

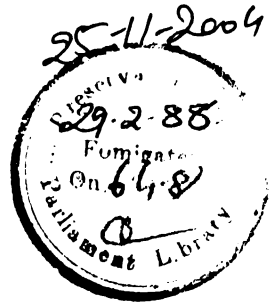
THE COUNCIL OF STATE DEBATES

(Official Report)

Volume IV, Part I

(From the 30th January to the 25th March 1924)

FOURTH SESSION OF THE COUNCIL OF STATE, 1924



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COUNCIL OF STATE.

Tuesday, the 5th February, 1924.

The Council met in the Council Chamber at Metcalfe House at Eleven of the Clock, the Honourable the President in the Chair.

BILL, AS PASSED BY THE LEGISLATIVE ASSEMBLY, LAID ON THE TABLE.

THE SECRETARY OF THE COUNCIL: Sir, in accordance with Rule 25 of the Indian Legislative Rules, I lay on the table a copy of a Bill to amend the Indian Cotton Cess Act, 1923, for certain purposes, which was passed by the Legislative Assembly at its meeting held on the 4th February, 1924.

CRIMINAL TRIBES BILL.

THE HONOURABLE MR. G. S. KHAPARDE (Berar: Nominated Non-official): Sir, I beg to move:

"That the Bill to consolidate the law relating to Criminal Tribes be taken into consideration."

As I said when introducing this Bill, it has been before the Statute Law Revision Committee and it has been looked into and carefully examined by that Committee. It is purely a consolidating measure and introduces no change worth mentioning. There is only one small change which has been made, and that is the substitution of the word "who" in place of the word "which". The intention of this was to make the provisions easily workable; that is to say, instead of treating these people as a tribe we wish to deal with them as individuals. That Sir, I take it, is approximating to a higher type of civilization. It is better to regard individuals as units of society rather than the tribe. The change, therefore, softens the provisions of the law and enables us to deal with the individual and take his merits and demerits into consideration and not visit the whole tribe with the sins of one member of it. That, I think, is clearly an improvement. I trust that, as this Bill becomes law, and comes into operation in time to come, it may be possible to soften the provisions still further, till the final goal is reached, when the necessity for these special laws will disappear and it can be withdrawn from the Statute-book altogether, leaving these people to be dealt with under the ordinary laws of the land.

I do not think, Sir, that at this stage I need say more than ask that this Bill be taken into consideration.

THE HONOURABLE SAIYID RAZA ALI (United Provinces East: Muhammadan): The difficulties with which a measure of consolidation, especially one that seeks to go through a number of Acts, is attended are apparent to all those who have got any experience of this work. The measure

[Saiyid Raza Ali.]

that is before the House is a fairly bulky one, inasmuch as it contains no less than 30 clauses. Along with that, lower down in the agenda, we have another piece of proposed legislation that seems to amend another important set of Acts. Sir, every one who has attempted to go through any portion of any of these two measures must have realized that the Revision Committee, who is responsible for the work of consolidation, has taken great pains in doing their work satisfactorily. It has not been possible for me to go carefully through all the 30 clauses that are before the House and compare them with the original sections of the Acts.

I may, however, make only a passing reference to the other measure that will be before this House shortly, and I can say to those who may imagine that that measure contains only 12 clauses, that it has yet taken me an enormous amount of time to go through the various Acts to which references have been made in it. I need hardly point out, Sir, that the difficulties in a Bill of this character, which cannot possibly be exaggerated, are that we cannot be too careful, while seeking to reproduce the law as it stands, to so arrange the work as not to introduce any real change in the law, unintentionally or unconsciously. That, as Honourable Members are aware, occasionally takes place, that is, you change the law without ever intending or meaning to change it. In view of the difficulties with which a careful revision of this character is attended, I think, Sir, it will be proper if Honourable Members of this House are given more time to enable them to go through this measure. I may also point out that, when Honourable Members propose to go through this measure, they will find that it will not be easy for them to do so; as a matter of fact, it will be very difficult for them to get a set of Acts that are up-to-date. There is only one copy in the Library, which is the common library of the Council of State and the Legislative Assembly, and they do not issue their up-to-date set of Acts to Honourable Members. It is only through the courtesy of Mr. Graham, whom I have always found ready to assist Honourable Members in the performance of their duties, that I have been able to get a set of Acts that is up-to-date. This, by the way, is his own office copy that he has lent me. Having regard to all these difficulties, I propose, Sir, that the consideration of this Bill be postponed for a fortnight.

THE HONOURABLE THE PRESIDENT: To the motion under consideration amendment moved—

“That the consideration of the Bill be postponed for a fortnight.”

THE HONOURABLE DR. MIAN SIR MUHAMMAD SHAFI (Law Member): To another date,—not less than a fortnight?

THE HONOURABLE SAIYID RAZA ALI: What I mean is this. Unfortunately, I will not be present; I do not want to get a postponement and not be present when the measure comes up.

THE HONOURABLE THE PRESIDENT: Amendment moved:

“That the consideration of the Bill be postponed for not less than a fortnight.”

That amendment is now open to discussion.

THE HONOURABLE MR. G. S. KHAPARDE (Berar: Nominated Non-official): I wish, Sir, to speak early in this debate, because I have no objection to the Bill being postponed. There is no hurry; it is merely a

consolidation measure, and, if Honourable gentlemen like to have more time to look into it, I like it, because we have taken an immense amount of trouble to put it right. So I have no objection to this proposal of postponement.

THE HONOURABLE MR. J. CRERAR (Home Secretary): Sir, on behalf of Government, I desire to say that we fully appreciate the points raised by my Honourable and learned friend, and in particular his desire to satisfy himself, and I hope the House too, that the labours of the Committee have been well performed. With that object Government have the fullest sympathy, and I have no objection whatsoever to the amendment moved by my Honourable and learned friend.

THE HONOURABLE SIR MANECKJI DADABHOY (Central Provinces: General): Sir, I do not wish to oppose this amendment. But I must make it clear, so far as I am concerned, that this request of my Honourable friend, though very sound from his own point of view, creates a very dangerous precedent. If Bills are brought before this Council for discussion and postponed for the convenience of individual Members we shall never be able to get through our work. I do not wish to oppose in the present case; but it must be understood that, when Members of Council get Bills in their hands, they must be ready to proceed with them and be prepared to proceed with them. Perhaps the Honourable Saiyid Raza Ali is a more conscientious worker than I am, and he wants to carefully study this Bill and see that there is nothing wrong about it. My personal view is that the present Bill, after all, is a simple Bill which consolidates several measures, and after all, it does not require any deep study or deep consideration. However, I make this statement to-day in order that we may not, this Council may not, be saddled in future with repeated requests for the postponement of debates, as it will hamper public work and waste the time of the Members of this Council.

THE HONOURABLE THE PRESIDENT: The question is—

"That the consideration of the Bill to consolidate the law relating to Criminal Tribes be postponed for not less than a fortnight."

The motion was adopted.

INDIAN TOLLS BILL.

THE HONOURABLE DR. MIAN SIR MUHAMMAD SHAFI (Law Member): Sir, I beg to move:

"That the Bill to consolidate the law relating to Tolls on Public Roads and Bridges be taken into consideration."

THE HONOURABLE SAIYID RAZA ALI (United Provinces East: Muhammadan): Sir, I am very thankful to my Honourable and learned friend for the useful lecture that he delivered to me a couple of minutes ago.

THE HONOURABLE SIR MANECKJI DADABHOY (Central Provinces: General): Sir, I did not deliver a lecture to my Honourable friend; I addressed the Chair.

THE HONOURABLE SAIYID RAZA ALI: I am very glad, Sir, that the Honourable Member disowns, metaphorically speaking, his own child. Sir

THE HONOURABLE COLONEL NAWAB SIR UMAR HAYAT KHAN (West Punjab: Muhammadan): Is not this out of order, because the last Bill has been finished, and the Honourable Saiyid Raza Ali is making a speech on the last Bill, which is not before the House now?

