

Thursday, 17th September, 1925

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COUNCIL OF STATE DEBATES

Volume VI

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SIXTH SESSION  
OF THE  
COUNCIL OF STATE, 1925



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# COUNCIL OF STATE.

*Thursday, the 17th September, 1925.*

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The Council met in the Council Chamber at Eleven of the Clock.

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## FAREWELL ADDRESS OF HIS EXCELLENCY THE VICEROY TO THE FIRST COUNCIL OF STATE.

His Excellency the Viceroy with the President of the Council having arrived in procession, His Excellency took his seat on the dais.

**HIS EXCELLENCY THE VICEROY :** *Gentlemen of the Council of State.*—As you will have surmised, my purpose in summoning you to-day is to bid farewell to you, who by to-day's proceedings are bringing the final Session of this Council to a conclusion. You came into existence shortly before I arrived and I have had the opportunity of meeting most of you on many occasions both public and social. I have made the acquaintance of nearly every member, and this acquaintance has led in various cases to a more intimate relationship; even to friendship. I bid you farewell with regret. As is inevitable, the coming elections must bring some changes in the composition of your body. Whether these are many or few, I do not doubt that the record of this, the first Council of State, will bear honourable comparison with any of its successors and will endure as an example and a lesson in the sober and temperate exercise of the wide powers entrusted to it by the Constitution.

It is interesting to pause and recall some of the developments connected with the birth of this Chamber. Those of you who have followed the fortunes of the Government of India Act, 1919, from the time of the introduction of the Bill in the House of Commons, will remember that as originally planned the Council of State was intended to be a body in which the Government of India would be assured of a majority, for under its constitution the Council of State was to consist of the Governor General and 56 Members, of whom as many as 28 might be officials. Had this conception prevailed, it would have enabled me to have taken part in the deliberations of this House instead of having to summon you when I wished to address you. But the Joint Committee on the Bill revised this proposal and, to use their language, "re-constituted the Council as a true Second Chamber." This point was also emphasised by His Royal Highness, the Duke of Connaught, in his speech on the inauguration of the Indian Legislature, in the following passage :

"In the Council of State it has been the intention of Parliament to create a true Senate, a body of elder statesmen endowed with mature knowledge, experience of the world and the consequent sobriety of judgment. Its functions will be to exercise a revising but not an overriding influence for caution and moderation, and to review and adjust the acts of the larger Chamber."

Your numbers are 60, of whom 33 are elected, and of the nominated members not more than 20 may be officials. Of those nominated members, one,

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the representative of Berar, is for all practical purposes an elected member and the number of officials has been reduced as low as 17. I cite these facts for the purpose of showing that, as the discussions on the form of the new constitution developed, it was decided that the Government of India should surrender its majority and trust the Council of State, and further that after the constitution of the Council of State was finally settled by Parliament, the Governor General advanced again on the path of trust by refraining from nominating the full number of officials allowed by the Act and nominating non-officials in their place.

It has been a source of great gratification to myself as Governor General, in whom the right of nomination is vested, and to my Government that this policy of trust has been amply justified. At the same time it should be observed that the nominated non-officials have not sacrificed their opinions to their position. The division lists of this Council furnish an abiding record that the nominated non-officials have not hesitated to vote against Government at the dictates of their reason or their conscience. On the other hand, they have not shrunk from shouldering the burden of temporary unpopularity, which too often is incurred by those who, undisturbed by waves of passion and prejudice, have applied a calm and sober judgment and have voted with Government when they were convinced that the higher interests of the country required it, when they were satisfied that these interests were being faithfully served by Government. The nominated non-official members have, in fact, exercised their functions with the same sense of independence and responsibility as the elected members of the Chamber, and I can therefore, in what I am about to say regarding the work of the Council of State as a whole, deal with all the non-official members of this Council as forming one body of men with firm principles and broad outlook, keenly alive to the responsibilities of their position as members of a Second Chamber in which they command an overwhelming majority.

I am well aware of the wide field of the interests you represent. I see here what I may almost call the hereditary element represented by the great Zemindars, I see the leaders of the learned professions and I see men who have climbed the steep ladders which lead to success in the regions of commerce and industry. I am grateful to you, Gentlemen, who have given liberally your valuable time, and who have made personal sacrifices to this end, and I am grateful to those great commercial concerns which have allowed their members to attend this Council. To no small number of you also I have to render thanks on behalf of my Government for services ungrudgingly rendered on Commissions and Committees of the utmost importance. I must include in these expressions of thanks, not only those who are at present members, but also those who by reason of other duties, or because of ill-health, have been precluded from retaining their seats in the Council. I also include those who have been removed by the hand of death, whose memories are cherished by their families and friends and colleagues.

So far I have referred only to non-official members and for obvious reasons; but I should indeed be failing if I do not pause to pay my tribute of admiration

and gratitude to the official members of this Chamber, who have throughout striven ardently and persistently to ensure success for the Reforms and have given their valuable assistance in the deliberations of this Chamber.

