

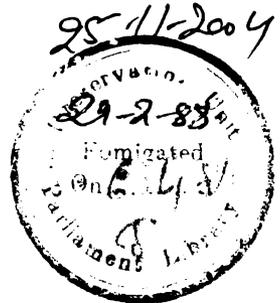
Wednesday, 18th March, 1925

THE
COUNCIL OF STATE DEBATES

Volume V

(20th January to 26th March 1925)

FIFTH SESSION
OF THE
COUNCIL OF STATE, 1925



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	PAGES.
WEDNESDAY, 4TH MARCH 1925—	
Questions and Answers	429—433
Resolution <i>re</i> Restriction of the use of Opium to Medicinal purposes only—Negatived	433—450
Succession Certificate (Amendment) Bill—Introduced and referred to Joint Committee	450—461
Prisons (Amendment) Bill—Passed as amended	461
Statement of Business	462—463
THURSDAY, 5TH MARCH 1925—	
General discussion on the General Budget	465—524
Bills, passed by the Legislative Assembly laid on the Table	494
Message from the Legislative Assembly	494
THURSDAY, 12TH MARCH 1925—	
Members Sworn	525
Question and Answer	525
Statements laid on the Table	526—529
Cantonments (House-Accommodation Amendment) Bill—Passed	529
Indian Merchant Shipping (Second Amendment) Bill—Passed	529—537
Cotton Ginning and Pressing Factories Bill—Passed	537—549
Statement of Business	549—550
MONDAY, 16TH MARCH 1925—	
Member Sworn	551
Questions and Answers	551—561
Resolution <i>re</i> Recommendation of the North-West Frontier Inquiry Committee—Withdrawn by leave of the Council	561—585
Resolution <i>re</i> Utilisation of interest on Post Office Savings Bank Deposits opened by Muhammadans—Discussion postponed to the Simla Session	585—596
WEDNESDAY, 18TH MARCH 1925—	
Member Sworn	597
Resolution <i>re</i> Inalienability and Impartibility of self-acquired or absolutely owned Estates—Withdrawn	597
Election of a Panel from which a Member will be nominated to the Governing Body of the Lady Hardinge Medical College, Delhi—Motion adopted	597—598
Statement of Business	598—599
Message from the Legislative Assembly	599
Finance Bill passed by the Legislative Assembly laid on the Table	599
Consideration of the Indian Finance Bill in the Council of State	599—600
Election of a Panel from which a member will be nominated to the Governing Body of the Lady Hardinge Medical College, Delhi	600
FRIDAY, 20TH MARCH 1925—	
Question and Answer	601
Message from the Legislative Assembly	602
Bills passed by the Legislative Assembly laid on the Table	602
Indian Finance Bill—Passed as amended	602—654
Death of the Marquis Curzon	654
Statement of Business	654—655

COUNCIL OF STATE.

Wednesday, 18th March, 1925.

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

MEMBER SWORN:

The Honourable Lieutenant-Colonel Stewart Blakely Agnew Patterson, C.I.E. (Political Secretary).

RESOLUTION *RE* INALIENABILITY AND IMPARTIBILITY OF SELF-ACQUIRED OR ABSOLUTELY OWNED ESTATES.

THE HONOURABLE MR. K. V. RANGASWAMI AYYANGAR (Madras: Non-Muhammadan): Sir, since giving notice of this Resolution,* I consulted some of the non-official Members and they are of opinion that, instead of asking the Government to introduce a Bill, it would be better for me to introduce a Bill on this subject, and I propose to introduce a Bill next Session; and so I do not ask Government to introduce a Bill as implied in this Resolution. Therefore I do not move the Resolution at all.

THE HONOURABLE THE PRESIDENT: Will the Honourable Member please withdraw his Resolution?

THE HONOURABLE MR. K. V. RANGASWAMI AYYANGAR: I do not propose to move this Resolution at all. I do not know if it is necessary to withdraw it.

