berar Legislature on 5 August, 1921, in reply to the question of G. P. Jaiswal.
173. Statistical abstract for British India with Statistics were available relating to certain Indian States from 1915-16 to 1924-25 (Calcutta, 1926), p.171; CPLC, op. cit., p.125.
in connection with the campaign against drinking.\textsuperscript{174}

Other aspects of Non-Co-operation movement were also reflected through resolutions and interpellations in the Council. The suspension of practice by the lawyers under the campaign of boycott of law courts caused a great sensation in the judicial department. Government imposed certain conditions on the lawyers to check this campaign and served notices to the boycotting lawyers of the province. They were threatened that active participation in the campaign would render them liable to be dealt with under section 13(f) of the Legal Practitioners Act and that action might be taken against them for similar conduct in future. This issue attracted the attention of the Council and Seth Sheolal, while enquiring about the matter, showed his annoyance at such notices served upon the boycotting lawyers.\textsuperscript{175} Likewise, the judicial department also adopted some measures to check pleaders from participating in the movement. Two pleaders of Seoni were issued show-cause notices by the District Magistrate threatening them with a permanent cancellation


\textsuperscript{175} CPLC, Vol. II, 13 September, 1922, p. 530.
of their sanads on account of their activities during the movement. This was also discussed in the Council but the government could not explain the step satisfactorily. 176

In order to check the movement for the boycott of educational institutions, the Inspector of Schools, Berar Division, sent a Circular letter to all the Head Masters of Anglo-Vernacular Schools, government as well as aided, in which the Head Masters were asked to submit a weekly report of all the activities about the movement in their schools. 177 The issue attracted the attention of the Council. While asking questions, R.N. Deshmukh and D.K. Kane, criticised the circular. 178

The boycott of foreign cloth and use of Swadeshi was an important item of the programme of Non-Co-operation Movement. The provincial government tried to suppress the movement by enforcing unjust laws and issuing insulting orders. A teacher of Model School, Jabalpur, Diwakar Rao Bagad Deo, was discharged from Service for wearing Khadi clothes and a Gandhi cap. This issue also attracted the attention of the Council.

177. Uday (Amraoti), 1 February 1921.
Mohammed Ahmad, while putting a question, criticised the action of the government taken against the said teacher. 179

Similarly, the Judicial Commissioner of Nagpur prohibited all the employees of his office from wearing the Gandhi cap. The order of the Judicial Commissioner was discussed in the Council and Seth Sheolal registered his protest against the issue of such circulars. 180

On 2 March 1921, R.M. Deshmukh wanted to know the instructions which had been issued to the officers to counteract the Non-Co-operation activities. In reply to the question A.S. Nelson expressed inability to lay them on the Council's table because of their confidential nature. 181

On 3 March 1921, Seth Sheolal inquired about the number of title holders andHonorary Magistrates who had resigned their titles and Magistracies in pursuance of the programme of Non-Co-operation Movement. He was told that 8 out of 206 title holders and 14 Honorary Magistrates out of 411 left their titles and Magistracies. 182

179. CPLC, Or. cit., 15 March 1921, p. 263.
182. Ibid. 3 March 1921, p. 116.
Thus, it seems that it was over such issues that the Liberals found themselves coming more and more in conflict with the government. They were driven progressively more to the role of a mediatary rather than a cooperative partner of the government.

When the Non-Co-operation Movement came to be suspended and many prominent leaders were in jail, the nationalists in the Central Provinces and Berar started preparing themselves to launch a series of dramatic demonstrations to win over the population to the national cause. These demonstrations consisted of Satyagrahas in which the National Flag\textsuperscript{183} was the dominant feature. It attracted the attention of the whole country. The leaders of the Satyagraha were Pandit Sunderlal in the Mahakoshal region and Jajmalal Bajaj in the Vidarbha region.