THE HONOURABLE THE PRESIDENT: I think if the Honourable Member will wait, he will probably observe that it is not irrelevant.

THE HONOURABLE SAIYID RAZA ALI: Sir, I agree with a part of the observations made by the Honourable Member, who was indifferent on the question of postponement of the previous measure as he had no criticism to offer on the arrangement. But the difficulties of those who try to work conscientiously are really enormous. Coming to the Bill that has been moved by the Honourable Dr. Mian Sir Muhammad Shafi, I think it will be unfair to the Honourable Member in charge of the Bill: I propose to go through the merits of this measure. Yet, Sir, in spite of the somewhat provoking remarks that an Honourable Member let fall a short time ago, I propose to show, not with a view so much to criticise the draft that is before this House as to indicate that the request for postponement which I propose to make again is perfectly justifiable, that the reasons that were adduced to show that no postponement was necessary were without any force. If Honourable Members

THE HONOURABLE THE PRESIDENT: I may point out to the Honourable Member that this stage of the Bill is the consideration stage. All that the Council is committing itself to is the principle. If there is a principle in a consolidation Bill, it is consolidation. The Honourable Member cannot enter into a detailed discussion of clauses. I do not know whether the Honourable Member opposes the consolidation. That is the principle we are now asked to affirm.

THE HONOURABLE SAIYID RAZA ALI: I know, Sir, that it is a consolidation Bill. As a matter of fact, I have no objection to our Acts being consolidated, whenever that step is found to be necessary. In the first instance, I must say that I propose to move that the consideration of this Bill should stand over for a couple of weeks. As to the necessity which has led me to make this request, and, with a view to convince Honourable Members that this is a legitimate request, I say that those who care, or those who have found time, to go through this Bill will find that it is by no means impossible to make useful additions and alterations in the Bill as it stands. I do not propose, Sir, to take any portion of this Council's time, yet to my captious critics I propose to make it quite clear that, if they would go only through the Statement of Objects and Reasons of the Bill they would find that towards the end it is stated:

"It is perhaps necessary to explain that it has not been found possible to include the provisions of the Indian Tolls (Army) Act, 1901, in the present consolidation."

Now, the reason for this would again be obvious to those who have gone through the Indian Tolls (Army) Act, which, again, is an important and a somewhat large measure. Yet, Sir, we find that in spite of that statement, clause 6, sub-clause (a) of the Bill does seek to reproduce a certain important provision from the Indian Tolls (Army) Act. As to what the effect of this would be we are not concerned with at this stage. I simply want to show to those who have not had time to go through the Bill

carefully that an adjournment at this stage is absolutely necessary, and if I had a right of reply on the previous measure I would have made my position quite clear. I propose that the consideration of this Bill do stand over for a couple of weeks.

THE HONOURABLE THE PRESIDENT: Amendment moved to motion under consideration:

"That the consideration of the Bill to consolidate the law relating to Tolls on Public Roads and Bridges be postponed for not less than a fortnight."

THE HONOURABLE DR. MIAN SIR MUHAMMAD SHAFI (Law Member): Sir, I do not at this stage propose to deal with the particular ground which, by way of illustration, my Honourable friend has put forward in support of the motion for adjournment. These are matters with which I have no doubt my Honourable friend will deal, if he thinks necessary, at the proper stage, and I shall in that event explain the views of Government in connection therewith. I am glad to observe that my Honourable friend has taken, and is taking, such keen interest in these two measures of consolidation which have been placed before the Council, and, in view of the fact that these Bills were introduced last Saturday, that is to say, only three days ago, and the motions which my Honourable friend Mr. Khaparde and I have made in respect of the two measures have been put forward before the House to-day, three days after, I see nothing unreasonable in the request which my Honourable friend has made, and therefore I am willing to accede to it.

THE HONOURABLE THE PRESIDENT: The question is:

"That the consideration of the Bill to consolidate the law relating to Tolls on Public Roads and Bridges be postponed for not less than a fortnight."

The motion was adopted.

ELECTION OF PANELS FOR STANDING COMMITTEES.

THE HONOURABLE MR. J. CRERAR (Home Secretary): Sir, I move:

"That this Council do proceed to elect in the manner described in the rules published in the Home Department Notification No. F. 49, dated the 22nd August, 1922, as amended by the Home Department Notification No. D. 794-C., dated the 30th January, 1924, 4 panels consisting of six members each, from which the members of the 4 Standing Committees to advise on subjects in the Home Department, the Commerce Department, the Department of Education, Health and Lands, and the Department of Industries and Labour, respectively, will be nominated."

I do not think, Sir, that it will be necessary for me to detain the House in commending this motion to its approval. Honourable Members are aware of the circumstances and objects in which and for which these Committees are appointed, and I do not think I need say more than this, that on behalf of the Department with which I am more particularly concerned—and I am sure that other departments similarly concerned would desire to endorse what I say—I desire to acknowledge very cordially the valuable assistance and advice we have received from these Committees, and it is in the hope that we shall continue to receive that valued advice and assistance that I make the motion standing in my name.

THE HONOURABLE THE PRESIDENT: The question is that the following motion be adopted:

"That this Council do proceed to elect in the manner described in the rules published in the Home Department Notification No. F. 49, dated the 22nd August, 1922, as amended by the Home Department Notification No. D. 794-C., dated the 30th January, 1924, 4 panels consisting of six members each, from which the members of the 4 Standing Committees to advise on subjects in the Home Department, the Commerce Department, the Department of Education, Health and Lands, and the Department of Industries and Labour, respectively, will be nominated."

The motion was adopted.

THE HONOURABLE THE PRESIDENT: I believe I have to fix a date for nominations.

THE HONOURABLE MR. J. CRERAR: Yes, Sir; that is the usual procedure.

THE HONOURABLE THE PRESIDENT: I think a suitable date for nominations will be any time before to-morrow, eleven O'Clock, at the table. Will that suit the Council generally?

THE HONOURABLE MR. J. CRERAR: Sir, on the previous occasion you notified a date about four days or five days later than the date on which the motion was passed. I think that was found generally convenient to the House.

THE HONOURABLE THE PRESIDENT: Certainly; I am in the hands of the House in fixing the date. Shall we have

THE HONOURABLE SAIYID RAZA ALI: I think, Sir, it will be convenient to have this to-morrow.

THE HONOURABLE THE PRESIDENT: In view of the remarks just made by the Honourable Mr. Crerar, I will fix next Monday.

RESOLUTION *RE* AWARD OF THE NOBEL PEACE PRIZE TO HIS HIGHNESS THE AGA KHAN.

THE HONOURABLE SIR MANECKJI DADABHOY (Central Provinces: General): Sir, I beg to move that:

"This Council recommends to the Governor General in Council to convey to the Norwegian Parliament the considered opinion of this House that His Highness Sir Sultan Muhammad Shah, Aga Khan, G.C.S.I., G.C.I.E., G.C.V.O., LL.D., is the fit person for the Nobel Prize for peace this year in view of the strenuous persistent and successful efforts that His Highness has made to maintain peace between Turkey and the Western Powers since the Armistice."

Before I proceed with this Resolution, I feel it my duty to tender my grateful thanks to Government and to you, Sir, for allowing the time-limit notice to be waived in the present case. I am also sincerely grateful to the Leader of the House for having permitted the discussion of this Resolution on a day reserved for Government work.

As regards this Resolution, I think very few words are necessary to commend it for the acceptance of the Honourable Members. At the outset I may just in a word explain why it has been necessary to move this Resolution in the Council of State. It might be considered by some

of my friends that this request could have gone forth from the people outside this Council. But the rules framed by the Norwegian Parliament, with the concurrence of the Committee appointed by the Norwegian Parliament, make it obligatory that a request of this kind must go through the Legislature of the country which recommends the candidate. It was for this reason necessary that I should move this Resolution in this Council. I shall not detain the Council very long, but I may briefly mention first the genesis of this prize recommendation and, secondly, I will briefly discuss the particular qualifications of His Highness the Aga Khan for this rare distinction. This prize was founded by the great philanthropist who carried that name and who died on the 10th December, 1896 at San Remo. He left his colossal fortune in trust for the establishment of five distinct prizes, each amounting to several thousand pounds. He left instructions under the Trust deed that these prizes were ordinarily to be awarded annually, without distinction of nationality, caste, race or creed.