THE HONOURABLE THE PRESIDENT: I can assure the Honourable Member that it is necessary; he must either move or withdraw.

THE HONOURABLE MR. K. V. RANGASWAMI AYYANGAR: I withdraw this Resolution.

ELECTION OF A PANEL FROM WHICH A MEMBER WILL BE NOMINATED TO THE GOVERNING BODY OF THE LADY HARDINGE MEDICAL COLLEGE, DELHI.

THE HONOURABLE SIR MUHAMMAD HABIBULLAH (Education, Health and Lands Member): I beg permission to make a motion as a result of a Resolution which had been passed by this House on the 17th

* "This Council recommends to the Governor General in Council that at an early date an all-India consolidated Act be introduced in the Central Legislature as an enabling measure to provide for making self-acquired or absolutely owned estates inalienable and impartible."

[Sir Muhammad Habibullah.]

February to the effect that the Governor General in Council be pleased to take steps to secure the appointment to the Governing Body of the Lady Hardinge Medical College of one Member of this House to be nominated by him from a panel of three Members to be elected by this House. To give effect to that Resolution, Sir, I ask your permission to move to-day the following:

“That this Council do proceed to elect a panel of three Members from which one Member will be nominated by the Governor General in Council to serve on the Governing Body of the Lady Hardinge Medical College, Delhi.”

I ask your special permission inasmuch as this does not appear on the agenda for to-day. My only reason for asking your special permission is that, inasmuch as we have come at last to the end of the Session, I am anxious that this Governing Body should be constituted on the lines of the request of that body itself.

THE HONOURABLE THE PRESIDENT: As this matter was very recently before the Council, and as the Council has in principle approved the appointment of one Member to the Governing Body of the Lady Hardinge Medical College, I think there is no reason why the Honourable Member's motion should not be put to the House now, though it is not on the list of business.

THE HONOURABLE THE PRESIDENT: The question is:

“That this Council do proceed to elect a panel of three Members from which one Member will be nominated by the Governor General in Council to serve on the Governing Body of the Lady Hardinge Medical College, Delhi.”

The motion was adopted.

THE HONOURABLE THE PRESIDENT: As time is short, I think it will be better if I fix a short period within which nominations should be handed in in regard to this election. Nominations will be received in the office up till 5-30 this afternoon.

STATEMENT OF BUSINESS.

THE HONOURABLE SIR NARASIMHA SARMA (Law Member): Sir, you are aware that it was hoped that the Finance Bill would be laid on the table this morning. Events in another place have rendered this impossible, but it is anticipated with some confidence that the Bill will be passed by the Assembly during the course of the day. The time remaining is very short and the Government are anxious that the further stages of this Bill should be taken as early as possible. In these circumstances I am constrained to suggest to you that the Council should meet at 5-30 p.m. to-day with a view to the laying of the Bill. I may mention that, in the event of your acceding to this request, I propose to ask, after the Bill has been laid, with your permission that the motion for its consideration in this Council be taken on Friday next, that is, with a curtailment of one day in the normal three days' notice. I ask for no ruling on this matter now and I merely mention my intention so that Honourable Members may be in a position to consider their wishes in the matter.

THE HONOURABLE THE PRESIDENT: Though I feel that it may be somewhat inconvenient for Honourable Members to meet at such a late hour as half past five to-day, yet on the whole I think it will be for their convenience in the long run. It will enable the Finance Bill possibly

to be proceeded with at an earlier date, and the Session is already nearing its close. The Honourable Member's suggestion as to the date on which the Finance Bill is to be taken up will be dealt with this afternoon when we meet.

The Council then adjourned till Half past Five of the Clock.

The Council re-assembled at Half past Five of the Clock, the Honourable the President in the Chair.

MESSAGE FROM THE LEGISLATIVE ASSEMBLY.