The first phase of the agitation began in Jabalpur on 11 March 1923, when the Commissioner refused to allow the nationalist members of the Municipal Committee to fly the National Flag on the Town Hall in honour of the members of the Working Committee of the Indian National Congress who were visiting the city at the time. In spite of the Commissioner's refusal on 18 March 1923, the National Flag was hoisted on the Town Hall. The police forcibly

\textsuperscript{183} This Flag adopted by the Indian National Congress, consisted of saffron, white and green with a small Charkha in the centre.
removed it. This action of the police at once excited the public and resulted in Satyagraha. Pandit Sunderlal, Subhadra Kumari Chauhan, Nathuram Modì and some volunteers took out a procession with the Flag to the Civil Lines and refused to seek permission to take out such a procession. Consequently they were arrested but released on the following day. The nationalists also held a number of Flag demonstrations as the second phase of the agitation in other towns of the Mahakoshal region. The most important demonstration took place in Bilaspur.

On 31 March 1923, Gonds hoisted the Flag on the Town Hall in Bilaspur. During April 1923, Flag demonstrations also took place in Chhindwara, Seoni and Narsinghpur.

On 13 April 1923, Jammalal Bajaj launched the third phase of the Flag Satyagraha at Nagpur. In addition to Bajaj, other leaders of the campaign were Lala Awari and Bhagwandin. The agitation was well supported by the people including the lower classes, the depressed communities and aboriginal tribes of the region. The Hitavada reported the following scene at the western edge of Nagpur: 'On the anniversary of the Jallianwallah Bagh, a procession of 30 or 40 volunteers and about 100

184. See Biographical Accounts, Appendix-A

185. The Hitavada, 28 March 1923, p.5.

186. Ibid, 4 April 1923, p.5.


188. See Biographical Accounts- Appendix-A
other persons marched from the city towards the Civil Station singing national songs and carrying Swaraj Flag. In imitation of a similar procession that had taken place in Jabalpur.\footnote{189} As soon as the procession reached the District Court, Hyde Clarendon Gowan, the District Magistrate of Nagpur ordered it to be stopped. When the Satyagrahis disobeyed his order, he ordered their arrest.\footnote{190} Before arresting them, however, the police beat them up mercilessly. After their arrest, they were sentenced to pay a fine of Rs. 60/-, or in default to undergo two months' imprisonment.\footnote{191} They all preferred the sentence of imprisonment.\footnote{192}

The leaders, however, decided to meet the challenge of the government and on 30 April 1923 made plans to place the Satyagraha on a permanent footing.\footnote{193} On the next day Gowan banned all processions with the National Flag for two months. But this did not check the campaign. On 1 May, a group of volunteers under Jammalal Bajaj and Bhagwandin marched towards the Civil Station carrying the National Flag, but when they tried to enter the prohibited area they were arrested. This pattern of events was repeated

\footnote{189. The Hitavada, 18 April 1923, p.5; \textit{Op.cit.} Mishra, p.323}
\footnote{190. \textit{Indian Papers, CPD, No.24, 1923}, p.253; \textit{Pranavir (Nagpur), 7 June 1923}, NAI.}
\footnote{192. \textit{Ibid.}, p.323.}
\footnote{193. The Hitavada, 2 May 1923, p.5.}
on many days. Every day 10 volunteers marched to
the prohibited area and courted arrest. 194

Owing to the number of arrests, the supply of volunteers from the Vidarbha region was soon
exhausted, and the leaders of Satyagraha called for
volunteers from the Mahakoshal region. 195 In response
to these calls volunteers from the districts of Seoni,
Sagar, Jabalpur, Narsinghpur, Balaghat, Betul and
Hoshangabad arrived in Nagpur between May and June to
take part in the daily processions. 196 Due to the
frequent arrests, the supply of volunteers from the
Mahakoshal region also soon exhausted, and Bajaj was
compelled to seek assistance from the neighbouring
provinces. 197 The use of volunteers from these
provinces constituted the last stage of the Satyagraha.

