

Wednesday, 30th January, 1924

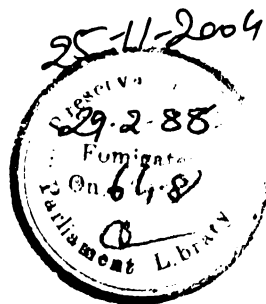
THE  
**COUNCIL OF STATE DEBATES**  
**(Official Report)**

**Volume IV, Part I**

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

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**FOURTH SESSION**  
**OF THE**  
**COUNCIL OF STATE, 1924**



DELHI  
GOVERNMENT CENTRAL PRESS  
1924

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

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VOLUME IV  
FOURTH SESSION, 1924.

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COUNCIL OF STATE.

*Wednesday, 30th January 1924.*

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

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MEMBERS SWORN:

The Honourable Sir Deva Prasad Sarvadhikary, Kt., C.I.E. (West Bengal: Non-Muhammadan); the Honourable Mr. Hugh Kynaston Briscoe, C.I.E. (Bihar and Orissa: Nominated Official); the Honourable Nawab Sir Amiruddeen Ahmed Khan Bahadur, K.C.I.E., of Loharu (Punjab: Nominated Non-Official); the Honourable Sir Muhammad Rafique, Kt (Delhi: Nominated Non-Official); the Honourable Sirdar Charanjit Singh (Punjab: Nominated Non-Official); the Honourable Mr. Alexander Montagu Stow, O.B.E. (Punjab: Nominated Official); the Honourable Mr. John Peronnet Thompson, C.S.I. (Political Secretary); the Honourable Mr. David Thomas Chadwick, C.I.E. (Secretary, Commerce); the Honourable Mr. Raghunath Pandurang Karandikar (Bombay: Non-Muhammadan); the Honourable Maulvi Abdul Karim (East Bengal: Muhammadan).

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DEATH OF NAWAB SIR BAHRAM KHAN.

THE HONOURABLE THE PRESIDENT: I regret to have to inform the House that since we last met news has been received of the death of the Honourable Nawab Sir Bahram Khan, Chief of the Mazari tribe, who was a Member of the Council of State since its commencement. I think I may say that he was a very popular Member and I am quite sure that the news of his death will be received with great regret. As I have said,

the late Sir Bahram Khan was the Chief of the Mazari tribe, and I understand that for many years he exercised great influence not only in his own district but throughout the frontier. On that point, however, there are several members in this Council who are more able to speak than I am. I have myself known our deceased friend for some years. He was, I think, a Member of the Punjab Legislative Council. He was certainly at one time on the Imperial Legislative Council and he was, of course, a Member of this Council. He was somewhat handicapped in taking part in our debates owing to the language difficulty, but his short pithy speeches in the vernacular were always received with the greatest applause from all quarters of the House. It was a matter of great regret, I think, that he was handicapped in that way because in personal conversation no one who talked to him for any length of time could have failed to notice that he was a man of great ability and a natural leader. By his death the Council loses a venerable and picturesque personality. His very appearance was a reminder to us of the very wide interest which the Indian Legislature has in its charge. I am sure it will be the unanimous desire of this House that I should convey in your name our regretful sympathy to his relatives.

THE HONOURABLE COLONEL NAWAB SIR UMAR HAYAT KHAN (West Punjab: Muhammadan): While endorsing every word that you have kindly said about the late Nawab Sir Bahram Khan, I am glad that I have been given an opportunity to say a word or two for a great friend of mine. His friends in the Council and outside it are hundreds and thousands. All who came across him know of what calibre he was made. His personal services throughout his life were unique. Not only in his own district, which is Dera Ghazi Khan, but in the whole of Baluchistan he exercised great influence, and the administrative heads asked for his valuable opinion on all difficult subjects. He did not only join the *jirgas* in his own district but he used to go to Port Sandeman and even to Quetta. Whenever there was a very difficult work, which was not easy to solve, he was the man who was always consulted. His father was with Robert Sandeman when he wrote *veni, vidi, vici*. The father of the present Nawab was with Robert Sandeman when the whole of Baluchistan was annexed to the British Crown. Although he did not know English he was well-versed in Persian as well as in Urdu. His own language was very much akin to Persian and he was, I think, quite a hundred years ahead of his own Baluchis. He was one of the very greatest men in Baluchistan. When there were disturbances in 1915, he was able to send 150 wild Baluchis, who joined at Muzaffarnagar and quelled all the disturbances in no time. His services were very much appreciated by the Government. He was knighted and the honour of Nawabship was also conferred upon him. Just before his death—it was only 10 days ago when I saw him—he was quite hale and hearty. He stayed about two weeks in Lahore simply to show to the public that he was thankful to his friend Sir Michael O'Dwyer. He stayed in Lahore in order to give his evidence, although he was not well and many people advised him to go home. But he had good blood in him and said that, though he might die, he would stay till he had said all he had seen. I am very thankful to you, Sir, for having been good enough to think of sending a message to his family. I had been to his house just about 10 days after his death, and they were all very thankful for the kind messages from His Excellency the Viceroy and His Excellency the Commander-in-Chief which they had received.

THE HONOURABLE MR. C. A. BARRON (Delhi: Nominated Official): Sir, as the senior Punjab officer serving on this Council I desire to associate myself on behalf of all officers of the Punjab services with the tribute which you yourself and the Honourable Sir Umar Hayat Khan have paid to the memory of the late Nawab Sir Bahram Khan. In doing so, I may perhaps be allowed to strike a personal note, which is, I fancy, rather unusual on such occasions. For, Sir, it was at the town of Dehra Ghazi Khan, the headquarters of the late Nawab's district, that I first saw the light of day, and I remember with the greatest pleasure that when, some years after my return to India, Sir Bahram Khan and his brother Tumandars learnt this fact, they hailed me as a *hamwatan*, a term of peculiarly friendly significance on the Pathan and Baluch borders.

Sir Bahram Khan inherited a great tradition from his father Nawab Sir Imam Baksh Khan, a very well known figure on the Frontier in the latter part of the last century. He succeeded him in the chieftainship of the Mazari tribe about 20 years ago, but had for many years before that been actively associated with him in the management of tribal affairs. The ripe experience thus acquired, added to an uncommonly keen intelligence and great shrewdness, enabled Sir Bahram Khan to combine the authority required from the chieftain of a large tribe with the democratic instincts of the Baluch tribesmen. His experience, his unquestioned integrity of purpose and his dignified bearing placed him in a commanding position in the South West Punjab, and also, as we have just heard, in the Frontier districts of Sind and the neighbouring parts of Baluchistan. His great influence, which he always wielded for the preservation of peace and order on the border, was of peculiar value at the annual Baluch Jirga held each autumn at Fort Munro for the settlement of outstanding disputes. Here, in this Council, we shall miss his picturesque figure and his brief straightforward comments on current events. His departure leaves a blank in the Western Punjab which will be hard to fill. The Punjab Government and its officers all mourn the loss of a wise counsellor. For myself personally his departure means the close of a friendship which, if he had been spared for one year more, would have lasted for 30 years.

