

THE
COUNCIL OF STATE DEBATES

(Official Report)



VOLUME II

SECOND SESSION

OF THE

COUNCIL OF STATE, 1951



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THE
COUNCIL OF STATE DEBATES
(OFFICIAL REPORT OF THE SECOND SESSION)

VOLUME II.
SECOND SESSION, 1921.

COUNCIL OF STATE.

Thursday, 1st September, 1921.



The Council met in the Assembly Chamber at Eleven of the Clock, being the first day of the second Session of this Council, pursuant to S. 63 D (2) of the Government of India Act, and the President (the Honourable Mr. ALEXANDER PHILLIPS MUDDIMAN, C.S.I., C.I.E.) took the Chair.

MEMBERS SWORN :

The Honourable Major-General William Henry Banner Robinson, C.B.,
K.H.S.

The Honourable Mr. Henry Duffield Craik.

The Honourable Mr. Frederick Greville Pratt.

MOTION FOR ADJOURNMENT :

The HONOURABLE THE PRESIDENT: I have received an application asking for leave to move an adjournment in the following terms :—

“I have the honour to inform you that I propose to move an adjournment of the Council of State at the earliest opportunity to consider the situation created by the withdrawal of the Munitions Case and to afford an opportunity to the Honourable Sir Thomas Holland to render a personal explanation.”

That notice has been given by the Honourable Mr. Khaparde. He used the words “at the earliest opportunity,” and I trust I am correctly interpreting the Honourable Member’s wishes when I say that, in my opinion, the earliest opportunity would be the regular meeting on the 5th instant. I would ask the Honourable Member to say if that is so.

The HONOURABLE MR. G. S. KHAPARDE: Yes Sir, I mean the meeting of the 5th instant. To-day’s meeting is a formal one; the next will be an inaugural meeting so I mean the one after that.

The HONOURABLE THE PRESIDENT: I think I may say that the Honourable Member has adopted a very proper course.

MESSAGES FROM THE GOVERNOR GENERAL:

The HONOURABLE THE PRESIDENT: I have two messages under the Sign Manual of His Excellency the Governor General of India which it is my duty to communicate to this Council. The messages are as follows:—

"In pursuance of sub-section (3) of section 63A of the Government of India Act, I, Rufus Daniel, Earl of Reading, hereby require the attendance of all Members of the Council of State in the Legislative Assembly Chamber at 11 O'clock on Saturday, the 3rd September, 1921."

(Sd.) READING.

That is the first message. The second message runs as follows:—

"In pursuance of the provision of sub-section (2) of section 63A of the Government of India Act, I, Rufus Daniel, Earl of Reading, hereby nominate the following Members of the Council of State:—In the first place, the Honourable Sir Alexander Robert Murray; in the second place, the Honourable Sir Manakjee Byramjee Dadabhoy; in the third place, the Honourable Sir Dinshaw Wacha; and, lastly, the Honourable Sir Zulfiqar Ali Khan."

(Sd) READING.

Honourable Members will wish to know, as early as possible, the dates which have so far been fixed for meetings of this Council and such particulars of the business to be taken on those dates as are at present available. In pursuance of the message which I have just read to this Council, the Council will attend on Saturday, the 3rd of September in this Chamber, on which occasion His Excellency the Governor General will address the Indian Legislature. His Excellency will arrive in State and will be received with the usual formalities. I understand that a Circular has been issued indicating the dress to be worn on the occasion.

The first meeting of the Council for the transaction of ordinary business will be held on Monday, the 5th of September, in the Council Chamber at Viceregal Lodge, at which place meetings of the Council of State thereafter will normally be held. Meetings have been fixed for the 6th, 15th, 19th, 22nd, 26th and 27th. The meetings will at first be held, as has been the practice in the past, at 11 o'clock, but, should any considerable body of Honourable Members desire that meetings should be held earlier than 11 o'clock, I shall be happy to consider the matter and, if necessary, to approach His Excellency the Governor General for the modification of the rule contained in Standing Order 5. The meetings on the 15th and the 22nd have so far been allotted for the discussion of non-official business. Honourable Members will understand that further dates will probably be necessary, but I am not in a position to make any announcement on this subject at present, as that will clearly depend on the business Honourable Members wish to bring before the

Council. The arrangements which I have now indicated will be incorporated in a Circular which will be issued to all Members, so that they may have ready reference to the facts which I have briefly rehearsed. It will be observed that no meeting of the Council has been fixed between the 6th and the 15th of September, and I think Honourable Members are entitled to some explanation of this long gap. The Government of India, I was informed, are anxious that those Honourable Members who observe the Muhurram festival should have an opportunity of doing so, and, taking that fact into consideration, I have refrained from fixing any meetings of Council between those dates. Otherwise Honourable Members would not have an opportunity of returning to their homes for the Muhurram. The Council, however, will not be idle on those dates for there are two Joint Committees which, I am informed, will be able to meet between those dates, and I accordingly propose to fix dates within that period for the meetings of those Joint Committees.

I would remind Honourable Members that the Ballot List for the non-official dates on the 15th and the 22nd will be open to-day and to-morrow, and that the ballot will be held in this Chamber on the 3rd after the formal ceremony. There is one small point that I should like to mention to Honourable Members. I think in the future if we could come to some arrangement by which the ballot could be held a little before the commencement of the Session, it might be useful, and I am now considering how far it will be possible for me, in virtue of the power which is vested in me, to modify the terms of Schedule 1 of Standing Order 6 so as to give effect to this. If there are any Honourable Members who take interest in this proposal and have any suggestions to put forward, I shall be very glad to consider them if they will see me informally on the subject. The object will be, of course, to secure that a Member who did not wish to come up to Simla could write in and ask that his name should be put on the Ballot List, and, if he drew a number, he could name in his letter the particular Resolution he wished to move.

I will now ask if any Member of the Government is in a position to make a statement regarding the Government business to be brought forward in the immediate future.

GOVERNMENT BUSINESS FOR 5TH, 6TH AND 19TH SEPTEMBER :

The HONOURABLE MR. SHAFI : On the 5th September it is proposed to give time for the discussion of a Resolution to be moved by the Honourable Sir Manakjee Byramjee Dadabhoy for the presentation of an Address of Welcome to His Royal Highness the Prince of Wales. On the same day it is proposed to give time for the discussion of a Resolution to be moved by the Honourable the Maharaja of Darbhanga for extending a welcome to His Excellency the Viceroy. On the 6th of September it is hoped to introduce a Bill to give effect to that portion of the Right Honourable Srinivasa Sastri's Resolution, regarding the giving of a warning before firing on a crowd, which was accepted by the Government at the last Session of this Council. On the same day it is hoped to introduce a Bill to amend the Cattle-trespass Act. On the 19th September it is hoped to introduce any Bills which may be ready for introduction, and that progress will be made with Bills already before the Council.

COUNCIL OF STATE.

Saturday, 3rd September, 1921.

The Council met in the Assembly Chamber at a Quarter to Eleven of the Clock. The Honourable the President was in the Chair.

MEMBER SWORN :

The Honourable Sir Benode Chandra Mitter, Kt.