

THE
Punjab Legislative Assembly
Debates

From 26th October to 10th November 1942

Vol. XX

OFFICIAL REPORT



Lahore :

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1943

**PRINCIPAL OFFICERS OF THE PUNJAB LEGISLATIVE
ASSEMBLY**

Speaker

**The Hon'ble Chaudhri Sir Shahab-ud-Din, Kt., K.B., B.A., LL.B. (Sialkot
South, Muhammadan, Rural).**

Deputy Speaker

Sardar Bahadur Sardar Gurbachan Singh (Jullundur West, Sikh, Rural).

Secretary

Sardar Bahadur Sardar Abnasha Singh, Barrister-at-Law.

Deputy Secretary

Khan Bahadur Hakeem Ahmed Shujaa, B.A.

PUNJAB LEGISLATIVE ASSEMBLY

LIST OF MEMBERS

PREMIER

Lt.-Col. The Hon'ble Sir Sikander Hyat-Khan, K.B.E. (West Punjab, Land-holders).

MINISTERS

The Hon'ble Chaudhri Sir Chhotu Ram, Kt., B.A., LL.B., Minister of Revenue (Jhajjar, General, Rural).

The Hon'ble Sir Manohar Lal, Kt., M.A., Finance Minister (University).

The Hon'ble Malik Khizar Hayat, O.B.E., Minister of Public Works (Khushab Muhammadan, Rural).

The Hon'ble Mian Abdul Haye, B.A., LL.B., Minister of Education (South-Eastern Towns, Muhammadan, Urban).

The Hon'ble Sardar Baldev Singh, Minister of Development (Ambala North, Sikh, Rural).

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Mrs. J. A. Shah Nawaz, M.B.E., Education, Medical Relief and Public Health (Outer Lahore, Muhammadan Women, Urban).

Raja Ghazanfar Ali Khan, Revenue and Irrigation (Pind Dadan Khan, Muhammadan, Rural).

Chaudhri Tikka Ram, B.A., LL.B., M.B.E., Development (Rohtak North, General, Rural).

Rai Sahib Thakur Ripudaman Singh, B.A., Finance (Gurdaspur, General, Rural).

Shaikh Faiz Muhammad, B.A., LL.B., M.B.E., Local Government and Public Works (Dera Ghazi Khan Central, Muhammadan, Rural).

PARLIAMENTARY PRIVATE SECRETARIES.

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Sardar Jagjit Singh Man (Central Punjab, Land-holders).

Sir William Roberts, Kt., C.I.E. (European).

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Khan Bahadur Mian Mushtaq Ahmad Gurmani (Muzaffargarh North, Muhammadan, Rural).

Sardar Gopal Singh (American), M.B.E. (Ludhiana and Ferozepore, General—Reserved Seat, Rural).

MEMBERS

- Abdul Aziz, Mian (Outer Lahore, Muhammadan, Urban).
 Abdul Hamid Khan, Sufi (Ambala and Simla, Muhammadan, Rural).
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 Abdul Rahim, Chaudhri (Shakargarh, Muhammadan, Rural).
 Abdul Rahim, Chaudhri (South-East Gurgaon, Muhammadan, Rural).
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 Balwant Singh, Sardar (Sialkot, Sikh, Rural).
 Barkat Ali, Malik, M.A., LL.B. (Eastern Towns, Muhammadan, Urban).
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 Bhagat Ram Sharma, Pandit (Kangra West, General, Rural).
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 Bhim Sen Sachar, Lala, B.A., LL.B. (North-Western Towns, General, Urban).
 Chaman Lall, Diwan, B.A. (Oxon) (East Punjab, Non-Union Labour).
 Chanan Singh, Sardar (Kasur, Sikh, Rural).
 Dasaundha Singh, Sardar, B.A., LL.B. (Jagraon, Sikh, Rural).
 Deshbandhu Gupta, Lala (South-Eastern Towns, General, Urban).
 Dev Raj Sethi, Mr. (Lyallpur and Jhang, General, Rural).
 Dina Nath, Captain (Kangra South, General, Rural).
 Duni Chand, Lala (Ambala and Simla, General, Rural).
 Duni Chand, Mr., Barrister-at-Law (Lahore City, General, Urban).
 Duni Chand, Mrs. (Lahore City, Women, General).
 Faiz Muhammad Khan, Rai (Kangra and Eastern Hoshiarpur, Muhammadan, Rural).
 Faqir Chand, Chaudhri (Karnal North, General—Reserved Seat, Rural).
 Faqir Hussain Khan, Chaudhri (Tarn Taran, Muhammadan, Rural).
 Farman Ali Khan, Subedar-Major Raja (Gujar Khan, Muhammadan, Rural).

- Fatehjang Singh, Captain Bhai (South-East, Sikh, Rural).
- Fateh Khan, Khan Sahib Raja (Rawalpindi East, Muhammadan, Rural).
- Fateh Muhammad, Mian (Gujrat North, Muhammadan, Rural).
- Fateh Sher Khan, Malik (Montgomery, Muhammadan, Rural).
- ¹Fazl Ali Khan, Khan Bahadur Nawab Chaudhri Sir, O.B.E. (Gujrat East, Muhammadan, Rural).
- Fazal Din, Khan Sahib Chaudhri (Ajnala, Muhammadan, Rural).
- Fazal Karim Bakhsh, Mian (Muzaffargarh Sadar, Muhammadan, Rural).
- Few, Mr. E. (Anglo-Indian).
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- Ghulam Qadir Khan, Khan Bahadur (Mianwali North, Muhammadan, Rural).
- Ghulam Rasul, Chaudhri (Sialkot Central, Muhammadan, Rural).
- Ghulam Samad, Khan Sahib Khawaja (Southern Towns, Muhammadan, Urban).
- Girdhari Das, Mahant (South-East Multan Division, General, Rural).
- Gokul Chand Narang, Dr. Sir, M.A., Ph.D. (West Lahore Division, General, Rural).
- Gopal Das, Rai Bahadur Lala (Kangra North, General, Rural).
- Guest, Mr. P. H. (Punjab Commerce and Industry).
- Gurbakhsh Singh, Sardar (Batala, Sikh, Rural).
- Habib Ullah Khan, Malik (Sargodha, Muhammadan, Rural).
- Haibat Khan Daba, Khan (Khanewal, Muhammadan, Rural).
- Hari Chand, Rai Sahib Rai (Una, General, Rural).
- Hari Lal, Munshi (South-Western Towns, General, Urban).
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- Harjab Singh, Sardar (Hoshiarpur South, Sikh, Rural).
- Harnam Das, Lala (Lyallpur and Jhang, General—Reserved Seat, Rural).
- Harnam Singh, Captain Sodhi (Ferozepore North, Sikh, Rural).
- Het Ram, Rai Bahadur Chaudhri (Hissar South, General, Rural).
- Iftikhar Hussain Khan, Nawab (Ferozepore Central, Muhammadan, Rural).
- Indar Singh, Sardar (Gurdaspur North, Sikh, Rural).
- Jafar Ali Khan, Chaudhri (Okara, Muhammadan, Rural).
- Jagjit Singh Bedi, Tikka (Montgomery East, Sikh, Rural).
- Jalal-ud-Din Amber, Chaudhri, B.A. (West Central Punjab, Indian Christian).
- Jogindar Singh Man, Sardar, M.B.E. (Gujranwala and Shahdara, Sikh, Rural).
- Jugal Kishore, Chaudhri (Ambala and Simla, General—Reserved Seat, Rural).
- Kabul Singh, Master (Jullundur East, Sikh, Rural).
- Kapoor Singh, Sardar, B.A., LL.B. (Ludhiana East, Sikh, Rural).

¹ Passed away on 30th October 1942.

- Karamat Ali, Khan Bahadur Shaikh, B.A., LL.B. (Nankana Sahib, Muhammadan, Rural).
- Kartar Singh, Chaudhri (Hoshiarpur West, General, Rural).
- Kartar Singh, Sardar (Lyallpur East, Sikh, Rural).
- Kishan Das, Seth (Jullundur, General—Reserved Seat, Rural).
- Kishan Singh, Sardar (Amritsar Central, Sikh, Rural).
- Krishna Gopal Dutt, Chaudhri (North-Eastern Towns, General, Urban).
- Lal Singh, Sardar, M.Sc., LL.B. (Ludhiana, Central, Sikh, Rural).
- Mazhar Ali Azhar, Maulvi, B.A., LL.B. (North-Eastern Towns, Muhammadan, Urban).
- Mohar Singh, Rao, B.A., LL.B. (North-West Gurgaon, General, Rural).
- Mohy-ud-Din Lal Badshah, Syed (Attock South, Muhammadan, Rural).
- Mubarik Ali Shah, Captain, Syed, M.B.E. (Jhang Central, Muhammadan, Rural).
- Muhammad Abdul Rahman Khan, Chaudhri (Jullundur North, Muhammadan, Rural).
- Muhammad Akram Khan, Khan Bahadur Raja (Jhelum, Muhammadan, Rural).
- Muhammad Alam, Dr. Shaikh, B.A. (Hons.) (Oxon.), LL.D. (Dublin) (Rawalpindi Division Towns, Muhammadan, Urban).
- Muhammad Amin, Khan Sahib Shaikh (Multan Division Towns, Muhammadan, Urban).
- Muhammad Ashraf, Chaudhri (South-West Gujrat, Muhammadan, Rural).
- Muhammad Azam Khan, Sardar (Dera Ghazi Khan North, Muhammadan, Rural).
- Muhammad Hassan, Chaudhri (Ludhiana, Muhammadan, Rural).
- Muhammad Hassan Khan Gurchani, Khan Bahadur Sardar, C.I.E. (Dera Ghazi Khan, South, Muhammadan, Rural).
- Muhammad Hassan, Khan Bahadur Makhdum Syed (Alipur, Muhammadan, Rural).
- Muhammad Hussain, Khan Bahadur, Chaudhri, B.A., LL.B. (Gujranwala East, Muhammadan, Rural).
- Muhammad Hussain, Sardar (Chunian, Muhammadan, Rural).
- Muhammad Iftikhar-ud-Din, Mian, B.A. (Oxon.) (Kasur, Muhammadan, Rural).
- Muhammad Jamal Khan, Leghari, Khan Bahadur Nawab Sir (Tumandars).
- Muhammad Nawaz Khan, Lt.-Col. Sardar Sir (Attock Central, Muhammadan, Rural).
- Muhammad Nurullah, Mian, B.Com. (London) (Lyallpur, Muhammadan, Rural).
- Muhammad Qasim, Chaudhri (Bhalwal, Muhammadan, Rural).
- Muhammad Raza Shah Jeelani, Makhdumzada Haji Sayed (Shujabad, Muhammadan, Rural).

- Muhammad Saadat Ali Khan, Khan Bahadur Khan (Samundri, Muhammadan, Rural).
- Muhammad Sarfraz Khan, Chaudhri (Sialkot-North, Muhammadan, Rural).
- Muhammad Sarfraz Khan, Raja (Chakwal, Muhammadan, Rural).
- Muhammad Shafi Ali Khan, Khan Sahib Chaudhri (Rohtak, Muhammadan, Rural).
- Muhammad Wilayat Hussain Jeelani, Makhdumzada Haji Sayed (Lodhran, Muhammadan, Rural).
- Muhammad Yasin Khan, Khan Sahib Chaudhri, B.A., LL.B. (North-West Gurgaon, Muhammadan, Rural).
- Muhammad Yusuf Khan, Khan, B.A., LL.B. (Rawalpindi Sadar, Muhammadan, Rural).
- Mukand Lal Puri, Rai Bahadur (Rawalpindi Division, General, Rural).
- Mula Singh, Sardar (Hoshiarpur West, General—Reserved Seat, Rural).
- Muni Lal Kalia, Pandit (Ludhiana and Ferozepore, General, Rural).
- Muzaffar Ali Khan, Qizilbash, Sardar (Lahore, Muhammadan, Rural).
- Muzaffar Khan, Khan Bahadur Captain, Malik, M.B.E. (Mianwali South, Muhammadan, Rural).
- Muzaffar Khan, Khan Bahadur Nawab, C.I.E. (Attock North, Muhammadan, Rural).
- Nasir-ud-Din, Khan Bahadur Chaudhri (Gujranwala North, Muhammadan, Rural).
- Nasir-ud-Din Shah, Khan Sahib Pir (Toba Tek Singh, Muhammadan, Rural).
- Nasrullah Khan, Rana (Hoshiarpur West, Muhammadan, Rural).
- Naunihal Singh Mann, Captain Sardar, M.B.E. (Sheikhupura West, Sikh, Rural).
- Nawazish Ali Shah, Sayed (Jhang East, Muhammadan, Rural).
- Nur Ahmad Khan, Khan Bahadur Mian (Dipalpur, Muhammadan, Rural).
- Partab Singh, Sardar (Amritsar South, Sikh, Rural).
- Pir Muhammad, Khan Sahib Chaudhri, M.B.E. (South-East Gujrat, Muhammadan, Rural).
- Prem Singh, Chaudhri (South-East Gurgaon, General—Reserved Seat, Rural).
- Prem Singh, Mahant (Gujrat and Shahpur, Sikh, Rural).
- Pritam Singh Siddhu, Sardar, B.A., LL.B. (Ferozepore West, Sikh, Rural).
- Raghbir Kaur, Shrimati (Amritsar Sikh, Women).
- Ram Sarup, Chaudhri (Rohtak Central, General, Rural).
- Ranpat Singh, Chaudhri (Karnal North, General, Rural).
- Rashida Latif Baji, Begum (Inner Lahore, Muhammadan Women, Urban).
- Riasat Ali, Khan Bahadur Chaudhri (Hafizabad, Muhammadan, Rural).
- Roshan Din, Khan Bahadur Chaudhri (Shahdara, Muhammadan, Rural).

- Rur Singh, Sardar (Ferozepore East, Sikh, Rural).
 Sadiq Hassan, Sheikh, B.A., Barrister-at-Law (Amritsar City, Muhammadan, Urban).
 Sahib Dad Khan, Khan Sahib Chaudhri (Hissar, Muhammadan, Rural).
 Sahib Ram, Chaudhri (Hissar North, General, Rural).
 Sampuran Singh, Sardar (Lyallpur West, Sikh, Rural).
 Santokh Singh, Sardar (Eastern Towns, Sikh, Urban).
 Sant Ram Seth, Dr. (Amritsar City, General, Urban).
 Sardar Khan Noon, Major Malik (North Punjab, Land-holders).
 Shahadat Khan, Khan Sahib Rai (Jaranwala, Muhammadan, Rural).
 Shanno Devi Sehgal, Shrimati (West Multan Division, General, Rural).
 Shri Ram Sharma, Pandit (Southern Towns, General, Urban).
 Singha, Diwan Bahadur S. P. (East Central Punjab, Indian Christian).
 Sita Ram, Lala (Trade Union, Labour).
 Sohan Lal, Rai Bahadur Lala (North Punjab, Non-Union Labour).
 Sohan Singh Josh, Sardar (Amritsar North, Sikh, Rural).
 Sudarshan, Seth (Eastern Towns, General, Urban).
 Sultan Mahmud Hotiana, Mian, B.A. (Pakpattan, Muhammadan, Rural).
 Sumer Singh, Chaudhri, B.A., LL.B. (South-East Gurgaon, General, Rural).
 Suraj Mal, Rai Sahib Chaudhri, B.A., LL.B. (Hansi, General, Rural).
 Talib Hussain Khan, Khan (Jhang West, Muhammadan, Rural).
 Tara Singh, Sardar (Ferozepore South, Sikh, Rural).
 Teja Singh Swatantar, Sardar (Lahore West, Sikh, Rural).
 Ujjal Singh, Sardar Bahadur Sardar, M.A. (Western Towns, Sikh, Urban).
 Uttam Singh Dugal, Sardar (North-West Punjab, Sikh, Rural).
 Wali Muhammad Sayyal Hiraj, Sardar (Kabirwala, Muhammadan, Rural).

ADVOCATE-GENERAL

Mr. M. Saleem, Barrister-at-Law.

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PUNJAB LEGISLATIVE ASSEMBLY

EIGHTH SESSION OF THE FIRST PUNJAB LEGISLATIVE ASSEMBLY

Monday, 26th October 1942

The Assembly met in the Assembly Chamber at 12 noon of the clock. Mr. S peaker in the Chair.

OATH OF OFFICE

Sardar Teja Singh Swatantrar (Lahore West, Sikh, rural) was sworn in.

SUPPLEMENTARY ESTIMATES

Premier (The Honourable Lieutenant-Colonel Sir Sikander Hyat-Khan): You are aware that it is a convention of this House to adjourn in memory of the demise of any of the sitting members of this House, but before I make a reference to the memory of our colleague, the Late Rao Pohop Singh, I have to request you to allow the Finance Minister to put in the Supplementary Estimates, because according to the rules His Excellency the Governor fixes the date for the discussion of the demands, and if they are not presented now it will not be possible to comply with those instructions. I, therefore, hope that you will permit him to present the Supplementary Estimates.

Finance Minister (The Honourable Sir Manohar Lal): I beg to present the Supplementary Estimates 1942-48 (First Instalment), and I have to intimate that the demands made therein are made on the recommendation of the Governor.

REFERENCES TO LATE RAO POHOP SINGH

Premier (The Honourable Lieutenant-Colonel Sir Sikander Hyat-Khan): It is with the deepest regret that I have to make a reference to the death of our colleague Rao Pohop Singh. As you are aware, he was a member of the last Council also and a valued colleague in the present Assembly. He was elected from the south-east landholders constituency and throughout his career as a member of the old Council as also of this Assembly he always tried his best to represent the cause of his constituents and of the province generally. Rao Pohop Singh was a real benefactor of the zamindar because he never lost any opportunity of service, genuine, *bona fide* service, unostentatious service, for that down-trodden class. He was held in great esteem and was extremely popular in south-eastern Punjab; and since he became a member of this Assembly we all can bear testimony to the fact that

[**PREMIER**]

he has never missed an opportunity to put forth their case forcibly and eloquently before the House. So far as that part of the province is concerned, I am afraid it will be difficult to find another public spirited gentleman of his calibre and capacity to replace him. But God's will be done and therefore there is nothing for us but to bear with fortitude this great loss to the community, to the province, and to the zamindars in particular.

I request you to convey on behalf of this House our deep and heartfelt sympathy to the members of his family, and I also move that as a mark of respect to the memory of our esteemed colleague this House may be adjourned.

Sardar Santokh Singh (Eastern Towns, Sikh, Urban): Mr. Speaker, we on this side of the House fully share the regret caused by the death of our popular colleague. Rao Pohop Singh always took a very intelligent interest in the proceedings of this House and always extended his fullest support to the Ministry by his able speeches. By his passing away this House has suffered a very great loss indeed.

Sardar Bahadur Sardar Gurbachan Singh (Jullundur West, Sikh, Rural): Sir, the cruel hand of death has so suddenly snatched away a jewel of a man from amongst us. My acquaintance with him though short had a personal touch about it because I was one of his strong supporters in the by-election when he was elected a member to this House. His unassuming and quiet attitude had won for him the admiration of his colleagues. He always spoke with clarity of thought and intelligence which is a real gift of a public speaker. We deeply mourn his death. With these words I strongly support the suggestions made by the Honourable Premier.

Sardar Sohan Singh Josh (Amritsar North, Sikh, Rural) (*Punjabi*): Rao Pohop Singh, a distinguished member of this House, has passed away. We all deeply mourn his loss and that is what we ought to do. Now it is our duty to pass a condolence resolution and convey it to the bereaved family on behalf of this House. That much, in my opinion, will suffice. I do not agree with the suggestion of the Honourable Premier that to-day's meeting of the Assembly should be adjourned as a mark of respect to the memory of late Rao Pohop Singh. My submission is that recently moral values have undergone a great change. That is the reason why thousands of youngmen, among whom great generals are also included, have actually died and are dying on the fields of battle. Besides, our patriots in India are being imprisoned and killed. Let us also take the death of Rao Pohop Singh as one who has died on the battle-front and accord him a military burial only. Beyond that we should do nothing which should lead to wastage of time and public funds. To my mind it would be sufficient if we stand in our seats for five minutes as a mark of respect to the memory of the late Rao Pohop Singh and pass a condolence resolution and convey it to the bereaved family. Anyway I do not agree with the suggestion of the Honourable Premier that the meeting of the Assembly be adjourned to-day. It would be simply a waste of time and public money. At present we stand in need of every available penny for fighting our battles against fascism and it would be but proper for us to carry on our business after expressing our

sorrow over the death of Rao Pohop Singh. If my suggestion is accepted it will save our precious time and money. Granted that there is a convention that on such an occasion the meeting of the Assembly is adjourned. But my point is that the times are not in favour of adhering to such a convention. Let us make a departure from it to-day. Besides, Sir, you are aware of the fact that a resolution is proposed to be moved in this session of the Assembly that Government of India be requested to set apart a sum of Rs. 150 crores to be spent on the welfare of the Punjabi soldiers after the war. That being so it is all the more necessary for us to make the best use of the time and money at our disposal. That does not mean that we have no respect for the late Rao Pohop Singh. On the contrary we have great respect for him and we can show it by passing a condolence resolution. That will suffice for the occasion. Hence I think that the suggestion of the Honourable Premier is out of place. With these words I resume my seat.

Premier (Urdu): I agree to some extent with the remarks made by my honourable friend Sardar Sohan Singh Josh that in view of the present circumstances we should be very careful about the value and utility of time. But so far as the setting up of a convention as suggested by my friend is concerned, I think if the honourable members, present in this House, want to establish it, they should decide in its favour for the purpose of applying it on some future occasions; though it is my fervent desire that, in future, no one from amongst us should depart for the next world. But in this frail world death must come, as it is inevitable and hence we can set up a convention that on occasions like this, we should pass a condolence resolution standing and observe silence for a few minutes as a mark of respect to the memory of the deceased. But I am of the opinion that the application of this convention would not be opportune in the present case. I would, therefore request my honourable friend Mr. Josh not to press his point.

Captain Sardar Naunihal Singh Mann (Sheikhupura West, Sikh, Rural): I fully associate myself with what has been said before by the Honourable the Premier and my other friends who have preceded me. I had the privilege of knowing the late Rao Pohop Singh for several years now. I was with him in fact for a long time in one of the committees where I had the privilege of knowing his intellect and the interest which he exhibited in public matters. He came from the martial class and a district which has done wonderfully well in the matter of recruitment and in other war efforts. His death is a great loss and more particularly at this great hour of need when his presence was of very great value from every point of view. I support the suggestion of the Honourable Premier most whole-heartedly.

Begum Rashida Latif Baji (Inner Lahore, Muhammadan Women, Urban) (Urdu): Sir, on behalf of myself and the lady members of the House, I rise to express my condolence at the sad demise of the late lamented Rao Pohop Singh. I also whole-heartedly support the suggestion put forward by the Honourable Premier. The honourable member, Sardar Sohan Singh Josh, was pleased to remark that adopting this suggestion would be tantamount to waste of time and money. I beg to differ from him. Although I am prepared to admit that we should pay due regard to the value

[BEGUM RASHIDA LATIF BAJI]

of time, yet I feel that no loss of money would result if this suggestion is accepted because now the honourable members no longer receive daily allowances. As a matter of fact they are paid monthly salaries. With these words I strongly support the suggestion of the Honourable Premier and resume my seat.

Mr. Speaker : The question is—

That very deep and heartfelt sympathy of this House be conveyed to the family of the deceased and that as a mark of respect to his memory the House be adjourned for to-day.

The motion was unanimously adopted by all members standing.

The Assembly then adjourned till 12 noon on Tuesday, 27th October 1942.

PUNJAB LEGISLATIVE ASSEMBLY

EIGHTH SESSION OF THE FIRST PUNJAB LEGISLATIVE ASSEMBLY

Tuesday, 27th October 1942

The Assembly met in the Assembly Chamber at 12 noon of the Clock. Mr. Speaker in the Chair

OATH OF OFFICE

Nawab Iftikhar Hussain Khan (Ferozepore Central, Muhammadan, Rural) was sworn in.

STARRED QUESTIONS AND ANSWERS

CASES OF DETENUS

***8287. Pandit Shri Ram Sharma :** Will the Honourable Premier be pleased to state—

(a) whether the Enquiry Committee appointed by the Government to look into the cases of the detenus belonging to the Punjab will give an opportunity to the detenus concerned to represent and defend their cases ;

(b) the terms of reference of the proposed Enquiry Committee ;

(c) whether the cases of all detenus whether they may have been detained under the Defence of India Act and the Rules made thereunder or under the Regulation III of 1818 or under the provision of any other law of the land will be taken up by the Committee ?

Parliamentary Secretary (Mir Maqbool Mahmood) : (a) They have been given an opportunity to represent their cases in writing.

(b) The Committee will examine the case against each security prisoner and make such recommendations as it may consider necessary about each individual case.

(c) Cases of persons detained under rule 26 of the Defence of India Rules only will be examined by the Committee.

Sardar Sohan Singh Josh : May I know how many cases the Enquiry Committee has examined so far ?

Parliamentary Secretary : I require notice for that.

Pandit Bhagat Ram Sharma : Will the Parliamentary Secretary please state what distinction is made between cases under section 26 and those under section 129 ?

Mr. Speaker : The question asks for expression of legal opinion.

Pandit Bhagat Ram Sharma : The Parliamentary Secretary said that the Committee would examine cases only under section 26. My question is, what are the reasons for considering cases under section 26 only and not those under section 129 ?

Mr. Speaker : The question is allowed.

Sardar Sohan Singh Josh : How many persons have been released by this Committee ?

Parliamentary Secretary : If the honourable member will address a question to that effect, I will endeavour to answer it.

Sardar Sohan Singh Josh : How many of the released persons have been restricted in their villages ?

Parliamentary Secretary : It does not arise out of the answer given.

Sardar Sohan Singh Josh : What are the criteria on which the Enquiry Committee is guided in order to release those persons ?

Parliamentary Secretary : They are guided by all the facts before them and by justice, equity and good conscience.

Sardar Sohan Singh Josh : If a person declares that he is an anti-fascist is that one of the criteria ?

Mr. Speaker : The question is hypothetical.

Sardar Sohan Singh Josh : There must be certain principles on which the Committee works. I want to know if this is one of those principles.

Premier : Anti-fascism coupled with patriotism should certainly be a criterion, I think.

Sardar Sohan Singh Josh : Is the Honourable Premier not aware that patriotism includes anti-fascism ?

Premier : If we could take everybody at his word, we would have been a free nation long ago.

Sardar Ajit Singh : If the criterion is the same, why is it that Sardar Sohan Singh Josh has been released while Sardar Hari Singh is still under detention ?

Premier : I do not represent the Tribunal here.

ARRESTS OF COMMUNISTS LIKE MRS. GUPTA AND MRS. SHAKUNTALA SHARDA

***8288. Pandit Shri Ram Sharma :** Will the Honourable Premier be pleased to state—

(a) whether he is aware of the fact that five communists including two ladies, Mrs. Gupta and Mrs. Shakuntala Sharda, have recently been arrested by the police in Lahore ; if so, why ;

(b) whether it is also a fact that both the ladies have been kept in the police lock-up, if so, the reason of their being not sent up to the Female Jail ?

Parliamentary Secretary (Mir Maqbool Mahmood) : (a) Yes, Mrs. Gupta was arrested under section 216, Indian Penal Code. There was no lady by the name of Mrs. Shakuntla Sharda, but one lady who gave her name as Miss Lila, but later admitted herself to be the wife of Kunj Bihari Lal, son of Sam Das of Lahore Cantonment, was found at 3 a. m. in a room bolted from inside with Harbans Singh, son of Hakam Singh, of Karnana district Jullundur, one of the Communists arrested. Some incriminating

literature was recovered from this room. She was arrested in a case under Rule 88 of the Defence of India Rules.

(b) The ladies were kept in police custody, remand having been granted by a magistrate. Mrs. Gupta was later released on bail and Mrs. Shakuntla Kunj Bihari Lal was sent to the women's jail.

Pandit Bhagat Ram Sharma : How long were those ladies kept in police custody ?

Parliamentary Secretary : I understand that they were not in police custody for long. If my honourable friend wants the exact time, I want notice.

ARREST OF LALA SHANKAR LAL

***8289. Pandit Shri Ram Sharma :** Will the Honourable Premier be pleased to state—

(a) whether it is a fact that Lala Shankar Lal, of the Tropical Insurance Company, Delhi, is at present confined as a detenu in the Lahore Fort ; if so, the date when he was brought to Lahore Fort and also the reasons for his confinement in the Fort in preference to the Special Jail, Gujrat, where other detenues are detained ;

(b) whether the Punjab Government has anything to do with his detention, and, if not, the central or provincial court under whose orders he is being detained ;

(c) the facilities, if any, that he has been allowed for the conduct of his business and the class in which he is being treated ;

(d) whether he is confined in the Lahore Fort in a solitary cell ;

(e) whether at any time during the day he is allowed to mix with other detenues ; if so, to what extent ;

(f) the present state of the health of the said detenu, his weight at the time of arrest and also at the time of his arrival in the Lahore Fort ;

(g) the rules that govern his interview ;

(h) the charges against him ?

Parliamentary Secretary (Mir Maqbool Mahmood) : (a) Lala Shankar Lal is not at present detained in the Lahore Fort or anywhere else in the Punjab.

(b) to (h) It is not in the public interest to answer these parts of the question. Most of them do not arise in view of the answer to (a).

ARREST OF MEMBERS OF THE LEGISLATIVE ASSEMBLY

***8303. Diwan Chaman Lal :** Will the Honourable Premier be pleased to state the reasons in detail that promoted the arrest of six honourable members of the Legislative Assembly on the 22nd February 1942, as well as the facts connected with the case of each honourable member upon which the decision to arrest him was arrived at ?

Parliamentary Secretary (Mir Maqbool Mahmood) : The honourable member is referred to the official report of the proceedings of this House for the 5th of March 1942 when the matter was debated at considerable length on an adjournment motion raised by the honourable member himself. It seems unnecessary to add to what was stated then.

MAINTENANCE ALLOWANCE FOR THE FAMILY OF HAKIM ABDUL GHANI

***8327. Maulvi Mazhar Ali Azhar :** Will the Honourable Premier be pleased to state—

(a) whether it is a fact that Hakim Abdul Ghani of Rawalpindi, who is nowadays a detenu in the Gujrat Jail, has applied to the Government for maintenance allowance for his aged mother and other relatives who are unable to earn anything for their livelihood ;

(b) if the answer to (a) be in the affirmative, the action that Government has taken in the matter ?

Parliamentary Secretary (Mir Maqbool Mahmood) : (a) Yes.

(b) A maintenance allowance of Rs. 10 per mensem has been sanctioned for the mother of the detenu.

QURAIISHIS AND GOVERNMENT SERVICE

***8328. Maulvi Mazhar Ali Azhar :** Will the Honourable Premier be pleased to state the names of the departments, if any, in which *Qurai-shis*, known as *mirasis*, are prohibited by order of the Government from seeking employment ?

Parliamentary Secretary (Mir Maqbool Mahmood) : I am not aware of any such orders.

DETENUS

***8356. Sardar Gurbakhsh Singh :** Will the Honourable Premier be pleased to state—

(a) whether he is aware of the fact that some of the detenus confined in the Lahore Central Jail have and others have not been served with notices containing a brief description of the charges for which they are detained, and calling upon them to send their representations to the Government in this respect ;

(b) the number and names of those detenus who have been and of those who have not been served with the above-named notices, and the reasons for such discriminative treatment ?

Parliamentary Secretary (Mir Maqbool Mahmood) : Yes ; it was arranged, to start with, that the Tribunal should examine the cases of all those who had been under detention for one year at the time of the appointment of the Tribunal. The Tribunal has now reviewed all such cases, and it is intended that it should review the cases of other detenus in due course. It is not in the public interest to give names and other details.

DETENTION OF NOTICES OF QUESTIONS BY HARJAB SINGH, M.L.A.

***8363. Master Kabul Singh :** Will the Honourable Premier be pleased to state—

(a) whether Government have prescribed any restrictions on members of the Legislative Assembly, who are detained, in the matter of sending notices of Assembly questions to the Legislative Assembly Department ;

(b) whether he is aware of the fact that a few days ago Sardar Harjab Singh, M.L.A., forwarded, from the Gujrat New Jail, notices of seven starred questions to the Secretary, Punjab Legislative Assembly, and that these questions were detained by the Chief Secretary, Government Punjab ; if so, the reasons therefor ?

Parliamentary Secretary (Mir Maqbool Mahmood) : (a) No special restrictions have been prescribed, but the correspondence of members of the Legislative Assembly who are detained in Gujrat is naturally governed by the same rules as the correspondence of other detenus.

(b) The notices were returned to the writer as the covering letter forwarding them could not be regarded as a single letter according to rules.

MASTER KABUL SINGH, M.L.A.

***8364. Sardar Harjab Singh :** Will the Honourable Premier be pleased to state—

(a) the date of the re-arrest of Master Kabul Singh, M.L.A., the number of interviews allowed to his wife after his re-arrest ; the dates of these interviews ;

(b) whether it is a fact that Master Kabul Singh's wife has not been allowed to interview him after the 24th November 1941 ; if so, the reasons therefor ;

(c) whether it is a fact that Master Kabul Singh's dependents, i.e., his mother, wife and two children have been offered Rs. 10 per mensem as family allowance, and that he has sent in a protest against this offer ;

(d) whether it is a fact that Master Kabul Singh recently sent a telegram to the Premier in this connection and that other detenus at present detained in the Gujrat Special Jail have also protested to Government against this humiliating treatment meted out to Master Kabul Singh ; if so, the action Government has so far taken or intends to take in the matter ?

Parliamentary Secretary (Mir Maqbool Mahmood) : (a) 19th December 1941 ; the wife of Master Kabul Singh has not been refused any interview with her husband but only applied on one occasion when an interview was permitted.

(b) Does not arise.

(c) and (d) Allowances are given after due consideration of all the circumstances. An allowance of Rs. 10 was fixed in this case but has been refused.

Sardar Sohan Singh Josh : May I know if Sardar Kabul Singh has accepted that allowance ?

Parliamentary Secretary : I have already stated that he has refused to accept it.

Pandit Bhagat Ram Sharma : Does the Parliamentary Secretary think that Rs. 10 is a sufficient allowance in the case of the wife of an M. L. A. ?

Sardar Ajit Singh : Is the Parliamentary Secretary aware that Master Kabul Singh refused to accept this sum of Rs. 10 as monthly allowance because he thought it below his dignity to do so ?

Parliamentary Secretary : The honourable member should know that while sanctioning family allowances the financial position of the detenus is also taken into consideration. The Government taking this consideration in view sanctioned a sum of Rs. 10 as allowance for Master Kabul Singh's family. But the latter refused to accept it unless it was raised to the huge sum of Rs. 200 a month.

KHAN KHUSHAL KHAN AND MR. K. S. MANN

***8366. Sardar Ajit Singh :** Will the Honourable Premier be pleased to state—

(a) whether it is a fact that there are confined at present in the Sub-Jail, Muzaffargarh, only two detenus, Khan Khushal Khan and Mr. K. S. Mann, Barrister-at-Law ;

(b) whether it is a fact that on account of these two detenus there is employed an extra guard of three temporary warders costing the Provincial Treasury Rs. 60 per mensem in pay alone ;

(c) whether it is a fact that as the local market cannot supply even bread and butter, a fourth warder has to go daily to Multan Cantonment to do shopping for these two detenus thus costing the Treasury another Rs. 27-8-0 monthly—Rs. 20 as pay for the warder and Rs. 7-8-0 as cost of the railway pass ;

(d) whether it is a fact that the detenus have applied for transfer ;

(e) if the answer to (a), (b), (c) and (d) above or any of them be in the affirmative, why the Government do not transfer them to some other jail where there are other detenus detained and thus save the Provincial Treasury Rs. 1,050 annually ?

Parliamentary Secretary (Mir Maqbool Mahmood) : (a) Security prisoners Khushal Khan and K. S. Mann have since been released.

(b) to (e) Do not arise.

DETENUS IN SUB-JAIL, MUZAFFARGARH

***8367. Sardar Ajit Singh :** Will the Honourable Premier be pleased to state—

(a) whether it is a fact that of the four detenus confined at different times during 1941 in the Sub-Jail, Muzaffargarh, two, namely, Shaikh Hassam-ud-Din and Syed Habib have been transferred elsewhere on grounds of health and another Khan Khushal Khan is almost always on the sick list ;

(b) whether it is a fact that Mr. K. S. Mann, Barrister-at-Law, the remaining fourth detenu confined in Muzaffargarh Sub-Jail whose weight was about 150 lbs. at the time of his arrest in December 1940, has also suffered in health and his weight has come down to 130 lbs.

(c) whether it is a fact that Mr. K. S. Mann and Khan Khushal Khan have recently applied for transfer to some other jail on account of the admittedly unhealthy character of the place; if so, the action taken or intended to be taken on their application?

Parliamentary Secretary (Mir Maqbool Mahmood): (a) Security prisoners Sheikh Hassam-ud-Din, Khushal Khan and K. S. Mann have since been released. The fourth security prisoner, Syed Habib, has recently been transferred from the Central Jail, Lahore, to the District Jail, Ferozepore.

(b) and (c) Do not arise.

DEARNESS ALLOWANCE

***8376. Chaudhri Jugal Kishore:** Will the Honourable Minister of Finance be pleased to state—

(a) whether the Government has ordered any Dearness Allowance to be paid to low-paid Government servants; if so, in which departments;

(b) whether the Municipal Committees in the province have also been asked by Government to grant a Dearness Allowance to their servants; if so, whether the Jagadhri Municipal Committee in the Ambala district is amongst such municipal committees, and whether it has granted the allowance in question to the teachers in its employ who are entitled to the concessions; if not, reasons therefor?

The Honourable Sir Manohar Lal: (a) Yes: Government have sanctioned the grant of Dearness Allowance to all low-paid Government servants in all departments.

(b) *First part*—No.

Second part—Does not arise.

LICENCES FOR GUNS AND FIRE-ARMS

***8377. Rai Bahadur Lala Gopal Das:** Will the Honourable Minister for Public Works be pleased to state—

(a) the number of applications received for the renewal of licences for guns and fire-arms in the various districts in the Punjab during the last 12 months giving separately the number of applications which have been granted and also of those which have been rejected;

(b) whether the renewal fees deposited with such applications were returned in all cases in which licences were refused; if not, the total amount of fees not returned and the reasons for not doing so;

(c) whether it is a fact that according to the practice now adopted by Government, licences for guns and fire-arms are renewed only if the fees for renewing the shooting licences under the Wild Birds Protection Act are also deposited with the applications for the renewal of licences; if so, the rule according to which or the reasons for which this practice has been adopted;

[R. B. L. Gopal Das.]

(d) whether in cases of refusal of applications for renewing licences for guns and other fire-arms, the fees deposited for shooting licences under the Wild Birds Protection Act are also returned to the applicants; if not, why not?

Parliamentary Secretary (Shaikh Faiz Muhammad): (a) and (b) Government consider that the time and labour involved in collecting the information asked for would not be commensurate with any possible benefit to be obtained.

(c) Arms licences for the purpose of sport are issued and renewed after the licensing authority has satisfied itself that the licensee has taken out or intends to take out a shooting licence as required by the Punjab Wild Birds and Wild Animals Protection Act, 1933. This restriction does not apply in the case of licensees who possess arms for the purpose of display or protection only. This course has been adopted to prevent the illicit shooting of game.

(d) If fees for shooting licences have been tendered in such cases they would clearly be liable to refund. Government has no reason to suppose that they are not refunded.

BEGUM SHAH NAWAZ AND MIAN MUSHTAQ AHMAD GURMANI, M.L.A.s

***8384. Mian Sultan Mahmud Hotiana:** Will the Honourable Premier be pleased to state—

(a) whether it is a fact that Begum Shah Nawaz and Mian Mushtaq Ahmad Gurmani, M.L.As., have taken up employment as Organizer of the women's side of the National War Front and as Director of Publicity and Recruitment, respectively;

(b) whether after their taking up these appointments they will be allowed to continue to hold the position one as Parliamentary Secretary and the other as Private Parliamentary Secretary to the Punjab Government;

(c) if the answer to (b) be in the affirmative, the reasons therefor?

Lieutenant-Colonel the Honourable Sir Sikander Hyat-Khan:

(a) Yes.

(b) There is no legal bar, but as a matter of policy I have decided that Parliamentary Secretaries and Parliamentary Private Secretaries who are in the service of the Crown, should not, during such time as they remain servants of the Crown, perform the functions of Parliamentary Secretaries.

(c) Does not arise.

Khan Sahib Khawaja Ghulam Samad: May I know whether the Parliamentary Secretaries will get any allowance as M. L. As. during the time they remain servants of the Crown?

Premier: They will not get the allowance payable to Parliamentary Secretaries.

Malik Barkat Ali: Will the Premier please state the amount of remuneration that is being paid to the honourable members on account of the appointments to which they have been appointed?

Premier : They have been appointed by the Defence Department, and I am afraid I do not know what salaries they are getting.

Mian Muhammad Nurullah : Are they also drawing the allowance of members ?

Premier : They are entitled to receive this allowance as members so long as they remain members.

Sardar Ajit Singh : Will the Honourable Premier kindly state whether the Punjab Legislative Assembly (War Service) Amendment Bill is being introduced for the sake of the Parliamentary Secretaries ?

Premier : Yes. Two of the members affected are Parliamentary Secretaries, but the Bill is being introduced for the benefit of all those members who are or may hereafter take up service in connection with the War.

NAIB-TAHSILDARS

***8159. Khan Sahib Khawaja Ghulam Samad :** Will the Honourable Minister of Revenue be pleased to state the number and names of Naib-Tahsildars recruited in the Ambala Division directly or by promotion in each year since 1937 up to date showing the numbers of agriculturists and non-agriculturists among them, separately ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (i) 1937 and 1938. *Nil*.

		Agriculturist	Non-agriculturist
(ii) 1939	.. .. .	6	2
(iii) 1940	.. .. .	5	1
(iv) 1941	.. .. .	2	<i>Nil</i>
(v) 1942 (up to 30th September 1942).		1	<i>Nil</i>

DISTRIBUTION OF LAND AMONG SCHEDULED CASTES

***8269. Lala Harnam Das :** Will the Honourable Minister for Revenue be pleased to state whether there is any scheme under the consideration of the Government for the distribution of land amongst the scheduled castes ; if so, the place where the land is to be distributed and the conditions and terms under which this distribution will take place ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : *First part—*Yes.

*Second part—*Haveli Project.

*Third part—*Punjab Government notification No. 4054-C, dated 21st September 1940 (a copy of which is laid on the table).¹

¹Kept in the Assembly Library.

**PACHOTRA NEHR TO SURAIN SINGH AND SHER SINGH,
LAMBARDARS**

***8291. Sardar Gurbakhsh Singh :** Will the Honourable Minister for Revenue be pleased to state whether it is a fact that the two lambardars of village Bharath in Batala tahsil, namely, Surain Singh and Sher Singh, who were required to pay 'Abiana Nehr' of their village on the 15th February 1942, could not do so because the treasury was closed on that day being Sunday and that they deposited the full amount on the following day, i.e. the 16th February 1942, but they were not allowed their *Pachotra* Nehr by the Tahsildar ; if so, the reasons therefor ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : The due date for the payment of water rate was the 15th February 1942, but as it was paid into the treasury on the 16th February, no *pachotra* was allowed. The Collector's sanction was subsequently obtained to its refund and it was paid to the lambardars on the 27th February. The original withholding of the *pachotra* was a mistake.

IRRIGATION FACILITIES TO VILLAGE SOMRA KHERA

***8302. Khan Sahib Chaudhri Sahib Dad Khan :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether village Somra Khera in tahsil Hansi, district Hissar, is included in the areas to be irrigated by the extension of canal Tosham, if so, whether any of the area attached to this village was irrigated in the year 1941 ; if not, the reasons therefor ;

(b) whether necessary steps have been taken to supply canal water to the said village in 1942 ; if not, why not and when arrangements are expected to be completed so that canal water is made available for lands attached to the said village this year ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) A portion of land in Somra Khera village lies within the irrigation boundary of Sundar distributary system but no area was irrigated during *Kharif* 1941 for the reasons as under—

Name of channel	R. D. of outlet	C. C. A. in acres	Permis- sible irrigation in acres	Why no irrigation has been done
Bhurtana Minor ..	11,000-L	25	8	Watercourses not dug by the Zamindars.
Bawani Khera Minor ..	Tail	150	50	Watercourse culvert to be built under Hansi-Bhiwani road on receipt of cost from the Zamindars concerned.

(b) In case of Bhurtana minor, outlet at R. D. 11,000-L, water for irrigation will be supplied provided that zamindars dig watercourses in time.

Excavation of watercourses by zamindars concerned has been carried out throughout the Sundar System in the interest of the zamindars.

In case of Bawani Khara minor tail outlet, the zamindars should deposit cost of the D. R. Culvert.

TALUQADARI DUES

***8335. Khan Bahadur Raja Muhammad Akram Khan :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether his attention has been drawn to the correction slip No. 48-S.M., dated 9th July 1937, from the Financial Commissioner, Revenue, in the Settlement Manual on page 80, refusing official recognition to the collection of taluqadari dues through lambardars and holding it a private arrangement and thus causing—

(i) an abrogation of the old practice prevalent in the Jhelum and many other districts in the Punjab since the advent of the British rule and the creation of taluqadari dues ;

(ii) misunderstanding in the mind of the *Adna Malik* that the said dues have been abolished by the Government, and who refuses to pay those ; and

(iii) inconveniences, rise of litigation, breach of peace and other hardships to the *Alu Malik* in the realization of the said dues from the *Adna Malik*s, especially in case where the amount due is "a few annas or a few rupees" ;

(b) if the answers to the above parts be in the affirmative, what action Government intend to take in the matter ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) Yes. The Punjab Government have cancelled paragraph 169-A of the Settlement Manual, as inserted by correction slip No. 48-S. M., dated the 9th July 1937, pending further enquiry into the collection of taluqadari dues.

(a) (i), (ii), (iii) and (b). Does not arise.

BUND-MAKING OF HILL TORRENTS IN DERA GHAZI KHAN DISTRICT

***8349. Sardar Muhammad Azam Khan :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether it is a fact that work of bund-making of hill torrents in Dera Ghazi Khan district is performed by *kashdkars* of the *Uqa* and in the absence of a *kashdkar* on duty some other person available on the spot is forced to perform the duties of the absent man and the absentee is charged for the work done by his substitute ;

(b) whether it is also a fact that the money so charged from the absentee is not paid to the man who labours for him, but is, instead, deposited in the Government Treasury ;

(c) if the answers to (a) and (b) be in the affirmative the reasons therefor ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan): (a) By a notification under section 26 of the Minor Canals Act the irrigators on hill torrents in the Dera Ghazi Khan district are bound to furnish free labour for works necessary to maintain these torrents in working order. The defaulters are fined under section 71 of the Minor Canals Act.

(b) The fines are credited to Government. The persons who are engaged to do the work of the defaulters are paid by Government.

(c) Does not arise.

SUFEDPOSHES AND ZAILDARS

***8365. Chaudhri Ram Sarup:** Will the Honourable Minister for Revenue be pleased to state the number of sufedposhes and zaildars in tahsil Rohtak, district Rohtak, suspended or dismissed by the Deputy Commissioner, Rohtak, on the report of police for sheltering absconders during the last three years; in how many such cases the Deputy Commissioner, Rohtak, ordered departmental enquiry through the Tahsildar, Rohtak, with what result and how many such enquiries are still pending with the tahsildar, Rohtak, with the dates they were sent to him and the reasons for the delay in their disposal?

Parliamentary Secretary (Raja Ghazanfar Ali Khan): One sufedposh of Rohtak tahsil had been suspended on the report of the police for sheltering absconders. He was however re-instated a year later. The charge of sheltering absconders has been under enquiry with the tahsildar since 16th August 1941; the delay being due to the large number of witnesses called by the parties. The case has now been completed and it is expected that the tahsildar will submit his final report shortly.

LOSS OF LIFE AND PROPERTY BY THE OVERFLOWING OF SUTLEJ

***8385. Mian Sultan Mahmud Hotiana:** Will the Honourable Minister for Revenue be pleased to state—

(a) the extent of loss of life and property in Montgomery and Ferozepore districts owing to the recent overflowing of the Sutlej river;

(b) the steps Government have so far taken to relieve the distress among the sufferers and, if no steps have so far been taken in this direction, the reasons therefor?

Parliamentary Secretary (Raja Ghazanfar Ali Khan): (a) Reports received show that no loss of human life and probably none of cattle was caused in Ferozepore district. Some damage was, however, caused to house property, but on the balance the flood did good rather than harm. In Montgomery district there was some damage to cultivated areas, houses, stocks of food-grains and live-stock.

(b) In Ferozepore a sum of Rs. 10,000 has been sanctioned for grant of taccavi. The question of grant of relief in the Montgomery district is under consideration.

Pir Akbar Ali: Will the Parliamentary Secretary please state what the source of his information?

Parliamentary Secretary : It is official.

Pir Akbar Ali : What is the name of the official?

Parliamentary Secretary : It is not the policy of the Government to give names.

Pir Akbar Ali : Will the Parliamentary Secretary please ask the Premier as to what were the reports when he went there?

Parliamentary Secretary : That does not arise out of this question.

URBAN IMMOVABLE PROPERTY TAX

***8275. Sardar Lal Singh :** Will the Honourable Minister for Finance be pleased to state—

(a) the total amount collected in the Province as Urban Immovable Property Tax up to the end of 31st December 1941 ;

(b) the total cost of collecting the above ;

(c) to what specific purposes, if any, is the balance being appropriated ?

The Honourable Sir Manohar Lal : (a) Rs. 4,66,599.

(b) Approximately one lakh of rupees.

(c) The income from the tax is not reserved for any specific purpose.

ECONOMIC ADVISER TO GOVERNMENT, PUNJAB

***8285. Khan Sahib Chaudhri Sahib Dad Khan :** Will the Honourable Minister for Finance be pleased to state—

(a) whether the post of the Economic Adviser to the Punjab Government has been vacant for some time now ; if so, when it fell vacant ;

(b) when Government intends to fill that vacancy and whether it is intended to advertise this post ; if not, the reasons for the same ?

The Honourable Sir Manohar Lal : (a) Yes ; the incumbent of the post of the Economic Adviser, who was granted extraordinary leave for 12 months and 3 days with effect from 20th April 1941 has since resigned. No successor has been appointed.

(b) Government do not need an Economic Adviser at present.

Khan Sahib Khawaja Ghulam Samad : Was any one sent to Bombay for training for the post of this adviser ?

Minister: No.

HINDU STATUTORY AGRICULTURISTS AS TAXATION OFFICERS

***8294. Chaudhri Sumer Singh :** Will the Honourable Minister for Finance be pleased to state—

(a) the number of Taxation Assistants, District Taxation Officers, Assistant District Taxation Officers, Inspectors, Sub-Inspectors, Clerks, Patwaris and Peons, appointed under the Punjab Urban Immovable Property Tax Act, 1940, and the Punjab General Sales Tax Act, 1941 ;

[Ch. Sumer Singh.]

(b) how many of the above-named officials are Hindu statutory agriculturists of the Ambala Division with full particulars of each of them?

The Honourable Sir Manohar Lal : The time and trouble involved in collecting the information will not be commensurate with any possible benefit to be obtained.

ARREST OF PERSONS PARTICIPATING IN TRADERS' AGITATIONS.

***8305. Rai Bahadur Lala Gopal Das :** Will the Honourable Minister for Finance be pleased to state whether any of those persons who were arrested in connection with the recent traders' agitation against the sales tax are still in jail; if so, the number of such prisoners, the places where they are detained and the reasons for their continued detention?

The Honourable Sir Manohar Lal : No such person is in jail at present.

REPRESENTATION OF SCHEDULED CASTES AMONG PUBLIC PROSECUTORS.

***8341. Bhagat Hans Raj :** Will the Honourable Minister for Finance be pleased to state—

(a) the number of Public Prosecutors in the Punjab, community-wise, and the number of those among them who belong to the scheduled castes;

(b) if there is no representation of the aforesaid castes among the Public Prosecutors, the reasons therefor and the steps Government propose to take in the matter?

The Honourable Sir Manohar Lal : (a) The honourable member is invited to refer to the list at pages 37-38 of the July issue of the Punjab Civil List. Since this was printed the Public Prosecutor I, Lahore, has retired.

(b) Public Prosecutors do not form a service or a "branch of the service" but in filling vacant appointments accepted principles in regard to communal proportions are kept in view.

DIVISIONAL PANCHAYAT OFFICERS

***8157. Khan Sahib Khawaja Ghulam Samad :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether Divisional Panchayat Officers have been appointed in Lahore, Multan and Rawalpindi Divisions; if so, the names of such officers and also of those already employed in Jullundur and Ambala Divisions;

(b) the pay and travelling allowance sanctioned for these officers in each division;

(c) the duties entrusted to them;

(d) the educational qualifications necessary for a candidate for selection as a Divisional Panchayat Officer;

(e) whether the officers already employed possess these qualifications?

Parliamentary Secretary (Shaikh Faiz Muhammad): (a) (i) The 3 posts of Divisional Inspectors of Panchayats at Multan, Lahore and Rawalpindi have not been filled yet. Mr. Maula Baksh Khizar Tamimi, M.A., LL.B., and Chaudhri Net Ram, B.A., LL.B., have however, been appointed Divisional Inspectors of Panchayats on the educational side, with Headquarters at Lahore and Ambala respectively.

(ii) Chaudhri Devak Ram, B.A., LL.B., Divisional Inspector of Panchayats, Ambala Division, and Sardar Bawa Singh, B.A., LL.B., Divisional Inspector of Panchayats, Jullundur Division. The latter was appointed on the reversion of Sardar Mohinder Singh Thind.

(b) Rupees 125—10—225 *plus* travelling allowance at tour rates.

(c) In the case of Mr. Maula Baksh and Chaudhri Net Ram, their duties are to train and instruct the Panches so as to enable them to make decisions in accordance with justice, equity and good conscience. On the other hand, they have also to carry on propaganda from village to village on behalf of the panchayat movement and consolidate mass opinion by holding meetings, etc. In the case of Chaudhri Devak Ram and Sardar Bawa Singh, their duties are to supervise and control the work of the Panchayat Field Staff.

(d) Graduate of a recognised Indian University or of a foreign University.

(e) Yes.

TRAVELLING ALLOWANCE DRAWN BY THE SECRETARY, REGIONAL TRANSPORT AUTHORITY.

***8253. Pandit Bhagat Ram Sharma:** Will the Honourable Minister for Public Works be pleased to state—

(a) the amount of travelling allowance drawn by the Secretary, Regional Transport Authority, Multan, for the quarter ending 31st March 1941, 31st July 1941 and 31st October 1941 ;

(b) the number of *challans* made by the Secretary, Regional Transport Authority, Multan, during the period mentioned in part (a) above and the results thereof ?

Parliamentary Secretary (Shaikh Faiz Muhammad):

	Rs.	A.	P.
(a) Quarter ending the 31st March 1941 ..	1,326	13	0
Quarter ending the 31st July 1941 ..	1,342	3	0
Quarter ending the 31st October 1941 ..	1,201	14	0
(b) Quarter ending the 31st March 1941 ..	41	prosecutions.	
Quarter ending the 31st July 1941 ..	49	,,	
Quarter ending the 31st October 1941 ..	15	,,	

The accused were convicted in all the cases other than those still pending.

**ADDA FEES REALIZED FROM MOTOR VEHICLES IN RENALA
KHURD**

***8254. Pandit Bhagat Ram Sharma :** Will the Honourable Minister for Public Works be pleased to state—

(a) the amount realized by the Notified Area Committee, Renala Khurd, district Montgomery, from motor vehicles as *adda* fees from the 1st of April 1940 till the 31st of October 1941 ;

(b) the amount spent by the Notified Area Committee, Renala Khurd, for constructing the provisions required for "C" Class stand during the period mentioned in part (a) above ;

(c) whether he is aware of the fact that District Motor Union, Montgomery, made a representation to the District Magistrate, Montgomery, for converting the Renala Khurd Motor Stand into a Bus Stop ; if so, the action taken thereon ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : (a) Rs. 8,766-8-0.

(b) Rs. 2,587.

(c) The representation was made by the Punjab Provincial Motor Union ; but it was found as a result of the enquiries made that the existence of the Stand was necessary in the public interest and the representation was filed.

**ADDA FEES COLLECTED FROM MOTOR DRIVERS BY MUNICIPAL
COMMITTEE, CHICHAWATNI**

***8255. Pandit Bhagat Ram Sharma :** Will the Honourable Minister for Public Works be pleased to state—

(a) the amount collected by the Municipal Committee, Chichawatni, district Montgomery, as *adda* fees from the drivers and owners of motor vehicles from 1st April 1940 to 31st October 1941 ;

(b) whether it is a fact that the Municipal Committee mentioned in part (a) above has not spent any amount for constructing any buildings for the benefit of the motor drivers required under the provision of the Punjab Motor Vehicles Rules, 1940 ;

(c) If the answer to part (b) above be in the affirmative, the action that Government intend to take in this connection ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : (a) Rs. 1,456-5-0.

(b) The Committee intends to provide the necessary building and is negotiating with the Government for the use of the land selected for the site. No expenditure has therefore yet been incurred by the Committee on the project.

(c) As the Committee was unable to provide the amenities required by the rules, the *adda* fee charged from lorry owners was discontinued with effect from the 28th November 1941.

BURNING OF THE HOUSE OF PURAN SINGH

***8273. Sardar Lal Singh :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether he is aware of the fact that a F. I. R. was recorded in thana Dakha, district Ludhiana, about a case of incendiarism in village Mohi in which the new house of one Puran Singh, soldier serving overseas, was burnt on 17th October 1941 ;

(b) if so, whether the police has made enquiries and traced the culprit ;

(c) whether he is aware of the fact that evidence in the case is forthcoming, but the police refuse to accept it ;

(d) the action Government propose to take in this matter ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : (a) Musammat Basant Kaur, wife of one, Gurdial Singh, Jat, of village Mohi lodged a report at police station Dakha that the *chari* stocked in her house, without shutters, was burnt on the night between 16/17th October 1941. According to her own statement she suffered a loss of about Re. 0-10-0.

(b) A thorough investigation was conducted but no direct evidence was available. The complainant suspected one Munshi, Jat, of the village, but the evidence against him was considered insufficient and the case was filed.

(c) A considerable number of witnesses, including village officials, were examined by the police without success and they did not reject any useful evidence.

(d) Does not arise.

ELECTIONS FOR PANCHAYATS IN LUDHIANA DISTRICT

***8274. Sardar Lal Singh :** Will the Honourable Minister for Public Works be pleased to lay on the table of the House a statement giving—

(i) the names of those villages in the Ludhiana district in which the elections held for panchayats were annulled by the Deputy Commissioner in the year 1941 ; and state—

(ii) whether the cases were examined before passing orders for annulment ; if so, the reasons for such annulment ;

(b) whether it is a fact that in Ghatih Kalan, Ludhiana district, the zaildar tried to influence the panchayat officer to get a relative of his elected ;

(c) whether it is a fact that orders annulling the election in Jassowal were passed on merely an application and without enquiring into the case and examining the record ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : (a) (a) Akalgarh, (b) Asi Kalan, (c) Kular, (d) Jassowal, (e) Baddowal.

(ii) Yes ; the cases were examined.

Non-observance of the rules in question by the officer appointed to hold the election was the reason for the election being annulled.

(b) There is no village known as Ghatih Kalan in the Ludhiana district.

(c) No.

LADY SUPERINTENDENT, MUNICIPAL GIRLS' SCHOOL, LAHORE

***8283. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether it is a fact that before the present Administrator, Lahore Municipality, took over charge of his post, the Lady Superintendent, Municipal Girls' School in Lahore, who was employed mainly to look after the convenience, comforts and welfare of the *purdah*-observing school mistresses working in the municipal girls' schools in Lahore had her office in a girls' school inside the city of Lahore where she used to disburse the pay of these mistresses besides attending to the matters concerning the welfare of these mistresses ;

(b) whether it is a fact that her office has now been shifted to a room in the main building of the Town Hall, Lahore, which is open to the public, and where the male employees of the Lahore Municipality have a free access causing great inconvenience and embarrassment to the school mistresses who observe strict *purdah* ;

(c) whether he is aware of the fact that even the monthly salary of the school mistresses is very often disbursed in the office of the said lady superintendent by one of her male clerks and not by the lady superintendent herself as it used to be done previously ;

(d) if the answers to the above be in the affirmative, the action that Government propose to take in the matter ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : (a), (b) The office of the lady superintendent was moved by the previous Administrator, Lahore Municipality, from Nisbet Road to the Town Hall. No male municipal employee has access to it except on business. No inconvenience or embarrassment has been caused to any mistress.

(c) Salaries are disbursed by the cashier in the presence of the lady superintendent.

(d) Does not arise.

COMPLAINTS AGAINST SUB-INSPECTOR OF POLICE, PEHOWA

***8284. Khan Sahib Chaudhri Sahib Dad Khan :** Will the Honourable Minister for Public Works be pleased to state—

(a) the number of complaints pending in the court of Sub-Divisional Magistrate, Kaithal, or in the court of any other 1st class magistrate at Karnal, against the Sub-Inspector or Assistant Sub-Inspector of Police, in charge Pehowa Police Station, with the date of institution of each complaint ;

(b) the number of complaints pending against the said police officer before the Superintendent, Police, Karnal, with the date of the institution of each of these complaints and the action, if any, taken on them, and, if no action has been taken on any one of them so far, the reasons for the same ;

(c) whether it is a fact that the people of the locality are agitated by the presence of the said police officer at Pehowa; if so, the action intended to be taken by Government in the matter ?

Parliamentary Secretary (Shaikh Faiz Muhammad): (a) Two: one on 10th November 1941, the other on 22nd November 1941.

(b) No complaints are pending.

(c) No.

ACQUISITION OF LAND NEAR QUTB-I-ALAM HAZRAT ABDUL JALIL CHUHAR
SHAH BANDGI BY LAHORE IMPROVEMENT TRUST

***8286. Makhdumzada Haji Syed Muhammad Walayat Husain Jeelani:** Will the Honourable Minister for Public Works be pleased to state—

(a) whether he will be pleased to lay on the table of the House a copy of the resolution moved by the late Khan Bahadur Maulvi Muharram Ali Chishti, M.L.C., and carried by the Punjab Legislative Council, on the 10th of January 1922, providing against the compulsory acquisition of property attached to shrines, etc., the boundaries of which are continuous with the site of the same;

(b) whether it is a fact that in spite of the resolution the Lahore Improvement Trust is acquiring Waqf Land attached to and continuous with boundaries of the shrine of Qutab-i-Alam Hazrat Abdul Jalil Chuhan Shah Bandgi, son-in-law of the Emperor Bahlol Lodhi, at the McLeod Road, Lahore; if so, the reasons therefor?

Parliamentary Secretary (Shaikh Faiz Muhammad): (a) A copy of the resolution is laid on the table.

(b) The trust is proposing to acquire the land in question, but no such proposal has reached Government. No action is necessary now when there is a Government directly responsible to the Legislature under the Government of India Act, 1935, and the procedure to be followed will be found in sections 81 and 82 of the Land Acquisition Act. The District Judge is to see that the interests of the Waqf do not suffer.

Resolution

This Council recommends to the Government to order that in no circumstances shall any religious place of worship, shrine, tomb, graveyard or any immovable property attached to any such institution, and the boundaries of which are continuous with the site of the same, be acquired compulsorily under the Land Acquisition Act; and moreover that, if any other immovable property attached to any such institution, or any waqf property, be required, the Government will consult at least four non-official members of the community concerned before taking action.

DAM FOR KALOOR KOT TOWN

***8292. Sardar Gurbakhsh Singh:** Will the Honourable Minister for Public Works be pleased to state—

(a) whether the Government have recently received any applications from the public of Town Kaloor Kot, district Mianwali, to the effect that the town is in great danger of being washed away by the Sind river; if so, what steps the Government have taken in that connection;

(b) whether the Government has ever considered the advisability of erecting a dam, permanent or temporary, to ward off the increasing danger from the river to the town; if so, with what result;

[S. Gurbakhsh Singh.]

(c) how much damage the Sind river did to the aforesaid town during 1940 and 1941 ?

Parliamentary Secretary (Shaikh Faiz Muhammad): I regret that the answer to this question is not yet ready.

BUNGALOWS IN RIVAZ GARDENS ESTATE

***8293. Mian Abdul Rab:** With reference to the answer to my starred question No. 7789¹, asked on 25th April, 1941, regarding the allotment of Government bungalows in the Rivaz Gardens Estate, will the Honourable Minister for Public Works be pleased to state what steps have so far been taken to remove the racial discriminations in the allotment of those bungalows; if no steps have so far been taken, the reasons therefor ?

Parliamentary Secretary (Shaikh Faiz Muhammad): The matter is under consideration and is receiving the attention of Government.

Mian Abdul Rab: May I know from the Parliamentary Secretary as to whether the Honourable Minister for Public Works has got the power to change the rules governing the allotment of bungalows in the Rivaz Gardens Estate ?

Parliamentary Secretary: That matter is also under the consideration of the Government.

Mian Abdul Rab: My question is whether the Honourable Minister of Public Works has got the power to change the rules governing the allotment of bungalows in Rivaz Gardens Estate.

Parliamentary Secretary: That matter is under the consideration of the Government.

Mian Abdul Rab: Which matter ? Is the question whether he has got the powers also under consideration ?

Minister of Public Works: I believe otherwise, unless it happens to be part of the contract.

TOLL TAX ON NURPUR SHAHAN ROAD

***8301. Khan Muhammad Yusuf Khan:** Will the Honourable Minister for Public Works be pleased to state—

(a) whether it is a fact that Nurpur Shahan Road in the Rawalpindi tahsil has been taken over by the Public Works Department from the District Board, Rawalpindi;

(b) whether it is a fact that the District Board, Rawalpindi, last year levied a Toll Tax on the above road on the occasion of the annual *mela* at Nurpur Shahan;

(c) whether it is a fact that the Public Works Department protested against such a levy on this occasion;

(d) if the reply is in the affirmative, whether the Government in the Public Works Department intend to levy the said tax on this road this year ?

Parliamentary Secretary (Shaikh Faiz Muhammad): (a) Yes.

(b) Yes.

(c) No.

(d) No.

BY-ELECTION FOR JARANWALA MUNICIPAL COMMITTEE

***8312. Lala Harnam Das :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether it is a fact that some of the members of the Municipal Committee, Jaranwala, in Lyallpur district, resigned their seats on the Committee some time ago ; if so, the number of members who so resigned and the date when they submitted their resignations ;

(b) the date when their resignations were accepted and the date on which it was published in the Gazette that their resignations had been accepted ;

(c) whether by-election has been held so far to fill these seats ; if not, the reasons for the same ;

(d) when does the Government intend to hold the by-election ?

Parliamentary Secretary (Shaikh Faiz Muhammad): (a) Two members of the committee submitted their resignations to the Deputy Commissioner, Lyallpur, on the 28th July 1941 and the 2nd August 1941, respectively.

(b) The resignation of one member was accepted by the Commissioner on the 20th August 1941 and notified in the *Punjab Gazette*, Part I-B of the 29th August 1941. The other member had been convicted under the Defence of India Act before he tendered his resignation. He was, therefore, removed by Government in November, 1941.

(c) Yes.

(d) Does not arise.

SCHOLARSHIPS IN PUNJAB COLLEGE OF ENGINEERING AND TECHNOLOGY, MOGHALPURA

***8340. Bhagat Hans Raj :** Will the Honourable Minister for Public Works be pleased to state—

(a) the number of scholarships that are awarded to students in each class every year in the Punjab College of Engineering and Technology, Mughalpura ;

(b) whether any scholarships are reserved for the students of the scheduled castes, studying in the aforesaid college ;

(c) if none, whether any other facilities are given to the students of the scheduled castes in the matter of prosecution of their studies in the said college ; if so, the nature of those facilities ?

Parliamentary Secretary (Shaikh Faiz Muhammad): (a) Government scholarships are as set out on pages 15, 16 and 29 of the Prospectus of the Punjab College of Engineering and Technology for 1941-42, viz.:—

1st year of "A" Class . . . One of Rs. 30 per mensem.

2nd year ditto . . . Two of Rs. 50 per mensem each.

3rd year ditto . . . Two of Rs. 50 per mensem each.

4th year ditto . . . Three of Rs. 50 per mensem each for Civil Mechanical and Electrical groups.

5th year ditto . . . Ditto ditto.

1st, 2nd, 3rd, 4th and 5th year of "B" Classes . . . Ten scholarships of Rs. 20 per mensem each in each class.

(b) The scholarships are open to all and there is no reservation.

(c) The share of scheduled castes, 2½ per cent, is reserved in admissions for all the three classes, "A", "B" and "C" in the college.

Lala Harnam Das: May I know whether these boys ever get the scholarships?

Parliamentary Secretary: They do not get scholarships. They are granted.

REPRESENTATION OF SCHEDULED CASTES IN POLICE FORCE

***8342. Bhagat Hans Raj**: Will the Honourable Minister for Public Works be pleased to state the number of constables, head constables and Assistant sub-inspectors in the Punjab Police Force who have been recruited so far from the scheduled castes; whether the number is according to their proportionate share; if not, the reasons therefor?

Parliamentary Secretary (Shaikh Faiz Muhammad): I must decline with regret to answer questions which savour of communalism on the floor of the House. I am sorry to have to adopt this attitude, but Government consider it necessary in the public interest to establish a convention in connection with such questions. I shall, however, always be prepared to examine any particular instance of disproportionate representation which honourable members may bring to my notice in a more informal way.

PRESIDENT, MUNICIPAL COMMITTEE, HOSHIARPUR

***8355. Maulvi Mazhar Ali Azhar**: Will the Honourable Minister for Public Works be pleased to state whether it is a fact that on 7th May 1941, Mr. Muhammad Din, Barrister-at-Law, Municipal Commissioner, Hoshiarpur, was elected president of the local municipal committee, and that his election has not been gazetted so far; if so, the reasons therefor?

Parliamentary Secretary (Shaikh Faiz Muhammad): As the resolution, by which Mr. Muhammad Din, Barrister-at-Law, was elected President of the Municipal Committee of Hoshiarpur, was void and in excess of the powers of the committee, the deputy commissioner suspended its execution under section 232 of the Municipal Act and his order was confirmed by the commissioner. There is, therefore, no question of notifying the election of the president held on the 17th May 1941.

LOCKING UP OF RAM SINGH'S SHOP

***8361. M. Jafar Ali Khan:** Will the Honourable Minister for Public Works be pleased to state—

(a) whether it is a fact that the police locked up the shop of one Ram Singh of Fatehpur in tahsil Okara, district Montgomery, while investigating a criminal report lodged on 24th January 1942, against one Chaudhri Nur Muhammad;

(b) whether it is also a fact that the criminal report has since been finally found to be false;

(c) whether it is a fact that the police have not so far removed the lock from the shop of the said Ram Singh with the result that the shopkeeper is not able to dispose of cotton which he has stored and for which he has got to make payment to zamindars whose cotton he has stored;

(d) whether it is a fact that the rate of cotton is showing a steady decline and the shopkeeper has already suffered a loss and stands in sure danger of incurring further a heavy loss on his shop remaining locked by the police; if so, the action intended to be taken in the matter?