With these few words, I beg to endorse the tribute to the late Nawab's memory.

THE HONOURABLE MR. J. CRERAR (Secretary, Home Department): Sir, on behalf of the officers of the Government of Bombay I should also ask for an opportunity to associate myself with the words which have fallen from you, Sir, and the Honourable Members who have preceded me. I do so not only because I had for many years the honour of the late Nawab's personal friendship, but because during my service in upper Sind I was, like nearly every other officer who has served in those parts, brought into frequent contact with him in matters of public administration. I am therefore in a position, and I am sure those who have served in those parts would also desire me, to say that the sentiments to which you and other Honourable Members have given expression are fully shared and entirely endorsed by officers of the Bombay Government. I think, Sir, the mere fact that so many Honourable Members of this House have been able on independent grounds to testify to the great services and the high character of the late Nawab is the clearest evidence of the greatness of the position which he occupied and the amplest corroboration of the eulogies which you, Sir, have pronounced on his memory.

THE HONOURABLE DR. MIAN SIR MUHAMMAD SHAFI (Law Member): Sir, as Leader of the House, and on behalf of the Government of India, I desire to associate myself in the tribute which has been pronounced to-day to the memory of our late colleague from all sides of the House. I personally had known the late Nawab Sir Bahram Khan ever since I returned from England after my call to the Bar. He was my colleague on the Punjab Legislative Council in the first Minto-Morley Reform Council. We worked together for many years in the local Council and afterwards as colleagues in the old Imperial Council, and here in the Council of State. He was also an office-bearer in many a provincial organisation in the Punjab in which I had the honour of taking some active part. My association with him in the public life of our Province was very close and lasted for a very long period. I held him in the highest esteem for his integrity, his sound common sense and for his natural tact and political insight, and I entirely agree with my friend the Honourable Mr. Barron that his death has left a gap in the Punjab which it will be very hard to fill.

THE HONOURABLE SIR NARASIMHA SARMA (Member for Education, Health and Lands): As a Hindu Member of the Governor General's Executive Council, and on behalf of the Hindu community, I beg to associate myself with everything that has fallen from the Honourable Members of this House.

THE HONOURABLE LALA RAM SARAN DAS (Punjab: Non-Muhamadan): Sir, I rise to endorse all that our worthy President has said about the late lamented Nawab Sir Bahram Khan. Sir Bahram Khan was one of our great Punjab leaders of the old type who exercised a vast influence in the Baluch territory. I had the privilege of being his colleague on the Punjab Legislative Council for a period of about eight years and during that time I had closer contact with the Nawab. I found in him a person of great common sense and one who was very popular even among the Hindus and other classes. His loss has been greatly felt in the Punjab, and it is quite right that this House should send a message of condolence to his family.

THE HONOURABLE THE PRESIDENT: I think, after the expressions that have fallen from all sides of the House, it will probably be your unanimous pleasure that I should also direct a copy of these proceedings to be forwarded to his relatives. Let that be done.

#### MESSAGES FROM HIS EXCELLENCY THE GOVERNOR GENERAL.

THE HONOURABLE THE PRESIDENT: I have a message from His Excellency the Governor General of India to communicate to the Council. It runs 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 the Members of the Council of State in the Legislative Assembly Chamber at 11 O'clock a.m. on Thursday, the 31st January, 1924."*

(Sd.) READING,

*Viceroy and Governor General."*

THE HONOURABLE THE PRESIDENT: I have it also in command to deliver another message:

*"In pursuance of the provisions 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 to be on the panel of Chairmen of the said Council of State:—*

*In the first place, the Honourable Sir Maneckji Byramji Dadabhoy; in the second place, the Honourable Sir Zulfiqar Ali Khan; in the third place, the Honourable Sir Arthur Henry Froom; and lastly, the Right Honourable Srinivasa Sastri.*

(Sd.) *READING,*

*Viceroy and Governor General."*

### COMMITTEE ON PETITIONS.

THE HONOURABLE THE PRESIDENT: Under Standing Order 76 of the Council of State Standing Orders, I am required, at the commencement of each Session, to constitute a Committee on Petitions consisting of a Chairman and four members. I accordingly, having consulted the gentlemen concerned, have much pleasure in nominating the Honourable Mr. Pheroze Sethna to be Chairman of the Committee, and the following to be members, namely:

The Honourable Maharaja Bahadur Keshava Prasad Singh of Dumraon;

The Honourable Colonel Nawab Sir Umar Hayat Khan;

The Honourable Sir Annamalai Chettiar; and

The Honourable Lala Sukhbir Sinha.

### QUESTIONS AND ANSWERS.

#### IMPROVEMENT OF VIZAGAPATAM HARBOUR.

1. THE HONOURABLE SIR AHMEDTHAMBY MARICAIR: (a) With reference to my question No. 97\* asked at the meeting of the Council held at Delhi on the 12th February 1928 and the Government answer thereto will Government be pleased to state whether they have since arrived at a final decision in the matter of improving the Vizagapatam Harbour?

(b) If not, will Government be pleased to state whether they are going to consider this important question?

THE HONOURABLE MR. D. T. CHADWICK: (a) The answer is in the negative.

(b) The question is already under consideration.

#### OPENING OF THE PORT OF MADRAS FOR PILGRIM TRAFFIC.

2. THE HONOURABLE SIR AHMEDTHAMBY MARICAIR: Will Government be pleased to state what steps they have taken to open the port of Madras for pilgrim traffic to Mecca and other holy places?

THE HONOURABLE SIR NARASIMHA SARMA: It has not been found possible to take steps to open the port of Madras for pilgrim traffic to Mecca and other holy places, since the Honourable Member moved his

\* Vide Council of State Debates, Volume III, pages 691-692.

Resolution on the subject in this Council in July 1923. There is still need for economy. Also, as I pointed out at the time, it is difficult to move in the matter until some system has been introduced under which pilgrims who make the pilgrimage will be required to provide in advance for their return journey. The Government of India have the matter in mind and I can assure my Honourable friend that it will not be lost sight of.

THE HONOURABLE LALA RAM SARAN DAS: In the absence of the Honourable Mr. Samaldas, can I ask question No. 3?

THE HONOURABLE THE PRESIDENT: Has the Honourable Member authority?

THE HONOURABLE LALA RAM SARAN DAS: No, but . . .

