PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL

OF THE

LIEUTENANT-GOVERNOR OF THE PUNJAB,

1913.

(WITH INDEX.)

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LIEUTENANT-GOVERNOR OF THE PUNJAB,

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PUNJAB GOVERNMENT.

LEGISLATIVE DEPARTMENT.

Abstract of Proceedings of the Council of the Lieutenant-Governor of the Punjab, assembled for the purposes of making Laws and Regulations under the provisions of the Indian Councils Acts, 1861 to 1909.

THE Council met in accordance with the notification of the Lieutenant-Governor of the Punjab, Home—Legislative, No. 92, dated 23rd December 1912, in the Council Chamber at Government House, Lahore, on Monday, the 4th January 1913, at 11 A.M.

After His Honour the Lieutenant-Governor had taken his seat as President of the Council the following gentlemen elected and nominated as Members of the Council were duly sworn in as required by Regulation VII :—

The Hon'ble Sardar Sundar Singh, Majithia, Sardar Bahadur.

The Hon'ble Mr. John Cornwallis Godley.

The Hon'ble Sardar Daljit Singh of Kapurthala.

The Hon'ble Mr. Claud Alexander Barron, C.S.I., I.C.S.

The Hon'ble Mr. Alexander Henderson Diack, M.V.O., I.C.S.

The Hon'ble Mr. Michael William Fenton, C.S.I., I.C.S.

The Hon'ble Nawab Sir Bahram Khan, K.C.I.E.

The Hon'ble Babu Gajjan Singh.

The Hon'ble Rai Bahadur Bakhshi Sohan Lal.

The Hon'ble Khan Bahadur Khwaja Yusaf Shah.

The Hon'ble Rai Bahadur Ram Saran Das.

The Hon'ble Sir Henry Parsall Burt, K.C.I.E.

The Hon'ble Rai Bahadur Hari Chand.

The Hon'ble Mr. James Currie.

The Hon'ble Lala Kashi Ram.

The Hon'ble Khan Bahadur Mian Muhammad Shafi.

The Hon'ble Mr. Patrick James Fagan, I.C.S.

The Hon'ble Nawab Ibrahim Ali Khan of Kunjpura.

The Hon'ble Rai Bahadur Shadi Lal.

The Hon'ble Sir Arthur Milford Ker, K.C.I.E., M.V.O.

The Hon'ble Mr. Henry Phillips Tollinton, I.C.S.

The Hon'ble Malik Muhammad Amin Khan of Shamsabad.

The Hon'ble Mr. Reginald Arthur Mant, I.C.S.

The Hon'ble Mr. Stephen William Gracey, I.C.S.

The Hon'ble Sardar SUNDAR SINGH said :—" Your Honour,—I am sanguine I am voicing the feelings not only of my Hon'ble colleagues in this Council Chamber, but of the loyal subjects of His Imperial Majesty the King Emperor in the whole of India, and particularly of the community to which I belong, when I say a few words expressive of our deep abhorrence and contempt at the dastardly attempt made by some miscreant upon the life of His Excellency Lord Hardinge, the exalted representative of our beloved

King Emperor in India. This cowardly attempt of the assassin has not only wounded the loyal sentiments of the people of India, but is against our traditional and inherent loyalty to the Crown. I may be permitted to say that in His Excellency Lord Hardinge we have a Viceroy whose sympathy for the people over whom he has been placed to govern is well known. Where is the man in the whole of the length and breadth of India who was not deeply moved at the noble words of His Excellency when the Viceroy said that this attempt upon his life has not affected his policy at all ? The magnanimity of the heart of His Excellency could be judged when we consider that the occasion was of deep pain and anguish, and even at that time His Excellency was thinking of us. We all feel proud of such a Governor-General, and the general feelings of sympathy with Their Excellencies and of abhorrence at the mean and dastardly attempt upon Their Excellencies' lives are not only spontaneous but genuine. They come from the innermost recesses of our hearts, and every hamlet, be that of a Sikh, Muhammadan or a Hindu, has been the scene of deep and solemn prayer before the Almighty of thankfulness at the providential escape of Their Excellencies and for the speedy recovery of the Viceroy, who by his kindness has endeared himself to Prince and peasant alike. Our eyes have been anxiously scanning the bulletins from Delhi, and we are glad to read the assuring and happy news of the progress that is being made in the speedy recovery of His Excellency. I respectfully request Your Honour to permit that in the Minutes of this meeting a record be made of the deep sense of abhorrence and contempt that we all feel at the dastardly attempt and our joy and thankfulness at the providential escape of Their Excellencies from the mean and despicable attempt that was made by an enemy of the country upon Their Excellencies' lives."

The Hon'ble Mr. MUHAMMAD SHAFI.—"Your Honour,—It was my intention to move the following resolution in the meeting of the non-official members of this Council which is to follow after the proceedings which have just been concluded, but as my Hon'ble friend Sardar SUNDAR SINGH has brought up this subject now in the meeting of the full Council I crave permission from Your Honour to move a resolution on this subject in this meeting instead of at the meeting of the non-official members."

His Honour the PRESIDENT.—"I have great pleasure in accepting your proposal, and therefore allow you to move the resolution in the full Council."

The Hon'ble Mr. MUHAMMAD SHAFI,—"I am very much obliged to your Honour for the kind permission.

"I must alter the wording of the resolution in order to make it suitable for the present meeting, It runs as follows :—

"This meeting of the Punjab Legislative Council, representing the various official and non-official interests in this province, places on record its deep sense of indignation and abhorrence at the dastardly outrage committed by some despicable miscreant during the State Entry into Delhi of Their Excellencies the Viceroy and Lady Hardinge on the 23rd December 1912 ; expresses its feeling of thankfulness for Their Excellencies' providential escape, and prays for His Excellency's speedy restoration to full vigour and complete health."

"Your Honour,—It is hardly necessary for me to add anything to what my Hon'ble friend Sardar SUNDAR SINGH has already said in the speech which he has delivered just now. The indignation and abhorrence which have been expressed by the representative associations and meetings all over India from the Himalayan range to Cape Comorin and from Peshawar to Eastern Bengal speak volumes in support of the fact that the entire population of India

[*Mr. Muhammad Shafi ; Mr. Shadi Lal ; Lala Kashi Ram ; Babu Gajjan Singh.*]

has condemned in the strongest terms possible this despicable act of the miscreant who made this contemptible attempt upon the lives of Their Excellencies during their progress from the Railway Station to the Fort of Delhi. I am sure that every Member of this Council will agree with me that the hearts of all subjects of His Majesty the King Emperor belonging to all communities, European and Indian, are filled with thankfulness at Their Excellencies' providential escape. I am also sure that all will join with me in the sincere prayer that His Excellency may soon recover his full strength and complete health. The attempt upon the lives of Their Excellencies made by this anarchist, whoever he may be, is one which has been condemned in the strongest terms and rightly condemned by all sections of His Majesty's Indian subjects, and I do not think it is necessary for me on this occasion to add anything more than what has been said by the representatives of all sections of His Majesty's subjects in India. I therefore ask permission to move this resolution."

The Hon'ble Mr. SHADI LAL :—"Your Honour,—With Your Honour's permission I second this resolution. In seconding this resolution I beg to add that Your Honour may be pleased to convey to His Excellency our sympathy with him, and abhorrence and indignation at the dastardly attempt made upon his life. I think in a matter of this kind not only non-official members but official members should join with us in conveying our sense of indignation at the dastardly attempt which has been made. The one happy feature of this deplorable affair is that His Excellency had a very providential escape for which we are most thankful to God. We pray that Almighty God may be pleased to restore His Excellency to his health and grant him speedy recovery. But I think our duty does not end in the passing of the resolution or in the seconding of a resolution. It is the duty of every subject of His Majesty to do his level best to find out and give information to the authorities which might lead to the detection of the culprit. I would therefore suggest that vigilance committees should be formed to find out the real culprit. Of course in a matter of this kind we could never be too cautious in supporting certain theories The starting of rash theories perhaps will be increasing the task of those who are engaged in finding out the real culprits. It is our duty to find out the true facts and place them at the disposal of the authorities. I think by that means we will be doing our duty. I hope all the Hon'ble Members will join with me in this. With these remarks I beg to second the resolution."

The Hon'ble Lala KASHI RAM :—" I would join in the general chorus of indignation and abhorrence which have been generally expressed throughout the country. As a Hindu and as an Arya Samajist I beg to express my deepest and sincerest sympathy with Their Excellencies on the most dastardly attempt that has been made on their persons. I wish to assure Your Honour of the deepest sympathy of the Hindus in general and the Arya Samajists in particular on this most dastardly attempt. The administration of His Excellency the Viceroy was so popular that none but a confirmed criminal and a lunatic would dare to think of committing this most dark deed. No more words of abhorrence or deepest sympathy are needed, and I respectfully join in seconding the resolution and the sympathy that has been expressed by the various Hon'ble Members, and I also join in the prayer to the Almighty soon to restore His Excellency to health to enable him to continue the good administration which he was carrying on. And I would thank Your Honour for the very liberal spirit in which the Government of this province has been carried on. I hope nothing would mar Your Honour's administration for which Your Honour would earn the thanks of all sections of His Majesty's subjects."

The Hon'ble Babu GAJJAN SINGH : —" With Your Honour's permission I beg to occupy the most valuable time of this Council for a minute. As has been shown by the Hon'ble Sardar SUNDAR SINGH, the feeling of abhorrence and indignation has been expressed throughout the country. The meetings

[*Babu Gajjan Singh ; Sardar Daljit Singh ; Rai Bahadur Ram Saran Das ; The President.*]

which the various communities have held all over the country almost in every town and every village bear ample testimony to the indignation and contempt with which this dastardly attempt on the life of His Excellency has been viewed by the general people of this country. It is, I think, a resolution which hardly requires very many speeches and arguments in support of it. With these remarks I beg to support the resolution which has been brought forward."

The Hon'ble Sardar DALJIT SINGH of Kapurthala :—"Your Honour,—I think I need hardly repeat here the feelings of horror and regret expressed by the peoples of this Province along with all His Majesty's Indian subjects at the most despicable attempt made upon the lives of Their Excellencies on the 23rd December last. I believe I represent the feelings of all my Indian colleagues here in this Council Chamber and of all my countrymen in the length and breadth of this vast continent, when I say that according to the tenets of our various religions the very idea of attempting the life of the representative of the Sovereign is the most despicable, and that the curse of God remains on the head of the wretch who perpetrates the black deed.

" All communities have deeply felt the outrage, but the feelings of the Chiefs and Nobility, who alike in peace and war are known for their active and profound loyalty to the Throne, have been deeply moved by this abominable misdeed of the miscreant, and our most earnest prayer is that the culprit may soon be found out to receive a condign punishment.

" We are thankful to God Almighty for extending His merciful hand in saving the lives of our most kind-hearted and noble Viceroy and Lady Hardinge, who have always had our welfare at heart, and we rejoice at the news that His Excellency is making speedy progress towards recovery.

"I support my Hon'ble friend in wishing that the sense of our abhorrence and condemnation be placed on record as well as the sense of joy and thankfulness that we all feel at the providential escape of Their Excellencies."

The Hon'ble Rai Bahadur RAM SARAN DAS :—"I beg to express the horror and indignation of the entire orthodox Hindu community (who are loyal to the core), at this dastardly attempt made upon the lives of Their Excellencies. With these words I beg to support the resolution moved in this Council."

His Honour the PRESIDENT :—"In the first place I should like to take this opportunity of welcoming all the Hon'ble members of this Council to the scene of their labours for the next three years. I am certain those labours will be very successful, and not less so than those of the members of the expired Council. It is a matter of satisfaction that the last proceedings of the outgoing Council and the first proceedings of the new one will ever be linked together by the tie of loyalty and sympathy. At Delhi, shortly after this outrage which the members of the Council have eloquently deplored, the members of the old Council met together, and sent a message of abhorrence of the crime and of sympathy with the sufferers. It is quite fitting that the first act of the new Council should be to pass a formal resolution of a similar character. I do not know that I can add anything to what has been so admirably and adequately said by the nominated and elected members of this Council. I am pleased to think that I was the first person to be able to give public expression to the sentiment that I felt sure would be joined in by the whole loyal community in the few remarks I was able to make at the ceremony at Delhi. I agree with the Hon'ble Mr. Shadi Lal that all loyal subjects of His Majesty—and I am sure that practically the whole of India is loyal—should make it their first duty to co-operate with those charged with the discovery of the offenders, and to bring the crime home to the real culprits. I do not think much more is required in the way of subscriptions of money—the danger of large subscriptions and rewards is that false cases

are made up, and thereby attention is distracted from what may prove to be true clues. But there is no doubt whatever that in Indian society as at present constituted information on such matters does spread in ways that one need not particularise, and that people do get a very good idea as to who are the persons responsible for any particular crime. It seems to me impossible to believe that the outrage on the Viceroy could have been the work of an isolated offender—in fact I have some reason to believe that the composition of the bomb, so far as it has been traced, closely corresponds with bombs used in other parts of India not so very long ago. That indicates that it was probably not a bomb of local construction. Therefore I would again repeat that I hope every loyal subject of His Majesty, who has reason to believe that he has some information, based on sufficient grounds for thinking that a certain person was the offender, will convey that information through the proper channel to the persons who are engaged in the unravelling of this crime. If this is done I have every reason to hope that, in the fullness of time, justice may be accomplished, and this blot upon the fair name of Delhi and of India will be wiped out. The best way in which this could be accomplished would be that no such outrage should occur in the future.

"Lord Hardinge is the last man upon whom such an outrage should have been attempted, and the general feeling of abhorrence that has been expressed may possibly have an effect upon the devisers of these abominable crimes by showing that their vile acts are not likely even to further the ends they have in view.

"I now propose that the resolution of abhorrence and sympathy be passed unanimously by the Council all standing."

The resolution was put and passed by the Council standing.

ADJOURNMENT.

His Honour the PRESIDENT:—"This concludes the business of the full Council this morning. We now leave the non-official members to elect a member to the Viceroy's Legislative Council, and upon this subject I would remind them again that this selection is not limited to the members of this Council, but it is open to them to elect any resident of the Punjab. Also they will have to appoint three members to the Finance Committee.

I adjourn the Council *sine die*."

LAHORE:
The 4th January 1913.

S. W. GRACEY,
Secretary to the Council.

Punjab Government Press, Lahore—21-1-13—63—300.

J. B. LEGISLATIVE COUNCIL
Dept.
No.

PUNJAB GOVERNMENT.

LEGISLATIVE DEPARTMENT.

Abstract of Proceedings of the Council of the Lieutenant-Governor of the Punjab, assembled for the purposes of making Laws and Regulations under the provisions of the Indian Councils Acts, 1861 to 1909.

THE Council met at the Council Chamber, Government House, Lahore, at 11 A.M. on Thursday, the 13th March 1913.

PRESENT :

His Honour Sir LOUIS WILLIAM DANE, G.C.I.E., C.S.I., D.C.L., I.C.S., Lieutenant-Governor, *Presiding*.

The Hon'ble Sardar SUNDAR SINGH, MAJITHIA, Sardar Bahadur.

The Hon'ble Mr. JOHN CORNWALLIS GODLEY.

The Hon'ble Sardar DALJIT SINGH of Jullundur.

The Hon'ble Mr. CLAUD ALEXANDER BARRON, C.I.E., I.C.S.

The Hon'ble Mr. ALEXANDER HENDERSON DIACK, M.V.O., I.C.S.

The Hon'ble Mr. MICHAEL WILLIAM FENTON, C.S.I., I.C.S.

The Hon'ble Nawab Sir BAHRAM KHAN, K.C.I.E.

The Hon'ble Babu GAJJAN SINGH.

The Hon'ble Rai Bahadur Bakhshi SOHAN LAL.

The Hon'ble Khan Bahadur Khwaja YUSAF SHAH.

The Hon'ble Rai Bahadur RAM SARAN DAS.

The Hon'ble Rai Bahadur HARI CHAND.

The Hon'ble Mr. JAMES CURRIE.

The Hon'ble Lala KASHI RAM.

The Hon'ble Khan Bahadur Mian MUHAMMAD SHAFI.

The Hon'ble Mr. PATRICK JAMES FAGAN, I.C.S.

The Hon'ble Nawab IBRAHIM ALI KHAN of Kunjpura.

The Hon'ble Rai Bahadur SHADI LAL.

The Hon'ble Mr. HENRY PHILLIPS TOLLINTON, I.C.S.

The Hon'ble Malik MUHAMMAD AMIN KHAN of Shamsabad.

The Hon'ble Mr. REGINALD ARTHUR MANT, I.C.S.

The Hon'ble Mr. STEPHEN WILLIAM GRACEY, I.C.S.

QUESTIONS AND ANSWERS.

The Hon'ble Rai Bahadur Bakhshi SOHAN LAL asked :—" Will the Government be pleased to state if final orders have been received for the introduction of the proposed scheme of District and Sessions Judges in the Punjab, so as to bring the system of Judicial Administration in this province in line with that of the other principal provinces of India, and, if so, when is the new scheme likely to be given practical effect to ? "

The Hon'ble MR. BARRON replied :—" No final orders have yet been received, and Government has nothing to add to the information given in my answer to a similar question put by the Hon'ble MR. SHADI LAL in this Council on the 14th December 1912."

The Hon'ble Rai Bahadur Bakhshi SOHAN LAL asked :—" Will the Government be pleased to state if it is in contemplation to redistribute the boundaries of certain districts in Central Punjab, with a view to the formation of a new district in the neighbourhood of Lahore, and, if so,—

(*a*) where will the head-quarters of the new district be located,

(*b*) what tahsils will it comprise, and

(*c*) when is the proposal likely to be carried out ? "

The Hon'ble MR. BARRON replied :—" Owing to the opening of the Upper Chenab and Lower Bari Doab Canals, Government is considering the necessity for forming a new district or districts in the Lahore division, but the scheme has not yet taken definite shape, and it is too early to give any information on the various points mentioned in the question."

The Hon'ble Rai Bahadur Bakhshi SOHAN LAL asked :—" Will the Government be pleased to state if it is a fact that the area actually under cultivation in the Chenab Canal Colony very much exceeds the resources of water-supply available for irrigation, and if crops in the colony suffer by reason of insufficiency of water-supply, and, if so, what steps has the Government taken or does it propose to take to restrict the area actually under cultivation, so as to ensure sufficient and effective water-supply to the area assessed with revenue and water-rates ? "

The Hon'ble MR. FENTON replied :—" It is not the case that the area under cultivation in the Chenab Canal Colony very much exceeds the resources of water-supply available for irrigation, but it is a fact that the colonists in many cases sow a larger proportion of the cultivated area with rabi crops than can be matured by the available water-supply unaided by rainfall. Those irrigators who spread their water-supply over an extended area instead of concentrating it upon the more limited area for which alone Government has guaranteed to supply water are well aware of the risk which they run in the event of the failure of rain. Officers of Government do their best to induce colonists to cultivate a larger proportion of kharif crops and reduce the area of rabi cultivation, but it is neither legal nor expedient to *compel* cultivators to restrict sowings on the lands which they own or hold as Government tenants or to confine the water-supply which they receive to a maximum proportion of the sown area. To do this would cause on the average very serious loss to the owners and would be deeply resented. Even in years like the present where no rain fell until February the crops sown with canal water are doing excellently and will bring in a very heavy return."

[*Mr. Sohan Lal ; Mr. Fenton ; Mr. Godley.*]

The Hon'ble Rai Bahadur Bakhshi SOHAN LAL asked : "Will the Government be pleased to state if it is correct that, according to the original rules and practice, the *kharaba* area in the Chenab Colony was excluded from assessment of revenue and water-rates, but that Government has recently issued orders assessing such *kharaba* areas ? Will the Government be pleased to state the reasons for such assessment of the *kharaba* areas ? "

The Hon'ble Mr. FENTON replied : —" The method of making allowances in the land revenue for *kharaba* or failed crops has recently in the case of the Chenab Colony been assimilated to that in force on the other large perennial canals of the Province, but in exceptionally situated estates where the canal water-supply has not yet reached the stability attained in the case of the great majority of colony villages, the system of field-to-field *kharaba* allowances is still maintained. This field-to-field *kharaba* system is nothing more than a temporary expedient, necessary in the case of new perennial canals until the irrigation arrangements of each estate are perfected. When, as is now generally the case, the water-supply far exceeds what was guaranteed by Government at the time the land was allotted, the need for carrying out an investigation into the condition of canal-irrigated crops at the time of harvest no longer exists. The field-to-field *kharaba* system gives to subordinate officials many opportunities for illicit gains, and is from this point of view universally admitted to be objectionable. On the Chenab Canal, as elsewhere, remissions may be given for widespread calamities, large failures of water-supply, and other such causes as justify remissions and suspensions under the standing order applicable to all districts of the Province."

The Hon'ble Rai Bahadur Bakhshi SOHAN LAL asked :—" (*a*) Will the Government be pleased to give the number of Anglo-Vernacular (*i*) Primary, (*ii*) Middle and (*iii*) High Schools in the Kangra district maintained by Government and local bodies, and state what is the ratio of such schools to the area of the district and its population, according to the recent census ?

" (*b*) Will the Government be pleased to state if it thinks that this number of schools is sufficient for the requirements of the district ?

" (*c*) Is the Government aware that it is in contemplation to discontinue the teaching of English in the Middle Schools at Nurpur and Palampur, and, if so, will the Government be pleased to state when the teaching of English in these schools was started and why it is proposed to be discontinued now ?

" (*d*) In view of the fact that a knowledge of English is now indispensible for entering Government service or securing other decent means of living, and the fact that the school at Nurpur does not entail any expenditure on the District Board's funds, will the Government be pleased to make a full enquiry into the matter, and take steps to continue the teaching of English in that school ? "

The Hon'ble Mr. GODLEY replied :—" There are three Anglo-Vernacular Middle Schools and one High School in the Kangra district proper, the area of which is 2,527 square miles and the population 648,539. The accommodation in these schools is reported to be more than sufficient for the present number of pupils.

" I have ascertained that the Hon'ble Member's questions refer to a suggestion which has been made to the effect that when the new Government High School at Dharmsala is ready for occupation, the teaching of English might be advantageously concentrated at that school, which will have ample hostel and class room accommodation to meet all present demands. There are

arguments for and against the proposal, and a local enquiry will be necessary before a decision can be arrived at. No change will in any case be made before 1914."

The Hon'ble Rai Bahadur Bakhshi SOHAN LAL asked:—"Will the Government be pleased to state what part, if any, of the District Board fund is annually spent on sanitation and drainage, etc., of the village *abadi* sites in each of the districts of the Punjab."

The Hon'ble Mr. MANT replied:—"No statistics on the subject are available; but village sanitation, except as regards water-supply, is not one of the duties specifically imposed on the Boards by the Punjab District Boards Act, and the expenditure actually incurred on the purposes referred to by the Hon'ble Member is probably very small. There are so many other claims on the resources of the Boards that they will probably be unable to meet any great increase of expenditure on village sanitation, and if any considerable development takes place in this direction, the cost will probably have to be provided by village taxation. Every attempt is made to induce the villagers to co-operate. In addition to advice from the Sanitary Commissioner's Department the large establishment of 24 Assistant Surgeons and 17 Sub-Assistant Surgeons maintained for the check of plague and malaria try to bring about better sanitation in villages. They have also since 1908-09 been provided with travelling dispensaries and treat over 40,000 persons a year on the average. The question of village sanitation therefore receives and will receive very special attention in the Punjab."

The Hon'ble Rai Bahadur Bakhshi SOHAN LAL asked:—"Will the Government be pleased to state what pecuniary help, if any, is given to the District Boards of Lahore and Gujranwala for the purpose of keeping in proper order the metalled roads which are not exclusively District Boards' and which have been transferred from the Public Works Department to the District Boards."

The Hon'ble Mr. MANT replied:—"It is not understood what the Hon'ble Member means by 'roads which are not exclusively District Boards'. Under section 20 of the Punjab District Boards Act the construction, repair and maintenance of public roads are placed under the control and administration of each Board within the area subject to its authority; and under section 37 of the Act the District fund is made applicable to the payment of the charges and expenses incidental to these roads. It is true that large sums have, from time to time, been expended from Provincial revenues on the construction and maintenance of district roads; but this expenditure was merely supplementary to that incurred by the Boards, and was not intended to relieve them of the responsibility imposed upon them by law. It is thus immaterial whether any particular roads were originally constructed from local funds or from public revenues.

"In 1910 it was decided to discontinue the construction and maintenance of feeder roads by the Public Works Department, and to leave this service entirely in the hands of the Boards who are the authority specially interested in such matters. It was hoped that this development of local self-government would tend to strengthen the Board and prevent the frequent complaint made of bad and expensive work against the Public Works Department. But as it was recognized that the Boards would not be able to maintain the roads in proper order from their own resources, an annual allotment of three lakhs of rupees was made to them from general revenues. In 1911 this allotment was raised to four lakhs. This sum was distributed over the several divisions on con-

sideration of the mileage of roads to be maintained and the financial position of the various Boards. The allotment of the divisional grants to the boards was left to Commissioners. In 1911-12 the Lahore district received a grant of Rs. 16,550 and the Gujranwala district Rs. 33,550.

"It has recently been decided to grant further assistance to District Boards for this important service. A sum of two lakhs has been provided in next year's budget, and Commissioners have been asked to frame an estimate of the requirements of the several Boards in their divisions. The general resources of the Boards will also be strengthened next year to the extent of upwards of two lakhs per annum by the remission of the contribution of 20 per cent. on the local rate, which has hitherto been recovered from them for general purposes."

The Hon'ble Rai Bahadur Bakhshi SOHAN LAL asked:—"Will the Government be pleased to state the annual expenditure and income of the District Board gardens and rest-houses in each of the districts of the Province, and in what manner the rate-payers are benefited by these gardens and rest-houses?"

The Hon'ble Mr. MANT replied:—"The total expenditure by all District Boards on botanical and other public gardens amounted in 1911-12 to Rs. 95,963 and the receipts to Rs. 44,996. Detailed figures for each district will be found in the statements appended to the Report on the working of District Boards in the Punjab during the year 1911-12, which was published in the *Punjab Gazette* on the 6th December 1912. The accounts in the possession of Government do not discriminate between rest-houses and dâk bungalows. The total expenditure by District Boards on these institutions amounted in 1911-12 to Rs. 43,000 and the income to Rs. 22,043. Practically all the dâk bungalows and many of the rest-houses are the property of Government, which makes contributions to the Boards to cover the estimated net cost of management. The net contributions on this account amounted in 1911-12 to Rs. 12,274.

"The rest-houses are useful to travellers and to officials and members of the Boards on tour. As regards the gardens, their circumstances and utility vary in different districts, but apart from their horticultural and arboricultural value and their utility as centres for distribution of improved fruit trees, they afford amenities and fresh air to visitors to the towns in which they are located, and are generally frequented by students. The maintenance of gardens is left entirely in the hands of the Boards, and the Government sees no reason to interfere with their discretion in this matter."

The Hon'ble Rai Bahadur HARI CHAND asked:—"Will the Government be pleased to state whether any instructions have been issued to Deputy Commissioners to set apart one room for the reception of Indian visitors? If so, will the Government kindly inform in which districts the Deputy Commissioners have done so?"

The Hon'ble Mr. BARRON replied:—"In September 1908 the attention of all Commissioners and Deputy Commissioners was drawn to the necessity for providing accommodation for the convenience of visitors, or at any rate the better class of visitors, while waiting for interviews. In places where these officers occupy Government buildings the necessary accommodation has been provided, generally in the shape of a separate small furnished building at a suitable distance from the office room. In places where officers occupy private houses rented by them from private landlords and not necessarily taken over by their successors in office, the matter presents some difficulty. But Government understands that all Deputy Commissioners make such arrangements as are practicable for the convenience of their visitors. Government has agreed to pay a proportion of the rent equivalent to the accommodation set apart for this purpose. Special accommodation has been provided in 21 out of the 23

districts in the Province. The case of Simla is special. In the remaining 6 districts the provision of such accommodation is contemplated as circumstances permit."

The Hon'ble Rai Bahadur HARI CHAND asked :—"Is it a fact that since the introduction of separate electorates in the Multan Municipality the relations between the two communities, Hindus and Muhammadans, have been increasingly bitter? Is it also a fact that public interests have largely suffered on account of the tension? If so, will the Government consider the advisability of taking some steps to remove the tension?"

The Hon'ble Mr. MANT replied :—"The existence of friction between the Hindu and Muhammadan communities at Multan has been brought to the notice of Government from time to time during the last 30 years. It was this friction that led to the introduction of separate electorates in 1899, and the electoral system must be regarded as the effect rather than the cause of the trouble to which the Hon'ble Member refers. At the same time the Government recognises that separate electorates have a tendency to secure the election of extremists on both sides, and that the present system at Multan has not relieved the tension, which is undoubtedly detrimental to municipal administration. The Commissioner will accordingly be asked to consider the question again. The Government cannot, however, promise that any change will be effected, because it has found by experience that the revision of municipal electoral rules generally arouses such controversy that the measure is apt to stir up the very trouble which it is intended to allay."

The Hon'ble Rai Bahadur HARI CHAND asked :—"In view of the rise in wages and standard of living, will the Government be pleased to consider the advisability of amending the municipal election rules of all the municipalities in the Punjab so as to raise the qualification of voters?"

The Hon'ble Mr. MANT replied :—"Municipal election rules come up for revision from time to time as necessity arises, and the Government is not prepared to initiate any general revision on the grounds suggested in the question. The Hon'ble Member is no doubt aware that the tendency of representative Government all the world over is to lower the franchise. The rise in the cost of living in the Punjab is merely bringing about automatically a change which is being deliberately adopted in other countries."

The Hon'ble Rai Bahadur HARI CHAND asked :—"Will the Government be pleased to inform the Council—

(*a*) how many murders have been committed in Multan district within the last twelve months;
(*b*) in how many cases the culprits have been challaned;
(*c*) in how many cases convictions secured?"

The Hon'ble Mr. TOLLINTON replied :—"The answer to the first part of the question is 20, the second part 13 and the third part 7 persons in 5 cases. One case is pending."

The Hon'ble Rai Bahadur SHADI LAL asked :—"In view of the general interest which the physical health of school children and students has aroused and the desire expressed by public bodies to afford facilities for physical examination and advice, will the Government be pleased to state what steps are being taken to ensure that the efforts of the local bodies and other controlling authorities of educational institutions to improve the physique of scholars will be rightly and wisely guided, in their initial stages? Will the Government also state whether it will make provision to appoint a Medical Adviser (an expert in school hygiene) to the Education Department who will co-operate with public bodies and educational officers desiring guidance in schemes relating to the physical welfare of students?"

[*Mr. Godley ; Mr. Shadi Lal.*]

The Hon'ble Mr. GODLEY replied :—"The position with regard to the medical examination of school pupils and college students was explained in my answer to a question put by the Hon'ble Member on the same subject at the Council meeting held on the 2nd October 1912. Guidance and advice in this matter are obtained from the local medical and educational officers. The appointment of a Medical Adviser to the Education Department will be considered in connection with the general review of our educational position now contemplated in view of the large grants made by the Government of India."

The Hon'ble Rai Bahadur SHADI LAL asked :—"In view of the remarks of the Government of India in paragraph 7 of the recent resolution on education, will the Government be pleased to appoint a committee of medical and educational experts to make an enquiry into school and college hygiene ?"

The Hon'ble Mr. GODLEY replied :—"This question, as well as the other suggestions and recommendations made in the resolution recently published by the Government of India, will receive the careful consideration of the Local Government."

The Hon'ble Rai Bahadur SHADI LAL asked :—"Will the Government be pleased to state the number of the Government High Schools in the Punjab ? How many of these schools have got school houses and hostels owned by the Government, and what steps have been taken to build suitable school buildings and hostels for the schools which have depended upon hired buildings so far ?"

The Hon'ble Mr. GODLEY replied :—"All the 29 Government High Schools in the Province are housed in buildings which are Government property, and twenty-four of them have hostels attached which are also owned by Government. New hostels have been built or acquired for ten of these schools in recent years, and entirely new school buildings have been provided for four schools, in addition to the erection of temporary quarters and the extension of existing accommodation. Several other building schemes are in course of preparation."

The Hon'ble Rai Bahadur SHADI LAL asked :—"Having regard to the facts that the number of teachers turned out from the Central Training College, Lahore, is altogether insufficient to meet the demand, and that the College is unable to take all the candidates who apply for admission, will the Government be pleased to consider the question of establishing a second Training College either at Lahore or some other educational centre ?"

The Hon'ble Mr. GODLEY replied :—"Up to quite a recent date the Central Training College has been able to receive all applicants. Should the present demand for places continue, the question of dividing the College into separate institutions for senior and junior teachers will be taken up."

The Hon'ble Rai Bahadur SHADI LAL asked :—"Has the attention of the Government been drawn to the following remarks of the Director of Public Instruction in paragraph 21 of the Quinquennial Report on Education in the Punjab :—

> 'The larger committees have never made any serious effort to deal with the problem of the elementary education of the masses, and their attitude towards industrial and technical training has been one of indifference. The smaller municipalities are occasionally reported to make a profit off their schools.'

"Will the Government be pleased to take early steps to bring about an improvement in the attitude of the Municipal Committees towards primary, industrial and technical education ?"

The Hon'ble Mr. GODLEY replied :—"The duty of spending a fair proportion of their income on education is one which is urged on Municipal Committees by the officers of Government, and it is thought that these bodies are, on the whole, more ready to fulfil their responsibilities in respect of education than was the case formerly. The additional funds which are now placed at their disposal owing to their being relieved of police charges and the cost of aiding secondary schools should be of material assistance."

The Hon'ble Rai Bahadur SHADI LAL asked :—"In view of the facts that the inspecting staff of the Education Department are inadequate to supervise efficiently the large number of schools under their supervision, and that their work is rapidly increasing with the extension of education, will the Government consider the desirability of making an addition to the number of the inspecting staff ?"

The Hon'ble Mr. GODLEY replied :—"The matter has engaged the attention of Government for some time, and provision has been made in the budget for the appointment of 12 additional Assistant District Inspectors of Schools."

The Hon'ble Rai Bahadur RAM SARAN DAS asked :—"*(a)* Will the Government be pleased to state the principle of assessing water-rates on lands irrigated by perennial canals ?

"*(b)* Is it a fact that in the schedule of occupiers' rate of Upper Chenab Canal the wheat crop has been transferred from the 4th to the 3rd class ; if so, will Government kindly state on what consideration the change was made ?

"*(c)* Has the attention of Government been drawn to complaints about short supply of water in the colonies as published in the leading article of the *Tribune*, dated the 11th October 1912, and, if so, will Government state what remedial measures it proposes to adopt ?

"*(d)* Is it a fact that the schedule of occupiers' rates, as sanctioned for Upper Chenab Canal, is much higher than that prevailing in other perennial canals ? If so, will Government state on what principles these rates are fixed ?

"*(e)* Will Government consider whether the enhancement of occupiers' rate is not inconsistent with the shortage of water-supply which is a general complaint in the colonies ?"

The Hon'ble Mr. FENTON replied :—"Taking the sub-heads of the Hon'ble Member's questions in order, my replies are as follows :—

"*(a)*.—The standard to be aimed at in fixing water-rates is explained in paragraph 378 of the Report of the Indian Irrigation Commission of 1901-03. That body recommended that 'there should be a gradual enhancement of rates until the charges for water are equal to what it is really worth ; that is, until the rates charged to an occupier are the maxima compatible with a full demand for water, and those paid by the owner are a fair share of the increase in the value of his net assets due to irrigation.' The rates so far levied in the Punjab are very far below this standard, to which only a gradual approach can be contemplated.

"*(b)*.—There are no prescribed or recognised classes for water-rates applicable to all canals. Each canal has its own schedule of rates and classes. As there was no such schedule for the Upper Chenab Canal in existence before the notification of that to which the Hon'ble Member now refers, there could

not have been any such transfer of wheat from one class to another as is indicated in the question. The Hon'ble Member doubtless alludes to the fact that the occupiers' rate for wheat on the Upper Chenab Canal is Rs. 5 per acre as compared with a rate of Rs. 4½ per acre in the adjoining estates of the Lower Chenab Canal. This enhancement was recommended by Sir James Douie and approved by the Local and Supreme Governments as a suitable rate for a crop which is so profitable as wheat and in the dry climate of the Punjab so little subject to disease.

"(*c*).—Government is well aware of the fact that the shortage of water in many of the canals of the Province consequent upon the phenomenally dry weather of December, January and part of February has been the subject of complaint. These complaints have ceased since the supplies in the rivers have been replenished by the rainfall of the last and the current month. One main cause of the shortage is that the owners irrigate much larger areas than were contemplated when the canals were made. Thus the irrigable area contemplated for the Lower Chenab Canal was 66 per cent. of the total cultivation. The actual irrigation was 106 per cent. last year. This extension, however, is useful as checking over-irrigation, and the present reports indicate that excellent crops are on the land and the great extension of irrigation has been of the greatest value to the owners and to the country.

"The question of remedial measures is one which Government has ever under consideration. Among such measures are those for increasing the supply by the construction of storage reservoirs in the hills; the puddling of canal channels so as to prevent loss by percolation, and in the case of the Western Jumna Canal the construction of a feeder channel from the Ganges. Continuous care is being taken to prevent over-irrigation and waste in the upper channels so as to secure a better supply in the lower distributaries.

"(*d*).—Some of the Upper Chenab occupiers' rates are higher than those on other canals in the Province; some are not so high. As stated on page 351 of volume III of the Imperial Gazetteer of India the average Punjab water-rate is Rs. 3-4-0 per acre as compared with an average of Rs. 4-8-0 in Madras, the United Provinces and the Bombay-Deccan. From the same publication the Hon'ble Member will learn that on canals in Bombay rates varying from Rs. 10 to Rs. 50 per acre are paid for sugarcane. In general the charges for irrigation depend upon the kind of crop, the quantity of water ordinarily required for it and the time when it is required, the quality of the soil, the intensity or the constancy of the demand, and the value of irrigation in increasing the outturn.

"(*e*).—It is erroneous to describe the rates fixed in the occupiers' schedule of the Upper Chenab Canal as involving any enhancement. They are the rates at which water is offered from the very first to cultivators who never before enjoyed canal irrigation. There is no obligation whatever to take canal water, and cultivators who do not desire to receive it need not be supplied. Judging, however, from the results obtained last *kharif*, there is no reason to anticipate that the pitch of the occupiers' rates will have any deterrent effect so as to limit the demand for water and they are still far below the standard above-mentioned."

The Hon'ble Rai Bahadur RAM SARAN DAS asked:—"(*a*) Is Government aware that the Municipal Committees of Bhiwani, Hissar, Lyallpur and Dera Ghazi Khan do not contain any elected members.

"(*b*) Will Government consider the desirability of granting to these municipal towns the right of electing a certain number of members, especially when the committees now possess the privilege of taking part in the election of Members for the Legislative Council?"

[*Mr. Mant ; Mr. Ram Saran Das ; Mr. Diack.*]

The Hon'ble Mr. MANT replied :—"The elective system was abandoned in Hissar in 1896 and in Bhiwani in 1903, because the strong faction feeling in those municipalities rendered good administration impossible on elective lines. The Commissioner will be asked whether he considers that the elective principle may now be restored without reviving the evils to which it gave rise.

"In Lyallpur elections have hitherto been considered inadvisable in view of the recent foundation of the town and the special conditions hitherto prevailing in which most of the funds were provided by Government. The Commissioner will be consulted on the question of introducing the elective system.

"The municipality of Dera Ghazi Khan was abolished when the old town was swept away by the river. The site for the new city has been constituted a notified area, and proposals for converting it into a municipality are under consideration. In connection with these the question whether or not the elective system should be introduced will be considered, but here again most of the expenditure is being met by Government."

The Hon'ble Rai Bahadur RAM SARAN DAS asked :—"Will Government consider the desirability of granting to the districts in Rawalpindi and Multan divisions the right of electing certain number of members to the District Board, especially in view of the eligibility of these District Boards to take part in the Council election under the new regulation ?"

The Hon'ble Mr. MANT replied :—"The Government has recently considered this question, and sees no reason to depart from the view taken in its Review on the Administration of District Boards for year 1911-12.

"That view is stated in the following passage :—

> 'The Lieutenant-Governor recently invited opinions on the question of extending the elective system in those Boards where all, or the majority of, the members are appointed ; but the replies of the local officers have convinced him that the time is not yet ripe for an advance in this direction. So long as the leading men prefer nomination to election, the substitution of the latter for the former method of appointment would lower the status of the Boards and make them less representative than they are at present of the true public opinion of the ratepayers. It remains to be seen whether the extension to District Boards of the franchise for the Provincial Legislative Council will engender sufficient competition to induce the leading land-holders to submit to election for seats on the Boards. For the present it is necessary to retain a large nominated element in this new electorate to the Legislative Council."

The Hon'ble Rai Bahadur RAM SARAN DAS asked :—"(*a*) Is Government aware that the price of *ghi* and milk, the mainstay of the Punjabis, has risen considerably ?

(*b*) "In view of the fact that in most places very little area is available for grazing, will the Government consider the desirability of granting squares in the new colonies on nominal rates to those who undertake to keep dairies, in order to supplement the supply of good butter and *ghi*, similarly to the grants of lands for horse-breeding and poultry farming ?"

The Hon'ble Mr. DIACK replied :—"(*a*) Government is aware of the large rise in the prices of *ghi* and milk in the Punjab.

[*Mr. Diack*; *Mr. Ram Saran Das*; *Mr. Godley*; *Mr. Tollinton.*]

"(*b*) Government is fully alive to the importance of reserving sufficient areas for the grazing of cattle in the new colonies. Proposals to this end are now under the consideration of the Financial Commissioners, and it has been decided to reserve from 15,000 to 20,000 acres for this purpose on the Lower Bari Doab Canal. Government has shown its interest in the general question of the milk supply of the Province, by placing an officer on special duty to write a monograph on cattle and dairying in the Punjab and by making a grant of land in the Montgomery district for a dairy farm on a large scale. While, however, Government is prepared to encourage cattle-breeding in every legitimate manner, the Lieutenant-Governor does not consider it either economically justifiable or fair to the general tax-payer to give away squares of land either free or at nominal rates to persons who are prepared to carry on what is after all an old-established industry in the Punjab whose maintenance and furtherance are a more appropriate opening for private enterprise than for Government subvention."

The Hon'ble Rai Bahadur RAM SARAN DAS asked:—"(*a*) Will Government be pleased to state what enquiries have been made by the Industrial Committee nominated by the Government?

"(*b*) Will Government consider the desirability of starting model industrial schools in industrial centres of the Province?"

The Hon'ble MR. GODLEY, replied:—"(*a*) The Committee on Industrial Education in the Punjab submitted its report in 1912. I shall be glad to supply the Hon'ble Member with a copy. Government awaits the opinion of the Committee on the special report of Colonel Atkinson and Mr. Dawson as affecting their report.

"(*b*) The industrial institutions maintained by Government at present are the Mayo School of Industrial Art and the Railway Technical School, both of which are being improved. No decision has been arrived at with regard to starting other Government institutions, but local bodies have been offered liberal grants for buildings, equipment, and salaries in order to enable them to open industrial schools, and several new schools of the kind are being arranged for. The difficulty is to obtain suitable teachers."

The Hon'ble Rai Bahadur RAM SARAN DAS asked:—"(*a*) Has the attention of Government been drawn to the continued prevalence of serious crime in the province, especially dacoity and murder?

"(*b*) Will Government be pleased to state (*i*) how many dacoities and murders have taken place in the Rawalpindi and Multan divisions in particular, and in the whole province generally, during the last calendar year; and (*ii*) in how many of these cases the police have been successful in tracing the culprits and securing their conviction?"

The Hon'ble MR. TOLLINTON replied:—"(*a*) Government is well aware of the state of crime in the province and is doing all that is possible in the existing state of the law to improve matters. Special police have been drafted into the most disturbed tract, and more and better arms have been provided for them. The worst tracts have been required to furnish punitive police. The security sections of the Code have been carefully worked, and the Crown is represented in all cases, and every attempt is made to furnish evidence on which the courts can convict. More than this as the law stands cannot be done.

"(*b*) There has been a slight decrease in the number of dakaitis during the last calendar year as compared with the year 1911: in 1911 there were 135 cases and in 1912, 126. The number of murders during the two years was 608 and 674, respectively.

[*Mr. Ram Saran Das ; Mr. Tollinton ; Mr. Barron.*]

"Of the total number of murder cases in the year 1912, 187 (involving 303 persons) were prosecuted to conviction. Two hundred and forty-three cases were pending at the end of the year.

"Of the dakaitis, 41 cases (involving 210 persons) were convicted. Thirty-two cases were pending at the end of the year.

"The figures for the Multan and Rawalpindi divisions are as follows :—

Murders.

"316 cases : convicted, 88 cases, 157 persons : pending 95 cases.

Dakaitis.

"71 cases : convicted, 17 cases, 101 persons : pending 25 cases."

The Hon'ble Rai Bahadur RAM SARAN DAS asked :—"Is it a fact that the majority of the victims of these dacoities have been traders or bankers ? If so, will Government kindly state what special measures it proposes to adopt to secure these inoffensive people from such attacks ?"

The Hon'ble MR. TOLLINTON replied :—"It is not a fact that the majority of the victims in these cases were bankers or traders.

"In the Multan and Rawalpindi divisions, where 316 cases of murder occurred, bankers or traders were the victims in only 20 cases.

"In only 28 cases of dakaiti out of the 71 which occurred in those divisions were persons of the above classes the sufferers. Government does not propose to adopt any special measures for the protection of any particular class of people, though respectable and trustworthy persons are given licenses for arms for the protection of their persons and property."

The Hon'ble Rai Bahadur RAM SARAN DAS asked :— "In his speech at the close of the last budget discussion, His Honour the Lieutenant-Governor was pleased to say that the Deputy Commissioners had been instructed to freely grant licenses for arms to respectable people applying for them, so as to give them a chance to protect themselves against depredation by dacoits. Will Government be pleased to state—

(*a*) the total number of applications by religion for licenses for arms made during the calendar year 1912 ;

(*b*) the number of cases in which such licenses have been granted to (*i*) agriculturists, (*ii*) non-agriculturists ? "

The Hon'ble Mr. BARRON replied :— "The remarks of His Honour the Lieutenant-Governor which the Hon'ble Member has quoted referred only to certain exposed districts in the north-west of the province. Since the last budget discussion a question has already been asked in this Council on this subject, and I would invite the Hon'ble Member's attention to the answer I gave to the Hon'ble Mr. SHADI LAL on the 2nd October last. In that answer the statistics regarding arms licenses in the districts specially concerned were carried down to the 31st August 1912. It is not clear whether the question refers to these particular districts or to the province generally. It does not, however, appear to be necessary to call for fresh statistics from the exposed districts after the lapse of so short a time. For the province generally such statistics as are available regarding the number of licenses to carry arms for the purposes of protection, sport and display which are in force or are granted each year are published annually with the report on the destruction of wild animals in the *Punjab Gazette*. The statistics for 1912 will probably be published next month.

"In statistics of this nature it is not the practice to differentiate the holders of arms licenses by religion or occupation, and the Lieutenant-Governor does not consider it advisable to introduce any such distinctions. There is no reason to suppose that District Magistrates will differentiate improperly between persons of different creeds in granting licenses for *bond fide* protection of person or property, and it is the desire of Government to minimise as far as possible these unfortunate sectarian differences rather than to increase them by differential treatment."

The Hon'ble Rai Bahadur RAM SARAN DAS asked :—"Will Government be pleased to state whether they have under consideration any proposal to change the law with the object of keeping a better control over persons of bad character as a check on crime ? If so, will the Government indicate the lines on which the law is intended to be modified ? In this connection articles to this end which have appeared in the public papers have, no doubt, received the attention of Government."

The Hon'ble Mr. TOLLINTON replied :—"Government has nothing to add at present to the reply given to the Hon'ble Mian MUHAMMAD SHAFI in this Council on the 2nd October 1912 on this subject. The matter is now under the consideration of the Government of India in connection with the amendment of the Code of Criminal Procedure. A number of articles on this subject, which have appeared in the newspapers, have been seen by Government. The present intention is to take action, but what form of action will be taken cannot be said at present, as the matter is still under the consideration of Government."

The Hon'ble Rai Bahadur RAM SARAN DAS asked :—"Has the attention of Government been drawn to the resolution passed at the Punjab Hindu Conference at Delhi in which the inadequacy of the Hindu element in the higher rank and file of the police service was emphasised ? Will the Government be pleased to state what steps it has taken or has in contemplation to remove this inequality ?"

The Hon'ble Mr. TOLLINTON replied :—"The resolution of the Punjab Hindu Conference referred to by the Hon'ble Member has been seen by Government. Government is of opinion that in recording a resolution to the effect 'that in the matter of making appointments to the public services, more especially in the Police Department, undue preference had been, and was being, given to considerations of religion and creed rather than to merit, fitness and seniority in service, to the detriment of efficiency and the interest of the Hindu community,' the conference was making a mistake of fact. The first consideration is always fitness for the post. But if fitness alone were considered, inequalities such as are complained of might tend to be greater than they are at present. It is alleged that Hindus will not enter the police on the present pay notwithstanding the recent increases. It can hardly be contended that the pay should be raised merely to induce them so to enter, and unless they enter as constables the higher rank must contain a smaller proportion of Hindus, as they are to some extent recruited from the rank and file."

The Hon'ble Rai Bahadur RAM SARAN DAS asked :—"In his speech referred to in question 7, His Honour the Lieutenant-Governor was pleased to observe that 'the process of recruiting men of good position and education for a higher grade in the police service was going on rapidly.'

"Will the Government be pleased to state—

"(*a*) the number of Hindus and Sikhs of good position and education who have been appointed to the grade of Deputy Superintendent and Inspector since the re-organization of the police forces ; and

"(*b*) the number belonging to other communities so appointed during the same period ?"

The Hon'ble Mr. TOLLINTON :—"I have been asked to suggest to the Hon'ble Member that there is some obscurity about the phrase 'good position and education.' If he will specify more fully a fuller answer will be given at the next meeting of the Council."

The Hon'ble Rai Bahadur RAM SARAN DAS asked :—"(*a*) Is it a fact that the performance of the play of 'Ram Natak' by the Hindu Amateur Theatrical Club in the premises of the Sanatan Dharam Sabha (known as Vakil Khana, Nabha) near Hazura Sarak (road), Ludhiana, has been stopped by the Municipal Committee of the town ?

"(*b*) Is Government aware that the play of Ram Natak is the Ramayan dramatised and is regarded with feeling of reverence by Hindus, and possesses nothing calculated to incite racial feelings or sentiments of disloyalty ?

"(*c*) If the answer to question (*a*) is in the affirmative, will Government state what led the Ludhiana Municipality to prohibit the performance, especially as the Deputy Commissioner had on several previous occasions permitted it. Will Government consider the desirability of taking steps with a view to permitting a large number of its loyal subjects to enjoy their national entertainments ?"

The Hon'ble Mr. BARRON replied :—"The Lieutenant-Governor has ascertained from the Deputy Commissioner of Ludhiana that the Municipal Committee of that town did recently, at a meeting at which the Deputy Commissioner was not present, refuse sanction to the performance of the play called 'Ram Natak'. The action of the Municipal Committee is believed to be due to the religious friction at present existing. It is unfortunate that faction feeling in Ludhiana should be so embittered, and the Lieutenant-Governor can only hope that Hon'ble Members will by example and precept here and elsewhere endeavour to allay, as far as it is in their power, sectional disputes which prevent different portions of the community living in harmony and enjoying innocent pleasures in peace.

"Government has no knowledge of this particular play as performed by the Ludhiana Hindu Amateur Theatrical Club, but understands that the Deputy Commissioner has at various times given permission for its performance, and has also signified his intention to allow it during the forthcoming 'Holi' holidays. He also proposes to give the Ludhiana Municipal Committee an opportunity for again considering the question.

"The incident is purely one of local concern, and does not appear to call for any interference on the part of Government at this stage. In fact it would have perhaps been better in the interests of general harmony, which no doubt the Hon'ble Member has at heart, if, instead of having a question put in this Council on the subject, the promoters of the performance and their friends had after approaching the Deputy Commissioner awaited the result of his intervention."

The Hon'ble Rai Bahadur RAM SARAN DAS asked :—"Will Government be pleased to consider the desirability of appointing a committee of experts to enquire into the prevalence of small-pox in rather epidemic form in various towns of the Punjab, especially in view of preventive measures adopted to combat disease ?"

The Hon'ble Mr. TOLLINTON replied :—"The prevalence of small-pox is admitted. During the present winter the disease has attained proportions

which have never been attained except in the year 1906, since the enactment of Act XIII of 1880. But it is doubtful whether any advantage would accrue from the appointment of a committee of experts. All experience shows that vaccination is the best prophylactic, but the Vaccination Act can only be extended to municipalities and cantonments, and to the former only in case a majority of the members desire it.

"Further it may be doubted whether even the amount of compulsion that is permissible under the Act is now resorted to, or could, in the present state of public opinion, be more resorted to than it is at present. Commissioners, Deputy Commissioners, Civil Surgeons, Tahsildars and village officers have been instructed to press vaccination in every way possible, but it is really a matter in which the leaders of public opinion should take the lead, and it is difficult to see what more can be done by Government."

The Hon'ble Rai Bahadur RAM SARAN DAS asked:—"Will Government be pleased to lay a statement on the table contrasting separately the number of (*i*) primary, (*ii*) lower primary schools in each district in 1912 with the similar statistics of 1911."

The Hon'ble Mr. GODLEY replied:—"Owing to the shortness of the notice I have not been able as yet to obtain the statistics asked for by the Hon'ble Member, but I hope to be able to supply them at the next Council meeting."

The Hon'ble Rai Bahadur RAM SARAN DAS asked:—"Will Government be pleased to try the experiment in a few selected places of appointing qualified visiting governesses to instruct grown-up girls and women in home industries."

The Hon'ble Mr. GODLEY replied:—"Government cannot well undertake to maintain a staff of visiting governesses either for the province or for selected centres, but grants are allowed for home education or zenana classes under article 72 of the Education Code. Liberal grants for this purpose have recently been made in Lahore. If other centres can work out and produce suitable schemes Government assistance will no doubt be forthcoming."

The Hon'ble Rai Bahadur RAM SARAN DAS asked:—"(*a*) In view of the enormous revenue derived from the Railway, will Government kindly move the Railway authorities to provide raised platforms at all stations including flag stations, as a matter of convenience no less than safety to passengers?

(*b*) In view of the growth of female passengers' traffic and the admitted convenience of female ticket collectors, will Government consider the desirability of moving the Railway authorities to increase their number on the principal stations?"

The Hon'ble Mr. BARRON replied:—"The Hon'ble Member's suggestion will be brought to the notice of the management of the North-Western Railway, but the Administration of that Railway is not under the orders of the Local Government. The Lieutenant-Governor has no doubt that the Agent will give the suggestions the fullest consideration which the convenience of the travelling public, including especially female passengers, demands."

REVISED FINANCIAL STATEMENT FOR 1913-14.

The Hon'ble Mr. MANT, in presenting the Revised Financial Statement* for 1913-14, made the following explanatory remarks:—"For the third year in succession it is my privilege to present a prosperous Financial Statement. In doing so I trust I may take the liberty—not often enjoyed by official

* See appendices I and II.

members—of congratulating Your Honour personally on the financial progress which the province has made during your term of office. In the memo. attached to the Financial Statement I have given a brief comparison between the revenue and expenditure in 1907-08 and the Budget Estimates for the coming year. Perhaps Hon'ble Members would glance for a moment at the table in paragraph 24 of the memo. The figures speak for themselves, but I may perhaps be permitted to say that the great advance in growing revenue has been stimulated by Your Honour's efforts, especially in stiffening the land revenue administration, and in pushing on the construction of canals which are of such great benefit both to the cultivators and to the public revenues. The policy of selling proprietary rights to tenants in the canal colonies, which Your Honour advocated, has greatly augmented our immediate resources, though the receipts from such sales represent a capitalization of revenue, and can only be utilized for non-recurring expenditure Still greater financial benefit is to be expected from the revision of the Provincial Settlement, which is estimated to bring in a net gain to Provincial Revenues of upwards of ten lakhs in 1913-14, and which, by converting a large amount of fixed into growing revenue, has secured substantial progress for the future. The carrying out of this reform is largely due to Your Honour's persistence in pressing the claims of the province and to the eloquence of Mr. Fenton, whose spirited attack is still remembered by the Finance Member of the Imperial Council.

" 2. Turning now to the Revised and Budget Estimates it will be seen that we now expect to collect 95 lakhs more and to spend 20 lakhs less in the current year than was anticipated a year ago. Nearly 52 lakhs of the increase in revenue are accounted for by Imperial Assignments, but after making this deduction, there is still a net improvement of 63 lakhs to be explained. An unexpected surplus is generally regarded as a matter for congratulation, but I feel no pride in seeing this large addition to our balances. It simply means that we were badly out in our budget. The variations are explained in detail in the memorandum, and I need only mention here a few general considerations. The first is that the Local Government has not a free hand in framing the budget. The estimates under the large divided heads are subject to revision by the Government of India and are frequently so revised. The second is that the greater part of our revenue is derived from industries connected with agriculture, and is therefore largely dependent on the seasons. Thus in the Revised and Budget Estimates 61 and 66 per cent. respectively of the total revenue is expected under the two heads of Land Revenue proper and Irrigation —Major Works. In view of the uncertainty of the climate it is generally advisable to frame cautious estimates under these heads, but I admit that the budget estimate of irrigation receipts in the current year was unduly cautious.

" 3. The third consideration is that, as pointed out in the memo. many of the spending departments, having been starved for some years, have got into the habit of asking for more than they really need. Their appetite has, moreover, been whetted by the large grants made by the Government of India to Provincial Revenues in the last few years. An idea seems to have got about that the more we spend, the more we shall get, and consequently there is no lack of projects for expenditure. It may be inferred from Sir Guy Fleetwood Wilson's remarks with regard to the distribution of the current year's surplus that this scramble for the loaves and fishes is likely to cease for a while, and personally I think it will not be a bad thing for Provincial finance if we have to depend more on our own resources. From this point of view it is a hopeful sign that the Government of India have this year for the first time partially adopted a suggestion of the Decentralisation Commission that Imperial grants should not be earmarked for particular purposes, but that their expenditure should be left to the discretion of Provincial Governments. We have thus obtained a grant of

12 lakhs in aid of general provincial resources. The utilization of this grant will be carefully considered, and only ⅓rd of it (*i.e.*, 4 lakhs) has been added to the expenditure budget for the coming year.

"4. The budget for next year anticipates a deficit of nearly 44 lakhs. Of this total 29 lakhs are accounted for by expenditure from Imperial grants, mainly for sanitation, education, and agriculture. The remaining 15 lakhs will be provided from ordinary Provincial balances, from which liberal provision has been made for expenditure on public works. Many of these works will extinguish rents or allowances at present paid, and may therefore be regarded as remunerative. Notwithstanding the deficit the year is expected to close with the large balance of Rs. 1,46,22,000, and, what is more important, I think that we may now regard our normal revenue as sufficient to meet the present standard of expenditure. That standard is of course continually rising; it is right that it should do so in a progressive province. The steady growth of the cost of living is reflected by increases of pay for subordinate and menial establishments, and it is not improbable that the labours of the Public Services Commission will result in raising the pay of superior appointments in various departments. We have also to meet large demands for raising the general standard of civilization, especially in matters of education and sanitation, and, with the spread of canal irrigation and the progress of agriculture, the demand for better roads is steadily growing. But with all these demands before us we can I think face the future with confidence, and trust that judicious expenditure on the development of the province will bring in sufficient funds to enable our resources to keep pace with requirements.

"5. When presenting the Financial Statement last year I explained a new procedure which we had then just introduced of laying all proposals of heads of departments for new expenditure before the Finance Committee at a preliminary meeting before the budget was made up. The same course was followed this year, and, although we had at our subsequent meeting a new Committee representing the new Council, the work done at the preliminary meeting was not altogether wasted, and I think I may say that the new procedure has justified itself, and that it may advantageously be adopted as a permanent arrangement. As I said last year, the co-operation of the non-official members is of great advantage to Government in framing the budget, and I believe that in this direction lies the soundest line of development for those who seek to extend representative institutions in this country. We do not always see eye to eye with the Government of India in financial matters, and, as indicated in my memorandum, we have not succeeded in persuading them to allow us to invest our accumulated balance in the manner that would seem most profitable for the Province. There is still room for considerable development in the decentralisation of Provincial finance, but the real obstacle to progress in this direction is the lack of what might be called Provincial patriotism. Indian politics have been organized on a racial or religious rather than on a territorial basis, and provincial interests languish because the leaders of the people are more concerned to push the claims of their particular sect or party than to work for the good of their province. The Provincial Councils cannot attain their full measure of usefulness and influence, and Provincial Governments cannot obtain wider financial powers until the representatives of the people learn to sink party differences and to work together for the common interests of the province.

"6. With these remarks I beg to present the Revised Financial Statement.

"7. I have also to introduce the consideration of certain heads of which I

him Member in charge. Of these heads only the following call for special remark.

Under Stationery and Printing there is a decrease of Rs. 20,000 both in receipts and expenditure owing to a change in the method of accounting for lithographic printing paper obtained by the jails from the Stationery Office at Calcutta and distributed by them to heads of departments.

"8. Under XXV—Miscellaneous the decrease of Rs. 4,76,000 in the receipts is mainly accounted for by the abolition of the contribution of 20 per cent. of the local rate which Government has hitherto taken from District Boards in consideration of certain general services which it has performed on behalf of the Boards. It has now been decided that Government will bear the cost of these services in future without charge to the local rate-payer, and the 20 per cent. contribution estimated at Rs. 4,10,000 per annum has consequently been remitted. At the same time certain grants which have hitherto been made by Government to the Boards for various purposes will lapse. The net result of these changes is estimated to increase the resources of the Boards by Rs. 2,08,000 a year, and this sum will be made good to Provincial Revenues by a recurring Imperial assignment. We have not received such a large assignment on this account as some other provinces, possibly because our more liberal treatment of the Boards in the past has left less to remit. But it is also possible that the difference may be due to different classification of charges in the accounts, and this question is under examination.

"9. Under 29—Superannuation Allowances and Pensions the normal rate of increase of expenditure has been retarded by the transfer from the Punjab accounts of pensions paid at Delhi. When dealing with this head last year I mentioned as one of the causes which tended to increase pensionary charges the continual growth in the number of ministerial appointments. A small committee of experienced officers has been enquiring into this matter during the last few months, and it is hoped that the results of their labours will be a considerable reduction in clerical work and in the number of appointments in various offices, and that with the funds thus set free it may be possible to effect a material improvement in the pay and prospects of the appointments that will be retained. Pending the conclusion of this enquiry Government has been unable to give effect to the scheme, for which provision was made in the current year's budget, of making an all-round increase in the pay of clerks on Rs. 30 a month or less, but it is prepared to undertake more than a mere readjustment of the expenditure on clerical establishments, and Rs. 80,000 have been provided in the budget under the head 32—Miscellaneous for such increases of pay as may be found desirable next year after consideration of the committee's report.

"10. I now ask permission to lay before the Council the figures under the following heads of income :—

XII—Interest,
XXII—Receipts in aid of Superannuation,
XXIII—Stationery and Printing,
XXV—Miscellaneous,

and under the following heads of expenditure :—

1—Refunds and Drawbacks.
29—Superannuation Allowances and Pensions.
30—Stationery and Printing.
32—Miscellaneous.
36—Reduction or Avoidance of Debt."

The Hon'ble Mr. DIACK :—"Receipts under I—Land Revenue are classified in the budget under six heads of which the two most important are

'Ordinary Revenue' and 'Sale of Government estates.' The former contributes the bulk of the income. Appendix B to the Financial Statement shows that for 1912—13 we budgetted, under Ordinary Revenue, for a gross income of 310 lakhs. This was made up of 223 lakhs on the fixed revenue roll and 87 lakhs under various systems of fluctuating assessment. The estimate of 223 lakhs on account of fixed assessments has been almost completely realized. The bumper rabi of 1912 enabled us to recover, as was anticipated, about 10 lakhs of land revenue suspended in the preceding kharif and in other previous harvests; and the kharif of 1912 though below average in unirrigated tracts owing to the early stoppage of the monsoon, has not necessitated such general and large suspensions as the previous kharif. The amount suspended is less than 2 lakhs as compared with 9 lakhs then. While our estimate of fixed land revenue has thus been realized nearly in full, the collections under fluctuating assessments, mainly on canal-irrigated land and principally on the Lower Chenab Canal, have very largely exceeded the estimate. This must be attributed partly to the good working of the canals and partly to the increased demand for canal water owing, first, to a dry spring, and afterwards to the late commencement and early stoppage of the monsoon. The result is a revised estimate of Rs. 3,24,53,000 for 1912-13 as compared with the budget of 310 lakhs.

"In budgetting for 1913-14 we have to deal with the rabi now on the ground and with the coming kharif. The unirrigated rabi is below average, but, thanks to the welcome rain which has just fallen, it is unlikely that there will be any need for extensive suspensions. We must assume that the kharif will not be other than normal. Our budget for ordinary revenue, both fixed and fluctuating, must therefore follow the average. We cannot reckon on recovering much of the arrears still remaining of suspended land revenue on the fixed rent roll, but we expect an enhancement of 5 lakhs as the result of the introduction in the districts of Ludhiana, Ferozepore, Amritsar and Gurdaspur of the new demands imposed in the course of recent settlement operations. The estimate of fixed collections for 1913-14 is therefore 218 lakhs. As the result of re-assessment in Lyallpur we anticipate an increase of 4 lakhs under fluctuating collections, and the total estimate of these collections is 98 lakhs. The budget for ordinary revenue for 1913-14 is therefore 316 lakhs.

"Next in importance under the land revenue head comes the minor head 'Sale of Government estates', that is to say, principally land on the Lower Chenab Canal. As I remarked last year, the budget under this head is largely speculative. The original estimate for 1912-13 was designedly moderate—33 lakhs. The revised estimate is nearly 55 lakhs. For the year 1913-14 the budget has been put at 26 lakhs only, and it would not be safe to assume a higher income from this source, as 93 per cent. of the yeomen and about half the total number of peasants in the Chenab Colony have already purchased proprietary rights in their holdings, and comparatively few remain to purchase in future years.

"The other heads of income under land revenue are normal and call for no remark.

"The deduction to be made from the total owing to the indirect credit taken by the Irrigation Department for land revenue on canal-irrigated lands rises *pari passu* with the increase of assessment on these areas, and no detailed account of this is necessary. In the present year, however, the abolition of owner's rate as a separate head and its inclusion in land revenue has swelled the debit to land revenue on this account. The net total to be divided between the Imperial and Provincial Governments according to the revised estimate

for 1912-13 is Rs. 3,11,77,000 which is shared equally by the Imperial and Provincial Governments, while the share of the Provincial Government is raised to Rs. 2,30,65,000 by assignments from the Government of India, which it is a conventional practice to convoy through the land revenue head and which will be found explained in detail in appendix A to the Finance Member's memorandum. For next year a similar calculation gives Rs. 1,65,73,000 as the Provincial share, or about 3 lakhs less than the amount originally budgetted for the year now current. The contributions from Imperial which have since been received are very much in excess of the usual scale, owing to the exceptional nature of the Imperial surplus.

"As regards expenditure the revised estimate under 3—Survey and Settlement shows a decrease on the original from Rs. 11,15,000 to Rs. 9,80,000. There has been no material change in our settlement programme to account for this: it is due merely to Settlement Officers having over-estimated the amount of expenditure they thought they were likely to incur during the year, and viewed as a saving it is satisfactory. The programme which I sketched last year has been carried out. It was in excess of the normal, as I explained then, and in the coming year we shall still have nine districts under settlement or more than it is ordinarily desirable to have, and we estimate for an expenditure of Rs. 8,60,000 in 1913-14 as compared with the revised estimate of Rs. 9,80,000 for the current year. But our general scheme of settlement operations aims at a reduction of the number of districts simultaneously under settlement to six in 1917 and to an even lower figure thereafter.

"Turning to income and expenditure under heads XXI and 26—'Scientific and other Minor Departments,' which are principally spending departments, we find little change between the budget and the revised estimate for the current year in receipts (Rs. 1,20,000 to Rs. 1,22,000), but a decrease from Rs. 10,75,000 to Rs. 8,75,000 in expenditure. This is partly because it has not been possible during the year to utilize the whole of a special allotment made for the development of agriculture and partly because the contemplated revision of the staff of the Punjab Veterinary College has had to be postponed. In the budget for 1913-14 both income and expenditure are increased by Rs. 77,000 and Rs. 1,40,000 respectively by the transfer of the Hissar Cattle Farm from the Imperial to the Provincial Government. The expenditure side is further raised by the addition to it of assignments from Imperial revenues for the improvement of agriculture amounting to Rs. 3,73,000, and the total expenditure budgetted for amounts to Rs. 13,89,000 compared with the revised estimate for the current year of Rs. 8,75,000. Among the agricultural experiments under contemplation I may mention one for the reclamation of reh-infected land in the Chenab Canal Colony which though costly will if successful be amply repaid. A sum of Rs. 40,000 for the purchase of plant and other expenditure in connection with this is included in the revised estimate.

"I present the budget for heads I and 1—Land Revenue and XXI and 26 - Scientific and Other Minor Departments"

The Hon'ble Mr. FENTON:—"Rule 11 (2) of the rules for the discussion of the annual Financial Statement provides that the consideration of each head or group of heads shall be introduced by the Member in charge with such explanations, supplementing the information contained in the Revised Financial Statement as may appear to him to be necessary. In connection with the subject of Excise I would invite the attention of the Council to paragraphs 11 and 17 of Mr. Mant's memorandum, and sections V (income) and 7 (expenditure) of Mr. Parsons' note appended thereto. The explanations given in these passages are so full that there is little left for me to say by way of supplement.

"The figures with which we are concerned will be found on page 5 of appendix B of the Financial Statement. It will be seen that we are budgetting for exactly the same total income in 1913-14 as we expect to receive in the current year, but we have to make good a reduction of about 2½ lakhs on account of the exclusion of Delhi income and of about 4 lakhs on account of the income of the current year including 14 months' license fees as compared with 12 months' fees realizable in 1913-14. To counterbalance this reduction of 6½ lakhs we expect to realise an additional Rs. 1,20,000 on account of the enhancement of the issue price of excise opium from Rs. 18 to Rs. 20 per seer, and an additional Rs. 50,000 in consequence of the abolition of wastage and dryage allowances on liquor removed from distilleries. I confess I do not quite see how the additional 4⅘ lakhs odd are to be made up, especially as the February and March auctions of licenses indicate a reduction of about 1½ lakhs to date as compared with the results of last year's auctions. But the Government of India who are responsible for the budget are satisfied that the ordinary growth of revenue will produce the total income shown on page 5 of appendix B. Experience no doubt justifies this conclusion, provided that there is no arrest of the general prosperity of the consuming classes which undoubtedly has a very direct influence on the growth of this branch of revenue. Thanks to the rainfall which commenced on 15th February, there is every prospect of this prosperity being maintained.

"There are many features of Excise administration which possess interest for members of this Council and for the public at large, but the Council will no doubt agree with me that in the absence of any resolution affecting the estimates the present is not a suitable occasion for discussing questions of policy. An opportunity for such discussion will occur when the new Excise Bill comes under the consideration of the Council. I may mention that the assent of the Government of India to the introduction of the Bill was received yesterday.

"The revenue heads Stamps and Assessed Taxes are not open to discussion by this Council. As regards the corresponding expenditure heads, I have nothing to add to the remarks in the Finance Member's memorandum. I have also been charged with the duty of introducing the Public Works Department budget heads. For that purpose the Chief Engineer has been good enough to supply me with a memorandum containing the following information which will be of interest to the Council:—

"Progress on the Triple Project continues to be satisfactory. Of the total estimated cost aggregating 10·07 crores, 7·6 crores will have been spent by the close of the current financial year. The Upper Chenab Canal was opened for irrigation by His Excellency the Viceroy on the 12th April 1912, and has, during its first year, irrigated 153,000 acres as against 40,000 acres anticipated in the project estimate. Work on the Lower Bari Doab Canal has also advanced sufficiently to permit of the Canal being formally opened for irrigation in part of the commanded tract. His Honour the Lieutenant-Governor has very kindly consented to perform the ceremony on 12th April. It is expected that the Upper Jhelum Canal will be ready for opening by April 1915 at latest. If, however, the work of making the deep cutting near the head of the canal at Mangla progresses as satisfactorily as it has done hitherto, it might be possible to open the canal in October 1914. The later date is a more reliable one.

"Under the head XXIX—Irrigation—Major Works the total direct receipts for the current year (1912-13) are estimated at 244 lakhs. Of this the Provincial budget is credited with half only under the terms of the Provincial Settlement. The total direct receipts in 1909-10 amounted to 178·9 lakhs, in 1910-11 to 184·3 lakhs, and in 1911-12 to 205·8 lakhs. This shows a steady

increase, and it is hoped that it will be maintained in future years, provided climatic and other conditions are as favourable as in the past and present years.

"Under 42—Irrigation—Major Works the total expenditure, exclusive of interest on debt, was for the year 1909-10, 75·2 lakhs; for 1910-11, 74 lakhs; for 1911-12, 79·3 lakhs; and in the revised estimate for current year (1912-13) 83 lakhs, of which half will go against the Provincial budget. Out of the increase of 4 lakhs over the actuals for 1911-12, the Upper Chenab Canal, which was brought into operation during 1912-13, accounts for an increase of a little more than 1½ lakhs and the special works on various canals account for the remainder.

"The net income of the years 1912-13 and 1913-14 is Rs. 51·2 lakhs and 47·7 lakhs, and exceeds the present guarantee of 41 lakhs under the terms of the Provincial Contract by 10 lakhs and 6·7 lakhs, respectively.

"This year too has been a favourable one for irrigation. In the year 1910-11 the total area irrigated in the Punjab was 7·23 million acres, in 1911-12 it was 8·33 million acres, and in the current year (1912-13) 8·46 million acres have been irrigated or an advance of 1·5 per cent. over the previous maximum area irrigated (during 1911-12) and equivalent to 60 per cent. of the culturable commanded area.

"In connection with 45—Civil Works I would invite attention to paragraphs 21 and 22 of part I and to page 19 of part II of the Finance Member's memorandum. Never before in the history of the Province has it been possible to provide a crore of rupees for roads, buildings and public improvements. It is possible that the whole of this money will not be spent. We are certainly experiencing a new set of conditions. Whereas formerly in our lean years our difficulty was to find funds for the carrying out of plans and estimates for which administrative and professional sanction had long previously been given, now the difficulty is to keep pace, in the investigation and decision of administrative questions affecting large works and in the framing of plans and estimates—to keep pace with the generosity of the Financial Department in making funds available.

"Of course, members will realise that although the head 45—Civil Works is a separate head in the budget, the Public Works Department, in so far as its activities are concerned with buildings, is really the servant of all other departments. It will be seen from the figures in the Finance Member's memorandum that the Revenue, Administrative, Education, Agricultural and Medical Departments extensively benefit by the grants classified under this head. In particular, I would call attention to the following items for educational buildings, *viz.*—Punjab Veterinary College 5 lakhs; Preparatory School for the Aitchison College, Rs. 50,000; hostel for the Medical College, Lahore, 1 lakh; hostel for the Mayo School of Art, Rs. 40,000; Biology and Physics Laboratory, Government College, Lahore, 1 lakh. There is also a provision of over 9 lakhs for ordinary educational buildings. The items in the coming year's budget which perhaps possess the greatest interest for the public generally are those relating to the road bridges over the Sutlej, Beas and Ravi rivers. Communications generally receive due recognition in the estimates. There is provision for an additional subvention of two lakhs to District Boards for feeder roads. Then there is a special grant of Rs. 1,46,000 for roads in the Hoshiarpur district to serve the large traffic catchment area which will be tapped by the new railway, and, lastly, the

requirements of the new Lower Bari Doab Colony are catered for by the provision of a lakh and a half for roads in the Montgomery district. This is only the beginning of a long vista of expenditure which will be necessitated by colonization developments in this area."

The Hon'ble Mr. BARRON :—"Your Honour, I beg to introduce the expenditure head No. 18—General Administration. The figures are fully explained at page 15 of the memorandum by the Finance Member. I fully concur in his remarks."

The Hon'ble Mr. TOLLINTON :—"Your Honour, in introducing the heads of the budget committed to my charge, I have nothing to add to the full explanation given by the Hon'ble the Finance Member in his memorandum and the note appended thereto; but I desire to make a short explanation in connection with the remark that has been made in paragraph 14 to the effect that rather more than 3 lakhs under the head Sanitation and Vaccination have been carried forward till next year, because various other schemes, for which it seems *primâ facie* desirable to devote the money available, have not yet been fully worked out. Lest the Members of the Council and the Province generally should think that Government is in any way backward in pressing sanitary schemes, I desire to explain that about two months ago a scheme for the sanitation and water-supply of Multan was received by Government, but as it had not been scrutinised by expert engineers, it was thought desirable to send it for consideration to the Sanitary Board. At the same time a sewerage scheme for Lahore came up before the Sanitary Board, but was returned to the municipality for further consideration by the municipality. Of course it would have been possible for Government to make over the balance of the Sanitary grant to the committees concerned, but as most of the big lump grants also referred to in paragraph 14 of the memorandum, that is, Rs. 2,20,000 to Amritsar, Rs. 1,50,000 to Rawalpindi, and Rs. 1,00,000 to Sialkot, all had been made towards the close of the year, it was considered desirable more or less to earmark this balance for the schemes in question and not actually to make over the money to the municipalities till they had satisfied Government and the Sanitary Board that the schemes were worth the expenditure which it was proposed to incur. There is no danger that we shall be considered to be spending too little money on sanitation. From page 13 of the Revised Financial Statement for the current year you will see that the revised estimate for the current year shows that we are spending $1\frac{1}{2}$ times more than we spent last year on Sanitation and Vaccination; and if we spend the full amount we have put forward in the budget we shall spend as much as $4\frac{1}{2}$ times of what was spent last year. With these remarks I beg to introduce the heads of which I am the Member in charge—VI—Provincial Rates and 2—Assignments, IX and 11—Forests, X and 12—Registration, XVI and 19—Law and Justice, XVII and 20—Police, XX and 24—Medical"

The Hon'ble Mr. GODLEY :—"The liberal grants recently sanctioned from Imperial revenues and the improved condition of the finances of the Province have rendered it possible to budget for a large increase in educational expenditure. A brief explanation of the increases under the various heads will perhaps be sufficient, as details have already been given in the Finance Member's memorandum.

"Under 'University' a new Imperial grant has been included. The increase under 'Inspection' provides for the addition of 12 Assistant District Inspectors of Schools, and for an adequate staff of Inspectresses. The provision for Government College includes the salaries of a Professor and a Demonstrator of Botany, as well as the cost of botanical equipment. Under

'Government Schools—General' there is special provision for the equipment of Government High Schools, the enhancement of the allowances of Hostel Superintendents, and also for the maintenance of Queen Mary's College. The cost of provincialising the Lawrence School, Murree, has been added as in previous years, in the hope that sanction will be accorded to this proposal. The latter increase is set off by an addition to the estimated receipts from fees. Rupees 65,000 have been provided under 'Government Schools—Special' for improvements to the Mayo School of Art; there is also provision for a new Normal School at Lyallpur and for the salary of an expert in manual training who will arrive shortly. There is an increase of Rs. 10,000 under 'Scholarships,' the rates of which it is proposed to raise generally. The 'lump provision for the improvement of education' includes a new grant of Rs. 11,50,000 recently sanctioned by the Government of India, and also the greater part of the recurring Darbar grant, most of which will be spent, as before, on primary education. It is understood that Rs. 3,38,000 of the new grant is recurring, but no definite information as to this grant has reached me as yet, and I am unable to say what portions are ear-marked for special purposes.

"In view of the statements made in the Imperial Council by the Hon'ble Member for Education that a large portion of the Imperial grants remains unspent, it may interest this Council to learn that practically the whole of the Punjab share, except one lakh which has been reserved for the new Government College laboratories, has been disposed of. The delay in the case of the laboratory scheme has been chiefly due to the plans having been retained for a long period by the Consulting Architect to the Government of India. During the current financial year the District Boards have received Rs. 1,65,500 for the improvement and erection of hostels, Rs. 2,29,500 for the erection of buildings for vernacular schools, and Rs. 6,36,000 from Imperial and Provincial grants combined for the maintenance of these schools. Rupees 20,000 have also been paid in grants to the boards for training classes, while large building grants have been made to private schools, and an extensive building programme for Government institutions has been undertaken.

"A lengthy discourse on educational expenditure would tax the patience of the Council, and I do not propose to inflict it on them; but I should like before closing these remarks to allude briefly to two subjects—the extension of elementary education and the education of girls. The opening of primary schools is left to the discretion of the local bodies, but every effort is made by the officers of the Education Department to induce these bodies to frame definite programmes, and to utilise the funds allotted to them for educational objects to the best advantage. Under the system introduced in recent years two-thirds of the cost of every primary school maintained by the District Boards are defrayed from Imperial and Provincial grants, provided that adequate salaries are paid to the teachers; and in addition special grants are made to backward districts. We have a programme of expansion based on figures received from the District Boards, and by the end of the year it will be possible to ascertain how far the boards have availed themselves of the new opportunities. The want of suitable teachers is, as before, the main obstacle to progress. The small training classes which have been conducted in various districts in connection with middle schools have done something to meet the demand, but larger measures are urgently needed. Schemes are consequently being worked out for new Normal Schools of manageable size at Lyallpur, Gurdaspur, Rohtak, and elsewhere, and it is hoped that by the end of the year two or three new schools will be available. Educational advance cannot be rapid without a far better staff of teachers than we at present possess, and it is satisfactory to be able to report that the recent improvements in the pay and prospects of teachers in village schools have resulted in a marked increase in the number and improvement in the quality

of candidates for such posts. The Government of India, in their resolution on education recently issued, have laid it down as a guiding principle of educational policy that the steady raising of the standard of existing institutions should not be postponed to increasing their number when the new institutions cannot be efficient without a better-trained and better-paid teaching staff. It is hardly necessary to say that unless this precept is followed, the foundations of the educational edifice will be insecure, and a mere numerical increase of schools will not have the results which are desired.

"The new grants will enable steps to be taken during the year to improve the arrangements for the education of girls. The staff of Inspectresses will be strengthened, and certain schools will possibly be taken over by Government as practising schools for new local training classes. The Punjab Association have already agreed to transfer the Victoria School which has hitherto been supported by a grant of Rs. 12,000 per annum to the direct management of Government, and the grant to the Association will be continued if they can frame a satisfactory scheme for expending it in the maintenance of elementary schools for girls and zenana classes. Steps will be taken to provide girls' schools with suitable buildings and equipment, and the scholarship system will be revised. The Inspectress of Schools has prepared a scheme of improvement for the Amritsar girls' schools, and it is hoped that similar schemes will be forthcoming for Lahore and other centres. A conference of persons interested in the education of women is being arranged for, to consider the questions to which I have referred and the lines on which development can best be helped forward.

"In conclusion, I need only say that the educational position seems to be in every respect hopeful. It is not always easy to spend large grants at short notice without wastefulness, but there has been time now to plan action beforehand and to have schemes of improvement elaborated. Building schemes, in particular, need time, as the acquisition of sites is often an expensive and tedious process, apart from the preparation of plans, and even the most ardent admirers of the machinery of Government will not claim that the ordinary procedure is expeditious. We have now, however, got beyond the initial stage, and may look forward to future development with confidence."

RESOLUTION ON RURAL SANITATION.

The Hon'ble Mr. SHADI LAL:—"Your Honour,—the following resolution which stands against my name in the List of Business—

> 'that this Council recommends to His Honour the Lieutenant-Governor that a Sanitary Committee, consisting of officials and non-officials, be appointed for each district of the Punjab to frame proposals and give advice as to the sanitary and hygienic improvements of urban and rural areas in the district, and that a sum of 5 lacs out of estimated expenditure under 'Medical No. 24' be set apart for improving the sanitary condition of villages having a population of 2,000 persons or more'

is divisible into two parts, and, as it embraces two distinct issues, I think it would be desirable that I should deal with them separately. The first part of the resolution consists of a recommendation to the Local Government to appoint district committees to look after the sanitation of the areas within their charge."

The Hon'ble Mr. TOLLINTON.—"May I rise to a point of order. May I ask if the resolution is to be taken in two parts, whether the first part would comply with the provisions of rule 13 (*e*) on page 72 of the rules?"

[*The President ; Mr. Shadi Lal.*]

His Honour the PRESIDENT :—"Yes, I think so. I think that the committee would be appointed with a view to the expenditure of sanitary grants."

(To the Hon'ble Mr. SHADI LAL) :—"I am most anxious that you should have an opportunity of putting forward your resolution, and I think you may put it forward in that way."

The Hon'ble Mr. SHADI LAL :—"It is certainly relevant. I was submitting that the first part of the resolution deals with a recommendation to the Local Government to appoint Sanitary Committees in the districts. There exists, at present, a Sanitary Board for the whole of the province consisting of officials and non-officials, and I am glad to see that the Board has already done very useful work to improve the sanitary condition of a few important towns in the Province. But the Board can scarcely claim to be a representative body when it has not got among its members any person representing the important Municipal Committee of Lahore or the vast rural areas scattered all over the province. Moreover, the work of the Sanitary Board suffers for want of a definite sanitary programme which takes into account the requirements of the urban and rural population of the whole province. I venture to think that the work of the Sanitary Board will be much more useful and systematic if it is assisted by District Committees.

As regards the constitution of the District Sanitary Committee, I would suggest that it should consist of the Deputy Commissioner as *ex-officio* chairman and a certain number of official and non-official members. It is necessary that the Sanitary Committee should be a small body, in order to meet the objection that is sometimes raised that it might otherwise degenerate into a talking body. The non-official members should be drawn partly from the municipal committees of the district as representing the urban population and the district boards as representing the rural population. The functions of the District Committee ought to be *inter alia* to suggest measures for improving the sanitation of towns and villages and devise means for carrying them out. The recommendations of the different Sanitary Committees should then be placed before the provincial Sanitary Board which, subject to the sanction of the Government, should pass orders on the different schemes submitted to it and make recommendations as to the distribution of the sanitary grants.

"My proposal, therefore, is that the Government should take steps to create in each district a Sanitary Committee on the lines indicated above. Of course my suggestions are only tentative, and the actual details can be worked out after the principle is accepted. I should, however, like to mention one point more, and that is this : that the Sanitary Committee of a district should be partly elected and partly nominated.

"The object of the second part of my resolution is to draw the attention of the Government to a serious omission in our sanitary programme. The Government has adopted some measures to improve the sanitary condition of some important towns, but, as far as my knowledge goes, very little has been done for the agricultural population of this province. I am aware of the fact that the Government has appointed a few Assistant Surgeons and Sub-Assistant Surgeons to prevent plague and malaria, and provided travelling dispensaries. But this is not enough. It would be recognised that the sanitation of our villages is in a very bad way, and though we realise large cesses and large revenues from the tillers of the soil we do not spend much money to improve their sanitary conditions. I would, therefore, submit that we should study the sanitary needs of the rural areas, and provide for an active campaign against insanitation. We might make a beginning with large villages having a population of two thousand persons, or more. I do not ask the Government to undertake a large scheme involving large sums of money,

but I do say that there are several small matters in which we can help the inhabitants of villages. For instance, we can regulate conservancy, provide for the protection and periodical examination of the water supply, prohibit the making of pits and excavations, fill up insanitary ponds and pits and prohibit public nuisances. In the United Provinces of Agra and Oudh steps have already been taken on the lines above mentioned, and I would request that we should do the same.

"I want the Council to recognise the principle that the sanitation of villages, which is in a very crude form, deserves our careful consideration, and that a share, however small, of the provincial revenues, to which the villagers contribute so handsomely, should be spent to meet their requirements. I am not particular as to the exact sum which should be allotted for this purpose or the exact source from which the money ought to come. Though in the resolution I was, according to the rules, bound to specify both these matters, I am willing to accept any modification or suggestion which my Hon'ble friend the member in charge wishes to make. I find from the memorandum of the Finance Member that, the Government of India grant of 14½ lacs made in 1912-13 is ear-marked for urban sanitation, but out of the grant made prior to 1912-13 a sum of more than 3 lacs is still available which is not so ear-marked. This money could be usefully employed for rural sanitation. With these remarks, I move the resolution, and hope that it will receive the consideration which its importance demands."

The Hon'ble Rai Bahadur RAM SARAN DAS in seconding the resolution said:—"Your Honour,—I need hardly dilate upon the importance of sanitation as indispensable to the growth of a sound mind in a sound body in the modern times of all round development. For this very reason the Government of India have from some time past very graciously entered upon a policy of thoroughly improving the sanitary administration of the country. The Government of India have been, year after year, making handsome assignments for sanitation. But year after year we have been allowing our balances under this head to pile up."

His Honour the PRESIDENT:—"It is hardly correct, I am afraid, to say 'year after year,' you might say two years, it would be nearer the mark."

The Hon'ble Rai Bahadur RAM SARAN DAS continuing:—"In 1910-11 the Imperial Government made us a grant of Rs. 4 lacs. The Local Government budget for sanitation during that year was Rs. 4,58,000. But what did we actually spend? No more than Rs. 1,93,000. In the year 1911-12 the Imperial Government made us a grant of 10 lacs. The Local Government's budget for that year was Rs. 10,46,000. Five lacs were budgetted for Central Research Institute, Kasauli, and 2½ lacs for sanitation. Out of the latter one lac was granted to Amritsar for sanitary works and Rs 26,000 were paid as reward to villagers in the Chenab Colony for sanitary improvements. But the actual expenditure during this year for sanitation was Rs. 3,70,000 only. Again last year also the Imperial Government assigned a considerable grant to the Punjab for sanitation. Our budget under this head was Rs. 18,04,000. The revised budget, however, has dwindled down to Rs. 9,56,000 only. In 1911 we had an unspent balance of Rs. 2,65,000, in 1912 of Rs. 6,76,000, and this year the revised budget shows that the unspent balance has increased to Rs. 8,48,000. The actuals would probably be much higher still. Your Honour, the health of the people is of primary importance. The last census figures have alarmed us. People are decreasing in population. Is not this a very serious cause for anxiety? Your Honour, it is very necessary that the sanitary department in the Province should be up and doing. In this matter the people would very gladly

co-operate with the Government. Let sanitary committees consisting of officials and non-officials be appointed for each district of the Punjab to frame proposals and advise for sanitary and hygienic improvements of rural areas in the districts. The resolution moved by the Hon'ble Mr. SHADI LAL requires Rs. 5 lacs for improving rural sanitation only. The resolution, however, in its first part, aims at improving the sanitary condition of urban areas as well. So in accordance with the spirit of the resolution moved, I would take the opportunity of urging the claim of the municipality of the capital of the Province to generous consideration at the hands of Government, especially in this period of prosperity budgets and large surpluses. I would strengthen my plea on behalf of Lahore municipality by quoting from the recent speech of the Hon'ble the Finance Member of the Imperial Council the words attributed to His Excellency the Viceroy, *viz.*, that his chief desire was that the amelioration of sanitation and the wide and comprehensive diffusion of education should form the chief features of his Viceroyalty. Lahore is badly in need of a good sewerage and drainage."

The Hon'ble Mr. MANT:—"I rise to a point of order. I think the sanitation of the Lahore municipality has nothing to do with the resolution which deals with village sanitation. Lahore is hardly a village."

The Hon'ble Rai Bahadur RAM SARAN DAS continuing:—"The sewerage and drainage scheme provides for the carrying out of one of these features, and the making of a generous and adequate grant for the execution of the said schemes without adding to burdens of the committee and the people will, I submit, be the translation into effective action of the desires of the Imperial Government as expressed by His Excellency the Viceroy. The Government has already made grants from the Government of India's assignments for sanitation as follows:—

Ambala water-works improvements, Rs. 30,000; Amritsar City sewerage scheme Rs 2,20,000; Sialkot water supply Rs, 100,000; Rawalpindi intramural drainage, Rs. 1,50,000. Your Honour, I would beseech you to take into consideration the sanitation of Lahore, the capital city of the Punjab also.

His Honour the PRESIDENT:—"I am afraid your remarks are not very appropriate or very much to the point, but I have no objection to your completing them as you are on the subject of sanitation."

The Hon'ble Rai Bahadur RAM SARAN DAS continuing:—The municipal Committee of Lahore has already submitted to the Government its scheme. They want 15 lacs of rupees to carry out their sewerage and drainage projects. The health of the capital city of this Province is of first importance. It is the educational centre of the Province. The health of the future lights of Punjab depends on the proper sanitary arrangements in Lahore. I, therefore, beg Your Honour to grant the sum of at least 5 lacs for Lahore in addition to the sum of 5 lacs my colleague the Hon'ble Mr. Shadi Lal asks in his resolution. I, therefore, second the resolution moved by my Hon'ble friend with the small addition I have made. I hope the Government will very kindly accept this resolution, and grant Rs. 5 lacs for rural sanitation and Rs. 5 lacs towards sewerage and drainage schemes in Lahore."