Parliamentary Secretary (Shaikh Faiz Muhammad): (a) Yes.

(b) No. The local police while investigating this case discovered that an offence under section 457, Indian Penal Code, had been committed.

(c) & (d) Yes. The police kept the shop locked pending investigation. The delay in the removal of the lock was due to the honourable member's giving an assurance that his father, alleged to be an abettor in the offence, was innocent. The honourable member, and his father were given time to prove Chaudhri Nur Muhammad's innocence, which they could not do within the time allowed.

CHAUDHRI NUR MUHAMMAD

***8368. Malik Barkat Ali:** Will the Honourable Minister for Public Works be pleased to state whether he is aware of the fact that the Superintendent of Police, Montgomery, recently threatened Chaudhri Nur Muhammad, Lambardar of village Fatehpur, district Montgomery, in the presence of two to three thousand persons in Kothi Sadar, Gogera, that he would register his name as a section 110 man, that he would dismiss him from *lambardari* and would post a punitive police in his village, Fatehpur; if so, the reasons therefor?

Parliamentary Secretary (Shaikh Faiz Muhammad): Chaudhri Nur Muhammad, Lambardar of village Fatehpur, district Montgomery, is suspected of being a *rassagir*. In the year 1941, he was suspected in two theft cases of police station Gogera, and has also been suspected in the year 1942 of complicity in a dacoity case in which cotton to the value of Rs. 2,500 was stolen. The superintendent of police was, therefore, justified in warning this lambardar that, unless his reputation improved, steps would be taken to dismiss him from his *lambardari* and if the village continued to be a rendezvous of bad characters steps would also be taken to locate an additional police post.

NUISANCE BY A FACTORY ON FEROZEPUR ROAD, LAHORE

***8378. Malik Barkat Ali:** Will the Honourable Minister for Education be pleased to state—

(a) whether his attention has been drawn to the serious discomfort and menace to the health of the residents on the Ferozepur Road, Lahore, occasioned by the setting up of a factory in the premises of bungalow No. 125 on the above-mentioned road for the manufacture of buttons from the bones of cattle, pigs and other animals ;

(b) whether he is aware that about 200 people including boys of tender age and adults work in this factory which occupies an area of about 3 kanals of land ;

(c) whether it is a fact that this factory works day and night creating any amount of noise on account of working of electric saws and grinding machines and emitting offensive and nauseating smell arising from bones as processed in the factory ;

(d) whether it is also a fact that the Director of Public Health, Punjab, recently visited the spot on the complaints of the residents of the locality and after having satisfied himself that the factory was a regular nuisance, called upon the municipal authorities to take necessary action for the removal of this factory from its present site ;

(e) whether it is a fact that the Administrator, Lahore Municipality, refused to grant licence for the working of this factory and whether in spite of this refusal the factory has been working in complete disregard of the fact that no licence exists for the working of this factory ; if so, the reasons therefor ;

(f) whether he is aware that, in addition to this factory being a serious menace to the health of the residents of the locality, it is a standing affront to the religious susceptibilities of the Hindu residents in the neighbourhood ; if so, the steps that the Government has so far taken to remove this nuisance, and, if no steps have so far been taken in this connection, the reasons for the same and whether it is intended to take any action now in the matter ?

The Honourable Mian Abdul Haye : I regret that the answer to this question is not yet ready.

MUKTSAR ELECTRIC SUPPLY COMPANY

***8379. Pir Akbar Ali:** Will the Honourable Minister for Public Works be pleased to state—

(a) whether it is a fact that the Muktsar Electric Supply Company, Limited, Muktsar, on account of financial difficulties, has discontinued altogether supplying electric energy to the local consumers of the Muktsar town since the 7th March 1942, in contravention of the terms of the contract ;

(b) whether it is also a fact that a representation to this effect was made by the consumers concerned to the Electrical Inspector to the Government, Punjab, in May last and again in June 1942 ; if so, the action taken or intended to be taken in the matter ?

Parliamentary Secretary (Shaikh Faiz Muhammad): (a) Yes.

(b) *First part*—Yes.

Second part—The company's licence is being revoked.

SCHEDULED CASTES AND PANCHAYATS

***8381. Chaudhri Jugal Kishore:** Will the Honourable Minister for Public Works be pleased to state—

(a) the number and names of villages in the Ambala district where panchayats have so far been established;

(b) the number and names of villages from among those mentioned in (a) where scheduled castes are in a majority and also of those where the population of scheduled castes is equal to that of other communities;

(c) the names of villages from among those mentioned in (a) where the scheduled castes have been given seats on the panchayats?

Parliamentary Secretary (Shaikh Faiz Muhammad): I regret that a reply to this question is not yet ready.

EXPENSES INCURRED ON CASES IN COURTS AGAINST CHAUDHRI MOHAMMAD HASAN, M.L.A.

***8382. Malik Barkat Ali:** Will the Honourable Minister for Public Works be pleased to state—

(a) the number and particulars of the cases started by the Ludhiana police against Chaudhri Mohammad Hasan, M.L.A., during the years 1937—1941, together with their result in each case;

(b) the total amount of money paid in fee to the various counsels for the Crown in each of the said cases;

(c) whether it is a fact that a counsel from Lahore was sent in some of these cases to conduct the prosecution; if so, the name of the counsel; the total number of days for which he attended the courts at Ludhiana in each case, and the total payment made to him?

Parliamentary Secretary (Shaikh Faiz Muhammad): It is not in the public interest to collect the information.

FEE CONCESSIONS TO SONS OF TEACHERS

***8158. Khan Sahib Khawaja Ghulam Samad:** Will the Honourable Minister for Education be pleased to state—

(a) whether there are any rules under which fee concessions are granted to the sons of teachers serving in the Government institutions;

(b) whether such concessions are granted throughout the whole province;

(c) whether any limit of income is prescribed for the grant of such concessions;

(d) whether sons of retired teachers are also granted such concessions if their pension does not exceed the prescribed limit of income?

The Honourable Mian Abdul Haye : The honourable member's attention is invited to paragraph 3 of Article 121 of the Punjab Education Code, XI edition.

INDIGENOUS MEDICINES

***8300. Rai Bahadur Lala Gopal Das :** Will the Honourable Minister for Education be pleased to state what action, if any, has been taken on the recommendations contained in the Report made by the Enquiry Committee on indigenous medicines ?

The Honourable Mian Abdul Haye : It has been decided to set up a Board of Indian Medicine.

GRANT-IN-AID SCHOOLS

***8333. Rao Mohar Singh :** Will the Honourable Minister for Education be pleased to state whether the list of the grant-in-aid schools in the province has been revised within the last 10 years ; if so, when it was revised last, and if not, the reasons therefor ?

The Honourable Mian Abdul Haye : Presumably the honourable member desires to know whether any new anglo-vernacular secondary school in the province has been placed on the grant-in-aid list within the period specified. If so, the reply is in the negative. This is due to the fact that a ban was imposed by Government on financial grounds in 1930 on future addition of new schools to the grant-in-aid list.

ALBERT VICTOR SECTION OF THE MAYO HOSPITAL, LAHORE

***8360. Chaudhri Ahmad Yar Khan :** Will the Honourable Minister for Education be pleased to state—

(a) whether the Albert Victor Section of the Mayo Hospital was built by contributions and that 95 per cent of these contributions was contributed by Indians ;

(b) whether it is a fact that no Indian is admitted in the General Ward of the Albert Victor Section of that hospital ;

(c) if the answers to (a) and (b) be in the affirmative, what action Government proposes to take in the matter ?

The Honourable Mian Abdul Haye : (a) The estimated cost when the wards were put up in 1890 was Rs. 85,000, of which Government paid Rs. 30,000. The balance was contributed privately from all over the province. I cannot now say how much was given by the Indian public.

(b) Yes, the reason being that the Albert Victor section was designed and built to—

(i) enlarge existing accommodation in the Mayo Hospital for Indian patients by setting free the space occupied by Europeans and Anglo-Indians in the Mayo Hospital ;

(ii) afford more suitable accommodation for the poor classes of Europeans and Anglo-Indians, and

(iii) provide hospital accommodation for both European and Indian patients willing to pay for it.

The objects of the scheme were widely circulated with the appeal for funds and the donors fully realized what they were subscribing for.

(c) Does not arise. I would refer the honourable member in this connection to the answer given to starred question No. 8127¹ in the last budget session.

SUB-INSPECTORS AND INSPECTORS OF CO-OPERATIVE DEPARTMENT

***8242. Chaudhri Muhammad Hasan :** Will the Honourable Minister for Development be pleased to state—

(a) the number of persons appointed as sub-inspectors and inspectors in the Punjab Co-operative Department from the Ludhiana district during the last five years ;

(b) the number of inspectors and sub-inspectors at present serving in the Punjab Co-operative Department who belong to Rohtak district, in particular and Ambala division in general ;

(c) the names, educational qualifications, and caste and length of service of each of them ;

(d) the number, names, educational qualifications and home districts of the inspectors in the Punjab Co-operative Department, who have been promoted to the rank of assistant registrar from 1937—1940, and how many out of them belong to the Ambala division ?

Parliamentary Secretary (Chaudhri Tikka Ram) : I regret that the information asked for by the honourable member cannot be supplied as the time and trouble involved in collecting the information will not be commensurate with any possible benefit to be obtained.

PROMOTION OF RANGERS TO THE RANK OF EXTRA ASSISTANT
CONSERVATORS OF FORESTS

***8243. Chaudhri Muhammad Hasan :** Will the Honourable Minister for Development be pleased to state—

(a) the number, names and educational qualifications of the persons taken in service in the Forest Department from 1937—1941, with the name of the home district of each of them ;

(b) the names of the rangers who have been promoted to the rank of the Extra Assistant Conservators in the Forest Department during the last five years along with their educational qualifications, home districts and length of service ;

(c) how many out of the total number belong to the Ambala division ?

Parliamentary Secretary (Chaudhri Tikka Ram) : (a) The result to be obtained will be in no way proportionate to the labour involved if the question covers such a wide field as is obvious from the language used.

(b) A statement showing the required information is laid on the table.

(c) No one mentioned in (b) above belongs to the Ambala division.

Statement showing the names of Forest Rangers who have been promoted to the rank of Extra Assistant Conservator of Forests during the last 5 years.

Serial No.	Name	Educational qualifications	Length of service when appointed as Extra Assistant Conservator of Forests	Home district
			Y. M. D.	
1	Chaudhri Muhammad Shafi	Matric. ..	25 3 10	Amritsar.
2	Khan Sultan Muhammad Khan ..	F.A. ..	24 4 11	Gurdaspur.
3	Mian Durga Dass ..	B.A. ..	22 4 28	Hoshiarpur.
4	S. Bhagat Singh ..	F.Sc. ..	22 6 10	Gujranwala.
5	M. Gurdas Mohan ..	B.A. ..	20 7 2	Lahore.
6	Chaudhri Mohan Singh ..	B.A. ..	20 8 23	Rawalpindi.
7	S. Puran Singh ..	Matric. ..	20 9 6	Patiala State.
8	S. Gurbachan Singh ..	Matric. ..	19 9 18	Hoshiarpur.
9	Chaudhri Bhagwan Dass..	B.A. ..	18 8 22	Multan.
10	Chaudhri Ghulam Nabi ..	F.A. ..	30 9 11	Sialkot.
11	Pandit Jog Dhian ..	Matric. ..	18 6 14	Shahpur.
12	S. Arjan Singh ..	F.Sc. ..	16 6 6	Sialkot.
13	S. Ranjit Singh ..	Matric. ..	17 6 20	Ferozepore.

VETERINARY ASSISTANTS

***8244. Chaudhri Muhammad Hasan :** Will the Honourable Minister for Development be pleased to state—

(a) the number of veterinary assistants recruited during the last four years, with their educational qualifications and their home districts ;

(b) the names of the veterinary assistants who have been promoted to the rank of the deputy superintendents in the Veterinary Department during the last five years with their educational qualifications and their home districts ?

Parliamentary Secretary (Chaudhri Tikka Ram): (a) & (b)
¹Statements are laid on the table.

¹Kept in the Assembly Library.

INSPECTORS OF WEIGHTS AND MEASURES

***8362. Makhdumzada Haji Syed Muhammad Wilayat Husain Jeelani :** Will the Honourable Minister for Development be pleased to state—

(a) whether it is a fact that over 50 vacancies of inspectors and sub-inspectors under the Punjab Weights and Measures Act have occurred in the Department of Industries, Punjab ;

(b) whether among the applicants for the above-mentioned posts there are any candidates who have had training in weights and measures under the Director of Industries, Bombay ; if so, their number ;

(c) whether the Government intends to give them preference over the untrained candidates ;

(d) the final authority who will make the above-named appointments ;

(f) whether some of the Honourable Ministers have recommended the applications of certain candidates ; if so, how many candidates have been recommended by each Minister ?

Parliamentary Secretary (Chaudhri Tikka Ram) : (a) Yes.

(b) Yes ; they are 8 in number.

(c) No, but the training will be treated as an additional qualification.

(d) Director of Industries, Punjab. He has interviewed some 1,500 candidates for these posts.

(f) No. Some of the applications were, however, wrongly addressed to the Honourable Ministers of Finance and Development and were forwarded to the Director of Industries (for whom they were meant) for disposal.

LALA HEM RAJ SUD

***8256. Pandit Bhagat Ram Sharma :** Will the Honourable Minister of Finance be pleased to state—

(a) whether he is aware of the fact that Lala Hem Raj Sud, B.A., LL.B., Pleader, a *satyagrahi* from the Kangra district, is confined in the Rawalpindi Jail ;

(b) whether it is a fact that all other *satyagrahis* of the above-named district have been released ;

(c) whether any proposal for the release of the above-mentioned pleader is under the consideration of the Government ; if not, the reasons therefor ;

(d) the present state of the health of the above-named detenu ?

The Honourable Sir Manohar Lal : The prisoner was released on the 28th February 1942. During his confinement in the Rawalpindi District Jail he enjoyed good health.

ALLOWANCE TO DETENUS AND INTERNEES

***8276. Sardar Lal Singh :** Will the Honourable Premier be pleased to state—

(a) the number of persons confined in the Lahore Fort and also of those interned in their respective villages under the Defence of India Rules during the year 1941 ;

(b) the names of detenus who are being granted allowances with the amount in each case ;

(c) the number and the names of detenus who are not being granted any kind of allowance ?

Parliamentary Secretary (Mir Maqbool Mahmood) : (a) (i) 35 persons were detained in the Lahore Fort from time to time during 1941, but none of them is at present confined there.

(ii) 29.

(b) & (c) The families of 22 detenus are being given maintenance allowances varying between Rs. 5 and Rs. 40 per mensem. It is not in the public interest to give further details.

MAINTENANCE ALLOWANCE FOR THE FAMILY OF SARDAR KARTAR
SINGH GILL

***8277. Sardar Lal Singh :** Will the Honourable Premier be pleased to state whether the Government is aware of the fact that the family of Sardar Kartar Singh Gill of village Basarke, district Amritsar, who was recently repatriated from Deoli Camp to Gujrat Jail, has no means of subsistence ; if so, whether Government has granted any allowance to the family of the said detenu ; if not, the reasons therefor ?

Parliamentary Secretary (Mir Maqbool Mahmood) : An allowance of Rs. 5 per mensem was granted to the wife of Kartar Singh Gill with effect from 1st February 1942. He was restricted to his village with effect from 18th June 1942.

MAINTENANCE ALLOWANCE FOR THE FAMILY OF DR. BHAGAT
SINGH

***8278. Sardar Lal Singh :** Will the Honourable Premier be pleased to state whether he is aware of the fact that Dr. Bhagat Singh, Ph.D., a prisoner in the Deoli Camp and now lodged in Gujrat Jail, has his family without any means of support and that a son of his is studying in a high school ; if so, whether any allowances are being given to the said prisoner's family ; if not, whether it is intended to grant some allowance for the family ?

Parliamentary Secretary (Mir Maqbool Mahmood) : No prisoner of this name is confined in the New Sub-Jail, Gujrat. There is, however, one security prisoner Dr. Bhag Singh in that jail whose case for a maintenance allowance for his family has been considered by the Government and rejected.

S. SARDUL SINGH CAVEESHER

***8358. Pandit Sri Ram Sharma :** Will the Honourable Premier be pleased to state—

(a) the charges against S. Sardul Singh Caveesher, who has been recently arrested and detained in the Lahore Fort ;

(b) whether his detention has been effected by the Punjab Government or under the instructions of the Government of India ;

(c) whether his case will be put before the Tribunal appointed to examine the cases of detenus ; if not, why not ;

(d) whether he is being kept in solitary confinement or is allowed to mix with other detenus ; if he is allowed to mix with other detenus, to what extent he is so allowed ;

(e) whether he is being allowed the same facilities about interviews, correspondence, diet and supply of newspapers, as are allowed to other detenus ;

(f) whether it is a fact that he was ill at the time of arrest ; if so, the state of his health in full details at present ?

Parliamentary Secretary (Mir Maqbool Mahmood) : He is detained under the orders of the Government of India and questions about him cannot be raised on the floor of this House and should be addressed to the Central Government. I may, however, state that he is no longer detained in the Fort.

SHRIMATI SHANNO DEVI, M.L.A.

***8359. Pandit Shri Ram Sharma :** Will the Honourable Minister of Finance be pleased to state whether it is a fact that Shrimati Shanno Devi, M.L.A., is being treated as a 'C' class prisoner in the Lahore Female Jail ; if so, why ?

The Honourable Sir Manohar Lal : No, she is being treated as an "A" class prisoner.

PROSECUTIONS OF PUBLIC SERVANTS FOR EMBEZZLEMENT AND
CORRUPTION IN CONNECTION WITH FAMINE RELIEF WORKS

***8245. Chaudhri Muhammad Hasan :** Will the Honourable Minister for Revenue be pleased to state—

(a) the names and designations of those public servants who were prosecuted for embezzlement or corruption committed by them at the time they were posted to Hissar in connection with Famine Relief works ;

(b) the result of each of these cases giving, if possible, the particular kind of corruption committed by each of the persons so prosecuted ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) & (b)
A statement is laid on the table.

Serial No.	Name	Designation	Offence of which suspected	Result
1	Balraj	Moharrir ..	Section 379/409, Indian Penal Code	8 months' R. I.
2	Basti	Mate	Ditto	4 months' R. I.
3	Banwari Lal	Moharrir ..	409, I. P. C. ..	Discharged.
4	Mohindar Singh ..	Officer in charge.	Ditto	Do.
5	Boota Singh	Do. ..	Ditto	Do.
6	Muhammad A slam ..	Moharrir ..	Ditto	Do.
7	Nem Chand	Do. ..	Ditto	Do.
8	Sher Singh	Do. ..	Ditto	Do.
9	Hari Singh	Do. ..	Ditto	Do.
10	Ghulam Nabi	Do. ..	Ditto	Do.
11	Gurbakhsh Singh ..	Do. ..	Ditto	Do.
12	Sikhandar Singh ..	Do. ..	Ditto	Do.
13	Muhammad Yasin ..	Do. ..	Ditto	Ordered to furnish surety bond for one year in Rs. 250.
14	Muhammad Taki ..	Do. ..	Ditto	Discharged.
15	Telu Ram	Do. ..	Ditto	6 months' R. I.
16	Muhammad Munir Khan	Do. ..	Ditto	Surety bond in Rs.500 for one year.
17	Harnek Singh	Do. ..	Ditto	Surety bond in Rs. 250 for one year.
18	Chhotu Ram	Do. ..	Ditto	Discharged.
18.(A)	Nizam-ud-Din	Lambardar ..	Ditto	Do.
19	Badar-ud-Din	Do. ..	Ditto	Till the rising of court and Rs. 350 fine, in default 6 months' R. I.
20	Partap Singh	Moharrir ..	Ditto	Discharged.
21	Hazura Singh	Do. ..	Ditto	Acquitted.
22	Iftakhar Ali	Do. ..	Ditto	Proceedings dropped.

Serial No.	Name	Designation	Office of which suspected	Result
23	Ghulam Kibria	Moharrir	409 I. P. C.	Acquitted.
24	Chhabil Das	Do.	Ditto	Do.
25	Madan Gopal	Do.	Ditto	Discharged.
26	Pir Muhammad	Do.	420/419, I. P. C.	Fined Rs. 50 or 4 months' R. I.
27	Muhammad Khan	Do.	409/109, I. P. C.	Fined Rs. 50 or 3 months' R. I.
28	Sheo Nath	Do.	Ditto	Fined Rs. 25 or 1½ months' R. I.
29	Goverdhan Das	Do.	Ditto	Ditto
30	Mehar Chand	Sanitary Jamar-dar.	Ditto	Ditto
31	Harbhaj	Dak man	409, I. P. C.	6 months' R. I.
32	Chaman Lal	Officer in charge	Ditto	Case withdrawn.
33	Shugan Singh	Moharrir	Ditto	Discharged.

APPLICATIONS FOR GRANT OF LAND IN NILI BAR ON TEMPORARY CULTIVATION.

***8309. Pandit Bhagat Ram Sharma :** Will the Honourable Minister for Revenue be pleased to state whether it is a fact that applications sent through the post office for grant of land in the Nili Bar Colony on lease for temporary cultivation used to be duly entertained by the Colony Officers before 1941 and that such applications sent through the post office are not now entertained; if so, the reasons for the departure from the old practice?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : *First and Second part :* It is presumed the honourable member refers to applications for the lease of land on temporary cultivation for a single harvest or a single year. Such applications were entertained as usual up to and including the present rabi harvest.

Third part : Does not arise.

REALIZATION OF KHARIF AND RABI CROPS IN NILI BAR COLONY

***8310. Pandit Bhagat Ram Sharma :** Will the Honourable Minister for Revenue be pleased to state—

(a) the convention set up by the Colonization Officer, Nili Bar Colony, during the period from 1935 to 1940, for realizing the *Kharij*, and *Rabi* rents of temporary cultivations;

[Pandit Bhagat Ram Sharma.]

(b) whether during this period any facilities were provided to the temporary cultivation lessees for payment of *rabi* rents ;

(c) whether any penalty was charged during the above period from the lessees who paid their rents after the due dates; if the answers to (a) and (b) be in the affirmative and (c) in the negative, will the Government be prepared to state why heavy penalties were imposed on such lessees who paid their *rabi* rents after the due dates since 1940.

Parliamentary Secretary (Raja Ghazanfar Ali Khan): (a) It is not understood what the honourable member means by the words "the convention set up by the colonization officer." Temporary cultivation rent has always fallen due on the 15th January for *khari* and the 1st July for *rabi*.

(b) No. If the honourable member will give me instances of undue leniency I shall be glad to look into them.

(c) *First part* : Yes.

Second part : Does not arise.

Pandit Bhagat Ram Sharma : May I know whether the Parliamentary Secretary has made any effort to understand the meaning of the word 'convention' from the Minister in charge ?

Mian Abdul Aziz : Was there any ambiguity in the word 'convention' which could not be understood by the Parliamentary Secretary ?

Parliamentary Secretary : The word 'convention' used in respect of the colonization officer was too ridiculous to permit me to make any further enquiry.

Mian Abdul Aziz : The fact which my honourable friend wanted to know was as to what was the convention and there was no ambiguity in it.

Parliamentary Secretary : It is unheard of that a colonization officer should set up a convention.

Mr. Speaker : I disallow discussion.

LEASES OF LANDS

*3369. **Sardar Ajit Singh** : Will the Honourable Minister for Revenue be pleased to state—

(a) whether it is a fact that the leases of lands in Chaks 110, 112/2-B.R., 114, 118, 122 and 132/2-B. R., in Nili Bar Colony were cancelled by the Government in *rabi*, 1941, before the expiry of the period for which these lands had been leased out ; if so, the number of such leases which were cancelled ;

(b) whether it is a fact that the lessees were granted compensation equal to the rent of one crop of the chaks ; if so, under what conditions and the term or terms of the leases under which this compensation was granted ;

(c) whether it is a fact that some of the lessees, whose leases were cancelled have not been granted any compensation ; if so, the reasons therefor ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan): (a) *First Part:* Yes, but no lease was cancelled in Chak No. 132-E.B., and only one was cancelled in Chak No. 110-E. B.

Second part: Nine.

(b) Yes, under clause 4 (c) of the lease deed.

(c) Some of the lessees were not granted compensation, because possession of the land was taken after the crops had been harvested by them; and so they were not entitled to any compensation.

Sardar Ajit Singh: Will the Parliamentary Secretary please state whether the Government is prepared to grant compensation to the rest of the lessees under clause 4 (c) as has been the case with the lessees of Chaks Nos. 112, 114, 118, etc.?

Parliamentary Secretary: I assure the honourable member that if there has been any such case in which compensation has not been granted, the officers concerned will certainly consider this matter.

LEASES OF LANDS

***8370. Sardar Ajit Singh:** Will the Honourable Minister for Revenue be pleased to state whether some leases of lands granted on temporary cultivation in Haveli Project, were cancelled not very long ago; if so, whether any compensation was granted to the lessees whose leases were cancelled?

Parliamentary Secretary (Raja Ghazanfar Ali Khan): *First Part:* Yes, because the land was required for permanent allotment to local peasants.

Second part: No, as none was admissible under the terms of the leases. Government does not, however, claim any rent for the harvest in which the land is resumed.

FETTERS TO SATYAGRAHIS

***8260. Chaudhri Muhammad Hasan:** Will the Honourable Premier be pleased to state—

(a) whether it is a fact that Sham Lal and other *satyagrahis* of Simla, when being transferred to Lahore, were compelled to put on fetters;

(b) whether in the case of *satyagrahis* the condition of putting on fetters has been relaxed or withdrawn; if not, the reason therefor;

(c) whether it is a fact that fetters are generally put on the convict who are either violent or have been convicted for offences involving violence?

Parliamentary Secretary (Mir Maqbool Mahmood): (a) No.

(b) & (c) Certain relaxations of the usual orders contained in Police Rule 18-35 (1) were allowed, but the matter is of academic importance now that we are no longer faced with the civil disobedience movement to which the question refers.

Sardar Sohan Singh Josh : Is the Parliamentary Secretary aware that generally all the Satyagrahis are being fettered when they are transferred from one jail to another ?

Premier : That is not correct ?

Sardar Sohan Singh Josh : Has the Government given any instructions in the matter of fettering prisoners when they are being transferred from one jail to another ?

Premier : I have made it quite clear that Government had relaxed the Police Rules to enable them not to be fettered.

Pandit Bhagat Ram Sharma : What is the guarantee that the Jail Rule with regard to fettering of the prisoners when they are being transferred from one jail to another is not being misused by the jailors ?

Premier : My honourable friend is talking about jailors, but the question is about police.

Sardar Sohan Singh Josh : Will the Honourable Premier be pleased to say as to who is the authority who decides whether a prisoner is to be fettered or not while he is transferred ?

Premier : I have said that the Government has issued instructions relaxing the Rules to enable the police not to fetter them except in certain cases.

Sardar Santokh Singh : Is the Honourable Premier aware that notwithstanding the instructions for this relaxation, they still continue to be fettered ?

Premier : My honourable friend is talking of something else. The question relates to Satyagrahis in the last civil disobedience movement.

HAI SIYAT TAX

***8162. Khan Sahib Khawaja Ghulam Samad :** Will the Honourable Minister for Public Works be pleased to state—

(a) the names of those districts in the Ambala division in which the *Haisiyat* Tax is imposed by the District Boards ;

(b) whether the *Haisiyat* Tax is imposed indiscriminately on all men carrying on professions other than that of agriculture or whether there are some exemptions prescribed by the various District Boards ; if so, the nature of those exemptions ;

(c) whether any income limit has been prescribed for the imposition of the above-named tax ; if so, its nature ;

(d) the name of the officer who assesses the income of the tax payers in the said division ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : (a) Hissar and Karnal.

(b) and (c) *Haisiyat* tax is imposed with reference to the *income*, not the *profession*, of the assessee. Incomes from (i) land subject to land revenue ; (ii) live stocks, (iii) agricultural produce owned by persons who are mainly dependent on agriculture for their livelihood and (iv) pensions received on account of service in His Majesty's Naval Military or Air Forces.

are not taken into account, while making assessment. The minimum assessable income, is Rs. 400 per annum.

(d) Assessment of income is made under the orders of the District Board in each of the two said districts. No single officer has been appointed in order to assess the tax-payers throughout the Ambala Division.

Khan Sahib Khawaja Ghulam Samad : Will the Parliamentary Secretary please state the pay which is being drawn by the officer posted in this connection ?

Parliamentary Secretary : I should like to have notice of this question.

Khan Sahib Khawaja Ghulam Samad : This question arose because it was just now stated that the income derived from this tax is nearly Rs. 400 in each district.

Parliamentary Secretary : I have not stated that the income derived from this tax is Rs. 400, but I have said that the minimum assessable income is Rs. 400 per annum.

RIVAZ GARDEN QUARTERS

*8163. **Khan Sahib Khawaja Ghulam Samad :** Will the Honourable Minister for Public Works be pleased to state whether it is a fact that the Rivaz Garden quarters are allotted only to Europeans and Anglo-Indians, and the Indians of the same service and the same rank are not allowed to occupy these quarters ; if so, whether there are any rules framed by the Government to create this discrimination ; and if so, whether he would be pleased to lay them on the table of the House ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : A copy¹ of the rules of the allotment of Government residences on the Rivaz and Chauburji Gardens Estate has been placed on the table of the House.

Section A of the above rules relates to the Rivaz Gardens Estate while Section B to the Chauburji Gardens Estate. The houses of the former Estate under rules 2 (i) of Section A are intended for European and Anglo-Indian Clerks while the latter under rule 2 of section B are intended for Indian Clerks.

While there are eligible clerks available for whom these houses are primarily intended, those who are not eligible under the respective allotment rules are not permitted to occupy them.

The whole question is now under examination and is receiving the attention of the Government.

Khan Sahib Khawaja Ghulam Samad : May I know the reason for racial discrimination which has been used in allotting certain quarters for Anglo-Indians and Europeans ?

Minister for Public Works : This is an old rule and as the reply made it clear the whole matter is under examination.

Khan Sahib Khawaja Ghulam Samad : Is there any hope that this discrimination would be removed ?

¹Kept in the Assembly Library.

Parliamentary Secretary : We all live in hope.

Malik Barkat Ali : May I know when this question was taken up for investigation ?

Minister for Public Works : Some time ago ; it is already under examination.

Khan Sahib Khawaja Ghulam Samad : When ?

Parliamentary Secretary : I will not be able to specify the time.

Khan Sahib Khawaja Ghulam Samad : Was it during the last 5 or 6 years ?

Parliamentary Secretary : Recently.

Khan Sahib Khawaja Ghulam Samad : May I know since when the Government is considering to the revision of the rules ?

Parliamentary Secretary : The matter will remain under the consideration of the Government till it is finally decided.

Khan Sahib Khawaja Ghulam Samad : Since when is the Government considering the revision of the rules ?

Parliamentary Secretary : I have said that the Government is examining the matter.

Khan Sahib Khawaja Ghulam Samad : I want to know since when it is under consideration ?

Parliamentary Secretary : It is difficult to give the date.

Khan Sahib Khawaja Ghulam Samad : From which year is it being considered ?

Parliamentary Secretary : It is very difficult to give the approximate year.

PUNITIVE POLICE POST AT JANDIALA

***8380. Sardar Gurbakhsh Singh :** Will the Honourable Minister of Public Works be pleased to state—

(a) whether he is aware of the fact that a Punitive Police Post has been established at village Jandiala, Police Station Nurpur, district Jullundur ; if so, the reasons therefor ;

(b) the number of the members of the Communist Party residing in the aforesaid village ; the number of those among them whose movements are restricted to that village ; how many of them are still under detention, and how many of them have been released after the change of their policy ;

(c) whether a majority of the villagers have recently sent a representation to the Deputy Commissioner of Jullundur that they are prepared to help the local authorities in maintaining law and order and that now

there is no necessity of this extra police on account of the change of policy of the Communist Party and that the villagers should not be burdened with such heavy costs ;

(d) whether he is aware that the above-named village is rendering great service to the Government in these days of military recruitment ;

(e) the action Government propose to take in the matter ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : I regret that the answer to this question is not yet ready.

STRICTURES AGAINST POLICE OFFICERS BY S. JASWANT
SINGH, MAGISTRATE

*8383. **Mahk Barkat Ali** : Will the Honourable Minister for Public Works be pleased to state—

(a) whether the attention of the Government has been drawn to the judgment of the Additional District Magistrate, Ludhiana, recently passed in the criminal case started by the Ludhiana Police against Chaudhri Muhammad Hasan, M.L.A., in regard to his having travelled on the canal road for attending the court of S. Jaswant Singh, Magistrate ;

(b) if so, whether Government has taken any action on that judgment ; if so, what ; and if no action has been taken so far, whether Government intends to take any action against the police officers criticised in that judgment ;

(c) whether this canal case and other cases were started with the knowledge and approval of Government ;

(d) when Government first acquired knowledge of the continuance of these cases ;

(e) why a counsel from Lahore was deputed to represent the prosecution in the canal case mentioned above ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : (a) Yes.

(b) Yes, Government have filed an appeal. The answer to the latter part of the question is in the negative.

(c) No. Government do not institute such cases.

(d) Does not arise.

(e) Attention of the honourable member is invited to the reply given to part (b) of the starred question No. 8257¹ put by the honourable member for Ambala and Simla (General) Rural Constituency at the last session of the Assembly.

Pandit Bhagat Ram Sharma : May I know whether the canal case mentioned in part (c) started against Chaudhri Muhammad Hasan, M.L.A., was not cognizable by the police ?

Parliamentary Secretary : I should like to have notice. I cannot say off-hand.

BANASPATI GHEE.

***8161. Khan Sahib Khawaja Ghulam Samad :** Will the Honourable Minister of Education be pleased to state whether any other harmless colour in place of oil orange (Benzene Azo-B. Naphthole) has been recommended by the Public Health Authorities ; if so, whether that colour is now being used in the province by the manufacturers of *Banaspati Ghee* or they are using no colour at all, and in the latter case the action Government propose to take in the matter ?

The Honourable Mian Abdul Haye : *First part.*—No, the matter is still under investigation.

Second part.—Does not arise.

EXTENSION TO PRINCIPAL, AGRICULTURAL COLLEGE, LYALLPUR.

***8246. Chaudhri Muhammad Hasan :** Will the Honourable Minister for Development be pleased to state—

(a) whether it is a fact that the Principal of the Lyallpur College has recently been given extension of service ;

(b) whether he was granted extension of service before as well, if so, the number of such extensions, with reasons for granting them ?

Parliamentary Secretary (Chaudhri Tikka Ram) (a) No.

(b) No.

UNSTARRED QUESTIONS AND ANSWERS

SIKH COMPOSITORS IN GOVERNMENT PRINTING, PUNJAB.

1531. Sardar Lal Singh : Will the Honourable Minister for Finance be pleased to state—

(a) the total number of permanent compositors at present in the Punjab Government Press and the number of Sikh compositors among them ;

(b) the procedure that is ordinarily followed in the matter of selecting compositors for the permanent posts from amongst the temporary compositors ;

(c) the number of temporary compositors who have been brought on the permanent establishment since 1st of January, 1940, and the number of Sikhs among them ?

The Honourable Sir Manohar Lal : (a) (i) 84.

(ii) 2.

(b) According to seniority provided that the person concerned is fit in all respects.

(c) (i) 8.

(ii) 1.

SUPERVISING STAFF IN GOVERNMENT PRINTING, PUNJAB.

1532. Sardar Lal Singh : Will the Honourable Minister for Finance be pleased to state—

(a) the total number of the members of the supervising staff in the Government Printing, Punjab, and that of the Sikhs among them ;

(b) the total number of the persons promoted to the rank in the supervising staff since the 1st of January, 1940, and the number of the Sikhs among them ;

(c) whether it is a fact that under the existing procedure for promotion, the Sikhs have a slender chance of a fair proportion in the supervising staff ;

(d) if so, the steps that are intended to be taken to make up the deficiency in the number of the Sikhs in this branch of service ?

The Honourable Sir Manohar Lal : (a) (i) 22.

(ii) 2.

(b) (i) 2.

(ii) None.

(c) Promotion to various higher posts in all classes of establishment are made on the basis of seniority in service and the general efficiency of the individual concerned. As a rule no piecehand compositor is eligible for promotion to the permanent technical staff unless he has completed ten years' continuous temporary service. Recruitment in the press is now being carried out in accordance with the block system in force and some time is likely to elapse before qualified Sikhs are available for promotion to the supervising staff.

(d) Does not arise.

HEAD CLERKS OF THE OFFICES OF INSPECTORS OF SCHOOLS.

1533. Sardar Lal Singh : Will the Honourable Minister for Education be pleased to state whether it is a fact that among the total number of thirty head clerks of the offices of district inspectors of schools in the Punjab, there is only one Sikh and that the representation of the Sikhs in the total number of five head clerks of the offices of inspectors of schools is nil ; if so, the steps that he contemplates taking to give the Sikhs their due shares in those services ?

The Honourable Mian Abdul Haye : There are 29 posts of head clerks, offices of district inspectors of schools in the Punjab and it is true that only one of them is held by a Sikh. There is no Sikh among the head clerks of the offices of divisional inspectors of schools, but the policy of Government in the matter of communal representation in the services is well known and it is not intended to change it.

CATTLE FARM, HISSAR.

1534. Khan Sahib Khawaja Ghulam Samad : Will the Honourable Minister for Development be pleased to state the number of persons recruited and promoted in this financial year up to date, community-wise, in the Cattle Farm, Hissar, among the labourers, clerks and other employees ?

The Honourable Sardar Baldev Singh : A statement containing the required information as it stood in March last is laid on the table :—

Statement showing number of persons recruited and promoted community-wise at the Government Cattle Farm, Hissar, since 1st April, 1941.

Designation of the post	Number of persons appointed	COMMUNITY					REMARKS
		Hindus	Muslims	Sikhs	Depressed classes	Others	
RECRUITMENTS							
Part I—Establishment—Superior (Pensionable)							
Mukaddam ..	..	1	..	1	..	..	For 5 years
Part I—Establishment—Inferior (Pensionable)							
Peons ..	..	2	1	1	..	..	..
Part II—Permanent Establishment (Non-pensionable)							
Forest Guard ..	..	1	1	..	..	..	..
Part III—Variable Establishment							
Ploughmen, Cowherds, Shepherds and Syces, etc.	82	36	31	3	11	1	..
PROMOTIONS							
Part I—Establishment—Superior (Pensionable)							
Farm Overseers ..	2	1	1	..	..	..	From Veterinary Assistants.
Research Record-keeper ..	1	1	..	..	..	..	For 5 years under Research Scheme.
Part II—Establishment—Non-pensionable							
Dairy Foreman ..	1	1	..	..	..	..	From Head Weighman.
Head Weighman ..	1	1	..	..	..	..	From Goat Attendant
Jamadar (cultivation) ..	1	1	..	..	..	..	From Ploughman.
Forest Guards ..	2	1	1	..	..	..	From Orderlies.
Part III—Establishment							
Fireman ..	1	..	1	..	..	..	..

ESTABLISHMENT FOR GOVERNMENT CATTLE FARM, HISSAR.

1535. Khan Sahib Chaudhri Sahib Dad Khan : Will the Honourable Minister for Development be pleased to state—

- (a) the year when the Government cattle farm was established at Hissar ;
- (b) number of the superintendents who have been in charge of this farm from time to time and the community to which each one of them belonged ;
- (c) the date since the present superintendent has been in charge of this farm ;
- (d) whether it is a fact that no Muslim has ever been put in charge of this farm as superintendent ; if so, the reasons for the same ;
- (e) whether it is a fact that no Muslim head clerk has ever been posted to hold charge of the office of Government Cattle Farm, Hissar ; if so, the reasons for the same ;
- (f) the date when the present head clerk is due to retire and the authority competent to appoint his successor ?

The Honourable Sardar Baldev Singh : (a) 1854.

(b) 16, inclusive of 14 Europeans, 1 Muslim, and 1 Hindu.

(c) 1st March, 1940.

(d) (i) No.

(ii) Does not arise.

(e) Prior to 1899 the farm was under military control for which period no record is available. Since 1899, however, no Muslim has been appointed as head clerk at the farm, as the promotion to this post is made by seniority, combined with merit.

(f) (i) 11th November, 1942.

(ii) Director, Veterinary Services.

STIPENDS, FEES AND OTHER EDUCATIONAL CONCESSIONS FOR
QURAISHIS.

1536. Maulvi Mazhar Ali Azhar : Will the Honourable Minister for Education be pleased to state whether it is a fact that as advised by His Excellency the Governor on 29th November, 1928, when a deputation of *Quraishis* waited upon him, the Jamiat-ul-Quraish, through its General Secretary, Shah Azad, of Sambaryal, placed a memorial before the Education Minister requesting educational stipends, remission of fees and other concessions for the deserving students of the community ; if so, whether any action has so far been taken on that memorial ?

The Honourable Mian Abdul Haye : A memorial demanding special educational facilities and other concessions for *Mirasis* was received through the General Secretary, Jamiat-ul-Quraish, Punjab and North-West Frontier Province in February, 1935, by the Honourable Sir Feroz Khan Noon. But no action thereon could be taken for the reason that

[Education Minister]

Mirasis were classed as *kamins* in villages and thus enjoyed all the educational facilities sanctioned by Government for *kamins*. No case had been made out for the grant of more concessions.

UNEMPLOYMENT AMONG QURAISHIS.

1537. Maulvi Mazhar Ali Azhar : Will the Honourable Premier be pleased to state—

(a) whether it is a fact that some time ago Jamiat-ul-Quraish, Punjab, submitted a detailed memorandum to the Government describing therein the plight of the community due to unemployment ;

(b) whether the memorandum contained any proposal for the removal of the existing unemployment among them ;

(c) if the answer to (a) and (b) be in the affirmative, has Government taken any action in the matter ?

Lieutenant-Colonel The Honourable Sir Sikander Hyat-Khan : So far as I am aware no memorandum complaining of unemployment among *Quraishis* was received, nor do I think such a complaint can well be advanced with all the opportunities for work occasioned by the war.

SUSPENSION OF AN I. M. S. OFFICER.

1538. Sardar Santokh Singh : Will the Honourable Minister for Education be pleased to state—

(a) whether a European I.M.S. officer is at present under suspension, and, if so, from what date ;

(b) whether an enquiry was made against him, and, if so, by whom ;

(c) the date on which the enquiring officer submitted his report to the Punjab Government ;

(d) the date on which the Punjab Government forwarded this report to the Government of India with its own recommendations thereon ;

(e) whether it is a fact that there was a considerable delay on the part of the Punjab Government in considering this report ; if so, the period of this delay and the reasons therefor ;

(f) whether it is a fact that some reflections have been made in this report against another highly-placed officer of the Government, namely a deputy commissioner, and, if so, whether any action has been taken against that officer ;

(g) whether it is a fact that the required notice of 10 days for the starting of this enquiry against this I.M.S. officer as per Government Servants Conduct Rules was not given to this officer ; if so, why ;

(h) whether it is a fact that the appeal made by the said I.M.S. officer to the Secretary of State against his suspension and against the cut in the basic pay has been withheld by the Punjab Government, and, if so, the reasons therefor ?

The Honourable Mian Abdul Haye : (a) The officer in question was placed under suspension on the 7th June, 1940. He was removed from the Indian Medical Service on the 3rd June, 1942.

(b) Yes, by Mr. (now the Honourable Mr. Justice) Beckett.

(c) The inquiring officer signed his report on the 8th August, 1940, and it reached Government a day or two later.

(d) The 4th December, 1940.

(e) As the honourable member will see the case was detained for four months in the provincial secretariat. The honourable member will understand that a case of this complexity and importance needed careful study, and that Government and their officers had at the time much other work on their hands.

(f) Yes; the criticisms were, however, of a trivial nature, and called for no action.

(g) The officer's preliminary explanation with regard to the charges having been considered and found unsatisfactory, the Inspector-General of Civil Hospitals was on the 12th July asked to direct the officer to appear before Mr. Beckett at Sargodha on the 22nd July. The Inspector-General's order did not reach the officer till the 18th July for the reason that he had irregularly gone away from Lahore without informing the Inspector-General of his address.

(h) His basic pay was not reduced. The memorial in question related to other matters and was withheld under the rules relating to the submission of memorials to the Secretary of State.

GRANT-IN-AID TO SCHOOLS.

1539. Rao Mohar Singh : Will the Honourable Minister for Education be pleased to state—

(a) the total amount of grant-in-aid given by the Government to non-Government secondary schools of backward communities or backward areas, community-wise, from 1936 to 1941, in each district in the Ambala division;

(b) the list of such schools with the amount of aid given in each case?

The Honourable Mian Abdul Haye : The honourable member is referred to the printed statement of grants sanctioned for privately managed and local body schools during the years 1936-37 to 1940-41 a copy of which has already been supplied to him.

BRAYNE AHIR HIGH SCHOOL AND THE JUBILEE BRAYNE AHIR SCHOOL.

1540. Rao Mohar Singh : Will the Honourable Minister for Education be pleased to state—

(a) whether he is aware of the fact that the number of pupils in the Brayne Ahir High School and the Jubilee Brayne Ahir School, Rewari, Gurgaon district, is 471 and 570, respectively;

[Rao Mohar Singh]

(b) whether it is a fact that the Ahir community is backward in education and these schools are situated in a backward area ;

(c) whether it is a fact that both the above-named schools have repeatedly applied to Government for grant-in-aid ;

(d) if so, the action Government has taken or intends to take in the matter ?

The Honourable Mian Abdul Haye : (a) Yes ; according to the latest printed list of high schools.

(b) Yes ; but the schools are not situated in a backward area.

(c) No ; but the schools have been getting special grants for the past three years.

(d) Does not arise.

REWARI MUNICIPAL COMMITTEE.

1541. Rao Mohar Singh : Will the Honourable Minister for Public Works be pleased to state the approximate population of the agricultural tribes residing within the municipal limits of Rewari in the Gurgaon district, and whether any member of these agricultural tribes was nominated by the local Government or the Commissioner of the Ambala division, to the Rewari municipal committee on any previous occasion, when the power of nomination was exercised by the authority concerned ?

The Honourable Malik Khizar Hayat Tiwana : Population figures of the agricultural tribes in the Rewari municipality are not available. One member belonging to these tribes has been a nominated member of the municipal committee for the past twelve years.

GRANT-IN-AID SCHOOLS.

1542. Rao Mohar Singh : Will the Honourable Minister for Education be pleased to lay on the table of the House a statement showing the names of the denominational high schools in the province included in the list of the grant-in-aid schools, after 1930, up till now ?

The Honourable Mian Abdul Haye : Presumably the honourable member requires a statement showing the names of new denominational high schools in the province which have been brought on the grant-in-aid list after 1930. If so, the statement is blank.

PROFESSORS, LECTURERS, DEMONSTRATORS ETC., IN PUNJAB UNIVERSITY.

1543. Khan Sahib Khawaja Ghulam Samad : Will the Honourable Minister for Education be pleased to state the number of professors, lecturers, demonstrators, research scholars, laboratory assistants and attendants in the Punjab University, Physics Department, and the number of Muslims in each category ; if the Muslims are not adequately represented in these branches of service, the steps that Government propose to take in the matter ?

The Honourable Mian Abdul Haye : *First part.*—A statement is laid on the table.

Second part.—I regret it is not possible for me to answer this part of the question as appointments under the University are not made by Government, but by the University itself.

Statement showing the total number of University employees in different grades in the Physics Department.

Designation of post	Grade	Total number of posts	Hindu	Muslim	Sikh	Others
	Rs.					
Lecturer	200—15—350	1	1	..	..	..
Do.	200—10—330	1	1	..	..	..
Research Scholar	60 fixed	2	1	..	1	..
Clerk (Part-time)	20	1	..	..	1	..
Bearer	25 fixed	1	..	..	1	..
Do.	18—1—22	1	..	..	..	1
Total .. .. .	..	7	3	..	3	1

CONSTRUCTION OF SHOPS ON NORTH TERAH MALL, DALHOUSIE.

1544. Mian Abdul Aziz : Will the Honourable Minister for Public Works be pleased to state—

(a) whether it is a fact that the Municipal Committee of Dalhousie rejected a plan submitted by one Mrs. Campbel to construct shops on the North Terah Mall on the ground that the committee could not grant such permission in contravention of a building scheme duly sanctioned by the Commissioner, Lahore division, under section 192 of Punjab Municipal Act, 1911 ;

(b) whether it is a fact that on appeal the commissioner sanctioned the plan but permitted only windows and not doors to be opened on the North Terah Mall, the main door of the shop having been allowed on another road, just in accordance with the sanctioned scheme ;

(c) whether Government is aware that the land on which this shop is constructed was transferred to one Mulkh Raj by Mrs. Campbel and that the said Mulkh Raj was the real party and not Mrs. Campbel in the whole case ;

(d) whether it is a fact that later on the said Mulkh Raj converted windows into doors on the North Terah Mall, which was against the plan sanctioned by the commissioner and in direct contravention of the scheme ;

[Mian Abdul Aziz]

(e) whether it is a fact that the committee allowed the said Mulkh Raj to open doors on the North Terah Mall on payment of a fine Rs. 100 on 17th April, 1941, and thus allowed shops opening directly on the prohibited road and against the sanctioned scheme, if so, the reasons therefor and the authority under which the committee accorded the sanction ;

(f) whether it is a fact that the said Mulkh Raj submitted another plan to construct another shop on the North Terah Mall with doors opening on this road and the committee sanctioned this plan as well on 16th November, 1941, in direct contravention of the scheme sanctioned by the commissioner under section 192 of the Punjab Municipal Act ; if so, the reasons therefor and the authority under which this sanction was accorded ?

The Honourable Malik Khizar Hayat Tiwana : (a) Yes.

(b) The commissioner directed that sanction be accorded to the appellant for the construction of the building in question. The appellant's plan provided windows only on the north side, but there is no reference to this question in the commissioner's order.

(c) The committee or the commissioner was not aware that the land, on which the shop was to be constructed, had been transferred by Mrs. Campbell to Mulkh Raj ;

(d) Yes, the conversion was in contravention of the plan sanctioned by the committee, but it did not contravene the scheme.

(e) Yes, the committee was competent to accord sanction under section 189 read with section 9 (5) (g), Punjab Municipal Act, 1911.

(f) Yes, this structure is an extension of the main building and it was allowed by the committee, because the commissioner had permitted the main building to be constructed. The committee's action in this behalf was irregular. A suitable communication has been addressed to the municipal committee.

REPRESENTATION OF MEOS AMONG ASSISTANT SUB-INSPECTORS AND SUB-INSPECTORS OF POLICE

1545. Chaudhri Abdul Rahim : Will the Honourable Minister for Public Works be pleased to state the number and names of all the assistant sub-inspectors and sub-inspectors of police recruited throughout the province during the last ten years and the number of Meos of the Gurgaon district among them; if the representation of Meos be negligible, the action that he intends to take to remove this long standing grievance of the Meo community ?

The Honourable Malik Khizar Hayat Tiwana : 285 direct appointments were made in the rank of assistant sub-inspector, and 99 in the rank of sub-inspector, throughout the province during the last ten years. It is not in the public interest to reveal their names. None of them is a Meo of the Gurgaon district. Appointments in the police are made by selecting the best available candidates without particular consideration of the caste or community to which they belong.

ADMINISTRATOR, LAHORE MUNICIPALITY'S ORDERS REGARDING LEAVE
TO MUNICIPAL EMPLOYEES

1546. Khan Sahib Khawaja Ghulam Samad : Will the Honourable Minister for Public Works be pleased to lay on the table of the House a copy of the general orders of the Administrator, Lahore Municipality, regarding leave to municipal employees referred to in part 8 of the statement laid on the table in answer to starred question No. 8029 put on 10th February, 1942?

The Honourable Malik Khizar Hayat Tiwana : A copy of the order is laid on the table. This has since been amended by the Administrator, Lahore Municipality, by order, dated the 25th May, 1942, a copy of which is also laid on the table.

ORDER

I HAVE noticed a distressing tendency on the part of employees to take casual leave on medical certificates for a few days, and then apply for extension, in some cases up to several months.

2. This practice generally means that the clerk in question is angling for some particular post which he knows will become vacant in the future and he tries to arrange his leave so that he will return at the right time.

3. This practice will cease. The Assistant Secretary will see that the following procedure is adopted without exception in all cases.

4. Any clerk taking casual leave up to 10 days on medical certificate must remain in Lahore. If he wishes to go outside the station, he is not ill. Any clerk who subsequently finds himself too ill to return to office will inform the office at least one day before he is due to return. He must be examined by the Medical Officer of Health, who, if necessary, will visit his home. If this is not strictly complied with and the clerk does not report for duty on the date he is due to return, he will at once be suspended without pay and allowance and a charge framed that he is not obeying this order. On his return, the case will be heard in accordance with Punishment Rules and he will probably be dismissed. It will not be sufficient to prove that the clerk was ill. It will be necessary for him to show why he did not obey this order.

5. The Medical Officer of Health, in examining clerks who apply for extension, will have to be very careful. If any clerk is deliberately malingering, the Medical Officer of Health must report the fact and the clerk will be dismissed. If he finds that the clerk is unfit to continue his duties for an indefinite period, the Medical Officer of Health must say so and the clerk will be discharged as of no further use to the Municipality.

6. The second point concerns the applications of clerks, who apply to return from leave before the final date of the leave granted, as they suddenly become well. In every case this will be refused. No clerk will be allowed to return, once he has gone on leave before the last date of that leave.

7. The Assistant Secretary will circulate this note to all clerks in the office and will personally verify that all clerks have signed including those at

[Minister for Public Works]

present on leave. The leave reserves and all candidates on first appointment will be required to sign this notice.

H. J. B. TAYLOR,

26-7-40.

Officer on Special Duty.

ORDER

With reference to my order, dated 26th July, 1940, in respect of leave applications, I make the following amendments:—

1. *Paragraph 4.*—If a clerk on applying to the Medical Officer of Health for a certificate that he is ill and needs leave requests that he be allowed to leave Lahore, the Medical Officer of Health should consider whether privilege leave on medical certificate should not be given instead for a more extended period with permission to the applicant to leave Lahore. Such cases will, however, have to be treated with great care.

2. *Paragraph 5.*—In a case where it appears to the Medical Officer of Health that an employee is not likely to recover for an indefinite period, he must state that fact, and the employee will be permitted to take leave to which he is otherwise entitled in the hope that he may recover in that period.

H. J. B. TAYLOR,

25-5-42.

Administrator.

COW SACRIFICE BY MUSLIMS OF VILLAGE MALAKPUR

1547. Khan Sahib Khawaja Ghulam Samad : Will the Honourable Premier be pleased to state—

(a) whether it is a fact that the Muslims of village Malakpur, Tahsil Rupar, District Ambala, did not offer sacrifice on 'Id day this year; if so, the reasons therefor;

(b) whether it is a fact that the Muslims of Malakpur were ordered by the district authorities to bury or burn the hides of cows offered as sacrifices on 'Id-uz-Zaha this year; if so, the reasons for issuing this order?

Lieutenant-Colonel The Honourable Sir Sikander Hyat-Khan :

(a) No. As a protest against the order, dated the 25th September, 1941, of the Commissioner, Ambala division, interpreting the order, dated 24th April, 1928, of Mr. Latifi, the then Commissioner requiring that all parts of slaughtered kine which were not eaten should be burnt or buried.

(b) Yes, the Muslim residents were warned that the Commissioner's order had to be carried out till it was modified or set aside by Government. It has since been modified.

DISTRICT MEDICAL OFFICERS OF HEALTH, JULLUNDUR

1548. Mian Abdul Rab : Will the Honourable Minister for Education be pleased to state—

(a) the names of the district medical officers of health posted to Jullundur from time to time since 1920 with the period of stay of each of them;

(b) whether it is a fact that no Muslim has ever been posted to Jullundur as district medical officer of health during this period; if so, the reasons for the same?

The Honourable Mian Abdul Haye : (a) Since the organization of the Public Health Department in 1921, the information asked for is—

Serial No.	Names of District Medical Officers of Health posted to Jullundur since 1920	Period of stay
		Y. M. D.
1	Dr. G. C. Sahgal	8 1 6 (From 1st October 1921 to 7th November 1929).
2	Bai Sahib Dr. M. J. Thakor	2 11 15 (From 22nd November 1929 to 7th November 1932).
3	Dr. B. L. Joshi	5 11 26 (From 8th November 1932 to 25th October 1938).
4	Dr. Harbans Singh	3 5 6 (From 26th October 1938 up to date).

(b) *First part.*—Yes.

Second part.—Postings and transfers among the district medical officers of health are made according to the exigencies of service.

COW-SACRIFICE IN KOTLA

1549. Khan Sahib Khawaja Ghulam Samad : Will the Honourable Premier be pleased to state—

(a) whether it is a fact that a large crowd of Sikhs and Hindus equipped with all sorts of deadly weapons and fire-arms had accumulated on 29th December, 1941, the day on which the last 'Id-uz-Zaha fell, and besieged the village Kotla and threatened and terrorised the Muslim residents of Kotla, Police Station Morinda, with a view to stopping them from performing sacrifice;

(b) whether it is a fact that not a single non-Muslim resides in the village of Kotla;

(c) whether it is a fact that the villages inhabited by non-Muslims and in the neighbourhood of village Kotla are at a considerable distance from Kotla;

(d) whether any representation from the Muslims of Kotla has been received by the Honourable Premier and by other authorities concerned relating to the gathering of a crowd of Sikhs and Hindus at village Kotla on the occasion of the last 'Id-uz-Zaha and containing allegations against the conduct of the Sub-Divisional Officer, Rupar, who went to the village on that occasion and of some other Government servants; if so, whether any independent enquiry has been instituted by him into the matter and if so, the result of that enquiry and the action taken or intended to be taken in the matter?

Lieut-Col. The Honourable Sir Sikander Hyat-Khan : As the question is essentially a communal one, in accordance with the usual

[Premier]

convention, a written reply will be sent to the honourable member in due course.

FEMALE TEACHERS IN GIRLS' SCHOOLS AT LAHORE

1550. Khan Sahib Khawaja Ghulam Samad : Will the Honourable Minister for Education be pleased to state the total number of female teachers now working in girls' schools at Lahore and the number of Muslims amongst them ?

The Honourable Mian Abdul Haye : There are 79 women teachers working in Government girls schools in Lahore and out of them 29 are Muslims.

COMMUNAL REPRESENTATION IN FOREST DEPARTMENT

1551. Malik Barkat Ali : Will the Honourable Minister for Development be pleased to state—

(a) whether the administrative officers of the Forest Department consist of one Chief Conservator and four conservators and whether the superintendents of the offices of all these officers are all Hindus ;

(b) the number of divisional charges under each officer and the number of Muslim and non-Muslim head clerks working under them ?

The Honourable Sardar Baldev Singh : (a) *First part.*—There are six administrative officers in the Forest Department, viz.—

Chief Conservator of Forests—One ;

Conservators of Forests—Three (one temporary) ;

Directors—Two (temporary) ;

Second part.—Yes.

(b) The number of divisions and the number of head clerks community-wise in each division is given below :—

Administrative officer	Number of divisions	HEAD CLERKS, COMMUNITY-WISE				Total
		Hindus	Muslims	Sikhs	Christians	
Conservator of Forests, Eastern Circle ..	7	4	1	1	1	7
Conservator of Forests, Western Circle ..	7	3	4	..	..	7
Director, Soil Conservation Circle ..	7	3	3	..	1	7
Conservator of Forests, Timber Supply Circle, West ..	4	2	2	..	..	4
Director, Timber Supply Circle, East ..	2	2	..	..	..	2
Total ..	27	14	10	1	2	27

COMMUNAL REPRESENTATION IN PROMOTIONS MADE IN THE FOREST DEPARTMENT

1552. Malik Barkat Ali : Will the Honourable Minister for Development be pleased to state—

(a) whether any promotions have recently been made from Forest Rangers to the posts of Temporary Extra Assistant Conservators of Forests ;

(b) the total number of men thus promoted and the proportion of Muslims, Hindus and Sikhs among the persons promoted ;

(c) the grade of Forest Rangers from which each man has been promoted ;

(d) the number of Forest Rangers (separately by grades and communities) who have been superseded by each promoted man with the reasons for supersession in each case ?

The Honourable Sardar Baldev Singh : (a) Yes.

(b) First part.—Thirteen.

Second part.—Muslims—23 per cent

Hindus—31 per cent.

Sikhs—46 per cent.

(c) I grade—Eight (one provisional).

II grade—Three.

III grade—Two.

(d) I regret I am not prepared to go into these details. Promotions from Forest Rangers to temporary Extra Assistant Conservators of Forests is a matter of selection and communal considerations are not relevant.

COMMUNAL REPRESENTATION IN TIMBER SUPPLY CIRCLE

1553. Malik Barkat Ali : Will the Honourable Minister for Development be pleased to state—

(a) whether it is a fact that the posts created in the newly constituted Timber Supply Circle carry comparatively higher pay or special allowances for establishment transferred from other circles ;

(b) the number of divisional charges in the Timber Supply Circle and the community-wise distribution of divisional officers and their head clerks in the same ;

(c) whether there are any special reasons for the predominance of Sikhs amongst the divisional officers and the virtual exclusion of Muslims from the posts of divisional officers and their head clerks in the above-mentioned circle ?

The Honourable Sardar Baldev Singh : (a) No. The posts created in the Timber Supply Circle carry the same scales of pay as those sanctioned for similar posts in the territorial circles. But in order to attract suitable men, it is necessary to give to individuals higher grades than they were in territorial circles. Special allowance are only attached to the posts of Forest Rangers and Accountants in the Timber Supply Circle.

[Development Minister]

(b) First part.—Six.

Second part—

Community	Divisional Officers	Head Clerks
Muslims	1	2
Sikhs	4	..
Hindus	1	4

(c) No. Postings are not made on communal basis but are governed by considerations of administrative requirements and convenience.

UNDER-REPRESENTATION OF MUSLIMS IN PROVINCIAL FOREST SERVICE

1554. Malik Barkat Ali : Will the Honourable Minister for Development be pleased to state—

(a) whether it is a fact that on the 1st December, 1941, there were only 3 Muslims in a total of 18 officers in the Provincial Forest Service ;

(b) whether it is also a fact that one of the 3 Muslim officers retired in December, 1941, and another was transferred to the North-West Frontier Province, leaving only one Muslim in the whole Punjab Forest Service cadre ; if so, the reasons for this deplorable under-representation of Muslims in the Punjab Forest Service cadre and the steps Government is taking to redress this state of affairs ?

The Honourable Sardar Baldev Singh : (a) Yes.

(b) First part.—Yes.

Second part.—No recruitment has been made to the Provincial Forest Service since 11th April, 1926. The Provincial Forest Service has now been replaced by Provincial Forest Service, Class II and recruitment to the latter service is being made strictly in accordance with the accepted formula by which 50 per cent of vacancies will be allotted to Muslims. This proportion is to be adhered to in future recruitment irrespective of existing communal percentages.

UNDER-REPRESENTATION OF MUSLIMS IN PUNJAB FOREST SERVICE, CLASS II.

1555. Malik Barkat Ali : Will the Honourable Minister for Development be pleased to state—

(a) whether it is a fact that a Punjab Forest Service, Class II cadre has been formed and, if so, from which date ;

(b) the total strength of this cadre ;

(c) the number of appointments made to this cadre, giving separately the number of Muslims, Hindus and Sikhs among them ;

(d) whether it is a fact that one of the Muslims appointed to this cadre is to retire within this year ;

(e) the reasons for the overwhelming proportion of Hindus and Sikhs in this cadre and the practical exclusion of Muslims therefrom ?

The Honourable Sardar Baldev Singh : (a) Yes. From 3rd April, 1941.

(b) 16.

(c) No appointment can be made to this cadre on a permanent basis until the existing Punjab Forest Service cadre has been reduced to 15. In order to meet the present emergency thirteen Forest Rangers (three Muslims, four Hindus and six Sikhs) have however been promoted temporarily to this cadre.

(d) No.

(e) Promotions to higher ranks are made by selection on merits and not on a communal basis.

COMMUNAL REPRESENTATION IN INDIAN FOREST SERVICE CADRE

1556. Malik Barkat Ali : Will, the Honourable Minister for Development be pleased to state—

(a) the number of Muslims, Hindus and Sikhs in the Indian Forest Service cadre of the Punjab in 1937, when the present Ministry came into power ;

(b) the number of Muslims, Hindus and Sikhs in the cadre at the end of 1942 and the community-wise appointments made in this cadre in the meantime ;

(c) whether the Forest Service has been provincialised since 1937 and further recruitment to this service was transferred to the Provincial Government simultaneously ;

(d) whether any steps have been taken so far by Government to redress the under-representation of Muslims in the Forest Service ?

The Honourable Sardar Baldev Singh : (a) On 1st April, 1937, there were five Muslims, six Hindus and three Sikhs in the Punjab and North-West Frontier Province Indian Forest Service cadre.

(b) *First part.*—On 31st December, 1942, there will be four Muslims, five Hindus and two Sikhs on this cadre.

Second part.—No recruitment was made to the Indian Forest Service cadre during the above-mentioned period.

(c) Yes.

(d) Recruitment to the Punjab Forest Service, Class I, which has replaced the Indian Forest Service, has been and will be made in accordance with the accepted formula by which 50 per cent vacancies are to be allotted to Muslims.

MUSLIMS IN PROVINCIAL FOREST SERVICE.

1557. Malik Barkat Ali : Will the Honourable Minister for Development be pleased to state—

(a) whether it is a fact that 25 per cent posts in the Indian Forest Service cadre were reserved for promotion from the Provincial Forest Service before the Indian Forest Service was provincialized ;

(b) the number of posts which were to be so filled and the number of promotions made to the Indian Forest Service in the Punjab ;

(c) whether it is a fact that two Muslims, two Hindus and one Sikh were promoted to the Indian Forest Service in the Punjab in 1922 ;

(d) the dates of retirement of these promoted officers ;

(e) whether any further promotions have been made since 1922, and if not, the reasons therefor ;

(f) whether Government is aware of the fact that Muslims representation in the Forest Service has shown no improvement during the last two decades ;

(g) the steps that are being taken to redress this state of affairs at an early date ?

The Honourable Sardar Baldev Singh : (a) Yes.

(b) *First and second part.*—Five.

(c) Yes. One officer was promoted in 1921 and the rest in 1922.

(d) 1. Rai Sahib Mian Budhi Singh, 20th November, 1931.

2. Rai Sahib Lala Prem Nath, 1st January, 1939.

3. Sardar Bahadur Sardar Kartar Singh, 11th October, 1940.

4. Khan Bahadur Malik Allah Yar Khan, 24th August, 1942.

5. Khan Fazl Mohammad Khan, 16th March, 1943.

(e) *First part.*—No.

Second part.—As no recruitment to the Indian Forest Service was made after 1930 when the ratio of 25 per cent came into force.

(f) Yes.

(g) Recruitment to the Punjab Forest Service, Class I, which has replaced the Indian Forest Service has been and will be made in accordance with the accepted formula by which 50 per cent of the vacancies are to be allotted to Muslims.

COMMUNAL REPRESENTATION IN PUNJAB FOREST SERVICE, CLASS I.

1558. Malik Barkat Ali : Will the Honourable Minister for Development be pleased to state—

(a) whether a Punjab Forest Service, Class I, is constituted in the Punjab, and, if so, whether any nominations or promotions have been made to its cadre since the constitution of that class of service ; if so, the number of such nominations or promotions made community-wise ;

(b) whether a Sikh Forest Ranger of the Punjab Subordinate Forest Service has recently been nominated for appointment to Class I of the Forest Service in the Punjab; if so, the reasons why the appointment could not be made from the other gazetted ranks of the Forest Service in the Punjab, i.e., Provincial Forest Service or Class II Service;

(c) whether the post was advertised and opportunity given to anyone else so qualified to apply for the post?

The Honourable Sardar Baldev Singh: (a) *First and Second parts.*—
Yes.*

Third part.—

Community				*Direct recruitment	Promotion
Muslims	..	..	..	3	..
Hindus	..	..	..	2	..
Sikhs	..	..	..	2	..
Total				7†	..

*By "nomination" the honourable member presumably means "direct recruitment".

†Includes three candidates (one Muslim, one Hindu and one Sikh) selected for 1940—42 Superior Forest Service course at Dehra Dun and who are still under training.

(b) *First Part.*—Yes.

Second part.—The question of making promotions to Provincial Forest Service, Class I from among Provincial Forest Service Officers is under consideration.

(c) No. It was not necessary to advertise and previously advertisements had not been very successful. The Public Service Commission was of course consulted.

SCHEDULED CASTES IN PROVINCIAL EDUCATIONAL SERVICE

1559. Chaudhri Jugal Kishore: Will the Honourable Minister for Education be pleased to state why no member of the Scheduled Castes has so far been appointed to the Provincial Educational Service in spite of the fact that Government has fixed 2½ per cent share for these castes in all Provincial and Subordinate Services?

The Honourable Mian Abdul Haye: Recruitment to the Punjab Educational Service either direct or by promotion is purely selectional and is not governed by any communal ratio. No proportion for the recruitment of members of the Scheduled Castes to the Punjab Educational Services has been fixed by Government.

COW SACRIFICE ON *Bakr Id.*

1560. Malik Barkat Ali : Will the Honourable Premier be pleased to state when the answer to my question No. 8292¹ asked on the 16th March 1942, in the last session of the Assembly may be expected?

Lieut.-Col. The Honourable Sir Sikander Hyat-Khan : This matter has now been decided, and the original order of the Commissioner, Ambala Division, has been modified. The modified order provides that parts of kine that are slaughtered at Malakpur shall be properly and promptly buried or burnt, except the hides which may be exported, provided they are properly packed so that no part of the hides is exposed to view and provided they are removed in such a way that no offence is caused to the susceptibility of other communities.

ADJOURNMENT MOTIONS

INTERVIEWS WITH CIVIL DISOBEDIENCE (1942) PRISONERS

Malik Barkat Ali : Sir, I beg to ask for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the decision of Government as announced in its *communiqué*, dated 22nd October, 1942, not to permit interviews with Civil Disobedience (1942) prisoners confined in the Punjab Jails, except in cases of serious illness.

Mr. Speaker : Leave is asked to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance; namely, the decision of Government as announced in its *communiqué*, dated 22nd October, 1942, not to permit interviews with Civil Disobedience (1942) prisoners confined in the Punjab Jails, except in cases of serious illness.

Any objection?

Premier : Sir, before I object formally to the adjournment motion, I wish to point out that the wording of the motion itself is defective, because there is no such category as Civil Disobedience (1942) prisoners. I do not know of any civil disobedience movement in existence at present. The movement which we have now to deal with is a sinister campaign dangerous to the country. However, I object to the adjournment motion in any case.

Mr. Speaker : Those who are in favour of leave being granted may rise in their places.

As the requisite number of members did not rise, leave was refused.

DEFENCE OF INDIA RULES AND ARREST AND DETENTION OF M. L. AS.

