

*Friday,
25th October, 1907*

ABSTRACT OF THE PROCEEDINGS

OF THE

Council of the Governor General of India,

LAWS AND REGULATIONS

Vol. XLVI

April 1907 - March 1908

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OF
THE COUNCIL OF THE GOVERNOR GENERAL OF INDIA

ASSEMBLED FOR THE PURPOSE OF MAKING

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Proceedings of the Council of the Governor General of India, assembled for the purpose of making Laws and Regulations under the provisions of the Indian Councils Acts, 1861 and 1892 (24 & 25 Vict., c. 67, and 55 & 56 Vict., c. 14).

The Council met at the Viceregal Lodge, Simla, on Friday, the 25th October, 1907.

PRESENT :

His Excellency the Earl of Minto, P.C., G.C.M.G., G.M.S.I., G.M.I.E., Viceroy and Governor General of India, *presiding*.

His Honour Sir Denzil Ibbetson, K.C.S.I., Lieutenant-Governor of the Punjab.

His Excellency General Viscount Kitchener of Khartoum, G.C.B., O.M., G.C.M.G., Commander-in-Chief in India.

The Hon'ble Mr. H. Erie Richards, K.C.

The Hon'ble Mr. E. N. Baker, C.S.I.

The Hon'ble Major-General C. H. Scott, C.B., R.A.

The Hon'ble Sir Harvey Adamson, Kt., C.S.I.

The Hon'ble Mr. J. F. Finlay, C.S.I.

The Hon'ble Mr. J. O. Miller, C.S.I.

The Hon'ble Mr. S. Ismay, C.S.I.

The Hon'ble Tikka Sahib Ripudaman Singh of Nabha.

The Hon'ble Dr. Rashbehary Ghose, C.I.E., D.L.

The Hon'ble Mr. Gopal Krishna Gokhale, C.I.E.

The Hon'ble Mr. T. Gordon Walker, C.S.I.

NEW MEMBER.

The Hon'ble MR. GOPAL KRISHNA GOKHALE took his seat as an **Additional Member of Council.**

PREVENTION OF SEDITIOUS MEETINGS BILL.

The Hon'ble SIR HARVEY ADAMSON presented the Report of the Select Committee on the Bill to make better provision for the prevention of meetings likely

[*Sir Harvey Adamson.*][25TH OCTOBER, 1907.]

to promote sedition or to cause a disturbance of public tranquillity. He said:—"My Lord, I may add a few explanatory words to the Report of the Select Committee. We have removed the qualifying words at the end of the first sub-clause of the definition of 'public meeting' to its more appropriate place in clause 4, the effect being to limit the presumption in the last sub-clause of the definition to the significance that a meeting of more than twenty persons shall be presumed to be a meeting which is open to the public until the contrary is proved. As the definition originally ran the presumption also extended to the fact that the meeting was one at which certain subjects were discussed. In removing these words to their appropriate place, we have altered the language so as to make it clear that a meeting which is a private meeting does not become a public meeting merely because some person or persons present happen to discuss political or other kindred subjects.

"It has been represented very strongly to us that much inconvenience will be caused if the requirements of notice or permission are applied indiscriminately to all public meetings held for specified purposes. For instance, if the provision were construed rigidly, it might be necessary to give notice or obtain permission before holding municipal meetings in a proclaimed area. To meet this objection, we have added words exempting from the provisions as to notice or permission certain classes of meetings and generally any class which the Local Government may by general or special order exempt. To suit public convenience, we have reduced the term of notice from seven days to three. By slightly altering clause 5, we have made it clear that prohibition can be applied only to public meetings. In the clause that relates to the delivery of speeches in public places in proclaimed areas, we have omitted the words relating to the distribution of writing or printed matter, as the power given in respect thereof appeared to be too wide and, in any case, unnecessary. The object of the Bill is to meet evils which may occur in exceptional places at exceptional times. So far as can be judged at present it does not appear to be necessary that a repressive measure for this purpose should remain permanently on the Statute-book. We have accordingly limited the operation of the Bill to three years; and, in order further to clearly show the intention that every executive action taken under the Bill shall lack the element of permanency, we have provided that all notifications declaring places to be proclaimed areas shall, unless specially renewed, expire after a period of six months. Our

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[*Sir Harvey Adamson.*]

Hon'ble Colleagues the Hon'ble Dr. Rashbehary Ghose and the Hon'ble Mr. Gokhale have, independent of their general objection to the Bill, dissented in certain particulars from the Report; and their minute of dissent is attached to it."

The Council adjourned to Friday, the 1st November, 1907.

T. W. RICHARDSON,

Offg. Secretary to the Government of India,

Legislative Department.

SIMLA:

The 25th October, 1907. }