THE HONOURABLE SAIYID RAZA ALI: May I point out, Sir, that under Standing Order 18, it is open to any member with your permission to put the question without any authority being given by the Member?

THE HONOURABLE THE PRESIDENT: The Honourable Member is perfectly correct, but the rule does not debar me from asking whether the Honourable Member has authority or not? (Laughter.)

THE HONOURABLE LALA RAM SARAN DAS: Have I your permission, Sir, to put the question?

THE HONOURABLE THE PRESIDENT: If the Honourable Member attaches importance to the question, he can put it.

#### STORES PURCHASE RULES.

3. THE HONOURABLE MR. LALUBHAI SAMALDAS: Will the Government be pleased to state whether the recently framed Stores Purchase Rules are made applicable to—

- (i) New Delhi, and
- (ii) Sukkur Barrage?

THE HONOURABLE MR. A. H. LEY: It is presumed that the Honourable Member is referring to the draft Stores Purchase Rules framed by the Railway Industries Committee. These have not yet been finally approved. When they have been approved, they will apply, as do the existing rules, to New Delhi. The revision of the rules applicable to Governor's provinces (and therefore to the Sukkur Barrage scheme) is still under consideration.

#### EXPENDITURE ON THE ECCLESIASTICAL DEPARTMENT.

4. THE HONOURABLE MR. LALUBHAI SAMALDAS: (a) Will the Government be pleased to lay on the table a statement showing the total expenditure on Ecclesiastical Departments (both Central and Provincial) in the years 1914 and 1923?

(b) Will they further be pleased to state whether the Government intends to continue this expenditure permanently?

THE HONOURABLE MR. D. T. CHADWICK: (a) All expenditure on the Ecclesiastical Department is Central. It amounted to Rs. 19,08,283 in 1914-15. The budget provision for 1923-24 was Rs. 32,83,000. The actual figures are not yet available.

(b) The answer is in the negative. A scheme of reduction has been framed recently under which it is hoped to save Rs. 4,30,000 annually, the bulk of it by the end of 1925-26.

REPORT OF THE ALLIANCE BANK INQUIRY COMMITTEE.

5. THE HONOURABLE MR. LALUBHAI SAMALDAS: Will the Government be pleased to state whether any report has been submitted by the Alliance Bank Inquiry Committee appointed at the Bank's general meeting in Calcutta and, if so, will they be pleased to lay on the table a copy of their report.

THE HONOURABLE MR. A. C. McWATTERS: The Government have not received any report.

REPORT OF THE GOVERNMENT SECURITIES COMMITTEE.

6. THE HONOURABLE MR. LALUBHAI SAMALDAS: Will the Government be pleased to lay on the table a copy of the report submitted by the Government Securities Committee of 1921?

THE HONOURABLE MR. A. C. McWATTERS: The reports of the Bombay and Calcutta Committees appointed in 1921 to inquire into the question of the rehabilitation of Government securities were published for general information with a Communique on the 19th September 1921. I shall be glad to supply the Honourable Member with a copy of the same.

MINING CONCESSIONS AND FOREST MONOPOLIES.

7. THE HONOURABLE MR. LALUBHAI SAMALDAS: (a) Will the Government be pleased to lay on the table a statement giving information about the grant of concessions for mining rights, as well as monopolies for working in forests at present existing in various provinces?

(b) Will they also be pleased to state what use is made of the same by the parties to whom concessions are granted?

THE HONOURABLE MR. A. H. LEY: (a) Concessions for mining rights are granted by Local Governments in accordance with rules made by the Governor General in Council, and sanctioned by the Secretary of State. The Government of India are not able to lay on the table a statement showing details of all the concessions granted by Local Governments, but if the Honourable Member wishes for any particular information, I shall be glad to give him such information as is readily available. As regards forests the Government of India are not primarily concerned with forest administration in the provinces and have no information on the subject. In the areas under their own control no monopolies have been granted.

(b) Mining concessions are, of course, used to win minerals. If a lessee does not carry on mining operations in a proper workmanlike manner, the rules empower the Local Government to terminate the lease.

RAILWAY CONCESSIONS TO COMMERCIAL TRAVELLERS.

8. THE HONOURABLE MR. LALUBHAI SAMALDAS: Will the Government be pleased to give a list of the concessions given by Railways to commercial travellers and state the nationality of each commercial firm to whom the concession is granted?

THE HONOURABLE MR. D. T. CHADWICK: A concession of half rates for luggage including packages of samples is allowed by railways to commercial travellers representing recognised trades or firms. In addition,



the Madras and Southern Mahratta Railway have, as an experimental measure, granted a concession on first class tickets. These concessions are available to all and there is no question of nationality.

#### PURCHASE OF STORES IN INDIA, GREAT BRITAIN, ETC.

9. THE HONOURABLE MR. LALUBHAI SAMALDAS: Will the Government be pleased to give the figures of the value of stores purchased during the last three years for (a) State Railways, and (b) Public Departments of the Central Government from:—

- (i) India,
- (ii) Great Britain, and
- (iii) Other countries?

THE HONOURABLE MR. A. H. LEY: I place on the table a statement showing the expenditure on stores purchased in India by (a) State Railways, and (b) other Departments of the Central Government (including minor Local Governments) for the official years 1920-21, 1921-22 and 1922-23.

As regards purchases made from Great Britain and other countries the information is not available to the Government of India. The High Commissioner for India has been asked to furnish the figures, which will be supplied as soon as they are received.

*Statement showing the expenditure on stores purchased in India by (a) State Railways and (b) other Departments of the Central Government (including minor Local Governments) for the official years 1920-21, 1921-22 and 1922-23.*

	1920-21	1921-22.	1922-23.
	Rs.	Rs.	Rs.
State Railways . . . . .	4,00,77,335	6,69,77,199	6,34,32,565
Central Departments (including minor Local Governments).	2,20,87,729	2,10,75,498	1,49,49,167

*Note:—*The statement does not include figures relating to (1) purchases of articles of the same kind and of an aggregate value not exceeding Rs. 50 at one time and place (2) purchases made by contractors for Government works, (3) purchases invariably made in India, such as bricks, Indian lime and mortar, Indian timber, etc., and (4) purchases made by or on behalf of the military authorities.

#### ISSUE OF GOLD COIN FROM PUBLIC TREASURIES.

10. THE HONOURABLE LALA SUKHBIR SINHA: (a) Will Government be pleased to state the grounds on which the issue of gold coin from public treasuries has been stopped?

(b) Is the Government aware that by this stoppage the public is put to great inconvenience?

THE HONOURABLE MR. A. C. MCWATTERS: (a) The Government cannot for obvious reasons issue sovereigns so long as gold in India stands at a premium as compared with the legal tender ratio of Rs. 10 to the sovereign.

