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STATEMENT

**concerning the safeguards for the protection of the interests of
the Depressed Classes as a minority in the Bombay Presidency
and the changes in the composition of and the guarantees
from the Bombay Legislative Council necessary to ensure
the same under Provincial Autonomy**

submitted by

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on behalf of the

Bahishkrita Hitakarini Sabha
(Depressed Classes Institute of Bombay)

to the

Indian Statutory Commission

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Damodar Hall
Parel, Bombay-12

INDIA

I. Protection through adequate Representation

1. *Preliminary*.—The Sabha feels relieved of great anxiety by the decision of Parliament not to appoint an Indian on the Statutory Commission. The agitation for the appointment of an Indian would have been proper if the Commission had to consider a common Indian demand for self-government. But the fact is that the Commission shall have to consider not one demand, but a variety of demands made by the different interests prevailing in the country. That being the case the agitation should have been for a representation of all such interests on the Commission. The Sabha desires to point out that nothing could have satisfied the Depressed Classes better than the appointment of Indians representing various interests in the country, including their own, on the Statutory Commission. The demand for representation on the Statutory Commission was not, however, of such a nature and the Sabha, therefore, could not feel at one with those who urged it. The Sabha, it is true, did not agitate as it should have done, in conformity with its own views, for the representation of the Depressed Classes on the Commission. But that was because the Sabha felt that it was too much to hope for in a country where those in charge of the affairs from the Viceroy downwards have cultivated the habit of recognising the noisy few and forgetting the dumb millions. To use the language of Burke, because half a dozen politicians, like grasshoppers under a fero, make the field ring with their importunate chink, whilst the masses, like thousands of great cattle, are reposing beneath the shadow of the oak, chew the cud and are silent, the Government of India imagines that the politicians who make the noise are the only inhabitants of the field—that, of course, they are many in number—or that, after all, they are other than the little, shrivelled, meagre, hopping, though loud and troublesome insects of the hour. But there was also another reason why the Sabha did not press for its views. In the opinion of the Sabha this exclusion of Indians from the Statutory Commission was no small mercy to the Depressed Classes. For, by their non-appointment the Depressed Classes are, at any rate, saved the prejudice that would have otherwise been caused to their case, which the Sabha has hereby undertaken to place before the Commission.

2. *Injustice done to the Depressed Classes in 1919*.—The Montagu Chemsford Report recognised fully (para. 151) that the existence of the social differences and divisions formed “a feature of Indian Society which is out of harmony with the ideas on which elsewhere in the world representative institutions rest” and the authors of the Report (para. 153) held that they “have to be taken into account and they must lead us to adjust the forms of popular Government familiar elsewhere to the special conditions of Indian life.” In accordance with this, the authors of the Report, in order to pacify the Depressed Classes who had stoutly opposed the introduction of the Reforms, undertook to safeguard their interests as will be seen from the following statement in paragraph 155 of their Report in which they say : “ We have shown that the political education of the Ryot cannot be very rapid and may be a very difficult process. Till it is complete he must be exposed to the risk of oppression by people who are stronger and cleverer than he is ; and until it is clear that his interests can safely be left in his

own hands or that the Legislative Council represent and consider his interests, we must retain power to protect him. *So with the Depressed classes, we intend to make the best arrangements we can for their representation in order that they too may ultimately learn the lesson of self-protection.* But if it is found that their interests suffer and that they do not share in the general progress, we must retain the means in our hand of helping them....”