THE SECRETARY OF THE COUNCIL: Sir, a Message has been received from the Legislative Assembly. The Message runs as follows:

"I am directed to inform you that the Message from the Council of State to the Legislative Assembly desiring their concurrence in a motion to the effect that the Bill to amend the Succession Certificate Act, 1889, be referred to a Joint Committee of the Council of State and of the Legislative Assembly, and that the Joint Committee do consist of 12 Members, was considered by the Legislative Assembly at their meeting to-day, and that the motion was concurred in by the Assembly.

The following Members of that body were nominated to serve on the Joint Committee, namely:

The Honourable the Home Member,
 Diwan Bahadur M. Ramachandra Rao,
 Rai Sahib M. Harbilas Sarda,
 Mr. K. C. Neogy,
 Mr. Abdul Haye, and
 Sir Hari Singh Gour."

FINANCE BILL 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 the Bill to fix the duty on salt manufactured in, or imported by land into, certain parts of British India, to remit or vary certain duties leviable under the Indian Tariff Act, 1894, to fix maximum rates of postage under the Indian Post Office Act, 1898, to reduce the import and excise duties on motor spirit, further to amend the Indian Paper Currency Act, 1923, and to fix rates of income-tax, which was passed by the Legislative Assembly at their meeting held to-day, the 18th March, 1925.

CONSIDERATION OF THE INDIAN FINANCE BILL IN THE COUNCIL OF STATE.

THE HONOURABLE SIR NARASIMHA SARMA (Law Member): In pursuance, Sir, of the intention which I announced this morning I formally request your permission under rule 27 of the Indian Legislative Rules to a motion for the taking into consideration of the Bill which has just been laid on the table being made on Friday next. Notice of that motion will be given by the Honourable Mr. McWatters forthwith. Honourable

[Sir Narasimha Sarma.]

Members are, I take it, familiar with the provisions of the Bill as introduced in the Legislative Assembly, and the only amendment made by the Assembly was one reducing the rate per maund of the duty on salt from one rupee four annas to one rupee. The Honourable Mr. McWatters will, I may mention, move an amendment for the restoration of the original rate of one rupee four annas. Should you allow the Bill to be proceeded with on Friday, Government will not of course take objection to the moving of amendments by non-official Members for want of the two clear days' notice required by Standing Order 45, but Government must have some notice of amendments and it would, I suggest, Sir, meet the case if you ruled that any notice of amendment, which is received in the notice office by 3 P.M. to-morrow will be regarded as due notice for the purposes of Standing Order 45. I may take the opportunity of adding that the Honourable Mr. McWatters will not move his Resolution regarding the remission of provincial contributions till the fate of the Finance Bill in the two Chambers is finally settled, and we hope, Sir, that this will be known by Monday next in which case the Resolution in question will be put down for that day, should you decide to hold a meeting on that day.

THE HONOURABLE THE PRESIDENT: Honourable Members have had since this morning to consider the suggestion then thrown out by the Honourable the Leader of the House that we should proceed with the Finance Bill in this place on Friday. I have not received any objection from any Honourable Member, and I may therefore take it that it is the sense of the House that we should go on with the Bill the day after to-morrow. There will therefore be a meeting on Friday to consider the Finance Bill, as passed by the Legislative Assembly.

ELECTION OF A PANEL FROM WHICH A MEMBER WILL BE
NOMINATED TO THE GOVERNING BODY OF THE LADY
HARDINGE MEDICAL COLLEGE, DELHI.

THE HONOURABLE THE PRESIDENT: In accordance with the motion made this morning, three Honourable Members have been nominated to the panel from which one Member of the Council will be selected to serve on the Governing Body of the Lady Hardinge College. These three Honourable Members are:

The Honourable Haji Chowdhuri Muhammad Ismail Khan,
The Honourable Rai Bahadur Lala Ram Saran Das, and
The Honourable Mr. Yamin Khan.

I declare these three Honourable Members to be duly elected.

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