(b) Government is not aware that any serious inconvenience is being caused to the public.

#### GOLD COINAGE IN THE BOMBAY MINT.

11. THE HONOURABLE LALA SUKHBIR SINHA: Is it under contemplation to reopen the gold coinage in the Bombay Mint as was the case before and, if not, why?

THE HONOURABLE MR. A. C. McWATTERS: The Honourable Member is referred to the reply given to a question\* on the same subject put by the Honourable Sardar Jogendra Singh on 20th March, 1922. The position is still the same, namely, that the Indian Mints are prepared to coin gold as soon as the demand for gold currency arises, but no such demand can arise so long as the present premium on gold as compared with its statutory parity exists.

#### EXPENDITURE ON IMPORT OF FOREIGN MEDICINES.

12. THE HONOURABLE LALA SUKHBIR SINHA: (a) Is there any pharmacy at present in any province?

(b) What amount of money is spent in importing foreign medicines from outside?

(c) Can they not be manufactured here out of the indigenous materials?

THE HONOURABLE SIR NARASIMHA SARMA: (a) Yes.

(b) The information required is to be found on pages 460 and 544 of the blue book entitled "Statistical Abstract for British India, 1911-12 to 1920-21" published by the Commercial Intelligence Department of the Government of India in 1923.

(c) The bulk of the drugs imported by Government either cannot be manufactured in India or manufactured only in insufficient quantities. Government have every sympathy with the desire expressed and make full use of such drugs as are available locally.

#### INDIAN DRUGS MANUFACTURE COMMITTEE.

13. THE HONOURABLE LALA SUKHBIR SINHA: (i) What work has been done up till now by the Indian Drugs Manufacture Committee?

(ii) When was it established?

(iii) How much money have they spent?

(iv) What drugs are now manufactured here on commercial scale?

THE HONOURABLE SIR NARASIMHA SARMA: (i) The work done by the Indian Drugs Manufacture Committee is described in the Committee's annual reports. A set of these reports will be supplied to the Honourable Member.

(ii) In May, 1919.

(iii) Rs. 4,815.

(iv) Lists of drugs manufactured on a commercial scale in India will be supplied to the Honourable Member.

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\* Vide Council of State Debates, Volume II, page 1129.

## SEPARATION OF JUDICIAL FROM EXECUTIVE FUNCTIONS.

14. THE HONOURABLE MR. R. P. KARANDIKAR: Having regard to the assurance given on 9th March 1921 in the Council of State by Government that Government would make the necessary legislative changes on the request from any Local Government in the matter of separation of Judicial from Executive functions, will Government be pleased to state:—

- (a) whether the proceedings in connection with the Resolution on the point, withdrawn on the aforesaid assurance, have been brought to the notice of the several Governments; and
- (b) whether any such requests from any of the Local Governments have been received?
- (c) if so, will Government lay on the Council table a copy each of the Local Governments' letters?
- (d) and lastly, what action has been taken by the Government of India either on the requests of the Local Governments or independently of such requests?

THE HONOURABLE MR. J. CRERAR: (a) I invite the Honourable Member's attention to the Resolution of the Government of India, No. F-196-Judicial, dated the 7th December, 1921, on the subject, which was published in the Supplement to the *Gazette of India*, and copies of which were supplied to Local Governments.

(b) The Government of India have received proposals from the Governments of the United Provinces, Bihar and Orissa and Bengal. The last named Local Government, however, propose to place their scheme before the Local Legislative Council for criticism and the final views of the Local Government are not yet before the Government of India.

(c) Government do not at present propose to lay on the table a copy of the letters received from the Local Governments named in (b) above.

(d) No action has so far been taken, pending the receipt of the final views of the Governments of Madras and Bengal.

THE HONOURABLE LALA SUKHBIR SINHA: May I ask, Sir, if the Government of India has received any definite scheme or proposals from the United Provinces Government on this subject of the separation of judicial and executive functions?

THE HONOURABLE MR. J. CRERAR: I invite the Honourable Member's attention to the terms of my reply. We have received certain proposals but not yet in their final form. Their final form is being awaited.

## REGULATION OF COLONIAL IMPORTS.

15. THE HONOURABLE MR. R. P. KARANDIKAR: Is it under contemplation of Government to enforce the principle of reciprocity by regulating, in exercise of the powers of Government under the Merchant Shipping Act and Rules and Regulations thereunder, or the Sea Customs Act (VIII of 1878), the ingress into British India of articles and commodities from Colonies that do not extend equal rights of citizenship to Indians in their respective territories?

THE HONOURABLE MR. D. T. CHADWICK: If the Honourable Member will put in a fresh question explaining precisely what action he contemplates that the Government of India should take under the Indian Merchant Shipping Act or under the Sea Customs Act, I will endeavour to answer that question.

THE HONOURABLE MR. R. P. KARANDIKAR: Am I permitted to put a fresh question?

THE HONOURABLE THE PRESIDENT: Notice must be given.

#### SEDITIONS LITERATURE.

16. THE HONOURABLE MR. R. P. KARANDIKAR: Is prevention in cases of seditious literature enforced in exercise of the powers under the Sea Customs Act (VIII of 1878), section 19?

THE HONOURABLE MR. J. CRERAR: The powers conferred by section 19 of the Sea Customs Act, 1878, may be utilised to prohibit the importation of seditious literature into India.

THE HONOURABLE SAIYID RAZA ALI: Is importation into India of the Right Honourable Ramsay Macdonald's book "The Awakening of India" prohibited under the Sea Customs Act?

THE HONOURABLE MR. J. CRERAR: I submit, Sir, that that question does not arise either out of the original question or my reply.

THE HONOURABLE SAIYID RAZA ALI: That is for you, Sir, to decide whether it does or does not arise.

THE HONOURABLE THE PRESIDENT: I am afraid I am against the Honourable Member.

#### RECONSTITUTION OF THE RAILWAY BOARD.

17. THE HONOURABLE MR. R. P. KARANDIKAR: Regarding the Resolution\* adopted in this Council on 25th September 1922, in the matter of the reconstitution of the Railway Board, it has been said in a recent Government publication that as the scope of the changes, which are to be made, may be affected by the Report of the Retrenchment Committee, no decision could be arrived at until that Report had been received (*vide* last column of Appendix IV of Resumé of work of India's Parliament at Delhi, 1923). Now that the Report of the Retrenchment Committee is already in the hands of Government and as in some matters action has already been taken under it, will Government be pleased to state:—

- (a) What changes have been contemplated now to be effected in the constitution of the Railway Board?
- (b) How far they are affected by the Report of the Retrenchment Committee?
- (c) What action has been taken?
- (d) And what action is about to be taken in furtherance of the Resolution adopted?