It has been a matter of great regret to me that, in the comparatively short space of less than five years, circumstances have compelled me to appoint no less than three Presidents. My only justification for taking away so quickly that which I had given was the interests of the public service of India. You will admit, I am sure, that on each occasion I have sought to give again of the best that was available for my selection. To Sir Alexander Muddiman, your first President, we owe much, for he occupied the Chair for a sufficiently long time to carry the Council well on its way, and to establish for it a worthy tradition of dignity and courtesy and no less a record of high efficiency. He will be remembered as the first President of this new Chamber who set an example which others will assuredly be glad to follow. To find a suitable successor to fill his place was a difficult task, and I had no alternative but to give you one of the Secretaries of the Government of India. Hardly had I had time to congratulate myself on the success of Sir Montagu Butler as President of this Council when he became Governor of the Central Provinces, and again with much regret and searching of heart I did what I could to make amends to you by surrendering yet another of the trusted Secretaries of Government—Sir Henry Moncrieff Smith, who now presides over your deliberations with the serenity and distinction fully expected by all who had become familiar with his capacities and with his efforts since the inception of the Reforms. Alas! that there must be so many farewells! The Leader of your House, Sir Narasimha Sarma, has more than completed his term of office and will soon be leaving you and, to our regret, me and my colleagues in the Executive Council. We shall miss him very much, not only at our meetings but generally in the work carried on by the Executive Government. No Viceroy ever had a more loyal, honest and independent-minded colleague who, whilst never forgetting his obligations as a Member of the Council, always remained true to his duty to his Indian compatriots, and faithfully presented their views in a manner that not only commanded great respect, but also deserved and received the closest attention. He is a genuine Indian patriot and a true servant of the Empire, with a broad outlook on human affairs aided by a zeal for research in the dusty pages of blue books and the keen and fearless judgment of a man whose paramount desire is to advance the interests of India and the Empire.

In dealing with the measures that have come before it this Council has shown alike qualities of fearlessness and sobriety. Whilst you have been loth to interfere with measures which did not involve any vital principle, you have not hesitated to reject measures which in your calm and considered judgment and according to your conscience threatened the foundations of good government and would not truly serve the best interests of India. The need for the exercise of your powers for either of these reasons has fortunately been infrequent. The functions of a Second Chamber have already been indicated in the quotation I made from the speech of His Royal Highness the Duke of Connaught. There should be no tendency to vexatious interference with the proceedings of the other House, and yet the Second Chamber must not

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shrink from exercising the powers entrusted to it when matters of vital interest are at stake. In other respects it may often be able to make suggestions which may be recognised by the other Chamber as improvements. You have performed these difficult functions with a due sense of responsibility and have brought your judgment to bear upon the problems that confronted you with the sole desire to serve your country to the best of your ability.

The Indian Legislature, as constituted by the Government of India Act, consists of the Governor General, the Council of State and the Legislative Assembly. Looking back on the history of the Indian Legislature during the past four and a half years, it is to be recorded that there has been a large measure of agreement achieved between the component bodies—a result as creditable to the one Chamber as to the other. Differences there no doubt have been; often they concerned practical measures which were being discussed on their merits, and these have usually been found capable of adjustment. It is mainly on questions of Finance and of the Constitution that the Chambers have found themselves in disagreement. I shall not dwell on the differences relating to finance which in the opinion of many competent observers rather presented a vehicle for the expression of political views than revealed any fundamental divergence of opinion on questions of revenue and expenditure.

You have within the last few days given expression to the opinions you hold regarding the Constitutional problem. When I addressed you in conjunction with the other Chamber at the opening of this Session, I strove to make plain what were in my view and, be it observed, also in that of the Secretary of State, the necessary conditions for an advance. I shall not to-day repeat the arguments or enter into controversial discussion. The Resolution proposed by the Government and accepted by this Chamber will, in accordance with the statements made to this effect, be duly considered by my Government together with the amendment carried by the Legislative Assembly. The conclusions of the Indian Legislature must be considered as a whole, attributing due weight to that part which proceeds from the Council of State and, I believe, represents no inconsiderable proportion of the intelligent and stable elements in the country. Whilst I do not intend further to discuss the Constitutional question with you to-day, I desire to express my satisfaction that from the reports to me of your debates you have rightly interpreted the observations I made regarding my earnest desire for the development of a spirit of friendly co-operation and good-will. My object, as you have understood, was not merely to emphasise that this was the quickest and the surest way of obtaining the appointment of a Royal Commission earlier than 1929, but also—and of even greater importance—of creating a more favourable atmosphere for the holding of this momentous inquiry whenever it may take place.

In times of special difficulty, as times of transition must necessarily be, you have rendered a high service to your country by fulfilling to the best of your judgment the responsible role assigned to you by the Constitution. You have dealt with the important affairs which have come before you according to your conscience and in a spirit of good sense and moderation. As I

understand your views, you stand for progress and the political advancement of India as rapidly as can be achieved with due regard to the dictates of prudence and wisdom and the special conditions appertaining to India. It is on these broad-based foundations that you desire to construct the road to advance and to erect the superstructure destined to crown the efforts for the later contentment and happiness of the Indian people. In the knowledge that you have throughout acted in full accordance with these ideals and have been animated by a lofty sense of duty and a steadfast determination to advance the interests of India, I regretfully bid you farewell and cordially wish you all happiness.

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