His Honour the PRESIDENT:—"I am afraid you are entirely off the point. I must really call you to order."

The Hon'ble Rai Bahadur RAM SARAN DAS:—"With these words in support of the resolution I beg to resume my seat."

[*Mr. Fenton.*]

The Hon'ble Mr. FENTON :—"Your Honour—As President of the Sanitary Board, for the time being, I think I may legitimately claim to say something concerning this resolution. It will be noticed that the first part of it recommends that a sanitary committee be appointed for each district of the Punjab. Now when the Hon'ble Mr. Gokhale proposed to create administrative bodies additional to the existing constitutional authorities, he excused and justified his proposal on the ground that the advisory councils for each district which he was recommending would include in the scope of their duties many subjects which did not come within the cognizance of the existing District Boards. But these sanitary committees, as I understand, which Mr. SHADI LAL proposes to create, will be concerned only with work which legitimately falls within the control of the existing District Boards, and I altogether deprecate this ignoring of the existence of the District Boards and the overlooking of their functions. I would call attention to section 20 of the District Boards Act, which provides that the following matters shall *inter alia* be under the control and administration of each District Board within the area subject to its charge. Among others—

'(*o*) The supply, storage and preservation from pollution of water for drinking, cooking and bathing purposes.

'(*p*) Any other local works or measures likely to promote the health, comfort, convenience and interests of the public or the agricultural or industrial prosperity of the country.'

Now it may be urged that the District Boards are too large and unwieldy bodies to undertake these special duties, but section 26 of the District Boards Act contemplates the appointment of sub-committees, and we are all familiar with the existence of sanitary sub-committees in the case of Municipalities. I can, however, quite understand Mr. SHADI LAL's desire to overlook and ignore District Boards. We are all aware of the scorn and contempt in which he holds those bodies. We remember that on the occasion of his address to the Hindu Conference in Delhi in October last, he spoke of the District Boards being composed—I would ask the three Members here who are representatives of District Boards to mark the words—'composed of ignorant zamindars, the educated element being at a discount.' Well, if that be the view he holds of District Boards, we can understand his proposal to substitute other authorities in their place. However, I think that most of us are assured that in matters where knowledge of rural surroundings and rural sanitation is essential, the members of District Boards are a body very competent to give a well-advised and well-considered judgment.

"Now, so far as I can gather from Mr. SHADI LAL's remarks, the Hon'ble Member apparently considers that he is entering upon an unknown and unexplored region which has never before been entered by officials of Government or been surveyed by those concerned with the administration of District Boards. In this he is quite mistaken. The Sanitary Board has not been remiss in considering the question of village sanitation, nor has Government. The matter has been investigated again and again, and I can assure Mr. SHADI LAL that the literature on the subject is extensive, far-reaching and, judging from the bulk of the Board's file of correspondence, weighty too. The requirements and necessities of village sanitation have been formulated by the Sanitary Board, after careful enquiry and investigation, and I would, for example, just call attention to the following memorandum of requirements which appears in the agenda of a meeting of the Board at which the points

to be observed in reporting on claims to the sanitary rewards offered for clean villages were noted down. Under the head of I.—Water-supply it is said: —

'The condition of the well or other water-supply as regards purity and avoidance of contamination—

(*a*) This would include in the case of wells of which the water is used for drinking purposes—

(1) the provision of masonry parapets and platforms;

(2) the clearing of the wells at least once a year;

(3) the maintenance of the cylinders of the wells in good repair;

(4) the provision of suitable drains for the outflow of spill water from the wells;

(5) the provision of an iron bucket for public use at each well;

(6) the prevention of the accumulation of filth or manure in the proximity of wells.

(*b*) In the case of tanks or ponds from which water is obtained for drinking purposes—

(1) the provision of separate tanks for cattle and men, and the fencing of the latter;

(2) the habitual prevention of washing either of clothes or of the person in the tank or pond used for drinking purposes;

(3) the prevention of the tank or pond used for drinking purposes being utilized as the outfall of any drain from a house or the village site.'

II.—The general surface cleanliness of the village.

'This would include the avoidance of accumulation of filth and the presence of manure heaps in any public place within the village and the immediate vicinity of the village site. Additional claims for consideration would arise—

(1) if good arrangements are made for the disposal of night-soil;

(2) if manure heaps in private premises are kept covered with earth;

(3) if a limit is observed restricting the use of the fields for purposes of nature to a suitable distance from the village site.

'Enquiry might also be made as to the efficiency of the arrangements for making the sweepers keep the village streets and the village site in a sanitary condition.'

"Now the conclusion which emerges from an examination of this list of sanitary requirements is that most of the improvements are such as can be carried out by the people themselves without any expenditure whatsoever. Probably the only expenditure which might be called for, the only direction in which pecuniary aid is required, is the provision of a drinking water well where none such exists; but in regard to all other matters what is required is merely the enforcement of sanitary precautions by the people themselves, the abstaining from undesirable habits, and in a word the development of a sanitary conscience.

"But to secure these objects we must proceed in either of two ways, that is to say, by penalties or by rewards. Both these methods have in the past been very fully considered by the Local Government. At one time a Bill dealing with village sanitation was circulated for opinion throughout the Province, and as a result of the opinions and suggestions on that Bill received from all consulted, Sir Dennis Fitzpatrick came to the conclusion that the time had not yet arrived for the enforcement, by means of legislation involving penal provision of sanitary measures within villages.

[*Mr. Fenton.*]

"It is quite true that in the United Provinces, under the Village Sanitation Act, 1892, power is given to make rules providing penalties for sanitary faults, but in our small municipal towns and notified areas, where we have got a Municipal Act under which sanitary offences can be punished, these penal provisions are more or less a dead letter. The committees view with complacence the commission of these faults, and it is only in very large towns under the stimulus of authority, when the agency of the police is utilised, that sanitary offences are punished, and even there the sanitation of the street is considered sufficient; the sanitation of the house is left to the people themselves. Until we see in the smaller towns the observance and the enforcement of the provisions of the Municipal Act, I think it would be somewhat premature to embark on any legislation for the regulation of sanitation in the villages of the Province. Without such legislation it is difficult to enforce the measures of regular conservancy, the prevention of excavations, and so on, which the Hon'ble Member recommends. For instance, if it were proposed that manure should be deposited only in certain places at a distance from the village site and not elsewhere, we could only enforce that by imposing a fine on those who, in contravention of such a regulation, stacked manure on their own premises.

"Well, there is the alternative procedure of rewards, and that was the procedure which Sir Dennis Fitzpatrick and Sir Mackworth Young decided should be adopted throughout the Province. District boards were invited to offer rewards to those villages in which sanitation was best observed. Well, after several years' experience of this plan, it was reported that it was more or less a failure, because very few villages in the Province were found really to deserve rewards. None of them were such that they could be entirely recommended. But apart from the general experiment thus made, we made a special experiment in the Canal Colonies. A sum of Rs. 25,000 per annum was set apart for rewards for sanitation in the villages. These villages in the first instance were constructed on sanitary principles with large compounds and broad streets, and each breach of the sanitary regulations was punished executively by fines under the colonies' system then in force, so that the experiment started under favourable conditions. The result of this offer of rewards was that only four or five villages in each district of the colony in which there were *sufed-poshes* or others who desired to bring themselves into the notice of Government competed for the rewards each year, but the great mass of the villages did not. They did not enter the competition; they saw it was no use. For the years in which the competition was in progress the sanitary condition of the selected villages was excellent. But in order to prevent all the rewards going to the same village year after year, a rule was passed that, after winning one prize, a village would be barred from further competition. It is most regrettable to have to say that those villages which had succeeded in getting a prize, after getting it, relapsed into their former insanitary condition. I think on the whole it cannot be said that the experiment of granting rewads was a success. At any rate, it was decided by Government that there was no justification for giving a sum of Rs. 25,000 annually out of the public exchequer at the expense of the general tax-payer, when the results were so poor, to the District Board of the richest district in the Province.

"The functions of the Sanitary Board are very definitely laid down in executive rules, and it is not empowered to adopt a procedure which is not authorised by these rules. The board considers all applications for grants-in-aid that reach it, and it advises on the plans and estimates of schemes that are sent up for its consideration, but it is not a part of its functions to go touring over the Province looking for objects of expenditure. One or two applications for grants for village wells in the last year did reach the Sanitary Board from

the Ambala district board, and the result was that the district board was asked, in the first instance, whether they could not make the necessary allotments, and also whether there were any special reasons why these two villages should have wells constructed for them at the public expense, seeing that they were in a position to construct their own wells. All such applications have been and will be considered by the Board on their merits in accordance with the board's rules of procedure, and I do not think it is correct to stigmatise, as the Hon'ble Member does, the procedure of the Sanitary Board in relation to sanitary improvements as 'haphazard work'.

"Coming now to the financial portion of the resolution, if it is adopted of course the grant of 16 lakhs for sanitation would more than cover the 5 lakhs demanded for rural sanitation if objects of expenditure could be found. But the Government of India, I think rightly, have decided that the best programme in the matter of sanitation is the undertaking first of the sanitation of those places in which the largest aggregate of human beings are collected together and in which the state of education and hygienic knowledge being presumably most advanced, the chances of co-operation by the people themselves are greatest. Ultimately when all the large towns have been provided with water works and drainage works, we can come down to the smaller ones and endow them with similar amenities. But, as I have just said, it would be premature to attempt anything in the matter of the sanitation of the smaller areas until we can secure some co-operation from the people themselves, and it is for the minor municipalities to set an example in that respect to the larger villages.

"I think, therefore, Sir, both because it is undesirable to supersede the District Boards and because the existing provision for sanitation outside the sums ear-marked for urban sanitation will suffice to meet any expenditure that the Sanitary Board can legitimately sanction in the forthcoming year, I think that this resolution ought to be rejected."

The Hon'ble Rai Bahadur Bakhshi SOHAN LAL:—"With Your Honour's permission, I beg most heartily to support the resolution, which has been so ably and exhaustively moved and seconded by my Hon'ble friends, the Hon'ble Mr. SHADI LAL and the Hon'ble Rai Bahadur RAM SARAN DAS, and which has a close connection with question No. 9, put by me in to-day's meeting of the Council. I believe Hon'ble Members of this Council will agree with me, that education and sanitation are the two greatest needs of India at the present moment. Although there is a close connection between education and sanitation, it is difficult to determine their relative importance, but if I were asked to point out, which is the more important and urgent of the two, I would most unhesitatingly reply in favour of sanitation. It is now admitted on all hands that insanitary conditions are the root cause of all diseases, and that plague, cholera, malaria and other such epidemics flourish only in those localities in which the laws of hygiene and sanitation are not observed. The most important question, therefore, which the Government and the people of this country have to solve is, how to combat these common enemies of humanity, which are slowly, but none the less surely, eating into the vitals of the people of this country, and are quietly sweeping away the flower of its population. I do not propose in to-day's meeting to lay before the Council vital statistics showing the appalling mortality and the high death rate in this Province, but will only content myself with saying that during the last ten years the number of deaths caused by plague, cholera, tuberculosis, malaria and other kindred diseases in the Punjab alone, is *greater* than the number of people killed in all the wars in the whole world put together, during the same period. Such being the facts, it is the common duty of the people and the Government to co-operate with each

other in fighting disease and to concert measures whereby the ravages of death may be lessened. The educated section of the people are, no doubt, rising to a consciousness of the requirements of hygiene and sanitation, and with the improvement of drainage and water-supply, in some of the bigger towns of the Province, considerable progress has taken place recently. But the conditions in the villages and the smaller towns are still extremely unsatisfactory. In spite of the fact that the people in the villages possess several natural advantages, in the shape of having better climate, less congestion and more wholesome diet, mortality in the villages is much larger than in the towns, and the rural population succumbs more easily and rapidly to the ravages of epidemics than the people in the urban areas. The principal cause of this excessive mortality in the villages is their insanitary condition, due to want of proper drainage, water-supply and general cleanliness. It is often said, that the habits of the village-folk are responsible for this state of affairs, and that nothing can be done till the people undertake to help themselves. With all deference, I beg respectfully to differ from this view, and venture to urge that because people in the villages are steeped in rank ignorance and are not fully alive to the necessity of sanitation and cleanliness, it is all the more incumbent on Government to move in the matter and to take early steps in this direction. Moreover, improvement of water-supply, construction of drainage-works and other similar matters are beyond the power of individuals to undertake, and it is the function of the State alone to carry them out. I have every hope that Your Honour, who has during the last five years done so much for the people of the Punjab, will signalize the closing year of the tenure of your high office by ordering the enquiry asked for in the resolution. My friend, the Hon'ble Mr. SHADI LAL, has for this important purpose made a very modest demand of five lakhs of rupees only, and I am sure Government, with the present state of its finances, will be able to spare the amount without much difficulty. With reference to the learned remarks of the Hon'ble Mr. FENTON against the resolution which has been duly proposed and seconded, I need only say this much that the resources at the disposal of the district boards in the Punjab are so poorly inadequate to meet the demands against them that the district board is not in a position to entertain the vast proposal of combatting the epidemic breeding causes which exist in almost all the villages of the Province. If, however, in the opinion of the Council, the district board be the only and proper machinery for carrying on the project of this nature, the financial condition of the district board requires to be substantially strengthened by the Government before expecting any effective action in this behalf on the part of the district board. With these words I beg to support the resolution."

The Hon'ble Babu GAJJAN SINGH :—" Your Honour, as a representative of the rural population I consider it my duty to invite the attention of the Government to the most important question of the village sanitation. Government gives us liberal grants in aid of education, and there is no reason why public health should not be placed on the same footing as education.

" Your Honour, the persistence with which the plague is lingering in our midst has drawn pointed attention to the question of insanitary surroundings of the people and the faulty drainage and defective water-supply.

" Malaria and several kinds of fevers visit us almost every year and claim several thousands as their victims. Small-pox is fearfully raging this year and has proved fatal in many cases.

" Cholera, dysentery and several other diseases appear from time to time.

"In a very large majority of villages no medical help is available, and the ignorant peasant, as he generally is, is entirely helpless against these formidable foes.

"He should be told that it is to his own good to store the manure at a proper distance from his residental quarters.

"It should be brought home to him that the pond in front of almost every village gate is the nursery of the mosquitos which are the real cause of his malaria fever. Officially recorded mortality is going high almost every year. I strongly hope that the Government, who undoutedly has peasants' good at heart, will in future show a greater recognition of the claims of village sanitation on the resources of the State than it has done in the past.

"Your Honour, no real improvement in public health is to be expected unless vigorous efforts are made throughout the province to push on sanitation. Our peasants are undoutedly the back-bone of our finances, and I strongly urge that everything possible should be done to save their lives.

"After hearing the learned remarks of the Hon'ble Mr. FENTON, I do not think that I can support the first part of the resolution. The work can be entrusted to district boards, but their hands should be strengthened by grants from Government. I therefore support the second part of the resolution."

The Hon'ble Mr. TOLLINTON:—"Your Honour, I just wish to add a word or two to what the Hon'ble Mr. FENTON has said. I consider this resolution is bad for obscurity from start to finish. I have already said that it is certainly unwieldy, and it is inconvenient that the resolution should be divided into two parts. I consider that the first part could very easily have been moved without any connection with the Budget at all, and with regard to the second part I do not think the Hon'ble Member should be allowed to shuffle out of the exact wording of the resolution that a sum of five lakhs out of estimated expenditure under 'Medical, No. 24' be set apart for improving the sanitary condition of villages having a population of 2,000 persons or more. Presumably the Hon'ble Member wishes to reappropriate from the sum of 16 lakhs entered in the revised Financial Statement, under Sanitation and Vaccination, so that a portion of this grant may be diverted to rural sanitation. But the Government of India have after full consideration decided in favour of carrying out the policy of urban sanitation. The resolution is further obscure because the Hon'ble Member does not really tackle the question of rural sanitation. Rural sanitation is required all over the province in little villages having 100, 200 or 300 inhabitants, and not only in the case of larger villages what we may call *Kasbas*, so that if we accept the resolution it is really obscure, and I do not think that the Government will be able to take any action on the recommendation even if it is made.

"The question of the position of the Sanitary Board has been fully dealt with. I do not think I need add anything to it. I think that we in these days are in special need of guarding against thinking that the mere allotment of money for sanitation is the same thing as improvement of sanitation. The Hon'ble the Finance Member in the Imperial Council alluded to Sanitation and Education as twins of phenomenal development, but the allotment of money is really only a very small part of the question. I think that we should direct more attention to the maintenance of the existing sanitary works, and not only to grants for the new ones. A short time ago my attention was called to an instance in which Government had given a grant of Rs. 50,000 for a water-supply or a drainage scheme, and the work was made over to the charge of a dâk bungalow *mali* on Rs. 10 a month. It is not that we want more money, it is that we want real interest in sanitation, which would enable us to maintain the schemes we have already carried into effect. As a matter of fact

we are asked to divert a sum of five lakh of rupees from urban sanitation to rural sanitation. Personally I think that there is no demand for rural sanitation at present. When education advances a little further there is no doubt that that demand will arise, but I do not think that we ought now to divert to villages what we have allotted to cities and towns. I should just like in this connection to read one or two remarks from an Indian Deputy Commissioner made in connection with the system of giving rewards for village sanitation. [Remarks read to the effect that the general body of the population of rural areas is apathetic in the matter of sanitation.]

"I therefore consider that the present resolution should not be accepted by the Council, first, because it is obscure and, secondly, because we are asked to divert from urban sanitation to rural sanitation so large a sum as five lakhs of rupees which I do not think should be done."

The Hon'ble Mr. MUHAMMAD SHAFI : —" I confess I am somewhat disappointed at the manner in which my respected friends the Hon'ble Mr. FENTON and the Hon'ble Mr. TOLLINTON have dealt with the important matter now before the Council. To put it very briefly, the whole argument underlying the very able speech to which we have just listened from the Hon'ble Mr. FENTON can be summed up in this manner. There is the district board and there is the sanitary board, and a great deal is being done Therefore the proposal embodied in this resolution is unnecessary. And so far as the argument of my Hon'ble friend Mr. TOLLINTON is concerned it may be summed up in these words. The resolution is obscure ; the Government of India have reserved 16 lakhs for a particular purpose, and there is no demand for rural sanitation. Looked at from every point of view there is, if I may say so with all due respect, no force at all in these arguments. My friend the Hon'ble Mr. TOLLINTON would have this Council reject this resolution because in his opinion there is no demand for rural sanitation. I venture to think that the argument thus put forward has no basis so far as facts are concerned and is, on *à priori* grounds, absolutely untenable. Would my learned friend not provide medical attendance to a patient suffering from a serious disease because the patient does not want it? Surely, to say that there is no demand for rural sanitation because the ignorant portion of our rural population, not being articulate and being dumb, are unable to express what they really do feel through the columns of newspapers or from public platforms, is entirely unsound. Well, Your Honour, I happen to belong to a rural tract. Not only do I belong to an agricultural class, but am Honorary Secretary of the Zamindar Association ; and though I have spent the best years of my life in Lahore, at the same time I started my practice in a mufassil district. I am in close contact, and have intimate acquaintance with the feelings and wishes of the rural portion of our population, and I say with all the emphasis at my command that this statement of my Hon'ble friend Mr TOLLINTON that there is no demand for rural sanitation is as a matter of fact incorrect. Then, as regards the argument that the Government of India have reserved these 16 lakhs for urban sanitation and in consequence it is not open to the Punjab Government to divert it to other purposes, all I can say is that this is too narrow a point of view to apply to such a vital need as that of improvement of rural sanitation. Sir, if I may venture to submit, a glance at page 3 of the revised financial statement which has been submitted to the Council to-day will show that at the end of 1911-12 we had in hand a closing balance of over a crore of rupees, and according to the revised estimates for 1912-13 we had a closing balance of very nearly two crores of rupees, and the Finance Member expects at the end of 1913-14 a closing balance of very nearly a crore and a half. Probably in the end, as I hope, he will find that the balance will amount to very nearly two crores. Well, I say, Sir, that year after year this successive accumulation of huge balances is entirely

opposed to principles of sound finance. If there is need of improvement of rural sanitation, I respectfully submit that Government should not refuse to supply that need merely because the petty sum of 16 lakhs of rupees which the Government of India have allotted to urban sanitation cannot be diverted to this purpose. Again, the Hon'ble the Finance Member has informed us to-day that the Government of India have now passed a rule that in future annual Imperial grants to Local Government shall not be ear-marked for a specific purpose, but that it shall be left to the Local Government to distribute the sum in accordance with their provincial needs. Well, Sir, in the face of this principle laid down by the Government of India it seems to me that it is rather too narrow a view for the Hon'ble Member to take that because the particular sum to which my Hon'ble friend the mover of the resolution has referred in the resolution is allotted for certain specific purpose, therefore this resolution cannot be favourably considered. Well, Your Honour, so far as the third argument put forward by the Hon'ble Mr. TOLLINTON is concerned, that the resolution is obscure, I for one find that the resolution is plain enough and clearly and specifically states what is intended by the mover; and so far as my mind is concerned the resolution appears to be absolutely clear in its intention as well as its meaning. Consequently I would submit to the Hon'ble Members of the Council that there is really no force in the arguments of my friend the Hon'ble Mr. TOLLINTON.

"Turning now to the very able speech to which we have listened with interest, as we are always accustomed to listen with interest to whatever falls from the Hon'ble Mr. FENTON, I say, with all deference, that there again the arguments which have been put forward are really untenable. Yes, there is the district board, and the Hon'ble Mr. FENTON will give me credit of admitting that I have never decried district boards, I have never looked down upon the members of the district boards as men who cannot discharge the duties entrusted to them as representatives of rural areas satisfactorily: but the district boards have multifarious duties to perform. The district boards are, moreover, unwieldy bodies. Sanitation and education have been declared by His Excellency Lord Hardinge, and very rightly so, as the two watchwords of the policy of the present Government, the two main aims which Lord Hardinge's Government has in view. And, in consequence, if the need is very great, if there is necessity for making efforts to improve the sanitary conditions of our rural areas, that object being particular, the object being immediate, what we want is special efforts to achieve the end in view. As I understand it, the main idea underlying the first part of the resolution is the association of the representatives of the people with the official members of this Committee in order to carry out the end in view. Now, Sir, this would serve two ends. The first—"

His Honour the PRESIDENT:—"Your time is nearly up."

The Hon'ble Mr. MUHAMMAD SHAFI:—"Your Honour, I will finish my remark within the time allowed. The first is that the opinion and wishes of the people would be explained to the official section of the Committee by the representatives of the people, and, secondly, the measures adopted to improve sanitation would be explained by them to the people themselves, so that there would be no misapprehension as regards the motives with which Government undertakes these measures. Your Honour will remember that in regard to the measures taken in connection with plague there was a considerable amount of misapprehension in the minds of the ignorant portion of the public, particularly in rural areas. Had there been advisory bodies consisting of official and non-official gentlemen I am perfectly sure such misapprehensions would not have been caused.

"As the time at my disposal is now coming to an end I regret I cannot say more. I have great pleasure in supporting the resolution."

[*Malik Muhammad Amin Khan; Mr. Mant; Khwaja Yusaf Shah; Lala Kashi Ram.*]

The Hon'ble Malik MUHAMMAD AMIN KHAN:—"Your Honour, I generally agree with the Hon'ble Member who has proposed this most important resolution. I think need for improving the sanitary condition of the villages is so apparent that no further remarks on my part are necessary. I would, however, in supporting the resolution, beg to add that persons fit for doing sanitation work are already members of the municipalities, notified areas and the district boards. It appears to me very difficult to find out extra men for this business. Special sub-committees may be formed from among the members of the above bodies and necessary official help be given to them. Any sanitation committee separate from these bodies will have, I am afraid, very little influence in order to do the sanitation satisfactorily."

The Hon'ble Mr. MANT:—"May I just offer a word of explanation. I think my remarks have been misunderstood by the Hon'ble Mr. MUHAMMAD SHAFI. As regards the ends to which the Imperial grants may be devoted, so far as I remember I only said that the Government of India have *partially* adopted the recommendation of the Decentralization Commission.

"They have given one grant of 12 lakhs in aid of our general resources, but the grant which they have given for sanitation and which has been under discussion to-day is not at the absolute disposal of the Local Government and cannot be diverted from the purpose for which it was given by the Government of India. Then again the Hon'ble Mr. SHAFI's reference to the accumulation of Provincial balances is quite irrelevant to this motion. The motion is not that extra money should be added to the budget for village sanitation. It is that 5 lakhs out of the sum provided under 24—Medical should be diverted to this purpose. I hope the Hon'ble Members will not vote for or against the motion unless they understand what they are voting for. It is, as the Hon'ble Mr. TOLLINTON has pointed out, a proposal to divert funds from urban to rural sanitation. I must say I did not quite follow the Hon'ble Rai Bahadur RAM SARAN DAS in putting forward the claims of Lahore whose interest he has so much at heart. These claims appear to conflict directly with the motion which the Hon'ble Member seconded, asking money for villages. That is what I think Hon'ble Members should understand before they accept this motion. It does not concern me personally, that is, as Finance Member, who gets the money. There is only one grant, and it is for the Hon'ble Members to decide who should get it—the larger towns or the rural areas."

The Hon'ble Khan Bahadur Khwaja YUSAF SHAH:—"We are all in favour of sanitary improvements no doubt, but the question I am afraid which stands in my way—I am not prepared to support the resolution put forward by my Hon'ble friend Lala SHADI LAL—is that the existing district boards and municipalities are quite competent to do the work. The only difficulty that lies in their way is lack of money. Give them money and they will do the work. I say Government is willing to spend money on sanitary improvements, and that money should be spent under the guidance of local officers. I do not think there is any necessity of accepting this resolution to form new bodies. I am therefore unable to support the resolution."

The Hon'ble Lala KASHI RAM:—"Your Honour, I will say a few words in support of the resolution, and in doing so, we might take up the question whether the resolution in any way contravenes the orders of Government which ear-marked the sum for urban sanitation. Your Honour, I have been for a long time a member of the Ferozepore municipality, and my experience of that municipality shows that there is always a large number of the rural population which is coming from the villages over to the towns for making purchases almost every day, and in some parts of the year probably that number is considerable, almost amounting to half the population of cities. Your Honour, if we are to

neglect the villages, I may say we are injuring the larger towns. In recommending this resolution for Your Honour's consideration I am sure my friend, the proposer of the resolution, is really providing a very necessary part of the sanitation of the towns themselves. We cannot keep the population of the villages separate from the towns. We cannot prevent them from coming over to the towns in considerable numbers. I am sure if we carry out the sanitation of the towns, we shall be merely doing that duty half way if we neglect it. I would submit, on the other hand, that I do not think we would be going against the Government orders if we divert the 5 lakhs of rupees for the village requirements. The second point I wish to take up is whether the existing district boards are quite sufficient. Of course the Hon'ble Mr. FENTON has told us that there is a provision in the District Boards Act that the district boards should look to the requirements of sanitation and to other matters affecting the health of the industrial and agricultural population. But, Your Honour, I would submit that no statement has been placed before the Council showing if any of the district boards has spent a single pie on one particular village to improve sanitation. Your Honour will agree with me in saying that the district boards generally do not consider it a part of their duty to take up the sanitary improvement of any particular village.

The Hon'ble Mr. FENTON :—" I say for a fact that money has been spent. "

The Hon'ble Lala KASHI RAM :—" Of course, I am speaking subject to correction. I do not know if any amounts have been spent by the district boards for the improvement of any particular village. That is my point. So far as my experience goes, of course I am acquainted with some of the villages in the Punjab ; in Lahore and Ferozepore I know that no district board has taken up the question of improving the conditions of any particular village. Of course the district boards make roads and other things. "

The Hon'ble Mr. FENTON :— " I say that the district boards have taken up the question of improving sanitation and have made grants. "

The Hon'ble Lala KASHI RAM :—" Of course, I speak subject to correction. If that is the case, I withdraw my remarks on that point. I think I can place another fact for Your Honour's consideration in connection with this part of the resolution, that is, that the district boards are really meant for the improvement of the districts, and though they are like municipal committees entrusted with the sanitation of the villages, I do not consider that the district boards ever look upon their duties as such. "

His Honour the PRESIDENT :—" I am very sorry to hear this. "

The Hon'ble Lala KASHI RAM :—" The next point that I place before Your Honour is that if it was open to me to press an amendment, I would have certainly not supported my Hon'ble friend in limiting the improvement to villages with a population of 2,000 or more. What I would ask in connection with that amendment is to reduce the number to 500 instead of 2,000 inhabitants. With that amendment I am not at present concerned, because I do not consider that I would divide upon this subject, and because I know that on the point of principle I am in entire agreement with the resolution, and as such I support the resolution with all my heart. "

The Hon'ble Rai Bahadur HARI CHAND :— " I beg to submit one word. I have heard the arguments for and against the resolution. I am at a loss to understand what is the function of the district boards. Is it not their duty to look after the sanitation of villages ? If it is their duty, then the question is that they do not do their duty, and they should be asked to do their duty. I

cannot understand what necessity there is of appointing another committee. Are they not representatives of the people that you say that some representatives may be appointed to associate with them ? Are not the members of the district boards representatives of the people ? If they are, then what necessity is there of appointing another committee ? Why should they not be asked to look after the sanitation of the villages and do their duty ? If they do their duty, I do not think there is any necessity of another committee."

The Hon'ble Mr. SHADI LAL :—"Your Honour, many of my remarks have been anticipated by my friend the Hon'ble Mr. MUHAMMAD SHAFI. Therefore I do not want to go over the same ground again. There are one or two points which have been raised by the Hon'ble Messrs. FENTON and TOLLINTON, and I should like to say a few words about them. Mr. TOLLINTON thinks that this resolution is out of order because the Government of India have already sanctioned the grant for urban sanitation, and we are not in a position to divert the sum of 5 lakhs out of the grant for the sanitation of rural areas. As far as I understand the grant of the Government of India for urban sanitation is 12½ lakhs only, the remaining sum which has been provided for under the head sanitation in the budget is available for any purpose you like to devote it to. I submit that if we cannot get 5 lakhs of rupees, I am prepared to reduce the amount to 3 lakhs or even 2 lakhs."

The Hon'ble Mr. MANT :—"Is this an amendment of the resolution ? There are technical difficulties in moving the resolution."

The Hon'ble Mr. SHADI LAL : "One is obliged to ask for a decision on a principle. As far as details are concerned they are not of much consequence. I am quite willing to give up details as to whether it is 5 lakhs or 3 lakhs or 2 lakhs. I do not see if the majority of the Members are in favour of the resolution why it should be defeated because there are technical difficulties in its way. That is the reason why I say, with Your Honour's permission, that the resolution should be put to the Council in two parts. That is a solution of the difficulty that has been pointed out by the Hon'ble Messrs. FENTON and TOLLINTON. With regard to the alleged obscurity of the resolution, I am afraid I have read the resolution over and over again, but I cannot find where the obscurity is. I should have liked very much if the Hon'ble Member had pointed it out."

The Hon'ble Mr. TOLLINTON :—"Even now we do not know what the resolution means."

The Hon'ble Mr. SHADI LAL :—"I can only say with all respect to my Hon'ble friend that a large number of the Hon'ble Members understand what the resolution is. I do not think that the wording of the resolution is so very intricate that the Hon'ble Member cannot understand it."

His Honour the PRESIDENT :—"Is Government to appoint the committee ?"

The Hon'ble Mr. SHADI LAL :—"As regards the constitution of the sanitary committee, I would say that the Deputy Commissioner should be the Chairman, and Government, if necessary, should appoint members, some of whom may be officials and some non-officials. That is a matter of detail, and I am not anxious about the details. My suggestions on that point are tentative. I fail to see how the constitution of the sanitary committee will go against the provisions of the District Boards Act. Practically speaking, the committee will be a sub-committee of the district board.

"As regards the suggestion which has been made by the Hon'ble Mr. KASHI RAM that he would like that the second part of the resolution should not be confined to villages which have a population of 2,000 or more, I would like to say that the object of the wording of the resolution in that way was that we should make a modest beginning. If it be possible to include other

villages in the scheme of sanitation, and if it can be effected without difficulty, I would have no objection that all the villages with 500 or more may have this committee; I would rather welcome that.

"Then it has been suggested that the district boards have already got powers to provide for sanitary needs of the population. Well, Sir, as regards this I may say there are a few solitary instances in which district boards have done something for the sanitation of villages. But the fact is that the district boards, as far as sanitation is concerned, have ordinarily failed to discharge their duties. They have not done their duty to the extent which they were expected to discharge it, and it is much better if we have a small sub-committee in each district consisting, as I have pointed out, of official and non-official members to discharge the very important duties of sanitation entrusted to them. My Hon'ble friend Mr. FENTON has pointed out to the Council that there is a large and bulky record dealing with sanitation. I am afraid the non-official members in a matter of this kind are at a disadvantage and not in a position to know what has been done or said on the subject. What we do know is that in spite of what has been said on paper practically nothing has so far been done to improve the sanitation of villages. That is an important matter to be considered.

"With regard to dividing the resolution into two parts, I would like to draw Your Honour's attention to the rules which exist on the subject. It is quite possible that some of the Hon'ble Members may agree with me as to one part of the motion and may not agree with me as regards the other part. I therefore request Your Honour to consider rule 23 on page 73 of the Council Manual [here reads the rule].

"In view of that rule I would request Your Honour to divide this resolution into two parts and take the opinion of the Council separately on them."

His Honour the PRESIDENT:—"With the object of the Hon'ble Member in putting forward this resolution, that is to say, to improve rural sanitation, I am quite certain that every Member in this Council must heartily sympathise. In order to elucidate the subject, which is a very difficult one, I am afraid that, as President of this Council, I have considerably strained the rules of procedure in allowing a very discursive discussion upon matters which were not always strictly relevant to the resolution put forward, because I was very anxious that every Hon'ble Member should have an opportunity of expressing his opinion. I thought that possibly out of a multitude of councillors we might derive wisdom.

"Now I should like first of all to point out that rural sanitation is not at all a new subject. While we all most readily adopt the motto the Viceroy has set before himself, the promotion of education and sanitation, it is hardly necessary, I think, to refer most of the Members of this Council to the fact that education and sanitation have always been the watchwords of Government as far as it was possible to carry them out. In carrying out these two most important matters, there are two points that have to be considered. First of all, funds, and, secondly, public opinion. Now Hon'ble Members must have seen from the financial statement which was put forward to-day that, until the last three years, the Punjab Government has been absolutely unable to take any great step forward either in the matter of education or sanitation, simply because it had no funds. That is why Mr. MANT, in introducing his financial statement, referred to the efforts that have been made to secure a more satisfactory financial position for the Province. I am glad to think that these efforts have been very successful, and I am very grateful to the Government of India for having met our reiterated representations, though at first they were not prepared to receive them favourably at all, and sent us back with what is vulgarly described as 'a flea in the ear' on more than one occasion. I am also very grateful to Mr. MANT for the manner in which he referred to such share as I may have had in placing the finances of the Punjab on a more satisfactory basis.

"We cannot now altogether plead bankruptcy in the matter of advancing education and sanitation; but unfortunately, as you will see from the Finance Member's statement, a great deal of the money that appears in this inflated balance is really capital, and the Government of India, while allowing us to put it into our balances, do not allow us to use it for recurring expenditure. Now I think that all you gentlemen are thoroughly well aware of the fact that a policy of doles is one that leads to an extraordinary desire on the part of the person to whom the doles are made for more doles and larger doles. As Local Governments we are always clamouring for larger doles. If we begin to make grants to District Boards for rural sanitation, it is perfectly certain that the district boards will become very clamorous and will be always calling for more, like Oliver Twist. Therefore, it is very desirable that, before we embark on a policy of this kind, we should consider exactly what we are going to do and the agencies through which we should do it, and how much money we have for our current expenditure. Now, if Hon'ble Members at the time of the Finance Committee had advanced a proposition this year that something should be given to district boards to enable them to make greater progress in rural sanitation, I am quite certain that the members of that committee would have considered it in the most considerate way and have done what they could. That was not done. Now we are asked to appropriate a portion of the budget, and as regards the total of the budget, by financial rules we are absolutely limited, we cannot vary it now that it has been once arrived at and sanctioned by the Government of India. We are asked to appropriate from the budget, as it exists, sums for an absolutely new head, that is, for rural sanitation, and it is a head which may become positively hydra-headed in that from every one of the hundreds of thousands of villages in the Punjab applications will be put forward for doles for this and the other sanitary object, and it will be almost impossible for this Council at any rate to deal with such applications. Therefore I think we must go very cautiously, and while I am in full sympathy with the wish of the Hon'ble Member who has proposed the resolution, and those who have supported him, to improve rural sanitation, I am not quite certain that I am entirely in accord with the form in which he has put his proposals forward.

"Now you have heard from the Hon'ble Mr. FENTON that the question of rural sanitation actively engaged the attention of the Government of the Punjab in the time of Sir Dennis Fitzpatrick and again in the time of Sir Mackworth Young.

"I may say that many proposals have been put forward by district officers who have tried to induce the people of the Punjab to take a livelier interest in the sanitation of their homes, but when the matter has been fully enquired into, I regret to say that it has almost invariably been found that the wish was the wish of the district officer and not the wish of the people themselves at all, and that the strongest opposition is offered generally to attempts to improve rural sanitation.

"The Hon'ble Mr. MUHAMMAD SHAFI rightly represents himself as a strong advocate of the claims of the zamindars, and urges that he himself is living in a rural area. Now that rural area, within the last 35 years to my knowledge, has almost developed into an urban area, and I am also aware that proposals have been on more than one occasion put forward to include that urban area in the comparatively important urban area adjoining it,—in the Municipality of Lahore,—with a view partly to sanitation and for other reasons. But these proposals have been strenuously objected to by the residents of Baghbanpura, which is the Hon'ble Mr. SHAFI's home. I do not know why; possibly it may be on account of the octroi; possibly it may be on other accounts; but it may possibly be that some of the residents have got an idea that, if they came within the municipality of Lahore, there would be that searching enquiry into sanitary affairs which characterises the operations of the leading municipality of the Province. For exactly the

same reason, when we try to deal with in a large *kasba* and apply some sanitary rules to it, or even make it a notified area, there is immediately an objection in almost every case, mainly on this very ground that they are a rural community and do not wish to be harassed by sanitary regulations. I can quote a recent case from the Karnal district, which is within my own knowledge. The Deputy Commissioner there, Major Buck, is a very active officer, and takes the keenest interest in the well-being of the people, especially in matters relating to medical relief and sanitation. He put forward a scheme for introducing certain sanitary measures in certain groups of villages. This of course required some special expenditure, and it was to be raised by a cess. Now when we went into this scheme and enquired from the villages what they really did want, it appeared that they were not keen on the matter at all, and certainly, in regard to any expenditure, they objected to it entirely. Now I only mention this case to show, what I venture to think, that at present it is not the case that there is any very keen desire on the part of the agricultural population for the introduction of rural sanitation. On the contrary, they are usually opposed to it. It is an unreasonable opposition, but it is a very strong opposition. We have got to combat that opposition ; we hope to do it by a great extension of primary education ; but in the existing state of things I am quite certain that if you introduced a strange committee going about the districts and making sanitary proposals for the various villages in that district, you would probably very soon arouse a swarm of bees of an exceedingly unpleasant character. That is one of the difficulties that we have to deal with in the matter of rural sanitation.

" Then, I observe that the Hon'ble Member very wisely has proposed to make a modest beginning by confining his operations to those villages with a population of 2,000 persons and over. Well, the Government of India have been even more cautious in their proposals than he has ; they propose to confine their operations to improving the sanitation of municipal and urban areas. And the question really is, how far down the scale are we to go ? Where are we to end ? Now, in the Punjab, very fortunately, owing to the fact that Sir Charles Aitchison was a very keen advocate of local self-government, we have a larger number of *quasi*-municipal towns than almost any other Province in proportion to our urban population. There are a great many notified areas, and some with a population of less than 2,000, which is the number Mr. SHADI LAL mentions. I think there are very few of what you might call *kasbas* in the Punjab which are not at the present moment provided with some form of municipal constitution. Consequently most of these areas with which the Hon'ble Member wishes to deal can be already dealt with adequately under the Municipal Act, if only funds are available. That is another question which Hon'ble Members might bear in mind in considering this very large subject.

" I would like to deal shortly with the agency proposed for the work. That in my mind is the greatest defect in the proposals of the Hon'ble Member, for which, in other respects, I have great sympathy. We have the district boards. The Hon'ble Mr. FENTON has shown you that, under the district boards Act, the district boards can do what is required, certainly as much as is at present necessary, because our efforts can only be tentative. I really do not see why it is necessary to supersede the district boards by appointing a committee in each district of other gentlemen, some of whom may be members of the district board, some of whom may not be. I can quite imagine that a great deal of friction would arise and a great deal of trouble would be caused by the independent action of such a committee. I should very much prefer that the Hon'ble Member should have recommended that the attention of district boards should be drawn to the necessity of taking more active measures to further the cause of sanitary reform, so far as it is possible at the present moment, by the appointment of sanitary sub-committees where such do not already exist and in such other ways as they may

consider desirable. That action I am quite prepared on behalf of Government to take, although it is not contemplated by the resolution. But I should not like to bind Government to accept a proposal that independent committees should be appointed in every district. I do not know by whom they would be appointed. I have asked the Hon'ble Member who is to appoint these committees, but I did not get any satisfactory answer. I do not like to accept a proposition that they should be appointed, because I think it would lead to friction, and I think it would be unfair to the district boards to prevent them from doing more than they have done in the past in the way of rural sanitation. Now district boards have recently had their revenues considerably increased, partly by the operation of the reassessments and partly by the ceding of the whole amount which hitherto they have paid to the Local Government as their 20 per cent. contribution. It therefore cannot be said that district boards at the present moment have no funds with which to take some steps in the direction of rural sanitation. I am also prepared to say that when the district boards have shown that they really mean to do something, and that they propose a scheme, or any district proposes a scheme, for rural sanitation which is approved by the Sanitary Board, it may be quite proper to make them a grant to meet the purposes which they have set forth in their scheme. But what I do not like is to say 'here is 5 lakhs'—perhaps as the Hon'ble Member is not particular, it might be 5, 3 or 2 lakhs. If anybody came to me and said 'here are 5 lakhs for you to spend,' I have no doubt I should have great pleasure in accepting the 5 lakhs, But that kind of thing leads to all sorts of financial trouble and extreme difficulty in future. I think that we should be very much better advised if we left it to the district boards to appoint their committees to consider the question of spending what they can, and then to come up to Government with some definite proposals showing the purposes for which they want the money. Doles are very demoralising, as the Hon'ble Finance Member has told you; they are exceedingly pleasant, but they are exceedingly demoralising. You do not know what you may be let in for, if you embark on lavish expenditure based upon the uncertain receipt of doles. Therefore I think it would be very wise, first of all, to do what I have now suggested, to call upon the district boards to take steps in this manner to appoint committees if necessary, where they do not exist, and then to work out schemes. And I am sure, if they work out really good schemes and show—and this is the most important part of it—that the people are willing to allow the schemes to be carried out, Government might very well then give them financial assistance.

"I should like to mention while on this point that the Hon'ble Rai Bahadur RAM SARAN DAS brought forward very prominently the claims of the Lahore Municipality, and he also rather severely criticised the ever-increasing balances due to our inability to spend the sanitary grant. Now it is within my personal knowledge that, for the last five years nearly, I have been urging upon the Lahore Municipality the construction of underground drainage. I have offered on more than one occasion sums towards that object, but I regret to say that it is only within recent days that a scheme has been submitted: in fact the scheme has not yet reached me. First of all there was a great objection in the city to water-borne sewage. When there is an objection of that kind from a prominent municipality of the Province to a well considered scheme of sanitary reform, it is perfectly easy to imagine what the objections to sanitary measures are in the outlying villages. I am glad to think that the scheme has at last come in. I understand that it has been approved, and that it has been referred back to the municipality for further consideration of certain points. As Mr. TOLLINTON informed you, Government is fully prepared to make a contribution towards the cost of that scheme, but, as I have been pointing out here, there was no use in our going to the Lahore Municipality and saying: 'here are 15 lakhs, 10 lakhs, or 3 lakhs for you to spend; spend it.' The probability is that it

would have been spent in a way which would not have conduced to the greatest good of the community. Therefore we waited for the Lahore Municipality to produce its scheme, and when that scheme is approved, I can assure the Hon'ble Member that, out of this balance, a considerable sum will be given in support of the scheme. It would have been given this year, but for the reasons mentioned by Mr. TOLLINTON. We have already had to get rid of our sanitation funds, we have had to give out very large sums to the various municipalities, and it would not have been well for the arrangements of municipalities in working out schemes, if we had practically in every case to give out money before the schemes were worked out. A good deal of the remainder of the balance, such as it is, has been practically promised to the Multan Municipality for their water-supply scheme. I heard only yesterday that that water-supply scheme had been worked out and promises to be very successful, and I think it is extremely probable that a considerable sum, between 2 and 3 lakhs of rupees, will be made over to the Multan Municipality to carry out that work. So that Government is not neglectful of the interests of sanitary advance. The real difficulty is that all these urban sanitary schemes take a very long time to work out, and it is not so easy to construct a water-works scheme or a large system of urban drainage. If it is done without due consideration and in a hurry in order to get rid of the money, the result is that it is probably done exceedingly badly and has to be done over again.

"I have made these, I am afraid rather discursive, remarks in order to show Hon'ble Members that the interests of rural sanitation have not in any way been ignored by Government in the past. The difficulty before Government has been, first of all, want of funds. That to a certain extent has been removed, and we hope it may be removed permanently; and in the second place, and really it is the most important difficulty of all, the rural communities have really, not only not expressed any desire for improved sanitation, but actually opposed measures that have been suggested for particular villages.

"I daresay some Hon'ble Members, who have had to deal with settlements, have had the same experiences. In the course of two settlements I remember that I made suggestions to the people that we might deal with the disposal of the village sweepings in order to improve the sanitary condition of the village. It was always impossible to get it done. If you did get a condition inserted in the *wajib-ul-arz* that sweepings were to be placed beyond a certain range from the village, you would find that the rules they made themselves were ignored and sweepings were thrown close to the village, because it was more convenient for the sweepers to deposit them there, and it was more difficult for them to take them away to a distance.

"A very old experienced Indian officer once said to me, 'there is a good deal to be said for the old system of Punjab administration, when every 25 years you came round with a settlement and stirred up everybody, and there was a fearful trouble, and then everybody went to sleep for twenty years and was very happy. Now there is a perpetual *charhai* going on. There is a *girdawar* who comes round, the Tahsildar comes round, the Veterinary Assistant comes round! And now you want to introduce a much more terrible agency,—a sanitary committee coming round to inspect them.' I quite agree that we must do it, but it must be done with great caution and in a quiet way. Thus in a very quiet way we have endeavoured to get the people more in touch with sanitary ideas by utilizing the Indian Medical Service officers and Assistant Surgeons and Sub-Assistant Surgeons who have been appointed for plague and malaria relief, which are very important sanitary measures in themselves. These men go round, they make sanitary suggestions in all the villages whenever they get an opportunity, for the improvement of well curbs, improvements to drainage, removal of piles of filth to suitable distances, and they also gain the confidence of the people by treating them free at their

travelling dispensaries. We were the first Province, I believe, to start this system of travelling dispensaries on a large scale, and we have continuously kept it up with the most satisfactory result. We were the first Province to start a large plague establishment of this character; we were the first Province, I think, to start a Chief Malaria Officer with his establishment and to start classes for the instruction of Assistant Surgeons, what I may call the Provincial sanitary staff, in the prevention and cure of malaria. So that it is not the case that the Punjab Government has neglected its opportunities in the matter of sanitation. We have done a great deal, and I am glad to think that, by the constant efforts of these gentlemen, who are always on tour throughout the Province, the people are, as I understand, beginning to think that some primitive or simple sanitary measures can be introduced in the villages.

"We have done more. I daresay some of you may have seen—I should strongly recommend your doing so; you would find it extremely instructive reading—the Sanitary Primer compiled by Major Perry, Chief Malaria Officer. It is a most useful book intended for primary schools and village people. It deals with village life in short stories. This has had a great success; it has been published in several dialects in this Province, and has been largely bought in other Provinces, and is now being illustrated by the pupils of the Lahore School of Art. It was brought out mainly with the view of trying to make some commencement in rural sanitation. Therefore, I think, from the explanation that I have given you, you will understand that, though it may not have been much talked about (and perhaps we might have said more about what we are doing in order that misconception might not arise), we have been doing, so far as funds permitted, a great deal for rural sanitation; and I am quite certain that in the future, now that funds are available, we shall do a great deal more. But, for the reasons that I have already given you, I do not think I can recommend you to accept this resolution, particularly because, as it stands, the first part is most undesirable and may lead to great friction between villages and district boards; and the second part binds us to give over a large sum of money for a purpose which is not yet clearly defined, and that large sum of money I do not believe at the present moment is available in the present budget.

"It is quite true that the Honble Member says 'give us what is over and above the Government of India grant for urban sanitation.' But, on the other hand, the Hon'ble Mr. RAM SARAN DAS demands 5 lakhs of rupees more for Lahore. If every Hon'ble Member is going to make a similar demand, there will be nothing left beyond urban sanitation. In fact the remarks of the two Hon'ble Members were rather self-suicidal. I am therefore quite prepared to draw the attention of district boards to the extreme desirability of taking more energetic and active measures to introduce a system of simple rural sanitation and to work out definite schemes for certain definite purposes; and, though I cannot bind my successor in any way, I can say this much, that I am quite certain that, if a district board comes up with a definite scheme and asks for a definite grant for a definite purpose, it will receive the fullest consideration by the Government for the time being."

The Hon'ble Mr. SHADI LAL:—"In view of the remarks Your Honour has made, I do not call for a division, and I withdraw the resolution."

The resolution was then withdrawn.

ADJOURNMENT.

The Council adjourned to Friday, the 18th April 1913.

LAHORE:
The 13th March 1913.

S. W. GRACEY,
Secretary, Legislative Council.

Appendix I.

MEMORANDUM BY THE FINANCE MEMBER.

PART I.

THE first part of this memorandum deals with the general financial situation of the province in the current and ensuing years.

2. In connection with the recommendations of the Royal Commission upon Decentralization an important change has been effected in the financial relations between the Local Government and the Government of India. In the Finance Department Resolution No. 27 F., dated 18th May 1912, the Government of India declared that the provincial settlement of the Punjab will in future be permanent and not subject to revision, except in the event of the fixed assignment from Imperial Revenues becoming unduly large, when it will ordinarily be converted, either in whole or in part, into a share of growing revenues. Further, in case of serious famine the question of assistance from the revenues of the Government of India will be considered, and the Government of India on their side reserve the right to call for assistance from Provincial revenues in the event of grave embarrassment in their own finances. The Government of India also retain control over the provincial budgets. Their corrections in these budgets will in future be restricted to divided heads and the totals of revenue and expenditure; but a Local Government will not be allowed to budget for a deficit unless it satisfies the Government of India that the excess expenditure is due to an exceptional and non-recurring cause. The Government of India will moreover fix a limit for ordinary *plus* fresh recurring expenditure and will take care to ensure its observance.

3. In the resolution of the Government of India in the Finance Department, No. 249 E. A., dated 15th July 1912, certain enhanced powers have been conferred on the Local Government in regard to the remuneration of officers, the creation of appointments, and the revision of establishments. These powers hardly affect the financial situation except in so far as they may tend to increase expenditure by removing or relaxing one of the checks which previously restricted it.

4. The above changes have placed a greater responsibility on the Local Government for the stability of its finances, and have enhanced the necessity of keeping the growth of expenditure within the limits of expanding revenue. It is especially necessary to bear this limitation in mind at the present time when the Provincial revenues are being temporarily raised by receipts from land sales which are of the nature of capital. The Local Government has for some time been seeking a means of investing these receipts for the future benefit of the province, and thus avoiding the danger of their being utilized to raise the standard of current expenditure. The most prudent course would be to apply this abnormal income to the reduction of Provincial debt, and accordingly the Lieutenant-Governor recently formulated proposals for paying off the debt due to the Government of India on the Provincial Loan Account. Loans and advances are made from this account by the Local Government to local bodies, land-holders, cultivators and others, and Provincial revenues are credited with the interest received. Those revenues are at the same time debited with any sums which it may be necessary to write off as irrecoverable, and are charged interest at 3½ per cent. on the outstanding balance of the account. Although the Local Government generally recovers interest at higher rates than 3½ per cent., these transactions as a whole have been a source of loss and not of profit, owing to the considerable amount of bad debts which have been written off. During the five years ending with 1911-12 the average outstanding balance of the Loan Account was Rs. 68,16,000 and the interest charged to Provincial revenues averaged Rs. 2,36,180 per annum. The Lieutenant-Governor hoped that by redeeming this debt he would be

able to save the province a large annual expenditure on interest. The Government of India have, however, rejected the proposal mainly on the ground that the general cash balances in the country vest in the Government of India, and that the Provincial balances merely represent a credit on which Local Governments are allowed to draw, but which they are not entitled to invest. The sales of land formerly held on tenant right in the canal colonies, and the consequent extinction of annual receipts from rent, must therefore be regarded as financially unprofitable to the Local Government, and it can only hope to make good a small part of the loss by various forms of remunerative expenditure. A beginning is being made by incurring capital expenditure on (1) residences for officers and buildings for other public requirements, which will bring in rent or extinguish payments at present made on account of rent or allowances, (2) irrigated plantations and other improvements in Government forests, and (3) Provincial Irrigation Works, such as the Namal Dam.

5. The separation from the Punjab of the area occupied by the Delhi province has affected the estimates under various heads both on the revenue and the expenditure side. The net result to the provincial finances has not yet been fully worked out, but it will eventually be neutralised by means of a lump recurring assignment under the land revenue head. No assignment has, however, been provided for in the revised or budget estimates on this account because the difference between the revenue which the Punjab will lose and the expenditure which it will save from the transfer cannot at present be accurately estimated.

6. Turning now to the figures, the following table gives a broad outline of the general financial position :—

	1911-12.		1912-13.		1913-14.
	Revised. (Rs. 1,000).	Actuals. (Rs. 1,000).	Budget. (Rs. 1,000).	Revised. (Rs. 1,000).	Budget. (Rs. 1,000).
	Rs.	Rs.	Rs.	Rs.	Rs.
Opening balance ...	69,75	69,75	97,04	1,03,73	1,90,09
Revenue ...	4,30,16	4,37,52	4,20,13	5,15 34	4,46,38
Expenditure ...	4,02,87	4,03,54	4,49,37	4,28,98	4,90,25
Closing balance ...	97,04	1,03,73	67,80	1,90,09	1,46,22

7. It will be seen that the actual revenue and expenditure in 1911-12 exceeded the revised estimates framed a year ago by Rs. 7,36,000 and Rs. 67,000, respectively, the net result being an increase of Rs. 6,69,000 in the balance with which the current year opened. The extra revenue was realized mainly under the heads *I—Land Revenue* and *XXV—Miscellaneous*. Rupees 3,91,500 is accounted for under the former head by a greater demand than was anticipated on the part of tenants in the canal colonies to purchase their holdings during the last month of the year. Under *Miscellaneous* the actual receipts were Rs. 2,08,000 above the revised estimate on account of unclaimed deposits, an item which is very difficult to estimate. On the expenditure side the excess was mainly due to lapses in the Public Works Budget having been smaller than was anticipated.

8. Notwithstanding the loss of half a year's income from the Delhi province, the revised estimates of revenue in 1912-13 show an advance on the budget of Rs. 95,21,000. The variations are explained in detail in the second part of the memorandum, and it is only necessary here to refer to the heads under which the revised estimates show a large difference. The increase of Land Revenue, excluding assignments, but including the portion credited as an indirect receipt under *XXIX—Irrigation*, amounts to Rs. 18,26,000. The crops on which the ordinary revenue of the year was collected were on the whole

above the average, and the result is an increase of Rs. 7,12,000 in fluctuating collections. The revised estimates also anticipate an increase of Rs. 10,99,000 under the *Sale of Government Estates*, under which head, as explained last year, a moderate estimate was taken in the budget.

9. The portion of the land revenue credited under the head *XXIX—Irrigation* shows an increase of Rs. 8,03,000 because the budget did not take sufficient account of enhancements on the Lower Chenab and Lower Jhelum canals. This increase is slightly discounted by a reduction of Rs. 98,000 under *Direct Receipts* (Civil) owing to the absorption of owners' rate in the enhanced land revenue rates.

10. The revised estimate of land revenue assignments omits, for reasons explained below, an item of Rs. 5,56,000 to supplement the net revenue from irrigation, but it includes Rs. 2,35,000 as subventions to the Punjab University, Rs. 2,50,000 for the improvement or erection of hostels, and an addition of Rs. 75,000 to the recurring grant for educational purposes. It also includes further lump grants of Rs. 25,25,000 for Education, Rs. 14,50,000 for Sanitation, and Rs. 12,00,000 for other objects to be selected by the Local Government. The net result of these and other minor alterations is an advance of Rs. 51,82,000 on the budget estimate.

11. The increase of Rs. 81,000 under *IV—Stamps* is mainly due to greater litigation. Under *V—Excise* the revised estimates show an advance of Rs. 3,00,000, notwithstanding the loss of revenue from the Delhi Province. The greater part of this advance is due to a change in the method of bringing receipts from vend fees to account. The auctions of licenses for the vend of country spirits are usually held in February, and it has hitherto been the practice to hold advance instalments in deposit until the following financial year. This practice has now been stopped, and in future all receipts will be credited in the accounts as soon as they are received. As a consequence of this change, the vend fees credited in the current year will represent 14 instead of 12 months' receipts. The steady increase in excise revenue, apart from the above change, continues to receive the anxious consideration of Government. The question of raising the still-head duty on country spirit has been held in abeyance, because it has been represented to Government that the result, under present conditions, would inevitably be to stimulate illicit distillation. The Local Government is prepared to make strenuous efforts to prevent this result, but the success of such efforts cannot be assured unless the hands of the administration are strengthened by the imposition of more severe penalties for excise offences. An Excise Bill will shortly be introduced in the Legislative Council, providing for more deterrent punishments, and, when this Bill is passed, the Government will be in a position to proceed more vigorously against what is admittedly a grave evil.

12. The increase in the revised estimates of Rs. 1,26,000 under *XXV—Miscellaneous* is mainly due to the sale of the old Kotwali in Lahore City. Under *XXIX—Irrigation—Public Works*, the very large increase of Rs. 22,57,000 is anticipated. The year has been an exceptionally good one for the canals. When the early winter rains fail altogether, the rabi cultivation is restricted to such an extent as actually to reduce the demand for canal irrigation; when, on the other hand, rain is copious in February and March the crops are matured on large areas without the aid of the canals. The rabi of 1911-12 struck the happy mean from the point of view of the Irrigation Department, and the early withdrawal of the monsoon of 1912 in the greater part of the Province enhanced the demand for canal water in the cultivation of the kharif crop also. The result is that for the first time since the current Provincial Settlement was framed, the net revenue of the year is expected to be considerably in excess of the guaranteed minimum. The budget provided for an Imperial assignment of Rs. 5,56,000 to make good the deficit below the guaranteed minimum of

41 lakhs. The revised estimates, after allowing for a considerable increase of expenditure on special repairs, convert this deficit into a surplus of Rs. 10,69,000 above the guaranteed minimum. These figures indicate a very bright prospect for the future of the Provincial finances. In the memo. on the Financial Statement of two years ago it was observed that the Irrigation Branch of the Public Works Department then calculated that the net revenue from irrigation would not rise above the guaranteed minimum until the year 1916-17. Thereafter it was expected that the rise would be rapid owing to the completion of the Triple Project. Work on that project has been expedited, and some revenue is being derived from the Upper Chenab Canal in the current year; but by far the greater part of the increase is being obtained from the older canals. When the revenue from the latter source shows such remarkable power of expansion, it is not unreasonable to hope that the return from the new canals will ultimately prove considerably in excess of present expectations.

The only major head under which the revised Estimates show a large decrease is *IX—Forests*, where the falling-off amounts to Rs. 1,41,000. This is mainly due to a glut in the market for firewood owing to extensive fellings in the Lower Bari Doab with a view to canal irrigation. Consequently several contractors have failed to fulfil their engagements with the Forest Department.

13. On the expenditure side the only heads under which a noticeable advance on the budget is anticipated are 18—*General Administration*, where the increase of Rs. 71,000 is due to certain liabilities incurred in connection with the Coronation Darbar; 19-*B*—*Jails*, where the excess (Rs. 1,13,000) is accounted for by an increase in the jail population and by the conversion of the Lahore District Jail into a Central Jail; 22—*Education*, where an advance of Rs. 4,74,000 has been rendered possible by special grants from Imperial revenues; 32—*Miscellaneous*, where a saving on unforeseen charges is more than counterbalanced by the writing-off of an outstanding loan to the late Dera Ghazi Khan Municipality; and 42—*Irrigation* (*Public Works*), where the large increase of Rs. 4,42,000 is mainly due to special works and repairs and to a rise in collection fees, consequent on higher receipts. There is also an increase of Rs. 1,02,000 in interest charges owing to acceleration of expenditure on the Triple Project.

14. The revised estimates show considerable decreases under various heads. Under 3—*Land Revenue* the reduction of Rs. 2,92,000 occurs mainly under *District Administration*, where the transfer of Delhi and other causes have led to savings in salaries and contingencies, and under *Survey and Settlement*, where requirements were over-estimated in the budget. Under 19-*A*—*Courts of Law* the reduction of Rs. 1,02,000 is chiefly due to the transfer of Delhi charges and to delay in the introduction of the scheme for District and Sessions Judges. The reduction of Rs. 4,13,000 under 24—*Medical* is due to various causes as explained in the second part of the memorandum. About 6½ lakhs from the Imperial assignments for sanitation have been distributed to local bodies in aid of various schemes, the chief of which are sanitary improvements at Delhi (Rs. 1,45,000), sewage at Amritsar (Rs. 2,20,000), intra-mural drainage at Rawalpindi (Rs. 1,50,000), and water-supply at Sialkot (Rs. 1,00,000). But rather more than 3 lakhs have been carried forward till next year, because various other schemes, to which it seems *primâ facie* desirable to devote the money available, have not yet been fully worked out. It is to the true interest of sanitation that these large sums should not be expended without the most careful consideration, and especially that large works should not be started until it is clear that the local bodies concerned will be able to carry them out and to maintain them in proper order when they are completed.

The decrease of Rs. 2,00,000 under 26 – *Scientific and other Minor Departments* is mainly accounted for by lapses in the provision made from the Imperial grant for agriculture and allied objects. The construction of a new Veterinary College has been delayed, and the money provided for its equipment will consequently not be spent in the current year. Various other projects to which it was intended to devote this grant have also had to be deferred till next year.

15. The largest lapse is, as usual, anticipated under 45 – *Civil Works*. The decrease of Rs. 1,17,000 on works in charge of Civil Officers is almost entirely accounted for by the transfer to the Public Works Department of the provision of Rs. 1,00,000 made for expenditure on the new town of Dera Ghazi Khan. As regards works in charge of the Public Works Department, the reduction made by the Accountant-General in the revised estimate amounts to no less than Rs. 20,05,000. This high figure is partly due to the fact that the provision made in the budget for public works was unusually liberal, and the spending officers have not been able to work up to it. But the main reason is that the budget included various schemes which had not been fully worked out. The province has not yet cast off the traditions of the period of quinquennial Financial Settlements. During that period it was to the interest of the Local Government to spend freely, because the average expenditure of each quinquennium was generally made the basis for the next settlement. After the introduction of the *quasi*-permanent settlement from 1st April 1905 the incentive to extravagance still remained, partly because the duration of the settlement was uncertain, but mainly because the province was not provided with sufficient revenue to meet its growing expenditure, and there was consequently a yearly scramble for such funds as were available. When a head of a department knows that his demands will not be fully met, he is naturally inclined to magnify them in order to get as much as he can, and, what is far worse, he tries to spend up to the budget provision for fear that sums unspent may not be regranted in the ensuing year. These conditions have been entirely altered by the institution of a permanent settlement, and it may be hoped that, when the effect of this alteration is realized, the spending departments will only put forward schemes which have been fully considered and on which the funds provided can be spent during the year. The following are the principal lapses anticipated during the current year :—New Civil Secretariat, Rs 4,00,000 ; Veterinary College, Rs. 2,00,000 ; wheat elevator at Lyallpur, Rs. 1,50,000 ; Sutlej bridge, Rs. 1,50,000 ; Beas bridge, Rs. 1,47,000 ; laboratory for the Lahore Government College, Rs. 1,00,000.

16. The budget for next year, after allowing for the severance of the Delhi Province, provides for a normal growth of revenue under most of the principal heads. Under *I—Land Revenue*, excluding assignments, but including the portion credited to Irrigation, a decrease of Rs. 18,35,000 is anticipated as compared with the Revised Estimate for the current year. This is partly due to the reduction of arrears of ordinary revenue, but mainly to a falling off in receipts from sales of land in the canal colonies. It is very difficult to frame even the Revised Estimates of these receipts with any approach to accuracy because the largest demand for purchase arises towards the end of the financial year. Thus, in 1911-12, out of a total of Rs. 57,35,000 received from sales to peasant grantees no less than Rs. 26,05,000 were paid in during the last month of the year. The Revised Estimates for 1912-13 allow for a recurrence of large sales this March, which would reduce the area available for sale next year; but if, owing to uncertainty as to the prospects of the rabi crop or for any other reason, buyers hold back at this season, the budget for next year will very possibly prove to be an under estimate.

17. Under *Land Revenue Assignments* the decrease of Rs. 45,34,000, as compared with the Revised Estimate, is mainly due to the absence of the special grants given by the Government of India this year for educational,

sanitary and discretionary purposes. The budget includes, however, recurring assignments of Rs. 3,38,000 for education, Rs. 4,00,000 for sanitation, and Rs. 2,08,000 to compensate Provincial Revenues for the loss of contributions hitherto recovered from district boards. Under *V—Excise* the increase due to normal growth and to the enhancement of the issue price of excise opium is counterbalanced by the loss of Delhi revenue and the absence of the extra two months' fees for the vend of country spirits taken into account in the Revised Estimate.

Under *IX—Forests* a recovery of Rs. 79,000 is expected, as a better market for fuel seems probable next year. Under *XXI—Scientific and other Minor Departments* the increase of Rs. 77,000 is due to the transfer to the Local Government of the cattle farm at Hissar. Under *XXV—Miscellaneous* the reduction of Rs. 4,76,000 is mainly accounted for by the remission of contributions from district boards, estimated at Rs. 4,10,000. This is made good to Provincial Revenues by the assignment of Rs. 2,08,000 referred to above and a reduction of Rs. 2,02,000 in the expenditure under 45—*Civil Works (Civil)* on various annual grants made by Government to the boards.

18. Under *XXIX—Irrigation* the direct receipts collected by civil officers are almost wiped out by a reduction of Rs. 1,87,000 owing to the absorption of owner's rate in enhanced land revenue rates on the Lower Chenab Canal, and the same process is the main cause of the increase of Rs. 1,22,000 under *Indirect Receipts*. As regards direct receipts collected by Public Works Department officers a revenue of about 5 lakhs is expected from the new Upper Chenab Canal, and there will be some receipts on the Lower Bari Doab Canal to be opened on the 12th April, but the total receipts show no advance on the Revised Estimate, because, as explained in paragraph 12 above, the current year has been exceptionally favourable for the old canals, and it would not be safe to assume that equally good conditions will prevail in 1913-14.

19. On the expenditure side the Budget Estimates anticipate savings under various heads from the transfer of Delhi and provide for progress on established lines, especially in matters of education and sanitation. Only the following heads call for particular notice:—Under 11—*Forests* provision is made for special expenditure on the resin factory at Shahdara, on irrigated plantations, and on various other developments of forest property, resulting in a total increase of Rs. 2,03,000. Under the present system of accounts in the Forest Department no distinction is made between capital and other outlay, so the surplus for any particular year does not give a reliable idea of the financial results of the year's working. The Conservator has now been instructed to maintain *pro formâ* accounts which will show separately expenditure chargeable to revenue and that which, under ordinary commercial principles, would be debited to a capital account. It should then be possible to calculate with some approach to accuracy what return is being obtained from expenditure on forest properties. The decreases of Rs. 82,000 under 18—*General Administration* and Rs. 1,00,000 under 19 *B—Law and Justice—Jails* are mainly due to the absence of the special expenditure referred to in paragraph 13 above. The increase of Rs. 2,50,000 under 20—*Police* includes provision for a proposal to substitute police for watchmen in a number of minor municipalities and notified areas. The liability for the cost of all municipal police was assumed by Government with effect from the 1st April 1911, and, if the above proposal is carried out, the cost of this addition to the police force will also be met from general revenues.

20. Under 22—*Education* the budget estimate exceeds the revised by Rs. 11,46,000, and shows an advance over the actual expenditure in 1911-12 of a little over 20 per cent. This rapid increase has been rendered possible by the large grants made by the Government of India. The objects to which these grants will be devoted will be explained by the Member in charge. Under 24—*Medical* further grants from Imperial revenues have enabled provision to be made in the budget for an expenditure of Rs. 1,31,000 in excess of

the revised estimate. The phenomenal growth of expenditure under this head can best be illustrated by comparison with the actual outlay in 1910-11, on which the budget estimate for 1913-14 shows an advance of 102 per cent. The greater part of the increase is incurred on grants to local bodies for sanitary purposes. Under 26—*Scientific and other Minor Departments* the increase of Rs. 5,14,000 as compared with the revised estimate is mainly due to provision for expenditure from Imperial grants for agriculture and allied objects, and to the provincialization of the Hissar Cattle Farm.

21. Under 45—*Civil Works* (*Civil*) provision is made for an increase of Rs. 2,00,000 in the grants to District Boards for feeder roads. When certain roads, previously maintained by Government, were made over to the boards in 1910 an annual grant of Rs. 3 lakhs was made for their up-keep. This grant was increased to 4 lakhs in 1911, but it has recently been represented that many boards are still unable to keep the roads in proper repair. A special addition has accordingly been made in next year's budget, and the requirements of each division in this respect are under investigation. At the same time the general resources of the boards have been strengthened by the measure referred to in paragraph 17 above. A lump contribution of 20 per cent. on the local rate has been paid to Government for many years in consideration of various services which it has undertaken on behalf of the boards, and on the other hand Government has made grants to the boards for meeting expenditure incurred by them on the services in question. It has now been decided to abolish these cross contributions, and the net gain to the boards is estimated at Rs. 2,08,000 per annum.

22. Under 45—*Civil Works* the budget estimate for expenditure to be incurred by the Public Works Department exceeds the revised estimate by Rs. 34,97,000. This large increase is partly due to the slow progress on many important works commenced in the current year, which will be carried to completion next year. The flourishing state of the Provincial finances has also enabled provision to be made for a number of new projects, and money has been freely provided for all works which will bring in a reasonable return or reduce recurring charges. Thus Rs. 6,50,000 have been provided for quarters for police officers who are at present located in hired buildings or given house allowances in lieu of free quarters, and it is also proposed to build or purchase residences for Government officers at various stations where accommodation is not available at reasonable rates. The general rise of land values in the Punjab will probably necessitate further action in this direction. Landlords as a rule are ready to deal liberally with high officials, but it is obviously undesirable that the latter should place themselves under obligation to private individuals by paying rents at anything below market value. For officials generally the steady growth of house rent is a serious matter, and must eventually be met by higher pay or local allowances. The construction of residences by Government will probably prove to be in many cases the most economical way of meeting the difficulty. The acquisition of house property is also a sound form of investment for the surplus Provincial balances. A steady return on capital is assured, because the officers for whom houses are provided are made responsible for the rent, and there is every probability of a future increase in the value of the land. In Lahore, where the rise of rents is most pronounced, a large building scheme is under consideration. The scheme, which will probably require the sanction of the Secretary of State, has not yet been fully worked out, but three lakhs are provided towards it in the budget mainly for the acquisition of land. In other Provincial capitals, such as Calcutta, Bombay and Rangoon it has been found necessary to grant house allowances in view of the high rents prevailing. In Lahore it is hoped that the grant of such allowances, which can never be a final solution of the problem, may be avoided by providing residences for a large number of officers on a rental not exceeding ten per cent. on their salaries. Provision is also made in the budget for a number of other projects, the chief of which are specified in the second part of

the memorandum, and four lakhs have been included for expenditure from the lump grant of 12 lakhs made by the Government of India for such other schemes as may be deemed to be most necessary with reference to the special requirements of the province.

23. The net result of the budget is a total expenditure of Rs. 4,90,25,000 against a revenue of Rs. 4,46,38,000, *i.e.*, a deficit of Rs. 43,87,000. On the revenue side the receipts from sales of Government estates, estimated at Rs. 13,21,000, and non-recurring assignments aggregating Rs. 1,70,000, may be classed as abnormal, while on the expenditure side provision is made for utilizing Rs. 28,96,000 out of various non-recurring grants from Imperial Revenues. After deducting these items on either side of the account there remains a deficit of Rs. 29,82,000 ; but, as the public works portion of the Budget under 45—*Civil Works* exceeds the actual expenditure of 1911-12 by Rs. 41,04,000, the deficit may be attributed entirely to special works, and it may fairly be concluded that the normal revenue of the province is now sufficient to meet the present standard of expenditure. A large reserve has also been built up, mainly from the proceeds of land sales, and the year 1913-14 is expected to close with a balance of Rs. 1,46,22,000. After deducting Rs. 26,88,000 earmarked for special purposes, and the prescribed minimum of Rs. 10,00,000, the balance available for general purposes amounts to no less than Rs. 1,09,34,000.

24. As this is the last budget that will be presented during the *régime* of the present Lieutenant-Governor, it may be of interest to give a brief comparison of the figures for 1913-14 with the actual revenue and expenditure of 1907-08, the year immediately preceding his term of office. The totals of revenue and expenditure are shown in the following table :—

——	1907-08.	1913-14.	Increase in 1913-14.
	Rs.	Rs.	Rs.
Opening balance	54,07,000	1,90,09,000	1,36,02,000
Revenue	3,09,21,000	4,46,38,000	1,37,17,000
Expenditure	3,33,20,000	4,90,25,000	1,56,95,000
Closing balance	29,98,000	1,46,22,000	1,16,24,000

Out of the increases in receipts and charges, Rs. 35,02,000 and Rs. 24,71,000 respectively, are attributable to the revision of the Provincial Settlement on the 1st April 1911. The net gain to Provincial Revenues from this revision may thus be taken at Rs. 10,31,000 in 1913-14. The land revenue collected in 1907-08 was abnormally low because the early withdrawal of the monsoon necessitated large suspensions ; but, after allowing for adverse conditions, almost every head of revenue shows an increase in 1913-14, and the improvement is most marked under the large growing heads of Land Revenue, Stamps Excise, and Irrigation. The financial position has, moreover, been greatly strengthened by the conversion of a large fixed assignment into growing revenue. On the expenditure side there are large increases, apart from the changes in the Provincial Settlement, under Law and Justice, Police, Education, Medical, Scientific and other Minor Departments, Irrigation, and Civil Works. The increase under the last head, after allowing for contributions to local bodies (Rs. 7,30,000) which were

credited under a separate head in 1907-08, amounts to Rs. 50,41,000, and this is perhaps the most striking indication of the change that has come over the financial fortunes of the province. At the same time the closing balance, which in 1907-08 only amounted to Rs. 29,98,000, although it included Rs. 14,53,000 from Imperial grants for Simla improvements, has risen to Rs. 1,46,22,000, thus providing a very large reserve against future needs.

25. The second part of this memorandum, which was drafted by Mr. Parsons, Under-Secretary, Financial, explains the estimates of revenue and expenditure under the various major heads and also the important variations under minor heads. Following the usual practice it does not separate the Provincial from the Imperial share under divided heads, but deals only with the gross figures.

Part II—Income.

I.—Land Revenue (excluding the portion of Land Revenue transferred to XXIX—Irrigation).

(1) In spite of an addition of 16 lakhs to the credits given to XXIX—Irrigation, the revised estimate for 1912-13, under Land Revenue proper, exceeds the sanctioned budget by Rs. 20,4 ,000. The loss of the receipts from the Province of Delhi during the second half of the year is expected to deprive provincial revenues of nearly one-and-a-half lakhs, but the effect on fixed collections has been almost effaced by good harvests, and elsewhere the budget, which allowed for the recovery of 11 lakhs of arrears, is likely to prove too low. Fluctuating collections show an increase of 14½ lakhs, principally due to the extension of the new settlement in the Chenab Colony. The main increase occurs, however, in the sale of Government estates. Though colonists have not come forward to purchase land in Jhang with the eagerness which they have shown in other districts, an excess of 22 lakhs over the budget estimate is now anticipated under this sub-head.

The budget for 1913-14 contemplates a reduction of Rs. 33,15,000 in the figure of the revised estimate. There is a fall of 4½ lakhs in fixed collections, partly due to the fact that the effect of the separation of the Delhi Province will be felt for the whole year, and partly because outstandings are now small as the result of recent years of prosperity. There is also a decline of over 3½ lakhs in the estimate of fluctuating collections, while the extensive purchase of proprietary rights in the colonies during the last two years has absorbed much of the available land, and a decrease of Rs. 28,36,000 occurs in the sale of Government estates. There is a further increase of 2½ lakhs in the amount transferred to the credit of the Irrigation Department.

(2) The net revenue from Irrigation is for the first time likely to exceed the guaranteed minimum of 41 lakhs, and the item of Rs. 5,56,000 on account of the guarantee entered in the current year's budget under the sub-head "assignments" accordingly disappears from the revised estimates. Grants of Rs 2,35,000 for the Punjab University and Rs 3,25,000 for the erection of hostels and other educational objects have, however, been received in the course of the year: and further assignments of Rs. 25,25,000 for education, Rs 14,62,000 for sanitation, and twelve lakhs for general purposes have recently been announced. The result of these and minor variations is a net increase of Rs. 51,82,000.

The absence of the large non-recurring grants made this year accounts for a decrease of Rs. 45,34,000 in the budget for 1913-14. Their loss is partially discounted by additional assignments of Rs. 11,48,000 now promised by the Government of India. Agricultural development and medical relief receive non-recurring subventions of Rs. 1,20,000 and Rs. 50,000, respectively, while grants of Rs. 3,38,000 for education, Rs. 4,22,000 for sanitary purposes, and Rs. 2,08,000 to relieve district boards of the 20 per cent. contribution from the local rate are the principal recurring items.

IV—Stamps.

The original estimates for 1912-13 have now been enhanced by Rs. 1,62,000. The increase occurs mainly under the head "Sale of Court-fee Stamps," and may perhaps be attributed to the fact that prosperity and litigation go hand-in-hand. The failure of the short-lived Shadi funds has caused a decline in the receipts from "duty on impressing documents."

Allowing for the loss of income from the Delhi Province, a normal growth of Rs. 38,000 is anticipated in the revenue of 1913-14.

V—Excise.

Although a loss of one lakh is incurred by the transfer of the Delhi Province to the Government of India, the revised estimates for 1912-13 show an improvement of 6 lakhs over a budget which was admittedly cautious. License fees account for an increase of Rs. 5,73,000, of which somewhat less than a lakh is the outcome of keen competition at the auction of liquor shops. The balance of the enhancement is caused by an alteration in the system of dealing with the two months' advance fees taken from successful bidders, which is described in the first part of the memorandum. The figures of the revised estimate, therefore, include advance fees recovered both in February 1912 and February 1913, and represent the income of fourteen months from this source.

The growing popularity of excise opium has led to larger consumption, and the estimated gain from its sale has been raised by Rs. 32,000 in the revised.

The price of this opium will be raised generally to Rs. 20 a ser from the 1st of April 1913, and an additional income of Rs. 1,20,000 is expected on this account in the coming year. This increase and the ordinary growth of excise revenue will, it is anticipated, counterbalance the loss of income from the Delhi Province, and the fact that license fees will be credited for twelve months only. The budget for 1913-14 accordingly repeats the revised estimate.

VI—Provincial Rates.

The small increase of Rs. 5,000 which appears in the revised estimates for the current year, and in the budget for 1913-14, is based on actual realisations, and calls for no special remark.

VIII—Assessed taxes.

The reduction of Rs. 40,000 in the revised estimate is due to the separation of the Delhi Province. The full effect of this will be experienced in 1913-14, but additional receipts in consequence of special assessments suggest a small increase of Rs. 7,000 in the budget.

IX—Forests.

The development of the resin factory at Shahdara has been less rapid than was expected, while the low price of firewood in the Lahore and Multan divisions and the adoption of the group method of felling in the Bashahr division have also affected receipts under this head. The revised estimate for 1912-13 falls short of the budget by Rs. 1,41,000.

A recovery of Rs. 79,000 is expected in 1913-14. Extensive sales of fuel are anticipated in the forests of the Sharakpur range, which are being made over to the Irrigation Department: and there is a likelihood of enhanced receipts from the resin factory.

X—REGISTRATION.

The increase of Rs. 22,000 in the revised estimate occurs mainly under the detailed head "Fees for registering documents," and is attributed to the large sales of proprietary rights to colonists in Lyallpur and Gujranwala. The loss of income from Delhi accounts for the reduction of Rs. 10,000 which has been made in the budget for 1913-14.

This is a small but slowly expanding source of revenue. The necessity for registering documents may be expected to increase with the development of the Province on its commercial side.

XII—INTEREST.

Interest recoverable during the last half of the year from the Delhi Municipality, and for the whole year from the defunct municipality of Dera Ghazi Khan, has now been omitted : and its absence is the chief cause of a drop of Rs. 43,000 in the revised estimate. But there was also an over-estimate of interest on takavi loans.

A further decline of Rs. 23,000 is anticipated in the budget for 1913-14. The interest from loans in Delhi will be lost for the whole year, and favourable agricultural conditions in 1912-13 have led to repayments of takavi advances.

XVI-A—LAW AND JUSTICE—COURTS OF LAW.

Present realisations from magisterial fines and Record Room receipts indicate an increase of Rs. 35,000 in the revised estimate.

The normal expansion of revenue under this head is discounted in the budget for 1913-14 by the loss of the Delhi receipts, and a slight reduction of Rs. 10,000 is anticipated.

XVI-B—LAW AND JUSTICE—JAILS.

The hire of convict labour for excavation work on the Lower Bari Doab Canal having been discontinued from August last, the receipts on this account have fallen by Rs. 20,000 in the revised estimate, and a further decline of Rs. 23,000 is anticipated in the budget for 1913-14. Jail manufactures for Government departments, a steadily expanding source of revenue, partially neutralise this decrease in the latter year.

XVII—POLICE.

The rise of Rs. 36,000 in the revised estimates is distributed over all heads, but is chiefly the result of enhanced recoveries on account of punitive police, and additional contributions from local bodies for cattle-pounds transferred to them, under the new contracts which have been made this year. A set-back of Rs. 15,000 is contemplated in the budget of 1913-14, where a guarded estimate has been adopted under "Recoveries on account of Punitive Police" owing to the uncertain character of the receipts.

XIX—EDUCATION.

The small addition of Rs. 8,000 in the revised estimate is due to the receipts of the Engineering School at Rasul, for which the sanctioned budget did not provide.

The income from the Lawrence Memorial School at Murree, which it is proposed to provincialise, accounts for the increase of Rs. 35,000 in the budget for 1913-14.

XX—Medical.

Enhanced sale of vaccine lymph is expected to produce an extra Rs. 5,000 in both 1912-13 and 1913-14.

XXI—Scientific and other Minor Departments.

The increase of Rs. 77,000 in the budget estimate for 1913-14 is due to the inclusion of receipts from the Hissar Cattle Farm, which will be provincialised with effect from next April.

XXII—Receipts in aid of Superannuation.

The increase calls for no special comment.

XXIII—Stationery and Printing.

In order to prevent inflation of accounts no credits or debits are now raised by the Jail Department for lithographic printing paper obtained from the Stationery Office, Calcutta, and supplied to other departments. There is consequently a fall of Rs. 23,000 in the revised estimate, and a further decline of Rs. 20,000 in the budget for 1913-14: but this is counterbalanced by corresponding reductions in the expenditure head 30—Stationery and Printing.

The decrease in the revised estimate is partially discounted by additional receipts of Rs. 9,000 from the Civil Secretariat Press.

XXV—Miscellaneous.

The revised estimate is Rs. 1,26,000 better than the sanctioned budget. In a good year the Government share of the land rate has advanced Rs. 9,000: but the chief increase appears under "Sales of land and houses" where an unforeseen credit of Rs 98,000 has been obtained from the sale of the Lahore Kotwali.

The absence of this special item, and of the whole income from the Delhi Province, accounts for some part of the fall of Rs. 4,76,000 in the budget for 1913-14. This is due, however, to the extent of Rs. 4,10,000 to the remission of the contribution of 20 per cent. of the local rate hitherto paid by District Boards. Provincial revenues have been compensated for the loss incurred on this account by an assignment of Rs. 2,08,000 from the Government of India, and by the resumption of grants totalling Rs. 2,02,000 previously made to District Boards.

XXIX—Irrigation—Major Works.

The decrease of Rs. 1,96,000 in the revised estimate under Direct Receipts—Civil is entirely due to the abolition of owner's rate in the Gugera and Rakh Branches of the Lower Chenab Canal Colony. As the announcement of new assessments proceeds, the revenue from this source will continue to dwindle, and a further reduction of Rs. 3,73,000 takes place in next year's budget.

The figures now available point to an increase of over 45 lakhs in the direct receipts in charge of Public Works officers. The year has been exceptionally favourable for irrigation, and there has been an extension of the area watered by almost all canals.

Next year will bring in the first receipts from irrigation by the Upper Chenab Canal. These are expected to reach 5 lakhs and there will also be some income from the Lower Bari Doab Canal, to be opened on the 12th April : but this increase will probably be counterbalanced by a falling off in the receipts from the old canals, and the budget for 1913-14 therefore repeats the revised estimate.

Indirect Receipts (being the portion of land revenue due to irrigation transferred from I—Land Revenue) show an improvement of over 16 lakhs in the revised estimate. This is attributed to the enhanced rates of assessment now in force on the Lower Chenab and Lower Jhelum Canals, and is based on current realisations. A further increase of nearly 2½ lakhs is anticipated in the budget from the same cause.

XXX—Irrigation—Minor Works and Navigation.

The addition of Rs. 5,000 to the receipts from Public Works in the revised estimate, and the budget for the ensuing year, is the result of extended irrigation by the Shahpur Provincial Canals.

XXXI—Civil Works.

The revised estimate is Rs. 36,000 below the sanctioned budget. Smaller sales of Government school sites at Gujrat, where most of the land has been disposed of, and reduced contributions from local bodies for ferries, as the result of the quinquennial revision of contracts, are the principal factors in the decrease. A recovery of Rs. 13,000 is anticipated next year, chiefly under "Tolls" and "Sale of Land and Houses."

Expenditure.

1—Refunds and Drawbacks.

Call for no special comment.

2—Assignments and Compensations.

The reduction in the provincial expenditure occurs under "Pensions in lieu of resumed lands," and is caused by deaths. The budget repeats the revised estimate.

3—Land Revenue.

The revised estimate for the current year contemplates a reduction of Rs. 2,92,000 in expenditure, distributed over all important heads of account. The charges of district administration have fallen by Rs. 1,13,000, chiefly under General establishment. The provision of Rs. 28,000 for raising the pay of certain appointments in the Punjab Commission has not been utilised, and savings in salaries elsewhere have exceeded the lump deduction made for this purpose in the budget. The transfer of the Delhi Province to the Government of India last October has relieved provincial finances of about Rs. 25,000; and the present rate of expenditure points to considerable decreases in travelling allowances and contingencies.

Survey and settlement charges have fallen by Rs. 1,35,000, owing to Settlement Officers having over-estimated their requirements. There is a decrease of Rs. 44,000 under Land Records due to savings in kanungo and patwari establishments.

The budget estimate for 1913-14 foreshadows an enhancement of Rs. 49,000 on the revised figures of 1912-13 as the result of numerous variations in detail. Further relief will be given by the transfer of the Delhi

Province for the whole year, but in spite of this there is a rise of Rs 1,17,000 in the charges of district administration. Provision has been made under this head for the creation of a new tahsil at Jaranwala, at a cost of Rs. 6,000, and for sub-divisions at Sonepat and Ballabgarh in the enlarged Rohtak and Gurgaon districts. Opportunity has also been taken of the favourable financial outlook to inaugurate several much-needed schemes for the improvement of the pay and *personnel* of the district staff. Funds have accordingly been allocated for an addition to the number of Extra Assistant Commissioners at a cost of Rs. 50,000 and for raising the pay of the lowest grade of Tahsildars from Rs. 150 to Rs. 175 per mensem, which is that enjoyed by 3rd grade Munsifs. The latter measure will absorb Rs. 16,200; and over Rs. 6,000 have also been provided, under Land Records for extra patwaris and kanungos in the Shahpur, Gurdaspur and Hoshiarpur districts, which are at present undermanned.

The growth of the charges under these heads is, however, counterbalanced by a fall of Rs. 1,20,000 in the cost of survey and settlement. The Gurdaspur settlement has been finished and that of Kulu is nearly at an end; while in Dera-Hamirpur, Hoshiarpur, Ferozepore, Amritsar and Gujranwala it will be possible to effect considerable reductions of establishment as measurement approaches completion. Other variations do not call for special notice.

6—Stamps.

The small increases in the revised estimate for 1912-13 and the budget for 1913-14 are anticipated under the head "Stamp paper supplied from Central Stores," expenditure under which is fluctuating.

7—Excise.

Additional expenditure has been incurred in the current year on detective establishment and on the appointment of probationary Excise Sub-Inspectors to provide a reserve for training, but this has been more than covered by savings under a number of other heads.

The pay of the detective establishment for the whole year accounts for Rs. 3,000 of the increase in the budget, and special expenditure of Rs. 2,500 is contemplated on the Charas Agency at Leh.

10—Assessed Taxes.

Calls for no remarks.

11—Forests.

Trucks for the Changa Manga Tramway (Rs. 5,000), reboisement at Pabbi (Rs. 3,500), fencing the Kot Lakhpat plantation (Rs. 9,000), and olive cultivation (Rs. 5,000) are the most important schemes for which fresh expenditure has been sanctioned this year. Their cost has been more than counterbalanced by savings in other directions under "Conservancy and Works," in which a reduction of Rs. 9,000 is now indicated: but higher establishment charges have led to a net increase of Rs. 25,000 over the sanctioned budget. Salaries were under-estimated, and the major part of the lump deduction of Rs. 40,000 on this account has had to be restored.

Of the enhanced expenditure of Rs. 2,03,000 expected next year, Rs. 1,73,000 falls under "Conservancy and Works." A large part of this outlay may be classed as productive. Rupees 40,000 are allotted for the purchase of new plant for the resin factory at Shahdara, and Rs. 20,000 for irrigated forest plantations. An extension of fuel works in the Lahore and Simla divisions is contemplated, and funds are also provided for the construction of roads in the Rawalpindi and Bashahr divisions. Minor works absorb over Rs. 40,000.

Increments of the salaries of gazetted officers and the filling of vacancies in the Rangers' cadre account for a growth of Rs. 30,000 under "Establishment."

12—Registration.

The small reduction shown in the revised estimate for 1912-13 is mainly due to the absence of the charges on account of the Sub-Registrar of Delhi and his establishment for half the year. There is a further saving from this cause in 1913-14, but the budget provides for an increase in the pay and number of registration clerks and for additional peons for Sub-Registrars,

13—Interest on Ordinary Debt.

The reduction of Rs. 44,000 in the revised estimate is due to the omission of interest on loans and advances in the Province of Delhi, and on the balance of the loan to the Dera Ghazi Khan Municipality, which has been written off. The small decrease in the budget for 1913-14 calls for no remarks.

18—General Administration.

The revised estimate for 1912-13 shows an increase of Rs. 71,000 over the sanctioned budget. Expenditure of Rs. 81,000 on the Coronation Darbar at Delhi will be adjusted in the current year; this figure includes the cost of replacing furniture destroyed by the fire in the Punjab Camp, for which Rs. 50,000 were entered in the budget estimates. An increase of Rs. 9,000 is expected in expenditure from the Lieutenant-Governor's contract allowance, due entirely to tour charges: and leave allowances have led to an increase of Rs. 4,000 in the expenses of the Lieutenant-Governor's staff and household. The recent appointment of a committee to investigate the requirements of clerical establishments in Government offices accounts for most of the increase of Rs. 36,000 in the "Civil Secretariat." Among minor alterations, savings of Rs. 2,500 under "Establishment" and Rs. 1,700 under "Travelling allowance" of the Local Funds Audit office alone call for remark.

The budget for 1913-14 anticipates a reduction of Rs. 82,000 on the revised estimate. The omission of expenditure in connection with the Coronation Darbar, and smaller outlay on the Clerical Establishments Committee, whose labours are expected to end early next year, are the main factors in the decrease: there is also a drop of Rs. 12,000 under tour charges, in expenditure from the Lieutenant-Governor's contract grant. Provision has however been made in the estimates for special expenditure of Rs. 8,000 on Government House and Barnes Court, and the cost of Local Fund Audit shows an increase of Rs. 10,000, principally owing to the entertainment of an extra audit group.

