

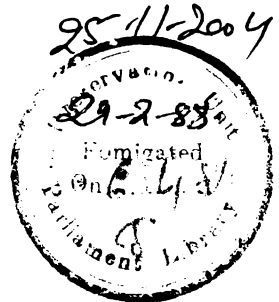
Wednesday, 18th February, 1925

THE
COUNCIL OF STATE DEBATES

Volume V

(20th January to 26th March 1925)

FIFTH SESSION
OF THE
COUNCIL OF STATE, 1925



DELHI
GOVERNMENT OF INDIA PRESS
1925

MONDAY, 9TH FEBRUARY 1925—

Questions and Answers	107—125
Resolution <i>re</i> Improvement of the Status and Condition of Indians Overseas—Not moved	125—126

WEDNESDAY, 11TH FEBRUARY 1925—

Questions and Answers	127—143
Message from the Legislative Assembly	143
Resolution <i>re</i> Amendment of the Natal Boroughs Ordinance—Not moved	143—144
Resolution <i>re</i> University Training Corps—Moved and Discussion Adjourned till after the 24th February, 1925	144—155
Presentation of the Report of the Select Committee on the Amendment of the Standing Orders	155
Statement of Business	155—156

MONDAY, 16TH FEBRUARY 1925—

Questions and Answers	157—159
Bill passed by the Legislative Assembly laid on the Table	159
Messages from His Excellency the Governor General	159—160
Amendment of the Law relating to Interest Bill—Rejected	160—164
Resolution <i>re</i> Supply of Ganges Water at and below Narora—Adopted	164—188

TUESDAY, 17TH FEBRUARY 1925—

Statement laid on the Table	189
Indian Soldiers (Litigation) Bill—Amendments made by the Assembly agreed to	189—191
Indian Ports (Amendment) Bill—Introduced	191—192
Resolution <i>re</i> Appointment of a Member of the Council of State to the Governing Body of the Lady Hardinge Medical College, Delhi—Adopted	192
Election of the Panel for the Standing Committee on Emigration—Adopted	193
Resolution <i>re</i> Investigation into the Mineral Resources of Chota Nagpur, etc.—Adopted as amended	193—201

WEDNESDAY, 18TH FEBRUARY 1925—

Death of Sir Leslie Miller	203—207
-----------------------------------	---------

FRIDAY, 20TH FEBRUARY 1925—

Member Sworn	209
Bill passed by the Legislative Assembly laid on the Table	209
Question and Answer	209—210
Railway Budget for 1925-26	210—222
Election to the Panel for the Standing Committee on Emigration	222
Indian Income-tax (Amendment) Bill—Passed	222—223
Indian Ports (Amendment) Bill—Passed	223—224
Amendment of the Standing Orders—Passed as amended	224—225
Election of Panels for Standing Committees—Adopted	225—226

COUNCIL OF STATE.

Wednesday, 18th February, 1925.

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

DEATH OF SIR LESLIE MILLER.

THE HONOURABLE THE PRESIDENT: In the short interval which has elapsed since the House adjourned yesterday, it has sustained a grievous loss in the death of one of its most prominent and respected members. Sir Leslie Miller was but a few days ago sitting in his accustomed seat on the Madras benches, and though we all knew that he was ill and that a very serious view was taken of his illness, yet it must inevitably come as a great shock to the House to realise that it will see his face in the Council no more. I take for myself, and I am glad to give the House, this earliest opportunity of expressing our deep sense of sorrow at our loss and of expressing also our profound sense of sympathy with Lady Miller in her sad bereavement. I had known Sir Leslie Miller only since the time he came to this House as a Member. I have no doubt there are several here who have known him far longer than that. He occupied a seat here which was ordinarily reserved for the official representative of the Madras Government, and it is a striking commentary on his fairness, his ability and his soundness of judgment that on more than one occasion the Government of Madras have requested that he should be nominated to represent the Presidency when they might have sent an official. Sir Leslie Miller spent more than forty years of his life in India. As an official in the first place of the British Government, he rose to one of the highest offices that it falls to the lot of members of the Indian Civil Service to fill; and thereafter he gave ten years of his life in the service of one of the greatest States of India. On vacating his office as Chief Judge of the Chief Court of Mysore, he continued to serve the public as a Member of this House. How fully the confidence of the Madras Government in selecting him as their representative was justified this House is fully aware. Sir Leslie Miller never spoke unless he had some weighty contribution to make to the debate; and I venture to say without contradiction that there has been no Member of the Council of State whose opinions have carried greater weight on both sides of the House and have exercised greater influence on the course of debates in this Chamber. Honourable Members will later in the day have an opportunity of paying their last tribute of respect to our late colleague, and I feel sure that the House will desire me to have placed on record and communicate to Sir Leslie Miller's widow its profound sense of loss and sorrow and its deep sympathy with her in her bereavement.

