

20th January 1927

THE
LEGISLATIVE ASSEMBLY DEBATES
(Official Report)

Volume I

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OF THE
THIRD LEGISLATIVE ASSEMBLY, 1927



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LEGISLATIVE ASSEMBLY.

Thursday, 20th January, 1927.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. M. Ruthnaswamy in the Chair.

MEMBER SWORN:

Dr. A. Suhrawardy, M.L.A. (Burdwan and Presidency Divisions: Muhamnaden Rural).

STATEMENT OF BUSINESS.

The Honorable Sir Alexander Muddiman (Home Member): With your permission, Sir, I wish to make a statement in respect of the course of official business during the next week.

On Monday, the 24th, His Excellency the Viceroy will address the Assembly and no business will be taken on that date.

On Tuesday, the 25th, the House will first proceed to the election of Members to the Public Accounts Committee. Motions will next be made for leave to introduce Bills to amend the Negotiable Instruments Act, 1881, the Indian Securities Act, 1920, the Code of Civil Procedure, 1908 (Amendment of section 115), the Indian Limitation Act, 1908, and the Indian Registration Act, 1908, and the following Bills, which have already been published under rule 18 of the Indian Legislative Rules, will be introduced, namely:

- (1) the Currency Bill,
- (2) the Gold Standard and Reserve Bank of India Bill,
- (3) the Imperial Bank of India (Amendment) Bill,
- (4) the Steel Protection Bill,
- (5) a Bill further to amend the Indian Merchant Shipping Act, 1923, and
- (6) a Bill further to amend the Indian Income-tax Act, 1922.

A motion will then be made that the Gold Standard and Reserve Bank of India Bill be circulated for the purpose of eliciting public opinion thereon.

On Wednesday, the 26th, any business left over from Tuesday will be taken first. Thereafter a motion will be made for leave to introduce a Bill to amend the Code of Civil Procedure, 1908, in order to require security for costs to be given by the appellant in certain second appeals and the Steel Protection Bill will also be proceeded with probably on a motion for reference to a Select Committee.

[Sir, Alexander Muddiman.]

On Thursday, the 27th, after disposal of any business left over from the previous day, a motion will be made for leave to introduce a Bill further to amend the Code of Civil Procedure for the purpose of facilitating the execution of decrees and orders and for other purposes. Thereafter a motion will be made to refer to a Select Committee the Indian Income-tax (Amendment) Bill.

There will be no meeting of the House on Friday, the 28th, or on Saturday, the 29th.

ELECTION OF MR. PRESIDENT.

Mr. Chairman: In accordance with the provision of sub-rule (8) of rule 5A of the Indian Legislative Rules I have to announce to Honourable Members that six nomination papers duly filled in have been received on behalf of Mr. Vithalbai Javerbhai Patel. The names of the proposers and seconders are as follows:

Proposers.

Pandit Motilal Nehru.
Mr. K. C. Neogy.
Mr. K. C. Roy.
Lala Lajpat Rai.
Seth Haji Abdoola Haroon.
Mr. K. Ahmed.

Seconders.

Mr. A. Rangaswami Iyengar.
Mr. B. Das.
Mr. Sarabhai Nemchand Haji.
Mr. M. R. Jayakar.
Mr. W. M. P. Ghulam Kadir Khan Dakhan.
Khan Bahadur Haji Abdullah Haji Kasim.

As no nomination papers have been received on behalf of any other Member, I declare Mr. Patel duly elected. (Applause.) In this connection I have received the following Message from His Excellency the Viceroy and Governor General.

(The Assembly received the Message standing.)

"In pursuance of the provisions of section 630 of the Government of India Act, 1, Edward Frederick Lindley, Baron Irwin, hereby signify that I approve the election by the Legislative Assembly of Mr. Vithalbai Javerbhai Patel as President of the said Assembly."

(Sd.) IRWIN,

Viceroy and Governor General."

I accordingly invite Mr. Patel to occupy the Chair. (Applause.)

(The Chairman then vacated the Chair, which was occupied by the Honourable Mr. Vithalbai Javerbhai Patel.)