THE HONOURABLE SIR ZULFIQAR ALI KHAN (East Punjab: Muhammadan): Was he a Norwegian?

THE HONOURABLE SIR MANECKJI DADABHOY: I believe he was. The first three of these Prizes were earmarked for eminence in physical science, in chemistry and in medical science or physiology, and the fourth was earmarked for the most remarkable literary attainments and also in the domain of poetry; and the fifth was to be given to the person or society that rendered the greatest service to the cause of international brotherhood, in the suppression or reduction of standing armies or in the establishment and furtherance of peace congresses. During the last few years this prize has remained in abeyance. But previous to that two of the past recipients are worthy of note. One of them was President Roosevelt, who obtained this prize for his matchless efforts in the cause of peace. The second prize was awarded to our distinguished countryman Dr. Tagore, who obtained the same in the domain of literature and poetry. I may mention it to my Honourable friends that the Norwegian and Swiss papers have already indicated that this prize ought to go this year to His Highness the Aga Khan. I am therefore re-echoing in this Council what I feel has been indicated in other parts of the world. As regards the personal qualifications of His Highness for this distinction, I do not think I should detain the Council much longer. You are all aware that His Highness occupies a prominent place in the social and political life of India. He has acquired a European fame and reputation, is regarded with great respect not only by a large number of his followers, but is respected throughout India by all castes and all creeds. His name is a household word in India, and he is a most eminent citizen who has in many ways worked with a singleness of purpose for the welfare of India generally.

The part which he played after the Armistice in the matter of the furtherance of peace, is doubtless known to many of you. I do not wish to exhumate past controversies or to refer to any controversial matters in the course of this debate, but I shall only refer to certain outstanding incidents since the Armistice which brought in the forefront the great services which His Highness rendered not only to the Moslem world but generally to the cause of peace, progress and order. Many of my friends, if they recall the events of 1921-22, will remember that in the year 1921—that critical period two years after the Armistice, when

[Sir Maneekji Dadabhoj.]

there was great apprehension of Europe again being plunged into the conflagration of another war, His Highness played a pre-eminent part in the furtherance of peace. You will remember that representatives of the Angora Government, as well as representatives of the Greek Government, went to London to discuss the terms of peace. That event was known as the Conference of London. It fortunately occurred to His Excellency the Viceroy at that time to send an Indian delegation to London to confabulate with the Angora representatives and to place the Indian point of view before His Majesty's then Prime Minister, Mr. Lloyd George. We are aware of the interview which His Majesty's chief representatives gave to these two representative deputations. Unfortunately, our delegation arrived late in London and could not take any effective part in the preliminary negotiations and discussions; but, later on, at the request of the Indian delegation, the Angora representatives extended their stay and the Indian point of view was pressed upon the attention of the Prime Minister and Mr. Bonar Law who was also present at the interview. That first London Conference for some reason proved abortive, but at the second Conference His Highness the Aga Khan, on account of reasons of health, was not able to be present and for reasons best known to His Majesty's Ministers in England the angle of view had unfortunately altered. Meanwhile, complications had arisen in Angora and serious trouble had arisen owing to the demand made by the British Government for the release of certain British prisoners in Turkey. That trouble would have become very serious but for the tact and intervention of His Highness the Aga Khan who *somjhaed* the Angora representatives and thus obtained the release of the British prisoners. I shall not dilate further on this matter except to make one or two other observations in connection with His Highness's services for the maintenance of peace and the preservation of order in Europe and Asia. He also played a prominent part at the Lausanne Conference. The first Lausanne Conference proved abortive but at the second Conference the Aga Khan was present. It was his indefatigable energy, his ceaseless efforts and the conciliatory methods which he employed with the Angora representatives that resulted in the final settlement at Lausanne, with what results my Honourable Colleagues are all aware of. I am therefore, Sir, pressing for the consideration of this Council the case of an eminent citizen who has rendered yeoman service not only to India but to the civilized world generally. You are aware of the tension and the strain of public feeling in 1921-22. You are aware that at that time the whole Moslem world felt convinced of the necessity of supporting the Angora Government. Happily, there was peace with Turkey, and it would be ungracious on my part if I omitted to mention the great part played by the Government of India in this matter. It was the strenuous efforts of the Government of India, the masterly ability, precision and vigour with which they placed the case on behalf of the Moslem population of India that that great achievement was rendered possible and His Highness the Aga Khan was in a position to attain that great measure of success. I shall not detain the Council any longer. These are the qualifications and the merits of the man for whom I now move this Resolution asking you to recommend him for the great distinction of the Nobel Peace Prize at the next award. I fully and firmly believe that my Honourable Colleagues will support me in this recommendation and accept this Resolution.

THE HONOURABLE KHAN BAHADUR I. H. JAFFER (Bombay Presidency: Muhammadan): Sir, I rise to support the Resolution which has been so ably moved by my Honourable friend, Sir Maneckji Dadabhoy. His Highness the Aga Khan has indeed done much towards maintaining peace between Turkey and other Western Powers since the armistice, and in my view he is the rightful person to be awarded the Nobel Prize this year. I may add that he has been most consistently and continuously striving all through to maintain a harmonious equilibrium not only between Turkey and the Western Powers but in many parts of the world. He has great influence and a large personality and he never loses any opportunity to use them in the interests of peace. I heartily support the Resolution.

THE HONOURABLE MR. K. V. RANGASWAMI AYYANGER (Madras: Non-Muhammadan): Sir, I am informed that this is a non-official Resolution and the official Leader of the House has permitted this Resolution to be brought on an official day. I may enlighten this House that the Leader of the House not only permitted this Resolution to be brought before this Council but he briskly canvassed this morning for the support of this Resolution. I beg to be excused if I am misinformed. I think, Sir, that this Council will be stultifying itself if it should give its assent to this Resolution. There are better names as peace-makers deserving of this Nobel Prize than the gentleman mentioned in this Resolution as "a fit and proper person." Further, the Resolution says that it is 'the considered opinion' of this Council which makes the recommendation. Sir, this Resolution was circulated only yesterday and we have not had the time to consult all our Moslem friends and others in the country about it. Sir, so far as I have been able to gauge public opinion, I have the authority of eminent members of the Moslem community residing at Delhi, who are important office bearers of the Khilafat Committee, that this gentleman is not "a fit and proper person" for the Nobel Peace prize. Sir, our ex-Governor General, Lord Chelmsford, endeavoured his best to solve the Turkish question, and the prize can be awarded to him, if not, to Lord Curzon. We have been seeing in the papers the name of Mahatma Gandhi being mentioned freely as the one who would deservedly be the recipient of the Nobel Prize and that would have been welcomed. If it should be the object of this Council to ask the Norwegian Government not to bestow this on Mahatma Gandhi, it may plainly say so, and not usher in the name of one Aga Khan. We have not had a good report of His Highness the Aga Khan, and I oppose this Resolution with all the strength at my command.

THE HONOURABLE DR. MIAN SIR MUHAMMAD SHAFI (Law Member): Sir, in view of some of the observations which have fallen from the lips of my Honourable friend opposite, it is necessary for me to intervene in the discussion at this stage. I had originally intended to say a few words with reference to the Resolution, somewhat towards the end of the discussion. The waiving of the rules regarding the time-limit for a recommendation of this description lies with His Excellency the Governor General; this matter did not rest with either the Leader of the House or the Government. This morning certain Honourable Members of this House asked me certain questions with regard to the Resolution, and I undoubtedly answered their questions. But to say that I canvassed in connection with this Resolution is somewhat surprising. I am sure the House will recognize that the desideratum in a matter of this kind is to ascertain the non-official opinion with regard to the recommendation, and the Government, therefore, and I, as a Member of the Government, will

[Dr. Mian Sir Muhammad Shafi.]

not either vote or speak on the merits of the Resolution. Nominated Officials will therefore abstain from taking part in the division. All non-official Members, whether elected or nominated, are the persons whose views with regard to this recommendation Government wish to obtain. Should the House adopt the Resolution, the Governor General in Council will communicate it to the proper quarters.