Sardar Sohan Singh Josh : Sir, I beg to ask for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the arbitrary use of the Defence of India Rules by the Punjab Government in arresting and detaining a large number of the members of this House including the Leader of the Opposition, Mr. Bhim Sen Sachar, Diwan Chaman Lal, Mian Iftikharuddin, Chaudhri Krishna Gopal Dutt, Lala Deshbandhu Gupta and other fifteen.

Mr. Speaker : Leave is asked to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the arbitrary use of the Defence of India Rules by the Punjab Government in arresting and detaining a large number of the members of this House including the Leader of the Opposition, Mr. Bhim Sen Sachar, Diwan Chaman Lall, Mian Iftikharuddin, Chaudhri Krishna Gopal Dutt, Lala Deshbandhu Gupta and other fifteen.

Any objection?

Premier : Sir, I formally object to this motion also. I might also say that Lala Bhim Sen Sachar, Diwan Chaman Lall, Mian Iftikharuddin, Chaudhri Krishna Gopal Dutt, Lala Deshbandhu Gupta and others were not arrested as members of this House but as ordinary citizens. As I have on more than one occasion made it quite clear, members of this House are not immune from the operation of law if they are guilty of a breach of the law.

Mr. Speaker : Those who are in favour of leave being granted may rise in their places.

As the requisite number of members did not rise, leave was refused.

PRESS CENSORSHIP

Sardar Sohan Singh Josh : I beg to ask for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the general suppression of news and the pre-censorship imposed upon the newspapers in the Punjab and requiring them to have their messages again censored by the Special Press Advisor, Punjab, even though these messages might have been allowed for publication by the Central Press Advisor or any provincial advisor.

Mr. Speaker : Leave is asked to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the general suppression of news and the pre-censorship imposed upon the newspapers in the Punjab and requiring them to have their messages again censored by the Special Press Advisor, Punjab, even though these messages might have been allowed for publication by the Central Press Advisor or any provincial advisor.

Any objection to the motion being allowed?

Premier : The motion is contrary to facts. But I will not go into details at present. I formally object to it.

Mr. Speaker : Those who are in favour of leave being granted please rise in their places.

As less than the requisite number of members rose in their seats, leave was refused.

ARRESTS UNDER DEFENCE OF INDIA RULES AND TREATMENT OF PERSONS DETAINED IN THE JAILS.

Sardar Sohan Singh Josh : I beg to ask for leave to make a motion for the adjournment of the business of the House to discuss a definite

[S. Sohan Singh Josh]

matter of urgent public importance, namely, the wholesale and indiscriminate arrests made in the Punjab under the Defence of India Rules and the bad treatment which is now being accorded to those detained in the Shahpur Camp Jail, Old Central Jail, Multan, Bortsal Jail, Sialkot Jail, Women's Jail, Lahore, Mianwali Jail and the Lahore Fort in order to allay the general public fear regarding their safety and health.

Mr. Speaker : Leave is asked for to make a motion for the adjournment of the business of the House, to discuss a definite matter of urgent public importance, namely, the wholesale and indiscriminate arrests made in the Punjab under the Defence of India Rules and the bad treatment which is now being accorded to those detained in the Shahpur Camp Jail, Old Central Jail, Multan, Bortsal Jail, Sialkot Jail, Women's Jail, Lahore, Mianwali Jail and the Lahore Fort in order to allay the general public fear regarding their safety and health.

In this motion two specific subject matters have been combined. If the honourable member moves only one, I will allow it. It is not in order to move two subject matters at a time.

Sardar Sohan Singh Josh : Practically the two matters are one and the same.

Mr. Speaker : Indiscriminate arrests is one matter, while the treatment meted out to the persons arrested, after their arrest, is a different matter.

Dr. Sir Gokul Chand Narang : Is not such an arrest itself bad treatment ?

Mr. Speaker : It is open to the honourable member to move his motion if he is prepared to divide his motion into two different subjects.

Sardar Sohan Singh Josh : I am willing to separate the motion, the subject being the indiscriminate arrests in the province under the Defence of India Rules.

Mr. Speaker : Any objection ?

Premier : I object to the leave being granted. There have been no indiscriminate arrests. In fact ours is the one province where there has been no arrest except when it was unavoidable.

Mr. Speaker : Those who are in favour of leave being given please rise in their seats.

As less than the requisite number of members rose in their seats, leave was refused.

Mr. Speaker : To save the time of the House, may I ask the Honourable Premier whether Government is inclined not to object to leave being given to move any of the remaining adjournment motions ?

Premier : There is not a single motion which merits discussion.

DECLARATION OF CERTAIN BUILDINGS, ETC. AS NOTIFIED AREAS

Sardar Sohan Singh Josh : I would like to read all the motions before the House. I beg to ask for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public

importance namely, the arbitrary use of their power under section 17 (A) of the Criminal Law Amendment Act, 1908 by the Punjab Government in declaring a large number of buildings, premises and private houses, including the Bradlaugh Hall, the Lajpat Rai Bhawan, etc., as notified areas in the province and thus depriving many people from the right of enjoying private property.

Mr. Speaker : Leave is asked to make a motion for the adjournment of the business of the House for the purpose of discussing a definite matter of public importance, namely, the arbitrary use of their powers under Section 17 (A) of the Criminal Law Amendment Act, 1908 by the Punjab Government in declaring a large number of buildings, premises and private houses including the Bradlaugh Hall, the Lajpat Rai Bhawan, etc., as notified areas in the province and thus depriving many people from the right of enjoying private property.

Any objection ?

Premier : I object to leave being granted.

Mr. Speaker : Those who are in favour of leave being given may rise in their places.

As less than the requisite number of members rose in their seats, leave was refused.

TREATMENT OF CONGRESS CIVIL DISOBEDIENCE PRISONERS

Sardar Sohan Singh Josh : I beg leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the treatment accorded to the Congress Civil Disobedience Prisoners, 1942, in the Lahore Women's Jail on October 9th, and the alleged beating given to the Congress detenus on 23rd September, 1942, in the old Central Jail, Multan, and the alleged shutting up of the Congress prisoners in both these jails in punishment cells.

Mr. Speaker : Leave is asked to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the treatment accorded to the Congress Civil Disobedience Prisoners, 1942, in the Lahore Women's Jail on October 9th, and the alleged beating given to the Congress detenus on 23rd September, 1942, in the old Central Jail, Multan, and the alleged shutting up of the Congress prisoners in both these jails in punishment cells.

Is there any objection to leave being given ?

Premier : Yes, Sir.

Mr. Speaker : Those who are in favour of leave being granted, may rise in their places.

As less than the requisite number of members rose in their seats, leave was not given.

TREATMENT OF WOMEN POLITICAL PRISONERS IN LAHORE

Sardar Sohan Singh Josh : I beg to ask for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the brutal treatment meted out to women political prisoners in the Women's Jail, Lahore, on the 9th October, 1942, when they were dragged and thrown into solitary cells.

Mr. Speaker : Leave is asked for to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the brutal treatment meted out to women political prisoners in the Women's Jail, Lahore, on the 9th October, 1942, when they were dragged and thrown into solitary cells.

Any objection ?

Premier : Yes, Sir.

Mr. Speaker : Those who are in favour of leave being given may rise in their seats.

As less than the requisite number of members rose in their places, leave was refused.

Dr. Sir Gokul Chand Narang : Is anybody taking note of the fact as to how many members rise for a particular motion ? If it is not possible to note down the names at least the number should be recorded. I am only asking whether it lies in your power to have it done. I think the matter entirely rests with you.

Mr. Speaker : There is no such provision in our Rules. Rule 44 says—

If the Speaker is of the opinion that the matter proposed to be discussed is in order he shall read the statement to the Assembly and ask whether the member has the leave to move the adjournment. If objection is taken, the Speaker shall request those members who are in favour of leave being granted to rise in their places and if not less than thirty-five members rise accordingly the Speaker shall intimate that leave is granted, and if less than thirty-five members rise, that the leave is refused.

Dr. Sir Gokul Chand Narang : That does not touch my question. That rule has nothing to do with the manner of recording the proceedings which take place in this House. My point is whether it would not be fair to the House, whether it would not be appropriate for the accurate record of the proceedings that the number of persons (not their names) who support the motion for leave being granted should be recorded.

Mr. Speaker : The practice of this House is not to give names or number of members who rise in favour of leave being granted. We have been only recording whether the requisite number of members supported the leave or not.

Mian Abdul Aziz : May I bring to your notice one thing ? On other motions, when votes are taken, the names of members are recorded according as they support or oppose the motions. Here we do not want the names to be recorded, but we should like the number to be recorded of members who support the leave.

Premier : The present practice is in accordance with the rules.

Mian Abdul Aziz : We know the rules, but we have not been acting in conformity with them. Thus, for instance, the rule requires that we should meet at 2 p. m. and yet we are frustrating it every day.

Premier : No, we are not.

Mian Abdul Aziz : The rule is not against the suggestion made.

Dr. Sir Gokul Chand Narang : The point is not whether the leave is given or refused. My submission is entirely different. I know that the past practice is not to record the number of members supporting the leave. But how many old practices have been abandoned under the new constitution? If we were to stick to ancient practices there would be no reform and no improvement in the mode of life or in the conduct of business in this world. It is open to you to start a new practice if you are convinced that it would be better to give up the old practice and start this new one. You should consider that in these days it is impossible for the Opposition or for members sitting on this side to secure the support of 85 members at any time, because most of the members are in jail and some others are not attending the meetings for one reason or another. It is therefore all the more important to record how many members support the leave being given to an adjournment motion.

Premier : May I suggest that this is not an arena for self-advertisement? For discussing the rules of procedure there are specific methods provided. If the honourable member wants to change the rules of the House he should give notice, and it will then be for the House to decide.

Dr. Sir Gokul Chand Narang : I strongly object to the remarks of the Honourable Premier. He is casting reflections on me. I do not want any advertisement for myself. I do not stand in need of any advertisement at all.

Mr. Speaker : Two things have to be kept in view; "*procedure*" and the "*practice*." Practice depends upon precedents of the House. In this case the honourable members who have raised the point will agree that Rule 44 is clear. It does not require that the number of members supporting the motion for leave, should be recorded, nor is there any precedent, so far as I know, in which their number was recorded.

Dr. Sir Gokul Chand Narang : If I am permitted I shall say one word. In the first place, I strongly protest against the bad taste in which the Honourable Premier made his remarks.

Mr. Speaker : I cannot allow any further discussion.

LATHI CHARGE ON POLITICAL PRISONERS, MULTAN JAIL

Sardar Sohan Singh Josh : I beg to ask for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the lathi charge on political prisoners in Multan Jail on 23rd September 1942.

Mr. Speaker : Sardar Sohan Singh Josh asks for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the lathi charge on political prisoners in Multan Jail on 23rd September 1942. Any objection ?

Premier : I object to the leave being granted.

Mr. Speaker : Those in favour of leave being given will kindly rise in their places.

As less than the requisite number of members rose in their places, the leave was not given.

BANNING OF DISTRICT COMMUNIST PARTY MEETING, LUDHIANA

Sardar Sohan Singh Josh : I ask for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the forcible banning of a meeting of the District Communist Party of Ludhiana on 7th October, and the arrest on that date of two members of the party, without any reason whatsoever.

Mr. Speaker : The honourable member's motion deals with two specific matters and that is not right according to our rules, which expressly require that an adjournment motion must relate to a single specific matter of recent occurrence ?

RELIEF TO SUFFERERS FROM RAVI FLOODS

Sardar Sohan Singh Josh : I beg to ask for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the failure of the Government to give any relief to those who have suffered from the damage done by the floods of the river Ravi in the districts of Gurdaspur, Amritsar and other places in the Punjab.

Mr. Speaker : Sardar Sohan Singh Josh asks for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the failure of the Government to give any relief to those who have suffered from the damage done by the floods of the River Ravi in the districts of Gurdaspur, Amritsar and other places in the Punjab. Any objection ?

Premier : Yes. My friend is hopelessly misinformed. Government has given very generous relief. It has given takavi very generously and it has also given other relief.

Mr. Speaker : Those who are in favour of leave being granted please rise in their places.

As less than the requisite number of members rose in their seats, the leave was refused.

LATHI CHARGE ON STUDENTS AND TEACHERS OF D. A. V. COLLEGE

Sardar Sohan Singh Josh : I ask for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of

urgent public importance, namely, the indiscriminate and totally unwarranted lathi charge made by the Police on the students and teachers of the D. A. V. College, inside the College premises on 29th September 1942, without any provocation whatsoever.

Mr. Speaker : Sardar Sohan Singh Josh asks for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the indiscriminate and totally unwarranted lathi charge made by the Police on the students and teachers of the D. A. V. College, inside the College premises on 29th September 1942, without any provocation whatsoever. Any objection?

Premier : This motion again is hopelessly inaccurate.

Sardar Sohan Singh Josh : My information is quite correct and accurate.

Mr. Speaker : Those who are in favour of leave being granted, please rise in their places.

As less than the requisite number of members rose in their seats, the leave was refused.

TREATMENT OF CERTAIN CONGRESS PRISONERS IN SHAHPUR CAMP JAIL

Sardar Sohan Singh Josh : I ask for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the callous treatment meted out to Dr. Gopi Chand Bhargava, Chaudhri Krishna Gopal Dutt, Mahashe Krishna and Pandit Neki Ram Sharma, during their illness in Shahpur Camp Jail by the refusal of the jail authorities to give them any medical aid.

Mr. Speaker : Sardar Sohan Singh Josh asks for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the callous treatment meted out to Dr. Gopi Chand Bhargava, Chaudhri Krishna Gopal Dutt, Mahashe Krishna and Pandit Neki Ram Sharma, during their illness in Shahpur Camp Jail by the refusal of the jail authorities to give them any medical aid. Any objection?

Premier : This again is not correct. As a matter of fact in the case of one prisoner Government allowed a doctor from Lahore to go there and examine him. The honourable member's information is apparently furnished by a source hopelessly prejudiced and biased.

Mr. Speaker : If the honourable member wants to have certain facts, he may ask the Honourable Premier. In fact he ought to have approached him before giving notice of his adjournment motion.

Those who are in favour of leave being granted, please rise in their places.

As the requisite number of members did not rise in their seats, the leave was refused.

TREATMENT OF MEMBERS OF ASSEMBLY AND OTHERS ARRESTED UNDER DEFENCE OF INDIA RULES

Sardar Santokh Singh : I beg to ask for leave to make a motion for the adjournment of the business of the House to discuss a definite matter

[S. Santokh Singh]

of urgent public importance, namely, the treatment meted out to the members of this Assembly and others, who have been arrested under the Defence of India Rules, since the 8th of August 1942, and detained in different jails of the province.

Mr. Speaker : Sardar Santokh Singh asks for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the treatment meted out to the members of this Assembly and others, who have been arrested under the Defence of India Rules, since the 8th of August 1942, and detained in different jails of the province. Any objection?

Premier : Yes.

Mr. Speaker : Those in favour of the motion may rise in their places.

As the requisite number of members did not rise, the leave was refused.

DROWNING OF CERTAIN CITIZENS OF MULTAN CITY BY LATHI CHARGE BY POLICE

Sardar Ajit Singh : I beg to ask for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the drowning of certain citizens of Multan City by a severe lathi charge by the Multan Police resulting in the death of two innocent persons, in August last.

Mr. Speaker : Sardar Ajit Singh asks for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the drowning of certain citizens of Multan City by a severe lathi charge by the Multan Police resulting in the death of two innocent persons, in August last. Any objection?

Premier : I would certainly object.

Mr. Speaker : Those who are in favour of leave being granted, please rise in their places.

As the requisite number of members did not rise, the leave was refused.

LEAVE OF ABSENCE OF SARDAR KISHEN SINGH, M. L. A.

Secretary : The Honourable Speaker has received an application, dated the 24th October 1942, from Sardar Kishen Singh, M. L. A., which runs as follows:—

I am confined to bed due to attack of paralysis which renders me unable to take part in the deliberations of the Assembly meetings commencing from 26th October 1942. I, therefore, request you to excuse my absence for the whole session. I am submitting medical certificate herewith.

Mr. Speaker : The question is that the permission applied for be granted.

The permission was granted.

PAPERS LAID ON THE TABLE

Secretary : The following papers are laid on the table :—

(1) Annual statement¹ of action taken against corrupt officials in the Punjab during the year 1940-41.

(2) Government of India, Defence Department, letter relating to the resolution recommending that cadets for both ordinary and emergency commission be recruited from the different classes in the same proportion as they are represented in His Majesty's Indian Defence Forces, passed by the Punjab Legislative Assembly on the 16th December 1940.

Copy of a letter No. 3513/5/A. G. 2 (c), dated the 13th June 1942, from the Under Secretary to the Government of India, Defence Department (Army Branch), New Delhi, to the Secretary to Government, Punjab, Home Department.

Subject :—PUNJAB LEGISLATIVE ASSEMBLY RESOLUTION RECOMMENDING THAT CADETS FOR BOTH ORDINARY AND EMERGENCY COMMISSIONS BE RECRUITED FROM DIFFERENT CLASSES IN THE SAME PROPORTION AS THEY ARE REPRESENTED IN HIS MAJESTY'S INDIAN LAND FORCES.

I am directed to reply to your letter No. 1555-HM-42/14411, dated the 18th March 1942, on the above subject. The Government of India have given full consideration to the resolution passed by the Punjab Assembly, but are unable to depart from the principle that emergency commissions should be granted irrespective of class restrictions, and that anyone who is personally qualified should be eligible. I am to observe, however, that in practice the classes who provide the rank and file of the army enjoy a very considerable advantage in the matter. Out of a total of 1,399 emergency commissions granted to Indians in the past year, 475 or 34 per cent were given to Viceroy's Commissioned Officers or men promoted from the ranks. Of the remaining 66 per cent, though exact figures are not available, it is safe to say that a substantial proportion went to the same classes.

AMENDMENT TO THE PUNJAB MOTOR VEHICLES RULES

Minister for Finance (The Honourable Sir Manohar Lal): I beg to lay on the table the amendment made to the Punjab Motor Vehicles Rules, 1940.

LEGISLATIVE ASSEMBLY (WAR SERVICE) AMENDMENT BILL.

Premier (Lieutenant-Colonel The Honourable Sir Sikander Hyat-Khan): Sir, I introduce the Punjab Legislative Assembly (War Service) Amendment Bill.

¹Kept in the Assembly Library.

[Premier]

I move—

That the Punjab Legislative Assembly (War Service) Amendment Bill be taken into consideration at once.

Mr. Speaker : Motion moved is—

That the Punjab Legislative Assembly (War Service) Amendment Bill be taken into consideration at once.

Malik Barkat Ali (Eastern Towns, Muhammadan, Urban): Mr. Speaker, I rise to oppose this motion. Not that I am opposed to the principle that members of this House should be free to join the Armed Forces of the Crown without losing their seats. In fact, so far as this principle is concerned, the House accepted it, when in April 1940 it passed the Punjab Legislative Assembly War Services Act. The Bill which the Honourable the Premier has introduced today goes much further than any considerations of patriotism or any sense of duty to render the fullest assistance in the prosecution of the war can justify. Under this Bill powers have been taken for the Governor to employ members of the Assembly by certifying that the offices upon which they are employed, are directly concerned in the prosecution of the war and upon this certification, the members of the Assembly so employed shall be exempt from the disqualification which they would automatically incur under section 69 of the Government of India Act. It is obvious that the powers that have been taken or intended to be taken for the Governor shall be exercised normally on the recommendation of the Premier, so that if you analyse these provisions, it comes to this, that the Premier of the Punjab shall have the power to confer on members of this Assembly, soft, high salaried, fat jobs, as rewards for their support of a Government which, I have no hesitation in saying, is the most servile Government in the whole of this country. To give such a power to this Government would really be tantamount to debauching this House which was intended by the constitution to be a sacred palladium, a sanctuary of freedom, a place where no pollution of any kind should be permitted to enter. I, therefore, oppose this motion, first and foremost, on the ground that it is calculated to destroy, to all intents and purposes, the freedom and the independence of this House.

I now come to my second ground. When the Punjab Legislative Assembly War Service Act was introduced in April 1940, it was stated in the Statement of Objects and Reasons, that that Bill was on the lines of a similar Act that had been passed by the House of Commons on the 3rd of September 1940. I have had the benefit of reading that Act of the House of Commons since I received notice of this amending Bill and I should like this House to know what the House of Commons in their wisdom had done in that Act. The House of Commons simply said, "A person shall not be incapable of being elected to, or of sitting or voting in, the Commons House of Parliament by reason only that, as a member of any of His Majesty's Forces he holds any office or place of profit under the Crown". Now members will see and members will appreciate the reason for that Act. The only exemption from that statutory prohibition that no person holding a place of profit under the Crown shall be a member of a representative House, is where that member offers himself for voluntary service in or joins the armed forces of His Majesty. This is the sole case contemplated

by the House of Commons Act. What did we do? We undoubtedly exempted persons who offered themselves to join the Armed Forces of the Crown, but we went further in the year 1940 and exempted the holders of all offices under the Defence Department of the Central Government, something which the Statute of the House of Commons did not do. Well, this Assembly has passed an Act and I am not going to criticise the provisions of that Act, I am only pointing out to the honourable members the fact that the House of Commons merely exempted those, who joined the armed forces of the Crown, from the disqualification. Members of the House of Commons could join the armed forces of the Crown and beyond that the Statute did not go. We went further and we exempted the holders of offices under the Defence Department of the Central Government. This amending Bill goes even beyond that. Under this amending Bill it is said that instead of exempting the holder of an office under the Defence Department of the Central Government, the exemption shall extend to all those persons who are engaged in or employed in an appointment which is certified by the Governor of the Punjab to be directly concerned with the prosecution of the War. The War has certainly been exploited for many purposes and the duty to do your best in the prosecution of the War has also been prostituted in many ways, but I put it to the Honourable Premier how far he intends to go and whether there is any model for this amending Bill in the history of the House of Commons legislation since this War began? I ask the Honourable Premier to kindly let this House know whether there is any precedent for this amending legislation in the legislation of the Government of India.

(At this stage the chamber was suddenly illuminated by sunlight through the skylight).

Premier : Light from Heaven, an omen. *(Laughter).*

Malik Barkat Ali : I ask the Honourable Premier to let us know whether there is any precedent for this kind of legislation in the legislation of any other Province in British India. Seven Provinces have ceased to function and there remain three provinces.

Raja Ghazanfar Ali Khan : Two are hanging in the balance.

Malik Barkat Ali : There is Sind. It is not hanging in the balance now. It is settled. There is the Province of Bengal.

Raja Ghazanfar Ali Khan : Do not talk about it.

Malik Barkat Ali : I want a precedent from the Bengal Province if any such precedent is forthcoming. I want a precedent from Sind if any such is forthcoming, and if there is no such precedent either in the legislation of the House of Commons or in the legislation of the Government of India or in the legislation of any other Province, then with all seriousness I do ask the Honourable Premier to let us know the reasons for this Bill. Does anyone really believe that our friends in the Punjab are greater helpers of the Empire than the Englishmen themselves? Do you want anybody to believe that the House of Commons has not got that wisdom which has dawned on you? I ask you, in all seriousness, because after all the question that is involved is not a merely personal question but a question of high principle. I do not wish to be understood that I am in any way criticising the appointment of Begum Shah Nawaz or my friend Mian Mushtaq Ahmed Gurmani. All that I say is this. If Begum Shah Nawaz or Mr. Gurmani accept office under the Crown, let them cease to be members of this House and if

[Malik Barkat Ali]

any honourable member of this House wants to accept an office under the Crown, let him accept that office under the Crown but cease to be a member here. Surely the Honourable Premier does not mean that all the wisdom and all the capacity and all the merit is centred and gathered in those benches.

Premier : Those benches also.

Malik Barkat Ali : There are certain members of this Assembly who are working as Assistant Recruiting Officers at rupees seven hundred or eight hundred. I gave notice of a Short Notice Question to find out facts from the Honourable Premier, but that information is not yet given to me and I trust that the Honourable Premier will in his speech that he may be pleased to make, tell us the number of people working as recruiting officers and what is the amount of pay they are getting. The question I put to the Honourable Premier is this. After all Punjab is a very big province. It is not that seven or eight members of this Assembly who are working as Assistant Recruiting Officers, etc., are the only competent persons. There are so many non-members who do not belong to this Assembly and are doing this work. I ask, why is this Assembly being drawn upon for this purpose? It is no good telling me that the persons who have been appointed are the most influential people and without them there would be no recruitment in this province. The objection is this and I put it seriously, that it is not in keeping with the dignity and independence of this House that honourable members of this House should be permitted to continue as members and at the same time draw fat salaries. You should not forget that Parliament itself has gone to a certain limit and it has not gone beyond that, because it rightly feels that to go beyond that limit would be to destroy the representative character and independence of Parliament. As a matter of fact, if members of this Assembly are to be eligible for appointments under the Crown, appointments which may be connected with the prosecution of the War, why not roll up this Assembly and save thousands in respect of compensation allowances or salaries? It is no good giving us a house in which you have the power to offer big posts to members and still perpetrate the farce of making the world believe that those members are representatives of the people. Therefore I oppose this motion. My last reason is this. Is it only those members of the Assembly on whom the finger of selection of the Honourable Premier would fall, who will be able to do a particular business and nobody else in the rest of the province? It is contrary to all settled principles. Therefore, my respectful submission to the Honourable Premier is this, that he had better resist this temptation. If he does not, the political reputation of this province which has already been dragged into the very mire, would be totally destroyed. If he wants to take the credit of destroying that reputation, he is free to do so; but it is my duty to warn him and to tell him that there are certain responsibilities of the people which devolve on his shoulders. Let not the pretence or excuse or plea for all assistance in the prosecution of the war take him beyond even the limits to which Parliament has gone, take him beyond even the limits of Mr. Churchill. He had better put a restrain on himself. Let him reflect seriously whether it is really wise, whether it is really just to this province that he should go on doing what he has been doing so far in the name of his majority.

Premier, (Lieutenant-Colonel the Honourable Sir Sikander Hyat-Khan) : Sir, I was not surprised to hear the speech of my honourable friend opposite, because this is not the first time that he has taken a line which is absolutely in conflict with the line which the rest of the province takes.

Sardar Sohan Singh Josh : Is that not the Muslim League line?

Premier : Ask the honourable member. So far as I am aware,—and I do not know whether it has altered its decision—the Muslim League has given individual members complete liberty to take part in the war effort of the country. That is the position unless it has been changed now; and I am not aware of any change. (*An honourable member* : It is not changed.) It is not changed. My honourable friend is one of those unique persons who take advantage of every opportunity to run down the very party whom they profess to represent and to bite the hand which feeds them. I do not however wish to join issues with him at the moment on that score. He objected that the Governor had been given the power of certification, but he himself, and quite correctly and properly, in the very next sentence made it clear that Governor constitutionally means the Government or in other words, in this matter the Premier. He was perfectly correct in his deductions that any recommendation which would be made regarding this particular matter will be made by me, or put it in democratic language by the official representative of the members of this House, who in turn are representatives of the people of the province. That is the exact position and that is why Government has included in this Bill power of certification by the Governor or in other words by the Government, so that we may be able to assure this House that the services of the member who is allowed to accept office under the Crown in accordance with the provisions of this Bill, are genuinely required for the war effort of the country. That is why I am asking the House to give me that power. My honourable friend—I do not know either through ignorance or through lapse of memory—has made several mis-statements of facts on the floor of the House. He referred to only one particular enactment of Parliament. The House is already conversant with it because our original Bill was, as a matter of fact, based on that very enactment. He went on to harangue the House in the following terms : “here is this Sikander and his Government and a popular Assembly” and he pointed to the members on these benches—“who are trying to out-herod Herod and have sponsored a Bill which goes even farther than anything passed by the Houses of Parliament in England”. That was the burden of his arguments. He further asked me whether I could cite any other province which had passed a similar measure. I do not know what he meant by putting that question. He should know that the constitution is functioning only in four other provinces and they are not affected to the same extent as we are. If and when they find the need I have no doubt that they will take similar action. He is also perhaps aware that the Central Assembly also contemplates passing a similar measure. The Government of India has asked for the amendment of the Government of India Act to enable it to do so. But he laid stress on the point that the British Parliament had not done so. He persistently emphasised that point, presumably because of his ignorance regarding

[Premier.]

the action taken by the House of Parliament. He seems to be under the impression that members of Parliament, who are not serving in the defence forces, are not exempted. May I remind him of Sir Stafford Cripps' appointment? When he went to Moscow, he did not vacate his seat in the Parliament. Does he now recollect that the immunity is not confined only to the defence services? Then take the case of Sir Samuel Hoare, who is still acting as the ambassador in Spain.

Malik Barkat Ali : May I, through you, put a question to the Honourable Premier? Is it right that Sir Stafford Cripps and Sir Samuel Hoare were given the status of Ministers of the Crown and Ministers of the Crown are never regarded under the constitution as holding places of profit under the Crown?

Premier : Yes, but the measures passed by the Parliament are more comprehensive. My honourable friend is not sure of his facts. Let me tell him that one of the Parliamentary enactments provides that if it is certified by the First Lord of Treasury that the appointment of any member is required in the public interest for the purpose connected with prosecution of any war, he is immune. The words are "any war", not only this war and that enactment was passed in 1941 by the Parliament of Great Britain.

Malik Barkat Ali : Please read out.

Premier : I am quoting from the Act.

Malik Barkat Ali : About one man only.

Premier : No, generally. It is called the House of Commons Disqualification (Temporary Provision) Bill. It was passed in 1941 and the particular clause which I have quoted lays down that if it is certified by the First Lord of Treasury, that is, by the Prime Minister, that the appointment of any member is required in the public interest for the purpose connected with the prosecution of any war, he is not disqualified.

The honourable member should have made sure of his facts first before criticising the measure before the House. He is a lawyer and should have taken the trouble of finding out whether his facts were correct. I have made it quite clear that the British Parliament, like ours, had to take action to pass a legislation specially to give immunity to the members who were not actually the members of defence forces; why, because they wanted the very best people, in the interest of the country and in the interest of the nation, to be appointed to the posts in connection with the war and this they could not do unless this restriction was removed.

He then went on to say, "How many recruiting officers from these benches are doing the work of recruiting officers and were they more capable than other people who are acting as recruiting officers?" I have no intention of discussing or appraising their merits in this House. But my honourable friend has got a very short memory. If he was present in the House when we passed the original enactment, he would remember that I made it quite clear that several members of this House were also members

of A. I. R. O. When the war broke out they were naturally called for service. There was no conflict so long as they served as honorary members of the defence forces, but when they were appointed as recruiting officers, which are paid-posts, they could no longer remain members of this Assembly without special exemption. It was for that reason that we had to pass the original enactment. Subsequently we came to the conclusion that since this province was taking a leading part in the war effort of the country, for the safety of our country, of our motherland, it would be unfair to deprive those gentlemen of their membership of the Assembly, those patriotic citizens who may be particularly suited for a particular job in connection with the war. They were anxious to serve their province and their country, but we could not avail of their services because of this statutory restriction.

In view of the urgency of the matter the necessary exemption was given by an ordinance in anticipation of the approval of the Assembly. Immediate action was necessary to enable those members, who were required by the Government of India, to take up appointments in connection with the war immediately. The honourable member (Malik Barkat Ali) remarked that the Premier had the power to give fat salaries. I have not the power to give fat salaries, but I have the power to release for war service fat persons. (*Laughter.*) When I was asked whether I would be prepared to relieve my bulky friend, who is not only bulky in weight but also bulky in wisdom (*applause*) I readily agreed to the proposal made by the Government of India. I congratulated them on their selection of a person who is eminently suited for the work which has been entrusted to him.

Malik Barkat Ali: Since when has my Honourable friend learnt that my friend over there was bulky in wisdom? He was paid by him Rs. 250 only per mensem and that as a Parliamentary Private Secretary.

Premier: And so is Sir William Roberts, who is ably serving the province honorarily as Price Controller. (*Cheers.*) I was also asked to suggest the name of a suitable lady for organising National War Front activities among women. Does the honourable member opposite suggest that I should have refused to release her when they had selected a lady who for her patriotic ideals and public spirited activities, especially where the welfare of Indian women is concerned, is well known not only in this country but even abroad? (*Applause.*) It would have been unfair to refuse. I did not. Instead I welcomed her appointment as I considered that she is the right person for this work. I was not consulted about the question of salary. It was for the Central Government to decide that having regard to the importance of the post and the capacity of the incumbent. I was only asked whether she was suitable and whether I would agree to relieve her. I said that I would, and considered her not only suitable but best fitted for the job.

I have answered the various points raised by the honourable member opposite. I will now deal with his venomous libel in daring to call this province a servile province.

Malik Barkat Ali: You should know it.

Premier: I know it and I also know him and others who made their fortunes by dubious methods. It is my duty to look to the interests of hundreds of thousands of those patriots who are fighting for the honour and safety of their country, and to protect our hearths and homes and even of persons like him. Fortunately for us, the province does not contain many quailings like him.

Malik Barkat Ali: Mr. Speaker, the Honourable Premier is making personal attacks on me. I respectfully submit that if you cannot stop him from indulging in this personal calumny it will be my duty to return it to him with compound interest. He has no business to use words like "venom", etc.

Premier: My honourable friend deemed it fit to dub this province as a servile province as if he himself was the only patriotic person in the province. He alone is like stainless steel which can neither get soiled nor rusty whether he be in the Muslim League, or whether he is in the Congress. He is like the chameleon which goes on changing colour without losing its identity.

Mr. Speaker: The honourable member was not right in calling the members on this side "servile".

Malik Barkat Ali: I never said that. I said that the Government of this province was most servile.

Premier: It is the members of this servile government who represent the servile people of the province and it is the servile people who want to cut the chains of servility by fighting the enemies of liberty and freedom. It is the sacrifices of those gallant Punjabis, whom the ungrateful member over there has the audacity to run down on the floor of the House who will cut the chains of servility and win us freedom (*cheers*). When our brave countrymen come back as victors they would come back to a free India, if only he and croakers like him would play the game, (*Applause*). I reiterate, and he knows it perfectly well that he has not the honesty and decency to admit it, that this province is the one province in this country which is responsible for keeping the honour of this country unsullied. (*Cheers*.) We must remember that the united nations include free nations like the United States of America, Russia and Great Britain and other freedom-loving nations; and our gallant soldiers are fighting shoulder to shoulder with them not only for the safety and integrity of our own country but also for the preservation and vindication of those principles and ideals which are so dear to all patriotic and freedom-loving people. And I have not the slightest doubt that we will win in spite of the honourable member opposite and those of his mentality (*hear hear*). I speak on the floor of the House with full responsibility and with the authority of the whole province, excepting a handful of misguided persons like the member opposite who constitute a microscopic minority that we will win freedom for our country through the sacrifices of our gallant and patriotic brethren who are shedding their blood for the safety and freedom of our motherland (*cheers*). If instead of indulging in these cheap gibes the honourable member had only tried to imbibe the patriotic spirit which animates this great province he would have saved himself the ignominy of being marked out as an unpatriotic notoriety hunter.

Mr. Speaker : Please do not be personal.

Premier : If my remarks have hurt the honourable member I apologise but he has himself courted them. If he and those who think like him, instead of wasting their time and breath in fruitless attempts to counter the patriotic surge of their co-citizens in this province, would divert their eloquence and misspent energy towards removing those obstacles which stand in the way of their country's freedom, they would earn the gratitude of their country and will have the satisfaction of feeling that they had a hand in securing the political emancipation of their motherland. That would be far better than indulging in cheap gibes in this House at the expense of our gallant countrymen. The momentary elation of seeing his speech published in a section of the press and of gloating over it before going to the High Court should be weighed against the lasting gratitude and respect of his countrymen. (*Laughter.*) Later, when India is free and attains the status of equality with other free dominions—which I repeat would be attained as a result of the sacrifices of those brave soldiers who are shedding their blood for the sake of their country's honour and freedom—he and his associates will be ashamed of themselves if they have any sense of decency and patriotism. (*Loud Applause.*)

Mr. Speaker : The question is—

That the Punjab Legislative Assembly (War Service) Amendment Bill be taken into consideration at once.

The motion was carried.

Mr. Speaker : The Assembly will now proceed to consider the Bill clause by clause. The question is—

That clause 2 stand part of the Bill.

The motion was carried.

Mr. Speaker : Question is—

That clause 3 stand part of the Bill.

The motion was carried.

Mr. Speaker : Question is—

That the preamble be the preamble of the Bill.

The motion was carried.

Mr. Speaker : Question is—

That clause 1 stand part of the Bill.

The motion was carried.

Premier : I move—

That the Punjab Legislative Assembly (War Service) Amendment Bill be passed.

The motion was carried.

LEGISLATIVE ASSEMBLY (ALLOWANCES OF MEMBERS) AMENDMENT BILL

Premier : I introduce the Punjab Legislative Assembly (Allowances of Members) Amendment Bill. I move—

That the Punjab Legislative Assembly (Allowances of Members) Amendment Bill be taken into consideration at once.

[Premier]

The motion was carried.

Mr. Speaker : Now the House will consider the Bill clause by clause. The question is—

That sub-clause (2) of clause 1 stand part of the Bill.

The motion was carried.

Clause 2.

Sardar Gurbakhsh Singh (Batala, Sikh, Rural) : I move—

That in the proposed section 3 (2), line 1, after the word 'member' the words 'other than a member who is under legal detention under any law for the time being in force' be added.

I have moved this amendment with a view to make a distinction between the members of this House who are free to attend the sittings of this House, but do not do it of their own sweet will and those who are prevented by the Government from attending the sittings of the House. Take the case of political prisoners and political detenus. They have been detained by the Government for the simple reason that they do not co-operate with the Government in regard to its policy. They are going to be penalised for that. Some of them have been detained even without any trial. To me it seems quite unjust that people who have been detained by the Government themselves should not be allowed this privilege of drawing their allowances. Their only fault is that they are public workers; they are doing work for the good of the country and they do not see eye to eye with the Government in its policy. I am laying some stress on this point. I think a more lenient view of the whole thing should be taken since it is quite likely that a member of the Ministerial benches may to-morrow differ from the policy of the Government and may even be detained. Even a Premier may also face the same fate. Mr. Allah Bux who only a few days ago was the Premier of Sind is no longer in that office because he differed from the policy of the Government—it is quite possible he may be detained to-morrow. So may be the case of any member of the Government or any Premier of a Province. (*Rai Bahadur Lala Gopal Das*: The Premier does not draw any allowance.) My submission is that those persons who have been detained were not detained for their own personal ends; they have been detained for doing public work and therefore they must be allowed this privilege. I am quite prepared to change the language of this clause if the House so desires, so that those persons who are convicted of offences involving moral turpitude should be excluded and only those persons who are detained for political reasons should be allowed to draw their allowances. With these remarks I move the motion and recommend it for the acceptance of the House.

Mr. Speaker : Clause under consideration, amendment moved is—

That in the proposed section 3 (2), line 1, after the word 'member' the words 'other than a member who is under legal detention under any law for the time being in force' be added.

Premier (Lieutenant-Colonel the Honourable Sir Sikander Hyat-Khan) : Sir, it is my unpleasant task to criticise the maiden speech of my honourable friend who has just sat down. He has given two arguments in favour of his motion. First, that persons who are opposed to the Government are being penalised for their political differences. My honourable friend has

done a grave injustice to the Government. I submit that not a single individual has been detained because of this. They have all been detained for infringing the law of the land, and in some cases because of the danger that they were preparing to act in a manner prejudicial to the peace and tranquillity of the province and the country. I assert emphatically that not a single person among those who have been detained has been incarcerated because of his difference of opinion with the Government or the party in power and I challenge any one to prove to the contrary.

His second argument was to the effect that the Premier himself may on some occasion find himself in conflict with certain principles and may court detention. I assure my honourable friend that if it ever comes to that and I find that I must court imprisonment, I will not be deterred for the sake of this allowance. If a man is true to his principles no worldly wealth or consideration can stand in his way and deter him from doing his duty. I am sure that those members who are under detention are not worrying about these allowances. Indeed my honourable friend is doing them injustice by trying to convey that they are hankering after a paltry allowance of Rs. 20 when they are not discharging their duties as members. I think they would indignantly refuse to accept a dole when they are in jail and are not able to attend the meetings of the Assembly as this allowance is paid only to a member for attending and transacting public business in the Assembly. There is no question of discrimination. My honourable friend, if he had read the Bill carefully, would have noticed that even those members who are not under detention, if they do not attend the specified number of meetings will be deprived of this allowance. So, it is a question of principle and not of discrimination. So far as detention is concerned, my honourable friend must remember that detention does not mean only detention of people without trial or detention of people who have been guilty of certain provisions of law. There may be others, for instance, people who commit heinous or violent crimes. (*An honourable member*: I have provided for that.) Yes. My honourable friend has used the expression "Moral turpitude". If he refers to any good dictionary he will find that moral turpitude does not necessarily cover all acts of violence. My friend is doing grave injustice to those people who are under detention, by depicting them as mercenary minded. (*Interruption.*) Those who do not or cannot attend the meetings of the assembly and consequently are unable to discharge their duties as representatives of the people are not entitled to any allowance. That is the principle. In the circumstances, my honourable friend will I trust agree with me that this amendment, to which I have given the most sympathetic consideration, cannot be accepted by Government.

Sardar Sohan Singh Josh (Amritsar North, Sikh, Rural) (*Punjabi*): Sir, I had absolutely no intention of speaking about this amendment. But the Honourable Premier has been pleased to make a certain observation which has induced me to say a word or two about this matter.

The Honourable Premier has remarked that the Congress leaders should not care for these petty allowances. Certainly the Congress and its members do not care for such allowances. But that is no reason that they should be

[S. Sohan Singh Josh]

treated differently from others. Not to give them allowance when they are detained indefinitely without trial is to finish their dependents. The Government has no right to do so. The other M.L.As. will be getting allowances without attending the Assembly, but the opposition members detained without trial by the Government will not get anything. This is double punishment, and it is not treating the opposition fairly. I, therefore, urge that either the Government should try in a court of law the M.L.As. before clapping them in prison, or should give them this allowance. Failing to do this is to starve the families of the opposition members. The real point of the amendment is that Government should not abuse their powers and make invidious distinction between the different members of this House. The present Government of the Punjab is detaining several respectable persons and M.L.As. without producing them before any court of law and securing their conviction. It is ruling by the sheer tyranny of majority. Men are arrested, detained and imprisoned for several years without any apparent rhyme or reason and without any legal proceedings. If only those persons were put behind the bars who had committed some offence which could be proved in a court of law, we would not have proposed this amendment. But the hard fact is that the Punjab Government sends M.L.As. to jails without any trial. We are not convinced about the justification of such detention and imprisonments. The executive authorities get people detained and imprisoned at their whim. Now if some imprisoned M.L.A. is to receive no allowance for such imprisonment, it would mean that he would be deprived of this allowance because of the whim of that executive authority and not on account of any legal conviction against him. That is why I am opposed to this clause and that is the reason why I am in favour of the amendment now under discussion.

Malik Barkat Ali (Eastern Towns, Muhammadan, Urban) : I really had no intention to take part in the discussion of this amendment, but after the speech of the Honourable Premier it appears to me that it is necessary to remove certain fundamental misconceptions of the Honourable Premier. He seems to be under the impression that this compensatory allowance is given to a member as compensation for attending the meetings of the House. That is not so. Members of Parliament receive £ 600 a year as members of Parliament. Of course I speak subject to correction, because I have not studied the matter yet ; but I am prepared to make the statement on the floor of the House that no distinction is made in Parliament that if a member does not attend for a day or for ten days or does not put in 90 per cent attendance he shall not draw any allowance. My respectful submission is this that payment to a member of a legislature is payment to him on account of the worry and inconvenience and various other things. Therefore the payment is not conditioned on his attending 90 per cent of the meetings or that so much will be deducted if he does not attend so many meetings or that if he does not attend the necessary quota then he shall not be entitled to receive anything for that month except for the days that he actually attended. That is a perfectly wrong conception and I would ask Government to consider the matter in the light of my submission. It is *infra dig* really to suggest that members of this House will only get this compensatory allowance if they put in at least 90 per cent attendance and if

they do not put in 90 per cent attendance they shall get nothing for that particular month except Rs. 20 for the days they attend. Take for instance the present session. We shall be having only four meetings in this month and if a member does not attend for a day, according to this provision, he will lose the entire allowance and will get only Rs. 20 for every day he attends. Therefore, I suggest that it is an erroneous conception. The Honourable Premier said that those people who have gone to jail are men of high moral standard and that it is wrong to suggest that they would want this compensatory allowance. His sympathy for these members is unreal; he is really aiming at these members. If these members had gone to jail as a result of convictions in courts of law they would cease to be members. But their detention at present does not deprive them of their membership of this House and if they continue to be members of this House there is no reason why they should be deprived of this compensatory allowance. I submit that this provision of the Bill which my learned friend seeks to render nugatory by his amendment, has been introduced with an eye to hit these poor people. I submit it is not fair on the part of the Premier to take defence in an argument of that kind.

My last submission to this House, as I have given notice of several amendments, is that it is only persons who have been actually convicted by courts in British India of any offence who may be deprived of their compensatory allowance for those days during which they are undergoing their sentence of imprisonment and who on that account cannot attend meetings of the Assembly. I submit that it is really very wrong and I consider it very serious that persons who are locked up in jail by the order of executive authority and yet continue to be members of this House should be deprived of this compensatory allowance. With these words I support the motion of my learned friend.

Parliamentary Secretary (Mir Maqbool Mahmood): There appears to be some misunderstanding about the intention of the Bill and the purpose for which this allowance of Rs. 200 per month is being sought in the House. My honourable friend who spoke on this amendment now, and those who preceded him, will agree that this allowance is being paid not as a matter of charity nor would any member accept it as a piece of charity. This allowance is being paid for the out-of-pocket and other expenses to the members for two reasons. First, their duties in attending the House, and, secondly, their duties outside as members of the House for keeping in touch with their constituencies. These services are rendered by members in two ways. When the House is in session, they get this allowance, first, for attending the House and, secondly, for keeping in touch with the people. When the House is not sitting they get this allowance only for keeping in touch with their constituencies. That being the reason the Bill has been so designed that when the House is not sitting, members who are in a position to be in touch with their constituencies continue to get Rs. 200 a month irrespective of the fact whether in the session preceding that particular month, they attended the session or they could not attend it. In the case of those members who have been convicted or who are detained, it is obviously clear that they are not in a position to render direct contact and service to their constituencies.

[Mir Maqbool Mahmood]

Therefore it would be asking for charity that those members who cannot attend the session and who cannot keep contact with their constituencies should continue to get Rs. 200 per month.

With regard to the sessions, when the House is in session, the rules lay down for all concerned that those who do not attend a certain percentage of the meetings shall be liable to certain deductions. With regard to that point, I am sure the House will remember that previously we used to be paid so much per day. It was thought fit for the convenience of members to commute that allowance.

Malik Barkat Ali : May I ask the honourable member a question? Does he know of any provision under which the allowance of a member of Parliament is liable to deductions of this kind?

Mir Maqbool Mahmood : I am afraid I have not studied that point and I am not in a position to give that information.

I would like to make one point clear. In laying down these conditions it will be irrelevant at this stage to argue whether a man is rightly or wrongly detained. That is a question irrelevant to the Bill under consideration. All that we are concerned with is that an honourable member, whatever the reasons, whether by detention or otherwise, is incapable of rendering services to the House or to his constituency or is incapable of keeping direct contact with his constituency. I submit that no honourable member would ask for such an allowance as a matter of charity in those conditions. That being the case I would ask the honourable members not to draw unwarranted conclusions as to the purpose of this clause 8 which is under consideration. With these words I beg to oppose the amendment that has been moved.

Mr. Speaker : The question is—

That in the proposed section 3 (2), line 1, after the word 'member' the words 'other than a member who is under legal detention under any law for the time being in force' be added.

The motion was lost.

Malik Barkat Ali (Eastern Towns, Muhammadan, Urban) : I beg to move—

That in the proposed section 3 (2), line 2, for the word "ninety" the word "seventy-five" be substituted.

I propose to be very brief. My reason for this amendment is this. Ninety per cent is a very high percentage indeed. As a matter of fact, according to my point of view, I would not penalise any member or make it a condition that a member shall attend so much percentage of the total number of meetings, to be eligible for the allowance. But as that point of view has not commended itself to the Government I do not wish to stand in their way. But I would suggest that 90 is very high and 75 may be substituted for 90. Just take one instance so that Government may realise the importance of my amendment. We are sitting in this session, let us say for 4 days. Ninety per cent of 4 days is 3.6 days. Suppose a man is absent for a day. Then the penalty which the Government puts on him is the loss of Rs. 200 for the month. Probably he will get 40 or 60 rupees according

to the number of days he has attended. Now I ask, is it fair that an honourable member who for some reasons could not attend a meeting on a day, should be deprived of his compensatory allowance? It is not a question of punishment. It is a question of his right as a member of this House. He is entitled, as of right, to this allowance irrespective of the attendance. But if you do insist on his attendance, be reasonable and reduce it to the reasonable figure of 75 per cent.

Mr. Speaker : Clause under consideration, amendment moved :

That in the proposed section 3 (2), line 2, for the word "ninety" the word "seventy-five" be substituted.

The other amendments which are similar to this will also be discussed along with this amendment.

Parliamentary Secretary (Mir Maqbool Mahmood): I am afraid my honourable friend opposite has not fully appreciated the effect of his amendment. If he applies his mind to the amendment as well to the proposed clause, he will find that the effect is not such as he imagines. According to one of the amendments he proposes, the member will lose Rs. 20 for each day of absence. Now let us take the effect of that amendment coupled with this amendment now before the House. Suppose we have 16 meetings and a member is absent for two meetings or say 4 or 5 meetings. The effect of the amendment which is to follow is that the member will lose Rs. 80 or 100, whereas according to the clause as it stands he will get Rs. 180 instead of Rs. 200. I take it that it is not the desire of my honourable friend to penalise members. I am sure that when the other amendments which he and certain other honourable members have tabled come up, that is relating to absence on account of reasons other than ill-health, then Government would give their best consideration and see how best they could accommodate. But at this stage the amendment of my honourable friend does not seem to be reasonable. In view of these considerations, I would appeal to him not to press his amendment but to concentrate on the other amendment I have referred to.

Malik Barkat Ali : The reason why I have risen again is to make my honourable friend realise the actual effect of my amendment. According to the clause as it stands, if a member attends at least 90 per cent of the meetings, he gets Rs. 200. But if he does not attend 90 per cent of the meetings, then he loses his Rs. 200 but gets Rs. 20 a day for the number of days he attended. According to my amendment, if he attends even 75 per cent of the meetings, he will still get Rs. 200 and if he attends less than 75 per cent of the meetings, then he loses Rs. 20 per day. If the percentage is reduced from ninety to seventy-five, the Bill, as it stands, would work in the same fashion. If he does not attend 70 per cent or 75 per cent he does not get anything. Therefore, it is better to reduce your total from 90 per cent to 70 per cent.

Now, I come to the other part of my amendment which is this. Under the Bill, as it stands, if a member does not attend 90 per cent he shall not, for that month, be paid any compensatory allowances. All that he shall be paid will be allowances at the rate of 20 rupees for every meeting actually attended by him, so that instead of getting two hundred, if he attends four meetings he gets eighty rupees according to

[Malik Barkat Ali]

you. According to me, he will get two hundred minus say eighty or so, that is, one hundred and twenty rupees. Therefore, if you appreciate that as the necessary result of my amendment, then it is for the Government to decide whether they should accept my amendment or not. I am not going to press it but I can assure you that it is only fair to the honourable members that if they do not put in that maximum of 90 or 75 per cent, then they should not lose the whole allowance. It is most unfair that there should be any element of punishment and the honourable members should lose compensatory allowances, getting only the allowances they are entitled to on the basis of meetings that they attend. I would appeal to my honourable friend as one in charge of the Government at present to see the reasonableness of my submission. The most important portion of my amendment is this, that where the necessary quota of meetings is not fulfilled, then in that case the member should not be penalised by being deprived of the entire compensatory allowances. He should be paid that compensatory allowance minus the twenty rupees for the number of days that he has not attended. I have no personal axe to grind, but I take the view as it will be in consonance with the dignity of this honourable House that the idea of punishment should be eliminated.

Shaikh Sadiq Hasan : Just a question, Sir, will the Parliamentary Secretary please explain if a member absents himself from one meeting out of a total of four meetings held in the month of October what will be the amount paid to him ?

Parliamentary Secretary (Mir Maqbool Mahmood) : Sir, the answer to the question of my learned friend is very simple. If the absenting member gives sufficient proof of his illness or states any other cogent reason for not attending the meeting—and I believe his statement should be considered enough—full compensatory allowance will be granted to him according to this amending measure. Supposing in the current month instead of four meetings 18 meetings are held then according to the amendment of my honourable friend opposite if a member fails to attend 6 meetings he will lose Rs. 120 and get Rs. 80 only. But so far as this amending Bill goes, a deduction of Rs. 20 will be made and he will get Rs. 180.

In view of this, Sir, you can easily realise as to which of the two amendments will prove more effective ; the amending Bill or the amendment put forward by my honourable friend.

Malik Barkat Ali : What will be the position if an honourable member absents himself for eight days ?

Mir Maqbool Mahmood : The position is not materially changed. If an honourable member absents himself from 8 meetings, an amount of Rs. 160 will be deducted according to the amendment of my honourable friend opposite and a payment of Rs. 40 will be made to him. But according to the amending Bill he will get the full amount that is Rs. 200.

Mr. Speaker : The question is—

That in the proposed section 3 (2), line 2, for the word "ninety" the word "seventy-five" be substituted.

The motion was lost.

Malik Barkat Ali (Eastern Towns, Muhammadan, Urban) : I move—

That in the proposed section 3 (2), line 15, for the word "Secretary" the words "Honourable Speaker" be substituted.

I do not want to cast a reflection on any Secretary whatsoever but it would be *infra dig* for honourable members to be running after the Secretary to satisfy him with the reasons.

Mr. Speaker : If the amendment moved by the honourable member is accepted by the House, will not a fresh duty be imposed on the Speaker ?

Dr. Sir Gokul Chand Narang : Compensatory allowance should be allowed to the Chair for that purpose. (*Laughter*).

Mr. Speaker : No. I will not take any such allowance.

Malik Barkat Ali : The Speaker of the House of Commons has been given the power of certifying whether a particular Bill is a Finance Bill or not. I, therefore, respectfully submit that it is compatible with the dignity of the House that the honourable members should deal with the Speaker who is their chosen President and not with a salaried servant of the Crown.

Mr. Speaker : It is my considered opinion that the Speaker should not be brought in.

Parliamentary Secretary (Mir Maqbool Mahmood) : I am sorry my honourable friend opposite should have raised an amendment of this nature. The Clerk of the House has certain specific duties assigned to him and he is a part and parcel of the House. I am sure that the whole House will join with me when I say that apart from any personality, we have every confidence in the Clerk of the House. Apart from this I would like to make one other submission. According to the Rules now in force, the technical signing and sanctioning authority of these travelling allowance bills has been the Secretary. It is not intended that the Secretary should sit as an inspector or judge over the endorsement of honourable members. I am sure the intention is that an honourable member is competent to inform the Secretary the reasons for his not being able to attend a particular session. In due course rules will be framed as to what are the purposes for which this particular Rule is to be interpreted. That being so, I appeal to my honourable friend not to press this amendment. It is not intended in any manner whatsoever that it will be derogatory to the prestige of the members of this House.

Sardar Gurbakhsh Singh (Batala, Sikh, Rural) : Sir, I understand from the speech of my honourable friend opposite that the Secretary will not sit as an inspector but that he will only accept the statement of an honourable member and if the member informs the Secretary that he could not attend the session on account of his illness, then his absence will be excused. If this is the spirit of the Act, then I shall suggest that instead of the word 'satisfies' let there be the word 'informs'. The clause then would read '.....member unless he informs the Secretary of the Assembly that he was prevented by reason of ill-health.'

Mr. Speaker : The question is—

That in the proposed section 3 (2), line 15, for the word "Secretary" the words "Honourable Speaker" be substituted.

The motion was lost.

Malik Barkat Ali : Sir, I beg to move—

That in the proposed section 3 (2), line 16, between the words "ill-health" and "from" the words "or any other sufficient cause" be inserted.

I think my honourable friend has no objection to this amendment and therefore I do not want to make any speech.

Mr. Speaker : Clause under consideration, amendment moved is—

That in the proposed section 3 (2), line 16, between the words "ill-health" and "from" the words "or any other sufficient cause" be inserted.

Parliamentary Secretary (Mir Maqbool Mahmood) : Sir, Government is prepared to accept this amendment. The purpose of this amendment is that if besides the reasons of ill-health, there be any other sufficient reason preventing the honourable member from attending any sitting of the Assembly, in that case no deduction will be made from their monthly allowance. With these words I accept this amendment.

Mr. Speaker : The question is—

That in the proposed section 3 (2), line 16, between the words "ill-health" and "from" the words "or any other sufficient cause" be inserted.

The motion was carried.

Parliamentary Secretary (Mir Maqbool Mahmood) : Sir, I have only a verbal amendment to suggest and it is this—

That in the proviso, the words "clauses (a) and (b) of" be deleted.

The proviso now reads —

Provided that no member who draws the compensatory allowance prescribed in clauses (a) and (b) of this subsection shall....."

There is no compensatory allowance provided in clauses (a) and (b). They only suggest what particular kind of absence of members disentitles them to get the allowance. Therefore, the words "clauses (a) and (b) of" are redundant and may be deleted.

Mr. Speaker : The question is—

That in the proviso to the proposed section 3 (2), line 3, the words "clause (a) and (b) of" be deleted.

The motion was carried.

Malik Barkat Ali : Sir, I beg to move—

That in the proposed section 3 (4), lines 5-6, for the words "under legal detention..... in force" the words "undergoing a sentence of imprisonment on account of conviction for any offence by a court in British India" be substituted.

I do not propose to make a lengthy speech. I want the Government to recognise the fact that there is all the difference in the words between conviction by a court and legal detention by executive authority whether under Defence of India Rules or any Regulation.

Mr. Speaker : Clause under consideration, amendment moved is—

That in the proposed section 3 (4), lines 5-6 for the words "under legal detention..... in force" the words "undergoing a sentence of imprisonment on account of conviction for any offence by a court in British India" be substituted.

Rai Bahadur Mukand Lal Puri (Rawalpindi Division, General, Rural) : Sir, a similar amendment has been sent by me with almost exactly similar words, as has been moved by the honourable member just now. The House must have noticed that although it was in the last session that the Salaries of Members Bill was passed and a salary of Rs. 200 was fixed for the members in that Bill as it stood, there was no such clause as finds its place in the amended Bill. The amended Bill contains a definite substantive sub-clause 4 to clause 3 which runs as follows—

Notwithstanding anything hereinbefore contained no compensatory allowance shall be paid to any member in respect of any period during which he was under legal detention under any law for the time being in force.

So that this is being introduced for the first time. Well, the Government has not given any reasons as to what has happened during the interval that they have introduced this entirely new clause. This is a matter which was equally before the House during the last session. There were members of the House who were undergoing sentences of imprisonment, there were equally members of the House who had been detained under the Defence of India Rules and a good few of them. This is an innovation which is being introduced. Honourable the Premier and certain other members of the House seem to think that when some member gets up and says that compensatory allowance should not be refused to those members we are trying to plead for something of gratuity for those members. I think it is not doing justice to the members who thus become victim of the wrath of the Government ; it is not fair to the absent members to suggest that any of us is there to plead for any special gratuity, as far as discussion of this Bill is concerned, on account of their being interned. You will be pleased to observe that the object of this Bill, the one we are now amending, which was passed in the last session, was that members may be paid compensatory allowance for the trouble and inconvenience to which they are put on account of their being members of the House, and the only exception was created that if a member is unavoidably detained, that is unavoidably prevented from attending the House, no deduction shall be made. If you will refer to clause 4 of the original Bill you will find a definite provision was made that members shall not be penalised for non-attendance in the House, that is if they cannot attend the House for reasons beyond their control, well, they are not penalised. In this case you will be pleased to observe that legal detention may be of two kinds : one, a person convicted of an offence and guilty of an act of illegal omission and a court of law found him to be guilty, and the other detention may be when the executive government without having any trial detains them at their sweet will. This amendment seeks to give effect to the principle of the Bill that if a person is prevented from attending the House on account of circumstances beyond his control, he should not be penalised, but if he is prevented from attending the House on account of circumstances over which he had some kind of control, well, he may be penalised. If a person is convicted of an offence he has certainly done something which he ought not to have done and therefore if you want to penalise him you may do so by all means. But if a person is being detained at the sweet will of the Government not because he has committed any offence but because the government of the day wishes to restrict his movements then he is being prevented from attending the House

[B. B. Mukand Lal Puri.]

on account of circumstances entirely beyond his control. Under these circumstances it is hardly fair that this House should penalise the absence of the members for reasons over which they had no control. In these circumstances the House would be well advised in accepting this amendment. It would be hard enough that the electorate should be deprived of the assistance of certain members by the fiat of the executive and it is hardly fair that a further penalty should be attached to this absence which is entirely involuntary and which is due to reasons over which the member could not have any control. With these words I support the amendment.

Sardar Santokh Singh (Eastern Towns, Sikh, Urban): Sir, a similar amendment just now moved, stands also in my name. I rise to support it. My honourable friend Mir Maqbool Mahmood while speaking on the amendment of Sardar Gurbakhsh Singh laid down some very curious propositions before the House. He was pleased to say that the compensatory allowance that is to be given to the members in the shape of a salary of Rs. 200 per month is not for attending the meetings of the House alone but also for services which a member renders to his constituency outside. I have not been able to understand the implications of this and coming as the proposition does from such a learned and well informed member it is all the more puzzling. May I ask my honourable friend whether before this Act, any allowance was given to any member for services to his constituency outside the Assembly? If no allowance was given before, why has it been thought necessary to give such an allowance now to members for services which they render to their constituency? I should think that the attitude which my honourable friend has taken in this matter is entirely untenable.

We oppose this clause not with a view to getting any gratuity or favour from the government for members who are behind the prison bars at the moment, but we do so, because of the principle of discrimination that underlies it. Furthermore it would appear, that the settlement recently arrived at is being deviated from, as according to Sir Sikander-Baldev Singh past no controversial legislation was to be brought up, in this House at least during the period of War. Because of this agreement the meetings of the House would be very few and far between. There would be perhaps two sessions in a year—the Budget session lasting for say, 15 days and another for 4 or 6 days. It follows that whilst we, who are outside the jail, will be entitled to draw our allowance of Rs. 200 a month without having to attend many meetings, those colleagues of ours who are in jails perhaps for no fault of theirs except for the offence of holding opinions unpalatable to the Government of the day, will be deprived of it. May I ask what is the justification for that? My submission is that there should be no discrimination. It is quite clear that we will not be doing any work here in this House for at least 11 months in the year. Why should this discrimination be made in the case of those friends of ours who are in jail? There was no provision like this in the original act. Why has this become so necessary suddenly? There are other penalties for absence from meetings which apply equally to all. To this no objection is being and can be taken.

It is furthermore a matter of great regret that even when discussing this matter of allowances, certain things have been said by the Premier which

ill-befit him. He said that all the Punjab was behind him except a very microscopic minority. His reference from what I understand was to the Congress. I would remind the Honourable Premier that he is here more for the sacrifices made by the Congress than for his military services. India does not consist of Punjab alone. In such matters these points should have been left alone. I am sorry to have referred to this but I do so lest an impression might be created abroad, that the House was with the Premier in this utterance of his. The sacrifices and services of the Congress have been great indeed, and I am quite sure that they will not go in vain.

Mir Maqbool Mahmood : On a point of order, Sir. We are not discussing the War Services (Amendment) Bill. We are discussing the Members' Allowances Bill and these remarks of the Honourable the Leader of the Opposition are not relevant.

Sardar Santokh Singh : I had to refer to this matter because of the Honourable Premier's remarks. In conclusion, Mr. Speaker, I submit that no case has been made out by the Government for the retention of this clause. It is discriminatory and will serve no useful purpose. In my opinion either this amendment should be accepted or the whole of the clause should be deleted.

Mian Muhammad Nurullah (Lyallpur, Muhammudan, Rural) : Sir, I have an amendment to the clause which reads as follows:—

That at the end of the proposed section 3 (4), the following be added:—

'and that no member can be so detained until the question of detention without trial of any member had been discussed in the Assembly'.

Mr. Speaker : The honourable member's amendment is out of order as it goes beyond the scope of the Bill. He may, if he so desires, speak to the amendment now before the House.

Mian Muhammad Nurullah: If my amendment is out of order, then I will speak on the amendment moved by Malik Barkat Ali.

(Urdu) Sir, the honourable members, who are sitting here have come in this House with the object of representing millions of their voters. Their constituents have sent them here to represent their point of view. But if they are to be at the mercy of the Government, that is, whenever the Government wishes to put them in jail, it may act arbitrarily and send them to jail without any trial or hearing their case, it would mean that they would not be able to do their duty by their electorate. It is likely that they will remain in jail for a number of years without trial. This action of the Government is most unbecoming. This is why I urge upon it to abandon this practice. I suggest that until the cases of the members are heard in a court of law, and until they are decided by it, their allowance should not be stopped. In support of my suggestion, I have an example to quote. Sardar Teja Singh Satwantar, whom we respect, whatever be his ideas and howsoever strange they may be, has come back to this House in spite of his uncompromising attitude towards the Government.

It is possible that tomorrow the notions of the Government may change or the times may change. It is also conceivable that a certain change in

[Mian Muhammad Nurullah]

circumstances and ideas may occur in another country, and its repercussions may bring a simultaneous change in this country. It is also likely that these changes may affect the people living here. If under the influence of such currents of thought the members give vent to their feelings, then it would not be just to throw them in jail. It is improper for the Government to detain them for an indefinitely long period without trial in a competent court of law. So long as they do not get a hearing in a court of law or they do not contravene the provisions of any law for the time being in force, or so long as they are not convicted, their allowance should not be stopped. If justice is done to the detenus, or they are sent to jail after being duly convicted by courts of law, they will have no cause of grievance against the Government. If then their allowance is stopped, there will be no cause of heart-burning.

This is my reason for supporting the amendment of Malik Barkat Ali. It is really a commendable amendment and I suggest that it may be incorporated in the Bill and made the law of the land.

Pandit Bhagat Ram Sharma (Kangra West, General, Rural) (*Urdu*)
Mr. Speaker, if the times had been normal, I am sure, nobody would have bothered about this amendment. The present World War has changed the situation and given so much importance to the subject matter of this amendment. Government wants that those M.L.As., who have been imprisoned should not receive any allowance to which they would be otherwise entitled on account of being members of this House. Now if an honourable member were to be imprisoned after a judicial trial and after conviction by a court of law, none would demand an allowance for him. But the pity is that since the enforcement of the Defence of India Rules, the Punjab Government has been sending honourable members of this House to jails without any rhyme or reason and without any trial or conviction by a court of law. My point is only this that the honourable members who have not been found guilty of any offence by any court of law, should not be deprived of their allowance merely on account of the fact that the party in power has detained them due to some difference of opinion or some other reason about which the public knows nothing. On the basis of our experience for the last three years, I can confidently say that the Punjab Government has not been following any definite principle in getting M. L. As. arrested and detained without any trial by a court of law. No offence was proved against those 5 M. L. As. who were suddenly arrested and detained along with Sardar Sohan Singh Josh and Master Hari Singh. All that the public is told about these unjustified arrests is that they were about to act in a way which Government thought was opposed to law and order. Every time a great leader is detained, Government takes shelter behind rules 26 and 129 of the Defence of India Rules. The Punjab Government has, for the last three years, been detaining persons without instituting any legal case against them and without securing conviction against them by a court of law.

Mr. Speaker : The honourable member is going too far. He should confine himself to the motion.

Pandit Bhagat Ram Sharma: I am confining myself to the motion. I am only submitting for your consideration and for the consideration of the House—

Mr. Speaker: You have said more than enough in that connection.

Pandit Bhagat Ram Sharma: I am stating how these rules have been used by the present Government. That is my point. I am not irrelevant. I would not waste the time of the House. I will only incidentally refer to this matter.

When we asked Government why so many honourable members of this House had been arrested, Government held a secret session of this House because the reasons for the detention of so many honourable members of this House were not worth mentioning before the public. In fact flimsy and vague explanations were given. But now it has been proved that the attitude of the Punjab Government was unreasonable and unjustified.

Mr. Speaker: The honourable member is again going too far.

Pandit Bhagat Ram Sharma: It is only the whim of the Government officers and not the law of the land that is really responsible for the detention of our leaders in the Punjab. That is why the detained persons are not produced before any court of law. Under these circumstances it would not be fair to deprive the honourable members of this House of the allowance merely on the basis of their detention.

With these few words, Sir, I support the amendment under discussion.

Dr. Sir Gokul Chand Narang (West Lahore Division, General, Rural): I have followed the debate with a certain amount of interest. It is a very small matter, but it involves certain aspects of a principle. In the first place, we are not quite clear what is this allowance for, and why this allowance is being given to the members of this House. Is it charity? Certainly not. The representative of the Government who spoke on this question rightly pointed out that it was not charity, and that nobody would either expect or accept charity from Government. Then what is it? Is it a salary? Salary for what? For services rendered? What are the services rendered by the members of this House? Mir Maqbool Mahmood said that the service rendered was of two kinds. One to the constituency at large outside this House, and the other rendered here. We do not know what services are rendered by members outside the House to their constituencies. If any are rendered, up to this time they have never been recognized. No allowance was given to members, not even out-of-pocket expenses if they went out to preach something to their constituencies or to enlighten them as to the important affairs of the province. Then what other service is rendered? That may be in this House, that is assisting the Government in carrying on the administration. That service consists of various kinds. It may be that the members assist the Government in arriving at certain conclusions about certain matters or about certain cases of legislation and so on. How many of them assist? How many of them are capable of giving that assistance? How many of them are

[Dr. Sir Gokul Chand Narang]

there who even follow what happens in this House? It cannot therefore necessarily be for giving that useful assistance to the Government that a lawyer or a businessman or someone who is conversant with the procedure would give. When I say this, I do not mean to cast any aspersions.