3. The Sabha regrets that all these promises were thrown to the wind by the Southborough Committee which was subsequently appointed to devise franchise, frame constituencies and to recommend what adjustments were needed to be made in the form of the proposed popular Government as a consequence of the peculiar social conditions prevalent in India. So grossly indifferent was the Southborough Committee to the problem of making adequate provision for safeguarding the interests of the Depressed classes that even the Government of India which was not over-particular in this matter felt called upon in paragraph 13 of their Despatch on the Report of the Southborough Committee to observe : “ We accept the proposals (for non-official nomination) generally. But there is one Community whose case appears to us to require more consideration than the Committee gave it. The Report on Indian Constitutional Reforms clearly recognised the problem of the Depressed classes and gave a pledge respecting them. The castes described as ‘Hindus—others’ in the Committee’s Report though they are defined in varying terms, are broadly speaking all the same kind of people. Except for differences in the rigidity of their exclusion they are all more or less in the position of the Madras *Panchamas*, definitely outside that part of the Hindu Community which is allowed access to their temples. They amount to about one-fifth of the total population, and have not been represented at all in the Morley-Minto Councils. *The Committee’s Report mentions the Depressed Classes twice, but only to explain that in the absence of satisfactory electorates they have been provided for by nomination. It does not discuss the position of these people or their capacity for looking after themselves. Nor does it explain the amount of nomination which it suggests for them. Paragraph 24 of the Report (of the Franchise Committee) justifies the restrictions of the nominated seats on grounds which do not suggest that the Committee were referring to the Depressed Classes.* The measure of representation which they propose for this Community is as follows :

Province				Total popula- tion in millions	Population of Depressed classes in millions	Total seats	Seats for the Depressed classes
Madras	..			39.8	6.3	120	2
Bombay	..	..	..	19.5	0.6	113	1
Bengal	..	..	..	45.0	9.9	127	1
United Provinces	..	..	..	47.0	10.1	120	1
Punjab	..	..	..	19.5	1.7	85	..
Bihar and Orissa	..	..	..	32.6	9.3	100	1
Central Provinces	..	..	..	12.0	3.7	72	1
Assam	..			6.0	0.3	54	..
Total				221.4	41.9	791	7

“These figures speak for themselves. It is suggested that the one-fifth of the entire population of British India should be allotted seven seats out of practically 800. It is true that in all the Councils there will be roughly a one-sixth proportion of officials who may be expected to bear in mind the interests of the depressed (?); but that arrangement is not, in our opinion, what the Report on Reforms aims at. The authors stated that the Depressed Classes should also learn the lesson of self-protection. It is surely fanciful to hope that this result can be expected from including a single member of the Community in an Assembly where there are 60 to 90 Caste-Hindus. To make good the principles of paragraphs 151, 152, 154 and 155 of the Report we must treat the out-castes more generously.....”

4. The Sabha feels happy that it is not alone in its opinion as to the injustice done to the Depressed Classes by the framers of the Reforms Scheme of 1919. This opinion was also shared by the Muddiman Committee which was appointed two years afterwards to report upon the possibility of improving and enlarging the scheme of Reforms. That Committee admitted in its Report (Paragraph 64) that the representation granted to the Depressed Classes under the Scheme was inadequate.

5. *Extent of Representation that must be granted to the Depressed classes.*—What then should be the extent of the representation of the Depressed Classes which can be said to be adequate ? In the opinion of the Sabha the following scheme for the composition of the Legislative Council of Bombay assuming that Sind will be separated from the Presidency may be deemed to satisfy the demand of the Depressed Classes for adequate representation :

Composition of the Bombay Legislative Council

FOR

I. BOMBAY PRESIDENCY WITHOUT SIND

Constituencies				Total No. of seats	Reserved for the Depressed classes	Reserved for Moha- medans	Reserved for Marathas and allied castes
I. GENERAL							
(a) URBAN							
1.	Bombay City North	..	5	1	1	Same as now	
2.	Bombay City South	..	3				
3.	Ahmedabad City		3	1	1		
4.	Surat City		1				
5.	Sholapur City		3	1	1		
6.	Poona		1				
(b) RURAL		..					
Northern Division		..					
7.	Ahmedabad District	..	5	1	1		
8.	Broach District		4	1	1		
9.	Kaira District		5	1	1		
10.	Panchmahals District	..	4	1	1		
11.	Surat District		5	1	1		
12.	Thana District		5	1	1		