THE HONOURABLE MR. D. T. CHADWICK: (a) It is hoped to give full information about the changes contemplated in the memorandum on this year's budget, which will be circulated when the budget is introduced.

\* *Vide* Council of State Debates, Volume III, pages 456-465.

(b) The proposals are based upon the recommendations of the Acworth Committee. The Government of India believe that these recommendations were generally endorsed by the Retrenchment Committee.

(c) Up to date only three appointments in the new reorganisation scheme have been made, namely, those of Chief Commissioner, Financial Commissioner and Chief Mechanical Engineer. All these appointments have been recommended by the Acworth Committee.

(d) No Indians have been selected for the three above appointments. The Resolution referred to by the Honourable Member will be borne in mind in filling up other appointments contemplated in the reorganisation scheme, but it must be remembered that these appointments are such as can only be filled by officers with suitable railway experience and of necessary seniority, and at present there are few Indians in the senior ranks of the railway services.

#### STATISTICAL INQUIRY.

18. THE HONOURABLE MR. R. P. KARANDIKAR: In replying to the Honourable Mr. Kale's Resolution,\* regarding statistics, moved in this Council on 25th September 1922 and adopted with some amendment, the Honourable the Secretary for Commerce observed that the inquiry recommended by the Honourable Member had already been started and agreed that the inquiry should also cover the proposal that the Statistical Abstract of British India should be published in India in future, and that it would be produced in one compact volume.

What progress has been made in the inquiry that had been already started and what action has been taken in giving effect to the Resolution adopted by the Council, beyond that noted in the 5th column of Appendix IV to the Resumé of work of India's Parliament at Delhi, 1922, published by the Director, Central Bureau of Information, Government of India?

THE HONOURABLE MR. D. T. CHADWICK: The Statistical Abstract for British India for 1920-21 was issued in India to the public last December. The issue for 1921-22 should be ready for publication in a few months time. This new issue combines in one volume both the Statistics of British India, which have hitherto been spread over five volumes, and the Statistical Abstract relating to British India, formerly published by the India Office, London.

The Director General of Commercial Intelligence has completed his examination of the question of improving the scope and form of other statistical publications issued by the Commercial Intelligence Department, and his proposals are at this moment under the consideration of the Government of India.

#### CESSES ON TEA, INDIGO, ETC.

19. THE HONOURABLE MR. R. P. KARANDIKAR: Cesses have been levied on tea, indigo, lac and cotton by special legislative measures by the Central Legislature. How far has the object of stimulating research and improving their quantity and marketing conditions been fulfilled?

THE HONOURABLE MR. D. T. CHADWICK: The proceeds of the cess levied under the Indian Tea Cess Act are to be devoted according to section 5 (2) of that Act to "meeting the cost of such measures as the Committee

\* Vide Council of State Debates, Volume III, pages 465-471.

may consider advisable to take for promoting the sale and increasing the consumption in India and elsewhere of teas produced in India." Much work in popularising Indian teas has been done in India and in France and Belgium and also in the United States of America, where, at present, the Tea Cess Committee have a special organisation at work.

The cess on Indigo ceased to be levied with effect from the 1st of August last. Useful work was done out of the proceeds of the cess in connection with the manufacture of Indigo paste in India on a commercial scale.

The Act to provide a fund to be expended for the promotion of the improvement of methods of cultivation and manufacture of lac in India only became law a little over two years ago. Since then assistants have been employed to work in some of the chief lac producing areas and a research station is in process of development.

The cess on cotton was imposed only in March last. There has not been time as yet to judge of its results. Valuable work is being done by the Indian Central Cotton Committee, to whose annual report for 1923 the attention of the Honourable Member is invited.

#### INDIA'S EDUCATIONAL POLICY.

20. THE HONOURABLE MR. R. P. KARANDIKAR: Will Government be pleased to state if the time has come when the whole of India's Educational Policy initiated by the Educational Despatch of 1854, scrutinised by the Education Commission, revised by Lord Curzon in 1904, reviewed by Lord Hardinge (1913) and partially touched by the Saddler Commission, requires considerable change with a view to remove all obstacles in the way of India's self-determination?

THE HONOURABLE SIR NARASIMHA SARMA: With the introduction of the Reforms and the classification of Education as a provincial transferred subject to the extent shown under item 5, Schedule II to the Devolution Rules, the policy alluded to by the Honourable Member is no longer binding in Governors' provinces where, subject to the provisions of sections 52(3) and 80A(3) of the Government of India Act and Rule 49 of the Devolution Rules, the Ministers are competent to evolve their own educational policy.

#### GRIEVANCES OF UNIVERSITY TRAINING CORPS, BOMBAY.

21. THE HONOURABLE MR. R. P. KARANDIKAR: Will Government be pleased to say what steps, if any, Government have taken or contemplate taking for the purpose of removing the following alleged grievances of the University Training Corps, Bombay:—

- (i) No comprehensive set of regulations is as yet published although the attention of the Government to this fact was drawn by the Honourable Mr. Kale in his interpellation No. 101 of September 1922.
- (ii) That members of the Corps, who come to camps of exercise directly from their own homes, are not taken back to their homes at Government expense.
- (iii) The usual steamer or railway concessions that were given to the members of this Corps in 1921 have been discontinued since 1922.

- (iv) Members of this Corps do not get the following bonus allowance or concessions which the members of the Auxiliary Force get:—
- (a) A bonus equivalent to sixteen days' pay (in addition to sixteen days' pay) at the following rates:—
- |                |   |
|----------------|---|
| Private—Rs. 2  | } for a day of four hours' actual work. |
| Corporal—Rs. 3 |   |
| Sergeant—Rs. 4 |   |
- (b) An allowance of four annas per day in addition to their rations (or Rupees 2 as their equivalent) when they are embodied in camp.
- (c) Railway or steamer concessions for the sake of attending parades, etc. (*vide* Great Indian Peninsula Railway Guide for March 1923, pages 181, 182, item No. 7).
- (v) The mileage given to the commissioned officers of the University Training Corps was at the rate of two annas, while the rate sanctioned for the commissioned officers is eight annas per mile.
- (vi) No officers' corps were attached to any regular units although certain officers of this Corps had applied as early as the year 1923 on the assurance given by Government, that such provision has been made, in reply to an interpellation (108) from the Honourable Mr. Kale in September 1922.

HIS EXCELLENCY THE COMMANDER-IN-CHIEF: (i) Provisional Regulations for the University Training Corps have been drawn up and communicated to the local military authorities. The draft of the final regulations is being prepared, and I have given orders that the work should be expedited.

(ii) Under rule, members of the University Training Corps are entitled to conveyance at Government expense when proceeding to and from camps of exercise. The Honourable Member is apparently referring to some particular occasion on which it is alleged that this rule was not observed. I am causing inquiries to be made as to this, and will see that the result is communicated to the Honourable Member as soon as possible.