The second service that they can render is by helping with their votes. If there are certain people who are incapable of rendering that intellectual assistance, strictly speaking they are entitled to no remuneration because they are not capable of rendering any intellectual assistance. If it is a matter of votes, then only Government members and their supporters should get this compensation. We people on this side who obstruct, according to them, who waste their time according to them and cause all sorts of trouble according to them, and who are abused sometimes and are ridiculed sometimes, we deserve no compensation. Then what is this compensation for? It has not been made clear. Is it compensation for making speeches here or for giving votes? As I have pointed out, some people do not deserve anything, if that is the test. If it is for rendering intellectual help, if it is a contribution in the way of making speeches, if it is for giving votes, then many of the members do not deserve anything. In fact they should be fined for wasting the time of the House and the money of the province. Then what is this compensation for? For the money which they spend in getting themselves elected to this House? That may be something, because some people have spent thousands on their election, or it may be that occasionally they are capable of rendering some sort of assistance, and it is compensation for that. Analysing the whole thing I come to this conclusion—this is my humble opinion, I may be entirely wrong—that this is a sort of privilege which is being created by means of this legislation that a member of the Punjab Legislative Assembly will have the privilege of getting Rs. 200 a month or whatever it is. If it is a privilege, then it cannot be weighed in the balance from the point of view of services rendered or from the point of view of expenses incurred by any member, because some people are returned unopposed and they spend nothing or next to nothing and some spend Rs. 80,000 and still are defeated. Some people have spent, if reports are correct, more than a lakh of rupees and are still defeated, while others come in after spending a lot of money. It is no compensation to get Rs. 2,400 a year. Therefore, if you look at it from any point of view, you will come to the conclusion that it is a sort of privilege, a sort of *nazrana* to maintain the dignity of the members of this House. If it is a privilege, then my submission is that there should be no discrimination in it. If a member commits murder, and a murder can be committed as the Honourable Premier pointed out without involving moral turpitude, either under provocation or out of a sense of honour, why should even he be deprived of this privilege which privilege he must enjoy as a member of this House and for no other reason? Malik Barkat Ali asked one of the Parliamentary Secretaries if there was any provision in the English law depriving the members of the House of Commons of their allowance of £ 600 a year or any part of that allowance for one reason or another. So far as I am aware no such provision exists; and the Parliamentary Secretary to whom the question was addressed was unable to

point out any provision under which under certain circumstances the members of the House of Commons in England were deprived of either the whole or part of their allowance. They attack the Government in the most violent language, they are sometimes guilty of treasonable acts and yet we have not heard that the allowance of an M. P. was deducted. It is a matter of privilege and there should be no discrimination in the privilege. This reminds me of an incident that occurred in England more than thirty years ago when I was there. His late Majesty King Edward VII invited the members of the House of Commons to dinner in his palace but he left out a labour leader, Keir Hardie. Some of the honourable members here might have seen him when he was here and some others might at least have heard of him. He was not invited to the dinner by the King. Keir Hardie came out with a most violent attack on King Edward VII. He said something like this "I do not care a hang for the King's dinner. It is not a matter of chops and pudding. But as I have been insulted by the King by this discrimination I consider it my duty to raise this protest". I do not know if some of my honourable friends remember the exact words he used. He drew attention to the fate of King Charles I. He said the time has come when crowns and coronets of kings and dukes and others would be put into the melting pot and would disappear. He could not bear the insult, because it was not a private dinner for a few friends, but it was a dinner to the members of the House of Commons as members of the House. That appeared in all the papers and created a great deal of sensation; and if I am not mistaken, an apology came to satisfy the labour leader. So, if it is a matter of privilege there should be no discrimination, especially in this country and more particularly in this province where people can be sent to jail without trial, without rhyme or reason and kept shut up there for months and years without any trial and without any charge framed against them and thus prevented from attending to their duties in this House. The Honourable Premier was perfectly right when he said that the Congress members who were shut up did not care for this allowance and that we would be doing a disservice to them or insulting their dignity if they were offered this allowance. I entirely agree that the members of the Congress or any other public body who are shut up without trial and are obliged to absent themselves from the Assembly against their will do not care for Rs. 20 a day or Rs. 200 a month or Rs. 2,400 a year. But if it is a matter of privilege they would resent this discrimination.

Take another aspect of this question. Government can say that these people are awaiting their trial, there are certain things against them and that they are likely to do certain things dangerous to public peace. Very well, that may be. But you will see that they are after all not convicted in a court of law. Has it occurred to the Honourable Premier that by enacting this provision they are being fined to the extent of this allowance? He must remember that this House does not sit for more than 60 or 70 days in a year and for the rest of the year every member here whether he has merely voted or has rendered any substantial assistance to Government or not will be drawing Rs. 200 a month. When he is drawing this allowance for the months when the Assembly is not sitting, there seems to be no reason why the people who are being detained should be denied this right. I say

[Dr. Sir Gokul Chand Narang]

it amounts to inflicting a fine on them without conviction. I do not know if this aspect of the question has ever occurred to the Honourable Premier. If not, I hope that he would give consideration to it. I think it is unfair to the members of this Assembly that for no reason whatsoever they should be deprived of their allowance unless this allowance is considered as salary. I know that Government is anxious that there should be adequate attendance, because Government may fear that if these honourable members were to get Rs. 200 a month sitting at home they may not care to attend the meetings, but would stay at home attending to their farms and their cattle. That is why this penal provision is made here. But I think it is thinking very poorly of the sense of duty of the honourable members of this House to say that they would not attend the meetings unless they were afraid of losing some money. This really does not give them much credit for their sense of duty or conscience. My own personal opinion is that there should be absolutely no provision for the reduction of any allowance whatsoever and the whole thing should be left to the sense of honour and sense of duty of the honourable members who are all without exception *prima facie* respectable people, people of position and people who have spent thousands and thousands from their pockets for coming to this House. Such people would not care for this paltry allowance and they would attend the Assembly all the same whether they get the allowance or not. Again, take the case of the local members of this House. When there was no allowance for the local members they were most regular in their attendance. My impression of the last Council for several years is that those people who got no allowance, people belonging to Lahore were most regular in their attendance and took the greatest interest in the proceedings of the Council. They did not get even motor, taxi or tonga hire. It is therefore an insult to the dignity and honour of the members of this House that a penalty clause should be provided to ensure their attendance. I think that so far as sub-clause (4) of section 3 is concerned, it should be entirely deleted because it would be a blot on the dignity and honour of the members of this House.

Mr. Speaker : The question is :

That in the proposed Section 3 (4), lines 5-6, for the words " under legal detention in force ", the words " undergoing a sentence of imprisonment on account of conviction for any offence by a court in British India " be substituted.

The Assembly divided : Ayes, 14 ; Noes. 59.

AYES.

Abdul Aziz, Mian.
Bhagat Ram Sharma, Pandit.
Girdhari Das, Mahant.
Gokul Chand Narang, Dr. Sir.
Gopal Das, Rai Bahadur Lala.
Gurbakhsh Singh, Sardar.
Muhammad Nurullah, Mian.

Mukand Lal Puri, Rai Bahadur.
Prem Singh, Mahant.
Raghubir Kaur, Shrimati.
Santokh Singh, Sardar.
Sita Ram, Lala.
Sohan Singh Josh, Sardar.
Teja Singh, Sardar.

LEGISLATIVE ASSEMBLY (ALLOWANCES OF MEMBERS) AMENDMENT
BILL

NOES.

Abdul Hamid Khan, Sufi.	Mohar Singh, Rao.
Abdul Haye, The Honourable Mian.	Mubarik Ali Shah, Sayed.
Abdul Rahim, Chaudhri (Gurgaon).	Muhammad Ashraf, Chaudhri.
Ahmad Yar Khan, Chaudhri.	Muhammad Azam Khan, Sardar.
Ali Akbar, Chaudhri.	Muhammad Hassan Khan Gurchani, Khan Bahadur Sardar.
Allah Yar Khan Daulatana, Mian.	Muhammad Jamal Khan Leghari, Khan Bahadur Nawab Sir.
Amir-ud-Din, Khan Sahib Mian.	Muhammad Saadat Ali Khan, Khan Bahadur Khan.
Amjad Ali Shah, Sayed.	Muhammad Sarfraz Khan, Raja.
Baldev Singh, The Honourable Sardar.	Muhammad Yasin Khan, Khan Sahib Chaudhri.
Balwant Singh, Sardar.	Muhammad Yusuf Khan, Khan.
Chhotu Ram, The Honourable Chaudhri Sir.	Mushtaq Ahmad Gurmani, Khan Bahadur Mian.
Faiz Muhammad Khan, Rai.	Muzaffar Khan, Khan Bahadur Captain Malik.
Faqir Hussain Khan, Chaudhri.	Nasir-ud-Din Shah, Khan Sahib Pir.
Farman Ali Khan, Subedar-Major Raja.	Nasrullah Khan, Rana.
Fateh Khan, Khan Sahib Raja.	Pir Muhammad, Khan Sahib Chaudhri.
Fazal Din, Khan Sahib Chaudhri.	Pritam Singh Siddhu, Sardar.
Fazal Karim Bakhsh, Mian.	Riasat Ali, Khan Bahadur Chaudhri.
Ghazanfar Ali Khan, Raja.	Ripudaman Singh, Rai Sahib Thakur.
Ghulam Mohy-ud-Din, Khan Bahadur Maulvi.	Roberts, Sir William.
Ghulam Rasul, Chaudhri.	Sadiq Hassan, Shaikh.
Ghulam Samad, Khan Sahib Khawaja.	Sahib Dad Khan, Khan Sahib Chaudhri.
Guest, Mr. P. H.	Sikander Hyat-Khan, Lieutenant-Colonel the Honourable Sir.
Gurbachan Singh, Sardar Bahadur Sardar.	Sohan Lal, Rai Bahadur Lala.
Habib Ullah Khan, Malik.	Sumer Singh, Chaudhri.
Hans Raj, Bhagat.	Suraj Mal, Rai Sahib Chaudhri.
Harnam Singh, Captain Sodhi.	Talib Hussain Khan, Khan.
Jagjit Singh Bedi, Tikka.	Tikka Ram, Chaudhri.
Jagjit Singh Man, Sardar.	
Jogindar Singh Man, Sardar.	
Khizar Hayat Tiwana, The Honourable Malik.	
Manohar Lal, The Honourable Sir.	
Maqbool Mahmood, Mir.	

Mr. Speaker : The question is—

That clause 2, as amended, stand part of the Bill.

The motion was carried.

Mr. Speaker : The question is—

That the Preamble be the Preamble of the Bill.

The motion was carried.

Mr. Speaker : The question is—

That sub-clause (1) of clause 1 stand part of the Bill.

The motion was carried.

Premier (Lieutenant-Colonel The Honourable Sir Sikander Hyat-Khan) : I move—

That the Punjab Legislative Assembly (Allowances of Members) Amendment Bill, passed.

Sir, I have a few submissions to make. I am sorry that I forgot to answer in my previous speech the two points raised by my honourable friend Dr. Sir Gokul Chand Narang and by the Leader of the Opposition Sardar Santokh Singh. I consider it necessary, in fairness to the House and to those gentlemen, to make the position clear. Dr. Gokul Chand Narang after a protracted speech, came to the conclusion that the allowances sanctioned by the House for the members was a matter of privilege. I do not wish to quarrel with his deduction or his conclusion, and concede that it is a matter of privilege for the members to get those allowances but I trust he will also concede that that privilege accrues to them only as public servants in the sense that they have to serve their constituency and their constituents. So long as they are in a position to function as such, they are undoubtedly entitled to benefit from that privilege but when they are not in a position to do so, then I think that they are morally not entitled to the benefit of that privilege. If some members deliberately and with their eyes open themselves decide to forego that privilege, then I do not think the onus lies on this House or the Government, but entirely on them to avail of or not to avail of that privilege. We cannot allow the privilege to be abused. My friend Mian Nurullah during the course of his speech remarked that Sardar Teja Singh Swatantar had now changed his views and he was now present in the House though previously he was under detention. We welcomed him to this House yesterday when he took the oath of allegiance. Does the honourable member for Lyallpur suggest that a member has not the right to change his views? Every one has a right to change his views and if Sardar Teja Singh has changed his views, why should he grudge this change in his own views? The honourable member may know more about him than I do, but if Sardar Teja Singh Swatantar to-day says that the present War is our War, why should the honourable member resent it? We do not. I congratulate Sardar Teja Singh Swatantar on his change of views and those who with him now consider that this War is our War and that we should try to bring it to a successful conclusion. But why single out Sardar Teja Singh? It is quite possible that others who hold different views to-day might change them to-morrow. Reasonable people change their views when they are convinced that their previous views are out of date and those views were not in the best interests of their country. The Honourable member for Lyallpur was unfair in criticising Sardar Teja Singh Swatantar for changing his views which he did in the interests of his country and his motherland. We should be glad to have him with us in this Assembly. (*Hear, hear*).

I have a complaint against my friend Sardar Santokh Singh. He put into my mouth something which I did not say. What I actually said was the there was a microscopic minority in the province which was not in line with us with regard to our War policy. He must have misunderstood me. He rightly said that so far as war is concerned, they were all with the Government and would give their wholehearted support. He then brought in the Congress and I never even mentioned the Congress and I never said

that the Congress was a microscopic minority. I have been mis-interpreted before. In a meeting of American journalists at Delhi a question was put to me as to the actual strength of the Congress Party. I said that the Congress itself claimed officially a representation of one per cent, but I also added that that does not mean that a vast majority of the people do not sympathize with the Congress. That second portion was left out and I was pilloried in the press here for saying something which I had never said. I had no intention of minimising the influence of the Congress, for good or for evil. I have no intention of discussing the Congress here. But I join issues with Sardar Santokh Singh over the question of sacrifices. My honourable friend said "We have made sacrifices, we go to jails and we have got this, that and other for the country." After the last war also similar claims were vociferously made by those who did not lift a little finger to help those who made sacrifices and who were relegated to the background. Why should my honourable friend try to belittle the tremendous sacrifices of those people who are fighting to protect him and his countrymen from the onslaughts of unscrupulous and formidable aggressors, who are laying their lives for the integrity, honour and safety of this country? Why should he attempt to do so? I consider it most reprehensible and, if I may say so, most dishonest to belittle the efforts and sacrifices of those patriotic people, who are fighting our battles thousands of miles away from their homes for the safety, honour and freedom of their country. I hope he will take the earliest opportunity to dispel the impression that he was trying to place at a discount the selfless services and sacrifices of those patriots and heroes to whom we owe an immeasurable debt of gratitude (*cheers*). I will not brook—the Punjab will not brook—any attempt to belittle the sacrifices and achievements of those, who have responded so magnificently to the call of duty and have gone forth in hundreds of thousands to fight for the honour and the defence of their country (*Loud applause*). I have nothing more to say except to request the House that it should now pass this measure without any dissenting voice. As regards the incidence of allowance it is a matter for the house to decide. If at any time the House wishes to amend the provisions of the Act, we will welcome proposal for improvement. I entirely agree with the view expressed by an honourable member on this side of the House that every member will do his duty to his constituents and to the province. But if there is deliberate absence in the knowledge that their salaries cannot be touched, I will not hesitate to ask the House to amend the rules and if necessary the statute. I am confident that no member of this House will stoop to such ignoble tactics on any account much less for the sake of a paltry sum of Rs. 200 a month (*Applause*).

Mr. Speaker : The question is—

That the Punjab Legislative Assembly (Allowances of Members) Amendment Bill be passed.

The motion was carried.

Mian Muhammad Nurullah : On a point of personal explanation. The Honourable Premier did not understand me correctly when he said that I had spoken about Mr. Swatantar that he had changed his views. Not at all. Because of the circumstances having changed elsewhere in the world he has been able to come here without any change of views perhaps.

Premier : But where is the harm if he has changed his views because of the developments and circumstances outside India?

Mian Muhammad Nurullah : That I do not know.

Premier : Why should you consider it objectionable if there is a change of attitude as a result of happenings outside the Country ?

Mian Muhammad Nurullah : Yes, they do change.

MOTOR SPIRIT TAXATION OF SALES (AMENDMENT) BILL

Finance Minister : (The Honourable Sir Manohar Lal) : Sir, I beg to introduce the Punjab Motor Spirit Taxation of Sales (Amendment) Bill. I beg to intimate that the Bill is being introduced on the recommendation of His Excellency the Governor.

I beg to move—

That the Punjab Motor Spirit Taxation of Sales (Amendment) Bill be taken into consideration at once.

Mr. Speaker : Motion moved is—

That the Punjab Motor Spirit Taxation of Sales (Amendment) Bill be taken into consideration at once.

Mian Muhammad Nurullah (Lyallpur, Muhammadan, Rural) : Sir, it is crystal clear from the Statement of Objects and Reasons of this amendment that in other provinces the rate is fixed at 5 per cent of the value of retail sales of motor spirit. I wish to suggest that the same principle should be adopted in this province too, and that the rate should not be increased or decreased from time to time. We should once for all adopt the principle of determining the rise and fall in the duty on the rise and fall in the prices.

I wish to bring this point home to the Honourable Minister that the revenue of the province will not be effected in the least by raising the rate of tax on retail sales of motor spirit from Re. 0-1-3 to Re. 0-1-6, i.e., 3 pies. It is no use passing new bills for the sake of small sums, because when the prices will increase by 5 per cent, the rate of tax will also increase by 5 per cent. Similarly with a gradual decrease in the prices there will be a gradual decrease in the rate of tax also. With these words I request the Honourable Minister to incorporate this amendment.

Mr. Speaker : The question is—

That the Punjab Motor Spirit Taxation of Sales (Amendment) Bill be taken into consideration at once.

The motion was carried.

Mr. Speaker : Now, the House will consider the Bill clause by clause.
The question is—

That clause 2 stand part of the Bill.

The motion was carried.

Mr. Speaker : The question is—

That the preamble be the preamble of the Bill.

The motion was carried.

Mr. Speaker : The question is—

That clause 1 stand part of the Bill.

The motion was carried.

Finance Minister : Sir, I beg to move—

That the Punjab Motor Spirit Taxation of Sales (Amendment) Bill be passed.

Mr. Speaker : Motion moved is—

That the Punjab Motor Spirit Taxation of Sales (Amendment) Bill be passed.

Rai Bahadur Mukand Lal Puri (Rawalpindi Division, General, Rural) : Sir, the *raison d'être* of the Bill which the Honourable Finance Minister has just asked the House to pass is that on account of petrol rationing scheme the income from this taxation is less than before and it is to meet that taxation that this Bill has been introduced. My first point is that if it is a purely temporary measure, then it should have been so stated in the Bill itself. I hope it is not going to be a permanent increase in the provincial taxation. The Bill should have provided that this taxation will only last as long as the petrol rationing scheme lasts. With respect to the vagaries of petrol rationing, the less said the better. I submit that all civilian petrol rationing, except for war purposes, should be stopped. What we find is that some persons, who are well placed officially, run about in motor cars, while we people, who have to keep pace with them, have to go in tongas. It is in the interest of the province that either petrol rationing should be stopped altogether or there should be less number of parties and engagements, etc. The Honourable Minister can join half a dozen engagements but we can only join one or two in tongas.

Therefore my object in speaking at this time was simply to draw the attention of Government that this should be taken to be only a temporary measure and as soon as petrol rationing is withdrawn by Government, this taxation be brought to its previous level.

Mr. Speaker : The question is—

That the Punjab Motor Spirit Taxation of Sales (Amendment) Bill be passed.

The motion was carried.

SUITS VALUATION (PUNJAB AMENDMENT) BILL

Finance Minister (The Honourable Sir Manohar Lal) : Sir, I beg to introduce the Suits Valuation (Punjab Amendment) Bill. I beg to intimate that this Bill is being introduced on the recommendation of the Governor.

I beg to move—

That the Suits Valuation (Punjab Amendment) Bill be taken into consideration at once.

The motion was carried.

Mr. Speaker : The question is—

That clause 2 stand part of the Bill.

The motion was carried.

Mr. Speaker : The question is—

That clause 3 stand part of the Bill.

The motion was carried.

Mr. Speaker : The question is—

That the Preamble be the Preamble of the Bill.

The motion was carried.

Mr. Speaker : The question is—

That clause 1 stand part of the Bill.

The motion was carried.

Finance Minister : Sir, I beg to move—

That the Suits Valuation (Punjab Amendment) Bill be passed.

Mr. Speaker : The motion moved is—

That the Suits Valuation (Punjab Amendment) Bill be passed.

Pandit Bhagat Ram Sharma (Kangra West, General Rural) : Sir, I have to make one or two submissions with respect to the Bill which is under discussion at present. No cogent reason has been given in the Statement

[Pandit Bhagat Ram Sharma.]

of Objects and Reasons for barring this remedy to the litigants who go in for suits with respect to accounts. Really as far as law on this point is concerned almost on all matters if a question of value for purposes of jurisdiction and court-fee arises in a court ordinarily there is an appeal and any party who feel that justice has not been done he has the remedy to go to a higher court and the question is decided either on an appeal or revision. This particular amending Bill seeks to take away that remedy from the litigant, so that the order of the original court determining the value of suits for purposes of court-fee in the matter of suits for accounts is final and no appeal or revision is possible even in a case in which the party feels that justice has not been done or the interpretation of the law as given by the court is against the accepted principles of law and justice. Therefore I oppose this Bill with these remarks.

Mr. Speaker : The question is—

That the Suite Valuation (Punjab Amendment) Bill be passed.

The motion was carried.

PRESS AND REGISTRATION OF BOOKS (PUNJAB AMENDMENT) BILL

Minister for Revenue (The Honourable Chaudhri Sir Chhotu Ram) : Sir, I beg to introduce the Press and Registration of Books (Punjab Amendment) Bill.

I beg to move—

That the Press and Registration of Books (Punjab Amendment) Bill be taken into consideration at once.

Mr. Speaker : The motion moved is—

That the Press and Registration of Books (Punjab Amendment) Bill be taken into consideration at once.

Rai Bahadur Mr. Mukand Lal Puri (Rawalpindi Division, General Rural) : Sir, I beg to move—

That the Press and Registration of Books (Punjab Amendment) Bill be circulated for eliciting public opinion thereon by the 15th January 1943.

The reasons for doing so are obvious. Government should acquaint itself with the opinions of the press whom this law principally affects. There is no reason why Government should not take steps to acquaint itself with the views of such an important section of the community. Well, Sir, it appears that the present Government has of late not made use of one of the methods of assisting itself with a view to pass good legislation. If you go through the rules which this legislature has laid down for legislation, you will find that one of the important stages is that before a Bill is considered by a select committee, this legislature or Government has a right to invite the opinion of persons who are most likely to be affected by the legislation, and if this is done Government is in possession of the criticisms and the opinions of persons whom the legislation is most likely to affect. In the light of that criticism and in the light of those suggestions Government can amend its original proposals. Further, if at a later stage the Bill is to be referred to a select committee, those opinions are available for consideration by the select committee. It may be that Government has not adopted but has rejected some of the suggestions which had been made.

At this stage the Assembly adjourned till 12 noon on Thursday, 29th October 1942.

PUNJAB LEGISLATIVE ASSEMBLY

EIGHTH SESSION OF THE FIRST PUNJAB LEGISLATIVE ASSEMBLY

Thursday, 29th October 1942

The Assembly met in the Assembly Chamber at 12 noon of the Clock. Mr. Speaker in the Chair.

STARRED QUESTIONS AND ANSWERS

COMRADE BHAGAT SINGH BILGA

***8279. Sardar Lal Singh :** Will the Honourable Premier be pleased to state—

(a) the date when comrade Bhagat Singh Bilga was arrested, the provisions of the law under which he was arrested and the place where he is at present confined and the class in which he is being placed ;

(b) whether any allowance has been granted for the maintenance of his family ; if not, the reasons therefor ?

Parliamentary Secretary (Mir Maqbool Mahmood) : (a) (i) 7th March 1940.

(ii) He was arrested under rule 129 and subsequently detained under Rule 26 of the Defence of India Rules.

(iii) He has since been released.

(b) Bhagat Singh was receiving a personal allowance of Rs. 16 per mensem over and above the board and lodging provided by the jail and could remit money to his family if they were in real straits.

SHAKUNTALA DEVI SHARDA

***8306. Pandit Bhagat Ram Sharma :** Will the Honourable Premier be pleased to state—

(a) whether it is a fact that one Shakuntala Devi Sharda was recently arrested at Chauburji, Lahore, from the house of one Mr. Gupta ;

(b) whether it is a fact that she is confined in the police lock-up in the Charing Cross Police Station in the custody of male police officers and has not been sent to the judicial lock-up ;

(c) if answer to (a) and (b) above be in the affirmative, the offence for which she has been arrested ?

Parliamentary Secretary (Mir Maqbool Mahmood) : (a) There was no lady by the name of Shakuntala Devi Sharda but one lady who gave her name as Miss Lila but later admitted herself to be the wife of Kunj Bihari Lal, son of Sain Das of Lahore Cantonment, was found at 3-0 a. m. on the 26th February 1942, in a room bolted from inside with Harbans Singh, son of Hakam Singh, of Karnana, district Jullundur, one of the Communists arrested. Some incriminating literature was recovered from this room. She was arrested in a case under Rule 38 of the Defence of India Rules ;

[Mir Maqbool Mahmood.]

(b) She was detained under a regular remand granted by a Magistrate, First Class, in the Civil Lines Police Station and was sent to the judicial lock-up on the 9th March 1942.

(c) Under Rule 38, Defence of India Rules.

MR. AND MRS. GUPTA

***8307. Pandit Bhagat Ram Sharma :** Will the Honourable Premier be pleased to state—

(a) whether it is a fact that two persons named Mr. and Mrs. Gupta have been arrested under orders of the Government from their residence at Chauburji, Lahore ;

(b) if answer to (a) above be in the affirmative, the reasons for their arrest and the place where they are at present detained ;

(c) whether it is intended to try them in an open court ?

Parliamentary Secretary (Mir Maqbool Mahmood) : (a) Yes.

(b) They were suspected of having committed an offence under section 216, Indian Penal Code. Both were released on bail.

(c) They were not sent up for trial.

Pandit Bhagat Ram Sharma : May I know for how many days they were kept in police custody ?

Parliamentary Secretary : They were released on bail forthwith.

SATYAGRAHIS

***8261. Chaudhri Muhammad Hasan :** Will the Honourable Minister for Finance be pleased to state—

(a) the names and educational qualifications of the *satyagrahis* who were placed in 'B' class during the months of January and February 1942, by the Ludhiana courts ;

(b) how many out of them were not treated, as such, by the jail authorities and the reasons therefor ?

The Honourable Sir Manohar Lal : (a) A list giving the names of the *satyagrahis* who were placed in 'B' class during the months of January and February 1942 by the Ludhiana Court is laid on the table. The educational qualifications of these *satyagrahis* cannot be furnished as they have since been released from the jail.

(b) As a matter of policy Government decided not to grant better class to under-trial *satyagrahis* but all facilities to obtain their own food, wear their own clothes and provide their own bedding, etc., were allowed.

List referred to in part (a) of the answer

1. Amar Nath Nayyar, son of Budh Ram.
2. Diwan Ram Saran Dass, son of Kirpa Ram.
3. Naurhia Ram, son of Sohlu Mal.

4. Lala Sardari Lal, son of Gowardhan Dass.
5. Shri Ram, son of Hazari Lal.
6. Ghazi Mahmood Dharm Pal, son of Mian Muhammad.
7. Mul Raj, son of Bas Dev.
8. Malik Hira Nand, son of Hari Ram.
9. Chauranji Lal, son of Achhru Mal.
10. Dr. Kanti Nandan, son of Shaunker Dutt.
11. Kanshi Ram, son of Bihari Mal.
12. Haji Muhammad Zahur-ul-Hassan, son of M. Muhammad Asghar Ali.
13. Zia-ul Hussan, son of Mufti Muhammad Naeem.
14. Amar Nath, son of Hira Ram.

CRIMINAL CASES

***8271. Chaudhri Muhammad Hasan :** Will the Honourable Minister for Finance be pleased to state—

(a) the number of criminal cases decided by each of the magistrates in the months of January to October 1941, in the Ludhiana district giving in detail the date of their institution and the date of their final decision in each case ;

(b) the number of cases of murders and dacoity pending in the different courts at Ludhiana in the months of January and February 1942 ;

(c) the number of cases of abductions and kidnapping decided by magistrates in Ludhiana district during the period from November 1941 up to date ;

(d) the amount of diet money paid, month-wise, to defence witnesses in criminal cases by each court at Ludhiana separately during the last year beginning from 1st January 1941 ?

The Honourable Sir Manohar Lal : The time and trouble involved in collecting the information will not be commensurate with any possible benefit to be obtained.

BABA GURMUKH SINGH

***8280. Sardar Lal Singh :** Will the Honourable Minister for Finance be pleased to state whether it is a fact that one Baba Gurmukh Singh, convicted in conspiracy case of 1914-15 to a term of 14 years' imprisonment, was due to be released in January last ; if so, the reasons for not releasing him so far and the provision under which he is being detained now and whether it is intended to release him, and, if so, when ?

The Honourable Sir Manohar Lal : No. He is serving a sentence of transportation for life not of 14 years' imprisonment. He twice escaped from custody, first in 1922 and again in 1923. On the second occasion he succeeded in remaining at large for over thirteen years. He was recaptured in September 1937. Government do not intend to release him at present.

Sardar Sohan Singh Josh : Is it a fact that in the ordinary course transportation for life means 14 years' imprisonment only ?

Minister of Finance : In his case the position is perfectly simple. He is in no way near finishing 14 years.

Sardar Sohan Singh Josh : How many years has he already spent in jail ?

Minister : I answered that question only the other day. If the honourable member wants precise information, would he be so good as to give me notice ?

Sardar Sohan Singh Josh : Who decides whether transportation for life means 14 years' imprisonment or life imprisonment ?

Minister : That is decided on the circumstances of the case.

Sardar Sohan Singh Josh : Who decides it ?

Minister : In the normal course the papers come to me.

Sardar Sohan Singh Josh : Did Baba Gurmukh Singh make any representation after the expiry of 14 years ?

Minister : He is in no way near finishing that period. I have already said that this gentleman remained as an absconder for over 13 years and was re-captured only in September 1937.

Sardar Sohan Singh Josh : Has he made any representation saying that he is a patriot and an anti-fascist ?

Minister : Claims of patriotism and anti-fascism in his case will be of very little avail.

Sardar Sohan Singh Josh : Has he made any representation to that effect ?

Minister : I have received no representation. If the honourable member gives me notice of that question I will look into it.

Sardar Sohan Singh Josh : When will a review be made in his case in the normal course ?

Minister : He does not belong to the class of prisoners whose cases are reviewed at intervals.

Sardar Sohan Singh Josh : Do I understand that his case will never come up for consideration at all ?

Minister : His case will come up for consideration when he has finished his 14 years.

BABA GURMUKH SINGH

*8339. **Pandit Bhagat Ram Sharma :** Will the Honourable Minister for Finance be pleased to state—

(a) whether it is a fact that the term of imprisonment of Baba Gurmukh Singh of Ludhiana district expired somewhere in the last week of January 1942 ;

(b) whether it is a fact that the said Baba Gurmukh Singh is still confined in Jail ;

(c) if answer to (a) and (b) above be in the affirmative, the reasons for the same ?

The Honourable Sir Manohar Lal : (a) No. He is serving a sentence of transportation for life. He twice escaped from custody, first in 1922 and again in 1928. On the second occasion he succeeded in remaining at large for over thirteen years. He was recaptured in September 1937.

(b) Yes.

(c) Does not arise in view of the reply to (a) above.

Sardar Sohan Singh Josh : Is the Honourable Minister aware that Baba Gurmukh Singh is over 70 years old ?

Minister : I have no definite information on the subject. I know he is an old man.

Rai Bahadur Mukand Lal Puri : Would you kindly enquire ?

LADY SUPERINTENDENT, MUNICIPAL GIRLS' SCHOOLS, LAHORE

***8265. Khan Sahib Khawaja Ghulam Samad :** Will the Honourable Minister for Public Works be pleased to state—

(a) the duties assigned to the Lady Superintendent of the Municipal Girls' Schools in Lahore ;

(b) whether it is a fact that her office is located in a room in the main building of the Town Hall, Lahore, which is open to public and the employees of the Municipality ; if so, when her office was shifted to this room and why it was shifted there ;

(c) whether it is a fact that she disburses the pay to the school mistresses, some of whom observe strict *purdah*, in this very room where her clerk sits and which is accessible to other employees of the Municipality and to the public as well ;

(d) whether it is also a fact that the pay of school mistresses is more often disbursed by the male clerk of the Lady Superintendent which causes inconvenience to the *purdah*-observing school mistresses ;

(e) if answer to parts (c) and (d) above be in the affirmative, the action intended to be taken to remove the inconvenience mentioned in part (d) above ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : (a) The Lady Superintendent is responsible for superintending the work of Municipal Girls Schools in accordance with the Punjab Education Code.

(b) Her office was moved from Nisbet Road to the Town Hall in April 1940.

(c) Pay is disbursed by the cashier in the presence of the Lady Superintendent. No male municipal employee has access to it except on business.

(d) No.

(e) Does not arise.

Mian Abdul Aziz : Is it necessary for these *purdah* ladies to go and get their pay amongst thousands of male people ? The previous arrangement was quite satisfactory.

Parliamentary Secretary : This has been the practice since 1940.

Khan Sahib Khawaja Ghulam Samad : Has the Government considered the desirability of shifting the office of the Lady Superintendent from the Town Hall to the School ?

Parliamentary Secretary : My duty is to supply information and not to express any opinion.

Khan Sahib Khawaja Ghulam Samad : Is the Parliamentary Secretary aware that *purdah-nashin* ladies are put to great inconvenience at the time of disbursement of the pay ?

Parliamentary Secretary : No representation to that effect has so far been made.

Khan Sahib Khawaja Ghulam Samad : Can the Lady Superintendent not take the trouble herself of disbursing the pay ?

Parliamentary Secretary : That is a request for action.

Mian Abdul Aziz : Is there any arrangement for these ladies to wait when they go there for their pay ?

Parliamentary Secretary : A room is reserved for the Lady Superintendent and no male is allowed to go there except on business.

Khan Sahib Khawaja Ghulam Samad : Has any representation been received on behalf of the public or on behalf of the school mistresses ?

Parliamentary Secretary : No.

Mian Muhammad Nurullah : Will the Government consider the question of disbursing the pay through post offices if these ladies request ?

Parliamentary Secretary : That is a hypothetical question. If any request is made it will be considered on its merits.

Mian Abdul Aziz : Will the Government consider the desirability of disbursing the pay to these *purdah-nashin* ladies at a place where they may not be inconvenienced and may not have to walk for miles and miles to get their pay ?

Khan Sahib Khawaja Ghulam Samad : And they get their pay through the lady superintendent and not through the cashier ?

Parliamentary Secretary : That is a request for action.

COMPLAINTS OF CORRUPTION AGAINST THE POLICE AT LUDHIANA

***8281. Sardar Lal Singh :** Will the Honourable Minister for Public Works be pleased to state—

(a) the number of complaints of corruption received by the Superintendent of Police, Ludhiana, against police officers posted to that District from April 1941, up to end of 1st December 1941 ;

(b) whether it is a fact that the number of these complaints is comparatively very large, if so, the reasons therefor ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : (a) Two.

(b) No. Four cases were reported in 1939 and one in 1940.

TUBE-WELL IN AMBALA CITY

***8167. Khan Sahib Khawaja Ghulam Samad :** Will the Honourable Minister of Education be pleased to state—

(a) whether it is a fact that the Government is sinking a tube-well in Ambala City near the water works reservoir ;

(b) whether this tube-well has proved successful or not ;

(c) if the abovementioned tube-well has not been successful, the alternative arrangements Government propose to make in this connection ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : (a) Yes.

(b) It has proved successful, and the water is fit for human consumption.

(c) Does not arise.

Khan Sahib Khawaja Ghulam Samad : Is the Parliamentary Secretary aware that this tube well has been closed down since the last month for want of petrol and coal ?

Parliamentary Secretary : I am not aware of it. If the honourable member gives me notice, I will find out.

Khan Sahib Khawaja Ghulam Samad : Was not the order for closing down the tube well passed by the Government ?

Parliamentary Secretary : I am not aware of it.

RE-EMPLOYMENT OF RETIRED MEDICAL MEN

***8270. Chaudhri Muhammad Hasan :** Will the Honourable Minister of Education be pleased to state—

(a) whether the Punjab Government has recently re-employed any retired medical men ; if so, the number of such persons re-employed, the pay on which they have been re-employed and the purpose for which they have been re-employed ;

(b) whether at the time of re-employment it was taken into consideration whether in view of their ages, these retired medical men were fit to discharge their duties efficiently ;

(c) since when this re-employment has begun in the Ludhiana District ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : (a) One hundred and eleven retired medical men have been re-employed since the beginning of the war to replace serving medical officers whose services have been made available for the army. These gentlemen draw their pensions together with so much of the pay of their appointment as is necessary to bring their total emoluments up to the pay they were drawing at the date of their retirement.

(b) Yes.

(c) 16th May 1941.

BORING OF WELLS

***8166. Khan Sahib Khawaja Ghulam Samad :** Will the Honourable Minister of Development be pleased to state—

(a) the facilities which the Government affords to the public for boring ;

(b) the total number of wells in the Ambala Division which the public got bored through the Government agency ;

(c) the designation of the head of the staff appointed for boring wells in the Ambala Division ;

(d) whether such staff is appointed in each district in the province ;

(e) whether the staff of each district in the province is under any Deputy Director of Agriculture ?

Parliamentary Secretary (Chaudhri Tikka Ram): (a) Government maintains a large well boring establishment, provides and maintains the necessary machinery and equipment for boring operations, grants taccavi loans to deserving applicants and has been subsidising boring by recovering only a portion of the overhead charges, i. e., twelve annas per foot bored against the actual cost of over Rs. 2 per foot. It has for some years past been possible to forego even the overhead charge of 12 annas per foot, the expenditure being met out of the Government of India grants for the Economic Development of Rural Areas and the Special Development Fund.

(b) Two hundred and thirty-four wells during the last three calendar years. Figures for previous years are not readily available.

(c) Sub-divisional Officer, Boring Operations, Ferozepore Cantonment, who has two well supervisors under him with headquarters at Ambala and Delhi.

(d) No, by Boring Circles.

(e) No, the staff in each circle is under a well supervisor and the 2nd Agricultural Engineer to Government, Punjab, Lyallpur, is in charge of the entire boring establishment.

Khan Sahib Khawaja Ghulam Samad : Is the Parliamentary Secretary aware that the charges for boring fixed by the Government are higher than the charges made by private boring agencies ?

Parliamentary Secretary (Chaudhri Tikka Ram) : I shall find out.

RESOLUTIONS

CONTROL OF PRICES

Sardar Muhammad Azam Khan (Dera Ghazi Khan North, Muhammadan, Rural) (*Urdu*) : I beg to move—

This Assembly recommends to Government to convey to the Government of India the wishes of this House that the prices of the articles which agricultural classes have to purchase for their domestic or professional requirement should be controlled like the prices of food-grains.

Sir, my resolution relates to the control of prices. On the one hand the prices of agricultural produce like wheat and bajra have been controlled and on the other, there is no control on the prices of articles like cloth,

salt, kerosine oil and iron which are being sold at exorbitant rates. As a result of it the expenses of zamindars have increased manifold. It is, therefore, necessary that if the prices of the articles produced by the cultivators are to be controlled, the prices of the remaining articles which a zamindar has to purchase for his daily use should also be controlled.

Moreover, we desire that the control should be exercised in such a manner that it should benefit the purchasers. We do not want the control in its present form and if there had been no control of this type, we would have been happy without it. The big people are making excessive profits through business and trade. Nobody cares for the poor. There should be strict supervision over the control of prices, so that it should be impossible for any one to charge higher price than the one fixed under the control system. The defaulters should be made liable to punishment. I think the honourable members of the Assembly should be given some power in connection with the supervision of this control because the public usually knocks at the door of the elected representatives of the people while the local officers do not pay any heed to them. If the Government is favourably disposed towards the people of the Punjab, it should carry into effect the proposal that I have put before the House just now.

With these few words, I commend my resolution for the acceptance of the House.

Mr. Speaker : Resolution moved—

This Assembly recommends to Government to convey to the Government of India the wishes of this House that the prices of the articles which agricultural classes have to purchase for their domestic or professional requirements should be controlled like the prices of foodgrains.

Shaikh Sadiq Hassan (Amritsar City, Muhammadan, Urban) : Sir, I beg to move—

That in line 3, after the word "agricultural" and before the word "classes" the words "and poor urban" be added.

(Urdu) : It is gratifying to note that the Government have controlled the prices of foodgrains. In my opinion this is a step in the right direction and we are thankful to the Government for having taken this course of action. Had the control been not introduced, the poor people would have suffered a good deal. I am rather afraid that the poor people would have starved if the prices of grain had not been controlled by the Government. Several persons would have died of starvation but for this useful measure adopted by the Government. Moreover, if the Government had not come forward to introduce this control of prices, the urban shopkeepers would have charged exorbitant prices for wheat and thus amassed lakhs of rupees at the cost of poor people of this province. (*Honourable members* : Question!) Sir, my friends who are questioning the truth of my statement should better study the history of other countries as well. If they do so they would find that bread riots commonly used to occur in Constantinople and other European countries. In Russia people regarded bread as their veritable God, to which now a death blow has been given by the Nazis. (*Sardar Sohan Singh Josh* : Are you a fascist ?) No. I am neither a

[Sh. Sadiq Hassan.]

fascist nor a communist. I am following the middle path which Islam enjoins us to follow. Sir, it is laid down in the Holy Quran that middle course is the best course. Hence I am neither a fascist nor a communist. (*Sardar Sohan Singh Josh : Neither titar nor batar*). Sir, it is very easy to abuse others but, however, I would refrain from replying to my friend opposite and I hope, following my lead, he would also try to restrain himself. Anyway my submission is, that Government have done well to control the prices of foodstuffs. It means that the prices of these foodstuffs cannot go up in any case. But against this the prices of articles which agricultural classes and poor people in cities have to purchase for their domestic or professional requirements have considerably increased. For instance, previously the price of a bundle of worsted yarn, which used to be imported from Japan, was Rs. 20 only and now it has risen to Rs. 160. Who is now earning this unearned increment? Obviously all those traders who stocked these goods are now earning this profit because of this War. The value of such goods has considerably increased. For instance the value of worsted goods which previously were worth a lakh of rupees has now risen to Rs. 8 lakhs. That is not the only instance of its kind. The prices of dyes have risen five or six times. The prices of goods made of iron have gone up 20 times. In fact the prices of almost all the commodities have risen considerably. Hence I think it is the duty of Government to control the prices of those articles which agricultural classes have to purchase for their domestic or professional requirements. I, therefore, whole-heartedly support this resolution. But in this connection I would like to point out that along with the agricultural classes the poor people of the urban areas should also be included in it. After all what is the reason that they should be ignored? Sir, my friend the mover of the resolution has assured me privately that he would agree to incorporate my amendment in his resolution. My submission is that the lot of the poor people in the cities has gone from bad to worse. No doubt unemployment has decreased due to the War and there are certain professions the artizans of which have obtained employment. For instance blacksmiths and tailors have obtained employment in Government factories which have been started for war work. But as against this there are certain professions the artizans of which have been thrown out of employment as a result of this War. Although the wages of other artizans have increased but certain artizans, what to speak of getting an increased wage, do not even obtain employment anywhere. For instance, there are carpet weavers who cannot find work in these days. It is possible that some of my friends may say that these artizans should hunt out employment for themselves in the Supply Department of the Government of India. But my submission is that it is very difficult for them, after spending the major part of their life in one profession, to take to another at the age of 50 or above. Just think for a while whether we, among whom barristers, doctors and businessmen are included, can take to any other profession even if we so desire. Surely not. Similarly such artizans also cannot take to other professions. In reality people are suffering a lot. If Government do not control the prices of articles which agriculturists and poor people in the cities need for their domestic and professional purposes their suffering would increase. The winter season has set in. I see that people are going about in tatters. They have not got sufficient clothing to protect

themselves from the chill of the winter. The price of cloth has risen to such an extent that poor people, whether they be in the cities or villages, cannot afford to purchase *lithafs* for themselves. In short, prices of all kinds of articles have gone up and I would say have unreasonably gone up.

Now, Sir, we face this question as to why the prices of such articles and especially those produced in this country have arisen. For instance when cotton is produced in this country, what is the reason for the increase in prices of cotton goods manufactured in this country? So far as the articles produced in Britain and America are concerned they are not imported into this country because of lack of shipping facilities. Besides, the majority of the people of these countries are engaged in producing things for War purposes. As a matter of fact in England a large number of factories, which produced articles for export purposes, have been totally destroyed. Whatever things are being manufactured in that country now are not even sufficient for their own use. Even if the Britishers can spare some articles for export to other countries they cannot be shipped to those places because of lack of shipping facilities. In fact there is no shipping space available for the export of such articles. Now I come to the question as to why the prices of articles manufactured in this country have risen. Sir, this is a very important question and it should be carefully considered. Now the reason why the prices of articles made in India have gone up is that although the British Government did all that they could to destroy our indigenous industries they did not help in introducing machinery for starting industries on the pattern of British industries here in this country. That is the ostensible reason why the number of industries in India is very small. Now no machinery can be imported from England or America. We all know that the British Government started consolidating their position in this country after 1801. During their 150 years' reign they have tried their level best to destroy the indigenous industries of India so that all the articles needed by Indians be imported from England. Hence they did not encourage the opening of new factories in India. Rather I would say they positively discouraged it. They, in order to destroy the Indian industry, imposed a cotton excise duty of 5 per cent on goods manufactured in India. I was then a member of the Central Assembly and I protested against it. Anyway the trouble is that machinery is not available. There are no factories in this country which can meet the growing demand of the public. But I do hope that Sir Manohar Lal, during his tenure of office, will try to remove our trouble in this behalf by giving effect to the recommendation contained in another resolution on the agenda to-day. This is a national Government and they will try to promote industries in the province. (*An honourable member*: What have they done during the past five years?) I may tell my friends that five years' time is a very short period in the life of a Government. This Government have done a lot and I know they intend to do a lot. (*Interruptions.*) Hence my submission is that Government should impose control on the prices of those articles which are required for the domestic needs of the poor people whether they be urbanites or ruralites. If the price of cloth is controlled I think most of the troubles of the poor people, urbanites and ruralites both can be removed. Similarly, the prices of articles made of iron, such as saws, khurpas and axes should also be controlled. There are other articles, prices of which should also be controlled.

[Sh. Sadiq Hassan.]

If we go to other countries we would find that the prices of almost all the articles have been controlled. In England the prices of all articles have been controlled. I do not know anything about Germany. This much I know that the Nazis have looted all the occupied countries and have carried everything to their fatherland. In fact they have looted Denmark, Holland, Belgium, Norway and France. But in England the prices of all articles have been controlled. Food-stuffs and all other articles have been rationed there. For instance sugar, cloth and even shoes have been rationed in England. Anyhow the prices of all the articles which are required for the domestic use of the poor should be controlled. I may tell my friends that the articles which poor people in the villages need for their use are equally needed by poor urbanites. So it is only fair that they should also be included in this resolution. With these words I move my amendment.

Mr. Speaker : Resolution under consideration, amendment moved is—

'That in line 3, after the word 'agricultural' and before the word 'classes', the words 'and poor urban' be added.

Sardar Bahadur Sardar Gurbachan Singh (Jullundur West, Sikh, Rural) : Sir, the introduction of price control has introduced a new principle of only controlling the staple produce of the cultivator, while other commodities which are so essential for his requirements are allowed to be sold uncontrolled. For example, the prices of cloth, iron and such other articles, which are needed by the zamindars, have gone up to nearly 70 per cent of the normal prices, but the price of wheat is kept under control and not allowed to go up even to what it used to be during the last War. Equity and justice demand that the prices of the commodities, which are required largely by the zamindars, should also be controlled. If this is beyond the scope of the Provincial and Central Governments, then I would request that the barriers raised in the course of trade be removed so that there should be a free flow of commodities between one province and another. I think this control is leading to chaos and is not serving the object for which it was intended. To stabilise prices means to stabilise agricultural and other wages. The question requires a very careful examination by a committee of experts who should be familiar both on trade and production side. If, however, the Central Government does not approve of this suggestion, then there should be an all over control, on all commodities. With these words I strongly support the resolution.

Khan Sahib Khawaja Ghulam Samad (Southern Towns, Muhammadan, Urban) (Urdu) : Sir, I think that both the resolution under discussion and the amendment put forward by my honourable friend Shaikh Sadiq Hassan are of vital importance, as they are calculated to benefit the zamindars as well as the poor urban classes. But I have serious apprehensions that the resolution along with its amendment might not fare the same fate as has been the case with other propositions of this nature. I know Government have been passing measures and resolutions aiming at the amelioration of the condition of the zamindar but they have been very slow in translating them into action. I am afraid lest this resolution, after having been passed, should be relegated to the limbo of oblivion or carried into effect when it is too late or when all is over with the poor zamindar. I, therefore, urge upon

the Government the desirability of losing no time in making this resolution, as amended, a complete success.

Then, Sir, personally speaking, I am not in favour of instituting a price control over the commodities like foodgrains or other articles which the agricultural classes need for their domestic or professional requirements, because in the recent past we have had a very bitter experience about it. The commodities, brought under control, would become scarce in the market the very day the price control was instituted. Government are well aware as to what happened when the price of wheat was controlled in the last Spring Session. The people had to face great hardships and privations as a result of the wheat control, because they could not get pure wheat or wheat flour, both of which were freely adulterated by the traders with articles, highly detrimental to the health of the public. It is an open secret that poor people who were forced to purchase and use these things frequently fell a victim to various diseases. As a matter of fact we fail to make out, in spite of the strict supervision and vigilance of the administration, what happens to the commodities brought under control; whether they go under ground or take to flight in the heavens. (*laughter.*) The thing is that after the price control has been set up, the traders withdraw those very commodities from the market, and sell them surreptitiously charging exorbitant prices from the public. There is no doubt that there are several instances where such dishonest traders have been hauled up and sternly dealt with by the authorities, but even this action has proved ineffective. Wherever price control has been established, prices have invariably soared high and commodities sold behind the doors. Since sugar has been brought under control the poor labourers and other poor classes are deprived of purchasing the sugar for their morning tea which they use as a stimulant to enable them to work hard for the maintenance of themselves and their children and earn annas 8 or annas 10 per day. Under the present price control one cannot buy sugar from depots of the Government for less than annas 8 at a time. The policy of the Government in granting permits to the capitalists and big traders is utterly wrong. Depots in large numbers must be opened in various parts of the towns and retailers should be supplied with sugar and other controlled commodities and allowed to sell at control prices in a limited number of depots. Poor men have to wait from morning till evening to purchase eatable articles which are controlled. In most cases they have to return home in the evening emptyhanded after undergoing all sorts of violence by the Police. I apprehend the danger that if the prices of the articles, which the agricultural classes require for their domestic and professional use, are controlled, the zamindars may be confronted with the scarcity of these things or even may have to go without them. People can endure semi-starvation, but they cannot afford to go without tools or implements with which they have to earn their livelihood. Hence if the articles required for agricultural purposes are not available, how would the zamindars carry on cultivation of land and other functions connected with it? I am, therefore, of the opinion that before passing this resolution, Government should make a resolve to help the zamindars in case scarcity of articles, required by them, takes place as a result of the price control. They should first build up a stock of these articles and then open depots for the benefit of zamindars and other indigent people. This will go a long way to make this

[K. S. Khawaja Ghulam Samad.]

control a real success. In no case should the sale of such articles be left with the traders. If that is done, such articles are bound to go underground and the poor zamindars would be hard hit. In other words the object of the control would be entirely defeated, because scarcity of articles would worsen the position of the zamindars. With these words I strongly support the resolution along with its amendment and fully trust that Government would pay due heed to the useful suggestions put forward by me for combating the difficulties which are likely to arise as a result of the institution of price control.

Mian Fazal Karim Bakhsh (Muzaffargarh Sadar, Muhammadan, Rural) (*Urdu*): Sir, I want to make a few observations in support of this important resolution. Every member of this House wishes that the domestic and professional requirements of agricultural classes should be controlled as soon as possible.

The agriculturists experience inconvenience in purchasing essential food-stuffs which are controlled by the Government. I would like to quote an instance. It is very difficult to obtain sugar and if it is at all available, the urbanites only manage to procure of it while the poor ruralites have to go without it. In the Muzaffargarh market only one seer or half a seer of sugar per head is obtainable with great difficulty. A villager has to travel about seven miles to get half a seer of sugar. My honourable friends can well imagine how dear this meagre quantity of sugar has cost him after wasting much of his precious time, which he could have utilised in his fields.

I would like to suggest that the Government should keep a strict control over all food-stuffs and other requirements of the public. They should also open depots, where arrangements should be made that licensed wholesale dealers should not be allowed to sell their commodities direct to the public. They should sell these commodities to retail dealers and the business carried on by the latter should be supervised by members of municipal committees, Anjuman-i-Islamia, or Arya Samaj and other respectable citizens and officers of the Civic Guards. Similarly, in villages members of the district boards, presidents of societies, zaildars and lambardars should supervise the work of the shop-keepers in order to ensure the sale of commodities at controlled rates.

In villages tahsildars should, in consultation with the zamindars, entrust only those shop-keepers with the sale of such commodities, whom they know to be honest and straightforward. All the domestic and professional requirements of zamindars should be supplied to these shop-keepers in plenty, so that they may not feel the pinch at any given moment and the public should have ample supply of articles of daily use.

There is also great dearth of cloth in the villages. The summer with its scorching heat is over. The poor sections of the public could go about without any clothes during summer, but now that the winter with all its rigour has set in, they must have something to cover their nakedness. It is impossible for them to purchase cloth at the present rates. In spite of the fact that cloth is being manufactured in India, the factory owners and big merchants have stocked large quantities of cloth and they are gradually raising the prices. Under these circumstances it is essential that efficient control should be kept over cloth so that the poorer sections of the

public in general and the poor peasants in particular may conveniently purchase cloth for the winter season.

So far the Government have controlled only those commodities which are produced by the agriculturists. They should also control the articles which are being used daily by the agricultural classes.

Much has been already said on this resolution by my honourable friends who have preceded me. I hope that all the honourable members will unanimously support this resolution. With these words, Sir, I resume my seat.

Begum Rashida Latif Baji (Inner Lahore, Muhammadan Women, Urban) (*Urdu*): Sir, I want to make a few observations about this important resolution. No doubt the principle of controlling essential commodities is good but the way in which it is practised is very defective. I am perfectly aware of the hardships the people have to face in buying the controlled commodities. The situation is worsening day by day in all the depots of the city where the people experience great inconvenience in buying sugar and other controlled commodities.

Many depots have been opened in Lahore. I have been to all such depots where sugar is being sold and I have found to my great disappointment that the depots, due to lack of strict control on the part of the Government, have failed to satisfy the public needs. In this connection I wish to suggest that there should be some difference in prices of commodities between the wholesale dealers and retail dealers, so as to enable the poor sections of the public to make purchases from the retail dealers also. Here I wish to quote an instance. At present sugar is available in depots only. The retail dealers cannot buy sugar from depots at lesser rates as depots have monopolised the sale of sugar. Hence the retail dealers have given up selling sugar because they do not derive any benefit from it. It is impossible to open as many depots as there are retail shops in this province. At present the poor sections of the public experience great hardships due to their inability to buy sugar from retail dealers. Poor women, whose husbands are busy with their work, often make purchases themselves or through their children. But the present system of control over essential commodities is so defective that they can neither go themselves nor send their children to buy even a meagre quantity of any controlled commodity and the only alternative is that the head of the family has to postpone his own business to buy such articles.

The rich classes do not worry at all, they get these things without taking any pains, while the poor and men of average classes only experience hardships in buying controlled articles. Under these circumstances I request the Government to remove all such defects in the present control system.

Lastly, I appeal to the Government to consider all these points before effecting a strict control over all essential food-stuffs. The Government at the time of imposing control over these commodities should fix the prices in Mandis.

With these words, I support the resolution and I hope that the Government will not show any hesitation in removing the difficulties of the public. I also support the amendment under consideration.

Subedar-Major Raja Farman Ali Khan (Gujar Khan, Muhammadan, Rural) (*Urdu*) : Sir, I want to make a few observations about this important resolution. No doubt the principle of controlling essential commodities is good, but the way in which it is carried out is highly defective, and thus the poor sections of the public in general and the poor peasants in particular experience great hardships.

The leading merchants of Bombay and other places, through telephones, suggest eight-fold increase in sugar and other essential commodities to the merchants of our province. The merchants accordingly raise the prices of these commodities and naturally the retail dealers and other small shopkeepers, who buy these articles from these very merchants, sell these articles to the people at very high rates. This is nothing but foul play on the part of the wholesale dealers and the retail dealers, and the result is that the urbanites and the poor ruralites are put to great inconvenience. At present the goods of Japan are not imported into India, hence there is an abnormal rise in the prices of Japanese goods. But the cloth merchants in India have raised the prices of the Japanese goods to such an extent that it is impossible for the poor sections of the public to purchase any cloth whatsoever. It is these big merchants who are wholly responsible for causing inconvenience to the public, otherwise how is it, that in spite of the fact that cotton is sold at $8\frac{1}{2}$ seers a rupee, the factory owners gradually raise the prices of cloth, and the labourers in these factories, who were getting annas 12 as their daily wages, continue to get the same wages even now ?

In spite of the fact that the Government has controlled the commodities from top to bottom, the essential commodities such as wheat, rice, coal and fuel are not available at all in the market, even at high rates. This is all due to the lack of strict and proper control over these food-stuffs on the part of the Government. In my opinion we are not short of any provisions in this province. It is only these greedy wholesale dealers who exploit the public by demanding more and more money from them. I appeal to the Government to devise ways and means to keep strict and proper control over essential food-stuffs, cloth, etc. The present system of keeping control is useless and it helps those only who, through their influence, manage to reserve hundreds of bags of sugar, etc., for their personal use. Such a system of control, under which in certain areas of our province sugar is sold at Re. 0-12-0 a seer, is very defective and harmful to the interests of the public. The merchants and traders are making lots of money by profiteering. But let me assure them that this money will not do them any good. There is no doubt that the urbanites possess enormous wealth, therefore they do not worry about this abnormal rise in the prices of food-stuffs, etc. With these words, Sir, I support the resolution and I hope that my honourable friends will also unanimously support it.

Chaudhri Abdul Rahim (Shakargarh, Muhammadan, Rural) (*Urdu*) : Sir, I have risen to support this resolution. As already mentioned by my honourable friend, who just preceded me, the present control over food-stuffs has put the public to great inconvenience. I submit that the people are not getting wheat, which is the staple food of the Punjabis, and even if after

facing great hardships they do succeed in getting a meagre quantity of it, it is of very inferior quality. I assure the honourable members that the present system of control over food-stuffs is helping only the moneyed classes, while the poorer sections of the public do not derive any benefit from it.

During the pre-war days nobody stocked wheat, rice and other food-stuffs and as a consequence the people have no grain left with them. India used to import rice from Burma and Malaya, but owing to the loss of both, the import of rice into India has altogether stopped and hence the shortage of rice. Previously wheat was also imported from Australia, but owing to difficulties of transport wheat can no longer be imported into India, and the result is that people have to depend mainly on the productive and manufacturing resources of India. There is thus a considerable shortage of wheat in the Punjab. But besides wheat and sugar there are many other necessities of life vitally needed by the zamindars and their agricultural labourers which should be brought under control. Price control has been imposed upon many commodities and articles in other countries but nowhere has it caused so much inconvenience and hardship to the zamindars and other poorer classes as it has done in India. It is not the institution of price control itself but laxity in exercising that control on the part of the district authorities that gives rise to hardship and misery to the poor classes. The trouble is that the officers who get their own supplies at control rates do not bother themselves about finding out whether the ordinary people are also getting their requirements at controlled prices or not. In this connection I beg to submit that the Government should issue and strictly enforce these instructions that when the local authorities receive a complaint from any member of the public that a certain bania is selling an article at a rate higher than that fixed by the Government, they should immediately make a raid on his shop and haul the culprit before a court of law. At present only those shop-keepers are being prosecuted who had inadvertently or unknowingly charged a higher price for an article purchased for some officer. So far as I am aware not a single shop-keeper has so far been prosecuted on the report of any poor person.

Things have come to such a pass that the zamindars—most of whom could never afford linen and muslin—cannot even get coarse cloth (khaddar) at five times its pre-war price. It is partly due to the fact that the Government is now insisting upon the zamindars that they should grow wheat, gram and paddy instead of cotton and sugarcane and partly to the fact that our province has to supply foodgrains to those provinces where an acute shortage of food-stuffs exists. I do not understand how, if the poor zamindars are not to grow cotton, they will be able to clad themselves even with coarse cloth which is daily growing dearer.

On principle the control system is very good but in practice it has proved a failure as is evident from the case of iron. In spite of its sales having been controlled the zamindars find it extremely difficult to get iron for their ploughs and other agricultural implements at control rates. The reason is that although control has been instituted the Government do not care to keep it under proper supervision. If the control proposed by this resolution is to be on the lines just mentioned by me it will only benefit the capitalists and not the zamindars. The depots that have been started by the Government in various districts are an illustration in point.

[Ch. Abdul Rahim.]

Such depots have been given to capitalists who sell their commodities at control rates only to officers but charge Re. 1-8-0 instead of annas 8 from zamindars and other ordinary citizens. The control price of wheat is Rs. 5-5-0 but they charge Rs. 6-0-0 or even more per maund. Similarly kerosene oil which should sell at Rs. 6-6-0 per tin under control rates is selling at Rs. 9 or even Rs. 10 per tin. When the zamindar is being asked by the Government under 'grow-more-food' campaign to eschew sowing *sarson* and *toria* and when kerosene oil is beyond his power of purchase what is he to do ?

I am entirely in agreement with the proposal contained in the body of the resolution but I will suggest that the Government should start depots in every tahsil under the Co-operative Department so that it should really benefit those for whom this control is intended. If proper watch and strict control is not kept I am afraid the whole purpose of this resolution will be defeated.

Captain Sodhi Harnam Singh (Ferozepore North, Sikhi, Rural) (*Urdu*): Sir, at the very outset I want to make a few submissions in respect of the constitution of Price Control Committees that have been set up by the Government in various districts. Generally the respective Deputy Commissioners appoint members to these committees. From my experience of the Ferozepore district, which is represented by eight members in the Provincial legislature—six of whom belong to the ministerial party and two are in the Opposition—only one member, a lawyer, has been taken on the District Price Control Committee. All the other accredited representatives of the people have nothing to do with it nor are they ever consulted. Usually persons from urban areas or 'yes-men' are appointed to these committees. There is not a single member in this committee who can represent the interests of the zamindars or raise objections on their behalf. I am afraid, so far as the zamindars are concerned, nothing good can come out of the committees constituted as they are at present. No zamindar can buy even a maund of wheat or gram as seed for the next crop in the present circumstances. I challenge the Honourable Minister to go *in cognito* to Ferozepore and purchase one maund of any of these cereals for seed purposes. I reported this state of affairs to the Deputy Commissioner but he replied that he could not do anything in the matter. If the Government had instituted control they should have seen to it that the control is properly kept and proves a source of benefit to the zamindars which it is intended to be rather than being an instrument of trouble and hardship. In these times of scarcity and dearth it is becoming very difficult for the zamindars to make both ends meet. On the one hand they are made to sell their produce at lower rates than are now prevailing in the province. For instance they sold wheat at Rs. 5 or Rs. 5-2-0 per maund, gram was sold in Ferozepore at Rs. 4-12-0 a maund whereas in United Provinces and other parts of the Punjab the rate is Rs. 6 or Rs. 6-8-0 per maund. It is the duty of the Government to set right this difference in prices. On the other hand coarse cloth (*khaddar*) which could be bought for annas 2 or annas 2½ a yard cannot be had now for less than 12 annas per yard. Again iron which was being sold at Rs. 6 or Rs. 6-8-0 per maund before the war cannot be obtained even at Rs. 35 or Rs. 40 per maund. But when these difficulties of the zamindars are represented

to the district authorities no heed is paid to them. In spite of the imposition of control sugar is selling at annas 12 a seer in Ferozepore which according to the control rate should sell at annas 6 a seer. I have approached the Deputy Commissioner, the Honourable Premier and Sir William Roberts, the Price Control Officer, in this matter but all of them have expressed their inability to make any arrangements. The Superintendent of Police pleaded lack of any powers for intervening in this matter.

Control over prices of various commodities of every day use enhances the difficulties of zamindars. Because of the fact that their income is often very little, they cannot purchase articles of their daily use. They cannot purchase even the ordinary necessities of their daily life. I urge upon the Government that it is the need of the day that the control should be very effective, so that the zamindars may get their domestic requirements very easily. It is highly unfair to zamindars to fix arbitrarily the prices of goods they produce without fixing the prices of goods required by them. It does not befit our Government to sit quietly and be a passive spectator of the worries and difficulties of the zamindars.

I have cited the scarcity of some articles which is experienced very acutely by the zamindars of Ferozepore district. Still further on I tell you that we do not get kerosene oil in the villages. Officers generally think that the zamindars do not need kerosene oil because they go to sleep after taking their meals. I submit, Sir, that it seems as if the officers do not know the domestic life of the zamindars; they do not realise whether the zamindars feel the necessity of kerosene oil. If they are not given the oil, how can they work in darkness? In villages during night-time utter darkness prevails all around, and if the poor zamindars are not given any kerosene oil, wherefrom can they get light? Officers think that the zamindars work all day long in the fields and with the approach of dusk they are overpowered with fatigue and so they go to sleep very early. But the fact is that a zamindar does not sleep before 11 or 12 in the night. Even then, thefts are committed very frequently. If the zamindars are not given anything to illuminate their huts, to keep themselves safe from the thieves, you can well imagine their worries and difficulties. Kerosene oil is indispensable for them. Whosoever has got any quantity of oil, he sells it at not less than nine or ten annas a bottle. If any respectable person goes to any shop-keeper, who has oil stored in his shop, he denies that he has any oil. The shop-keepers in villages thus keep on saving it for selling it at a very dear price. Generally the shop-keepers sell the controlled articles under cover and at very enhanced prices. Once I discussed the question regarding the scarcity of kerosene oil in villages with the Superintendent of Police of my district, but he too showed his helplessness in procuring oil for the zamindars.

I give you another example. We do not get leather. It is one of the essential article for the domestic and professional use of the zamindars. If the Government does not enforce control over it, it is very likely that we shall have to do without leather. It is a very pressing necessity. We cannot do without it.

Our Government should first make an effort to raise the character of our people, and then enforce control over articles of our daily use. If the

[Captain Sodhi Harnam Singh.]

Government of India has introduced control over many articles, our Government should not follow suit. It is one of the duties of our Government, rather it is the first duty of our Government, that it should enforce control over those articles which are procurable, as also those articles which are daily used by the zamindars. It should also see that they get their necessities at cheap rates. I request the Government that it should take action as early as it can. Wherever there be control it must be as effective as possible, otherwise it is likely that people may launch a protest and then the Government will be compelled to remove it.

If to-day the price of wheat is Rs. 9 or Rs. 10 per maund, the prices of other commodities will also be affected by this price and their prices will also be raised. If to-day the zamindars are getting better prices for their produce, it should not be grudged, because it is after 20 or 25 years that they have seen the dawn of prosperity. I remember the times when I sold the produce of wheat at annas 15 per maund. (*An honourable member*: Twelve annas a maund.) Now the time has come when it is the burning need of the day that the zamindars should be protected in every respect. Our zamindars are being sent to the battle-fields, they are sent abroad, they are exploited, they are hungry and helpless, so they should be given preference in the matter of giving protection. The Government should take an earlier step for their welfare.

I now take the case of Lahore. Here many depots have been opened for the sale of articles at the controlled prices. If at Lahore there is control over 25 per cent of articles, then I can assert that in villages there is no control over even 1 per cent of articles. We do not get any articles for our domestic or personal requirements. To quote an example, I tell you that in Lahore, at least 500 bags of sugar are distributed, but in villages not even one bag is sent for distribution to the villagers. The other day I asked the Magistrate for the supply of sugar in my villages. He inquired of me as to how many bags I would need for my village. I told him that in the beginning 10 bags would be enough. So the required number of bags were supplied but they were sold within two days. Thereafter no arrangements could be made for the supply of any more bags, because there is no regular supply or quota according to which the bags could be given to the villages. I would, therefore, appeal to the Government to protect the interests of the zamindars by making necessary arrangements for the supply of various articles which they require for their daily use. If this Zamindara Government will come forward to the rescue of the zamindars, it will be a natural thing. But if it does not protect the interests of the poor zamindars, we will be really sorry. In view of this, I appeal to the Government once again to consider this resolution very carefully and also bestow a favourable and sympathetic consideration over my humble suggestions. I hope that effective steps will be taken to introduce control over the prices of all articles of daily use. I also trust that this new control will not be left to the whim of the District Magistrates, Commissioners and Revenue Officers. The co-operation of the honourable members of the Assembly may also be secured so that the yes-men of the local officers alone do not benefit by this control.

With these few words, Sir, I lend my whole-hearted support to the resolution which is now under consideration of the House.

Sardar Jagjit Singh Mann (Central Punjab Landholders): Sir, I rise to make a few observations with regard to the resolution before the House. I am a zamindar coming from a rural area and therefore I can very well realise the difficulties and troubles of the agriculturists at present. They are the people who work from morn to noon and from noon to eve and again from evening to next morning. They are the people who work in the fields in the cold nights of winter and also in the hot days of summer when even birds like to take rest in their nests and travellers break their journeys to take rest under the shade of trees. I speak on behalf of those persons who are fully co-operating with the Government in their war efforts and who are increasing the production of foodgrains for the benefit of the soldiers, sailors and airmen who are giving their lives in the battlefields. It is really very discouraging that this class of people are not properly dealt with in return by the Government. The control which is placed on foodgrains is really very harsh when there is no control on the other necessities of life of the agriculturists. For example, you must be aware of this fact Sir, that the prices of iron, wood, leather, oil and all those sorts of things, have risen very high and it is very hard for a zamindar to keep pace with the rise in prices of these commodities, particularly in view of the fact that he gets so much low prices for his foodgrains. I can say that the cost of production of wheat is more than its controlled price. It looks to me that the interests of the urban areas are looked after by the Government of India and those of the rural areas are being ignored. I would advise the Government to take a leaf from the books of the allied countries. In America President Roosevelt has passed a measure by which he has controlled the prices of foodgrains as also of machinery and implements which are used by the agriculturists. Similarly in England also the prices of the daily necessities of the agriculturists are controlled. I think our Government should follow their example. In conclusion I would make a very fervent appeal to the Honourable Premier, whose farsightedness and statesmanship is of the highest order, to make a very strong representation to the Government of India in this respect, a representation on behalf of people whose kith and kin are standing as sentinels at the gates of India to protect their motherland, on behalf of the people whose kith and kin are shedding their blood in the various theatres of war and who on their return after the successful conclusion of hostilities will bring in train puranaswaraj which will be enjoyed equally by the people sitting over there and by my colleagues sitting over here. With these words, Sir, I strongly support the resolution.