The Flag Satyagraha ended after the final
procession of 18 August 1923 when Jamnalal Bajaj and
other leaders were arrested. Vallabhbhai Patel with
his brother Vithalbhai came to Nagpur to see the progress
of the Satyagraha. They started talks with M.V.Joshi,
the Home Member and the Governor Frank Sly and attempted
to end the Satyagraha without loss of face on either side. 198

194. The Hitavada, 2 May 1923, p.4; Ibid, 9 May, 1923,
195. OP. cit., Mishra, D.P., 323; The Hitavada, 30 May 1923,
p.4.
196. Ibid, p.323.
197. Home Pol,F.25, FR, Second Half of the June, 1923, p.54
Ibid. F. 25 July 1923, FR, First Half of the
July 1923, p.16, NAI.
198. Patel, G.I., Vithalbhai Patel : Life and Times, Book I,
These talks were successful and, as a result, the government and the nationalists agreed to suspend hostilities. The order under section 144 Criminal Procedure Code, which expired on 17 August 1923 was not renewed. The government agreed to release all volunteers imprisoned during the Satyagraha. The government also permitted the Flag procession without hindrance. 199 Thus, the Flag Satyagraha ended with a remarkable success and gave a new life to the resistance movement not only in the province but in the country also.

The National Flag Satyagraha became a major political issue and could not be ignored by the legislature which met in August 1923. By that time more than 1400 Satyagrahis had been sent to jail. On 7 August 1923, a resolution was moved by Seth Sheelal recommending to the government that the order of the Deputy Commissioner of Nagpur enforcing section 144 of Criminal Procedure Code at Nagpur be cancelled. 200 It was this order that the Satyagrahis were defying. The motion was debated in the Council for two days. During the course of the debate the order was roundly criticised. It was pointed out

199. The Hitavada, 22 August, 1923, p.3.
that a procession in connection with the Turkish Peace Treaty had been permitted to pass through those very prohibited streets on 25 July. It was only the procession of the Congress volunteers that the District Magistrate objected to. 201

The motion was opposed by the government officials and one Depressed classes member, G.A. Gavai. 202 In opposing the resolution Gavai said that 'the withdrawal of the order would be a great defeat of the government'. 203

At the end, in spite of the efforts made by official block, the motion was adopted by the Council by 31 votes to 26. 204 With the result, the order under section 144 Criminal Procedure Code which was to expire on 17 August 1923 could not be renewed.

On 9 August 1923 G.P. Jaiswal moved another motion recommending the withdrawal of the pending prosecutions in connection with the Flag agitation and the order prohibiting passengers from procuring railway tickets for journey to Nagpur. 205

203. Ibid., p.132.
204. Ibid., 8 Aug. 1923, p.207.
The Home Member, M.V. Joshi, while opposing the motion, said: 'if the government withdraw the prosecutions, the self-same persons might come tomorrow and offer civil disobedience or civil resistance in the same way as they are doing today'. He further said that so long as Satyagraha continued, the prosecutions would not be stopped. 206

The resolution was supported by R.V. Mahajani C.B. Parikh 206-A and G.P. Jaiswal. They pointed out that the government would have to give up the policy of repression and should cancel the conviction of all those persons who had been convicted. They further pointed out that by adopting this course, the difficulty would be solved and the agitation would cease of its own accord. 207

The motion was put to vote, and in spite of the government officials opposition, it was adopted by the council by 27 votes to 23. 208

On 9 August 1923, the Legislative Council debated another resolution recommending the government that all the volunteers and Congress workers imprisoned

206-A. See Biographical Account, Appendix-A
207. CPF LC, OP. cit., pp. 262-65.
208. Ibid., p. 266.
in connection with the National Flag agitation be released unconditionally. This, too, was adopted by the Council on the same day with 31 members voting in favour and 27 against. 209

A series of questions were also put on the issue of Flag Satyagraha either for eliciting information or to harass and expose the government. For example, on 6 August 1923 G.P. Jaiswal demanded the list of municipalities which had adopted resolutions to hoist the National Flag on Municipal buildings. A McDonald replied that the government had no information regarding any such resolution except one which was passed by the Municipal Committee of Jabalpur. 210

Some of the members appear to have been interested in putting the government in a tight corner on the issue of welcome accorded to certain national leaders and hoisting the National Flag on the Town Hall. Thus, on 6 August 1923, Mohan Lal wanted to know if welcome addresses were proposed to be presented by the Jabalpur Municipal Committee to Hakim Ajmal Khan, C.R. Das and other Congress leaders, and whether the motion was vetoed or rescinded. The ambivalence of the Government is apparent from the reply given by

210. Ibid, 6 August, 1923, p. 14
A. MacDonald. He referred to the communication which stated that while the Minister for Local Self-Government considered that the action of the Jabalpur Municipal Committee was objectionable, his own Ministry decided that no action should be taken in the matter and instructed the Commissioner accordingly. Mohan Lal further enquired whether the Deputy Commissioner of Jabalpur had consulted the local government before vetoing the presentation of welcome address and hoisting of the National Flag on the visit of Rajagopalachariar. A. MacDonald replied in the negative, but informed that the veto was confirmed by the local government later.