THE HONOURABLE MR. PHIROZE C. SETHNA (Bombay: Non-Muham-madan): Sir, I rise to support this Resolution. The Nobel Prize is a distinction which is rightly looked up to throughout the civilized world, for the honour is only conferred after searching inquiry, and all its recipients are people who have made their mark in the world in one or other of the different spheres of work for which the different prizes are awarded and which spheres were enumerated by the Mover of the Resolution. I must confess, Sir, that I was surprised at the discordant note sounded by one Honourable Member Mr. Ayyanger. The Honourable the Law Member, the Leader of the House, can well take care of himself, and he has already done so in regard to the charge preferred against him of canvassing and canvassing briskly for votes. If the Honourable Mr. Ayyanger referred to my conversation with the Law Member, if he saw me carrying on such conversation, let me assure him that it was because I desired to elicit some information from the Honourable the Law Member in regard to certain rules for the awarding of this prize. My Honourable friend, Mr. Ayyanger, mentioned

THE HONOURABLE MR. K. V. RANGASWAMI AYYANGER: I did not refer to anything about that conversation.

THE HONOURABLE MR. PHIROZE C. SETHNA: The Honourable Member has said that in the public press another Indian name was suggested for this prize and that name should be considered by us. He meant, of course, Mr. Gandhi, about whom the Honourable Members may already know, but if any Members are not yet aware they will, I am sure, be very glad to learn that Government have this morning decided to release him unconditionally, a decision upon which Government deserve to be highly complimented. The Honourable Mr. Ayyanger said that Mr. Gandhi's name was suggested in the Press. Might I inform the Honourable Member that, even if his name was sent up, the rules would not permit of Mr. Gandhi getting this prize, for, so far as I know, the rules lay down that any attempts made by individuals for peace must not relate to peace in one particular country but to international peace, and it was therefore that the name of His Highness the Aga Khan appears to have been suggested to the Norwegian Government, and rightly so. This House cannot do better than support that recommendation in the manner which this Resolution lays down. His Highness the Aga Khan has distinguished himself by rendering valuable service in the matter of promoting peace between warring nations. As the Honourable Sir Maneckji Dadabhoi rightly put it, the Aga Khan is recognized as one of the greatest personages in the Muhammadan world of to-day. He wields great influence and great power, and it is most gratifying that he used that influence and that power to considerable advantage and for the benefit of mankind in bringing about a better understanding between the contending parties. The Aga Khan's labours it will not be wrong to say perhaps prevented hasty action at the time and thereby averted what might have proved a conflagration between the East and the West. In the autumn of 1922, as the House

will remember, Turkey drove the Greek forces from Asia and that victory greatly agitated Western nations,—so much so that the House will remember that the then Prime Minister, Mr. Lloyd George, nearly drove Great Britain to the verge of a new war just when the entire Moslem world had awakened to a sense of supporting Turkey at any cost. The services rendered at that time by His Highness and from that time right up to the time when the two Conferences were held in Lausanne, were certainly conspicuous. It is therefore but meet that those services be rewarded in the manner contemplated in the Resolution. I have heard it remarked, not in the House but outside, that His Highness is not a British subject. I should like to remove that wrong impression, for His Highness is as much a British subject as any of us in this Hall. His Highness is so much a

12 NOON. British subject that even to-day he receives from the British Government a pension of Rs. 12,000 per annum for the services rendered by his distinguished grandfather in the forties of the last century, services rendered to Sir Charles Napier in the consolidation of the province of Sind. With these remarks I very strongly support the Resolution.

THE HONOURABLE SARDAR JOGENDRA SINGH (Punjab: Sikh): Sir, so far as the award of the prize is concerned, there is not much to say. Those who are responsible for awarding the prize will use their discrimination in bestowing it on the right person. I should be very glad if it is bestowed on one of my countrymen, preferably on Sir Aga Khan. But so far as the procedure is concerned in moving this Resolution in this House, I do not feel at all confident that it is the right procedure. I remember a request was made in this House that the Rhodes scholarship should be awarded to Indian students and then Sir Arthur Froom and I were the only persons who opposed that Resolution. On the same ground, Sir, I feel that we are going out of our way to convey to the Norwegian Government or whoever is responsible for awarding this prize our views. We have heard about the services rendered by His Highness the Aga Khan recounted with much eloquence both by Sir Maneckji Dadabhoy and my friend, Mr. Sethna. Well, if I were going into the subject I could name 20 others; Europeans of great ability and power who have done more to secure peace than His Highness the Aga Khan. If that is to be the criterion, why should not this Council recommend that other British subjects who have equally contributed towards international peace should be considered in connection with the award of this prize? In any case, Sir, I do not think that this Council, at this stage, should take upon itself the responsibility of making a specific recommendation of this kind. If in the eyes of the trustees of the Nobel Prize His Highness the Aga Khan is the right person to get the prize, we have no doubt he will get it. If he is not, and there are others who have a better claim, the trustees will use their discrimination in awarding the prize. I do not think this Council in any case is justified,—nor has it the knowledge or opportunities to find out, and to judge who is the best man who has contributed towards international peace. In this connection the name of Mr. Gandhi has been mentioned and I rejoice to-day—as I think the whole country rejoices—at his unconditional release. But Mr. Sethna pointed out that he was not entitled under the rules to be considered in connection with the Nobel Prize. Well, that is a side issue. The whole thing depends on the question as to who has really contributed towards peace; and even that question whether the name of Mr. Gandhi will exclude that of the Aga Khan or that of the Aga Khan will exclude that of Mr. Gandhi this House should leave entirely to be decided by the trustees in whose hands the awarding of the

[Sardar Jogendra Singh.]

Nobel Prize rests. If we start making requests to-day we have this request and to-morrow we may make a recommendation to the Governor General to be guided in preparing the Honours List by this Council. I think we are starting a dangerous precedent, not dangerous in the real sense but of an awkward nature. So far as this procedure is concerned, I consider it improper that we should make recommendations of this kind. On public grounds, I am not prepared to support the Resolution. So far as personal considerations go, I think the prize may be awarded to His Highness the Aga Khan or to Mahatma Gandhi, whoever is considered deserving by the trustees.

THE HONOURABLE LALA RAM SARAN DAS (Punjab: Non-Muham-
madan): Sir, yesterday evening when I was considering the subject of this Resolution, I felt whether or not it was proper for this House to make such a recommendation; I had no papers before me giving me information as to how the Nobel Prize is awarded. So when I came this morning, I met the Honourable the Law Member and I asked him what these rules were and whether it was proper for us to make such a recommendation. A number of my Honourable friends also approached him with a similar request and, as far as I heard, he gave them the same information. Therefore, I think my Honourable friend Mr. Rangaswami Ayyanger is not correct in making the accusation he has made in this matter. As far as the award of this prize is concerned, I learned from the Honourable the Law Member that the recommendation for the award of such a prize must go from the Legislature of the country concerned. So, for that reason I think this House ought to make some sort of recommendation and, if my Honourable friend Sardar Jogendra Singh had only heard the opening speech of our Honourable friend Sir Maneckji, he would not have got himself confused in this matter. I do not know His Highness Sir Aga Khan personally, but I can say that he wields great influence in the Muhammadan community and in case, as the Honourable Sir Maneckji has said, the vote of the trustees of this prize is in favour of Sir Aga Khan, I do not want to stand in the way.