Khan Bahadur Captain Malik Muzaffar Khan (Mianwali South, Muhammadan, Rural) (*Urdu*): Sir, I have risen to support this resolution. In my opinion the present system of controlling the prices of foodgrains has proved very harmful to the zamindars instead of benefiting them. (*An honourable member*: Then you are condemning the Unionist Government.) It was expected that the control of prices will do a lot of good to the poor zamindars, but in actual practice it has adversely affected their interests. The urban shop-keepers have exploited the situation and amassed wealth by charging exorbitant prices for other

[K. B. Captain Malik Muzaaffar Khan.]

articles the prices of which have not be controlled by the Government. Had the Government introduced control in a more effective manner than the present one, the poor agriculturist classes would not have suffered to such a large extent. Shop-keepers have increased the prices of all those articles which the agriculturists want for their daily use like cloth, utensils and agricultural implements. Their prices have risen beyond all proportions to the paying capacity of the zamindars. Granted that foreign articles must sell dear, but what about those articles which are produced and manufactured in India? Why should they sell so dear? Even khaddar is being sold at the rate of one rupee per yard while previously its price used to be two or three annas per yard. Similarly kerosene oil is being sold at very exorbitant rates. After all khaddar is not imported from London or Lancashire. It is produced and manufactured in India, but the shop-keepers sell it so dear as if it is being imported from some foreign country. It is high time that the Government controlled the prices of all those articles which the poor zamindars require for their daily use. If, however, the Government is not willing to introduce such a control, the second best thing would be to remove the present control of foodgrains also. It will be quite in the fitness of things to allow the poor cultivators to charge high prices for their agricultural produce just as others are doing. It is a cruel policy indeed to restrict the hands of the zamindars alone while all others are allowed to charge any price they like for their products. Why should the zamindars be compelled to sell their articles cheap and purchase the stuff they need at high prices from others? The effect of this policy would be that the income of the zamindars would go on decreasing and their expenditures would increase beyond their paying capacity. Ultimately the agriculturists will be totally ruined.

In view of these hard facts and reasons, I would strongly urge upon the Government to control the prices of all those articles which the zamindars need for their daily use. With these few words, I support this resolution.

Lala Sita Ram (Trade Union, Labour) (Urdu) : Sir, I should like to express some of my personal views about this resolution. So far as the principle of controlling the prices of various commodities is concerned, I am glad that the Unionist Government has now realized its mistake because when the question of wheat control came before this House, the Government was not quite willing to accept this principle, but now the Unionist party has come forward to accept this principle, not because the principle was unsound but because it pinched their agriculturist brethren. I am glad to see this healthy change in the attitude of the Unionist party. These remarks of mine relate only to the principle of price control and not to the subject matter of the resolution which is now before the House. The opinion which I want to express about this matter will be quite clear after I have made one or two observations. My first submission with regard to this resolution is, that the restriction of control only on those articles which the agricultural classes have to consume is tantamount to making invidious distinction between the Punjabis. Fairness and equity demand that no such distinction of agricultural and non-agricultural classes should be made. If the control is to be introduced, it should be introduced irrespective of the fact whether a certain thing is purchased by an agricul-

turist or a non-agriculturist, by an urbanite or a ruralite and so on. No distinction ought to be made in a matter of this kind which concerns all alike irrespective of caste, colour or creed. If special consideration is to be shown to any class, it is that of the labourers; but no other distinction should be made while recommending or introducing control over the prices of various articles of daily use.

My submission is that on the pretext of War, traders have not only increased the prices of goods imported from foreign countries but also of those articles which are produced here in this country. It is therefore the primary duty of this Government that they should, leaving aside articles of luxury, control the prices of all other articles which are considered to be necessities of life. I do not want to go into these details as my honourable friends have already done so, but I would only urge that the prices of necessities of life should be controlled and there cannot be two opinions about it.

There is another point which I would like to urge before the House. That is with regard to the present system of control of prices. So far as the present system of control of prices is concerned one thing has specially come to our notice and that is that many traders do not sell articles at controlled rates. They remove their stock to other premises and sell through the back-door. They charge higher prices and are making profits which they should not make. In order to make this system of price control effective I should like to put forward two or three suggestions. If the Government consider them to be worth while they can give effect to them. My first suggestion is that instead of allowing private persons to open depots, Government would do well to take them in their own hands. They should all be government-managed depots. Besides, different departments of Government may be permitted to open depots for the employees working in them. For instance, a depot can be opened in the railway department from where employees working there can get their necessities of life. The railway employees go to work at 6 or 7 in the morning and come back at dusk. Just think that if they want to get sugar how they would be able to do so. First of all one has to get a *parchi* and that too on the recommendation of some friend of the depot-wala and then after a great difficulty one can obtain sugar after waiting for hours and hours. It means the waste of their whole day. Now those employees cannot afford to waste their full days' wages for getting sugar worth annas eight only. Under the circumstances my suggestion is that some other system should be adopted by which employees of all departments may be able to get whatever they require easily. The Government may permit different departments or appoint different agencies, in whom they may have confidence, to sell things at controlled rates to the persons employed there. The object of the control, in my opinion, is to remove the trouble of the people rather than to increase it. If my suggestion is accepted it would, I am sure, relieve the hardships of the poor employees and would result in making the control effective as well. The second suggestion is that while deciding the question of imposition of control on the prices of articles, Government should consult the Beopar Mandal, big businessmen and recognised unions and societies. If this is done the control will be very effective, because in that case the trading classes, with whose consent the control would be imposed, would be willing

[L. Sita Ram.]

to help the Government in that respect. Besides, they would be in a position to give correct advice to the Government. My third suggestion is that the Government should take steps to see that transport difficulties are removed. At present transport difficulties are very great so much so that we cannot import sufficient goods for local consumption. It is, therefore, the duty of the Government to see that transport difficulties are removed so that articles from outside may be imported into the Punjab and particularly in Lahore. These three suggestions, if given effect to, will go a long way in removing the hardships of the people. I have already pointed out as to how articles can be sold to railway employees through their trade union or the railway department itself. Similarly, I can point out as to how this can be done in other departments. The Government compels the traders to sell things, but they would not like to help them in getting the necessary supplies. That is the whole trouble. I am sure if this is so handed over the trouble of the employees of such departments, which they are experiencing now, will be removed. With these words I support the resolution as amended by Khawaja Sahib which though it does not go far enough, to satisfy me, is to some extent such as will afford relief to the poor whether they be urbanites or ruralites.

Chaudhri Ali Akbar (Gurdaspur East, Muhammadan, Rural) (*Urdu*): Sir, I rise to support this resolution. It cannot be denied that at present people are suffering a lot. The reason for this is that on account of War the prices of almost all the commodities have gone up, and at such times it usually happens. When the price of our corn has doubled what is the reason that the prices of other commodities should remain at a low level? In my opinion there is another reason due to which the prices of almost all the articles have soared up, and to which no one has so far referred. And that is that there is lack of co-operation between the Government and the traders. The traders do not like to co-operate with Government at all. Rather it is a fact that the traders oppose the Government if and when any such opportunity arises. Now this lack of co-operation between the Government and the traders is proving a great nuisance for the poor people. The poor, in fact, do not get anything. Let me tell you that traders are those people who have inherited this profession from their forefathers and they, for fear of losing it, do all that lies in their power to make the control of prices ineffective. It is, therefore, my submission that if the Government want to make the control effective they should deal effectively with such persons. In this connection I would like to make two suggestions. My first suggestion is that the Government should take all the depôts, which have so far been opened, under their own control. Besides they should open many more depôts. If for this purpose Government are called upon to incur some extra expenditure, they should not hesitate to do so. In short my submission is that the Government should take the management of all the depôts in their hand. My second suggestion is that instead of allowing hereditary traders to open depôts the Government should persuade other people, who can afford to invest money in this business, to open depôts so as to sell different commodities at controlled rates. If these suggestions are accepted I think much of the trouble of the people will be removed. Let me tell my friends that

even at present rich people do not find any difficulty in getting things because shop-keepers supply them these goods at night time and at the controlled rates. It is the poor people only who are suffering. For instance at present the price of sugar is six annas a seer. But a poor man cannot get it even at 12 annas a seer. Hence it is the poor people who are suffering because of scarcity of things. I may also tell my friends that if the Government are not prepared to make the control effective we zamindars should try to find out a remedy for ourselves. For instance at present when sugar cannot be had so easily we should begin to use shakkar and gur. But the difficulty is that some zamindars who are addicted to tea do not like to use shakkar and gur instead of sugar. Leaving them aside I would ask all other zamindars to use shakkar and gur instead of sugar. I may tell my friends that I also take tea daily and I use shakkar instead of sugar. I know that the number of zamindars who take tea daily is very small. But even they can use shakkar or common salt instead of sugar. Anyway if Government want to control the prices of articles they should do so in the case of all and that too effectively. Half measures would neither do good to the Government nor to the public. At present we do not think that traders would co-operate with them and in view of this it is all the more necessary for the Government to hand over the sale of these articles, the prices of which had been controlled, to those people who are not traders by profession but who can do this business all right. If this is done much of the trouble of the public can be removed. With these words I support the resolution.

Sardar Sohan Singh Josh (Amritsar North, Sikh, Rural) (*Punjabi*) : Sir, the resolution under discussion seeks to institute a control over the prices of articles which agricultural classes have to purchase for domestic or professional requirements. This proposition is undoubtedly of vital importance as it is intended to ameliorate the condition of the poor peasants at a time when prices of articles are soaring high and becoming almost prohibitive for them. Then, Sir, the burden of the arguments advanced by all the honourable members of the Unionist Party who have up to now, participated in the debate, was to the effect that the control of prices previously instituted by the Government on certain commodities proved a signal failure. They were of the opinion that it was a meaningless proposition as the poor were hard hit as a result of it. But in the same breath, they expressed the view that the price control of articles, required by the agricultural classes, was extremely necessary and the Government would do well to enforce it vigorously and with a strong hand. As regards myself I believe that the gravity of the situation prevailing now demands that prices of articles should be controlled by the Government. Now the availability of necessities of life has become a problem as a result of the transport difficulties caused by the exigencies of War. Besides, the imports of articles from foreign countries have come to a standstill owing to the lack of shipping facilities. Things, which are being produced in abundance in other parts of the country, cannot reach us because of the limited number of wagons available for the purpose; hence the scarcity and abnormal rise in prices of articles. Take for instance the case of salt. It is being produced and manufactured in very large quantities and yet for want of means to transport it to the place of consumption, its price stands at

[8. Sohan Singh Josh.]

high level. This, as I have already stated, is due to the fact, that, owing to lack of transport facilities, salt cannot be imported here in quantities sufficiently large to meet the demand of the public. But this does not mean that on account of certain unavoidable circumstances, the prices of the articles should be allowed to go so high as to make them prohibitive for the poor. Hence it is necessary that control of prices should be effected so that the poor people, kisans and others without any distinction, should not die of starvation. That is why my honourable friends on the ministerialist benches, who though condemned the Government for its failure to enforce the price control properly, are at one with me that some sort of control over prices of articles must be exercised by the Government with a view to mitigating the troubles of the poor. As a matter of fact, my honourable friends were right in apportioning the blame to, and condemning the Government, because the Government really failed to take adequate and effective measures to combat the situation arising out of the price control. Then my friends over there were at a loss to know as to why scarcity of articles follows the price control. I would briefly explain it. What happens is this. The articles do not change their shape and disappear. They remain there, but deep into the dark corners of the godowns of the stockists, or the stock goes underground. The profiteers and the traders withdraw these stocks from the markets and hoard them with a view to charging exorbitant prices from the public behind closed doors. As these prices go far beyond the reach and purchasing power of the poor, the latter cannot afford to pay for the necessities of life and hence they raise hue and cry that things have become scarce owing to the price control. But in my opinion the real cause of the trouble is that the Government, after having controlled the prices, become inertia-stricken in the matter and feel that their duty is over. They take no interest, which they should, in strictly enforcing this control by hauling up the profiteers and bringing those people to book who withdraw stocks and charge fancy prices. In fact the officers appointed by the Government to enforce and supervise price control, are corrupt to the very core. The dealers grease their palms by sending them bags of sugar or other provisions on requisitions made by the latter on telephone. The result is that the wholesale traders become bold and fleece the poor public mercilessly. They know that there is none to check them because the officers, having been bribed, cannot muster courage to touch them. In this connection I cannot help saying that corruption has entered the flesh and blood of this Government and they have totally failed to eradicate this evil from the administration. If they take proper measures, this price control will prove a boon to the poor.

Now let us see what is the condition prevailing in the market. Take for instance the ordinary agricultural implements. Sickle and khurpa, which could be had for 3 to 5 annas, now sell at 10 to 12 annas. The present price of the ploughshare is Re. 1-4-0, while previously one could purchase it for 6 annas. Again the abnormal rise in prices does not indicate that the production of iron or goods manufactured from iron has been stopped. This, as explained by me earlier, shows that the dealers and stockists of iron products have withheld their stocks in order to take advantage of the conditions created by the War. Who does not know that nowadays iron

products are selling at high prices. But the Government have not moved their little finger to mitigate the difficulties of the poor peasants and other poor urban classes in the matter of high prices of articles manufactured from iron. Then take the case of sugar. Paucity of this necessity of life is causing much inconvenience to the public. The ineffective price control, instituted by the Government in this respect, has not proved of any avail to the people.

(At this stage Mr. Speaker left the Chair and Mr. Deputy Speaker occupied it.)

Well, Sir, as a result of sugar famine in the province there are people who have not tasted this necessary article of food for months. Similar difficulties are being experienced by the public in the matter of other food-grains and necessities of life. Here I may sound a note of warning to the Government that this state of affairs does not do credit to them. If things remain as they are and Government make no adequate arrangements for the provisions of articles of food to all sections of the public, then I presage the occurrence of food riots in the near future. The poor hunger-stricken peasants are likely to stage a march to the cities for the purpose of forcibly acquiring iron products and sugar, etc. I, therefore, ask the Government to take strong measures to meet the situation. They should control the prices of articles as stated in the resolution and take steps to ensure strict observance of the price control. I would suggest that Government should at once arrest and imprison any stockist who on report is alleged to have refused to sell any article to any person at the controlled price. Exemplary punishment should be inflicted upon him with a view to teach him a lesson and setting up an example for other delinquents. The profiteer should be treated as a traitor to the country. He should be charged with high treason and severe action should be taken against him. He should not be let off till his stock has been sold out. Besides, the Government should set the machinery of its C. I. D. in motion to find out whether control of prices is being observed to the minute detail. The C. I. D. should remain ever vigilant and spot and stop black marketting. But the pity of it is that the Government have been found hopelessly wanting in this matter. If they have to hunt out or shadow down patriotic Congressmen, their C. I. D. is ever active; but when black-marketting is on the increase and no body cares to observe the controlled prices, the C. I. D. keeps mum and makes no effort to haul up the defaulters. This shows nothing but utter incompetence and inefficiency on the part of the Government and its administration. Besides, Government should adopt measures to root out nepotism rampant in the administration. This evil is largely responsible for the ineffectiveness of the price control. I suggest that committees of honest public men should be appointed to take charge of the depots, to be established for supplying necessary articles to the peasants, and the poor urban classes. If this is not done, then all efforts in opening the depots, and placing them in dependable hands, would prove absolutely futile. In fact it would be tantamount to waste of energy and valuable public money. I am sure the Government would carefully consider the suggestions put forward by me. If they fail to do so, then I cannot help saying that the passing of this resolution and the full dress debate thereon has been nothing but a farce. I ask what is the use of doing things in a half-

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hearted manner. If the Government really mean business, they should use every mean at their disposal, to see that the price control is observed to the letter and spirit, by dealers and the traders and that the kisans and other poor urban and rural classes do not experience any undue hardship in obtaining articles required for keeping their body and soul together as also for meeting their professional requirements. If that is done, they would be proving themselves true to their salt, otherwise it is no use throwing dust into the eyes of the public by this fruitless discussion on the resolution.

Sardar Santokh Singh (Eastern Towns, Sikh, Urban): Mr. Deputy Speaker, in so far as this resolution seeks to improve the lot of the poor people and remove their grievances and sufferings, it must have the unanimous support of this House. My friend, Shaikh Sadiq Hasan, when moving his amendment, talked, however, of the successful wheat control and gave his praises to the Punjab Government in the matter of that control. I am afraid I cannot agree with my friend. We traders, in fact, have a grouse against the Punjab Government. The Punjab Government, at the time when the price was so abruptly fixed last winter at Rs. 4-6-0 a maund, while a day before, the actual price prevailing in the mandis of the Punjab was Rs. 5-6-0 a maund, never did anything to help the traders, in whose hands, it was considered, the bulk of the stocks then lay. As soon as the new crop began to come in or was about to come in, this very Government did its level best to have an increase in price disregarding entirely the interests of the poor people and of the labour classes. My friend Sardar Sohan Singh Josh may know that from me. The result was that the price was fixed at five rupees. I may tell you that the Punjab Government was not satisfied even at that and my friend Shaikh Sadiq Hasan was not at all on firm ground when he talked of successful control. The Minister of Development had recently been to Delhi in connection with the price control. What we traders understand is, although we are neither in the confidence of the Punjab Government nor in that of the Government of India, that his best efforts were directed towards having a higher price of wheat from now onwards. I would request the Honourable Minister of Development to tell us authoritatively whether or not the reports that we have received are correct, whether he did try or he did not, to have the price of wheat raised and whether this demand of his was resisted by the Government of India. I would like to have a categorical answer from the Honourable Minister of Development in this particular matter so that we Punjabis may know exactly where this Government really stands. This much for the control. I hope he will tell us clearly and in unambiguous terms as to what the position is. Coming to the resolution, it is all very well to bring in these resolutions and I am prepared to support them, but it is a matter of great regret that even in a matter of this kind, where questions of general good are concerned and where questions of good of the Punjab as a whole are involved, my friends, to my regret and regret of others, bring in the questions of agriculturists and non-agriculturists quite unnecessarily, even in matters like this. Sir, poor is poor whether he lives in villages or lives in towns. Their position cannot in any way be different. By all means help them, help them to the best of your ability, but why for goodness' sake bring in the question of agriculturists and non-agriculturists? If my friends sitting on the Government benches had simply said that the prices of such and such articles—the daily

necessities of the poor people—be controlled, if they had said that the prices of articles of luxury should not be controlled, would they have lost anything? If they had simply said that the articles of daily necessities of the poor should be controlled, would they have lost anything? I appeal to their sense of justice to amend the resolution in this respect and to specify the particular articles which they want to be controlled. Would they lose anything if they specify the articles which they want to control? That will give general satisfaction. I still hope that wisdom will eventually dawn on my friends sitting on the Government benches and they will not, in every matter, think of agriculturists and non-agriculturists especially in matters of this kind which should have been directed towards the common good of the Province as a whole. This much for the resolution. Now, the question of control is beset with great difficulties. It is not so easy a matter as my friends seem to believe. I have had occasions to attend some of the wheat conferences that were held in Delhi from time to time during the last two months in regard to the control of wheat and I do know from first-hand information how keen is the Government of India to solve this problem and how much they are doing towards understanding the implications of this control. It is said on the one hand that control without rationing cannot be very effective. To a very great extent this is correct. We talk of rationing in loose terms. Will my friends be prepared to accept rationing which is essential part of the control? Without rationing there can be no successful control. It has been said, and said with accuracy, that in most of the foreign countries this control is being worked with greater success than is the case in this province. That is quite true. In those countries things are done with a view to do good to humanity at large, not with a view to do good to one community only which has been the chief characteristic of this Government. There are reasons for this control not being very successful. That it has not been very successful cannot be denied. The reasons are that the control was brought in abruptly without taking into confidence the people who could give the best advice. Later, however, some wisdom dawned on the Government of India. They are now trying to consult those interests and are having their advice before acting and I may tell you that in the matter of coarse cloth the Government—I believe it was the Government of Bombay—did something to control the prices but, they were not very successful. Now they are thinking of ways and means to bring about more effective control with regard to coarse cloth which is a great necessity of the poor people. My friend Sardar Sohan Singh Josh had a good deal of hard words to say for the profiteers although without knowing perhaps what profiteering means. I may tell my friend, who is not unfortunately in his seat at the moment, that the Punjab Government, when making purchases, have been themselves defying the control rates. With all the emphasis at my command I do want to tell the Honourable Minister of Development that in his Department, when making purchases of wheat for storing, his subordinates have been paying rates higher than the controlled prices in one shape or another. I can give instances how that controlled price was defied and how higher prices were paid in one form or another by way of charges. I would ask the Honourable Minister of Development to go into the matter himself, send for his officials, ask them, interrogate them and satisfy himself whether or not those officials have been sticking strictly to

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the controlled prices. Fortunately, in Sir William Roberts we have a gentleman who understands trade thoroughly well. I make these charges against the Punjab Government on the floor of this House and I do expect that they will make enquiries to satisfy themselves and will take the necessary steps to avoid repetition. I have mentioned this also in the hope that my communist friends like Sardar Sohan Singh Josh may understand where the whole trouble lies and how this control is being undone by the very people whose chief business should be to see that it is exercised as effectively as possible.

So far as the principle of control and the question of helping the poor is concerned, I have already said that there can be absolutely no two opinions. We are all at one in this matter. I have simply to make two suggestions to my honourable friend the Minister in charge, and hope that he would in right earnest try to understand and accept them. One is that if we pass the very general resolution of the kind that is being discussed here to-day—of course, the Government can pass it if they so choose, as they have a big majority at their back, but that will not result in much good—the Government of India will not be able to pay that attention to its importance as it does really deserve. It is, therefore, in the interest of the Government itself if it does want to help the poor to specify the article or articles which they want to be controlled and those articles must be those which are of daily necessity to the poor people both rural and urban. No differentiation need be made between the two. It is, therefore, very necessary that serious consideration is paid to the points that have been raised from this side of the House; and although we lack in numbers, I must say that the monopoly of wisdom does not lie in the numbers alone. It will ill-befit the Government if it ignores the advice given from this side of the House.

Minister for Development (The Honourable Sardar Baldev Singh) : Sir, I am in entire agreement with the mover of the resolution and the views expressed on it by other members of the House. Everybody recognises the necessity of controlling prices, but, as some of the members have pointed out, control has not proved effective. I agree, but that is no reason why control should be removed altogether. I am convinced that if control is entirely removed, conditions will become most difficult. That is why we have accepted the principle that there should be control, and that, where possible, it should be effective. I admit, as some members have also pointed out, that there should be a general control on all the articles, but I am afraid this has not been possible up to now. I would say a word in reply to my honourable friend, Sardar Santokh Singh, who put a direct question to me as regards my views about the price of wheat. I do not hesitate to say that I did plead for an increase in the price of wheat and I am still of the same opinion to-day, but my reasons were quite different. My one reason among others was that when there was no control over other articles which were necessary for an agriculturist to produce wheat, what justification was there for the Government to fix the price of wheat and at such a low level? I stick to-day to the same view. I hold that if they want to stick to the same price of wheat as it is to-day, they must also control the price of other articles which are necessary for an agriculturist to produce wheat. I do not think I would say more at this stage except to point out that this subject is not entirely within our control. We have to be guided by the

Government of India and there are several difficulties besides. One of the most important of these is transportation. But I can assure the House that the Punjab Government is doing its best to ensure that every citizen of this province, irrespective of the fact whether he is an agriculturist or non-agriculturist, urbanite or ruralite, should obtain the necessities of life at as cheap a price as possible.

(At this stage Mr. Speaker resumed the Chair.)

Sardar Santokh Singh : If this is the position why put the word "agriculturist" in the resolution itself? The Honourable Minister has said that he fully agrees with every word of the resolution.

Minister of Development : If my honourable friend had waited for a little moment, he would have been satisfied that I was going to say that the Government accepts the amendment moved by my honourable friend, Shaikh Sadiq Hassan (*Hear, hear*). I assure the House again that the Punjab Government will do whatever they possibly can to ensure the supply of articles for the citizens of this province at as cheap a price as possible and I hope we will succeed in persuading the Government of India to fix up such a control as may be effective. (*Cheers.*)

Mr. Speaker : The question is—

That in line 3, after the word "agricultural" and before the word "classes" the words "and poor urban" be added.

The motion was carried.

Mr. Speaker : The question is—

This Assembly recommends to Government to convey to the Government of India the wishes of this House that the prices of the articles which agricultural and poor urban classes have to purchase for their domestic or professional requirements should be controlled like the prices of foodgrains.

The motion was carried.

ALLOTMENT OF FUNDS FOR AMELIORATION OF THE CONDITION OF DISCHARGED SOLDIERS

Rai Bahadur Lala Sohan Lal (North Punjab non-Union Labour),
(*Urdu*) : Sir, I beg to move—

This Assembly recommends to Government to convey to the Government of India the earnest suggestion of this House that an amount of at least Rs. 150 crores out of the Central Revenues should be placed at the disposal of the Punjab Government for being spent on schemes calculated to ameliorate the condition of the discharged Punjabi soldiers after demobilization.

I have moved this resolution with the object of bringing to the notice of the Government of India that they should pay attention from now towards ameliorating the condition of those gallant and young sons of the Punjab who have left their homes, their education and their business and various engagements to fight battles in the far flung battlefields all over the world. They are making sacrifices for their country and the British Empire. It is, therefore, meet and proper that when after the war our men are demobilized and thousands of them become unemployed the Government should make a provision for their relief.

In the last war soldiers, after demobilisation, were cold-shouldered and a tremendous amount of misery prevailed among those thus discharged. But such a thing should not be allowed to be repeated after this war. We should do everything to enable

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demobilised soldiers to live like before. The sum of Rs. 150 crores mentioned in my resolution should be spent on schemes calculated to ameliorate their condition.

It should not be understood from the resolution that this sum is being demanded for the Punjab only. An amendment in this connection is being moved by my honourable friend Mir Maqbool Mahmood. It is the duty of the Government to do their best for the soldiers who are now fighting in various theatres of war. My object is this that whatever sum the Government of India sets apart for this particular purpose, the Punjab and the other provinces should get in proportion to the number of men recruited to the army from the respective provinces. It may be 40 per cent or 50 per cent according to the number of soldiers it has supplied to the army. The Honourable Premier has already done splendid work in war efforts and is striving his utmost in this direction and I am sure he will succeed in persuading the Government of India to act in this resolution.

I would like to say that the Government may form departmental committees, either provincial or central, for devising best ways and means to carry into effect this resolution when the sum asked for is sanctioned by the Government.

Mr. Speaker : The resolution moved is—

This Assembly recommends to Government to convey to the Government of India the earnest suggestion of this House that an amount of at least Rs. 150 crores out of the Central Revenues should be placed at the disposal of the Punjab Government for being spent on schemes calculated to ameliorate the condition of discharged Punjabi soldiers after demobilization.

Mian Abdul Aziz : Sir, the speech which the honourable mover made in support of this resolution was to the effect that 150 crores be placed at the disposal of the Punjab Government for the Punjab soldiers after demobilisation. In his speech he also said proportionately throughout India. What does he mean by this ?

Premier : He anticipated the amendment which is being moved.

Mir Maqbool Mahmood (Parliamentary Secretary): Sir, I beg to move an amendment—

That for the words from “placed” to “demobilisation” in lines four to six of the resolution, the following may be substituted :—

“ allocated to the Provincial Governments, in proportion to the number of combatants furnished by their province in the present war, to assist in the post war reconstruction with special provision for rehabilitating the soldiers and their families ”

Rai Bahadur Mukand Lal Puri : What is meant by combatants ?

Mir Maqbool Mahmood : Combatant means combatant.

Rai Bahadur Mukand Lal Puri : I want to know whether the honourable member wants to confine the grant to those men only who joined the combatant ranks and whether he wants to exclude persons who enlisted in the army, but who were not in the combatant ranks.

Mir Maqbool Mahmood : If my honourable friend will wait he will have an answer to this question.

Sir, the amendment which I have the honour to move supports the principle of the very laudable resolution moved by my honourable friend Rai Bahadur Lala Sohan Lal. It seeks to make two differences in detail

with regard to the application of that resolution. The first point is that whereas my honourable friend wanted this money to be earmarked for our province: My amendment seeks to place it at the disposal of all the provincial Governments. My amendment suggests that the amount may be earmarked for the whole of India and that it should be distributed proportionately to the combatants and actual fighting soldiers supplied by each province. I will now give reasons why I have suggested that such an allocation be made. The amount to be allocated to the various provinces is to be distributed not only among the combatants but among the families of the soldiers no less than the soldiers themselves. In the resolution moved by my honourable friend opposite he has limited the distribution to ameliorate the condition of discharged Punjabi soldiers on demobilisation. My amendment seeks to extend the application of this to all those whether they are soldiers or the families of the persons who gave their lives in the War: their families should not be deprived of the benefits from this amount. In making this amendment let me make one thing quite clear. Some of my friends have asked me to elucidate whether it is proposed, by bringing in post-war reconstruction, that any portion of this is going to be used outside the soldiers and their families. I wish to make it clear at the outset that the resolution does not contemplate any of the amount to be spent outside the families of the soldiers in the scheme for post-war reconstruction. On that basis I feel confident that the best and solid opinion of the province and of all parties will align in support of the resolution. Sir, this is not a party resolution and if I might submit this is an all-parties resolution representing the province of the patriotic Punjabis. I feel confident and I appeal to my honourable friends of the opposition to lend to this resolution the support which the public opinion of the Punjab demand should be given to this resolution. Let it not be understood that by this resolution we are asking as mercenaries the price of the soldiers who are bearing so many difficulties and privations outside this country. I am sure, there is none so devoid of sense or devoid of patriotism and sense of realism to suggest that the sum of 150 crores is the price of the privations and the lives of the most valiant Punjabi soldiers who are fighting outside for their country. I am sure nobody will insinuate any such suggestion. After all we know that 20 crores is the daily expenditure on war and six or seven days' expenditure of the war to be secured for this purpose is not something for which we should really be apologetic, but it is a token of the affection which we owe to those who are giving their lives leaving their families behind so that all of us may be saved and the world may be saved.

So far as the share of the Punjab is concerned, I would invite the attention of the House to the most pregnant words used by His Excellency the Viceroy when he himself addressed the Rawalpindi Durbar on the 19th of October. This is what His Excellency said about the Punjabi soldiers—

“Wherever in the world there is talk of brave deeds and soldier-like qualities of endurance and fortitude, the men of this land are brought to mind. Here for centuries generations of sturdy farmers have won their harvests from the hard earth, and have defended their heritage with courage and resolution. Since the dawn of the history India has bred famous soldiers; the hills and the plains which surround us can justly claim to be a

[Mir Maqbool Mahmood.]

cradle of heroes, a soil which has nourished the flower of India's Army. There are among us to-day brave men who fought for freedom and civilization in the last World War, and now these too precious jewels are in peril once again, their sons and grandsons are keeping bright and sharp the sword they forged and are facing our common enemy with the same stout shield."

I would like all sides of the House to mark these words—

"On every battle-field of this war, where our armies are fighting and have fought, Punjabis have won fresh laurels; in France and the Middle East, in East Africa, in the Far East and in Burma. And where our armies stand on guard, or eagerly await the order to attack, there are Punjabis to be found, valient wardens of their native land and loyal upholders of the United Nations cause".

These are the words every patriotic punjabi should feel proud of. If those brave soldiers stayed in the country, they could have very easily earned an easy living here. But they have not done that. They have decided to leave their friends, their children and parents to face the privations and troubles which they are facing to-day so that we may live safely. I have personal knowledge of many brave men with independent means who have taken up the arduous duties of a combatant's life so that the fare name of India may rank high in the roll of honour of the world to-day. Not only that. There is another aspect of the question which should not be ignored. I am one of those persons who believe that the darkest periods of the war are now over and instead of defence we are now going to strike the enemies from different fronts so that a steady victory may emerge. In the past when we said disarmament we meant disarmament while our enemies were busy in armaments. They have had their day and now the time has come when the righteous cause will be upheld. It is our duty to claim from the Government of India to make a solid gesture, a substantial gesture and make substantial contributions for rehabilitating those brave men when they come back.

I beg to commend this resolution for the willing support of this House. I feel confident for the support of all sections of the House. I do hope that the Finance Department or any other Department will not show any other spirit but the right spirit towards this resolution. I hope that this resolution will be greeted by every one here so that the services of those brave soldiers who are fighting for us may be rewarded.

Mr. Speaker : Resolution under consideration, amendment moved is—

That for the words from "placed" to "demobilisation" in lines four to six of the resolution, the following may be substituted :—

"allocated to the Provincial Governments, in proportion to the number of combatants furnished by their province in the present war, to assist in the post-war reconstruction with special provision for rehabilitating the soldiers and their families".

Captain Sodhi Harnam Singh (Ferozepore North, Sikh, Rural (Urdu) : Sir, I rise to lend my whole-hearted support to the very salutary amendment which has been moved by my honourable friend Mir Maqbool Mahmood. I hope that the House will welcome it and pass it unanimously. I further trust that the Punjab Government will take necessary steps to

urge upon the Government of India that if this proposal is accepted, it should be forthwith carried into effect because every Punjabi is behind this resolution in its amended form. I hope that the Punjab Government will leave no stone unturned in making it clear to the Government of India that the whole of the Punjab is unanimous in supporting this proposal.

In this connection it will not be out of place to repudiate the charge which is often levelled against the Punjabi soldiers by saying that they join the army as mercenaries. Nothing is farther from truth than this charge. I strongly repudiate it. The Punjabi soldiers go to the battlefield not as mercenaries but as patriots. They go out to shed their blood in the defence of their motherland. They do not go to make a living. After all what is it that they get? Eighteen rupees cannot be the price of a soldier. No Punjabi would sell his head so dear. Even a beggar can make more money by walking through Anarkali than a soldier gets by joining the army. Eighteen rupees per month can easily be earned in the Punjab even without joining the risky service of the Indian Army. The real reason of Punjabis joining the Army is not far to seek. It is patriotism pure and simple which compels them to offer their lives for the cause of the freedom of the country. I am convinced that the sacrifices of the Punjabi soldiers will not prove in vain. They will certainly bear fruit. The Allies will win a complete victory and the Punjabi soldiers will come back with their tails up with fresh laurels. But after the successful conclusion of this War the strength of the Indian Army will not remain as high as it is to-day. Most of the soldiers will be disbanded from service. It is to meet that contingency that we require a sum of one and a half crores from the Government of India. This sum should be specifically reserved for the help of those Punjabi soldiers who will be disbanded from the military.

It is only fair that we should keep in view the betterment and welfare of persons who are making so much sacrifice for us. Rather it is our duty to do as much as we can for them. In my opinion this sum of Rs. 150 crores, which will be set apart from the revenues of the Central Government to be spent on the welfare of the Indian soldiers after the war, is a very small sum. I wish it to be increased ten fold. If the Government of India sanction this money then many schemes can be worked out which would provide great relief to the soldiers and their families. The son of a soldier who dies on a battle-field should have this assurance that somebody would look after his interest and that he would not be a loser in any case. As a matter of fact in this way we would be able to impart education and provide other facilities to him. This resolution if passed would encourage others, who have up till now been hesitating to come forward and offer their services for the prosecution of the war. They will also be in a position to give proof of their valourous spirit. With these words I support the resolution as amended.

Raja Ghazanfar Ali Khan (Parliamentary Secretary) (*Urdu*): Sir, I rise to support this resolution whole-heartedly. I congratulate my honourable friend Rai Bahadur Lala Sohan Lal for sponsoring it. In fact it is he who has got the privilege of representing the cause of those people, who are at this time making great sacrifices for freedom and civilization. My honourable friend, Mir Maqbool Mahmood, has just now quoted an

[Raja Ghazanfar Ali Khan.]

extract from the speech of His Excellency the Viceroy which he made at Rawalpindi. In his speech the Viceroy was pleased to observe that wherever in the world there was talk of brave deed and soldier-like qualities of endurance and fortitude the men of this land were brought to his mind. As a matter of fact this division can rightly take pride in the fact that it has offered 130,000 recruits in addition to the 50,000 soldiers already serving in the Indian Army. I think I would be failing in my duty if I do not make plain the fact that when our brave soldiers offered their services for the Army it never occurred to them that the Honourable Premier one day would ask any member of his party to sponsor a resolution of this nature in which a request would be made to the Government of India to sanction a big amount to be spent on the welfare of Indian and particularly Punjabi soldiers so that they should have no anxiety as to what would happen to them after the termination of the war. At that time the only thing which seriously engaged his attention was as to how this war could be brought to a successful conclusion. With that aim in view, our beloved Premier, at the outbreak of war, not in the position of the Premier of this Province, but in the capacity of Sir Sikandar Hyat Khan, assured the British Government on behalf of the martial races that everything possible would be done to bring this War to a successful end. In response to his appeal, or I should say as a result of his appeal, thousands of soldiers got themselves enlisted in the Army. Now this resolution has been sponsored at his instance in order to better the lot of the soldiers and their families. I have also risen to support this resolution. But I may tell you that I have neither stood up to support it on account of any fine feeling nor I have risen to lend my support to it on the ground that when the soldiers would return after the war some relief would be doled out to them out of this fund. My reason for supporting it is quite different from these. Sir, nobody can say with certainty as to what would be the result of this war. Whether the world would be better off or worse off after it nobody can tell. However there are two things in regard to which one can definitely express one's opinion. You are aware of the fact that after the termination of the last Great War some statesmen began to think that in future there would be no wars and so there would be no necessity of maintaining a standing army. But this time they would not commit the same mistake. Wars have been taking place and wars will take place and so long as this world lasts wars will continue to be waged for one reason or the other. Hence all countries will feel the necessity of maintaining a well-armed and well-equipped standing army. This is the first thing which will certainly happen. The second thing in regard to which one can express one's opinion with some degree of certainty is that India would become a free nation. (*Hear, hear*). I am positive that these two things will certainly come about. Now free India will have to maintain a very efficient, well equipped and an up-to-date army. How will we be able to keep such an army? This is a question which should seriously engage our attention. Sir, I am representing that constituency here in this House where if you go you will not meet any person who could enlist in the army but has not done so. I have toured my constituency a great deal and one thing has struck me most during conversations with the soldiers on leave. That is that warfare has become so

very scientific that it has become very difficult for a soldier and particularly an illiterate soldier of low social standing to prove himself of any use in the war. It is a miracle that our illiterate soldiers have in so short a time learnt the art of scientific warfare. Anyway the army which India would have to maintain will have to be given high education in technical and scientific warfare. This cannot be done unless and until we impart high education to our soldiers. Besides we will have to raise their social standard as well. So long as that is not done we cannot and should not hope to maintain a first class army in India. This money, if sanctioned, will be spent for the above-mentioned purpose. We all are much indebted to the Leader of the House at whose instance this resolution has been sponsored. He has at heart the welfare of our soldiers who are dying for upholding the cause of freedom and civilization. Anyhow if this money is sanctioned it will not be distributed by way of charity, but it would be spent on the welfare of the soldiers and their families. In my opinion the best way to better the lot of the soldiers and their families is to open schools in such ilaqas where the sons of soldiers should be imparted education free of any charge. Moreover, military schools should be opened there so that the sons of soldiers may learn the art of warfare from the very start. That is the reason why I have stood up to lend my support to this resolution, because I regard it as something good in the interests of India itself. I do hope that the Government of India, keeping in view our past sacrifices, old traditions and future necessities, will not hesitate to sanction this sum. We have no jealousy with other provinces. In fact we have provided in our resolution that this sum of 150 crores of rupees be allocated to provincial governments in proportion to the number of combatants furnished by their provinces in the present war. With these words I whole-heartedly support the resolution as amended.

Sardar Santokh Singh (Eastern Towns, Sikh, Urban): I rise to support this resolution as amended by Mir Maqbool Mahmood and I do so whole-heartedly. We on this side feel equally with our friends on the ministerial benches that something substantial must be done for the soldiers who are fighting our battles abroad and although the chief burden of taxation for this expenditure will fall on the urbanites, I do not grudge them this relief. (*Hear, hear.*) I only hope that this relief will not be confined to combatants alone but will be extended also to other people who have joined the armed forces of the Crown, I mean mechanics, drivers, etc. (*Hear, hear.*) With these words I whole-heartedly support the resolution.

Khan Sahib Chaudhri Sahib Dad Khan (Hissar, Muhammadan, Rural) (*Urdu*): Sir, I rise to give my unstinted support to this resolution. I may point out that during the last War I served as Joint Secretary to the War League of my district. I can say from my personal experience and knowledge that when the discharged soldiers of the last war returned to their native villages, they were in a miserable plight, as they did not have sufficient means with which they could support their families. As a matter of fact the Government had done nothing to set aside any money to be spent on schemes calculated to better the condition of the demobilised soldiers or their families which had been left destitute owing to the death

[K. S. Ch. Sahib Dad Khan.]

of the male members. This resolution seeks to improve the soldier's lot after return from the successful conclusion of the present war. This Assembly is to be congratulated for recommending such a resolution which would certainly send a wave of enthusiasm among the gallant soldiers who are risking their lives for the safety, honour and integrity of our country. We are demanding an amount proportionate to the number of combatants furnished by the province in the present war. I have the fullest confidence that the Government of India would undoubtedly sanction the grant of this amount which is to be utilised on a very useful work of rehabilitation of the soldiers and their families.

Then I have to make an observation in regard to the disbursement of this amount by the Government. As you are aware, Sir, two divisions in the Punjab have surpassed all the other divisions in the matter of providing recruits to the Army. My honourable friend Raja Gazanfar Ali Khan has already made a mention of one division, i.e. the Rawalpindi Division. The second division which enjoys the privilege of sending the largest contingent of recruits is the Ambala Division. My submission is that when that amount is available for making allocations to the different districts and divisions, the Ambala Division should not be cold-shouldered but services rendered by it should be fully recognised and properly rewarded. I am laying stress on this fact because I have a bitter experience of the last war, when after its conclusion gallant soldiers of this division were ignored. I have a strong grouse against the Government for their ignoring the services rendered by the Muslim Rajputs of Hissar, who have been systematically accorded step-motherly treatment in the matter of share in the government services. If ever the discharged soldiers requested for help from the Government in the form of providing their sons with some posts or the families of the deceased heroes of the last war applied for financial help, they were flatly refused. This fact has been like a festering sore with the Muslim Rajputs of Hissar.

Even now their services in the last war are being recognised in the shape of cancellation of their arms licences which they had got for self-protection. This is really very sad state of affairs. They pay to the provincial exchequer large sums as land revenue and other government dues. But the pity of it is that their claims are passed over at the time of appointments, grants, etc. Besides, I belong to a village, which has provided 1,600 able-bodied young men now serving in the army. Honourable members would be surprised to know that out of this number no less than 1,200 have gone overseas and are serving at various theatres of war. (*Hear, hear.*) I have mentioned this fact to show that the Muslim Rajputs of my ilaqa are inspired with patriotic motives and noble feelings of service to their motherland. They have forgotten the ill-treatment which they received after the last war. But what has been the result of their sacrifices? Not even one scholarship has been awarded to a boy in that village. I do not make secret of the fact that this unprecedented recruitment has not at all materially benefited this village. I confess I have been a little outspoken in this matter. But I could not help bringing facts to the notice of the Government. I am sure this time liberal treatment will be meted

out to the gallant soldiers of my ilaqa and adequate arrangements would be made for their rehabilitation.

Rai Sahib Chaudhri Suraj Mal (Hansi, General, Rural) (Urdu): Sir, I rise to offer my whole-hearted support to the resolution under consideration. I may point out that the need and significance of this proposition can be fully realised only by those whose kith and kin are serving in various theatres of the present war. My honourable friend, Chaudhri Sahib Dad Khan, has told us how step-motherly treatment was meted out to the discharged soldiers and their families after the conclusion of the last war. This resolution augurs well for those gallant soldiers who have jeopardised their lives in the present war for the safety and honour of their motherland. It is a matter of common knowledge that the demobilised soldiers of the last war were cold shouldered in the matter of grant of rewards or other amenities calculated to ameliorate their condition. I need not mention that the children and the families of the soldiers who laid down their lives in the last war for the preservation of the British Empire were in a miserable plight. Nobody, not even the Government, cared to look after them. But the soldiers serving in the present war are in a happier position. The resolution under discussion seeks to improve their lot by allocating a substantial sum to be utilised on schemes calculated to rehabilitate the discharged soldiers and their families. This resolution will enthuse our soldiers because they will feel that they have risked their lives for a noble cause and the Government of their province, as a token of appreciation of their chivalry, contemplates making arrangements for their betterment when they go back victorious. I am of the opinion that this resolution is a symbol of the recognition of the meritorious and valuable services which our gallant soldiers are rendering for safeguarding the honour of their country. We all know that the peace and tranquillity, which we are enjoying here, is the result of the selfless sacrifices made by these brave soldiers. Hence it is only fair that, on their return, we should do our best to rehabilitate them and their families. As a matter of fact no help or reward would be too great in comparison with the sacrifices made by them.

I feel that the amount demanded in this resolution is not sufficient to provide adequate help for them, but as something is better than nothing, I am sure, the Government of India would see their way to grant this sum, which is undoubtedly to be utilised for a laudable object. Then I have to make this submission that in the event of our getting this amount, its disbursement should be made in the most judicious and equitable manner. The claims of those soldiers and their dependents, who have gone overseas, should receive the first consideration of the Government. With these words I strongly support the resolution and I am sure that this is the first resolution of its kind, where all sections of the House stand united behind it.

Mr. P. H. Guest (Punjab Commerce and Industry): Sir, as I was listening to these speeches, I felt how happy I would be that instead of the political divisions that we normally experience, we could have a competition as to which of the areas, Rawalpindi, Ambala or other areas were doing the greatest to succeed in the war effort. But I must confess that when I first read the resolution I had certain qualms and I felt, when I saw that there was a question of 150 crores of rupees to come to the Punjab, that that was

[Mr. P. H. Guest.]

a product of wishful thinking. When I saw the amendment I must also confess that I began to feel a little suspicious because the one thing in both the original resolution and the amendment which had to my mind been omitted, and fatally omitted, was the precise wording which clearly demonstrated that whatever sum of money was likely to be received from the Central Government that sum was to be used solely and exclusively for, first, the dependents of those who had given their lives for us all and, secondly, for those who being a little more lucky came back to serve the country here. Now it is subsequent to the speech of the honourable mover of the amendment that I find that I was perhaps rather hasty in my conclusion. But I still do feel that the amendment might have been more happily worded so that there would have been greater precision in the application of the money that we are asking for, and that this money must entirely be used for soldiers and their dependents on their return. Now that has been clearly explained and it is now on record. So I feel much happier, and I also feel that the other points raised in explanation make the matter even clearer. It has been specifically stated that whilst the original resolution omitted the question of payments to dependents of those who lost their lives, that has been put right now and the other point has also been put right that the 150 crores is merely the total that is asked for in India and the Punjab province merely asks for its share on the basis which cannot be controverted, the basis of the brave soldiers who have been active in defending India's soil.

I have only one other comment to make and that is, I am very pleased to know that the House is unanimous as regards the resolution and the amendment and also that the allocation of the money is to be judged purely by the definition of the combatant soldier and his dependents. That will include Muhammadans, Hindus, Sikhs, Anglo-Indians and domiciled Europeans. It will include everybody. With these words I have great pleasure in supporting the amendment.

Premier (Lieutenant-Colonel the Honourable Sir Sikander Hyat-Khan): Mr. Speaker, I congratulate my honourable friend, Rai Bahadur Lala Sohan Lal, on being fortunate in the ballot and having drawn this resolution. The printed list of this resolution shows that there are many other members who also gave notice of this resolution. I am glad, however, that my honourable friend, Rai Bahadur Lala Sohan Lal, had moved this resolution, because he is not only a leading businessman and a leading commercialist in this province, but he is also a leading urban public spirited gentleman. (*Hear, hear*). I am very glad that this resolution has been moved by an urban magnate, and that it has received the universal approbation, acclamation and support from all sides of the House. It shows beyond doubt and beyond contention, that on the question of war effort and the welfare of our gallant brethren who are risking their lives in countries far beyond the Punjab, we stand solid behind them. (*Hear, hear*). That is the significance of this resolution and that is the special significance of the universal support which it has received from all classes, all sections and all communities. I am sure that in this matter we in this House are reflecting the true sentiments, the solid opinion and the genuine feelings of the province as a whole.

With regard to the resolution, I have great pleasure to lend my whole-hearted support to the resolution as amended. I do so because it is a matter of genuine pleasure to me whenever I can be of any help and of any service to those brave people who have not hesitated to risk their lives for our sake, for the sake of our country, for the honour of our country and for the safety of our country. One of the reasons why, as several members have mentioned in their speeches, it has been necessary to move this resolution is that sometimes even the authorities require a little reminding and in this particular matter I think that we, as the premier province which is the sword arm of India, have a legitimate right to draw the attention of the Government of India and the authorities concerned that they must not forget the soldier after he has done his duty, as was done after the last war. I myself share the views of those honourable members who have had better experience of the treatment meted out to the demobilised soldier after the last war. I know that, with a few honourable exceptions, a few months after that war the ex-soldier was forgotten. But I must ask my friend that they must not treat the present war as the last war. That war was fought primarily for the British. This war we are fighting primarily for our own country, for the honour of our country, and if I may say so, for the safety and freedom of our country. (*Hear, hear*). That is the main difference between the last war and this war. Many of us who had the privilege of participating in the war effort know that a few months after the last war, when ex-soldiers who had served abroad went to local officers and said, 'Sir, I have done my best; I went overseas; I fought in Flanders, I fought in France, I went to the Frontier and fought there. Now my son is here and I shall be glad if he is given some post', in most cases though there were honourable exceptions and there were officers who throughout consistently took a personal interest in the ex-soldiers—generally speaking, the answer used to be, 'Oh yes, there were 300,000 who fought. How can you expect everybody to be provided?' That was the general answer given a few months after the last war. Therefore, we want to make sure that those who have gone at our request to fight our country's battle do not receive that step-motherly treatment this time. I am sure that this House which has unanimously supported this resolution to-day, would see that not only this resolution is accepted, but when the soldiers come back to our province, everything possible is done to see that their condition is ameliorated and that they come and live as heroes who have fought and won their country's battle. (*Hear, hear*).

Sir, this particular suggestion of a substantial contribution to the province for the soldiers and their families is not a new plan. As a matter of fact, probably 18 months ago, this matter was mooted and I must pay public tribute for their attitude to the higher military authorities, to the Commander-in-Chief, to the General Headquarters and in particular to that distinguished Punjabi official, Mr. Ogilvie, the Secretary of the Defence Department, to whom we owe so much. He has always taken very keen and personal interest in the welfare of the soldiers and it was he who originally mooted the proposal that we must try to make suitable provision from now for the rehabilitation of the soldier and his family. It was about 18 months ago that he made a suggestion to that effect which I believe was

[Premier.]

considered by the Government of India. It was obviously well received and the provinces were asked to put up proposals for the amelioration of the ex or demobilised soldiers. That matter is still under consideration and we are doing everything possible to support it. In the course of discussion on this proposal, the pay of the soldiers has also been considered and has been slightly increased. Nevertheless, comparatively speaking our soldiers are getting a much lower salary than their other comrades-in-arms. Our soldiers are not calculating or mercenary. They may be poor but they would generally prefer a lower paid military job to a civil post of Rs. 50 per mensem. This is so because with them it is a question of *izzat* and tradition and not a question of office or bread. At the same time even though our soldiers may not complain, it is our duty to realise that they are not being adequately paid. It is our duty to bring it to the notice of the authorities concerned that their pay is inadequate and not commensurate with their dignity, with the duty on which they are engaged and with the risks which they cheerfully run. Since the war began their salary has been raised no doubt by an aggregate of Rs. 6. or so. In addition they are in receipt of certain allowances which in some cases almost double their emoluments. We are grateful for it. But let us not forget that their comrades-in-arms from other countries are paid much more. Take America. We cannot afford to pay the same salaries as they do. An American sergeant, I understand, is paid about eight hundred rupees per month. We may not be in a position to pay as much to our soldiers. Let us, however, recognise certain patent facts. When I went to the Middle East, I found that everywhere the Indian soldier was held in respect and esteem and socially also he was on the same footing as the Australians, Newzealanders or South Africans. Moreover, the Egyptians were so hospitable, particularly to Indians, that every week they used to send two hundred or three hundred buses to relief camps to take the soldiers to picnic parties, shows, dinner parties and so on. Our soldiers felt that they must return that hospitality and I know that the Indian soldiers always returned that hospitality even though it had been a big drain on their small resources. I feel there is a strong case for a very substantial increase in their salaries. (*Hear, hear*) and (*Loud Applause*). I feel confident that the Government of India will in due course consider this matter. We are thankful for the increase in salaries already given. We appreciate that, but I am sure that the whole House would desire me to stress and emphasise that the increase is not adequate and that further increase is necessary to do justice to the brave soldiers who are fighting the stern battle of our motherland.

Sir, there appears to be some misapprehension that the amount suggested in this resolution will be spent on combatants only. That is not the intention. The resolution as amended merely suggests that the distribution should be on the basis of combatants furnished by each province. And I may state for the information of my friends, who may not be aware, that the definition of a combatant is much wider than it used to be before this war started. For instance, transport drivers were formerly non-combatants but now I understand they are not so when engaged in actual operations. The only people who are now non-combatants are the camp

followers and some of the technical people who work out here in workshops and not on the battle field ; in the field service almost every body is a combatant. Let me, therefore, make it quite clear that my object in asking for this money is not to confine the benefits of the resolution to those who are termed combatants but to all ex-soldiers who have participated in this war and their families (*Hear, hear*). Sir, our main problem after the war would be to raise the standard of the people. Its need is obvious and imperative. We have at the moment nearly half a million of our people serving with the colours and there are, besides the non-combatants, technicians and others who have gone abroad and are being accustomed to a high standard of living. It is our duty to see that we not only maintain the standard for them but also bring up the standard of others, their families and those who come in contact with them. As such it will be the duty of the provincial Government to see that the standard throughout the province is raised so as to bring them up to the standard of half a million people or more who will come back to this country with ideas and views broadened and with standards of living much higher than the present. It is going to be a very big and urgent problem. The amount of 150 crores suggested in this resolution might seem a colossal sum, but I assure you that it would be like a drop in the ocean. After all, this sum will have to be divided amongst five million people in the colours, and I hope by the time the war is over—I hope it will be over soon—we shall have about 750 thousand people with the colours. If you divide this sum by half a million it won't come to more than a hundred rupees per head. You cannot do much with hundred rupees per head but if that amount is judiciously and carefully spent for the welfare of the soldiers community as a whole, we might be able to achieve something tangible and give the soldiers an improved standard of living in this country. Accordingly, this resolution is merely a token to show that we have not forgotten our brave soldiers and that we have got their interests always in sight. That is why we are requesting the Central Government to set about this matter and make arrangements from now in order to be ready to meet the requirements of our soldiers when they come back. They should know that they are not going to be treated as they were after the last war.

Sir, since this proposal was originally mooted, the Defence Department has been split up into War Department and Defence Department, and the new Defence Department among other things, has been given the responsibility of post-war reconstruction. I am glad that this subject is now in a department which is presided over by a martial Punjabi (*Hear, hear*) who will, I feel confident, take advantage of the ground already prepared and with his powerful support will get this proposal through. We can rely on him to explain to his colleagues of the Finance Department and others that this amount is really not much in view of the objective in view. Moreover, I understand that the purchases in the Supply Department alone cost the Government of India about 20 crores a month. If only an amount equivalent to a small portion of that money is set apart or earmarked for soldiers every month, it would not mean any big additional burden. I am sure that you will all join me in requesting the Defence Member, our ex-colleague and friend, Sir Feroz Khan Noon, that he may lend his powerful support to this proposal and see it through as quickly as possible.

[Premier]

As regards scholarships to which my honourable friend Sahib Dad Khan referred, he is doubtlessly aware that we have sanctioned scholarships for both the sons and daughters of soldiers.

We are trying to provide special schools for soldier's children in villages which have done well in recruiting during the present war. So far as the recognition of the war services is concerned, the Punjab Government have reserved practically every post, which we can, for ex-soldiers when they come back, but that would be a drop in the ocean, because we have only a few hundred posts which can be given from the highest to the lowest. Moreover, we have reserved land which was earmarked for auction and kept it for our soldiers and their families. My friend the Finance Minister would be able to tell you that we would have been able to sell these lands at five times and even ten times the original normal price. But we are holding all these lands and keeping them for our brave soldiers who are fighting our battle. That is what we have done. If the voice

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of this House can reach our brethren abroad, let them know that their memory is always fresh in our minds, that their future always exercises our minds. Let them know that we are doing our very best to give them a reception worthy of great heroes as they are. If our voice is carried to them, and I trust the Reuters will carry this voice, they will know that the sword-arm of India is not only the sword-arm of India but it is also the protector of India and winner of the freedom of India. Those brave soldiers abroad are fighting for the freedom of our motherland. They are fighting to protect us and the honour of our country and they are always nearest to our hearts. God bless them ! (Cheers).

Sardar Teja Singh Swatantar (Lahore West, Sikh, Rural) (*Punjabi*)

Mr. Speaker, previous to me, many other honourable members have given vent to their orations in the frenzy of heat. With regard to this resolution, I submit that apparently it seems very commendable, its language is very encouraging and its motives appear very sincere. It aims at helping our those brethren who are fighting in the battle-fields and who are shedding their blood desperately. It aims at the betterment of those lucky soldiers who will come back safe and sound from the battle-fronts to their homes. It is all very well to say that it aims at achieving a Utopia for them. But the stark-naked realities connected with the experience of the previous wars compel us to believe that the after effects of wars are too horrifying to describe. Sometimes it had been fairly difficult for the governments of the day to control the situation created by the post-war demobilization. Often it is observed, that the governments of the day yield to the management of such unwieldy situation. It is invariably noticed that the political and economic notions of the day imperceptibly give place to the propensities of waging war and prosecuting war. People begin to think in terms of war. The contrast between these two aspects of life, namely, during the war and immediately after the war should be clearly understood. The recruitment to the Army goes on. It means men are gradually taken away from the economic, political and other spheres of life and absorbed in the war machine. The small wounds caused in the economic life by recruitment and increasing expenses are however healed, and the country adjusts itself to new conditions. But when after the war huge forces

are demobilised, a sort of flood overtakes the whole country. And there seems to be no way out of this chaos. In foreseeing those impending chaotic times, and to cope with the demobilization troubles the resolution, now before us, is recommended to the Government. But I assert that the resolution is impracticable. I have still to go deep in its interpretation.

Now leaving aside the digression I have indulged in, I turn towards the defects too apparent in this resolution. Firstly, the language is very vague. It means that the Government wishes to cast asunder its own trying problems to be solved by others. Secondly, it is not practicable. I assert that 150 crores is too negligible a sum for this purpose. It is rather just equal to a drop in an ocean as the Honourable the Premier has said. The amount of Rs. 150 crores which they were asking for, though so small a sum from the point of view of those who wanted to give relief was one and a half times more than the annual budget of India. If we see the other way, we will note that our army is gradually increasing day by day. It is quite certain that our supplementary budget will go on increasing appreciably. The reason is that to defend India, we need 80 lakhs soldiers. We cannot meet this demand merely from the Central Budget. This sum is too insignificant for the purpose. Then under the pressure of such harassing needs what will be done? It is obvious that the budget will increase to an alarming extent. Unfortunately even to-day, India is buried deep in public debt but still its debt will increase more and more. The present embarrassing predicament exhorts us not to bewail upon the calamity. This much is sure that this sum of 150 crores will seriously tell upon the Indian finance. Its effect will be realised after the war is over. The colossal amount of public debt that will result from financing the war may throw the Central finances out of gear, and a financial crisis may ensue, which may, in its turn, cause general economic crisis and lead to governmental or political crisis.

This resolution has been brought before the Government with a view to meet the unforeseen contingencies. It aims at the betterment of the economic life of the Punjab at the expense of the Central finances. That may lead to the collapse of the whole economico-political system of India. To me, therefore, this resolution seems highly impracticable and too inadequate to cope with the post-war situation. Perhaps my honourable friends who are sponsoring this resolution do not fully realise the financial crisis that will be caused after the conclusion of hostilities. Huge problems are sure to crop up as soon as the war will come to an end. When the storm of war stops, the whirlwind of the problems of peace will suddenly appear and demand an immediate treatment. What is the solution that this resolution seeks to offer? One hundred and fifty crores of rupees for the welfare of the demobilized soldiers. It will not do. On the other hand this resolution will not serve even the present problem of winning this war. After all what is it that this resolution comes to? It boils down to this that the Punjab Government desires to attract fresh recruits by dangling before them the reward of 150 crores of rupees which will be given to them after the successful conclusion of the war. I will make bold to say that this is the old method of raising professional

[S. Teja Singh Swatantar]

armies. But in order to win this total war, some modern method of raising armies is required. This system of offering rewards and the mentality of expecting rewards are both out of fashion to-day. I condemn this mentality of raising mercenaries. When nations fight against nations, mercenaries afford but little help. What is required is the national spirit in the soldier and not the expectation of rewards. I would therefore appeal to the Government to make people war-minded by making this war a people's war and not only the war of the Government. Let the Government be the people's Government and the war of the Government be the war of the people. This cannot be done unless and until the public at large is given to understand that they are free and they are to fight for the sake of saving their own freedom. The people should clearly understand that if they win the war, it will be their own victory and not the victory of their masters who want to keep them under their own thumb. Unless this change is brought about and until a national government is established in the country and the repression stopped the people's enthusiasm cannot be sufficiently roused to prosecute the war to its successful conclusion. The Punjab Government is only shelving the real problem by passing this resolution and transferring the burden of its own responsibility to the shoulders of the Government of India. I am basically opposed to this method of the Government. This approach of the Unionists is very wrong indeed. They are following the old imperialistic ways of raising the armies. I will say unto this Government "Ring out the old and ring in the new". Old methods will not help you if you have really the winning of this war at heart. Tell the people frankly that they are to defend their own home and hearth because after this war they will be the absolute masters of their own affairs. It is no use keeping the soldiers in the dark about the real state of affairs. If you are fighting to maintain the slavery of the country, then no amount of rewards will attract sufficient number of recruits or infuse in them the necessary spirit of fighting with their back to the wall. Some more practicable steps than this resolution ought to be taken, and in this behalf I wish to lay before you certain proposals for your careful and sympathetic consideration.

In the first place such an atmosphere should be created in the country as would be conducive to the successful prosecution of war. The only way of doing so would be to establish national Government in the centre at once. That will change the outlook of the people and they will begin to look upon this war as their own war.

My second submission in this regard is that mostly the sons of *kisans* and poor agriculturists are recruited in the army. Now if these *kisans* find that the Punjab Government is prepared to lighten their burdens and ameliorate their condition, they will become all the more ready to lay down their lives for the defence of their country. One method of pleasing the *kisans* would be to lighten their burden of land revenue and other Government dues. Let the Government announce a substantial reduction in the land revenue and there will run in the minds of the poor *kisans* a new wave of enthusiasm for giving their sons and money in this war.

My third suggestion is this, that the debts of the cultivators should be scaled down. The recovery of debts should be postponed till a year after

the war. (Premier : We have already done so). Then there is the question of begging money from the Government of India.

I do not like the idea of passing on our own burden to the shoulders of another Government. Let the Government of India give so many crores of rupees. But that sum will not do. We will want more money for this purpose. The best method of raising funds for that purpose would be to levy a tax on those who have the capacity to pay. There is no dearth of big landlords, capitalists, and fat salaried people in the Punjab. Why not tax them? All those officers who are drawing high salaries and all those zamindars who own large estates, should be ready to part with their spare money and property in order to help the poor peasant soldiers.

Furthermore, there are several Crown lands which can be allotted to the poor landless peasants of the Punjab. I do not like the policy of giving squares of land after the war. Squares of land should be given right now to the families of those soldiers who have gone to the front. Why should the Government wait till they are killed or till they return crippled? Moreover the system of awarding Victoria Cross after the death of a person is not a healthy one. Let the living soldiers or their families enjoy the rewards. The poor *kisans* who have offered their own kith and kin in the war, should be granted land right now.

It is a pity that even when this Government has powers to do certain things to promote the war efforts; it does not do that. It spoils it by doing so in the wrong manner. Take the case of granting lands to those who help in the war effort. Government grants land to those who offer recruits and not to those who have actually gone to the battle front or to their families. If a person has given 40 recruits, he will be granted a few squares of land. But what about those poor 40 soldiers who have actually gone to defend their motherland? It is they who should receive the reward and not the persons who sent them. There is a tendency in the mind of the Government to create new landlords by granting lands to those yes-men of theirs who offer recruits to the army. I strongly deprecate this tendency. A new class of landlords should not be created.

In conclusion I would like to make one suggestion which will certainly pinch big landlords who are so vehemently supporting this resolution. That is that all those tenants who have joined the armed forces should be declared as owners of those lands of which they are up till now considered as tenants. (Hear, hear). In this way the goodwill of the *kisans* can be gained and war efforts can be promoted. I do not propose to say anything more with regard to this resolution and I therefore close my speech.

Khan Bahadur Shaikh Karamat Ali (Nankana Sahib, Muhammadan, Bural) (Urdu): Sir, I had no mind to take part in the discussion to-day, but the speech of my honourable friend who has preceded me, has induced me to do so. However, before I proceed with my speech I would like to quote a verse of *Saadi*, the great Eastern poet. I have always been reminded of it and I think that the present opportunity has been offered by circumstances to practically demonstrate its significance. The poet says—

اے ترا خار خارے دیا نشکستہ کے دانی کہ چیست
حال ترا نے کہ شمشیر بلا بر سر خوردند -

[K. B. Sh. Karamat Ali]

In reality these are the feelings which can arise in the minds of soldiers and which have so aptly been described in this verse. Now one may ask as to why this resolution has been sponsored. It has been sponsored so that the soldiers, on their return to this country, may know exactly as to what treatment will be meted out to them and to their families. That is the sole object of this resolution and nothing else. Instead of praising this act of ours and supporting this resolution wholeheartedly, my friend Sardar Teja Singh made three or four observations which Fascists generally make. The first argument which he advanced was that this resolution had been sponsored as a bait to the people to give more recruits for the armed forces. I should like to ask him as to how many people from amongst the population, in which thousands are, according to him, Fascists, would be willing to enlist themselves in the army because of this bait. It is absurd to say that a person would be willing to go into the jaws of death for a paltry sum of a few silver coins. It is sheer nonsense to say so. Had he listened to the speeches of my honourable friends Chaudhri Sahib Dad Khan and others who spoke from this side and believed their word, he would never have made this remark. In fact the Punjabi soldiers will not like to make this greatest sacrifice of offering their lives for the sake of a few rupees. Then he said that the people in India were offering themselves for enlistment in the armed forces because of economic depression, and that in reality they had not those feelings which compel people of other nations to offer their lives for protecting their honour, their hearths and homes. My friend is entirely mistaken. He should know that life is dear to everybody. I do not think there is anybody who would like to incur the least risk for a few chips. If that is so, why is my friend imputing this motive to our soldiers? During the last Great War lakhs of our soldiers went to fight against Germany whilst some of them died on the battlefield and the rest got demobilized; but they were treated with absolute indifference as it has already been pointed out by Chaudhri Suraj Mal and Khan Sahib Chaudhri Sahib Dad Khan. Had the recruitment been only due to pecuniary considerations they would not have come forward this time to fight against the most terrible enemy again. But my friend will be surprised to know that this time they have come forward in greater numbers than before. Can he quote any instance from the history of the world where people may have offered the greatest sacrifice for the sake of some worldly gain? No, he cannot quote any such instance. I think that the people of this country have willingly come forward to fight this battle because they think that it is better to die honourably than to live a life of infamy. When their honour, their hearths and homes are in grave peril how can they sit idle? They do not like to be oppressed, troubled and trampled under foot as many other countries had been by the Huns. They have gone out of their country to fight the battle of India so that their own country may remain safe from the scourge of warfare. Now my honourable friend wants to tell these brave heroes, who are out to safeguard both life and property and eventually to achieve freedom as a direct result of their sacrifices, that they are fighting and shedding their blood for a few rupees. My friend is sadly mistaken and he should dispel this idea from his mind once and for all.

Then again he pointed out that if this sum of Rs. 150 crores was sanctioned out of the central revenues the public debt of India, which has already

reached a staggering figure, will still more mount up. It appears that the information of my friend is based on hearsay only, and that he has not studied economics carefully. Had he done so he would have found that on account of repatriation of sterling the public debt of India had fallen to a very low figure. In view of this if a sum of about Rs. 25 lakhs, which will be share of the Punjab in proportion to the recruits enlisted in the Indian Army, be granted to us it will not add to the burden of debt to any appreciable degree.

Moreover, he was pleased to remark that this sum, if sanctioned, should not be placed at the disposal of the Punjab Government, but, on the contrary, it should be spent on the welfare of all the soldiers and recruits from different provinces. Now, Sir, the Punjab Premier is very far-sighted a statesman and he has stated in plain words on the floor of this House that this money is not being demanded for the Punjab alone. It will be spent on all the Indian soldiers. As a matter of fact this resolution is being sponsored as a token of our gratitude to those people who are making so much sacrifice for us, so that when they return to this country they may not be cold-shouldered as has been pointed out by the Honourable Premier. I do not think that my honourable friend can reasonably object to this thing.

Then again he said that by giving 40 to 50 thousand recruits every month for this war we are creating a void in the economic life of the country and as a result of this the life would become abnormal. I for one have not been able to understand the point of his argument. He should know that when war breaks out, just as the war is going on at present, life becomes abnormal and every aspect of it passes through unusual stages. We cannot expect them to run their usual course. Now if we want to protect our hearths, our homes, and our country from the ravages of war we shall have to boldly face these abnormal conditions. We cannot afford to run away from them.

Then my friend very narrowmindedly remarked, and this argument has always been advanced from those benches against us, that by sponsoring this resolution we are making our own propaganda and that when this money would be ultimately sanctioned we would use it for the propaganda purposes of our own party. His imagination is simply running riot. After all who knows that after two or three years when the sanctioned sum has got to be spent, which Government will be in power here, whether my friends will occupy these benches or we, nobody can tell. It is possible that at the time my friends may come into power and then the expenditure of this sum will rest entirely in their hands. To say that the money will be used for propaganda purposes by the Unionist Party is, therefore, a highly far-fetched idea and I think my friend should express regret for advancing such an argument.

Then, Sir, my honourable friend glibly remarked that the Government, if at all serious, should now grant squares of land to the relatives of the soldiers. In other words, he wanted us to throw bait to our countrymen intending to join the army. I confess that I, with all my humble knowledge of law, fail to follow his line of reasoning or appreciate his proposal. In

[K. B. Sh. Karamat Ali]

ordinary life wages are paid only at the conclusion of the work done but not before. Just as a saying in Persian expresses—

مزد آن گزشت جان برادر که کرد کار

How can this age-old saying and truism be governed in the present case? I think my honourable friend was himself not aware of the implications of that suggestion. If it is accepted, it would imply that our gallant soldiers are not inspired with noble feelings of sacrifice but are actuated by mercenary considerations in promoting the war efforts. This will also indicate that the brave soldiers of this province have no confidence in their Government, which is sincerely out to do its utmost for their welfare and rehabilitation after demobilization. I may assure my honourable friend that our soldier is above such Jewish ways. They are risking their lives not for any selfish ends but for the laudable object of safeguarding the honour and safety of their country. I am sure nobody would support any such suggestion which leads to lower our soldiers in the estimation of the world. My honourable friend may rest assured that we are not oblivious of the peasantry grants, of which he made a mention with some flourish. Our Government have already decided to do a lot in the matter of awarding lands or making other grants to the soldiers. They have set apart thousands of acres of land to be distributed among such destitute and financially weak families of soldiers, which send at least two or three youngmen to the field or possess land below thirty acres.