19-A—Law and Justice—Courts of Law.

The budget for 1912-13 has been reduced by Rs. 1,02,000 in the revised estimate. The withdrawal of the charges for all courts in Delhi during half the year is calculated to effect a saving of approximately Rs. 70,000; and the proposals to create District and Sessions Judges, and to improve the pay of certain appointments in the Punjab Commission, for each of which Rs. 28,000 appeared in the budget, have not been introduced this year. There is also a fall of Rs. 10,000 in the charges for conducting Government suits. As a partial offset to these reductions, the cost of the Chief Court has increased

by Rs. 28,000 owing to the retention of the seventh Judge and his establishment for the full year, instead of for five months only: and the prevalence of crime has led to additional expenditure of Rs. 15,000 on fees to Public Prosecutors, and of Rs. 17,000 under "Supplies and Services" of criminal courts chiefly for diet and road money to witnesses.

Leave allowances account for most of the increase in the Chief Court estimates for 1913-14, in which provision is made for a seventh Judge throughout the year. Rupees 68,000 have been included for the scheme for District and Sessions Judges, and there is a normal growth in other charges. These additions neutralise the further savings on Delhi courts and the absence of provision for an additional temporary Divisional Judge. The final result is a small increase of Rs. 20,000 in the total charges under this head.

19-B—Law at Justice—Jails.

In spite of an estimated saving of Rs. 17,000 in expenditure on the Delhi Jail during the latter part of the year, the sanctioned budget has now been raised by Rs. 1,13,000. The increase is mainly attributed to the conversion of the Lahore District Jail into a first class Central Jail and to enhanced expenditure on dietary charges, owing to a steady rise in jail population and high prices of food stuffs.

A fall of one lakh is anticipated in the budget estimate for 1913-14. This occurs to a large extent on dietary charges, the stocks now held being large. Establishment charges also show a decrease owing to the conversion of the Rohtak and Jhang District Jails into sub-jails, and the abolition of the temporary Camp Jail at Montgomery. To the latter cause is ascribed a rise of Rs. 11,000 in the cost of raw materials for jail manufactures, as intra-mural employment has now to be given to convicts previously engaged on canal excavation works. Among other variations it is only necessary to notice a provision of Rs. 9,000 for providing means of subsistence for prisoners on their release from jails.

20—Police

The revised estimate is Rs. 40,000 below the sanctioned budget for 1912-13. The saving in "District Executive Force" caused by the transfer of Delhi is estimated at Rs. 95,000, but additional expenditure of Rs. 55,000 has been incurred under this head on "Petty Construction and Repairs," chiefly on repairs to Police buildings taken over from municipalities. The only other important variation is a decrease of Rs. 11,000 under Special Police, owing to the appointment of Commandant, Baluch Levy, remaining vacant.

The budget for 1913-14 forecasts a rise of Rs. 2,52,000 in expenditure. Proposals for the substitution of town-watchmen by Police in certain towns are now under the consideration of Government, and two lakhs have been entered in the budget for this object. Rupees 25,000 are also allotted for initial repairs to Municipal Police buildings, and Rs. 26,000 are required to meet the cost of policing the new Jullundur Doab, Jullundur-Hoshiarpur and Jakhal-Hissar Railways, and for additional Police in the Lahore district in connection with the formation of a railway colony at Mughalpura. The normal growth of charges in other directions counteracts further savings from the separation of the Delhi Province

22—Education.

Expenditure on education during the current year is expected to exceed the original estimate by Rs. 4,74,000. The increase is entirely due to the utilisation of the special subventions received from the Government of India in the course of the year. Rupees 2,35,000 have been handed over to the

Punjab University, and the assignments for the erection of hostels and for general educational purposes have in most part been distributed among District Boards as grants-in-aid, or spent through their agency under "Government Schools—General." In some directions there have been savings. The lump provision of Rs. 45,000 for reorganising the Provincial and Subordinate Educational Services will not be spent this year, and effect will not be given till 1913-14 to the provincialisation of the Lawrence Memorial School at Murree, for which the budget provided Rs. 50,000: the cost of salaries and supplies and services of Government Colleges has fallen by Rs. 21,000. Expenditure of Rs. 38,000 will, however, be incurred under this head on the Engineering School at Rasul, which has been transferred from the Public Works Department.

The budget for 1913-14 provides Rs. 75,000 for the provincialisation of the Lawrence Memorial School; Rs. 60,000 for equipment of the Mayo School of Art and new Government high schools; and Rs. 30,000 for relieving District Boards and Municipalities of the cost of maintaining secondary schools. There is increased provision of Rs. 10,000 for scholarships. Improvements are also contemplated in various Educational Services. Rupees 27,000 are allotted for additions to the inspecting staff, Rs. 30,000 for the revision of the Subordinate Educational Service and smaller sums for allowances in the Provincial Educational Service and for increased pay to Superintendents of Boarding Houses. These and minor schemes practically neutralise the absence of the special items of expenditure, for which funds have been given in the current year, and the whole of the increase of Rs. 11,46,000 over the revised estimate is due to the inclusion of a portion of the special assignments for educational purposes recently announced by the Finance Member in the Imperial Legislative Council.

24—Medical.

The reduction of Rs. 4,13,000 in the revised estimate is distributed over all important heads of account, but occurs chiefly under Sanitation. It has not been found possible to utilise Rs. 2,32,000 out of the portion (Rs. 8,82,000) of the Imperial assignment for sanitary improvements which appeared in the budget, and savings have also accrued here by the abolition of the system of giving rewards for sanitation to villages in the Chenab Colony. Relief has been given to Provincial revenues by the transfer to the Government of India of the cost (Rs. 27,000) of the two Civil Surgeons at Simla; and the provision of Rs. 25,000 for the purchase of quinine lapses, as the account of the quinine distributing agency is now adjusted under "Advances." Plague has not been severe, and the progress of expenditure accordingly suggests a reduction of Rs. 70,000 in the grants made for medical purposes. Small savings in other directions make up the rest of the decrease.

The special grant of six lakhs made this year to the Research Institute at Kasauli disappears from the budget for 1913-14, and only Rs. 3,08,000, the balance of the Imperial assignments previously made for the improvement of sanitation, is included, as against Rs. 6,50,000 in the revised estimate. On the other hand, provision is made for improving sanitary services at the cost of one lakh, for a further grant of Rs. 25,000 to the Women's Medical Hospital at Ludhiana, and for expenditure of Rs. 8,000 on relieving District Boards of the charges in connection with the registration of births and deaths. Rupees 5,000 each are allotted for improving the training of midwives, and towards the cost of a Rabic Hospital at Kasauli. Minor variations cancel one another, and these figures would indicate a budget of Rs. 19,43,000. Nine and a quarter lakhs have, however, been entered for expenditure from the medical and sanitation grants recently announced by the Government of India; and the budget shows an increase of Rs. 1,31,000 over the revised estimate.

26—Scientific and other Minor Departments.

Provincial expenditure has been reduced by two lakhs in the revised estimate for 1912-13, the main decreases taking place in "Agriculture" and "Veterinary and Stallion charges." Rs. 40,000 have been allotted in the course of the year for the reclamation of *kallar*-infected lands in the Chenab Colony, and Rs. 11,000 for watering mounds in the Agri-Horticultural Gardens in Lahore: expenditure of Rs. 13,000 will be incurred on the development of pisciculture. It has not, however, been found possible to utilise on matured schemes a large part of the lump sum of Rs. 1,25,000 provided for the development of agriculture: and, in spite of re-appropriations to meet the cost of projects appearing under other heads, Rs. 78,000 are now expected to remain over for expenditure next year, out of the portion (Rs. 2,25,000) of the Imperial assignment for agricultural and allied objects included in the original estimates. A decrease of Rs. 11,000 is also anticipated in the cost of agricultural experiments. The provision of Rs. 1,20,000 for the equipment and revision of the staff of the Veterinary College, Lahore, will not be required this year, and the pay of two new Professors at the College, for which Rs. 10,000 were entered in the budget, will be classed as Imperial expenditure. The settlement in the current year of claims in connection with the Badshahi Mela at Delhi accounts for a rise of Rs. 38,000 under "Public Exhibitions and Fairs," and Rs. 8,000 have been allotted for cataloguing the Indo-Greek and Mughal coins of the Central Museum, Lahore. The only other variation of importance is a decrease of Rs. 15,000 in expenditure on the Minto Park, Lahore.

The budget for 1913-14 provides Rs. 20,000 for grants to Salvation Army settlements and Rs. 25,000 for the development of pisciculture. The increase of Rs. 5,14,000 is, however, due almost entirely to—

(1) the inclusion of the balance (Rs. 2,53,000) of the Imperial assignment of four lakhs made in 1911-12 for the development of agriculture, and of a new grant of Rs. 1,20,000 for the same purpose made by the Government of India in the current year;

(2) the inclusion for the first time of charges on account of the Hissar Cattle Farm, estimated at Rs. 1,40,000. This institution will be provincialised from the 1st April next, and the expenditure is partially counteracted by an increase in the corresponding revenue head.

29—Superannuation Allowances and Pensions.

The decrease of Rs. 92,000 in the revised estimate for 1912-13 is due to the omission of charges paid in Delhi during the last half of the year. Full allowance has been made for these charges in the budget for 1913-14, and the increase of Rs. 37,000 represents the normal growth of this head of expenditure.

30—Stationery and Printing.

The revised estimate for 1912-13 stands at Rs. 57,000 below the original estimate. The decrease is partly due to the alteration in the method of debiting lithographic paper received by Jail Presses, to which reference has already been made in the remarks under XXIII—Stationery and printing. There is a reduction of Rs. 17,000 in the charges for printing at Private Presses, job work being now undertaken, when possible by the Government Press at Lahore, and a drop of Rs. 42,000 under "Supplies and Services" of Jail Presses. Provision, however, is now made for the purchase of a mono-type machine for the Civil Secretariat Press at a cost of Rs. 14,000.

The reduction in the budget for 1913-14 is mainly due to the absence of this special item. Other variations are unimportant.

32—Miscellaneous.

The revised estimate has been adopted at Rs. 5,27,000, an excess of Rs. 1,01,000 over the sanctioned budget for the year. The increase is due almost entirely to the necessity of writing off the unpaid balance of the loan to the defunct Dera Ghazi Khan municipality, which amounted to Rs. 1,94,000. Pending the result of the investigations now being made by the Clerical Establishments Committee, the provision of Rs. 60,000 for improving the pay of clerks has not been utilised; and the larger part of the sum of Rs. 50,000 provided for unforeseen charges has now been transferred to other heads of expenditure.

One lakh has been entered for unforeseen expenditure, and Rs. 80,000 for the reorganisation of clerical establishments in the budget estimate of 1913-14. These additions are more than counterbalanced by the absence of the special charge for the repayment of the Dera Ghazi Khan loan: and the net result is a decrease of Rs. 8,000 as compared with the revised estimate.

36—Reduction or Avoidance of Debt.

Calls for no remark.

42—Irrigation—Major Works.

The sanctioned budget for Working Expenses has been enhanced by Rs. 8,85,000 in the revised estimate. Additional expenditure of Rs. 4,41,000 is now anticipated on maintenance and improvements, attributed to the repitching of the inner slopes of the Upper Bari Doab and Western Jumna Canals, to the construction of silting tanks on the Lower Chenab Canal, and to extensive special repairs. Establishment charges have risen by over three lakhs, chiefly owing to an increase in collection fees on the Upper Bari Doab Canal, as a consequence of the growth in income, and to the employment of a full staff on the Sirhind Canal. The purchase of tramway plant for the head-works of the Sirhind and Lower Chenab Canals is the principal cause of increased miscellaneous expenditure of Rs. 1,36,000.

The budget estimate for 1913-14 repeats the revised estimate for the current year.

With the progress of construction of new canals, interest charges have risen by Rs. 2,04,000 in the revised estimate, and a further increase of Rs. 4,72,000 is expected in 1913-14.

43—Minor Works and Navigation.

Less expenditure than was anticipated under "Grants-in-aid for Irrigation Works" is the main cause of the drop of Rs. 19,000, in the case of works under the charge of Civil Officers. The budget for 1913-14 under this head allows for increased expenditure on the Gurgaon bunds, and on petty construction.

Minor variations have led to an increase of Rs. 12,000 over the figures of the sanctioned budget in expenditure on works carried out by Public Works officers. The budget for 1913-14 provides one lakh for the Kahan Hill torrent reservoir.

45—Civil Works.

The revised estimate for Civil Works in charge of Civil Officers shows a decrease of Rs. 1,17,000, chiefly due to the fact that the lump provision of one lakh for works in Dera Ghazi Khan has been transferred to the Public

Works budget. There is also a reduction of Rs. 10,000 in the cost of petty construction and repairs, and grants to local bodies are less by Rs. 10,000 than was originally anticipated.

Additional expenditure of Rs. 1,50,000 is contemplated in 1913-14 on works in Colony towns, and the budget also provides a further sum of two lakhs for the construction and maintenance of feeder roads; Rs. 10,000 is included for a payment to the Rana of Koti which was not drawn this year. But grants to district boards will be reduced by Rs. 2,02,000 as a partial off-set to the remission of the 20 per cent. contribution from the local rate. The net result is an increase of Rs. 1,63,000 over the revised estimate.

The reduction of Rs. 20,05,000 in the revised estimate for works in charge of Public Works officers occurs entirely under original works. The construction of a new Civil Secretariat and of the Punjab Veterinary College, at a cost of four lakhs and two lakhs respectively, has been postponed, and the progress of other large schemes has been less rapid than was expected. Lapses totalling Rs. 6,27,000 are now anticipated in the allotments for the Biological Laboratory at Lahore, the Dharmsala dispensary, the Beas and Sutlej bridges, the wheat elevator at Lyallpur, and the Hindustan-Tibet Road. The current rate of expenditure makes it improbable that the grants for other less important works will be fully utilised.

The budget for 1913-14 stands at Rs. 92,97,000, Rs. 34,97,000 above the revised estimate. Liberal provision has again been made for departmental works, which absorb Rs. 14,58,000. Four lakhs have been added for expenditure from the assignment for general purposes made by the Government of India, while the financial position of the province enables many important schemes to be undertaken. The following new projects deserve special notice:—

	Rs.
Punjab Veterinary College	5,00,000
Enlargement of the Civil Secretariat	2,00,000
New Press buildings at Lahore	1,75,000
Weir at the Ravi Bathing Ghât	1,33,000
Preparatory School for the Aitchison College ...	50,000
Roads in Montgomery district	1,50,000
Roads in Hoshiarpur district	1,46,000
Hostel for the Medical College, Lahore	1,00,000
Hostel for the Mayo School of Art	40,000
Residence and offices for the Commissioner, Ambala ...	80,000
Namal Gorge Dam	90,000

Provision of the following amounts is also made for large works in progress at the end of the year:—

	Rs.
Wheat elevator, Lyallpur	1,50,000
Biology and Physics Laboratory, Government College, Lahore	1,00,000
King Edward Memorial Scheme	2,38,000
Bridge over the Beas	1,47,000
Bridge over the Sutlej	1,50,000
Bridge over the Ravi	2,00,000
Improving the Hindustan-Tibet Road	50,000

Six-and-a-half lakhs have been allotted for residences for police officers to whom Government quarters are supplied free of rent; and three lakhs for a building scheme for officers' bungalows at Lahore. The last two projects are expected to be remunerative.

BALANCES.

The original estimates budgetted for an opening balance of Rs. 97,04,000 and a closing balance of Rs. 67,80,000. There was an actual improvement of Rs. 6,69,000 in the opening balance, while an increase of Rs. 95,21,000 in receipts and a reduction of Rs. 20,39,000 in expenditure have been foreshadowed in the detailed discussion above. The revised estimate accordingly anticipates a closing balance of Rs. 1,90,09,000.

This figure includes the following amounts which are ear-marked for special purposes :—

1—Assignments made by the Government of India prior to 1912-13 for—

	Rs.
King Edward Memorial	2,88,000
Education	2,41,000
Sanitation	3,08,000
Agriculture	2,52,000

2—Assignments made by the Government of India in 1912-13 for—

	Rs.
Education	25,25,000
Urban sanitation	14,50,000
Total ...	50,14,000

It is expected that the whole of the assignments prior to 1912-13 and Rs. 12,87,000 out of the grants made in 1912-13 will be utilised in the coming year. The closing balance for 1913-14 is estimated at Rs. 1,46,22,000, and after deducting from it Rs. 26,88,000, the balance of the ear-marked grants, and the prescribed minimum balance of 10 lakhs, Rs. 1,09,34,000 remains over to meet the demands of future years.

R. A. MANT,

The 11th March 1913. *Financial Secretary to Government, Punjab.*

Appendix II.

REVISED FINANCIAL STATEMENT SHOWING FIGURES (IN THOUSANDS) UNDER MAJOR HEADS FOR THE YEARS 1911-12 TO 1913-14.

NOTE.

The Revised Financial Statement differs only in the following respect from the draft statement supplied to Hon'ble Members on the 6th March 1913: The receipts under I—Land Revenue Proper have been raised by Rs. 2,00,000 in the Revised Estimates for 1912-13 in the light of eleven months' actuals, and a similar addition has consequently been made to the total revenue and receipts and to the closing balance in 1912-13, and also to the opening and closing balances in 1913-14.

11-3-13.

R. A. MANT.

Revised Financial statement showing figures under

Budget heads.	Actuals, 1911-12.	Sanctioned budget estimate, 1912-13.	Revised estimate, 1912-13.	Budget estimate, 1913-14.
	Rs. 1,000	Rs. 1,000	Rs. 1,000	Rs. 1,000
Opening balance	69,75	97,04	1,03,73	1,00,09
Provincial Revenue and Receipts.				
I—Land Revenue ... Proper	1,44,83	1,45,66	1,55,89	1,36,31
I—Land Revenue ... Assignments see Appendix A.	37,79	22,94	74,76	29,42
IV—Stamps	26,28	26,50	27,31	27,50
V—Excise	32,00	31,75	34,75	34,75
VI—Provincial Rates	28	25	30	30
VIII—Assessed Taxes	8,11	8,32	8,07	8,11
IX—Forests	13,10	13,91	12,50	13,29
X—Registration	3,16	3,13	3,35	3,25
XII—Interest	2,58	3,00	2,57	2,34
XVI-A—Law and Justice—Courts of Law	4,35	4,38	4,73	4,63
XVI-B—Law and Justice—Jails	3,41	3,43	3,23	3,10
XVII—Police	1,79	1,56	1,92	1,77
XIX—Education	3,92	4,21	4,29	4,64
XX—Medical	50	48	54	54
XXI—Scientific and other Minor Departments ...	1,06	1,20	1,22	1,99
XXII—Receipts in aid of Superannuation	79	67	84	84
XXIII—Stationery and Printing	1,44	1,77	1,54	1,34
XXV—Miscellaneous	9,70	7,37	8,63	3,87
XXIX—Irrigation—Major Works. Direct receipts—Civil	3,62	3,20	2,22	35
XXIX—Irrigation—Major Works. Public Works	1,02,92	99,43	1,22,00	1,22,00
XXIX—Irrigation—Major Works. Indirect Receipts—Portion of Land Revenue due to Irrigation.	29,12	30,75	38,78	40,00
XXX—Irrigation—Minor Works and Navigation. Civil	16	16	15	16
XXX—Irrigation—Minor Works and Navigation. Public Works	40	45	50	50
XXXI—Civil Works ... Civil	4,56	4,01	3,65	3,78
XXXI—Civil Works ... Public Works	1,65	1,60	1,60	1,60
Total Provincial Revenue and Receipts ...	4,37,52	4,20,13	5,15,34	4,46,38
GRAND TOTAL, INCLUDING OPENING BALANCE ...	5,07,27	5,17,17	6,19,07	6,36,47

Major Heads for the years 1911-12 *to* 1913-14.

PUNJAB LEGISLATIVE Regd. No. LIBRARY.

Budget heads.	Actuals, 1911-12.	Sanctioned budget estimate, 1912-13.	Revised estimate, 1912-13.	Budget estimate, 1913-14.
Provincial Expenditure.	Rs. 1,000	Rs. 1,000	Rs. 1,000	Rs. 1,000
1—Refunds and Drawbacks	79	77	85	83
2—Assignments and Compensations	34	40	35	35
3—Land-Revenue	48,03	50,31	47,39	47,88
6—Stamps	88	85	87	89
7—Excise	86	93	92	96
10—Assessed Taxes	5	5	5	5
11—Forests	7,65	7,97	8,22	10,25
12—Registration	1,20	1,21	1,18	1,18
13—Interest on Ordinary Debt	2,08	2,37	1,93	1,91
18—General Administration	13,65	11,69	12,40	11,58
19-A—Law and Justice—Courts of Law	42,17	42,68	41,66	41,86
19-B—Law and Justice—Jails	12,28	11,90	13,03	12,03
20—Police	58,63	58,06	57,66	60,18
22—Education	23,55	28,63	33,37	44,83
24—Medical	21,27	31,50	27,37	28,68
26—Scientific and other Minor Departments ...	7,71	10,75	8,75	13,89
29—Superannuation Allowances and Pensions ...	16,71	19,81	18,80	19,26
30—Stationery and Printing	7,17	7,80	7,23	7,02
32—Miscellaneous	3,08	4,26	5,27	5,19
36—Reduction or Avoidance of Debt	1,40	1,40	1,40	1,40
42—Irrigation—Major Works. Working Expenses—Civil	...	1	2	1
42—Irrigation—Major Works. Working Expenses—Public Works ...	39,67	35,58	40,00	40,00
42—Irrigation—Major Works. Interest on Debt ...	28,53	31,08	32,10	34,46
43—Minor Works and Navigation. Civil	32	49	30	45
43—Minor Works and Navigation. Public Works	76	64	76	1,50
45—Civil Works ... Civil	10,83	10,18	9,01	10,64
45—Civil Works ... Public Works ...	51,93	78,05	58,00	92,57
Total expenditure ...	4,03,54	4,49,37	4,28,98	4,90,25
Closing balance	1,03,73	67,80	1,90,09	1,46,22
GRAND TOTAL ...	5,07,27	5,17,17	6,19,07	6,36,47

APPENDIX A.

Account of Assignments given to and Contributions recovered from the Provincial Government by the Government of India which are adjusted through the Land Revenue head, under account rules.

	Accounts, 1911-12.	Budget, 1912-13.	Revised Estimate, 1912-13.	Budget Estimate, 1913-14.	Remarks.
	Rs. 1,000	Rs. 1,000	Rs. 1,000	Rs. 1,000	
Gross land revenue (including amount credited to Irrigation).	3,47,91	3,52,82	3,89,32	3,52,62	
Deduct—					
Portion of land revenue due to Irrigation ...	58,25	61,50	77,55	80,00	
Net land revenue to be divided proportionately	2,89,66	2,91,32	3,11,77	2,72,62	
Imperial share, one-half	1,44,83	1,45,66	1,55,88	1,36,31	
Provincial share, one half	1,44,83	1,45,66	1,55,89	1,36,31	
Add contributions from Imperial :—					
Fixed adjustment under the Provincial Settlement.	6,77	6,77	6,77	6,77	
For Walker Hospital, Simla	4	4	4	4	
Non-recurring assignment for discretionary grants	...	...	12,00	...	
Recurring assignment to meet the charges in connection with the grant of Rs. 100 per annum to title-holders of Mahamahopadhyaya and Shams-ul-Ulma.	...	...	2	1	
In connection with famine insurance scheme ...	1,40	1,40	1,40	1,40	
To bring up the net revenue under Irrigation to 41 lakhs.	3,09	5,56	...	...	
On account of archæological survey	49	...	2	...	
Recurring assignment in connection with remission of appropriations from cesses.	...	...	...	2,08	
The Imperial share of the sale-proceeds of sites for shops and residences in new Colonies.	1,12	68	25	26	
To meet expenditure in connection with the Badshahi Mela at Delhi.	86	...	...	...	
Non-recurring assignment for the improvement or erection of hostels.	...	...	2,50	...	
For relieving municipalities of Police charges ...	5,22	5,22	5,22	5,22	
To meet expenditure for redecoration of the ceiling of the Diwankhas, Delhi Fort.	3	...	...	...	
To cover the Provincial expenditure on the special Bonus of half month's pay to permanent Government servants drawing not more than Rs. 50 per mensem.	2,77	...	2	...	
Recurring assignment for Education	...	3,50	4,25	7,63	
Non-recurring assignment for Education ...	...	...	25,25	...	
Contributions for Punjab University—					
Non-recurring	...	...	2,00	...	
Recurring	...	...	35	35	
Non-recurring assignment for sanitation ...	6,17	...	14,50	...	
Recurring assignment for sanitation ...	...	...	...	4,09	
Recurring assignment for the improvement of the Sanitary services	...	...	12	22	
Non-recurring assignment for agriculture and allied objects.	4,00	...	...	1,20	
Non-recurring grant for medical relief and allied objects.	...	...	...	50	
Special non-recurring assignment for Central Research Institute.	6,00	...	...	...	
To cover the Provincial expenditure incurred in illuminating Government buildings.	6	...	...	...	
Assignment to compensate Provincial Revenue for the loss of income from the recovery in stamps of fees for the inspection of records.	...	...	28	10	
Total ...	38,02	23,17	74,99	29,78	
Deduct contributions from Provincial—					
On account of change in classification of the charges of the Public Works section of the account office.	23	23	23	23	
In connection with the charges of the additional officers sanctioned for Veterinary Department.	...	...	...	13	
Total ...	23	23	23	36	
Net transfers from Imperial to Provincial ...	37,79	22,94	74,76	29,42	
Total Provincial share ...	1,82,62	1,68,60	2,30,65	1,65,73	

APPENDIX B.

Supplementary statement showing the accounts and estimates under the Major heads open to discussion in the Provincial Legislative Council.

Revenue and Receipt by Major and Minor heads.	Actuals, 1911-12.	Budget, 1912-13.	Revised, 1912-13.	Budget, 1913-14.	REMARKS.
1	2	3	4	5	6
	Rs. 1,000	Rs. 1,000	Rs. 1,000	Rs. 1,000	
I—Land Revenue—					
Ordinary revenue	2,78,80	3,10,40	3,24,53	3,16,31	
Sale of Government estates	58,86	32,80	54,78	26,42	
Sale-proceeds of waste lands and redemption of land tax	1,08	1,13	1,52	1,47	
Assessment of alienated lands less quit-rents—service commutations	1,80	2,13	1,65	1,66	
Rents, &c., of fisheries	9	9	9	8	
Miscellaneous	7,78	6,27	6,75	6,68	
Total ...	3,47,91	3,52,82	3,89,32	3,52,62	
Deduct—Portion of Land Revenue due to Irrigation transferred to XXIX—Irrigation—Major Works	58,25	61,50	77,55	80,00	
Net total shared ...	2,89,66	2,91,32	3,11,77	2,72,62	
Deduct—Imperial share less assignments to Provincial	1,07,04	1,22,72	81,12	1,06,89	
Provincial share *plus* assignments ...	1,82,62	1,68,60	2,30,65	1,65,73	
V—Excise—					
License and distillery fees and duties for the sale of liquors and drugs	58,34	57,83	63,56	62,36	
Acreage on land cultivated with poppy ...	23	15	20	20	
Transit duty on excise opium	28	40	30	30	
Gain on sale-proceeds of excise opium ...	5,14	5,10	5,42	6,62	
Fines, confiscations and miscellaneous ...	1	2	2	2	
Total ...	64,00	63,50	69,50	69,50	
Deduct—Imperial share—one-half ...	32,00	31,75	34,75	34,75	
Provincial share—one-half ...	32,00	31,75	34,75	34,75	
IX—Forest—					
I—Timber and other produce removed from the forests by Government agency ...	2,29	3,69	3,00	4,00	
II—Timber and other produce removed from the forests by consumers or purchasers	8,64	9,15	8,31	8,11	
III—Confiscated drift and waif wood ...	54	34	37	34	
IV—Revenue from forests not managed by Government	5	2	3	3	
V—Miscellaneous	1,58	71	79	81	
Total ...	13,10	13,91	12,50	13,29	

Supplementary statement showing the accounts and estimates under the Major heads open to discussion in the Provincial Legislative Council—continued.

Revenue and Receipts by Major and Minor heads.	Actuals, 1911-12.	Budget, 1912-13.	Revised, 1912-13.	Budget, 1913-14.	REMARKS.
1	2	3	4	5	6
	Rs. 1,000	Rs. 1,000	Rs. 1,000	Rs. 1,000	
X—Registration—					
Fees for registering documents ...	2,34	2,34	2,49	2,44	
Fees for copies of registered documents ...	61	60	65	62	
Miscellaneous	21	19	21	19	
Total ...	3,16	3,13	3,35	3,25	
XII—Interest—					
Interest on loans to municipal and other public corporations (excluding Presidency Corporations)	1,23	1,55	1,29	1,03	
Interest on loans to land-holders and other notabilities	6	5	5	6	
Interest on advances to cultivators ...	1,16	1,33	1,17	1,18	
Interest on miscellaneous loans and advances	5	5	5	5	
Interest on advances to Co-operative Credit Societies	3	2	1	2	
Total ...	2,58	3,00	2,57	2,34	
XVI B—Law and Justice—Jails—					
Jails	60	53	33	10	
Jail manufactures	2,81	2,90	2,90	3,00	
Total ...	3,41	3,43	3,23	3,10	
XVII—Police—					
Police supplied to municipal, cantonment and town funds.	12	...	...	...	
Police supplied to public departments, private companies and persons.	51	49	67	55	
Cash receipts under the Arms Act	...	...	...	...	
Fees, fines and forfeitures	94	88	1,03	1,01	
Superannuation receipts	2	1	2	1	
Miscellaneous	20	18	20	20	
Total ...	1,79	1,56	1,92	1,77	

Supplementary statement showing the accounts and estimates under the Major heads open to discussion in the Provincial Legislative Council—continued.

Revenue and Receipts by Major and Minor heads.	Actuals, 1911-12.	Budget, 1912-13.	Revised, 1912-13.	Budget, 1913-14.	REMARKS.
1	2	3	4	5	6
	Rs. 1,000	Rs. 1,000	Rs. 1,000	Rs. 1,000	
XIX—Education—					
Fees, Government College, general ...	37	46	43	40	
Fees, schools, general	2,58	2,85	2,87	3,27	
Ditto, special	10	2	12	11	
Contributions	40	42	40	41	
Miscellaneous	47	46	47	45	
Total ...	3,92	4,21	4,29	4,64	
XX—Medical—					
Medical School and College fees	19	18	19	19	
Lunatic Asylum receipts	9	9	9	9	
Medicines sold by Civil Surgeons	...	1	1	1	
Contributions	...	...	...	...	
Miscellaneous	22	20	25	25	
Total ...	50	48	54	54	
XXI—Scientific and other Minor Departments—					
Botanical and other public garden receipts ...	25	24	25	25	
Veterinary and stallion receipts	18	16	18	95	
Agricultural receipts including receipts on account of experimental cultivation.	28	41	39	40	
Receipts on account of public exhibitions and fairs.	22	33	33	33	
Examination fees	2	1	1	1	
Miscellaneous	1	...	4	4	
Inoculation receipts	...	5	1	1	
Total ...	1,06	1,20	1,22	1,99	
XXII—Receipts in aid of superannuation, retired and compassionate allowances.					
Contributions for pensions and gratuities ...	79	67	84	84	

Supplementary statement showing the accounts and estimates under the Major heads open to discussion in the Provincial Legislative Council—continued.

Revenue and Receipts by Major and Minor heads.	Actuals, 1911-12.	Budget, 1912-13.	Revised, 1912-13.	Budget, 1913-14.	Remarks.
1	2	3	4	5	6
	Rs. 1,000	Rs. 1,000	Rs. 1,000	Rs. 1,000	
XXIII—Stationery and Printing—					
Stationery receipts	...	...	...	...	
Sales of Gazettes and other publications ...	6	5	6	6	
Other Press receipts	1,38	1,72	1,48	1,28	
Total ...	1,44	1,77	1,54	1,34	
XXV—Miscellaneous—					
Unclaimed deposits	2,69	60	60	1,00	
Sale-proceeds of Darbar presents ...	...	...	...	...	
Sale of old stores and materials ...	6	3	3	3	
Sales of lands and houses	41	15	160	40	
Fees for Government audit	10	11	12	12	
Contributions	4,03	3,96	4,05	...	
Rents	3	4	4	4	
Miscellaneous fees, fines and forfeitures ...	20	16	19	18	
Miscellaneous	2,18	2,32	2,10	2,10	
Percentage on capital cost of furniture supplied to high officers.	...	...	...	...	
Treasure trove	...	...	...	...	
Total ...	9,70	7,37	8,63	3,87	
XXIX—Irrigation—Major Works—					
Direct receipts { In charge of Civil Officers	7,23	6,89	4,43	70	
Direct receipts { In charge of Public Works Officers.	2,05,85	1,98,86	2,44,00	2,44,00	
Portion of Land Revenue due to Irrigation (transferred from I—Land Revenue).	58,24	61,50	77,55	80,00	
Total ...	2,71,32	2,66,75	3,25,98	3,24,70	
Deduct—Imperial share	1,35,66	1,33,37	1,62,98	1,62,35	
Provincial share	1,35,66	1,33,38	1,63,00	1,62,35	
XXX—Irrigation—Minor Works and Navigation—					
In charge of Civil Officers	16	16	15	16	
In charge of Public Works Officers ...	40	45	50	50	
Total ...	56	61	65	66	
XXXI—Civil Works—					
In charge of Civil Officers	4,56	4,01	3,65	3,78	
In charge of Public Works Officers ...	1,65	1,60	1,60	1,60	
Total ...	6,21	5,61	5,25	5,38	

Supplementary statement showing the accounts and estimates under the Major heads open to discussion in the Provincial Legislative Council—continued.

Expenditure by Major and Minor heads.	Actuals, 1911-12.	Budget, 1912-13.	Revised, 1912-13.	Budget, 1913-14.	Remarks.
1	2	3	4	5	6
	Rs. 1,000	Rs. 1,000	Rs. 1,000	Rs. 1,000	
1—*Refunds and Drawbacks*—					
Revenue refunds—Provincial	79	77	85	83	
3—*Land Revenue*—					
Charges of district administration ...	22,69	23,24	22,11	23,28	
Survey and settlement	8,95	11,15	9,80	8,60	
Land records	16,31	15,84	15,40	15,91	
Allowances to district and village officers ...	8	8	8	9	
Total ...	48,03	50,31	47,39	47,88	
6—*Stamps*—					
Superintendence	21	21	19	20	
Charges for sale of general stamps ...	66	66	66	64	
Charges on sale of court-fee stamps ...	24	25	25	25	
Discount on plain paper	8	10	9	9	
Stamp paper supplied from Central Stores ...	58	47	54	60	
Total ...	1,77	1,69	1,73	1,78	
Deduct—Imperial share	89	84	86	89	
Provincial share	88	85	87	89	
7—*Excise*—					
District executive establishments ...	1,48	1,63	1,60	1,67	
Distilleries	23	23	24	25	
Total ...	1,71	1,86	1,84	1,92	
Deduct—Imperial share	85	93	92	96	
Provincial share	86	93	92	96	
10—*Assessed Taxes*—					
Collection of income-tax	11	11	11	11	
Deduct—Imperial share	6	6	6	6	
Provincial share	5	5	5	5	

Supplementary statement showing the accounts and estimates under the Major heads open to discussion in the Provincial Legislative Council—continued.

Expenditure by Major and Minor Heads.	Actuals, 1911-12.	Budget, 1912-13.	Revised, 1912-13.	Budget, 1913-14.	Remarks.
1	2	3	4	5	6
	Rs. 1,000	Rs. 1,000	Rs. 1,000	Rs. 1,000	
11—*Forest*—					
A—Conservancy and Works—					
I—Timber and other produce removed from the forests by Government agency.	1,02	1,44	1,07	0,92	
II—Timber and other produce removed from the forests by consumers or purchasers.	6	11	6	7	
III—Confiscated drift and waif wood ...	23	16	17	14	
IV—Revenue from forests not managed by Government.	...	...	...	...	
V—Rent of leased forests and payments to share-holders in forests managed by Government.	45	42	45	45	
VI—Live and dead stocks	11	7	13	54	
VII—Communications and buildings ...	67	73	64	85	
VIII—Demarcation, improvement and extension of forest.	50	72	66	90	
IX—Miscellaneous	7	9	17	11	
Deduct—Probable savings	...	10	...	...	
Total Conservancy and Works ...	3,11	3,64	3,55	5,28	
B—Establishment—					
I—Salaries	1,50	1,43	1,40	1,60	
II—Establishments	1,97	2,01	1,95	2,09	
III—Allowances	87	89	85	89	
IV—Contingencies	40	40	36	39	
Deduct—Probable savings ...	...	40	...	...	
Total Establishment ...	4,54	4,33	4,07	4,97	
Total ...	7,65	7,97	8,22	10,25	
12—*Registration*—					
District charges	1,20	1,21	1,18	1,18	

Supplementary statement showing the accounts and estimates under the Major heads open to discussion in the Provincial Legislative Council—continued.

Expenditure by Major and Minor heads.	Actuals, 1911-12.	Budget, 1912-13.	Revised, 1912-13.	Budget, 1913-14.	REMARKS.
1	2	3	4	5	6
	Rs. 1,000	Rs. 1,000	Rs. 1,000	Rs. 1,000	
18.—*General Administration*—					
Salary of the Lieutenant-Governor ...	1,02	96	96	96	
Staff and household expenses of the Lieutenant-Governor.	48	98	54	61	
Expenditure from contract allowance ...	51	55	64	53	
Tour expenses	5	7	7	7	
Legislative Council	5	10	6	10	
Civil Secretariat	2,83	2,79	3,15	2,99	
Financial Commissioners	2,50	2,45	2,43	2,48	
Commissioners	2,80	2,90	2,89	2,89	
Civil office of account and audit ...	82	89	85	95	
Royal Visit, Delhi Coronation Darbar ...	2,59	...	81	...	
Total ...	13,65	11,69	12,40	11,58	
19-A.—*Law and Justice—Courts of Law*—					
Chief Court	4,47	4,49	4,77	4,86	
Law Officers	2,15	2,14	2,24	2,21	
Civil and Sessions Courts	17,31	17,72	16,63	17,00	
Courts of Small Causes	51	51	40	34	
Criminal Courts	17,10	17,26	16,98	16,78	
Refunds	63	56	65	65	
Total ...	42,17	42,68	41,66	41,86	
19-B.—*Law and Justice—Jails*—.					
Jails	10,93	10,86	11,97	10,88	
Jails manufactures	1,35	1,04	1,06	1,15	
Total ...	12,28	11,90	13,03	12,03	

Supplementary statement showing the accounts and estimates under the Major heads open to discussion in the Provincial Legislative Council—continued.

Expenditure by Major and Minor heads.	Actuals, 1911-12.	Budget, 1912-13.	Revised, 1912-13.	Budget, 1913-14.	Remarks.
1	2	3	4	5	6
	Rs. 1,000	Rs. 1,000	Rs. 1,000	Rs. 1,000	
20—*Police*—					
Superintendence	3,02	1,84	1,90	1,92	
District executive force	49,25	48,93	48,44	50,73	
Special police	1,59	1,64	1,53	1,51	
Railway police	4,28	4,20	4,22	4,45	
Criminal Investigation Department ...	1,22	1,15	1,22	1,22	
Cattle-pounds	18	21	19	22	
Miscellaneous	8	7	9	11	
Refunds...	1	2	7	2	
Total ...	58,63	58,06	57,66	60,18	
22—*Education*—					
University	57	57	2,92	93	
Direction	78	80	80	81	
Inspection	2,54	2,57	2,55	2,89	
Government Colleges, General	1,83	2,05	1,84	1,63	
Government Schools, General	9,11	10,57	11,22	11,50	
Government Schools, Special	2,68	2,74	3,08	4,07	
Grants-in-aid	5,12	6,10	8,25	6,88	
Scholarships	69	75	72	83	
Miscellaneous	22	27	24	25	
Refunds	1	1	...	...	
Lump provision for revision of provincial and subordinate educational service.	...	45	...	30	
Lump provision for improvement of education	...	1,75	1,75	14,74	
Total ...	23,55	28,63	33,37	44,83	

Supplementary statement showing the accounts and estimates under the Major heads open to discussion in the Provincial Legislative Council—continued.

Expenditure by Major and Minor heads.	Actuals, 1911-12.	Budget, 1912-13.	Revised, 1912-13.	Budget, 1913-14.	Remarks.
1	2	3	4	5	6
	Rs. 1,000	Rs. 1,000	Rs. 1,000	Rs. 1,000	
24—*Medical*—					
Medical establishments	4,21	4,74	4,11	3,95	
Hospitals and dispensaries	1,91	1,92	1,85	1,84	
Sanitation and vaccination	3,70	12,19	9,56	16,00	
Grants for medical purposes	8,25	9,74	9,09	3,74	
Medical school and college	2,50	2,27	2,12	2,43	
Lunatic asylums	43	40	48	49	
Special hospitals	20	18	15	16	
Chemical Examiner	6	6	6	6	
Refunds	1	...	1	1	
Total ...	21,27	31,50	27,37	28,68	
26—*Scientific and other Minor Departments*—					
Registrar, Co-operative Credit Societies ...	58	58	58	62	
Provincial museums	16	11	19	10	
Imperial Institute	...	1	...	1	
Agriculture	2,47	4,12	2,80	6,62	
Public exhibitions and fairs	45	2	40	2	
Veterinary and stallion charges	2,78	4,21	2,82	4,49	
Botanical and other public gardens ...	89	1,13	1,04	85	
Emigration	...	...	...	...	
Inspector of Factories	4	4	4	4	
Gazetteers and statistical memoirs ...	3	10	5	5	
Registration of railway traffic	5	8	8	8	
Provincial statistics	2	1	1	2	
Preservation and translation of ancient manuscripts.	...	1	...	1	
Examination	2	2	1	2	
Miscellaneous	21	31	72	95	
Refunds	1	...	1	1	
Total ...	7,71	10,75	8,75	13,89	

Supplementary statement showing the accounts and estimates under the Major heads open to discussion in the Provincial Legislative Council—continued.

Expenditure by Major and Minor heads.	Actuals, 1911-12.	Budget, 1912-13.	Revised, 1912-13.	Budget, 1913-14.	Remarks.
1	2	3	4	5	6
	Rs. 1,000	Rs. 1,000	Rs. 1,000	Rs. 1,000	
29—*Superannuation Allowances and Pensions*—					
Superannuation and retired allowances ...	18,03	19,13	18,28	18,68	
Compassionate allowances	31	30	30	27	
Gratuities	31	32	25	25	
Pensions for distinguished and meritorious services.	6	6	6	6	
Refunds	...	...	...	...	
Total ...	18,71	19,81	18,89	19,26	
30—*Stationery and Printing*—					
Stationery purchased in the country ...	1,86	1,87	1,83	1,69	
Government Presses	2,15	2,60	2,19	2,10	
Printing and private Presses	44	56	39	38	
Lithography	73	79	84	90	
Stationery supplied from Central Stores ...	1,99	1,98	1,98	1,95	
Refunds	...	...	...	...	
Total ...	7,17	7,80	7,23	7,02	
32—*Miscellaneous*—					
Travelling allowances to officers attending examinations.	1	2	2	2	
Rewards for proficiency in Oriental languages and allowances to Language Examination Committees.	9	12	7	7	
Donations for charitable purposes ...	3	3	3	3	
Charges on account of European vagrants ...	4	4	5	5	
Rewards for destruction of wild animals ...	9	7	8	8	
Petty establishment	2,44	2,64	2,55	2,59	
Special commissions of enquiry	...	...	...	...	
Irrecoverable temporary loans written off ...	2	1	1,95	1	
Miscellaneous charges for treatment of patients at Pasteur Institute, Kasauli ...	7	6	9	7	
Contributions	13	9	9	9	
Miscellaneous and unforeseen charges ...	10	1,13	25	1,30	
Miscellaneous refunds	6	5	5	5	
Charges for searching of hidden treasure ...	...	...	2	1	
Increase in the pay of clerks	...	...	...	80	
Rent, Rates and Taxes	...	...	2	2	
Total ...	3,08	4,26	5,27	5,19	

Supplementary statement showing the accounts and estimates under the Major heads open to discussion in the Provincial Legislative Council—concluded.

Expenditure by Major and Minor heads.	Actuals, 1911-12.	Budget, 1912-13.	Revised, 1912-13.	Budget, 1913-14.	Remarks.
1	2	3	4	5	6
	Rs. 1,000	Rs. 1,000	Rs. 1,000	Rs. 1,000	
36—*Reduction or Avoidance of debt* ...	1,40	1,40	1,40	1,40	
42—*Irrigation—Major Works*—					
Working expenses { Civil	1	1	3	2	
Working expenses { Public Works ...	79,34	71,15	80,00	80,00	
Interest on debt*	57,06	62,15	64,19	68,91	*Not open to discussion, but the figures are shown here to secure the correct total.
Total ...	1,36,41	1,33,31	1,44,22	1,48,93	
Deduct—Imperial share	68,21	66,64	72,10	7,446	
Provincial share	68,20	66,67	72,12	74,47	
43—*Irrigation Minor Works and Navigation*—					
In charge of Civil Officers	32	49	30	45	
In charge of Public Works Officers ...	76	64	76	150	
Total ...	1,08	1,13	1,06	1,95	
45—*Civil Works*—					
In charge of Civil Officers	10,83	10,18	9,01	10,64	
In charge of Public Works Officers ...	51,93	78,05	58,00	92,97	
Total ...	62,76	88,23	67,01	1,03,61	

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PUNJAB GOVERNMENT.

LEGISLATIVE DEPARTMENT.

Abstract of Proceedings of the Council of the Lieutenant-Governor of the Punjab, assembled for the purposes of making Laws and Regulations under the provisions of the Indian Councils Acts, 1861 to 1909.

THE Council met at the Council Chamber, Government House, Lahore, at 10 A.M. on Friday, the 18th April 1913.

PRESENT:

His Honour Sir LOUIS WILLIAM DANE, G.C.I.E., C.S.I., D.O.L., I.C.S., Lieutenant-Governor, *Presiding*.

The Hon'ble Sardar SUNDAR SINGH, MAJITHIA, Sardar Bahadur.
The Hon'ble Mr. JOHN CORNWALLIS GODLEY.
The Hon'ble Sardar DALJIT SINGH of Jullundur.
The Hon'ble Mr. CLAUD ALEXANDER BARRON, C.I.E., I.C.S.
The Hon'ble Mr. ALEXANDER HENDERSON DIACK, M.V.O., I.C.S.
The Hon'ble Mr. MICHAEL WILLIAM FENTON, C.S.I., I.C.S.
The Hon'ble Nawab Sir BAHRAM KHAN, K.C.I.E.
The Hon'ble Babu GAJJAN SINGH.
The Hon'ble Rai Bahadur Bakhshi SOHAN LAL.
The Hon'ble Khan Bahadur Khwaja YUSAF SHAH.
The Hon'ble Rai Bahadur RAM SARAN DAS.
The Hon'ble Rai Bahadur HARI CHAND.
The Hon'ble Mr. JAMES CURRIE.
The Hon'ble Lala KASHI RAM.
The Hon'ble Khan Bahadur Mian MUHAMMAD SHAFI.
The Hon'ble Mr. PATRICK JAMES FAGAN, I.C.S.
The Hon'ble Nawab IBRAHIM ALI KHAN of Kunjpura.
The Hon'ble Rai Bahadur SHADI LAL.
The Hon'ble Malik MUHAMMAD AMIN KHAN of Shamsabad.
The Hon'ble Mr. REGINALD ARTHUR MANT, I.C.S.
The Hon'ble Mr. STEPHEN WILLIAM GRACEY, I.C.S.

[*Mr. Muhammad Shafi ; Mr. Barron ; Mr. Godley.*]

QUESTIONS AND ANSWERS.

The Hon'ble Khan Bahadur Mian MUHAMMAD SHAFI asked the following questions :—"During the final Budget debate last year, the Hon'ble Mr. Barron informed the Council that the Government was making inquiries in connection with the disparity in the emoluments of Munsifs in this province as compared with those of other Indian Provinces. Will the Government be pleased to state :—

(*a*) What has been the result of these inquiries ?

(*b*) What steps, if any, does the Government propose to take towards removal of the great disparity as revealed by the answer to my question asked in the Imperial Legislative Council in March 1912 ?"

The Hon'ble Mr. BARRON replied :—"The inquiries referred to by the Hon'ble Member showed that both as regards jurisdiction and salary the higher grades of Munsifs in the United Provinces and Bengal correspond, as I suggested last year might be found to be the case, to the class of Civil Judges whom we in the Punjab designate Extra Assistant Commissioners or Subordinate Judges. As the disparity in salaries of Munsifs here and elsewhere is therefore largely one of nomenclature no further action in the matter appeared to be necessary. The Hon'ble Member is doubtless aware that in 1909 the pay of Munsifs in the Punjab was improved by the abolition of the lowest grade on Rs. 150 per mensem, and the regrading of the establishment of Munsifs in three grades on Rs. 250, Rs. 200 and Rs. 175 per mensem. Only recently a similar step has been taken with regard to the establishment of Tahsildars by the abolition of the old Rs. 150 grade thus placing them also in three grades of Rs. 250, Rs. 200 and Rs. 175 per mensem."

The Hon'ble Khan Bahadur MIAN MUHAMMAD SHAFI asked :—"Will the Government be pleased to state :—

(*a*) What was the total number of vacancies in the posts of Munsifs and Extra Assistant Commissioners in the Punjab during the year 1912 ?

(*b*) How many of these vacancies were filled up by selection from among the ranks of the Legal Profession ?"

The Hon'ble MR. BARRON replied :—"The number of vacancies among Extra Assistant Commissioners in the Punjab in 1912 was 15, but 8 of these vacancies were absorbed by officers returning from foreign service and special duty. The number of vacancies among Munsifs was 8. One vacancy among the Munsifs was filled by selection from the Legal Profession.

The Hon'ble Khan Bahadur MIAN MUHAMMAD SHAFI asked :—"With reference to the Budget Estimates for the financial year 1913-14, Provincial expenditure (22)—Education, will the Government be pleased to state what proportion out of the total sum allotted to this head is to be spent for the extension of primary education in the Punjab, what is the total number of new primary schools which the Government intends to establish, and how is the total sum reserved for this object to be distributed among the various Provincial Divisions or Committees, as the case may be ?"

The Hon'ble Mr. GODLEY replied :—"The Hon'ble Member's question does not make it clear whether by the term "extension" he means simply the addition of new schools or the general improvement of primary education,

including additions to the teaching staff, the enhancement of teachers' pay the opening of institutions for training teachers, the provision of school buildings, and so forth. Separate provision is not made in the budget for extension in the narrower sense, but the allotments under the various heads have been increased so as to cover probable demands for expansion of all kinds, and the lump provision which has been added to the original estimate includes a new recurring grant of Rs. 1,23,000 from the Government of India which is earmarked for primary education, besides large sums for capital expenditure on buildings. Roughly speaking, it is probable that some 8½ lakhs will be paid to local bodies during the current year, as compared with Rs. 6,36,000 in 1912-13, for the maintenance of vernacular schools, exclusive of grants for buildings. As regards the second and third parts of the question, if the Hon'ble Member will refer to the last report on education in the province and also to the statement which I made in this Council when introducing the budget, he will see that Government does not establish primary schools directly, but finances the establishment of such schools by local bodies to the extent of two-thirds of the cost of each school. A general estimate of the cost of expansion has been framed for the province; and the district boards have been asked to follow definite programmes of expansion, but the precise number of schools to be opened during a particular year in each district and the location of such schools are left to the discretion of these bodies. Estimates of the number of new schools which will be added in 1913-14 have not been received as yet, but it will be possible later in the year to give an approximate figure."

The Hon'ble Rai Bahadur SHADI LAL asked:—"Is it a fact that the posts of Mistresses in the Normal School for Women and of the inspecting staff of Female Schools have been excluded from the regular cadre of the Subordinate Educational Service and classified as special posts and will carry their old rates of pay? (*a*) Will the Government be pleased to state why the persons holding the above posts have been deprived of the benefits of the recent reorganisation? (*b*) Will the Government, in the interests of female education, consider the desirability of including the above-mentioned posts in the regular cadre of the Subordinate Educational Service or compensate their incumbents in some other suitable manner?"

The Hon'ble Mr. GODLEY replied:—"The Hon'ble Member is correct in stating that the cadre of the Subordinate Educational Service, as recently reorganised, does not contain the teaching posts of the Lahore Normal School for Women or the posts of the two Assistant Inspectresses of Schools which were included in the former list. It is not a fact, however, that the posts referred to will carry their old rates of pay, as revised schemes have been sanctioned in both instances under which qualified incumbents will draw their pay at the new rates. It was considered that it would be more convenient and more advantageous to the holders of these special appointments to keep them off the general cadre."

The Hon'ble Rai Bahadur SHADI LAL asked:—"(*a*) Is it a fact that the question of the pay, prospects, etc., of the Civil Assistant Surgeons in the Punjab is not at present included within the scope of the enquiry by the Royal Commission on Public Services?

"(*b*) In view of many important matters relating to the Subordinate Medical Service in the Punjab which deserve the special attention of the Commission, will the Government be pleased to recommend their inclusion in the subjects of enquiry by the Commission?"

The Hon'ble Mr. BARRON replied:—"The answer to the first part of the question is in the negative. The conditions of service of Civil Assistant

Surgeons are being considered by the Royal Commission, and several members of the Subordinate Medical Service in the Punjab have been requested by the Inspector-General of Civil Hospitals to submit their views on questions that affect their service. Their answers are already in the hands of the Royal Commission."

The Hon'ble Babu GAJJAN SINGH asked :—"1. Is the Government aware that the Railway authorities have closed the level-crossing connecting the city of Ludhiana with the Courts and Civil Lines for wheel traffic, and thereby deprived the public of their right to use a very convenient, old and much frequented road ?

"2. Is the Government aware that some very sad accidents resulting in death of persons being run over have occurred over the said level-crossing during the last two years ?

"3. Is the Government aware that the road leading to the subway for wheel traffic instead of the old level-crossing is circuitous, undulating, inconvenient and dangerous, especially in rainy season, when water in large quantity accumulates over it and the drainage (that passes along the road) overflows its banks, fills the subway with foul and dirty water ?

"4. Is the Government aware that these grievances were represented by the citizens, Municipal Committee and the District Board, Ludhiana, to the Government, and that these representations were supported by local authorities ?

"5. In view of the above-mentioned facts will the Government be pleased to move the Governor-General in Council to order the Railway authorities under section 14 (*b*), Railway Act, for public safety and convenience, to construct an overbridge on the old crossing or to take such other steps as the Government considers fit ?"

The Hon'ble Mr. MANT replied :—"The Government is aware that the level-crossing has been closed, and that the present arrangements are inconvenient and dangerous. The Lieutenant-Governor represented the matter to the Agent, North-Western Railway, in February last, and the latter has replied that the construction of a foot overbridge at the north end of the Ludhiana Yard has been delayed by a project for remodelling the yard, but that the plans of the yard have now been settled, and he hopes that the construction of this foot overbridge will shortly be taken in hand. The Agent is also considering the question of constructing a road overbridge at the south end of the Ludhiana Station. Further, Sir Henry Burt has just written to say that the Railway administration will look into the complaints about the condition of the roadway under the subway with a view to seeing whether the roadway can be improved. In the circumstances the Government does not think it necessary at present to take the action suggested by the Hon'ble Member."

The Hon'ble Babu GAJJAN SINGH asked :—"(*a*) Will the Government be pleased to state what is the number of school-going boys of Sikh and Hindu Jats in each district of the Province, and what is their proportion to the total number of boys receiving education in each district, and also what is their proportion over population of school-going age ?

"(*b*) Considering that the Hindu and Sikh Jats of the Province are educationally backward, will the Government be pleased to state what steps are proposed to be taken to bring them up to the level of other communities of the Province in the matter of education ?"

[*Mr. Godley ; Lala Kashi Ram ; Mr. Barron.*]

The Hon'ble Mr. GODLEY replied :—"I am sorry that it is impossible to supply the Hon'ble Member with the detailed information which he asks for, as Sikh and Hindu Jats are not shown as a separate class in our educational statistics.

"Education among Hindu and Sikh Jats is encouraged by the provision of special 'Zamindari' scholarships reserved for pupils belonging to these classes. Particulars regarding Zamindari scholarships are given in articles 162-165 of the Education Code."

The Hon'ble Lala KASHI RAM asked :—"Has the attention of the Government been drawn to a letter headed "Qabil-i-twajjuh Hazur Lieutenant-Governor Bahadur Punjab" (worthy of the attention of His Honour the Lieutenant-Governor of the Punjab), of the inhabitants of Rani-Ka-Raipur, Ambála district, in the *Akhbar-i-Am* of the 18th January 1913 ?

"2. Will the Government be pleased to state whether the said inhabitants submitted a memorial to the Government alleging that the proposed building of the new Thana on the site proposed was in the close proximity of the cremation ground and of the tank which was used for bathing by the public and would on that account cause much inconvenience and discomfort to the inhabitants generally and to their womenfolk especially and would materially affect their use of the said tank ?

"3. If so, had any enquiry been made and by whom ? Will the Government be pleased to state whether the proposed site is in close proximity to the cremation ground and to the tank used as above stated.

"4. And whether the proposed building would interfere with the user of the tank as above stated and as such was likely to cause inconvenience and discomfort ?

"5. Whether the Biswadar was willing to allow the use of any other suitable site for the new Thana ?

"6. What were the special reasons for selection of the proposed site for the new Thana ?

"7. And whether in view of the close proximity as aforesaid and of inconvenience and discomfort caused, it would not be desirable to shift the site to a distance so as to remove the grievances of the said inhabitants of Rani-Ka-Raipur ?"

The Hon'ble Mr. BARRON replied :—"The attention of Government has been directed to the letter in question. Two petitions were received by Government on the subject. Both the Superintendent of Police and the Deputy Commissioner have visited the site. The Superintendent, Police, proclaimed by beat of drum that he would consider the petitions at the village of Garhi one mile from the site. The petitions are signed by less than 100 people out of a total population of about 4,000 souls. Of those who signed only 16 appeared before the Superintendent of Police to have their objections enquired into. The Deputy Commissioner reports as follows :—

"'The site was chosen in 1906 by Mr. Temple (Superintendent, Police) with the concurrence of Major Lowis, Deputy Commissioner, who appears to have carefully weighed all objections. Last hot weather the present Deputy Commissioner visited the place and in deference to representations made had the well in front of the thana excluded from the area acquired. The objections as to the proximity of the tank have little weight as the tank is in full view of the high road. The proposed site commands the most important road leading from Raipur and will save the town from the depredations of the badmashes of Rafour, where, chiefly on representations made by the inhabitants of Raipur, a punitive police post has, for some years, been located.

[*Lala Kashi Ram ; Mr. Barron.*]

" 'The Biswadar has been declared incapable of managing his own affairs. The Court of Wards, which is in charge of his property, would certainly agree to any site desired by Government, but there can be no question that the site proposed is the only suitable one, and the petitioners have failed signally to show any other site that would meet requirements. They have actually asked the Deputy Commissioner to locate it in a garden at a considerable distance from either the town or the public road. The building is under construction : the objections are unreal and public feeling against it is practically non-existent. As for the cremation ground if any one suffers inconvenience by its proximity it will be the police.'

" Government considers that the fullest consideration has been given to the representations that have been made and proposes to allow the construction of the building to continue."

The Hon'ble Lala KASHI RAM asked :—" 1. Is it a fact that in some districts Extra Assistant Commissioners exercising civil and criminal powers are required to be constantly moving about on tour forcing the litigants and their witnesses to follow them wherever they may be for the purposes of their cases ? Will the Government state what are the Government orders on the subject, and in how many and what districts such orders are in force ?

" 2. Is it a fact that in consequence of this practice the parties and their witnesses are put to a great deal of inconvenience and unnecessary expenditure ? Is it also a fact that a large number of civil cases thus dealt with have to be dismissed in default and the parties find it difficult to bring them to a decision ?

" 3. Is it a fact that in criminal cases the accused persons cannot be defended by Pleader except at a much heavier cost and in most cases they go undefended ?

" 4. Will not the Government consider the advisability of fixing the head-quarters of all Courts of Justice and requiring them to try all cases at such head-quarters ?"

The Hon'ble Mr. BARRON replied :—" It has always been the practice to require Extra Assistant Commissioners to go on tour for a portion of the cold weather. Lately in certain districts an attempt has been made to give effect to a certain recommendation of the Decentralisation Commission in favour of the extension of the sub-divisional system. The hearing of criminal and civil cases by Sub-Divisional Officers on tour should as a matter of fact be a convenience to parties and their witnesses, as the trials take place near their homes. Government is not aware that the practice of hearing cases on tour results in accused persons remaining undefended, or in civil suits being dismissed in default, as timely notice of the place and date of hearing is or should be, given to the parties.

" The extension of the sub-divisional system depends on the measure of success attending its trial in selected districts. It is too early to say how far the system should be extended or modified in the interests of litigants and the rapid and satisfactory disposal of work, though it is understood that the latter result has already been achieved in some districts."

The Hon'ble Lala KASHI RAM asked :—"1. Is the Government aware that under the orders of the Chief Court (*a*) Appeals from the Kasur tahsil which were pending or now instituted in the Divisional Court at Lahore are sent for trial to the Divisional Court at Ferozepore (*b*) Similarly 100 appeals which are pending or which may be instituted in the Divisional Court at Ferozepore are ordered to be sent for trial at Hissar. (*c*) Appeals from Moga and Zira tahsils which may be lodged at Ferozepore are to be sent to

the Divisional Court at Ludhiana. (*d*) The Divisional Courts at Hissar and Ludhiana have in their turn to send their appeals to the Courts at Delhi and Ambala respectively. (*e*) Last year appeals from the Divisional Court at Multan were sent for decision to the Divisional Court at Ferozepore. (*f*) Will the Government state for the information of the public if similar orders for transfer have been passed by the Hon'ble Chief Court relating to appeals in other Divisional Courts of the province, and to what extent ?

" 2. What is the object of these transfers of cases from their own divisions to other divisions ? Could that object be not achieved by less extensive transfers, as for instance, in question No. 1. Could not Ferozepore, Ludhiana and Hissar appeals be left to be dealt within their own division ?

" 3. Is the Government aware that these transfers take place without any previous notice to the parties, and that in most cases counsel have already been engaged, and these transfers involve the engagement of fresh counsel at considerable expense to the parties concerned at the new place of trial ?

" 4. Is the Government aware that besides the above loss the persons affected by these transfers are put to (*a*) greater loss of business in consequence of longer absence from their ordinary place of business in most cases, if not all ; (*b*) greater expenses and trouble of longer journeys ; (*c*) greater expenses of securing places other than the head-quarters of their own districts ?

" 5. Will the Government enquire and state, for the information of the public, the aggregate number of appeals thus transferred and the number of persons affected thereby during the last year ?

" 6. Will the Government consider the advisability of employing one or two additional Judges for the Punjab and posting them from time to time for clearing of the arrears of work where congestion of work may be reported ? "

The Hon'ble Mr. BARRON replied :—" It has been ascertained from the Chief Court, which deals with such matters, that the answer to parts (*a*) to (*e*) of the question is throughout in the affirmative. A similar answer can also be given as regards part (*f*). The object of these transfers of appeals from one division to another is to reduce congestion and to equalise work in the various divisions ; in order to achieve that purpose, the transfers are necessary.

" No doubt such transfers are a cause of inconvenience, and perhaps even of some loss to litigants The Divisional Judges concerned always inform parties of the transfer of their cases.

" During the last year about 150 appeals were so transferred. The number of persons affected is not known

One Additional Divisional Judge is working at Lyallpur. A scheme for the readjustment of the jurisdiction of subordinate appellate courts has been submitted for the consideration of the Government of India."

The Hon'ble Lala KASHI RAM asked :—" 1. Is it a fact that in January last six Hindu employees of the Divisional Court at Ludhiana made a written petition to the Divisional Judge tendering their resignation on the grounds that their religious feelings were deliberately hurt in various ways, culminating in the exposure of a raw fresh skin of a Nil Gae in the office room where these employees carried on their duties ?

" 2. Is it a fact that this resignation was accepted by the Divisional Judge without enquiring into the facts complained of and their places filled up by appointing Muhammadans, so that there is no Hindu official in that Court except a Kahar who is a menial ?

NOTE.—In regard to this question a letter was presented on the morning of the meeting to the Secretary by the Hon'ble Lala KASHI RAM, asking either that question 2 should be amended to read as follows :—

" Is it a fact that this resignation was accepted by the Divisional Judge without enquiring into the facts complained of ? Will the Government state the names of the persons appointed in their place ?"

or that the latter part of the question should be omitted, and stating that the information on which the part of the original question was based was discovered to be incorrect.

This letter was handed to the Hon'ble Mr. BARRON. On rising to put the questions, the Hon'ble Lala KASHI RAM drew attention to this letter. The Hon'ble Mr. Barron pointed out that his reply would answer both the original and the amended questions, and then read his reply as given in the Proceedings.

" 3. Is it a fact that these employees sent up memorials to the Government and to the Hon'ble Judges of the Chief Court repeating the same allegations and asking for enquiry and redress of the said grievances and also for their reinstatement on the ground that their petition was really intended to be for redress of those grievances ?

" 4. If so, did the Government or the Hon'ble Judges order any independent enquiry, and with what result ?

" 5. Is it a fact that Nil Gae is declared to be a sacred animal in Ludhiana district and shooting thereof is prohibited and is an offence under Act No. VIII of 1912 ?

" 6. If no enquiry has so far been made, does not the Government consider this to be a fit case for enquiry, as in the absence of an enquiry and an authoritative pronouncement of its results the incident is likely to cause discontent among an important section of His Majesty's subjects ? "

The Hon'ble Mr. BARRON replied :—" The answer to the first question is in the affirmative.

" 2. Their resignations were not accepted by the Divisional Judge without enquiring into the facts complained of. The Divisional Judge, Ludhiana, has now reported that the places of the six resigned officials have been filled by the appointment on probation of three Hindus, two Sikhs and one Christian. He also reports that his establishment includes seven Hindu officials and four Hindu menials. " Hindus " apparently include Sikhs.

" 3. A petition from six employees was received by the Hon'ble Judges on 8th February. The allegations were repeated and the tone of the petition was objectionable. The prayer was for the punishment of the persons who are supposed to have injured the petitioners. Reinstatement of the petitioners was not definitely asked for, and the Hon'ble Judges considered that there was no ground for interference.

" 4. The Divisional Judge has full control over his office establishment under section 36 of the Punjab Courts Act. He gave the petitioners an opportunity of withdrawing their resignations ; but, as they declined to do so and adopted an altogether unreasonable attitude, he considered himself unable to do anything more for them. There is no apparent reason for ordering an independent enquiry.

" 5. The shooting of Nil Gae and peafowl by European and other sportsmen was prohibited by the Deputy Commissioner of Ludhiana by order of 27th July 1897. Generally the Lieutenant-Governor does not think it desirable to interfere even in executive matters with the control of the Hon'ble Judges of the Chief Court over officers subordinate to them."

The Hon'ble Rai Bahadur Bakhshi SOHAN LAL asked :—

" (1) (*i*) Will the Government be pleased to state if the consideration of the question of the revision of the scale of pay and promotion of the members of the Provincial Educational Service has been postponed till the publication of the report of the Royal Commission on the Public Services in India ?

(*ii*) If the reply to the first part of the question is in the affirmative, will the Government (having regard to the fact that it will take several years for the recommendations of the Royal Commission to be given practical effect to) be pleased to consider the advisability of granting some sort of temporary relief to the members of this under-paid but important service ?

"(2) Will the Government be pleased to state the minimum pay allowed to teachers in rural primary schools, and whether, in view of the increase in prices and wages and the general rise in the standard of living, it is contemplated to raise this minimum ?"

(1) The Hon'ble Mr. GODLEY replied :—

"The answer to the first part of the question is in the affirmative. As to the second part, the question of granting personal allowances to meet cases of hardship has been under the consideration of the Government of India, and a few such allowances have already been sanctioned.

"(2) The minimum rates of pay recently recognised by Government for the purpose of salary grants to local bodies on behalf of teachers in primary schools are Rs. 12 per mensem for assistants, and Rs. 15 per mensem for head teachers. These rates represent a considerable increase on those previously prevailing, and it is not proposed to make any further change for the present."

The Hon'ble Rai Bahadur Bakhshi SOHAN LAL asked :—"Will the Government be pleased to give the names of the districts in which re-settlements have taken place during the last 20 years (1893—1912), and to state what has been the increase in the amount of land revenue assessed in each district ?"

The Hon'ble Mr. DIACK replied :—"The information required is given in the statement which I lay on the table."

STATEMENT.

Settlements effected during 20 *years* (1893—1912) *with figures of assessment* (*in thousand of rupees*).

Serial No.	District.	Old assessment.	New assessment.	Increase.	Percentage.	REMARKS.
		Rs.	Rs.	Rs.	Rs.	
1	Lahore	7,23	10,07	2,84	39	
2	Amritsar	10,27	12,56	2,29	22	
3	Gujrát	6,52	8,65	2,13	32	
4	Shahpur	4,32	6,82	2,50	58	
5	Gujránwála	6,46	8,83	2,37	37	
6	Dera Ghází Khan ...	4,07	5,19	1,12	27	
7	Montgomery	3,45	5,08	1,63	47	
8	Multán	10,32	13,40	3,08	30	
9	Jhelum	6,08	7,61	1,53	25	
10	Muzaffargarh	5,57	6,65	1,08	20	
11	Sirsa-Fázilka	2,79	4,26	1,47	53	
12	Attock	5,52	6,74	1,22	22	
13	Jhang	3,58	6,61	3,03	85	
14	Hafizabad-Khángah Dográn	3,52	6,25	2,73	77	
15	Miánwáli	3,23	4,33	1,10	34	
16	Ráwalpindi	5,46	6,75	1,20	24	
17	Rohtak	9,66	11,86	2,20	23	
18	Gurgaon	12,12	13,88	1,76	15	
19	Karnál	10,68	13,69	3,01	28	
20	Hissar	6,10	8,43	2,33	38	
21	Delhi	8,65	11,07	2,42	27	
22	Ludhiána	11,05	15,00	3,95	35	
23	Gurdáspur	15,28	18,56	3,28	21	
	Total ...	1,61,93	2,12,29	50,36	31	

[*Mr. Sohan Lal ; Mr. Diack.*]

The Hon'ble Rai Bahadur Bakhshi SOHAN LAL asked :—" Will the Government be pleased to state what portion of the average increase in land revenue during the period above mentioned is due to increase in the area under cultivation, and what portion of it is due to enhancement in the incidence of land revenue ? "

The Hon'ble Mr. DIACK replied :—" The statement laid on the table gives details for 23 districts or portions of districts settled during the period named (1893 to 1912) and shows that settlement operations resulted in an enhancement of the land revenue concerned of Rs. 50,36,000 from Rs. 1,61,93,000 to Rs. 2,12,29,000, or 31 per cent. It would be impossible to distinguish the proportion of this increase that is due to mere increase in the area under cultivation because in all districts several causes conduce to an enhancement in addition to increase in cultivation, for instance rise in prices, increase in irrigation, and inadequacy of the previous assessment and the actual increase taken bears such a small proportion to the theoretical increase justified by these causes that the extent to which each cause operates cannot be indicated. It will perhaps satisfy the object of the Hon'ble Member's question if I indicate which of these causes weighed most in the various settlements. In all districts the rise in prices accounts for much. In Gujrát, Dera Gházi Khan, Jhelum, Attock and Rawalpindi, where the increases averaged about 25 per cent., the principal other contributing cause was a moderate increase in the cultivated area. In Lahore and Amritsar there was increased cultivation, stimulated by the introduction of irrigation from the Upper Bari Doab Canal and to the working of that canal is due also in great part the enhancement obtained in the settlement of Gurdáspur just concluded. In Shahpur, Montgomery, Multán and Muzaffargarh the principal feature was the development of irrigation from inundation canals, coupled, in Shahpur, with a great increase, in rain-land cultivation also. In Gujránwála increase in cultivation was the principal cause in the earlier settlement (Mr. O'Dwyer's), but in the later settlement (*i. e.*, that of the Hafizabad-Khángah Dográn tahsils, where the enhancement amounted to 77 per cent), the increase was due to the revolution in agricultural conditions caused by the construction of the Lower Chenab Canal. To this cause also was due the increase of 85 per cent. obtained in Jhang. A similar cause—the construction and development of the Sirhind Canal – occasioned the increases of 53 per cent. in the Sirsa-Fázilka settlement and of 35 per cent. in Ludhiána. In Miánwáli where the increase is returned as 34 per cent. (though under the systems of fluctuating assessment introduced at settlement this percentage has not yet been realized) there had been a very considerable increase in cultivation. In Rohtak, Karnál, Hissar and Delhi, where the enhancements run from 23 to 38 per cent., they were due partly to the improvement and partly to the extension of the Western Jumna Canal. The construction and development of the Agra Canal contributed to the small increase of 15 per cent. obtained in Gurgaon.

The Hon'ble Rai Bahadur Bakhshi SOHAN LAL asked :—" Will the Government also state the figures showing the rise in wages of labour and in prices of agricultural cattle and gear in the same period, and to state what proportion does it bear to the enhancement in the incidence of land revenue, and whether the increases in wages of labour and rise in the price of agricultural cattle and gear have or have not been taken into consideration at settlements ? "

The Hon'ble Mr. DIACK replied :—" Figures are not available for the exact period alluded to, but it will probably be sufficient for the purpose of the first part of the Hon'ble Member's question if I quote from the Wages Survey for the 20 years ending in 1909, compiled by Mr. Renouf as Director of

Agriculture. Mr. Renouf's conclusion was that the rates for unskilled labour and also for carpenters and blacksmiths had doubled in the previous 20 years. As regards agricultural cattle prices for 1893 are not available, but the Gazette prices of a pair of plough bullocks show an increase between 1896 and 1912 from Rs. 65 to Rs. 150 in Ferozepore, from Rs. 86 to Rs. 160 or Rs. 170 in Lahore, and from Rs. 60 to Rs. 100 or Rs. 120 in Ráwalpindi. Figures for gear are not available.

"As regards the second part of the Hon'ble Member's question I fail to see how a ratio can be struck between the rise in wages and the price of cattle, on the one hand, which increase the cost of cultivation, and the increase in the produce of the land and its value, on the other, which are the causes of the enhancement of land revenue. If his object is merely to ascertain whether they are taken account of, that is, to put in another way the third part of his question, then my reply is that the enhancement of the land revenue is made only after making full allowance for the rise in wages and in the price of agricultural cattle. These matters are among the general considerations affecting the amount of the assessment to which in Chapter XXIII of Sir James Douie's Settlement Manual, and particularly in paragraphs 388-391, Settlement Officers are enjoined to give their attention And by the method prescribed for the assessment of the land revenue such expenses are taken full account of, for it is laid down that the assessment shall be based on the net assets, that is to say, the average surplus yielded by an estate after deduction of the expenses of cultivation, including wages of labour. The calculation is simplified by the fact that in most estates the rents paid by tenants afford an index to the net assets of the proprietors. 'A full fair rent paid by a tenant-at-will, although sometimes falling short of the net assets, may generally be taken as sufficiently near approximation to them on the land for which it is paid.' Where the rent is in cash the tenant generally finds his own seed and cattle and labour and pays the canal dues, if any, and such a rent represents the actual net assets of the landlord who himself has not to meet any part of the cost of cattle or labour. Where the rent is a share of the produce, the extent to which the landlord contributes from his share towards the expenses of cultivation is a matter for inquiry in each estate or assessment circle, and the value of his share so diminished is the measure of his net assets. The principle laid down for the guidance of Settlement Officers is that 'the assessment of an estate will be fixed according to circumstances, but must not exceed half the value of the net assets.'"

The Hon'ble Rai Bahadur Bakhshi SOHAN LAL asked:—"Will the Government be pleased to give the figures—

(*a*) showing the agricultural and urban population of the Núrpur tahsil of the Kángra district, as counted in the census operations of 1855, 1868, 1881, 1891, 1901 and 1911;

(*b*) showing the number of agricultural cattle in the same tahsil in the years above-mentioned;

(*c*) showing the area of land under cultivation in the same tahsil in the settlements of 1851, 1868, 1891-92 and 1912; and

(*d*) the average market value of *barani* land in the tahsil, and the proportion it bears to the amount of land revenue assessed?"

The Hon'ble Mr. DIACK replied:—"It has not been possible to furnish particulars for points (*a*) and (*b*), as the information asked for is not available.

"(*c*) The cultivated area in the Nurpur tahsil in the settlements of 1851, 1868, 1891-92 and 1912 is :—

Year	*Area in acres.*
1851	97,081
1868	115,325
1891-92 ...	108,244
1912	107,565

"(*d*) The average market value of *barani* land in the Nurpur tahsil is reported to be Rs. 40 per acre, or 27 times the land revenue assessed."

The Hon'ble Rai Bahadur Bakhshi SOHAN LAL asked :—

(*i*) Will the Government be pleased to state if it has been decided to fix the duration of settlement in the Chenab and Jhelum Colonies at 10 years instead of 20, which is the ordinary duration in other districts ?

(*ii*) If the reply to (*i*) is in the affirmative, will the Government be pleased to state the reasons for it ? "

The Hon'ble Mr. DIACK replied :—"The terms of settlement in the Chenab and Jhelum Colonies have tentatively been fixed at 10 years.

The reasons, briefly, for this are :—

(*i*) The land revenue rates in the colonies are practically part of the water-rates, for almost all the cultivation done is due to canal irrigation, and the policy of Government is that the rates paid for water from Government canals, both by owners as well as occupiers, should be liable to revision from time to time so as to correspond with the commercial value of the water.

(*ii*) That the classification of villages undertaken in the recent settlements is experimental in its nature and may need revision after some experience of it has been gained. The classification was based mainly on water-supply arrangements, which are capable of modification. Further, the spread of *kallar* or water-logging may necessitate the reduction of some villages from superior to inferior classes.

(*iii*) The form of assessment introduced is fluctuating. A short term of settlement will facilitate the introduction of a fixed form of assessment, which is theoretically preferable in all areas where agricultural conditions have become stable, and which it is hoped to introduce as soon as circumstances permit.

(*iv*) In assenting to a ten years term as a tentative arrangement the Government of India observed that it was impossible to say what the effect may be on the supply of tenants and agricultural labour of the opening of the Upper Chenab Canal. It may be added that the effect of the colonization of the Lower Bari Doab and Upper Jhelum Canal tracts will also have to be watched from this point of view."

His Honour the PRESIDENT :—"Before we proceed, I might say, I am sure Hon'ble Members will agree with me that we owe a debt of gratitude to Mr. Diack for the very full *resumé* he has given us on the principles and practice of assessment which I have rarely heard put in a shorter and more

concise form. I must confess, I was rather alarmed at the question put by the Hon'ble Member. I thought that we might have been treated to the whole of Sir James Douie's Settlement Administration Manuals, but I think Mr. Diack has succeeded in explaining our principles of assessment in the clearest way in the fewest possible words."

The Hon'ble Rai Bahadur Bakhshi SOHAN LAL asked :—

"Will the Government be pleased to state if it is correct that it is the practice in the Canal Colonies that land revenue and water-rates are charged twice on the same area, if toria and gram are jointly cultivated in one field at one and the same time, and, if so, will the Government be pleased to consider the desirability of putting a stop to this practice ?".

The Hon'ble Mr. FENTON replied :—

"Water-rates (but not land revenue) are charged twice on toria and gram grown together as a mixed crop in the same field *if the gram receives a watering after the toria crop has been cut*, but if no such watering has been given after the toria has been cut then only one rate is charged,

"Government has considered the case, and has decided to adhere to the existing practice, as it was shown that it was a common practice to give a late watering not required for the toria but only for the gram at a time when every drop of water was required for rabi sowings."

The Hon'ble Rai Bahadur Bakhshi SOHAN LAL asked :—"(1) Will the Government be pleased to state if any reply was given to the representations submitted by the people of Sharakpur tahsil of the Gujránwála district in connection with the great inconvenience to the people, especially to the travellers, and loss of property caused to the people by the Deg diversion works recently constructed by the Canal Department ?

"(2) Is the Government aware that the said Deg Diversion Works have materially interfered with the wheeled traffic on Sharakpur-Mangtánwala Road and on Sharakpur-Faizpore Road, and that during the last rainy season boats had to be floated in order to cross the former road, while the communication was absolutely blocked by the latter road during the rainy season, the latter road having been over-flooded to such an extent that the life of travellers was in danger, and at least one human life was lost in the attempt to cross the road ?

"(3) Will the Government be pleased to state what steps have been taken or are intended to be taken to remove the danger and inconvenience to the people and travellers before the next rainy season comes in ?"

The Hon'ble Mr. FENTON replied :—"(1) (*a*) The only representation received was in connection with the proposed protective bund for Sharakpur town from Malak Fazal Dad and other inhabitants of Sharakpur.

"In their petition, dated 6th May 1912, they represented that they apprehended that the proposed bund would block the flow of water and thereby cause them considerable damage. They further refused to give up the necessary land prior to formal acquisition, and thereby prevented the construction of the bund being taken in hand until after the rains.

"Some damage, estimated at Rs. 1,734, owing to the bund not being built, was done to Sharakpur town. There was also a resolution of the Municipal Committee protesting against the construction of the bund, but after the

experience of the flood season of 1912 the bund was agreed to by all concerned,—*vide* Deputy Commissioner's letter No. 1320, dated 1st October 1912, to Executive Engineer, 4th Division, Upper Chenab Canal. A few outlying hamlets in the vicinity of Sharakpur were also damaged. The necessary compensation assessed at Rs. 3,994 will be paid through the Deputy Commissioner, who has also been asked to note on the advisability of removing the hamlets to a safe place in rear of the diversion bund at the expense of the Irrigation Department.

"(*b*) Ferry boats were provided by Government at the two roads mentioned and also at two other roads, those being the only important roads crossed by the Deg diversion bund.

"The casualty mentioned, it is believed, occurred on the Sharakpur-Mangtánwala Road, and is said to have been due to the traveller in question refusing to use the ferry boat provided.

"(*c*) Orders have already been issued by Chief Engineer to build the protection bund west of Sharakpur as was originally sanctioned, and to raise the Sharakpur-Mangtánwala Road one foot from the point where it is crossed by the protection bund to within 2,000 feet of the Deg diversion bund, and to metal it from the above point to the bund.

"Proposals for metalling the ramps of the four principal roads crossing the diversion bund are under consideration.

"(2) (*a*) The diversion work referred to is a bund designed to protect the town of Sharakpur from being damaged by floods. There was opposition on the part of some of the residents of Sharakpur, and also apparently on the part of the Municipal Committee, against the construction of the bund. This prevented it being built *before* the rainy season of last year, and consequently damage was done to the town to the estimated extent of Rs. 1,734 and to outlying hamlets to the extent of Rs. 3,994. Regarding the former sum (Rs. 1,734), as the construction of the bund was prevented by the people not giving up the land, the question of the liability of Government for the damage has been referred to the Legal Remembrancer. Regarding the second sum of Rs. 3,994 orders were issued on 4th March 1913 to pay the amount through the Deputy Commissioner.

"Orders to proceed with the construction of the bund as originally sanctioned were also issued by the Chief Engineer last month.

"(*b*) Regarding interference with communications due to the construction of the Deg diversion, as it would hardly be practicable and be entirely out of the question owing to the expenditure involved to build bridges across the diversion, some 2,000 feet in width, ferries were provided last year where the roads crossed the diversion and such ferries will always be provided in the future. The casualty mentioned in the question is reported to have been due to the traveller's refusal to use the ferry.

"(3) The Chief Engineer has directed that the Sharakpur-Mangtánwala Road shall be raised 1·0' and metalled in a certain length. He has also directed that the portion of this road across the bed of the diversion shall be metalled in addition. The metalling on this length will make the road passable immediately after floods have passed over it and permit also of its being used with *shallow* depths of water on it. The idea of the metalling is to prevent travellers, carts and animals getting 'bogged'.

"Regarding the road from Sharakpur to Faizpore—which it is understood is very little used during the rains—this road will be protected by the bund referred to in my answer to question 2 and, as first stated, a ferry will be provided for travellers. There will in fact be alternative routes by which the journey between the two places can be performed."

[*Mr. Sohan Lal ; Mr. Barron ; Mr. Fenton.*]

The Hon'ble Rai Bahadur Bakhshi SOHAN LAL asked :—" Is it a fact, that though Sharakpur is a sub-division of the Gujránwála district, the head-quarters of the sub-division and the Munsif's court have been located at Shekhupura ? Is the Government aware that this arrangement causes considerable inconvenience to the people of the Sharakpur tahsil, and if so, will the Government be pleased to consider the advisability of transferring the head-quarters of the sub-division and the Munsif's court to Sharakpur."

The Hon'ble Mr. BARRON replied :—" The Sharakpur sub-division of the Gujránwála district was constituted in June 1910, and comprises the Khangah Dogran and Sharakpur tahsils. In August of that year the Local Government, acting on the advice of the local officers and the Financial Commissioner, declared Shekhupura to be the head-quarters of the sub-division as it is central and on the railway and in every way the most convenient place for the local courts to sit at. Sharakpur, on the other hand, situated as it is on the edge of one of the tahsils, would be convenient for only a very small proportion of the inhabitants of the sub-division, and the Lieutenant-Governor is not prepared to consider the question of moving the courts of the Sub-Divisional Officer and the Munsif to Sharakpur."

The Hon'ble Rai Bahadur Bakhshi SOHAN LAL asked :—" Has the attention of the Government been drawn to the fact, published in the newspapers, that in connection with the inquiry into the murder of a wealthy sahukar and landowner of Shujabad tahsil in the Multan district a zaildar and two lambardars had to be suspended and a Sub-Inspector of Police transferred ? Will the Government be pleased to state the names of these persons, and to make a full statement as to the investigation connected with this murder, and to state what steps, if any, are intended to be taken to put a stop to this kind of dereliction of duty on the part of investigating officers ? "

The Hon'ble Mr. BARRON replied :—" The attention of Government has been called to the circumstances of the murder of one Behari Ram, an Arora of village Shahpur in the Shujabad tahsil of the Multán district. The case is being most carefully investigated. The Circle Inspector and three Sub-Inspectors have been concerned in the investigation of the murder, while the Superintendent of Police and the Deputy Superintendent have also made local enquiries. Two Magistrates of experience, the second being the District Judge, have held magisterial enquiries. Certain lambardars and a zaildar have been suspended on suspicion of culpable negligence. The Sub-Inspector of the Shujabad Police Station has been removed from the investigation. No evidence has yet been produced which would warrant the sending of any person for trial. The case is still under investigation, and it is therefore undesirable to publish names of persons concerned at this stage, but the existence of strong religious faction feeling in this part of the Shujabad tahsil has operated to suppress evidence and to distort facts. It is this faction feeling among the people and not dereliction of duty on the part of investigating officers, which has prevented a successful issue to the enquiries in this case. Measures to check factious interference with the maintenance of law and order are in contemplation. "

PUNJAB EXCISE BILL.

The Hon'ble Mr. FENTON :—" Your Honour, I beg to move for leave to introduce a Bill to consolidate and amend the Excise Law in the Punjab. My remarks I propose to make in connection with the next motion which stands in my name."

The motion was put and agreed to.

[*Mr. Fenton.*]

The Hon'ble Mr. FENTON :—"Your Honour, I now introduce the Bill. Copies have been placed on the benches. Just as the Hemp Drugs Commission of 1893-94 presided over by Sir Mackworth Young was followed by legislation in the shape of the Excise Act. XII of 1896, so the report of the Excise Committee of 1905-06 has necessitated legislative action for the control and regulation of liquors. The Act of 1896, which will now be repealed, altered the pre-existing law in respect to hemp drugs only, and re-enacted without change the Act of 1881 in so far as it related to liquors ; so that the regulation of this latter branch of Excise is in effect governed by an enactment over 30 years old. I should perhaps say over 40 years old, because the Excise Act of 1881 differed very little from the previous Act of 1871, the principal changes having been merely the omission of provisions relating to opium (in consequence of the enactment of a separate Opium Act) and the imposition for the first time of a penalty of imprisonment for the manufacture and possession of illicit liquor. Practically, then, we have been working under an enactment over 40 years old, and it is therefore not surprising that Sir J. Thomson's Committee condemned the existing law as crude and inelastic and as characterised by the defects and shortcomings which are set forth in the Statement of Objects and Reasons appended to the Bill now presented to the Council. The circumstance that years have elapsed since Sir James Thomson's Committee submitted its report is a guarantee that there has been no lack of scrutiny, investigation and consideration of its conclusions and recommendations, both by the Government of India and the Local Government, and I can assure the Council that they can have no conception of the labour and industry which has during the interval been expended by Excise, Secretariat and Legal officers, and notably by the Hon'ble Mr. Gracey, in framing a draft Bill which shall embody all that has been found of use, profit and advantage in the report of the Excise Committee of 1905-06 and in the new United Provinces and Bengal Excise Acts and the Central Provinces Bill, so far as such legislation can be adapted to the circumstances of our own Province. The delay in legislating therefore has not been without compensating advantages, and I venture to claim that our Bill will be found to be a most up-to-date legislative article, well calculated to promote the efficiency of our Excise Department. Without going into details I may mention what I consider to be the most important change which the new law will introduce—the enhancement of the maximum penalty for illicit distillation from four months' imprisonment, a wholly inadequate term, to a maximum of one year's imprisonment with double that period in cases of second or further conviction. Only by deterrent sentences it is possible to cope with the evil of illicit distillation which is so rife in the central districts, and which is believed to be the source from which liquor is obtained especially for those orgies of drunkenness which so often disgrace Lohri and Holi festival celebrations and marriage and similar ceremonial gatherings.

"A great deal of the Bill is very technical indeed, and it will, I believe, be found that its provisions will possess but little interest for any class of the community outside the trade. The interests of the trade, however, are entitled to consideration, and I would recommend those members of this Council who desire to assist us in this legislation, whether they take part in the deliberations of the Select Committee or not, to put themselves in communication with such of their constituents as are concerned with the manufacture, sale, transport and import of exciseable articles.

"In introducing the Bill I move that it be circulated for opinion, and that the Bill and the opinions thereon be referred for consideration and report to a Select Committee consisting of the Hon'ble Mr. MANT, the Hon'ble Mr. GRACEY, the Hon'ble Sardar SUNDAR SINGH, the Hon'ble Mr. GAJJAN SINGH, the Hon'ble Lala KANSHI RAM and the Mover."

His Honour the PRESIDENT :—"As I shall not have an opportunity of taking part in the deliberations on the Bill, I may say that I am very glad indeed that it has been found possible to introduce this very complicated and very difficult measure before I make over charge of the duties of my present office. As you all know, I am strongly convinced that though a very great portion of the Punjab is strictly temperate, the evils of drink in certain parts of the Punjab are very serious indeed, and we are doing all we possibly can to put a stop to it. The reason why we pressed for heavier penalties upon illicit distillation and cognate offences is that, in particular portions of the Punjab, where drinking is most rife, illicit distillation is singularly easy owing to the cultivation of sugarcane. It is very difficult to detect it and still more difficult to stop it. We have therefore armed ourselves with the very strongest powers that the law can reasonably provide and I hope this will do a great deal towards making our excise administration more effective than it has been in the past. It is absolutely of no use to close shops, raise the still-head duty and place other restrictions on the trade as long as the people can distil practically as much illicit liquor as they want themselves without any chance of effective interference I hope also that Hon'ble Members, in connection with this Bill, will consider and advise the Government about the way in which the constitution of local committees can be improved, and that most useful agency extended. I have great hopes from the operation of those committees, because it has been found all over the world, not only in India, that Government alone can do very little to stop the drink and drug habit. As long as the practice of obtaining drink and drugs is not regarded as a social disgrace almost worse than a crime, no amount of legislative interference or executive preventive action on the part of Government will really stop the practice. That is why I have always gone out of my way to back up and support, as far as was in my power, any movement or any agency which had for its real object the education of the public sense and public feeling, in regard to the evils of the drink and drug habit. I am glad to think that a good deal has been already achieved in this matter. I know, as a matter of fact, that in certain quarters where the practice was freely indulged in, people are beginning to be ashamed, and in these matters the beginning of shame is the beginning of wisdom.

"I can only hope that each of you gentlemen will do all you can to support and extend the temperance movement. I do not refer to a self-denying total abstinence ordinance or anything of that kind ; I am talking of temperance in its broader sense ; that is to say, the temperate use of liquor, if you must take it. If you cannot use it temperately then by all means abstain altogether.

"I hope a great deal from this Bill and I hope a great deal more from the action of gentlemen like yourselves and from the education of the community in putting a stop to what is really a very serious danger in some parts of the Punjab which is doing a great deal to deprive the people of the results of their industry and of the benefits of the tide of prosperity which has come to them."

The motions were put and agreed to.

BUDGET ESTIMATES FOR 1913-14.