It needs being stressed here that a kind of double standard was adopted by the government. While it had no objection in permitting the presenting of the welcome address and flying the Congress flag on the Town Hall to honour those who supported the participation in elections to the Councils, it prohibited such a welcome for those who opposed to work the Reform Scheme. It appears, that the intention of the government behind such discrimination, was that it wanted to create division in the nationalist ranks.

211. CPLC, Vol.III, 6 August 1923, p.17
212. Ibid, p.18.
Budgets in the Legislative Council of the Central Provinces and Berar provided an occasion to the councillors to ventilate the basic grievances of the local people. Attempts were made to reduce the budget demands, to reject the financial bills as a means to force the government to adopt prompt and effective economy in expenditure. Resolutions asking for an enquiry into the economic conditions of the peasantry, the establishment of Debt Conciliation Boards and the minimisation of the exploitation of the agriculturists from double taxation were also tabled.

The budget of 1921-22 presented in the Council in March 1921 showed a surplus. The general trend of discussion on the budget favoured cutment in expenditure on the various departments and supported reduction of expenditure for providing generous relief. The total budget demands presented to the Council was Rs.6,54,73,425. A number of cut-motions were put forward accepted by the Council.

One of the most important issues which resulted in a cleavage between the members of the

214. Ibid, 5 March 1921, pp.216-46.
215. Ibid, 17 to 22 March 1921, pp.462-626. The total reduction accepted by the Council was for Rs.3,87,514. of the reduction in the demands Rs.17,816 only was restored by the Governor in excise of his special powers.
Mahakoshal and the Vidarbha regions, as evidenced in the budget session of this Council and during the subsequent Councils, was the problem of defending regional interests. A debate on the allocation of revenue between the two regions led to the appointment of a committee, known as the Sim Committee, to inquire in the matter of allocation of revenue between the Mahakoshal and the Vidarbha regions. The Committee recommended that after certain expenditure had been provided for, the balance of the revenues should be allocated to the Mahakoshal and the Vidarbha in the proportion of 3:2. In January 1923, a motion that effect should not be given to the recommendations of Sim Committee was lost after a strong opposition from the members of the Mahakoshal region,216

Despite these, resolutions were also moved to press the government to effect economy in the expenditure. On 28 January 1921, N.A. Dravid moved the following resolution limiting the salaries to be paid to Ministers: 'This Council recommends to the government that pending the vote of Council during the passage of the budget, the salaries paid to Ministers should not exceed Rs. 2000/- per mensem'.217 In support of his resolution he drew the attention of the Council to the


past experience regarding the extravagant scale on which the higher services in this country had been paid. He referred the resolution moved in the Imperial Legislative Council protesting against the enormous increments granted to high officials at the expense of poor tax-payers. He sought cooperation of the Council in passing the resolution. 218 Rao Bahadur K.V. Brahma, while supporting the resolution, moved a small amendment which read, 'substitute the words Rs. 3000 per mensem' for the words' not exceed Rs. 2000/- per mensem'. 219 While speaking on his amendment, he said that in view of the scarcity then widely prevailing in the province, Ministers and other officials should accept limited salaries so that living wages could be provided to their less fortunate brethren and asked the members to support his amendment. 220 After a prolonged discussion on the motion, Dravid and other members agreed to the amendment proposed by Brahma and it was adopted by the Council. 221

But in accepting the amended resolution and fixing the Ministers' salaries at Rs. 3000/- per mensem instead of Rs. 2000/-, however, the Council had lost the

218. CPLC, Vol.I, 28 January 1921, p.69
219. Ibid, p.71
220. Ibid, pp.71
221. Ibid., p.79
opportunity of emphasising that Indian Ministers could work efficiently on half the salaries given to the British civil servants in India. The Council also missed the chance to criticise the fat salaries of the foreign bureaucracy in India. In fact, it was good for them to accept lower salaries to show to the government the efficiency and economy of the truly Indian service and thereby to eliminate the necessity of having at all the high-salaried foreign bureaucracy.