THE HONOURABLE COLONEL NAWAB SIR UMAR HAYAT KHAN (West Punjab: Muhammadan): Sir, being a representative of Muhammadans, I think I must say a word on the subject. The Aga Khan is a Muhammadan and, if he can get this prize, we ought all to back him up. As to the merits and demerits of the case, I need not dilate upon them. Sir, I must say one thing and that is, that we have a saying among Muhammadans that a deaf man may go to Paradise because he does not hear ill of any one, but in this case it has been the reverse, because our friend has believed that whoever has been talking to the Leader of the House has been talking about the Resolution, and that he has been canvassing. I think that is not the case but he was only like the Brahmin who accidentally killed a calf and was inquiring of any people who were talking whether they were talking about the calf. He was all the time believing that they were accusing him. In the same way any man who has been speaking to the Law Member has been supposed to have spoken about the Resolution and canvassed. Again, Sir, those who suggest the name of Gandhi in this connection are quite right, because I think, personally, he is a greater man because he often creates trouble in this country which leads to murders and similar things. So why cannot he get the prize, as he is a much greater man than the Aga Khan in this respect?

THE HONOURABLE SIR ZULFIQAR ALI KHAN (East Punjab: Muhammadan): Sir, I am glad that this Resolution has been moved by my Honourable friend, Sir Maneckji Dadabhoy, because he is entitled to move this Resolution from a very great point of view and it is this, that he springs from the same source as the Aga Khan himself. He belongs to that ancient country, Persia, which was distinguished by chivalry and valour in the remote ages. So, Sir Maneckji Dadabhoy, inspired by the traditions of old chivalry, voices his instincts in this Council in a most appropriate manner. I, therefore, Sir, inspired by his example, rise to support his Resolution. In supporting this Resolution, I wish to make a few observations. Some of the Honourable Members have mentioned the meritorious services rendered by His Highness the Aga Khan in the cause of peace. I do not think that there is anybody who denies that His Highness the Aga Khan is not an eminent man. His very appearance inspires you with peaceful and loving associations. But, Sir, the history of the peace in the Near East is a chequered one. We saw the peace treaty, as it was proposed at Sevères and we saw the rise of the Nationalist movement after that in Anatolia, and, subsequently, the dramatic defeat of the Greeks in Anatolia and the drama of the Peace Conference at Lausanne, which is divided into two parts. The first part, as one of the Honourable Members observed, proved abortive. I think I remember correctly that Sir Maneckji Dadabhoy said that on that occasion His Highness the Aga Khan was present at Lausanne. The second part of the drama opened again at Lausanne, later on, and I believe that His Highness the Aga Khan was again present there on that occasion. I have no definite or positive information with me to say exactly what his efforts were in the cause of peace on that occasion, but I believe that he went there and took all the trouble in order to bring peace into the troubled world of the Near East. Whether it was due to his efforts or the mind of the nation was made up for peace, I cannot say. But one thing is certain that the peace in the Near East was not due to any of those peace bubbles blown on that occasion, although I believe that one of the biggest bubbles blown was perhaps blown by His Highness the Aga Khan. I think it would not be right to omit the mention of those names who made really serious and sincere efforts to promote peace in the Near East. I think one of the biggest names is that of Mr. Montagu, at one time Secretary of State for India, and I think I might also mention the names of the two successive Viceroys—Lord Chelmsford and His Excellency the present Viceroy with the Members of his Council. It would be invidious indeed to mention individual efforts but there is no doubt that, if these efforts were effective to bring about peace in the Near East, the Government of India's share was not a negligible one. His Highness the Aga Khan has at all critical moments in the history of the Muhammadan world come forward with his own personal efforts, with money and with personal influence, to establish peace conditions, and especially to promote peace between the Muhammadan nations and the British Empire. This is a thing, Sir, which from my point of view is most laudable. All those who know the history of the Muhammadan world realise that there ought to be peace between the Muhammadan countries and the British Empire, and, therefore, if anybody promotes that understanding, he must be given due reward. My Honourable friend to my left said that he opposed the award of the Rhode scholarship on grounds of self-respect. Well, Sir, he may have done that. But India had the honour of receiving a Nobel Prize before this and it was our distinguished countryman, Dr. Tagore, who was the recipient of that honour. Therefore, Sir, I do not think that,

[Sir Zulfikar Ali Khan.]

if the Aga Khan receives this honour, it will be in any way derogatory to the self-respect of the country. I therefore think, Sir, that, although the circumstances which brought about peace in the Near East are not unknown to most of us, who have studied the history all along, I do think that the Aga Khan, as one of the promoters of that peace, deserves some recognition. I therefore strongly support the Resolution moved by my Honourable friend, Sir Maneckji Dadabhoy.

THE HONOURABLE MR. R. P. KARANDIKAR (Bombay: Non-Muhammadan): Sir, I feel that a Resolution of this kind ought to go forth as a unanimous Resolution. I look upon it as a recommendation. Although it goes forth from one part of the Indian Legislature, it is certain to indicate that the whole of India looks upon His Highness the Aga Khan as an Indian.

THE HONOURABLE THE PRESIDENT: The Honourable Member must confine his remarks to that part of the Legislature to which he belongs.

THE HONOURABLE MR. R. P. KARANDIKAR: I am anxious, Sir, that no discordant note may appear in the discussion here, and I was about to say that no discordant note may appear also anywhere else in India, may it be outside or may it be in the other part of the Indian Legislature. My only point is that this is a recommendation which must go forth unanimously. But in order that those to whom this recommendation is to reach may consider that it was a considered opinion of this House, perhaps there may be some discussion on this Resolution and it is only in that light that I look upon the divergent views and not upon the selection of His Highness the Aga Khan. There are reasons and reasons. Some may agree with some reasons; some may not. But it is the conclusion to which weight ought to be attached, and I have no hesitation in supporting this Resolution. But I do so because it is after all an Indian that gets the prize, and the more so if he is a Muhamminadan brother. Surely a great matter is it for us, if of all the persons recommended His Highness the Aga Khan is selected; for that will attract the greatest attention in the world to what India is and what India may be in the future. I am not moving an amendment, but I should have liked to see the last two or three lines of this Resolution omitted. They seem to me to limit the selection because of a certain particular ground while His Highness the Aga Khan may possess many other more estimable qualifications in various public activities which are of high value and might also suitably be rewarded by the grant of the peace prize. It is not however so much the qualities which he possesses as the fact that it is necessary for the Legislature of his country to back the man whom we offer for selection as required by the scheme under which the prize is awarded, and, therefore, it is necessary for us to record our considered opinion that the Aga Khan is entitled in our view to the Nobel Prize this year. We are not concerned with the question as to whether there are other competitors in the world, and I am most anxious that no invidious distinctions should be put forth in this Council of Elders, of whom I am one. And I am afraid that if the example which has been set here were to be followed by the younger generation outside this House, it might needlessly ruffle the feelings of the public. I therefore deprecate the bringing in of anybody else's name, be he the highest in the land and acknowledged to be a deserving person, or otherwise. I should be the last to contribute to any such discussion. I have the greatest pleasure in lending my support to this Resolution.

THE HONOURABLE LALA SUKHBIR SINHA (United Provinces North-ern: Non-Muhammadan): Sir, in this matter there is no Hindu or Muhammadan question involved. The prize has been given and will be given to the most fitted person in the world. On a previous occasion it was awarded to Dr. Tagore of Bengal. This year it may possibly be given to His Highness the Aga Khan, whom we are going to recommend, or to some other better person we do not know. So far as we are concerned, we have to find out and recommend the best man for this prize, and with much pleasure I support the recommendation for the Aga Khan as contained in the Resolution before us. When I came here this morning, I was not quite clear as to how this Resolution could be discussed in this Council, but as explained by the Honourable the Law Member it is necessary that for this prize a recommendation should go from the Legislature of the country to which the person belongs, and, therefore, I give my support to this Resolution.

THE HONOURABLE MR. G. S. KHAPARDE (Berar: Nominated Non-official): Sir, I did not intend to speak on this Resolution, but as a dissentient note has been sounded in this House and as, if this Resolution is to have any value at all, it must be the unanimous recommendation of this House. I think that, since it is not unanimous, it cannot do any good at all. I would therefore suggest to the Honourable Mover that he should withdraw the Resolution; for now, even, if it is carried, it will go out of this House with the stigma of dissension.