THE HONOURABLE SIR NARASIMHA SARMA (Law Member): Sir, it is with a profound sense of sorrow and a heavy heart that I rise in my seat to associate myself with every word that has fallen from you. I had known Sir Leslie for nearly 30 years. I knew him first as District Magistrate and Collector of Vizagapatam. I appeared before him as a

[Sir Narasimha Sarma.]

vakil both in Vazagapatam and in Madras when he presided ably over the Madras High Court. He was always known for his ability, for his painstaking hard work, for his impartiality and the conscientious discharge of the duties of his office. Every one that knew him respected him for all that is best in the British character. He was a very sound lawyer. His judgments always inspired confidence and respect, and we, the practitioners of the time in the Madras High Court, felt that that Court was sustaining a very heavy loss when Sir Leslie Miller severed his connection therewith to be translated to another sphere of activity, to preside over the judiciary in Mysore. It was the good fortune of India that Sir Leslie Miller, after retirement, settled down in this country, and in the fact that on two occasions he complied with the request of the Madras Government to represent that Province in this Council; you have a clear indication therein of the high sense of duty which characterised him throughout his life. The Honourable the President was perfectly right when he said that Sir Leslie Miller spoke but on a few occasions and that he spoke only on those occasions when he had something real to say, and I can testify to the profound respect which he inspired on both sides of the House whenever he made any pronouncement on a controversial question. He was known for his impartiality in this House. He was neither a Government man nor a non-official man. He judged impartially every question that arose, and I think this House has really sustained a very heavy loss by the sad death of Sir Leslie Miller. He was a distinguished son of a distinguished father who was Law Member for many years in the Government of India. He was connected with India for more than forty years, and I think it is but right that this House should show in some signal way its mark of respect for his memory. I am sure there will be the unanimous vote of this House in expressing its profound sympathy with his widow and the other members of his family in the sad loss they have sustained.

THE HONOURABLE SIR MANECKJI DADABHOY (Central Provinces: General): Sir, on behalf of my non-official colleagues and on my own behalf, I associate myself with all that has fallen from you and from the Honourable the Leader of this House. We have received the news of the sad death of one of our most respected colleagues with profound sorrow. Sir Leslie Miller had inspired confidence by his rare impartiality and his great learning among the non-official members of this Council. Not only was he a profound lawyer, but he was a man of strong common sense, and he brought to bear that gift on some of the most complicated debates that took place in this House. He was always ready to lend his valuable assistance and to place his store of knowledge and information at the disposal of his colleagues whenever it was sought for, and I myself on various occasions had consulted him on important questions involving intricate legal points, and he always gave his advice and assistance readily and cheerfully. Sir, by his death this Council loses a real and priceless ornament. As you said, Sir, he spoke very rarely, but when he spoke in this House his utterances commanded profound respect from both sides of the House. I have nothing further to add, but to suggest to you, Sir, that as a mark of respect to his memory, you will be pleased to adjourn this House to-day.