Another resolution discussed in the Council dealt with the exploitation of agriculturists from double taxation by the unjust Mahar Baluta System in Berar. On 15 March 1921, JB Sane, while disagreeing with the Mahar Baluta Committee recommendations, moved a resolution for the abolition of grain payments to village watchmen in Berar and introduction of a provincial money cess. In support of his motion he drew the attention of the Council on the system's defects and said that Mahars were the servants of both the people and the government. The agriculturists remunerated them by payment of grain and the government by grant of inam land. He observed that the system was unjust to the agriculturists and was not properly controlled. Despite the official opposition, the resolution was adopted by the council.

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223. Ibid, pp.298-99
Another issue keenly debated in the Council during the session and the subsequent sessions was the abolition of the post of Commissioner. On 9 August 1921, a resolution recommending to the government that the post of Commissioner of Division he abolished was moved by M.R. Dixit. In moving the resolution his objective was to effect reduction in the administrative expenditure. During the debate on the motion, it was widely supported by N.A. Dravid, B.Y. Deshmukh, B.P. Pachory, G.P. Jaiswal, L.G. Katre, K.P. Pande, R.M. Deshmukh, D.K. Kane, Seth Sheolal, Ratan Singh, U.G. Kulkarni and R.R. Jayavant and others. At the end, despite the opposition of Finance Minister, the official block, Muslim members and the Depressed classes members, the motion was adopted by 28 votes to 21.

Thus, the Council forced the government to consider measures to effect retrenchment in the administrative expenditure. But the government was not prepared to abolish the post of Commissioner of Division because from an administrative point of view it was considered to be an important post, whose abolition would seriously affect the efficiency of the administration of the province.

225. CPLC, Vol.II, 9 August, 1921, pp.603-6
226. Ibid., pp.613-38
227. Ibid., p.644
On 13 August 1921, G.P. Jaiswal brought up yet another resolution asking for an enquiry into the economic conditions of the peasantry, the establishment of Debt Conciliation Boards and provision of relief to the heavily indebted agriculturists. The objective of the resolution was to give relief to the agriculturists from ever-increasing indebtedness. 228 However, because of the official opposition, and lack of support from the Liberals and the Loyalists, the mover withdrew his motion 229 but the debate served to focus public attention on the issue, so that more effective action could be taken later.

The adjournment motions also provided an occasion to press the government to consider matters of urgent public importance. On 20 November, 1921 M.R. Dixit moved the motion for an adjournment to impress on the government the necessity of giving immediate effect to the unanimous recommendations of the Retrenchment Committee. 230 During the debate there was a considerable opposition to the motion. In opposing the motion, members urged that sufficient time may be given to the members to go through the recommendations. Ghulam Mohiuddin opposed the motion as a protest, because the recommendations of the committee proposed curtailment of educational

228. CPLC, 13 August, 1921, p.914.
229. Ibid, p.927
230. CPLC, Vol.III, 20 Nov. 1921, p.15
facilities for the Muslims. Anandi Prasad, Nathura Prasad and K.V.Brahma opposed the motion for want of sufficient time to go through the recommendations of the committee. Only Ratan Singh and R.V.Mahajani supported the motion and desired that those savings as recommended by the committee should be implemented immediately. At the end of the debate, a division was claimed by the mover but was refused by the President on the ground that it could not get sufficient support in the Council. The motion was thus lost.

Criticism in the same vein was offered by the members when the budget for 1922 was presented on 2 March 1922 by the Finance Member, showing a deficit and the prospect of fresh taxation in the form of the Court fees Bill and Stamp Bill. The net provincial income for the year 1922-23 had been estimated at Rs.5,24,89,000, while in the preceding years budget, it was Rs.5,17,49,000. The total expenditure for the year 1922-23 had been estimated at Rs.5,68,12,000, thus leaving a deficit of Rs.43,23,000. The government proposed to a resort to new taxation measures like an increase in Court Fees and Stamp duties to cover the gap.