Then my honourable friend talked of the total war. He must bear this fact in mind that when this Government decided to throw their full weight in the prosecution of war, they started their war efforts not in a half-hearted manner, but with a full responsibility of waging a total war and they have been ceaselessly carrying on those efforts on that very basis. Hence my honourable friend has suggested nothing new. Besides our gallant soldiers sincerely feel that the present war is not a war of one nation. It is a war of united nations collectively who are resolved to fight the evil forces of aggression to the bitter end and liberate the humanity from their clutches. We fully realise and so do our fighting forces, that we are waging this titanic struggle, not for any mean objective but for the safety, honour and integrity of our motherland. So the idea of total war, the idea of sacrificing one's all for bringing it to a successful conclusion, is always uppermost in our mind. Then everybody is aware of the horrors of the modern warfare. Such destructive weapons have been invented and are being used, as were never heard or dreamt of. There is no knowing how a soldier might meet his death; whether a bomb-shell or a strafing attack from the air would end his life. What I want to drive at is that our soldiers are not ignorant of these facts. They fully realise that their offer of services to the army at this juncture, means that they are going straight into the jaws of death. Yet they do it gladly. Why? It is not because they are actuated by financial motives, but because they are imbued with righteous and noble ideas of winning this total war by making all possible sacrifices. (*Hear, hear*). If we and our soldiers had not set such high ideals before us, we would have been finished by now. In fact I cannot help saying that blessed are those who enrol themselves in His Majesty's forces with this goal set before them that they are risking their lives with a view to safeguarding their hearths

and homes and the honour of their country. The thing is that it is no longer a question of rupees, annas and pies with them, it is a question of achieving independence for their country. Hence it is clear beyond any shadow of doubt that our soldiers are fighting our battles, being inspired with high ideals.

May I ask a simple question from my honourable friends over there? Supposing all of a sudden a person finds himself in the clutches of a dread disease. Now, what will be his feeling if some one saves his life? Naturally he would be prepared to offer costliest presents procurable to his benefactor for his services. I am sure all the honourable members would agree with me on this point. Again, there can be no two opinions about the fact that if in this age of scientific inventions of deadly weapons of war and especially that of the air warfare, when everybody is in a constant danger of being annihilated by a bomb, some one goes to the front and by jeopardising his life, maintains our safety, will my honourable friend not feel inclined to do something for his welfare and that of his family? This is exactly what is intended by this resolution which seeks to improve the condition of the soldiers after demobilization. In fact this meagre confidence of ours, not a whit stands any comparison with the enormous sacrifices of our soldiers who are fighting hard battles, while allowing us to have an easy time here. As a matter of fact they care more for their *izzat* and the honour of their country than for the paltry amount which we are going to set apart for their rehabilitation. However it behoves us that we should also do our bit for the betterment of the condition of our gallant soldiers when they come back after demobilization. I think all the sections of the House are unanimous on this point and I have the fullest confidence that they will extend their unstinted support to this proposition. With these words I again strongly support the resolution under consideration.

Mr. Speaker : Resolution under consideration, amendment moved—

That for the words from "placed" to "demobilization" in lines four to six of the resolution, the following may be substituted:—

"Allocated to the Provincial Governments, in proportion to the number of combatants furnished by their province in the present war, to assist in the post-war reconstruction with special provision for rehabilitating the soldiers and their families."

The question is that that amendment be made.

The motion was carried.

Mr. Speaker : The question is—

This Assembly recommends to Government to convey to the Government of India the earnest suggestion of this House that an amount of at least Rs. 150 crores out of the Central Revenues should be allocated to the Provincial Governments, in proportion to the number of combatants furnished by their province in the present war, to assist in the post-war reconstruction with special provision for rehabilitating the soldiers and their families.

The motion was carried.

CO-OPERATIVE MARKETING ORGANIZATIONS.

Subedar-Major Raja Farman Ali Khan (Gujar Khan, Muhammagan, Rural) (Urdu) : Sir, I beg to move—

This Assembly recommends to the Government that a suitable co-operative marketing organization should be devised both for the sale of agricultural produce and the products of cottage industries.

[Raja Farman Ali Khan]

Sir, I want to make a few observations in support of this resolution. Besides many hardships, the agriculturists experience a great inconvenience in getting full prices for their agricultural produce and the products of their cottage industries. Sometimes they are so busy with their work in their fields that they cannot find time to sell their products. Sometimes they are away from their villages and in their absence their sons, for want of a suitable market, find it very difficult to sell their products.

Under these circumstances I wish to make a suggestion that a suitable marketing organization should be devised both for the sale of agricultural produce and the products of cottage industries.

I wish to bring this point home to the honourable members that these are the very agriculturists whose sons are fighting with bravery and courage and about whom you have heard many praises just now. Therefore, I request the honourable members of this House to support this beneficial resolution so that their families may not find any inconvenience in selling their agricultural produce, etc., With these words, Sir, I support my resolution and resume my seat.

Mr. Speaker: The question is—

This Assembly recommends to the Government that a suitable co-operative marketing organization should be devised both for the sale of agricultural produce and the products of cottage industries.

The motion was carried.

ATTEMPTS TO PRODUCE OR RESULTING IN CESSATION OF BUSINESS

Khan Sahib Chaudhri Pir Muhammad (South-East Gujrat, Muhammadan, Rural): Sir, I beg to move—

This Assembly recommends to the Government that all attempts intended to produce or resulting in widespread cessation of business in any area should be declared to be offences punishable with imprisonment, fine or forfeiture of license according as circumstances may permit or justify.

(Urdu): Sir, widespread disturbances have occurred all over the country. The items of news given in our daily papers make it abundantly clear that with the exception of our province, all the other provinces are witnessing an orgy of bloodshed, loot and rapine and scenes of chaos and confusion are the order of the day. Railway stations and post offices are being burnt down. Fish-plates are being removed endangering the life and property of hundreds of travellers, and roads are being blocked in order to check the free movement of the police and the army. The result of these atrocious acts has been that the administrative machinery of the Government has suffered to a great extent. Besides, many innocent people have lost their lives in these disturbed areas. If these atrocities are allowed to continue in the future also, I am afraid, more innocent people will lose their lives. The miscreants, who in the garb of political agitators resort to such atrocities, should really be called the "Fifth Columnists". No Government can tolerate such atrocities. I wish to quote an instance. The other day a new Ministry was formed in Sind. Two Hindus, who were members of the Hindu Mahasabha, joined the new Ministry.

Sardar Santokh Singh : I wonder why the honourable member has thought fit to make this reference. Why should he try to interfere in matters which concern the Sind administration alone ?

Khan Sahib Chaudhri Pir Muhammad : Sir, I am not interfering with any provincial administration. I simply want to point out how disturbances were caused in that province. When the two Hindu members of the Mahasabha joined the new Ministry, picketing was resorted to at their houses and their effigies were taken out in processions. This is the mentality of the Sind people, and they are responsible for disturbing the peace of the province.

Under these circumstances and in order to preserve law and order, it is essential that a provision to this effect, that no businessman shall take part in any agitation, should be made. If businessmen and shopkeepers of this province take part in any agitation or suspend their business as a protest against some real or imaginary grievance, all business will come to a stand still, which will mean a great loss to the Government. I, therefore, submit that all attempts to produce or resulting in cessation of business, be punished with fine or forfeiture of license according as circumstances may permit or justify.

That no such incident has occurred in our province can be attributed to the grace of God and the sagacity of our Premier, the wisdom and good administration of our Ministry and the co-operation of the honourable members of the ministerial party. But that is no reason why a provision for any such eventuality may not be made in anticipation of its occurrence.

With these words I commend my resolution for the acceptance of the House.

Mr. Speaker : Resolution moved is—

This Assembly recommends to the Government that all attempts intended to produce or resulting in widespread cessation of business in any area should be declared to be offences punishable with imprisonment, fine or forfeiture of license as circumstances may permit or justify.

Sardar Ajit Singh (South-West Punjab, Sikh, Rural) (*Punjabi*)
Sir, I have stood up to oppose this resolution. I am at a loss to understand that in the presence of such harsh and stringent measures as the Defence of India Act and the Defence of India Rules, which have taxed the power of endurance of the people of this province, where was the necessity of wasting the precious time of this House by moving this resolution.

With these few words I would request the honourable mover to withdraw his resolution.

Pandit Bhagat Ram Sharma (Kangra-West, General, Rural) (*Urdu*) :
Sir, I rise to oppose this resolution. In so far as the Defence of India Act or Rules are concerned I do not think there is any conceivable matter which cannot be dealt with under them. Any and everything under the sun can, within the meaning of the Defence of India Rules, be penalized. Irrespective of the fact that a person has committed no bigger crime than taking a walk on some road or sitting down on his own chair at home, he is liable to be hauled up under the all embracing Defence of India Act. It is only the sweet will of the authorities and not any proof of his guilt that is required for putting a person behind the prison bars. Hundreds of our colleagues

[Pt. Bhagat Ram Sharma]

and friends have been thus victimised and are at present rotting in jails where most inhuman treatment is being meted out to them.

Premier : The honourable member is irrelevant. His speech has no connection with the resolution.

Pandit Bhagat Ram Sharma : If the Honourable Premier exercises a little patience he will understand the relevancy of my speech. I was submitting, Sir, that in view of the fact that the Defence of India Rules are already in force in the country there does not seem to be any justification for the declaration proposed in the resolution.

Khan Sahib Chaudhri Pir Muhammad : Sir, I beg leave to withdraw my resolution.

The resolution was by leave withdrawn.

The Assembly then adjourned till 3-30 p.m. on Friday, 30th October 1942.

The Assembly then adjourned till 3-30 p.m.

PUNJAB LEGISLATIVE ASSEMBLY

EIGHTH SESSION OF THE FIRST PUNJAB LEGISLATIVE ASSEMBLY

Friday, 30th October, 1942.

*The Assembly met in the Assembly Chamber at 3-30 p.m. of the clock.
Mr. Speaker in the Chair.*

STARRED QUESTIONS AND ANSWERS

S. SAJJAN SINGH MARGINDPURI

***8319. Sardar Lal Singh :** Will the Honourable Premier be pleased to state—

(a) whether S. Sajjan Singh Margindpuri, a detenu in Sub-Jail, Muzaffargarh, was transferred to Central Jail, Lahore, in October 1941, in connection with a case pending in the court of the Additional District Magistrate, Lahore, under section 342, Indian Penal Code, which he had filed against a certain police officer before his detention ;

(b) whether he sent a representation on 3rd March 1942 to the Chief Secretary to Government, Punjab, requesting the Government that, after the completion of the case pending in the court, he be sent to Gujrat Special Jail, where all the detenus of Deoli Camp and Montgomery Jail have been transferred, and should not be sent back to Muzaffargarh Jail ;

(c) if the answer to (b) above be in the affirmative, the grounds put forward by him in that representation and the decision arrived at by the Government in the matter ?

Parliamentary Secretary (Mir Maqbool Mahmood): (a) Yes.

(b) No.

(c) Does not arise.

EXECUTION OF BONDS FOR LEASES OF LAND IN NILI BAR COLONY

***8311. Pandit Bhagat Ram Sharma :** Will the Honourable Minister for Revenue be pleased to state whether it is a fact that from 1935 to 1940 leases of lands granted on temporary cultivation in the Nili Bar Colony were neither confiscated nor was imposed any penalty on such lessees for not executing the bonds in time for such leases and that since the beginning of 1942 penalty has begun to be imposed on the defaulters at the rate of Rs. 10 per lot ; if so, the reasons for this departure from the old practice and the terms of the leases under which this penalty is being charged ?

The Honourable Chaudhri Sir Chhotu Ram : *First part—No.*

Second part—Yes, but penalty was fixed at Rs. 5 for a lot of less than 12½ acres and Rs. 10 for a larger lot.

[Revenue Minister]

Third part—(a) To secure execution and registration of lease deeds within the period prescribed in clause 5 of the lease deed.

(b) Under section 24 of the Colonization of Government Lands (Punjab) Act, 1912.

STOPPAGE OF LAHORE ALLOWANCE TO OFFICIALS OF THE HIGH COURT

***3182. Khan Sahib Khawaja Ghulam Samad :** (i) With reference to the answer given to Starred Question No. 7581¹ on 3rd March 1941, will the Honourable Minister for Finance be pleased to lay on the table of the House a copy of the orders or instructions issued by the High Court in December 1939, requiring all clerks under its control and drawing less than Rs. 100 per mensem to apply for houses on the Chauburji Estate as also the number of clerks—

(a) who accordingly applied for these houses and who were consequently provided with quarters ;

(b) who did not apply for houses ;

(c) who withdrew their applications so made ;

(d) who were informed that no houses were available ; and

(e) in whose case the local allowance was stopped ;

(ii) will he be further pleased to lay a copy of the present instructions referred to in the latter portion of the answer, the operation of which is said to be under the consideration of Government ?

The Honourable Sir Manohar Lal : I regret that answer to this question is not yet ready and it may be some time before it is ready.

S. ARJAN SINGH GARGAJ

***3318. Sardar Lal Singh :** Will the Honourable Premier be pleased to state—

(a) whether S. Arjan Singh Gargaj, prisoner in Mianwali Jail, has made any representations to the Government ; if so, the number of such representations made, the date on which they were made and also the prayer that these representations contained ;

(b) whether it is a fact that the prisoner is suffering from chronic eye trouble ; if so, whether the question of transferring the prisoner to some less hot and dusty climate has been considered, and if so, with what result ;

(c) whether the prisoner ever applied to be let out on parole for one month because of the death of his younger brother and for other reasons, if so, why was his prayer not granted ?

Parliamentary Secretary (Mir Maqbool Mahmood) : Arjan Singh Gargaj has since been released.

LAHORE ALLOWANCE

***8329. Khan Sahib Khawaja Ghulam Samad :** Will the Honourable Minister for Finance be pleased to state—

(a) whether it is a fact that, as stated in the answer to starred question No. 7361,¹ asked on 10th December 1940, Government has never issued any orders requiring Government officials drawing pay less than Rs. 100 per mensem to submit applications for quarters in Chauburji Estate on pain of losing Lahore allowance of Rs. 3 per mensem ;

(b) whether he is aware of the fact that the High Court authorities compelled in December 1939, about 26 of its clerks drawing pay less than Rs. 100 to apply for occupation of Government quarters in Chauburji Estate on pain of losing Lahore allowance ; if so, the reasons therefor ?

The Honourable Sir Manohar Lal : (a) Yes.

(b) No. The clerks of the High Court were not compelled to apply for occupation of Government quarters in the Chauburji Estate but some of them did apply as a result of the general letter issued in 1939 by the Executive Engineer II, Lahore Public Health Division, Lahore, to all Government offices in Lahore asking them to submit applications of clerks under their control who had more than five years service and did not possess their own houses. The question of the revision of the rules is under the consideration of Government.

OCCUPATION OF QUARTERS IN CHAUBURJI ESTATE AND LAHORE ALLOWANCE

***8336. Khan Sahib Khawaja Ghulam Samad :** Will the Honourable Minister for Finance be pleased to state whether there are any clerks in any of the Government offices at Lahore who, at any time, made applications for occupation of Government quarters in Chauburji Estate and subsequently refused to occupy quarters on allotment or withdrew their applications before allotment and who are in receipt of Lahore allowance of Rs. 3 per mensem contrary to the instructions of the Government requiring that Government officials drawing pay less than Rs. 100 are not eligible for such allowance after they have once made applications for occupation of these quarters and have then refused to occupy them on allotment or have withdrawn their applications before allotment ; if so, the reasons therefor ?

The Honourable Sir Manohar Lal : Yes—there are certain clerks at Lahore who made applications for occupation of Government quarters in Chauburji Estate and subsequently refused to occupy them on allotment or withdrew their applications before allotment and who are in receipt of the Lahore allowance of Rs. 3 per mensem. The reason for this is that there are no orders of Government which require that an application for allotment of a quarter should necessarily be made, nor are there any orders for forfeiting the compensatory allowance if the application is withdrawn before the allotment is made. The only cases in which clerks have had their compensatory allowance restored in spite of their refusal to occupy the quarters

[Finance Minister]

on allotment are those of the Central Jail Press, Lahore. The reason for the restoration of the compensatory allowance in their case was that they were compelled to apply for Government quarters by their Head of Office under a misapprehension of the Government orders on the subject.

ARREST OF KUNDA, DACOIT

***8295. Chaudhri Muhammad Hassan:** Will the Honourable Minister for Public Works be pleased to state—

(a) whether it is a fact that in the last week of February 1942, a raid was arranged for the arrest of "Kunda" a notorious murderer and dacoit of the Ludhiana district;

(b) whether the aforesaid dacoit Kunda was traced and arrested; if not, the reasons therefor?

Parliamentary Secretary (Shaikh Faiz Muhammad): (a) Yes.

(b) No, presumably because the information with the Police was not correct.

DACOITIES AND MURDERS IN LUDHIANA DISTRICT

***8296. Chaudhri Muhammad Hassan:** Will the Honourable Minister for Public Works be pleased to state—

(a) the number of dacoities and murders committed during the last six months in the Ludhiana district, which have not been traced so far;

(b) whether it is a fact that as long as some police officers and men of the special staff remained posted to the Ludhiana district, the number of dacoities, murders and highway robberies decreased to a considerable extent;

(c) if so, why special staff police-men and officers mentioned above were removed from the district?

Parliamentary Secretary (Shaikh Faiz Muhammad): (a) None, except a case of murder which was filed as untraced.

(b) No. No separate special staff was posted to the Ludhiana district. In 1940 some men of the Ambala Range Special Staff were deputed at Ludhiana to collect intelligence, but they were later returned.

(c) Does not arise.

POLICE OFFICERS IN LUDHIANA DISTRICT

***8297. Chaudhri Muhammad Hassan:** Will the Honourable Minister for Public Works be pleased to state—

(a) the date from which two Deputy Superintendents of Police have been posted to the Ludhiana district and the reasons therefor;

(b) how many District Inspectors of Police including the C. I. A. Inspectors are posted at present in the Ludhiana district?

Parliamentary Secretary (Shaikh Faiz Muhammad): (a) 1. 25th October, 1941, afternoon.

2. 18th December 1941, forenoon.

Transfers and postings are made purely for administrative reasons.

(b) Three.

DETENTION OF GHANIA BY GOWALMANDI POLICE

***8308. Pandit Bhagat Ram Sharma**: Will the Honourable Minister for Public Works be pleased to state whether it has come to his notice that the Sub-Inspector of Police, incharge Gowalmandi Police Station, detained one Ghania, son of Lalji, a resident of Sanjhapur, District Gurgaon, in the police lock-up for four days, i.e., from 3rd December to 7th December 1941, without arranging for his meals as complained by the aggrieved person in writing to the Senior Superintendent, Police, Lahore, if so, the action taken against the officer at fault?

Parliamentary Secretary (Shaikh Faiz Muhammad): (a) The allegation made has been enquired into and found to be entirely false.

HIRA BUS SERVICE

***8313. Pandit Bhagat Ram Sharma**: Will the Honourable Minister for Public Works be pleased to state—

(a) the quantity of petrol allotted by the Regional Rationing Authority, Multan, to Messrs. Hira Bus Service, Montgomery, for the quarter ending 31st January 1942;

(b) the quantity of petrol allotted to individual owners of the vehicles plying their vehicles on Lahore-Montgomery route;

(c) whether it is a fact that the Hira Bus Service had been allotted much more petrol during the above period than individual owners of vehicles; if so, the reasons therefor?

Parliamentary Secretary (Shaikh Faiz Muhammad): (a) 6,520 gallons for all routes.

(b) 4,700 gallons.

(c) No. For Lahore-Montgomery route Hira Bus Service was allotted 2,820 gallons while individual operators on this route were allotted 4,700 gallons.

SIKHS AMONG THE HEADS OF BRANCHES IN THE GOVERNMENT PRINTING, PUNJAB

***8282. Sardar Lal Singh**: Will the Honourable Minister for Finance be pleased to state—

(a) the total number of the heads of the branches of the Punjab Government Press and the number of the Sikhs among them;

(b) whether it is a fact that Sikhs are under-represented in this cadre service; if so, the action intended to be taken to make up the deficiency?

The Honourable Sir Manohar Lal : In view of the practice now well established in regard to such questions, an oral answer cannot be given to this question here.

**SCHEDULE OF EXPENDITURE FOR 1942-43 AUTHENTICATED
BY THE GOVERNOR**

The Honourable Minister for Finance : Sir, as required by Section 80 (2) of the Government of India Act, 1935, I lay on the table the Schedule of Expenditure for the year 1942-43 authenticated by His Excellency the Governor.

As required by subsection (1) of Section 80 of the Government of India Act, 1935, I hereby authenticate the following schedule in respect of the financial year 1942-43 which specifies—

- (a) the grants made by the Punjab Legislative Assembly, and
- (b) the sums required to meet the expenditure charged on the revenues of the Province.

Schedule of Expenditure.

Grant No.	Major Heads of Account	Grants made by the Punjab Legislative Assembly	Sums required to meet expenditure charged on the revenues of the Province	Total.
		Rs.	Rs.	Rs.
1	7—Land Revenue	44,67,300	81,000	45,48,300
2	8—Provincial Excise	11,47,500	..	11,47,500
3	9—Stamps	1,47,100	..	1,47,100
4	10—Forests	26,32,700	3,49,200	29,81,900
5	11—Registration	74,200	..	74,200
6	12—Charges on account of Motor Vehicles Acts 13—Other Taxes and Duties ..	9,93,200	22,000	10,15,200
7	XVII—Irrigation—Working Expenses. 17—Interest on Irrigation Works for which Capital Accounts are kept. 18—Other Irrigation Expenditure financed from Ordinary Revenues.	72,86,000	1,56,66,200	2,29,52,200
8	Irrigation—Establishment Charges	1,05,65,800	15,16,400	1,20,82,200
9	19—Construction of Irrigation Works financed from Ordinary Revenues 68—Construction of Irrigation Works (Capital Expenditure)	93,98,600	..	93,98,600

SCHEDULE OF EXPENDITURE FOR 1942-43 AUTHENTICATED BY 163
THE GOVERNOR

Schedule of Expenditure—continued.

Grant No.	Major Heads of Account.	Grants made by the Punjab Legislative Assembly	Sums required to meet expenditure charged on the revenues of the Province	Total
		Rs.	Rs.	Rs.
	22—Interest on Debt and Other Obligations.	..	—18,61,800	—18,61,800
	23—Appropriation for Reduction or Avoidance of Debt.			
10	25—General Administration ..	95,44,800	25,00,800	1,20,45,600
11	27—Administration of Justice ..	37,66,200	17,03,700	54,69,900
12	28—Jails and Convicts Settlements	33,71,400	31,800	34,03,200
13	29—Police ..	1,57,22,200	10,52,500	1,67,74,700
14	36—Scientific Departments ..	5,03,700	1,100	5,04,800
	47—Miscellaneous Departments ..			
	62—Miscellaneous adjustments between the Central and Provincial Governments.			
15	37—Education (European and Anglo-Indian).	5,91,100	8,600	5,99,700
16	37—Education (excluding European and Anglo-Indian).	1,50,87,600	1,26,800	1,61,14,400
17	38—Medical ..	47,51,100	2,03,300	49,54,400
18	39—Public Health ..	23,26,600	44,800	23,71,400
19	40—Agriculture ..	43,30,500	1,37,100	44,67,600
20	41—Veterinary ..	17,75,600	53,800	18,29,400
21	42—Co-operation ..	24,23,800	49,100	24,72,900
22	43—Industries ..	26,95,100	..	26,95,100
23	50—Civil Works ..	1,19,19,000	1,34,700	1,20,53,700
24	Buildings and Roads—Establishment Charges.	17,57,500	2,38,900	19,96,400
25	52—Interest on Capital Outlay on Electricity Schemes.	17,65,500	28,52,200	46,17,700
	XLI—Electricity Schemes—Working Expenses.			
26	52-A—Other Revenue Expenditure connected with Electricity Schemes.	12,29,600	..	12,29,600

Schedule of Expenditure—concluded.

Grant No.	Major Heads of Account	Grants made by the Punjab Legislative Assembly	Sums required to meet expenditure charged on the revenues of the Province	Total
		Rs.	Rs.	Rs.
27	50-A—Capital Outlay on Civil Works met out of Extraordinary Receipts. 81—Capital Account of Civil Works outside the Revenue Account.	14,11,500	..	14,11,500
28	53—Capital Outlay on Electricity Schemes met out of Revenue 81-A—Capital Outlay on Electricity Schemes (outside the Revenue Account).	6,39,200	..	6,39,200
29	54—Famine	6,10,000	..	6,10,000
30	55—Superannuation Allowances and Pensions.	63,26,300	29,59,400	92,85,700
31	55-A—Commutation of Pensions financed from Ordinary Revenues. 83—Payments of Commuted Value of Pensions (Capital Expenditure).	35,300	2,28,000	2,63,300
32	56—Stationery and Printing ..	10,80,500	..	10,80,500
33	57—Miscellaneous 63—Extraordinary Charges ..	1,02,38,200	1,11,400	1,03,49,600
34	Advances not bearing interest— Advances Repayable Loans and Advances bearing interest—	5,11,000	..	5,11,000
35	Loans to Municipalities, Advances to Cultivators, etc. Loans to Government Servants..	22,52,400	..	22,52,400
	GRAND TOTAL ..	14,42,78,100	2,82,11,000	17,24,89,100

LAHORE :

The 25th March 1942.

B. J. GLANCY,

Governor of the Punjab.

SUPPLEMENTARY STATEMENT OF EXPENDITURE (1941-42)

AUTHENTICATED BY THE GOVERNOR

The Honourable Minister for Finance : Sir, as required by Section 81 of the Government of India Act, 1935, I lay on the table the supplementary Statement of Expenditure (third instalment) for the year 1941-42 authenticated by His Excellency the Governor.

As required by section 81 of the Government of India Act, 1935, I hereby authenticate the following supplementary statement of expenditure for the financial year 1941-42, which specifies—

(a) the supplementary grants (third instalment) made by the Punjab Legislative Assembly in its session held in March 1942, and

(b) the sums required to meet the expenditure charged on the revenues of the Province.

Supplementary Statement

Grant No.	Major head of account	Supplementary grants made by the Punjab Legislative Assembly	Sums required to meet expenditure charged on the revenues of the Province	Total
		Rs.	Rs.	Rs.
1	7—Land Revenue	500	..	500
2	8—Provincial Excise	72,350	..	72,350
30	55—Superannuation Allowances and Pensions	..	24,100	24,100
31	83—Payments of Commuted Value of Pensions.	26,860	59,780	86,640
35	57—Miscellaneous and 63—Extraordinary Charges.	22,390	40	22,430
34	Advances not bearing interest—Advances Repayable.	15,00,000	..	15,00,000
7	XVII—Irrigation—Working Expenses.	10	..	10
16	37—Education (excluding European and Anglo-Indian).	10	..	10
17	38—Medical	10	..	10
23	50—Civil Works	10	..	10
	GRAND TOTAL	16,22,140	83,920	17,06,060

LAHORE :

The 25th March 1942

B. J. GLANCY

Governor of the Punjab

SUPPLEMENTARY DEMANDS

GENERAL ADMINISTRATION

Minister for Finance (The Honourable Sir Manohar Lal): I beg to move—

That a supplementary sum not exceeding Rs. 44,910 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1943 in respect of General Administration.

The motion was carried.

POLICE

Minister for Finance : I beg to move—

That a supplementary sum not exceeding Rs. 36,41,190 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1943 in respect of Police.

Mr. Speaker : Demand moved is—

That a supplementary sum not exceeding Rs. 36,41,190 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1943 in respect of Police.

Pandit Bhagat Ram Sharma (Kangra East, General, Rural) (*Urdu*): I beg to move—

That the item of Rs. 3,14,310 on account of (1) Total B—District Executive Force be omitted.

My object in doing so is this. The Government intend to employ a Security Intelligence Staff to cope with the situation. In the explanation of this item they have stated that enemy action in Norway, Holland, Belgium, France, Malaya and Burma was greatly facilitated by the activities of 5th columnists who exploited the situation to the full and as India is now directly threatened from the East and the West, it has been considered necessary to provide a Security Intelligence Staff in all districts of the Province to forestall and detect similar activities in the event of invasion or a Congress Mass Civil Disobedience Movement. The Government desire that they should not be made to face any embarrassments afterwards. They have foreseen the troubles which await in future for them.

Sir, I have stood in this House to acquaint the Government with the activities of the Intelligence Department. This Department cannot bring under control those activities which we in the military terminology call the 5th columnist. The Government cannot check persons working or likely to work for the enemy, as the investigating activities of the Intelligence Department of the police are misdirected. Now the times have changed so rapidly that every person begins to feel that his rights have been trampled over and great injustice has been done to him. The Government has annihilated the spirit of patriotism. It has jettisoned the rights of liberty with utter heedlessness. People of India to-day feel that they and their claims are misrepresented before foreigners and in other countries. They have been reduced to abject slavery. If to-day even a layman in a street were to be asked as to his liking or disliking for the English, he will clamour for the taking away of English from this country. The masses of India do not like the British Government. They abhor it. They stake their everything for getting liberty from the British Government. They do not care whether the

Japanese come in or any other Power invades India, but they honestly feel that now the time is ripe when the British should leave India alone. Such is invariably the desire of each and every individual citizen of India. There are 5th columnists everywhere in India. The Government either does not understand the gravity of the situation or they think too big of themselves. They think that by employing the Security Intelligence Department, they can check the 5th columnist activities. It is evident that the C.I. D. will send them false reports but they have been depending all this time on false reports of the C. I. D.

The honourable members sitting over the Treasury Benches claim that they are our leaders. But I ask, did they give a lead to the Punjab? They did only so much that they betrayed India by giving false statements in the Press and to the public outside India. They mislead Churchill and Amery. My statement is borne out by the facts which the world has witnessed. Sir Sikander, who is our leader along with other leaders, has been doing no service to the cause of India. Have they acquainted the English with the true facts regarding India? Obviously they have not done so. The people of India are chagrined to note that they have been misrepresented. This is why the 5th columnist are in their full swing. If the British Government had granted National Government to India, if they had given freedom to India, the administration of British Government would have been very smooth. If India were free, this war would have been India's own war. She would have participated in this war on equal terms, and as an ally of British Government. But it is a matter of great regret that this problem has not been fairly dealt with.

Mr. Speaker, so far as the activities of the 5th columnists are concerned, and so far as their uprooting is concerned or to forestall and detect the activities of Mass Civil Disobedience, they have employed the Police Force. The police have put many innocent congress people in jail. They have taken the plea of section 129 of Defence of India Act. I can quote many examples, e. g., Mahasha Krishan, who was merely a journalist and who had nothing to do with congress movement but criticised the congress policy on different occasions, was put in jail under section 129; again Mr. V. J. Dev, who was the servant in the *Tribune* press was taken under custody under section 129. Likewise many other respectable people, whom the masses held in admiration and about whom the Honourable the Premier used to call that they were his brothers were also sent to jail. Among such respectable persons Diwan Chaman Lall is one. Of course, there were other members of this Legislature who are thrown behind the bars. Now the worst possible treatment is being meted out to them. They are being physically and intellectually starved. They are living a most miserable life in prisons.

The pity is that the Honourable Minister who is in charge of this portfolio has delegated all powers to the Deputy Inspector-General of Police who is free to act as he chooses. The only duty that is performed by the Honourable Minister is to sit tight in his seat but otherwise he seems to have abdicated in favour of the Deputy Inspector-General of Police.

Mr. Speaker : The honourable member is going too far.

Pandit Bhagat Ram Sharma : I was as a matter of fact submitting that no inquiry had been instituted in order to prove any guilt against the

[Pt. Bhagat Ram Sharma]

detenus. The Deputy Inspector-General of Police can get any respectable persons arrested without full inquiry or any reference to the Honourable Minister in charge of the *portfolio* of police. As this supplementary grant relates to the staff of the Intelligence Department, I am within the realm of relevancy to discuss the manner in which the police are arresting and treating patriotic leaders of the people. My point is that the Intelligence Department, the strength of which is sought to be increased by this grant, does not behave properly. Its past conduct is very objectionable. Before adding to its staff, the House has a right to scrutinize its past conduct. I have not the slightest hesitation in saying that the conduct of the Intelligence Department of the Punjab Government has been most objectionable in the recent past and especially in connection with the present satyagraha movement. To quote just one example, let us take the case of those detenus who have been arrested without their having done any illegal action at all. There are several persons who have had absolutely no political career and yet they have been arrested. The police has acted in a very high-handed manner since the Bombay Session of the Congress Committee passed the resolution relating to the present Civil Disobedience Movement. Whether a certain person had committed any crime or not, he was arrested at the sweet will of the police department. As a matter of fact the staff of the Intelligence Department was employed to check the present movement of Civil Disobedience. But by its behaviour it is now strengthening the movement of the Congress. The illegal and brutal actions of the police create hatred and indignation in the minds of the public and lead to ever-growing unrest and agitation. Thus the Civil Disobedience Movement is spreading by the efforts of that very Department which was to check and suppress it. God save the Government from such servants and such friends! I am afraid there are several Fifth Columnists in the Intelligence Department of the Government who by their wrong actions add fuel to the fire of the present agitation and unrest against the Government. The Honourable Ministers should be cautious in accepting all the recommendations of the police.

Furthermore, a number of persons have been arrested by the police for reasons unknown to anybody. Now such persons are kept in the Lahore Fort and subjected to inhuman treatment. Messrs. Jagat Narain and Rajindar are thus put in the Lahore Fort. Coming to the question of the diet of the detenus, I may be allowed to mention that annas six only are given to them for diet per diem. No charpoys are supplied to them. Even books and newspapers are denied to them. This treatment of patriots does not become a Government which always claims to be the democratic Government. This cannot be the way of a representative Government. If it were the people's government, it would not accord such a bad treatment to the leaders of the people. In fact no Government should mete out such a bad treatment to its political opponents who might at any time come to power and assume the reign of Government. But it is very sad indeed that the Unionist Government is treating its political opponents worse than one would treat a dog. I condemn this tyranny of the police and the Government. After all what is the crime which these patriots have committed? At the most they are guilty of holding certain views which differ from the views of the Government. Now it does not stand

to reason that men should be persecuted on account of difference of opinion. (*Khan Bahadur Captain Malik Muzaffar Khan*: As a non-official Visitor of Jails in the Mianwali Jail, I can say that it is not true as the honourable member has just now remarked that charpoys are not given to the political detenus.) My honourable friend may be a non-official Visitor of Jails, but let him take it from me that he does not know as much about the treatment of detenus as we do. I was submitting, Sir, that the Unionist Government which proudly claims to be a representative Government does not actually behave like a democratic government. It has absolutely no regard for the feelings and sentiments of the public at large. It has turned a deaf ear to the cries of the public. Now it does not become a people's Government to disregard the wishes of the public. If the jail rules are strict, they should be revised and made more humane than they are at present.

One more word and I have done. Some of our friends who have been arrested without any rhyme or reason have been put to great trouble, because they have been put in a jail which was meant for those prisoners who had been afflicted with T. B. My mind revolts against this treatment. Why should these patriotic leaders of the Punjab be put in such a dangerous place where their very life is unsafe. To keep a healthy man in a jail where tuberculosis patients used to be kept is a most inhuman action. We can do nothing except condemn this in the strongest possible terms, and that is what I am doing.

With these few words, Sir, I beg to commend my cut motion to the House for its acceptance.

Mr. Speaker: Demand under consideration, reduction moved is—

That the item of Rs. 3,14,310 on account of (1) Total B—District Executive Force be omitted.

Sardar Santokh Singh (Eastern Towns, Sikh, Urban): **Mr. Speaker**, we on this side of the House oppose this demand because the Criminal Investigation Department instead of being engaged in its legitimate work of discovering and eradicating crime is at the present moment engaged in causing endless worries and troubles to the greatest patriots of the province. In the matter of recent arrests it appears that the Government of the province has entirely abdicated in favour of the Criminal Investigation Department. I am told on very good authority that printed warrants were handed over to the Criminal Investigation Department people who in consultation with the local police arrested whomsoever they liked without consulting in most cases even the District Magistrates. I am further told on very good authority that instead of recommendations coming from below orders were sent from above to arrest so and so. The arrests have been in almost every case most indiscriminate. People who had gone to Bombay only as visitors to the All-India Congress Committee were taken into custody immediately on their return. Not only the members of the All-India Congress Committee were arrested, but prominent Congressmen all over the districts were indiscriminately arrested and taken into custody and all that, by the Criminal Investigation Department, unhampered and uncontrolled by any other authority. It appears to me that all those brethren of ours and all those patriots who are in jail are not being looked after, if I may say so, by the jail authorities, but are at the tender mercy of the Criminal Investigation

[S. Santokh Singh]

Department. I received a letter yesterday from a very esteemed friend telling me that although he had applied to the District Magistrate for leave to attend the meetings of this House, the only reply he got was that instructions from the Deputy Inspector-General, Criminal Investigation Department, were still awaited. This is the state of affairs to which we have been reduced and this, in a province, where no overt acts, to our great pleasure and satisfaction, have taken place.

We know of cases where people who went to see their friends and relatives to the Lajpat Rai Bhawan were arrested without any rhyme or reasons; newspapermen who went there as such, were arrested. We know of a case where Lala Duni Chand of Lahore, a member of this august House, was arrested in place of Lala Duni Chand of Ambala. He was immediately released but soon after, he was again arrested as his name also was in another list. Rule 129 was changed to Rule 26 without any rhyme or reason, no reason was given as to why that change became necessary. All of us know of the case of Mr. Narindra Nath which came up before the High Court, and although the High Court had held that it had no jurisdiction, the remarks that were made in the course of the hearing had their own significance. So much for the arrests that have been made.

Now I come to the treatment that was meted out to those gentlemen who were arrested. I have received details of this inhuman treatment, which are staggering. As soon as certain gentlemen were arrested they were taken from place to place in handcuffs till they reached the place of their destination. Twenty-four gentlemen were arrested at Montgomery including one distinguished member of the Municipality and another, an advocate, and they were taken to the Shahpur Jail with handcuffs on, till the gate of the jail. This process lasted for 2 days. And all this, simply for holding certain views. I do challenge the Government to say whether any overt act has been alleged on the part of these gentlemen much less proved against those who are to-day behind the bars. These gentlemen have been placed behind the bars merely at the sweet will of the C. I. D. I am told that in some cases people were taken to the jails without any warrants even. Warrants were written at the jail gates because the jail authorities would not let them in without proper warrants. It was simply said that they were arrested under Rule 129 of the Defence of India Rules and were driven like cattle. These gentlemen were not given any *charpais* for months together and amongst them are eminent persons like the Honourable the Leader of the Opposition, ex-Leader of the Opposition, Dr. Gopi Chand, the Deputy Leader, Chaudhri Krishna Gopal Dutt, Diwan Chaman Lal and many other eminent Congress workers. These very respectable persons have been subjected to the most undignified treatment and physical discomfort. I have it on the authority of an M.L.A. who himself was there in the jail that the Inspector-General of Prisons ordered the supply of *charpais* and it took more than a month to supply a hundred *charpais* although the number of political prisoners was then 270.

Premier : On a point of order, Sir. We are not discussing Jails. We are discussing the Intelligence Staff.

Sardar Santokh Singh : The Honourable Premier was not here before. I was submitting that it is the C. I. D. who is doing the whole thing.

Premier : If my honourable friend has seen the note he will find that this demand relates to Military Intelligence.

Sardar Santokh Singh : The demand refers to an addition to the C. I. D. Intelligence Staff.

Premier : If my honourable friend refers to the last sentence of the note he will find that these people are meant for—

checking persons working or likely to work for the enemy, preventing and investigating manifestations of fifth columnist activities, collecting and disseminating intelligence and carrying out for the Director, Military Intelligence, certain important intelligence duties.

Sardar Santokh Singh : And the Honourable Premier might also read the words "in order to assist the C. I. D."

Premier : But these people do not do any C. I. D. work.

Sardar Santokh Singh : I am not concerned with any particular set of men. I was referring to the doings of the intelligence staff. I now come to the case of one honourable member of this august House who was told in reply to his letter of request for permission to attend the session of this Assembly that instructions were being awaited from the Deputy Inspector-General, Criminal Investigation Department. Instructions were not being awaited from the Government or from the superiors of the District Magistrate but from the C. I. D. I will read the letter of that gentleman. He says—

I had applied to the District Magistrate, Ambala for permission in writing to absent myself from Kasauli where I am restricted under D. I. Rules for going to Lahore in connection with the Assembly session.

And the reply that he got runs like this—

Premier : From whom?

Sardar Santokh Singh : From the District Magistrate himself. He says—

No order of the Government has been received so far in the matter. I will issue orders as soon as I hear from the Deputy Inspector-General of Police, C. I. D.

It is amply proved that all these things are done by the C. I. D. and not by any other Department or by the Government. I was, therefore, perfectly justified in referring to this.

I was saying that even after the orders of the Inspector-General of Prisons, only one hundred *charpais* were supplied for 270 people in the Shahpur Jail after a lapse of one month. I am told that in the Lahore Women's jail even up till now no *charpais* are supplied and ladies have to sleep on the ground.

Now I come to interviews. I need not say much on that, because Government have themselves communicated to the Press that all these interviews have been refused except in cases of serious illness. So it is not for me to make out any case, the Government stands condemned on its own admission.

[S. Santokh Singh]

Then I come to letters. An ordinary criminal convict can write two letters in a week, but in the case of these political detenus, it has been ordered that they will be able to write and receive only one post-card in two months. See the absurdity of the thing. How can the prisoner make his choice in the matter of receiving letters? I am told that hundreds of letters from their friends and relatives are awaiting delivery. The C. I. D. neither makes it convenient to go through the letters to censor them nor allows the jail authorities to censor these letters. Can absurdity go any further? To add to the difficulties of these prisoners, a restriction is imposed on them that they cannot write more than one post-card every two months nor receive more than one post card every two months. If the facts are as I have stated them, and I have no reason to doubt their accuracy, I hope the Honourable Premier will see his way to have thorough enquiries made into the matter and if he feels satisfied as we all do feel satisfied that these are real grievances, he will very kindly take steps to put things right. After all there is no reason why the Government should be vindictive in this matter. I am perfectly sure that the Honourable Premier has no intention to be vindictive and I am equally sure that once the grievances are brought to his notice he will set things right. We on this side of the House are making serious attempts to bring genuine complaints to his notice and I hope something good will follow in return.

Again, no newspapers are allowed to these prisoners. They are not hardened criminals. We all know that newspapers are the soul food of these politicians and it is really not fair that even newspapers from among the approved list should be denied to them. I am not suggesting that all sorts of newspapers should be supplied. It would be enough if they are supplied newspapers selected from the approved list. Perhaps it may be argued that Government does not wish to spend money in these days of financial stringency. But if the Government is not inclined to spend money for supplying newspapers to these prisoners, at least they may be allowed to buy them at their own cost. I am told that there is only one precedent when political prisoners were not given newspapers and that was in the martial law days. Perhaps the history of martial law days is being repeated in this province now and that is why these gentlemen are being denied the benefit of newspapers even from among the approved list.

In the matter of diet, the present day prisoners, prisoners of the 1942 movement, are being treated more harshly than was the case in the Deoli camp. I am told that they are getting only six annas a day. This is a piece of information which the Government can easily verify on the telephone. Further I understand that there is differentiation in the various jails in the matter of diet allowance. I am told that in the Gujrat jail people are still getting Rs. 1-4-0 per day whereas in other jails they do not get more than six annas per day. That is my information and if I am wrong I should like to be contradicted.

Premier : Sardar Sohan Singh Josh can enlighten the honourable member.

Sardar Sohan Singh Josh : We were getting Rs. 17 per month *plus* nine annas a day *plus* Rs. 10 which we were allowed to supplement from our own pockets.

Sardar Santokh Singh : The honourable member was perhaps in a better jail and more fortunate. Anyway my authoritative information is that these gentlemen who are in Shahpur jail are being allowed only six annas a day whereas those in the Gujrat jail who are by no means men of better status than those of the Shahpur jail, get Re. 1-4-0 a day. I do not grudge the Gujrat prisoners Re. 1-4-0, but what I do want is that what is being given to Gujrat prisoners should be given also to prisoners in Shahpur and Multan. That is my submission.

Coming to Lahore we find that the conditions of prisoners here are even more staggering than in Shahpur. Here the prisoners are kept in solitary cells without being allowed any association with other prisoners; and for what offence? For being members of the Congress. That is perhaps what their sole offence consists of.

As to Shahpur the less said the better. I am told that during the last rainy season, the prisoners had to sleep on *katcha* and damp ground under coverings which leaked. Just imagine for a moment the status of persons like Dr. Gopi Chand, S. Bhim Sain Sachhar, Diwan Chaman Lall, and others and their being made to sleep on *katcha* damp ground under covers which were leaking. The matter for the greatest regret is that even the Minister in charge of the jails who takes a very keen interest in these matters should have failed to visit that jail.

Mr. Speaker : Is the C. I. D. responsible for all these complaints?

Sardar Santokh Singh : Might be.

Mr. Speaker : Unless the honourable member is sure that the C. I. D. is responsible for all these complaints he should not refer to them.

Sardar Santokh Singh : Very well, Sir. I shall pass on to the next point. In this connection it will not be amiss if I read relevant extracts from one of the letters that I have got from one who was himself in jail. He has borne all the indignities and physical discomforts and disabilities.

Premier : May I request the honourable member not to read from that letter? I know who is the author of that letter. If that letter is read it will become part of the record and the writer himself has said that his name should not be mentioned because he is under restriction. If that letter is read it will have to be laid on the table of the House and then the writer of the letter would have done something unlawful and he would become liable to action. Therefore I suggest in the interest of the writer of the letter that that letter should not be read.

Sardar Santokh Singh : Then I will not read it. The fact remains, coming to the Shahpur Jail—I was speaking on that—that that is a place which undeniably was condemned sometime back and I think it is probably within the knowledge of Government that this jail was proposed to be abolished so far as the political prisoners are concerned. It is also undeniable that the place is infested with worms and scorpions, and I do not think it will be wrong on my part to say that one honourable gentleman—I might even mention his name, Maulana Nur-ud-Din Behari, a notable divine of Delhi—had to run back to his cell from the latrine where on entering he found half a dozen scorpions waiting to welcome him. Even then our Honourable Premier will not condescend to transfer these gentlemen

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from the Shahpur Jail. My object in bringing these grievances to the notice of Government is that some steps may after all be taken to mitigate the troubles and difficulties, physical, and others that these political prisoners are being subjected to. That is the only object with which we are objecting to the grant of additional C. I. D. in this province.

I will just make a few suggestions as to what should be done, and I do so in the hope that the Government will see its way to accept them. I should say that in all jails, in the matter of diet allowance, the prisoners should be brought on the same level as the Gujrat Jail. Newspapers from among the approved list should be supplied to them, if not at Government expense, at their own expense. All political prisoners should be allowed to supplement their diet to the extent of Rs. 10 or Rs. 15 per month as before. I am asking for no additional concession, I am only asking for what the Government has itself been doing in former years in the case of prisoners such as these. Then facilities must be provided to them for correspondence with their families, and they should not be treated worse than ordinary criminals. Even books, in some jails, though of a very high order are not permitted to these gentlemen. They should be allowed to them, subject, of course to the usual inspection of jail authorities. There will be no harm done if the books were allowed to be placed at their disposal. In the case of student prisoners it would be in the fitness of things that they are allowed to have their prescribed text books for study. Indoor games should be provided for these gentlemen who are all men of good status and position in life. They should not be refused such a small convenience. No Congress detenus should be kept in the Lahore Fort for more than a fortnight. The Shahpur jail should be abolished so far as the political prisoners are concerned, and these prisoners must be sent elsewhere. After all Government are concerned with detaining them. Their detention is all that they want. Government cannot wish that they should be put to all these physical disabilities and indignities. Let us not forget that these gentlemen have not been arrested for committing any offence. They have been arrested on mere suspicion. The Defence of India Rules are very comprehensive, and anybody who in the opinion of the Government is about to act in a manner prejudicial to public safety, can be arrested and detained. It is not for an overt act that has been actually done, but for something which might be done, that a man is held up and put in the prison. These Congressmen are being even kept locked up at night. This should not be done. I should suggest that no Congress detainee should be kept in the custody of the C. I. D. in Lahore Fort for more than a fortnight.

These are some of the suggestions which I have made in the best interests not of the prisoners alone but of the peace and tranquility of the province as well. The Honourable Premier cannot be unaware that there is a great deal of discontent and resentment in the province over the treatment meted out to the political prisoners at the present moment in jails, and I feel sure that he will not lose a moment in removing the grievances, if he does feel convinced, as we all are convinced, that they are being subjected to needless indignities and are being put to needless physical and mental discomfort. He should take every possible step to have all grievances set right. With these words I oppose this demand.

Sardar Teja Singh Swatantar (Lahore West, Sikh, Rural) (*Punjabi*): Mr. Speaker, I rise to support the cut motion. The demand before us is that a supplementary sum of Rs. 36,41,190 be granted to the Governor to defray the charges of Police. As representatives of the people we are to see whether this amount is spent in a correct and proper manner. I am one with those honourable members who are of the opinion that in war days unrest and internal strife of any kind should not be created in the province. I also agree that in such times production in the country should not be disturbed at all and that our line of communication and base supply must be strong enough to encourage the soldiers fighting for us on the front line. This can be done if there is peace and tranquility behind the trenches. I quite agree. But the pity of it is that the Government for this purpose have resorted to a method which is adopted by Imperialistic Government or those Governments, which resort to repressive methods. If the Government were really anxious to create peace and tranquility in the province they should have strived hard to find out a better method than this which has now become an hackneyed and out of date method of autocrats. They have again come forward with a supplementary demand asking us for more money for more Special Police, Additional Police, C. I. D. Police, *aur* Police, *kai* police. To me it seems that they have been unable to find out some other method except this. I wonder, why do they not try the method of *jathabandi* among people. As you are aware, Sir, one-fourth of the whole revenue is spent on the Police Department alone.

When with such a huge sum the Police and the C. I. D. do not discharge their duties properly, I fail to understand why the Government demand more money and what for they require the services of additional police. The police and the C. I. D. already in existence are not working efficiently and instead of combing out Fifth-Columnists from their hide-outs, are engaged in harassing and arresting the communists and congressmen. I went through the Supplementary Estimates and I was surprised to find a long list of Sub-Inspectors and Head constables, intended to be recruited. May I ask my honourable friends sitting on the opposite benches as to what has necessitated the increase in the strength of the additional police? To this they may reply that the police are instrumental in detecting the Fifth-Columnists. If so, have they succeeded so far in unearthing any fifth-column activity? Sir, I say it with all the emphasis at my command that so far they have signally failed to detect any fifth-column activity.

The police and the C. I. D. of this province are so inefficient that they cannot discharge their duties properly. Instead of being engaged in eradicating crime in the province they are actually busy in sending the greatest patriots of this province to jails and causing them untold hardship. By increasing their police the Government is encouraging Fascism. The Government of this province themselves, at whose instance the Police officers arrest communists and congressmen, are not anti-Fascist by nature in spite of their much advertised professions. This fact can be proved by the Fascist policy they are following. Not only that but even the British Government which is evidently making an all out effort to put an end to Nazism and Fascism, is not anti-Fascist, and being their lackeys this Government is also not anti-Fascist.

[S. Teja Singh Swatanter]

Sir Stafford Cripps failed to satisfy the demands of Indian patriots and thus threw cold water on their hopes. This refusal of the British Government gave a strong impetus to the cause of freedom, and on pressing this demand once again the Congress Leaders have been arrested. Mr. Amery and Mr. Churchill issued statements after statements to the effect that they were not prepared to part with power. Such is the mentality of the British Government, which hopes to fight Fascism to the bitter end.

Sir, if the arrest of congress leaders and communists at such a critical hour when Japan is knocking at our door, is not Fascism, in effect, what else can it be? So far hundreds of patriots including the communists have been jailed. The Government is replying to the demand for self-determination of these patriots with repression and is thereby sabotaging the war of liberation.

So far as our province is concerned, I wish to submit once again that with the encouragement of the Government the police is carrying on unbridled repression. The communists are anti-Fascists and they believe in helping the war effort. But unfortunately the repression indulged in by the police on the communists and Congressmen has thus weakened the anti-Fascist front. Although the Police prove their efficiency by incarcerating hundreds of nationalists, yet they know that they badly failed in tracking down Fascists. They are also aware that while they send a hundred Nationalists behind the bars, they fail to arrest a single Fascist. Sir, in my opinion my honourable friends on the ministerial benches may be the real fifth-columnists, because we know that Rashid Ali of Iraq and Mustafa Pasha of Egypt, who betrayed their countries, were prominent members of their Government.

Once again, Sir, I wish to bring this point home to the Honourable Premier, who himself is not less than a Fascist in so far as he is carrying on a pro-Fascist policy by weakening the anti-Fascist forces, that this statements will not have any effect whatsoever on us. His statements do not ring true. He has all along been rejecting our demands and even to-day while replying to a question regarding the release of communist detainees in Deoli and Gujrat Jail, he said that he was not prepared to set them free.

But I would like to inform him that he cannot repress the communists. They have spread all over the World and are fighting the Fascists with their heart and soul. He should know that it is the communists who are carrying on the struggle in Greece, Albania, Hungary and France in spite of the fall of these countries. The same is true in case of Malaya and Indo-China. By putting all the anti-Fascists forces behind the prison walls, do you propose to hand them over to the Japanese when they arrive in India?

Mr. Speaker : Please speak to the motion.

Sardar Teja Singh Swatanter : Sir, I am trying to show that this expenditure on police is unnecessary and a waste of public funds.

Can my honourable friends opposite tell me in what proportion they have jailed Fascists and Anti-Fascists? If there are any Fascists at all

behind the bars their number must be very insignificant. So far the Lahore Fort is meant exclusively as the inquisition chamber for the Communists.

While the Central Government have lifted the ban against the Communist Party and declared it as a legal body, here in the Punjab it continues to be considered as a dangerous organisation. Notwithstanding the fact that the Communists have given vent to their anti-Fascist sentiments in an unmistakable manner, a large majority of them have been sent to jail. There are at present 70 of these anti-Fascists in the Gujrat Special Jail, two are in Lahore and many others in Montgomery and Multan jails. Our main accusation against this Government is that they are not doing what they can against the Fascist forces in this country. The police have made no attempt at tracking down Fascists! In fact the police machinery is so set and toned that it being itself fascist minded it is incapable of sensing the fascists. It is the primary duty of the Government at this juncture to release all the anti-Fascist forces in the country so that they may organise themselves in *jathas* and fight these Fascists out. But instead of doing this if the Communists are at all released they are subjected to a treatment meted out only to bad characters and have to suffer all sorts of insults and indignities at the hands of the police. Police officers themselves do not know whom they have to arrest. Without caring to know whether a person belongs to the Kissan Party, the Communist Party or the Congress Party, they are indiscriminately making wholesale arrests of all the nationalist minded people they can lay their hands upon in their ilaqas. I can produce evidence to prove the veracity of my statement because the various Kissan committees set up all over the country keep complete lists of their workers arrested without any rhyme or reason. All this is done in a vindictive spirit and with the idea of pleasing their superiors. Sardar Sardul Singh advocate, for instance, does not belong to the Congress; yet he has been arrested. His only fault is that he appeared in the courts on behalf of all those who were arrested in connection with the Congress movement. Now the intention of the police seems to be to ruin his business and thus to teach him a lesson. Similar is the case with Gyani Hira Singh Dard and Dalip Singh from Tapiala. Fabricated diaries were produced to secure the latter's conviction. The main feature of every Kissan meeting is a most vehement condemnation of Fascism and the monstrosities and cruelties perpetrated by the Fascist barbarians on their victims. But in spite of all the much advertised anti-Fascist declarations of the Government, their police make it a point to forcibly disperse such meetings and arrest Kissan leaders. Only recently I had an opportunity of witnessing this exhibition of the police might. I addressed a Kissan meeting at Saraba in Ludhiana District and had to leave it immediately for proceeding to some other place. I had not yet gone a few hundreds yards from the place when a posse of police, 36 strong appeared and ordered the meeting to disperse and threatened to open fire in case the order was disobeyed. The attitude of the police throughout was most provocative. May I know if this is the reason why armed police is required by the Government?

I quote another instance. I happened to sit in a tonga along with a policeman who bragged about how his friends from the Jhelum District dispersed Congress and other meetings by the force of their lathis. Do you require this security staff for acts such as these? Had it not been for the

[S. Teja Singh Swatantra]

Kissans and workers, who are at this moment following the only right path and are being subjected to such shameful treatment on that account, the country would have seen the martial law days repeated all over again. It is high time that Government revised their policy. They should consider this war as their own war if they are to see it successfully concluded. If the peace and tranquility of the country is really the main concern of the Government, they should wholeheartedly take part in the prosecution of war and make a total effort to stamp out Fascism.

I oppose this demand because I sincerely feel that more police is not needed. There is no occasion for exaggerating the congress movement and spending such a tremendous amount of money on Police when even a single pie is so badly needed for carrying on this war. It would be much better if the Government contributed this sum to the war funds, or invested it in setting up an ammunition and arms factory and sent the young men, intended to be recruited as policemen, to the Front for freeing the world from the Fascist hounds.

With these words I oppose the demand now under consideration of the House.

Sardar Sohan Singh Josh (Amritsar North, Sikh, Rural) (*Punjab*): Sir, I rise to oppose the demand under consideration. I am absolutely against even a single pie being granted to the Government for this item. I have my reasons for opposing the grant of this money and if my honourable friends opposite will give me a patient hearing I will presently detail them before the House.

Sir, I want my honourable friends on the Unionist benches to listen carefully to what I have to say so that they may be able to judge as to how far the actions of the Government justify their professions. We are told that this grant has been asked for engaging a security staff to eradicate Fascism and to start a wave of anti-Fascist feeling in the hearts of the people of this province. In order to show how far their actions belie their professions, I shall have to recapitulate certain recent events. It was on the 8th of August last that the Indian National Congress passed a resolution at Bombay urging the grant of independence to India. The reason given was that the Congress intended to expedite India's war effort and to send their armies to defeat the Japanese aggressors. The resolution made it clear that it is only after getting their own independence that they can wholeheartedly give every possible help to Russia and China in their fight against the Fascist hordes. They could join hands with the United Nations only after they had arrived at some agreement about their own freedom with the British. The Congress also made it clear that they not only wished to see Fascist Axis defeated but also desired to actively participate in bringing about their downfall. Maulana Abul Kalam Azad went so far as to declare that if independence were granted to India they would enforce conscription and send their armies to all theatres of war. Now the professions of the Government can well be judged by the action that they took subsequent to the passing of this resolution. They arrested all the leaders of the people who alone were competent to mobilise India's man-power against the aggressors.

Sir, Mahatama Gandhi once said, that on a certain occasion he wrote to the Viceroy that so long as the British Government does not enter into an agreement with the Indian National Congress, so long as the British Government does not accede to the demands of Indians for the grant of liberty, and so long as the British Government does not treat India as Free India, the Indian masses will not side with British India in this grim war. If India were free, it would have fought against Italy, Japan and Germany as a United Nation along with Russia, United States of America and England. Her co-operation would have been a whole-hearted one. She would have felt as if she was fighting her own war.

Once Maulana Azad, the President of the Indian National Congress, while winding up his presidential address proclaimed that the Indian National Congress was not prepared to array itself against the British Government. But it was stressed with all the possible emphasis at his command, that the British Government should grant to India complete freedom. They should treat India as a Free India, so that the Indians may fight against Fascism as grimly as could be possible of them. But what had been the reaction of these demands? The world knows that upon the mere reports of the C. I. D., wholesale arrests were made indiscriminately. This action of the Government caused great discontentment among the masses. They became pro-Axis. A huge conflagration broke out throughout India. People began to be arrested in abundance. The people, with a view to give vent to their chagrined feelings, began to indulge in such activities which were very suicidal to the peace and tranquillity of India. They began to set fire to the Government offices, cut the telephone and telegraph wires, began to derail railway trains and likewise indulge in many other nefarious activities which they could conceive of. All these depredations were done with a view to give expression to their pent up feelings against the British Government.

Our Ministers can well imagine what sort of reports the C. I. D. people submit to the Government. Their exaggerated reports are relied upon and on the pretext of those reports, people have been arrested in numbers, which could never be conceived of by any Government. The Indian masses have been chagrined to the extreme. Now they cannot give battle to the Fascism, but on the other hand they are striving as hard as possible to impair the means of defence of this country. The pro-Axis wave has blinded them. They have cut the means of communication, destroyed the public property and done every sort of depredation. Now the people openly declare that the British should vacate India. They disavow their sympathies with the English people. The patriotism of Indians demand that the British should relinquish India. Now the people have begun to proclaim that the British should anyhow leave India. Whatever hardship the Indians may have to face, whether they may have to welcome the Japanese domination or they may have to invite any other Power from abroad, this much they unanimously declare, that the English people must leave India as early as possible. But we the Communists assert that we will not either welcome Japanese domination or allow other Powers to conquer India. We will rule ourselves, but this much we will do that we will not allow the British to remain in India.

[S. Sohan Singh Josh]

Sir, we have been painted black in the eyes of foreigners. We have been misrepresented to the foreign countries. In spite of all this we will not deviate from the path which leads us to freedom, which grants us an opportunity to drive out the British from India. None can do any harm to the Kaumi Party. The Congress magnates, the Congress leaders and the Congress *en bloc* in the fit of consternation, deviated from the path of freedom. By and by people became pro-Axis. This cult brought in its wake countless arrests, abject misery and wholesale devastation. The C. I. D. is encouraged and now the arrest of people is very indiscriminate. If now, more money is granted to the C. I. D. the results will be far too horrifying to describe. One thing is sure that Fascism will disseminate with an appreciable progress, and ultimately it will become uncontrollable.

I now turn to the other pretensions of our Government. They assert that the gravity of the situation imposes upon the authorities the responsibilities for maintaining internal peace and security and strengthening the home-front. They are adamant to suppress the 5th columnist. But I dispel their beliefs. Nobody can suppress this wave of conflagration. All the same it will go on increasing. The people are becoming pro-Axis, and nobody can deter them from thinking what they are thinking now against the British Imperialism.

After all what is the object of the Government in arresting and harshly treating the respectable leaders of the people? They say these arrests are made for the defence of India. But I fail to see how India can be defended by imprisoning her leaders. On the other hand the Government is causing unrest in the minds of the public by these indiscriminate arrests. The high-handedness of the police is adding fuel to the fire of agitation and the civil disobedience movement. The police officers ignore the larger interests of the Government and the people for the sake of taking their personal revenge. People are arrested in a haphazard manner without any chance being given to them to prove their innocence. The reports of the C. I. D. people are not always based on facts. More often than not bad reports against certain individuals are made due to personal enmity and jealousies. Otherwise if only those persons were to be arrested who fan the fire of civil disobedience, how is it that men like Manga Ram are being detained? Now this gentleman belongs to the Communist party the aim of which is to defeat Nazism and Fascism. All Communists are anti-Fascists and hence supporters of the Allies in the present World War. I say this with the fullest authority because I am the Secretary of this party. I have mentioned the office I hold not in any spirit of vanity. I have disclosed my status in order to dispel any doubt that some gentlemen might have about the real views of the Communist party. That is the real policy of this party. There is absolutely no doubt about it. You may take my word for it. I speak with authority. Now, Mr. Manga Ram was a member of this party and it was he who had opposed the resolution of the Congress passed at Bombay in which the Congress asked the country to render no help to the British in the present war. In spite of the fact that he had opposed

this resolution (because he was in favour of the war effort of the Government) he was arrested forthwith on his way back from Bombay. It is clear that even anti-Fascists are being arrested by this Government which itself claims to be anti-Fascist. What, then, is the real cause of such arrests? The real cause is, as I have already submitted, not that successful prosecution of the war is desired, but because some of the Government officers want to avenge themselves by ignoring the larger interests of the country. Manga Ram was arrested so that the Honourable Chaudhri Sir Chhotu Ram may have no difficulty in the elections. For such sordid aims and objects, the leaders of the people are being put behind the bars, and clumsy arguments are advanced in support of these unjustified arrests. The charge against Manga Ram was that he was seen near the Aerodrome. It is strange that he was suspected to be aiming at blowing up the Aerodrome. As a matter of fact the Government is strengthening the present agitation which has taken the form of civil disobedience movement. The C. I. D. officers are giving an impetus to this movement instead of checking it. The interests of men like Chaudhri Chhotu Ram are being preferred to the real interests of the country. (*Rai Sahib Chaudhri Suraj Mal*: This is not true). My honourable friend Sardar Teja Singh Swatanter had gone to attend a meeting at Talwara in the Ludhiana district the aim of which was to organise anti-Fascist elements. But the Deputy Superintendent of Police of the district came up and instead of encouraging the people asked them to fall in line. All those who carry on propaganda against Fascism, are detained as if the Government wants to defeat its own purpose. I can stake my very life to prove these facts. All the incidents mentioned by me are absolutely true. Similarly Sardar Indar Singh was arrested before our eyes at Gujranwala while he wanted to strengthen the war effort of the Government. It is really strange that the very men who want to strengthen the home-front against Germany, Italy and Japan, are being arrested. Why should the anti-Fascist elements be thus discouraged by the police? About 80 such detenus are being detained in the Central Jail of Gujrat. The Government of the Punjab is being run in the name of Sir Sikander Hyat-Khan but in reality the Deputy Inspector-General of Police is all in all. He acts as he pleases in the name of Sir Sikander Hyat-Khan. Mutual jealousies have taken the upper hand and the real interests of the country are being sacrificed by the Government servants. In reality they are acting as the agents of the enemies. They are the real fifth columnists. The interests of the Unionist Party and the Akali Party are sought to be safeguarded at the cost of the larger interests of the people. Now Sardar Baldev Singh has been installed in the Ministry as the champion of the Akali Party. Our home-front against Fascism is being weakened by men like Sir Sikander Hyat-Khan and Sardar Baldev Singh. (*Minister of Finance*: What is Fascism?) It is the younger brother of Imperialism. I will illustrate my point by quoting an example. A poor Kisan once approached a snake-charmer and asked the price of his snake. The kisan was astonished to learn from the snake-charmer that the smallest snake was the dearest and the biggest was the cheapest. "Why" asked the poor kisan, "should the smallest snake be sold at the highest price and the biggest at the cheapest rate? The case should be the reverse." "No," said the snake-charmer. "The smallest is the most venomous."

[B. Sohan Singh Josh]

I judge its price by its virtue. No sooner it bites than its victim dies. That is the secret of its high price." In the same way I want to tell the Honourable Minister of Finance that Fascism is the younger brother of Imperialism but is more dangerous than the elder brother. Hence we should detest Fascism and hate it more than we hate Imperialism. Japan, Germany and Italy are the living examples of Fascism. That is what we understand by the term Fascism. I do not know how my friends would define it. Anyway our definition is the correct one. We regard both Imperialism and Fascism as our enemies and we do not love any one of them. If Imperialism is bad, Fascism is worse. No doubt the Congress party is a party of patriotic people but at present it has adopted a wrong course which would lead us to slavery of Fascists. We the Communists do not see eye to eye with it in regard to the present policy which it has adopted. We want to defeat Fascism first and if we succeed in defeating it, it is then and then alone that we would be in a position to throw away the yoke of the British Imperialism. We have adopted this course after a careful and mature consideration and in our opinion it is the best course.

Minister for Public Works : Where do Akali and Unionist parties stand ?

Sardar Sohan Singh Josh : Ask Sir Sikander ; he will tell you.

Minister : I want to hear from you.

Sardar Sohan Singh Josh : If you ask me outside this House I will tell you.

Anyhow I am opposing this demand because this Intelligence department is really strengthening the position of those elements in the country who are helping the Fascists amongst us and is opposing those people who want to fight Fascism. I know there are certain persons working in this department who are conniving at the activities of Fascists. In fact they are helping them in one way or the other. This is a fact which nobody can deny.

There is yet another point in view of which I am opposing this demand. That is the ignorance and illiteracy of the police. I can say it on the basis of my personal experience that the police of this province is most backward politically. The policemen do not know even A, B, C, of politics. They do not know anything about Communism, Fascism and Imperialism and have absolutely no knowledge of Muslim League and Congress creeds. They do not know as to what are the activities of the communists and what they stand for and what they are opposing, so much so that when searches are made they take away even such books as 'Self-Help'.

Minister for Finance : May I ask a question ? Should police interest itself in politics ?

Sardar Sohan Singh Josh : I think that a Government which does not teach even elementary politics to its police is not worthy to be called a Government and such a police cannot be other than worthless and it is very much regretted that the administration of the province has been placed in the hands of such a police. I would therefore submit that the police should

he imparted lessons in elementary politics. If my friends cannot undertake to impart education to the police I offer my services and I assure them that I would educate the police within 14 days. At present the policemen even do not know as to who are fighting on the side of Britain and who against it. It is these people in whose hands the administration of this province has been placed. I feel that not only the police of the province but also the Cabinet should take lessons from me in politics. I can impart education to them as well, (*laughter*) and I will give them this education free of any charge. My friends need not go anywhere. We take study circles daily here in Lahore and they can attend those classes if they so desire. (*Laughter*). Anyway it is the height of folly to place the administration of the province in the hands of worthless and ignorant police. To expect from this police that they would be able to find out the Fifth Columnists in the province would be the greatest blunder of our life, a blunder which may help Germany, Japan and Italy to come here. Nothing less than that will happen. (*Mian Muhammad Nurullah* : They are creating Fifth Columnists). Yes they create Fifth Columnists as well. Really they make reports against those persons who want to fight against Fascism and who want to promote war effort in the country. I know that many such persons, who wanted to fight against Fascism, have been arrested and put behind the bars. I think there is only one way in which we can fight Fascism best and that is that complete independence should be granted to India. But how are we to secure that independence? The first thing which should be done in this behalf is that all the Congress leaders, who are at present in jails, be released. If anybody thinks that by imprisoning Congress leaders peace and tranquillity can be maintained in India, he is sadly mistaken. The Congress is a very powerful body. It is a body of patriotic people, although I think that at present it is following a wrong policy. That is not the best course to obtain independence of India. On the contrary we can achieve it by bringing about unity between Hindus and Muslims, between Congress and the Muslim League. I am myself a member of the All-India Congress Committee and I think that this is the only way in which we can obtain independence. And for that it is necessary that some settlement should be made with the Congress and the Congress leaders be released. After releasing the Congress leaders, Mr. Amery and Mr. Churchill should be put in a place and India granted full independence. After getting independence we will see that neither Fascism nor Imperialism remains here.

Minister for Public Works : Including Communism.

Sardar Sohan Singh Josh : We shall see.