Constituencies			Total No. of seats	Reserved for the Depressed classes	Reserved for Moha- medans	Reserved for Marathas and allied castes	
Central Division							
13.	Ahmednagar District	..	5	1	1	Same as now	
14.	Khandesh East District	..	6	1	1		
15.	Khandesh West District	..	5	1	1		
16.	Nasik District		5	1	1		
17.	Poona District		6	1	1		
18.	SataraDistrict		6	1	1		
19.	Sholapur District		5	1	1		
Southern Division							
20.	Belgaum District		5	1	1		
21.	Buapur District		5	1	1		
22.	Dharwar District		6	1	1		
23.	Kanara District		4	1	1		
24.	Kolaba District		4	1	1		
25.	Ratnagiri District		6	1	1		
Total of General			112	22	22		

II. SPECIAL

26.	Labour Unions	..	4	
27.	University	..	3	
28.	Europeans	..	4	
29.	Millowners	..	2	
30.	Commerce	..	2	
31.	Agriculture	..	3	
32.	Inamdars	..	1	
33.	Officials	..	9	
Total of Special			28	
Grand Total			140	

which should be the strength of the Bombay Legislative Council.

6. In case it is decided to keep Sind as part of the Bombay Presidency the Sabha would like to propose the following scheme for the composition of the Bombay Legislative Council :

Composition of the Bombay Legislative Council

FOR

II. BOMBAY PRESIDENCY WITH SIND

Constituencies			No. of seats	Reserved for Depressed classes	Reserved for Marathas and allied castes
I. NON-MOHAMEDAN					
(a) URBAN					
1	Bombay City North	..	5	1	Same as now
2	Bombay City South	..	4	...	

Constituencies					No. of seats	Reserved for Depressed classes	Reserved for Marathas and allied castes
3	Karachi City	..	..	..	1		
4	Ahmedabad City	..	..	..	3	1	
5	Surat City	..	..	..	2		
6	Sholapur City	..	..	..	4	1	
7	Poona City	..	..	..	2		
(b) RURAL							
8	Ahmedabad District	..	..	..	5	1	Same as now
9	Broach District	..	..	..	4	1	
10	Kaira District	..	..	..	4	1	
11	Panch Mahals District	..	..	..	4	1	
12	Surat District	..	..	..	4	1	
13	Thana District	..	..	..	4	1	
14	Ahmednagar District	..	..	..	4	1	
15	Khandesh East District	..	..	..	5	1	
16	Nasik District	..	..	..	4	1	
17	Poona District	..	..	..	5	1	
18	Satara District	..	..	..	5	1	
19	Belgaum District	..	..	..	4	1	
20	Bijapur District	..	..	..	4	1	
21	Dharwar	..	..	..	4	1	
22	Kanara District	..	..	..	4	1	
23	Ratnagiri District	..	..	..	5	1	
24	Eastern Sind District	..	..	..	2		
25	Western Sind District	..	..	..	2		
26	Sholapur District	..	..	..	4	1	
27	Kolaba District	..	..	..	4	1	
28	Khandesh West District	..	..	..	4	1	
Total					86	22	

II. MOHAMEDAN

(a) URBAN

29	Bombay City	..	..	..	2
30	Karachi City	..	..	..	2
31	Ahmedabad City	..	..	..	1
32	Surat City	..	..	..	1
33	Poona City	..	..	..	1
34	Sholapur City	..	..	..	1

(b) RURAL

35	The Northern Division	..	..	..	2
36	The Central Division	..	..	..	3
37	The Southern Division	..	..	..	3
38	Hyderabad District	..	..	..	2
39	Karachi District	..	..	..	2
40	Larkana District	..	..	..	2
41	Sukkur District	..	..	..	2

Constituencies				No. of seats	Reserved for Depressed classes	Reserved for Marathas and allied castes
42	Thar and Parkar District	..	..	2		
43	Nawabshah District	..	..	2		
44	Upper Sind Frontier	..	..	2		
Total				30		
III. SPECIAL						
45	Labour Unions	..	..	..	4	
46	University	..	..	..	2	
47	Europeans	..	..	..	4	
48	Millowners	..	..	..	1	
49	Commerce	..	..	..	1	
50	Agriculture	..	..	..	1	
51	Inamdars and Jaghirdars	..	..	..	2	
52	Officials	..	..	..	9	
Total for Special				24		
Grand Total				140		

which should be the total strength of the Council.