231. CPLC, Vol.III, 20 Nov.1921, pp.42-45
232. Ibid, pp.43-45
233. Ibid., p.46
During the course of the discussion on the budget almost all the Indian members, both elected and nominated, criticised the government for its failure to effect economies in expenditure and suggested ways to reduce the expenditure, for example, reduction in salaries, reduction in staff, reduction in number of districts, reduction in expenditure on civil works, reduction in travelling allowance, reduction in the statutory payments into the Famine Insurance Fund and in the contribution to the Government of India. While taking part in the budget discussion the Depressed classes members confined themselves to the single item of Rs. 15,000 allocated for the improvement of education of boys of the Depressed classes.

The total demand of Rs. 5,24,95, was, however, reduced by Rs. 10,96,944 and a sum of Rs. 5,13,98,756 was voted by the Council. The largest reduction had been made in lump sum from the demands for Land Revenue Survey and Settlement Establishment, Irrigation and Agriculture. The Governor, however, restored Rs. 4,53,510 or more than 40 per cent of the cuts.

236. Ibid., 3 March 1922, pp. 92-133
237. Ibid., 4 March 1922, p. 638.
238. Ibid., 9 and 10 March 1922, pp. 353, 450-51 and 598. Reductions moved by G.P. Jaiswal, K.V. Brahma in twice respectively.
On 2 March 1922, K.V. Joshi, moved the Central Provinces Court Fees Bill 1922 to amend the Court Fees Act of 1870, for the consideration of the Council. In moving the bill the objective of the government was to introduce fresh taxation. The bill increased Court fees on land suits by 15 times. Secondly, it proposed the raising of ad valorem fees from 7½ to 10 per cent for the first 1,000 and a corresponding increase thereafter.²³⁹ Speaking on the bill, Joshi justified the raising of Court fees by the enormous increase in the value of land during the last 50 years and urged the Council to approve it.²⁴⁰

During the course of the discussion on the bill, R.V. Mahajani criticised the government's policy regarding retrenchment in the expenditure. He said that a proposal for fresh taxation in the form of a Court Fees Bill, would make litigation very expensive. In opposing the bill he expressed 'I am a pleader myself and I know it would help the cause of pleaders if this bill be passed into law. But I do not want that people should undertake expensive litigation.'²⁴¹

M.G. Deshpande desired that 'retrenchment and not fresh taxation is the order of the day. So we must try

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²⁴⁰. Ibid., p.32
²⁴¹. Ibid., pp.32-35
to effect retrenchment and not impose fresh taxation.\textsuperscript{242} The bill was opposed by other members on the same lines.\textsuperscript{243}

Looking to the strong opposition of members to the bill, M.V. Joshi requested that the Council should refer the bill to a Select Committee for reconsideration.\textsuperscript{244} The contention of Joshi was supported by some Liberal, Depressed Classes and Muslim members.\textsuperscript{245} But the proposal that the bill be referred to a Select Committee was also opposed by the majority of the Indian members and when at the request of M.V. Joshi the bill was put to vote, the result was that 22 voted for and 32 against. Thus, the motion that the bill be referred to a Select Committee was lost and the bill was thrown out by the Council.\textsuperscript{246}

The fact of the matter was that the Council was successful in forcing the government to accept prompt and effective retrenchment and economy in public expenditure partly because the idea of a fresh taxation was not popular and partly on account of the opposition of the majority of the Indian members largely composed of lawyers. This was the only government measure defeated during the life of the first Council.

\textsuperscript{242} CPLC, Op.cit. 2 March 1922, p.45
\textsuperscript{244} Ibid. p.47.
\textsuperscript{245} Ibid., p.47
\textsuperscript{246} CPLC, Vol.1, 17 March 1922, p.702.
The bill was revived on 22 November 1922 and the Council referred it to the Select Committee.\textsuperscript{247} The majority of the Indian members having realized that retrenchment alone would not save the financial situation, agreed that fresh taxation was necessary. This factor persuaded the Council later to pass the Court fees and Stamp Amendment Acts.