Premier (Lieut.-Col. The Honourable Sir Sikander Hyat-Khan) (*Urdu*): Sir, to-day so many irrelevant speeches have been made on the demand under consideration that it is hardly possible to find a parallel in the history of this House. However the House in general and my honourable friends in particular should thank you for showing so much indulgence to them which made it possible for them to have their full say. I am not complaining against that. Rather, Sir, you did well to allow them to say what they wanted to say. The speech of my honourable friend, Sardar Teja Singh Swatanter, has not surprised me in the least. He has newly come to this House and therefore if he wastes his breath on such matters he should be

[Premier]

excused for it. So far as Sardar Sohan Singh Josh is concerned, this is the first opportunity he has got of letting off steam after his release from the Gujrat Jail. Naturally he had many things to say. Lastly my honourable friend, Sardar Santokh Singh, waxed eloquent because he had received a particular letter from a friend of his in jail. Now, Sir, you will also allow me to give a befitting reply to the irrelevant speeches of my honourable friends. Strictly speaking, my speech would also be considered an irrelevant one but as I want to reply to the irrelevant speeches of my friends it will have relevancy so far as they were concerned. I, therefore, hope that you will very kindly waive the rules of procedure in my case as you have done in their case and overlook any digression on my part as you have done in their case. Anyway the matter was simply this that in view of the grave situation in the country a special intelligence staff was appointed to forestall the activities of the Fifth Columnists and to keep the Government informed about matters which were dangerous for the internal peace and security of the province. There is a section of people in this country who are engaged in subversive activities, and in order to forestall the activities of such mischievous elements and keep the Government informed about them, it was necessary to appoint this intelligence staff. This is the sole object for which the staff in question was engaged. I, therefore, think that nobody can have any reasonable objection against it. My honourable friend, Sardar Teja Singh Swatantar, while criticising the police, said that before taking any such steps we should look to other countries and see what they are doing; and in this connection he particularly quoted the instance of Russia. He may possess a lot of information about Russia, but I may tell him that there is a world of difference between theory and practice. We have been reading a great many things during our school and college days but when the time came for putting them into practice we could not do so.

Sardar Sohan Singh Josh : We are the people whose deeds do not belie their words. In our case theory and practice go hand in hand.

Premier : *Mashallah* ! I was submitting that it is all very well to theorise but it is difficult to put one's theories into practice. I wish my friend Sardar Teja Singh had thrown some light upon the good points of Russian administration. It would have been much better if he had done so. I had absolutely no mind to refer to Russia as that country is now an ally of the democracies and is fighting shoulder to shoulder with them to safeguard freedom and civilization. But since my honourable friend has thought fit to refer to it I would tell him as what is happening in Russia. If any person is suspected of working against the interests of his country no case is started against him in any court of law nor are any inquiries instituted against him. On the contrary, what actually happens is that an order is passed by the highest executive authority to the effect that such and such a person, having been found acting in a manner which is prejudicial to the best interests of the State, should be made to face a firing squad; and then and there that person disappears from the face of the earth. In this way 400 high military officers, who were suspected of being dangerous to the State were shot dead in one night. We have done nothing of the sort here. Had I possessed the powers which dictators possess, even then

I would not have gone to such lengths because I do not possess a heart strong enough to mete out such cold-blooded treatment to my fellow-countrymen. Had such an opportunity arisen I would certainly have vacated my office for my friends opposite. In short my friends, while criticising the police and intelligence staff, conveniently forget these things. We have appointed this staff in order to check the activities of the Fifth Columnists and other hired agents of the enemy who come from outside to foment trouble here. If, God forbid, the Fascist hordes succeed in coming here they will treat you and me alike and that is why we have joined forces to combat enemy propaganda and other subversive activities of the sworn enemy of our beloved motherland. We in this country do not possess the powers of dictators. We have, therefore, appointed this intelligence staff to collect information about the activities of the Fifth Columnists and other hired agents of the enemy and pass it on to Government so as to enable us to stamp out this disease from the province root and branch. The police, and this special staff, have done very good work during the present unrest in the country. They have kept an unceasing vigil on the activities of these subversive elements. The information which this staff has been able to collect and pass on to Government has helped us to maintain peace and order in the province. I do not, however, say that if this staff had not collected this information the peace and tranquillity of the province would have been endangered. Certainly not. The credit for the present calm and quiet atmosphere in the province goes to the brave and realistic people of the Punjab. This fact is admitted on all hands by our friends as well as by our enemies alike. Our people are not indulging in things likely to endanger the peace and tranquillity of the province. If there is peace in the province that does not mean that Fifth Columnists and hired agents of the enemy cannot come from outside and foment trouble here. In fact they are in our midst and when they are present amongst us, why should not we get full information about their nefarious activities so that if any trouble arises we should take immediate steps to stamp it out? Now if instead of spending 10,000 rupees we spend 11,000 rupees and remain immune from the difficulties which the other provincial administrations had to face, I think we are not paying too high a price for it. My friends will agree with me that even if we have to spend 20,000 rupees we will regard it as a mere begatelle compared with the safety of our lives, our hearths and homes and our honour. We should rather be prepared to pay a higher price than that. I, therefore, request my friends to consider this demand from this point of view. I frankly admit that all the employees in the police and Criminal Investigation Department are not angels just as all my friends here are not angels. I am prepared to admit it. But most of them are working honestly. If my honourable friends find that somebody has not done his duty or has over-stepped it, they are welcome to bring it to my notice and I assure them that I will certainly try to set the offender right. But surely it will be the height of folly to close down this department for the mistakes of some of the staff.

Then it has been pointed out by my friends that the basis of C. I. D. reports is generally incorrect. It is possible that the basis of one or two reports may be incorrect. But I assure my friends that these reports are not taken at their face value. As a matter of

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fact the reports which are finally submitted to Government are closely checked at 5 or 6 different stages. The reports which appear to be exaggerated or which are not corroborated by other sources are deleted. They are not deemed to be authenticated reports. Only those reports are considered authenticated and are finally submitted to Government which are supported by other sources as well. I am prepared to admit that from amongst the reports which are finally submitted to Government for action one or two may be incorrect but such instances are very rare indeed. I can say on the strength of my six years' experience that the basis of most of these reports which are finally submitted to Government is correct. In fact no notice is taken of exaggerated and conflicting reports.

Sardar Sohan Singh Josh : Your experience seems to be very unripe.

Premier : My friend is labouring under a great misapprehension. I know the reason why he has made this remark. It is being said about him that he has been released because he has entered into a secret pact with the Government. I should like to tell my friends that nothing of the sort has happened. I have said this before and I say it now. If anybody wants me to make this declaration on oath I am prepared to do so. I may tell my friends that we do not release people by entering into secret pacts with them and I am not one of those who indulge in this sort of things. The fact is that when he made an open declaration of his principles to which the Government do not take exception he was released. I can say that everybody is welcome to change his views at any time. When the Government was satisfied that no danger was apprehended from him, Sardar Sohan Singh Josh was released.

Sardar Sohan Singh Josh : Why have others not been released ?

Premier : Have patience. When he changed his views and the Government was satisfied that he was a safe person he was let off. There was no justification for the Government to keep him behind the bars. But there is one malady from which he is suffering and he does not realize the gravity of it. And it is this. His conscience tells him to tell the truth but he dare not do so lest people should refuse to listen to him. It is a well known fact that the majority of people do not relish the truth.

Sardar Sohan Singh Josh : We are at least not the supporters of Imperialism.

Premier : Sir, I can appreciate his difficulties. There is a well known Punjabi adage,

سچ مرچان تے جھوٹ گڑ

which my honourable friend must be knowing thoroughly. My submission is that when he goes to make a speech at a meeting people accuse him of many things. Some say that he has entered into a secret pact with the Government. Others say that he has accepted a bribe from Government or that he has secured his release by tendering an apology to Government. When he hears such accusations against him he becomes excited and begins to level all kinds of charges against the Government. I would advise my friend

that he should not swerve from the right path and should tell the truth even under the shadow of a sword. If my honourable friend feels that he is treading the right path he must steadfastly stick to it and should not be carried off his feet by the false insinuations and mis-statements of interested people. He should keep cool and carry on his work undaunted and unmindful of the fact whether he is popular or unpopular with the masses. But the difficulty is that while my communist friends cry themselves hoarse that all the anti-Fascist forces should be brought together with a view to combat the evil of Fascism, Sardar Sohan Singh Josh is apprehensive lest he should lose the confidence of the public. On the one hand he wants to curry favour with other political bodies, and on the other he would like to maintain his leadership.

Sardar Sohan Singh Josh : All wrong.

Premier : If that is so then I am afraid my honourable friend can never adopt the right path. But as I have already stated, if he firmly believes in uniting all the anti-Fascist forces in order to destroy Fascism, then he need have no apprehensions about the Congress, the Britishers, Akalis, Communists, etc. He should not swerve from the right path and from telling the truth even if a sword were hanging over his head. I am confident that this fearlessness would raise him in the estimation of the public, and he will become a leader of outstanding importance in the province.

Sardar Sohan Singh Josh : We are leaders even now. (*Laughter*).

Premier : May be, but the pity is that while my honourable friend considers himself a leader, people do not recognize him as such. (*Laughter*). I was, in fact, telling him the way how to become a leader but my honourable friend felt unnecessarily embarrassed. Then, Sir, he took the Government to task for not releasing the rest of the detenus. I may tell him that no less than 54 detenus have been let off by now. They never tendered an apology nor did we bribe them to change their views. The fact of the matter is that as soon as we received information that the detenus had changed their former principles, just as my friend Mr. Josh has done, we set them at liberty. If my honourable friend is their leader, then I would suggest to him not to deviate an inch from the right path. But the difficulty is that the fear of expulsion from the All-India Congress Working Committee is always telling upon his mind and this makes him fickle-minded. What I want him to do is that he should at least give his comrades the liberty of action. He should not put obstacles in their efforts to fight the monster of Fascism. The Communists constitute a powerful force and they have been doing remarkably good work for the freedom of our motherland and I believe that they can still do a lot in that respect. I tell my honourable friend as a compatriot and a comrade in arms that the goal set before us is the same, that is, lining up with the anti-aggression front in order to win the war and ultimate freedom of our country. Although we are pursuing different methods to achieve our end, yet the successful attainment of the goal will be shared equally by us. My gain is his gain and *vice versa*. To elucidate my point, I would compare our position to two armies advancing from two different directions to overcome the enemy; if they make a concerted attack they are sure to win their object, but if they start firing at and killing each

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other they would weaken themselves and strengthen the hands of the enemy. What I want to drive at is that instead of quarrelling among ourselves we should strive hard for the noble task of uniting various conflicting sections of the people to offer a united front to the enemy. I assure my honourable friend that if he sticks to the right path he would certainly have the co-operation of his opponents because ultimately truth is bound to prevail and convince even those who differ from him at the present moment. In the end his movement will flourish and progress by leaps and bounds.

Then my honourable friend made a reference to Mahatma Gandhi's speech. I was not privileged to listen to it because I was not in my seat. Anyway I have no mind to criticise it. Besides, in the course of his speech he blamed the Government for posting a posse of special police at a certain village. I may tell him that additional or punitive police is posted at a place for purposes of curbing and checking crime. My friend's inference that punitive police has been sent to that village because communists reside there, is obviously wrong. As I have already stated, punitive police is meant to check the rising tide of crime as well as to stop communal strife. If communists are residing in a village where crime is rampant, then the posting of punitive police is justified, as law is no respecter of persons or individuals or parties. I am sure that my honourable friend will not press this matter.

Then my honourable friend was pleased to remark that Congress wanted to help the United Nations and defeat the Axis Powers. He has also professed himself a staunch supporter of Hindu-Muslim unity as he thinks that this unity would have a far reaching effect on the future of our motherland. I quite agree with him. But may I suggest to him that if he has such deep-rooted conviction about the part that Hindu-Muslim unity would play in the attainment of independence, he should leave aside all other activities and strive every nerve for the materialization of this fundamental object? This will resolve all obstacles created by our internal strife. If this laudable object is achieved, all this bitterness that is prevailing in India over the independence question will disappear and the Congressmen who are behind the prison bars will be set at liberty. It is a thousand pities that we in India are making much of trifles. On the one hand the British Government are saying that they have given everything to us, while on the other our Congressite friends are continuously shouting that they have received nothing and accuse the Britishers of telling lies. What a pity that nobody cares to sift the grain from the chaff, and the matter has not at all been considered honestly by the Congress. The British Government unequivocally declared that India will be free after the conclusion of the war and that they will accept any constitution framed by the Indians themselves. They have gone to the length of saying that they would not object if a Constituent Assembly is called or if Indians decide to secede from the Commonwealth of Nations. But our Congress friends still persist and say that the British Government have not given us anything substantial. Why is this confusion being created? There is some motive behind it. The British Government wisely tried to please and conciliate everybody in India but forgot the maxim that "In trying to please everybody one pleases nobody". Again this proposal of the British Government, that a provincial Government will

have the option of seceding from or remaining with the Centre, served as a spark to a gunpowder magazine, leading to serious internal disorders. In other words the right of self-determination is the main cause of their dissatisfaction. As a matter of fact the British Government forgot that there was a certain element in the country which was bent upon frustrating all their attempts to bring about an amicable settlement among the different sections of the Indian people. It is obvious that independence was withheld from us because of disunity in our ranks.

Let us then unite and ask the British Government with one voice to fulfil the pledge already given to India with regard to her freedom. If that is not done, it would not be possible for us to achieve our goal because disunity amongst us would lead the country nowhere as has often been pointed out by various British statesmen. We are not free because we are not united and have not come to an understanding. The British Government have said many a time in unmistakable terms that the robes of freedom have already been fashioned for India and that it is for the Indians themselves to give up internal strife and come forward to wear these robes of freedom and liberty. The only obstacle in the way of Indian freedom is the disunity of Indians themselves. I will, therefore, ask my honourable friend to discard the path of disunity and come to me if he wishes to learn the true method of achieving Hindu-Muslim unity. Mutual jealousies should be forgotten for the time being. Is there any country where there is no political strife? In every country there are men belonging to different political groups. But they postpone their mutual bickerings when a common foe threatens to invade their country. We should also take a leaf out of their book and unite for the sake of saving our hearths and homes. When the crisis is over, there will be time enough for settling our accounts. But why give the British a pretext to withhold our freedom which has been long overdue? Let us unite in the face of the British challenge that India is divided against herself. If we do so, the British will not have the courage to go back upon their word.

Adverting to some of the irrelevant remarks of my honourable friend sitting on the opposite benches, I can only say that the time at my disposal is very short and my speech is getting longer than I expected it to be. I do not wish to bore the House with a long speech which I admit cannot be half so spicy as the speeches of my communist friends. I may, however, assure them that I have all along been anxious to remove any inconvenience that might be caused to them. Even in future my policy will continue to be the same. The letter which has been referred to by my communist friend is not out of my mind. The representation in question has already reached me and I will try to remove the legitimate grievances of the detainees in accordance with the jail rules. But I may mention here that the complaint against the removal of invidious distinction of classes of prisoners is quite unjustified. The Congress people have to thank themselves for this. Their leaders used to say that the Government humiliated them by giving them a better class than was the lot of the ordinary workers. In fact these leaders were taunted by others who said "Look here, you enjoy all the amenities of life in A class. Your toast is buttered on both sides. Milk, eggs, butter, books, newspapers and other facilities like Radio sets are

[Premier] supplied to you. You even play tennis in jails. Just consider the lot of the poor devils who are awarded C class." It was due to these complaints that the Government agreed to obliterate the invidious distinction of classes of prisoners. A sum of annas nine per day as diet money has been fixed for all prisoners, but the people who have gone to jail in connection with the present movement are getting less than this sum. Orders have been issued that *charpoys* should be supplied to all the detenus in jails and books are being allowed to them from the jail libraries. If anybody wants to make a gift of any books to the jail libraries, they would be gratefully accepted provided they are approved by the authorities. So far as other matters relating to letters, interviews and supplementing of food are concerned, I assure the Leader of the Opposition and other honourable members that I will enquire into the matter and will, after careful consideration, try to give all possible facilities to the detenus.

As regards the complaint about keeping the detenus in the Shahpur Jail, I submit that there is no single jail which could be allotted to the Congress detenus exclusively. My honourable friend Sardar Sohan Singh Josh would bear me out that there is no spare accommodation in the Gujrat Jail for the detenus. We are trying to construct another new jail, but I am sorry to say that it has not been completed so far. As soon it is ready, we will immediately transfer the Congress detenus to this jail. So far as the question of Shahpur Jail being infested with scorpions is concerned, I had better refer it to the Honourable Minister of Public Works who hails from that district. He may be able to tell us whether the climate of Shahpur is favourable for the breeding of scorpions as well as horses. (Laughter).

I may also take this opportunity to repudiate the charge that detenus in the Lahore Fort are subjected to solitary confinement. This complaint is wholly baseless. The detenus in Lahore Fort are allowed to have a stroll both in the morning as well as in the evening. They are allowed to remain out of their cells for a pretty long time. I wonder how my honourable friend obtained the information that Sardool Singh was in the Lahore Fort and that he was subjected to solitary confinement. Both of these charges concerning Sardool Singh are without any foundation. Moreover, he was not arrested or detained by my Government. Some detenus are transferred to the Lahore Fort by the Government of India and usually they do not stay here for more than 15 or 20 days. After this period they are usually transferred to other places. I am not responsible for the detention of such people. My responsibility or the responsibility of my Government is confined to this extent only that when the Government of India sends them here, we keep them for a short period and when they have any complaint we recommend to the Government of India to transfer them to some other suitable place.

After having considered these rather irrelevant matters, one thing that puzzles me most is the attitude of my communist friends. Sardar Teja Singh says that everything is amiss. Sabotage is wrong. The repressive policy of the Government is wrong. What is right then? If sabotage is wrong, it must be right to punish those who indulge in sabotage. (Sardar Sohan Singh Josh : Communist party is right !) Very well, my honourable friend says

that the communist party is right while all others are in the wrong. I may ask, then, why do not my communist friends come forward and frankly declare that even the Congress is wrong? But they dare not say that in the face of the Congress High Command. They are afraid that if they made this statement they would be expelled from the Congress. My honourable friends must have the courage of their convictions and say openly what they feel in their heart of hearts. I for one have no such fear of the Congress or any other party. None can deter me from speaking out my mind. I do not feel the slightest hesitation in saying openly and frankly that the present disorder created by our Congress friends amounts to treachery against the very honour of every individual inhabiting this sub-continent.

Adverting to the grant before the House, I would simply submit that the House should pass this grant in toto so that the honourable members may be free to take rest after these rather lengthy deliberations.

Mr. Speaker The question is—

That the item of Rs. 3,14,310 on account of (1) Total B—District Executive Force be omitted.

The motion was lost.

Mr. Speaker : Question is—

That a supplementary sum not exceeding Rs. 36,41,190 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1943, in respect of Police.

The motion was carried.

The following motions were then moved and carried.

EDUCATION (EXCLUDING EUROPEAN AND ANGLO-INDIAN EDUCATION)

That a supplementary sum not exceeding Rs. 65,000 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1943 in respect of Education (excluding European and Anglo-Indian Education).

BUILDINGS AND ROADS ESTABLISHMENT CHARGES

That a supplementary sum not exceeding Rs. 1,06,880 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1943, in respect of Buildings and Roads—Establishment charges.

ELECTRICITY SCHEMES—WORKING EXPENSES

That a supplementary sum not exceeding Rs. 3,43,500 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1943, in respect of Electricity Schemes—Working Expenses.

REVENUE EXPENDITURE—ELECTRICITY SCHEMES

That a supplementary sum not exceeding Rs. 1,71,900 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1943, in respect of Other Revenue Expenditure connected with Electricity Schemes.

CAPITAL OUTLAY—ELECTRICITY SCHEMES

That a supplementary sum not exceeding Rs. 1,00,000 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1943, in respect of Capital Outlay on Electricity Schemes (Outside the Revenue Account).

STATIONERY AND PRINTING

That a supplementary sum not exceeding Rs. 3,31,950 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1943, in respect of Stationery and Printing.

MISCELLANEOUS

That a supplementary sum not exceeding Rs. 32,000 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1943, in respect of Miscellaneous.

ADVANCES REPAYABLE

That a supplementary sum not exceeding Rs. 1,40,25,000 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March 1943, in respect of Advances not bearing interest—Advances Repayable.

The Assembly then adjourned till 12 noon on Monday, 2nd November 1942.

PUNJAB LEGISLATIVE ASSEMBLY

EIGHTH SESSION OF THE FIRST PUNJAB LEGISLATIVE ASSEMBLY

Monday, 2nd November, 1942

*The Assembly met in the Assembly Chamber at 12 noon of the clock.
Mr. Speaker in the Chair.*

REFERENCES TO LATE NAWAB SIR FAZAL ALI KHAN

Premier (Lieutenant-Colonel The Honourable Sir Sikander Hyat-Khan): Sir, it is my painful duty to make a reference again to the death of one of our very esteemed colleagues. Unfortunately, during this year we have lost several valuable colleagues who have been snatched away by the cruel hand of Death. You are aware, Sir, that Nawab Sir Fazal Ali was not only one of the leading persons in his own district, but one who held a position of trust and confidence amongst the people of his own tribe, of his own district, of his own division and of his own province. As you are aware, he was the first non-official to become a president of a district board even when officials used to preside over other district boards in the province; and with what efficiency and skill he steered the affairs of that local body can be seen by a reference to the reports on local bodies from year to year. He was chairman of that board for well over two decades and throughout that period his work was marked with justice, fairness and efficiency and I have not come across a single adverse remark either from non-officials or from officials with regard to his valuable work as chairman of that body. He was also President of the Municipality of Gujrat and he used to be unanimously elected to both these offices from year to year until a couple of years ago, when on account of his health and on account of other occupations, he himself decided to relinquish the presidency of the municipality. Nawab Sir Fazl Ali was a most unassuming gentleman and worked for the good of his province, for the good of his community and for the good of the people not only of Gujrat district but of the province as a whole most unobtrusively. He was held in esteem not only by Muslims, but by non-Muslims also and in Gujrat he was the one person who always stood for fair play, justice, and equity for all concerned irrespective of caste and creed. He was respected and was affectionately known as the leader of not only Mussalmans, but of all Punjabis living in the Gujrat district. He was the oldest member of this House because he was a member of the previous Council also from the very inception of that body and it is with the deepest regret that we, his colleagues, to-day have got to mourn the death of a great patriot, a selfless and unassuming worker and one whose name will always be remembered with respect and affection by all concerned because of his selfless service to his district and to his province. In the sphere of education, as you

[Hon'ble Premier.]

are aware, he was a keen educationist himself and it was due to his efforts that that very creditable institution, known as the Zamindara College of Gujrat, was established and Nawab Sir Fazl Ali was the moving spirit behind that movement and throughout his life he took keen personal interest in making it an efficient and non-communal institution. It is an institution where Muslims, Hindus and Sikhs all live together in a spirit of cordiality and goodwill; it also furthers the aims and objects which were near to the heart of the great Sir Fazl Ali, that is, communal harmony and amity in the province, as also interests of the zamindar community as a whole. Sir, I am afraid the few observations which I have made do not do justice at all to that great personality because if one were to dilate on the good works and on the selfless services of this great gentleman, it would take volumes. However, I think that I am expressing the view not only of this House, but of the province as a whole when I request you to convey our most deep and sincere sympathy to the family of the great Nawab Sahib and also to the Gujrat district for the great loss which I consider is irreparable.

Sardar Sohan Singh Josh : Was not my request considered?

Premier : With reference to my friend Sardar Sohan Singh Josh's request, I am afraid it would not be proper to begin with that business to-day, but in order to make up for the day, I propose to make a formal motion to-morrow that we should sit on Wednesday.

Mian Muhammad Nurullah (Lyallpur, Muhammadan, Rural) : Sir, I associate myself with the remarks made by the Honourable Premier about Nawab Sir Fazl Ali who was the oldest member of this House. I had the pleasure of working with him for the last twelve years and I always found him a noble soul, a man with great courage of conviction and a very popular fellow. He had a unique hold over the district board and the way in which he conducted the affairs of the district board and the municipality, as described by the Honourable Premier, was all admirable. I think he was a great pillar of the administration in the province and he was very popular amongst all the communities. We are sorry to lose him and I am sure that we all feel that the loss cannot be made up. With these words I associate myself with the motion.

The Honourable Chaudhri Sir Chhotu Ram (Minister of Revenue) : Sir, I may be allowed to add my own humble tribute to the memory of one of our most valued colleagues in this House. I need not say anything about the services which he rendered in the cause of education to the province as a whole, but I wish to draw the attention of the honourable members of this House as well as of the public in general outside the House to one fact which is not known to many, and that fact is that Nawab Sir Fazl Ali declared in my presence at a public meeting that it was the ambition of his life to have a mosque and a temple side by side in the premises of the Zamindara College. That shows how broad-minded he was.

The Honourable Mian Abdul Haye (Minister of Education): Sir, the motion now before the House is one to which I whole-heartedly lend my support. I associate myself with the sentiments that have been expressed by the Honourable Leader of the House and other gentlemen who have spoken before me. Nawab Sir Fazl Ali was a gentleman of varied activities. He was a legislator, perhaps the oldest as the Honourable Premier has pointed out. He was a distinguished administrator, but he was primarily a great educationist.

When his father died he was five years of age. In the first instance he was sent to a *maktab*, which was situated in a mosque. Later on he was sent to the great centre of Muslim culture and education, I mean, the Aligarh College. There he stayed for a number of years and he had occasion to see that great man, Sir Sayyid Ahmed Khan, first from a distance and later on he came in close contact with him and perhaps sat at his feet and imbibed high ideals of that great man. He was so much inspired with the example of the late Sir Sayyid Ahmed Khan that it is no small wonder that later on he was to follow in his footsteps in his own humble way and was to be known in this part of the country as second Sir Sayyid Ahmad Khan. They called him Sir Sayyid Ahmed of Gujrat or Sir Sayyid Ahmed of zamindars. In 1911 when there was a proposal to raise the M. A. O. College to the status of a university, the late Nawab Sahib with a band of workers and friends produced substantial sum of Rs. 14,000 as a contribution towards the funds. In 1914 he founded, what was called the Zamindar Educational Association. In 1915 he opened the Zamindara School and in 1930 it was raised to the standard of an Intermediate College and later in 1940 it was a full-fledged Degree College. Nawab Sahib was a very modest and humble man simple in his habits and throughout his life he served the province and its people in a most unostentatious manner. The college that now stands as a memorial to the late Nawab Sahib, bears in many respects, the Nawab's stamp. The Nawab Sahib is dead, but his name shall live for ever in the hearts of the people specially the zamindars of the Punjab. It is high time that somebody in Gujrat or near about should put himself in the breach that has been caused by the cruel hand of Death. It will not be easy to fill the gap that has been created by his death. I may say in the words of the poet and with apologies to him—

آسمان سو بار چکر کھائیگا

یہو کوئی فضل علی یار آئیگا -

May his soul rest in peace.

Khan Sahib Chaudhri Pir Muhammad (South-East Gujrat, Muhammadan, Rural): Sir, my heart sinks at the thought and my tongue is paralysed to say that Nawab Sir Fazal Ali is no more and has disappeared from the stage of life for ever. On account of his selflessness, honesty of purpose, lofty ideals and affectionate temperament we the other four members from

[K. S. Ch. Pir Mohd.]

Gujrat were so much attached to him that we not only felt a real pleasure in his company, but always considered it an honour to follow his lead. He had a magnetic and charming personality and attracted each and every one who happened to come in contact with him. This was in reality the real secret of his leadership and the great popularity he enjoyed in his district. He was a born leader and this can be judged from the fact that although he was only a minor boy of four at the time of the death of his father and had two elder brothers who were much advanced in age, on attaining the age of majority he became the head and the leader of his family, and strange as it may appear, his elder brothers, instead of becoming jealous of him, became his loyal followers. Although he belonged to Gujjar tribe, he was above all tribal jealousies and narrow-mindedness and was equally loved by the members of other tribes in the district, with the result that all of them considered him as their leader. He was the greatest man that Gujrat district ever produced within living memory and if I may be permitted to say so, he was undoubtedly one of the greatest men of the province. Indeed, he belonged to that illustrious class of political leaders, who by their practical work in the field of politics succeed in leaving their marks on the sands of time. Everything he said and did had a touch of reality about it. As a prominent and leading member of the Unionist Party he worked hard to preach its gospel and uplift the toiling millions living in villages. He was a great admirer of the British Raj and he was bitterly opposed to the severance of British connection with India and therefore he tried his heart and soul in the war effort of the district and did considerable and very useful work in stimulating it. As a leader of the national war front he persisted to attend each and every meeting thereof in the hot weather, although he was running slight fever, and he did not desist from doing so although he was warned by the doctors and his friends.

As an educationalist he was second to none in the province. As Mian Sahib has just now said, he was educated at the Aligarh College in the days when Sir Sayyid Ahmed Khan was alive. The impressions he received then bore fruit in his later life and the present Degree College at Gujrat owes its existence to them. He also did considerable work in fighting illiteracy in the district and spent a major portion of the revenues of the district board on education. Now that he is resting in front of the college hall, he will, I am sure, be a great source of inspiration for the future generations. With these remarks I associate myself with the condolence resolution moved by the Honourable Premier.

Sardar Bahadur Sardar Gurbachan Singh (Jullundur West, Sikh, Rural): Sir, mortals we are and know death to be a necessary end, yet nobody knows the time and place. He alone knows at whose door the angel of death is knocking at the present moment. Sir, to me the news of the death of Nawab Sir Fazal Ali came like a terrible shock. I have been his colleague for the last 12 years: he has been a member of the legislature since the advent of the first reforms. He was the only non-official chairman of a district board throughout the province. He was the very soul of the co-operative movement and the educational movement as now described by the Minister for Education, and his death at such a critical moment

is really a great loss to the province. I remember a couplet of Longfellow which runs—

Allah 'gives light in darkness
 Allah gives rest in pain ;
 Cheeks that are white with weeping
 Allah paints red again ;
 The flowers and blossoms wither
 Years vanish with flying feet ;
 But my heart lives on for ever
 That here in sadness beat.

With these words I whole-heartedly support the suggestion made by the Honourable the Premier.

Sir William Roberts (European): Sir, I would like to pay my tribute to the memory of Nawab Sir Fazal Ali on behalf of the European community. I believe we have lost one of the landmarks in respect of personality of this Province. As we all know his knowledge of English was small, but it did not prevent him from exercising his personality and influence, in any committee in which he was present, whether the proceedings were completely in English or not. He had a sound judgment especially in educational and agricultural matters. I had myself known him for over 20 years. I think that by losing men of this kind we are losing a type of people whom we are not likely to get again. The new type may in some respects be useful but men of the type of Nawab Sir Fazal Ali will not reappear. I am very glad to pay my tribute to his memory.

Begum Rashida Latif Baji (Inner Lahore, Muhammadan Women, Urban) (Urdu): Sir, the late Nawab Sir Fazal Ali needs no introduction. He was a unique man. He possessed rare virtues. He was thoroughly a practical man. He was not a man of words, but of deeds. In his early life, he himself took the initiative to start a zamindara school and then afterwards he raised it to the standard of a degree college. His whole life was a complete success. His name will be honoured by the posterity [of this province for all times to come.

وہ نہیں دتے کبھی جیتی ہیں جن کی یادیں

I pray, may God grant him a place in Heaven. I on behalf of other womenfolk express heartfelt sympathy with the bereaved family of the late Sir Fazal Ali. With these words I support the resolution now before us.

Dr. Sir Gokul Chand Narang (West Lahore Division, General, Rural): Sir, I was waiting for the leader of these benches to arrive to support the motion which has been moved by the Premier, but it appears that something has happened and Sardar Santokh Singh has been prevented from coming here. I associate myself whole-heartedly with the sad motion which has been moved by the Premier. Nawab Sahib had been with me in the Council and here for the last 19 years or so. I have always cherished the highest regard for him. He was undoubtedly, as has been said, the uncrowned king of Gujrat. I have no doubt that he will be remembered for the services that he has rendered to the zamindar community and the

[Dr. Sir Gokul Chand Narang.]

people of his district. He was a strong supporter of the Government and I have no doubt that the Government will feel his loss as much as the people of his district. With these words I whole-heartedly associate myself with the motion and support it.

Mian Fateh Muhammad (Gujrat North, Muhammadan, Rural) (*Urdu*): Sir, the sudden demise of Nawab Sir Fazal Ali is extremely heart-rending news for the Muslim community. It has made all of us very sad. The loss is irreparable. He was a man of sterling virtues. His qualities of head and heart won him a name throughout the province. If we were to write down his talents, it is sure that they will make into a big book.

I pray that the deceased be given a place in Heaven. May his soul rest in peace. With these words, I support the resolution.

Chaudhri Ahmad Yar Khan (North-West Gujrat, Muhammadan, Rural) (*Urdu*): Sir, whatever the deep affection I had for Nawab Sir Fazal Ali, now my sad heart can only appreciate it. It has caused me immense grief at the sudden demise of Nawab Sir Fazal Ali. I had personal association with him for the last so many years. He was a unique man of sound character. He was a very benevolent man. He was a strong pillar of the Unionist Party. To-day he is no more with us. His death is an irreparable loss to the Unionist Government as well as to the people of Gujrat district. How sad it is to think that to-day a man of extremely magnanimous character is no more with us. He was an able man. We lack words to describe his qualities. I agree with the Honourable Mian Abdul Haye that his character is worthy of example. He was "Sir Syed of Gujrat", having been responsible for the foundation of the Zamindara College in that town. He was extremely docile, entertaining and hospitable. His sweet temper was an ideal. He was a staunch Muslim. He used to spend money lavishly for settling communal strifes. I agree with the Honourable Sir Chhotu Ram that his biggest ambition was to erect a mosque and a temple side by side in the Zamindara College. His death is an irreparable loss to the Unionist Party. I pray that his soul may rest in peace. With these words I support the resolution.

Diwan Bahadur S.P. Singha (East Central Punjab, Indian Christian): Sir, the late Nawab Sir Fazal Ali represented the finest type of the old school: few are endowed with such a strong mind and unfailing courtesy. His courtesy was something beautiful to experience. If one looked at him one could never imagine that he preserved such an iron will. He was the type of man who would never let go, once he had made up his mind about the accomplishment of anything. His loyalty to his friends and his party was proverbial.

The interest that he took in education will be a beacon light for those who follow. I wish on behalf of my community to associate myself with the sentiments of sorrow expressed here particularly because of the interest that he took in the poor. My community is not in a very large number in the Gujrat district. Most of them are very poor and humble people. But they found in Nawab Sahib an unfailing friend; the poorest could go to his door with confidence. He was not a leader of the Muslims

only; he was a leader of every one. He made no distinctions because he was a truly religious man and for him the brotherhood of man was a sacred principle. Few men have done so much to bring together people of different communities as the Nawab Sahib. I consider it a great honour to associate myself with the motion before the House.

Dr. Shaikh Muhammad Alam (Rawalpindi Division Towns, Muhammadan, Urban): Sir, much has been said about the late Nawab Sir Fazal Ali. Howsoever much may have been said, I think, it is still little. In whatever capacity any gentleman came in contact with the late Nawab Sahib, he had admiration for him. He has been described as a great administrator; he has been described as a great educationist; he has been described as a man possessing very sound judgment; he has been described as the uncrowned king of Gujrat district. But what would strike an ordinary acquaintance, the most impressive quality in the late Nawab Sir Fazl Ali was over and above all these qualities that he was a gentleman. (*Hear, hear*). I think it was the greatest quality in him. Chaudhri Fazal Ali was greater than Nawab Sir Fazal Ali and as a gentleman he stood above every other quality. I think it a virtue to participate in these feelings of grief and to associate with sentiments expressed by the Honourable Premier. It can be aptly said of him—

خدا بخشے بہت سارے خدوہاں نہیں مرنے والے ہیں

Mr. Speaker: I associate myself with every word that has been said by all honourable members who have spoken to-day.

Question is—

That very deep and heartfelt sympathy of this House be conveyed to the family of the deceased and as a mark of respect to his memory the House be adjourned for to-day.

The motion was carried by all members standing.

The Assembly then adjourned till 12 noon on Tuesday, 3rd November, 1942.

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PUNJAB LEGISLATIVE ASSEMBLY

EIGHTH SESSION OF THE FIRST PUNJAB LEGISLATIVE ASSEMBLY

Tuesday, 3rd November 1942

The assembly met in the Assembly Chamber at 12 noon of the clock. Mr. Speaker in the chair

STARRED QUESTIONS AND ANSWERS

DETENUS

***8320. Sardar Lal Singh :** Will the Honourable Premier be pleased to state—

(a) whether it is a fact that notices, with a brief description of the charges they were detained for, were served on some of the detenus in Central Jail, Lahore, on 10th February 1942, in which they were asked to submit representations, containing their defence and also any arguments by way of rebuttal of the charges brought against them, to the Chief Secretary to Government, Punjab, for being placed before the Tribunal set up to scrutinise their cases ;

(b) whether it is also a fact that similar notices have not so far been served on Sardar Sajjan Singh Margindpuri, Khan Bashir Ahmed, Sardar Tara Singh of village Narla, Sardar Mehar Singh of village Dhoonda and Sardar Hazara Singh of village Kale, detenus in Central Jail, Lahore ; if so, the grounds for this discrimination ?

Parliamentary Private Secretary (Sayed Amjad Ali Shah) : (a) Yes ;

(b) It is not in the public interest to give names and other details. It may, however be stated that in one of these cases a notice was served, in another case the detenu has been released ; the remaining cases will be reviewed in due course.

Sardar Sohan Singh Josh : May I know if the detenus could appear in person before the tribunal ?

Parliamentary Private Secretary : I want notice of that.

Sardar Sohan Singh Josh : May I know whether they could engage a lawyer to appear before the tribunal ?

Parliamentary Private Secretary : This is not one of the questions asked. I want notice.

Sardar Sohan Singh Josh : Has the honourable member a copy of the notice in his file here ?

Parliamentary Private Secretary : No, Sir.

Sardar Sohan Singh Josh : May I know on what principle it is decided whether a person is to be served with a notice or not ?

Parliamentary Private Secretary : None of the questions asked by my honourable friend has been tabled. If he wants to get answers for them, I am afraid he will have to put separate questions.

ARRESTS OF COMMUNISTS

***8386. Sardar Sohan Singh Josh :** Will the Honourable Premier be pleased to state—

(a) the number and names of Communists arrested up-to-date by the Punjab Government in the general round up of the Congressmen after the 8th August 1942 ;

(b) whether he is aware of the present policy of the Communist Party of India ;

(c) the reasons, if any, for their arrests ;

(d) whether the Government has considered the question of their release ; if so, with what result ?

Parliamentary Private Secretary (Sayed Amjad Ali Shah): None, so far as is known, since the Communist Party of India is understood to have professed its opposition to the present Congress campaign, and no person has been arrested without there being a reasonable suspicion that he was about to further the aims and objects of that campaign.

Sardar Sohan Singh Josh : May I know what prejudicial act to the public safety was committed by Mangi Ram Wats of Rohtak and Gahal Singh of Chhajalwadhi, Amritsar ?

Parliamentary Private Secretary : If the honourable member asks a fresh question, a reply will be given.

Sardar Sohan Singh Josh : Can the Parliamentary Private Secretary tell me whether he can specify any particular prejudicial act that Thakur Hazara Singh of Kangra or Indar Singh of Gujranwala committed ?

Parliamentary Private Secretary : The honourable member wanted to know the number and names of communists arrested up-to-date, and my answer is : " none, so far as is known ". If he wants to enquire about any particular person, he will have to put a fresh question.

Sardar Sohan Singh Josh : Does the honourable member know that all the four persons mentioned are well known communists ?

Parliamentary Private Secretary : I am afraid, I do not know.

DETENTION OF CONGRESS LEADERS

***8387. Sardar Sohan Singh Josh :** Will the Honourable Premier be pleased to state—

(a) the names of the Congress leaders kept or detained at present under the Defence of India Rules in the Lahore Fort in the months of August, September and October, 1942 ;

(b) the facilities regarding diet, interviews, supply of newspapers or books and similar other ones, if any, given to them ;

(c) the present state of their health ;

(d) whether any of them has been allowed recently to interview his relatives ?

Parliamentary Private Secretary (Sayed Amjad Ali Shah) : It is not in the public interest to answer this question on the floor of the House, but if the honourable member requires information for his personal and private enlightenment only, I would endeavour to see what can be given to him by me privately.

Sardar Sohan Singh Josh : May I know what stands in the way of Government giving this information in the House here ?

Mr. Speaker : Disallowed.

Sardar Sohan Singh Josh : May I know what harm there is if the information is given here ?

Mr. Speaker : The same question is being asked again. Disallowed.

Sardar Sohan Singh Josh : Is the Government willing or not to take the House into its confidence as regards the present state of their health even ?

Parliamentary Private Secretary : My honourable friend has not asked about the health of any one particular person. He has enquired about the state of health of all those gentlemen arrested, and therefore, as I have said in my reply, it is not in the public interest to answer the question, but if my honourable friend seeks information for his own use, as I have stated I will endeavour to supply it.

Sardar Sohan Singh Josh : May I know what is the state of health of Diwan Chaman Lall, or Dr. Gopi Chand Bhargava, or Lala Bhim Sen Sachar, the Leader of the Opposition ?

DETENTION OF PUNJAB M.L.As.

*8388. **Sardar Sohan Singh Josh** : Will the Honourable Premier be pleased to state—

(a) the names of Punjab M.L.As. detained or imprisoned at present in the Punjab jails ;

(b) the law in each case under which they are detained or imprisoned ;

(c) the facilities regarding diet, interviews and supply of books and newspapers they are given ;

(d) whether the Government has considered the question of their release recently ; if so, with what result ?

Parliamentary Private Secretary (Sayed Amjad Ali Shah) : It is not in the public interest to answer this question on the floor of the House, but if the honourable member requires information for his personal and private enlightenment only, I will endeavour to see what can be given to him by me privately.

Sardar Sohan Singh Josh : Has the Government not considered the question of their release even once so far ?

Parliamentary Private Secretary : I cannot go into details.

Mian Abdul Aziz : What is the objection to giving replies to parts (a) and (b) ?

Parliamentary Private Secretary : The objection is that it is not in the public interest, and the Government is the best judge of that.

Mian Abdul Aziz : Do I understand that it is the Government's decision not to give even the names of the prisoners detained ?

Parliamentary Private Secretary : Yes, Sir.

Mr. Speaker : I think Government is the sole judge as to whether it is in the public interest to divulge or not certain information.

Mian Abdul Aziz : Sir, I would draw your attention to parts (a) and (b). There is nothing there which is privileged.

Mr. Speaker : The Parliamentary Private Secretary has the right not to give any information in the public interest.

Rai Bahadur Mukand Lal Puri : Is it against the public interest to disclose to the members of the House the particular rule under the Defence of India Act under which certain leading members of this House are being detained ?

Mr. Speaker : He has declined to answer the question.

Rai Bahadur Mukand Lal Puri : Do we understand that the Government refuses to tell this legislature whether certain of its members are being detained under any law or are being detained at the sweet will of the Government ?

Rai Bahadur Mukand Lal Puri : Would not the public interest be better served by telling this House and through this House the public, the conditions regarding diet, interviews, etc., under which certain leading members of this House are being kept and would it not allay widespread apprehensions and rumours ?

Mr. Speaker : The same thing is being repeated over and over again. Parliamentary Practice is—

" An answer to a question cannot be insisted upon if the answer be refused by a Minister on the ground of the public interest." (May, page 240).

Rai Bahadur Mukand Lal Puri : Who is to decide ?

Mr. Speaker : The Minister.

Mian Abdul Aziz : But there should be some limit as to the privilege which they claim. We are to be protected by your order.

Mr. Speaker : The honourable members may discuss the point, if they wish, by a substantive motion.

Mian Abdul Aziz : Is it not in the public interest to let the people know if any interviews are permitted or not ?

Rai Bahadur Mukand Lal Puri : What is the object of the Government in withholding information on that point ? I should like to know whether it is not for you, Mr. Speaker, to decide whether the privilege which is claimed is rightly claimed or not.

Mr. Speaker : If I had such power as a privilege, I would have certainly exercised it.

Rai Bahadur Mukand Lal Puri : Is the Punjab Government aware that the Government of India has published information regarding all these points in respect of the detenus and principal leaders of the Congress movement?

Sardar Sohan Singh Josh : May I know why, if the honourable member can give me this information privately, he cannot give it to the whole House?

Parliamentary Private Secretary : I have already stated that the information which would be disclosed to my hon. friend will be only for his own use. But if any reply is given on the floor of the House, it will be broadcast throughout the province.

Malik Barkat Ali : Why are you afraid of that?

Rai Bahadur Mukand Lal Puri : Are there any rules framed by the Government to regulate the diet, interviews, supply of books, newspapers, etc., for persons detained without trial under the Defence of India Act? If there are any such rules, may I know if those rules are being departed from to their detriment in the case of members of this House?

Mr. Speaker : That is a hypothetical question.

Rai Bahadur Mukand Lal Puri : Would you not compel the Government to let this House know if they exercise their powers arbitrarily in each case or whether there are any rules for their guidance which they apply to all detainees? If this House has to function at all properly, I think this information at least should be supplied to the House.

Sardar Santokh Singh : The issue involved being so important, will it not be in the public interest to allow supplementary questions being asked? Let the Government answer, "no, no". The questions are asked with the sole object of seeking information.

Rai Bahadur Mukand Lal Puri : Do the Government propose to frame any rules on the subject?

Rai Bahadur Mukand Lal Puri : Have the Government considered the desirability of guiding their conduct by some rules instead of dealing with each individual case?

Pandit Bhagat Ram Sharma : If the Government is prepared to disclose the information privately to one honourable member, why should it not disclose it to other honourable members, when the question is with respect to the arrest of M.L.As. and every member of this House is interested in it?

Mian Abdul Aziz : There was one question put by my honourable friend here to which the Government can reply and that is whether any rules have been framed by the Government to guide them in these matters. If there are any, what are they?

Rai Bahadur Mukand Lal Puri : Is it a fact that the facilities which are ordinarily given by the Government to the security prisoners and persons detained under the Defence of India Act are being denied in the case of these M.L.As.? If so, is that the reason why Government refuses to answer the question as to whether there are any rules on the subject or not?

Rai Bahadur Mukand Lal Puri : What is the reason for the attitude of the Government in being so inconsiderate particularly towards the members of the Opposition in this House ?

RELIEF TO CERTAIN ABADKARS ON BURALA EXTENSION

***8393. Chaudhri Muhammad Sarfraz Khan :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether the Government granted any land on well-sinking conditions in plot No. 58/1, Burala Extension (Lyallpur), (Havelian Project, Colony Officer, Multan), to certain abadkars in 1937 ;

(b) whether among the grantees mentioned in (a), Messrs. Bahadur Singh, Nazir Ahmad, Bashir Ahmad, Khan Ahmad, Ikhlas Khan, Shukrullah, Sultan Ahmad, Walia and others fulfilled the conditions of abadkari by sinking wells at their own expenses, building houses, clearing the wood, and cultivating the land ;

(c) whether he is aware of the fact that a recent flood in the Ravi on 25th/26th August 1942 has completely washed away the houses, the standing crops (cotton, maize, bajra, etc.), and other belongings including food-grains of the previous harvest of the grantees mentioned in (b), leaving them utterly destitute, shelterless and without any provision and their cattle without any fodder ;

(d) whether it is a fact that the flood has also permanently ruined the soil by throwing thick sands on it and cutting the land of the grantees mentioned in (b) ;

(e) whether it is a fact that the Ravi has cut open into this plot a mouth through which there is a danger of the water flowing again at the time of heavy floods ;

(f) if the answers to the foregoing parts be in the affirmative, the steps Government propose to take to afford some relief to the grantees mentioned in part (b) in their present predicament ?

The Honourable Chaudhri Sir Chhotu Ram : I regret that the answer to this question is not yet ready.

TRADE EMPLOYEES ACT

***8168. Khan Sahib Khawaja Ghulam Samad :** Will the Honourable Minister of Finance be pleased to state—

(a) the names of the towns where the Trade Employees Act is enforced ;

(b) the names of the towns in the Ambala division from where the people have represented to the Government to enforce the above-named Act in those towns ;

(c) whether he has received any joint representation to the above-mentioned effect from the traders and trade employees of the Ambala City and the Ambala Cantonment ;

(d) the action taken by Government so far in the matter ?

The Honourable Sir Manohar Lal : (a) The Punjab Trade Employees Act, 1940, is in force in the Municipal and Cantonment limits of Lahore, Amritsar, Sialkot, Ferozepore, Rawalpindi, Multan, Ambala, Jullundur, Murree and Jhelum, and to the municipal limits of Ludhiana, Lyallpur, Jaranwala, Gojra, Simla, Okara, Bhiwani, Rohtak, Hoshiarpur, Gurdaspur, Batala, Gujarkhan, Gujranwala, Montgomery, Khanewal, Sargodha, Kasur, Patti, Panipat, Karnal, Fazilka, Abohar, Muktsar, Gujrat, Jalalpur Jattan, Mandi Baha-ud-din, Moga, Gurgaon, Rewari, Jhang-Maghiana, Chiniot, Sheikhpura, Nankana Sahib, Hissar, Hansi, Mian Channu, Pakpattan, Kalka, Wazirabad and Nizamabad.

(b) and (c) With the exception of a joint representation from the trade employees of the Ambala City and Ambala Cantonment and Kalka no representation from any other town in the Ambala Division was received by Government.

(d) The Act has since been extended to Ambala City and Ambala Cantonment as well as to other important towns in the Ambala Division mentioned in part (a) above.

CRIMINAL TRIBES

***8170. Khan Sahib Khawaja Gbulam Samad :** Will the Honourable Minister for Finance be pleased to state—

(a) the places in the Ambala division where members of criminal tribes reside in large numbers and where the Government has established reformatory institutions for them ;

(b) the number of offences reported from these places to the various police stations in the Ambala division ;

(c) the names of criminal tribes which live in the criminal tribes centres in the Ambala division ?

The Honourable Sir Manohar Lal : (a) (i) Criminal Tribes Settlements at—

- | | |
|--------------------|---------------------------|
| 1. Bir Thehbari | } in the Karnal district. |
| 2. Bir Badalwa and | |
| 3. Bir Dhandari | |

(ii) Criminal Tribes Colonies at—

- | | |
|---------------|---------------------------|
| 1. Chirao | } in the Karnal district. |
| 2. Shahabad | |
| 3. Ambala and | } in the Ambala district. |
| 4. Morinda | |

(b) The honourable member has not specified the period for which this information is required. Moreover the time and labour involved in collecting it will not be commensurate with any possible benefit to be obtained.

[Finance Minister.]

(c) The following criminal tribes live in the Settlement and Colonies in the Ambala Division :—

- (1) Biloch.
- (2) Sansi.
- (3) Tagu.
- (4) Dhea.
- (5) Kuchband.
- (6) Bhangali.

PANCHAYATS

***8169. Khan Sahib Khawaja Ghulam Samad :** Will the Honourable Minister of Public Works be pleased to state whether any reports were submitted by the Divisional Panchayat Officer, Ambala Division, pointing out numerous defects in the working of the panchayats under him and suggesting therein certain improvements in their work ; if so, the nature of defects and improvements reported by him and the action that Government took or intends to take in the matter ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : The Divisional Inspector of Panchayats, Ambala Division, pointed out certain defects of a routine nature in the working of Panchayats and Panchayat Officers. He also gave suitable advice in each case. No further action is necessary.

DACOITIES IN FEROZEPUR DISTRICT

***8298. Chaudhri Muhammad Hasan :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the number of thanas in the Ferozepur district ;
- (b) the number of dacoities committed in the aforesaid district during the last two months ;
- (c) whether it is a fact that the number of crimes has remained under control during the last two years in the Ferozepur district ; if so, the reasons therefor ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : (a) Twenty-three.

(b) Seven.

(c) Yes. The decrease in crime is attributable to the steady pressure maintained against the armed gangs of dacoits, intensive *nakabandi* and patrolling and sustained action under security sections.

CRIME IN LUDHIANA DISTRICT

***8299. Chaudhri Muhammad Hasan :** Will the Honourable Minister for Public Works be pleased to state—

(a) the number of the thanas in the Ludhiana district and the state of crime in each one of them as compared with the last year ;

(b) if there has been an abnormal increase in crime in the aforesaid district the reasons therefor and the steps the Government propose to take to check it ?

Parliamentary Secretary (Shaikh Faiz Muhammad): (a) 14. A statement showing the comparative state of crime in each Police Station is given below :—

Name of Police Station	CRIME REPORTED		Difference
	From 1st January 1941 to 14th March 1941.	From 1st January 1942 to 14th March 1942	
Jagraon	46	23	—23
Dehlon	32	19	—13
Khanna	24	20	— 4
Shehna	16	12	— 4
Machhiwara	11	8	— 3
Railway Sangrur	19	16	— 3
Dakha	10	8	— 2
Samrala	18	17	— 1
Sahnewal	12	13	+ 1
Sadar	39	41	+ 2
Sidhwan Bet	8	11	+ 3
Railway Ludhiana	11	15	+ 4
Railkot	24	28	+ 4
City Ludhiana	42	53	+11
Total	312	284	—28

It will be seen that the crime on the whole shows a decrease of 28 cases.

(b) Does not arise.

PETROL RATIONING

***9314. Pandit Bhagat Ram Sharma :** Will the Honourable Minister for Public Works be pleased to state—

(a) the date on which the owner of vehicle No. PBQ 512 was allotted 260 gallons of petrol as ordinary ration and 40 gallons of petrol as supplementary ration by the Regional Rationing Authority, Multan, for the quarter ending on the 31st of October 1941 ;

(b) whether the owner of the vehicle mentioned in part (a) above was in possession of any permit at the time of the allotment of petrol to him ; if so, the number, nature of such permit and the date of its issue ; if not, the reasons for allowing him petrol ?

Parliamentary Secretary (Shaikh Faiz Muhammad): (a) The ordinary ration was allotted on the 12th August 1941 and supplementary on the 18th September 1941 ;

(b) Yes. Temporary permit No. 235 issued on the 18th May 1941 and permanent permit No. 75 issued later.

PETROL RATIONING

***8315. Pandit Bhagat Ram Sharma :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether it is a fact that Messrs. Standard Vacuum Oil Co. Ltd., opened their own depôt at Montgomery in the first week of October, 1941, and began to supply petrol to the Manager of the Socony Petrol Pump at Pakpattan in their own oil truck ;

(b) whether it is a fact that Messrs. Faridia Co., Pakpattan petrol dealers, applied to the Regional Authority, Multan, for a supplementary grant of petrol in respect of vehicle No. PBQ 183 for the transport of petrol from Multan to Pakpattan for the month of October 1941 ;

(c) whether it is a fact that Messrs. Faridia Co., Pakpattan, were allotted 200 gallons of petrol on 18th October 1941 by the Regional Rationing Authority, Multan, for reasons mentioned in part (b) above in spite of the regular supply of petrol by the depôt mentioned in (a) in their own truck ;

(d) whether the Provincial Transport Authority has received any representation from the Montgomery-Pakpattan Motor Union, Montgomery, containing the allegation mentioned in part (c) above ; if so, the action in the matter ; if not, the reasons therefor ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : (a) Information not available.

(b) Yes.

(c) It is a fact that Messrs. Faridia Co., were allotted 200 gallons of petrol on 18th October 1941, for carriage of petrol, but the Regional Rationing Authority, Multan had at that time no information that the Depot had started supplying petrol in their own truck.

(d) Yes. But in view of the above no action was deemed necessary.

PETROL RATIONING

***8316. Pandit Bhagat Ram Sharma :** Will the Honourable Minister of Public Works be pleased to state whether Montgomery-Pakpattan Motor Union has recently made any representation to the Provincial Transport Authority, Lahore, alleging that Hira Bus Service had never plied their vehicles, particularly on Montgomery-Okara and Montgomery-Harappa routes, but the Regional Rationing Authority, Multan, allotted the said service 600 units of petrol for the use of vehicles for the quarter ending on 31st of October 1941 ; if so, the action taken by the Provincial Transport Authority in the matter ; if not, the reasons therefor ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : Yes. The matter is still under investigation.

SUPPLY OF CARTRIDGES AND ARMS TO DACOITS IN LUDHIANA DISTRICT.

***8322. Chaudhri Muhammad Hasan:** Will the Honourable Minister for Public Works be pleased to state—

(a) whether he is aware of the fact that the general complaint in the Ludhiana district is, that certain licence-holders, who are previously on Register "10" or Bundle "B" provide cartridges and arms to the dacoits;

(b) whether it is a fact that one Nath, a goldsmith of Jaspal Banger in the Ludhiana district, made this allegation openly in the presence of several villagers and of the Superintendent of Police, Ludhiana, who went to see the spot in connection with a dacoity committed only a month or so ago that certain licence-holders supply arms to the dacoits;

(c) if reply to the above be in the affirmative, whether any enquiry has been instituted into this serious allegation?

Parliamentary Secretary (Shaikh Faiz Muhammad): (a) and (b) No.

(c) Does not arise.

SHORTAGE OF KEROSENE OIL

***8396. Mian Muhammad Nurullah:** Will the Honourable Minister of Development be pleased to state—

(a) whether he is aware of the fact that there is an acute shortage of kerosene oil in the province;

(b) the quantity of kerosene oil that was available for consumption by people in the years 1937 and 1938 just before the war, and the quantity that is available now in the province;

(c) whether there is any control on the sale of kerosene oil; if so how it is enforced;

(d) whether he is aware of the fact that in Madras efforts are being made by the Government of that province to invent lamps which would consume a mixture of mustard oil, i.e., kaura tel and kerosene oil;

(e) the steps Government propose to take to remove the difficulties arising out of the shortage of kerosene oil in the province?

Parliamentary Secretary (Chaudhri Tikka Ram): (a) Yes.

(b) Exact figures are not available but the Government of India has informed Provincial Governments that supplies have been curtailed by 50 per cent. This together with the fact that there are, owing to war, new demands means that there is less than half the oil there used to be for the ordinary consumer.

(c) Prices are controlled. The Government of India fixes basic port prices. The companies send this Government lists showing prices free on rail important stations of destination in the Punjab adding to the basic price the incidental charges incurred in making the oil available at these stations. On the basis of these station prices District Magistrates fix maximum prices at such places in their districts as they consider fit.

[Ch. Tikka Ram]

(d) This Government have no information on the point but the Madras Government have been addressed in the matter. The United Provinces Government recommend 50 per cent mustard oil to be added to kerosine oil for lanterns, etc. In the Punjab, Sarson or Toria oil could be used.

(e) It is regretted that nothing can be done about the shortage itself. Supplies are bound to be short during the War, possibly even shorter than at present. Government are, however, making efforts to alleviate the situation by—

(i) *Propaganda*—In this connection the attention of the honourable member is drawn to the two Press Notes issued by this Government on the 30th September and 23rd October 1942.

(ii) District Magistrates have been asked, where advisable to allow sales in small quantities only so that stocks go as long a way as possible.

A. R. P. SCHEMES

***8173. Khan Sahib Khawaja Ghulam Samad :** Will the Honourable Minister Public Works be pleased to state—

(a) the towns in the Ambala Division in which A. R. P. schemes have been enforced so far ;

(b) whether the Government is contemplating any chance for providing shelters for the benefit of the people of the Ambala City ;

(c) the nature of other facilities which the Government intend to give to the citizens in the event of an air-raid ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : (a) It is not in the public interest to make public the names of the towns in which A. R. P. schemes are being prepared. Attention is invited to Assembly Questions *7131¹ and *7294².

(b) Shelters in the usually accepted meaning of the word are not being provided because they are unnecessary and very expensive. Suitable protective arrangements, however, are being provided for all people in the threatened areas.

(c) All measures found by experience elsewhere to be necessary are being taken, including the provision of fire fighting units, adequate hospital facilities and the improvement of water supplies. It is to be remembered, however, that the whole A. R. P. scheme is based on public co-operation and if the public fail to co-operate and play their part, A. R. P. plans will be frustrated.

NIRANJAN SINGH NATHAWAN

***8323. Pandit Bhagat Ram Sharma :** Will the Honourable Premier be pleased to state—

(a) whether it is a fact that one Niranjan Singh Nathawan of Amritsar has been interned in Amritsar and is not allowed to pursue his ordinary vocation ;

(b) if the answer to (a) above be in the affirmative, whether the Government intends to afford some relief to his family; if not, the reasons therefor?

Parliamentary Private Secretary (Sayed Amjad Ali Shah): (a) He was restricted to Amritsar City deliberately in order to enable him to earn his livelihood with the help of his father and brother who are working there as a carpenter and contractor respectively.

(b) Does not arise.

Sardar Sohan Singh Josh: What is the period during which he has been under detention so far?

Parliamentary Private Secretary: My honourable friend will have to ask another question to elicit that information.

SANT BASAKHA SINGH

***8324. Pandit Bhagat Ram Sharma**: Will the Honourable Premier be pleased to state—

(a) whether he is aware of the fact that one Sant Basakha Singh of Dadehar in the Amritsar district has been arrested and is confined in the Multan Jail;

(b) whether it is a fact that the above mentioned person is suffering from tuberculosis;

(c) if answer to (a) and (b) above be in the affirmative, the steps Government propose to take to afford the above-named person facilities for medical treatment?

Parliamentary Private Secretary (Sayed Amjad Ali Shah): Sant Basakha Singh has since been released.

SECURITY PRISONERS

***8389. Sardar Sohan Singh Josh**: Will the Honourable Premier be pleased to state—

(a) the number and names of security prisoners now detained in the new sub-jail, Gujrat;

(b) whether the Special Tribunal set up by the Punjab Government has examined their cases; if so, with what result;

(c) whether the Government has decided upon any course of action with regard to the expressly anti-fascist security prisoners; if the answer is in the affirmative, its particulars?

Parliamentary Private Secretary (Sayed Amjad Ali Shah): (a) 93; it is not in the public interest to give names.

(b) Yes, 52 security prisoners have so far been released.

(c) Cases of all prisoners are dealt with on their merits.

Sardar Sohan Singh Josh: How many of those, who were released, have been restricted in their villages and are to report every Sunday in the thanas?

Parliamentary Private Secretary : My honourable friend will have to ask another question to elicit this information.

ARREST OF CONGRESS MEN

***8390. Sardar Sohan Singh Josh :** Will the Honourable Premier be pleased to state—

(a) the number and names of those Congress men who have been arrested so far in the Punjab in the general round up of Congress men after 8th August last ;

(b) the names of the jails they are at present detained in ;

(c) whether the Government has considered the question of trying them in an open court of law ?

Parliamentary Private Secretary (Sayed Amjad Ali Shah) : It is not in the public interest to answer this question on the floor of the House, but if the honourable member requires information for his personal and private enlightenment only I will endeavour to see what can be given to him by me privately.

Sardar Sohan Singh Josh : What is the reply to part (c) of the question, whether the Government is considering the question of trying them in an open court of law ?

Parliamentary Private Secretary : My reply to this part is also included in the reply which I have given.

Dr. Sir Gokul Chand Narang : Is Mr. Bhim Sen Sachar, M.L.A., in jail ?

Parliamentary Private Secretary : The question asked was about the number and not the names.

Dr. Sir Gokul Chand Narang : You say that you are not to give the names in public interest. I am only asking you whether Mr. Bhim Sen Sachar is an M.L.A., and whether he is in jail.

Premier : That question does not arise. This question relates to other prisoners.

Dr. Sir Gokul Chand Narang : Is Mr. Bhim Sen Sachar a Congressman or not ?

Premier : This question relates to other prisoners.

Dr. Sir Gokul Chand Narang : Will the Honourable Premier please look at the question ?

Premier : It relates to people who were in detention before the movement was started.

Dr. Sir Gokul Chand Narang : Is Mr. Bhim Sen Sachar, Leader of the Opposition, in jail or not ?

Premier : If my honourable friend's information is that he is in jail, then it is no use asking this question.

Dr. Sir Gokul Chand Narang : No, I want to ask you, are you aware that he is in jail ?

Premier : Who ?

Dr. Sir Gokul Chand Narang : Mr. Bhim Sen Sachar.

Premier : What is my honourable friend's information on that point ?

Dr. Sir Gokul Chand Narang : I am asking you. Where is he ?

Premier : What is my honourable friend's information ?

Dr. Sir Gokul Chand Narang : Is he in jail or not ? It is a simple enquiry. Say, yes or no.

Premier : As a matter of principle it is not in public interest to give names.

Dr. Sir Gokul Chand Narang : I am giving you the name of this gentleman and asking you whether he is in jail or not.

Premier : So far as I am aware, he is in jail.

Dr. Sir Gokul Chand Narang : Is Mian Iftikhar-ud-Din, President of the Punjab Provincial Congress Committee in jail or not ?

Premier : He is in jail.

Dr. Sir Gokul Chand Narang : Is Munshi Hari Lal in jail ?

Premier : I would like to have notice of that question.

Dr. Sir Gokul Chand Narang : You do not know ?

Premier : I do not know the names of all.

Dr. Sir Gokul Chand Narang : Is Munshi Hari Lal, a prominent member of this House, in jail or not ?

Premier : I am afraid I cannot give you the answer.

Dr. Sir Gokul Chand Narang : You do not know ?

Premier : No.

Dr. Sir Gokul Chand Narang : Do I take it that the Honourable Premier does not know whether Munshi Hari Lal, M.L.A., is in jail or not ? Is that correct ?

Premier : That is perfectly correct.

Dr. Sir Gokul Chand Narang : Is Diwan Chaman Lal, M.L.A., a Congressman, in jail or not ?

Premier : He is in jail.

Dr. Sir Gokul Chand Narang : Is Mr. Dev Raj Sethi, a Congressman and M.L.A., in jail or not ?

Premier : There again I should like to have notice.

Dr. Sir Gokul Chand Narang : Notice of what ? Do I understand that the Honourable Premier does not know whether Mr. Dev Raj Sethi, M.L.A., is in jail or not ?

Premier : As I said I do not know the names of all the persons.

Dr. Sir Gokul Chand Narang : Perfectly right. Then, do I take it that the Honourable Premier does not know whether Mr. Dev Raj Sethi, M.L.A., is in jail or not ? Is that correct ?

Premier : That is perfectly correct.

Dr. Sir Gokul Chand Narang : Is Chaudhri Krishna Gopal Dutt, a Congressman and M.L.A., in jail or not ?

Premier : I know that he is in jail because he asked for Homoeopathic treatment.

Dr. Sir Gokul Chand Narang : Is Mr. Deshbandhu Gupta, a Congressman and M.L.A., in jail or not ?

Premier : I am informed that he is in jail.

Dr. Sir Gokul Chand Narang : Is Sardar Partap Singh a Congressman and an M.L.A. in jail or not ?

Premier : I would like to have notice of that question.

Dr. Sir Gokul Chand Narang : Will the Honourable Premier please consult the Minister in charge of jails and ask him, as he did on the previous occasion, whether Sardar Partap Singh is in jail or not ?

Premier : The Minister in charge of jails has got nothing to do with this matter.

Dr. Sir Gokul Chand Narang : Is Sardar Chanan Singh Orara, an M.L.A., in jail or not ?

Premier : Yes, he is.

Dr. Sir Gokul Chand Narang : What do you say about Sardar Pratap Singh after consulting the Minister in charge of jails ?

Premier : I did not consult him. I want notice of this question.

Dr. Sir Gokul Chand Narang : Do I take it that you do not know that he is in jail ? Then may I know whether Master Kabul Singh, an M.L.A., is in jail or not ?

Premier : He has been in jail for some time.

Dr. Sir Gokul Chand Narang : Not for some time but for a very long time.

Premier : I think Sardar Sohan Singh Josh will be able to tell you precisely how long he has been there.

Dr. Sir Gokul Chand Narang : Is he in jail for a fairly long time after conviction ?

Premier : No ; he is under detention. Sir, may I know whether this is a law court or the Assembly ?

Dr. Sir Gokul Chand Narang : I am asking these questions because the Parliamentary Private Secretary was not pleased to give any reply to the question. Is Sardar Hari Singh, an M.L.A. and Congressman in jail or not ?

Premier : He is in jail.

Dr. Sir Gokul Chand Narang : Is Sardar Arur Singh, an M.L.A. in jail or not ?

Premier : I want notice.

Dr. Sir Gokul Chand Narang : Would he not like to consult the Minister in charge of jails ?

Mr. Speaker : The honourable member is making a suggestion.

Dr. Sir Gokul Chand Narang : Is Sardar Harjap Singh in jail or not ?

Premier : I want notice.

Dr. Sir Gokul Chand Narang : Do I take it that you do not know whether he is in jail or not ?

Premier : That is obvious from my answer.

Dr. Sir Gokul Chand Narang : I am very grateful to you for giving me all this information.

Sardar Sohan Singh Josh : May I know whether Shrimati Shanno Devi, an M.L.A. is also in jail ?

Malik Barkat Ali : May I know whether there is any Congress Opposition member, who is free and not in jail ?

Premier : If my honourable friend will give me a list of the members of the Congress M.L.As., I will be able to answer that question. Apparently a large number are free as it was reported that in a meeting held the other day they decided not to attend the Assembly session. Except three, who are here, others have not attended this session so far.

Malik Barkat Ali : Are there some members of the Congress Opposition who are free ?

Premier : Several of them.

Malik Barkat Ali : May I know why this discrimination between those members of the Congress Opposition who are free and those members of the Congress Opposition, who have been named by my honourable friend, Dr. Sir Gokul Chand Narang, and who have been sent to jail ?

Premier : My honourable friend is a lawyer and he should know that they must have committed some prejudicial act or were likely to commit some prejudicial act.

Malik Barkat Ali : Then may I know if the Honourable Premier is in a position to say why Lala Bhim Sen Sachar was arrested ?

Mr. Speaker : This question does not arise.

Mian Muhammad Nurullah : Is it a division of Congress members into half and half ?

Premier : If my honourable friend counts himself and his neighbour among them, it may be nearly half and half.

Mian Abdul Aziz : After the reply given by the Honourable Premier to the supplementary questions put by Dr. Sir Gokul Chand Narang, do the Government still consider that they must conceal the names and that it is not in the interest of public to divulge those names ?

Premier : The Government do not consider it desirable to divulge the names of all such prisoners.

Dr. Sir Gokul Chand Narang : I have one suggestion to make and it is this that when the matter is so obvious, Government does not gain anything by not giving any information ; its refusal is likely to be construed as an abuse of power.

Premier : The question is not confined to Congress M.L.As. Some other Congressmen have also been arrested after the 8th of August last.

DETENUS

***8402. Malik Barkat Ali :** Will the Honourable Premier be pleased to state whether any detenus from other provinces have been kept in the Punjab jails ? If so, will he kindly furnish a statement of the names of those detenus together with the names of the provinces from which they come ?

Parliamentary Secretary (Mir Maqbool Mahmood) : It is not in the public interest to give this information.

DETENUS

***8403. Malik Barkat Ali :** Will the Honourable Premier be pleased to state whether he is aware of the fact that the Government of India announced some time ago that the detenus of various provinces shall be kept in the jails of their own provinces ; if so, why the detenus of other provinces are being kept in the Punjab jails ?

Parliamentary Secretary (Mir Maqbool Mahmood) : Though Government have no precise information about the announcement referred to, it is believed that it was issued at the time of the repatriation of the Deoli Detenus and referred to them only. All Punjabi prisoners, who were detained in Deoli, have returned to this province.

DETENUS

***8404. Malik Barkat Ali :** Will the Honourable Premier be pleased to state—

(a) the total number of detenus arrested or detained by the Punjab Government from 9th August 1942, up to the first of October 1942, either under the Defence of India Rules, or under any law or regulation for the time being in force ;

(b) the names of the various jails in the province where these detenus are being detained, together with the number of the detenus detained in each jail ?

Parliamentary Secretary (Mir Maqbool Mahmood) : It is not in the public interest to answer this question on the floor of the House, but if the honourable member requires information for his private and personal enlightenment only I will endeavour to see what can be given to him by me privately.

Malik Barkat Ali : I shall be grateful if the Parliamentary Secretary will kindly supply me with this information.