7. In either case the demand of the Sabha is for 22 representatives of the Depressed classes in a Council composed of 140 members. The Sabha desires to state emphatically that this much representation to the Depressed classes in a Council of 140 is only just. The Sabha is aware that some people are likely to call such a demand as a very large one. Such a view must however be deemed to be the result of prejudice against the Depressed classes. It cannot be said to be founded upon any definite reason. The Sabha thinks that an exact idea as to the population of the Depressed classes would be a sufficient corrective to views of this sort. *For, it must be admitted that population is a measure by which to evaluate the representation that is to be granted to any community.* The computation of the exact strength of the Depressed classes is therefore a matter of considerable importance. The Depressed classes of the Bombay Presidency have already suffered an injustice at the hands of the Southborough Committee in 1919. That Committee gave in its Report a grossly wrong figure* as to the exact -strength of the Depressed classes in the Bombay Presidency—a figure which was absolutely unwarranted by the Census of 1911. So small was the strength of the Depressed classes shown by the Southborough Committee that even the paltry suggestion of the Government of India to give two representatives to the Depressed classes in the Bombay Legislative Council failed to have any effect. Similar attempt is now being made in responsible quarters to whittle down the population of the Depressed classes. For instance,

*The figure given by the Southborough Committee and adopted by the Government of India in the Table given above was 577,516. According to the authority relied upon by the Southborough Committee the population of the Depressed classes in the Bombay Presidency in 1911 was 2,145,208.

Mr. Bajpai speaking on behalf of the Government of India in the Legislative Assembly on the 23rd February 1928 said “that the population of the Depressed classes in India was much exaggerated and that the real strength of the Depressed classes was only 28½ millions and not 60 millions” as used to be stated theretofore. The Sabha fears that the Commission may fall into the same error in which the Southborough Committee fell and may in consequence make proposals based upon such erroneous calculation. The Sabha therefore desires to draw the attention of the Commission to what the Director of the Census of India has to say in this connection. In Chapter XI of Volume I of the Census of India 1921 the Director observes :

“Paragraph 193. It has been usual in recent years to speak of a certain section of the community as the ‘Depressed classes’. So far as I am aware the term has no final definition, nor is it certain exactly whom it covers. In the Quinquennial Review of the Progress of Education from 1912 to 1917 (Chapter XVIII paragraph 505), the Depressed classes are specifically dealt with the point of view of educational assistance and progress, and in Appendix XIII to that Report a list of the castes and tribes constituting this section of the community is given. The total population classed according to these lists as depressed amounted to 31 million persons or 19 p.c. of the Hindu and Tribal population of British India. There is undoubtedly some danger in giving offence by making in a public report social distinctions which may be deemed invidious ; but in view of the lists already prepared and the fact that the ‘depressed’ have especially in South India, attained a class consciousness and a class organization, are served by special missions, ‘raised’ by philanthropic societies and officially represented in the Legislative Assemblies, it certainly seems advisable to face the facts and to attempt to obtain some statistical estimate of their numbers. I. therefore, asked Provincial Superintendents to let me have an estimate based on Census figures of the *approximate* strength of the castes who were usually included in the category of ‘depressed’. I received lists of some sorts from all Provinces and States except the United Provinces, whose extreme delicacy of official sentiment shrank from facing the task of attempting even a rough estimate. The figures given are not based on exactly uniform criteria, as a different view is taken of the position of the same group in different parts of India, and I have had in some cases to modify the estimate on the basis of the figures in the educational report and of information from the 1911 reports and tables. *They are also subject to the general defect which has already been explained, that the total strength of any caste is not recorded.* The marginal statement [reproduced below] gives, however, a rough estimate of the *minimum* numbers which may be considered to form the ‘depressed classes’ of the Hindu Community. The total of these provincial figures adds up to about 53 millions. *This, however, must be taken as a low and conservative estimate since it does not include (1) the full strength of the castes and tribes concerned and (2) the tribal aborigines most recently*

absorbed in Hinduism, many of whom are considered impure. We may confidently place the numbers of the depressed classes, all of whom are considered impure, at something between 55 and 60 millions in India proper....."