(iii) Government are not aware that concessions of the kind to which he refers were either given in 1921 or were discontinued since 1922. If the Honourable Member however will give me further particulars of the concessions to which he has referred, I will have the matter investigated.

(iv) (a) Members of the University Training Corps, like all other members of the Territorial Force, are liable to be embodied for military service; but in the case of members of the University Training Corps it is not intended to enforce this liability. As a corollary, members of the University Training Corps undergo a less rigorous course of training, and in particular attend camp for 15 days in each training year instead of 28 days. As a result of their being differentiated in these respects from members of Provincial Battalions of the Territorial Force, members of the University Training Corps are not granted any pay and allowances during training, *vide* rule 17 of the Rules issued under the Indian Territorial Force Act of 1920.

(b) For the reasons which have just been given, no form of pay and allowances is admissible to members of the University Training Corps.

For the period they are in camp, a lump sum grant is placed at the disposal of the Officer Commanding a unit for the purpose of meeting the whole cost of their messing.

(c) Members of the University Training Corps are granted conveyance allowance for the purpose of attending parades at the same rates and under the same conditions as members of the Auxiliary Force. When attending the annual camp, however, members of Railway units of the Auxiliary Force are granted free railway passages on their own railway lines in lieu of railway warrants or travelling allowances.

(v) Government have no information as regards this. I am causing inquiries to be made and will let the Honourable Member know the result in due course.

(vi) Individual applications for attachment are dealt with by the local military authorities, and attachments are not reported to the Government of India. I will, however, call for a special report as regards this matter also, and will communicate the result to the Honourable Member.

#### UNIVERSITY TRAINING CORPS.

22. THE HONOURABLE MR. R. P. KARANDIKAR: Will Government be pleased to state:—

- (a) why Government say in their replies to questions Nos. 100\* and 102 of September 1922 that the University Training Corps is not liable to embodiment if the Indian Territorial Force Act says that the members of this Corps are liable to embodiment in camp for sixteen days in a year;
- (b) whether European Officers of the Bombay University Training Corps are originally members of the Auxiliary Force and as such they are entitled to any pay or allowances for their camp of exercise;
- (c) whether the European officers, referred to above, have received any pay for the camp of exercise in 1921-22 and 1923;
- (d) whether members of the Auxiliary Force get any railway concessions while travelling for parades or otherwise; and
- (e) whether similar concessions are extended to the members of the Indian Territorial Force also and, if the reply is in the negative, the reasons why they are not extended to them?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF: (a) I regret to say that the statement made on the occasion mentioned by the Honourable Member was not accurate. I have now made the actual position clear in my reply to part (iv) of the Honourable Member's previous question.

(b) The European officers referred to are commissioned in the Auxiliary Force and attached to the University Training Corps. They are not entitled to any pay and allowances for the period of the camp of exercise.

(c) The answer is in the negative.

(d) & (e) As stated in my reply to part (c) of the Honourable Member's previous question, members of the Auxiliary Force and of the University Training Corps receive the same concessions in respect of conveyance allowance for the purpose of attending parades. They are both granted free conveyance by rail when proceeding on duty.

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\* Vide Council of State Debates, Volume III, pages 169 and 170.



## STATEMENT LAID ON THE TABLE.

THE HONOURABLE MR. A. C. McWATTERS (Finance Secretary): Sir, I beg to lay on the table a statement regarding important financial questions outstanding between His Majesty's Government and the Government of India. This is with reference to the question\* asked by the Honourable Sir Purshotamdas Thakurdas in this House on the 16th July last.

*Statement regarding important financial questions outstanding between His Majesty's Government and the Government of India.*

(1) *Pension claim by War Office against India.*—This claim, which exceeds £25 millions and may be as much as £40 millions, represents a share of pensions arising out of casualties amongst British Troops who had served in India and who were employed in the Great War. The claim has been made with reference to an agreement entered into in 1870 between the India and War Offices. It is understood that this agreement is interpreted differently by the two offices the former holding that it could not have been intended to apply against India in a war of the magnitude of the Great War, while the latter argue that it was subject to no qualification.

(2) *India's further contribution to the Great War.*—In September 1918 the Indian Legislative Council offered certain additional financial assistance to His Majesty's Government towards the prosecution of the Great War on the conditions, (i) that there was no costly conflagration on the Indian frontier and (ii) that the general agricultural and financial situation of India permitted it. On the assumption that the Great War would last till March 1920, the offer involved a payment by India to His Majesty's Government of about £49 millions which included about £4 millions on account of pensionary charges of British Troops. The Great War terminated earlier. The 3rd Afghan War broke out and the agricultural situation proved worse than anticipated, with the result that in March 1920 the Legislative Council reconsidered their offer and reduced the total amount of the contribution to £13,600,000. This amount which was paid to the War Office in 1918-19 also included £4 millions on account of pensionary charges of British Troops. But His Majesty's Government would not accept as correct the figure of £4 millions as against their estimated claim for pensionary charges of British troops, *vide* Item (1). The Secretary of State has informed the Government of India that the matter was being referred to the Cabinet in England.

(3) *Expenditure in East Persia.*—During the Great War and especially towards the end of 1917 and the beginning of 1918 it was necessary to send large Military Forces from India to East Persia. The expenditure on these forces to end of 1920-21 has been debited to the War Office in the same way as charges of Military Forces despatched from India to other theatres. In view of the Military and Political interests that India possessed in East Persia the War Office deemed to bear the entire charges in this region, but it is uncertain whether they are maintaining this attitude. As expenditure in East Persia was not recorded separately in the accounts, it is not possible to state the amount disputed.

(4) *Charges of Surplus officers of the Indian Army.*—Owing to the expansion of the Indian Army during the period of the great war the strengths of officers of the Indian Army were augmented by recruitment of a large number of officers who were granted permanent commissions. With the cessation of hostilities and the post war reduction of the Army in India about 1,800 officers, mostly in the junior ranks, became surplus to requirements. These are being retired from April 1922 under special terms. The question of the basis of apportionment between England and India of the charges involved in the maintenance of the surplus officers and in the grant of special concessions on being retired, is still under discussion between the India and War Offices, the Secretary of State and the Government of India claiming 60 per cent. on the basis of the numbers recruited for special formations during the Great War, while the War Office would appear to have accepted only 50 per cent. of the charges. In a communication received in May 1923 the India Office apprehended that the matter might have to go to arbitration. The total amount requiring apportionment is about £5 millions.