The Hon'ble Mr. MANT :—"Your Honour, it is not my duty to present the budget to-day. I merely propose to explain the position for the benefit of those members who are for the first time taking part in the budget discussion. The Financial Statement which I presented to the Council on the 13th of the last month was a forecast of the budget. When the budget does not

tally with the forecast, the rules require that it should be formally presented to the Council with an explanation of the differences, and also, when the Council has passed a resolution recommending a change in the figures of the Financial Statement and that recommendation has not been accepted by the Government, it is necessary that the reasons should be explained at a meeting of the Council. But in the current year neither of these contingencies has occurred, no resolutions were passed at the last Council meeting and the figures in the budget estimates, which were circulated to the Hon'ble Members on the 1st of April, tally precisely with those in the Financial Statement. Those figures are fully explained in the printed memorandum attached to the Statement.* I have therefore no further remarks to make at this stage of the discussion. I may, however, add that the deliberations of the Council today will not affect the current year's budget. The time for moving resolutions concerning it has gone by, and any financial suggestions which Hon'ble Members may desire to put forward will only be taken into consideration in connection with future budgets or in connection with the disposal of any funds which may become available for reappropriation later in the year."

The Hon'ble Khan Bahadur Mian MUHAMMAD SHAFI :—"Your Honour, this being the last Budget Debate under Your Honour's presidency, I propose, within the short time at my disposal, to take a birds-eye view of the progress made in this Province during the past five years as appearing from a comparative analysis of the first Annual Budget which, under the reformed constitution, came before this Council and the one now under discussion. It is well-known to Hon'ble Members that the valued rights connected with the Budget discussions were, for the first time, conceded to this Province in the Scheme of Reforms introduced by Lords Minto and Morley. A glance at the first Financial Statement presented to this Council shows that the closing balance in the year 1908-09 amounted to Rs. 14,75,000 Since then the Provincial balance has gone on increasing year after year until the financial year which has just come to a close has left us with a balance in our hands amounting to Rs. 1,90,09,000, and the Financial Member has estimated that the balance at the end of 1913-14 will amount to Rs. 1,46,22,000. This is, as at this stage it ought to be, a very cautious estimate, and I have no doubt that the actual balance will, in the end, come up to nearly two crores. The satisfactory state of our Provincial finance disclosed by this succession of handsome balances and the general progress indicated thereby are emphasized by an examination of the steady increase in our annual income and expenditure. While the total Provincial Revenue and Receipts in 1909-10 amounted to Rs. 3,52,15,000, the total in the closing year has risen to Rs. 5,15,34,000, showing an increase of Rs. 1,57,19,000. And the Provincial Expenditure has not been at a stand-still during this period of increasing prosperity. During the year 1909-10 the total actual expenses incurred in running the provincial machinery amounted to Rs. 3,39,14,000, while during the last year a sum of Rs. 4,28,98,000 was spent by the various departments, representing an increase of Rs. 89,84,000. These figures reveal a degree of provincial prosperity of which any Local Government may justly be proud and must constitute a source of great satisfaction to Your Honour when laying down the reins of your high office.

"Turning now to some of the more important sources of income as well as channels of expenditure really indicative of the material and intellectual progress in this Province during Your Honour's term of office. The Punjab is essentially an agricultural province, and the prosperity of the agricultural classes has very rightly been one of the principal aims which Your Honour's Government has had in view. The Provincial income under

* *Vide* Appendix A.

the heads 'Land-revenue (Proper and Assignments)' and 'Irrigation' (Major and Minor) in 1909-10 amounted to Rs. 2,51,37,000; it has now risen to Rs. 3,93,43,000 in the year 1912-13. And during this period the Provincial share of the Land-revenue Assignments has, as a result of the staunch advocacy of the Hon'ble Mr. FENTON, been raised to one-half instead of two-fifths, thus placing the Punjab on a level with some of the more fortunate provinces of India. And this satisfactory increase is attributable not only to the general prosperity of the agricultural tracts resulting from natural and extraneous causes, but is also, in a great measure, due to the constructive work accomplished by Your Honour's Government during the last five years. The Provincial expenditure on Irrigation (Major and Minor Works) has risen from Rs. 46,77,000 in 1909-10 to Rs. 73,18,000 in 1912-13. This vast expenditure has resulted in the extension of that wonderful system of Punjab canals which has brought about unparalleled prosperity in our agricultural areas and is a source of pride and pleasure alike to the Government and the people. And when the Triple Canals Scheme, which is now fairly on the way towards completion, is in full swing, our Province will come to be one of the principal granaries of the world. The Punjab colonies have, during Your Honour's régime, undergone a process of expansion resulting in the absorption of the surplus population in congested districts and have not only enabled hundreds of thousands of struggling agriculturists to find happy homes in the midst of new and prosperous conditions, but have also proved an effective remedy for the fell disease of agricultural indebtedness. The debt of gratitude which the agricultural classes owe to Your Honour's Government is indeed heavy and I was not surprised when, the other day, I received a postcard from a zamindar belonging to a village in the district of Shahpur asking me to move the Muslim League to memorialize the Imperial Government for the extension of your period of office.

"And this era of remarkable prosperity has not been confined to the agricultural portion of our population. Urban trade has been increasing by leaps and bounds, factories are springing up everywhere, cities and towns are undergoing rapid expansion, the value of property is steadily rising, and the standard of living among the middle classes of our urban population — an infallible index of the prosperity of a people — is greatly improved. Even 10 years ago who could have imagined that a building site outside the city gates of Lahore would fetch the fabulous price of nearly Rs. 14,000 for three marlas of land!

Towards the remarkable educational activity discernible all around us Your Honour's Government have, during the past five years, contributed their due share. The Provincial expenditure on education in 1909-10 amounted to the sum of Rs. 22,61,000; according to the revised estimates for 1912-13 it rose to Rs. 33,37,000, representing an increase of nearly 50 per cent. in four years. The budget estimates for the forthcoming year indicate a proposed further addition of nearly 11½ lakhs, bringing up the total expenditure during 1913-14 to the sum of Rs. 44,83,000. And when the scheme of increasing educational expansion propounded by the Provincial Government comes into full operation, the resulting benefit to the millions in our Province will be incalculable. What is really needed is a net-work of Primary Schools throughout the Punjab, bringing elementary education within easy reach of the masses, dispelling the gloom of ignorance in which they are at present shrouded.

"Your Honour, in addition to the completion of the scheme for reorganizing the Excise Department, a satisfactory beginning has been made towards the overhauling of our judicial machinery by the appointment of Subordinate Judges in the various districts of the Punjab. And when the new scheme relating to the higher judicial appointments which, I understand, is awaiting the sanction of the Secretary of State, is brought into operation, a

distinct step towards bringing our judicial machinery in a line with that of the other Provinces of India will have been taken, bringing us nearer to that higher and more necessary reform of separation of judicial and executive branches with reference to which enlightened Indian opinion is practically unanimous. And in this connection I wish I were in a position to-day to offer to Your Honour my humble congratulations for having brought about the elevation of the highest judicial tribunal of our Province to the status of a High Court. It is, at any rate, gratifying to know that the Provincial Government have recommended the introduction of this much-needed reform, and we trust the Government of India will not be slow in giving their assent to a representation which is warmly supported by public opinion in this Province.

"In the Provincial Council itself, the work of legislation accomplished during the last four years has indeed been satisfactory. Fourteen amending, consolidating and new enactments have been placed upon the statute-book of this Province, including such important legislative measures as the Municipal, Colonization of Government Lands, Pre-emption, Punchayats and Redemption of Mortgages Acts. The immense benefit accruing from the Colonization of Government Lands and Redemption of Mortgages Acts to the agricultural population of our Province, rightly characterized by Your Honour as "not only the backbone but the whole frame of the Indian Army" is impossible of description, making Your Honour's *régime* a land-mark in the history of the material progress of the brave agricultural races of the Punjab. It has been a source of pleasure and pride to us, the non-official members of the Council, to co-operate with our official colleagues in this work of beneficial legislation under the Presidency of one whose unfailing courtesy, suavity of manners and generous encouragement have made this labour of love as pleasant as any one of us could wish. Your Honour has presided over three Legislative Councils, and having had the privilege of being a member of each and all, I am in a position to bear testimony to the mutual good-will and co-operation between the official and the non-official elements in this Council, which has ever conduced to the smooth-working of our legislative machinery. As the senior non-official Member of this Council, I beg to offer to Your Honour our cordial thanks for having, by your unvarying kindness and consideration, made our task one of extreme pleasure to us all.

"The message of inter-communal peace and good-will which, on more than one occasion, Your Honour has recently delivered to the people of this Province will, I trust, be taken to heart by all sincere well-wishers of peaceful progress. The gulf which, unfortunately for the country, divides the two principal communities, particularly in Upper India, retards the onward march of the Indian peoples and creates administrative difficulties for the Government by no means easy of solution. But the dawn of a new era is already visible above the distant horizon, and I sincerely trust that the day is not far when the various communities, constituting the vast population of this country, will learn the lesson of true patriotism, and hand in hand will strive together for the sacred cause of the regeneration of their motherland.

"Your Honour, sad though it is to say farewell, nevertheless there are times when "the best of friends must part." And while I assure Your Honour that you will carry with yourself the sincere good wishes of all of us present here to-day for a long and happy life in your well-earned rest, may I be permitted to express a hope that when living in that country, which is the central point of the great and glorious empire, the citizenship of which is one of proudest possessions, Your Honour will not forget the country in which you have spent the best years of your life and the people of which have legitimate claims upon the Imperial patriotism of all true sons of Great Britain and Ireland."

The Hon'ble Rai Bahadur HARI CHAND:—"Your Honour, in rising to speak on our Provincial Budget I must in the first place add my note of congratulations to the Hon'ble Mr. MANT for his presentation of a prosperous Financial Statement. For the third year in succession the Financial Statement discloses a record of progress and plenty, and, though the net result of the Budget is a deficit of over 43 lakhs, we have been able to build up a very large reserve, and the year 1913-14 is expected to close with a balance of nearly a crore and a half. This is eminently satisfactory, although I recognise that the land revenue of last year has been swollen by the sale proceeds of estates, and that with the cessation of sales in the ensuing years this source of income will have become extinguished. We can, however, face the extinction of this windfall with confidence and courage. As the Hon'ble Finance Member says, we may regard our normal revenue as sufficient to meet the present standard of expenditure.

"This brings me to a consideration of the question that the standard of expenditure is continually rising. We have also the fact that the appetite of the spending departments has been whetted by the large grants made by the Government of India to Provincial Revenues in the last few years. Indeed, I have seen a criticism that the rate of increase of expenditure per annum during the last five years has exceeded the rate of increase of revenue, and that the financial prosperity only means a golden harvest for the salaried classes, high and low. The steady growth of the cost of living, however, necessitates an increase of pay for the subordinate establishment, which has certainly proved worthy of its hire. As regards growth of expenditure, so far as it is due to meeting the increased demands of the sister graces of culture and cleanliness, it is only right that it should be so. At any rate, we have no reason to feel any misgiving about the ability of the Government in keeping down superfluous expenditure.

"Coming to the Revised and Budget Estimates, I find there is net improvement of 63 lakhs of unexpected surplus. Part of this surplus is due to the caution, as the Finance Member explains, in framing the estimate of irrigation receipts, which far exceeded expectations. When the old canals have proved so remunerative, it is only reasonable to ask that every attempt should be made to remove the complaint about shortage of water-supply. Of all material boons conferred by our benign Government in this province, the splendid canal system has been one of the greatest, and it is only proper that the quality of this boon should in no way be strained. I view with considerable apprehension the growth of the drink evil in the province, as reflected in the ever-increasing excise receipts. My apprehension is all the greater because this growth has been in spite of the anxious consideration which Your Honour's Government has all along given, and been continuing to give, to this problem. Opinions, however, differ as to whether any raising of the still-head duty can effectively check drunkenness. There is, no doubt, considerable force in the contention that the drink habit can only diminish with an improvement in the morals of the people, and it is to this latter end that the Temperance Societies have been working, though unfortunately so far with indifferent success. At the same time I may urge that, unless the facilities for drink are somewhat withdrawn, it is perhaps idle to hope for any appreciable reduction in the drunkenness of the people. The present, however, is not a suitable occasion for discussing questions of policy, and I hope that the new Excise Bill, which has just been introduced before the Council, will provide some checks for the drink evil.

"The special merit of the Revised and Budget Estimates lies in the substantial allotments made for Sanitation and Education. Two of my constituencies, Rawalpindi and Sialkot, received a total grant of 2½ lakhs for intra-mural drainage and water-supply respectively, while Multan, for which I made an

earnest appeal last year, has been promised by Your Honour a grant of between two and three lakhs of rupees for its water-supply scheme—a boon for which my town cannot be too thankful. With the new sanitation and water-works scheme, Multan will, no doubt, be restored to her pride of place among our provincial towns, and her citizens will long bless Your Honour's name for this supreme benefaction. Gratitude for favours promised, however, emboldens me to ask for more, and I may be allowed to put in a word for the Multan Civil Hospital, which requires expansion and improvement so as to be in keeping with the requirements of an important and progressive town. In the fifties and sixties, the Multan Dispensary, which has now expanded into the Multan Civil Hospital, was regarded as one of the best of its kind. In the inspection reports of those periods it was generally described as the model dispensary of the Punjab, and as having taken the lead of all others in the Province. And its popularity has steadily increased during the last 50 years. Patients from Dera Ismail Khan, Dera Ghazi Khan, Mianwali, Muzaffargarh, Montgomery and Jhang and Bahawalpur—nay even from Sindh and far-off Afghanistan—come to its doors for medical relief. In 1912, nearly 19,000 patients, of which nearly a thousand were in-door, sought relief, while nearly 1,500 operations were performed. But unfortunately it is cramped for space, and some provision for its expansion is urgently needed in the interests of suffering population of South-Western Punjab. While on this subject, I feel I must refer to the formation of the proposed Sanitary Conference under the presidency of the Hon'ble Mr. FENTON. I need hardly say that Mr. FENTON's thorough grasp of the subject and experience are assets of inestimable value in guiding the deliberations of the proposed conference, and I hope that we shall have a well laid-out programme of sanitary reforms as a result of this conference.

"On Education I find that the Revised Estimates exceed the original by close upon five lakhs. No doubt it is due to the utilization of the Imperial grants, but it is noteworthy that we are on the eve of a great educational expansion, which was foreshadowed by the gracious message and watchword of Hope given by His Imperial Majesty. Nothing relating to education, from primary to post-graduate, has been neglected, while a conference of persons interested in the education of girls will shortly meet. All this points to a future bright with hope and assurance of progress.

"I notice with great satisfaction the recent improvements in the pay and progress of teachers in village schools and also the improvements that are contemplated in the various educational services. The raising of the pay of the lowest grade of Tahsildars to the starting pay of Munsifs will afford some relief to a deserving and hardworked body of public servants, and I trust that the provision of eighty thousand rupees made for improving the pay of poorly paid clerks will be given effect to upon the conclusion of the Clerical Establishment Committee's Report. The relief to them has been long promised, but has been hanging fire owing to one cause or other. I trust there will be no further delay.

"But our congratulations upon the financial prosperity are tempered with a deep sense of grief. As I speak, the thought weighs heavily on my mind that this is the last occasion of our meeting in this Council Chamber under the presidency of Your Honour. There is always an element of sadness in all farewells; more so when we have to part company with one who has been our friend and benefactor for upwards of thirty-six years. Nearly four decades have rolled by since you heard the East a-calling. You obeyed the call, and passed with distinction the competitive test with a view to coming out to the scene of your labour and love. While here you learnt and mastered some of the great Eastern classics and made us your kith and kin in thought and in action. For in Your Honour we have always found something *more* than

an official, something better than the cast-iron bureaucrat. In Your Honour's own beautiful words, the hot sun of India has only warmed you into a kindlier and tenderer love of the country and its people.

"And this element of humanity, as we have frequently noticed in our meetings in this Chamber, burst through all official trammels and formalities. The smile of encouragement, the genial warmth of heart and the unfailing courtesy and consideration which we have invariably received at Your Honour's hands made our work in this Council a most pleasing and pleasant function. And these qualities of sympathy and comprehension showed themselves to equal advantage outside this chamber. You came upon your exalted office at a time when the minds of men were unsettled by the events of the preceding year. Under your guidance the lustrum has been one of the most remarkable in the history of the province. The Financial Member has made some reference to financial prosperity, but the triumphs of peace and civilization have been visible in every chapter of this brilliant lustrum, in the splendid irrigation systems, in educational progress, sanitary improvements and in the impetus given to indigenous industrial and commercial activity. May your life be as full of years as it has been of honours, and may you be the recipient of still further honours. May you be spared long for the good of this country!—for the Ind will be still calling to you in your well-deserved rest and retirement, and we know for certain that the call will not be in vain."

The Hon'ble Malik MUHAMMAD AMIN KHAN:—"Your Honour, as this is probably the last occasion on which Your Honour will be presiding over the deliberations of this Legislative Assembly, I beg leave to give expression, however weak and feeble, to that sentiment of extreme gratefulness with which the heart of loyal Punjab is full towards one who devoted some of the most precious years of his life to her service, and whose record of substantial achievements is sure to occupy a very prominent place in the history of her future progress and material well being. Nothing could be more convincing proof of Your Honour's keen solicitude to help the best interests of the province committed to your charge than the prosperous budget of to-day's meeting. It must be evidently a matter of extreme gratification to Your Honour that when about to lay down the duties of your exalted office Your Honour should find the Punjab more prosperous, more contented, more happy and more wedded to the British Crown. A comparison of the revenue and expenditure figures of 1907-08 with those of 1913-14 reveals at a glance the rapid strides made by the land of the five rivers in the path of future prosperity and material advancement during Your Honour's lustrums. Among the many boons that Your Honour's *régime* conferred upon agricultural Punjab, perhaps the one that in my humble opinion will make Your Honour's name a living memory in this Province has been the perseverance in the midst of your manifold activities and all absorbing engagements with which Your Honour harnessed the tidal waters of the Punjab. The Triple Project, the second link of which was only the other day forged into an accomplished fact by Your Honour, will be the crowning glory of Your Honour's period of Governorship, and so long as those arid tracts which the toil and moil of your brains converted into smiling fields of plenty continue to give sustenance to the peasant sons of the Punjab, Your Honour's name will ever remain green in the grateful recollections of Your Honour's humble subjects. It is really a matter of extreme regret to us, new members of this Legislative Council, that we should have been so soon deprived of Your Honour's guidance and sage council, but we find comfort and solace in the pleasing reflection that although Your Honour's tenure of active life in India is about to terminate and Your Honour will shortly be entering upon a life of well-merited repose, yet Your Honour's interest in the welfare of the Punjab and of the whole of India will continue unabated.

[*Mr. Muhammad Amin Khan.*]

"Passing from this personal aspect of to-day's meeting to the dry-as-dust statistics of the budget, I must congratulate the Finance Member on the successful manner in which he has succeeded in husbanding the resources of this province. I would, however, venture to observe that, while the beneficence of British rule is all embracing, still the poor and dumb denizens of the villages who constitute the backbone of the country have not been able to secure as much advantage as some other sections of the populace. While Government has of late been pleased to recognize the usefulness and justice of the comparatively longer duration of future settlements, the difficulties that stand in the way of the agriculturist and the incessant varied calls on his purse and produce, do not appear to have been fully realized. Prices have no doubt risen, conditions of life have materially changed, but the rise in prices and the changed conditions of life have not brought so much into the coffers of the zamindars as they have into those of the city traders or business men, while on the contrary the expenses of the zamindars have, comparatively speaking, outrun those of his fortunate brethren of the towns. It is time that Government rallied to the support of the zamindar and, so far as the cultivated area was concerned, declared that land revenue assessments thereon shall be the same for a much longer term than at present, provided of course fresh irrigation or water supply did not alter the situation. Where agricultural conditions have substantially improved, the simpler remedy of a mutual compromise without the harassing operations of a protracted settlement would be the better alternative.

"The claims of the zamindars to better treatment deserve to be recognized in another light. Our benign Government has already donated a princely sum to the cause of elementary education in India, and I have no doubt that the Government of India's resolution on the subject is an unequivocal expression of true statesmanlike policy. But my humble submission is that just as Government has been pleased to recognise the supreme necessity of primary education for the zamindars, something similar should be done to put the latter fairly well on the path to secondary education. Punjab is essentially an agricultural Province, and it is reasonable to ask that special facilities on a vast scale, as for instance the providing of more scholarships, substantial reductions in their tuition fees, &c., may be provided to help them in their secondary course of study. So far as higher education is concerned Government will be really discharging its duty in the best way by substantially helping the Islamia College, where Muhammadan boys, whose parents constitute the majority of the Punjab zamindars, congregate to receive the benefits of a College education.

"The zamindars require further help under the heads "Sanitation" and "Medical". Officers who have had occasions to visit villages will bear me out when I say that sanitation in villages is a thing unknown, and that the district boards are very remiss in their duties in this direction. A very effective means of improving village sanitation in my humble opinion will be to provide in every district a separate officer of the rank of an Extra Assistant Commissioner, whose sole duty should be, under the general control of the district officer, to suggest and supervise the arrangements whereby through the agencies of district boards village sanitation may be placed on a more satisfactory basis. It is true that Government will have to incur substantial expense on this arrangement, but, Your Honour, this is in my humble opinion a very practical method of evincing interest on the part of the district boards in village sanitation. Coupled with sanitation, I will advocate with all the emphasis at my command the imperative duty of placing medical aid and relief within easy reach of the zamindars. Let the dispensaries be sown broadcast at Government expense in important centres so as to be within the reach of villages, four or five miles distant. The question of Lady Doctors is one that transcends in importance many a scheme of social, political or intellectual reform, and it is time that something were done to relieve the distress of the zenanas in out-of-the-way and isolated

villages. I would respectfully appeal to Your Honour as the author of the King Edward Memorial Hospital scheme to lend the weight of your exalted opinion to this humble proposal of mine and to see before making over charge of your duties that some start in the direction indicated by me is made in the near future. In conclusion, I wish Your Honour a long and happy life after the well-earned retirement from active official life which is now before you."

The Hon'ble Nawab Sir BAHRAM KHAN spoke in Urdu, a translation of which is as follows :—

"Your Honour,—This is probably the last occasion on which Your Honour is presiding over the deliberations of this Council. It will take a very long time to describe in full detail all the conspicuous acts done by Your Honour for furthering the prosperity of this province, and, moreover, they are so well known that they do not need repetition on my part. Still I cannot help saying a few words.

"The new Council scheme has been sanctioned in Your Honour's time, and gives the people a right of electing members as their representatives, and the nominations made by Your Honour were wise and excellent.

"The enactments placed on the statute book during Your Honour's term of office have given full satisfaction to the people. Two big irrigation canals have been opened in Your Honour's time which will help in furthering the prosperity and happiness of the people by watering myriads of acres of dry land that had been lying unirrigated. It may be noted especially that at the time of Your Honour's taking over charge of this august office the atmosphere of the Indian Empire was full of sedition, but the Punjab, through Your Honour's skilful management, great courtesy and excellent administration, remained quite safe from its influence.

"The Punjab Chiefs' Association has been established in Your Honour's time, which is a body that considers loyalty and devotion to the Crown as its primary duty.

"The attention bestowed by Your Honour to the preservation of the monuments of the ancient rulers of this country will be remembered for ever.

"In short all the districts of the Punjab have generally benefited by Your Honour's touring visits, and wherever there appeared a difficulty insurmountable by the local officers it was at once removed by Your Honour's kind attention.

"The district of Dera Ghazi Khan, wherein I have the honour to reside, has been the special object of your kindness. When the town of Dera Ghazi Khan was swept away by the river Your Honour took the trouble of visiting it three or four times, and thus laid the subjects under a debt of gratitude by your generous sympathy.

"Without exaggeration or flattery it would not be out of place for me to say that Your Honour's reign has been a blessing to us.

"Now, I beg Your Honour's permission to invite your kind attention to the financial position of Dera Ghazi Khan. It has ever been a commercial city of note, and it did not attain to its prosperity and happiness during the British rule only, but was on a high level in this respect in previous times also, a fact which is borne out by Sir Alexander Burns in his personal narrative of a journey to Kabul. In those days its trade was very extensive, probably it had commercial connections with such trade centres as Kandahar and Shikarpur. It, however, gained further importance during the benign British rule. But during the last 15 or 16 years the encroachment of the river has thrown it in great distress, so much so that the entire town was demolished by

the river and a new one had to be erected. This new town is situated at a considerable distance from the river, and Your Honour has arranged in order to increase its prosperity that a new canal should pass by it. This will assuredly prove highly beneficial to the city, but until it is connected by railway, there is little hope of the people prospering in trade. If the railway line be extended from Mahmudkot to Dera Ghazi Khan and thence to Sakhi Sarwar, the way to trade with Barkhan Division of Baluchistan, Musa Khel and the Kohlu tahsil will be opened. Food-grain and wool are imported to this district from those places on account of its being adjacent to them, and the extension of the railway line will, therefore, facilitate their transport to other districts of the Punjab and to Karachi. It will, moreover, cause great convenience to thousands of pilgrims who go on pilgrimage to the shrine of Sakhi Sarwar from other parts of the country. It is needless for me to go into further details as Your Honour has been on the spot.

"I beg to conclude these remarks with an expression once more of our deep sense of gratitude towards Your Honour."

The Hon'ble Sardar DALJIT SINGH :—" Your Honour, it is a matter of sincere congratulation that for the third time during Your Honour's tenure of office the Punjab has been able to have a prosperous budget. Husbanding the resources of the Province, improving agriculture, stimulating industries, are things which bring about such happy results. Your Honour's Government has been alive to this fact, and it reflects most creditably on the Financial Department of our province that we are not only living on the credit side, but that we have accumulated such surplus which we may fall back upon if there be a necessity in the future.

" It is a matter of great gratification that now provision has been made for road bridges over Sutlej, Beas and Ravi. Then the educational grants, especially those for the hostels attached to the Medical College and School of Arts, are the most welcome. Last but not the least is the provision in the present budget for a preparatory school for the Chiefs' College.

" This is the last occasion when we see Your Honour presiding over the deliberations of this Council, and I cannot help speaking a few words about one who has not only been the centre of executive authority, but the cynosure of all sincere affection and whole-hearted devotion of the people of all castes and creeds of this land whose destinies he has ruled for the last five years. Sir, I do not ventilate these sentiments on behalf of a particular political or communal body, but I do re-echo the vibrations of the innermost chords of the contented and gratified heart of the whole of the Punjab, with whom has been associated the best part of Your Honour's active life. If for one more than the other class I express their sincere regret for the approaching parting, it is the landholder and the aristocrat, whose welfare along with that of the general public has been your solemn solicitude.

" Sir, by many acts for the welfare of the aristocracy and agricultural classes you have made us intelligently feel that we have got the greatest vested interests in the country and are bound to support Government in maintenance of law and order.

" It was in Your Honour's time that the first enlarged and reformed Council sat in the Province and out of its many activities the Panchayat Act already passed and the new Excise Bill when passed into law will ever be remembered by the whole of the Province as unmixed blessings.

" Though this Council has nothing to do with the various executive measures adopted for industrial, agricultural and educational improvements in the Province, yet upon these mainly depends the material prosperity of a country.

[*Sardar Daljit Singh ; Mr. Ram Saran Das ; Babu Gajjan Singh.*]

"Reforms enunciated or perfected by Your Honour in these lines will be always associated with your name, and Your Honour's treatment and courtesy have been so generous and unfailing that among prince and peasant alike your name has become a household word. I may be permitted to add here that it is high time that the rival communities took a lesson from the golden words that have fallen from Your Honour, and they cannot better commemorate Your Honour's *régime* than carry out the advice in actual practice not by mere lip platitudes but by sinking the petty differences and working together for the common weal of the public.

"In conclusion, during the five years that Your Honour has been at the helm of affairs in the Punjab the Province has been lucky enough to enjoy unbroken prosperity, and it is a great satisfaction to us that at the time of Your Honour's laying down the reins of the Government of this Province with which you have been so long and so intimately associated the outlook of material prosperity of the people is as bright as Your Honour's auspicious career has been."

The Hon'ble Rai Bahadur RAM SARAN DAS.—"Your Honour, I have very little to add to the budget discussion. We have been witnessing prosperity budgets for the last three years, and I offer my sincere congratulations to Your Honour's Government for bringing about such happy results. The memorandum presented to this Council by the Finance Member shows greatly progressive receipts from the irrigation major works. This year has of course been exceptionally favourable in consequence of timely rains which made up for the shortage of water-supply in the rivers at a critical time, but the Upper Chenab Canal opened last year and the Lower Bari Doab Canal just opened by Your Honour will begin to bring a return next year, and it may be confidently hoped that the receipts from this source will soon become as important as the land revenue if not more. I trust that in devising measures for revision or new assessment of canal charges Government will not overlook the facts that the cultivators look upon the paternal Government with much higher expectations than a commercial concern supplying a marketable commodity, and that, while they do not wish that the up-keep of the canals which are constructed for their benefit should be a drain on other sources of income, they hope they may not be called upon to contribute more than a fair share of the requirements of other departments and classes.

This being the last occasion on which the Council will have the privilege of assembling under Your Honour, I take this opportunity of expressing the gratitude of the people of this Province, particularly those whom I represent, for the most peaceful and prosperous time they have enjoyed in Your Honour's sympathetic rule, and extreme kindness and courtesy which Your Honour has always extended to people of all classes and grades from the highest to the lowest, and I beg to offer Your Honour a regretful farewell. The best wishes and the prayers of the people will always be with Your Honour."

The Hon'ble Babu GAJJAN SINGH :—"Your Honour, also I beg to offer you my congratulations for the financial progress made by the Province during the time of your Lieutenant-Governorship.

"In 1907 and 1908, when Your Honour assumed the charge of your exalted office, the opening and closing balances of the Province were Rs. 54,07,000 and Rs. 29,98,900, while the figures for the same in the year of 1913 and 1914 are Rs. 1,90,09,000 and Rs. 1,46,22,000 respectively.

"This is a record for which any administrator can be proud and may claim the credit for.

[*Babu Gajjan Singh.*]

"Your Honour has earned the gratitude of the municipal committees of the Province and laid them under deep obligations by relieving them of the burden of Police charges, and by making in the present budget further provision of Rs. 2,50,000 to extend the same concession to a number of minor municipalties and notified areas.

"May I take the liberty to suggest the desirability of extending the same privilege to the villages or at least to big ones for the present ?

"If Government undertakes the charges of village chaukidars, then the village chaukidara will be available for village sanitation, sweepers taking the place of chaukidars. In this way a beginning can be made to improve the village sanitation,—a subject with which Your Honour, I am sure, has hearty sympathies.

"Education of the agriculturists and particularly of the Sikh zamindars, who are proud of supplying the best soldiers to the British Indian Army, is the other important question to which I beg leave to draw Your Honour's kind attention. While thanking the Government for what has been done in this respect in the past, I may be excused for saying that no adequate provisions have been made for the education of the zamindars in order to enable them to compete with the non-agriculturist classes in the various walks of life. At present there are no high schools except in the head-quarters of the districts, where the zamindars cannot send their sons on account of poverty and various other reasons. In my humble opinion it is very desirable both morally and politically to keep the simple and raw youths of zamindars away from the unhealthy influences of the town life. That being the case, the Government should make adequate provisions for the education of such youths nearer their home. If the financial considerations do not allow of such provisions for the present, the Government should give liberal and special help to the private enterprise where it already exists.

"Settlement being the most important question requires special consideration and attention of the Government.

"I regret I cannot discuss the details in such a short time at my disposal. But I hope to touch this subject in details on some other occasions.

"At present I cannot help remarking that periods of settlement are short. With the complete and exhaustive records-of-rights the present process of settlement is very cumbersome, lengthy and complicated, and entails a lot of botheration, trouble and expenses both to the State and zamindars.

"Now that all parts of the Province have, except new colonies, been settled several times, complete records-of-rights exist for each district, it is hoped that in the interests of the Punjab peasantry disturbance caused by frequent settlements and new assessment should be avoided as far as possible, if not altogether stopped.

"With a very few exceptions almost all the available area has been brought under cultivation, and Government cannot claim further enhancement of revenue on that score.

"No one knows better than Your Honour how expensive these settlements are and what a disturbed element they constitute in the economic life of the village population.

"The best interest of the peasantry requires that they should be free from the anxiety of having their revenue enhanced by these periodical short settlements. Such step would put heart in them and leave them free not only to improve their lands to their hearts' content, but also to take to such other pursuits as would add culture and comforts to their lives."

[*Babu Gajjan Singh ; Mr. Sohan Lal.*]

"Your Honour—I gratefully acknowledge that the financial condition of agriculturists is receiving the proper attention of the Government. So far as history goes the zamindars were never so carefully and sympathetically looked after as under the present Government.

"Land Alienation Act, Redemption of Mortgages Act, Civil Punchayat Act and several other measures are the proofs, if proofs were at all needed to support my views on the point.

"But I regret to submit that the agriculturists are not reaping the full fruits of these boons, the reason being that the administration of these laws is generally in the hands of unsympathetic judiciary. A large number of Judicial officers do not like these measures, and are even averse to them. That being the case they cannot be expected to give full effect to these measures.

"The zamindars so far have not got their due and proper share in the public service, and I most respectfully beg to submit that the time has come that efforts should be made to give them their just and legitimate share in the Government service.

"As Your Honour is going to give up the charge of this Province in the next month, and this is the last meeting of the Legislative Council under your presidency, I beg to close my remarks with a sincere prayer to Akalpurkh that you may be spared long to enjoy the rest that you have so well earned after a long and meritorious service and to do good to the Province where Your Honour has spent the best years of your life."

The Hon'ble Rai Bahadar BAKSHI SOHAN LAL :—"Your Honour,—In congratulating Your Honour's Government as well as the people of the Punjab for the continued prosperity of the Province as shown by the Budget statements for the last two years and for the current year, I take the opportunity for offering a few suggestions for the favourable consideration of Your Honour's Government in connection with the Budget for the current year.

"Under the *head* of *Education* No. 22, at page 3, I take the liberty of suggesting that if the funds allow, the minimum pay of the teachers in the Lower Primary Schools rural as well as urban requires to be raised to Rs. 20 per mensem which would not be far above the ordinary wages of common labourers in Lahore. Probably the number of such teachers, who are getting less than Rs. 20 per mensem, may not be very large, but it is a matter of great importance to place the position of a teacher on a little higher level than that of an illiterate common day labourer or menial in the minimum standard of the wages. I do not think I need take much time in order to make the Council convinced that the first impressions on the new plate of an infant's mind are to become the basis of his life-long character, and that in securing the welfare of our children the choice of the teachers for the infant classes requires more careful consideration than we give at present in the case of appointing teachers in our Lower Primary Village Schools. The majority of such teachers are not only educationally inefficient, but some of them may not be quite vouchsafed for their good moral character. It is believed that increase in their minimum remuneration will render the post of a village teacher more attractive to better men than what it is at present. My impression is that in other departments the minimum salary of a clerk has been raised to Rs. 20 per mensem, and there is no reason why the village teacher, to whom we entrust our children for the first lessons of morality and intellectual culture, should get less than a common *mazdur* or a lowest clerk, specially when the increase in prices and wages and the general rise in the standard of living requires the teacher to maintain for himself a more respectable position than he now can command in the

village. I may also be allowed next to observe that the continuous and steady increase in the excise revenue is not a happy sign of the times, and is causing some alarm in the country inasmuch as it shows that the combined and earnest efforts of the Government and certain religious and reform societies have not succeeded in reducing in this country the consumption of alcoholic liquors. Though such efforts have done some good in the direction of checking spread of the evil among young educated population, they have so far had no effect on the masses. One of the means to reduce the drinking habit among the masses is, in my humble opinion, to prohibit the sale of liquor in local fairs and on the public roadside. I have noticed a number of shops for the sale of alcoholic liquor on the grand trunk roads in the Kangra district. Cannot these shops be removed to a respectable distance from the public view? The present Deputy Commissioner of Kangra district has by his recent orders prohibited the sale of liquor in certain local fairs, for which he is due the thanks of all the inhabitants of Kangra district. It is hoped that this prohibition of sale of liquor at the local fairs is a first step towards the direction of ultimately prohibiting the sale of liquor in public places and on the roadside. The example set by the Deputy Commissioner of Kangra is expected to be followed by the other districts, as there is nothing strange in the proposition that in this country drunkenness leads to crime, and that the districts which contribute more to the jail population are believed to be more addicted to the vice of drinking than those which are comparatively less contributors to the jail population. I shall like to have the real causes of the increase of the offences of dacoities in certain districts thoroughly enquired into as in my humble opinion intemperance is also one of the causes of such atrocious offences in these times of prosperity. The next thing which strikes me on this occasion is that while the post of Tahsildars and Munsiffs and Police Inspector are said to be of equal grades there is no reason why the starting pay of a Police Inspector should be less than that of a Tahsildar and Munsiff. The starting pay of a permanent Tahsildar or a Munsiff being Rs. 175, justice requires that the starting pay of a Police Inspector be also raised to Rs. 175 per mensem, specially when there is a saving in Head No. 20—Police.

Lastly, as representative of the agriculturists of the central group of the districts, I crave permission to express their hearty gratitude to Your Honour for the immense good and benefit to them caused by the Triple Canal Project scheme so successfully initiated, perfected and carried out under Your Honour's learned and wise directions and during Your Honour's *regime* as to render the recurrence of a famine in this Province extremely rare, if not quite impossible. The steadily increasing prosperity of the budget, which evidences the prosperity of the agriculturist, who is the greatest contributor to the Government revenues, is due mainly to this vast extension of the canal irrigation and of the railway communications in the land of the five rivers, and the people of the Punjab will never forget the immense boons of Your Honour's five years' good Government of this Province and the material improvements of permanent nature effected in the country all round as monumental works to mark for ever Your Honour's good Government."

The Hon'ble MR. SHADI LAL.—"Your Honour,—With your permission I should like to make a few remarks on the budget presented to-day by the Hon'ble Mr. Mant. But before I do so I take this opportunity of congratulating him very heartily on the successful working of his department during the past year and on the prosperity budget he has presented to-day. I should at the same time like to thank him for the very useful and comprehensive memorandum which he circulated to the Members of the Council at the last meeting which gives a very complete account of the finances of the province. I find from this memorandum that the Government of India have for the first time this year made a beginning in accepting the recommendation of the Decentralisa-

tion Commission in making grants which are not earmarked for specific purposes. I think this is a step in the right direction, and we do want decentralisation in matters of finance, but decentralisation means at the same time a greater vigilance on the part of the Hon'ble Members of this Council over the finances of this province, and I do hope that the Members of the Finance Committee will scrutinise very carefully the proposals of my Hon'ble friend in utilising the money. There is another matter in connection with the finance which has struck me very much. I find that there will be a balance of very nearly one million sterling at the end of the present financial year or to be exact, there will be 1 crore 46 lakhs. I am not quite certain whether fat balances always mean good finance, but I do think that we should not always go on accumulating these finances. I do not know whether it is possible to invest these balances in some sort of remunerative works or in some sound productive work or in payment or reduction of debt on which we have to pay interest. If we utilise our balances in that way we will be drawing some income, and this is a matter which deserves the earnest attention of the Finance Member and the Punjab Government. I know that the Local Government is not quite independent of the Government of India in this matter, but the wishes of this Council will probably be laid before the Finance Department of the Government of India. It is just possible that that department might agree to the suggestion which I have put before this Council. There is one observation which I would like to make in connection with the functions of the Finance Committee. Perhaps it might be thought that I am opening my mouth too wide. In the year 1910 when the Finance Committee first came into existence I made certain suggestions for increasing the scope of the work of the Committee, and Your Honour very kindly promised an enquiry into the matter. As the result of that enquiry we have during the succeeding years had large amounts as unallotted sums placed at the disposal of the Finance Committee. I am not aware of the exact procedure which was adopted by the last Finance Committee because I was not a member of it. My experience of the previous Finance Committees has, however, led me to think that the functions of the Finance Committee are more or less of a consultative nature. Cut and dried schemes involving additional expenditure are placed before the Finance Committee, and at the same time a fairly large amount of unallotted money is placed before it. The Committee is asked to distribute the money among the different schemes which it considers proper. This is no doubt good, but I should like to ask whether it is within the province of the members of the Finance Committee to initiate new schemes, to suggest proposals for additional expenditure or for the reduction of expenditure or for increasing the revenue of the province. This is a matter to which I have given some consideration, and I think that if it be possible for a member of the Finance Committee to make proposals of that kind perhaps some of us might be inclined to make suggestions. From these general remarks on the finances of the province, I now proceed to make a few observations in connection with the department which is in charge of the Hon'ble Mr. Godley. At the last meeting of the Council he was pleased to mention before this Council that the Government of India had made a new grant of 11½ lakhs. He was not at that time in possession of the information as to the purposes for which the grant was to be utilised. He was not aware whether any portion of the grant was earmarked. I hope the Hon'ble Member has by this time got the necessary information, and will be able to make a statement on this subject before the Council. At the last meeting I also asked him a question in connection with the inspecting staff of schools. I urged upon him the desirability of making some addition to that staff. In answer to that question he said that in the present budget, provision had been made for 12 Assistant District Inspectors of Schools. So far as it goes it is satisfactory, but I am not sure whether this meets the situation which I had in view. My point was this: there are at

present five Inspectors of Schools for the five divisions, and so far as my knowledge goes these five Inspectors of Schools are not in a position to cope with the increased work which has fallen on them. The number of schools has increased very much during the last few years, and I am almost certain that it is very difficult for them to efficiently discharge the duties which the department requires of them. I would commend this aspect of the question to his consideration.

" With regard to the collegiate education, Your Honour will be pleased to know that the Oriental College in whose welfare Your Honour has taken a lively interest is at last going to have a suitable building, and it is estimated that that building will be able to house not only the Oriental College, but also the Law College, and there will be some rooms for the hostels of the colleges. This is a very satisfactory arrangement. I beg to thank Your Honour on behalf of the University for the kind interest which you have taken in all matters relating to the University. I may be allowed to make a request on behalf of the Universiry. It is with reference to the house which I understand belongs to Government and is now occupied by the City Superintendent of Police That house separates the Convent property from the road which goes from the Anarkali to the District Courts. The Convent property is at present shut in practically on all sides. If we get that house, which we require for the Principal of the Oriental College, I think it would be a great improvement indeed. That would bring the University property on to the road and also near the other University buildings. If Your Honour will see no objection to the transfer of this building to the University authorities, I shall be very much obliged. The two colleges maintained by the University would in the future be in a fairly prosperous condition, but I cannot say the same thing about the private colleges of Lahore. Since the introduction of the inspection system they have made great improvements. The Inspection Committees have been making suggestions not in the capacity of a hostile body, but have made friendly suggestions for the improvement of the different institutions. And the latter have tried their best to meet the wishes of the Committees. Behind the friendly recommendations of the Inspection Committees there is the sanction in the shape of disaffiliation which the University holds *in terrorem* over the heads of the colleges in order to make them comply with the demands of the Inspection Committees. There is, however, one complaint which has been made by the heads of these institutions, and I think there is some force in it. They tell us " you want us to extend hostels, you want us to provide playgrounds for the students, you want us to provide properly-ventilated class rooms, but we have not got land for all this, the value of the land in Lahore is rising every day and we cannot get it." I do not know whether it is easy to solve this great problem. One college I find has taken a very bold step of deciding to move from Lahore to Shahdara. A great deal depends upon the success of this decision. I do hope it would be successful and the College would prosper there. But it is yet too early to say anything definite. If schemes of that kind could be adopted by all the colleges it would be a very good thing indeed, but I find that the other colleges are not going to move from Lahore. They have to get some available space in their neighbourhood for their extension. In this connection I request Your Honour to consider favourably the applications of private colleges for the purchase of small plots of nazul land in their neighbourhood, and if there is no objection on the part of Government to sell those plots to the colleges, I think it would be a very good thing indeed. I know that Government also requires land for different purposes, but it seems to me that the necessity of the colleges is greater than the necessity of the Government. The colleges cannot go anywhere and everywhere. The plots of land in their vicinity are almost indispensible to them. Government, at any rate, can find other land

for its requirements. If the educational institutions are ready to pay a reasonable price I hope the question of selling land to them will be favourably considered. These are the general remarks I want to make in connection with the budget. As this is the last occasion on which Your Honour will preside over the deliberations of this Council

"As this is the last occasion on which Your Honour will preside over the deliberations of this Council, and as before long Your Honour will make over charge of your august office, I hope you will permit me, Sir, on my own behalf and on behalf of my Hon'ble Colleagues, to give expression to our sense of genuine regret at Your Honour's approaching departure from this country. I do not propose to repeat what I said at the meeting of the Council held in December last as to the important part you, Sir, have played in the establishment and growth of a Legislative Assembly for this Province and the tact and sympathy you have shown in guiding the deliberations of the first reformed Council. Sir, I desire to bear my humble testimony to the kindness and courtesy we have invariably received from you in the discharge of our duties in this Council and the consideration you have shown to the non-official members and their views. The suggestions made by us for improving the administration of this Province have been well received and, in several cases, steps have been taken to give effect to them. It is a matter of sincere gratification to me that Your Honour has lately given your careful and sympathetic consideration to the much-needed reform of raising the status of the highest judicial tribunal in this province, a reform which I had the privilege to advocate by moving a resolution in the Council two years ago I hope it will not be long before the efforts of Your Honour in this connection are crowned with success and the Chief Court is converted into a Chartered High Court.

"As regards other important matters which have engaged Your Honour's time and attention during the last five years, it would not, I hope, be considered presumptuous on my part to say that Your Honour's extensive knowledge of the Province and its people has been of great advantage in dealing with the problems which have come up for consideration.

"In 1908, when Your Honour was called to the administrative charge of this Province, you were not new to the Punjab. Having spent over 25 years of your eminently distinguished service in the Province and being personally well known to the people, all classes and denominations united in welcoming what they regarded as your home-coming. As a Settlement Officer, as Deputy Commissioner and as Chief Secretary to Government you had laboured strenuously to further the prosperity of the Province. Your keen interest in the promotion of agriculture, art and industry led you throughout your official career to propose and suggest numerous schemes calculated to further the material welfare of the Province. As Resident in Kashmir you succeeded in persuading the Darbar to embark on large schemes for producing electrical power which, when developed and available in sufficient quantity, is sure to revolutionise the industrial development of the State. As Lieutenant-Governor of the Punjab you had opportunities to give effect to some of the large ideas that originated in your fertile brain and you availed yourself of those opportunities. At the commencement the paucity of funds handicapped you somewhat. But you went on elaborating your schemes. By liberally helping private enterprise, in holding an Industrial and Agricultural Exhibition, by creating a separate Department of Industry, by suitably strengthening the Department of Agriculture, by using your influence in expediting the completion of the Triple Canal Project, and by holding an Industrial Conference on which non-official Indian interests were duly represented, Your Honour has given a vigorous impetus to the furtherance of agriculture, art and industry. Industry in the Punjab is handicapped by lack of power to work machinery;

the distance makes the cost of coal an almost prohibitive item of expenditure ; and the coal resources of the Province would hardly be adequate even if they could be developed in the near future. When the various schemes for the production of power from water which Your Honour has initiated and set on foot come to fruition, Punjab will make a decidedly great advance in industry, and millions of people will have cause to bless your good and great name. Hungry men, Sir, are angry men ; and I feel sure that the provision of suitable and remunerative employment for Indian young men is the surest panacea for discontent and unrest in the country. We are grateful to Your Honour for the sympathy and appreciation you have always accorded to indigenous talent and merit. Education, more especially female education, and urban sanitation, have received liberal treatment at Your Honour's hands.

" We all know how busy a Lieutenant-Governor is, and my countrymen of all classes are deeply grateful to Your Honour for the help and encouragement you have given to social functions held with the view to promote friendly intercourse between Europeans and Indians. Your genial and kindly presence at these functions held at the houses of private individuals or under the auspices of public bodies greatly helped and encouraged workers in this good cause. The hospitality of Government House has been extended to Indians during the last five years to an extent not attempted before ; and I shall be only voicing the feelings of my countrymen if I make a brief reference to the large extent to which Your Honour's efforts in this direction have been seconded by the noble lady who has presided over your happy home and who has been your true help-mate in life, and who has never spared herself in contributing to the success of the social side of your administration. May you and Lady Dane live long and prosper and may God Almighty bestow upon you and yours His choicest blessings is the heart's prayer of the people of this Province !"

The Hon'ble Khan Bahadur Khwaja YUSAF SHAH :—"Your Honour, I beg to congratulate Your Honour on the financial progress which this Province has made during the term of your office. A glance at the table given in the Financial Statement will at once show Hon'ble Members that the great advance in the growth of the revenue has been stimulated by Your Honour's efforts. Foremost among the various schemes that Your Honour introduced with a view to place the finances of the Punjab on a more satisfactory basis was the construction of canals, which Your Honour pushed on so rapidly and which are now of such great benefit both to the cultivators, to the people and to the public revenues. With this growing income there has been no lack of projects for expenditure, and Your Honour has never hesitated to take in hand as far as funds would permit such of those projects as were really useful and in consonance with the public opinion.

" As regards sanitation and education, they have always been the watchwords of Government, and they have been carried out as far as it was possible, under the circumstances, to carry them out. No doubt much remains to be done both as regards sanitation and education, and I find that the provision made in the budget for these two important matters is ample, a great deal more than we could possibly be able to spend during the year. However, with regard to sanitation of urban and rural areas, particularly the latter, any independent and hasty action on the part of Government without first ascertaining the wish of the people will, I venture to submit, be a blunder. Only a few years ago—and I think it will be within the recollection of some Hon'ble Members—that in certain villages in a district of this province where cholera was fearfully raging the medical staff of that district was ordered to proceed to the spot with a quantity of per manganate of potash to put into the wells to kill germs. The water of the wells having become red, the villagers thought that it was some

sort of poison and totally refused to draw water from these wells. A place convenient to him near his house to deposit filth is much dearer to a villager than any sanitary measure which may even be conducive to his health. In the closing speech of Your Honour at the last meeting of the Council on the resolution proposed by my Hon'ble friend Lala SHADI LAL, Your Honour rightly observed that 'It may be unreasonable opposition no doubt, but it is very strong opposition. We have got to combat that opposition, and hope to do it by a great extension of primary education ; but in the existing state of things I am quite certain that if you introduce a strange committee going about the districts and making sanitary proposals for the various villages in that district you would probably very soon arouse a swarm of bees of an exceedingly unpleasant character.'

" As regards education, the liberal grants recently sanctioned from the Imperial revenues and the improved condition of the finances of the Province have rendered it possible to budget for a large increase in the educational expenditure, and I have every hope that the extension of elementary schools and the education of girls will have the first consideration of the authorities concerned ; but in this connection also I think I may be permitted to point out that a mere numerical increase of schools without first providing suitable buildings and equipment and securing the services of efficient teachers will not have the results which we all desire. All this will of course take time.

" To the great regret of every one of us, Your Honour's connection with this Province will soon be severed. But whatever Your Honour has done for this Province will be gratefully remembered by all communities. A good deal is due to Your Honour in the introduction of constitutional reforms of 1909 in this Province. A few years ago a Council composed as is our Council to-day would have seemed beyond expectations. During the last three years there may have been differences of opinion ; we have nevertheless always cordially appreciated and admired the great talents, the extraordinary ability, the high moral purpose and not the least of all the untiring and conscientious application and devotion to duty which have characterised Your Honour's work as the head of one of the most important administrations in this country. I may be permitted to add one word to what I have said to give expressions to the earnest prayers of each and every member of this Council, that Your Honour, and in this connection I may add Lady Dane, will live long to enjoy happiness and prosperity."

The Hon'ble Sardar Bahadur Sardar SUNDAR SINGH, Majithia :—

" Your Honour, in offering my congratulations to the Finance Member for again presenting a prosperity budget I have to remark that our Hon'ble colleague has not, in any way, stinted expenditure where it was necessary to incur. The demands of all the departments have been sympathetically met and still the net result is expected to be a clear closing balance of Rs. 1,46,22,000, thus showing that the resources of the Province have been judicially husbanded under the sympathetic care bestowed upon it by Your Honour.

" I hope I shall be excused if I say a few words expressive of our feelings on the present occasion, as this will be the last meeting of the Council which will be presided over by Your Honour. The destinies of the Punjab for the last five years have been in the hands of a ruler who has been known for his courtesy, sympathy and kindness to all and whose keen insight into the things and the mature judgment and experience that he brought to bear upon the affairs of the Province placed under his charge have led to the well being of all the classes inhabiting this Province. Your *régime*, Sir, has witnessed the expansion of the legislative machinery of the Province, and the new enlarged Councils, in which all the different communities have found a

just and proper representation, are the result of your sympathetic care. Under your guiding hand the first enlarged Council passed many a useful measure and the dicussions though varied have generally been harmonious and the members have always had a kind and a patient hearing from the chair. The agricultural prosperity of the Province has been chiefly due to the extensive irrigation schemes—in themselves a wonderful production of engineering skill—that have been carried out during the *régime* of Your Honour and those who are in the know can well understand the care and the keen insight that have been displayed by Your Honour in the carrying out of these projects. The usefulness of this investment will not only add to the wealth and opulence of the inhabitants of this Province, but some of the poorer inhabitants of the adjoining States from which the labour employed on these projects has been drawn have, by the way, benefited thereby. These canals will prove a safeguard in the year of scarcity, though we all fervently pray the Almighty to spare us from such a calamity.

"Though we have greatly suffered from the ravages of plague, but your Government has not spared any pains to combat with this disease. But a great deal in this respect depends upon the people themselves. Unless they learn to live in well-lighted and well ventilated houses we can't hope to get rid of this fell disease. The advance of education particularly in the remote villages and the dissemination of the useful literature in the mother-tongue of the people will bring about the desired result. Just at present Government cannot move too fast in this direction, as the ignorant masses are very apt to misunderstand the good intentions of the Government. This brings me to Punjabi, the mother-tongue of the Province, which is spoken in every home and hamlet and which in fact we imbibe with our mothers' milk. This subject has received a most sympathetic consideration at Your Honour's hands, and with the acceptance of the Roman Script the jarring controversy and the most unsympathetic attitude that has been adopted by some of the sons of the soil towards it will, I hope, for ever be set at rest, and the mother-tongue of the people, it is hoped, will take its rightful place in the Province from which it has so long been debarred, and for this solution the hearty thanks of the Punjabis are due to Your Honour.

"Before concluding I have to thank Your Honour for the kindness that you have been pleased to show to the Sikhs who form an important community of this Province. As compared with its sister communities, though we are a minority, but in the Punjab we have held a unique position, and since the annexation of the Punjab our devotion and loyalty to the Sovereign have been consistently steadfast, and we are thankful that our claims have received sympathetic consideration of Your Honour. With Your Honour's kindness we have in this Council three representatives of our community, and for this the thanks of the Panth are due to your good self.

"Your interest in our welfare and in our institutions has been most kind and has given us redoubled energy to improve our backward condition, and the past decade has seen us rapidly making leeway towards the goal of communal advancement and thereby coming abreast with other communities in the race of learning.

"Our hearts are sorry at the thought of parting with a sympathetic and kind Governor who has guided us in the past five years so considerately and thereby won our respectful affections. We are no less thankful to Lady Dane for the kind interest her Ladyship has taken in the well-being of our sisters and the motherly care she has bestowed on the institutions for the bringing up of our womenfolk.

"In bidding Your Honour a profound and respectful farewell we wish Your Honour and Lady Dane many years of happiness and prosperity

in the well-earned rest from active life and pray and trust that Your Honour's wide and varied experience and wonderful energy may still find a useful career in England in some way or other connected with India and that the people of the Punjab and the Sikhs will ever be remembered by Your Honour."

The Hon'ble Mr. Currie :—"Your Honour, I desire to be associated with the words which have fallen from my Hon'ble colleagues in expressing their appreciation of the courtesy which Your Honour has extended to all the Members of the Council. On behalf of the commercial community I desire to say that Your Honour's great and sustained interest in ev erything calculated to promote commerce and industry has been greatly appreciated. Your Honour has also given great concern to all measures to provide for the young men who are coming with their education to take their places as useful citizens. Indeed, Your Honour's term of office will always be remembered as one associated with exceptional measures of sympathy and wisdom—wisdom expressed in the measures that have been directed by Your Honour, and great interest and sympathy with everything that was calculated to promote the welfare of the people."

The Hon'ble Nawab Ibrahim Ali Khan :—"Your Honour, some of my Hon'ble friends have spoken before me about the distinctive features of Your Honour's administration and personal virtues and some might come after me, which I take for a proof of the high respect and sincere affection which the province cherishes for Your Honour.

"Sir, I come from that part of the Province which is comparatively backward in Western education, and if instead of polished platitudes I use plain and simple language, I should not be taken to be lacking in the love and sincerity which the whole Province has for Your Honour.

"It has been said that a constitutional Government is invariably impersonal; consequently it does not reach the hearts of the people it governs. But Your Honour, by evincing a personal interest in all matters of importance and welfare of the people, and by Your Honour's obliging courtesy and kind treatment of all who came in contact with Your Honour, have brought home to all who are concerned in the good government of India how a constitutional ruler can win the hearts of the people entrusted to his care.

"It is a matter of great gratification that the financial conditions of the Province have throughout been in a very flourishing state, and to-day we find a handsome surplus to which we can fall back in times of need. Your Honour's successful career, I strongly hope, stands a living example of a constitutional Government stamped with personal sympathy and interest.

"Sir, the language of genuine feelings is short, and feelings moved by Your Honour's approaching departure from the Punjab are so impressive and overwhelming that I cannot express what I with others feel, and so resume my seat joining others in the sincere wish that Your Honour and Lady Dane may enjoy many a year of happiness and well-earned rest."

The Hon'ble Lala Kashi Ram :—"Your Honour, after all that has been said in praise of the highly efficient and sympathetic administration during your period of office I think it would be a mere repetition on my part if I were to say anything on the subject. I think it only remains for me to associate myself with all that has been said in praise of that administration, and I congratulate Your Honour upon the all-round progress which the province has made during Your Honour's *régime* and upon the good opinion that Your Honour will leave behind and the good wishes that Your Honour is carrying

with you. I have only one remark to make in connection with the prosperity budget upon which the Hon'ble the Finance Member has been congratulated, and I join in all that has been said in congratulating him upon the way in which he has handled the difficult problems of this complicated budget. There is only one point in connection with which I have to ask Your Honour's attention and that may be taken into consideration in framing the next year's budget. That is in connection with the resolution which we were discussing upon the improvement of the sanitation of the villages. Your Honour was good enough to hold out hopes that Your Honour would undertake to advise the district boards for forming sub-committees and attending more to the sanitation of the villages. In connection with that I would ask Your Honour to consider if it would not be a proper thing to institute a separate department with an expert in hygiene, so that that department may be in a position to look more carefully to the requirements of hygiene of the school children, sanitary improvements of the towns and sanitary improvements of the villages : it would be a gain to the province to have an expert in hygiene with a separate department of his own for giving advice to the district boards, municipalities and generally to Government. In the end I join with all that has been said for congratulating Your Honour and in wishing Your Honour a long life and prosperity in retirement, in which we hope your interest in the welfare of this province, which you have loved so well, will continue."

The Hon'ble Mr. MANT :—" Your Honour, – As time is getting short, and I know that the Hon'ble Members are anxious to hear your Honour's last remarks in this Council I will confine myself to a few main points and not attempt to traverse the wide field over which to-day's discussion ranged. The Hon'ble Mr. SHADI LAL has criticised our large balances and conveyed a delicate suggestion that they indicate bad finance. Now *primâ facie* that criticism is perfectly correct, but it must be remembered that the financial powers of the Local Government are somewhat restricted. I have already explained in my printed memorandum that the Government of India have refused to allow us to invest our balances. Therefore we simply have to choose between keeping them and spending them. As regards the question of spending them it must be remembered that they have been acquired from sources which are non-recurring. The balances have been built up mainly from land sales on the canals and from special grants from Imperial funds. In this connection I do not think I can do better than remind my Hon'ble friend of the remarks made by the Lieutenant-Governor of the United Provinces at the budget discussion there the other day. Sir James Meston brought out three points which are equally applicable to the Punjab. The first was that all the projects on which money might be spent involve recurring expenditure in some form or another. The second was that we have no guarantee that we shall get any more grants of this kind. The prospects of the future opium surplus are very uncertain. And the third point is that there is not enough money to meet all demands. It is therefore obviously necessary that the whole of the demands should be collated and compared before the money is given out. It is obviously right, for instance, to await the results of the Sanitary Conference before giving away any more money for sanitary projects. My Hon'ble friend also criticises the constitution of the Finance Committee, and complains that its functions are purely formal. I do not know whether this is the opinion of the present members of the committee, but I do claim that if the committee fails to exercise a real check upon the budget it is not my fault. For the last two years I have steadily tried to give the members every opportunity to criticise the official proposals and to put forward their own views. I am not quite sure what more the Hon'ble Mr. SHADI LAL wants. If he wants to give the committee the spade work of the budget, that is now done in the Secretariat, they are very welcome to it, but I do not think it would be very

easy to find members for it. I cannot help thinking that my Hon'ble friend, who is usually so up-to-date, is a little behind the times in this matter. If he had been on the present committee he would have found the non-official members taking a real part in the constructive work. Perhaps one instance will suffice to show what I mean. It was in consequence of the suggestion made by a non-official member that two lakhs were added in the budget this year for distribution to the district boards to assist in maintaining roads. There is one other point: it was Sardar GAJJAN SINGH, I think, who suggested that the Government should take over the village chaukidars, and that the present chaukidari cess should be devoted to village sanitation. I may say that this question has already been under the consideration of Government. Enquiries are being made as to the present cost of chaukidars, and as to the cost of replacing them by police. But the figure is bound to be very large, and I am afraid Provincial Revenues will not be able to undertake the charge without assistance from the Government of India. However, a neighbouring province has recently received a large grant from Imperial Revenues for a practically identical purpose, and if we can make out a good case I can assure the Council that the Local Government will not hesitate to lay it before the Government of India. In closing I should like to express my acknowledgments to the various members who have spoken for the kind way in which they have received the budget, and especially to the members of the Finance Committee whose assistance, both at the preliminary and at the later stage of the budget, has been of the utmost value. Finance is sometimes perverted to political purposes, but it is essentially a non-party subject, and I think we can claim that in this province at any rate it has not been affected by the apples of discord which have been dropped in certain recent discussions, and on the Finance Committee the representatives of this Council have always shown themselves actuated solely by a desire to lay out, to the best advantage, the increasing funds which recent years of prosperity have so fortunately brought to the Provincial Exchequer."

The Hon'ble Mr. DIACK.—" Your Honour, of the Hon'ble Members who have spoken there are two critics of the land revenue, the Hon'ble M. MUHAMMAD AMIN KHAN and the Hon'ble Babu GAJJAN SINGH. The criticisms have not been very severe and my reply, I am glad to say, will be very brief. They referred to the desirability of a longer term of settlement and the Hon'ble Sardar GAJJAN SINGH referred to the harassment to the people resulting from a revision of rates. They do not seem to be aware of the advance that has been made in both directions during Your Honour's term of office and under your direction. In the districts of Attock (in which the Hon'ble M. MUHAMMAD AMIN is interested) and Rawalpindi the period of the new settlement is 20 years which used to be the ordinary term in the Punjab, but those were settled before Your Honour took over charge and the period of settlement was practically settled before you assumed charge of the office of Lieutenant-Governor. Of the other districts which have been settled in your time the following have each been given a term of 30 years: Hissar, Rohtak, Gurgaon, Delhi, Karnal, Ludhiana and Gurdaspur, and of these districts three had previously only a 20 years' term, that is to say, Hissar, part of Karnal and Gurdaspur. I think we may take it that as far as possible in the districts which are now or may hereafter come under settlement the term will ordinarily be 30 years.

" As regards harassment, I had to speak on the subject about three years ago on a similar occasion. I then was able to point to the Ludhiana settlement which was completed in three years. I am glad to say I can now point to another settlement which has been practically completed in that time, that is, Amritsar. In Ferozepore, too, the work has been carried through very quickly It has been completed in 2 tahsils in little more than two years and is approach-

ing completion in two others. And I might also draw attention of the Hon'ble Members to the manner in which the revision of records has been carried out in the Gujrat and Lahore districts. In Gujrat it has been completed two years in advance of re-assessment, and in Lahore one year's work has been done in advance of settlement, and the bulk of the revision work will have been completed in two years. We cannot always count on getting the work finished in that time, but it should never now exceed three years.

"The Settlement Officer of Amritsar on one occasion asked a zamindar his opinion about the manner in which the settlement was being done. He said—"Sir, we have not even known that there was a settlement in progress at all." When that point has been reached, settlement has surely been shorn of much of its terrors.

"I will say just one word more on the subject that is first in our thoughts to day, the non-official members have detailed so fully the admirable qualities Your Honour has shown in conducting the business of the Council that there is nothing left for me to add. I will only say that we, official members, wish to associate ourselves with the non-official members in thanking Your Honour for the kindly manner in which you have presided here, and in wishing you and Lady Dane a very long and happy life at home in England."

His Honour the PRESIDENT:—"Gentlemen, I am afraid that your warm hearts have led you to dwell so much upon my numerous excellences, mostly imaginary, that you have been pleased to represent to yourselves, that you have not given yourselves as much time as you might have wished to consider other matters of a more permanent interest to the Province arising out of the budget discussion. However it is the very fact that the Punjabees have a very warm heart that enables them and us to get along so well, and therefore I cannot blame you, even though you have made me feel very uncomfortable by hearing the reiterated praises of myself from every non-official member of this Council. I can only assure you that I value your opinion and that, wherever I am, my services will be entirely at the disposal of the Punjab. I ought to add, though perhaps it is not quite a matter usually mentioned in a Legislative Council, that I thank you for your very kindly references to Lady Dane. The Punjab does owe a great deal to her, and I also owe a great deal to her for assistance in the administration.

"And now to turn to other matters. I think Hon'ble Members have seen this very interesting paper* which the Finance Member has prepared showing the actual expenditure from 1907-08 up to 1912-13 and the budget for 1913-14. I have often had occasion to draw attention to the way in which this Government was hampered in the earlier years of my administration by an absolute want of funds, and this statement lends most cogent proof to the remarks I have ventured to make. You will find that the closing balance of 1907-08, that is to say shortly before I took charge of the Province, was about 30 lakhs. That was bad enough, because a very large portion of that balance consisted of special assignments for improvements in Simla and for other purposes, which were not available for general purposes; but the position was even worse then would appear from those figures. If you will look at the next column you will see that the balance at the end of 1908-09 was only 14½ lakhs. Now it was the balance at the end of 1908-09 with which I had to deal, because the budget for 1908-09 was fixed before I took over charge and it would have been most improper of me, seeing that I had not the information at my command at that time, to alter the budget figures for that year. So the

*See Appendix B.

position I found myself confronted with was that I had a balance of only 14⅓ lakhs, and out of that 14⅓ lakhs no less than 13 lakhs consisted of special assignments for work at Simla which could not be touched by the Provincial Government. The Provincial balance therefore on my assumption of office was 1⅓ lakhs. I was abused freely in the paper for want of sympathy with almost every conceivable branch of the administration because I did not allot money for it. You, gentlemen, know from your experience of the budget proceedings that, with a balance of 1⅓ lakhs, it was absolutely impossible for any one to spend much on new developments. We barely had enough money to pay our establishments. You know what was done. I took the very earliest opportunity of representing and of again representing our condition to the Government of India and received very cold comfort on three occasions. Eventually the finances of the Government of India became very prosperous and we were able to press our contention upon the Government of India in a more public manner than the Local Government is generally able to succeed in doing. The results were eminently satisfactory. We succeeded in obtaining, if not all that we wanted, at any rate a considerably better provincial contract from the Government of India. If you will look at the statement, you will see how the balance went on increasing after that date. In 1910 it was 28 lakhs, in 1910-11 it reached 70 lakhs, in 1912 103 lakhs, in 1912-13, 190 lakhs and at the end of this year after an unprecedented expenditure we hope to have 146 lakhs. This is a record, gentlemen, of which I think the Local Government and this Council may feel very proud, and a great deal of credit is due to my Hon'ble friend the Finance Member, and some to myself for having been wise enough to create a regular Finance Department and to place so competent a gentleman in charge of it. But the whole of that budget balance is not available for current expenditure. A very large portion (something like 35 lakhs) consists of special advances by the Government of India, most of which are made for special purposes and can only be used for those purposes. But, even leaving out that 35 lakhs, we have a very substantial sum to lay up against bad times to come. So I think the Local Government with such ample provision against a rainy day may now well launch out in future on those great schemes of sanitation, education and general improvement of which this Province stands so urgently in need. For my own part, in addition to having made better arrangements for the financial administration of the revenues of the Province, I can claim to have collected out of this amount which stands to our credit, a sum of 120 lakhs, that is practically the whole of the balance, after leaving out the Government of India contributions. The way that was done was, that much against the grain, I had to harden my heart and to realize a very considerable proportion of the arrears which were outstanding when I took over charge and which otherwise would have been remitted. About 50 lakhs were collected as land revenue in that way. Then 140 lakhs we have collected as the proceeds of the purchase by colonists and others of proprietary rights in their land in the Province. I was to a great extent responsible for that policy, and I am glad to think that it has realized 70 lakhs of rupees for the Punjab Government for expenditure on great schemes of material improvement. Now Mr. MANT has explained to the Hon'ble Rai Bahadur SHADI LAL why it is that our balances cannot be spent in a great hurry and why it is that we cannot invest those balances. I can assure the Hon'ble Member that, from the moment that the balances began to grow large, we have been seeking suitable schemes, both for investment and expenditure. You have heard from Mr. MANT that the Government of India declined to accept our proposal that we should be allowed to pay off the balance of the local loan account (I think it is 68 lakhs of rupees), in order that we might reduce this sum, which is lying at present idle and which is a sore temptation to the Government and to Hon'ble Members alike, and thus bring us in an

extra revenue of 4½ lakhs a year; but the Government of India claim to have a prescriptive right to lend us our own balances at 3½ per cent. interest. It may be quite correct, and it may be good finance; I can only say it is rather an astonishing proposition and it makes the task of the Local Government very difficult in dealing with these balances. However, the financial genius of my Financial Secretary is still dealing with the question. I am not at liberty to say exactly what fresh proposals we have made to the Government of India, but we have made such proposals and we hope, if they will not allow us to reduce our loan account, that they will allow us to reduce other debts which are at present weighing very heavily upon our finances, and I hope something may come of it.

"As regards spending this money, I have thrown out already a suggestion that no better use could be found for it than to invest some of it in the small irrigation works, such as the Namal dam, of which I recently gave an account at Mianwali, and other works of this description. They are too small for the Imperial Government, but they are schemes which the Provincial Government might very well take up. If this new dam proves to be a success, I do not think you will have very much difficulty in disposing of about 6 or 7 lakhs a year out of your balances upon these small irrigation works, which will be of the greatest possible benefit to the Province.

"Then there is another question—railways. Several gentlemen referred to railways, especially my Hon'ble friend Nawab BAHRAM KHAN, who again has drawn our attention to the distressful condition of Dehra Ghazi Khan. This time I am glad to say it is not because of the river Indus, nor is it because of the inadequate water-supply. I am happy to say that at any rate I have succeeded in removing that reproach. It is because there is no railway connecting Dehra Ghazi Khan with the rest of the world. This is of course most regrettable, but there are several other cities in the same case. Hon'ble Members will find on the table a very valuable and most interesting account which the Hon'ble Sir HENRY BURT has compiled* and which I very much regret he is not here personally to read to you to-day. The record of the North-Western Railway under his agency has again been marvellously successful, and he mentions there a number of things which he has done to meet the difficulties and the wishes of the public and the requirements of this Province. You will find that he is still working away at the problem of refreshments on running trains for Indian passengers, improved traffic services to Delhi, and the construction of a good many branch lines in the Province which they are investigating and some of which are actually under construction. It has been my pleasant duty from time to time to bring the wants of the public prominently to his notice, and I am glad to have this opportunity of acknowledging the great courtesy with which the management of the North-Western Railway have always met our suggestions, and the care they have taken to carry out surveys and other measures which would justify the construction of a railway. There are one or two very desirable lines, like this one to Dehra Ghazi Khan; thus there is the line which is at present under survey from Pakpattan to Dipalpur, Hujra, Chunian, Changa Manga, Balloki and Nankana, possibly with an extension to Lyallpur. It will be a very valuable line, especially the first part of it, and it will save an immense amount of expenditure, amounting to lakhs of rupees, on metalled roads which bring in no income. I have brought this very prominently to the notice of the Deputy Commissioners of Gujranwala, Lahore and Montgomery in the hope that they will work the matter up and try to induce local capitalists to embark in the venture. In Madras district boards are very enterprising, as we might expect in that advanced Presidency, and they guarantee the interest of such light railways. I really

* *See* Appendix C.

know no reason at all why some of our district boards, especially the district boards of these three great districts, enormously wealthy from the results of land irrigation, should not do something of the same kind in order to give local capitalists and local capital a chance. I also think some means might perhaps be found of inducing the Government of India to allow us, if necessary, to add a guarantee to that of the local boards based upon our balances as long as we have these large sums at our credit. They could not possibly involve us in very serious loss and it might lead to a new departure in the matter of branch railway construction in this Province, which is so very much needed. As you know, we have repeatedly made attempts to have lines constructed by Punjab companies. I am sorry to say that, with the exception of one small line at Jagadhri (and the local promoters deserve great credit for their enterprise, and they are doing very well I am glad to say) no line has been constructed by purely local capital. The proposals of Mr. Harkishen Lal and others to construct the Jullundur-Doab Railways, and the proposals of Lala Rocha Ram to make the Madra-Chakwal line fell through, though the lines have been taken up or are being taken up by outside agencies or Government. It does seem rather curious that, notwithstanding the enormous amount of gold that is pouring into this Province (between two and three millions of sovereigns alone a year) some of this money cannot be diverted to investment in railway construction, an absolutely sound form of investment and one which does much good to the country as well as to the investors. At any rate as far as the present conditions of the Punjab go, it is an absolutely safe form of investment. I think I am correct in saying that, leaving out the frontier lines and possibly some lines just constructed, there is practically not a railway line in the Punjab at the present moment which pays less than 8 per cent., notwithstanding the fact that of recent years a very large proportion of the cost of renewal and improvement has been met out of revenue instead of out of capital. If even 8 per cent. is not sufficient to induce the Punjab capitalists to embark upon so sound an enterprise, I can only say that either the profits they must make are enormous, or that their enterprise is exceedingly small.

"Speaking on the subject of railways naturally leads one to the cognate subject of Commerce and Industry. I am very much obliged to the Hon'ble Mr. CURRIE for the kind remarks he has made about the interest I have always taken in the promotion of Commerce and Industry. It is a matter which I steadily set before myself from the day I took over the Province. It is a very difficult matter in which to make any visible progress. Unfortunately too, the warmth of feelings of the Punjabees, which at times evinces itself in so pleasurable a form, at other times leads them to indulge perhaps in too vigorous recriminations in matters of public enterprise, and I cannot help thinking that if share-holders took more trouble to look steadily after the management of companies, they would really do more good to the country and to themselves, than by indulging in sporadic outbursts of violent abuse of everybody and everything connected with the management of those companies. It is of course very demoralising to the public and it is not encouraging to them to come forward as investors when they find that everybody who has anything to do with companies comes in for a great deal of abuse. There is no use in washing dirty linen in public, and in the matter of companies there is nothing so disastrous as to wash your dirty linen in public until it is absolutely necessary. You have heard what we have done to try to encourage industries. I think that good results will follow from the Industrial Conference, though one of the main results of that Conference was to show how extraordinarily difficult it is for Government to do anything to help on an industrial revival. I hope, however, that we shall be able to do something to help in formulating schemes which we are actually engaged in considering at the present moment. Industrial educa-

tion may prove useful and greater facilities may be afforded to persons who wish to start industries of carrying out their wishes.

"You have heard also my aspirations in the matter of white coal. I spoke of it at length the other day. I am glad to think that I have done something to protect our local supply of black coal. The North-Western Railway, as you know, had mines at Dhandot which were no longer of use to them. I helped in securing the lease of those mines for one of our Punjabee leaders of industry and I am very glad indeed to hear that he is doing exceedingly well, and that his coal is finding a free sale and is going down as far as Cawnpore. So that my idea that Punjab coal is not entirely useless seems to have been fairly well borne out. I am pleased to think that I was able to help another Punjabee industrialist who had the lease of the Makarwal coal mines in Mianwali and who was involved in considerable difficulties owing to the want of railway communication and impossibilities of carriage. I have given him extension after extension of his license, and at last he has succeeded in obtaining the most satisfactory aid from capital which I hope will place that colliery also in a satisfactory position. So that the only collieries that we know to exist in the Punjab are now being efficiently worked, or at any rate will very shortly be efficiently worked; and this will do a great deal to make us free of Bengal. Bengal coal is much better, but we are liable there to have our supply blocked by strikes or coal rings, or a rise in railway rates or inadequacy of wagon supply, all of which things occur very frequently and are very troublesome. I am a very obstinate person, and I do not like to give up anything until it is proved to be impossible. You know that for years a certain amount of oil has been worked at Rawalpindi, in the Attock district and Mianwali. Well, it was held that this field was not likely to yield a good supply of oil. I was not myself entirely convinced that the arguments on which this opinion had been framed, were entirely sound. I could not very well embark Government money in such an enterprise, but I did the next best thing; I got other people to spend their money on it. We have had an expert out here, and though of course commercial men do not give their secrets away, I have every reason to believe that the opinion of that expert is probably favourable towards the existence of oil in considerable quantities in the North-West. What that may mean to the Punjab I am sure all of you gentlemen will understand when you know that the prosperity of Burma depends largely on two things,—its oil and its forests. If we cannot succeed in getting cheap power from white coal and black coal and oil and so making our industries a great success, and thereby affording what I consider a most essential condition of real progress in the Punjab, good openings for our educated young men, all I can say is that I shall have a poorer opinion of the Punjab than I certainly have at present.

"Now I turn to some general matters which have been raised to-day. The Hon'ble Mr. MUHAMMAD SHAFI asked a very searching question about the conditions of the judicial service. I quite recognise that the conditions of salary of no service can be satisfactorily fixed in a country like this where prices and wages and the cost of living are rising so rapidly every day, but we do what we can. You heard how impecunious we were at the beginning of my term of office; but notwithstanding that, in 1908-09, that is to say the year of our greatest adversity, we took up the question of improving the conditions of the judicial provincial service and we effected very substantial improvements in that service. Similarly, we took up first the conditions of the subordinate judicial service before we touched the executive services at all. Subsequently it is perfectly true that we did improve the conditions of the executive branches, but the judicial service came first. I do not regard those improvements as in any way final. They were made at a time when our finances were at their very lowest possible ebb, and we could not do as much as we wished. But it

was better to have half a loaf than no bread, and, although I am glad to see that Hon'ble Members have a very proper regard for economy, especially in recurrent expenditure and salaries, I feel sure that, as from time to time it may be necessary, in order to provide a living wage for those officers who do so much of our work and do it so well, the Local Government will not be backward in taking up and considering schemes for further improvements in the judicial and executive, provincial and subordinate services. I have every reason to hope that the scheme for the revision of the superior judicial service will shortly be accepted, and that will be a most material improvement in the condition of officers of the judicial branch, and should conduce also to the efficient administration of justice.

"There was a proposal in one question to-day that two additional Divisional Judges should be permanently added to the Punjab so that the arrears of work as they occurred might be wiped out. About that I should only like to say that it was only three years ago that we made a very large addition to the permanent staff of the Divisional Judges with this very object; and, though of course, work will increase, it seems a little soon, especially when this other scheme for the reorganisation of the service is pending, to take measures to add further temporary assistance for the Divisional Judges. Our Judges are most conscientious officers, but if an officer knows that he has only to do his regular tale of work and that when cases pile up and are adjourned an additional Judge will come and wipe them out, I am afraid that such arrears may be frequent. I am rather disposed to think it is better to let an officer understand that he must do, as we have always done in the Punjab, not what he is pleased to regard as a proper tale of work, but as much work as he possibly can do within the limits of his constitution and the time at his disposal. The probability is that if he does that, there will be no arrears.

"The Hon'ble Mr. HARI CHAND has thanked me for grants to Multan, Rawalpindi and Sialkot. I may say I had very great pleasure in making those grants for valuable schemes of urban sanitation. He has mentioned the case of the Multan hospital. I am also very happy to be able to say that the matter has already engaged the consideration of the Government and a scheme is being prepared for an entirely new hospital on a suitable site, I think in the old fort, which I think will meet the requirements of the people. The present hospital will be added to the Zenana hospital which adjoins it.

"Malik MUHAMMAD AMIN and Sardar GAJJAN SINGH have pointed out the harassment entailed by our settlement system and the desirability of long term settlements, and I think the reply my Hon'ble friend Mr. DIACK has given has satisfied you that the Punjab Government has not been forgetful in this matter. We quite admit the harassment; we have done all in our power to reduce it; we quite admit the difficulties attending short-term settlements and wherever possible we give long settlements At the same time we have to consider posterity to some extent, and we have no right whatever, because we happen to be prosperous at the moment, to tie the hands of our successors. Other demands may come upon them which they may be entirely unable to meet unless they have the power of revising the share due to the Government from the produce of the land in the hands of the people. That is what our land revenue is. It is not a tax, but it is actually a Crown rent I was particularly interested in one of the remarks of the Hon'ble Malik MUHAMMAD AMIN and I think Sardar GAJJAN SINGH said something to the same effect. He asked what is the use of conducting all these enquiries? Where there has been no radical change in agricultural conditions, why should you not come to a simple agreement between Government and the people and have no settlement at all? Well

gentlemen that is one of my pet fads. I know in several districts the people would have been only too ready to accept some such arrangement, but I am sorry to say there were difficulties and reasons why it could not be introduced in those districts. One of the difficulties was that one of the districts had been settled by myself and it would have looked as though I had been trying to prevent my own work from coming under review. And there are also other reasons why it should not be done; but I still think that, where there have been no great agricultural revolutions such as the provision of a new canal, there is no real reason why in this country the Crown rent or revenue should not be fixed by a simple form of rough agreement between Government and the people as it is in other countries and in India itself between proprietor and tenants. We are supposed to take half net assets; as a matter of fact in the Punjab we are not taking more than a quarter of net assets anywhere; that is to say, we are taking 50 per cent. only of the demand to which we are theoretically entitled. That being the case, it ought not to be very difficult for a tactful Government Officer to settle with the people what they would pay for the next 30 years without going through all this revision of maps and records, which again according to our system we ought to have done during the currency of the settlement. However I am afraid I stand rather alone at present in that opinion; but I live in the hope that, as in a good many other cases, what I think to-day, other people will think 5 years hence.

"The Hon'ble Malik MUHAMMAD AMIN and others have referred to the question of rural sanitation. The Hon'ble MR. KASHI RAM has been very urgent on the point. We dealt rather fully with that at the last meeting. The promise that I then made I am carrying out. I am drawing the attention of the district boards to the necessity for moving in the matter of rural sanitation more actively than they have in the past. We have also been given very large sums for sanitation, and I have therefore arranged for the summoning in July of a Sanitary Conference, including a large number of non-official gentlemen who are interested in sanitation, with the object of deciding, with special reference to the resolutions passed at the great Sanitary Conference at Madras, what is the best way of carrying out those principles on which all are agreed as essential to a good system of either urban or rural sanitation. As regards the appointment of an Extra Assistant Commissioner or district sub-committees, of course the necessity for this varies in accordance with the personal idiosyncrasy of the Hon'ble Member. I have already mentioned that we have a large number (I think it is something like 40) Assistant Surgeons and Sub-Assistant Surgeons employed nominally on plague duty, but really now engaged in sanitary work. We are paying them as for special plague duty, as under the rules we should have considerable difficulty in keeping them as a permanent staff for sanitary purposes; but these men actually are doing exactly what the Hon'ble Malik AMIN and the Hon'ble MR. KASHI RAM desire. I do not know whether there is a plague officer in Attock, as that district has been free from plague recently and there may not be one there. I think that in any case we should be better advised to employ medical officers, Assistant Surgeons and Sub-Assistant Surgeons, as our sanitary delegates than by putting on executive officers, however competent, or definite sub-committees. What you have got to do is to gain the confidence of the people. The man who gains the confidence of the people is the one who can cure their diseases. That is what our plague staff are doing at present. I am glad to say I read a paper the other day in which I saw that they have gained the confidence of the people so much that in one quarter of this year they were able to do as much in the way of medical relief as they had done in the whole of the previous year. That I think is a great record. Gentlemen, I am very glad to have an opportunity of bringing the services of these officers to your notice.

[*The President.*]

"Plague has also been mentioned by Sardar GAJJAN SINGH and others. Of course plague is really a most terrible calamity, and I cannot be too grateful that Almighty God has been pleased, during my term of office, not only to give us good harvests, but, with the exception of one year 1908, to moderate the rigours of the attacks of malaria and plague. We have been very free from a bad attack of plague now for a long time, and the season this year is so far advanced that I hope we may be spared again this year. I am glad to think that the future is more hopeful because the people have realised, especially in the villages, that the only real remedies we have against plague at present are evacuation and inoculation. Wherever evacuation and inoculation are resorted to, the attack of plague, as is shown by actual experience, has always died out or assumed a mild character. To these measures we have added, thanks again to the energy of Sardar DIAL SINGH and others, a system of smoking out rats which has been found by practically over three years' experiment to be most successful. For the first time I think for 12 years Sargodha, which was a regular focus of plague for the whole North-West of the Province, has up to date been free of plague this year, and my expert officers assure me that that result is practically entirely due to the two occasions on which we thoroughly smoked out the rats in the whole of the town. In Sultanpur and in Gurdaspur too, which is also a bad centre, similar measures were adopted except in two mohallas, and no plague has occurred except in those two mohallas. These are two very prominent instances. There is nothing in the process of smoking out rats to which anybody can possibly take any objection, and not only is it effective for clearing houses of rats, but it is very useful for ridding the fields of the pest of field rats. I am glad to have an opportunity of acknowledging here the good work that Sardar Dial Singh has done in this matter and the energy with which our plague establishment have taken up his suggestions. I see in this the possibility of enabling us to free towns of plague in the same way that we can free villages by evacuation which is not always possible in towns.

"The Hon'ble Rai Bahadur RAM SARAN DAS has expressed a hope that we shall not be too commercial in our dealings with the canals. I quite recognise that his position must be a very difficult one, for, as a leading commercial man, if he owned a canal he, like the Government of India, would wish to run it on commercial lines. But at the same time I can assure him that he need not be under any apprehension. Governments are always very tender of the interests of the people committed to their charge. I have just told you that Government is at the present moment only taking half of what the theoretical amount of the land revenue is supposed to be, and I am quite confident that, though in the matter of canals we have to be a little more strict because canals are made at the expense of the general taxpayer, in practical politics we shall not demand the uttermost farthing of what we can exact on a commercial basis, but, as in the past, we will be content with such reasonable rates as the people are ready to pay to get water.

"The question of medical relief for women has been mentioned. I am very glad indeed to see that the Hon'ble Malik takes so much interest in what I think is a most important matter. We are doing a great deal already and we hope to do more. We are spending about Rs. 50,000 a year on the Northern India Medical College for Women at Ludhiana in order to increase the supply of lady doctors, and what is even more important, we hope to give an additional grant to increase the supply of trained *dhais*. There is no doubt that the greatest possible harm is done by the practice of untrained *dhais* and good and trained *dhais* are an agency that ought to be multiplied as rapidly as funds are available.

"Several Hon'ble Members, and especially Mr. SOHAN LAL, referred to excise matters. Well I had an opportunity of speaking on the subject of

temperance at Amritsar the other day, and also again to-day I have made a few remarks on the introduction of the Excise Bill, so I do not think I need say anything more. What has been done in Kangra has been done in other districts in the matter of prohibiting the sale of liquor at fairs and I quite agree with the Hon'ble Member that this practice of selling liquor at fairs is not one for the Government to encourage, but rather one which, if possible, should not be allowed.

"The Hon'ble Mr. SHADI LAL made some remarks about the Finance Committee and most of his remarks have been answered by the Finance Member. He wanted to know whether it was not open to members of the Finance Committee to make suggestions for the increase of revenue and the decrease of expenditure, or for scheme of improvement. I can only assure the Hon'ble Member that it is open to him or any other member of this Council.—I might go further and say to any gentleman of intelligence throughout the Punjab—to make such suggestions, and they will be only too readily welcomed not only by the local officers, but by the Government itself and if it is open to all members to make such suggestions, it is evident that any suggestion coming from members who are so well placed for the study of the budget as members of the Finance Committee will be welcomed most heartily.

"He (Hon'ble Mr. SHADI LAL) has also thanked me for such assistance as I gave to the University. I can only say that it has been a source of great pleasure to me to work with the University, and the cordial relations existing between the University and the Local Government I believe are not only very much appreciated here but envied elsewhere. I was very glad to be able to help in acquiring the properties, to which he refers, for the new Law and Oriental Colleges, and in regard to this particular house which has now fallen between the Law and Oriental Colleges and the other University buildings, I hope that it will be possible for us to make that over to the University. I think it is at present occupied by a Police Officer and I have no doubt that we ought to be able to find some other suitable place of residence for that officer. I will start an enquiry on the subject and an enquiry once started is often carried through, though I cannot bind my successor. I have been only too ready to assist our local colleges, especially our private colleges, and I am very anxious to meet their wishes in the matter of the acquisition of land, though it is very difficult to acquire land, as the Hon'ble Member knows, for colleges under the Land Acquisition Act. We may be able to do something under the town-planning legislation which is contemplated, but that is a long way off. In the meantime there are plots about which we are negotiating The question really is, what is a reasonable price, and I hope we shall be able to arrive at some satisfactory conclusion on that point.

"The Hon'ble Mr. KASHI RAM has referred to a separate department of hygiene for district boards and municipalities, and also to look after the health of boys at school. We have already taken action as regards the latter matter and I hope that the Hon'ble Member in charge of the Education Department will soon be able to secure the services of a thoroughly competent expert to look after this very important question of the health of boys at school. He will act as an expert adviser to the department and as a sort of inspector to see that schools and colleges are thoroughly up to the mark in this respect and that the local medical men do their duty properly. I do not think we require a separate department of hygiene for district boards. We have our Sanitary Commissioner, who is an expert in hygiene and cannot be appointed unless he is. We have sent up a scheme for a very large increase in the number of the health officers to be employed, and I think, to appoint an expert with a department of hygiene would be rather like carrying coals to Newcastle, because I do not see what they would do beyond what the Sanitary Department is already supposed to do and considering the former paucity of officers does very well,

[*The President.*]

"There was one other matter that Mr. MANT forgot, I think, to mention and that is the question suggested by Sardar GAJJAN SINGH of devoting the proceeds of the chaukidar cess to rural sanitation. In addition to what Mr. MANT has said, I would add that I could not quite understand why it was that we only received 2 lakhs as a dole from the Imperial Government, while an adjacent Province received 29 lakhs and other provinces received 25 lakhs. Looking at the practical results it rather appeared that, they were taking a larger share from the local rates in those Provinces than in the Punjab or that other objects of expenditure were met there from the local rates. I therefore asked Mr. MANT to make inquiries. As far as we can make out at present, the reason seems to be that the other provinces got compensation for the cost of rural police which were paid out of local rates or similar cesses, while our rural police, that is to say chaukidars, are paid, as you know, partly by a cess and partly in grain and consequently they did not come into the calculation. The same idea occurred to us as has occurred to the Hon'ble Member, and that is that we might perhaps be able to devote the proceeds of this chaukidari cess to rural sanitation and then get the Government of India to give us, as they have done to the other provinces, a dole to meet the cost of rural police. It is a difficult subject. The matter is being enquired into, and I can assure you that we shall lose no opportunity of securing as full a share as we can to meet the charge from the Supreme Government.

"Now gentlemen, I do not think I need take up any more of your time I have had opportunities of speaking, I am afraid at undue length, recently upon all possible subjects connected with my administration and on those occasions many of you gentlemen have been present and others have seen the reports in the press. It would have been mere reiteration and tiresome reiteration to review these matters again here, so I have preferred to confine myself to the practical work of answering so far as I could questions raised in the Budget But before I leave you, I thank you all for the very valuable assistance you have given me in conducting the administration of this Province, and I can assure you that, from the time the Legislative Council was first formed in the Punjab—I was present at the first meeting of the Council in 1898—I have always found the Council to be of the greatest possible use to the Government and I venture to think that our present extended Council, in which election has been given fuller play, will be certainly not less useful than its predecessors. On the contrary it should be a better means of informing public opinion on the nature of the measures Government contemplate and of bringing to the notice of the Government the requirements of the people. That is the duty, I think, that the Legislative Council was primarily intended to carry out and it has done that duty well. In addition to this we expect to derive from you much assistance in the administration of our finances and great support in case it should ever unhappily become necessary to represent to higher authority any matter adversely affecting the condition of finances at any future day."

ADJOURNMENT.