The Honourable Sir Alexander Muddiman (Leader of the House): Sir, it is indeed with sincere pleasure that I congratulate you on your re-election to the Chair. You are entitled to a legitimate feeling of pride that you have been returned unopposed by your constituency at a general election which I have reason to believe was conducted with some acrimony. It must, Sir, be even more gratifying to you to find that you are returned

to your old seat in the Chair without a single dissentient voice. If I may do so, I should like to take the opportunity of congratulating this House on what I hope may be the first of a series of happy precedents, which will in time develop into a convention, that, normally speaking, the House will re-elect its President if he offers himself for election. Sir, it is further your proud privilege to be the first President to preside over our deliberations in this magnificent Chamber, which, I doubt not as years go on, will come to be associated with the atmosphere of romantic interest that attaches to a place where great events have been transacted. There can be no one with a spark of imagination who has stood in that Hall, that famous Hall at Westminster, and looked without a sense of emotion at the Chair which so many distinguished men have occupied and which by and through their efforts has come to be regarded as the outward and visible sign of Parliamentary procedure in all English-speaking nations throughout the world. Sir, when for those who sit in this House the last question has been answered, the last division bell has rung and the last Resolution has been carried—alas I am afraid without a dissentient voice—after us there will come generations yet unborn who will look upon the Chair in which you are now sitting and will, I am sure, feel that pride in the continuity of its history that is felt by anyone who looks at that older Chair in Westminster. I feel with confidence that they will refer with justifiable pride to the first occupant of the Chair. (Applause.) I do not on this occasion, Sir, think it necessary to reaffirm those assurances of continual support to you, Sir, and to the Chair that I made on the occasion of your first historic election. I am sanguine enough to think that experience and time have proved that those assurances were real by the best test—the test of work. The relations between the Chair and the Leader of the House are inevitably close, they are often delicate and they are always of great importance to the proper conduct of the business of this House. It is therefore with personal satisfaction, Sir, that I see your re-election as an assurance that those pleasant relations which had previously existed between the Chair and myself are likely to be continued and I hope extended.

Sir, one word more and I have done. This is the third Legislative Assembly under the Act. I think to all it must be obvious that its term will be a very important period in the constitutional history of India and to some it may appear that it may be decisive in its influences on that history for a considerable number of years. To preside over so important a period in the life of the Assembly is a duty which involves unusual responsibility and confers unusual possibilities. Sir, I have no fear whatever that you will not discharge the duties of your great office greatly. In conclusion I can only wish that the success of your term of office may be as great as the circumstances under which you have been called to the Chair have been felicitous. (Applause.)

Sir Walter Willson (Associated Chambers of Commerce: Nominated Non-Official): Sir, on behalf of the non-official European Members of this House, I desire to join in congratulating you upon your unanimous re-election to the seat which you at present occupy. As I heard, Sir, the names of your proposers and seconders read out, I had a personal feeling of regret that my name was not one of them. I do not know quite how it happened, but I should have liked to have found my name upon the list. Next, Sir, I should like to congratulate the Assembly upon having re-elected you. It is, as the Honourable the Home Member has just said, a precedent definitely established; we ourselves spoke strongly in

[Sir Walter Willson.]

favour of it when I had the opportunity of addressing a few valedictory remarks to you upon the conclusion of the last Session. Your re-election, Sir, is a proof, if proof were needed, that the remarks we then made came from our hearts and were thoroughly merited by your services in the Chair. We are much more than content, that you should preside over us for the next term of the Assembly. We again assure you of our continued support and may we add, Sir, that we value very highly the disposition you have shown to limit the length of speeches in the House and to prevent the encroachment by some garrulous Members upon the time of others.

You understand, Sir, the importance of the relationship between the President and the House and I may add, as the Honourable the Home Member has said, of the very high importance of your relationship with the Leader of the House. You have attained success in acting according to the traditions set with so much success by your very distinguished predecessor, Sir Frederick Whyte. You have given minorities their fair share in every way. No severe cleavage, such as must necessarily happen in this House from time to time, has ever been allowed to penetrate beyond the doors of the lobby; and I am happy to think, what I have always experienced since I first became a Member of this House, there prevails to-day as strongly as it ever did, the idea that whatever our feelings and opinions may be in the House, in the lobbies outside we remain the very best of friends. I have only to add, Sir, just a single hope in regard to the opportunity that is now before yourself and the whole of us in this House, that we may so conduct our debates and our procedure that when this Session ends, we may be able to look back upon our doings with pride and with pleasure for the goodwill of the future and for the development of this great institution, this Indian House of Commons, of which we all have the honour to be Members.

Pandit Motilal Nehru (Cities of the United Provinces: Non-Muhammadian Urban): Permit me, Sir, to offer the warmest congratulations of the Congress Party in this House on your unanimous re-election to the Presidential Chair. Sir, it is our pride and privilege to have given from amongst our members the first elected President of the Assembly who has won during a very brief tenure of office the fullest confidence of the House and proved himself to be so thoroughly acceptable to one and all as to be re-elected unopposed. It is not for me to expatiate upon the duties and responsibilities of your high office. You have already proved that you possess all those qualities in a pre-eminent degree which have in the past distinguished the occupants of the Chair at Westminster referred to in such glowing terms by my friend the Honourable the Home Member. If there is a certain element of unreality in this House as compared to that at Westminster, you have shown, Sir, that it is through no fault of yours or ourselves. Along with my friend the Honourable the Home Member I do look forward to the day when such inequalities as do exist shall no longer exist. Your great abilities coupled with the strictest fairness and becoming dignity have elicited the admiration of all, and I do not feel called upon on this occasion to do more than to assure you of our continued support. There is a lurking suspicion in my mind that we shall not like all your rulings, but let me assure you, Sir, that whether we like them or not, we shall never be wanting in upholding the dignity of

the Chair, and in assisting it to the best of our abilities in the discharge of its onerous duties.