POPULATION OF THE DEPRESSED CLASSES IN INDIA

<i>Provinces</i>							000's omitted
Total	..	..	..	..	..	..	52,680
Assam	..	..	..	..	..	..	2,000
Bengal	..	..	..	..	..	..	9,000
Bihar and Orissa	..	..	..	..	..	..	8,000
Bombay	..	..	..	..	..	..	2,800
C. P. and Berar	..	..	..	..	..	..	3,300
Madras	..	..	..	..	..	..	6,072
Punjab	..	..	..	..	..	..	2,893
U.P.	..	..	..	..	..	..	9,000
Baroda	..	..	..	..	..	..	177
Central India	..	..	..	..	..	..	1,140
Gwalior	..	..	..	..	..	..	500
Hyderabad	..	..	..	..	..	..	2,339
Mysore	..	..	..	..	..	..	932
Rajputana	..	..	..	..	..	..	2,267
Travancore	..	..	..	..	..	..	1,260

8. This cautious and considered estimate of the Director of Census must supersede all guesses and surmises regarding the strength of the Depressed classes in the different Provinces of India. It destroys the validity of the estimate of Mr. Bajpai. For, it has been arrived at after scrutinizing the figures that have appeared in the Provincial Educational Reports which Mr. Bajpai says have formed the basis of his statement. Its correctness must be admitted. For, as the Director says it was arrived at after a deliberate investigation. The Sabha must therefore insist upon the Statutory Commission accepting these figures in preference to any other. According to this estimate the *minimum strength of the Depressed classes in the Bombay Presidency is 28,00,000 souls or 10.8 p.c. of the total population. On the basis of their strength alone the Depressed classes are entitled to 15 seats out of a total of 140.*

9. If the strength of a community was the only factor governing the extent of the representation to be granted to it, then the demand for the seven extra seats for the depressed classes would no doubt appear to be one for an unearned increment. *It must however be recognised that the strength of the community cannot be taken as the sole factor in determining matters of this sort. The standing of a community is no less an important factor to be taken into account in determining its quota of representation.* The standing of the community must mean its power to protect itself in the social struggle. That power would obviously depend upon the educational and economic status of the community. It follows from the recognition of the principle that *the lower the standing of a community the greater is the electoral advantage it must get over the rest.* There can be no two opinions that the standing

of the Depressed classes both educational and economical is the lowest in this Presidency. Consequently they are entitled to some electoral advantage over what they are entitled to on the basis of their strength. This electoral advantage must be greater in the case of the Depressed classes than in the case of any other community of equal strength and standing; because no community can be said to form a submerged class in the same sense in which the Depressed classes do. Nor can any class be said to be burdened with those grave disabilities which form the common lot of the Depressed classes and which prevent them from rising above their degraded station in life. This is one reason why the Sabha feels justified in asking for this increment in representation. There is also another reason which the Sabha thinks must justify the extra representation claimed by it for the Depressed classes. The representation of a minority, if it is to protect the minority, must also be effective. If not, it would be a farce. To escape this reproach it must be recognized that *if a minority is to be protected then there must be enough representatives of the minority to save it from being entirely submerged*. To put the same thing in the form of a proposition, the effectiveness of a minority representation depends upon its being large enough to have the sense of not being entirely overwhelmed. In claiming this extra representation the Depressed classes, the Sabha thinks, are entitled to invoke this principle in their favour, in common with the rest of the minorities in the country.