The budget of 1923 saw a change in the attitude of members. The members had some experience, and in consequence were in a better position to criticise the budget as well as to appreciate the difficulties of the times. The Council made a reduction in the total demand for Rs.4,80,58,606. The total amount which the Council refused to vote for was Rs.2,07,200, more than half of which (Rs.1,09,400) was cut from the provision for Deputy Superintendents and Circle Inspectors of Police whose numbers it was proposed to reduce on the strength of the Retrenchment Committee's Report. Out of this, Rs.93,400 was restored, as was a sum of Rs.25,800 the total demand for the Chief Conservator's establishment, which has been refused. In all, a sum of Rs.1,36,100 was restored.\textsuperscript{248}

These achievements were spectacular in no sense but their significance lies in the fact that the Council

\textsuperscript{247} CILC, Vol.III, 22 November 1922, pp. 181-216.
had exerted its influence on the government by every means in its power through resolutions, questions and motions of adjournment. Among the important resolutions of this nature carried by the Council were the following.

In the field of social reform a resolution containing two parts was moved on 12 August 1921 by Anandi Prasad. The first part dealt with the opening of poor asylums in every district and tahsil for the maimed, homeless and weak beggars. The second part desired that beggary for those fit to work should be made a penal offence under the Indian Penal Code. 249 While speaking in support of his motion, he said that beggary was a great social problem in India. The beggars sometimes went to the length of committing theft and house-breaking at night. He requested the Council to pass suitable legislation to solve this great social problem. He further suggested that the energy of the poorest classes of Indian, which was lying dormant for want of work, could be utilised in the elevation of the country. The government should establish poor asylums. This would enable it to employ the able-bodied on works of public utility. 250

250. Ibid., p. 841
Bansidhar Deodhiya, L.G.Katre, R.R.Jayavant also supported the motion on the same lines.\textsuperscript{251} On behalf of the government, A.E.Nelson congratulated Anandi Prasad in bringing before the Council the proposal. But he showed his inability to accept the motion because of the enormous financial burden on the shoulders of the government.\textsuperscript{252}

In the end, the motion was put to vote and rejected by 38 votes to 8.\textsuperscript{253} The motion could not get support from upper class Indian members and the official block. Its rejection was one of the many instances where the official members, in collusion with the nominated and elected upper class members, flouted the urge and sentiments of the people of the province. The mover was, however, successful in bringing before the Council a great social problem which merited due consideration of the government.

The first measure in the field of education adopted by the Council was the preparation of a scheme for expansion of primary education in order to bring it within the reach of every village of the province. It was introduced by B.P.Pachory on 13 September 1921. The objective of the resolution was to provide for primary education every village in the rural areas to educate the people.\textsuperscript{254} The resolution was welcomed and

\textsuperscript{251} CPLC, \textit{Op.cit}, pp.842-44  
\textsuperscript{252} Ibid, pp.844  
\textsuperscript{253} Ibid, p.846  
\textsuperscript{254} Ibid., Vol.II, 13 Sept.1921, p.927.
supported by almost all the Indian members.\textsuperscript{255} It was only opposed by the government. On behalf of the government, the Education Minister showed his inability to accept the resolution due to the lack of financial resources.\textsuperscript{256} But when the Council pressed the government, the motion was adopted.\textsuperscript{257}

In the field of higher education the work of the Council was notable. The High School Education Act of 1922 and the Nagpur University Act of 1923 were passed. The Nagpur University Act was taken up by the Council on 2 August 1921. K.V. Brahma moved a resolution recommending to the government 'to pass necessary legislation for the purpose of constituting a University for the Central Provinces and Berar'.\textsuperscript{259} During the course of the discussion only a few members opposed the bill because they apprehended that the establishment of a University would probably interfere with the progress of primary education. They asserted that primary education should not be neglected and had to develop side by side with the University education.\textsuperscript{259} After a prolonged discussion on the Bill, it was decided to referred it to a Select Committee consisting of official and non-official members for consideration.\textsuperscript{260}

\begin{itemize}
\item \textsuperscript{255} CPLC, \textit{op.cit.}, pp.928-44.
\item \textsuperscript{256} \textit{Ibid.}, pp.932-33
\item \textsuperscript{257} \textit{Ibid.}, p.944.
\item \textsuperscript{258} CPLC, Vol.II, 2 August 1921, p.846.
\item \textsuperscript{260} \textit{Ibid.}, 3 August, 1921, pp.287-316.
\end{itemize}
Several points of sectional interests arose when the Bill, as finalised by the Select Committee, came up on 24 November 1922 for final discussion in the Council. 261 Certain amendments were moved by the Mohammedan members to secure Muslim representation on the University bodies. 262 But those amendments received no support from anyone except the Mohammedan members and the two representatives of the Depressed Classes.