Lala Lajpat Rai (Jullundur Division: Non-Muhammadas): Sir, I join all those who have spoken before me in congratulating you on your elevation to the high office you occupy. You have occupied that office during the last Session with great dignity, courage and impartiality, and the addresses that were made at the end of the last Session in your honour at the time the Assembly was dissolved have been repeated to-day. I associate myself fully and unreservedly with all the remarks that have fallen from the other speakers who have spoken in your honour. We are conscious that you will maintain the dignity of your office with the same marked success which characterised your proceedings in the last Session of the Assembly, and we assure you of our support on behalf of myself personally and on behalf of the party which I have the honour to represent in this House.

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): Sir, I have great pleasure indeed in joining in the congratulations that have been offered to you and the great tribute that has been paid to you in such glowing terms by the Leader of the House and the other leaders of parties. Sir, when you stood as a candidate for the first time for election to this Chair there were certain people in this House who had apprehensions as to what you would exactly do when you occupied this exalted Chair; and if you remember, Sir, I said on that occasion: "You are elected by the majority of the votes of this House. You are now on your trial, and I hope that you will maintain the dignity and the traditions of the Chair." That, Sir, was in August, 1925. Since then I, as a Member of this House, have watched you as the presiding genius of this House and although I have, if I may say so, watched you very critically, and judged you very strictly, standing to-day on the floor of this House I feel that you deserve the unanimous re-election which has taken place in your case and which has again brought you back to this Chair. Sir, it is a signal mark of approval and appreciation of your conduct in the Chair during the last term that you occupied the position. A greater compliment cannot be paid to any Member of this House than that he should be asked unanimously to preside over its deliberations. Judging by the past and the way in which you have conducted the deliberations and the business of this House, I have no doubt now that you will maintain the dignity of this great office, that you will always be fearless and independent and treat every section of the House with absolute fairness, justice and impartiality.

Mr. President: Brother Members and Comrades of the Indian Legislative Assembly: The idea uppermost in my mind at this moment is to express my grateful acknowledgments and sincere thanks to you for the honour you have done me by electing me again to this Chair and to hasten to assure you of my complete devotion to your service. My joy is all the greater because I find to-day that not only have I been fortunate enough to retain the confidence of those who had voted me to this Chair in August, 1925, but also to win the confidence of those who had fought strenuously against my election then. My anxiety is and I shall make constant endeavour to prove worthy of that unique confidence which you in your wisdom have thought fit to repose in me. From the brief experience that I had as the occupant of this Chair I have found, as I stated

*Speech not corrected by the Honourable Member.

[Mr. President.]

when I was addressing you last, that anyone who aspires to fill this great office with any hope of success must lay aside all that is personal, all that is of party, all that savours of political predilection, and learn to subordinate everything to the great interests of the House as a whole. Not that it is possible for anyone to divest himself so completely of the influence of his political associations and the teachings of a lifetime. He may have his political opinions, he may retain them; he may have his prejudices; but in his general decisions and in his treatment of individual Members no trace of them should find any place. I do not know whether I have in the past lived up to that ideal, nor can I say whether it would be possible for me to live up to that ideal in the future. All I can promise is that I shall ever endeavour to the best of my capacity to regulate my conduct in the Chair on the lines which I have just indicated. You have known me and I have known you and it is not necessary, in fact it is needless, to appeal to you for co-operation which I know will be forthcoming from every Member of the House in ample measure. But one thing I will ask you and it is this—if on any occasion anything that I say or do in the discharge of my duties gives offence to any Member, I beg of him not to harbour any ill-feeling against me and allow misunderstanding to grow but to come to me personally and talk the matter over and have done with it. I again thank you for the great honour, the greatest honour which it is within the power of this Assembly to confer under the present constitution, and I assure you of my complete devotion to your service. Before I sit down, may I ask you to do me the honour of shaking hands with me and will you, Sir Alexander Muddiman, lead the way.

(The Leader of the House and Honourable Members then shook hands with Mr. President.)

The Assembly then adjourned till Eleven of the Clock on Friday, the 21st January, 1927.