His Honour the PRESIDENT :—"The Council is adjourned *sine die*. I will ascertain the wishes of my very distinguished successor Mr. O'DWYER, who, like myself, is a Punjabee and spent most of his services as a Revenue Officer and Settlement Officer, and I am sure will take as keen an interest in the well-being of the agricultural classes of the Province as I have done, and if he would like to have an early opportunity of meeting his Legislative Council, the date of the next meeting of the Council will be fixed and communicated to you in due course."

LAHORE :
The 18th April 1913.

S. W. GRACEY,
Secretary, Legislative Council.

Appendix A.

MEMO.

As the Budget for 1913-14 (hereto annexed) makes no change in the figures of the Revised Financial Statement, presented to the Council on the 13th March 1913, and as no resolution recommending any such change was passed, a meeting of the Council will not be held for the presentation of the Budget, and the general discussion of the Budget in Council will take place at the meeting to be held on the 18th instant (*vide* rule 29 of the Rules for the discussion of the Annual Financial Statement in the Legislative Council of the Lieutenant-Governor of the Punjab, as amended by the Punjab Government notification No. 536, dated 8th March 1911).

R. A. MANT,

Financial Secretary to Government, Punjab.

The 1st April 1913.

STATEMENT SHOWING BY MAJOR HEADS OF ACCOUNT THE ESTIMATES OF REVENUE AND EXPENDITURE FOR THE YEAR 1913-14 AS FINALLY ADOPTED BY THE GOVERNMENT OF INDIA ON THE 20TH MARCH 1913.

Budget heads.	Budget estimate, 1912-13.	Budget heads.	Budget estimate 1912-13.
	Rs.		Rs.
Opening balance	1,90,03,000	*Provincial Expenditure.*	
Provincial Revenue and Receipts.		1—Refunds and Drawbacks ...	83,000
I—Land Revenue { Proper ... / Assignments ...	1,36,31,000 / 29,42,000	2—Assignments and Compensations ...	35,000
IV—Stamps	27,56,000	3—Land Revenue	47,88,000
V—Excise	34,75,000	6—Stamps	89,000
VI—Provincial Rates	30,000	7—Excise	96,000
VIII—Assessed Taxes { Civil ... / Public Works... }	8,11,000	10—Assessed Taxes	5,000
		11—Forest	10,25,000
		12—Registration	1,18,000
IX—Forest	13,29,000	13—Interest on Ordinary Debt ...	1,91,000
X—Registration	3,25,000	18—General Administration ...	11,58,000
XII—Interest	2,34,000	19-A—Law and Justice—Courts of Law	41,86,000
XVI-A—Law and Justice—Courts of Law	4,63,000	19-B—Law and Justice—Jails ...	12,63,000
XVI-B—Law and Justice—Jails ...	3,10,000	20—Police	60,13,000
XVII—Police	1,77,000	22—Education	44,83,000
XIX—Education	4,64,000	24—Medical	28,68,000
XX—Medical	54,000	26—Scientific and other Minor Departments.	13,89,000
XXI—Scientific and other Minor Departments.	1,99,000	29—Superannuation Allowances and Pensions.	10,26,000
XXII—Receipts in aid of Superannuation	84,000	30—Stationery and Printing ...	7,02,000
XXIII—Stationery and Printing ...	1,34,000	32—Miscellaneous	5,19,000
XXV—Miscellaneous	3,87,000	36—Reduction or Avoidance of Debt ...	1,40,000
XXIX—Irrigation—Major Works. { Direct receipts—Civil ... 35,000 / Public Works... 1,22,00,000 / Indirect Receipts—Portion of Land Revenue due to Irrigation. 40,00,000 }	1,57,35,000	42—Irrigation—Major Works. { Working Expenses—Civil ... 1,000 / Public Works ... 40,00,000 / Interest on Debt ... 34,46,000 }	74,47,000
		43—Minor Works and Navigation. { Civil ... ... / Public Works ... }	45,000 / 1,50,000
XXX—Irrigation—Minor Works and Navigation. { Civil ... 16,000 / Public Works... 50,000 }	66,000	45—Civil Works ... { Civil ... ... / Public Works ... }	10,64,000 / 92,97,000
	3,78,000		
XXXI—Civil Works ... { Civil ... / Public Works... }	1,60,000	Total Expenditure ...	4,90,25,000
		Closing balance	1,46,22,000
Total Provincial Revenue and Receipts ...	4,46,38,000		
GRAND TOTAL, INCLUDING OPENING BALANCE.	6,36,47,000	GRAND TOTAL ...	6,36,47,000

Appendix B.

In the following memorandum a comparison is made between the Provincial income and expenditure of the year 1907-08 (as Sir Louis Dane found when he entered office on the 25th May 1908) and the budget estimates of 1913-14 :—

	Income.	*Expenditure.*	*Balance.*
	Rs.	Rs.	Rs.
Accounts, 1907-08 ...	3,09,21,000	3,33,30,000	29,98,000
Budget, 1913-14 ...	4,46,38,000	4,90,25,000	1,46,22,000
Increase ...	1,37,17,000	1,56,95,000	1,16,24,000

The above increases are briefly explained in the accompanying memoranda A & B.

2. The *quasi* permanent provincial settlement made with the Punjab from 1st April 1905 was practically modified at the request of His Honour with effect from 1st April 1911, and the net gain or loss resulting therefrom is exhibited in the table below.

Heads.	Provincial share prior to 1st April 1911.	Provincial revised share.	Increase *.
Income.	Rs.	Rs.	Rs.
I—Land Revenue	1,02,23,000	1,36,31,000	34,08,000
II—Forest	6,64,000	13,29,000	6,65,000
VIII—Assessed taxes (P. W. D.)	...	29,000	†29,000
XXIX—Irrigation—Major Works—			
Civil officers—Owners' rate	27,000	35,000	8,000
Public Works officers—			
Direct receipts	91,50,000	1,22,00,000	30,50,000
Indirect receipts	30,00,000	40,00,000	10,00,000
XXX—Minor Works—			
Civil officers	16,000	16,000	...
Public Works officers	50,000	50,000	...
Total ...	2,31,30,000	3,12,00,000	81,60,000
Expenditure.			
1—Refunds—			
Land Revenue	18,000	25,000	7,000
Stamps	47,500	47,500	...
Excise	6,000	6,000	...
Assessed taxes	5,000	5,000	...
Forests	1,700	3,400	1,700
Provincial rates...	100	100	...
Registration	1,500	1,500	...
Total ...	74,800	83,500	8,700
2—Assignments—			
Life pensions	500	500	...
Pensions in lieu of resumed lands	22,300	29,700	7,400
Excise compensations	4,300	4,300	...
Total ...	27,100	34,500	7,400
11—Forest	5,12,000	10,25,000	5,13,000
42—Irrigation—			
(1) Working expenses	30,00,000	40,00,000	10,00,000
(2) Interest on debt	25,01,000	34,46,000	9,45,000
43—Minor Works—			
Civil officers	45,000	45,000	...
Public Works officers	1,50,000	1,50,000	...
Total ...	63,12,900	87,84,000	24,71,100
Net increase ...	1,68,17,100	2,25,66,000	56,68,900
Fixed assignments surrendered to the Government of India	...	...	46,58,000
Net gain to Provincial	...	...	10,30,900

* Calculations made on the budget estimates, 1913-14.

† Half the income tax assessed on the salaries of Public Works officers, as estimated for 1911-12.

A

INCOME.

I—LAND REVENUE.

(*a*) Fixed collections and other items excluding land revenue due to Irrigation—

		Rs.
Accounts, 1907-08	...	2,24,55,000
Budget, 1913-14	...	2,72,62,000
Increase	...	48,07,000

(*b*) Provincial share excluding Imperial assignments—

		Rs.
Accounts, 1907-08	...	84,20,000
Budget, 1913-14	...	1,36,31,000
Increase	...	52,11,000

(*c*) Imperial assignments to Provincial—

		Rs.
Accounts, 1907-08	...	57,44,000
Budget, 1913-14	...	29,42,000
Decrease	...	28,02,000

The increase under (*a*) is due to—

(1) Smaller suspensions in 1913-14 than 1907-08—

		Rs.
Balance of land revenue on 31st March 1908	...	42,56,000
Balance of land revenue on 31st March 1914	...	24,000

(2) Enhanced assessments under ordinary revenue (including land revenue due to Irrigation)—

		Rs.
Accounts, 1907-08	...	2,31,66,000
Budget, 1913-14	...	3,16,31,000
Increase	...	84,65,000

(3) Sale of Government estates—

		Rs.
Accounts, 1907-08	...	24,000
Budget, 1913-14	...	26,42,000
Increase	...	26,18,000

The increase under (*b*) is due to higher receipts as above stated and to the raising of the Provincial share from $\frac{3}{4}$ths to half since April 1911.

The decrease under (*c*) is accounted for by the conversion (with effect from April 1911) of fixed Imperial assignments aggregating Rs. 49,58,000 into a share of growing revenue partly counterbalanced by certain fresh assignments.

IV—STAMPS.

		Rs.
Accounts, 1907-08	...	42,79,000
Budget, 1913-14	...	55,00,000
Increase	...	12,21,000

Due to (1) commercial and material prosperity of the province, (2) increased litigation and (3) increase in the value of immoveable property.

V—Excise.

		Rs.
Accounts, 1907-08	...	42,15,000
Budget, 1913-14	...	69,50,000
Increase	...	27,35,000

The improvement is due to—

(*a*) high still-head duty on country spirits and high vend fees for the same;
(*b*) check of illicit distillation;
(*c*) improved excise system;
(*d*) keen competition for sale licenses.

VIII—Assessed Taxes.

		Rs.
Accounts, 1907-08	...	14,25,000
Budget, 1913-14	...	16,22,000
Increase	...	1,97,000

Of this increase Rs. 58,000 is due to the transfer, with effect from 1911-12, of income-tax deducted from the salaries of Public Works officers from the Public Works Department to civil accounts and the remainder to the export trade from canal colonies and flotation of joint stock and other companies consequent on commercial prosperity.

IX—Forest.

		Rs.
Accounts, 1907-08	...	14,57,000
Budget, 1913-14	...	13,29,000
Decrease	...	1,28,000

The drop in the forest income is due mainly to the system of selling standing trees instead of being converted into timber. There is a saving of Rs. 1,52,000 on the expenditure side. The surplus income has been—

Year.	*Income.*	*Expenditure.*	*Surplus.*
	Rs.	Rs.	Rs.
1907-08 ...	14,57,000	11,77,000	2,80,000
1908-09 ...	12,89,000	8,52,000	4,37,000
1909-10 ...	10,33,000	6,68,000	3,65,000
1910-11 ...	12,17,000	7,40,000	4,77,000
1911-12 ...	13,10,000	7,65,000	5,45,000
1912-13 (Revised) ...	12,50,000	8,22,000	4,28,000
1913-14 (Budget) ...	13,29,000	10,25,000	3,04,000

The Provincial share of the forest income and expenditure was raised, with effect from April 1911 from half to the whole.

X—Registration.

		Rs.
Accounts, 1907-08	...	2,77,000
Budget, 1913-14	...	3,25,000
Increase	...	48,000

Represents normal growth in registration business.

XII—Interest.

Provincial share only.

		Rs.
Accounts, 1907-08	...	2,85,000
Budget, 1913-14	...	2,34,000
Decrease	...	51,000

The decrease is due to the transfer to Imperial of the interest due on loans to the Delhi municipality, land-holders and agriculturists residing within the Delhi enclave, now separated from the Punjab.

XVI-A—LAW AND JUSTICE—COURTS.

				Rs.
Accounts, 1907-08	...	...	...	3,35,000
Budget, 1913-14	...	...	...	4,63,000
		Increase	...	1,28,000

Of this one lakh appears under magisterial fines, for which no special reason has been assigned in Accountant-General's appropriation report for 1910-11, and the rest is due to the transfer in 1908-09 to this head of Record Office fees of judicial records (Rs. 28,000).

XVI-B—LAW AND JUSTICE—JAILS.

				Rs.
Accounts, 1907-08...	...	...	...	1,83,000
Budget, 1913-14 ...	...	...	...	3,10,000
		Increase	...	1,27,000

The improvement appears wholly under jail manufactures, resulting from the Punjab Government orders No. 818, dated 19th April 1909, which require all provincial offices to use none but jail-made articles.

XVII—POLICE.

				Rs.
Accounts, 1907-08...	...	...	...	5,56,000
Budget, 1913-14 ...	...	...	...	1,77,000
		Decrease	...	3,79,000

The decrease is due to the remission since 1911-12 of municipal contribution for police charges partly counterbalanced by the transfer to this head in 1908-09 of about Rs. 26,000 formerly adjusted under the head "contribution from Local to Provincial" on account of contributions recovered from district boards in respect of localized cattle-pounds.

XIX—EDUCATION.

				Rs.
Accounts, 1907-08...	...	...	...	2,95,000
Budget, 1913-14 ...	...	...	...	4,64,000
		Increase	...	1,69,000

The advance on the figures for 1907-08 is due mainly to (1) the larger attendance and the higher rate of tuition fees levied in the Government College and High Schools, (2) the provincialisation of the Lawrence Asylum at Murree, (3) fees from the Engineering School at Rasul, and (4) the inclusion of the contribution recovered from Aitchison College.

The heads XX—Medical, XXII—Superannuation Receipts, and XXIII—Stationery and Printing call for no remarks.

XXI—SCIENTIFIC AND OTHER MINOR DEPARTMENTS.

				Rs.
Accounts, 1907-08...	...	...	...	75,000
Budget, 1913-14 ...	...	...	...	1,99,000
		Increase	...	1,24,000

The increase is due to—

(a) Recoveries on account of localised cattle and horse fairs adjusted prior to 1st April 1908 through the "Contribution" head (Rs. 24,000).

(b) Receipts of the Agricultural Department (Rs. 13,000).

(c) Provincialisation of the Hissar Cattle Farm from April 1913 (Rs. 77,000).

(d) Miscellaneous items (1) Emigration Fees Rs. 3,000, and (2) Inoculation fees Rs. 1,000 and (3) Veterinary and Stallion receipts Rs. 4,000.

XXV—MISCELLANEOUS.

	Provincial.	*Imperial.*
	Rs.	Rs.
Accounts, 1907-08 ...	... 1,64,000	... 34,000
Budget, 1913-14 ...	... 3,87,000	... 46,000
Increase	... 2,23,000	... 12,000

The increase under "Provincial" is due to (1) the incorporation since 1908-09 of Copying Agency receipts and (2) larger unclaimed deposits.

XXIX—IRRIGATION—MAJOR WORKS.

(*a*) *In charge of Civil officers.*

	Rs.
Accounts, 1907-08...	... 12,29,000
Budget, 1913-14	... 70,000
Decrease	... 11,59,000

The decrease is accounted for by the abolition of owners' rate on the Western Jumna Canal and the Lower Chenab Canal. Provincial share was raised from three-eighths to half since April 1911.

(*b*) *In charge of Public Works officers—Direct receipts.*

	Rs.
Accounts, 1907-08...	... 1,67,17,000
Budget, 1913-14	... 2,44,00,000
Increase	... 76,83,000

The improvement is due to the extension of irrigation from the Lower Chenab, Lower Jhelum and Upper Bari Doab canals and the opening of the Upper Chenab Canal.

Provincial share has been raised since April 1911 from three-eighths to one half.

(*c*) *Indirect receipts.*

	Rs.
Accounts, 1907-08...	... 23,81,000
Budget, 1913-14	... 80,00,000
Increase	... 56,19,000

The increase is due to (1) the enhancement of land revenue in the colony villages on the Jhang and Gugera branches, and (2) receipts on account of interest on the sale-proceeds of waste lands.

Provincial share has been raised since April 1911 from three-eighths to one half.

XXXI—CIVIL WORKS.

(*a*) *In charge of Civil Works.*

	Rs.
Accounts, 1907-08...	... 2,34,000
Budget, 1913-14	... 3,78,000
Increase	.. 1,44,000

Of this increase, Rs. 1,30,000 is accounted for by the fact that contributions recovered from district boards for localized ferries, staging bungalows, &c., were prior to April 1908, adjusted through the head "Contribution from Local to Provincial" and the rest is due to sale-proceeds of sites, materials, &c., of Multan Fort.

(*b*) *In charge of Public Works officers.*

	Rs.
Accounts, 1907-08...	... 1,17,000
Budget, 1913-14	... 1,60,000
Increase	... 43,000

The increase is accounted for by the larger sales of materials of old buildings and other miscellaneous receipts.

B

EXPENDITURE.

3—LAND REVENUE.

				Rs.
Accounts, 1907-08	...	...	...	48,11,000
Budget, 1913-14	...	...	...	47,88,000
		Decrease	...	23,000

(*a*)—*District Administration*—

				Rs.
Accounts, 1907-08	...	...	...	21,29,000
Budget, 1913-14	...	...	...	23,28,000
		Increase	...	1,99,000

The increase is due to (1) the grant of travelling allowance to tahsil Jamadars and peons, (2) enhancement of 1st and 2nd class Railway fares, (3) improvement in the pay and prospects of Extra Assistant Commissioners in the executive line and (4) the raising of minimum pay of Tasildars to Rs. 175.

(*b*)—*Survey and Settlement*—

				Rs.
Accounts, 1907-08	...	...	...	10,77,000
Budget, 1913-14	...	...	...	8,60,000
		Decrease	...	2,17,000

The decrease is due to (1) the abolition of the office of the Settlement Commissioner, (2) employment of Junior Officers as Settlement Officers and Assistant Settlement Officers, (3) smaller field establishments, and demarcation and other charges in the Canal Colonies met from the acreage rate now transferred to the Irrigation budget.

(*c*)—*Land Records*—

				Rs.
Accounts, 1907-08	...	...	...	15,99,000
Budget, 1913-14	...	...	...	15,91,000
		Decrease	...	8,000

The decrease is due to the transfer of the cost of the office establishment of the Director of Agriculture to the head " 26—Scientific, etc.".

7—EXCISE.

				Rs.
Accounts, 1907-08	...	...	...	70,000
Budget, 1913-14	...	...	...	1,92,000
		Increase	...	1,22,000

due to reorganization of the supervising staff ; half is Provincial.

11—FOREST.

				Rs.
Accounts, 1907-08	...	...	...	11,77,000
Budget, 1913-14	...	...	...	10,25,000
		Decrease	...	1,52,000

The system of selling standing trees has reduced the expenditure formerly incurred by the Departmental Agency. The increase in the Provincial share is explained by the fact of the whole head becoming Provincial from April 1911.

18—GENERAL ADMINISTRATION.

Provincial.

				Rs.
Accounts, 1907-08	...	...	...	10,74,000
Budget, 1913-14	...	...	...	11,58,000
		Increase	...	84,000

The increase is due to (1) Rs. 5,000 under the staff and household of the Lieutenant-Governor, Rs. 5,000 in His Honour's contract allowance, Rs. 10,000 under Legislative Council, Rs. 16,000 under Civil Secretariat owing to the appointment of Clerical Estab-

lishment Committee, Rs. 74,000 under Financial Commissioner (there being two Financial Commissioners now) *minus* Rs. 55,000 for the Excise Commissioner abolished, Rs. 10,000 for leave arrangements under "Commissioners" and Rs. 24,000 for additional establishment for Accountant-General's office, Local Fund Department.

19 A—LAW AND JUSTICE—COURTS OF LAW.

				Rs.
Accounts, 1907-08	...	...	...	37,24,000
Budget, 1913-14	...	...	...	41,86,000
		Increase	...	4,62,000

(1)—*Chief Court.*

				Rs.
Accounts, 1907-08	...	...	...	4,66,000
Budget, 1913-14	...	...	...	4,88,000
		Increase	...	22,000

Revision of establishment.

(2)—*Law Officers.*

				Rs.
Accounts, 1907-08	...	..	...	1,81,000
Budget, 1913-14	...	...	...	2,21,000
		Increase	...	40,000

The increase is due to (1) Additional Government Pleaders and (2) higher fees paid to the same.

(3)—*Civil and Sessions Courts.*

				Rs.
Accounts, 1907-08	...	...	...	14,29,000
Budget, 1913-14	...	...	...	17,00,000
		Increase	...	2,71,000

Due (1) to the reorganisation of the Judicial Department necessitating the appointment of four Additional Divisional Judges, and a number of Extra Judicial Assistant Commissioners since October 1910.

(4)—*Criminal Courts.*

				Rs.
Accounts, 1907-08	...	...	...	15,58,000
Budget, 1913-14	...	...	...	16,78,000
		Increase	...	1,20,000

Rs. 25,000 of the increase appear under "Allowances," Rs. 69,000 under "Diet and Road money to witnesses" and Rs. 45,000 under "Contingencies".

19 B—LAW AND JUSTICE—JAILS.

				Rs.
Accounts, 1907-08	...	...	...	10,32,000
Budget, 1913-14	...	...	...	12,03,000
		Increase	...	1,71,000

Due to (1) reorganization of Jail establishment (Daroghas and Warders) Rs. 36,000, (2) higher dietary charges Rs. 36,000, (3) moving prisoners Rs. 10,000, (4) Miscellaneous services and supplies (Rs. 15,000), contingent charges (Rs. 14,000) and live stock, etc. (Rs. 16,000), and the conversion of the Lahore District Jail into a Central Jail.

20.—POLICE.

				Rs.
Accounts, 1907-08	...	...	...	52,34,000
Budget, 1913-14	...	...	...	60,18,000
		Increase	...	7,84,000

The increase occurs under (1) District Executive Force (Rs 6,73,000) due to bringing the force up to the full sanctioned strength and the substitution of town watchmen by police in certain towns, (2) Railway Police (Rs. 36,000) due to the extension of railways, (3) Criminal Investigation Department (Rs. 48,000).

22—EDUCATION.

				Rs.
Accounts, 1907-08	...	...	...	17,77,000
Budget, 1913-14...	...	...	...	44,83,000
		Increase	...	27,06,000

Rupees 4,97,000 of this increase is nominal as this sum was paid to district boards prior to April 1908 through the "contribution" head. The budget, 1913-14, provides the following special items, which are to be met from Imperial assignments.

Recurring assignments.

(1) Rupees 3,65,000 + 3,38,000 for Primary Education.
(2) Rupees 35,000 for the Punjab University.
(3) Rupees 60,000 for Aided English Secondary Schools.

Non-recurring assignments.

(4) Rupees 11,36,000 for various objects.

The rest of the increase occurs under "Government Schools, General," and other minor heads met from purely Provincial Revenues".

24—MEDICAL

				Rs.
Accounts, 1907-08	...	...	...	13,39,000
Budget, 1913-14	...	...	...	28,68,000
		Increase	...	15,29,000

The increase is mainly due to Imperial grants for sanitation.

The following special items are provided in next year's estimates :—

		Rs.
(1)	Sanitation	11,83,000
(2)	Malaria investigation	36,000
(3)	Grant to municipalities for Health Officers ...	18,000
(4)	Grant at the disposal of the Sanitary Board ..	1,50,000
(5)	Improving Sanitary Services	1,00,000
(6)	Grant to Women's Medical College at Ludhiana	25,000
(7)	Provincialization of charges for registration of births and deaths	8,000
(8)	Contribution to Public Hospitals	5,000
(9)	Training of dais	5,000

26—SCIENTIFIC AND OTHER MINOR DEPARTMENTS,—PROVINCIAL.

				Rs.
Accounts, 1907-08	...	...	...	4,00,000
Budget, 1913-14	...	...	...	13,89,000
		Increase	...	9,89,000

(1) *Agriculture.*

				Rs.
Accounts, 1907-08	...	...	...	1,33,000
Budget, 1913-14	...	...	...	6,62,000
		Increase	...	5,29,000

The increase is due to bringing the staff up to full strength under (1) subordinate staff and agricultural experiments including well-boring staff and experiments (Rs. 67,000), Agricultural Department (Rs. 54,000), and the Punjab Agricultural College (Rs. 30,000), and lump provision of Rs. 3,73,000 from the Imperial grant for improvement of agriculture and allied objects.

(2) *Veterinary and stallion charges.*

				Rs.
Accounts, 1907-08	...	...	...	1,54 000
Budget, 1913-14	...	...	...	4,49,000
		Increase	...	2,95,000

The increase occurs under "Veterinary Instructions" (Rs. 23,000 due to the amalgamation of the Ajmere College), subordinate establishment (Rs. 1,04,000, Government

grants to District Board paid through the "Contribution" head prior to April 1911, and Rs. 10,000 represents normal increase), Rs. 1,40,000 for the Hissar Cattle Farm, transferred from Imperial to Provincial management and Veterinary Hospitals and Dispensaries (Rs. 10,000).

(3) *Botanical and other public gardens.*

	Rs.
Accounts, 1907-08	53,000
Budget, 1913-14	85,000
Increase ...	32,000

Station gardens are responsible for an increase of Rs. 28,000 (Minto Park absorbing Rs. 20,000) and Agri-Horticultural Gardens Rs. 3,000.

(4) *Registrar, Co-operative Societies.*

	Rs.
Accounts, 1907-08	28,000
Budget, 1913-14	62,000
Increase ...	34,000

The increase is due to (1) the employment of a senior officer as Registrar (Rs. 5,000), (2) Reorganization of Establishment (Rs. 20,500), (3) travelling allowance (Rs. 6,500), and (4) Contingencies (Rs. 2,000).

(5) *Miscellaneous.*

	Rs.
Accounts, 1907-08	1,000
Budget, 1913-14	95,000
Increase ...	94,000

Provision under this head is now made for the following expenditure :—

	Rs.
(*a*) Grants to the Salvation Army	20,000
(*b*) Grant for the encouragement of industries ...	20,000
(*c*) Development of pisciculture	55,000

29—SUPERANNUATION ALLOWANCES AND PENSIONS.

	Rs.
Accounts, 1907-08	15,44,000
Budget, 1913-14	19,26,000
Increase ...	4,82,000

Represents the normal growth of the pension list (Rs. 80,000 yearly).

30—STATIONERY AND PRINTING.

	Rs.
Accounts, 1907-08	6,65,000
Budget, 1913-14	7,02,000
Increase ...	37,000

The increase is accounted for by the higher charges under (1) country stationery (Rs. 30,000), (2) Government Presses (Rs. 33,000), and (3) Lithography (Rs. 55,000), counterbalanced by decreases under Printing at private presses, book and Job work having been withdrawn from the Government contractors (Rs. 41,000), and European stationery (Rs. 39,000).

32—MISCELLANEOUS, PROVINCIAL.

	Rs.
Accounts, 1907-08	2,71,000
Budget, 1913-14	5,19,000

The increase is due to (1) the incorporation of the Copying Agency account (Rs. 2,18,000), and (2) the provision of Rs. 1,30,000 against Rs. 38,000 in 1907-08 for miscellaneous and unforeseen charges, and Rs. 80,000 for increase of pay to clerks, partly counterbalanced by a decrease of Rs. 65,000 under the head "Irrecoverable Temporary Loans written-off", and of Rs. 84,000 under "Special Commission of Enquiry".

42.—IRRIGATION—MAJOR WORKS.

(*a*)—*In charge of Public Works Officers.*

Working expenses.—

		Rs.	
Accounts, 1907-08	... ...	67,97,000	Imperial and Provincial.
Budget, 1913-14	... ...	80,00,000	
	Increase ...	12,03,000	

The increase is due to (1) the rise in wages, and (2) the opening of new canals.

(*b*)—*Interest on debt.*

		Rs.	
Accounts, 1907-08	... ...	41,35,000	Imperial and Provincial.
Budget, 1913-14	... ...	68,91,000	
	Increase ...	27,56,000	

The increase is accounted for by the construction of the Upper Chenab, Upper Jhelum and Lower Bari Doab canals.

43—MINOR WORKS AND NAVIGATION—PROVINCIAL.

Civil Officers.

		Rs.
Accounts, 1907-08	... ...	15,000
Budget, 1913-14	... ...	45,000
	Increase ...	30,000

The provision of Rs. 20,000 for grants in-aid of irrigation works, and Rs. 19,000 for Gurgaon bunds, counterbalanced by the transfer of Najafgarh Jhil to the Delhi enclave accounts for the increase under this head.

43—MINOR WORKS.

Public Works Officers.

		Rs.	
Accounts, 1907-08	... ...	61,000	The next year's budget provides a lakh for Kahan Hill Torrent Reservoir Scheme.
Budget, 1913-14	... ...	1,50,000	
	Increase ...	89,000	

45.—CIVIL WORKS—PROVINCIAL.

In charge of Civil Officers.

		Rs.
Accounts, 1907-08	... ...	2,60,000
Budget, 1913-14	... ...	10,64,000
	Increase ...	8,04,000

The increase is made up of the following items:—

		Rs
(1)	Contributions to district boards formerly adjusted through the "Contribution" head	7,30,000
(2)	Colony towns (Rs. 1,78,000—1,38,000 in 1907-08) ...	40,000
(3)	Provincial grant to District Boards for feeder roads ...	2,00,000

45.—Civil Works—Provincial.

Public Works Officers.

		Rs.
Accounts, 1907-08		43,30,000
Budget, 1913-14		92,97,000
Increase ...		49,67,000

The increase is due entirely to the utilisation of the accumulated balance in providing office and residential buildings for Government officers and means of communication such as new roads and bridges over rivers, etc. etc. Four lakhs out of the special Imperial grant of 12 lakhs for general purposes are also included here.

BALANCE—

		Rs.
Actual, 1907-08		29,98,000
Probable, 1913-14		1,46,22,000
Improvement ...		1,16,24,000

This is made up of—

(*a*) Unspent balances of—

		Rs.
(1) Grant of 12 lakhs for general purposes...	...	8,00,000
(2) Grant of 25½ lakhs for education ...	...	17,13,000
(3) Grant of 14½ lakhs for sanitation (4) Grant of 4 lakhs recurring grant as above	...	9,75,000
		34,88,000

(*b*) sale proceeds of proprietary rights—

	Rs.		
Actuals, 1911-12	58,86,000		
Revised, 1912-13	54,78,000		
Budget, 1913-14	26,42,000		
	2 | 1,40,06,000		
Provincial share ...	...	...	70,00,000
(*c*) Prescribed minimum balance	...	...	10,00,000
(*d*) Other provincial monies ...	...	...	1,36,000*
	Total	...	1,16,24,000

*In addition to Rs. 29,98,000 at the end of 1907-08, which included Rs. 14,80,000, the unspent balance o the Imperial grant of 20 lakhs for the Simla Extension and Improvement scheme.

Abstract of the accounts under major heads of Revenue of the Punjab Government for the years 1907-08 to 1911-12 with the revised and budget estimates for the years 1912-13 and 1913-14, respectively.

(In thousands of rupees.)

Budget heads.	Actuals, 1907-08.		Actuals, 1908-09.		Actuals, 1909-10.		Actuals, 1910-11.		Actuals, 1911-12.		Revised, 1912-13.		Budget, 1913-14.		Comparison of Provincial Budget, 1913-14, with Accounts, 1907-08. Increase + Decrease —	Remarks.
	Total.	Provincial share.	Total.	Provincial share.	Total.	Provincial share.	Total.	Provincial share.	Total.	Provincial share.	Total.	Provincial share.	Total.	Provincial share.		
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Opening balance	...	54,07	...	29,98	...	14,74	...	27,76	...	69,75	...	1,03,73	...	1,90,09	+1,36,02	(a) Provincial share raised from 24th to ½. (b) Provincial share raised from ½ to whole. (c) Guaranteed net irrigation income raised from 30½ to 41 lakhs.
Balance of local funds merged in general revenues	...	...	...	53	...	1	...	...	...	...	...	...	...	...	...	
Revenue and Receipts.																
I—Land Revenue { Proper (excluding Land Revenue due to Irrigation) ...	2,24,55	84,20	2,20,89	82,33	2,83,36	1,06,26	2,63,19	98,70	2,80,66	(a)1,44,83	3,11,77	1,55,89	2,72 02	1,36,31	+52,11	
Assignments ...	...	57,44	...	62,40	...	60,41	...	97,95	...	37,79	...	74,76	...	29,12	—28,02	
IV—Stamps	42,79	21,40	46,81	23,41	48,91	24,46	48,92	24,46	52,57	26,29	54,61	27,31	55,00	27,50	+6,10	
V—Excise	42,15	21,08	47,00	23,50	43,23	21,62	56,95	28,47	64,00	32,00	69,50	34,75	69,50	34,75	+13,67	
VI—Provincial Rates ...	41	41	37	37	33	33	25	25	28	28	30	30	30	30	—11	
VIII—Assessed Taxes ...	14,35	6,85	14,74	7,08	15,16	7,29	15,59	7,51	16,22	8,11	16,15	8,07	16,22	8,11	+1,26	
IX—Forest	14,57	7,29	12,89	6,44	10,33	5,17	12,17	6,09	13,10	(b)13,10	12,50	12,50	13,29	13,29	+0,00	
X—Registration	2,77	2,77	3,14	3,14	3,22	3,22	3,00	3,00	3,16	3,16	3,35	3,35	3,25	3,25	+48	
XII—Interest	3,33	2,85	3,25	2,85	4,01	3,55	3,22	2,88	2,93	2,58	2,85	2,57	2,53	2,34	—51	
XVI-A—Law and Justice—Courts of Law...	3,35	3,35	4,03	4,02	4,06	4,06	4,36	4,36	4,35	4,35	4,73	4,73	4,63	4,63	+1,28	
XVI-B—Law and Justice—Jails ...	1,83	1,83	2,00	2,00	2,54	2,54	2,82	2,82	3,41	3,41	3,23	3,23	3,10	3,10	+1,27	
XVII—Police	5,60	5,60	5,78	5,78	5,69	5,69	5,81	5,81	1,79	1,79	1,92	1,92	1,77	1,77	—3,79	
XIX—Education	2,95	2,95	3,03	3,03	4,68	4,68	3,72	3,72	3,91	3,91	4,25	4,25	4,64	4,64	+1,69	
XX—Medical	52	52	34	34	46	46	49	49	50	50	54	54	54	54	+2	
XXI—Scientific and other Minor Departments	75	75	1,02	1,02	1,09	1,09	1,10	1,10	1,06	1,06	1,92	1,22	1,99	1,99	+1,24	
XXIII—Stationery and Printing ...	1,93	96	1,66	1,66	2,20	1,39	2,68	1,47	2,48	1,44	2,37	1,54	2,34	1,95	84	+19
XXV—Miscellaneous ...	1,98	1,64	7,09	6,74	9,65	9,42	11,82	7,89	14,15	9,70	9,09	8,63	4,33	3,87	+38	
XXIX—Irrigation— { Direct receipts— Civil ...	12,39	4,60	12,36	4,64	14,98	5,62	15,58	5,84	7,23	(a) 3,62	4,43	2,22	70	35	+2,23	
Major Works. { Public Works ...	1,67,17	62,69	1,74,44	65,41	1,78,99	67,12	1,84,31	69,12	(a)2,05,85	(a)(c)1,02,92	2,44,00	1,22,00	2,44,00	1,22,00	—4,25	
Indirect Receipts— Portion of Land Revenue due to Irrigation ...															+59,31	
XXX—Irrigation— { Civil ...	23,81	8,93	24,90	9,34	30,51	11,44	34,62	12,98	58,25	(a)29,12	77,55	38,78	80,00	40,00	+31,07	
Minor Works and Navigation.	...	...	...	...	1	1	9	9	16	16	15	15	80	16	+16	
Public Works ...	7,73	45	6,75	39	8,37	51	9,15	53	7,83	40	8,00	50	8,26	50	+5	
XXXI—Civil Works { Civil ...	2,34	2,34	5,08	5,08	3,60	3,60	3,48	3,48	4,56	4,56	3,65	3,65	3,78	3,78	+1,44	
Public Works Contributions ...	1,81	1,17	1,99	1,23	2,18	1,34	2,25	1,49	2,37	1,05	2,35	1,60	2,37	1,60	+43	
	...	6,53	...	...	...	...	...	...	...	...	...	...	...	...	—6,53	
Total Revenue and Receipts ...	5,80,50	3,09,21	6,01,65	3,23,02	6,79,31	3,52,15	6,87,13	3,91,12	7,61,57	4,37,52	8,41,20	5,15,34	7,97,17	4,46,38	+1,37,17	
Grand total, including opening balance	...	3,63,28	...	3,53,53	...	3,66,90	...	4,18,88	...	5,07,27	...	6,19,07	...	6,36,47	+2,73,19	

Note.—This statement contains provincial and divided heads only. Purely Imperial heads are omitted.

Abstract of heaccounts under Major heads of expenditure of the Punjab Government from the years 1907-08 to 1911-12, with the revised and budget estimates for the years 1912-13 and 1913-14 respectively.

(In thousands of rupees.)

Budget heads.	Actuals, 1907-08.		Actuals, 1908-09.		Actuals, 1909-10.		Actuals, 1910-11.		Actuals, 1911-12.		Revised, 1912-13.		Budget, 1913-14.		Comparison of Provisional Budget 1913-14, with Revised 1912-13. Increase + Decrease (—)	Remarks.
	Total.	Provincial share.	Total.	Provincial share.	Total.	Provincial share.	Total.	Provincial share.	Total.	Provincial share.	Total.	Provincial share.	Total.	Provincial share.		
Expenditure	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
1—Refunds and Drawbacks	1,42	64	1,54	68	1,46	69	1,49	68	1,54	79	1,65	85	1,62	83	+19	(a) Provincial share raised from 5th to 1. (b) Provincial share raised from half to whole.
2—Assignments and Compensations ...	1,18	32	1,07	31	1,17	33	1,14	33	84	34	1,13	35	97	25	+3	
3—Land Revenue	48,11	48,11	49,75	49,75	47,86	47,86	46,81	46,81	48,03	48,03	47,39	47,39	47,83	47,83	—23	
6—Stamps	1,00	80	1,82	81	1,72	86	1,63	81	1,77	88	1,73	87	1,78	89	+9	
7—Excise	70	35	74	37	78	39	1,69	84	1,71	86	1,84	92	1,92	96	+61	
10—Assessed Taxes	11	6	11	6	11	5	11	5	11	5	11	5	11	5	—1	
11—Forest	11,77	5,88	8,52	4,26	6,68	3,34	7,40	3,70	7,65	(b)7,65	8,22	8,22	10,25	10,25	+ 4,37	
12—Registration	1,11	1,11	1,18	1,18	1,17	1,17	1,16	1,16	1,20	1,20	1,18	1,18	1,18	1,18	+7	
13—Interest on Ordinary Debt ...	2,48	2,48	2,60	2,60	2,49	2,49	2,16	2,16	2,08	2,08	1,93	1,93	1,91	1,91	—37	
18—General Administration	13,40	10,74	12,56	10,59	13,32	10,52	14,29	11,33	13,33	13,05	17,20	15,20	16,34	11,53	+ 84	
19-A—Law and Justice—Courts of Law	37,24	37,24	37,49	37,49	38,07	38,07	40,94	40,94	42,17	42,17	41,66	41,66	41,86	41,86	+ 1,62	
19-B—Law and Justice—Jails ...	10,32	10,32	12,34	12,34	11,06	11,06	11,09	11,09	12,28	12,28	13,03	13,03	12,03	12,03	+ 1,71	
20—Police	52,34	52,34	53,05	53,05	53,51	53,51	56,50	56,50	58,03	58,03	57,66	57,66	60,18	60,18	+ 2,84	
22—Education	17,77	17,77	22,24	22,24	22,01	22,01	22,84	22,84	23,55	23,55	33,37	33,37	44,83	44,83	+ 27,06	
24 Medical	13,39	13,39	14,25	14,25	13,32	13,32	14,20	14,20	21,27	21,27	27,37	27,37	28,68	28,68	+ 13,39	
26—Scientific and other Minor Departments	4,58	4,60	6,32	6,67	7,74	7,02	7,78	6,66	8,83	7,71	11,29	8,75	15,11	13,59	+ 9,89	
29—Superannuation Allowances and Pensions	15,59	15,44	10,07	13,95	16,84	16,73	17,07	17,57	18,77	18,71	18,94	18,89	19,32	19,26	+ 3,82	
30—Stationery and Printing ...	6,65	6,65	6,77	6,77	7,53	7,53	7,55	7,55	7,32	7,17	7,40	7,23	7,21	7,02	+ 37	
32—Miscellaneous	3,07	2,71	3,88	3,15	3,45	3,13	3,51	3,18	3,77	3,08	5,82	5,27	5,67	5,19	+ 243	
36—Reduction or Avoidance of Debt ...	1,40	1,40	1,40	1,40	1,40	1,40	1,40	1,40	1,40	1,40	1,40	1,40	1,40	1,40	...	
42—Irrigation— (Working Expenses— Major Works. Civil	2	1	13	5	11	3	7	3	...	...	3	2	2	1	...	
Major Works. Public Works ...	67,97	25,49	68,95	25,86	75,22	28,20	74,08	27,78	79,35	(a)29,67	80,60	40,00	80,00	40,00	+ 14,51	
Major Works. Interest on Debt ...	41,35	15,52	44,29	16,61	47,51	17,83	51,81	19,43	57,06	(a)28,53	64,19	32,10	68,91	34,46	+ 18,04	
43—Minor Works and Navigation. Civil	15	15	34	34	13	13	19	19	32	32	30	30	45	45	+ 30	
Minor Works and Navigation. Public Works ...	10,66	61	11,43	57	10,51	56	11,69	62	10,85	76	10,34	76	10,42	1,50	+ 89	
45—Civil Works { Civil	2,60	2,60	10,67	10,67	10,25	10,25	10,77	10,77	10,83	10,83	9,01	9,01	10,64	10,64	+ 1,63	
45—Civil Works { Public Works ...	54,90	43,30	44,17	39,87	44,45	40,00	44,39	40,51	59,26	51,93	66,14	58,00	97,34	92,97	+ 19,67	
Contributions	...	13,87	...	...	...	...	...	...	...	...	...	...	...	...	—13,87	
Total Expenditure ...	4,21,88	3,33,30	4,36,38	3,38,79	4,40,50	3,39,14	4,54,30	3,49,13	4,98,93	4,03,54	5,30,43	4,28,98	5,58,03	4,90,25	+ 1,56,95	
Closing balance	...	29,98	...	14,74	...	27,76	...	69,75	...	1,03,73	...	1,90,09	...	1,46,22	+ 1,16,24	
Grand Total ...	...	3,63,28	...	3,53,53	...	3,66,90	...	4,18,88	...	5,07,27	...	6,19,07	...	6,36,47	+ 2,73,19	

Note.—This statement contains Provincial and divided heads only. Purely Imperial heads are omitted.

Appendix C.

The Hon'ble Sir HENRY P. BURT's written remarks which were laid on the table are as follows:—"Your Honour,—At the Budget discussions of the last two years, I have ventured to make a few remarks about the North-Western Railway, as I have felt that any information I could give as to what has been and is being done by the Railway Administration to meet the great development of trade which is taking place in this Province, as elsewhere, must prove of interest to this Council. With your permission, Sir, I propose, if I shall not be unnecessarily occupying the time of this Council, to follow the same procedure on this occasion, so that I may let the Council have such further information as I can about our position generally, in regard, more particularly of course, to the measures we are taking to meet the ever increasing demands which are being made upon us.

"In my two previous speeches in Council, I have drawn special attention to the large sums which have been allotted in recent years to improve the carrying capacity of the line. Speaking on the 10th April last year, I said that our traffic generally for the previous year, that is for 1911, had been the highest on record, and that that traffic had been handled without any delay or complaints from the public. I then referred to the complicated and unforeseen situation which was created on the principal lines in Northern India during the first three months of 1912, and I explained that the congestion which the North-Western Railway, in common with other Railways, experienced then, was due to the fact that a heavy famine traffic had to be handled at the same time as a very heavy and unusual export traffic. Although, owing to the phenomenal boom in trade, congestion was felt throughout the past year on most railways serving the ports of Bombay and Calcutta, the North-Western Railway, as a result of what has recently been done to improve the capacity of the line, was, fortunately for the trade of the Punjab, in a position to handle the exceptionally heavy export traffic to Karachi, which started in May last, without any difficulty or delay.

"Seeing that the traffic last year exceeded all previous records (3,028,734 tons having been carried to Karachi last year compared with 1,966,561 tons in 1911 or an increase of 54 per cent.) and that our business generally both in passenger and goods was far larger than in any previous year, our gross earnings having risen from 8·24 crores in 1911-12 to 9 crores in 1912-13, I think I can claim that the assurances I have given this Council in previous years, that we were not losing sight of the trade requirements of the Province and of the areas served by the North-Western Railway, have been in the main fulfilled.

"Although we look forward to having to deal with a heavy traffic again this year when the rabi crop comes into the market, I am glad to be able to say that I do not anticipate that there will be any difficulty in meeting trade demands. The business of the North-Western Railway must continue to increase as the large irrigation projects of the Punjab and Sind are brought into full use, and in spite of what has been done and spent in providing additional facilities for trade, we must of course continue to keep abreast of the demands which are likely to be made upon us in the future and of the expansion which is taking place in the capacity of the port of Karachi to deal with its export traffic. During the current year we shall spend a further sum of 253¼ lacs on capital account in adding to our facilities on the open line, which includes the provision of 118¾ lacs for additional rolling stock. During the next twelve months, additional wagons, with a proper proportion of extra engines, sufficient to meet traffic requirements will be placed on the line, and as regards open line works, the money will mainly be spent in doubling the line between Kotri to Rohri, in completing the doubling between Saharanpur and Ambala, in largely increasing the capacity of our yards at Lahore, Ambala, Kasur and Bhatinda, in putting in extra crossing stations and in lengthening the

sidings at many stations on the line, especially on the Southern Punjab Railway and between Kotri and Karachi; all these works being such as will greatly facilitate the handling of traffic.

"Our grant for the current year for construction purposes, apart that is from the amount I have mentioned as available for open line works, will be mainly devoted to the completion of the projects now in hand, which I mentioned in detail last year, and to the carrying out of certain surveys, nearly all of which have been suggested by Your Honour.

"The Jullundur Hoshiarpur and the Kalabagh-Bannu lines will be opened for passenger traffic very shortly, while it is expected that both the Jakhal-Hissar and the Serai Kala-Havelian Branches will be opened for traffic within two or three months from now.

"As regards the Jech Doab lines, which are under construction by the Southern Punjab Railway, the section from Jullundur to Lohian has already been opened to traffic, and the further section connecting Lohian junction with Phillaur will, it is expected, be ready for opening during the next few weeks or so. The section between Lohian and Ferozepore cannot, however, be ready for public traffic until the new bridge over the Sutlej is ready and that will take some little time to complete.

"We have under construction a branch of the Kalabagh-Bannu line from Laki to Tank on the 2' 6" gauge, and estimates have been prepared for the construction of a line from Jacobabad to Kashmore, some 70 miles in length, on the same gauge, and proposals are under consideration for a line also on the 2' 6" gauge from Shahdadpur to Lakhana with a possible extension to Jacobabad. These last two lines which are both in Sind will probably be undertaken on branch line terms. The value and importance of these branch line terms in connection with the development of the Railway system of India are now, I am glad to say, being fully recognised by the public, and I hope that private enterprise will very shortly be forthcoming to open out the thickly-populated area between the Sialkot and Pathankot Branches by the construction of branches from Sialkot and Amritsar or Batala towards the Ravi. I also understand that the Mandra Bhon Branch will shortly be taken up again by private enterprise. Then, further investigations are being carried out in connection with the proposed line between Pathankot and Nurpur, as it is thought that the line can be carried beyond Nurpur at a reasonable cost on the 2' 6" gauge, which may possibly prove better and of greater convenience to the public than a branch line to Nurpur only on the broad gauge.

"I explained last year that the branch to Chiniot would not, according to the investigation we had made, be a financial success, but at the request of the Punjab Government the matter is being further looked into. As regards the Garhshankar Branch, the junction with the Main Line, when the construction of the branch is undertaken, will probably be at Phillaur, as the Civil authorities now consider that that will be the most suitable arrangement, as it is also I think from the Railway point of view as regards convenience in working.

"A survey is in hand for a feeder line on the 2' 6" gauge from Changa Manga to Nankana on the one side and to Chunian and Dipalpur towards Pakpattan on the other, and possibly it may be found better to carry on the line on the 2' 6" gauge to Chiniot instead of making the branch to Chiniot referred to above on the broad gauge. Then a survey is being undertaken to see whether the somewhat steep gradients between Kotri and Karachi can be reduced at a reasonable cost, as at present our goods trains running into Kotri with a heavy load of 72 vehicles have to be cut down to a load of 55 vehicles over the Kotri-Karachi section, so it will obviously simplify working and increase our capacity if by easing the gradients we can take on trains with a full load of 72 wagons into Karachi. Apart from this, we are now considering

the possibility of increasing our load generally to 80 wagons over certain important sections of the line, which will mean that the load of every train will be increased by over 11 per cent. We hope, too, before long, to introduce the A, B, C control system on some of the more busy sections of our single line, which will also, in my opinion, greatly add to our capacity for dealing with goods trains.

"Turning to other matters of general interest, I should like to say that we are continuing to do all we can for the convenience of the travelling public, both European and Indian. During the last few years, a very large number of carriages of all classes and of the latest types have been put on to the line, and our shops are working to their full capacity in building more. I should like to remark that with the increase of our third class stock, the use of wagons for the conveyance of pilgrims is far less common than it used to be. Additional refreshment rooms have been provided for Indian travellers which, I believe, are much appreciated. I am sorry there has been some delay in introducing the refreshment car for Indian passengers which I spoke about last year. In the first place there was some difficulty in determining the proper design of a carriage best suited for the purpose, and this I thought it best to leave to a committee of Indian officials. Then the question of supplying good and suitable food had to be carefully thought out, and this problem I entrusted to the same committee of Indian officials. I am glad to say that the car is now ready and all the arrangements for its running, as an experimental measure, are now complete, so I hope the public will have an opportunity of testing its usefulness at a very early date. I shall welcome any suggestions I may receive for improving the arrangements connected with the working of this car, if the car is found to meet a real want on the part of Indian passengers.

"Another matter of general interest is that before long it is hoped that a greatly improved train service will be introduced on all the railways converging on Delhi, which is being designed to meet the convenience of passengers travelling to and from the Imperial city.

"I am sorry to think from the remarks which fell from Your Honour in your speech at Multan last January that you thought, Sir, that the loan of 700 wagons to the Eastern Bengal State Railway in November last had had the effect of rendering it impossible for us this year to carry all the road metal required for the district boards, for which, as I explained to the Council last year, an exceptionally low rate had been introduced. I can assure you, Sir, that the loan of that small number of wagons, during our slack season, had no effect whatever on the situation, especially as the stone is carried as far as possible in open trucks, none of which went to the Eastern Bengal State Railway. In this connection I should like to mention that, so far as my information goes, we have met all demands for road-metalling which have been made upon us during periods of comparative slackness, and before the close of last year the Agent and the Traffic Manager met the Commissioner of Multan and arranged with him to supply all the wagons he required, which it was found as the result of the discussion which then took place, would not exceed one train of 50 wagons for consignments from the three quarries of Paikel, Hundewali and Sangla Hill to Muzaffargarh, Multan and Montgomery. We have practically abolished wharfage for ballast lying on the line, and the demurrage charges are only maintained to ensure that efforts will be made by contractors to unload quickly, so that the wagons may be available to run back to the quarries without delay. To further help the district boards in the Multan division we are arranging to supply ballast from our own quarries and do the quarring, charging only a small sum for supervision and for the use of our ballast sidings, and we are prepared to enter into the same arrangement with other district boards. I have specially referred to this subject because we recognise to the full the benefit good roads are not only to the district boards but also to the railway and it is our desire to help the district boards in this matter in every possible way.

"This, Sir, completes what I can say about the North-Western Railway in the time at my disposal. It is only a brief summary of what we are doing, but I hope it will show that we are continuing to do our utmost to foster the development of trade both in the Punjab and in the other districts served by the railway.

"Before I close, I should like to join my Hon'ble colleagues in their expressions of regret that this will be the last occasion, Sir, on which you will preside over the meetings of this Council, and may I be permitted, on behalf of the North-Western Railway, to thank you for the valuable help and advice which you have so often given us in connection, more particularly, with the many extensions of the railway which have been projected during the last five years."

Punjab Government Press, Lahore—3-5-13—S—250.

PUNJAB GOVERNMENT.

LEGISLATIVE DEPARTMENT.

Abstract of Proceedings of the Council of the Lieutenant-Governor of the Punjab, assembled for the purpose of making Laws and Regulations under the provisions of the Indian Councils Acts, 1861 to 1909.

THE Council met at the Council Chamber, Barnes Court, Simla, at 11 A.M., on Friday, the 19th September 1913.

PRESENT :

His Honour Sir MICHAEL FRANCIS O'DWYER, K.C.S.I., I.C.S., Lieutenant-Governor, *Presiding.*

The Hon'ble Sardar SUNDAR SINGH, MAJITHIA, Sardar Bahadur.

The Hon'ble Mr. JOHN CORNWALLIS GODLEY.

The Hon'ble Sardar DALJIT SINGH of Jullundur.

The Hon'ble Mr. CLAUD ALEXANDER BARRON, C.I.E., I.C.S.

The Hon'ble Mr. MICHAEL WILLIAM FENTON, C.S.I., I.C.S

The Hon'ble Babu GAJJAN SINGH.

The Hon'ble Rai Bahadur Bakhshi SOHAN LAL.

The Hon'ble Khan Bahadur Khwaja YUSAF SHAH.

The Hon'ble Rai Bahadur RAM SARAN DAS.

The Hon'ble Sir HENRY PARSALL BURT, K.C.I.E.

The Hon'ble Mr. JAMES CURRIE.

The Hon'ble Lala KASHI RAM.

The Hon'ble Khan Bahadur Mian MUHAMMAD SHAFI.

The Hon'ble Mr. PATRICK JAMES FAGAN, I.C.S.

The Hon'ble Nawab IBRAHIM ALI KHAN of Kunjpura.

The Hon'ble Rai Bahadur SHADI LAL.

The Hon'ble Mr. JOHN PERRONET THOMPSON, I.C.S.

The Hon'ble Malik MUHAMMAD AMIN KHAN of Shamsabad.

The Hon'ble Mr. REGINALD ARTHUR MANT, I.C.S.

The Hon'ble Mr. STEPHEN WILLIAM GRACEY, I.C.S.

OATH OF OFFICE.

The Hon'ble Mr. SHADI LAL and the Hon'ble Mr. THOMPSON took the oath of allegiance, as required by Regulation VII.

[*His Honour the President.*]

ADDRESS BY HIS HONOUR THE PRESIDENT.

His Honour the President:—

"Gentlemen, I offer you a hearty welcome to this the first meeting the Legislative Council at which it is my privilege to preside.

"The formation of the Provincial Council in 1897 and its reconstitution and expansion under the Councils Act of 1909 are measures which came into effect during my absence from the Province. But I think I may say with confidence that the wise policy therein embodied of directly associating the people of this Province with the administration has fully realised expectations and has been completely justified by results.

"My distinguished predecessor in presiding over the first meeting of the Reformed Council in January 1910 expressed the hope that it would link together the people and the Government in a bond of closer union, and serve as a medium for conveying to the Government a truer idea of the wishes and the feelings of the people, and for conveying to the people a fuller and clearer insight into the objects and reasons of the policy and measures of Government.

"Three years later, in the light of the experience gained, he was able to say, at one of the last meetings over which he presided, that this Council had always shown the sound common sense which marks the people of this Province, and had been specially distinguished by a very obvious desire to co-operate with Government in all measures adopted for the good of the Province.

"I trust that those happy relations will be maintained during my term of office, and looking to the constitution of the present Council in which I see among the non-official members worthy representatives of the old aristocracy, of the great land-holding classes, of the leading capitalists, and of the most acute legal intellects of the Province, I have every reason to hope that their co-operation with the trained administrative experience supplied by the official members will yield results fruitful and beneficial to this great Province, whose interests and progress we all alike have at heart.

"Gentlemen, I have served in many parts of India and have seen something of the conditions in other Provinces, but I can assert with confidence that in rapid expansion and material progress none of them can compare with the development of our own Punjab in the present generation.

"The great results already achieved are due to the mutual confidence and intimate association of the administration and the people, which have always been a marked feature in this Province and which it will be my aim to strengthen and to extend. Our object in this Council should therefore be to retain for our Province that proud position by continuing to develop on sound and safe lines, and that object can only be secured by the whole-hearted co-operation of the people and of their representatives in this Council with the Government in every branch of the administration in suppressing crime, in extending education, in promoting medical relief and sanitary measures, in reconciling racial and sectarian differences (which now unfortunately in many parts of the Province retard sound progress and hamper the administration), and in promoting a healthy public opinion – in short in bringing about that ideal state of affairs 'Where none are for a party and all are for the State', that is, for the common interests of our Province.

"It will be my endeavour to work steadily towards that goal during my term of office, and in doing so I trust I can reckon upon your loyal and unwavering assistance.

"Gentlemen, You do not expect from me at this stage any general declaration of the policy of Government. The principles of that policy in all matters of importance are determined by the Government of India, and those of you who have had the privilege of hearing or reading His Excellency the Viceroy's eloquent and statesman-like enunciation of those principles and of their application to present conditions in the Imperial Council a few days ago will

need no further enlightenment. The policy of the Provincial Government in local matters can be gathered from the replies to the many questions covering nearly every branch of the administration that stand on to-day's agenda paper. I may, however, invite your attention to His Excellency's remarks on the necessity of repressing lawlessness and restoring security in the North-Western districts of the Province—remarks which apply with equal force to some of the Central districts. The alarming increase in violent crime and the failure of the administration to cope adequately with it constitute a blot on the administration and a disgrace to the community which must be wiped out.

"Government will do its part by strengthening the Police and the magistracy, by improving the working of those agencies, and by encouraging and rewarding those of the public who come forward to assist them, but those are at present few in number, and complete success cannot be achieved till the public at large awaken to a sense of their duty as citizens, and range themselves actively, as in western countries, on the side of law and order.

"One of the main causes which prevents the growth of this sense of public duty is the increasing tension between different communities. We have far too much sectarian spirit, far too little public spirit, and it is a deplorable but incontestable fact that the spread of education and of newspapers instead of allaying has to some extent tended to embitter racial and religious feeling.

"In the remarks I made at the Rawalpindi Darbar last month I appealed to the Press to use its influence on the right side. I am glad to be able to say that my appeal was well received by the public generally and by a large section of the Press; and I take this opportunity of stating that a large and influential portion of the Press in this Province appears to be actuated by a genuine regard for the public welfare, and though it does not always fully appreciate the difficulties of the administration, is ready to give Government the credit of honestly striving towards the same end. But there is another and less reputable section of the Press, and I regret to say it is not confined to one community, which from blind sectarian partisanship, or other and even more unworthy motives, has been out-stepping all bounds of moderation and which seeks notoriety by sedulously striving to stir up and embitter sectarian feeling, to vilify the adherents of other creeds, to attack and malign all they hold sacred, and finally to distort and misrepresent the motives and actions of Government. On that section my warning has fallen unheeded, and Government has therefore in the public interest been compelled to take action, as authorised by law, in some cases to demand security from, in others to forfeit the security already given by, the offending Press or publisher.

"This action has been taken with reluctance, and only after Government was assured that it would meet with the approval of those—and they are the vast majority—who have at heart the interests of the community as a whole.

"I trust that the action taken will have the effect of restraining violent and inflammatory appeals to prejudice and passion and obscene and scurrilous attacks on followers of different creeds, not only in the Press but also on the platform.

"But if it should not, Government will deal with the offenders, as with any other individuals, that break the law by promoting disorder or disaffection, and will employ all the means the law places at its disposal—and of these the taking and forfeiture of security are the least—to maintain public order and decency and to secure for all classes and creeds the fulfilment of the guarantee given in Queen Victoria's Proclamation of 1858, *viz.*, that 'None be in any wised favoured, none molested, or disquieted by reason of their religion, faith or observances, but that all alike shall enjoy the equal and impartial *protection* of the law.'

"Gentlemen, to turn to more pleasing subjects. I am happy to be in a position to inform you that our Provincial finances are in a most

flourishing condition and the excellent prospects of the present harvest, over nearly all the Province, promise a continuance of prosperity.

"We hope therefore to be able to carry on and even expand the programme of improvements in communications and public works generally, in agriculture, medical relief, education and sanitation, which has been inaugurated within the last few years. But while funds will, I hope, be forthcoming for sound and well considered schemes, we have no desire and no justification to embark upon speculative or visionary projects. I must not, however, anticipate the deliberations of the budget committee which it is one of our functions to appoint to-day.

"Gentlemen, in making these remarks I am departing from the advice given by the first and greatest of our Lieutenant-Governors, Sir J. Lawrence, who said 'No wise man should ever make a speech if he can help it'. But Sir John, if he lived in these days, would have found some difficulty in adhering to his view, and I doubt if in the presence of a representative Council, such as I see assembled here to-day, he would have maintained the golden rule of silence.

"Gentlemen, it only remains for me to repeat the hope that in this Council, while all reasonable criticism and discussion are to be encouraged, our deliberations will continue to be marked by a spirit of harmony, good sense and mutual toleration."

The Hon'ble Mr. Muhammad Shafi:—

"Your Honour, this being the first meeting of the Punjab Legislative Council under Your Honour's presidency, I desire, as the most senior member of this Council in point of time, to offer to Your Honour our respectful and cordial welcome on Your Honour's assumption of your high office, and to assure Your Honour of our loyal co-operation in whatever Your Honour's Government might undertake for the welfare of the province and of our people. Your Honour enters upon your high office at a period of prosperity which is evident from the successive surpluses which our province has enjoyed during the last few years, and as far as indications point, we all feel sure that we have a further period of prosperity in store for this Province. It is no doubt for the Imperial Government to lay down the lines of policy which Provincial Governments are to follow in regard to vital questions, but nevertheless the Provincial Governments too have a great deal of power in their own hands with reference, not only to the vital questions themselves, but also to other questions of Provincial importance in which they have a free hand. The policy already enunciated by Your Honour in the pronouncements which you have made at Rawalpindi and elsewhere and those which you have been pleased to make to-day, will, I have no doubt, appeal to all well-wishers of the Province, and will fill their hearts with gratitude towards Your Honour for the very laudable principles, the very noble principles, which Your Honour has in mind in carrying on the administration of your Province. We all deplore as much as Your Honour and the Government of India do the increase in violent crime which in recent years has taken place in the Western districts of the Punjab, and as you, Sir, truly observe, also in the Central districts of our Province; and we can all assure Your Honour of our most sincere and earnest co-operation in whatever measures Your Honour's Government may decide to adopt in order to put down this crime. I feel sure that the better sense of the people of our Province and particularly of the loyal section of the stalwart races of the Punjab will extend their hearty co-operation in putting down this great evil, which is doing such immense harm to the cause of law and order. What has fallen from Your Honour's lips to-day with reference to the violent language used in a certain section of the Indian Press I am sure has come at a time when it was much needed, and I can, on behalf of the non-official members of this Council, give Your Honour

our sincerest assurance that we deplore the violence of language used in a portion of the Indian Press as much as the Government itself does, and, as far as we are concerned, we believe that in the use of moderate and dignified language in the promotion of the national interests of the people, the Press serves the cause which they ought to have at heart, in the best possible manner, but that the use of violent and inflammatory language calculated to arouse the baser passions of the uneducated people, is sure to do infinite injury to the cause which we all have at heart.

"In conclusion, I can only say, Sir, that throughout your period of office, which I trust will be crowned with the most complete success that Your Honour could desire, we, the non-official members of this Council, shall always be ready to extend to Your Honour's Government our most loyal and faithful co-operation."

The Hon'ble Mr. Shadi Lal : –

"As this is the first meeting of the Punjab Legislative Council over which Your Honour is presiding since you assumed charge of your high office, I, in common with my colleagues in this Council, venture to offer to Your Honour a cordial and sincere welcome. During the administration of Your Honour's distinguished predecessor the Punjab passed through a quinquennium of uninterrupted prosperity, and it is our earnest and devout hope that that prosperity may continue unbroken in the lustrum during which Your Honour will preside over the destinies of this Province. The weighty words which you, Sir, spoke at Rawalpindi and a few minutes ago at this meeting of the Council inspire us with the hope that all matters relating to the peace and prosperity of the Province will receive the fullest consideration at Your Honour's hands, and that the advancement of the Province will be an object of Your Honour's fostering care. I venture to hope that as President of the Council you will extend to us the same consideration and courtesy which we always received from Your Honour's predecessor, and that you will treat with sympathy and encouragement any proposals which we may make for promoting peace, progress and prosperity of the people of the Province. We on our part can give Your Honour an assurance of our sincere and whole-hearted co-operation with the officers of Government in the arduous and responsible task of administration and legislation and in any reasonable measures which may be devised for the suppression of crime which is unfortunately rampant in some districts of the Punjab, and to which I drew the attention of this Council and of Your Honour's predecessor last year by asking certain questions.

"As regards the work of this Council, I may be allowed to state that our deliberations in the past have been marked by a sense of responsibility and proportion. I hope and trust that in the future our debates will be animated by a spirit of mutual toleration and a keen desire to better the conditions of the people whom we represent, and that all matters which have a tendency to excite racial or religious feelings will be avoided as far as possible. I hope Your Honour will excuse us if we sometimes make proposals for the improvement of the material and moral conditions of the people of this province, and as I have already stated, I feel confident Your Honour will give a careful and kind consideration to those proposals. The official Members of this Council will kindly recognise that sometimes our point of view may not be the same as that of the Government, and it may not be possible to have perfect harmony in all matters and on all occasions ; but it would be unfair to attribute it either to the arbitrary exercise of authority by the Government officers or to any factious opposition on the part of their critics. If we cannot agree, let us try to appreciate the motives of those that differ from us. I am sure I am voicing the opinion of the Members of this Council when I say that much as we may differ in some matters which may come up for discussion here, we are all united in our determination to do our best for the people of this Province."

The following written speech of the Hon'ble Rai Bahadar Ram Saran Das was taken as read :—

" On behalf of the non-official members of this Council my own constituency and the orthodox Hindu community, I beg leave to accord a heartfelt welcome to Your Honour on your return to the Punjab. The very first Bill which is to receive the consideration of this Council, under Your Honour's presidency, would, it is expected, have the effect of lessening drunkenness and crime in the Province. The first official conference that met under your guidance was connected with the consideration of schemes for the improvement of sanitation in the Punjab. These are very auspicious beginnings, for which also I beg to offer my congratulations to Your Honour. We all pray that the cause of education, sanitation and promotion of peaceful and happy relations between the different communities of the Province may receive due attention at Your Honour's hands. And in the end I earnestly pray that the people of the Punjab may continue steadfast in their loyalty and remain happy and prosperous, and may the leaders and the people of different communities in Your Honour's tenure of office strive their utmost to restore amity and brotherly relations among themselves."

His Honour the President :—

"I must express a word of thanks to the Hon'ble Mr. Shafi and the Hon'ble Mr. Shadi Lal for their kindly words of welcome. The words they have used are a great encouragement to me personally, and as head of the administration they strengthen me in the belief which I had already formed, that the non-official members will be always willing to co-operate in good Government and in all reasonable measures for the benefit of the people. I can assure the Hon'ble Members that any suggestions, any proposals which emanate from them, will receive from Government the full consideration that they deserve as coming from worthy representatives of the people of this Province."

QUESTIONS AND ANSWERS.

The Hon'ble Mr. Godley laid on the table a statement* showing the number of Upper and Lower Primary Schools for Indian boys and girls in the Punjab during the years 1911-12 and 1912-13 asked for by the Hon'ble Rai Bahadur Ram Saran Das at the meeting of the 13th March 1913.

The Hon'ble Malik Muhammad Amin Khan asked :—

Prohibition of prayers in Government School, Ludhiana.

" (*a*) Will the Government be pleased to state the facts justifying corporal punishment upon the students of Government High School, Ludhiana, for representing their grievances against the order of the Head Master forbidding the Musalman students to sound the call to prayers ?

" (*b*) Has the Government instituted any enquiry regarding the complaint that the Head Master has prohibited the Musalman boarders from saying their prayers in the mosque and he is enforcing this order strictly by locking the boarding-house immediately after the students have entered it after the school hours ?

" (*c*) If so, what is the result of the enquiry ? If no enquiry has been made would not the Government be inclined to institute one and take necessary action to remove the grievance of the Musalmans ?

*See Appendix A.

"(*d*) Is it correct that no Musalman student has been admitted to the Entrance Class of the said school during the current year ?"

The Hon'ble Mr. Godley replied :—

"The circumstances referred to by the Hon'ble Member are briefly as follows :—Certain Muhammadan pupils of the Government High School, Ludhiána, which is an undenominational institution attended by pupils of all creeds, asked that the Muhammadan call to prayers should be permitted in the school hostel. The Head Master did not think it expedient to grant the request, but gave them special permission to attend a local mosque. Subsequently these boys sent in written accusations against the Hostel Superintendent. The case was fully investigated by the Inspector of Schools, and as the charges were shown to be groundless, the boys in question were caned for insubordination and confined to the hostel by his orders, in the interest of school discipline. There seems to be no occasion for a further enquiry.

"The statement that no Muhammadan pupil has been admitted to the Entrance Class of the Ludhiána Government School during the current year is incorrect. No Muhammadan boys from outside the school applied for admission, but four Muhammadan pupils already in the school were admitted to the class in question."

The Hon'ble Malik Muhammad Amin Khan asked :—

"(*a*) In view of the extreme poverty but great importance of the agricultural communities, will the Government be pleased to consider the question of granting some special concessions to the sons of agriculturists in the secondary branch of public schools on the lines of those allotted in the primary department ? Educational concessions to sons of agriculturists.

"(*b*) The new definition of 'Agriculturist' as given in the Punjab Education Code is defective and limits the scope of concessions practically to the self-cultivating agriculturists. In consideration of their being the chief contributors to the education fund will not the Government be pleased to define it so as to bring the agricultural classes as defined in the Land Alienation Act generally within its scope irrespective of actual hand work ?

"(*c*) Will the Government kindly inform us to how the amount of Imperial grant of 3½ lakhs allotted to this province for education has been utilized ? Will not the Government be pleased to arrange some special concessions for agriculturists in view of their vast political and fiscal importance but abject poverty and admitted backwardness in education ?"

The Hon'ble Mr. Godley replied :—

"(*a*) The following concessions are in force at present :—Special 'zamindari' scholarships tenable in secondary schools are reserved for the sons of Sikh and Hindu agriculturists, while the 'Victoria' scholarships reserved for Muhammadan pupils in secondary schools are intended to be of assistance to Muhammadan agriculturists among others. The Lieutenant-Governor has recently agreed to an enhancement of the rates of all these scholarships, which in future will be of Rs. 4 instead of Rs. 2 in the middle classes, and of Rs. 6 instead of Rs. 4 in the high classes. In primary schools the children of agriculturists receive free education. It is not proposed to extend exemption from the payment of school fees to agriculturists' children in secondary classes, where 10 per cent. of the pupils can already be admitted at half-rates on the score of poverty. Government does not accept the statement as to the extreme poverty of the agricultural community.

"(*b*) The object of the definition of the term agriculturist given in article 117 of the Education Code is to relieve the cultivating as distinct from the land-owning classes from the payment of school fees, which range from one anna to five annas per month in Primary Schools. The definition as it stands

is sufficiently elastic to cover all the poorer classes of the agricultural population, and there seems to be no adequate reason why the comparatively well-to-do proprietors of land should be similarly exempted from these small payments.

"(c) The bulk of the recurring imperial grant referred to by the Hon'ble Member has been and is being spent on the expansion and improvement of primary education in the rural tracts of the Province, including the erection of primary school buildings and the raising of teachers' salaries, *i.e.*, in bringing free primary education within the reach of the agricultural classes."

The Hon'ble Malik Muhammad Amin Khan asked: –

Education of Musalmans.

"(a) Will the Government be pleased to inform the steps it has taken or intends to take in compliance with the recent circular letter of Government of India regarding the education of Musalmans ?

"(b) Will not the Government be pleased to appoint, as has been done in sister provinces, a committee of official and non-official members of the community for carrying out the policy and instructions laid down in the circular under reference ?"

The Hon'ble Mr. Godley replied :—

"The Anjuman-i-Himayat-i-Islam has been addressed on the subject of the letter referred to. It has not been considered necessary at this stage to nominate a separate Muhammadan committee for the purpose of making recommendations, as the Anjuman is understood to be sufficiently representative of Muhammadan opinion."

The Hon'ble Malik Muhammad Amin Khan asked :—

Non-admission of students in High Schools.

"(a) Is Government aware that admission to students is being refused in some High Schools on the plea of want of accommodation ? If so, under what authority and on what principle ?

"(b) Is not the plea a direct method of discouraging education generally and as the Government schools are at present staffed by non-Muslims mostly, does not the Government think that there is great danger of the Moslems being not treated justly, and cannot the Education Department remove this defect by increasing the number of schools and of the staff of the existing institutions ?"

The Hon'ble Mr. Godley replied : —

"I may refer the Hon'ble Member to my answers to similar questions put by the Hon'ble Rai Bahadur Hari Chand on the 16th March 1911, and the Hon'ble Rai Bahadur Shadi Lal on the 15th November 1911. The overcrowding of school premises is discouraged by the inspecting officers of the Education Department in the interest of the health of the pupils and the efficiency of the instruction, and it is probable that boys are occasionally refused admission to schools which are already full. There are no special orders on the point, except that the maximum number of scholars in a class is fixed by article 225 of the Education Code, and that the provision of sufficient space per pupil is one of the conditions of a maintenance grant. Large sums of money are now being spent on expanding school accommodation. There is no reason to suppose that Muhammadan interests are specially affected in the matter."

The Hon'ble Malik Muhammad Amin Khan asked : –

Musalman District Inspectors and Head Masters.

"(a) Is the Government aware that of the six posts of the Head Masters of Government Normal Schools not a single one is held by a Musalman ? Will the Government kindly state as to the causes which have prevented its officers from removing such flagrant disparity, especially because there seems no dearth of qualified Musalmans ?

[*Malik Muhammad Amin Khan ; Mr. Godley.*]

"(*b*) Has the attention of Government been invited to the statistics given in the *Observer* of the 31st May 1913, complaining of a deplorable inadequacy of Musalman element in the local Education Service ? Will the Government be pleased to state what are the causes of this disparity, and whether there is any likelihood of removing this grievance ?

"(*c*) Has the Government considered that out of 29 District Inspectors of Schools and 29 Head Masters of Government High Schools there are only eight Musalmans in each of these two important branches of Education staff ? In view of the fact that the encouragement of education in a backward community depends entirely upon a sympathetic attitude of the teaching and inspecting staff, will the Government be pleased to take an early step to increase the number of Musalman District Inspectors and Head Masters ? "

The Hon'ble Mr. Godley replied :—

"Statistics regarding the proportion of Muhammadans employed in the Education Department as Head Masters and inspecting officers will be found in a letter* addressed by Government to the Anjuman-i-Himayat-i-Islam, copies of which I am permitted to lay on the table for the information of Members of this Council. The statistics given in the newspaper referred to are inaccurate in several respects, as admitted in a subsequent issue of the same paper. The general questions raised by the Hon'ble Member are also dealt with in the letter. Head Masters of Normal Schools are appointed mainly with a view to their qualifications and their seniority in the service, but it is recognised to be desirable to appoint Muhammadans to schools situated in Muhammadan districts if suitable incumbents can be found."

The Hon'ble Malik Muhammad Amin Khan asked :—

"Will the Government be pleased to lay on the table a statement showing— Schools, scholarships and education staff in Jhang district.

(*a*) the number of Gurmukhi as well as Hindi and Urdu schools opened under the District Board in the Jhang district during the last three years, together with the population statistics of various communities in each of the villages and towns in which the new schools have been started ?

(*b*) the number and value of scholarships awarded by the District Board, Jhang, during the last five years to Hindu and Muhammadan scholars, respectively, for instruction in the Lahore Training College and other educational and training institutions ?

(*c*) names of the teaching and inspecting staff working and holding charge in the Jhang district, and also the period of the latter's respective employment in the district. Is it true that both the inspecting and teaching staff consists chiefly of the members of one community ? "

The Hon'ble Mr. Godley replied :—

"As regards the first part of the Hon'ble Member's question, a statement† giving the particulars asked for regarding schools and scholarships in the Jhang district is laid on the table. The number of inspecting officers employed in the district is three, of whom one is a Muhammadan. The teachers in the Government High School, Jhang, number 17, of whom 4 are Muhammadans. The cause of this disparity is that the Muhammadans of Jhang have been educationally backward in the past, while it has been easy to obtain Hindu teachers of good qualifications locally. A list‡ showing the names and dates of appointment of the teaching and inspecting staff is laid on the table.

*See Appendix B.
†See Appendix C.
‡See Appendix D.

The Hon'ble Malik Muhammad Amin Khan asked :—

" (*a*) Is it a fact that the enhancement amounts in the Chenab and Jhelum Colonies to 109 and 208 per cent., respectively, of the previous demand of land revenue.

Enhanced assessments in the Chenab and Jhelum Colonies.

" (*b*) If so, will the Government be pleased to state the principal causes for the excessive increase and to describe in a tabulated form whether it is due to increased cultivation or higher rates only and whether the Government has considered the mistakes made in following the statistics only and the advisability of making enhancement gradually ?

" (*c*) Is the Government aware that intense dissatisfaction exists in the Colonies over the enormous increase in the assessment rates, and in order to allow this, would not the Government, before sanctioning the proposed assessment, be pleased to institute further enquiry regarding the alleged grievances of the colonists ? "

The Hon'ble Mr. Fenton replied :—

" (*a*) The percentage figures given in the question have apparently been taken from paragraph 12 of the last Report on the Land Revenue Administration of the Punjab. But they represent estimates only. The revenue of each year varies with the area of crops, as the assessment in both colonies is a fluctuating one. The percentage of increase involved in the recent settlement operations is therefore best indicated by the acreage rates sanctioned. A statement* of these is placed on the table. It may be explained that the Jhelum Colony rates are average rates and that in the case of the Chenab Colony differentiation is allowed within each class so as to admit of inferior squares receiving consideration.

" (*b*) It is not admitted by Government that the increase in the assessment has been ' excessive ', nor is it admitted that the officers responsible for the settlement have, as alleged, made the mistake of following statistics only. The increase in the revenue in both Colonies is due in the main to the circumstance that the concession period during which the colonists were permitted to pay at initial favourable rates, not based on any estimate or appraisement of assets, has expired, and that an assessment of the nature of a first regular settlement conducted on ordinary settlement principles and based on assets has now for the first time been imposed. With reference to the last inquiry in this section of the Hon'ble Member's question I may state that in the Jhelum Colony the full rates have in some cases been postponed for four years. It will be within the discretion of the authority dealing with the appeals now pending from the Chenab Colony to sanction a similar postponement where the conditions seem to require it.

" (*c*) Again, exception must be taken to the use by the Hon'ble Member of the word ' *enormous* ' in describing the increase in the assessment rates. It must be remembered that the land revenue is only one portion of the Government demand, that the canal water rates which have been unchanged for twenty years are just as important an item in the total charges which colonists have to meet, and that the percentage of increase in the total charges on the land is thus very moderate in comparison with the increase in the assessable assets of these prosperous communities, which relatively to revenue payers in other provinces of British India and in Native States enjoy a very favourable rate of taxation.

**Vide* Appendix E.

[*Mr. Fenton ; Malik Muhammad Amin Khan ; Mr. Fagan.*]

"The Lieutenant-Governor, who recently visited Lyallpur, did not find evidence there of the existence of any such intense dissatisfaction as is alleged in the Hon'ble Member's question ; nor is there any reason to believe that any such dissatisfaction exists among the Jhelum colonists.

"The assessments referred to in the question *have* been sanctioned by Government and are final except to the extent that in the case of the Rakh Branch of the Chenab Canal they may be modified for individual revenue-payers by the orders of the Commissioner and Financial Commissioner passed on appeals under section 58 of the Land Revenue Act".

The Hon'ble Malik Muhammad Amin Khan asked :—

Co-operative Credit Societies and Takavi advances.

"(*a*) Is Government aware of the immense good done to the people by the Co-operative Credit Societies' system in the districts of the Punjab, where the work has been started, and will the Government kindly state that in consideration of the above benefits what steps it has taken in order to increase the staff, so that the much-needed districts, especially those in the north of the Chenab, may avail themselves of the help given to the people by this measure ?

"(*b*) In place of making takavi advances to zamindars under different Acts and spending so much time and labour on this work, would it not be advisable for Government to make over all such items to the credit of Co-operative Credit Societies and order the Registrar to make arrangement for the distribution of the money and for its repayment to Government ?"

The Hon'ble Mr. Fagan replied :—

"(*a*) Government is fully aware of the benefits which the Province has derived and is deriving from the Co-operative Credit system, and every endeavour is made to foster and encourage the success of the movement by increasing the staff at the disposal of the Registrar, Co-operative Credit Societies, whenever the need arises. With reference to the districts north of the Chenab it may be mentioned that 23 societies have been started in the Rawalpindi and Attock districts during the last four months, and that the question of the appointment of a permanent Inspector for employment in those districts and in Jhelum is under consideration. The districts of Shahpur and Gujrát are already receiving sufficient attention.

"(*b*) The Government of India have decided that takavi advances may not be made to Co-operative Credit Societies as such for their own use and benefit. The question of utilizing such societies as the agents of Government for distribution of advances to their individual members is under consideration".

The Hon'ble Malik Muhammad Amin Khan asked :—

Settlement Amla of the Kángra district.

"Will the Government please enquire and inform whether any instructions have been issued to the effect that in view of majority of Hindu population the settlement Amla of the Kángra district should consist solely or mainly of Hindus ? Is there any justification for such an unprecedented order for Kángra alone ?"

The Hon'ble Mr. Fagan replied :—

"No such instructions as are described in the question have been issued."

The Hon'ble Malik Muhammad Amin Khan asked :—

Grant of land to Ráwalpindi and Attock district proprietors.

"Is Government aware that the average extent of proprietary holdings is exceedingly small throughout Ráwalpindi and Attock districts, and that the owners of these districts were generally excluded from obtaining land in colonies on former occasions. Many people of these districts remain absent from their homes in search of livelihood and form good soldiers of Indian Army, and in order to improve their condition will the Government be pleased to consider their claims for grant of land (on some favourable terms) in the new colonies ?"

The Hon'ble Mr. Fenton replied :—

"The average proprietary holding in the Ráwalpindi district is small but not so small as in several other districts in the Province. The average proprietary holding in the Attock district is very much larger than the average of the Province.

"It is not the case that land owners of the Ráwalpindi and Attock districts were generally excluded from obtaining land in colonies on former occasions. In fact the Ráwalpindi division received preferential treatment in the allotment of land in the Jhelum Colony, and the Ráwalpindi district was specially favoured in the distribution which then took place. The Local Government has recommended the allotment of 100,000 acres on the Lower Bari Doab Canal to pensioned officers and soldiers of the Native Army. To the Ráwalpindi division a substantial portion of this area should fall inasmuch as it furnishes a large number of recruits to the Army. The Hon'ble Member is aware that 20,000 acres or nearly half the available area of Government land on the Upper Jhelum Canal has been set aside for allotment to persons who render assistance to the Criminal Administration in the Ráwalpindi division."

The Hon'ble Malik Muhammad Amin Khan asked :—

Naib Tahsildars, their appointments and pay.

"(*a*) The Naib Tahsildar candidates pass an anxious time of nine or ten years before they secure a sub *pro tem.* appointment. In order to reduce the period of their expectancy, would not the Government be pleased to consider the advisability of giving them preference in certain appointments of the district establishment ?

"(*b*) The Naib Tahsildars are required to keep a horse and double set of servants in consequence of their tours. Has Government taken into consideration the facts that in spite of an increase in their salary sanctioned in 1903 it remained still inadequate to meet their expenses (which in order to maintain their position and dignity must necessarily amount at least in the district headquarter stations to about Rs. 45 per mensem) ? Now that the grades of Tahsildars have been revised, will not the Government be pleased to consider the question of revising the scale of Naib Tahsildars' pay ?"

The Hon'ble Mr. Fenton replied :—

"(*a*) Naib Tahsildar candidates are of two classes, official and non-official. On the 1st July last there were 241 candidates of all classes in the Province, of whom, at the time of acceptance, 115 were classed as non-officials. The Divisional lists show that on the 1st July only 49 of these were still unemployed. Of these 49 candidates, 23 were accepted less than three years ago, and as it takes a non-official candidate about that time to complete the special training in the field and in a revenue office required by the rules, his

employment in any other appointment at an earlier date would be impracticable. These figures indicate that Commissioners who are the officers responsible for the acceptance and appointment of Naib Tahsildars are fully alive to the desirability of providing non-official candidates with suitable employment in Government service, pending their appointment as Naib Tahsildars. No hard and fast rule can be made on the subject. Much must depend on the existence of suitable vacancies, with due regard to the claims of persons already in the service.

" (*b*) The question of a further increase in the rates of pay for Naib Tahsildars was considered by Government in December last, when the 4th grade of Tahsildars was abolished, but it was decided that no revision was necessary as in the opinion of Government it is desirable that there should be a great gap between the salary of a Naib Tahsildar and that of a Tahsildar, so that the subordination of the former may be most clearly marked."

The Hon'ble Malik Muhammad Amin Khan asked :—

" Is there any proposal under consideration to grant fixed allowances to the Revenue Assistants of the districts ? " Allowances to Revenue Assistants.

The Hon'ble Mr. Barron replied :—

" The answer is in the negative."

The Hon'ble Malik Muhammad Amin Khan asked :—

" Does the Government know that the post of a Treasury Officer is unpopular in service ? With the object of removing this defect, and in view of grave importance of duties of Treasury Officers, will the Government be pleased to consider the desirability of granting an allowance to these officers at least in some important districts where the treasury work is very heavy ? " Allowance to Treasury Officers.

The Hon'ble Mr. Barron replied : –

" Government is not aware that the post of Treasury Officer is regarded as an unpopular one, though the work, if not relieved by other duties, is sometimes alleged to be monotonous and unattractive. The question of granting special allowances to the Treasury Officers of the larger treasuries was considered in 1904-05, but the proposal was rejected in view of the steps then being taken to reduce the amount of judicial work to be expected from Treasury Officers. No further representation on the subject has since been received by Government."

The Hon'ble Malik Muhammad Amin Khan asked :—

" Is the Government aware that a feeling of general dissatisfaction exists amongst the Tahsildars about the scale (Re. 1 per diem) of travelling allowance sanctioned for them, which is quite insufficient to recoup their actual travelling expenses, and which even works below the scale of fixed travelling allowance for ministerial officials of equal pay ? Now that the pay of Tahsildars has been equalised with that of Munsifs, will not the Government be pleased to take into consideration the question of equalising the scale of daily travelling allowance and of removing the standing grievance of a deserving body of public servants ?" Travelling allowance to Tahsildars.

[*Mr. Fenton ; Malik Muhammad Amin Khan ; Lala Kashi Ram.*]

The Hon'ble Mr. Fenton replied :—

" Government is not aware that there is a feeling of general dissatisfaction among Tahsildars in the Punjab in regard to their travelling allowance, as no representations on the subject have been received. The existing rate of Re. 1 per diem was sanctioned by the Government of India, as a special case, in lieu of registration allowances, in 1889, and it was mentioned in the sanctioning letter that Tahsildars in other Provinces were not allowed travelling allowance. The grant of travelling allowance was supplemented by the provision of tents and their carriage at the expense of Government.

" Munsifs are allowed Rs 3 a day, but are not provided with tents It is only very occasionally that Munsifs are required to leave head-quarters, and their case is, therefore, quite different from that of Tahsildars."

The Hon'ble Malik Muhammad Amin Khan asked :—

Sub-Overseers and Overseers in the Public Works Department.

" (*a*) I venture to ask what action Government has taken or intends to take in connection with the memorial submitted about six months ago by the Sub-Overseers of the Public Works Department.

" (*b*) Will the Government be pleased to inform how many appointments in the Upper Subordinate (Overseer) grade of the Public Works Department were made during the last three years by direct nomination and by promotion from the Lower Subordinate (Sub-Overseer) grade of the Department ? "

The Hon'ble Mr. Fenton replied :—

" (*a*) The memorials submitted by Sub-Overseers of the Public Works Department, Punjab, are still under consideration.

" (*b*) During the last three years 37 appointments have been made to the Upper Subordinate Establishment, Public Works Department, Punjab, as follows :—

(1)	By promotion of lower subordinates ...	13
(2)	By appointment of temporary Upper Subordinates already serving in the Department ...	13
(3)	By appointment of men who had secured guaranteed appointments at Roorkee ...	0
(4)	By appointment of men who have passed through the Engineering Class at Roorkee or elsewhere, but who did not secure posts as Assistant Engineers ...	1
	Total ...	37

" In addition, two temporary Upper Subordinates and three men qualified for the post of Assistant Engineer were appointed to the Supervisor grade. "

The Hon'ble Lala Kashi Ram asked :—

" Will the Government be pleased to state whether it is a fact—

Assessment of income-tax on firm of Ram Rattan Girdhari Lal.

(*a*) that a trading firm in Ludhiana consisting of three brothers and carrying on business in the name of Ram Rattan Girdhari Lal were assessed to income-tax at Rs. 169-4-4 for the year 1910-11, in which year one of the brothers divided off, taking away one-third share of its capital ;

(*b*) that at the proceedings for the next assessment, *viz.*, for the year 1911-12, the above facts were brought to the notice of the authorities by the two remaining brothers, who also put in a statement showing their profits at Rs. 4,400 only; that notwithstanding the two brothers representing two-thirds share of the old firm were assessed at Rs. 260 while the outgoing brother was assessed at Rs 52 only;

(*c*) that against this assessment the two brothers preferred an objection to the Collector praying for assessment according to law with reference to their actual profits ascertainable from their account books which they were ready to place before him; that the Collector called for a report from the Tahsildar as to why the two brothers representing two-thirds of the old firm should be assessed to Rs. 260 while one brother, who had one-third capital, was assessed at Rs. 52 only; that the Tahsildar supported his assessment by stating *inter alia* that wealthy bankers kept more than one set of account books; that the Collector dismissed their objection, remarking in his order that the objectors were the wealthiest firm in Ludhiána; that a revision application by the firm to obtain redress was rejected by the Commissioner of the division;

(*d*) that in the year 1912-13 this firm was again assessed at Rs. 260 and made the same efforts as in the previous year to obtain enquiry into the state of their profits, but failed."

Reliability of account book.

"Will the Government be pleased to state if any enquiry was made by any of the officers named above as to the reliability of the books of this firm, and, if not, on what data was the income of the firm assessed at Rs 10,000? If the books were disregarded, will the Government be pleased to state if such disregard of the books of respectable firms is confined to the case of this firm or is general in the case of Indian traders?"

Disregard of account book in assessing income-tax.

"Are the Government aware that such disregard of the Indian traders and their books results in a great deal of hardship, and will they consider the desirability of taking some steps to ensure that assessments for the purposes of the income tax are made on some definite facts, and that account books of reliable firms are not disregarded?"

The Hon'ble Mr. Fenton replied:—

"Government had no information as to the facts set forth in the Hon'ble Member's questions, but on notice of it being received a report was called for from the Deputy Commissioner of Ludhiána. That officer's report has only just reached me. It is too long to read to the Council, but I now supply a copy of it to the Hon'ble Member. Government has no information beyond what is contained in this report. The Hon'ble Member will see that the statements of fact in the question are mainly, though not entirely, correct, and that the explanations which he seeks are given by the Deputy Commissioner.

"Coming now to the general questions raised by the Hon'ble Member it is not the case that the account books of reliable firms are generally disregarded by income-tax assessing officers. All information bearing on the appraisement of income is welcome. But assessing officers are not bound by law to base their assessments on such evidence alone, to the exclusion of

all other evidence, more especially when the account books produced relate to a portion only of a firm's transactions. To ascertain the income derived from trade transactions, of which the account books produced contain no record, assessing officers must necessarily have recourse to other sources of information. In the case which has given rise to the present question the Commissioner expressed the opinion that the statement of account produced was too fragmentary to be of any value."

The Hon'ble Lala Kashi Ram asked :—

Raising of Punjab Chief Court to status of High Court.

"With reference to the reply given by the Hon'ble Mr. Barron to the question asked by the Hon'ble Rai Bahadur Shadi Lal at the Council Meeting held on the 14th December 1912 on the subject of raising of the Chief Court to the status of a Chartered High Court and to the statement of the Public Press to the effect that Sir Louis Dane before his retirement recommended to the Government of India that the Chief Court be raised to the status of a Chartered High Court, will the Government be pleased to state whether the above-mentioned statement is correct, and, if so, what action has been taken on the recommendation of the Punjab Government ?"

The Hon'ble Mr. Barron replied :—

"The statement referred to in the Hon'ble Member's question is substantially correct, but the constitution of the High Court contemplated by the late Lieutenant-Governor did not in all respects correspond to that of the existing High Courts. The matter is still the subject of correspondence between this Government and the Government of India."

The Hon'ble Rai Bahadur Shadi Lal asked :—

District and Sessions Judges scheme.

"With reference to the question in connection with the scheme of District and Sessions Judges asked by me at the meeting of the Legislative Council held on the 14th December 1912 and the reply of the Hon'ble Mr. Barron thereto, will the Government be pleased to state whether the scheme has been sanctioned by the Secretary of State for India, and, if so, when the Bill to give effect to it will be introduced in the Council ?"