Another reason for which I am not in its favour is the reference to Turkey in the last line or two of the Resolution. I am not sure that that is correct, for when His Highness the Aga Khan wrote a letter which was published in a Turkish journal, the printers of the journal were prosecuted. So it would seem that the Turks at any rate would not thank us for making this recommendation. They, at any rate, would not seem to hold a very high opinion of his services in the cause of peace. So all things considered, I think the wisest course would be to drop this Resolution altogether.

THE HONOURABLE SAIYID RAZA ALI (United Provinces East: Muhammadan): Sir, it is not without considerable reluctance that I have decided to take part in this discussion. The scope of the Resolution is so vast that one can go on discussing European political affairs right from the middle of November 1918 to the beginning of the year 1924. If one were to attempt that, surely one would have to go into very many controversial questions which at any rate is not calculated to promote the interests of peace in this House. I do not therefore propose to go through all that. But if I am to take part in this discussion then in view of the words used by the Honourable Mover Sir Maneckji Dadabhoy, I do not see how I can avoid going into all these controversial questions. I specially invite the attention of Honourable Members to the latter portion of the Resolution wherein His Highness the Aga Khan's efforts as regards the maintenance of peace between Turkey and the Western Powers since the Armistice are mentioned. Sir, some of us may have short memories; perhaps others do not suffer from the same disease. But to avoid going into these highly controversial questions, I believe the best course would be to omit the last portion of this Resolution. I will just hand in an amendment. I am sorry, Sir, to adopt that course because it is wholly alien to my nature (laughter)—I mean to offend people by killing a most useful measure by bringing forward a most harmful amendment. Still I think that if it is proposed that there should be anything like consensus of opinion on this

[Saiyid Raza Ali.]

Resolution, it is very necessary that those words should not be used, which are calculated either to strike a note of discord in this Chamber or elsewhere. That is my justification for proposing that. To begin with, the words " the considered opinion " should be omitted and in their place the words " that in the view " should be inserted.

THE HONOURABLE THE PRESIDENT: Will the Honourable Member hand in his amendment at the table.

THE HONOURABLE SAIYID RAZA ALI: I will just do that.

THE HONOURABLE THE PRESIDENT: While the amendment is being written out, the discussion may proceed.

THE HONOURABLE SAIYID RAZA ALI: If you will allow me, Sir, I will read it out,—as I have amended the Resolution and as I am giving it to one of the officers

THE HONOURABLE THE PRESIDENT: Will the Honourable Member kindly hand in the amendment. I will read the amendment when received. In the meantime the discussion may proceed.

THE HONOURABLE MR. LALUBHAI SAMALDAS (Bombay: Non-Muhammadian): Sir, if I speak on the Resolution, will I be in order in speaking on the amendment also?

THE HONOURABLE THE PRESIDENT: Yes.

THE HONOURABLE MR. LALUBHAI SAMALDAS: Then, Sir, before I say anything on the merits of the question, I would like to give my personal explanation to my Honourable friend, Mr. Rangaswami Ayyanger. What happened this morning, Sir, is this. As I came up and some of my Honourable friends came up, we were discussing this question as to whether this House was the proper place where a Resolution of this nature should be moved. As we were talking amongst ourselves in the verandah, the Honourable the Leader of the House came up, and then we said, " here is the Leader of the House " and we turned to him for information, and he said that the only reason why this Resolution was allowed to be brought forward in this House was that under the rules for the grant of this Nobel Prize it is laid down that, if any name should be recommended, it should be recommended by the Legislature of that country, and it was only on that ground that special permission was given to the Honourable Sir Maneckji Dadabhoy to move this Resolution in this House. I want to clear up this misunderstanding here, because the Leader of the House at least has not asked for my vote or asked me to speak on it; so I can honestly say that there has been no canvassing on his part, and I hope the Honourable Mr. Rangaswami Ayyanger will accept it, that there has been nothing of that sort, so far as I am concerned. After saying that, Sir, I turned to my friend and said, " will you please give me the rules, because I want to satisfy myself what the rules are ". He said that he had unfortunately not read the rules.

THE HONOURABLE SIR MANECKJI DADABHOY: I mentioned it.

THE HONOURABLE MR. LALUBHAI SAMALDAS: If he had, it is in French.

THE HONOURABLE THE PRESIDENT: The Honourable Member must not presume that the Honourable Mr. Lalubhai does not know French. (Laughter).

THE HONOURABLE MR. LALUBHAI SAMALDAS: I do not know French. The Honourable Sir Maneckji Dadabhoy said that we can ask Government to translate them into English, but the very fact that he did not get them translated shows that he does not want to be as polite as he usually is to all Honourable Members of the House who do not know French. However, that was the reason why I could not make up my mind whether I should vote for it or should not vote for it, because the reasons also that he gave were not quite satisfactory, and I wanted to wait and see what my Honourable friends had to say on the subject. In this Resolution, as has been suggested by my Honourable friend, Saiyid Raza Ali, he wants some portion to be taken off, but I will refer to that hereafter. All I want to say now is this. His Highness the Aga Khan is, as my Honourable friends know, an Indian first, and that this honour should go to an Indian is really to the credit of the country. But it is not merely because he is an Indian, or because he is merely a Muhammadan, that I welcome this Resolution. He is a patriot of patriots; as a Nationalist, he is perhaps second to none in this country, and it is for this reason that I welcome this opportunity of supporting this Resolution and the amendment which I think I have the right to do.

[At this stage the Honourable Mr. K. V. Rangaswami Ayyanger rose.]

THE HONOURABLE THE PRESIDENT (to the Honourable Mr. Rangaswami Ayyanger): The Honourable Member, in making any observations by way of personal explanation or in withdrawing any remarks, must not make a speech.

THE HONOURABLE MR. K. V. RANGASWAMI AYYANGER (Madras: Non-Muhammadan): I now see the subtle distinction made between "the interpreting of the rules" and "brisk canvassing" for the Resolution. The Honourable Members—half a dozen of them—are said to have sought for the enlightenment of the rules, and the Law Member, it seems, explained the rules in favour of this Resolution. I thought that was "brisk canvassing," but I now withdraw the words "brisk canvassing." There has not been any Resolution of this nature brought forward, and this is the first Resolution of the kind, and the Honourable the Law Member says he only interpreted the rules to select members in favour of the Resolution and that this should not be interpreted as 'brisk canvassing.' I accept the statement of the Honourable the Law Member and half a dozen of my Colleagues and I withdraw the words "brisk canvassing".

THE HONOURABLE DR. MIAN SIR MUHAMMAD SHAFI (Law Member): I am much obliged to my friend.

THE HONOURABLE THE PRESIDENT: To the Resolution under consideration Amendment moved:

"For the words 'the considered opinion' the words 'in the view' be substituted; for the words 'the fit' in line 4 the words 'a fit' be substituted; and all the words from 'in view' in the 5th line down to the word 'Armistice' be omitted."

The Resolution, as amended, will read as follows:

"This Council recommends to the Governor General in Council to convey to the Norwegian Parliament that *in the view* of this House, His Highness Sir Sultan Muhammad Shah, Aga Khan, G.C.S.I., G.C.I.E., G.C.V.O., LL.D., is a fit person to be awarded the Nobel Prize for peace this year."

[The President.]

These three Amendments may well be considered together. The Honourable Member has moved his Amendments.

THE HONOURABLE SAIYID RAZA ALI: If you will permit me, Sir, I will just bring out the significance of these words.

THE HONOURABLE THE PRESIDENT: I understood the Honourable Member concluded his speech by moving the amendment.