10. *Necessity for impartial treatment of all minority communities.*—These principles governing the extent of representation are those which have been laid down by the Government of India in their despatch reviewing the Report of the Southborough Committee. The Sabha desires to point out that the case of the Depressed classes was more deserving of the application of such principles than that of any other community that could have been thought of in the whole of India. In practice, however, the benefit of these principles was rigorously denied to the Depressed classes all throughout India and was literally showered upon a community like the Mahomedans holding a stronger and better position in the country than can be predicated of the Depressed classes. To point out one such instance of unequal treatment the Sabha would invite the attention of the Commission to the two following cases : —

Provinces			Moslem Population	Seats for Moslems	Depressed classes Population	Seats for Depressed classes
Central Provinces	..	..	574,276	11	3,060,232	2
Bombay Presidency	..	..	1,207,443	7	1,627,980	1

Howsoever indignant one may feel over the perpetration of such injustice to the Depressed classes the Government of India does not blush at it. For, it had avowedly enunciated those principles for the very limited purpose of applying them to the Mahomedans only. This was due, as everyone knows, to the distinction the Government of India made in the political importance of the different communities. The Sabha protests against this grading of the citizens of a country on the basis of their

political importance. There can be no safe and secure rule except the one that all communities are politically of equal importance. This invidious distinction is at the root of all the communal troubles and is destructive of the principle of equal opportunity. The introduction of this principle in the governance of India at the time when the 1st instalment of Reforms was granted by Parliament was disastrous to the interests of the Depressed classes. The Sabha is glad to find the present Secretary of State recognizing the existence of the Depressed classes as a problem for serious consideration in the decision that may now be taken. With regard to the enlargement of the scope of the Political Reforms already introduced. But the Sabha is anxious to point out that such recognition would be of no consequence to the Depressed classes if it is not reflected in the changes that may now be introduced into the framework of the constitution of the country.

11. *Mode of representation.*—The Sabha is opposed to the principle of nomination and would insist upon the extension of the principle of election to the Depressed classes. Election is not only correct in principle from the standpoint of responsible Government, but is also necessary in practice from the standpoint of political education. Every community must have an opportunity for political education which cannot well be secured otherwise than by the exercise of the vote. It must be regarded as unfortunate that the Depressed classes who need such education, more than any other community, should be denied an opportunity to take their share in the rapidly developing political life of India. There is also another reason why election in the case of the Depressed classes is a necessity. Ministership is a very important privilege and the Depressed classes cannot afford to forego the same. No great benefit can come to them from the introduction of Political Reforms unless they can find a place in the Cabinet of the country, from where they can influence the policy of the Government. This opportunity will be denied to them so long as they are denied the opportunity of electing their own representatives. For, under responsible Government nominated members must continue to be ineligible for office. A system of representation like that of nomination which deprives the Depressed classes of this right must stand self-condemned.

12. Two objections are usually urged against the application of the principle of election to the Depressed classes.

(a) *Difficulty in forming constituencies.*—This objection, the Sabha thinks, must be ruled out of serious consideration as not being honest. If difficulty in the matter of forming constituencies was a consideration which led Government to prefer nomination to election in the matter of the representation of the Depressed classes, it is difficult to understand how the Government ventured to apply the principle of election to the Moslems and the Europeans. These communities are not less scattered than the Depressed classes and no constituencies can be formed for them including the existing one, which cannot be condemned as absurd from a logical point of view. All the same, the Government of Bombay did abandon its aesthetic sense

and undertook to form as symmetrical constituencies for these communities when it found impossible to form symmetrical ones. All these difficulties in regard to the formation of the constituencies for the Depressed classes are, however, set at rest under the scheme of representation outlined by the Sabha. The problem being thus simplified, no objection ought now to be raised for the substitution of the principle of nomination by the principle of election.