The Hon'ble Mr. Barron replied :—

"With Your Honour's permission I propose to answer this question and the subsequent question on the same subject by the Hon'ble Mian Muhammad Shafi together.

"The scheme for the substitution of District and Sessions Judges for Divisional and Sessions Judges in the Punjab has been sanctioned by the Secretary of State, and a draft Bill to amend the Punjab Courts Act in order to give legal sanction to the proposed changes has been submitted to the Government of India for approval. It is proposed that the necessary legislation should be introduced and passed as early as possible so that the scheme shall come into force during the coming cold weather."

The Hon'ble Rai Bahadur Shadi Lal asked :—

Election to Simla municipality.

"Will the Government be pleased to state the circumstances under which the tax-payers of Simla were deprived of the privilege of electing their representatives to the municipal committee ?"

[*Mr. Mant; Mr. Shadi Lal; Mr. Barron; Rai Ram Saran Das; Mr. Fenton.*]

The Hon'ble Mr. Mant replied :—

"The system of election was discontinued in Simla in 1903 because it had been found by experience that the system did not conduce to good administration in the special circumstances of the municipality. The preponderating interests of Government in the station, and the large grants which the municipality has received from general revenues made it desirable for Government to nominate the members of committee. But endeavours are made to secure that all important interests—house-owners, traders, bazar, etc.,—besides those of Government, are duly represented."

The Hon'ble Rai Bahadur Shadi Lal asked :—

Dissatisfaction with constitution of Simla Municipal Committee.

"Is the Government aware that the tax-payers value the right of electing members to the municipal committee and are dissatisfied with the present constitution of the Simla Municipal Committee? Will the Government be pleased to reconsider the matter and restore to the tax-payers the privilege of election which they had enjoyed before the change was made?"

The Hon'ble Mr. Mant replied :—

"The Government has no reason to believe that the tax-payers generally desire to have votes, and for the reasons given in reply to the last question, the Government is not prepared to restore the electoral system."

The Hon'ble Rai Bahadur Shadi Lal asked :—

Report by Clerical Establishments Committee.

"With reference to the reply given by the Hon'ble Mr. Barron on the 2nd October 1912 to my question relating to the proposal for increasing the pay of some members of the clerical establishments under the Punjab Government, will the Government be pleased to state whether the Clerical Establishments Committee have finished the enquiry which they were asked to make, and, if so, will the Government be pleased to lay on the table a copy of their report?"

The Hon'ble Mr. Barron replied :—

"The Clerical Establishments Committee has, it is understood, practically completed its enquiries, and its report will shortly be ready for submission to Government. Government cannot say, until it has seen the report, whether it can be published or laid on the table of this Council, but both points will be considered in due course."

The Hon'ble Rai Bahadur Ram Saran Das asked :—

Copies of applications to and orders by Canal Officers.

"Is the Government aware that there is a general practice in canal offices not to grant copies of any applications filed or adverse orders passed which prevents people from approaching the higher departmental authorities? Will the Government be pleased to take some action with a view to remove this difficulty of the irrigators?"

The Hon'ble Mr. Fenton replied :—

"The Chief Engineers, Irrigation Department, deny that there is any such practice in canal offices as is alleged in the question. Heads of canal offices, like heads of other offices, are, subject to appeal to higher authorities, vested with discretion as to granting of copies of documents in cases not covered by definite statutory and departmental rules. Copies of confidential documents

for instance, are often refused, and rightly refused. But petitioners to whom copies of orders of Executive Engineers and Sub-Divisional Officers are refused are at liberty to appeal to the Superintending or Chief Engineer who can direct copies to be supplied. If the Hon'ble Member will give specific instances of the practice alleged in his question, the Chief Engineers will be glad to look into them."

The Hon'ble Rai Bahadur Ram Saran Das asked :—

Holiday on Ram Naumi day.

"In view of the fact that Ram Naumi being a national festival and considered a sacred day by the Hindus when the orthodox people perform certain religious ceremonies, will the Government consider the desirability of declaring this a public holiday under the Negotiable Instruments Act."

The Hon'ble Mr. Barron replied :—

"The question of declaring a general public holiday on the "Ram Naumi" or birthday of Siri Ram Chandra, the hero of the Ramayana, was considered in 1911, when it was decided that there were not sufficient reasons for adding this festival to the list of public holidays notified under the Negotiable Instruments Act. Of the ten Hindu holidays declared under the Act the four days given at the Dusehra already commemorate the deeds of the hero of this famous epic poem. It is open to the Deputy Commissioner of any district in which for local reasons it may be desirable to recognise the Ram Naumi as a holiday to include its date in the local holidays which may be granted by him with the sanction of the Commissioner. The date is so included in the list of local holidays in two districts in the Punjab."

The Hon'ble Rai Bahadur Ram Saran Das asked :—

Water rates in the Sidhnai, Lower Chenab and Upper Sutlej Inundation Canals.

"In his reply to my question No. 1 put in the meeting of the Council on the 13th March 1913, the Hon'ble Mr. Fenton stated that the rates so far levied in the Punjab are very far below the standard as mentioned in paragraph 378 of the Report of the Irrigation Commission, 1901-03. Will the Government be pleased to state what is the figure of standard in the Sidhnai, Lower Chenab and Upper Sutlej Inundation Canals, where the annual return on capital outlay is 31·72, 28·66 and 18·88, respectively ?"

The Hon'ble Mr. Fenton replied :—

"I do not understand what the Hon'ble Member means by the "figure of standard." The *actual* canal occupiers' rates in force on the canals mentioned in the question are some 40 to 50 in number, varying according to the season and the crop grown and according as they are levied for flow or lift irrigation. It would take up too much of the time of the Council to read out the full schedules, but if the Hon'ble Member comes to me at any time I can show him the nine or ten Gazette notifications imposing the rates. The percentages of annual return on capital outlay which are given in the question do not represent the proceeds of canal occupiers' rates alone. Account is also taken of indirect income such as land revenue and the sale-proceeds of Government land made culturable by irrigation. If occupiers' rates alone were taken into account the percentages would be considerably lower."

[*Rai Ram Saran Das ; Mr. Godley ; Mr. Fenton.*]

The Hon'ble Rai Bahadur Ram Saran Das asked :—

Number of Primary Schools.

"Will the Government lay on the table of this Council a statement showing the number of (*a*) Lower Primary Schools, (*b*) Primary Schools in each of the districts of the Province during the years 1909-1910, 1910-1911, 1911-1912 and 1912-13 ? "

The Hon'ble Mr. Godley replied :—

"Statistics* for the years 1911-12 and 1912-13 are laid upon the table. In previous years Upper and Lower Primary Schools were not separately classified in the returns."

The Hon'ble Rai Bahadur Ram Saran Das asked :—

Water-rates on perennial canals.

"(*a*) Will the Government be pleased to state after how many years are the water-rates on different perennial canals of the province liable for revision ?

"(*b*) If there is no such period fixed for revision, will the Government consider the desirability of not raising these rates before the expiry of at least 20 years ? "

The Hon'ble Mr. Fenton replied :—

"(*a*) *and* (*b*).—Water-rates on perennial canals are liable to revision at any time. In a recent letter the Government of India expressed the following opinion on the subject :—

" ' There are strong reasons for reserving power to alter the charges for water in case of necessity. A change in the conditions of cultivation might disturb the proportions of water required for different crops, and some re-adjustment of the rates might be advisable and equitable. It is not politic for Government to tie itself down too much in the matter. '

"The question was examined, in so far as it affects Punjab Canals, in the year 1889 and the view then taken was that there should be a reconsideration and revision if necessary of canal rates every ten years, and that such rates should at any rate be examined at each land revenue settlement. In practice, however, this programme has not been adhered to. For instance, the occupiers' rates on the Chenab Canal have remained practically unchanged for over twenty years, the only modification being to reduce rates where the water-supply has not been satisfactory.

"The revision of occupiers' rates on the Bari Doab Canal which, according to the programme of 1889, was to take place in 1897, was not actually carried out until 1906.

"For Government to give any undertaking in the sense suggested in paragraph (*b*) of the Hon'ble Member's question would be contrary to the policy approved by the Government of India, as communicated in the extract which I have just read, and would be opposed to the recommendations of the Irrigation Commission."

The Hon'ble Rai Bahadur Ram Saran Das asked :—

Remissions for kharaba on the Lower Chenab Canal.

"(*a*) Will the Government be pleased to state whether it is under contemplation to change the rules for allowing remissions for kharaba in the Lower Chenab Canal ?

"(*b*) If so, will the Government be pleased to state the nature and the line on which such change is contemplated ? "

*See Appendix A.

The Hon'ble Mr. Fenton replied :—

"(*a*) *and* (*b*).—The existing rules governing the grant of remissions for failed crops on the Lower Chenab and Lower Jhelum Canals are contained in *Punjab Gazette* Notification No. 587 R. I., dated 6th May 1913. No changes in the rules as so notified are under contemplation."

The Hon'ble Rai Bahadur Ram Saran Das asked :—

Grant of squares on Canal Colonies to Civil grantees.

"(*a*) Is it a fact that the Secretary of State has stopped the grant of the squares on Canal Colonies to civil grantees ?

"(*b*) Is it not a fact that the civil employés of the Government and other private men have in the past been granted squares for approved and meritorious service to the State, in addition to what they enjoyed in the shape of pensions, gratuity, rewards or title, &c. ?

"(*c*) Does the Government know that formerly good and hard-working Government servants, who could not be promoted to higher appointments after the age of 40, were able to get squares on Canal Colonies ?

"(*d*) If the answer to question 1 (*a*) is in the affirmative, will the Government state in what way will approved and meritorious service now be recognised ? "

The Hon'ble Mr. Fenton replied :—

"(*a*) What His Lordship the Secretary of State has ruled is that it shall be incumbent on Local Governments to submit for the orders of the Government of India and the Secretary of State all cases in which it is proposed to make to any civil official or ex-official a grant of land involving a concession not provided for by the ordinary rules.

"(*b*) The answer to clause (*b*) of the question is in the affirmative ; that is to say, approved and meritorious services rendered by civil employés who are Indians, or, in one or two exceptional cases, members of the domiciled community, have in the past been rewarded with grants of Government land where such land was available ; but approved and meritorious services rendered by civil employés who are Europeans have not been so rewarded.

"(*c*) In the allotment of land to civil employés in the past such a distinction, as is indicated in the question between those who could not be promoted to higher appointments after the age of 40 and all others, does not appear to have been observed.

(*d*) Approved and meritorious service will be rewarded in the future, as it has been rewarded in the past, by promotion, by pensions and by the grant of honours and titles. It will still be open to the Local Government also to recommend for the sanction of superior authority pecuniary rewards or land grants involving concessions having a pecuniary value, but such recommendations would be made only in very exceptional cases, as a reward for service of extraordinary merit."

The Hon'ble Rai Bahadur Ram Saran Das asked :—

Excavation works by Archæological Department.

"In view of the international and great historical importance of the excavations now being made in the Rawalpindi district on the site of Taxila, would the Government consider the advisability of making more liberal grants from Provincial funds for carrying on such works under the Archæological Department ?"

The Hon'ble Mr. Barron replied :—

"Government has every desire to recognise the great historical importance of the excavations now in progress at Taxila, which were in fact commenced on the initiation of Government, and has already made special grants of funds towards this object. The Punjab Government has just sanctioned the expenditure of Rs. 8,000 on the acquisition of the land in which the excavations will be conducted, and the Government of India has also recently sanctioned a grant of Rs. 4,715 for the construction of an approach road. The grant for archæological work this year has been increased to Rs. 10,000, a considerable proportion of which will probably be spent on extending the interesting discoveries now being made by the Archæological Department at Taxila."

The Hon'ble Rai Bahadur Bakhshi Sohan Lal asked :—

New districts of Shekhupura and Kasúr.

"With reference to the answer given by the Hon'ble Mr. BARRON to the question which I put in the meeting held on 13th March 1913, will the Government be pleased to state—

(*a*) whether the scheme for forming new districts in the vicinity of Lahore has now taken a definite shape ?

(*b*) whether it is correct that Shekhupura and Kasúr are to be the head-quarters of the proposed districts ?

(*c*) and if so, what parts of the present district of Lahore are to be transferred to the new districts ? "

The Hon'ble Mr. Barron replied :—

"The answer to the first part of the Hon'ble Member's question is in the negative. The scheme for the formation of one or two new districts in the neighbourhood of Lahore is still under the consideration of Government and the Financial Commissioners. Consequently no decision has yet been arrived at regarding either the head-quarters of the districts or the areas to be included in them if they are formed. When the scheme is further advanced, it is the intention of Government to publish its main features for the information of the public before any definite action is taken in the matter."

The Hon'ble Rai Bahadur Bakhshi Sohan Lal asked :—

District and Sessions Judge for Kángra.

"Will the Government be pleased to state—

(*a*) whether in the proposed scheme for the District and Sessions Judges in the Punjab, a separate District and Sessions Judge will be appointed for Kángra district ?

(*b*) whether the Government and Hon'ble Judges of the Chief Court have received and considered any petitions against the incorporation of Kángra district within one or more of the divisions which are to have their head-quarters in the plains, and if so, what action, if any, has been taken on such petitions ? "

The Hon'ble Mr. Barron replied :—

"(*a*) There are to be only 21 District and Sessions Judges for the 28 districts comprising the Province. Every district cannot therefore be allotted a separate District and Sessions Judge. The work in the Kángra district would not justify the appointment of a separate District and Sessions Judge. It is therefore contemplated to continue the existing arrangement under which

the Kángra and Hoshiárpur districts are included in the jurisdiction of one Divisional and Sessions Judge, whose place under the new scheme will be taken by a District and Sessions Judge.

"(*b*) Government have received a representation from the Bar Association at Dharmsála on the subject, but it was evidently based on a misconception of the intentions of Government ; The only change contemplated in the existing arrangements for the disposal of the civil and criminal judicial work of the Kángra district, which so far as Government is aware have not hitherto caused any inconvenience, is that the District and Sessions Judge of Gurdáspur will be empowered to dispose of the civil judicial work from the Núrpur tahsil. Núrpur is more accessible to Gurdáspur than Dharmsála, and much more so than to Hoshiárpur, so that this arrangement will be greatly to the convenience of litigants."

English teaching in Núrpur School.

The Hon'ble Rai Bahadur Bakhshi Sohan Lal asked :—

"With reference to the answer to the question which I put in the meeting of the 13th March 1913, will the Government be pleased to state—

(*a*) whether it is a fact that the district board of Kángra has in its meeting held on 10th July 1913 ordered the abolition of the teaching of English in the school at Núrpur with effect from the 1st of April 1914 ?

(*b*) what is the amount contributed in 1911-12 and 1912-13—

(*i*) by the district board ?

(*ii*) by the Local Government ?

(*iii*) and realised from fees and fines ?

"and whether the total receipts under (*i*), (*ii*) and (*iii*) are sufficient to cover the annual expenditure of the school ? "

The Hon'ble Mr. Godley replied :—

"(*a*) The Kángra district board at a meeting held on the 10th July 1913 decided to convert the Anglo-Vernacular Middle School at Núrpur into a Vernacular Middle School, with effect from April 1914. The measure is understood to be connected with the opening of the new Government High School at Dharmsála.

"(*b*) The district board spent Rs. 139 on the school in 1911-12, and nothing in 1912-13. The Government grant was Rs. 1,760 in each of these years. Fees amounted to Rs. 1,743 in 1911-12 and Rs. 2,348 in 1912-13. The receipts covered the expenses."

Pipe water supply for Núrpur.

The Hon'ble Rai Bahadur Bakhshi Sohan Lal asked :—

"Will the Government be pleased to state—

(*a*) whether considerable difficulty is felt by the people of the town of Núrpur in the Kángra district in summer months every year on account of shortage of water-supply ?

(*b*) whether cholera has recently broken out in the town mainly due to the use of impure water ? and

(*c*) whether there is under the consideration of Government any scheme for pipe water-supply for the town of Núrpur in the Kángra district ; and if so, what is the nature of the scheme and what state it has reached ? "

[*Mr. Thompson ; Bakhshi Sohan Lal ; Mr. Godley.*]

The Hon'ble Mr. Thompson replied :—

"(*a*) The inhabitants of Núrpur are undoubtedly put to considerable difficulty when the rain-water tank on which they usually rely is exhausted. The only other source of supply is the Jabar *nala*, 400 feet below the town.

"(*b*) Seven cases of cholera occurred in the town during the last week of August, and one in the first week of September. Of these three were imported from outside. The Sanitary Commissioner reports that there is no reason to believe that the water-supply was contaminated or that it was responsible for any of the cases which occurred.

"(*c*) The question of improving the water-supply has long occupied the attention of Government. A rough scheme, of which the cost was estimated at Rs. 20,000, was drawn up in 1904, and two years later the Sanitary Board sanctioned a grant-in-aid of Rs. 6,000. The scheme, however, has hung fire as the committee of the notified area has not been able to provide the rest of the sum required. An application for a further grant has recently been received, which will be considered by the Sanitary Board.

"The Sanitary Engineer has recently revised the rough project, and reduced the estimated cost to Rs. 17,657 exclusive of departmental charges.

"The scheme provides for a daily supply of five gallons per head. The water will be taken from the Jabar *nala* passed through settling tanks and filters and pumped up to the town by a turbine-driven pump, the fall in the *nala* being used for power."

The Hon'ble Rai Bahadur Bakhshi Sohan Lal asked :—

Scholarships on communal differentiation.

"Will the Government be pleased to state—

(*a*) if the rules for the award of Government scholarships to the successful students in the Matriculation and F. A. Examinations have under orders of the Government been recently changed so as to introduce a system of communal and racial differentiation in the matter, with the result that in future scholarships are to be awarded not necessarily to the best in order of merit as has heretofore been the case, but according to the religious profession of the students ?

(*b*) whether, before the sanction of the new rules, the Punjab University was asked to give its opinion on the proposed changes, and whether a sub-committee of the University presided over by the Director of Public Instruction, Punjab, reported against the proposal, and the Vice-Chancellor and the Syndicate unanimously opposed the change ?

(*c*) if the system of granting scholarships on communal basis, as opposed to grant in order of merit, obtains in any other province in India, and if not, will the Government be pleased to make public the reasons which have led it to adopt this system in the Punjab ?"

The Hon'ble Mr. Godley replied :—

"(*a*) The Hon'ble Member's question refers to certain changes which have recently been sanctioned in the mode of awarding Government scholarships tenable in Arts Colleges. College scholarships, exclusive of any scholarships which may be founded by local bodies or private beneficence,

are provided by Government and the University jointly. The arrangement in force before was that 14 Government scholarships tenable in Colleges were allotted to Muhammadan students, while 7 others were reserved for Sikh and Hindu Jat and Rajput agriculturists, the remainder being open to all classes. Under the new arrangement the number of Government scholarships has been raised from 49 to 64, 30 Government scholarships have been assigned to Muhammadans, a provision of 10 reserved scholarships has been made for Sikhs, and the remaining 24 Government scholarships, instead of being open to all, have been reserved for Hindus and students of other denominations. Eight of these scholarships will be awarded to the sons of Hindu and Sikh Jat and Rajput agriculturists. University scholarships, as distinct from those provided by Government, will continue to be awarded solely by place in the examination lists: there are 33 such scholarships, and the total number of Government and University scholarships has been raised from 66 to 97. The object of the change is to increase the scholarship provision in such a way as to ensure that the benefit of the extra expenditure from provincial revenues shall be distributed among the various sections of the population, and shall reach in particular those classes or communities which, being educationally backward, are in need of special assistance of the kind. The reservation of Government scholarships for Hindu students may possibly be deemed to be unnecessary, and if it appears that there is a strong opinion in favour of such scholarships being open to all classes, the Lieutenant-Governor is prepared to reconsider this point.

"(*b*) The points on which the opinion of the University Syndicate was invited were general questions affecting the award of all College scholarships, and not solely the number and distribution of Government scholarships. The Sub-Committee referred to recorded an opinion that there should be open as well as closed scholarships, and the Syndicate endorsed this view.

"(*c*) Scholarships reserved for particular communities or localities have been provided by Local Governments in other parts of India."

The Hon'ble Rai Bahadur Bakhshi Sohan Lal asked: –

Determination of scholarships according to college fees.

"Will the Government be pleased to state—

(*a*) if the amount of scholarships to be awarded to a successful student in the Matriculation and F. A. Examinations is to vary according to the fees charged by the various Colleges, and if so—

(*b*) whether this will result in the admission of all or nearly all scholarship-holders in the Government College ; and

(*c*) whether the various aided and unaided colleges which charge smaller fees than the Government College will be prejudicially affected by these rules, while some of the scholarship-holders, who on account of their poverty depended mainly on scholarship for their maintenance, will be deprived of the advantage of admission to a college charging smaller fees. If so, what reasons have led the Government to adopt this system ?"

The Hon'ble Mr. Godley replied :—

"The amount of a Government scholarship will be in future Rs. 10 per mensem in all cases, together with payment of the college fee. Such scholarships, therefore, will be of equal value in all colleges. University scholarships, on the other hand, are fixed cash payments, the value of which to the scholarship-holder will depend upon the fee charged by the college which he joins,

The Hon'ble Member need hardly anticipate at this stage that all holders of Government scholarships will join the most expensive college, and that the interests of the cheaper colleges will in consequence be prejudicially affected. With regard to the further suggestion that the poorer class of scholarship-holders will lose by the arrangement, it may be worth explaining that previous to 1911 the value of a Matriculation scholarship was Rs. 12 per month, from which under the rules a fee of not less than Rs. 4 had to be deducted even in the cheapest college, leaving a margin of Rs. 8 per month to the holder. In 1911, with an increase in the amount of the scholarship, the corresponding margin available could not exceed about Rs. 10, but might be considerably less ; whereas under the new conditions the scholarship-holder is assured of Rs. 10 per month in any college which he chooses to join. The case of scholarships at the Intermediate stage is similar, so that there is no ground for the supposition that students of the poorer classes will suffer any pecuniary loss as a result of the new system of payment."

The Hon'ble Rai Bahadur Bakhshi Sohan Lal asked :—

Temporary Assistant Engineers.

" Will the Government be pleased to state—

(*a*) the number of the temporary Assistant Engineers at present in employ of the Punjab Government, and the proportion which this number bears to the number of permanent appointments sanctioned in the Public Works Department, Punjab, in its Buildings, Roads, Railways, Surveys, Telegraphs, Irrigation and Sanitary Branches ?

(*b*) whether in view of these figures the Government will consider the advisability of increasing the numerical strength of the permanent appointments of the Engineers and Assistant Engineers in the Public Works Department, Punjab, and thus ensure the advantages of promotions, leave and pensions to the persons who render lifelong service to the Government as temporary hands ? "

The Hon'ble Mr. Fenton replied :—

" (*a*) The number of temporary Engineers at present employed is 60, and the proportion which this number bears to the number of permanent Engineer appointments sanctioned for the Public Works Department, Punjab, is as 60 is to 163 or $\frac{60}{163} = \cdot 37$ about.

" (*b*) It is not at present considered advisable to increase the cadre of permanent Engineers with the object of bringing temporary Engineers on to the permanent establishment. "

The Hon'ble Rai Bahadur Bakhshi Sohan Lal asked :—

Pay of Police Inspector.

" With reference to the Report of the Police Commission (1902-03), an Inspector of Police being equal in grade to a Tahsildar, will the Government be pleased to state whether it is proposed to raise the starting pay of a Police Inspector from Rs. 150 to Rs. 175 per mensem, as has been recently done in the case of the Tahsildars ? "

The Hon'ble Mr. Thompson replied :—

"The pay of all ranks in the Police Department was fully considered and fixed by the Government of India on the recommendation of the Police Commission not many years ago, and there is no proposal at present before Government to depart from the scale in the case of Inspectors which has been found suitable."

The Hon'ble Rai Bahadur Bakhshi Sohan Lal asked :—

Land Alienation Act.

"Is the Government aware that the aims and objects of the Punjab Land Alienation Act are being evaded by certain non-agricultural classes and individuals by getting themselves recorded wrongly as Rajputs, Pathans and Sayads, &c., in transfer deeds, mutation registers, settlement records and Census returns ?"

The Hon'ble Mr. Fagan replied :—

"(*a*) Government is fully aware that attempts are made to change tribal designation from that of a non-agricultural to one of an agricultural tribe in order to evade or defeat the provisions of the Punjab Alienation of Land Act. The subject has been repeatedly noticed in the annual reports on the working of that Act and in the Land Revenue Administration Reports. The Financial Commissioner in his circular No. 6, of 13th December 1906, issued detailed instructions as to the manner in which cases which involved a question of change of tribal designation should be dealt with. It is believed that they have been effective in checking evasions of the kind under reference."

The Hon'ble Rai Bahadur Bakhshi Sohan Lal asked :—

Character of Zaildar of Sanghoi.

"Will the Government be pleased to inform the Council of the result of the enquiries conducted by the Superintendent of Police, Revenue Assistant and Deputy Commissioner of Jhelum district, under orders of the Government, on the petition of certain residents of the village of Sanghoi complaining against the character of the Zaildar of that village ?"

The Hon'ble Mr. Thompson replied :—

"The enquiries referred to in the question were made in June 1912, and disclosed a very unsatisfactory state of affairs in the village of Sanghoi. Owing to rivalry between the leading men of the place and faction feeling between the various sects the villagers had been for some time giving a great deal of trouble to each other and to the local authorities. The special attention of the District Magistrate was directed to the state of the village, and he proposed to take the necessary measures to restore peace and tranquillity."

The Hon'ble Rai Bahadur Bakhshi Sohan Lal asked :—

Railway extension from Pathánkot to Núrpur.

"Will the Government be pleased to state whether there is under consideration any scheme for Railway extension from Pathánkot to Núrpur, and the stage which it has reached ?"

The Hon'ble Mr. Barron replied :—

"A scheme for the extension of the broad-gauge railway from Pathánkot to Núrpur is under consideration. The survey was carried out last year. At present an addition to the project in the shape of a further extension on the 2′ 6″ gauge beyond Núrpur to Kathu causeway and perhaps to Baijnáth is being examined."

[*Mr. Muhammad Shafi ; Babu Gajjan Singh ; Mr. Thompson.*]

The Hon'ble Khan Bahadur Mian Muhammad Shafi:—

District and Sessions Judges scheme and Punjab Courts Act.

"As the answer to my following question has already been given I do not wish to put it separately :—

'Will the Government be pleased to state for the information of the Council—

(*a*) When will the scheme of appointment of District and Sessions Judges, sanctioned by the Secretary of State some time ago, be actually introduced in the Punjab ?

(*b*) What is the reason of the delay in introducing the Bill to amend the Punjab Courts Act necessitated by that scheme, and when is the Bill likely to be introduced in the Council ?"

The Hon'ble Babu Gajjan Singh asked :—

Raids and dacoities in the western districts.

"Will the Government be pleased to state for the information of the Council—

(*a*) The number of raids and dacoities committed in each month from August 1912 to August 1913 in the western districts of the Punjab ?

(*b*) The number of murders or cases of serious injuries to persons caused by dacoits ?

(*c*) The value of the property looted ?

(*d*) The value of the property recovered ?

(*e*) The number of cases detected and the number of convictions secured ?"

The Hon'ble Mr. Thompson replied :—

"The detailed monthly statistics are not readily available. In the districts of the Western Range, the total number of dacoities during 1912 was 69, the number of murders committed by dacoits 6, the value of the property looted Rs. 47,900 and the value of the property recovered Rs. 3,200. 40 cases and 58 persons were sent up for trial and convictions were obtained against 17 persons in 25 cases. Some of the 17 persons convicted must have been convicted in more cases than one.

"The only monthly figures which can be given are those relating to the number of dacoities. They are as follows :—

August	1912	...
September	,,	1
October	,,	2
November	,,	3
December	,,	9
January	1913	16
February	,,	5
March	,,	14
April	,,	5
May	,,	2
June	,,	1
July	,,	1
August	,,	1

"During the first 8 months of the current year there have thus been 45 dacoities as compared with 54 during the same months last year."

[*Babu Gajjan Singh ; Mr. Thompson ; Mr. Barron.*]

The Hon'ble Babu Gajjan Singh asked :—

Measures to prevent raids.

"Will the Government be pleased to say what measures they have taken to prevent the further growth of such offences ?"

The Hon'ble Mr. Thompson replied :—

"The measures taken for the suppression of this form of crime are described in the Police Report for 1912. There is reason to believe that several of the gangs have been broken up, but the Government is fully alive to the seriousness of the situation and the necessity of employing all the means that the law provides to ensure security of life and property. For indications of future policy I may draw the Hon'ble Member's attention to His Honour's recently published review of the Police Report."

The Hon'ble Babu Gajjan Singh asked :—

Raised platforms at Rájpura station.

"Is the Government aware that considerable inconvenience is caused to the travelling public at the Rájpura Junction Station by there being no raised platform on the side on which the down trains are made to stop, which makes it difficult for passengers, especially women and children, to get into the compartments on account of their height from the low ground ?

"Is the Government aware that new raised platforms with sheds over them had been built for the double line at much smaller stations in the neighbourhood of Rájpura, and that a raised platform with a shed on the side on which down trains stop is badly needed at Rájpura ?

Overbridge at Rájpura Junction.

"Is the Government aware that passengers coming from trains from Patiála to Rájpura Junction are put to considerable inconvenience by there being no overbridge on the west side of the station to connect the old platform with the new one on which the down trains are received, the result being that passengers alighting from Patiála trains have to walk the whole length of the old platform to get on to the old bridge on the east side of the station (connecting the town of Rájpura with the railway station) from which they descend to the new low-lying platform ?"

The Hon'ble Mr. Barron replied :—

"This Government has no information regarding the points raised by the Hon'ble Member. The three questions will be transmitted to the Agent, North-Western Railway, for consideration."

The Hon'ble Babu Gajjan Singh asked :—

Offences against the Rakh at Hissar.

"Will the Government be pleased to state the number of villages that adjoin the Rakh at Hissar and the amount of fine realised from the residents of those villages during the last five years for offences against the said Rakh ?"

The Hon'ble Mr. Thompson replied :—

"The number of villages that adjoin the Hissar Rakh is 21, and the total amount realised by way of fine and compensation from the residents of those villages during the last five years Rs. 13,682 as follows :—

	Rs.
(1) Fines under the Indian Forest Act, 1878 ...	273
(2) Compensation under section 67 of the same Act ...	12,111
(3) Fines under other laws	43
(4) Rakh Cattle-pound Income	1,255

The Hon'ble Babu Gajjan Singh asked :—

Sikh inspectors of Schools.

"Is the Government aware that there is not a single Sikh Inspector or District Inspector in the Educational Department of the Province ?"

The Hon'ble Mr. Godley replied :—

"The number of Sikhs employed in the school inspecting staff is at present as follows :—

Divisional Inspectors	...	...	...	None.
Assistant Inspectors	...	...	...	2
District Inspectors	...	...	...	1
Assistant District Inspectors		...	...	5

"The fewness of Sikh officers in the higher branches of the educational service is due to the dearth of qualified Sikh applicants for educational employment. Thus in 1910-11 there were only 10 Sikh students in the Training College, and in 1911-12 only 18 out of a total of 229."

The Hon'ble Babu Gajjan Singh asked :—

Hindus, Muhammadans and Sikhs in the Education Department.

"Will the Government be pleased to state the number and give the qualifications of Hindus, Muhammadans and Sikhs in the Educational Department who have been taken direct on a salary above Rs. 100 per mensem or who have received special promotion during the last ten years ?"

The Hon'ble Mr. Godley replied :—

"I shall be glad to supply the Hon'ble Member with the departmental lists published during the last ten years, and also with any information relating to individual officers which is available, should he desire it. Direct appointments to the higher grades are rarely made, but a number of headmasters and others employed in municipal schools were transferred to Government service in 1905, when these schools were provincialised. Promotion is given mainly by seniority, provided that the senior officer is considered to be qualified for the duties of a post in a higher class. A large number of promotions to higher rates of pay have been made in the current year as a consequence of the re-organisation of the Subordinate Educational Service, and it would be difficult to say which of these promotions should be classed as special : all were determined by the work, qualifications and position in the service of the persons concerned."

The Hon'ble Babu Gajjan Singh asked :—

Strength and constitution of Secretariat, Chief Court and Education offices.

"Will the Government be pleased to give the total strength of the clerical staff in the following offices, specifying the number of Hindus, Muhammadans and Sikhs :—

(1) Secretariat offices.

(2) Chief Court of the Punjab.

(3) Director of Public Instruction's office.

(4) Offices of the Inspectors of Schools."

The Hon'ble Mr. Barron replied :—

"The statement* placed upon the table gives the information required."

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* *See* Appendix F.

Sikhs in Provincial Civil Service and in Subordinate Judicial and Executive Service.

The Hon'ble Babu Gajjan Singh asked:—

"Will the Government be pleased to state the number of Sikhs and the total strength of the incumbents on the respective posts of Extra Assistant Commissioners, Munsifs, Tahsildars, Naib Tahsildars, and Superintendents, Vernacular Offices."

The Hon'ble Mr. Barron replied:—

"I place on the table a statement* giving the information asked for as regards Extra Assistant Commissioners, Tahsildars, Munsifs and Naib Tahsildars. Information regarding Superintendents of Vernacular Offices is not kept at the head-quarters of Government."

Jhatka shop at Multán.

The Hon'ble Babu Gajjan Singh asked:—

"(*a*) Has the attention of the Government been drawn to the various articles published in the *Khalsa Advocate* of Amritsar of the following dates:—

May 5th, 1912; May 22nd, 1912; June 28th, 1912; July 19th, 1912; August 2nd, 1912; August 16th, 1912; August 23rd, 1912; August 30th, 1912; September 6th, 1912; October 11th, 1912; February 8th, 1913; February 15th, 1913; February 22nd, 1913, and March 1st, 1913, dealing with the *jhatka* question?

"(*b*) Has the attention of Government been drawn to a judgment of the Chief Court of the Punjab as reported in No. 26, Punjab Weekly Reporter, 1912 (Criminal), deciding in favour of *Jhatka*?

"(*c*) Is it a fact that the Deputy Commissioner of Multán district has refused permission to the opening of a *jhatka* shop there and that widespread discontent prevails among the Sikhs of the province?"

The Hon'ble Mr. Barron replied:—

"Government has had its attention directed to numerous articles in the public Press on the subject of *jhatka* meat during the past 18 months, and also to the judgment of the Chief Court quoted in part (*b*) of the question.

"Government is not aware of the action ascribed in the part (*c*) of the question to the Deputy Commissioner, Multán, and has no reason to believe that that action, if correctly reported, has caused any widespread discontent in the Province. It was open to any persons who felt themselves aggrieved locally by the Deputy Commissioner's order to apply to the Commissioner in his executive capacity as a controlling officer for a review of that order."

Prosecutions for *Kirpan*.

The Hon'ble Babu Gajjan Singh asked:—

"(*a*) Has the attention of the Government been drawn to the leading articles in the *Khalsa Advocate* of the 30th August 1913 and the *Loyal Gazette* of the 31st August under the headings of "*Kirpan* and official aberrations" and "Religious liberty of the Sikhs and Police," respectively?

"(*b*) Is the Government aware that *Kirpan* is a sacred religious symbol of the Sikhs and is one of the five articles (*Kakkas*) enjoined by the tenets of the Sikh religion to be carried by every Sikh on his person, and that from time immemorial Sikhs have been carrying this symbol on their person without any let or hindrance?

* *See* Appendix G.

[*Babu Gajjan Singh ; Mr. Barron ; Babu Gajjan Singh ; Mr. Fenton.*]

"(*c*) Is the Government aware that one Nihal Singh, Nihang, resident of village Kohárka, in the tahsil of Taran Taran, was prosecuted by a Muhammadan Sub-Inspector of Police for possessing a *Kirpan* under section 19 of the Arms Act and was acquitted after a lengthy trial by Lala Dina Nath, Additional District Magistrate, Amritsar, by his judgment dated the 7th March 1913 ?

"(*d*) Is it a fact that a Nihang Singh has been convicted at Sargodha for possessing a *Kirpan* and that some Sikhs have been deprived of the possession of *Kirpans* in the Attock district ?"

The Hon'ble Mr. Barron replied :—

"The attention of Government has been drawn to the articles quoted in the question, and Government is aware that the *Kirpan* is one of the five articles which every Sikh is enjoined by his religion to wear on his person. Government has no desire to interfere with the carrying of religious symbols by the followers of any of the creeds professed by the people of the Punjab. It is a fact that prosecutions for carrying daggers have lately been instituted in the Amritsar, Shahpur and Attock districts, in which the accused being Sikhs pleaded that the daggers were *Kirpans*. Government is not prepared to admit, without further enquiry, that daggers capable of being used as dangerous weapons of offence come within the category of religious symbols, and should therefore be exempt from the provisions of the Arms Act. The question is being considered on references from the Commissioners of Lahore and Ráwálpindi. But it may be at once stated that Government has no intention of interfering with the possession of the small daggers ordinarily used as *Kirpans* which are virtually useless for offensive or defensive purposes. It appears, however, that what was intended to be a religious symbol has been in some cases so increased in size and length as to become capable of being used as a weapon of defence or offence. A specimen forwarded by the District Magistrate of Amritsar is placed on the table for the information of the Council."

The Hon'ble Babu Gajjan Singh asked :—

Metalled roads between Sonepat and Rohtak.

"Is the Government aware that considerable inconvenience is experienced by the people of Sonepat on account of there being no metalled road to connect the town of Sonepat with the town of Rohtak, the head-quarters of their district ? "

The Hon'ble Mr. Fenton replied :—

"The metalling of a district road is primarily a matter for the District Board. It has been ascertained that the District Board of Rohtak intends to provide a metalled road from Sonepat to Rohtak as early as possible."

The Hon'ble Mr. Barron :—

"Before we pass from the questions may I ask Your Honour to rule under rule 15 of the rules for asking questions that I may give the answer to the following question which stands in the name of the Hon'ble Rai Bahadur Hari Chand :—

Karachi Mail.

Is it a fact that from October next the Up and Down Kárachi Mail will go *viâ* Khánewal-Lodhrán Chord and not through Multán as at present ?

"It is a matter of public interest which will be out-of-date before another meeting."

His Honour the President having ruled that an answer should be given the following answer was given :—

"It is a fact that the Administration of the North-Western Railway contemplates the change in the route of the Karáchi Mail train mentioned in the question. The object of the change is to give Karáchi a better-adapted and accelerated service to and from Delhi, Bombay and Simla. There will be a saving of two hours in the journey between Lahore and Karáchi, and the trains will arrive and depart at more convenient times. To serve the Multán traffic shuttle trains will be run between Multán and Samasatta, and Multán and Khánewál in connection with the mail trains, so that but for the inconvenience to through passengers of changing carriages at Lodhrán and Khánewál, the town and district of Multán will in certain respects secure a better train service than they have at present."

PUNJAB FISHERIES BILL.

The Hon'ble Mr. Mant moved for leave to introduce the Bill to extend the law relating to Fisheries in the Punjab. He said :—

"The Bill which I beg leave to introduce is a small one, but I will endeavour to show that it is not unimportant, and also that legislation is not being undertaken without careful consideration. The first enquiry into the fisheries of this province of which I have been able to find any record began in the year 1869, and the results were embodied in a report on the Fresh Water Fish and Fisheries of India and Burma by Surgeon-Major Day, then Inspector-General of Fisheries in India. This report, which issued in 1873, showed firstly that the majority of the inhabitants of the Punjab were not precluded by their religion from eating fish, secondly that the supply of fish was generally insufficient, and thirdly that that supply was decreasing owing to wasteful methods of capture and the indiscriminate slaughter of breeding fish and their fry. Dr. Day attributed these results partly to irrigation weirs and canals, which prevented the spawning fish from ascending to their natural breeding places and also caused wholesale destruction during canal closures, and partly to the fact that the old system of letting out fishing grounds to contractors had been abandoned under British rule.

2. "Dr. Day made out a strong case for legislation, but the Government was even slower to move in those days than it is now. Although the Punjab Government sent up a draft Act and rules in 1880, it was not till 1893 that a Bill on the subject was introduced in the Council of the Governor-General. Even then the action proposed was very cautious and tentative. As explained in the Statement of Objects and Reasons and in the speech of Sir Philips Hutchins who introduced the Bill, the Government of India were very reluctant to interfere in any way with private rights It was only proposed to forbid certain practices, which are undoubtedly injurious, such as dynamiting and poisoning, and to empower the Local Government to regulate certain matters such as the erection of weirs and fixed engines and the dimensions of nets to be used. It was intended that the power to make rules should be applied with great caution, and restricted at first to a few selected hill-streams and head-waters to which many of the species of fish most prized for food resort for spawning purposes. Sir Philip Hutchins further stated that 'another and not unimportant object is to gain information and experience as to the sort of protection needed, as to the private rights and customary practices (if any) which the public interests

require to be controlled, and as to the best lines on which any more elaborate or extensive legislation (if such should be required) may hereafter be based'. The main provisions of this Bill were generally approved by Local Governments and eventually became law in the Indian Fisheries Act of 1897. These provisions were not effective in stemming the tide of destruction for reasons which I will explain later. In 1910 Sir Louis Dane deputed Mr. Dunsford, a retired police officer, to enquire into the subject, and the latter submitted an interesting report, in which he showed that the natural production of fish is obstructed now by precisely the same causes as Dr. Day found in operation 40 years ago. The only difference is that through long neglect the evil has gone much further, and in some waters the fish supply is in danger of total extinction. Our late Lieutenant-Governor was not the man to take up an attitude of *non possumus* in a matter of this kind. He maintained that it was of sufficient importance to demand the constant attention of a whole-time officer, and he accordingly obtained the requisite sanction to the appointment of a Director of Fisheries for a period of three years. The officer selected for the appointment was Mr. G. C. L. Howell of the Punjab Commission who had studied the subject of fisheries in America and elsewhere. Mr. Howell has already taken up the question of remedying the damage done by the canals by providing ladders for the fish to ascend in the breeding season and ponds and reservoirs where they can take refuge when the canals are closed. I need not trouble the Council with further details of these measures, as they are outside the scope of the present Bill.

"3. Before coming to the Bill itself I want to give the Council some idea of the magnitude of the interests affected. It is not of course possible to frame any reliable estimate of the annual consumption of fish in the whole Province. We have only a few figures collected from dealers in the large towns. I cannot vouch for the accuracy of these figures, but I give them for what they are worth. In Lahore the sales are said to run up to 120 maunds a day whenever that amount is available. The European population does not take more than 12 maunds, so the greater part of the demand must be from the city. In fact the largest contractor says that he could easily dispose of ten times his present supply in the city. In other large towns and cantonments, such as Delhi, Ambála and Multán, the consumption is said to range from 20 to 40 maunds a day. As an instance of the demand in rural tracts it is reported that 20 years ago no one would eat fish on the Hoshiárpur side of the Beas near Talwára. Now it is quite a common practice for women living 5 or 6 miles away from the river to give the fishermen an advance with instructions to send them any fish they can catch. I need not perhaps multiply instances to show that the demand for fish in the Punjab far exceeds the supply. The fact is probably well known to most Members of the Council. If further corroboration is needed I would refer to the course of prices. Enquiries made in 1872 showed that the price of fish at that time generally ranged from ⅓rd of that of mutton to an equal price with it. The price of mutton was not stated. In 1889 Sir Richard Dane, then Deputy Commissioner of Hoshiárpur, who by the way was a keen fisherman and likely to be accurate, reported that river fish fetched an anna a seer and tank fish ½ anna per seer. Mr. Dunsford states in his report that the present price of fish averages from 5 to 6 annas per seer at all market centres, and, when the supply is scarce, rises to eight annas a seer. Now a reduction of even one anna on the seer means a saving of Rs. 250 a day, or over Rs. 80,000 in the year, to the inhabitants of Lahore city alone with its reputed daily consumption of 100 maunds. When we consider the consumption of the whole Punjab and the large reduction in price that will probably ensue if we succeed in restoring the bountiful rivers of this province to their old fecundity, it is clear that we have in view a very large

saving to the community. And it is a saving which will not involve any material increase in expenditure. The development of the Punjab is at present hampered by a great rise in the price of labour, and one of the main factors in that rise is the cost of food. If we can effect a large increase in the supply of fish combined with a considerable decrease in price, the result should be a reduction in the cost of living and a great economic gain to the province.

"4. I turn now to the means by which we hope to achieve this result. The present Fisheries Act has been a failure in the Punjab mainly for two reasons. In the first place the methods of restriction which it authorizes Government to employ are too clumsy, and in the second place its provisions have to a large extent remained a dead letter because no one is particularly interested in enforcing them. For instance, the Act empowers Government to prohibit all fishing for a period of two years in any specified water This is such a drastic remedy that it has rarely been employed and then only when the depopulation of the waters has gone so far as to be almost irremediable. Government has always felt that it would be wrong to deprive the fishermen of their means of livelihood and the riparian population of this natural food unless there was a very strong case for such action In the Bill it is proposed to empower Government to prohibit the killing of particular species of fish at certain seasons or in certain areas and also to prescribe a minimum size or weight below which particular species of fish are not to be killed. This will enable Government to exercise all the control that is necessary with the minimum of interference. The fishermen will be able to pursue their avocation unhindered so long as they respect the particular species that stand in need of protection The Bill also empowers Government to prohibit the sale of any fish the killing of which has been forbidden. This provision will probably be more effective than the prohibition of killing. The fishermen won't catch fish if the dealer won't buy them, and it is much easier to watch a stall in a market than to patrol a river. These restrictive powers will be exercised with caution. I cannot say that we have yet acquired all the detailed information which Sir Philip Hutchins regarded as a necessary preliminary to more extensive legislation. But we have learnt a good deal since 1893, and our fisheries department is steadily collating further information as to the habits and needs of the various species of edible fish that breed in Punjab waters. The enquiries of Mr. Dunsford and Mr. Howell have shown that it is necessary to protect some of these species at certain seasons, and it is desirable that Government should have power to act as soon as the Director can make out a good case for a close season for any particular species.

"5. The only other important power taken in the Bill is to prohibit fishing in any specified water except under license. It is intended under this provision to give exclusive licenses to men of the old fishing tribes of which there are many in various parts of the province. These men know their business and realize the importance of conserving the breeding fish and small fry, and it is believed that they will be ready and willing to co-operate with Government in preventing destructive methods Their ancestors practically monopolised the industry, and it was only when British rule removed all restrictions that other castes took to fishing and indiscriminate slaughter became common. Moreover, under a system of licenses we shall have on the spot an indigenous agency interested in preventing poaching and wasteful destruction. The licensees will probably be able to bring pressure to bear on poachers without calling in the police, and in this respect also it is hoped that the law can be administered with the minimum of official interference. A similar system is in force in many other countries. In the United Kingdom it is applied to salmon fishing, which is the only commercial inland fishery.

It is more generally enforced in Canada and the United States of America. In Japan exclusive rights are granted to fishery associations. To turn to an Indian authority, Sir Krishna Gupta, has expressed approval of the Bill, and it follows the lines which he recommended in his final report on the fisheries of Bengal. To come nearer home still, a licensing system is practised, I understand with success, in Kashmir and in our own State of Chamba. Finally, as I have already pointed out, the system was in force before we came to the Punjab, and the Bill will restore a practice which has the sanction of immemorial usage in the province.

"6. With these remarks I beg to move that the Bill be introduced."

The motion was put and agreed to and the Hon'ble Mr. Mant introduced the Bill.

The Hon'ble Mr. Mant:—

"I have two further motions to move. The Bill will under rule be published in the *Punjab Gazette* two months before it is considered by the select committee. The public will thus have an opportunity of criticising it, and it is also proposed to circulate it to selected officers for opinion As the subject is a somewhat technical one, no further general circulation seems necessary. I therefore move—

(*a*) that the Bill be circulated for opinion to selected officers ;

(*b*) that the Bill be referred to a select committee consisting of the Hon'ble Mr. Fagan, the Hon'ble Rai Bahadur Sohan Lal, the Hon'ble Khan Bahadur Khwaja Yusaf Shah, the Hon'ble Mr. Gracey, and the mover.

"The motions were put and agreed to."

PUNJAB EXCISE BILL.

The Hon'ble Mr. Fenton presented the Report of the Select Committee on the Bill to consolidate and amend the law relating to Excise in the Punjab. He said:—"With Your Honour's permission, I now present the Report of the Select Committee on the Bill to consolidate and amend the Law relating to Excise in the Punjab. At the same time I move that the Bill as amended by the Select Committee be taken into consideration. The presentation of the Report of the Select Committee is a purely formal matter. The report and the amended Bill have been published in the *Punjab Gazette* and have been supplied to all the Members, who, if they have examined the papers, will have learnt that the amendments effected by the Select Committee are neither numerous nor important. The Bill stands substantially as it was when introduced. Some improvements in matters of drafting have been suggested by official critics, but from non-official sources, outside the Select Committee, practically nothing in the way of useful suggestions has been received, notwithstanding the intimation, to which widespread publicity was given by an official *communiqué*, that criticisms were invited. It can only be concluded that the subject matter of the Bill is too technical to interest the general public. Moreover, the circumstance that, except in regard to the enhancement of the penalties for excise offences, the Bill introduces no change of policy in any important matter, but merely seeks to perfect the methods and machinery for enforcing more effectually the policy which has been pursued for several years past, explains and justifies the indifference, if I may so call it, of the public towards a measure which is really of a very humdrum character.

"But while it is true that the general public are content to accept without question legislation based on the matured deliberations and recommendations of the expert Excise Committee of 1906, the same cannot be said of the attitude of the small *coterie* who wish to make the people sober by Act of Parliament, and who could not allow the opportunity afforded by an amending Excise Bill to pass without endeavouring to effect a change, not so much in the Excise Law, as in the excise policy of Government. Traces of this attitude are evident in some of the amendments which are down on the *agenda* paper. It will be my duty as Member in charge of the Bill to deal with these in detail when I have heard from those who put them forward the grounds on which they are supported. Several of the amendments standing in the name of the Hon'ble Mr. Shadi Lal are designed to improve the drafting and to correct obvious errors and misprints in the latest edition of the Bill, which have arisen in consequence of the renumbering of the sections necessitated by the changes introduced in the Select Committee. I am greatly obliged to Mr. Shadi Lal for his careful scrutiny of the language of the Bill, and most of his amendments of this character will be accepted. But one or two of Mr. Shadi Lal's amendments and most of those proposed by other Members affect the substance, as distinguished from the mere language of the Bill. Looking at these amendments as a whole I am inclined to draw from them two general conclusions. The first of these conclusions is this, *viz.*, that many of those who seek to promote the cause of temperance make the great mistake of treating as the drink evil in this country, not the growth of drunkenness, if it is growing, not the increase in consumption of liquor, if it is increasing; the most recent figures for the Punjab point to a decrease; it is not the statistics containing information on these points that elicit the disapprobation of the opponents of the Excise Administration. What moves them to indignation is the growth of the Government revenue; and the arguments of such critics, which seek to demonstrate that Government is fostering the liquor trade by taxing it, lead to the paradoxical conclusion that the vendors and consumers of alcoholic liquor must be very different from all other classes of tax-payers. Income-tax assessees, land-revenue payers, salt consumers, importers of cloth, kerosine oil, silver and other customs-paying articles do not bless Government as a benefactor when extra taxation is raised from any of these sources. But when Government levies additional duty from alcohol the cry is raised that official encouragement and countenance are thereby given to the drink habit. The tax is, so to speak, a boon to, not a burden on, the trade; and the growth of the Government income raised by such taxation must, therefore, in the view of these reformers, be treated as an index to the growth of the drink evil.

"The second conclusion which I draw from the amendments before us is that, conformably to the view that the drink evil consists in the realization by the State of revenue from what is regarded as a tainted source, any obstacle which by interfering with the working of the excise machinery would have the effect of impairing its efficiency is to be advocated as a means towards the main desideratum—the diminution of the great evil of the Government excise revenue.

"When I come to deal with the amendments in detail, I shall, I hope, be able to show that they are prompted by mistaken notions such as I have just indicated.

"It needs no demonstration in this Province and to this Council that Government is sympathetic towards the cause of temperance reform. But while the non-official critics of the Excise Administration, judging from the statement of their case presented by the deputations which waited on the Secretary of State in 1907 and 1912, place before themselves, as the ultimate goal to be reached, total and absolute prohibition, it is impossible for a Government in this country, which, as Sir Reginald Craddock reminded us on

Wednesday, legislates for the inarticulate millions and not for the well-meaning reformers who meet in conventions, societies and conferences,—it is impossible for such a Government to regard as a practical proposition the entire prohibition and suppression of the use of spirituous liquor in a country in which such use can be traced back for more than thirty centuries to the times of the Rig Veda, when the fermented juice of the divine *Soma* plant, the nectar of the gods, played such an important part in the religious and sacrificial observances of the early Aryans. To this day sacrificial libations of strong liquor are a feature of religious ceremonial in many parts of India.

"The policy of Government then is not and cannot be total prohibition. Its policy has often been formulated as one of the maximum of revenue from the minimum of consumption. Differing from the total prohibitionists as to the ultimate end to be achieved, Government is obliged to take a different view also as to the means to be employed in promoting reform. What the prohibitionists demand is the transfer of the licensing authority from official to non-official hands with a view to the gradual extinction of *all* licenses. A doubt may be expressed whether a transfer of the power to grant licenses from the Collector to non-official bodies would in practice have the effect contemplated. I have recently been privileged to peruse a minute by His Honour the Lieutenant-Governor in which he mentions that a corresponding transfer of the licensing authority in Ireland had exactly the opposite effect. The matter will no doubt be further discussed in connection with the amendments to clause 35 of the Bill. But in justification of the position which Government takes up, that the policy of Government – the maximum of revenue with the minimum of consumption—is a sound one, I shall, with Your Honour's permission, read a short extract from the budget speech of the Chancellor of the Exchequer made in Parliament on 22nd April last :—

"'The estimates of Customs and Excise,' Mr. Lloyd George said, 'were very accurate, when we take into account the difficulty of making a forecast. Last year the spirit duties were very satisfactory in more senses than one, not merely from the revenue, but from a social and economic point of view. The effect of the additional duty imposed in 1909 became more manifest last year than it had been in the previous years Taking the four years preceding the budget of 1909, the Committee will find that one of them, 1908, was a year of great trade depression, but the consumption of spirits in this country only fell from 40 million to 39 million gallons.

"'But if Hon'ble Members will take the few years since the budget of 1909, they will observe there has been a fall of eight million gallons in consumption of spirits. (*Ministerial cheers.*) At the same time, the revenue has benefited to the extent of an additional two millions. So the State has benefited both ways. (*Ministerial cheers.*) Taking the whole four years together, the consumption of alcoholic spirits is down by 23,750,000 gallons, and the revenue has profited by five millions. I think it may be said that in more than one respect this is one of the most successful taxes ever imposed. (*Ministerial cheers.*)

"In the face of such results who will say that Government by taking revenue from the liquor traffic fosters it ? It is necessary to dwell upon this aspect of the case, because there can be no helpful co-operation between Government and the non-official advocates of temperance reform if the latter allow themselves to be obsessed by the idea that because Government derives a revenue from excise, therefore it is the policy of Government to foster the drink habit in order to increase its revenue. Insinuations to this effect were actually made by some of the members of the deputations which waited on the Secretary of State.

"I ask the Council's pardon for touching upon the thorny and controversial subject of excise policy in a speech on a Bill which makes practically no change in excise policy and principles as distinguished from excise methods and machinery. But I hope that my remarks may have the effect of forestalling much controversial discussion in connection with the amendments before us. If these amendments are approached by Members with the conviction that the efficiency of the Excise Department and the conferment upon it of effective powers to control all licit traffic and to suppress all illicit practices are objects the attainment of which will promote the cause of temperance, then I shall have no misgivings as to the successful emergence of the Bill from the ordeal which it is about to undergo.

"I now move, Sir, that the Bill be taken into consideration."

The motion was put and agreed to.

The Hon'ble Mr. Fenton :—"If I may add a few words, I would suggest that any general remarks which Members may have to make on the Bill as a whole might conveniently be reserved until I make the motion that the Bill be passed, so that we may get on with the amendments."

The Hon'ble Mr. Shadi Lal :—"Your Honour, I move the following 16 amendments that stand in my name together :—

(1) In clause 3 (13) (*d*) substitute the word 'clauses' for 'sub-sections'.

(2) In clause 5 substitute 'or' for 'and' between the words 'maximum' and 'minimum'.

(3) In clause 29 substitute 'or' for 'and' in the third line and 'liquor' for 'spirit' in the fifth line.

(4) In the last line of clause 35 (2) between the words 'to' and 'such' add the words 'the licensing of'.

(5) In clauses 37, 38 and 40 substitute 'clause' for 'sub-clause'.

(6) In the first line of clause 45 substitute 'officer' for 'officers'.

(7) In clause 47 substitute 'department' for 'departments'.

(8) In clause 52 (*a*) omit the word 'such' before 'owner'.

(9) In clause 60 (1) (*b*) substitute '39' for '38'.

(10) Omit the words 'for every such offence' in both the provisos of clause 61.

(11) In clause 62 (*b*) add the words 'under the age of sixteen years' after the word 'child'.

(12) In clause 71 omit the words 'unless he proceeds under section 45, sub-section (2), or'.

(13) In clause 74 omit the words 'commits and'.

(14) In clause 77 for the figures '59,' '60,' '61,' '62' and '63' substitute the figures '61,' '62,' '63,' '64' and '65' respectively.

(15) In the sixth line of clause 79 add the words 'or animal' after 'thing'.

(16) In clause 80 (3) substitute '78' *for* '80'.

"The reasons for these amendments have been communicated to the Hon'ble Member in charge of the Bill. I do not know whether I am expected to give the detailed reasons for any of these amendments here. I understand the Member in charge of the Bill accepts the amendments."

[*Mr. Fenton ; Mr. Shadi Lal ; Bakhshi Sohan Lal.*]

The Hon'ble Mr. Fenton :—" The amendments standing in the Hon'ble Mr. Shadi Lal's name marked 1 to 16 on the agenda paper will be accepted by Government. "

The amendments were put and agreed to.

The Hon'ble Mr. Shadi Lal :—" I would suggest further that in clause 5 with respect to which amendment No. (2) has been carried and in which the word ' or ' has been substituted for ' and ' between the words ' maximum ' and ' minimum ' the words ' respectively ' be deleted. *Respectively* means that something goes with sale by retail and something with sale by wholesale. I understand the object of this section is that the limits of maximum and minimum quantity be fixed, not only for sale by retail, but also for sale by wholesale. But if the word ' respectively ' is retained, it will probably amount to this that maximum will go with sale by retail and minimum with sale by wholesale. Therefore I do not see the force of the word ' respectively ', and if the Hon'ble Member in charge of the Bill agrees, I propose that the word ' respectively ' be deleted. "

The Hon'ble Mr. Fenton :—" I have no objection. "

The amendment was put and agreed to.

The Hon'ble Rai Bahadur Bakhshi Sohan Lal moved that for clause 14 the following clause be substituted :—

"14 (*a*) An appeal shall lie from an original order of an Excise officer to the Commissioner, and no further appeal shall lie from the appellate order of the Commissioner '.

(*b*) The time and manner of presenting and the procedure for dealing with appeals from orders of Excise officers shall be the same as those prescribed for appeals to the District Magistrate in the Code of Criminal Procedure and in the Indian Limitation Act. "

He said :—" Clause 14 in the Bill stands as follows :—' An appeal shall lie from an original or appellate order of an Excise officer in such cases or classes of cases and to such authority as the Local Government shall by notification declare. '

" This practically gives absolute power to the Local Government to ordain in what classes of cases an appeal shall lie and in what classes of cases no appeal shall lie. As a matter of fact, the Local Government may declare that the orders passed by an Excise officer shall be final. This is a very great departure from what the law stood before this Bill was suggested. Section 64 of the old Act of 1896 provided that ' Collectors shall, in all proceedings under this Act, be subject to the control of the Commissioner of Revenue, and all orders passed by the Collector under this Act shall be appealable to such Commissioner in manner provided by the rules for the time being in force relating to appeals from the orders of Collectors. '

" Thus all the orders of Collectors, whose functions are being delegated to Excise officers, were appealable to the Commissioner and no reason has been given by the officer in charge of the Bill to show why this right of appeal has been taken away, or rather why it has been considered necessary to delegate the powers to the Local Government and not to make a provision in the Statute itself. According to my humble experience as a legal practitioner of more than 30 years' standing, people put a great value on the right of appeal, and they are not satisfied by any order of the first court until it is confirmed or considered by an appellate court or appellte officer. It is not a matter of

mere detail or of mere insignificant importance. It is not a matter in which simple provisions of the Act are to be carried out, but it is a matter of principle, a matter requiring full discussion in the Council, if it is necessary to take away the right of appeal from the orders passed by Excise officers. At the same time this clause gives the Local Government power to select to what authority the appeal may lie. It may declare that the order of one Excise officer will be appealable to another Excise officer, or to the Collector who is to be the head of the Excise Administration, and may often be consulted in the administration of excise work. It cannot be ignored that the Collector is often more particular about realising the excise revenue and in enhancing the excise revenue rather than in caring much for the particular individual case. I do not mean to say that Collectors are not officers who will do justice in all the cases, but at any rate it will be the impression of the people that the Collector is more interested in realising revenue and in enhancing the revenue. So in my humble opinion the appellate authority should be given to an officer who is not directly concerned in realising the revenue, just as in the old law appellate authority was given to the Commissioner.

"I do not think it is necessary to give a second appeal from the appellate order of the Commissioner. Of course, under the next clause, that is, clause 15, the Financial Commissioner may at any time revise any order passed by any Excise officer subordinate to him. He may also revise the orders passed by the Commissioner. In this case my suggestion is that this clause as it stands ought to be replaced by the clause which I have proposed, that the appeal shall lie from the original order of an Excise officer to the Commissioner and no further appeal shall lie from the appellate order of the Commissioner.

"If the right of appeal be given, then the time within which the appeal has to be presented will also have to be provided, and the manner of presenting the appeal and the procedure for dealing with appeals from orders of Excise officers. In my humble opinion the law relating to appeals from District Magistrates, as provided in the Criminal Procedure Code and the Limitation Act, can be adopted in order to make it applicable to appeals from Excise officers. In the old law the manner provided was that the rules for the time being in force related to appeals from the orders of the Collector. That was not very different from this. However, the limitation would be 30 days in both cases, but in that case the rules prescribing the manner for presenting the appeals to the revenue officer were adopted, and I proposed that the rules provided in the Act of Criminal Procedure are more convenient and can be adopted for presenting the appeal and for disposing of the appeal to the Commissioner; and I also recommend that the period of limitation (*i.e.*, 30 days) may be adopted for appeals against the order of the Excise officer, and also that the rules for extension of limitation, as a matter of course, be followed. In my humble opinion this clause requires thorough consideration by this Council, and provision is required to be made by the Statute that the people may know better than what is known from the notifications given by the Government in the Government Gazette. The people will not be satisfied because we have such a notification which will be issued at the discrimination of the Government, or which the Government will issue and withdraw at any time that it likes. So my amendment is that the people must have their right of appeal against all orders of an Excise officer."

The Hon'ble Mr. Fenton:—The Hon'ble Member's amendment exhibits an extraordinary distrust of the Local Government in suggesting, for instance, that the Local Government would ask, say, one Excise Sub-Inspector to hear appeals from another Excise Sub-Inspector. The amendment may be taken exception to on four grounds:—The first is that it is entirely opposed to the spirit of decentralization which is now so much in the air, and to enforce which a measure was,

the day before yesterday, introduced in the Imperial Council. To provide that every single possible order of every single official shall be subject to appeal to the Commissioner is an extraordinarily retrograde proposal. Supposing an Excise Inspector orders a licensed shop-keeper to produce his accounts, is the licensee to refuse to produce them and to be allowed to appeal to the Commissioner? Or supposing an application is made by a shop-keepeer to keep open for one hour beyond the authorised time, and the Collector refuses, is he to be allowed to go to the Commissioner and appeal against that order? Or supposing a Collector orders a Sub-Inspector to visit a certain portion of that district, will you allow such a breach of discipline as to admit the right of the Sub-Inspector of Excise to go to the Commissioner and appeal against the Collector's order? We are greatly embarrassed in our administration of the Land Revenue Act from the fact that every order under that Act of every land-revenue officer is appealable; and no doubt when that Act too comes under reconsideration, some discrimination will be allowed. The Hon'ble Member no doubt realizes that it would be quite impossible to set forth in the Bill itself a list of all the possible orders that might be passed and to specify the authorities to whom the appeal should lie in each case. Accordingly he has proposed that an appeal should lie to the Commissioner in every case. But this would involve going above the head of the chief officer in the district concerned with excise, the Collector, who is primarily responsible for the Excise Administration, an arrangement which would be contrary to all precedent.

"The motion of the Hon'ble Member also prevents appeals being made to the Financial Commissioner. In important cases it may be very necessary indeed that the Local Government should provide an appeal to the chief revenue officer from the order even of the Commissioner.

"Lastly, the proposal to adopt the appellate procedure of the Criminal Procedure Code is wholly anomalous. The procedure under the existing Act is that of the Land Revenue Act applicable to appeals from Collectors. In no case is an appeal according to the procedure of the Criminal Procedure Code provided in any fiscal enactment whatsoever. The Forest Act, the Customs Act, the Salt Act, the Opium Act, in all these Acts, the appeal lies, not to the criminal courts, but to the superior fiscal authority. I see no reason whatsoever for introducing such an anomaly into the Statute book as to provide for appeals in purely fiscal matters to the Criminal Courts. Of course there are 'offences' under the Act for which convictions can be obtained, but these will be tried before Magistrates and appeals will follow the Criminal Procedure Code.

"I therefore recommend that the Council do not adopt the amendment."

The amendment was put to the Council and lost.

The Hon'ble Mr. Shadi Lal moved that in clause 21 (*d*) (10) the words 'by the licensee for the sale of spirit' after the word 'charged' be added. He said:—"I understand that the Hon'ble Member in charge of the Bill has no objection to accepting this amendment. I should like to make one slight change in my amendment, namely, instead of the word 'spirit' I would substitute the word 'liquor'. If the Hon'ble Member is not prepared to accept it, I will explain the reasons."

The Hon'ble Mr. Fenton:—"I am prepared to accept the addition if it is confined to the words 'by the licensee.' The clause in question relates to the licensees of breweries and distilleries, and the licensee is the licensee of the brewery or distillery. If these three words 'by the licensee' are introduced, there could be no difficulty in ascertaining who is meant."

The Hon'ble Mr. Shadi Lal:—"I have no objection to that. I understand the licensee to be the licensee of the brewery or distillery."

[*Mr. Fenton; Mr. Shadi Lal; Mr. Muhammad Shafi.*]

The Hon'ble Mr. Fenton:—"If you introduce the words 'for the sale of liquor' it may mean some other person."

The Hon'ble Mr. Shadi Lal:—"Yes, I would put it in that way."

The Hon'ble Mr. Fenton:—"The whole section relates to licensees of breweries and distilleries, so that if you confine the word to *licensees*, there will be no misunderstanding."

The amendment as modified was put to the Council and agreed to.

The Hon'ble Mr. Muhammad Shafi: "Your Honour, I beg to move that in section 26 relating to the sale of liquor and excisable articles the following clause be added—'*no liquor*'—if I may be allowed to substitute 'liquor' in place of the word 'spirit'—'*no liquor or intoxicating drug shall be sold in the immediate neighbourhood of an educational institution or a place of worship*'

"I venture to assure the Hon'ble Member in charge of the Bill that this amendment is not intended to have any detrimental effect upon the revenue realised by the Government from this department, nor so far as I can see will it have that effect. The reasons for which I have ventured to put forward this amendment are self-evident. To my mind the incorporation of this provision in the Excise Law of our Province is calculated to serve the cause of sound morality and of law and order. The unhealthy atmosphere of a drink shop and the disorderly scenes which are very often witnessed in and about it ought to my mind to be removed from the vicinity of educational institutions and places of worship. With reference to places of worship, I would like further to point out that the existence of a drink shop close by is liable to give rise to serious breaches of the peace. For these reasons shortly then I appeal to the Hon'ble Member in charge of the Bill to agree to this being added to section 26, and I trust that the Hon'ble Members will see the reasonableness of this suggestion and will agree to the amendment I propose."

The Hon'ble Mr. Fenton:—"It will, I hope, suffice if I appeal merely to the legal instinct of the Hon'ble Member moving the amendment and ask him to withdraw this motion for the reason that if he examines clause 26 of the Bill, he will see that its main enacting provision is this, *viz.*, that 'no liquor shall be sold except under the authority and subject to the terms and conditions of a license granted in this behalf'. Four exceptions to this provision are allowed in which persons *without license* may, under very special conditions, sell or manufacture or do other acts which by this section may not be done without a license. Now the effect of this amendment will be, that while the main part of the section will enact that no such sale shall take place without a license, this particular addendum will provide that notwithstanding the possession of a license, sales may not take place. The section will thus be directly inconsistent with the section which allows the Collector to grant licenses. Your Honour, we shall have this extraordinary result that if the Collector grants a license for certain premises for the sale of liquor thereon, the licensee will be liable to a heavy fine if under the cover of the license so granted he sells liquor on the premises so licensed. The Government is in full sympathy with the object of the motion, and there is at present a rule, which is observed as far as possible, prohibiting the licensing of premises in the vicinity of places of worship and of educational institutions. The rule is this, that 'all such premises shall as far as possible be located at a distance from

places set apart for religious usage and religious worship and the public institutions to which all classes of people resort, such as wells, bathing places and also schools, hostels and factories:' Now you will observe that there are the words—'as far as possible'. It is not always possible to secure this desideratum. Take some cases in Simla. In Simla we have Lowrie's Hotel which has got a license for selling liquor and is quite close to the church. Then there is Messrs. Kellner's shop; above it is the Scotch Church, and a little way down the road there is another church, the Union Church. Under the Hon'ble Member's proposal Kellner & Co. would be liable to a penalty to the extent of Rs. 500 every time that they sell a bottle of liquor. Then the Hon'ble Member knows that there is an old established shop in Lahore near the Government College, belonging to Messrs Jamsetjee and Sons. Does he wish to deprive Messrs. Jamsetjee and Sons of their license, or at any rate make them liable, whenever they sell a bottle of liquor, to a penalty of Rs. 500? I think that what the Hon'ble Member desires is that the Collector in granting licenses should carry out the provisions of the existing rules. The words 'as far as possible' in the rule which I have quoted ought to assure him that the Collectors are enjoined to do so to the best of their ability. If the proposed amendment is put into this clause, we will have as a result an extraordinary inconsistency between the two sections of the Act which I have mentioned. It is open to the Hon'ble Member, of course, to move that the power to grant licenses should be taken from the Collector, but that is quite a different matter, and if he moves such an amendment, I shall take an exception to it on the ground of want of notice. For these reasons I oppose this amendment."

The Hon'ble Mr. Muhammad Shafi:—"Your Honour, when I put forward this amendment I, at any rate, had absolutely no intention whatsoever to take away from the Collector the power to grant licenses of the description contemplated by this section, and I am sure that my Hon'ble friend in charge of the Bill knows me well enough to believe that that never was my intention for a moment even. All that I wanted to effect was a very desirable reform which to my mind is one which ought not to be left really to the rules to be framed under the Act, but ought to be incorporated in the Act itself. There may be one or two instances, such as Lowrie's Hotel or Mr. Jamsetjee's shop close by the Government College, which I for one certainly should not be sorry to see closed on account of its being in such close proximity to the Government College, I myself having with my own eyes as a member of the Punjab Association Club, which has its premises adjoining Mr. Jamsetjee's shop, seen some things which I for one regard ought not to be allowed to exist in that corner close by the Government College. To put that matter aside, I submit it is an important thing that such a provision as this ought to be incorporated in the Excise Law. Of course it is a different matter if the Hon'ble member in charge of the Bill is in a position to assure me that in every license under the new Act it will be guaranteed that Government will make it absolutely essential to incorporate in that license a condition that the licensee shall not sell liquor in the immediate neighbourhood of an educational institution or a place of worship. I am willing to withdraw this amendment if such an assurance is given by the Hon'ble Member, but if my Hon'ble friend is unable to give such an assurance, then I, at any rate, think that in the cause of sound morality and law and order, such a provision ought to be introduced in the Punjab Excise Act. So far as the actual place for this provision is concerned, whether it is to be a sub-section to section 26 or an independent section by itself, it is a mere matter of detail, if I may venture to say so. This particular portion of the Act deals with the sale of liquor and intoxicating drugs, and it seems to me that a provision such as I have proposed goes in this part of the Chapter, in a very fitting manner. Whether it is to be a

sub-section or a separate section by itself, is really a mere matter of detail. I am quite prepared to agree that instead of its being a sub-section to section 26 it may be section 27 of this Act. If my Hon'ble friend is prepared to give a kind of assurance which will satisfy me and those who have this reform at heart, I am willing to withdraw this amendment."

The Hon'ble Mr. Fenton :—"I can give the Hon'ble Member the assurance that no such sale will be allowed except on the premises of the licensee which are licensed."

The Hon'ble Khan Bahadur Khwaja Yusaf Shah :—"In this connection, Your Honour, I may say it is my personal experience that the Collector, following the rules framed under the Excise Act, generally takes the opinion of the leading members of the district when he is to give a new license, and I think there are instructions of this sort that new licenses should only be granted by Collectors with the opinion of the leading local men and should not be granted for a shop near the place where a school exists or a mosque or a temple exists. I know it as a matter of fact that this opinion is obtained in these days Whenever new licenses are given the Collector generally takes care that the new license is not given to a new shop close to a temple or an educational institution. This is my experience as far as the district of Amritsar is concerned."

The Hon'ble Mr. Fenton :—"I would ask the Hon'ble Member if that assurance will satisfy him."

The Hon'ble Mr. Muhammad Shafi :—"May I be permitted to say that the assurance which the Hon'ble Mr. Fenton has been pleased to give me is merely to this effect that no licensee shall be allowed to sell liquor except on the premises for which the license is granted. Supposing an application is put in by a person wishing to start a drink shop close by a church or a mosque or temple or close by an educational institution, it is no assurance to me so far as the object which I have in view is concerned, that the Hon'ble Member in charge of the Bill will make it a condition of the grant of that license that this licensee shall not sell liquor except on those premises. The objection is against the locality of the premises in relation to a temple or a mosque or an educational institution, so that merely saying that the licensee shall not be permitted to sell liquor or intoxicating drugs except on the premises for which the license is granted is an assurance which does not meet the object which I have in view. Your Honour, if my Hon'ble friend can give an assurance that no license shall be granted for opening a drink shop near a church or mosque or temple or an educational institution,—this is the kind of assurance I want,—I am willing to withdraw my amendment on that assurance being given. Or I give him another alternative. If my Hon'ble friend is prepared to accept a certain other amendment which stands in the name of another Member, that in the case of every license, whether it is being granted for the first time or whether it is the case of a renewal of the license, the Collector will ascertain the opinion of the persons living in the neighbourhood as to whether they would like to have a drink shop or not, that too will meet my object. In the Bill as it stands it is only in the case of new shops which are to be opened after coming into operation of this Act that the principle of local option is to be extended. In the absence of this assurance or of that assurance, having the cause of sound morality in view, I am not prepared to accept the kind of assurance my Hon'ble friend has given me.

[*Mr. Muhammad Shafi; Lala Kashi Ram; Khwaja Yusaf Shah; His Honour the President.*]

"In the course of my practice at the Bar, extending over a period of 21 years, I have come across cases in which in the villages, particularly of the Doab, serious breaches of the peace have occurred between persons who frequent places of worship in villages where these drink shops are open and the persons who frequent these drink shops, because of the disorderly conduct of those persons and because of the obscene songs which they sing after they have taken a little too much, and rows have occurred between the worshippers and the frequenters of these shops. The object I have in view is in the interests of sound morality and law and order. But if the Hon'ble Member is prepared to give the assurance, I am willing to withdraw my amendment because that will meet my object, but in the absence of that assurance, I am very sorry to say that in view of the desirability of the reform I am unwilling to withdraw the amendment."

The Hon'ble Lala Kashi Ram:—"I wish to say a few words in support of the Hon'ble Mr. Shafi on this point. The Hon'ble Member in charge of the Bill has referred to certain cases which look somewhat unreasonable to accept I am sure I understand the Hon'ble Member aright when I think that the Hon'ble Member is not referring to the cases of large towns and large places which have spacious compounds attached to them like the Government College. Of course I do not know the extent of the grounds which are covered by the Government College, nor of Jamsetjee's shop. The words used in the amendment are 'immediate neighbourhood of a mosque or an educational institution.' I think I will perhaps be supported by the Hon'ble Mover of the amendment that he is really referring to the cases of towns and villages where you may have a mosque situated side by side and actually next door to a drink shop. It is cases of that description that the Hon'ble Mover wishes to avoid, and I think he is therefore right in insisting that an amendment of this description should be allowed and incorporated in the provisions of the Bill which we are now about to pass, or an assurance given. With reference to the remarks which have fallen from the Hon'ble Khan Bahadur Khwaja Yusaf Shah, I think he has anticipated the discussion that we are likely to have on the provisions which are to be the subject of discussion relating to local option. He is referring to certain rules which exist on the subject, and we are not sure whether those rules are to be allowed to stand in the provisions that are now before the Council for discussion."

The Hon'ble Khan Bahadur Khwaja Yusaf Shah:—"I rise to a point of order. I perfectly understood my position. My position was that even in these days Collectors do consult public opinion when they give licenses for new shops, and that they do so when the location is close to a mosque or an educational institution. I perfectly understood the position."

The Hon'ble Lala Kashi Ram:—"I do not say, Your Honour, that the Hon'ble Member did not know it. I only wanted to remark that the Hon'ble Member has simply anticipated the discussion that is to come up on the subject of local option. We are differing as to the extent to which local option is to be introduced in the Bill, and we do not know whether the present practice which prevails of consulting leading citizens or members of local committees which are now constituted under the rules in force, whether those conditions are to continue or not in the new Bill. That subject has yet to be discussed, and the Hon'ble Mr. Shafi has stated that he wants either one understanding or the other to be given before he can withdraw the amendment. I entirely agree with the proposition."

His Honour the President:—"Perhaps the Hon'ble Member (Hon'ble Mr. Fenton) will state the position—whether he is prepared to accept Mr. Shafi's amendment that it might be incorporated in the Bill or is willing

to give the assurance. If Mr. Muhammad Shafi receives the assurance, he is prepared to withdraw the amendment."

The Hon'ble Mr. Fenton:—"The main reason why I oppose the amendment is that our Council will be simply stultifying itself as a legislative body if we were to introduce in the Bill two such very inconsistent provisions, as that the Collector shall be empowered to license premises for the sale of liquor, but the licensee shall not sell liquor on such premises except under a penalty. If the reform which is desired is to be incorporated anywhere, it should be in the section limiting the Collector's powers to grant licenses, but once the license is granted, the licensee should have the power to do that which the license authorizes him to do. As to the assurance which is asked for that no license shall be granted for such premises, I am not prepared to recommend the omission from the existing rule of the words 'as far as possible.' I just mentioned cases, a few out of hundreds no doubt throughout the Province, which show that it is impossible to give an assurance that in every case of existing established premises the license shall be withdrawn and the sale of liquor shall not be allowed. The result of that would be that many existing established hotels and refreshment rooms would have to cease their business. When we come to section 35 we shall deal with the question whether local option shall be confined to new shops or to existing shops, but I think at the present moment it is premature to anticipate what the result of the debate on that subject will be. Meanwhile the principal reason in opposing this motion is that it introduces two absolutely inconsistent provisions in the Act."

The motion was put and lost.

The Hon'ble Mr. Muhammad Shafi:—"Your Honour, the next amendment—

> *that in clause* 30, *sub-clause* (1), *the age limit be raised from* 16 *to* 18 *years,*

which stands in my name is intended to remove what appears to me to be an inconsistency in this Bill. The Hon'ble Members will see that under section 29, as amended, no licensed vendor and no person in the employ of such vendor and acting in his behalf shall sell or deliver any liquor or intoxicating drug to any person apparently under the age of 18 years, whether for consumption by such person or by another person and whether for consumption on or off the premises of such vendor. While the section I seek to be amended runs as follows:—'No person who is licensed to sell foreign liquor or country spirit for consumption on his premises shall, during the hours in which such premises are kept open for business, employ or permit to be employed, whether with or without remuneration, any child under the age of 16 years in any part of such premises in which liquor or spirit is consumed by the public.'

"Now a close comparison of these two sections will show that while section 30, clause (1), empowers the licensed-vendor to employ on his premises a youth of 17 years of age, to whom liquor or intoxicating drugs may be delivered by the vendor so that the employé may hand that over to the vendee who will either drink the liquor on the premises or will take it home to drink, section 29 makes such a delivery by the licensee himself to this youth of 17 quite illegal. It seems to me that the two sections should be made consistent with each other by introducing the age of 18 years in section 30. Apart from this the object of section 29, if I may venture to say so, is nullified by section 30, for as I understand it the object of section 29 is to introduce in this enactment provisions which would prevent the licensees from selling liquor or delivering liquor to youths under 18 years, whether for their own consumption or for consumption by some one else; while if you leave it open

to the licensees to employ youths between 16 and 18 years of age in their drink shops, you make it possible, or I may say I am almost certain that these youths of between 16 and 18 years of age who will be employed in these shops, will have opportunities and be liable to the temptation of indulging in drink, and the very object of section 29 will then be defeated. For these two reasons I ask the Council to agree to the amendment which I propose that in section 30 also the age limit should be 18 just as it is in section 29."

The Hon'ble Mr. Fenton:—"The question is not one of very wide importance, but I think that the Council might very well be satisfied with what has already been done. Under the existing rules the age is 14, under the Bengal Act and under the United Provinces Act the age is 14, and in the Central Provinces Bill the age is 14, so that we have made an advance beyond all other Provinces In raising the age to 16 the Council may take credit to themselves that it is the foremost in this reform. It must be remembered that vendors and licensees very often employ members of their families to assist them, and that in large hotels and in such like places boys under the age of 18 are very often employed on miscellaneous duties, pulling punkhas and running messages. In the hotel in which I am staying at present at Simla there is a boy, certainly under 18 years of age, working as a messenger. All such employment would have to cease if the Hon'ble Member's motion is carried. Therefore I think that the Council might very well be satisfied with the raising of the age from 14 to 16 years, as we are ahead of every Province in this respect."

The motion was put and lost.

The Hon'ble Lala Kashi Ram:—"Before I take up the subject of my amendment, Your Honour, I wish to make some preliminary remarks with reference to the remarks which have fallen from the Hon'ble Member in charge of the Bill.

"It is with reference to the amendment that I now propose before the Council because I wish not to be misunderstood. I hope I will be allowed the opportunity of explaining myself to guard against being misunderstood on the subject. Your Honour, the Hon'ble Member in charge of the Bill has referred to certain amendments moved by certain critics in relation to the policy of Government—that Government policy in the matter of excise liquor is actuated more by a desire to collect revenue than for the welfare of the people or to reduce consumption of liquor. I must at once say that my amendment really is one and is perhaps the only one on the agenda paper which relates to the question of revenue, and possibly the Hon'ble Member in charge was referring to the amendment which I am about to make when he said that he wanted to explain the position of Government to certain critics who may be suspicious of the Government policy. I wish to assure Your Honour that I, at all events, believe that the Government in the policy which is underlying this Act is actuated by the best of motives. I know that the Hon'ble Member in charge of the Bill is himself actuated by the best of motives, but I trust that you will allow that the other persons who are here to do duty as elected representatives of the people are also actuated by the same motives, and I am only referring to some remarks which I need not repeat that they have the effect of discouraging a proper and free expression of opinion upon points which may be the subjects for discussion here before the Council. With these remarks, I hope there will be no chance of my being misunderstood on the subject or that I should be considered as accusing Government of any intention to raise revenue from the Excise Act or by the measure which we are discussing here.

[*Lala Kashi Ram.*]

Your Honour, the subject of my amendment is section 35. I may preface my remarks with a statement of what has occurred since the Bill was before the Select Committee. I happened to see the review of the Government upon the Report of the Excise Administration for the last year after the Bill had passed the stage of the Select Committee. There I came across a certain statement which showed that Government was contemplating to raise the still-head duty. That phase of the question was sought to be discussed by me in the Select Committee, but by a remark from the Hon'ble Member that the extent of our jurisdiction in dealing with the measure would not permit us to go into that question, the discussion was not properly carried through. I subsequently learnt that the sanction of the Government of India to deal with this measure is in general terms and allows us to deal with all portions of the Bill as they stand incorporated in its provisions, that is, the provisions relating to revenue as well as to the other policy for the enhancement of punishment and as regards penalty clauses. It is in this view that I consider it my duty to lay before the Council the aspect of the measure which is sought to be proposed with reference to raising the price or duties on liquor. I may assure you again that I am not at all suspicious of the Local Government, nor is there any want of confidence in the Local Government or its officers. It is only my wish here to ensure that a proper trial should be given to the measure that has already been incorporated, published and discussed and is about to be passed by the provisions of the Act we are discussing here. No step can be taken on which, as a matter of fact, no proper discussion has been carried through.

"The amendment that I propose tries to limit the duties to the present scale as it is fixed now. I understand that the effect of raising still-head duty would be to raise the price.

"I move that in clause 31 after the word *rates* the words *not exceeding the rates in force at the date of the passing of this Act be inserted.*

"In support of my amendment I submit that the Hon'ble Members are aware that the most important feature of the Bill now before them is that it provides for higher penalties for illicit distillation and other cognate offences, and arms the excise officers with much greater powers for the detection and prevention of these offences than are provided in the Act now in force. It is considered that by deterrent sentences only it was possible to cope with the evil of illicit distillation which is believed to be as rife in several places. In this respect the Bill has come out of the Select Committee without any material alteration.

"From the Review of the Report on the Excise Administration of the Punjab for the year 1912-13 which has appeard in the *Punjab Government Gazette* of 5th September it appears that Government contemplates raising the duties on liquor with a view to increase its prices. If this be so, I submit that the effect of the severer penalties provided for in the Bill will be altogether nullified.

"It must be admitted that severer penalties and deterrent sentences will have the effect of checking illicit distillation, but it is equally clear that if duties and fees are increased in proportion to the increase of penalties, the high prices resulting from this increase will be as great an incentive to this illicit distillation.

"Thus the element of high prices, if introduced, will destroy all the beneficial results expected from the present legislation, and practically nothing shall have been done to check the evil which the present measure is intended to remedy. The net result will be that the severer penalties have been provid-

ed only to secure payment of higher prices, and the measure will have all the appearances of a measure undertaken to increase the excise revenue which is not its object, nor is it necessary.

"It may be said that high prices of liquor are necessary to check the increase of consumption and of the drink habit among the people. In the first place, it is doubtful if the increase which the Government can make in the prices of country liquor, having regard to the prices of various kinds of inferior foreign liquors in the market, will have any appreciable effect in checking liquor consumption. But supposing that it is likely to have that effect, it is submitted that a step which is calculated to help illicit distillation should not be taken unless the full effects of the provisions relating to severer penalties for that offence with the present level of prices have been tried. If the penalties now proposed result in checking illicit distillation, they shall not only bring about an appreciable increase in the excise revenue, but would also result in checking to a considerable extent the drink habit. As it is said that illicit distillation is the chief source from which liquor is obtained for widespread drunkenness which disgraces the marriage and similar ceremonial gatherings.

"Besides this, the proposal to raise the liquor prices along with that to raise the scale of punishments has never been before the public, and opinions have not been invited on it; neither have the public press nor the temperance associations considered this aspect of the Bill, and Hon'ble Members are not in a position to form a proper opinion as to its results on the public interests. It is therefore not right that a step like this should be taken without giving the public a chance, at least of expressing their opinion on it.

"A further reason exists why high prices for liquor should not be introduced along with the measure of severer penalties for excise offences. After the introduction of the Bill the Select Committee have made a provision for ascertaining local public opinion before licensing premises for the sale of liquor. Temperance movement is spreading in the country, and Government have on more than one occasion expressed its intention of helping this movement. There is every reason to believe that, with the help of Government and of the local committees and of the temperance associations, this measure of local option—although so slight—will contribute to some extent to check consumption of liquor.

"I would therefore strongly urge that the Hon'ble Members will see their way to limit the prices and duties at their present level by agreeing to the amendments I am proposing, and that they will not allow the prices to be raised till at least the two measures now introduced have had a fair trial."

The Hon'ble Mr. Fenton :—"I think, Your Honour, I can curtail discussion on this amendment by referring to section 43 of the Indian Councils Act, 24 and 25 Victoria, Cap. 67. It provides :—'It shall not be lawful for the Governor in Council (this applies to the Lieutenant-Governor in Council too), except with the sanction of the Governor General previously communicated to him, to make regulations or to take into consideration any law or regulation for any of the purposes next hereinafter mentioned, that is to say,—

"'(1) Affecting the Public Debt of India, or the Customs, Duties, or any other tax or duty now in force and imposed by the authority of the Government of India for the general purposes of such Government.'

"This amendment would have the effect of for ever hereafter preventing Government from imposing an excise duty, not only on liquor, but on all excisable articles, in excess of the rates at present in force. Such a provision would be contrary to the power with which the Council is invested. For that reason, apart from the merits into which I need not enter, I oppose this amendment."

[*Mr. Shadi Lal; Mr. Barron; His Honour the President; Mr. Fenton.*]

The Hon'ble Mr. Shadi Lal:—"I differ with the Hon'ble Member in charge of the Bill as to the interpretation of the section."

The Hon'ble Mr. Barron:—"I rise to a point of order. I understand that the Hon'ble Mover's point is that this amendment is out of order in a Legislative Council. That I gather is a matter for Your Honour's ruling."

The Hon'ble Mr. Shadi Lal:—"I want to show that it is in order. Section 43 deals with any Law or Regulation which is introduced for the purposes which are enumerated therein. The present Bill is not one of the Bills which deal with matters of that kind. No doubt there is a clause in the Bill which deals with taxation, but surely it is not intended that when a Bill comes before the Council and one or two clauses deal with the public revenues, the Legislative Council and the Members of the Legislative Council have no right to deal with that matter at all and must fold their hands and say ditto to what the Hon'ble Member in charge of the Bill has to say. In that case what is the object of placing the Bill before the Council?"

His Honour the President:—"I think, leaving aside the legal question, it is better to put the amendment before the Council on its merits."

The Hon'ble Mr. Fenton:—"If that be so, Sir, I would ask your permission to speak on the merits. I venture to state that the temperance associations, who advocate this reform will not regard the Hon'ble Member's proposal with very great satisfaction, seeing that their constant endeavour has been to promote every proposal for increasing taxation and reducing consumption. I have stated the facts as regards the effect of increased taxation in the United Kingdom in producing an enormous reduction in consumption coupled with the increase in revenue. I can give the Hon'ble Members chapter and verse as to my assertion that the temperance associations in England are opposed to any curtailment of the powers of Government to raise rates. In the deputation which waited on Lord Morley in 1907 Sir Herbert Roberts, M.P., in his statement of the case says:—'Every increase in duty necessarily increases the cost by precisely the amount of the duty and discourages consumption approximately to that extent. Increase of duty on foreign spirit in 1906 had this effect necessarily'; that is to say, it is recognised by the authorities on such questions that increase in direct taxation has the effect of reducing consumption, so that if the Hon'ble Member's amendment were introduced and Government was fettered for ever hereafter in the matter of increasing rates of duty, the effect would be exactly opposite to that which is anticipated. The Hon'ble Member's motion refers to all excisable articles, and among others are included hemp drugs, which are imported in considerable quantities in this Province. At one time before 1896 *charas* was imported free of duty. In the year 1897 a duty of Rs. 2 a seer was imposed, and those rates were gradually enhanced until at the present time it is Rs. 12 a seer or Rs. 480 a maund. The result has been a decrease in consumption. The decrease in the last four or five years amounts to 16 per cent., coupled with an increase of nearly 19 per cent. in the excise revenue from these drugs, and that I venture to say is an illustration of the proposition that you obtain decreased consumption from increased revenue. If the Hon'ble Member's motion is passed, the effect will be that all further attempts to reduce consumption of this most deleterious drug will have to cease and the limit of Rs. 12 must be regarded as the maximum. Of course I still adhere to the view that such a motion, which would have the effect of fettering the power of the Government of India to increase excise taxation (I may mention that all such taxes have to go to the Government of India for sanction), would at once be ruled out by the legal advisers to the Government of India and the Secretary of State as *ultra vires*. I do not think that the Council would be well advised in courting such a rebuff from the highest

authorities. I therefore recommend that the Council do not adopt this amendment."