THE HONOURABLE SIR ARTHUR FROOM (Bombay Chamber of Commerce): Sir, on behalf of the non-official Europeans in this Council, I

wish to support the very seemingly proposal of my Honourable friend Sir Maneckji Dadabhoy that you should adjourn the House to-day as a mark of respect for the memory of our late colleague, Sir Leslie Miller. I have not known Sir Leslie Miller so long as the previous speakers, but I have known him since he was a Member of the Council of State, and I do not think that I can pay a greater tribute to his memory than to say that we all mourn his loss very deeply and sincerely.

THE HONOURABLE MR. K. V. RANGASWAMI AYYANGAR (Madras: Non-Muhammadian): Sir, my memory of Sir Leslie Miller dates from my 15th year. He was the District Judge of my district. He was a very great friend of my father, and we used to go to him when we were little children. He was our adviser and used to take great interest in us. From my knowledge I can say that we learnt to have respect and regard for British justice only through administrators like Sir Leslie Miller. He was sitting by my side in the Council of State for four years excepting the last one year, and his impartial decisions on many of the subjects were so important and impressive that Government had to yield on many points. It was only the other day that myself and Mr. Khaparde approached him in connection with the Priest's Bill brought in the Assembly by Mr. Lathe and it was only through his sagacity and impartiality in this Council that Mr. Khaparde and myself won our point of view here. It is with very great heaviness of heart that I learn the news of his death just now, and I beg to associate myself on behalf of the non-official Members in condoling with his family on his death. It is very unfortunate that he should come away here to Delhi from Madras to die here but he has had the satisfaction that he died in harness in the service of the country which adopted him.

THE HONOURABLE SIR DINSHAW WACHA (Bombay: Nominated Non-Official): Sir, it is a very sad loss to lose so valuable a Member as Sir Leslie Miller. Every word that has fallen from you and from the other friends of course I entirely agree with. In fact, he had a judicial mind about him and his judicial equanimity was always evident in his conduct and action. He belonged to this "Council of Elders" and I believe perhaps we had no better elder among us than Sir Leslie Miller. For the last five years I have known him as such. I associate myself with all the other Members in mourning his loss and in the desire that we should adjourn for the day as a mark of respect and expression of sympathy to his widow.

THE HONOURABLE DR. SIR DEVA PRASAD SARVADHIKARY (West Bengal: Non-Muhammadian): Sir, I desire to associate myself and my Honourable friends from Bengal with all that has been said on this mournful occasion. Short as our acquaintance with him here was on this Council, Sir Leslie impressed everyone that came in contact with him with the sterling qualities of head and heart with which he was so generously endowed. He was one of those old-world figures who attracted you the moment you saw him, and he was always ready to give the best that was in him in any service that was demanded of him. What made the deepest impression on us was that even after he had earned his pension and rest, he decided to settle down in our midst and still continue to give what was best in him to the service of the country which he had served so well. That was a feature of his career that influenced Indians very largely in their estimate of him, and one cannot help feeling now and again that more men of that type associated with us would be a distinct help to the discharge of public duties that are daily becoming more and more

[Sir Dava Prasad Sarvadhikary.]

onerous. There is something very noble in being permitted to die in harness and Sir Leslie literally died in harness, attending, in spite of his advanced age and failing health, to his duties here which he need never have taken up. There is also a tragic element in it, that these tolls are becoming frequent, away from Honourable Members' homes when they come here to do their duty. We all feel for Lady Miller and the members of the family; we entirely support the proposal about communicating to the family our deep sympathy in their bereavement; we also request that the House should be adjourned as a mark of honour to his memory.