(b) *Difficulty in getting a sufficiently large electorate.*—Will there be a sufficient number of electors in any constituency to make the election of the Depressed classes to the Council a real election ? By way of pointing out a difficulty in substituting election for nomination this question is usually raised and answered in the negative. The difficulty would no doubt be there if it is decided that the existing pitch of the franchise is not to be touched and so long as the pitch continues where it now is, the Sabha must admit that the number of electors among the Depressed classes will be very few. But the Sabha thinks that the existing pitch of the franchise is unjustifiable on every ground. It has turned responsible Government into a mockery. It means a Government of the whole Presidency of two crores of people by a minority of seven lakhs who happen to have the good fortune of being voters under the existing franchise. Such a state of things is clearly vicious and cannot be allowed to continue in future, if there is to be responsible Government, not merely in name but also in fact. It is to be regretted that the question of franchise does not seem to have been adequately pressed by the class that is most vocal in demanding Reforms. Democracy is alleged to be the aim of that class, but if the truth be told, in the words of the Government of Burma, “they are in favour of democratic institutions mainly because they are making an appeal to a democratic nation. They could not very well call for democracy and leave the *Demos* out. Their chief interests in the Reforms is centered in the powers that they expect to gain over the executive. The broad franchise and responsible voting in its true sense by the rural electors is not at all the central idea of their demand. As long as their own class will furnish the Legislative Councillors who will exercise the desired control, it is immaterial to them whether these represent few or many voters.” Whether or not this is the correct diagnosis of the difference of the Indian politicians to the important question of franchise, the fact remains that the question of franchise occupies in Congress politics a very subordinate place as compared to the question of the transfer of powers. In the opinion of the Sabha, this attitude of the Congress politicians is a reversal of the true relationship between the question of the franchise and the question of transfer of power. It must be admitted that the dictum of the Government of India that the forces which now hold the administration together cannot be withdrawn before satisfactory substitutes are ready to take their place, must find acceptance in all quarters which are willing to look at things from a proper perspective. Now these substitutes must obviously be the electors ; it follows therefore that the degree and the kind

of responsibility which can be introduced into the Government of the country will depend upon the strength of the electors. So vital is this question of the franchise that upon its determination alone can depend the degree of the transfer of political power. What should be the franchise is therefore a most important question. In the way in which it is determined at present the Sabha wishes to point out that the principle aim of representative Government has been lost sight of altogether. *Franchise means the right to determine the terms of associated life.* Franchise can mean nothing else. If that is the meaning of franchise, then it follows that it should be given to those who by reason of their weak power of bargaining are exposed to the risk of having the terms of associated life fixed by superior forces in a manner unfavourable to them. If this is true, then the very exigencies of representative Government demand that the franchise, if the term is properly understood, must be fixed so low as to bring it within the reach of the large majority of the poor and the oppressed sections of society. Indeed adult franchise is the only system of franchise which can be in keeping with the true meaning of that term. The Sabha would, however, be content if the franchise for the Legislative Council is fixed at the same level as that for the Taluka Local Board in the rural parts and Rs. 3 rental per month in urban parts of the Presidency. The fear often entertained on the part of the Government that such a lowering of the franchise will bring in a large part of unintelligent people is without foundation. Large property is not incompatible with ignorance. Nor is abject poverty incompatible with high degree of intelligence. Property may as well dull the edge of intelligence. On the other hand poverty does and often must stimulate intelligence. Consequently the adherence of the Government to a high property qualification as an insurance against ignorance is nothing but a superstition, which is sedulously cultivated by the classes and fostered by the Government in order to deprive the masses of their right to the making of their Government.

13. *System of Election.*—Free election in general constituencies is, in the opinion of the Sabha, out of the question so far as the Depressed classes are concerned. On the other hand the Sabha does not wish to ask for Communal electorates. In its opinion, it would be sufficient if the Depressed classes are provided with reserved seats in the general constituencies. In the case of the candidates for election from the Depressed classes the Sabha would urge the total abandonment of the residential qualification and a partial relaxation in the condition as to deposit.

14. *Representation in the Assembly.*—The Sabha respectfully protests against the non-recognition of the right of the Depressed classes in the Legislative Assembly in 1919. The Government of India is still supreme in important matters which are directly under its control or under the Reserved half of the Provincial Governments. Even in respect of the Transferred subjects it continues to have the power of superintendence. It is, therefore, obvious that in the direction of such large powers the Depressed classes should have some voice and the Sabha would, therefore, claim that three members

from the Depressed classes of the Bombay Presidency should be elected to the Legislative Assembly by their representatives in the Local Legislative Council.