The Hon'ble Lala Kashi Ram :—"I wish to make only a few remarks before the motion is put. I do not know if I am in order. I wish to make one remark with reference to the last remark in opposition to my amendment, that is, that the motion before the Council perhaps would fetter once for all, not only the powers of the Local Government, but also of the Supreme Government. Your Honour has allowed the amendment to be discussed without deciding whether in this case we are barred by the provisions of section 43 I understand that section 31 as it is proposed to be passed is part of the enactment which is to be passed by the Local Council, and the Government of India have really given sanction for the introduction of this Bill and for the repeal of the Act which is at present in force. Therefore what we are doing is really exercising power which is delegated to us by the Government of India themselves. The Government of India can refuse to allow the Local Legislature to interfere in the existing duties and then our hands will be tied. It is really the powers that are delegated to us by the Government of India themselves that we are exercising here by saying that we will limit the duty to the rates at present prevailing, and it is too much to say that it follows from my amendment that it would have the effect of fettering the hands of the Government of India. I do not know by what process of reasoning it can be inferred or stated that the Government of India's power would be fettered by means of the amendment if carried. That is as regards the legal objection, but as regards the merits of the case, I submit I have explained my reasons at length that we ought not in the same measure or in the same Act to adopt two conflicting remedies. I have tried to show that the penalties, as they are now provided by the Bill, should be a sufficient deterrent for illicit distillation, and, on the other hand that high prices, if they are to be adopted in proportion (they may or may not be, we have no indication as to what the intentions of the Government are as to what rates the duty is to be raised to), will be an incentive to illicit distillation, but we can suppose very well that the Government are waiting the passing of the measure before raising the rates of duty. That shows that the intention is to raise the rates sufficiently high, so that the present scale of penalties would prevent the evil from spreading. I think I would be justified in assuming that the raising of the prices is contemplated in proportion to the increase of the penalties. Therefore I submit before the Hon'ble Council that if the prices are raised in the same proportion as penalties are raised, one measure will kill the other. It is in this respect I object to the two conflicting measures being passed for one object. I have tried to show that the net result of the measure would be that only one thing would be done ; the severer penalties would merely affect the question of prices. On the other point we have not heard anything from the Hon'ble Member in charge of the Bill."

The motion was put and lost.

The Hon'ble Lala Kashi Ram :—"In view of the decision on the last amendment, I beg leave to withdraw the second amendment which is as follows :—

> That in clause 34 (*a*) after the words *such fees* the words *not exceeding the fees payable at the date of the passing of this Act* be inserted."

The Hon'ble Lala Kashi Ram moved that for sub-clause (2) of clause 35 the following be substituted :—

> (2) Before licenses are granted in any year for the retail sale of any excisable article the Collector shall take such measures in

accordance with rules to be made by the Local Government in this behalf as may best enable him to ascertain local public opinion in regard to the licensing and location of shops."

He said:—"This is an amendment which relates to the question of local option. The Hon'ble Members have seen that the Bill which was referred to the Select Committee contained no provision on this subject, and in section 35, clause (2), a provision has been inserted to the effect:—'Before any license is granted in any year for the retail sale of liquor for consumption on any premises which have not been so licensed in the preceding year, the Collector shall take such measures in accordance with rules to be made by the Local Government in this behalf as may best enable him to ascertain local public opinion in regard to such premises'

"The Hon'ble Members will see that the measure has been accepted. Of course I may say one thing by way of explanation that although I am using the phrase 'local option,' the measure which has been conceded by the clause (2), section 35, is not really a measure of local option, but it is a measure relating to ascertaining local public opinion Local option is different to some extent, inasmuch as local public option, if allowed, will allow the opinion of the people in the neighbourhood to prevail against the decision, even in spite of the decision of Government officers. Of course it was pointed out that it is not intended to take away the powers of granting licenses from the hands of the Collectors and place it in the hands of the people, and for that reason local option, pure and simple, was not pressed or adopted by the Select Committee. What was allowed was a slight measure for ascertaining local public opinion, ascertaining the wishes of the inhabitants of certain localities before a liquor shop is licensed for that locality It is with reference to that measure that we are now discussing the proposition. I pointed out that the clause 2 limits the measure to new shops and does not allow anything to be ascertained with respect to the existing shops. On that point I need only refer to the reasons which have been stated in a joint minute of dissent appended to the report of the Select Committee by myself and the Hon'ble Sardar Gajjan Singh. I maintain that if the provision requiring the Collector to ascertain local public opinion is to be of any effect, it must be made applicable to all shops which may be licensed in any year. It is said that Government have themselves been reducing the number of liquor shops during the last few years to such an extent that they are not likely to open new shops. If this is so, it is difficult to understand for what purpose the present provision is inserted. If it is to be made applicable only to new shops and no new shops are to be opened, the provision would be a mere dead letter, and as such objectionable. Sir Louis Dane in his speech on the introduction of this Bill expressed a hope that the Hon'ble Members will consider and advise the Government about the way in which the constitution of local committees can be improved, and that most useful agency extended. He also said he had great hopes from the operation of those committees because it has been found all over the world, not only in India, that Government alone can do very little to stop the drink and the drug habit. He also remarked that as long as the practice of obtaining drink and drugs is not regarded as a social disgrace almost worse than a crime, no amount of legislative interference or executive preventive action on the part of the Government will really stop the practice.

"Your Honour also expects the leaders of the people to prove by their co-operation that the consumption of alcohol is really opposed to the sentiment of the Panjabee. By the amendment I am proposing I am only asking that occasions for the co-operation of local committees and of the leaders should not be limited only to new shops or premises unlicensed in the previous year, which may never arise.

"In the opinion of the Government officers the closing down of liquor shops may have reached a point beyond which it may not be safe to go. The provision relating to ascertaining public opinion before licensing premises does not take away the power of licensing premises from those officers. All that it provides for is that people should have chance of informing the Government and its officers that they do not want a certain shop, and it is only in this way they can show that the consumption of liquor is opposed to their sentiment. Even if this small measure of local option, which is no local option at all, is denied, it is difficult to understand in what way Government are helping the people to show their sentiment against liquor.

"The provision relating to ascertaining local public opinion as it stands is also bad on the ground that it makes no allowance for change of circumstances or surroundings of existing shops. A shop in a certain locality may be unobjectionable to-day, but circumstances may change and places of worship or educational institutions may spring up in its vicinity or other causes may render its continuance objectionable in the locality. It may be that cent. per cent. of the population in a certain locality object to its continuance there. Is it right that the people should have no chance or the right to object to it ?

"The existing rules relating to local option allow for the appointment of a committee for each district to consider the number and location of liquor shops. The committees are to advise, not only as to the number of Indian spirit shops, but also of shops licensed for the bazar sale of foreign spirit, and also whether the licenses of such shops should include a condition for sale on the premises or not. These rules relating to the formation of local committees were passed only very recently, *i.e.*, in the year 1909, and are applicable to all the shops which may be licensed at any time. I cannot imagine any reason why the scope of the provision relating to ascertaining local public opinion be limited to new shops only. For other Provinces of India liberal provisions are made for ascertaining local opinion, and they apply to all shops that may have to be licensed.

"For the above reasons, I hope that the amendment which I am proposing will be accepted by the Hon'ble Members."

The Hon'ble Mr. Fenton :—"I should like to read to the Council the existing rules on the subject of the ascertainment of public opinion in connection with shops : —

'If it is proposed to open a shop in any street, mohalla, locality or village where there has not previously been a shop, notice of the intention to do so shall, for at least 15 days, be put up at or near the proposed site, and it shall also be published in the neighbourhood by beat of drum.

'Before deciding on the location of any new shop the Collector shall consult the Police Department, the Railway authorities concerned in the case of a shop proposed near a railway station, and the persons interested in any works, factory or mill where large numbers of labourers are employed, in the case of a shop proposed in the neighbourhood of such works, factory or mill.

'Objections to all proposed new shops shall be enquired into, if possible, on the spot by the Collector or a gazetted officer deputed by him to make an enquiry. If an enquiry on the spot is not possible, an enquiry shall be made in a formal proceeding at which evidence tendered for and against the location shall be recorded. The date and place of the enquiry, whether held at the spot or otherwise, shall be published in the notices referred to in clause 4 above. The decision and the reasons for it shall, in each case, be recorded by the Collector.

'Such premises shall be so far removed as possible from any situation to which the near neighbours object on grounds which on enquiry are found to be reasonable.

'Such premises, so far as is possible, shall be located at distance from places set apart for religious uses or religious worship, and from public institutions, to which all classes of the people commonly resort, such as wells or bathing places and also from schools, hospitals and factories.'

[*Mr. Fenton ; Mr. Muhammad Shafi.*]

"These provisions of the existing rules are full and elaborate, but they relate to new shops, and the Select Committee were quite willing to embody the principle of these rules in a clause in the Act, although heretofore there has been nothing of the kind. But when it is proposed to go beyond the existing rules and to carry out an elaborate procedure of this sort in regard to all the existing shops, it is quite a different matter. One does not require much imagination to picture the intrigues and the plots and machinations of trade competitors who desire to damage the business of their co-rivals For probably a whole year beforehand the neighbours and all the principal people in the neighbourhood would be canvassed in order that, when the time for making enquiry should come round, there should be ample evidence produced to condemn an existing license, however old-established it might be. And it is possible, on the other hand, that the licensee whose interests are threatened might possibly arrange for convivial gatherings to conciliate the opinions of those who would otherwise vote against him. All this sort of intrigue is avoided by these rules, which confine enquiries to new shops. It is easy to contemplate the possibility of the work of the Collector and his establishment getting beyond all bounds if enquiries were annually to be renewed in regard to all existing shops, the propriety and suitability of the great majority of which has been established long ago.

"For these reasons, Sir, I think that the Council ought to be content with the provision that has been made in the Bill as it stands. I may mention that the deputation which waited on Lord Morley did not ask for more than that this consultation of local opinion should be made in the case of new shops, or transfers of existing shops from one licensee to another. They no doubt foresaw the difficulties which would attend the re-opening of the question in regard to all the licensed premises of a province, and wisely confined the recommendation to that extent."

The Hon'ble Mr. Muhammad Shafi :—"Your Honour, while congratulating the Select Committee on the introduction into this measure, even though to a limited extent, of the principle of local option (I use that phrase for want of better words) I desire to support the amendment which my friend the Hon'ble Mr. Kashi Ram has placed before the Council. He has fully explained the position and I strongly support all his arguments, which I am sorry to say have not even been touched or noticed by the Hon'ble Member in charge of the Bill. The Hon'ble Member in charge of the Bill has contented himself by pointing out that if this amendment were to be accepted, one of two results would follow. One would be that a rival trade competitor would begin to canvass in that locality against the renewal of the license in favour of that person. Well, now a very superficial examination of this argument will show that it has absolutely no basis, no legs to stand on. Rival competitors do not go about canvassing people in order to put an end to the very thing for which they are rivals. Supposing there is one Government post and it is periodically filled up by the best man available. Supposing in any given year, one of the competitors for this appointment wins the post, does it follow that the other competitors will, during the course of the following year, put in application after application to the Government to abolish the post, so that they may lose the chance of getting it the following year, simply, as the saying is, to cut off your nose to spite your face. Surely what they will do is this, next year they will offer a higher bid in order to get the license renewed in their own favour rather than in favour of the other person.

"The second argument put forward was that the person to whom a license has been granted in any given year would, in order to court public opinion in favour of his license the next year, give drinking parties during that year so that the people, at the end of the year, might vote for him rather than against the renewal of that license. Well, Sir, if I may venture to point out, this argument applies equally to the case of grants of fresh licenses, for people

who wish to open shops do not make up their minds all in a moment, instantaneously, to apply to Government for licenses. It always comes about that they have thought of applying for a license, say about six months ahead of the date on which they are applying. Very well, a person intending to apply for a license might, in view of the Collector coming to ascertain public opinion in that locality, a year or six months before begin to give drinking parties, so that when he is actually going to apply on the 1st of January or on the 15th of April for the grant of a license in the locality where hitherto there has been no drinking shop, there should be public opinion in his favour. He might do the same thing in such a case as that. That argument, I submit, really has no force. The real argument which ought to be conclusive in a matter of this kind is that in India we are in a transitional period ; public opinion is growing. Changes under the influences of culture and enlightenment introduced in this country by the benign British Government, changes in public opinion are rapidly taking place. Where the majority of a locality might now be in favour of the existence or the renewal of a license in favour of a drink shop, it may happen after a year, or two years hence, owing to the effect of this expanding culture and enlightenment, that their opinion might veer round against that drink shop. Therefore the Government ought to be only too glad, in fact ought to welcome, such a change of opinion and ought to provide in the enactment an occasion for the free play of public opinion and of local option in matters concerning the renewal of licenses also. Otherwise, we know that the tendency is that this renewal of license year after year becomes practically mechanical. Not only mechanical, but on the contrary the following year somebody else comes forward to compete with the former holder of the license, offers a higher sum, and the local authorities grant the license to this person rather than the old licensee, and this person, who has paid the Government a higher sum, tries his level best during the period of his license to sell more than the previous licensee because he has paid more money and in consequence he will move heaven and earth in order to repay himself the sum which he has paid in order to obtain that license. For these reasons I earnestly hope that the Council will extend this principle of local option, not only to cases of new grants, but also to renewals of old licenses."

The Hon'ble Mr. Shadi Lal :—" Your Honour, I want to say one or two words in connection with the motion before the Council. I hope, in doing so, I will not be accused of entertaining any of those motives which have been attributed by the Member in charge to those non-official Members that have proposed amendments in regard to the principles of the Bill. Let me assure my Hon'ble friend, the Member in charge of the Bill, that neither I, nor, as far as I understand, any of the Members of this Council, is of opinion that the Government fosters the habit of drink in order to increase the revenue. Far from it, we are of opinion that the Hon'ble Mr. Fenton is very sincere in suppressing the drink habit and is doing his best so far as that matter is concerned. At the same time I hope he will recognise that there are different points of view Some of the members on this side may entertain a view which may not be quite in accordance with the views of the members on the other side and if we do not agree, as I stated this morning, I hope we will try and appreciate the motives of those who differ with us.

" As regards the merits of the amendment, I do not want to repeat the arguments already put before the Council, but I will, with your permission, read a passage from the report of the Excise Committee which goes to show that the members of the Excise Committee did not wish to draw a distinction between old shops and new shops. They recognised fully the difficulty in the practical working of what is called local option, but the Hon'ble Mr. Fenton has very kindly recognised the principle of local option as regards new shops, and I fail to see why the extension of that principle should not be possible for old shops. The paragraph which I wish to read is No. 235—

'In regard to the location of shops the Government of India have approved the rules in force in Bengal and Madras and commended the former to the notice of other Local Governments, adding that the location of existing shops should be periodically examined with a view to ascertaining whether it conforms to the rules in respect of sites, and that it should be laid down as a general direction that an established shop must not be allowed to remain on a site which would not be permissible for the location of a new shop.'

"I hope the Hon'ble Member in charge of the Bill will kindly consider these remarks and will perhaps allow the amendment to be carried."

His Honour the President :—"Might I suggest that the Hon'ble Member in charge of the Bill should explain what the existing practice is. I understand the public are not debarred from making representations where the sites of existing shops are unsuitable, and on strong cause being shown I understand that licenses are not renewed; but the Hon'ble Member is in a better position than I am to inform the Council what the existing position is."

The Hon'ble Mr. Fenton :—"The existing position is exactly as Your Honour states. The only reason for objecting to the insertion of this addition to the local option clause in the Bill is that it will be *obligatory* in every single instance for the Collector to start an annual enquiry regarding existing shops instead of the present practice of making enquiry concerning those shops only in regard to which specific representations are made.

"With reference to the Hon'ble Member's quotation from the recommendations of the Excise Committee, I would mention that the enquiry and examination and scrutiny of existing licenses which was desired by the Committee and ordered by the Government of India did take place, and that a wholesale examination of all existing sites of shops has been carried out in pursuance of it, and that having been done, the assumption should be made that all existing shops have justified their existence. That such an examination should be made every year on the occasion of every renewal is quite a different matter, and is not, as I understand it, what the Committee recommended.

"The Hon'ble Mr. Muhammad Shafi refers to the analogy of a post in Government employment in seeking to abolish which a rival, he says, damages his own interest; but the analogy is not in the least applicable because the particular shop which the trade rival wishes to have abolished will next year be replaced by another shop, possibly in another locality, which the competitor would secure for himself. And one reason for his expecting to secure it is that he has succeeded in damaging the reputation of his rival. I do not think I need say anything more. I understand that the Hon'ble Mr. Mant wishes to speak on the subject."

The Hon'ble Mr. Mant :—"Mr. Fenton has anticipated a good deal of what I had to say. We discussed this question pretty fully on the Select Committee, and the majority came to the conclusion that the public had at present every opportunity of expressing their views when there really was any objection to the sites of existing shops, and that it was only necessary to compel the Collector to refer to them in cases where new shops were established or the shops were transferred from one premise to another. I think it has not been represented here that, although we have cut down the number of shops as far as is practically possible at present, still there is a good deal of change in the premises and a far larger number of shops come up for renewal periodically than might appear from the number of new licenses granted.

"The other point I had to put forward was that this motion, as it stands, is really too comprehensive. It refers to licenses for the sale of all excisable articles. I think Hon'ble Members who have spoken have really only considered the question of liquor licenses. But I may mention that there are 232 licenses for the sale of methylated spirit, and I should think the Hon'ble mover could hardly seriously contend that the Collector should be required to

institute enquiries into every locality before issuing licenses for the sale of methylated spirits. In fact I have got a list of the number of licenses in force. It may be well to read it. There were :—

81 licenses for hotels.
38 licenses for refreshment rooms.
32 licenses for dâk bungalows.
113 licenses for imported wines and spirits and fermented malt liquors.
1,027½ licenses for distillery spirit which would include 232 methylated and rectified spirit licenses.
25 licenses for country fermented liquors.
541 licenses for the sale of hemp drugs.

1,857 licenses in all. My point is that if Collectors had to enquire every year into the case of 1,857 licenses, the whole business would become such a matter of routine that it would really defeat its object. If a man has got to take up such a large number of cases, he is apt to mix up those which there is real occasion to examine with the hundreds of others, and the cases in which there is a sound objection to a new license would probably go by the board because there had been so many routine cases."

The Hon'ble Mr. Shadi Lal :—" With reference to the information given by the Hon'ble Mr. Fenton in pursuance of the remark which Your Honour made, do I understand that at present there is no prohibition as regards the submitting of representations in respect to existing shops, or there is a rule allowing the making of representations ? "

His Honour the President :—" I suppose whatever is not prohibited is allowed."

The Hon'ble Mr. Fenton :—" The rules are in the form of directions to Collectors, not for the guidance of the public. Collectors are in this as in other branches of the administration required to consider all the representations."

The Hon'ble Mr. Kashi Ram :—" Before I reply to the Hon'ble Member, I would ask Your Honour to ascertain from the Hon'ble Member in charge of the Bill whether the rules which I stated as the existing rules on the subject were supplied to me from the office of the Punjab Government—letter No. 3011, dated 28th September 1908 ; and from the Government of India, No. 714, dated 6th December 1908 I read from those letters the existing rules which I showed were applicable to existing as well as to new shops. Of course I admit that there are rules relating to the opening of new shops which the Hon'ble Member in charge of the Bill has read out, but those have nothing to do with the point before the Council. My point is that the present rules apply to existing shops ; and the present rules I read out from the letters I referred to and these letters were supplied to me on application by the Hon'ble Member in charge himself. I would ask Your Honour to ascertain whether this is correct.

"The second point I would ask Your Honour to ascertain from the Member in charge is that the passage I am proposing is in terms really bodily taken up from the provisions of the Eastern Bengal Excise Act. Not only this, but much more elaborate provisions (as I stated in my first speech) are made in the Excise Acts of the other Provinces, especially Madras and the United Provinces. Of course I have stated that, but on account of the difficulties which we had here, Sir, difficulties of access to books upon the subject, I have not been able to give all references in my speech, and it would be perhaps right that Your Honour would ascertain if the facts I am stating are true, so that the Hon'ble Members of the Council should be in a position to know whether the provisions for which we are pressing before this Council are not embodied in most of the Acts of the other Provinces. The amendment

[*His Honour the President; Mr Kashi Ram.*]

that I am now urging before the Hon'ble Members is only for the purpose of assimilating the law which is to be in force in this Province with the law prevailing in the other Provinces, and if I am right in stating that these provisions, as a matter of fact, exist in the Acts of most of the other Provinces, then we say there is no reason why the Punjab should lag behind. If the Government admits that the temperance movement is a power which is spreading in the land, and the Government are themselves anxious to help that power, there is no reason why the Temperance Association should not be allowed to exert themselves for the purpose of checking the spread of the liquor habit. There are certain points to which I would like a reply after those points that I ask Your Honour to ascertain are replied to."

His Honour the President :—" I think Mr. Fenton will give such information as he can in his reply to the general question."

The Hon'ble Mr. Kashi Ram :—" I have given my reference and I will go on further upon the points. Of course I need not repeat the reply I wish to give as regards the portions read out by the Hon'ble Member in charge relating to new shops. I must admit that there may be other instructions relating to the opening of new shops, and the procedure that is to be followed on the opening of new shops may be contained in different letters which I have not seen, but what I have referred to relates to existing shops as well as to the new shops.

" Then an objection is made on the ground that the procedure which is sought to be adopted would entail a great deal of work upon the Collector. Of course the Hon'ble Member in charge of the Bill must be aware of the proceedings of the Collector in matters like this. We all know that it is not the Collector himself that does this part of the work. The work is left to the subordinate officers. The Tahsildar might do it, or an Extra Assistant might be deputed to do it, and even supposing the Extra Assistant or Tahsildar is to do it, what is the procedure we may expect? Supposing there are at present about 800 shops extending over 30 districts of the Punjab, I think probably every Deputy Commissioner may have to ascertain roughly local public opinion as regards 24 or say 25 shops, or say 30. Well, is that too much? That distributed over 4 or 5 tahsils probably would not extend to more than 6 shops each tahsil. We all know how reports are received by the Tahsildar and disposed of by the Collector in probably a space of time which I think Government should be the last to grudge to the public if the Government can have the satisfaction of knowing that they are given a chance of stating their opinions in this matter. The objection on the score of work, I submit, has no foundation whatever, especially when we take into consideration that almost all the other Provinces have adopted these principles.

" The provision that I have given is really copied word for word from the wording of the Eastern Bengal Act, section 28. When Your Honour enquires into the existing sections of the other Provinces, Your Honour will find that almost all other Provinces have similar sections. In fact, some of them have much more elaborate provisions than we are asking for.

" With reference to the remark that at present there is no prohibition for people to make representations to the Commissioner, we all know that, as subjects of the British Crown, they have the option of making representations on any point. But that is not the point. The point is whether we should make a provision, as a matter of law, and make it obligatory upon the Collector to ascertain local public opinion before licenses are given for new shops. Your Honour will see that the point has been conceded so far as the new shops are concerned The question we are deciding is whether that provision should not be extended to old shops as well, and the question whether the present procedure allows people to come in and make their representations before the Collector is, I submit, beside the point altogether, and is not relevant to the discussion at present before the Council.

[*Mr. Kashi Ram ; Mr. Fenton ; Mr. Shadi Lal.*]

" As regards the remark that was made that enquiry has been made in regard to all the existing shops and the conclusions to which the Government have come that the existing shops are, as a matter of fact, all unobjectionable, I do not say no enquiry has been made. I submit with due deference that this enquiry was never made with the help of public opinion at all. The point that we are asking to be decided by the Hon'ble Members of the Council is whether we should have public opinion as regards existing shops. It is no answer to say, ' of course the Government officers have decided that existing shops are not objectionable '. I say enquire from the public whether existing shops are not objectionable. That is all I have to say on the subject."

The Hon'ble Mr. Fenton :—" I merely propose to answer the enquiries of the Hon'ble Member. As regards the papers which were furnished to him, I do not know exactly what they were ; I simply gave orders that all papers the Hon'ble Member required were to be given to him. Apparently those he has contain certain correspondence on the subject of ascertaining opinion in regard to the location of shops. That correspondence preceded the conclusion of the correspondence. The conclusion of the correspondence is embodied in the rules I have read out : I think it is more in order to refer to the conclusions of the correspondence than to the correspondence itself. The Hon'ble Member says that the enquiry made in pursuance of the recommendation of the Excise Committee was made solely by Government officers without reference to public opinion. I do not know what foundation he has for that statement. I believe that in every case the local officers did ascertain public opinion of those who were really interested in the matter.

" I am surprised that the Hon'ble Member has not been impressed by the statistics which the Hon'ble Mr. Mant has given as to the work which would be entailed upon Collectors by the instituting of enquiries into the licenses of 1,900 shops, 60 or 70 per district. I can assure you that enquiries of that sort and the orders on them would not be by subordinate officers. The location of a shop is a very important matter, and the Collector would deem it incumbent upon himself to retain the decision in his own hands."

The amendment was put to the Council and lost—a show of hands indicating 6 for and 13 against the amendment.

The Hon'ble Mr. Shadi Lal :—" My first amendment, Sir, has been practically disposed of by the amendment which has just been negatived ; therefore I do not wish to say anything about that except that I would ask the Hon'ble Mr. Fenton whether he insists on these words ' for consumption on the premises ' in regard to new shops. I should like to have the local option applied also to those shops, where consumption is not to be on the premises. I should like to be enlightened on the point."

The Hon'ble Mr. Fenton :—" I understand that the complaint in connection with the location of shops is concerned with what takes place on the premises, and that in the case of large distillers and wholesale dealers like Kellner & Co., Cutler Palmer & Co., also the large hotels, there are no complaints in regard to any traffic that goes on in them, and as far as I can read the correspondence, any measure of local option which has been demanded has been confined to premises where the drinking actually goes on, and not to those who have grocers' and other licenses for the sale of spirits which must be taken away. Therefore I prefer that the existing clause in the Bill should stand as it is."

The Hon'ble Mr. Shadi Lal :—" I do not press the matter. There is one matter I should like to mention for the improvement of the language. Hon'ble Members will observe that one amendment in connection with this clause has been carried—amendment No. 4 in the amendments carried *en bloc*.

Certain words have been added in sub-clause (2). May I suggest one word more should be added and the wording should be 'licensing and location of shops.' That is the wording of the Eastern Bengal Excise Act. I forgot to mention that before."

The Hon'ble Mr. Fenton :—" There is no objection if you think it necessary, but licensing is deemed to cover both."

The Hon'ble Mr. Shadi Lal then withdrew the following amendment which stood in his name :—

" *That in clause* 35 (2) *the words* ' *excisable articles* ' *be substituted for the words* '" liquor for consumption on any premises which have not been so licensed in the preceding year'."

The Hon'ble Mr. Shadi Lal :—There is one more amendment in my name, and I will deal with that very briefly because I do not want to take the time of the Council unnecessarily. That in the last line of clause 49 (1) after the word *may* the words *after recording the grounds of his belief* be added. Clause 49 confers very extensive powers on Excise Officers, and I understand that those powers will be exercised not ordinarily by Collectors but by Inspectors and Sub-Inspectors of Excise. I think the Hon'ble Member in charge of the Bill will admit that these powers are very extensive, and though it is necessary that these powers should exist for cases of emergency, for cases in which the delay will allow the man who has offended against the provisions of the Excise Act to disappear or to remove any articles which may be used as evidence against him, it is at the same time necessary to see that the powers may not be abused, and for that reason I propose that the words which I have mentioned in my amendment should be added. I may mention that the Bill which was prepared by the Excise Committee for adoption by the different provinces contains these words. Clause 38 of that Bill contains exactly the words which I propose to add. After the report of the Excise Committee legislation has been undertaken in three provinces, in Bengal proper in 1909, in Eastern Bengal in 1910, and in the United Provinces of Agra and Oudh in 1910, and may I mention, Sir, that words of this kind are found in the Acts of all these provinces. So we have got the draft Bill of the Excise Committee ; we have got the three Acts of the three provinces which have been enacted since the report of the Excise Committee and in every one of them there is a provision against the abuse of the wide powers given by the clause. I do not see any cogent reason why we should not adopt the same safeguard."

The Hon'ble Mr. Fenton :—" The Hon'ble Member's amendment is not such an innocent one as he seeks to represent to the Council. I admit that in the older Acts and in the Acts of the other provinces which he mentions it is provided that, before an Excise Officer undertakes a search, he shall record in writing the reasons for his action. But since those Acts were passed it will be in the recollection of Hon'ble Members that a famous case occurred in Eastern Bengal well known as the Mymensing case, in which the Magistrate, Mr. Clark, having been called upon to supervise certain police proceedings (the district being very disturbed at the time), with a view to seize all arms on suspected premises, allowed a search to take place without having first recorded the reasons for his belief that arms were concealed on the premises. That case became the subject of litigation, as a zamindar by the name of Brajendra Kishore Roy Chaudhri brought a suit against Mr. Clark and obtained damages amounting to Rs. 500. The High Court upheld the decree and rejected Mr. Clark's appeal. Subsequently the case went to the Privy Council and the Privy Council described the decision of the subordinate

courts as involving *a serious miscarriage of justice.* Lord Macnaughton remarked that 'the result is that a magistrate who is placed in a very difficult position and called upon to act in a sudden emergency has been subjected to a fine, though he seems to have acted properly with courage and good sense.'

"That decision could not fail to have some influence on the officers of Government ; and Collectors, to whom the first draft of this Bill was circulated for opinion, quite naturally took exception to the inclusion in it of a provision requiring that, when an Excise officer receives information that distillation is going on and is actually in progress in some premises and that immediate action is necessary, he must send for pen, paper and ink and sit down to record the reasons for his taking action before he can proceed to arrest the illicit distillers and seize their apparatus. Naturally in these circumstances the offenders would have ample opportunity of escaping and the whole campaign against illicit distillation would become a farce. It is true that the existing Act contains the provision for making a written record as a precedent to action, but I venture to assert that it has never on any occasion been acted upon. What has usually happened is that the Excise officer, not deterred by it, raids the premises and at leisure afterwards writes the reason why he took action. I should just like to read what the Deputy Commissioner, Amritsar, says and that is a district in which illicit distillation is probably most rife :—

"I am not in favour of the proviso to this section. The delegation of powers will no doubt be restricted to officers of high rank, and they ought to be trusted not to abuse their authority. The section is intended to provide for special procedure in times of emergency, and it is difficult to understand why a condition which might cause much delay should be inserted. An Excise Officer when on the march receives intimation requiring immediate action under this section. Instead of proceeding to the spot, he has to ride off post-haste to the nearest village where pen, ink and paper can be procured, and there sit himself, solemnly down to indite the grounds of his belief for taking action, while at the other 'place' all vestiges of the offence are being quietly cleared away. The situation is more suited for comic opera than for *quasi*-judicial proceedings. By all means let the Excise officer *subsequently* give his reasons in writing for his action, and if these are insufficient he can be dealt with under section 71."

"Under those circumstances, Sir, I do think that the Council might well decide not to follow blindly the example of other provinces in re-enacting this section. It is to be remembered that there are two precautions against hasty and undesirable action. In the first place, it is only such Excise Officers as the Government may by notification empower that can take action under it, and, in the second place, I would invite the attention of the Council to section 70 (*a*)—

"If any Excise Officer vexatiously and unnecessarily enters or searches, or causes to be entered or searched, any buildings under cover of exercising any power conferred by this Act, he shall be liable to a penalty which may extend to Rs. 500."

That Sir, is, I think, a sufficient precaution."

The Hon'ble Khwaja Usuf Shah :—"In this connection I wanted to point out when I learnt the nature of section 70 (*a*), that in my opinion the Excise officers should be given sufficient powers in the interests of the administration, and I do not think, in view of section 70 (*a*), there would be any vexatious or unnecessary search. They will certainly know their position. The offender is liable to a punishment of three months, and under these circumstances I do not think there is any necessity of following the practice prevailing in other Provinces."

The Hon'ble Mr. Shadi Lal :—"I am very much obliged to the Hon'ble Mr. Fenton for the information which he has given us. Let me point out that one object in pressing the amendment was to protect the Excise officers from prosecutions under section 70. If they record their reasons it cannot be said that they are acting vexatiously."

The amendment was put to the Council and lost.

[*Mr. Kashi Ram ; Bakhshi Sohan Lal ; Mr. Muhammad Shafi ; Mr. Shadi Lal ; Mr. Fenton ; Mr. Gracey.*]

The Hon'ble Mr. Kashi Ram :—" In view of the decision upon the last amendment, I withdraw the following amendment :—

" That the following *proviso* be added to sub-clause (1) of clause 49 :—

' Provided that an Excise Officer other than a Collector taking action under this sub-section shall before entering such place record the grounds of his belief and send the same to the Collector or the Magistrate whoever is nearer.' "

The Hon'ble Mr. Bakhshi Sohan Lal :—" With reference to the decision on clause (14) I withdraw the following amendment :—

' That (*c*) of sub-clause (2) of clause 58 be omitted.' "

The Hon'ble Mr. Muhammad Shafi :—" As the original proposal has fallen through and the following is only a supplementary proposal, I withdraw it :—

" ' That to clause 62 a clause be added providing penalty for contravention of clause 26, sub-clause (2), in the following words :—

' In contravention of section 26, sub-section (2), sells any spirit or intoxicating drug in the immediate neighbourhood of an educational institution or a place of worship ' "

The Hon'ble Mr. Shadi Lal :—" An amendment was proposed by me in clause 61 and has been accepted, *i.e.*, in clause 61 the words ' for such offence ' have been omitted. May I suggest one more verbal alteration in that clause. It is in the sentence which runs : ' provided that when any person is convicted under this section of *any* offence.' Instead of the word ' any ' I would propose the word ' an ' "

The Hon'ble Mr. Fenton :—" Has the Hon'ble Mr. Gracey any objection to that ? "

The Hon'ble Mr. Gracey :—" I have no objection."

The motion was put and agreed to.

The Hon'ble Mr. Shadi Lal :—" Clause 62—amendment in clause 29 has been carried and the word ' liquor ' has been substituted for the word *spirit*. We come to clause 62 (*a*) which lays down that ' In contravention of section 29 sells or delivers any *spirit*,' etc. Instead of the word ' spirit ' it ought to be ' liquor.' "

The Hon'ble Mr. Fenton : —" I agree."

The motion was put and agreed to.

The Hon'ble Mr. Shadi Lal :—" I move that in clause 62 (*d*) the word ' *licensed* ' be added before the word ' *premises*.' "

The Hon'ble Mr. Fenton : —" I agree."

The motion was put and agreed to.

The Hon'ble Mr. Shadi Lal :—" I move that in clause 62 (*e*) the word ' licensed ' before the word *premises*, be added."

The Hon'ble Mr. Fenton :—" I agree."

The motion was put and agreed to.

The Hon'ble Mr. Shadi Lal : —" I also move that in the last paragraph of clause 62, the word ' licensed ' be added before the word ' premises ' "

The Hon'ble Mr. Fenton : —" Yes."

The motion was put and agreed to.

[*Mr. Shadi Lal; Mr. Fenton; His Honour the President.*]

The Hon'ble Mr. Shadi Lal:—"Clause 80 as it stands says: 'The Collector may release any article . . . . . on payment of the value thereof.' These words mean that the Collector will have to make the payment, but it is obviously intended that the Collector should receive the payment. I suggest that the words ought to be 'on receiving payment of the value thereof.' I therefore move that in sub-clause 3 of clause 80 the word *receiving* be added before the word payment."

The Hon'ble Mr. Fenton:—"Yes."

The Hon'ble Mr. Shadi Lal:—"Clauses 64, 65 and 77.—In these clauses the words used are 'any person in his employ and acting on his behalf.' In other places the word 'or' is used. I want to know whether it is intended that both conditions should be fulfilled or whether it is the intention that the man may be either in the employ of or act on behalf of the licensed-vendor."

The Hon'ble Mr. Fenton:—"I agree that the word 'or' be substituted for the word 'and' in those three clauses."

The motion was put to the Council and agreed to.

The Hon'ble Mr. Fenton:—"I now move, Sir, that the Bill be passed."

His Honour the President:—"I won't detain the Council for many minutes. We have had a very illuminating discussion to-day on the principles which govern our excise policy. As is very desirable, we have had opposite views put forward, including views in favour of local option, and amendments which I admit are very desirable on theoretical grounds, but which, on reference to practical considerations which the Hon'ble Mr. Fenton has so vigorously stated before us, were found to be undesirable or perhaps unworkable. We have had illustrations copied from other Provinces, and we have had suggestions made that we should follow them in their policy of excise revenue. I can assure the Council that I have seen a good deal of the excise administration of other Provinces, and I can say with the greatest confidence that in none of them of which I have had any experience, Madras, the Central Provinces, the United Provinces, has the excise administration been raised to such a point, from the point of view of the social and temperance reformer, as it has been raised in the Punjab. As regards the licensing of shops, as regards the price of liquor, as regards the difficulties which are placed in the way of the tippler, I venture to say the Punjab stands immensely higher than any other Province in India. I have seen also a good deal of the excise administration in the Native States. I have had to urge these Native States to improve their administration. I have been mobbed on more than one occasion by the Bhils of Central India because they said I had interfered and got the State authorities to raise the price of liquor, thereby preventing these unhappy aborigines from getting drunk at the usual festivals and from pouring out libations of liquor to their gods. I have had, in deference to these considerations, to relax the rules by which the States, which were under Government supervision, had imposed still-head duties and had abolished their stills. I have had to relax those rules so as to allow these people to obtain liquor at least at one or two of the festivals because they assured me that, if their god was not propitiated with an adequate supply of liquor, their harvest would fail and famine spread over the land. These are some of the considerations. It is all very well for us, sitting here, to be moved by lofty theoretical considerations. It is desirable that we should aim at a high standard in excise as in other matters, but we must not forget the prejudices and feelings of the people we have to deal with. We must not forget that every obstacle which we place in the way of the coolie getting his liquor, desirable as it is, excellent as it is, will not be pleasant to that coolie, and that he resents the policy which we pursue. I think therefore, gentlemen, that in the Bill as it now stands

[*His Honour the President.*]

we have, on the whole, succeeded fairly well in steering a middle course between extreme coercion and aiming at a high standard, and the practical needs of the people, and I am sure that the Bill will give the administration more power to deal vigorously with excise offences, and particularly with illicit distillation, and will so help in promoting the cause of temperance which the Government is willing to assist and forward in every way it can. During the short time I have been in this Province it has been my unpleasant duty to go through the files of a number of cases in which murders have been committed, and I was shocked and astonished to find the number of those murders, especially in the Central Punjab, which were either the result of drink or in which the murderers had primed themselves with drink to carry out their crimes. From this I think, gentlemen, you will realise that the administration, so far from desiring that excise revenue should be the primary consideration, is willing to sacrifice excise revenue in the cause of law and good order. It is also necessary to bear in mind that the taxation of liquor involves an increase of revenue and also carries with it a diminution in consumption.

"I will now put before the Council Mr. Ferton's motion that the Bill, as amended, be passed."

The motion was put and agreed to.

The Council now stands adjourned *sine die*.

SIMLA :
The 19th September 1913.

S. W. GRACEY,
Secretary, Legislative Council, Punjab.

APPENDIX A.

Statement showing the number of Upper and Lower Primary schools for Indian Boys and Girls in existence in the Punjab during the years 1911-12 *and* 1912-13.

District.	Boys.				Girls.			
	1911-12.		1912-13.		1911-12.		1912-13.	
	Upper Primary Schools.	Lower Primary Schools.	Upper Primary Schools.	Lower Primary Schools.	Upper Primary Schools.	Lower Primary Schools.	Upper Primary Schools.	Lower Primary Schools.
Hissar	107	4	109	16	12	...	15	...
Rohtak	88	3	124	3	23	...	25	...
Gurgaon	111	6	148	7	16	...	19	...
Karnál	104	8	104	7	20	...	20	1
Ambála	121	7	117	8	12	...	13	...
Simla	12	4	11	7	4	...	6	...
Kángra	73	48	79	51	10	5	12	6
Hoshiárpur	163	20	186	3	14	2	17	...
Jullundur	132	15	130	20	28	9	28	9
Ludhiána	88	12	87	12	21	...	19	4
Ferozepore	108	13	109	12	27	1	25	2
Lahore	89	18	94	21	28	10	29	11
Amritsar	167	10	168	9	20	32	21	36
Gurdáspur	165	3	166	30	24	...	22	...
Siálkot	174	3	189	3	49	...	56	...
Gujránwála	137	4	146	4	20	11	21	11
Gujrát	138	1	150	1	25	...	25	...
Shahpur	96	2	125	2	31	...	31	...
Jhelum	109	...	113	...	30	...	37	...
Rawalpindi	88	7	106	7	39	...	42	...
Attock	85	1	97	1	25	...	28	...
Miánwáli	78	...	98	1	8	...	16	...
Montgomery	66	4	67	19	10	1	10	2
Lyallpur	192	1	191	62	...	...	14	1
Jhang	93	8	103	7	15	2	16	4
Multán	116	4	117	20	9	9	15	10
Muzaffargarh	92	5	98	13	26	...	17	1
Dera Gházi Khan	93	7	101	3	5	3	8	2
Total ...	3,075	218	3,336	349	535	85	607	109

APPENDIX B.

No. 604 S., dated Simla, 18th August 1913.

From—The Hon'ble Mr. J. C. GODLEY, M.A., Under-Secretary to Government, Punjab, Home (Education) Department,
To—The Secretary, Anjuman-i-Himayat-i-Islam, Lahore.

I AM directed to invite the attention of the Lahore Anjuman-i-Himayat-i-Islam to the letter No. 585—595, dated the 3rd April 1913, from the Government of India to the Local Governments, on the subject of the improvement of Muhammadan education. Seventy-five copies of the letter are enclosed. The Lieutenant-Governor will be glad to receive the opinions of the various Anjumans and the leading Muhammadan gentlemen in the province as to the best means of forwarding the policy indicated in the letter, with which, I am to say, His Honour is fully in accord.

2. It will be noticed that several of the recommendations made in the letter have comparatively little bearing on the conditions of the Punjab, where Muhammadans are in a majority and the educational system has from the first been more or less adapted to the needs of this community. Thus Urdu is the school language of the province, the vernacular text-books contain much that is of interest to Muhammadans, the use of the religious text-books published by the Lahore Anjuman Islamia is permitted in aided schools for Muhammadan pupils, and provision is made in the educational system for the aiding of maktabs in which secular teaching of the simplest kind is imparted. Muhammadan pupils in primary schools for boys number about 77,000, as compared with 75,000 Hindu and 24,000 Sikh pupils.

3. It is at the higher stages of education, as is observed in paragraph 1 of the letter, that disproportion becomes more apparent, the Muhammadan percentage of the total number of boys attending secondary schools in the Punjab being only about 36. Here, too, the linguistic difficulty is not an obstacle to progress so far as this province is concerned, and as aided secondary schools in the province are mostly under denominational management, an increase of Muhammadan representation on the governing bodies of such institutions would be rarely practicable. Much might be done, however, for the improvement of existing Muhammadan institutions, the addition of new secondary schools under Muhammadan management, and the maintenance of hostels for Muhammadan pupils, and the Lieutenant-Governor is prepared to assist private enterprise in these directions with liberal grants. Muhammadan secondary schools at the larger centres, such as the Islamia schools at Rawalpindi and Multán, should be made thoroughly efficient. This, however, will only be possible if the leaders of the community take an active share in the management of such institutions and it is desired to ascertain how far the Muhammadan associations of the province are ready to co-operate with Government in schemes for improving them.

4. The falling-off in the number of Muhammadan pupils at the high school stage has resulted in a corresponding disparity of Muhammadan students in colleges. As the Islamia College at Lahore is the only Muhammadan college in the province, the Lieutenant-Governor attaches particular importance to this institution being placed on a thoroughly sound basis, financially and otherwise, and being directed by a strong committee of management. The Government of India has been addressed on the subject of the funds needed for the improvement of the College, and His Honour has received assurances that substantial aid will be forthcoming, should a satisfactory scheme be submitted. I am to express a hope that every effort will be made to take advantage of this offer. Muhammadan interests are represented in the Senate of the Punjab University by 18 Muhammadan Fellows, as compared with 27 Hindus and 6 Sikhs. His Honour is not convinced that this proportion is at present inadequate, as the Senate must in the main represent educational interests, and the Muhammadan element in the college staffs is comparatively small as yet; but the growth of the latter must naturally tend towards increased representation in the Senate.

5. The question of the adequacy of scholarships and other concessions for the poorer classes of Muhammadan pupils is one on which the opinion of the Anjuman is also invited. Scholarships reserved for Muhammadan students in colleges have recently been increased to more than double their former number, and the rate of payment has been substantially enhanced. For school education 29 high school "Victoria" scholarships each of Rs. 4 per mensem, and about 330 middle school scholarships of Rs. 2 per mensem, are awarded annually to Muhammadan pupils. The Lieutenant-Governor has recently agreed to these scholarships being raised in value from Rs. 4 to Rs. 6, and Rs. 2 to Rs. 4, respectively. Half of the remissions of fee or concession rates allowed on the score of poverty to students in schools and colleges are reserved for Muhammadans. His Honour is prepared to consider any recommendations which may be made as to an extension of these concessions, if there is evidence that the existing system does not afford adequate encouragement to Muhammadan interests.

6. The comparative fewness of Muhammadans who have received higher education has affected the recruitment of Muhammadans for the teaching profession. Thus Muhammadan students in the Training College number less than one-third of the total, and there is a resulting disparity between the number of Muhammadan officers employed in the Education Department and that of officers of other denominations. The Lieutenant-Governor understands that the importance of securing Muhammadan teachers and inspecting officers for Muhammadan districts is fully recognised in the Education Department, but that competent Muhammadan officers of sufficient standing are not always forthcoming for such posts. And it may be remarked that similar conditions obtain in regard to the Sikh community. At the present time 1 out of 3 Indian Inspectors of Schools, 4 out of 11 Assistant Inspectors, 24 out of 70 District and Assistant District Inspectors and 8 out of 23 Indian Headmasters of Government High Schools are Muhammadans, the proportion throughout being about one-third. In commending the question of the recruitment of Muhammadans for educational posts to the consideration of the Anjuman, His Honour desires me to point out that preferential treatment in the matter of appointments can only be accorded—as a temporary measure of encouragement to a relatively backward community—to Muhammadans whose educational attainments are equal to those of other candidates, and who are judged to be fully qualified for the duties which they have to perform; and that so long as there is a deficiency of such candidates, the numerical inferiority of Muhammadans in the higher educational posts is an inevitable consequence. His Honour is confident that this statement of policy will be readily accepted not only by the Muhammadan community, but by all who have the interests of education at heart.

7. Among the suggestions made in the letter from the Government of India is that places might be reserved for Muhammadan students in institutions which, by reason of their reputation, draw many applicants for admission. The Lieutenant-Governor is not aware whether any difficulty has been experienced by Muhammadan students in the Punjab in gaining admission to colleges or schools of a special character, and would be reluctant to approve of the introduction of proportional representation by communities in these institutions unless very strong reasons could be shown for it. In two such institutions—the Veterinary College and the Mayo School of Art—Muhammadan students are in a majority. The risk of lowering educational standards and thus injuring the interests of students of all communities should not be overlooked in this connection.

8. His Honour would also be glad to obtain the opinion of the Anjuman as to any further steps which Government can take to assist the education of Muhammadan girls, and as to the question of permitting religious teaching to be given under suitable conditions in Government hostels. There is no rule at present either authorising or forbidding religious teaching in hostels, and it is desirable that all reasonable facilities should be afforded for such teaching.

9. In conclusion, I am to say that the Lieutenant-Governor regards the question of promoting Muhammadan education in this province as of the highest importance, and will give careful consideration to any suggestions which may be put forward. His Honour trusts that the Anjuman will be able to obtain representative opinions from all parts of the province, and that it will be recognised that while the policy of Government is to give all reasonable facilities and encouragement to the Muhammadan community to assist them in coming abreast with other communities, especially in secondary and higher education, the question should be approached with due regard to the welfare of the province as a whole.

No. 585—595, dated Simla, 3rd April 1913.

From—The Hon'ble Mr. H. SHARP, C.I.E., Joint Secretary to the Government of India, Department of Education,

To—
The Secretary to the Government of Madras, Educational Department.
The Secretary to the Government of Bombay, Educational Department.
The Secretary to the Government of Bengal, General (Education) Department.
The Secretary to the Government of the United Provinces, Education Department.
The Secretary to the Government of the Punjab, Education Department.
The Secretary to the Government of Burma, Education Department.
The Chief Secretary to the Government of Bihar and Orissa, Education Department.
The Hon'ble the Chief Commissioner of the Central Provinces.
The Hon'ble the Chief Commissioner of Assam.
The Chief Commissioner of Coorg.
The Hon'ble the Chief Commissioner and Agent to the Governor-General, North-West Frontier Province.

I AM directed to address you on the subject of Muhammadan education. As observed in paragraph 57 of the Government of India resolution No. 301-C.-D., dated the 21st February 1913, the increase in the number of Muhammadans at school has been remarkable during recent years; and, in the matter of primary education, this community now holds its own. In the matter of higher education their numbers are still far below their proportion to the population. The Government of India are anxious that all reasonable facilities should be provided for the education of this backward community, and take this opportunity of indicating the directions in which inquiry and special action will, they think, be useful.

2. *Primary Education.*—One of the chief obstacles in the way of Muhammadan education is the language difficulty. Urdu is regarded as a *lingua franca* among them; and some knowledge of Arabic and Persian is often required. When one or more of these languages has to be studied in addition to a Prakritic vernacular, the Muhammadan pupil is handicapped. There are also difficulties of a religious nature. Some study of the Koran is often insisted on before secular education is commenced; and the regular school career is thus started later than in the case of other communities. The text-books used in vernacular schools are sometimes distasteful to Muhammadan feeling. In some provinces these difficulties have been partially met by the encouragement of special schools for Muhammadans—generally schools of an indigenous type (*mulla* schools or *maktabs*) in which a secular course has been added. The Government of India understand that there is a large body of opinion in favour of an extension of this system. There is reason to think that the preservation of the religion, languages and traditions of Islam can be attained by further modification of the curricula and text-books to suit their needs. At the same time, it has to be recognised that there are considerable tracts in which Muhammadans have entirely dropped the use of Urdu; and it is impossible to lay down a single line of policy for every province or even part of a province. The following general suggestions may, however, with advantage be considered:—

(*i*) The encouragement of *maktabs* to adopt a secular course which will appeal to Muhammadans and will not prevent the teaching of simple Urdu, where necessary, and of the Koran.

(*ii*) Facilities for the teaching of Urdu where Urdu is still a vernacular for practical purposes.

(*iii*) The framing of special text-books for semi-secular *maktabs*.

(*iv*) The inclusion in the text-books for ordinary schools in areas where Muhammadans are numerous, of stories which are not distasteful to Muhammadans and of a certain number of stories of particular interest in them. It is not, however, intended to suggest that the traditional stories of the Hindu religion should be excluded. The exclusion either of Islamic or of Hindu stories would rob the books of much of their value and interest, while the inclusion of both is calculated to remove the complaints which are sometimes made by Muhammadans on this score.

(*v*) The provision of Muhammadan teachers where practicable.

(*vi*) The provision of a separate inspecting agency for Muhammadans.

3. *Secondary and Collegiate education.*—The reasons which have retarded the spread of secondary education among the Muhammadans are the poverty of the community, the linguistic difficulty, the demand for religious instruction and want of Muhammadan representation on the governing bodies of educational institutions. The first has been to a large extent met by special Government scholarships and by endowments. This is essentially a matter for the Local Governments and the community themselves. I am merely to observe that in parts of the country where Muhammadans are slow to enter institutions for technical and industrial training (and it has been noticed that very few Muhammadans have been selected for the State technical scholarships) it may be found desirable to offer some special facilities by way of stipends or scholarships. As to the second, it is alleged that Muhammadans suffer when they have to study English through the medium of a Prakritic vernacular with which they are little acquainted. Special schools or classes may go far to meet this difficulty. The demand for religious instruction can be arranged for in privately-managed hostels attached to Government institutions. It is represented that, in certain parts of the country, the great majority of secondary schools are managed by Hindu bodies; and it was recently observed that among the one hundred ordinary members of the Calcutta Senate only six were Muhammadans. The establishment of special Muhammadan schools and colleges would simplify these matters. But this is an expedient which for financial reasons cannot be adopted generally. And, where it is not feasible, a good deal may be done by reserving a certain number of vacancies for Muhammadan pupils in institutions which, by reason of their reputation, draw many applicants for admission and by safeguarding the interests of the community in other ways. A subsidiary difficulty which may sometimes present itself is that of advance from a semi-secular *maktab* to an institution of higher grade. This, however, is a matter of arrangement in the codes of the various provinces. The suggestions which the Government of India think may be of practical utility in the matter of secondary and collegiate education are:—

(*i*) The improvement of existing institutions for Muhammadans such as the Calcutta Madrasa, the Islamia College, Lahore, and Islamia schools.

(*ii*) The establishment of separate Muhammadan institutions in places where this can be done without detriment to efficiency or discipline and without unreasonable expense.

(*iii*) When this is not possible (and it is apprehended it will but seldom be possible) the addition to the staff of a school of a teacher or teachers who will be able either to teach classes in English through the medium of Urdu, or to give special help to Muhammadan boys where a knowledge of some other vernacular is desirable either for the study of English or for general reasons.

(*iv*) The maintenance of hostels for Muhammadans under private management with religious teaching.

(*v*) The appointment of a reasonable number of Muhammadans to the committees (where such exist) of Government institutions and to the governing bodies of aided institutions.

(*vi*) The provision of Muhammadan teachers and inspectors.

4. I am to add that the question whether religious teaching can be permitted in Government hostels tenanted only by Muhammadans and if so, under what conditions, is one which may conveniently be treated of in the communication on religious and moral instruction asked for in my letter No. 1257-1264, dated the 4th September 1911, or, if that communication has already been despatched, then in a separate letter.

5. The Government of India would also like Local Governments to consider whether any further system of scholarships is required for poor Muhammadans at the different stages of instruction.

6. *Girls' Schools.*—No system of Muhammadan education will be complete without arrangements for the education of girls. This form of education is attended with special difficulties in certain parts of the country and probably everywhere the strictest arrangements for *purdah* will be necessary. The general principles which the Government of India desire to see adopted in the matter of the education of girls are detailed in paragraphs 16—18 of the Resolution No. 301-C. D., dated the 21st February 1913.

7. With these general observations I am to commend the whole question to the careful consideration of Local Governments with the suggestion that Committees should be appointed to make recommendations. The Government of India will be glad to be informed in due course of the general conclusions which Local Governments have reached. They do not desire to receive particular schemes; but they are deeply interested in the question from the imperial point of view and they will be glad to know, in connection with the allotment of any funds which may be available, what financial help is desired from imperial revenues. Furthermore, the Secretary of State has recently requested that the annual reports on public instruction might with advantage deal with the progress of primary education among Hindus and Muhammadans respectively. This treatment, as regards Muhammadans, might well be extended to some special mention of their advancement in different branches and grades of education. Attention is invited to the supplementary tables regarding Muhammadan education in the reports from the Madras Presidency.

APPENDIX C.

Statement showing the number of District Board Schools (Urdu and Gurmukhi) opened under the District Board, Jhang, during the last three years.

Kind of School	1910-11.	1911-12.	1912-13.	Total.
Gurmukhi	1	...	1	2
Urdu	3	2	5	10

APPENDIX C—*concluded.*

Statement showing the population statistics of various communities in each of the villages and towns in which the new Gurmukhi and Urdu Schools have been started during the last three years.

Villages or Towns.	Population statistics of various communities.					Remarks.
	Hindus.	Muhammadans.	Sikhs.	Others.	Total.	
1910-11.						
Village in which a Gurmukhi School has been started.						
Garhmaharaja	897	1,867	37	3	2,804	
Villages in which Urdu Schools have been started.						
1. Chak 200	199	815	...	...	1,014	
2. Chak 185	93	694	...	...	787	
3. Jasrat	67	736	309	...	1,112	
1911-12.						
Villages in which Urdu Schools have been started.						
1. Kot Lukhuana	43	783	...	...	826	
2. Chak 126	101	1,193	7	...	1,301	
1912-13.						
Village in which Gurmukhi School has been started.						
Kot Ise Shah	937	1,270	424	...	2,631	
Villages in which Urdu Schools have been started.						
1. Chak 157	13	407	...	...	420	
2. Sangra	46	1,055	92	...	1,193	
3. Jhok Nur Mahram	62	733	...	...	795	
4. Sahjar	388	1,706	22	...	2,116	
5. Chak 10	55	744	...	...	799	

APPENDIX C—*concluded.*

Statement showing the number and value of stipends or scholarships awarded by the District Board, Jhang, during the last five years to Hindu and Muhammadan scholars, respectively, for instruction in the Central Training College, Lahore, and other educational and training institutions.

Institution.	1908-09.		1909-10.		1910-11.		1911-12.		1912-13.				Total.			
									Hindus.		*Muhammadans.*		*Hindus.*		*Muhammadans.*	
	Hindu.	Muhammadan.	Hindu.	Muhammadan.	Hindu.	Muhammadan.	Hindu.	Muhammadan.	Number of scholarships.	Value of scholarships.	Number of scholarships.	Value of scholarships.	Number of scholarships.	Value of scholarships.	Number of scholarships.	Value of scholarships.
Training Institution, Kot Isa Shah	...	...	...	...	...	...	...	...	5	Amount Rs. 202-1-2 ; value Rs. 6 each.	10	Amount Rs. 415-13-7 ; value Rs. 6 each.	5	Amount Rs. 205-1-2 ; value Rs. 6 each.	10	Amount Rs. 415-13-7 ; value Rs. 6 each.

APPENDIX D.

Statement showing names and dates of appointment to the district of the Jhang teaching and inspecting staff.

Serial No.	Name of officer and designation.	Date of appointment to the Jhang district.
	Inspecting staff.	
1	Lala Sukh Dyal, District Inspector	April 1905.
2	Lala Ram Lal, Assistant District Inspector	May 1906.
3	M. Ghulam Husain „ „ „	Recently transferred from Dera Ghazi Khan.
	Teaching staff (Government High School).	
1	Lala Jaia Ram, Head Master	June 1913.
2	Pandit Ram Chand, 2nd Master	June 1902.
3	Lala Ram Piyare Mal, 3rd Master	March 1909.
4	Lala Devi Ditta Mal, 1st Oriental Teacher	August 1906.
5	Lala Jawala Das, officiating 4th Master	June 1913.
6	Lala Sant Lal, 5th Master	1909.
7	Lala Ganpat Rai, 6th Master	September 1911.
8	Lala Nand Lal, 7th Master	October 1906.
9	M. Imam Bakhsh, 8th Master	July 1911.
10	M. Nizam-ud-din, Arabic Teacher	September 1906.
11	Lala Phaaya Lal, Junior English Master	January 1905.
12	Lala Radhu Ram, „ „ „	1912.
13	M. Muhammad Hussain, Drawing Master	April 1911.
14	Lala Ghanshara Das, Vernacular Teacher	January 1905.
15	M. Muhammad Ibrahim, Gymnastic Instructor	January 1905.
16	Pandit Ram Lal, Sanskrit Teacher	January 1907.
17	Lala Manak Chand, Vernacular Teacher	January 1905.
18	Pandit Sheo Datt, 2nd Sanskrit Teacher	July 1913.

APPENDIX E.

STATEMENT I.

Assessment rates for the Lower Jhelum Canal Colony.

Circles.	Nahri.		Nahri Jhallari.		Chahi.		Barani.	
	Initial concession rate.	Imposed at Settlement.	Initial concession rate.	Imposed at Settlement.	Initial concession rate.	Imposed at Settlement.	Initial concession rate.	Imposed at Settlement.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Bhera ...	1 0 0	2 14 0	1 0 0	2 0 0	0 12½ 0	1 4 0	0 12½ 0	1 0 0
Chenab (Bhera) ...	0 12 0	1 6 0	0 12 0	1 0 0	0 9½ 0	1 4 0	0 9½ 0	1 0 0
Jhelum (Bhera) ...	0 12½ 0	2 0 0	0 12½ 0	1 6 0	0 9½ 0	1 4 0	0 9½ 0	1 0 0
Sargodha Bar Utla...	0 15 0	3 0 0	0 15 0	2 0 0	0 10 0	1 4 0	0 10 0	1 0 0
Sargodha Par Hetbla	0 12 0	1 14 0	0 12 0	1 6 0	0 9½ 0	1 4 0	0 9½ 0	1 0 0
Ara and Jhelum (Shahpur).	0 12½ 0	1 8 0	0 12½ 0	1 4 0	0 1½ 0	1 2 0	0 9½ 0	0 12 0

APPENDIX E—*continued.*

STATEMENT II.

New assessment rates for the Lower Chenab Canal Colony.

(The *old* rate was Re. 1-8-0 per acre.)

RATE PER ACRE OF MATURED CROPS.	JHANG BRANCH CIRCLES.			GUGHRA BRANCH CIRCLES.		REMARKS.
	I.	II.	III.	I.	II.	
Rs. A. P.						
4 8 0	...	...	...	...	*Class I ...	*Not actually imposed.
4 0 0	Villages, Class I ...	Villages, Class I ...	Villages, Class I ...	Villages, Class I ...	Villages, Class II.	
3 12 0	...	...	...	...	Do., Class II-A ...	*Chahi* rate is Re. 1-4-0 in all Circles.
3 8 0	...	...	...	Villages, Class II ...	Do., Class III.	
3 4 0	Villages, Class II ...	Villages, Class II ...	Villages, Class II ...	Do., Class III ...	...	
3 0 0	Do., Class III ...	Do., Class III ...	Do., Class III ...	...	Villages, Class IV ...	*Barani* rate is Re. 0-12-0 in all Circles.
2 12 0	Do., Class IV ...	Do., Class IV ...	Do., Class IV ...	Villages, Class IV ...	...	
2 8 0	Do., Class V ...	Do., Class V ...	Do., Class V ...	...	Villages, Class V.	
2 4 0	...	...	...	Villages, Class V ...	...	
2 0 0	Villages, Class VI ...	Villages, Class VI ...	Villages, Class VI ...	Do., Class VI ...	Villages, Class VI.	*Jhallari* rate half flow rate.
1 8 0	Do., Class VII ...	Do., Class VII ...	Do., Class VII ...	Do., Class VII ...	Do., Class VII.	
0 12 0	Do., Class VIII ...	Do., Class VIII ...	Do., Class VIII ...	...	...	

APPENDIX E—*concluded.*

STATEMENT III.

Assessment rates on the Rakh Branch, Lower Chenab Canal Colony.

(The *old* rate was Re. 1-8-0 per acre.)

Rate per acre of matured crops.	Rakh Branch.	REMARKS.
Rs. A. P.		Rs. A. P.
10 0 0	Town lands	*Chahi* rate ... 1 4 0 per acre.
6 0 0	Class I	*Sailab* rate ... 1 0 0 ,,
5 8 0	,, II	*Barani* rate ... 0 12 0 ,,
5 0 0	,, III	*Jhallari* rate ... Half flow rates.
4 0 0	,, IV	
3 0 0	,, V	
2 0 0	,, VI	

APPENDIX F.

Statement showing the number of Hindus, Muhammadans and Sikhs in the clerical establishments of the offices named below.

Names of offices.	Total strength.	NUMBER OF		
		Hindus.	Muhammadans.	Sikhs.
Civil Secretariat	171	55	61	9
Public Works Department, Buildings and Roads Branch.				
Public Works Department, Irrigation Branch ...				
Director of Public Instruction, Punjab ...	29	12	16	1
Inspectors of Schools	42	28	13	1
Chief Court	153	69	60	6

APPENDIX G.

Statement showing the number of Sikhs in the services mentioned below.

	Total strength.	Number of Sikhs.
Extra Assistant Commissioners	161	16
Munsifs	88	5
Tahsildars	140	23
Naib-Tahsildars	254	48

Punjab Government Press, Lahore—13-10-13—25—250.

Abstract of Proceedings of the Council of the Lieutenant-Governor of the Punjab, assembled for the purpose of making Laws and Regulations under the provisions of the Indian Councils Acts, 1861 to 1909.

THE Council met at the Council Chamber, Government House, Lahore, at 10-30 A.M. on Saturday, the 20th December 1913.

PRESENT :

His Honour Sir MICHAEL FRANCIS O'DWYER, K.C.S.I., I.C.S., Lieutenant-Governor, *Presiding*.

The Hon'ble Sardar SUNDAR SINGH, MAJITHIA, Sardar Bahadur.

The Hon'ble Mr. JOHN CORNWALLIS GODLEY.

The Hon'ble Sardar DALJIT SINGH of Jullundur.

The Hon'ble Mr. CLAUD ALEXANDER BARRON, C.I.E., I.C.S.

The Hon'ble Mr. ALEXANDER HENDERSON DIACK, C.V.O., I.C.S.

The Hon'ble Mr. HERBERT JOHN MAYNARD, I.C.S.

The Hon'ble Sardar GAJJAN SINGH.

The Hon'ble Rai Bahadur Bakhshi SOHAN LAL.

The Hon'ble Khan Bahadur Khwaja YUSAF SHAH.

The Hon'ble Rai Bahadur RAM SARAN DAS.

The Hon'ble COLONEL ROBERT SMEITON MACLAGAN, C.B., C.S.I.

The Hon'ble Rai Bahadur HARI CHAND.

The Hon'ble Mr. JAMES CURRIE.

The Hon'ble Lala KASHI RAM.

The Hon'ble Khan Bahadur Mian MUHAMMAD SHAFI.

The Hon'ble Mr. PATRICK JAMES FAGAN, I.C.S.

The Hon'ble Nawab IBRAHIM ALI KHAN of Kunjpura.

The Hon'ble Rai Bahadur SHADI LAL.

The Hon'ble Sir Arthur MILFORD KER, K.C.I.E., M.V.O.

The Hon'ble Mr. JOHN PERRONET THOMPSON, I.C.S.

The Hon'ble Malik MUHAMMAD AMIN KHAN of Shamsabad.

The Hon'ble Mr. REGINALD ARTHUR MANT, I.C.S.

The Hon'ble Mr. STEPHEN WILLIAM GRACEY, I.C.S.

OATH OF OFFICE.

The Hon'ble Colonel MACLAGAN and the Hon'ble Mr. MAYNARD took the oath of allegiance, as required by Regulation VII.

QUESTIONS AND ANSWERS.

Importance of Sargodha and its conversion into district head-quarters.

The Hon'ble Rai Bahadur Hari Chand asked :—

"(*a*) Is the Government aware that the town of Sargodha has within recent years risen considerably in population, trade and industry?

"(*b*) Will the Government be pleased to state whether, in view of its increasing importance, there is any intention to convert the sub-division of Sargodha into a district head-quarter?"

The Hon'ble Mr. Barron replied :—

"The Lieutenant-Governor paid a visit last month to Sargodha and observed the flourishing condition of the head-quarters of the Lower Jhelum Canal Colony. He was also glad to find that the town had no longer the reputation for unhealthiness which it had acquired in earlier years. In 1909 it was decided to transfer the district head-quarters to Sargodha, but the transfer was held up owing to want of funds and other causes. The proposal was recently revived, and as a result of a consultation with the Commissioner and Deputy Commissioner and after hearing the views of the residents of Sargodha and Shahpur and of the leading inhabitants of the district, the Lieutenant-Governor has passed orders transferring the district head-quarters from Shahpur to Sargodha. Shahpur will remain the head-quarters of a sub-division. It is hoped that the necessary building operations will be so far advanced by the 1st April next as to permit of the change being brought into effect from that date."

Kángra Temple and its restoration.

The Hon'ble Rai Bahadur Hari Chand asked :—

"(*a*) Is the Government aware that the Kángra Temple, which was destroyed by the earthquake in April 1905, is one of the most ancient Hindu shrines in the country and as such possesses great historical interest?

"(*b*) In view of antiquity of the temple, will Government put itself in communication with Archæological Department with a view to some further assistance to the Temple Restoration Committee?"

The Hon'ble Mr. Barron replied :—

"(*a*) Government is aware that the ruined temple of Devi at Kángra was among the most ancient, as it was once one of the most renowned shrines in Northern India. It was unfortunately totally destroyed in the earthquake of April 1905.

"(*b*) In 1908 the question of assisting a private committee, which had been formed in Lahore for the restoration of the temple, was considered. But it was ascertained that, owing to the evil reputation of the Bhojkis or *pujaris* of the temple, the committee had been unable to induce the Hindu community to subscribe towards the restoration fund to any appreciable extent, and the *pujaris* themselves refused to admit that the committee had any power or authority in the matter. Until this dispute was settled, and until there was some guarantee that the Hindu public intended to subscribe liberally for the restoration of the temple, and also that the funds so subscribed would be placed in proper hands and not misapplied, it was impossible to consider the question further. Government, however, in 1911 gave the restoration committee permission to take free of charge loose stones from the Kángra Fort not required by the Public Works Department for use in the reconstruction of the temple.

"If the unsatisfactory state of affairs disclosed in 1908 has been remedied, the facts should be brought to the notice of the Deputy Commissioner who will consider whether any further action on the part of Government is now desirable."

[*Lala Hari Chand ; Mr. Diack.*]

The Hon'ble Rai Bahadur Hari Chand asked —

Agricultural cattle, their preservation and breeding.

"(*a*) Is it a fact that the number and quality of agricultural cattle in the Province has of late been deteriorating ?

"(*b*) In view of the great importance of cattle to the public, will the Government be pleased to state what steps it has been taking and also proposes to take for their preservation and breeding ? "

The Hon'ble Mr. Diack replied :—

"(*a*) The available figures do not indicate that there has been a decrease in the number of agricultural cattle in the Province during recent years. On the contrary, they show that cattle are now more numerous under all heads than they were 15 years ago in spite of the occurrence of several bad seasons between 1896 and 1906. In the case of draught animals the increase, though substantial, is not very great. The demand for draught cattle has largely increased during the last 20 years owing to the spread of cultivation. This increased demand has been met, but only by employing every available class of animal, as is indicated by the increasing use of the male-buffalo. Agriculture is so profitable that the zamindar of the more highly cultivated districts prefers paying much enhanced prices for imported bullocks to keeping up grazing grounds and breeding his own stock. The average efficiency of plough cattle is probably not less than in past years. One marked feature in the returns of recent years is the substitution of the she-buffalo for the cow, and the reasons given for this are :—

(1) The she-buffalo requires no grazing and is easily stall-fed.

(2) She gives more milk and of richer quality.

(3) She can be worked even when in milk.

"(*b*) The Civil Veterinary Department is the channel through which the direct action of Government makes itself felt in regard to the matters with which the second part of the question deals. Its establishment is fully occupied with the prevention and cure of cattle disease and also renders valuable assistance in the matter of cattle-breeding. It is expanded from time to time as funds permit and necessity arises. A cattle farm is maintained by Government at Hissar from which good bulls are yearly supplied in increasing numbers to District Boards. It is on the initiative and executive action of these bodies that the maintenance and improvement of the agricultural cattle of the Province mainly depend. They are advised on technical points by the officers of the Civil Veterinary Department. The chief directions which their action takes are the provision gratis of good bulls for breeding purposes and the organization and maintenance of cattle fairs. During the year 1911-12 a sum of over five lakhs of rupees was spent on veterinary objects in the Province, of which Rs. 2,80,000 was from local and the balance from Imperial and Provincial funds. The subordinate veterinary establishment has been nearly doubled within the last six years. While fully realizing its responsibilities in connection with the agricultural cattle of the Province, Government recognizes that accelerated progress depends very largely, if indeed not mainly, on private effort and enterprise in the promotion of cattle-breeding and in the provision of good bulls and the elimination of those which are inferior or unsuitable. It is hoped that in the future Co-operative Credit Societies will effect much in these directions."

Begar.

The Hon'ble Rai Bahadur Hari Chand asked :—

"Has the attention of Government been drawn to the judgment of Mr. Justice Agnew in a *begar* case from Kangra published in the *Tribune* of 27th August last ?

"In view of the circumstances revealed in the judgment, will Government take suitable steps, by issuing circulars and otherwise, for the removal of the evil complained of ?"

The Hon'ble Mr. Thompson replied :—

"The attention of Government has been drawn to the judgment in question.

"There is nothing in the judgment to show that the case was one of *begar* at all. It is of the essence of *begar* that the labour or service should be exacted without remuneration. No such intention was manifested in the present case, so far as the judgment shows. The ancient indigenous system of *begar* in Kangra was abolished by order of the British Government in 1884 and has never been revived.

"As the judgment reveals no state of *begar* even in Kangra, the request for a circular or other measures to exterminate it throughout the Province seems premature."

Conduct of Sub-Inspector in Shujabad murder case.

The Hon'ble Rai Bahadur Hari Chand asked :—

"(*a*) Has the attention of Government been drawn to the articles headed "the Shujabad murder case" in the *Panjabee* newspaper dated May 29th and 31st and June 7th, 1913 ?

"(*b*) Is it a fact that Lala Arjan Das, Extra Assistant Commissioner, Mr. Forbes, I.C.S., and Mr. Berkeley, Superintendent of Police, strongly criticised the conduct of Fateh Muhammad, Sub-Inspector of Police, in investigating the case ? Will Government be pleased to state what notice, if any, has been taken of the conduct of the Sub-Inspector ? "

The Hon'ble Mr. Thompson replied : –

"The answers to (*a*) and the first part of (*b*) are in the affirmative.

"A departmental enquiry was held into the conduct of Sub-Inspector Fateh Muhammad, and as a result he was censured and transferred."

Water-works, Siálkot City.

The Hon'ble Rai Bahadur Hari Chand asked : –

"(*a*) Is it a fact that the water-works of Siálkot City, which were sanctioned some time ago, have not yet been taken in hand ?

"(*b*) In view of the severe outbreak of cholera in Siálkot City, will Government kindly take steps for expediting the work ? "

The Hon'ble Mr. Thompson replied :—

"(*a*) & (*b*). The estimate for the water-works at Siálkot was finally sanctioned in August last and works started on the 12th November 1913. It is hoped that the water-works will be ready by the end of next year.

Prevention of cholera.

The Hon'ble Rai Bahadur Hari Chand asked :—

"Is Government aware that cholera has been raging in several cities of the Province ? Will Government be pleased to inform the Council what special measures it has been taking for the prevention thereof ? "

[*Mr. Thompson; Mr. Hari Chand; Mr. Maynard.*]

The Hon'ble Mr. Thompson replied :—

"It is unfortunately a fact that several towns and rural districts in the Punjab have suffered from cholera considerably this year, but it is an exaggeration to say that the disease has been raging in several cities of the Province. The description is applicable only to the outbreak at Siálkot where the death rate from the epidemic has been 1 in 70, though Gujrát and Chúnián have also suffered severely.

"As soon as information is received of the outbreak of cholera, medical aid is sent to the spot. Every effort is made to control the disease, by disinfecting wells, houses, &c., by improving the sanitary conditions of the locality, and by issuing warning notices and instructions.

"We cannot hope to exercise a really effective control over cholera in towns until the inhabitants in general and the members of Municipal Committees in particular display more interest in proper conservancy and scavenging and co-operate more actively with the sanitary authorities in preventive and remedial measures.

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"The difficulty of the task is well illustrated by the report on the outbreak at Siálkot which was published in a recent number of the Gazette. I commend that report and the Government resolution that was published with it to the attention of the Hon'ble Member."

The Hon'ble Rai Bahadur Hari Chand asked :—.

Liquor on marriage and other festivities.

"(*a*) Is it a fact that on occasions of marriage and other festivities permission is freely given to persons to keep liquor in excess of the license limit ?

"(*b*) In view of the appalling growth of drunkenness in the Province, will Government be pleased to consider the advisability of a revision of the rules in this respect ?"

The Hon'ble Mr. Maynard replied :—

"(*a*) The Hon'ble Member doubtless refers to paragraph II of Punjab Government notification No. 566, dated 16th March 1909, which is as follows :—

'II. If more than the quantity of country spirit which he may ordinarily possess is required by any person for use on any special occasion, such as a marriage festival, caste gathering, the special entertainment of guests, or the like, on application by such person, and on being satisfied that the occasion is a legitimate one and the amount of spirit required for it is not excessive, any Revenue Officer not below the rank of Naib Tahsildar or any Excise Officer not below the rank of Sub-Inspector or Naib Daroghe, may grant to such person a pass to possess such quantity of such spirit as may be entered in the pass not exceeding 10 imperial gallons. In exceptional cases the Collector may by special order issue a pass or direct one to be issued authorising the possession of any quantity of spirit which he considers reasonable in excess of 10 imperial gallons.'

"In the absence of statistics as to the number of passes annually issued in pursuance of this rule it is impossible to say whether permission is 'freely' given, but Government has no reason to believe that Excise officials disregard the rules enjoining care and discrimination in the issue of such passes. These rules are as follows :—

'Every Excise Inspector and Sub-Inspector and every Tahsildar shall maintain a register in which he shall enter at once, on issue by himself or on receipt of intimation of issue by another officer or by a licensee, particulars regarding all permits granted and all special issues

made under the preceding clause, and every such officer shall be responsible for satisfying himself that the issue of spirit under special permits is not abused and shall without inquisitorial enquiries generally take measures to ascertain whether the spirit has actually been disposed of in a legitimate manner.

'Any person who is guilty of obtaining a permit or a special issue of spirit under these rules by false pretences shall be liable to punishment.

'If a licensee misuses the power to make special issues of spirit conferred on him under these rules the Collector may cancel his license without compensation.'

"(*b*) Government does not accept the statement that there has been an 'appalling' increase of drunkenness in the Province, though in spite of the steady enhancement in the price of liquor, the consumption of liquor is on the increase.

"It is not proposed to undertake any revision of these rules in the absence of any proof that their operation has been attended by undesirable results. It may be mentioned that the Excise Committee of 1906 strongly advocated the ready grant of permits for possession of quantities of country spirit in excess of the general limit of possession in order to meet the legitimate requirements of special occasions. The Committee considered that unless such provision were made it would be impossible to make any advance in the direction of curtailing the general limit of possession. If as is apparently suggested by the Hon'ble Member the quantity of licit liquor which the host would be permitted to supply to his guests at a wedding feast were limited to one seer, illicit methods of increasing the amount would probably be adopted.

The Hon'ble Rai Bahadur Hari Chand asked :—

Kahror *begar* case.

"Has the attention of the Government been directed to the passage in the judgment of Mr. Kitchin, Deputy Commissioner, Multán, in what is known as the Kahror *begar* case, in which he states that the practice of using police subordinates for the purpose of arranging shoots and beaters may lead to abuses? If so, will Government be pleased to issue instructions to prevent possible occurrence of such abuse?"

The Hon'ble Mr. Thompson replied :—

"The Lieutenant-Governor has read the judgment of the District Magistrate, Multán, in which the passage referred to occurs.

"In the case in question the employment of the Police undoubtedly led to abuse. As the result of an enquiry based upon the judgment in question, the Sub-Inspector of Police has been dismissed and the Deputy Superintendent reduced to the grade of Inspector. His Honour does not believe that abuses of this kind are common, but he has decided to issue instructions that in future subordinate police should not be used to collect beaters directly."

The Hon'ble Rai Bahadur Hari Chand asked :—

Travelling allowance of Tahsildars and Naib Tahsildars.

"Is it a fact that the travelling allowance and the halting allowances of Naib Tahsildars and Tahsildars are the same? If so, will Government be pleased, in view of the fact that Tahsildars and Munsifs are for purposes of pay and prospects on an equal level, to raise the travelling allowance drawn by the Tahsildars to the scale allowed to Munsifs?"

The Hon'ble Mr. Diack replied :—

"The answer to the first part of the question is in the affirmative.

"The answer to the second part is that while the pay and prospects of Tahsildars and Munsifs are generally speaking on an equal level, there is this distinction between them, that the duties of a Tahsildar necessitate much touring and those of a Munsif little or none. The pay of the Tahsildar was framed originally so as to cover the cost of journeys on tour, and as was stated by the Hon'ble Mr. Fenton in reply to a similar question at the last meeting of this Council, the existing rate of travelling allowance of Re. 1 *per diem* was conceded by the Government of India as a special case, and was supplemented by the provision of tents and their carriage at the expense of Government. Government has no reason to think that Tahsildars are really worse off than Munsifs who, though allowed Rs. 3 a day when on tour, are not provided with tents and rarely have occasion to leave their head-quarters."

Standard of proof in criminal cases.

The Hon'ble Rai Bahadur Hari Chand asked : —

"Will Government be pleased to state whether any communication has passed between the Chief Court and the Government on the subject of standard of proof in criminal cases in the Province? If so, will Government be pleased to state whether the Chief Court endorses the view of the Government as expressed in the Criminal Justice Report, *viz.*, that the standard of proof insisted upon in criminal cases is too high?"

The Hon'ble Mr. Thompson replied :—

"The answer to the first question is in the negative. That being so, the second does not arise, but it may be explained that the view of Government expressed in the Review of the Criminal Justice Report was that the courts in some cases appeared to demand a higher standard of proof than is required by the definition of the term 'proved' in section 3 of the Evidence Act."

System of constituting sub-divisions; conversion of Kasauli into a sub-division.

The Hon'ble Rai Bahadur Hari Chand asked :—

"Will Government be pleased to state whether the practice of constituting sub-divisions in a district for civil and administrative purposes has worked well? Is it in contemplation to make the hill station of Kasauli (in Ambala) a sub-division, just as has been done in the case of Murree and Dalhousie?"

The Hon'ble Mr. Barron replied :—

"Government has every reason to be satisfied with the system of constituting sub-divisions under the charge of an Assistant Commissioner or Extra Assistant Commissioner in large districts where it is for administrative reasons advisable to have an officer with 1st class magisterial powers to assist the Deputy Commissioner to control remote localities or to administer large hill stations. It is not at present contemplated to constitute Kasauli, where there is only a Cantonment and no Municipality, into a sub-division of the nature of the old established sub-divisions of Murree and Dalhousie."

Inconvenience to Multan passengers by the Karáchi Mail.

The Hon'ble Rai Bahadur Hari Chand asked : —

"With regard to the new arrangement involved in making the Up and Down Karáchi Mail run *via* Khánewal-Lodhrán Chord, is Government aware—

(*i*) of the inconvenience caused to passengers in changing for Multán train at Khánewal and Lodhrán?

(*ii*) of the delay in delivery of mails in Multán which are now delivered after 6 P.M. in the evening?

(*iii*) will Government be pleased to move the Railway authorities to remove the aforesaid inconveniences?"

The Hon'ble Mr. Barron replied :—

"Government is aware of the slight inconveniences to which the Hon'ble Member has drawn attention. They were in fact alluded to in the answer given to the question put on this subject at the meeting of this Council on the 19th September. The Lieutenant-Governor is afraid that in the interests of a quick and convenient mail service between Lahore and Karáchi these inconveniences to residents of Multán are unavoidable, but has no doubt that the Railway and Postal authorities will take all possible steps to reduce them to a minimum."

The Hon'ble Khan Bahadur Mian Muhammed Shafi asked :—

"Has the Punjab Government received either a copy of the representation submitted to the Government of India by the European Defence Association against the appointment, as Civil Surgeons, of medical men not belonging to the Indian Medical Service upon certain grounds, or any communication from the Government of India in connection therewith ?"

The Hon'ble Mr. Thompson replied :—

"The answer is in the negative."

The Hon'ble Khan Bahadur Mian Muhammad Shafi asked :—

"Will the Government be pleased to state if there is any intention to depart from the existing practice relating to the appointment of Civil Surgeons in the Punjab ?"

The Hon'ble Mr. Thompson replied :—

"There is no present intention of departing from the existing practice in regard to the appointment of Civil Surgeons in the Punjab."

The Hon'ble Khan Bahadur Mian Muhammad Shafi :—

"With Your Honour's permission, I beg to ask a supplementary question :—

"Will the Hon'ble Member state for the information of the Council what is the exact significance of the words 'present intention' in the answer just given."

The Hon'ble Mr. Thompson :—

"My meaning is exactly what the words say. I merely mean that I do not wish my answer to bind Government for the future.'"

The Hon'ble Khan Bahadur Mian Muhammad Shafi asked :—

"1. What is the amount of the annual contribution made by the Punjab Government towards the up keep of the Walker Hospital at Simla ?

"2. Are there any private medical practitioners on the staff of that Hospital ?

"3 Is it a fact that persons under the treatment of private practitioners cannot, on entering the Hospital, avail themselves of the services of their own medical advisers, being obliged by the rules to put themselves under the treatment of the Hospital Staff, which consists of Government officials, upon payment of fees ?

"4. Will the Punjab Government be pleased to move the Committee of the Walker Hospital to modify the rules so as to enable persons going into the Hospital to continue to avail themselves of the services of their private medical advisers along with the advantages and facilities offered by the institution ?"

The Hon'ble Mr. Thompson replied :—

"1. The annual contribution paid by the Punjab Government towards the maintenance of the Walker Hospital at Simla is Rs. 2,000.

"2. There are no private practitioners on the staff of the Walker Hospital.

"3. Patients in the Walker Hospital cannot be treated by practitioners other than the Civil Surgeons of Simla and the Staff Surgeon. In thas respect the Hospital rules are similar to those in force in general hospitals in England.

"4. What the Hon'ble Member desires is that the Walker Hospital should be put on the same footing in regard to private practitioners as many of the cottage hospitals in England. The suggestion will be brought to the notice of the Hospital Committee."

The Hon'ble Rai Bahadur Shadi Lal asked :—

Legal training of members of Indian and Provincial Services.

"1. With reference to Punjab Government letter No. 911 (Home—Gazette), dated the 21st June 1913, containing rules sanctioned by the Secretary of State with a view to encouraging members of the Indian and Provincial Civil Services to undertake courses of legal study while on furlough in England, will the Government be pleased to state—

(*a*) whether it is a fact that only those officers who obtain a call to the Bar within 15 years from the date of entering the Government service are eligible for the privileges mentioned in the rules ?

(*b*) whether the minimum period required for a call to the Bar is 2½ years, and whether a member of the Provincial Service cannot get more than one year's furlough during 15 years from the date of his entering service ?

"2. In view of the fact that the present leave rules practically debar a member of the Provincial Civil Service from availing himself of the facilities afforded by the above-mentioned rules, does the Local Government intend to recommend at an early date the amendment of the leave rules of the Provincial Civil Service so that officers whose periods of 15 years will soon expire may take advantage of the privileges granted by the rules ?

"3. Whether any bonuses can be earned by an officer of the Indian or Provincial Civil Service who obtains a first class in some of the examinations comprised in part I of the examinations of the Council of Legal Education, but does not eventually obtain a call to the Bar or does so after 15 years from the date of joining service ?

"4. Whether an advance of fees payable in connection with admission to one of the Inns of Court will be made in the case of those officers who wish to pass some or all of the examinations comprising part I, but do not propose to obtain a call to the Bar at all or within 15 years of entering service ?"

The Hon'ble Mr. Barron replied :—

"1. The answers to both parts of the Hon'ble Member's first question are in the affirmative. The limit of 15 years' service has been imposed in order that the State may obtain an adequate return for the expenditure involved in the shape of a reasonable period of service rendered after the added knowledge and experience obtained by reading for the Bar have been acquired.

"2. It has been brought to the notice of Government that at present members of the Provincial Civil Service are unable without taking leave without pay to profit by the financial inducements devised to encourage officers to

increase their efficiency by undertaking a course of legal study while on leave in England. The most suitable method of overcoming this difficulty is under consideration."

The Hon'ble Mr. Shadi Lal :—

"The Hon'ble Member has said that the most suitable method of overcoming the difficulty is under consideration. Can he inform the Council what is the most suitable method ? If it is under consideration, you know what the best method will be."

The Hon'ble Mr. Barron :—

"No, we do not know what the most suitable will be because it is under consideration. There are several methods, and we do not know which is the best to adopt. That is the point under consideration."

Continuing **the Hon'ble Mr. Barron** replied :—

"3 The rules as they at present stand do not preclude the earning of a bonus by an officer for each first class obtained in any of the four examinations comprising part I of the examinations prescribed by the Council of Legal Education, even though the officer does not proceed to part II or obtain a call to the Bar. But of course the spirit of the rules implies that an officer should complete the full course and obtain a call.

"4. To meet the case of an officer who, after obtaining an advance of the fees payable in connection with admission to one of the Inns of Court, returns to India without completing the course or being called to the Bar, the Government of India have directed that the advance less any bonuses earned and paid shall in all cases be recovered by monthly instalments commencing immediately after the officer's return to duty in India."

Raising of Chief Court to the status of High Court.

The Hon'ble Lala Kashi Ram asked :—

"With reference to the reply given by the Hon'ble Mr. Barron to my question at the Council meeting held on the 19th September last on the subject of raising of the Chief Court to the status of a Chartered High Court, will the Government be pleased to state in what respects the constitution of the contemplated High Court was to be different from the existing High Courts, so as to allow the public an opportunity of discussing the subject."

The Hon'ble Mr. Barron replied :—

"As the matter is the subject of correspondence with the Government of India, this Government is unable to make any further statement regarding it, or to place any papers dealing with the question on the table of this Council at this stage."

Banking situation in the Punjab.

The Hon'ble Lala Kashi Ram asked :—

"*(a)* With reference to the statement appearing in the *Panjabee* dated 22nd November 1913 under the heading 'The Banking situation in the Punjab' in the local and provincial columns to the effect that the Bank of Bengal had through their Lahore Branch provided accommodation for Punjab Banks to the extent of 50 lakhs of rupees, and with reference to the assurances given by Mr. Langley as reported in the note in the *Tribune* dated 9th November 1913 under the heading 'Indian Banks in Lahore,' will the Government be pleased to state what Banks, if any, in the Punjab have been accommodated by the Bank of Bengal and to what extent and on what securities ?

"*(b)* Will the Government be pleased to state if any Bank under Indian management applied for advances and whether its application was refused and on what grounds. Is the Government in a position to state if

any Bank under Indian management has so far been helped by the Bank of Bengal ?

" (*c*) Is the Government aware of the extent of injury caused or likely to be caused to the public and to the trade and industries of the Province by the present financial crisis, and, if no help has so far been given, will the Government be pleased to consider if it will extend its helping hand to relieve the situation and in what manner ? "

The Hon'ble Mr. Mant replied :—

" Government has seen statements in the Press to the effect that the Bank of Bengal has provided accommodation to the extent of 50 lakhs of rupees to Banking institutions in the Punjab. But as the Bank of Bengal is not a Government institution, and as its transactions with its customers are not within the knowledge of Government, the information asked for in parts (*a*) and (*b*) of the Hon'ble Member's question cannot be furnished.

" With regard to part (*c*), the Government is well aware that the present financial crisis is causing serious injury to the trade and industries of the Province, and the Lieutenant-Governor would do anything in his power to relieve the crisis. But it is the settled policy of Government to render financial assistance on such occasions solely through the agency of the Presidency Banks, whose operations are legally subject to certain limitations ; and all that the Government has been able to do is to intimate to the Bank of Bengal the desirability of giving financial aid towards maintaining the credit of deserving institutions. The Government has reason to believe that no loan has been, or will be, refused when suitable security of a kind on which the Bank is permitted to make advances has been, or can be, furnished."

The Hon'ble Lala Kashi Ram asked :—

Sub-Divisional system.

" (1) With reference to the reply given by the Hon'ble Mr. Barron to my question at the Council meeting held in April 1913 on the subject of the sub-divisional system, to the effect, 'that hearing of the criminal and civil cases by Sub-Divisional Officers on tour should as a matter of fact be convenient to the parties and their witnesses, as the trial takes place near their homes,' has the attention of the Government been drawn to a series of articles published in the *Tribune* dated 8th, 14th, 18th, 23rd and 25th of May, 1st June, 9th, 10th and 23rd July 1913 on the Sub-Divisional system as it is working in the Ferozepore District. If so, will the Government be pleased to state whether the facts relating to the cases reported in those articles are correct, and if the Government still considers that the system is a source of convenience to the litigants and if as a matter of fact the trial takes place near their homes ?

(2) What is the present state of crime in the districts in which this system is being tried as compared with what it was before its introduction and if there is any connection of the increase if any with this system of administering justice."

The Hon'ble Mr. Barron replied :—

" (1) The attention of Government has been directed to the articles in question. In some of the judicial cases cited (both criminal and civil) the proceedings and especially the frequent adjournments and great delays appear to show that the Magistrates and Subordinate Judges concerned displayed a lamentable incapacity to arrange for the disposal of their work in a methodical and business-like manner. Such defects are, it is feared, not always absent even from the proceedings of subordinate courts sitting continuously at head-quarters.

It is not always possible for touring officers to hear every case at or near the place of its occurrence. But if tours are properly arranged many more cases can be so heard and disposed of by officers on tour than if the presiding officers never move from head-quarters.

The precise method of arranging that officers shall spend a certain portion of each month in the sub-divisions under their charge is still under consideration. The delays which occurred in deciding the cases cited are not necessarily due to any inherent defect in the sub-divisional system, but point to a faulty method of working that system and Government is taking measures to eradicate those faults and reduce the risk of delay and inconvenience to litigants.

(2) Government understands that there has been an appreciable decrease, not an increase in crime in the parts of the districts in which the sub-divisional system is in force. In some quarters a tendency has been noticed to magnify petty complaints into cases only triable by 1st class magistrates, because they are readily available on tour. From this point of view it may perhaps be said that the people appreciate the system. But this is no doubt a temporary phase which will gradually pass away. The lodging of more numerous complaints of this description cannot be accepted as any evidence of an increase in real crime. On the contrary the presence of a resident magistrate undoubtedly acts as a deterrent to the commission of serious crime, and the prompt enquiry by such magistrate into crimes that have been committed gives less opportunity for the fabrication of false charges and promotes the ends of justice."