The cleavage between the representatives of the Mahakoshal and the Vidarbha regions was again reflected in the discussion of the measure in the course of which each tried to defend its regional interests. The chasm was brought to light by a proposal which provided for advanced studies only to the Nagpur colleges neglecting the colleges of the Mahakoshal region. It almost wrecked the Bill. But when concessions in the matter were made to the Mahakoshal interests too the Bill was finally passed into law in 1923. 263

The issue of the separation of judicial and executive functions was taken up in the Council. A resolution to that effect was moved on 6 August 1921 by R.R.Jayavant. In a long speech he traced the history of the problem and requested the Council to support the motion.

The resolution was favourably received by the members. On behalf of the government, N.V. Joshi, while agreeing with the remarks made by the members, expressed the government's inability to accept the motion for want of funds. But when the members pressed, it was adopted without division.

In fact, the government did not want to implement the scheme of separation of judicial and executive functions because it felt that that would make it hard to guarantee timely collection of land and other revenues. If the revenue officers were to be deprived of powers of criminal justice, their position would be much lowered and they would find great difficulty in realising the government's dues from the people. Their magisterial powers inspired fear among the common people.

Another sphere in which the Council rendered good service to the province was the local-self government. On 3 December 1921, N.K. Kelkar, Minister for Local-self-government, introduced the Central Provinces and Berar Municipalities Bill in the Council. The need to make amendment in the old Municipal Act in keeping with the spirit of the times was felt. The bill was widely


266. Ibid, p. 537.

welcomed in the Council and the Minister was congratulated. The bill was referred to a Select Committee. 268 N.K. Kelkar presented the Select committee Report on the bill in the Council on 5 September 1922. 269 The bill was discussed in the Council and was finally passed into law. 270 The Central Provinces Municipalities Act of 1922 extended the franchise, increased the elected element, reduced official control, gave powers of taxation to the Municipal Committees and increased the sense of responsibility of their members.

Another resolution, adopted by the Council on 7 March 1923, related to the appointment of an Indian to the post of Secretary to the government. The object of the motion was to extend the association of Indians in all the branches of administration. 271

Eventually, a Secretaryship to the Government fell vacant, but the Council's resolution was overlooked and a European was appointed to it. This predictably, led to the tabling of an adjournment motion in the House. The President, however, disallowed the motion on the plea that the matter was not one of urgent public importance. 272

268. Ibid., pp.387-412.
269. Ibid., Vol.II, 5 Septi., 1922, p.31
270. Ibid., p.478.
It can safely be asserted that the Central Provinces and Berar Legislative Council had been able to do commendable work. It was in the Central Provinces Council alone that strong opposition was offered to the resolutions according welcome to the Duke of Connaught's and Prince of Wales's receptions. The councillors, under the pressure of public opinion, demanded the release of political prisoners and improvement in the living conditions of the incarcerated political prisoners. Its contribution in the fields of social reforms such as prohibition, uplift of the depressed classes, extension of primary education and establishment of the Nagpur University was notable. The Central Provinces Municipalities Act of 1922 marked a notable advance in the field of the local self-government.

The fact, however, remains that the Liberals who were searching for an independent line in adopting the policy of co-operative association with the British in the cause of gradual constitutional advance towards self-governing Dominion status, failed to influence adequately either the alien government or the militant Nationalists. They could only try to moderate the course of events but could not determine them. Their co-operative loyalist position, in addition, made them unpopular among the masses. As a result, the Liberals were overwhelmed in the elections of 1923 by the Swarajists, who promised to carry Non-Co-operation into the legislature. Thus, it was their role as mediators in Indian politics rather than that of co-operators with the government that became prominent after 1923.