THE HONOURABLE MR. G. S. KHAPARDE (Berar: Nominated Non-Official):* Sir, on this occasion I speak with a sense of personal loss. I never knew Sir Leslie Miller before, but during the time that he was a Member here, I distinctly remember that on three occasions when there appeared to be a great difficulty, and a proposition for which I was fighting appeared to be on the point of being lost, I then approached Sir Leslie Miller and he very kindly helped me; and such was his great power and eloquence or rather the weight attached to all that he said that the House turned, and I was able to carry my three propositions which I could never have otherwise done. It has always been the practice with me during the time that he has been in this House that on all knotty and difficult points I always went and had a talk with him and I always said to him that in coming to India in the second generation he was something like the old Anglo-Indian families and he had inherited his friendship for us. He could easily understand our feelings and when there were points on which he could not understand, I explained the matter to him and it eventually ended in agreement. If gentlemen who have served here send their sons to this place in that way they establish a kind of hereditary link, and these links are stronger than those of interest. This sympathy and understanding to my mind always is stronger than the interest which prevails at the particular moment. I can hardly realise that he could have passed away because it was only a few days ago that, standing in this verandah here, he told me how he had been ill in England and how he came here and expected to recover here in the climate that he liked. Well, he adopted India as his country and I am very sorry indeed that India is unfortunate in not being able to retain him longer for the service of the country which he had adopted. I heartily associate myself with what has fallen from most of the Honourable Members who have spoken before me and it is only a poor thing that we can do to convey our condolences to his family and his widow.

THE HONOURABLE SAIYID RAZA ALI (United Provinces East: Muhammadan): Sir, I rise to give expression to the deep sense of sorrow with which the news of the death of Sir Leslie Miller has been heard by this House. To the Members of the legal profession in this country, Sir Leslie Miller had been known as a distinguished judge for many years past, but it is not so much of his attainments, high as they were, as a judge that I wish to speak as of the silent and sound work that he performed on the non-official benches as a Member of this Council. Sir Leslie Miller was the one Member who was well known for his readiness to appreciate the viewpoint of his adversary in debate. As you have pointed out, Sir, he did not speak very often but, whenever he spoke, he made a real con-

* Not corrected by the Honourable Member.

tribution to the debates and, whenever he lent the weight of his speech to any speaker, that speaker could rest assured that Sir Leslie Miller's support would have a great effect on this House. Sir, we send our sincere sympathy to the widow and other members of the family of the deceased and it is but meet and proper that as a mark of respect to the memory of Sir Leslie Miller, this House should adjourn for the day.

THE HONOURABLE SARDAR CHARANJIT SINGH (Punjab: Nominated Non-Official): Sir, on behalf of the Punjab Members I beg to associate myself with every word that has fallen from you and from other Honourable Members on the sad and sudden death of our late Colleague Sir Leslie Miller.

THE HONOURABLE MR. HAROON JAFFER (Bombay Presidency: Muhammadan): Sir, I join in the sorrow expressed by you and other Members on the sad and untimely death of our late Colleague Sir Leslie Miller. I agree that the House should adjourn in memory of the deceased. I suggest, Sir, that at the funeral to-day a wreath on behalf of the Members of this Council be placed by you on the grave of the deceased.

THE HONOURABLE RAJA SIR RAMPAL SINGH (United Provinces Central: Non-Muhammadan): *Sir, on behalf of the United Provinces I rise to associate myself with the tribute that has been paid to the memory of Sir Leslie Miller. It is a matter of great sorrow that we have lost a Colleague whose ripe experience and judgment were always at our service in the debates. I quite agree that in respect to the memory of our deceased Colleague the House should be adjourned to-day and a wreath may be placed on his grave as has been suggested by my friend Khan Bahadur Ibrahim Haroon Jaffer, on behalf of this House.

THE HONOURABLE THE PRESIDENT: I take it as the unanimous desire of the House that I should convey to Sir Leslie Miller's widow the sentiments expressed here to-day and to assure her of our deep sorrow and our profound sympathy with her in her grievous loss. I take it that it is also the unanimous desire that the House should adjourn without taking up the business of the day as a mark of respect to the memory of our late Colleague. The Council will now adjourn till Friday, the 20th, at 11 o'clock.

The Council then adjourned till Eleven of the Clock on Friday, the 20th February, 1925.

* Not corrected by the Honourable Member.