THE HONOURABLE SAIYID RAZA ALI: I think, Sir, it is just necessary to point out what I mean. That is all. Very briefly stated, the Resolution, as amended, would give the impression that, in the view of this Council, His Highness the Aga Khan is a fit person to be awarded the Nobel Prize. We do not lay any unnecessary emphasis on the qualifications that he possesses since those qualifications are known more or less all the world over. Also the last words of the Resolution are likely to give rise to controversial matters. Therefore, I believe the Resolution, as it stands now, conveys all that we want to convey to the Norwegian Parliament without laying ourselves open to the charge that we are acting in a spirit of partisanship towards His Highness the Aga Khan. I think, Sir, the amended Resolution is, if I may be allowed to say so, better worded and conveys our meaning more clearly than the original Resolution. I move it.

THE HONOURABLE SIR MANECKJI DADABHOY: I understand that I should now speak on the amendment, Sir.

THE HONOURABLE THE PRESIDENT: These propositions are in the nature of alternatives and the Honourable Member can reply on his motion and speak on both.

THE HONOURABLE SIR MANECKJI DADABHOY: I have heard with great interest the debate that has followed my motion. I am glad there is not so much dissension among us as the Honourable Mr. Khaparde has sought to make out. (*The Honourable Mr. K. V. Rangaswami Ayyanger*: "There is"). Before the Honourable Mr. Khaparde got up to address this Council there was only one dissenting voice and subsequently, objection was raised in a very half-hearted manner by my Honourable friend Sardar Jogendra Singh. I quite realise Sardar Jogendra Singh's objection. He did not object to our recommendation as regards the Aga Khan, but he laid certain facts before this House and mentioned the names of two great administrators who he thought were entitled to this prize in preference. So my Honourable friend Mr. Khaparde was not quite correct in appraising the sense of the members of this Council on the point. I am extremely grateful to my friend the Honourable Mr. Karandikar for the full, candid, fair and honest manner in which he has given his unstinted support to my Resolution. As one of the oldest members of this Council, I take the liberty of congratulating him on the excellent maiden speech which he made to-day. It was both edifying and worthy of the traditions of the Council. I trust the forcible manner in which my Honourable friend Mr. Karandikar has placed the case before this Council will receive due consideration from this House. We are concerned to-day with a very important Resolution. Let not petty jealousies of race, caste

distinctions, communal distinctions, trouble us in this matter. Let us, as the elder statesmen, charged to discharge our duties faithfully and properly in this Council, and to give every person his due, approach this Resolution in that spirit of fairness and forbearance, in that spirit of generosity, which alone ought to be the method of approaching it. My friend, the Honourable Mr. Ayyanger, at the commencement of his speech made certain remarks and stated that our recommendation ought to have been in favour of Mr. Gandhi. I have been forestalled in this matter by my Honourable friend Mr. Phiroze Sethna who very lucidly explained to this Council that, even if it was the wish of this Council to recommend Mr. Gandhi, we could not possibly do so. The prize is awarded for international services, for services rendered to the greater and wider cause of the welfare of the world, and not limited to parochial or special services to India. Apart from the fact that whatever qualifications Mr. Gandhi may possess, we could not possibly, under any circumstances, recommend him for this distinction, and our choice could not have fallen on a more worthy person than His Highness the Aga Khan. I quite understand and realise the force of Sardar Jogendra Singh's argument that Lord Curzon as Foreign Secretary and Lord Chelmsford as the Viceroy of India had rendered great services in the cause of peace. I did not omit to mention that, because Honourable Members will remember that at the end of my speech I particularly alluded to the great services rendered by these two great servants of the Empire and these distinguished men. But, after all, their services were rendered in the course of their official duties, and the question before us and the Resolution which I have placed before this Council is about the recognition of the services of a non-official citizen.

Sir, the Resolution cannot possibly be questioned so far as the Aga Khan's services are concerned. I find that members who spoke against the Resolution on other points had the frankness to acknowledge that he is worthy and deserving of this distinction. Sir, I have explained in the earlier portion of my speech the circumstances which necessitated the introduction of this Resolution in this Council. We were tied down by the rules framed by the Norwegian Parliament and I should have very gladly read the rule before this Council if any member had then interrupted. I perhaps could not read the rule, but I would have requested the Honourable the President to ask the Secretary, who is a French scholar, to read this rule before the Council, and if any of the Honourable Members have any doubt about this matter and require this to be done, I am certain our worthy President will immediately accede to his request and ask the Secretary to read the rule. There is no difference between us with regard to his splendid services, though there may be some difference as to the propriety of the Resolution. What we have to look to is the general work which His Highness the Aga Khan did. I may quarrel with a part of his work. Some other Honourable Member may disagree with some other portion of his work. But we have to look to his collective activities. We have to look to his strenuous efforts spreading over a long period of time, from 1918, after the Armistice, up to 1922, when the Peace Treaty at Lausanne was signed. We have to take a general view of the whole thing and base our estimate of the man on his collective work which is spread over a series of years. Sir, I can only say that the Resolution is a fit one for acceptance. I see that there is some force in the remark that the words "considered opinion" may be misconstrued or misread

[Sir Maneckji Dadabhoy.]

by some of our Members or by the public at large. I am glad that this matter was alluded to by my friend the Honourable Mr. Karandikar and more forcibly by my friend Saiyid Raza Ali and I am quite prepared to accede to Saiyid Raza Ali's request to substitute the words "in the view of" for the words "considered opinion". I am also ready to substitute the word "a" for the word "the". But I sincerely request my friend Sayid Raza Ali to reconsider his request about the last part of the Resolution. I am afraid, if we do not mention the reason for our recommendation, our recommendation will look very pale and languid. We must assign some qualification for recommending him for this rare distinction. I am quite prepared and I would readily accede to my friend's request, if I were convinced that we will not be destroying the effect of this motion, if we strike out the last part of the Resolution. I therefore appeal to him once again. I am quite prepared to meet him as far as possible and I am agreeable to remove the words "between Turkey and the Western Powers since the Armistice", if he so desires, but I would request him to allow the Resolution to stand as far as the words "maintain peace". The Resolution will then, I feel convinced, be acceptable to all the Members and there will be no dissentient voice on it. I very much appreciate the arguments so ably advanced by my friend Saiyid Raza Ali, and I trust he will see and perceive the importance of my request as well and agree to meet me half-way in this manner.

THE HONOURABLE THE PRESIDENT: The original Resolution proposed was:

"This Council recommends to the Governor General in Council to convey to the Norwegian Parliament the considered opinion of this House that His Highness Sir Sultan Muhammad Shah, Aga Khan, G.C.S.I., G.C.I.E., G.C.V.O., LL.D., is the fit person for the Nobel Prize for peace this year in view of the strenuous, persistent and successful efforts that His Highness has made to maintain peace between Turkey and the Western Powers since the Armistice."

To that Resolution various amendments have been moved and I think it will be for the convenience of the House if I put them separately.

THE HONOURABLE SAIYID RAZA ALI: May I with your permission, Sir, suggest, although it is wholly irregular.....

THE HONOURABLE THE PRESIDENT: It is wholly irregular.

THE HONOURABLE SAIYID RAZA ALI: May I suggest, Sir, whether we cannot have the words "for the efforts made by him to promote the interests of peace" at the end of the Resolution. This will, I believe, convey the meaning of the Mover.

THE HONOURABLE THE PRESIDENT: I cannot allow the Honourable Member to move an amendment to his own amendment at a stage when I am putting the amendment to the House.

The first amendment proposed is that for the words.....

THE HONOURABLE SIR MANECKJI DADABHOY: May I rise for a minute, Sir. If my Honourable friend Saiyid Raza Ali suggests to substitute the words "for the efforts made by him to promote the interests of peace", I am quite prepared to accept them.

THE HONOURABLE THE PRESIDENT: I have already informed the Honourable Member that, if he makes any change in the amendment now

before the House, I shall have to give an opportunity to other Honourable Members for discussion. It may be that the Honourable Member will accept it. But since it is for the acceptance of the House, every Honourable Member has a right to express his views on it.

THE HONOURABLE SAIYID RAZA ALI: Perhaps Honourable Members do not want to take part in any more discussion. I presume this from the length of the discussion that has already taken place.