(5) *Disbandment of British Troops.*—The organisation of the Post War Army in India involves permanent reductions in the strengths of British troops as compared with the pre-war sanctioned establishments. The expenditure connected with the maintenance and disbandment of the surplus troops is an Indian liability, but it will

\* *Vide* Council of State Debates, Volume III, pages 1485-1486.

be incurred in England along with similar charges relating to disbandment of Surplus British troops on Imperial Establishment. The apportionment between the two Governments is still under discussion. The total amount involved is not yet known.

(6) *Exchange concession on War gratuities*.—War Gratuities fixed in sterling and payable on 4th August 1919 were sanctioned for British officers and other ranks as a reward for service during the great war. The cost of the gratuities in excess of the amount calculated for the normal strengths of officers and men on the Indian establishment was an Imperial liability. The rate of exchange on 4th August 1919 was 1s. 8d. the rupee. The Government of India acting upon what they believed to be the intentions of His Majesty's Government according to a telegram received from the Secretary of State, however, paid the gratuities at 1s. 4d. the rupee to British soldiers serving in India and Mesopotamia on that date. Subsequently the Secretary of State acting on what he believed to be the intention of His Majesty's Government, authorised the payment by the Government of India of war gratuities at the same rate to British officers. The loss by exchange debited to the War Office under these arrangements was estimated at £200,000 in 1921 and this amount was provisionally refunded to the War Office in 1920-21. The Government of India protested and the matter went to arbitration in England. The award of the arbitrator was against India.

(7) *Future administration of Aden and incidence of cost*.—A brief history of this item will be found at paragraphs 22 and 23 of the Retrenchment Committee's report on Political expenditure.

It has been suggested by the Government of India that the existing financial arrangement should be revised. The question is still under discussion.

(8) *Expenditure in Persia*.—Following the recommendations of the Welby Commission, diplomatic and consular expenditure in Persia is being shared equally between the Home and Indian Governments. In view of the fact that Indian interests in Persia have not increased as rapidly as Imperial interests, it has been suggested that this division is no longer fair and that since Indian interests are mainly confined to East Persia, it would be preferable to avoid divided expenditure where possible. Proposals to this end have been submitted for consideration by His Majesty's Government.

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BILL AS PASSED IN 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 the Bill to regulate the entry into and residence in British India of persons domiciled in other British possessions, which was passed by the Legislative Assembly at its meeting held on the 27th July, 1923.

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BILLS ASSENTED TO BY HIS EXCELLENCY THE VICEROY.

THE SECRETARY OF THE COUNCIL: Sir, information has been received that His Excellency has been pleased to grant his assent to the following Bills:

The Mahendra Partab Singh Estates Act, 1923.

The Moorshedabad (Amendment) Act, 1923.

The Code of Civil Procedure (Amendment) Act, 1923.

The Indian Income-tax (Further Amendment) Act, 1923.

The Indigo Cess (Repealing) Act, 1923.

The Code of Civil Procedure (Amendment) Act, 1923.

The Special Marriage (Amendment) Act, 1923.

The Indian Territorial and Auxiliary Forces (Amendment) Act, 1923.

The Indian Lunacy (Amendment) Act, 1923.

The Indian Army (Amendment) Act, 1923.

The Cutchi Memons (Amendment) Act, 1923.

The Code of Criminal Procedure (Further Amendment) Act, 1923.

The Indian Paper Currency (Amendment) Act, 1923.

The Code of Criminal Procedure (Second Amendment) Act, 1923.

The Land Acquisition (Amendment) Act, 1923.

The Indian Ports (Amendment) Act, 1923.

The Indian Electricity (Amendment) Act, 1923.

The Charitable and Religious Trusts (Amendment) Act, 1923.

The Mussalman Wakf Act, 1923.

The Indian Stamp (Amendment) Act, 1923.

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### CRIMINAL TRIBES BILL.

THE HONOURABLE MR. G. S. KHAPARDE (Berar: Nominated Non-Official): Sir, I ask for leave to introduce a Bill to consolidate the law on the subject of Criminal Tribes.

This legislation was, I believe, taken up as early as 1911 and since then periodically it has been coming up before the Legislature and as many as four amendments have been made to the original Act of 1911. So the law has got considerably scattered and I believe it is somewhat difficult to ascertain. Honourable Members will remember that last year, when the last amendment came up here, my Honourable friend Mr. Raza Ali proposed a number of amendments and it turned out that he was looking at an old Act and the new amendments did not appear to have attracted his notice at all. (*The Honourable Saiyid Raza Ali*: "They were not in the book".) I think he was using a copy made over to him by the library of our office and that copy had not been brought up-to-date by pasting those little bits, which they call slips, to indicate the amendments. That, I understand, is both interesting and amusing. As a rule, beneficial things are not amusing, but that one was. The problem of gathering law is a difficult one and involves the question of putting the amendments into their proper places, construing them, and so on. So this law has become rather difficult. As the original object of this law is the reclamation of these criminal tribes, as was explained, I believe, last year by the Honourable the Home Member, it is proper and meet that the whole law should be put together in one place, so that hereafter anybody wishing to have anything to do with this law may find everything put together in one place. The present Bill contains nothing new. It is only a consolidation of amendments and putting them into their proper places and bringing, so to say, the Act of 1911 up to date. Every proposition that is embodied in this new Bill has already been assented to by this Honourable Council before and I trust it is not necessary for me to explain the provisions or to indicate the principle of the Bill. I think I explained last year that these criminal tribes have a historical origin. They had their origin in the circumstances obtaining at one time, but, under altered conditions, we have no use for them and therefore the endeavour is to reclaim them and make them into respectable citizens. I do not think it is necessary at this time to explain the Bill further. So I ask for leave to introduce it.

THE HONOURABLE THE PRESIDENT: The question is:

"That leave be given to introduce a Bill to consolidate the law relating to Criminal Tribes."

The motion was adopted.

THE HONOURABLE MR. G. S. KHAPARDE: Sir, I introduce the Bill.

### INDIAN TOLLS BILL.

THE HONOURABLE DR. MIAN SIR MUHAMMAD SHAFI (Law Member): Sir, I rise to ask for leave to introduce a Bill to consolidate the law relating to Tolls on Public Roads and Bridges.

This Bill, which is a pure measure of consolidation, is one of the minor products of the energies of the Statute Law Revision Committee in the performance of whose duties you, Sir, as is well known, played an outstanding part. I referred to the Bill as one of the minor products of the Statute Law Revision Committee only because the number of Acts to be consolidated is not very large nor are the Acts themselves very long, and at the same time the progress of municipal and local self-government during the last half century has been such as considerably to curtail the scope of their operation. In fact, the main object of the Bill is to enable us, when we republish a revised edition of the General Statutes, to get rid of several old Acts, which, by reason of various repeals and amendments, render the law which they lay down somewhat difficult to ascertain. The scope of the Bill is fully explained in the Statement of Objects and Reasons, the contents of which it is unnecessary for me to recapitulate. I would merely point out that it contains no intentional change of the law. I accordingly commend the Bill to the Council and take this opportunity of thanking the Statute Law Revision Committee, and more especially you, Sir, as their President, for what I think I may describe as a useful little piece of legislation. Sir, I move that leave be given to introduce the Bill.