II. Protection through Guarantees

15. In addition to the demand for adequate representation the Sabha feels that it must also demand the inclusion of clauses in the constitution of the country and as a fundamental part thereof guaranteeing the civil rights of the Depressed classes as a minority in the Bombay Presidency. Such guarantees must cover the recognition of the following propositions concerning the interests of the Depressed classes : —

- (1) That the education of the Depressed classes shall be recognized as the first charge on the revenues of the Province and that an equitable and just proportion of the total grant for education should be earmarked for the benefit of the Depressed classes.
- (2) That the right of the Depressed classes to unrestricted recruitment in the army, navy, and the police shall be recognized without any limitation as to caste.
- (3) That for a period of 30 years the right of the Depressed classes for priority in the matter of the recruitments to all posts, gazetted as well as non-gazetted in all civil services shall be recognized.
- (4) That the right of the Depressed classes to the appointment of a special inspector of police from amongst themselves for every District shall be recognized.
- (5) That the right of the Depressed classes to effective representation (as defined above) on the Local Bodies shall be recognized by the Provincial Government.
- (6) That the right of the Depressed classes to appeal to the Government of India in cases of violation of these rights by the Provincial Government shall be recognized and the Government of India shall be given the power to compel the Provincial Government to conform to the law in the matter.

16. *Justification of such guarantees.*—It may be argued that as the Depressed classes have been given adequate representation in the Council, there can be no danger to their rights, as there can be in the case of an unrepresented minority. Why then should there be these guarantees ? The Sabha demurs to this much faith in the efficacy of a representative form of Government to effectively protect a minority from the tyranny of the majority. In this connection the Sabha would like to invite the attention of the Commission to the views of John Stuart Mill who has observed that “the notion that the people have no need to limit their power over themselves, might seem axiomatic, when popular Government was the thing only dreamt about or read of as having existed at some distant period of the past. . . . It was now perceived that such phrases as self-Government, and the power of the people over themselves, do not express the true state of

the case. The people who exercise the power are not always the same people with those over whom it is exercised; and the self-government spoken of is not the government of each by himself, but of each by all the rest. The will of the people, moreover, practically means the will of the most numerous or the most active *part* of the people, the majority of those who succeed in making themselves accepted as the majority ; the people, consequently, may desire to oppress a part of their number; and precautions are as much needed against this, as against any other abuse of power. The limitation, therefore, of the power of Government over individuals loses none of its importance when the holders of power are regularly accountable to the community, that is to the “strongest party therein. This view of things, recommending itself equally to the intelligence of thinkers and to the inclination of those important classes in European Society to whose real or supposed interests democracy is adverse, has had no difficulty in establishing itself; and in political speculations the tyranny of the majority is now generally included amongst the evils against which the Society requires to be on its guard.”

17. From this it is obvious that representative Government cannot altogether do away with the necessity of such guarantees for the protection of the interests of the minorities in a nation. Indeed it may safely be asserted that a representative form of Government far from being a means of affording protection to the minorities must be deemed to be so very inadequate for that purpose that its introduction without a system of guarantees being made a part thereof was looked upon as a most dangerous experiment. The postwar history of Europe abounds in such cases. The peace treaties between the allied powers and Zechoslovakia, Austria, Hungary, Rumania and the Polish German Convention relating to Upper Silesia with their guarantee clauses for the benefit of the minorities bear eloquent testimony to the fact that the minorities cannot depend upon the representative form of Government but must seek protection in the form of guarantees of their rights.

18. If representative Government is so weak when operating among European peoples, where the secularisation of politics has gone far further, how much weaker must it be in India where politics is nothing but theology in action. It is this theology against which the Depressed classes must seek to be protected. How destructive is this theology of true citizenship has nowhere been described so well as in the Note by the Hon'ble Sir Alexander Cardew, K.C.S.I., I.C.S., to the Government of India contained in the letter No. 1146 (Reforms) dated the 31st December 1918. The following extracts are made from that Note :

“2. It may first be asked whether the democratic idea is in accordance with the prevailing philosophy of the people of India. The fundamental principle of the modern democratic State is the recognition of the value of the individual and the belief that as each individual has but one life, full opportunity should be accorded to each to attain his maximum development in that life. Neither of these propositions is accepted in the current philo-