THE HONOURABLE MR. G. S. KHAPARDE: I wish to speak on the amendment.

THE HONOURABLE THE PRESIDENT: I now put the first amendment:

"That for the words 'the considered opinion' the words 'the view' be substituted."

The motion was adopted.

THE HONOURABLE THE PRESIDENT:

"That for the words 'the fit' the words 'a fit' be substituted.

The motion was adopted.

The next amendment is:

"That the word 'for' be omitted, and that the words 'to be awarded' be inserted."

The motion was adopted.

THE HONOURABLE THE PRESIDENT: The next amendment is:

"That the words 'for peace this year' stand part of the Resolution."

The motion was adopted.

THE HONOURABLE THE PRESIDENT: The next amendment is:

"That the words after 'this year' in the Resolution, namely—in view of the strenuous, persistent and successful efforts that His Highness has made to maintain peace between Turkey and the Western Powers since the Armistice, be omitted."

The motion was negatived.

THE HONOURABLE THE PRESIDENT: The amended Resolution therefore runs as follows:—

"This Council recommends to the Governor General in Council to convey to the Norwegian Parliament the view of this House that His Highness Sir Sultan Muhammad Shah, Aga Khan, G.C.S.I., G.C.I.E., G.C.V.O., LL.D., is a fit person to be awarded the Nobel Prize for peace this year in view of the strenuous, persistent and successful efforts that His Highness has made to maintain peace between Turkey and the Western Powers since the Armistice."

The question I have to put is that the Resolution, as amended, be adopted.

The motion was adopted.

THE HONOURABLE THE PRESIDENT: That decides the whole question raised by the Honourable Member. The Resolution, therefore, is carried in that form.

The Resolution, as amended, was therefore adopted.

ATTENDANCE OF GOVERNMENT MEMBERS IN THE COUNCIL.

THE HONOURABLE SIR NARASIMHA SARMA (Education, Health and Lands Member): Sir, I wish to make an explanation to the House as to the circumstances under which I was absent during the discussion of the Resolution of Mr. Sethna last evening. I am sorry indeed that I had to deny myself the pleasure of being present here during the further discussion and participating, if necessary, therein. But I hope that the explanation that I shall give will satisfy the House that it was not out of any want of consideration for the House that I was absent, but because of the pressure of public business which compelled me to do so, and gave me no alternative.

As the subject of the Resolution was one which related to the Finance and the Revenue Departments as a matter of 1 P.M. convenience I was asked to take charge of it, and I was in charge if it when the subject was opened and I hoped to be able to be present throughout the day. But somewhere about one o'clock I received a notice that there was to be an urgent meeting of the Executive Council at 2-30. I understood that the Honourable the Leader of the House brought it to the notice of the President. We hoped that the discussion would be over before lunch time, but it was not and the meeting was adjourned to 3 o'clock. I desired to make a representation to the President, but I was too late, and I did not find him in his room. The subject-matter of the discussion in the Executive Council being of a very important character I had to choose between that and attending the discussion here. I thought that the latter purpose would be served if Mr. McWatters dealt with what remained to be said. I had already said all that I had to say on behalf of Government. It was in these circumstances that I was compelled to be absent from the House, and I hope that the House and the President will accept this explanation. Public business is sometimes of such a character that we are compelled to make a choice between attendance here and elsewhere. We shall make every effort to be present and to participate in the discussion of this House throughout the day, but I hope the House will be indulgent to us if occasionally we have to absent ourselves from the meetings of this Chamber.

THE HONOURABLE THE PRESIDENT: I welcome the Honourable Member's explanation. I should only like to add that I was under some misapprehension in the matter in that I was unaware, until I rose to put the question that the Government were represented by a delegation made by you, Sir. I would however suggest that it is most desirable, for it is necessary from the point of view of the Chair, that I and the House should know when a delegation has been made. When an Honourable Member has handed over charge of the carriage of any motion to another Honourable Member I think the earliest opportunity should be taken to rise in the House and explain that the case is now in charge of the delegate. In this particular instance I had my attention drawn to the apparent absence of any Government representative in pointed terms because the Government Front Bench was entirely vacant. The Honourable Mover of the Resolution in reply drew very pointed attention to it. No one rose to explain that there was anybody in charge of the Government case, and the position seemed to me rather a difficult one. But I am quite sure that the House will be entirely satisfied by the Honourable

Member's explanation. We recognize, and I think you will bear me out in saying that I have always done my best to recognize, the fact that the Honourable Members of the Government have duties elsewhere, and to arrange the business and procedure of the House, so far as may be, to suit their exigencies. But, since this subject has been raised, I would like to say quite frankly, and I think it is better that I should be frank in the matter, that there is a feeling, wrong no doubt, erroneous it may be, but which has been brought to my notice not from one quarter of the House but from all quarters of the House that there is a tendency to treat this House in a casual way. The impression may be and doubtless is wrong but that it exists there is no doubt. It amounts to a belief that there is a certain disposition not to recognize this House as a part and an equal part of the Indian Legislature. (Hear, hear.) If it is possible to dispel any such impression, however erroneous, it may be advantageous to do so. As President of this Chamber I shall always endeavour, so far as in me lies, to maintain its rights and privileges.

THE HONOURABLE DR. MIAN SIR MUHAMMAD SHAFI (Law Member): As Leader of the House, I should like to add a few words to what has fallen from the lips of the Honourable the President. So far as I am concerned, I am sure Honourable Members are aware that I have to the best of my ability always attended every meeting of the House even though the business before the House has not appertained to my Department. I have from the commencement of almost every sitting been present to the end. Yesterday, as has been explained by my Honourable Colleague, there were special reasons for which I was obliged to be absent from the afternoon sitting. So far as I am concerned, and I believe I am representing the views of Government, so far as the Government is concerned, I assure you, Sir, that we fully recognize that the Council of State is not only a part of the Indian Legislature but an equal part with any other portion of the Indian Legislature and it has a position of its own, unique in importance, which no one either in this House or anywhere else can ignore.

THE HONOURABLE SIR NARASIMHA SARMA: Sir, may I say just one word further. I have been connected with this House for more than three years, from the very inception of this Chamber. I am proud to belong to it. It is a Chamber of elderly statesmen, a correcting Chamber, and its usefulness has been fully demonstrated in actual practice on more than one occasion. Therefore on behalf of the Government I may join my friend the Honourable Sir Muhammad Shafi, the Leader of the House, in assuring the House that there is no intention on the part of the Government to belittle the importance of this House in the slightest degree. If such an impression is present in the mind of any individual, we can only say that we are very very sorry. But I think the House can rest assured that not only we, the Members of Government belonging to this House, but all Members of the Government, are equally interested in upholding the dignity and maintaining the traditions of this House.

OFFICIAL BUSINESS FOR THE 12TH AND 14TH FEBRUARY, 1924.

THE HONOURABLE DR. MIAN SIR MUHAMMAD SHAFI (Law Member): Sir, the next meeting of this Council for official business was provisionally fixed for Thursday, the 7th of February, but, as no Government Bills will be ready to be brought forward, it is proposed, with your permission, that

[Dr. Mian Sir Muhammad Shafi.]

there should be no meeting on that date. Thereafter the next day for official business will be Tuesday, the 12th February, when any Bill which may have been passed by the Legislative Assembly on the day previous, will be laid on the table in this House, and the Indian Cotton Cess (Amendment) Bill, which has been laid on the table to-day, will be taken into consideration. Notice of a motion that the Government's Bill, as passed by the Legislative Assembly, be taken into consideration has been received from His Excellency the Commander-in-Chief, and the motion will be set down on Thursday, the 14th February.

THE HONOURABLE THE PRESIDENT: I have only one remark to make on that statement. If the Honourable the Leader of the House would give time to any other business for Thursday, the 7th, would he consider that?

THE HONOURABLE DR. MIAN SIR MUHAMMAD SHAFI: Very well, Sir

The Council then adjourned till Eleven of the Clock on Wednesday, the 6th February.