THE HONOURABLE SAIYID RAZA ALI: May I just ask the Honourable Member through you, Sir, whether this measure of consolidation has been published in the Gazette or not?

THE HONOURABLE DR. MIAN SIR MUHAMMAD SHAFI: It has not yet been published.

THE HONOURABLE SAIYID RAZA ALI: Sir, I regret that I am not in a position to offer any comment on the necessity which has led to this branch of the law being proposed to be consolidated. The one point with which I am concerned at this stage is that, unfortunately, it has been the tendency of Government, so far as this Chamber is concerned, to bring forward consolidation measures without either publishing them in the Gazette or supplying the Honourable Members with advance copies. There may have been some little justification in the case of the Honourable Mr. Khaparde in springing his proposed consolidation measure on this Council, but that justification becomes much less, if I may be permitted to say so, in the case of the Leader of the House. The result of such measures being brought before this Council without any sort of previous information or publication, is that a very useful stage, namely the stage of introduction, is allowed to go by without Honourable Members of this Council being in a position to help the Government or the public with their criticism and

[Saiyid Raza Ali.]

advice. I know, Sir, there will be opportunities coming forward when we will be in a position to go into this measure, but I submit that, unless it is absolutely necessary, measures of this character should not be brought forward, unless they have been either published in the Gazette, or unless information has been given to Honourable Members.

**THE HONOURABLE DR. MIAN SIR MUHAMMAD SHAFI** (Law Member): Sir, as I explained in my opening speech, this is purely a measure consolidating various provisions in the law relating to the subject-matter of this Bill and does not introduce any change in the law as it stands at present. In these circumstances I respectfully submit that it was neither necessary nor from any point of view desirable, either to publish the Bill beforehand in the *Gazette of India*, or to supply Honourable Members with copies. Copies have been placed before the Honourable Members and when they come to look into the Bill, they will find that my statement that the Bill enacts nothing new but merely consolidates the existing law, is correct.

**THE HONOURABLE THE PRESIDENT:** The Honourable Member raises a point which seems to me to involve some question of practice. I therefore propose to say a few words. If I understand the Honourable Member rightly, he complains that the Bill has not been published. The effect of a Bill being published by direction of the Governor General is not only to enable this Council to have full knowledge of it, it is entirely to defeat the introduction stage. I do not know if the Honourable Member wished that. Publication by the Governor General takes the place of introduction. I do not understand the Honourable Member's point on that. If it is the Honourable Member's desire that there should be a debate on the introduction of the Bill, then publication would defeat that. I would further draw his attention to the fact that it is clearly the intention of the Rules and Standing Orders that the procedure on introduction of a Bill should be mainly formal. I would refer him to Standing Order 36, which I shall read to the Council:

"If a motion for leave to introduce a Bill is opposed, the President, after permitting, if he thinks fit, a brief explanatory statement from the member who moves and from the member who opposes the motion, may without further debate, put the question."

Now that clearly indicates that this Council has adopted in Standing Orders the same rule as the rule in the House of Commons, that is if the introduction of a Bill is opposed, the matter is brought to a short conclusion by the question being put. So I think the Honourable Member is really attacking the procedure not of the Government of India but of this Council, and if he feels that we are not right in adopting this short method of introducing Bills, I would ask him to consider whether he should not move for the amendment of the Standing Orders. As the Orders now stand, I fail to see how, if Government had published this Bill, any discussion would have taken place.

**THE HONOURABLE LALA SUKHBIR SINHA** (United Provinces: Non-Muhammadan): With your permission I would like to raise another objection to this Bill. So far as my opinion goes, I think it is a Provincial subject and it will be better if the subject is left to the Provincial Governments to deal with.

**THE HONOURABLE THE PRESIDENT:** Does the Honourable Member oppose the introduction?

THE HONOURABLE LALA SUKHBIR SINHA: Yes, and I would like to have it referred to the Provincial Governments to take the matter up instead of moving it here.

THE HONOURABLE THE PRESIDENT: Then I shall put the motion.

The question is:

"That leave be given to introduce a Bill to consolidate the law relating to Tolls on Public Roads and Bridges."

The motion was adopted.

THE HONOURABLE DR. MIAN SIR MUHAMMAD SHAFI: I beg to introduce the Bill.

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#### OFFICIAL BUSINESS FOR THE 5TH FEBRUARY, 1924.

THE HONOURABLE DR. MIAN SIR MUHAMMAD SHAFI (Law Member): Sir, I understand that Honourable Members have recently been circularised in regard to official business which is likely to come before this House early in February. I am not in a position to make any definite announcement as to other official business to be brought forward, but it is probable that on the 5th February motions will be made that the two Bills which have been introduced to-day be taken into consideration.

THE HONOURABLE THE PRESIDENT: That concludes the business of the day. I would like merely to remind Honourable Members that our attendance is commanded by His Excellency to-morrow in the other building. I adjourn this Council to Monday, the 4th of February at 11 O'clock.

The Council then adjourned till Eleven of the Clock on Monday, the 4th February, 1924.

# **Council of State.**

## ***The President :***

THE HONOURABLE SIR ALEXANDER MUDDIMAN, KT., C.S.I., C.I.E., I.C.S.

## ***Panel of Chairmen :***

THE HONOURABLE SIR MANECKJI DADABHOY, KT., C.I.E.

THE HONOURABLE SIR ZULFIQAR ALI KHAN, KT., C.S.I.

THE HONOURABLE SIR ARTHUR FROOM, KT.

THE RIGHT HONOURABLE V. S. SRINIVASA SASTRI, P.C.

## ***Secretary :***

MR. L. GRAHAM, C.I.E., I.C.S.

## ***Assistants of the Secretary :***

MR. W. T. M. WRIGHT, I.C.S.

MR. S. C. GUPTA, BAR.-AT-LAW.

MR. G. H. SPENCE, I.C.S.

## ***Committee on Petitions :***

THE HONOURABLE MR. PHIROZE C. SETHNA—*Chairman.*

THE HONOURABLE MAHARAJA BAHADUR KESHAVA PRASAD SINGH, C.B.E., OF DUMRAON.

THE HONOURABLE COLONEL NAWAB SIR UMAR HAYAT KHAN, K.C.I.E., C.B.E., M.V.O.

THE HONOURABLE SIR ANNAMALAI CHETTIYAR, KT.

THE HONOURABLE LALA SUKHBIR SINHA.