The Hon'ble Sardar Gajjan Singh asked :—

Rain gambling.

"With reference to the answers of the Hon'ble Mr. TOLLINTON to a question asked by the Hon'ble Mian MUHAMMAD SHAFI in the meeting of the Punjab Legislative Council held on 6th May 1910 in the matter of gambling—

(*a*) Is the Government aware of the fact that the opium, rain and grain gambling has considerably increased generally throughout the Province since the above question was put ?

(*b*) Considering the evil effects of this type of gambling and strong condemnation of it by the public, will the Government be pleased to state what measures, if any, have been taken or are under contemplation to suppress the said evils ?"

The Hon'ble Mr. Thompson replied :—

"Government has no information which would show that grain gambling and betting on opium sales and rainfall have increased in the Punjab during the past three years.

As stated by Mr. Tollinton in the reply to which the Hon'ble Member refers, certain enquiries had at that time been made in regard to rain and opium gambling. The reports received showed that these forms of gambling hardly existed except in Karnal District and at Ludhiana. The need for legislation to suppress them where they existed was considered, but the conclusion arrived at was that legislation for the suppression of particular forms of gambling was likely to be futile. The passion for gambling, it was felt, would contrive new methods for its gratification with the result that the evil would remain diverted into different but no less dangerous channels.

The question of grain gambling was considered separately. Fears were expressed that the Full Bench ruling of the Chief Court No. 79 of 1908 might render ineffectual the provisions of the Contract Act in regard to agreements

by way of wager. For a time it seemed probable that it would be challenged in the Privy Council, but the appeal was abandoned. The Hon'ble Member who had put the question on May 6th, 1910, was consulted as to the remedy to be applied and advised amendment of the Contract Act. The question is still under consideration and further enquiries will be made, but the Contract Act is not Provincial Act, and proposals for its amendment must be based on convincing proof of the spread of grain gambling and of the evil effects of the Chief Court ruling."

The Hon'ble Sardar Gajjan Singh asked :—

Extra Veterinary Assistant in each tahsil.

"Considering that the preservation of cattle is of the utmost importance to the Punjab peasantry, and that one Veterinary Assistant in a tahsil cannot be of much use to those living in the villages far off from his head-quarters, will the Government be pleased to consider the desirability of attaching one extra hand to each tahsil to tour in the ilaqua and to attend cases of diseased cattle in the villages ?"

The Hon'ble Mr. Thompson replied :—

"The point raised by the Hon'ble Member has recently been under the consideration of Government. Previous to 1907, the accepted standard was one itinerating Veterinary Assistant in each tahsil and one stationary Veterinary Assistant in charge of the Veterinary Hospital at the head-quarters of each district. In 1907 there was a change of policy. It was represented that the existing system was unsatisfactory. The Veterinary Assistants were said to wander aimlessly about, except during epidemics their work was most disappointing, and they were handicapped by being unable to give the animals the continued treatment and by the impossibilty of taking about with them a sufficient stock of medicines and instruments. There was an overwhelming preponderance of official opinion in favour of a radical alteration of policy, and it was decided to substitute a system which aimed at establishing a hospital in each tahsil with a stationary Veterinary Assistant in charge. This man would not leave his hospital except to deal with outbreaks of epidemic disease, but there was to be one touring Veterinary Assistant in each district.

A proposal to provide itinerant Veterinary Assistants in each tahsil in addition to the Assistants in charge of the hospitals was recently referred to Commissioners and Deputy Commissioners for opinion. The weight of opinion was strongly against the proposal, and the Lieutenant-Governor is not satisfied on the evidence before him that it is either sound or practical as things now are. Where a 2nd Veterinary Hospital is provided in a tahsil Government will, however, be ready to provide a 2nd Veterinary Assistant.

The Hon'ble Sardar Gajjan Singh asked :—

Reservation of land as grazing grounds in the new Punjab Colonies.

"Considering the enormous rise in the price of cattle and the scarcity of ghee and milk, will the Government be pleased to consider the desirability of reserving some land in every village as grazing ground in the New Punjab Colonies just as was done in the case of the old Chenab Colony ; and of making grants on condition of cow-breeding like the grants of mare and camel breeding ?"

The Hon'ble Mr Diack replied :—

"The only colonization scheme relating to the new Punjab Colonies which has received the sanction of higher authority is the Upper Chenab scheme On that canal the Government of India have sanctioned the proposals of the Punjab Government to reserve as grazing ground or *chiragah* 10 per cent. of the Crown waste which is to receive perennial irrigation.

Similar reservations have been proposed on the Lower Bari Doab and Upper Jhelum Canals.

With regard to the second part of the Hon'ble Member's question, the encouragement by special means of the breeding of both Hissar and Montgomery cattle has been considered in framing proposals for the colonization of Crown lands on the Lower Bari Doab Canal, but it is not possible to enter into details till the orders of Government on the proposals are received. No similar proposals have been made for the areas irrigated by the Upper Jhelum and Upper Chenab Canals, where the amounts of Crown land are small.

The desirability of making grants on cow-breeding conditions, analogous to the existing and proposed grants on horse-breeding conditions, has not been considered by Government. As the Government of India have decided that the Lower Bari Doab Colony shall be devoted to horse-breeding, there is no scope in the Punjab for a scheme of cow-breeding grants, even if such a scheme were desirable or feasible."

The Hon'ble Sirdar Gajjan Singh asked :—

Loss of pilgrims lives in Sirsa River.

"(*a*) Will the Government be pleased to inform if any enquiry was made as to how many pilgrims lost their lives in the Sirsa River on the occasion of the last Naina Devi Fair? If so, what was the result of the enquiry?

"(*b*) Will the Government be pleased to state what measures, if any, have been adopted or are under contemplation to prevent such loss of life in future?"

The Hon'ble Mr. Thompson replied :—

"No formal enquiry was made in regard to the number of lives lost on the occasion referred to. The total number is believed to have been about 150. It is reported by the Deputy Commissioner that the pilgrims who were carried away by the flood had been warned of the risk they were running. It is proposed in future to station a chaukidar at either end of the crossing during the monsoon months to warn travellers, and the local authorities will be instructed to take any other precaution that can usefully be adopted."

Chaukidara agency.

The Hon'ble Sardar Gajjan Singh asked :—

"1. Will the Government be pleased to state what measures are under contemplation to improve the chaukidara agency?"

"2. Will the Government be pleased to state the pay of the village watchman in each district of the Punjab? And whether the chaukidara agency is considered efficient and fit for the discharge of the duties which the various laws impose upon them."

The Hon'ble Mr. Thompson replied :—

"I propose to answer both the Hon'ble Member's questions in regard to the chaukidara agency together.

The remuneration of chaukidars is fixed by rules under the Punjab Laws Act. The ordinary rate is Rs. 3 per mensem payable in cash or grain, but with the sanction of the Commissioner the Deputy Commissioner has power to enhance the rate up to a maximum of Rs. 5 per mensem.

No very recent statistics are available to show the wages paid to chaukidars in each district of the province, but it is believed that Rs. 3 per mensem is still the most common rate though many chaukidars receive Rs. 4 and Rs. 5. The Commissioner of Rawalpindi has recently suggested to his Deputy Commissioners the advisability of raising the pay of chaukidars in their districts to

at least Rs. 4 and in particular tracts to Rs. 5. This suggestion has been brought to the notice of the other Commissioners.

The last report on Police Administration in the Punjab contained some severe criticisms on the working of the chaukidara system, but it must be remembered that only ten years ago the Police Commission reported very strongly in its favour, and that a convincing case must be made out before their verdict can be reversed.

The matter is engaging the attention of Government, but it is one on which opinions differ sharply, and the particular shape that reform will assume should it be found to be necessary will depend largely on the decision arrived at by Government on the debateable points It would therefore be premature to say that any definite measures are at present in contemplation."

PUNJAB FISHERIES BILL.

THE Hon'ble Mr. MANT presented the Report of the Select Committee on the Bill to extend the law relating to Fisheries in the Punjab. He said :—

"Your Honour, I beg to present the Report of the Select Committee on the Bill to extend the law relating to Fisheries in the Punjab. The amendments proposed by the Committee are explained in detail in the report, and I need only refer to a few of the more important points.

2. The procedure contemplated in clause 3 of the Bill as introduced was somewhat indefinite in one respect. Sub-clause (3) (*a*) provided for the prohibition by rule of fishing except under license in any specified water, the intention apparently being that the rules, which can only be made after previous publication, should indicate the waters to which they will apply. Sub-clause (2), however, empowered the Local Government to extend the rules by simple notification to any public water, so that a rule prohibiting unlicensed fishing in one small stream might have been extended by notification, without any previous publication, to all public waters in the Punjab. To make the procedure logical and consistent one or other of the following alternatives seems necessary—either to make the rules general in form and to let their local application be determined by notification or to make specific rules for specific waters and to do away with the expedient of extension by notification. The Committee chose the latter course, so as to ensure publication before a rule is applied to any particular water. It seems clearly right that all persons likely to be affected by any such rule should be given an opportunity of objecting to it before the rule is actually brought into force.

3. The same considerations do not apply to the prohibition of sales. This is a measure supplementary and ancillary to the prohibition of killing, and the areas in which exposure for sale is to be forbidden will depend on the waters from which the killing of protected species or of undersized fish is prohibited. Exposure for sale will only be prohibited in the markets to which such fish are likely to be taken, and previous publication in this case seems unnecessary. In fact it would be useless to prohibit sale in markets out of the reach of protected waters, because a conviction could not be obtained unless it were shown that the fish in question had been taken from a water specified in the rules.

4. The only other important alteration made in the Bill is the incorporation from the Indian Fisheries Act, 1897, of a new clause (6) empowering police officers or other persons to arrest any one breaking the rules if the latter is a stranger and declines to give his name and address. I said when introducing the Bill that we hoped to be able to administer its provisions through the licensees without having any extensive resort to the agency of the police, and

Government still holds to that policy. The new clause merely extends a provision of the existing law enabling the police or other authorized persons to intervene when an offender attempts to conceal his identity.

5. The Select Committee did not consider that these amendments or the other minor alterations described in their report were of sufficient importance to necessitate republication of the Bill, and I hope that the Council will agree to its being taken into consideration and passed to-day. The original Bill was published in the *Punjab Gazette* and circulated to various authorities for opinion. We have received the views of Government experts in other provinces, of Commissioners and Deputy Commissioners in the Punjab, and of a number of other officers interested in the subject. The main provisions of the Bill have met with practically unanimous approval, and the few criticisms or suggestions offered have generally been in the direction of strengthening the hands of the executive in preventing destructive methods of capture.

6. I do not propose to trouble the Council with a lengthy account of these opinions, but I should like to quote one or two extracts bearing on the most important points. With regard to the prevention of destructive methods and the prescription of a close season Mr. Wilson, pisciculturał expert to the Government of Madras, describes the result of protection in two rivers of that Presidency as follows:—

'Some six years ago when I first inspected these waters I found they were nearly depleted of fish by the use of fixed engines, dynamite, etc. I advised the Madras Government to take immediate action to stop these destructive methods, and special rules were drawn up for the conservancy of these waters. The spawning grounds are now protected and a close season on the upper waters established, all fixed engines have been removed, dynamiting has been stopped and the rivers policed by watchers for some years now. The result of this conservancy is most satisfactory, and the waters have now nearly recovered their normal fish-bearing capacity.'

7. In connection with the question of licensing, Diwan Tek Chand, Deputy Commissioner of Gujránwála, urges the necessity of protecting fish from zamindar poachers, and Mr. Howell, Director of Fisheries, Punjab, states that the professional fishermen on the Beas are almost unanimously in favour of a licensing system. This is really the crucial point. The restrictions on indiscriminate fishing which the Bill is designed to enforce will benefit not only the consuming public, but also the men who live by catching and selling fish, and it is on the co-operation of the latter that the success of the measure will mainly depend. One of the chief duties of the Director of Fisheries will be to convince the fisher folk that their true interest lies in themselves observing the rules and in seeing that other people do so If Mr. Howell succeeds in enlisting these men on the side of the law, there is every reason to hope that the province will obtain a very material addition to its food supply.

8. With these remarks I beg to move that the Bill as amended by the Select Committee be taken into consideration."

The motion was put and agreed to.

The Hon'ble Rai Bahadur Bakhshi Sohan Lal:—

"The first amendment which I propose concerns clause 3 (2). In my opinion the word "exclusive" in line 5 of that paragraph is altogether superfluous. The sense and the meaning of the clause are fully conveyed by omitting this word, while its existence is likely to cause confusion and difficulty in finding out what persons have exclusive rights and what persons have inclusive rights when more persons than one have a right of fishery in the same water. Each of them can exercise that right separately as well as jointly with some one or other. Some of them may have a right of fishing on account of ownership

in the water, others may have a right of fishery on account of their being tenants, occupancy or non-occupancy, some may claim to have a right of fishery on account of their residence in a particular village or on account of certain easement, contract or any other custom or usage. So each class of these right-holders cannot be said to have an exclusive right of fishery in certain waters. Therefore in my humble opinion the word "exclusive" be omitted. Not only is it superfluous, but is also causing confusion and difficulty in finding out different rights of different right-holders. And I think the Hon'ble Member in charge of the Bill has not shown why it is necessary to restrict to persons having exclusive rights and not to persons who cannot be said to have exclusive rights, but have good rights of fishery in the same water. I think there are sufficient reasons to allow this amendment in second paragraph of clause 3."

The Hon'ble Mr. Mant: –

"Your Honour, the clause which the Hon'ble Member desires to amend follows the wording of section 6 (2) of the Indian Fisheries Act 4 of 1897. In section 3 (3) of that Act, the term 'private water' is defined as follows, and the same definition has been adopted in clause 3 (2) of the current Bill. The definition is as follows:—'Private water means water which is the exclusive property of any person or in which any person has for the time being an exclusive right of fishery whether as owner, lessee or in any other capacity,' and there is an explanation appended to that definition 'waters shall not cease to be 'private water' within the meaning of this definition by reason only that other persons may have by custom a right of fishery therein.' There are these two classes of rights in waters recognised under the existing law – firstly, an exclusive or private right and, secondly, a customary right which for the purposes of this discussion may be described as a public right. There may be public rights in private waters, but there can be no private rights in public waters. The Indian Fisheries Act gives the Local Government exclusive power to over-ride public rights not only in public waters, but also in private waters, provided that in the latter case the consent of all persons having private rights has been obtained. I do not think the Hon'ble Mover of this amendment has shown any valid reason why the same principle should not be followed in the present Bill. I understood him to say it would be a difficult matter to distinguish between 'exclusive' and 'non-exclusive' rights in the private waters, but it seems to me that the difficulty would be the other way. It is comparatively easy to discover who has proprietary or exclusive rights in the water, but it is very difficult to say who has a customary general or public right of fishing. In this province with its complicated system of customary rights it would be very difficult for Government to ascertain and obtain the previous consent of every person who may claim any sort of right of fishing in any particular private waters. So if the word 'exclusive' is omitted from the clause I would go so far as to say that the clause may well be omitted altogether because it would be practically impossible for Government to apply rules to any private water, and I think it would be a pity if it were omitted because the clause is designed to benefit water owners who would have their waters depleted by persons claiming customary rights and who may desire Government to assist them in protecting their waters. For these reasons I recommend that the amendment be rejected."

The Hon'ble Rai Bahadur Bakhshi Sohan Lal:—

"Your Honour, I would explain in a few words. As a matter of fact the principle of the Fisheries Act is only applicable to public waters, but if Government is to extend those rules to private waters which do not in the ordinary course lie under the power of legislation

and depend upon the consent of the persons who are to be affected by the results, my opinion is that the consent not only of the owners is to be obtained, but the consent of all such persons who are to be affected by that. In many cases the owners may have very little right whatever. The right of fishery may altogether be in the hands of those persons who are residents in the village or who are tenants of the land, so if the owner of the water wants to deprive all those persons of their right of fishery, he may give his consent to extend the provisions to the private water, but if the legislation or the rules are to affect those persons ' rights in private waters their consent must be obtained before they are to be deprived of their old rights in private waters whether they are owners of such water or not."

The amendment was put to the Council and lost.

The Hon'ble Rai Bahadur Bakhshi Sohan Lal :—

"The next amendment which I propose refers to clause 2 (3). I propose to add another sub-clause (*d*) which would run as follows :—

"Provide measures for the nursery and preservation of fish in any specified quarter or quarters of any notified water."

"Sub-clauses (*a*), (*b*) and (*c*) regulate the terms of licenses for fishing, but in the absence of any provision authorising the Local Government to close any quarter or quarters of water absolutely throughout all the seasons it cannot carry out the measures for the nursery and preservation of certain species and check the practical extermination of several species of fish like Mahsir or other species which have been depleted in the last decade as noted by some of the officers in their valuable opinions which are appended to the Bill. So in my humble opinion not only the fishing should be controlled, but also some measures should be adopted to breed and to preserve fish in certain quarters which may be considered to be quite suitable where fishing will have to be prohibited throughout the year and not only in the close season, and where the eggs will have to be put for nursing of certain species, and this power can only be given by legislation to the Local Government."

The Hon'ble Mr. Mant :—

"Your Honour, I think I should be justified in recommending the summary rejection of this amendment owing to the language in which it is couched. 'Provide measures for the nursery of fish' is not an intelligible expression, if the Hon'ble Member had used the term 'for the nursing of fish' it would have been English, though perhaps hardly proper. Again the term 'quarter of water' may mean something. I am not clear what it is, but this expression might also be altered if the Hon'ble Member presses for a division on the amendment. As it stands, I can only ask the Council to reject it on account of the defects in the wording. I should be sorry to have to do this because I know the Hon'ble Mover has the interest of the fishing industry at heart and is only trying to strengthen the hands of Government in furthering that industry. I therefore proceed to discuss the substance of the amendment. I assume that if the substance is approved by the Council the Hon'ble Member would recast the wording in something like the following form :—

'To provide measures for the breeding and preservation of fish in any specified water.'

"I think that would cover what he really means I am afraid, however, that I cannot support the proposal in substance. I doubt in the first place whether there is any real necessity for it. The Bill already provides for rules prohibiting the killing of a particular species of fish and of fish below a minimum size or weight. I doubt whether any further provision is really required or is necessary for protecting nursery. We have received opinions on

the Bill from a number of experts, but none of them has suggested the necessity for this amendment in this measure. Our own Director of Fisheries, Mr. Howell, assisted in drafting the Bill, and gave a subsequent opinion on it and also attended the meeting of the Select Committee, but on none of those occasions did he ask for rules for the special protection of nurseries. Moreover, the terms of the amendment seem to me to be dangerously vague. The Bill as it stands is definite, that is to say, Government may prohibit or prescribe measures for the preservation of fish. Preservation of fish may mean anything ; for instance, many fish are led away from rivers and canals by irrigation channels and perish in the fields. If the Hon'ble Member's amendment were carried out, it would apparently authorise Government to prohibt irrigation in order to preserve those fish. Of course Government would not dream of doing anything of the sort, but I think it would be wrong in principle for this Council to give a wide and indefinite power to the executive. I must therefore propose that the amendment be rejected."

The Hon'ble Rai Bahadur Bakhshi Sohan Lal :—

"I think I need add only this much that I meant the word 'breeding' instead of the word 'nursery.' I have no objection to change the wording to this extent, but I think it is necessary to have such rules for their preservation. There are certain parts in rivers where fish can be bred and preserved throughout the year."

The amendment was put and lost.

The Hon'ble Rai Bahadur Bakhshi Sohan Lal :—

"The third amendment which I propose refers to clause 4. My reason for proposing this amendment is that when the Local Government is empowered to prohibit by notification in any specified areas the offering or exposure for sale or barter of any fish the killing of which is prohibited by any rule made under section 3 (3) *(b)* and *(c)*, there is no reason why private sales out of the open market as well as gifts and presents even in open market of such prohibited fish should be allowed especially when their killing is penalised. If any person carrying any such prohibited fish is detected even if he is going to the market for sale, he can easily evade the penalty by asserting that he was carrying the fish to be presented to such and such a person. How is the killing of fish to be proved if the presentation of the killed fish of certain species under specified weight or size is not penalized ? Thus if the possessor offers or exposes for sale or barter he is offender, but if he can afford to make a present of it to the police officer or any other person detecting him he can be let off because he was going to make a present of the thing and was not going to sell it or to barter it. It would be impossible to prove that the seller and the purchaser both have colluded, and they say they did not receive or pay anything for this. Of course the evidence of a third person would be of no value whatever when both of them say that as a matter of fact the thing passed without consideration. If it is wanted to prevent the killing of certain species of fish and of fish under certain weights or sizes which is going to be offered or exposed for sale its exposure or offer for sale alone ought not to be restricted, but also its gifting or presenting as well. So in the absence of such an amendment the law is likely to be violated constantly with impunity without the offender being caught. So in my humble opinion this amendment ought to be carried out in order to make the law clear and to bring the offenders to justice."

The Hon'ble Mr. Muhammad Shafi :—

"May I with Your Honour's permission request the Hon'ble Member in charge of the Bill to explain to the Council whether under clause 4 as framed

by the Select Committee the sale or barter or offer for sale or barter of any fish the killing of which is prohibited by rules specified in this clause, but yet which sale or barter is not intended for the purpose of fish being killed or for anything of that kind but for the purposes of breeding fish, will come within the purview of this clause or not? For instance, *A* and *B* are two persons interested in the breeding of fish and merely for the purpose of breeding fish *A* purchases from *B* or *A* and *B* barter two different kinds of fish, although the killing of these fishes may be prohibited under that rule, and this sale or barter between *A* and *B* is not intended for the purpose of killing. What I want to know is this whether under the clause as framed you contemplate that the rule framed should cover all cases of this kind also. But before discussing the amendment which has been proposed by my Hon'ble friend it is better that this point be cleared up."

The Hon'ble Mr. Mant:—

"I do not quite see how it bears on the amendment before the Council."

His Honour the President:—

"The Hon'ble Mr. MUHAMMAD SHAFI wants to have that point cleared before the amendment is discussed."

The Hon'ble Mr. Muhammad Shafi:—

"Because if this point is cleared up we shall be in a position to say whether the amendment as proposed by my Hon'ble and learned friend is one which ought to be accepted or not."

The Hon'ble Mr. Mant:—

"I understand the point of the question is whether this section would apply to live fish. I am afraid under the section as now worded it would."

The Hon'ble Mr. Muhammad Shafi:—

"It seems to me the first might come within the purview of this section, the killing of which is prohibited, and yet the barter or sale may not be for the purpose of killing, but may be for the purpose of breeding."

The Hon'ble Mr. Mant:—

"If the Hon'ble Member would like to give a proviso to cover this point I would be very glad to consider it, but I insist I do not see that it really affects the present amendment. With Your Honour's permission we may deal with the amendment of the Hon'ble Bakhshi SOHAN LAL first and take up this point afterwards."

The Hon'ble Mr. Muhammad Shafi:—

"Your Honour, as the Hon'ble Member in charge of the Bill is in agreement with me that even cases of sale or barter of fish intended not for the purpose of killing but for the purpose of breeding come within the purview of this clause, I entirely oppose the introduction in this Act of the further provision which the Hon'ble Bakhshi SOHAN LAL seeks to introduce. It will be noticed that clause 4 as it stands at present goes further than the intention of the framers was, and if even barter or gift or present of fish is to be prohibited, as my Hon'ble friend would have it, it seems to me that the inevitable consequence would be that the evil which at present results would be increased instead of being diminished. I therefore ask the Council to reject the amendment."

The Hon'ble Mr. Mant :—

"Your Honour, I would like to offer a few remarks on the amendment to explain why we only provide for exposure or sale in the Bill. In the first place the wording of this amendment is also defective. The word "and" occurs in two places between gift and present, and is apparently intended for "or", and the word "present" probably signifies presentation or something of that sort. However, I just turn to the substance of the amendment. I again feel reluctant in opposing the Hon'ble Mover because I know he only wants to help the Government, but I am not satisfied that we ought to go any further in this direction than is provided under the Bill already. I think the sound principle is not to penalise more Acts than is necessary for the purpose in view. We do not under this Bill penalise 'sale' because it seems to us that exposure for sale would practically cover all cases. It would hardly be necessary to prove that the sale did take place when at the same time proving that the fish was exposed for sale. It seems therefore unnecessary to penalise the act of sale or barter. As regards the gifts or presents it may be true as the Hon'ble Mover says the fish may be and is often disposed of in that way. We doubt whether the transactions would be sufficiently numerous to warrant legislation against them. We propose to penalise exposure for sale in order to restrict the catching for sale of undersized and protected fish. It would be difficult to get a conviction because it would be necessary to prove that not only the fish was a protected species, but also was taken from the water in which the killing of that species is prohibited. In practice prosecution would only be necessitated when protected fish are being marketed, and probably in most cases warning to the dealers would be found sufficient. The same considerations do not apply to the cases of gifts. I gather from the Hon'ble Member's argument that he was really referring to a case of possession. I regret to say that this is really irrelevant because we are not penalising possession. Possession cannot be penalised unless the fish is exposed for sale in the market. I think it would hardly be possible to convince the court unless the fish, the killing of which is prohibited, is exposed for sale thereby showing that it is really intended to be given away. It seems to me therefore unnecessary to introduce this further provision. I would therefore recommend the rejection of this amendment in substance and also on account of its form."

The Hon'ble Rai Bahadar Bakhshi Sohan Lal :—

"Your Honour, I simply wish to explain that very often the sellers of fish do not take it to the open market for sale : they take a basket containing fish from house to house, and there is a question whether they are offered for sale. They may have a basket or they may have a bag containing fish and go into private houses for sale. So they may go into houses and sell the fish and they cannot be said to have exposed them or to have offered them in the public market if the matter is to be restricted to a public market. So my meaning is that the section ought to be so framed as to detect the offenders. But if in 99 out of 100 cases offenders can get off without any punishment it is better not to have such a law rather than to leave it in such a doubtful state as to make it highly improbable to detect the offenders."

The amendment was put to the Council and lost.

The Hon'ble Mr. Mant :—

"Your Honour, before I move that the Bill be passed I should like to move with Your Honour's permission an amendment to clause 4 to meet the point raised by the Hon'ble Mr. Muhammad Shaffi, and I am very much

obliged to that gentleman for drawing attention to that point. As a matter of fact, I do not think that in practice anyone would be likely to be penalised or that the Local Government would make a rule prohibiting the selling of fish for breeding only. Still I think it is desirable that it should be made evident I therefore propose that in line 5 of clause 4 for the words " the killing of which is prohibited by " the following words should be substituted " killed in contravention of," that is to say, instead of penalising the sale or barter of any fish, the killing of which is prohibited by any rule, the rule will run " killed in contravention of any rule."

The Hon'ble Mr. Muhammad Shaffi :—

" Your Honour, that would meet the requirement of the case."

The amendment was put and agreed to.

The Hon'ble Mr. Mant :—

" Your Honour, I do not think I need trouble the Council with any further remarks on the substance of the Bill, I therefore move that the Bill as amended by the Select Committee and further amended by this Council be passed."

The motion was put and was carried.

PUNJAB COURTS BILL.

The Hon'ble Mr. Barron :—

" Your Honour,—I rise to move for leave to introduce a Bill to amend and consolidate the law relating to Courts in the Punjab. The Bill if adopted by this Council will mark another stage in the gradual development and improvement of the judicial agency of the Province. As Hon'ble Members are aware, the Secretary of State has recently sanctioned a scheme by which the superior civil and criminal courts in the Punjab subordinate to the Chief Court will be placed on a footing similar to the corresponding courts in the older Provinces in India. This scheme involves the disappearance of the District Judge as we now know him and the conversion of the present Divisional and Sessions Judges into District and Sessions Judges. The object of this Bill is to make the changes in the law under which our courts are now constituted necessary to give effect to this scheme. The changes, though most of them are merely verbal, are so numerous that it has been considered convenient to repeal the Punjab Courts Act, XVIII of 1884, and the various Acts by which it has been from time to time amended. The opportunity has also been taken to consolidate the existing Acts governing the constitution of our courts. The amendments are practically all confined to those required for the introduction of the scheme I have mentioned, and no general principles will be found to be involved. In this respect it is not proposed to make any changes of importance in the existing law. A few minor alterations in the arrangement of the present Act, and some consequential changes in two or three other Acts, have been carried out in the process of consolidation, but here again no questions of principle arise. I trust therefore that Hon'ble Members will agree with me in considering the Bill to be a non-controversial one, and that the Council will find itself able to dispose of the different stages, through which it must pass, at this sitting.

" The present Punjab Courts Act was passed by the Imperial Council in 1884 during the Lieutenant-Governorship of Sir Charles Aitchison. As there is on this Council only one officer who joined the service prior to that date, Hon'ble Members will perhaps bear with me if I attempt to give a short *résumé* of the history of the judicial arrangements which have been in force at various times since the constitution of the Punjab as a Province.

" When the Punjab Administration was organised in 1849, all its officers, from the Members of the Board of Administration down to the Tahsildars, were invested with civil and criminal jurisdiction in addition to their executive, revenue and fiscal functions. This system, though no doubt the best for starting the administration of a new province, did not last long. A sub-division of labour and responsibility was soon demanded by the growth of population, the extension of agriculture, the development of trade, the steady increase of litigation, the introduction of a stricter system of law and procedure, and generally by the progress of a large and rapidly developing tract of country.

" The first step was taken in 1853 when the Board of Administration was abolished, and its powers and functions vested in a Chief Commissioner, who was relieved of his judicial duties by the appointment of a Judicial Commissioner who became the head of the Judicial Department. Another officer, the Financial Commissioner, became head of the Revenue Department. The Judicial Commissioner continued, however, for some time to discharge duties that were by no means purely judicial, as he controlled important branches of the Administration, such as the Police and the Public Works. This system continued until 1866 when the Chief Court was created, and became, with the exception of a few Small Cause Courts, the first Court presided over by officers exercising purely judicial functions. In 1875, owing to the increasing pressure of work, a further step in distributing different classes of duties between distinct grades of officials became necessary. Deputy Commissioners and Tahsildars were relieved in a large measure of civil judicial work by the appointment of special officers known as Judicial Assistants and Munsifs who were employed mainly, though not always exclusively, in the discharge of purely judicial functions. The Deputy Commissioner, however, remained the Civil District Judge of his district, and the Commissioners of divisions, of whom there were at that time ten, continued to be the appellate civil courts and the courts of session for their divisions. In Peshawar it was found necessary to appoint a Civil and Sessions Judge to relieve the Commissioner of his judicial duties and the other Commissioners were partially assisted by the appointment of two additional Commissioners. Above these was the Chief Court with a bench of three Judges only. In 1884 it became necessary to make further provision for the judicial duties performed by Commissioners, and steps were taken to relieve the Chief Court, where, in spite of an increase in the number of Judges, work had become congested, by reducing the number of appeals, by giving greater finality to the decisions of courts subordinate to the Chief Court. This question of the alteration of the law of appeal led to a fierce controversy during 1884, from a repetition of which this Council will on this occasion happily be spared, as the matter was argued out very exhaustively in this chamber so recently as November 1911 by the passing of Punjab Acts I and IV of 1912, the provisions of which are repeated in the consolidating Bill now before us. The Act of 1884 established the following classes of civil judicial courts subordinate to the Chief Court : (*a*) the divisional court, (*b*) the district court, (*c*) the court of the Subordinate Judge, (*d*) the court of the Munsif. Commissioners of divisions thus ceased to have any connection with civil judicial work, and Deputy Commissioners were also relieved of their civil judicial functions, except in a few of the lightest districts where they were empowered to act as District Judges in addition to their other duties. Certain classes of land suits, which could more conveniently be disposed of by revenue officers, were at the same time transferred to revenue courts, and in respect of these suits the Deputy

Commissioner and the Commissioner continued as they do now to exercise original and appellate jurisdiction. But the number of Commissioners was reduced to six.

" It is interesting and instructive to observe from this short account of judicial development in the Punjab the steady, and I might say rapid, progress made by Government in the direction of the separation of judicial from executive functions in the Province of civil litigation. As a tentative measure when divisional courts were first established, seven such courts were created presided over by two Judges each. But it was soon found that the volume of work coming before these benches was much greater than had been anticipated and the Courts rapidly fell into hopeless arrears. They were therefore dissolved and thirteen divisional courts were appointed in their place. In spite of the separation of the tract comprised in the North-West Frontier Province, the continued growth of the Punjab in population and prosperity, and the great increase of work in every department of Government, evidenced for our present purpose by the creation of new districts and our canal colonies and the development in the trade of our large towns, have necessitated the employment of more and more Divisional and Sessions Judges as time went on. Their number is now sixteen. In every district there is a district judge who has relieved the Deputy Commissioner of all civil judicial work. The number of District Judges paid as such borne on the cadre of the Civil Service of the Province is, however, only eight. It has still been found owing to the increase in criminal work and the development of the test for civil litigation that the number of Sessions judges is insufficient. For the past few years it has been necessary to employ almost continuously two or more Additional Divisional and Sessions Judges.

THE NEW SCHEME.

" Under the scheme sanctioned by the Secretary of State it has been decided to replace the 16 Divisional and Sessions Judges and 8 District Judges by 22 Judges. These officers will be called District and Sessions Judges, and besides exercising the functions at present discharged by Divisional and Sessions Judges, will have to carry out many of the duties under miscellaneous Acts at present discharged by our Civil District Judges. The present grade of District Judge will, however, disappear from the cadre of the service. Therefore by section 18 of the Bill the civil courts of the Province, besides the Chief Court and the courts of small causes, will now be constituted as follows :— (1) the Court of the District Judge; (2) the Court of the Additional Judge; (3) the Court of the Subordinate Judge; (4) the Court of the Munsif. As explained in the Statement of Objects and Reasons attached to the Bill the power to appoint Additional Judges is being taken in order to enable the Local Government to appoint Judges with like powers to assist the District Judge where necessary in the disposal of his work. Elasticity in this respect is essential to provide for future requirements. Provision is also made in the Bill for the case of those districts in which, though it may not be necessary to appoint an Additional Judge with the powers of a District Judge, there is a great deal of miscellaneous work under such acts as the Guardians and Wards Act, the Succession Certificate Act and the Insolvency Act. The volume of this work is often great, though much of it is not of a difficult nature, and the new District and Sessions Judges will not be able to cope with it in addition to their other duties. Some of these miscellaneous Acts already permit the exercise of jurisdiction by courts subordinate to the district court; for instance, section 3 (1) of the Provincial Insolvency Act, III of 1907, and section 26 (1) of the Succession Certificate Act, VII of 1889. Power is now being taken in clause 30 of the Bill to extend a similar system of delegation of jurisdiction under the Acts enumerated in sub-clause (2). The result will be that the functions of the new District Judge under these Acts will continue to be discharged by exactly

the same grade of officer as at present, that is, by Extra Judicial Assistant Commissioners and Sub-Judges invested with the powers of our existing District Judges. They have exercised such jurisdiction in a perfectly satisfactory manner so far, and there is no necessity now to withdraw cases of this nature from them and confine jurisdiction to the higher court of the District Judge. Certain other minor alterations in the law relating to civil courts are referred to in the Statement of Objects and Reasons. The most important of these is perhaps the provision that the Chief Court shall in future consist of not less than five Judges instead of three as formerly. It is some years since the strength of the court was as low as five Judges, and some Hon'ble Members may consider that Government has been unduly sanguine in fixing the minimum at this figure, but the use of the phrase "five or more" in clause 4 shows that this number is regarded as a minimum only.

"A few other changes relating to the delegation of jurisdiction, original and appellate, between subordinate courts will be more conveniently dealt with when the Council discusses certain amendments on the agenda paper. With these remarks I move for leave to introduce the Bill."

The motion was put and agreed to.

The Hon'ble Mr. Barron:—

"Your Honour,—I introduce the Bill. I do not think I need add anything to what I have already said;"

The Hon'ble Mr. Barron:—

"I move that the Bill be taken into consideration."

The motion was put and agreed to.

The Hon'ble Mr. Shadi Lal:—

"Your Honour,—Before I move amendment No. 1 standing in my name I consider it my duty to draw the attention of the Council to one important matter which I consider ought to be taken into consideration before the amendments are considered. I perform this duty with some reluctance because I am anxious that this Bill which is designed to give effect to the scheme of District and Sessions Judges should be passed as soon as possible, but I feel that the point which I am going to place before the Council may necessitate the postponement of the Bill to another meeting of the Council. The Hon'ble Members will notice that clause 2 of this Bill says that all the enactments specified in the schedule are repealed. In the enactments which are specified there are the enactments of the Governor-General in Council and those of the Lieutenant-Governor of the Punjab in Council. One of the enactments is Act XXV of 1899. Now this Act did not find a place in the Bill which was originally submitted to the Government of India for sanction. When the original draft Bill went to the Government of India, the omission was not noticed by the Government of India and the Bill as submitted was sanctioned and was sent back to the Punjab Government and copies of the draft Bill were circulated to the Members of the Council about two weeks ago. When I read the Bill I found that Act XXV of 1899 ought to be repealed and ought to have been mentioned. I therefore three days ago sent a large number of amendments, and one of them *inter alia* provided that Act XXV of 1899 should be repealed and it should be added to the schedule. The Secretary to the Legislative Council prepared a new draft Bill with that Act in the schedule, and the new draft Bill which was circulated to the Members yesterday does contain that Act XXV of 1899, and the present draft Bill which you will find on the table also does contain Act XXV of 1899. The new draft Bill which has been prepared

since I sent my list of amendments does contain certain alterations on account of verbal errors, etc., and also Act XXV of 1899 has been added to the schedule. Now the question arises, I am very sorry to point out that matter, but I have considered it my duty to point out, that it is open to doubt whether this Council has got the power to pass a Bill amending an Act for which the sanction of the Governor-General in Council has not yet been obtained. Now there is a section in the Indian Councils Act of 1892 which makes it obligatory upon this Council to obtain the previous sanction of the Governor-General in Council before repealing an Act of the Governor-General in Council. I will just give you the *ipsissima verba* of that section. It is section 5 of Indian Councils Act of 1892. Leaving out the irrelevant words the section reads thus :—' The local legislature of any Province may, with the previous sanction of the Governor-General in Council, but not otherwise, repeal or amend any law or regulation of the Governor-General in Council after the passing of this Act.' This is the substantive portion of that section. Now there is an important proviso to that section—' provided that an Act or any provision of an Act made by a local legislature and subsequently assented to by the Governor-General in Council in pursuance of the Indian Councils Act, 1861, shall not be deemed invalid by reason only of its requiring the previous sanction of the Governor-General in Council under this section.' The question therefore arises whether this proviso will condone the defect which at present does exist in the present Bill. I am inclined to think—and I place my opinion before the Council and before Your Honour for consideration—that the proviso will not condone it. The proviso is evidently intended to cover cases in which by an oversight or inadvertence an Imperial Act has been amended for which the previous sanction was not obtained and which has been passed by the legislature and has been subsequently assented to by the Governor General in Council, and subsequently the mistake is pointed out in a court of law or by somebody who says here is an Act of the Imperial Council which has been amended without authority, no objection has been taken so far, but the previous sanction of the Governor-General in Council ought to have been obtained : perhaps it is contended that this Act is invalid. In that case you can invoke the aid of the proviso and say – here is a proviso which says that for that reason only the Act will not be invalid. But when the matter comes before the Council and this is pointed out that here is an Act of the Imperial Council for the repeal of which sanction has not been obtained and this Council deliberately proceeds to pass the Bill in defiance of the provisions of section 5, I am afraid the proviso does not help us at all. Moreover, the substantive portion of section 5 is as clear as anything can be. The Council will remember that the Indian Councils Act of 1892 is an Act of the Imperial Council, and section 5 clearly says that ' with the previous sanction of the Governor-General in Council, but not otherwise.' The wording of the section is very definite. It is therefore clear from the statement of facts which I have laid before the Council that the previous sanction of the Governor-General in Council has not been given to the repeal of Act XXV of 1899, and it is a question for the consideration of the Council whether you can proceed with the Bill and repeal Act XXV of 1899 when the previous sanction has not been obtained. I may further point out that the rules which are issued by the Government of India for obtaining the sanction to the repeal of the Acts of the Imperial legislature are very definite indeed in this matter. One of the rules containing instructions issued by the Government of India says ' where a draft Bill contains provisions which under section 43 of the Indian Councils Act, 1861, or section 5 of the Indian Councils Act, 1892 (this is the section referred to now), require the previous sanction of the Governor-General, such previous sanction shall likewise be expressly applied for (and must be stated expressly in the application for that sanction when the draft is forwarded to the Legislative Department of the Government of India.' Further when submitting Bills to the Government of India attention is to be drawn to all clauses which appear to require sanction referred to in the previous rule. Now there is a further matter also. The preamble of the present

Bill as Hon'ble Members of the Council will notice says 'and whereas the previous sanction of the Governor-General in Council has been accorded under section 5 of the Indian Councils Act, 1892, to the repeal of the Acts of the Governor-General in Council mentioned in the third column of the schedule of this Act.' Now in the present Bill which is on the table this Act XXV of 1899 is mentioned, and from the wording of the schedule the Hon'ble Members will be inclined to the inference that the previous sanction for the repeal of this Act has been obtained. The preamble was originally part of the original draft which was submitted to the Government of India. This preamble has no doubt remained the same, but in view of the statements of facts which I have now mentioned, that preamble has no application to this new Act which has been added after I sent my amendments to the Secretary of the Legislative Council. Thus in view of my statements of facts it is wrong to state that the previous sanction of the Government has been obtained to all the Acts which I have mentioned in the schedule. In these circumstances, I submit for Your Honour's consideration and for the consideration of this Council whether it is not *ultra vires* to proceed with this Bill, which amends or rather repeals an Act of the Imperial Council without the previous sanction of the Governor-General in Council. When this matter is settled I will propose the amendments standing in my name."

The Hon'ble Mr. Muhammad Shafi : –

"In support of what has fallen from the lips of my Hon'ble friend Mr. Shadi Lal, I desire to invite the attention of the Council and of Your Honour to the advisability of postponing the final discussion on the Punjab Courts Bill as introduced in view of the fact that the changes which this Bill introduces with regard to the jurisdiction of certain courts as well as of courts of appeal are changes of very great importance, with reference to which there may be a difference of opinion and with reference to which I think sufficient time ought to be given to the public to express an opinion thereon. The technical objection, technical in one sense only which my Hon'ble friend Mr. Shadi Lal has placed before Your Honour, is to my mind unanswerable, and before the Bill can be finally considered by this Council it seems to me to be absolutely essential that the sanction of the Governor-General in Council should be obtained to the repeal of Act XXV of 1899 which it is absolutely essential should be repealed before this new Bill can be passed. In addition, there is another point which perhaps I may crave Your Honour's permission to invite the attention of the Council to. Section 5 of Indian Councils Act says that all repeals and amendments of any enactments of the Governor-General in Council in any given Province by a given Provincial Council should receive the previous sanction of the Governor-General in Council, but it seems to me with regard to certain provisions embodied in this Bill that this Bill does amend the law which has been enacted by the Imperial Legislative Council as regards the Guardians and Wards Act; for instance, I find in the schedule no mention of the Guardians and Wards Act. Under the Guardians and Wards Act it is the district court and district court alone which has jurisdiction to try cases for the appointment of Guardians, and 'District Court' under the definition of the Guardians and Wards Act has the same meaning as that given by the Code of Civil Procedure to the words. The Code of Civil Procedure defines the District Judge's court as the highest court of original jurisdiction of the district. The Punjab Courts Bill now proposes in certain cases to confer jurisdiction on courts other than district courts to try cases under the Guardians and Wards Act, and possibly it may be that the provision is inconsistent with the provisions of the Guardians and Wards Act. Therefore I think it is a point which ought to be further considered, and if necessary, the sanction of the Governor-General in Council should be obtained. I throw this out as a mere suggestion, and it seems to me that upon this and

other grounds it is necessary that this Bill should not be rushed through in this meeting, and that the final consideration should be postponed and meanwhile the sanction of the Governor-General in Council should be obtained."

The Hon'ble Mr. Barron :—

"The point raised by the Hon'ble Members is certainly a very nice one. In the preamble as sent to the Government of India we did not mention what Acts were to be repealed at all, and it was the Government of India that pointed out to us that the preamble should contain the Acts for which permission to repeal was to be given. We adopted the suggestion of the Government of India. In their letter they say :—'I am directed to communicate the sanction of the Governor-General, under section 5 of the Indian Councils Act, 1892, to the repeal of the Acts of the Governor-General in Council mentioned in the schedule' Act XXV of 1899 should, of course, have been mentioned, but the reason why it is not so mentioned and escaped the notice of the Government of India is that practically the whole of Act XXV has already been repealed by Acts I and IV of 1912."

The Hon'ble Mr. Shadi Lal :—

"Will the Hon'ble Member tell me what Act has repealed section 2 of Act XXV of 1899."

The Hon'ble Mr. Barron :—

"That is the only section that has not been repealed."

The Hon'ble Mr. Shadi Lal :—

"No subsequent Act has repealed that section."

The Hon'ble Mr. Barron :—

"That section 2 of Act XXV of 1899 was a proviso to section 39 of Act XVIII of 1884. That proviso will be found in the Hon'ble Member's *ipissimia verba* under clause 39 of the Bill. Clause 3 of Act XXV of 1899 is substituted by sections 40-41 of the Punjab Courts Act. Sections 40-41 were repealed under the clauses introduced by Act I of 1912."

His Honour the President :—

"Except one section the other sections have been repealed ?"

The Hon'ble Mr. Shadi Lal :—

"I understand, Your Honour, that except section 2 all the other sections have been repealed."

The Hon'ble Mr. Barron :—

"As that section has not been repealed in the present Bill, I think that the Council is not going beyond its functions if it is proceeding under the proviso to section 5 of the Councils Act, 1892. That is a clerical mistake, and I think can be set *right* by subsequent assent if the Bill is passed and agreed to by the Governor-General in Council."

The Hon'ble Mr. Shadi Lal :—

"I do not intend to press my point which I have placed before the Council, but with the little knowledge of law I have, I must say that if you pass this Bill, it will be *ultra vires*, I am sorry to say. One thing is clear that you do repeal an Act of the Imperial Council and it is a matter of absolute indifference for the purposes of the law if the Act which you repeal is subsequently in this Bill. All the same you do repeal an Act of the Imperial Council, you make it a provision of the Local Council Bill, but all the same an Act of the Imperial Council is repealed and for that purpose the sanction of the Governor-General in Council is absolutely necessary. You cannot get over it by saying that we are incorporating the provisions of that Act in the present Bill. That has nothing to do with the present Bill. You may as well say you are repealing Act XVIII of 1884 and you are incorporating the provisions of that Act in the present Bill and therefore there is no necessity of obtaining the sanction to the repeal of that Act or any other Act. My point is that an Act is repealed and brought down from the high status of an Act of the Imperial Council to a lower status, if I may say so, of an Act of the Local Council which can always amend or repeal it as it likes. My further point is that the Hon'ble Member is not right in saying that the proviso to section 2 of Act XXV of 1899 has been embodied in clause 39 of this Bill. No doubt most of the matters which are dealt with in the proviso to Act XXV are here, but there are important changes in the proviso which has found a place in the present Bill. One important change is this that under the Act of 1899 the proviso enacted that appeals from the decrees of Munsifs and Sub-Judges will be transferred to the District Judge, but under the present proviso appeals from the decrees of Munsifs will lie to the Sub-Judges. This is an important point. Then of course you are changing the terminology by using the word 'District Judge' for the word 'Divisional Judge.' This is an important matter. Under the old proviso appeals from all orders or decrees passed by any Munsif or Sub-Judge were preferred before such District Judge as was mentioned in the notification. Under the present proviso decrees passed in an original suit by any Munsif shall be preferred to a Sub-Judge. This is a material change because the appeal shall be preferred not to the District Judge but to the Sub-Judge. But for the purposes of my argument it is not necessary for me to insist on that change at all. And I beg to assure Your Honour and the Members of this Council that I am reluctant to put it forward, but I consider it my duty to bring it to the notice of the Council. The Hon'ble Member further referred to section 5. I have already mentioned that it is a question for the consideration of the Council whether that proviso can help at all, but I have pointed out that proviso refers to cases where nobody ever considered that an Act of the Imperial Act is going to be amended or repealed and everything has passed off without anybody noticing it. Ultimately after the Governor-General in Council has given his assent it is discovered that a flaw is there, but surely on account of that flaw alone the Act has not become invalid. It is far from saying that when you do know that there is this defect you may intentionally drive a coach and four through all the substantive provisions of section 5. Therefore I beg to submit that your Act will certainly be *ultra vires*, and if you rely on the proviso in that way, I fail to see what the use of section 5 of the Indian Councils Act is if in every possible case the Governor-General in Council has subsequently to give his consent to any Act passed by the Local Legislature, and if you rely on that, what is the necessity of saying that no Act of the Imperial Council can be repealed or amended without the previous sanction of the Governor-General in Council. It is only with the previous sanction and not otherwise that you can repeal or amend an Act of the Imperial Council. Therefore, though I do not wish to repeat, I am sorry to say that if you proceed to consider the Bill and pass it, our action will be altogether *ultra vires*."

[*Mr. Barron; Mr. Shadi Lal; His Honour the President.*]

The Hon'ble Mr. Barron :–

"In the letter of the Government of India giving sanction for the introduction of this Bill I find that they draw attention to one or two other Imperial Acts in which consequential amendments might be necessary because of this Bill. They finish their letter by asking :—

"In this connection I am to request that a complete examination may be made of the consequential amendments needed in other enactments that may be similarly affected."

"I take it that after writing it the Government of India had not the remotest idea that this clerical error should cancel the sanction given to proceeding with this legislation. They thereby implied any other consequential or other amendment which might be discovered or found necessary to give effect to the Bill which was sent to them for sanction. Alterations in clause 39 to which the Hon'ble Member refers were in the Bill as submitted to the Government of India and have been seen by the Government of India. I think this general sanction given in their letter to the repeal or amendments of any other Act which may be necessitated by this Bill covers this case."

The Hon'ble Mr. Shadi Lal :—

"The provision of the letter has nothing to do with Act XXV of 1899. In the original Bill sent to the Government of India it was pointed out that as we are going to use the term Sub Judges in place of District Judges, it will be necessary to amend certain sections of the Land Revenue Act. And the Government of India points out that when you are going to amend certain sections of the Punjab Land Revenue Act there appear to be other Acts also in which similar amendments must be made, *e.g.*, the Punjab Tenancy Act. They therefore pointed out that all Acts of the Local Legislature and other Acts should be thoroughly scrutinised, and any other consequential amendments needed in other Acts on account of this difference in terminology should be carefully examined. Surely this is far from saying that you can amend Act XXV of 1899, which is an Act of the Imperial Council. This is not a question of terminology at all. It is a question of repealing that Act and that implied sanction has no application to the present case. The instructions of the Government of India are absolutely clear. They require that the sanction must be expressly applied for and must be expressly given."

His Honour the President :–

"I do not wish that in a matter of this kind you should go further than the Government of India letter. There is no doubt that the point is a very technical one, I should think perhaps the best course is to proceed with the Bill and with the discussion of the amendments, and bring this irregularity to the notice of the Government of India and leave it to the Government of India if they think it necessary to raise this point afterwards.

"The sanction which we asked the Government of India for was 'that sanction of the Governor-General in Council be given to the repeal of Act XVIII of 1884 *as amended up to date*'—that includes Act XXV of 1899 – and to the substitution of the present Bill to be passed by the Provincial Legislative Council. We asked for general sanction to repeal Act XVIII of 1884 as amended up to date. That included all amending Acts, I take it, unless specially specified."

The Hon'ble Mr. Shadi Lal :—

"Your Honour,—As I have explained I have most reluctantly put this before the Council. On general grounds I think it necessary that the motion should be placed before the Council."

His Honour the President :—

"The motion before the Council is whether, in view of this technical irregularity as pointed out by Mr. Shadi Lal, we should proceed with the consideration of the Bill, and whether we should consider that the sanction of the Governor-General in Council in giving sanction to repeal Act XVIII of 1884 as amended up to date and the substitution of the present Bill therefore covers the amendment and repeal of Act XXV of 1899 which was an Act amending Act XVIII of 1884."

The motion was put to the Council and carried.

The Hon'ble Mr. Barron :—

"I am prepared to accept Mr. Shadi Lal's amendments—

(1) That in clause 6—

(*a*) the words "or revision" after the word "appeal" be added ;

(*b*) the words "in the territories to which this Act extends" be omitted.

(2) That in clause 7 the words "in the said territories" be omitted.

(3) That in clause 9 (*a*), between the words "Procedure" and "or" the words "or section 49 of this Act" be added.

"The original wording is the wording of the old Act and these amendments are an improvement."

The amendments were put and agreed to.

The Hon'ble Mr. Barron :—

"I think the Council might like to hear the Hon'ble Member's reasons for moving an amendment to clause 14."

The Hon'ble Mr. Shadi Lal :—

"The fourth amendment that to clause 14 the following sub-clause be added :—

'(2) The Chief Judge of the Chief Court or a Judge of the Chief Court appointed by him shall from time to time visit and inspect the proceedings of the court subordinate to the Chief Court and shall give such directions in matters not provided for by law as may be necessary to secure the due administration of justice.'

"This amendment Your Honour, makes it obligatory on the Chief Court to inspect the subordinate courts. In the present Punjab Courts Bill there is no substantive provision requiring a Judge of the Chief Court to visit and inspect the subordinate courts. I am sure the Hon'ble Members will agree that the inspection of subordinate courts by the Hon'ble Judges of the Chief Court is necessary in the interests of justice. That is a matter I think which is beyond controversy. There are various matters in which a visit and inspection of the subordinate courts by a Judge of the Chief Court may prevent those courts from falling into certain errors which have to be rectified subsequently, for prevention is better than cure. Under these circumstances, it seems to me to be absolutely necessary that a Judge of the Chief Court should inspect and visit the subordinate courts. I understand that

in other Provinces a Judge of the High Court or a Judge of the Chief Court in Lower Burma does inspect lower courts and does perform the duties which are contained in the clause which I wish to add. The wording of the clause is taken from section 18, sub-clause (2), of the Lower Burma Act, 1902. I have adopted the *ipsissima verba* of that section. At the time when that Bill was before the Imperial Council, and even at an earlier stage in the Select Committee, the Hon'ble Sir Denzil Ibbetson who as Home Member was in charge of that Bill said that sub-clause (2) to section 18 was the most important provision in the Bill and he attached a great deal of importance to it. The Hon'ble Mr. Smeaton who was the official representative of the Burma Council also endorsed the opinion of Sir Denzil Ibbetson and attached a great deal of importance to the visits to and inspection of courts by a Judge of the Chief Court periodically, and this clause was carried with the unanimous sanction of the Imperial Council. I propose that a similar amendment be made in the present Bill, and I do not want to say anything further, and I hope the Hon'ble Member in charge will agree that it is a salutary principle which I have advocated."

The Hon'ble Mr. Barron :—

"I only asked the Hon'ble Member to give his reasons for proposing this amendment, so that I might have an opportunity of explaining to the Council that even under the present rules the Hon'ble Judges of the Chief Court have hitherto been inspecting their subordinate courts. Under clause 14 even as it stands at present the general supervision and control over all the subordinate courts shall be vested in the Chief Court. I was myself once present at an inspection of a subordinate court by the Hon'ble the Chief Judge of the Chief Court. I have no intention of opposing this amendment if the Council thinks it necessary. But I hope the Hon'ble Members will not entertain the wrong impression that the Hon'ble Judges of the Chief Court have not been inspecting their subordinate courts so far."

The Hon'ble Mr. Shadi Lal :—

"I am fully aware that some time ago—some 3 or 4 years ago—one of the Hon'ble Judges of the Chief Court did go for one or two days to a lower court, but I am sure the Hon'ble Member in charge of the Bill will agree with me in saying that this is hardly the inspection contemplated by the present clause, and hardly the inspection which is contemplated by the Lower Burma Courts Act. It must be a periodical inspection, an inspection once at least in 5 or 6 years."

The amendment was put and agreed to.

The Hon'ble Mr. Shadi Lal :—

"The next amendment is that in clause 15 (*f*) for the word 'searches' the word 'inspection' be substituted. There are various sub-clauses under that clause, and one of the clauses provides for the legal procedure in cases where a person is entitled to inspect a record or obtain a copy of the same and prescribes the fees payable by such persons for searches and copies. I am inclined to think that the word 'searches' is here wrong. What was intended is clearly shown by the previous part of that clause that in cases where a person is entitled to inspect a record he has to pay an inspection fee. That has been the practice of all the courts all along and the word 'searches' is likely to give one an idea that he is entitled to go to any court and inspect and search all sorts of records there. I do not think any court will allow that. If anyone wants to inspect a particular record, he has to mention it and sanction is given by court that he can do that, but not otherwise. I am not particular about this amendment, but I consider this would be an improvement and therefore I put it before the Council."

[*Mr. Barron ; Sardar Gajjan Singh ; Mr. Thompson ; Mr. Shadi Lal.*]

The Hon'ble Mr. Barron :—

"If the Hon'ble Member is not very particular about the word 'searches,' we should let it stand as it is. This was the word used in the old law and we are not altering it It is a wider word than 'inspection.' So that if there is no objection, we might let the word stand."

The Hon'ble Sardar Gajjan Singh :—

"I think that the word 'searches' is most essential for instance ; a man wants to inspect a file, but he does not remember the date, he does not know the name of the place. He must inspect the file, and will apply for inspection and then some fees for the searches by a ministerial officer of the record or by an officer in charge of the record room will be levied. I submit therefore that this word is essential and should be allowed to stand."

The Hon'ble Mr. Thompson : —

"I was just going to say very much the same that has fallen from the lips of the Hon'ble Sardar Gajjan Singh. As a matter of fact, in record rooms in district offices the inspection fee is quite a separate thing from the search fee. Inspection fee is levied in all cases where a record is easily obtained, but as a matter of fact as Sardar Gajjan Singh has said in a very large number of cases utterly inadequate particulars are given in regard to files to show where the desired document is, and the result is that searches often last for three or four days before the necessary document can be found. I agree with the Sardar Sahib that in cases like that it is very essential that the courts should have power to levy a fee for searches over and above what has been levied for inspection."

The Hon'ble Mr. Shadi Lal :—

"I understand from the Hon'ble Mr. Thompson that what he intended is that there should be not only 'searches' but 'inspections' as well. If this is so, with Your Honour's permission I would like to amend my amendment and add the word 'inspection' between the words 'searches' and 'copies.'"

The Hon'ble Mr. Barron :—

"I am prepared to accept the alteration. It will then read 'searches, inspections and copies'."

The amendment was put and carried.

The Hon'ble Mr. Barron :—

"I accept the Hon'ble Mr. Shadi Lal's amendment that in clause 15 (*f*) for the words 'Courts subject to its superintendence' the words 'Subordinate Courts' be substituted."

The amendment was put and agreed to.

The Hon'ble Mr. Shadi Lal :—

"My next amendment is that the proviso to clause 26 (2) be omitted. Under that proviso the Munsif will be given power to try suits up to the value of Rs 2,000, if the suits are not land suits. This is a matter of principle and makes a departure from the law which now obtains. The Hon'ble Member in charge of the Bill while introducing the Bill said that the object of the present Bill was to give effect to the scheme of District and Sessions Judges and make some consequential changes here and there. But here it is not a matter which deals with the District and Sessions Judges' scheme ; it is clearly a change in principle. There is an important principle involved and higher power is going to be conferred upon Munsifs. At present a Munsif can try suits up to the value of Rs. 1,000, but under the new proviso the Local Government will have the power to invest individual Munsifs with power to try suits up to the value of Rs. 2,000. This change is

being introduced without any justification. The new proviso is taken from the United Provinces and Bengal Courts Act. In the Statement of Objects and Reasons there is no explanation why the change is going to be introduced into this Province, but I presume that the change is taken from the above-mentioned Courts Act. If this is so, there is a great deal of difference between the Munsifs in this Province and those in Bengal and the United Provinces. In the first place, the Munsifs in Bengal and the United Provinces are without any exception taken from the ranks of the Bar and they are all Graduates in Law and Graduates in Arts and Sciences. None of them are taken from the Amla or clerical staff. All of them are members of the Bar who have done some practice for a few years and have been selected by the High Courts after they have proved their worth. Here as the Hon'ble Members are aware, I admit some of the Munsifs are able men and recently some men have been taken by competition who are graduates and very able men, and there has been some improvement; at the same time it will be conceded that a large number of our Munsifs are far from being competent to deal with these cases of the value of Rs. 2,000. Secondly, the Munsifs in Bengal and United Provinces begin with Rs. 200 and then get Rs. 300 and rise to Rs. 450. Here they begin with a salary of Rs. 175 and the maximum is Rs. 250. Thirdly, the Munsifs in those Provinces are members of the Provincial Judicial Services, while the Munsifs here belong to the Subordinate Judicial Service. There is a great deal of difference between the Munsif here and there. As a matter of fact, the Munsifs in those Provinces correspond to what are administratively called Sub-Judges here. Therefore if I may be allowed to say so the similarity between the Munsifs of Bengal and United Provinces and the Munsifs in the Punjab is as between chalk and cheese. It seems to me therefore that if you are going to invest them with higher powers, it is assuming that they are in point of status and in point of knowledge of law equal to the Munsifs of Bengal and United Provinces. I therefore submit that the proviso be now omitted."

The Hon'ble Mr. Muhammad Shafi:—

"As I too have sent an amendment to this effect, I crave Your Honour's permission to say a few words in support of the amendment so that it may not be necessary for me to move the same amendment a second time. Some time ago I put a question in the Imperial Council asking for information as regards the difference of pay and grading in the Munsifs in other Provinces as compared with the Munsifs in the Punjab and subsequently in the budget debate the year before last I invited the attention of the Hon'ble the Chief Secretary to the difference in the pay of the Munsifs in this Province as compared with the emoluments of the Munsifs in the other Provinces as revealed in the answer given to my question in the Imperial Legislative Council. At a subsequent meeting of this Council the Hon'ble the Chief Secretary informed us that the reason for the difference in the emoluments lay in the difference in the duties and functions which the Munsifs in this province discharge as compared with those discharged by them in the other Provinces. Well, Sir, it is somewhat anomalous that our legislature should seek to invest the Munsifs in this province with the same power which the Munsifs exercise in the other Provinces, although the Munsifs here receive much lower emoluments than those given in the other Provinces. The question of emoluments is one which is very pertinent in such matters. Every officer receiving a much higher pay is more above temptation than officers enjoying less pay. Without making any general attack or any particular attack upon the integrity of the Munsifs in this Province, I believe that the correctness of this observation must be admitted. Apart from the grounds which the Hon'ble Mr. Shadi Lal has given in support of this amendment there is one further point to which I wish to invite the attention of this Council—Is this change at all necessary, apart from the inadvisability of this change? Surely the number of Sub-Judges of the lower and higher grades in this Province is quite sufficient to cope with the work

connected with the adjudication of suits of the value exceeding Rs. 1,000. When you have higher grade officers in the Province in sufficient numbers to dispose of these cases, where is the necessity to seek to invest officers of lower grades with the same jurisdiction. It seems to me that on all these grounds, that is to say, upon the grounds that it is inadvisable and also upon the ground that it is entirely unnecessary, this amendment moved by my Hon'ble friend and by myself ought to be accepted and the proviso ought to be omitted from the clause."

The Hon'ble Mr. Barron :—

"Your Honour,—The Hon'ble Members who have supported this amendment have spoken as if under the proviso every Munsif will be invested with the powers to try suits of this nature. They have not said anything about the safeguards which exist in the same clause, which runs as follows :—

'Provided that the Local Government may on the recommendation of the Chief Court direct by notification in the official Gazette with respect to any Munsif named therein that his jurisdiction shall extend to small causes and unclassed suits of such value not exceeding two thousand rupees as may be specified in the notification'.

"The extended jurisdiction is only to be given to selected Munsifs who have been recommended to the Local Government by the Hon'ble Judges of the Chief Court. First of all, the Chief Court recommends and then the Local Government must accept that recommendation. I am very glad to hear from the Hon'ble Mr. Shadi Lal that our staff of Munsifs has been improving, and we hope that the improvement will continue and we shall have better men in the Munsif's line. There are many Munsifs at the present moment who are fit to be entrusted with these powers, and we can hope that in the course of 5 or 10 years there will be a larger number of such men than they are at present. As we cannot expect the Council to take up this matter so soon again, we have now tried to bring about this small improvement in the jurisdiction of the Munsifs. I may mention another point that when the jurisdiction of Munsifs was extended to Rs. 1,000 in 1884 which was very nearly 30 years ago the suits then valued at Rs. 1,000 are probably now over Rs. 2,000 in value.

"I can say from the point of view of Government that we have several experienced and senior Munsifs in the service who are perfectly fit to try suits of this kind of value exceeding Rs. 2,000. When they are promoted, as several of them are in the course of years, to Extra Assistant Commissionerships they become Sub-Judges and the value of their jurisdiction at once goes up to Rs. 5,000. An old experienced Munsif is very often made a Sub-Judge of the first grade very soon after his selection for the post of Extra Assistant Commissioner. For these reasons I oppose the amendment, and consider that the proviso will be useful, if not immediately, at any rate, in a few years' time".

The Hon'ble Mr. Thompson :—

"I perfectly agree with everything that has just been said by the Hon'ble Member in charge. When I first entered the Judicial line nothing struck me more than the amazingly good quality of the work turned out by the best Munsifs. I heartily agree with what Mr. Barron has said that many of our Munsifs—and it is only the selected Munsifs whom Government will invest with these special powers—are amply qualified to decide small causes and unclassed suits to the value of Rs. 2,000. I think that the Government would be making a great mistake if it refused to take power to utilise these admirable tools who are well fitted to decide suits of greater value than Rs. 1,000. There is another point which I might mention—Munsifs at the present time do decide a very large number of suits that are most important, and in many of the cases that come before them the value of the property in dispute is a great deal

[*Mr. Shadi Lal ; His Honour the President ; Mr. Barron ; Mr. Maynard ; Rai Bahadur Hari Chand ; Mr. Muhammad Shafi.*]

more than Rs. 1,000. I need hardly say I refer to land suits in which owing to the artificial system of value for purposes of jurisdiction the land is valued at only 30 times the land revenue, whereas we all know that the land sells for at least a hundred times the land revenue assessed upon it."

The Hon'ble Mr. Shadi Lal :—

"Your Honour,—I wish to make one remark with reference to the Hon'ble Mr. Thompson's remark as regards the value of land suits. I may point out that when the Punjab Courts Amendment Bill was discussed in the Council I pointed out that where the technical value was Rs. 2,000, the market value might be Rs. 5,000 or Rs. 6,000. Unfortunately at the time the official Member in charge of the Bill did not accept my argument, and now the same argument is produced against me. It is most anamolous that in this Province—it is not the case in other Provinces—30 times the land revenue is taken to be the actual value of the land in dispute."

His Honour the President :—

"That shows the liberality of the Punjab system of assessment."

The Hon'ble Mr. Shadi Lal :—

"As regards the other point, I may point out that I am fully aware of the safeguards which are contained in the proviso. Those safeguards are also in the Bengal Act. My contention is that these powers should not be taken under this proviso. If you find a good Munsif who should have enhanced powers, notify him as Sub-Judge, why call him Munsif at the same time while giving him the powers of a Sub-Judge under this proviso? If you notify him as Sub-Judge, he will in that case not only exercise these enhanced powers, but he will get all the Sub-Judge's powers.

The Hon'ble Mr. Barron :—

"That would happen only if there were a vacancy amongst the Sub-Judges, to which he could be promoted, but not otherwise."

The Hon'ble Mr. Maynard :—

"May I say one word? There appears to be a misapprehension as to the meaning of the word 'Munsif' in this discussion. I think the word 'Munsif' was intended to apply to a particular class of men who are known as Munsifs by the people and who generally belong to the Provincial Service. I think the word Munsif used in this Act would include Assistant Commissioners and Extra Assistant Commissioners who are invested with these powers, and would extend to a large class of men, to whom the description given by the author of the amendment does not apply at all."

The Hon'ble Rai Bahadur Hari Chand :—

"As the Hon'ble Mr. Maynard has pointed out, we have got some Extra Assistant Commissioners who have worked as Divisional Judges for a year or so, and there are other Assistant Commissioners who are invested with powers to try suits up to Rs. 1,000. As the intention of the proviso is that only selected persons will be invested with these special powers, there can be no objection why power should not be taken by the Chief Court to invest selected persons with these powers."

The Hon'ble Mr. Muhammad Shafi :—

"If I am not mistaken, there are no longer any Extra Assistant Commissioner Munsifs. In the constitution of the Judicial Service at present

Extra Assistant Commissioners exercising civil powers are called Sub-Judges of the first or second class."

His Honour the President :—

"There are many Assistant Commissioners who are Munsifs."

The amendment was put to the Council and lost.

The Hon'ble Mr. Barron :—

"I accept the following amendments of the Hon'ble Mr. Shadi Lal :—

That in clause 28 (1) the words 'and may withdraw or suspend the exercise of any powers so conferred' be omitted

That in clause 28 (4) the words 'shall be called special Judges and such persons' be omitted."

The amendments were put and agreed to.

The Hon'ble Mr. Shadi Lal :—

"The present power as Small Cause Court given to Munsifs was to try suits of the value of Rs. 100 or less. It is proposed now to enhance their jurisdiction to Rs. 250. If the Hon'ble Member in charge of the Bill is not prepared to accept the amendment that in clause 29 'one hundred' be substituted for 'two hundred and fifty,' I am not going to press it."

The Hon'ble Mr. Barron :—

"The same arguments apply to it."

The Hon'ble Mr. Shadi Lal :—

"In view of the decision in connection with the amendment with regard to the omission of clause 26 (2), I withdraw it."

The Hon'ble Mr. Shadi Lal :—

"My next amendment is that in clause 30 the words 'or Munsif' be omitted in four places Clause 30 provides that the proceedings under the Special Acts mentioned in its sub-clauses will in the first instance be taken up by the District Judge, as they are done in the other Provinces, but power is given to delegate these duties to Sub-Judges, not only to Sub-Judges, but also to Munsifs. Consider the effect of that. There is a suit under the Indian Succession Act which deals with the succession of a large amount of property or there is a probate of a will, and the property to be disposed of may be worth Rs. 25,000. All these cases can be disposed of under this section by a Munsif whose jurisdiction in ordinary cases is confined to Rs. 1,000 or under the special proviso to Rs. 2,000. In the same way cases under the Probate and Administration Acts and cases under the Guardians and Wards Act can be decided by Munsifs under this clause. All these are very important cases : sometimes intricate questions of law arise. It seems to me rather giving very enhanced powers to the Munsifs when you ask them to decide cases under these Special Acts. These Special Acts are very important ones, and in other Provinces ordinarily all these matters are decided by a District Judge or by a Sub-Judge, and the Munsifs, as far as I understand, cannot decide them. But this is not the only argument which I have to mention in this connection. If the Hon'ble Members will look at section 41 they will find that an appeal from an order of a Munsif in any case or proceedings transferred under section 30 shall lie to the District Judge. Now take a concrete case A Munsif disposes of a matter under the Guardians and Wards Act or under the Probate and Administration Act ; his final judgment according to the definition given in the Civil Procedure Code will be equal to an

order and not a decree. Now that order according to section 41 will be appealable to the District Judge, and the order of the District Judge on the appeal will be final not only on facts but I may point out in law as well, because under the Punjab Courts Act there is a second appeal only from decrees and there is no second appeal from orders. Therefore if the District Judge makes a mistake of law, the Chief Court cannot interfere with that order because there is no second appeal and it cannot be interfered with on the revision side. Therefore when a mistake of law is made by the District Judge hearing an appeal from the order of Munsif under one of these Special Acts the order of the District Judge is final and cannot be revised. I therefore strongly propose before the Council that these enhanced powers should not be given to the Munsifs, and there are no special circumstances in justification of it."

The Hon'ble Mr. Barron :—

"In view of the remarks by the Hon'ble Member, especially with reference to the course of appeal, I accept the amendment."

The amendment was put to the Council and carried.

The Hon'ble Mr. Shadi Lal :—

"From this it follows that clause 41 will be omitted."

The Hon'ble Mr. Barron :—

"I accept the following amendments :—

(*a*) That in clause 30 (4) the words 'subject to the provisions of section 41' be omitted.

(*b*) That in clause 34 the word 'proper' be omitted.

(*c*) That in clause 39 (1) (*a*) the words 'or in any proceeding arising out of which' be omitted.

(*d*) That clause 41 be omitted."

The amendments were put and carried."

The Hon'ble Mr. Shadi Lal:—

"There is one small matter which I wish to mention. In clause 14 an amendment has been carried out which deals with the inspection of subordinate courts. That would be sub-clause (2), I understand. Therefore the earlier portion of clause 14 will be sub-section 1."

The Hon'ble Mr. Muhammad Shafi :—

"At a meeting of the Chief Court Bar Association held on Monday, the 15th instant, attended by 27 members, a resolution was adopted desiring me as their Vice-President to propose on their behalf the amendment to clause 4 which stands in my name. The amendment, as the Hon'ble Members will see, runs as follows : —

> That in clause (4), first paragraph, 'at least one shall always be a Barrister of not less than five years' standing and another Barrister or Pleader of like standing' be substituted for 'two at least shall always be Barristers of not less than five years' standings.'

"The object with which the Association had proposed this amendment is self-evident and needs no further elucidation at my hands. It is my duty to mention to the Hon'ble Members that on the following day, that is to say, on Tuesday, the 16th, a meeting, consisting of 31 practising Barristers, resolved that the Council should be asked to pass the original provision in the Bill as it now stands without that amendment at all. So far as my own position as regards the amendment of which I have given notice is concerned, it is somewhat

analogous to the position of an official Member who is sometimes bound to vote against his own inclination. Be it as it may, I have proposed this amendment as a mandatory of the Association."

The Hon'ble Sardar Gajjan Singh:—

"Your Honour,—As a representative of the Pleader section of the Bar, if I may say so, I think it is my duty to support the amendment which has been proposed by the Hon'ble Mr. Muhammad Shafi. The past experience has amply shown that the Pleaders have proved to be the best Judges of the Chief Court. I may mention without fear of contradiction the names of Sir P. C. Chatterjee, Lala Lal Chand and Pandit Ram Narain, all of whom belonged to the Pleader section of the Bar. I fail to see when the primary object of Government is to give two Judgeships of the Chief Court to the members of the Bar why there should be any distinction that they should be confined to the practising Barristers and not to the Pleaders. It is a matter of everyday experience as to which the Hon'ble Members of this Council who have worked as judicial officers can give their testimony that the Pleaders or at least a good many of them are as good lawyers as their Barrister brothers. Therefore I submit that justice and fairness require that when already experience has shown that the Pleaders have supplied the best Judges to the Chief Court, there is no reason why one at least of the two appointments should not go to the Pleader section of the Bar. With these remarks I submit that this amendment should be accepted.

The Hon'ble Rai Bahadur Bakhshi Sohan Lal:—

"I heartily support the proposal for the amendment moved by the Hon'ble Mr. Muhammad Shafi and seconded by the Hon'ble Sardar Gajjan Singh. I hardly think that it was intended to make such an important change without giving the Bill sufficient publication. Under the old law there was no such prohibition and the Charters of other High Courts do not provide any disabilities in the way of Pleaders or Vakils if raised to the bench as Judges of the High Court. There does not appear to be any reason why in the Punjab such disabilities should be provided for by the Legislature, especially when during the last 20 years at least the Pleaders have been tried as Judges of the Chief Court. There are Vakils and Pleaders on the benches of other High Courts. Under these circumstances, I urge that this distinction ought not to be created, and if it is the real intention, then the Bill ought to be given further circulation in the Province so as to bring it prominently to the notice of the public."

The Hon'ble Mr. Shadi Lal:—

"May I be allowed to correct one slight mistake which the Hon'ble Bakhshi Sohan Lal has made. Charters of other High Courts do distinctly lay down that a certain proportion of the strength of the Court shall be Barristers. The Charter of the Bengal High Court does lay down that at least one-third of the number on the bench shall be Barristers, one-third members of the Indian Civil Service, and as regards the remaining one-third, full liberty is given to Government to appoint either Barristers, members of the Indian Civil Service, members of the Provincial Civil Service or Vakils or Pleaders. There is no such provision that a certain number should necessarily be Pleaders or Vakils. I may further point out that under section 5 of the Lower Burma Courts Act, which is an Act of the Imperial Legislative Council applying to Lower Burma, it is laid down that the Chief Court shall consist of four or more Judges who shall be appointed by the Governor-General and of whom two shall always be Barristers of not less than five years' standing. Here again it is laid down clearly that there must be two at least Barristers. There is nothing said about the Pleaders. I have no desire to oppose the amendment, though in other High Courts it is distinctly laid down that a certain proportion must be Barristers."

The Hon'ble Mr. Barron:—

"I am afraid, Your Honour, I as Member in charge of the Bill must apologise to the Hon'ble Members of the legal profession for having brought them into opposite camps. The history of the change is as follows:—When the Punjab Courts Bill was submitted to the Government of India by the Punjab Government we pointed out that we were likely to have always more than five Judges in the Chief Court, and that we might as well say so in the Bill. So we altered the number in the beginning of the clause from three to five, that is to say, the clause ran as follows:—

'There shall continue to be a Chief Court consisting of five or more Judges.'

"The Government of India said that if we were going to have five Judges, it was a question whether there ought not to be two Barrister Judges instead of one as had already been provided. Then the word was altered to two, and we did not notice that it would shut out from appointment any one who was not a Barrister. There was no intention on the part of Government to put any obstacles in the way of appointment of Pleaders as Judges of the Chief Court, as we had already drawn from that class. I admit that the clause as it stands would undoubtedly narrow the field of selection. So that I am prepared to accept the amendment, provided the Mover will add the words, "or Advocate of the Chief Court." The amendment would then read thus:—

'At least one shall always be a Barrister of not less than five years' standing and one shall be a Barrister or Pleader of the like standing or an Advocate of the Chief Court.'

The Hon'ble Mr. Muhammad Shafi:—

"I am prepared to accept the amended wording which is now proposed by the Hon'ble Member in charge.

"Your Honour,—I would just like to say a few words in order to dispel the misapprehension in the mind of the Hon'ble Bakhshi Sohan Lal that the original draft of the Bill as it is now before the Council seems to debar Pleaders from the Chief Court Judgeships.

"Even the original Bill as it now stands does not really debar the Pleaders from becoming Judges of the Chief Court. What the original draft says is this that out of the 5 Judges 2 at least shall be Barristers. Now we all fully recognise that one European Barrister Judge on the bench of the Chief Court ordinarily is a necessity. We further contend that one Indian Barrister Judge on the bench of the Chief Court is also a permanent necessity. From that it does not follow that when there are 7 Judges on the bench of the Chief Court instead of 5 that one of the two additional Judges cannot be a Pleader. He can always be a Pleader, and the Chief Court as at present constituted, that is to say, a Court of 7 Judges, makes ample provision for including one Pleader also. The original draft does not really shut out Pleaders from appointment as Judges of the Chief Court, and in view of the desirability of having wider field for selection, I accept the further amendment proposed by the Hon'ble Member in charge of the bill, and I hope the Council will now adopt it unanimously."

The Hon'ble Khan Bahadur Khwaja Yusaf Shah:—

"Before the amendment is put I would ask the Hon'ble Member whether in the case of Pleaders the same period or an enhanced period of more than 5 years' standing would be necessary."

The Hon'ble Mr. Shadi Lal:—

"It is only permissive. It does not bind the Local Government or Government of India."

The Hon'ble Mr. Barron :—

"If the Council thinks that the period should be raised, I would agree."

His Honour the President :—

"I gather there are some Advocates who are neither Pleaders nor Barristers."

The Hon'ble Mr. Shadi Lal :—

"There are Advocates who are neither Pleaders nor Barristers; for instance, Mr. Parker who is neither a Pleader nor Barrister."

The following amendment was put to the Council and carried :—

> That in clause (4), first paragraph, the words "at least one shall always be a Barrister of not less than five years' standing and one shall be a Barrister or Pleader of the like standing or an Advocate of the Chief Court" be substituted for the words "two at least shall always be Barristers of not less than five years' standing."

The Hon'ble Mr. Muhammad Shafi :—

"As regards the next amendments, in view of the fact that clause 41 has been omitted and the course of appeal will remain as hitherto, and in view of the fact that part of my amendment, that is to say, omission of the words 'or Munsif' has already been accepted, I do not propose to press the remaining portion of my amendment, for this reason that the course of appeal will remain as now and the change which section 30 contemplates is only to invest selected Sub-Judges with these powers, I think the remaining portion need not be pressed. Therefore I beg permission to withdraw my amendments—

(*a*) that the proviso to sub-clause (2) of clause 28 be omitted;

(*b*) that in clause 30, sub-clauses (1), (3) and (4), the words 'of the highest class' be added after the words 'Subordinate Judge' and the words 'or Munsif' be omitted.

The amendments were withdrawn

His Honour the President :—

"I am advised that the following amendments—

(1) That in the place of clause 39, sub-clause (1), the following be substituted :—

'(*b*) to the Chief Court in any original suit of value exceeding five thousand rupees or involving directly some claim to or question respecting property of like value.'

(2) That clause 42, sub-clause (3), together with its provisos, be altogether omitted.

(3) That in case the preceding amendment is not accepted, sub-clause (3) be enacted not as an independent sub-section but as a proviso to the preceding sub-sections, substituting the word 'provided' in the place of 'notwithstanding anything contained in sub-section (1) of this section' and adding 'also' after 'provided' in what is now the first proviso to the sub-clause.

(4) That the words 'validity or' be omitted from clause 40, sub-clause (3).

standing in the name of the Hon'ble Mr. Muhammad Shafi are out of order, as these amendments propose substantive changes in the law of appeal, and that is not a matter touched by the present Bill, the Bill being confined to changes due

to the introduction of the scheme of District and Sessions Judges. It is a Bill for the consolidation of the previous Punjab Courts Act, and besides this there are only minor changes and some improvements in drafting. The question of revising the old law of appeal is a very wide one and is not now before the Council as the Hon'ble Member in charge of the Bill informed us in his opening remarks. I accordingly rule these amendments out of order."

The Hon'ble Mr. Barron :—

"I accept the amendment that clause 40, sub-clause (1), be amended as follows :—

'(1) A District Judge may transfer any appeals pending before him from the decrees or orders of Munsifs to any Subordinate Judge under his administrative control competent to dispose of them.'

"The next amendment that clause 41 be omitted has already been accepted."

The Hon'ble Mr. Muhammad Shafi :—

"May I, with reference to this amendment just accepted by the Hon'ble Member in charge of the Bill, suggest a verbal amendment. Instead of the expression 'any appeals pending before him from the decrees or orders of Munsiffs to any Subordinate Judge under his administrative control competent to dispose of them', it would be very much better if it were—

'Transfer any appeal (in the singular) ..... and "it" (instead of them)', because the phraseology in the two sub-clauses would be identical.

The Hon'ble Mr. Barron :—

"Under the clause as it stands at present the District Judge could pass a general order, whereas under the proposed amendment a separate order would have to be passed for each appeal."

The Hon'ble Mr. Muhammad Shafi :—

"I withdraw the suggestion."

The amendment was put and agreed to.

The Hon'ble Mr. Shadi Lal :—

"With Your Honour's permission, I would like to point out one verbal inaccuracy, if I may say so, in clause 39, sub-clause (4). Under sub-clause (2) an appeal from a decree or order of a Munsif shall lie to the District Judge, while under sub-clause (4) as it stands an appeal from a decree of a Munsif may lie to a Sub-Judge specially notified in this behalf, but an appeal from an order of the Munsif shall lie to the District Judge alone. I invite the attention of the Hon'ble Member in charge to the wording of this sub-clause (4). Even in clause 40 the words 'decrees or orders' occur. So I think there should apparently be words 'decrees and orders' in sub-clause (4) of clause 39."

The Hon'ble Mr. Barron :—

"I am afraid the present phraseology is only due to our desire to maintain as far as possible the wording of section 49 of the old Act. I do not see there is any objection to the altered wording."

The amendment was put and accepted.

The Hon'ble Rai Bahadur Bakhshi Sohan Lal :—

"In view of the decision on the Hon'ble Mr. Shadi Lal's amendments, I withdraw my amendment that sub-clause (*b*) of clause 30 (2) be omitted, and in view of the decision on the amendment of the Hon'ble Mr. Muhammad Shafi, I withdraw the amendment that sub-clause (3) of clause 42 including the proviso be omitted."

The Hon'ble Mr. Shadi Lal :—

"Your Honour,—One small matter struck me a short time ago and I think I should draw the attention of Your Honour and the Hon'ble Members of this Council to it before we pass this Bill. In Act I of 1912 (Punjab Courts Amendment Act) which amended the old law of appeal in this Province there was a section which increased the court-fees in land suits from 5 times to 10 times the land revenue, that is to say, the value for purposes of court-fees was fixed at ten times the land revenue. By that Act section 7, clause (5), of the Court Fees Act was amended and instead of the word 'five' the word 'ten' was substituted. Now the Punjab Courts Act, I of 1912, which amended that section of the Punjab Court Fees Act has gone, for we are repealing that Act; therefore that section which amended the Court Fees Act is also gone, and we get again the original section of the Court Fees Act and the value for the purposes of court fees will come back to 5 times the land revenue. I want to ask whether this is deliberately done. I am personally in favour of five times the land revenue. I consider it my duty to mention that matter if it is not deliberately done. Then I propose that the amendment should be to the following effect :—

> In sections 7, (*v*) (*b*), Indian Court Fees Act, 1870, for the word 'five' substitute the word 'ten'.

"Some of my friends think that I ought not to have pointed it out, and as a matter of fact, when the Punjab Courts Amendment Act was before this Council I opposed it, but it was passed, and I consider it my duty now to draw the attention of the Council to that matter, and if it is not a deliberate omission, I propose that the Indian Court Fees Act, 1870, be amended and the amendment I have proposed above carried."

The Hon'ble Mr. Muhammad Shafi :—

"Your Honour,—In connection with the amendment which my learned friend has now proposed, may I be permitted to move another amendment in that connection that the value of suits for purposes of jurisdiction should be 60 times the land revenue, if the value for purposes of court-fees is doubled."

The Hon'ble Mr. Barron :—

"I shall require a notice of that amendment. There was no intention of cancelling the amendment to section 7 of the Court Fees Act, 1870."

The Hon'ble Mr. Shadi Lal :—

"If is not a deliberate omission, then I propose the amendment."

The Hon'ble Sardar Gajjan Singh :—

"I consider that this is an unprecedented thing. It is ten times only in the Punjab ; in the other Provinces it is five times. I therefore submit that the matter has not been discussed properly in the previous Council. I therefore beg to oppose the amendment of Mr. Shadi Lal. I submit that the court fees should remain the same as it is, that is, it should be five times the land revenue, and no enhancement in court fees should be allowed by this Act."

The Hon'ble Mr. Muhammad Shafi :—

"In addition to what Sardar Gajjan Singh has said that the amendment which the Hon'ble Mr. Shadi Lal has proposed is an innovation, I would add one thing. It is really inequitable, if I may use that expression, that while the value of the suit for purposes of court fee is changed in this way, there should not be a corresponding change as regards the value of the suits for purposes of jurisdiction. It seems to me that the two changes should coincide. One change ought not to be introduced in this Council until and unless the other is introduced at the same time."

[*His Honour the President ; Lala Kashi Ram ; Mr. Barron ; Mr. Muhammad Shafi ; Mr. Shadi Lal.*]

His Honour the President :—

"I gather that that the amendment proposed by the Hon'ble Mr. Shadi Lal is only to maintain the present scale of court fees."

The Hon'ble Lala Kashi Ram :—

"I wish to say a few words in support of the Hon'ble Sardar Gajjan Singh. I think that we ought not to make the administration of justice any more expensive than it is in the other Provinces The Court Fees Act applies to the whole of India. We amended it only so far as the Punjab is concerned and have doubled the court fees, I submit that I put questions relating to the difficulties that there are in the way of people obtaining justice ; for instance, I drew attention to-day to the difficulties to the people owing to the Sub-Divisional system. This is another item which adds to the difficulties of the administration of justice. I submit that there is no reason whatever that so far as the Punjab is concerned we should be put upon a different footing from other Provinces. I therefore oppose the amendment of the Hon'ble Mr. Shadi Lal."

The Hon'ble Mr. Barron :—

"Your Honour, –The questions which are now being raised were fully threshed out in 1911 when Act I of 1912 was passed. All that Mr. Shadi Lal's amendment means is that the law as regards the court fees should continue unaltered. I think that the Council will be well advised to adopt the amendment."

The amendment was put to the Council and carried.

The Hon'ble Mr. Barron :—

"I beg to move that the Bill as amended to-day be passed."

The Hon'ble Mr. Muhammad Shafi :—

"In rising to support the motion which is now before the Council I crave permission to offer my humble congratulations to Your Honour's Government on the passing of an enactment which is calculated to bring our judicial system in this Province into line with the judicial system of other Provinces. But unfortunately the Punjab Courts Act does not go far enough. While it brings our original civil courts and our courts of first appeal into line with those courts in the other Provinces, I wish it had gone a step further and raised the status of the Punjab Chief Court to that of the High Court. But I trust that this step which we are taking to-day is preliminary to the step which I have suggested, that is to say, hereafter at no long distant date and within the period of Your Honour's tenure of office we shall see the other consummation brought about and the Chief Court raised to the status of the High Court. I assure Your Honour's Government and the Council that it is the unanimous wish of the entire population of this Province irrespective of caste and creed, and I trust that the time is not far distant when this wish of the people will be realised."

The Hon'ble Mr. Shadi Lal :—

"Your Honour,—I rise to say a few words in support of the remarks which the Hon'ble Mr. Shafi has made in connection with the question of raising the status of the Chief Court to that of the High Court. May I also be allowed to mention that I have taken a great deal of interest in the matter. In 1911 I proposed a resolution in this Council, and that resolution, if I may say so, was well received, not only by the non-official Members but also by the official Members and by Your Honour's distinguished predecessor, who promised to give his favourable consideration to the question. In view of that promise, I withdrew the resolution, although from time to time I asked questions in regard to this matter. For one year I have been quiet in connection with the question, for

the simple reason, if I may mention it, that to some extent I am personally interested in the matter. But as my friend has now mentioned it I may be allowed to say that I am in entire accord with the views put by him before Your Honour. I may be allowed to mention that every one in this Province, Hindu or Muhammadan or Christian, the entire press, Indian or Anglo-Indian, and the commercial community and others, and if I may be allowed to say so, the Local Government as Your Honour's distinguished predecessor last said in this Council, wished that the Chief Court should be raised to the status of a High Court. I hope Your Honour will kindly consider that the remarks which I am now making are quite apart from any personal considerations."

The Hon'ble Mr. Muhammad Shafi :—

"I can assure Your Honour that mine is an absolutely disinterested view.

The Hon'ble Mr. Barron :—

"I do not think I can say anything more than what I have already said in reply to a question put to-day in this Council on the subject of raising the status of the Punjab Chief Court to that of a High Court. As I have already explained this is a matter regarding which my lips are sealed.

"I now move that the Bill as amended be passed."

His Honour the President :—

"Before putting the motion to the Council I wish to make a remark or two. I think that the Council ought to be congratulated for having so speedily and at the same time so thoroughly gone through the large amount of discussion which this Bill entailed I am sure I am voicing the opinion of all the Members when I say how very much indebted we are to the Hon'ble Mr. Shadi Lal and the Hon'ble Mr. Muhammad Shafi, for the care and thoroughness with which they have scrutinised the provisions of the Bill and the great assistance they have rendered to our making the Bill clear and concise and an improvement on the Bill which it is designed to amend. The amendments which they have proposed have undoubtedly made the Bill a great improvement on what it was when originally drafted. I am very much obliged to the two gentlemen for the assistance they have given us. There were a few points which were likely to give rise to divergence of opinion, but I am glad to observe that by a spirit of compromise, of give and take, which I hope will always characterise the proceedings of this Council, those difficulties have been smoothly passed over. I have listened with much attention to the remarks made by the Hon'ble Mr. Muhammad Shafi and the Hon'ble Mr Shadi Lal on the subject of the constitution of a High Court for this Province. They have put the arguments and the feelings on the subject which exist in the Province among the various communities in an eloquent and forcible manner. As the Hon'ble Member in charge has already informed us, the matter is under discussion with the Local Government and the Government of India and therefore we are prohibited by the rules of Governmental correspondence from making any pronouncement on the subject. But I can assure the Hon'ble Members, official as well as non-official, that the matter will receive very careful consideration, and that I take note of the feelings of the Province on the subject as announced and brought to my notice in other ways.

"Now it only remains for me to put the motion before the Council."

The motion was put and agreed to.

ADJOURNMENT.

The Council adjourned *sine die*.

LAHORE :
The 29th December 1913.

S. W. GRACEY,
Secretary, Legislative Council, Punjab.

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