PATWAR SCHOOLS

***8172. Khan Sahib Khawaja Ghulam Samad :** Will the Honourable Minister of Revenue be pleased to state—

(a) whether Government has arrived at any decision to open Patwar schools this year in the Ambala Division ; if so, the names of places where such schools are to be opened ;

(b) the minimum qualifications required for a candidate for admission into the Patwar schools ;

(c) whether any non-agriculturists have been selected for Patwarship for admission this year ; if so, their relative percentage ?

The Honourable Chaudhri Sir Chhotu Ram : (a) The matter is still under consideration.

(b) Only accepted patwari candidates are allowed to join the school. Their qualifications are described in paragraph 8.7 of the Land Records Manual.

(c) In view of the reply given to part (a) this portion of the question does not arise.

Khan Sahib Chaudhri Sahib Dad Khan : Is it a fact that these qualifications have been relaxed ?

Minister : I cannot say off-hand.

ODE COMMITTEE

***8171. Khan Sahib Khawaja Ghulam Samad :** Will the Honourable Minister of Public Works be pleased to state whether the recommendations made by the Ode Committee have been adopted and the steps which the Government intend to take to solve the Ode problem in the province in order to end the disputes between the Odes and the zamindars of the province ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : The recommendations of the Ode Committee have been considered by Government but it has not been found practicable to put any of them into immediate effect. However the matter is being further considered. It may be pointed out that the Ode problem is by no means a solely provincial one nor can it be entirely solved by any provincial action.

PETROL RATIONING

***8317. Pandit Bhagat Ram Sharma :** Will the Honourable Minister for Public Works be pleased to state, whether it is a fact that vehicle No. PBQ 311 at the time of allotting petrol to it had a temporary particular stage carriage permit valid for one month and two days only for Renala-Basirpur route, 32 miles distant and was allotted 360 gallons of petrol as ordinary ration by the Secretary, Regional Rationing Authority, Multan, for the quarter ending 31st October 1941 ; if so, the reasons for allotting petrol for a period for which a permit did not exist, and for such quantity of petrol ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : Yes. When the temporary permit expired the owner of the vehicle surrendered coupons for the extra amount of petrol issued to him. He was issued with the total amount of petrol in the first instance as it was expected that he would be able to secure a *pucca* permit during the validity of the temporary permit. He did as a matter of fact secure an extension of his temporary permit over the end of the August-October quarter and for that quarter he did finally get 340 gallons or 20 gallons less than he was normally entitled to.

DACOITIES IN LUDHIANA DISTRICT

***8353. Chaudhri Muhammad Hasan :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether he is aware of the fact that a dacoity was committed at village Acharwal, district Ludhiana, at 5 p. m. on the 2nd March 1942 ;

(b) whether it is a fact that in almost each thana of the Ludhiana district dacoities were committed during January and February 1942 ;

(c) whether it is a fact that men who committed the dacoity at Acharwal, district Ludhiana, were in khaki and had rifles with them ;

(d) whether it is a fact that a similar dacoity was recently committed at village Nasrali, Police Station Khanna, in the Ludhiana district ;

(e) whether the culprits at village Nasrali were also in the police uniform and had rifles with them ;

(f) if reply to the above be in the affirmative, the causes which have led these dacoits to terrorise the people of the Ludhiana district ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : (a) Yes.

(b) No. Only one dacoity occurred in the Ludhiana district in the month of January 1942, and none in February 1942.

(c) The dacoits were dressed in khaki. Six of them carried 12 bore guns, but none had a rifle.

(d) No.

(e) Does not arise.

(f) There is no reason to believe that the people of the Ludhiana district are in any way terrorised.

DERA BABA NANAK APPROACH ROAD

***8391. Sardar Sohan Singh Josh :** Will the Honourable Minister for Public Works be pleased to state—

(a) the time limit fixed for the completion of the Dera Baba Nanak approach road ;

(b) whether the construction of the said road has been completed within the given time limit ; if not, why not ;

(c) whether this time limit was extended ; if so, how many times ;

(d) when Dera Baba Nanak approach road is likely to be completed ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : (a) By the 13th May 1942.

(b) No ; reasons for non-completion being (i) late handing over of the possession of land, (ii) paucity of rollers and non-supply of road-tar for non-strategic roads of which this road is one, (iii) the portions under the Municipal Committee of Dera Baba Nanak and the North-Western Railway have not yet been handed over to the Public Works Department ; the matter is under correspondence.

(c) Extension was granted up to 28th July 1942 ; this will have to be further extended depending upon the date on which the municipal and railway portions are handed over.

(d) Two months after the municipal and railway portions are handed over.

ADULT EDUCATION SCHEME

***8325. Chaudhri Muhammad Hasan :** Will the Honourable Minister for Education be pleased to state—

(a) the total number of adults who have been educated in the Ludhiana district under the new Adult Education Scheme ;

(b) how many teachers out of the total number of teachers in the service of the Ludhiana District Board have been paid Adult Education Allowance during the last three years ;

(c) the names, educational qualifications and length of service of each of the teachers mentioned in (b) ?

The Honourable Mian Abdul Haye : The time and labour involved in collecting the information will not be commensurate with any possible benefit to be obtained thereby.

LIBRARIES IN LUDHIANA DISTRICT

***8326. Chaudhri Muhammad Hasan :** Will the Honourable Minister for Education be pleased to state—

(a) whether any libraries unattached to the primary schools have been started in the rural areas in the Ludhiana district ;

(b) if the reply to the above be in the affirmative, whether any such libraries have been started in the Board *ilagas* of the Ludhiana district ;

(c) whether he would be pleased to lay on the table of the House, a statement showing the names of the villages where libraries have been started, the date of starting of each of them, the names of the books provided and the expenditure incurred by the Ludhiana District Board annually on these libraries ;

(d) whether any donations in the shape of books have been given by any philanthropic persons in the district ; if so, their names ?

The Honourable Mian Abdul Haye : (a) No.

(b), (c) and (d) Do not arise.

RELIEF TO ABADKARS ON BURALA EXTENSION

***8397. Chaudhri Ghulam Rasul :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether the Government granted any land on well-sinking conditions in plot No. 58/1, Burala Extension (Lyallpur), (Havelian Project, Colony Officer, Multan) to certain abadkars in 1987 ;

[Ch. Ghulam Rasul]

(b) whether among the grantees mentioned in (a) Messrs. Bahadur Singh, Nazir Ahmad, Bashir Ahmad, Khan Ahmad, Ikhlās Khan, Shukrullah, Sultan Ahmad, Walia and others fulfilled the conditions of abadkari by sinking wells at their own expenses, building houses, clearing the wood and cultivating the land ;

(c) whether he is aware of the fact that a recent flood in the Ravi on 25th-26th August 1942, has completely washed away the houses, the standing crops (cotton, maize, bajra, etc.), and other belongings including food-grains of the previous harvest of the grantees mentioned in (b), leaving them utterly destitute, shelterless and without any provision and their cattle without any fodder ;

(d) whether it is a fact that the flood has permanently ruined the soil by throwing thick sands on it and cutting the land of the grantees mentioned in (b) ;

(e) whether it is a fact that the Ravi has cut open into this plot a mouth through which there is a danger of the water flowing again at the time of heavy floods ;

(f) if the answers to the foregoing parts be in the affirmative, the steps Government propose to take to afford some relief to the grantees mentioned in (b) in their present predicament ?

The Honourable Chaudhri Sir Chhotu Ram : I regret that the answer to this question is not yet ready.

UNSTARRED QUESTIONS AND ANSWERS

MUSLIM SUPERINTENDENT FOR GOVERNMENT CATTLE FARM, HISSAR

1561. Khan Sahib Chaudhri Sahib Dad Khan : Will the Honourable Minister for Development be pleased to state—

(a) whether, since the establishment of Government Cattle Farm at Hissar, any Muslim has been given its charge as Superintendent ; if not, the reasons for the same ;

(b) the date when this Farm was established at Hissar ?

The Honourable Sardar Baldev Singh : The attention of the honourable member is drawn to the answer given to parts (a), (b) and (d) of Assembly question No. 1535.¹

MUSLIM HEAD CLERK FOR HISSAR GOVERNMENT CATTLE FARM.

1562. Khan Sahib Chaudhri Sahib Dad Khan : Will the Honourable Minister for Development be pleased to state whether any Muslim has ever been appointed to the post of the Head Clerk in the Hissar Government Cattle Farm ; if not, the reasons for the same ?

The Honourable Sardar Baldev Singh: The attention of the honourable member is invited to the answer given to part (c) of Assembly question No. 1535¹ on the 27th October 1942.

THEFT OF FIREWOOD FROM HISSAR GOVERNMENT CATTLE FARM

1563. Khan Sahib Chaudhri Sahib Dad Khan: Will the Honourable Minister for Development be pleased to state the number, names, caste and religion of the persons found to be guilty of stealing firewood from the Government Cattle Farm, Hissar, or of grazing cattle or of trespass otherwise in that Farm and punished with fine stating the amount of fine imposed in each case?

The Honourable Sardar Baldev Singh: Since the honourable member has not specified the period for which this information is required, the time and labour involved in collecting the required information from the date the Farm was established will be incommensurate with its value and it is therefore regretted that this cannot be done.

APPOINTMENT OF HEAD WEIGHMAN, DAIRY FOREMAN AND OTHERS IN THE HISSAR GOVERNMENT CATTLE FARM

1564. Khan Sahib Chaudhri Sahib Dad Khan: Will the Honourable Minister for Development be pleased to state the number of vacancies of Clerks, Head Weighmen, Dairy Foremen, Jamadars and of Mates filled under orders of the present Superintendent, Government Cattle Farm, Hissar, with the names, caste and religion of the persons appointed to fill these respective vacancies?

The Honourable Sardar Baldev Singh: A statement containing the required information excepting the names of persons appointed to these posts is laid on the table. It is not the practice to give names of the persons appointed.

Statement showing vacancies of Clerks, Head Weighmen, Dairy Foremen Jamadars and Mates at the Government Cattle Farm, Hissar, filled by the present Superintendent of the Farm since he took over charge, viz., 1st March 1940.

Serial No.	Designation of the post	Number of vacancies	Caste	Religion
1	Clerks	2 permanent ..	Jat ..	Hindu.
		1 temporary ..	Khatri ..	Hindu.
2	Head Weighman ..	1	Jat ..	Hindu.
3	Dairy Foreman ..	1	Gaur-Brahman	Hindu.
4	Jamadar, Cultivation	1	Jat ..	Hindu.
	Jamadar, Stock ..	1	Ahir ..	Hindu.
5	Mates .. ..	.. ..	..	No permanent vacancy occurred.

¹page 47, ante.

PURCHASE OF CATTLE FOR GOVERNMENT CATTLE FARM, HISSAR

1565. Khan Sahib Chaudhri Sahib Dad Khan : Will the Honourable Minister for Development be pleased to state how many cattle were purchased by the Government Cattle Farm, Hissar, from private persons in 1942 ; the name of the officer who made these purchases ; area from which the cattle were purchased ; and the amount spent thereon ?

The Honourable Sardar Baldev Singh : A statement containing the required information is laid on the table. The purchases were made by the Superintendent and a Deputy Superintendent, Veterinary Department, employed at the Government Cattle Farm. It is, however, not the practice to give names of officers.

Statement showing number of cattle purchased for the Government Cattle Farm, Hissar, from 1st January 1942 up-to-date.

Kind of animals purchased	No.	Area from which purchased	District	Price paid
				Rs. A. P.
Bull calves ..	115	Meham, Bahu Akbarpur, Madina, Dighal, Beri, Matanhail, Jhajjar, Dulhera, Bahadurgarh, Sampla, Khar-khauda, Sisana, Bhalaut, Gohana, Kalanur and Jahazgarh, Bhiwani and Hissar.	Rohtak ..	9,247 0 0
			Hissar ..	687 0 0
Ditto ..	12	Bahadurgarh	Rohtak ..	907 0 0
Cows (one with calf at heel).	13	Madina, Matanhail, Dulhera, Bahadurgarh, Sampla, Jahazgarh.	Rohtak ..	1,240 0 0
Cows (7 with calves at heel).	9	Bahadurgarh	Rohtak ..	692 0 0
Bullocks ..	20	Bhiwani Cattle Fair ..	Hissar ..	2,825 0 0

MUSLIM RAJPUTS IN GOVERNMENT SCHOOLS, AMBALA DIVISION

1566. Khan Sahib Chaudhri Sahib Dad Khan : Will the Honourable Minister for Education be pleased to state—

(a) the number at present of Muslim Rajput English teachers in all the Government schools in the Ambala Division ;

(b) the number of Muslim Rajput Assistant District Inspectors in the said division ;

(c) whether it is a fact that in this division where the Muslim Rajputs are in an overwhelming majority and where the Muslim Rajputs are educationally very backward, no Muslim Rajput has been appointed as Assistant District Inspector of Schools ; if so, the reasons therefor ?

The Honourable Mian Abdul Haye : (a) Two.

(b) One.

(c) Does not arise.

DISMISSAL OF EMPLOYEES IN THE WESTERN JUMNA CANAL

1567. Khan Sahib Chaudhri Sahib Dad Khan : Will the Honourable Minister for Revenue be pleased to state the number of employees on the Western Jumna Canal in Rohtak Division who have been dismissed during the time of the present Executive Engineer with the names, tribe, religion and the reasons for which each one of them has been dismissed ?

The Honourable Chaudhri Sir Chhotu Ram :

Statement showing employees dismissed in Rohtak division of the Western Jumna Canal from 6th March 1941 to date

Serial No.	Names of employees dismissed in Rohtak Division from 6th March 1941 to date	Tribe and religion	Reasons for dismissal
1	Muhammad Sharif, Patwari.	Muhammadan Rajput of Rohtak District.	Dismissed by Superintending Engineer, Western Jumna Canal Circle, for attempting to steal a tree knowing it to be Government property, and for persistently bad record.
2	Muhammad Sharif, Munshi, son of Syed Shah Sawar.	Muslim Syed of Gujrat District.	Dismissed by the Superintending Engineer, Western Jumna Canal Circle, for tampering with official documents and interference with postal arrangements, and other reasons.
3	Ghulam Sarwar, Mate	Muslim (Aryan, Rajput).	For serious misconduct and interference with the course of an important enquiry into a theft case.

INCREASE IN THE SIZE OF OUTLETS ON WESTERN JUMNA CANAL

1568. Khan Sahib Chaudhri Sahib Dad Khan : Will the Honourable Minister for Revenue be pleased to state the number of outlets in the Western Jumna Canal in the Rohtak Division whose size has been increased under the order of the present Executive Engineer with the names of the villages and also of the caste and religion of the proprietors of these villages ?

The Honourable Chaudhri Sir Chhotu Ram : The time and trouble involved in collecting the information will not be commensurate with any possible benefit to be obtained.

ARMS LICENCES OF MUSLIMS IN HISSAR DISTRICT

1569. Khan Sahib Chaudhri Sahib Dad Khan : Will the Honourable Minister for Public Works be pleased to state—

(a) how many people, community-wise, held arms licences in the Hissar district, on 1st November 1941;

(b) how many of the above-mentioned licences have been cancelled from 1st November 1941 to 30th September 1942, community-wise;

(c) how many new licences have been granted in the same district in the said period, community-wise, with the names of the licensees, their status and other particulars about them;

(d) how many arms licences were possessed, community-wise, at Budhlada, Tohana, Bhiwani and Mangali in the Hissar district on 1st November 1941, and how many out of them have been cancelled and how many new licences have been granted, community-wise, in the above-mentioned areas;

(e) whether at the time of cancelling the arms licences of the Muslims of the towns mentioned in (d) the large number of murders of the Muslims in those places from 1930 to 1938 were taken into consideration; if not, the reasons therefor;

(f) whether he is aware of the fact that in cancelling the arms licences of the Muslims in 1942, in the Hissar district, their loyalty, services and peculiar position in the population has been disregarded; if so, the reasons therefor;

(g) whether, in consideration of the fact that the Muslims are in a minority in the Hissar district and several of them have been murdered by non-Muslims in certain towns in the past few years, the Government are prepared to restore the arms licences of those Muslims for the purposes of self-defence whose licences have been cancelled; if not, the reasons therefor and the steps Government propose to take for the safety of the Muslims of the same district?

The Honourable Malik Khizar Hayat Tiwana :

(a) *Arms licences held on 1st November 1941*

Community					Number of arms licenses
Hindu	..	..	..	..	606
Muslim	..	..	..	..	510
Sikh ..	..	..	..	..	123
Christian	..	..	..	..	8
Others	..	..	..	..	1

(b) *Arms licenses cancelled from 1st November 1941 to 30th September 1942*

Community					Number of arms licenses
Hindu	..	..	..	..	218
Muslim	..	..	..	..	235
Sikh ..	..	..	..	..	34
Christian	..	..	..	..	2
Others	..	..	..	..	1

(c) Number of new arms licenses granted from 1st November 1941 to 30th September 1942

Community	Number of arms licenses
Hindu	27
Muslim	12
Sikh	6
Christian	2
Others	..

It is not in the public interest to give names and other particulars of the persons concerned.

(d) The table below contains the required information :—

Village	Community	Arms licenses held on 1st November 1941	Cancelled from 1st November 1941 to 30th September 1942	New licenses granted from 1st November 1941 to 30th September 1942
Bhiwani	Hindu	50	10	9
	Muslim	6	3	..
	Sikh	..	..	..
	Christian	1	..	1
	Others	..	..	..
Tohana	Hindu	4	2	..
	Muslim	11	5	..
	Sikh	4	3	..
	Christian	..	..	..
	Others	..	..	..
Budhlada	Hindu	3	1	1
	Muslim	15	9	..
	Sikh	2	..	..
	Christian	..	..	..
	Others	..	..	..
Mangal	Hindu	4	2	..
	Muslim	3	1	..
	Sikh	..	..	..
	Christian	..	..	..
	Others	..	..	..

[Minister for Public Works]

(e) Before passing orders of cancellation of arms licenses in the Hissar district including Budhlada, Tohana, Bhiwani and Mangali, the Superintendent of Police was consulted regarding present state of affairs. The question of murders of certain Muslims before 1938 was not particularly considered.

(f) The arms licences have been cancelled in pursuance of the general policy to have a stricter control over the possession of arms by the public in view of present conditions. The loyalty and services, etc., of the arms licensees have not been disregarded.

(g) The cases of arms licensees (including Muslims) whose licences have been cancelled are being reviewed by the Deputy Commissioner, Hissar, in consultation with the Superintendent of Police, Hissar.

NON-MUSLIM OFFICERS AT MOGA

1570. Malik Barkat Ali : Will the Honourable Premier be pleased to state whether he is aware of the fact that the Sub-Divisional Officer, the Ilaqa Magistrate, the Tahsildar, the Naib-Tahsildar, the Sub-Judge, the Deputy Superintendent of Police, the Sub-Inspector Incharge, the Doctor Incharge and the Veterinary Incharge at Moga are all non-Muslims being either Hindu, Christian or Sikh and that not a single officer out of them is a Muslim ; if so, the action Government propose to take in the matter ?

Lieutenant-Colonel The Honourable Sir Sikander Hyat-Khan : It is impossible to maintain communal proportions in the services in all tehsils and sub-divisions nor is there any reason to suppose that any ill-effects have accrued or are likely to accrue from the predominance of Hindu and Sikh Government servants at Moga at present.

SUPPLEMENTARY STATEMENT OF EXPENDITURE (1942-43)
AUTHENTICATED BY THE GOVERNOR

Minister for Finance (The Honourable Sir Manohar Lal) : Sir, as required by section 81 of the Government of India Act, 1935, I lay on the table the supplementary statement of expenditure (1st instalment) for the year 1942-43 authenticated by His Excellency the Governor.

As required by section 81 of the Government of India Act, 1935, I hereby authenticate the following supplementary statement of expenditure for the financial year 1942-43, which specifies :—

(a) the supplementary grants (first instalment) made by the Punjab Legislative Assembly in its session held in October 1942, and

(b) the sums required to meet the expenditure charged on the revenues of the Province.

Supplementary Statement

Grant No.	Major head of account	Supplementary grants made by the Punjab Legislative Assembly	Sums required to meet expenditure charged on the revenues of the Province	Total
		Rs.	Rs.	Rs.
10	25—General Administration ..	44,910	..	44,910
13	29—Police ..	36,41,190	8,890	36,50,080
16	37—Education (Excluding European and Anglo-Indian).	65,000	..	65,000
24	Charges on Public Works Department—Buildings and Roads—Establishment Charges.	1,06,880	..	1,06,880
25	XLI—Receipts from Electricity Schemes—Working Expenses.	3,43,500	..	3,43,500
26	52-A—Other Revenue Expenditure connected with Electricity Schemes.	1,71,900	..	1,71,900
28	81-A—Capital Outlay on Electricity Schemes (outside the Revenue Account).	1,00,000	..	1,00,000
29	54—Famine ..	..	240	240
32	56—Stationery and Printing ..	3,31,950	..	3,31,950
33	57—Miscellaneous ..	32,000	..	32,000
34	Advances not bearing interest—Advances Repayable.	1,40,25,000	..	1,40,25,000
	GRAND TOTAL ..	1,88,82,330	9,130	1,88,71,460

Lahore :

The 22nd November, 1942.

B. J. GLANCY

Governor of the Punjab.

MEETING ON WEDNESDAY, 4TH NOVEMBER 1942.

Premier : Sir, I move—

That the Assembly shall meet on Wednesday, the 4th November 1942, at 12 noon and that the Speaker shall adjourn the Assembly without question put at 4-30 p. m. on that day.

The motion was carried.

SUGARCANE (PUNJAB AMENDMENT) BILL.

Minister for Development : Sir, I beg to present the Report of the Select Committee on the Sugarcane (Punjab Amendment) Bill.

THE PRESS AND REGISTRATION OF BOOKS (PUNJAB AMENDMENT) BILL

Rai Bahadur Mukand Lal Puri : Sir, I have already given my reasons on the last sitting of this House as to why it is necessary that an important measure which we are now discussing should be circulated for eliciting public opinion. I formally do that now.

Mr. Speaker : Motion under consideration, amendment moved is—

That the Press and Registration of Books (Punjab Amendment) Bill be circulated for eliciting public opinion thereon by the 15th January 1943.

Pandit Bhagat Ram Sharma (Kangra West, General, Rural) : **Mr. Speaker,** Sir, the statement of objects and reasons given in the case of this Bill makes it clear that the Government have no case for bringing this amending Bill. The first few lines disclose the reasons why this particular amending Bill is being brought in this Assembly. It says—

For many years Government have from time to time been puzzled to know whether or not to demand a declaration under sections 4 and 5 of the Press and Registration of Books Act, XXV of 1867, from a person who claims not to be starting a new printing press or newspaper but to be reviving an old one for which he has already made and subscribed a declaration.

My submission in this connection is that all that sections 4 and 5 of the Act of 1867 require is that a person who wants to publish a paper or publish a book must make a declaration in a prescribed form before he enters upon the actual publication of that paper. This is all that the law requires. The underlying idea of that law is that somebody should be responsible for the publication which is circulated to the public. There should be somebody responsible for the publication of libel or any other matter not sanctioned by law. There could be no other purpose beyond that. I fail to understand why Government was feeling puzzled on this point. There is somebody who has already filed a declaration and if he ever publishes any paper or any matter he is responsible for what he publishes. The requirements of the law are met and if he wishes to cease publication there is provision under which he can make a ceasing declaration. In the face of this provision I fail to understand why Government have brought this amending Bill. The intention of Government seems to be this that it wants more powers in these abnormal days : Government has already powers to gag the press and restrict it. The owners, publishers and proprietors of the papers, who have been running very lucrative business are already finding it difficult to carry on in these war times. Government wants to finish these things and not to issue new declarations. The fear in the mind of the Punjab Government is that the holders of the existing declarations shall be in a position to avail of an opportunity to publish papers or start new ones in these days. That seems to be the only idea in bringing forward this particular amending Bill. There could be no other reason. If honourable members would go through the statement of objects and reasons they would find that it does not disclose anything. There is another reason given that the proprietors of particular presses are sometimes embarrassed. I fail to understand it, but it will be for the Honourable Minister in charge to explain how the employers of particular printing presses are embarrassed. As far as I can understand I cannot make out anything. As far as the first

reason is concerned I have already explained that the reason why Government is feeling puzzled on the point is that certain declarations are already existing and people may avail themselves of these declarations and Government feels puzzled lest the people should express their sentiments and their views by taking advantage of these declarations already existing. Government wants to stop new declarations altogether. It is altogether against justice and against public interest to allow Government to bring forward this amending Bill to gag the press. With these remarks I support the amendment which has been moved.

Mt. Speaker : The question is—

That the Press and Registration of Books (Punjab Amendment) Bill be circulated for eliciting opinion thereon by the 15th January 1943.

The motion was lost.

Mr. Speaker : The question is—

That the Press and Registration of Books (Punjab Amendment) Bill be taken into consideration at once.

The motion was carried.

Mr. Speaker : The House will now proceed to consider the Bill clause by clause. Question is—

That clause 2 stand part of the Bill.

The motion was carried.

Mr. Speaker : Question is—

That clauses 3 and 4 stand part of the Bill.

The motion was carried.

Mr. Speaker : Question is—

That the preamble be the preamble of the Bill.

The motion was carried.

Mr. Speaker : Question is—

That clause 1 stand part of the Bill.

The motion was carried.

Premier (Lieutenant-Colonel the Honourable Sir Sikander Hyat-Khan):
I move—

That the Press and Registration of Books (Punjab Amendment) Bill be passed.

(Urdu): Sir, I must admit that I have not been able to follow the speech of my honourable friend Pandit Bhagat Ram Sharma. The object of this amending Bill, as has been fully explained in the statement of objects and reasons appended to it, is to remove a doubt in the existing law which has been the cause of much embarrassment to press-owners as well as to Government. What happens at present is that press-owners even after long periods of inaction revive their presses without making new declarations for them and begin to publish and print books and newspapers again. But when the Press Branch asks such persons to make new declarations they at once write to say, as there is no time limit for the validity of a declaration, that although a considerable time has elapsed the new printing press or the new newspaper is the same as the old one. Thus the absence of a time limit of period for which a declaration relating to an idle press or an unpublished newspaper can be valid has been

[Premier.]

an embarrassment to press as well as to Government. We want to avoid this embarrassment in future. It is, therefore, with that object in view that I have introduced this amending Bill. It has been provided in it that a "printing press shall be deemed to have ceased to function if no books or papers are printed therein for a period of six months". After the elapse of this period the owner of such a press will have to make a new declaration if he wants to revive it. Similarly provisions have been made in regard to daily and weekly newspapers and monthly and quarterly journals. The House will, I trust, agree with me that this Bill is being sponsored in the interests of all concerned including the owners of printing presses. But the honourable member, Pandit Bhagat Ram Sharma, has thought fit to term it a dangerous Bill. His object is no more than opposition for the sake of opposition. I can well understand that. But what I have not been able to understand is as to how it would benefit the public or the owners of printing presses if it were circulated for eliciting public opinion thereon. The Bill was published several weeks ago and if he considers that the doubts which it seeks to remove should not be removed, then all I can say is, a wise enemy is a thousand times better than a foolish friend. That will be the verdict of those whose cause he professes to espouse.

Mr. Speaker : Motion moved is—

That the Press and Registration of Books (Punjab Amendment) Bill be passed.

Sardar Sohan Singh Josh (Amritsar North, Sikh, Rural) (*Punjabi*) : Sir, I rise to oppose this amending Bill. The reason for this is that the freedom of the press is very dear to us and we do not want anybody to interfere with it. I can say from my experience of the last 25 years, when I entered politics, that one has to face many difficulties in making a declaration for the starting of a printing press or a newspaper. You are aware of the fact, Sir, that I have from time to time been bringing these difficulties to the notice of Government, but it is very much regretted that no action has been taken by them. I can say without any fear of contradiction that if a man of radical views wants to file a declaration for starting a printing press or a newspaper he is not permitted to do so. I know of many such cases where persons holding radical views actually appeared before the district magistrate to make such declarations, but they were not permitted to start a press for reasons best known to the district magistrate himself.

Then, Sir, there is another point which should be considered in this connection. If an owner of a press is imprisoned for a period of six months and his printing press stops printing and publishing books or newspapers, that means that after the expiry of that period the declaration for that press would become invalid and the owner of that press will have to file a new declaration if he wants to revive it. It would depend on the sweet will of Government or for the matter of that the district magistrate whether or not to renew his declaration. In these circumstances I think this Bill will place undue restrictions on the press. As a result of its enactment we would be deprived of those facilities which we enjoy at present. What will happen will be that if in any printing press books or newspapers are not printed for a period of six consecutive months, in that case the owner of such a printing press will have to file a new declaration. It means that if any

press, on account of imprisonment of its owner or for lack of funds to replace its worn out machinery, ceases to function for a period of six consecutive months, then in that case on its re-start a new declaration will be necessary. Without that the owner of that press will not be in a position to re-start it. So long as he does not do so, his business will be at a stand still and he and his family will be deprived of the only means of their livelihood.

Then, Sir, another harmful effect of this amending Bill would be that if a weekly or a daily newspaper on account of one reason or another is not printed for a period of sixty consecutive days it "shall be deemed to have ceased to be printed or published". Similarly if a monthly journal is not printed for a period of six months and a quarterly journal for a period of 13 months, then they shall be deemed to have ceased to be printed or published and their owners shall have to subscribe new declarations if they want to revive them. Their previous declarations would become invalid. If this Bill is passed that would still further curtail the few liberties which are at present enjoyed by the press. Already there are many laws on the statute book which have curbed the freedom of the press and this Bill if passed will be the last straw on the camel's back. Under such restrictions the press cannot function at all. I would, therefore, urge the House to throw this Bill out.

Malik Barkat Ali (Eastern Towns, Muhammadan, Urban): Sir, this Bill seeks to amend the Press and Registration of Books Act which was passed in the year 1867. The House will thus see that it is after 75 years that this popular Government has for the first time detected a lacuna which it considers necessary to plug. Now, what is that lacuna which this popular Ministry have detected? Under the 1867 Act it will be noticed that if a person keeps a press he is required to file a declaration that he is the keeper of that particular press. The object of that declaration is that if a book which is considered libellous or objectionable in any manner has been printed, the public should know as to who is the keeper of the press in which that particular book has been printed so that he may be held responsible for the publication of that book. The House will also see that there is a provision in that very Act that if a person ceases to be the keeper of a particular press he has to file a declaration to that effect also. Now, what is the

difficulty of the Government so far as the keeper of the press is concerned? It has been stated in the statement of objects and reasons that sometimes employers engage persons as keepers and when such persons give up the service, they out of mischief refuse to file a ceasing declaration. If really a difficulty of this kind is experienced, the easiest way to overcome it is to make a provision that it will be open to the employer to move the district magistrate, and the district magistrate after enquiries can hold that such and such an employee has ceased to be the keeper of the press. This will open the way for the employer to get a new declaration filed by a new keeper whom he wants to engage. But what the present Bill seeks to do is that if a press for any reason whatsoever,—may be that the keeper is in jail or is ill or has gone elsewhere or is in financial difficulties,—remains idle for six months, under this amending Bill a new declaration must be filed; in other words the person who is the declared keeper of such a press is compelled to file a ceasing declaration, although he does not want to do so and wishes to remain a keeper. The

1 p. m.

[M. Barkat Ali.]

question I want to put to the Honourable Premier is this : If such a keeper puts in a ceasing declaration, will he demand a security from the person who files the fresh declaration as the keeper of the press ? Under the law as it stands, in the case of keepers of presses which are already functioning, if no security was called for at the time their declaration was authenticated by the district magistrate, then no security can be called for from them unless and until there are offending publications by them. My fear now is that if in the case of a press which has remained idle for six months the old keeper is required compulsorily to file a declaration of cessation, and a new declaration of keeper must be filed, then in that case you get an opportunity for calling for security. My simple question is : Will you call for the security or not ? If you will not, and if you undertake to make a provision like that, that is, that you will not demand a security from the person who makes the new declaration, in those cases where no security had been demanded from his predecessor, then certainly my objection loses force and I will not press it. But if you will and have the power to call for security, then I must bring this point to the notice of the Honourable Premier so that he may be in a position to enlighten the House as to how he will proceed in that situation.

Next I come to the case of newspapers. In the case of a newspaper both the printer and the publisher are required under the Act of 1867 to file declaration respectively that they are the printer and the publisher of the paper, the object being that the Government and the public can have easy means of knowing who is the printer and who is the publisher ; because under the provisions of the Act of 1867 it is open to the public to get certified copies of the declarations of the printer and publisher. Now the new provision is that if a paper which is printed or published at an interval of less than ten days, is not printed or published for a period of sixty consecutive days, then the old declaration of the printer must compulsorily cease even though the old keeper may not withdraw his declaration and a new declaration either by the same person or by a new printer must be filed. My question then is, will the new printer be required to furnish a fresh security in cases where the old printer was not asked to deposit security ? The same applies to publishers.

Finally there is the point raised by my honourable friend Sardar Sohan Singh Josh. Once a declaration is made before a district magistrate it is referred to the C. I. D. and the matter remains unattended to for several months and even years. Why not have a provision that once a declaration is filed before a district magistrate it shall be authenticated within a stipulated time ? If you impose a time limit upon printers and publishers to refile fresh declarations after the newspaper in question has not appeared for a certain period, there is every reason that you should impose a time limit upon your officers for authenticating declarations which they have no power under the original Act to refuse. This will obviate all the hardships which are at present being experienced by the press of the province. I have had a lot to do with the press for five long years and I know the difficulties of the printers and publishers in getting their declarations authenticated and those difficulties will now become much greater than before. In view of these points I certainly feel it my duty to oppose this Bill.

Premier (Lt.-Col. the Honourable Sir Sikander Hyat-Khan) : I should like to take this opportunity of assuring the honourable member opposite with regard to the question of security. There is no sinister motive underlying this Bill. Let me assure him that so far as the question of security is concerned, it would depend upon the merits of each case. For instance, if a particular press was on security when it ceased to function and then after about twelve months it begins to function again, it will depend upon the circumstances at that time whether security should be demanded or not. If the keeper is a person who was asked to furnish security in the first instance, it is very likely that the district magistrate would ask him to furnish a fresh security if the old security has been refunded. But ordinarily he would not, except in exceptional circumstances, ask for a larger amount than that originally demanded. The mere passing of this Bill will not alter the position so far as the question of demanding a security is concerned. The real difficulty is that persons who close their presses for two or three years and then restart them are at present not certain whether they have to put in a fresh declaration. If they do not do so and Government takes action against them, then it leads to avoidable litigation. Again certain instances were brought to the notice of Government in which owners of presses appointed other persons as keepers of their presses and who on dismissal refused to file a ceasing declaration. If the previous declaration is still in force new declaration by the new keeper is not admissible and the owner is put to unnecessary expense and litigation to oust the dismissed employee. It is therefore desirable from the point of view of the owners of the presses also that some time limit should be fixed. The honourable member opposite will agree that the period allowed to various periodicals is adequate ; if a daily paper is not published for 62 days, it cannot be called a daily paper by any stretch of imagination. On the other hand, if for some reason it has to stop publication and then comes to life again after two months it should not be assumed that it will necessarily be called upon to furnish security if it was not on security previously. I hope my explanation will satisfy the honourable members opposite that it is not for the sake of demanding security that this measure has been sponsored but merely to remove certain doubts which lead to unnecessary confusion and litigation.

Mr. Speaker : The question is :

That the Press and Registration of Books (Punjab Amendment) Bill be passed.

The motion was carried.

GENERAL SALES TAX (SECOND AMENDMENT) BILL

Premier (Lt.-Col. the Hon. Sir Sikander Hyat-Khan) : I introduce the Punjab General Sales Tax (Second Amendment) Bill. I also move—

That the Punjab General Sales Tax (Second Amendment) Bill be taken into consideration at once.

In doing so I wish to take this opportunity of removing certain misapprehensions which have arisen from the wording of the Statement of Objects and Reasons. I got a message from Mr. Behari Lal Channana that the statement was misleading and might convey to the people an

[Premier]

impression that Government was making another concession to the *beoparis*. This Bill in itself does not make any fresh concession, but it is in pursuance of the undertaking which was given to the *beoparis* with regard to certain concessions that it has been necessary to bring forward this Bill. The concession existed in the fact that instead of remitting six months' tax we decided to remit a year's tax, and I made it clear at the time that if Government thought it necessary they would bring in an amending Bill in order to assess the tax, on that particular year's turnover. We did not do that, as I thought that that would not be in accordance with the spirit of the undertaking that I gave. We are now going to assess the tax on previous year's turnover and I am now asking the House to rectify the position. Now the tax will be paid in the financial year 1943-44 on the turnover of the year 1942-43. That is why it has been necessary to introduce this Bill in order to rectify the legal position. The other alternative open to me was merely to ask the House to pass an amending Bill in order to rectify the position created by the Financial Commissioner's decision. From a legal point we are advised, that that ruling itself was not sound. We could have proceeded on that basis. But I did not consider it expedient to follow that course. I gave an undertaking that we will not realise any portion of the tax before the financial year 1943-44 ; and now I am taking this opportunity to make it clear once for all that the tax will be realised on previous year's turnover. We are adopting the same system as employed by the income-tax department. This will provide sufficient time for examining the accounts of assesses carefully and to lodge objections properly, if any, and also enable Government to assess the actual year's turnover. The Bill does not give any concession, but it is a necessary to introduce it as a result of the concession which Government has already given to the *beoparis*. I hope I have made the position clear and there will now be no objection to this Bill being passed.

Mr. Speaker : Motion moved is—

That the Punjab General Sales Tax (Second Amendment) Bill be taken into consideration at once.

Rai Bahadur Mukand Lal Puri (Rawalpindi Division, General, Rural) : I beg to move—

That the Punjab General Sales Tax (Second Amendment) Bill be circulated for eliciting opinion thereon by the 15th January 1943.

The Punjab Sales Tax has been the subject of bitter controversy in this province and unparalleled agitation, *lathi* charges and imprisonments. Fortunately for the province a settlement was arrived at between Government and the Punjab Beopar Mandal, but it appears that at the time of drafting this amending Bill Government has not consulted the Punjab Beopar Mandal. The Statement of Objects and Reasons shows that the Bill has been drafted in pursuance of an undertaking given by the Premier to the Punjab Beopar Mandal and it has been so stated by the Honourable Premier.

Premier : I am afraid my honourable friend did not catch me when said that this was not a concession but it was as a result of the concession that has already been given that it has been necessary to bring forward

this Bill. This is not a concession in itself. That was given in the last summer.

Rai Bahadur Mukand Lal Puri : The President of the Beopar Mandal in the telegram which was published in the Press this morning says :

"Sales tax amending Bill objects and reasons statement most misleading...Present bill no concession to Mandal as it seeks to show."

Again you would be pleased to notice that the Beopar Mandal assert that assurance was given that 1941-42 turnover will not be taxed.

Premier : Perfectly correct.

Rai Bahadur Mukand Lal Puri : I take it from Honourable the Premier that they do not propose to do so, and therefore that part of the objections of the Beopar Mandal has been met by the Premier.

Another objection taken is that the Beopar Mandal has not at all been consulted, nor has a copy of the proposed legislation been supplied to them and that they have several other amendments to propose which would make this Act workable. The Sales Tax is one of those taxes which affect the traders throughout the length and breadth of this province scattered all over the province, and in villages and towns very remote from Lahore. Fortunately again the traders have their own committees and associations for organised expression of their opinion. Would it not have been advisable if before introducing this legislation the Government or the Minister in charge had got into touch with those bodies and apprised them of the legislation which they proposed to move. It is quite possible that they might have pointed out certain lacuna which had been overlooked and might have proposed amendments to remove certain defects. As you will see there are not only a few but as many as 13 sections containing several detailed clauses that are being amended. Is it fair for the Government to come to this House on a matter of such controversial character without apprising itself of the criticism of those whom it affects, specially the criticism of a body with which it had entered into negotiations to improve the Act? The telegram which has appeared in the Press this morning runs as follows :

"Sales tax amending Bill objects and reasons statement most misleading. Mandal demanded repeal of such unworkable Act or postponement for war duration. In any case assurance was that 1941-42 turnover will not be taxed and not that current year turnover must be taxed. Government may cure their own defects after Hearn's judgment without reference Mandal who though regretfully not consulted nor favoured with advance copy of this bill is hundred per cent free to press and has yet to put forward substantial demands that may make Act workable. Present Bill no concession to Mandal as it seeks to show."

If the Government did not want to get into touch with this organised body, it was all the more necessary that the Bill should have been circulated for the purpose of eliciting public opinion thereon. After all the Government do not lose anything by circulating it. It is only to elicit public opinion. The Government may accept the suggestions or reject them or accept them in a modified form. I therefore ask the Government not to short-circuit this important Bill but to go through the regular process of legislation which is laid down by our rules, especially when a complaint is made by a very important organisation of not being supplied with a copy of the Bill

[R. B. Mukand Lal Puri]

and of not being consulted and an offer is made of co-operation by way of amendments which would make this Act better workable. Why should the Government refuse such an offer? Therefore in the interests of good legislation, I would ask the House to accept my motion.

Mr. Speaker : Motion under consideration, amendment moved is :

That the Punjab General Sales Tax (Second Amendment) Bill be circulated for eliciting opinion thereon by the 15th January 1943.

Sardar Santokh Singh (Eastern Towns, Sikh, Urban) : Sir, I rise to support this circulation motion. To my mind the necessity of this amending Bill is not at all apparent. The Statement of Objects and Reasons says, as has been pointed out by my honourable friend, Rai Bahadur Mukand Lal Puri, that it is in pursuance of an assurance given by the Premier to the Punjab Beopar Mandal, whereas the President of the Punjab Beopar Mandal denies that in the telegram sent by him to the Honourable Premier and which my friend, Rai Bahadur Mukand Lal Puri, has read out as published in the "*Tribune*" of to-day. I have in my hand a copy of the telegram which has been supplied to me by the President of the Punjab Beopar Mandal and word for word it is the same as has been published in the *Tribune*. Laying aside the question whether or not an assurance was given to the Punjab Beopar Mandal or whether it was in pursuance of that assurance that the Bill has been brought forward or otherwise, the fact remains that this amending Bill is not at all necessary. This is quite apparent and I had expected the Honourable Premier to enlighten the House as to what has made it necessary for him to bring in this amending Bill. We are all aware of the famous judgment of Mr. Hearn, the Financial Commissioner. He says :

I hold therefore that rule 5 (3) of the rules made by Government under section 19 of the Act is in conflict with the provisions of the Act itself for the reasons (a) that the rule contemplates the levying of a tax on the proceeds of sales effected before the coming into force of the Act, and (b) that it is the actual turnover in a year and not the hypothetical turnover in a year which can be taxed.

Mr. Hearn's judgment is based on the fact that the Government attempted to charge this tax for the year 1941-42 on the basis of the turnover of the year 1940-41. Mr. Hearn held that to be *ultra vires* of the Government to charge the tax in the way they contemplated. He also showed a way out to the Government in so far as he suggested :

In taking this view I would add that if the intention of the notice had been to base an advance assessment on the return and to have a subsequent adjustment in the light of actuals for 1941-42, when ascertainable, the position would have been different.

It was of course within the power of the Honourable Premier or for the matter of that of the Ministry, to bring in an amending Bill on the lines of the suggestions made by Mr. Hearn, in his very lucid judgment, in order to legalise the tax and we traders do appreciate, that the Government instead of proceeding on those wrong lines, thought it proper to waive the tax for 1941-42. That does not mean, however, that for realisation of the tax for 1942-43 an amending Bill is necessary. Now that the Bill is before us, I should like the whole thing to be thoroughly discussed by the province and especially by those who are most affected by it, and it is with this end in view that my honourable friend, has moved for the circulation of the Bill and I am supporting it. The position now is this. For turnover

up to 31st March 1942 the Government had agreed not to charge any sales tax. The Government has not to charge sales tax for the year 1942-43. I do not see what insuperable difficulty lies in the way of the Government's charging this tax, according to the Act as it stands for the period from 1st April 1942 to March 1943. The Act came into force on the 1st April 1941. One fails to see the reason why it should now be said in the amending Bill; "It shall be deemed to have come into force on the 1st day of April 1942". The significance of this remains to be explained and the necessity for this provision is hard to understand. The things that were unfavourably commented upon by Mr. Hearn do not exist any longer. Now the actual turnover for 1942-43 is going to be taxed. I should like the Premier to take this House into his confidence and tell us where lies the necessity of this amending Bill. The other changes in the Bill are more or less verbal. It should have been in the fitness of things, once the Premier met the President of the Punjab Beopar Mandal, the only body who could deliver the goods, if a permanent settlement of the whole affair was arrived at. But unfortunately it appears that it was not the case. Some of us were under the impression that a settlement had already been reached, but it would appear from the telegram of the President of the Punjab Beopar Mandal that it has not been so. Therefore if time is given—after all the motion gives only 2½ months time in which to elicit public opinion—the matter might be settled once for all and the Bill, if still necessary, may be taken up during the budget season. In the meanwhile the President of the Punjab Beopar Mandal and others who are interested, may meet the authorities at a round table conference and the whole thing be discussed, to arrive at a final settlement, once for all. I have already conceded that Government have shown a conciliatory spirit in waiving the tax for 1941-42, and this I fully appreciate. But I request them to go a little further. Let them sit at a round table conference with beopris and settle what other differences there are still left, and let them unitedly find a way once for all to finally settle this sales tax business.

The present amending Bill refers only to trifles. Formerly the assessee had the right to pay the tax in two six-monthly instalments. That right has now been taken away. Instead, the discretion is given to the Financial Commissioner or some other officer appointed by the Government to extend the time for payment. This right to pay the tax in two six-monthly instalments was given by the original Act which is now sought to be taken away. But these are minor details and I would not like to go into them. What I do, however, say while I support this circulation motion is that the Government should take the opportunity of putting themselves in touch with the commercial classes—the Punjab Beopar Mandal—with a view to remove the major complaints that still require to be removed. This is my point and it is with this end in view that we, on this side of the House, support the circulation motion. I believe the Honourable Premier will favourably consider this matter and I would further say that the Government has nothing to lose if they accept my suggestion. The time has not yet expired. The year will expire on 31st March 1943. The Honourable Premier said that he had no intention to charge tax for 1941-42. So, why not accept this proposition? There are still five months for the financial year to end. Notices for assessment could be given in the beginning of March

[S. Santokh Singh]

1943, and in the meantime every effort should be made to bring about a genuine settlement in regard to the whole affair. Our hands are tied on this matter. If the Government insist on proceeding with the Bill, we can only send amendments in so far as those amendments are within the scope of the Bill as it has come. We cannot go beyond this and there are certain major complaints outside the scope of this amending Bill which require to be considered and settled. So, from this point of view it would be an advantage if all things could be settled mutually and to the satisfaction of both the parties, that is, the Punjab Beopar Mandal and Government. The Government will not lose anything if an opportunity is given for mutual consultations, with a view to bring about a satisfactory settlement once for all. With these words I support the circulation motion and hope that the Government will not resist this motion and will give their sympathetic consideration to this request which we have made from this side of the House in the interests of the welfare of the Province as a whole.

Premier (Lt.-Col. the Honourable Sir Sikander Hyat-Khan): Sir, I have listened with great attention to the speeches of the two honourable members on those benches but I am afraid either I was not able to make the position clear in my previous speech or else they have misunderstood me. From what they have said I conclude that there is still a certain amount of confusion of thought. I would certainly have sent a copy of any fresh amendment to the Beopar Mandal if there had been any intention of amending the substance of the Act. As I have already explained this amending Bill is necessary in order to clarify the position resulting from the undertaking which I gave to the Beopar Mandal. As a result of the concession that I gave them, we have to rectify the position. There were two ways of doing it. One was to treat Mr. Hearn's decision as *ultra vires*, as advised by our legal adviser. The other was to amend the Act and remove all doubts. We have adopted the latter course to avoid any confusion or doubt. I gave an undertaking to the Beopar Mandal that the Government will not realise the tax until the financial year 1943-44. The original Act was passed in 1940 and came into force in 1941. As a result of the concessions which have been granted it will now actually become operative in 1942, but will not affect the pockets of the *beoparis* till 1943-44. Does my honourable friend want that the undertaking arrived at between the Beopar Mandal and myself should not be given effect to? I am sure he will say 'No'. That is all that the Bill contains otherwise I would certainly have consulted the Beopar Mandal. I have given a personal undertaking that in future if any substantive amendment is contemplated an advance copy will be furnished to the Mandal. My honourable friend has himself pointed out that the remaining amendments are merely verbal changes. That is correct, we have taken this opportunity to correct misprints and the language. There are only two or three lines which actually are new and they are :—

“(2) Such tax shall become payable by the dealer in the year immediately following the year for which the tax has been charged.”

That is the only substantive operative clause of the amending Bill, and as I have said the change is necessary to give effect to the undertaking I gave to the *beoparis*. I am sure my honourable friend will agree that

we have not introduced anything in the bill which may affect the *beoparis* adversely. The other addition which is new is the proviso which reads—

“ Provided that the Financial Commissioner or such other person as the Provincial Government may direct may, for reasons to be recorded in writing, extend the date of such payment.”

That is necessary in the interest of the *beoparis* themselves. It was brought to my notice by people from Jullundur and Amritsar that since the assessing authorities had not got the power to extend the time limit and only the Provincial Government could do so a provision must be made for delegation of powers to the assessing authorities. This amendment is being made in the interests of the *beoparis* and not in favour of the Government. The only other point which may be considered now is with regard to instalments. Formerly we contemplated that the tax should be realised in two six-monthly instalments. Now it will be realised in one annual instalment. That provision has been made to avoid duplication of clerical work. It was brought to my notice that it would be convenient if it were realised once a year instead of in two instalments. Apart from other questions, there is the minor point about scarcity of paper also. If separate statements for each six-monthly period are prepared that would mean use of extra paper. During the war this is an important consideration. But it would be conducive to the convenience both of the Government and the *beoparis* if we realise the tax once a year. I do not think that this will cause any real hardship but if later a suggestion is made that we should revert after the war to the system of six-monthly instalments I shall be prepared to accept the proposal. I personally feel that it would be in the interests of *beoparis* themselves that instead of being worried twice a year with regard to collections, the tax should be paid once a year. As for the rest of the Bill, the honourable members opposite have themselves admitted that it contains no more than changing ‘of’ into ‘to’ and into ‘in’ and so on. I assure the honourable members that if in future we decide to make any substantive amendment, I will send an advance copy to the parties concerned. My honourable friend is also aware of the other undertaking that I gave and that is that during the war Government will not bring forward any controversial measure, but if the *beoparis* ask for an amendment which is controversial, that will be equally tabooed.

Sardar Santokh Singh : May I know whether this amending Bill is really necessary ?

Premier : It may or may not be necessary. My honourable friend is justified in asking that question. But why should we take any risk ? If there is any doubt why not remove it now ? We could have brought this Bill in the budget session. But then that would have meant further delay. When this Bill has been passed, rules will have to be framed and placed on the table of the House. Various other formalities have to be gone through by printing of new forms in accordance with the new rules, and it all takes time. We want to be ready by the 1st of April, so that after that various notices should be issued within time and there should be no confusion ; otherwise there may be confusion and hardship which we can avoid by passing this Bill now. We want in any case to avoid avoidable hardship so far as it lies in the power of Government, because we want to act up to the spirit of the undertaking given to the *beoparis*..

Mr. Speaker : The question is—

That the Punjab General Sales Tax (Second Amendment) Bill be circulated for eliciting opinion thereon by the 15th January 1943.

The motion was lost.

Mr. Speaker : The question is—

That the Punjab General Sales Tax (Second Amendment) Bill be taken into consideration at once.

The motion was carried.

Clause 2.

Mr. Speaker : The House will proceed to consider the Bill clause by clause. The question is—

That clause 2 stand part of the Bill.

The motion was carried.

Clause 3.

Mr. Speaker : Clause 3.

Sardar Santokh Singh : I would suggest to the Honourable Premier that in clause 3, part 2, he may have an addition made that 'provided that the tax shall be payable by two six-monthly instalments'.

Premier : I have already explained that that is not going to be of any help to *beoparis*.

Sardar Santokh Singh : In the case of urban property tax you are having six-monthly instalments.

Premier : Urban property tax, I may inform the honourable member, is being realised through the agency of municipalities who realise their own taxes in six-monthly instalments. That is simple. Here we will have to engage a separate agency. Besides, as I have said it is necessary to conserve available stocks of paper. It is not going in any way to help the *beoparis* for the simple reason that now the tax will be imposed on previous year's turnover. Moreover collection in one instalment will bring us into line with the income-tax practice.

Sardar Santokh Singh : So far as the question of paper is concerned, I quite agree. In the case of the urban property tax it is not collected for the Government by the municipalities, but the amount has to be paid in the treasury. They send two forms instead of one at a time. The tax is thus paid every six months on the basis of each form. According to the present Bill, the amount of interest will be swelling and in some cases it may run to thousands of rupees. If a trader is required to pay the first instalment, say in June, then he will have to pay the next instalment in December. After all, all these things have got to be considered. The amount of interest may mean nothing to the Government—its treasury is full—but to a trader saving of interest for six months may mean a lot. That is why I am strongly suggesting that this concession—if it can be called a concession—as it existed in the original Act, should remain as it was.

Mr. Speaker : The question is—

That clause 3 stand part of the Bill.

The motion was carried.

Clauses 4—13.

Mr. Speaker : The question is—
That clauses 4 to 13 stand part of the Bill.

The motion was carried.

Mr. Speaker : The question is—
That the preamble be the preamble of the Bill.

The motion was carried.

Mr. Speaker : The question is—
That clause 1 stand part of the Bill.

The motion was carried.

Premier : Sir, I beg to move—
That the Punjab General Sales Tax (Second Amendment) Bill be passed.

The motion was carried.

LAND PRESERVATION (CHOS) (AMENDMENT) BILL

Minister of Development (The Honourable Sardar Baldev Singh) :
Sir, I beg to introduce the Punjab Land Preservation (Chos) Amendment Bill. I beg to move—

That the Punjab Land Preservation (Chos) (Amendment) Bill be taken into consideration at once.

The motion was carried.

Mr. Speaker : The House will proceed to consider the Bill clause by clause. The question is—

That clauses 2 to 5 stand part of the Bill.

The motion was carried.

Mr. Speaker : The question is—
That the preamble be the preamble of the Bill.

The motion was carried.

Mr. Speaker : The question is—
That clause 1 stand part of the Bill.

The motion was carried.

Minister of Development : Sir, I beg to move —
That the Punjab Land Preservation (Chos) (Amendment) Bill be passed.

The motion was carried.

ELECTRICITY DUTY BILL.

Minister for Public Works (The Honourable Malik Khizar Hyat Tiwana) : Sir, I beg to introduce the Punjab Electricity Duty Bill. I beg to move—

That the Punjab Electricity Duty Bill be referred to a select committee consisting of—

Mian Abdul Rab
K. S. Khawaja Ghulam Samad
Ch. Sumer Singh
Rao Mohar Singh
Sardar Joginder Singh Mann
Sardar Bahadur Sardar Ujjal Singh
Lala Sita Ram
Lala Harnam Das
Shaikh Faiz Muhammad.

[Minister for Public Works]

In this connection I would like to refer briefly to the statement of objects and reasons and to say that the intention is to levy a duty on electrical energy consumed for lights and fans and other appliances in respect of which consumption is recorded on the same meter. The levy has been necessitated by the rapid development of electricity. The expenditure which the provincial government has to incur on the administration of electricity law is continuously on the increase. Those who enjoy this amenity have been asked to pay a slight amount. I may in this connection say that the cost of lighting in villages, where kerosene oil and other vegetable oils are used, has gone up immensely. I do not think that the people who enjoy electricity will grudge to pay six pies per unit. A tax of this sort is in force in four other provinces, viz, Bombay, Madras, Bengal and Sind, and eleven other countries are also taxing electricity in this way. There is a great strain on the finances of the province due to war and we expect to get about 5 lakhs by this levy. The rates to be charged are given in the first schedule and it will not be much. I have been calculating that my friend opposite, Rai Bahadur Lala Gopal Das, would have to pay not more than Re. 1-8-0 a month or Rs. 20 per year. The levy of the tax would not affect the poor and the charitable institutions. The industrial and agricultural undertakings have been exempted. Privately generated energy for domestic use not for sale would be exempted. An attempt has been made in the Bill to minimise the rigor which an imposition of every new tax involves, and it is to be hoped that the House will have no hesitation in referring the Bill to the select committee.

Mr. Speaker :

The motion moved is—

That the Punjab Electricity Duty Bill be referred to a select committee consisting of—

Mian Abdul Rab

Khan Sahib Khawaja Ghulam Samad

Chaudhri Sumer Singh

Rao Mohar Singh

Sardar Joginder Singh Mann

Sardar Bahadur Sardar Ujjal Singh

Lala Sita Ram

Lala Harnam Das

Shaikh Faiz Muhammad.

Rai Bahadur Lala Sohan Lal (North Punjab, Non-Union, Labour)
(Urdu) : Sir, I beg to move—

That the Punjab Electricity Duty Bill be circulated for eliciting opinion thereon by the 31st March 1943.

As you are aware, Sir, the Honourable Premier said some time ago, that no controversial or taxation measures would be brought before the Assembly during the war. We thought that, for the duration of war at least, the people of the Punjab in view of the several new taxes which had been imposed by the Provincial Government recently, for instance, the Sales Tax, the Property Tax, the House Tax, and in view of the increase in the rate of Income-tax and the imposition of the Excess Profit Tax, would no longer be burdened with any fresh taxes. But our surprise knew no bounds, when, contrary to our hopes, Government introduced this Bill with a view to levying a duty on the electric energy consumed for lights, fans, etc. If you just peruse the Bill, you will find that it is aimed at imposing a tax not on a luxury but on a necessity. It is really a matter of regret and surprise that the Government should have introduced a measure of this nature. I am of the opinion that it is a bad policy on the part of the Government to tax a necessity of life. The Honourable Minister has pointed out that this duty is in vogue in several other provinces. May I just mention, for instance, that in Madras when this Bill was introduced, the Government there were anxious to introduce this Bill because they wanted to eradicate a great evil and had introduced prohibition as a result of which their income fell down considerably.

But here in the Punjab the Government has failed to make out a case for the imposition of this duty. Honourable Minister in his speech to-day said the same things which are contained in the statement of objects and reasons. He has got three reasons for introducing this measure. He said that a tax on the sale or consumption of electricity was already in force in Bombay, Madras and Bengal and that it also existed in several other foreign countries. His second reason was that Government stood in need of fresh resources of revenue to meet the increasing demands for widening the scope of its services. The third reason advanced by him was to the effect that the proposal for levying a duty on the electricity in the Punjab was in conformity with one of the recommendations of the Resources and Retrenchment Committee. I will deal with these points one by one. So far as the first reason, that the proposed duty is already in force in Madras, etc., is concerned if you just go through the speeches made by the respective minister-in-charge of those provinces, you will find that they have made out a strong case for this levy. They have supplied complete facts and figures regarding the amount of revenue to be realised as a result of this tax and the objects for which it is to be utilised. For instance; the minister concerned of the Madras Government put forward the plea that the money was required to make good the deficit caused by the introduction of prohibition in the province. But here we are being kept completely in the dark about these points. I think it behoves the Government to enlighten the House and place before it the detailed facts as to what amount of revenue they expect from the levy of this tax and in what manner they would make use of this money. The Government should also tell us the specific purpose for which this money is required. I may point out that the mere statement of the Honourable Minister that this duty is proposed to be levied in the Punjab, because it is in force in other provinces, will not carry conviction with us. We should be clearly told as to why the need for this money has arisen.

Minister for Public Works : Simply because we want to spend it on works of public utility.

Rai Bahadur Lala Sohan Lal : Honourable Minister says that money is to be spent on public utility but he should clearly state what those works are. He should at least take us into his confidence regarding the manner and the method of utilising the amount to be realised. If that is done, I am sure, nobody would offer any opposition to this Bill. But the statement of the Government that they stand in need of money is in direct conflict with the observations made by the Honourable Minister for Finance in his budget speech of 1942-43. I would just read out the relevant extracts from this speech for the information of the House. He begins his speech like this :

2 p. m.

Full five years of our financial administration have now been completed, and the Budget to be presented to-day relates to the sixth year to begin on the 1st April, 1942. The question naturally arises and must be faced whether stewardship of the finances of the province by your Government and this House will bear the test of well-established principles. As I rise to-day it is in the full consciousness of the fact that the most vigilant scrutiny will reveal that yours has been a worthy and strikingly successful custodianship in a period of heavy strain and immense anxiety."

In the peroration of his speech, he says as follows :—

I have not the time to-day to enter into any minute detail, but honourable members may note the general fact that after making all necessary deductions on account of transfers from deposit heads of accounts our revenue receipts are better by Rs. 2 crores and 11 lakhs when compared with the year 1936-37, and by Rs. 1 crore and 62 lakhs when compared with the year 1937-38. It would not be indulging in any extravagant or hasty prophecy if I were to affirm that much of this improvement has come to stay, and before long the three items I have specified above should by themselves stand at at least Rs. 1½ crores.

Now the honourable members can easily realise how anomalous the position is. On the one hand, it is being dinned into our ears that the financial position of the Government is as secure and stable as a rock and their stewardship of the provincial finances is remarkable, while, on the other, they are bringing forward plethora of taxation measures one after the other and are trying to squeeze out the last penny from the pockets of the people. It is a pity that while they wax eloquent about their financial stability, their appetite for more money remains insatiable. Now the Honourable Minister for Public Works has presented this Bill to us with the remark that the Government stand in need of more money. We are really at a loss as to whom we should believe, the Honourable Minister for Finance or the Honourable Minister for Public Works. I would, therefore, again request the Honourable Minister in charge of the Bill to furnish the House with the information on the points specified by me, namely, the exact amount of revenue expected to be realised through this tax, the purpose for which it is required, the manner in which it is to be realised and utilised, the facilities, if any, contemplated to be provided to the people, etc. Again, which section of the people requires concessions or facility, whether agriculturists or certain part of agriculturists, or labourers, urbanites, ruralites, etc., who and in what form they are going to get any concession. If he would elucidate these points, I am sure, there would absolutely be no opposition to the levy of this duty.

With regard to the second point, namely, that it is already in vogue in other provinces. But they conveniently forget that the conditions prevailing there, may be quite different from those which exist in our own

province, and I have already mentioned the reasons why it was introduced in Madras, etc., Government should first thoroughly examine this aspect of the question and then in the light of their findings, justify the levy of this tax. But the pity of it is that they want to hasten with this Bill without caring to collect the necessary data justifying the imposition of this duty. Then the third point of which much capital has been made by the Government, is, that this Bill has been framed on the basis of one of the recommendations of the Resources and Retrenchment Committee, namely, "that a duty on electricity should be levied in the Punjab." Now this Committee submitted a voluminous report which contained a great number of recommendations on different matters. The Government adopt those recommendations which are taxation measures and ignore the other which are of equally vital importance. The Committee made important recommendations for effecting economy and bringing about drastic retrenchment in the administration of the Government. The Government have all along remained indifferent to this part of the recommendations, but they take shelter under those recommendations which favour imposition of taxes. I am of the opinion that if they had cared to give a practical shape to those recommendations, they would have effected such substantial savings as would have rendered the necessity of introducing these taxation measures unnecessary, specially taxing a necessity. Now when they have relegated to one side those valuable recommendations, which enjoined economy and retrenchment in the administration, they have no justification to say that they have brought forward this taxation measure in accordance with a specific recommendation of the Committee. Under the circumstances I would suggest it to them that this Bill be circulated so that the public may give expression to their views about it. I may also add that if the Government had been in possession of complete facts and figures, having a direct bearing on this subject, then perhaps the necessity of sending it for circulation might not have arisen. Since they have not supplied the requisite information, the Bill should be circulated. This will help them in obtaining the necessary information, required in connection with this Bill. To be brief the first and foremost thing that I want to know is the total amount of revenue expected to be realised as a result of this tax. (*Interruption.*) I hear the honourable Parliamentary Secretary is saying that the estimated amount would be Rs. 5 lakhs. But that is a mere conjecture. In fact this vague amount is no longer based on facts and figures. It is a sheer guess-work. For instance, if in Bombay the revenue accruing from this tax is Rs. 20 lakhs, then for the Punjab, the Government have put it at an easy figure of Rs. 5 lakhs. I may tell him that in financial matters Government should be meticulously careful about the exactitude of figures, if they desire to convince all sections of the House. Besides, I fail to see what difficulty confronts the Government in getting the exact figures. They have the services of the vast Electricity Department at their disposal. It can easily arrange to find out the number of units which are being consumed in the province per month and then on the basis of these figures, true estimates of the revenue can be prepared. Since they have failed to do so, I think it would be in the fitness of things, to circulate the Bill for eliciting public opinion. Then, as I have already stated, the matter requires a careful consideration from the point of view of how and where the revenue is intended to be utilised and what method or machinery

is to be employed for the purpose of collecting the revenue. I would be satisfied if the Government throw light on these points and give cogent reasons for the desirability of bringing this measure on the legislative avail. [Minister for Public Works]

One word more and I have finished. I have not been able to reconcile the attitude of the Government in regard to the Simla exodus and the levy of this duty on electricity consumed for fans, etc. On the one hand, they enjoy the cool and bracing climate of Simla at the expense of the tax-payers while, on the other hand, those very tax-payers who cannot afford to go to the hills and are obliged to stay in the plains during the hot season are being asked to pay tax for getting the breeze from the electric fan. With these words I urge upon the Government the desirability of circulating this measure to elicit public opinion thereon.

Mr. Speaker : Motion under consideration, amendment moved—

That the Punjab Electricity Duty Bill be circulated for eliciting opinion thereon by the 31st March 1943.

Lala Sita Ram (Trade Union Labour) (Urdu) : Sir, I rise to offer my whole-hearted support to the amendment moved by my honourable friend Rai Bahadur Lala Sohan Lal. But I have serious apprehensions that the honourable mover of the circulation motion may back out or refrain from voting with the Opposition.

Mr. Speaker : Please speak to the motion.

Lala Sita Ram : What I wanted to emphasise was that the members of the Opposition were in complete accord with the object of the amendments concerned and that the mover should not change his mind at the time of voting. Now coming to the subject under consideration, I may point out that the Government have failed to make out a case for levying a duty on electricity. Some time ago the Honourable Premier gave us an undertaking that he would not bring forward any taxation or a controversial measure before the Assembly during the period of war. Even to-day he has made a reference to this fact during the discussion on the General Sales Tax (Amendment) Bill. But I am at a loss to understand why the Government have gone back upon their word by introducing the Electricity Duty Bill, which to all intents and purposes indicates that the burden of this tax is to fall mainly on the urbanites. The Honourable Minister in charge of the Bill has made it clear in the course of his speech, that as prices of oils like kerosene, etc., which were being used by the rural people for lighting purposes, had risen abnormally, the urban classes should also contribute something to the State for the supply of electricity. But this is no argument. And again to ask the urban people to pay more in the form of a tax is still worse logic. Leaving this point aside for the time being, what I assert is that in view of the solemn assurance held out by the Honourable Premier, no departure ought to have been made by the Government in this respect. In fact decorum demands that if Government attach any weight or importance to their pledged word, they should refrain from introducing any taxation or a controversial measure, no matter whether the tax is reasonable or otherwise, or the Government felt a pressing need for money. The undertaking given by the Premier rules out the introduction of any such measure. Hence I am of the opinion that the

consideration of this Bill should be kept in abeyance till the conclusion of war. There is no doubt that, by referring it to a Select Committee, the Government are postponing its consideration for some time, but how long can this be put off? The Select Committee Report must come before the House sooner or later, during this session or the next one. One day, and that too before long, you will make it law and this would nullify the assurance held out by the Honourable Premier.

The second reason that I want to advance in condemnation of this Bill is that, as usual, the Government have thought fit to put forward a class measure, which is bound to create heartburning in the urbanites. It is obvious that the brunt of this tax is to be borne by the urban people and the rural people will not in the least be affected by this Bill. This is most inequitable and unfair. As I have already stated on several occasions, the principle underlying a tax should be such as may make the distribution of the burden or incidence of tax equitable for all sections of the public. If this principle is adopted, I am sure, nobody will have any cause of complaint against the Government. But the pity of it is that the Government have all along maintained an indifferent attitude towards this principle.

Then, Sir, although an attempt has been made by the Government to reduce the rigours of the Bill by exempting those persons from the payment of tax, who consume five units or less, yet the fact remains that nowadays owing to the abnormal rise in prices and consequential rise in the cost of living, the people would be hit hard by the levy of this duty and I doubt if there are more than one per cent customers who consume five units or less. It is already becoming increasingly difficult for the urban people to make their both ends meet. This tax would certainly add to their difficulties and crush them financially. Under the circumstances, I consider this tax as most unjust, because it is a tax imposed not on a luxury but on a necessity. It should not be levied till the return of normal conditions. I may point out that electricity has become a necessity and no economy, worth the name, can be made in its consumption. Naturally the middle classes and the labour classes using electricity who are already paying high prices would be adversely affected as a result of this tax. I, therefore, suggest it to the Government that they should either postpone the consideration of the Bill or send it for circulation with a view to eliciting public opinion thereon. If my reading of in between the lines is correct, I see quite another lurking reason for the introduction of this tax. The Government are taking over the charge of the Lahore Electric Supply Company, but they feel diffident about its smooth running. They know that they have a very bad reputation for running commercial concerns. They have no business head. They would employ their own men in the company and will pay them fat salaries. Naturally this will result in bad service and no small loss. But this tax will make good the loss and the Government will show the two sides of income and expenditure equally balanced. I know that technically and legally this tax cannot be shown as income, but all the same it can serve as throwing dust into public eyes as some consolation to those who will be responsible for running a very good and profitable business concern in loss.

I do not feel it necessary to repeat the argument that has already been advanced with regard to the Retrenchment Committee. This

[L. Sita Ram]

committee suggested some ways and means for the effective working of the Government machinery and laid much stress on curtailing expenses. But the Government have always turned deaf ear to the curtailment of expenses and retrenchment. They have adopted such of the recommendations of the Retrenchment Committee as suited their purpose and have ignored the others. Really it is very unfair on the Government's part. We have been asking the Government time and again. As a matter of fact we have been giving them so much latitude as to take up all the recommendations of the Resources and Retrenchment Committee, may they be with regard to taxation or otherwise, and decide once for all as to which of them they would like to carry on. But the pity of it is that the Government have selfishly taken up those recommendations only which they think could serve their purpose very well. So far as other recommendations of the committee are concerned the Government are sleeping over them and no attention whatsoever is paid to them. This is not a good principle.

With these remarks, Sir, I lend my wholehearted support to the circulation motion moved by my honourable friend Lala Sohan Lal and before I resume my seat I would again submit that in view of the Premier's assurance it will be better if this Bill is postponed at present.

Rai Bahadur Lala Gopal Das (Kangra North, General, Rural) (Urdu): Sir, I object to this Bill on principle. You will recall that some months ago, the Honourable Premier gave us an assurance that for the period of the war, at any rate, no controversial measure would be brought by the Ministry before the Legislature and that if any necessity for taxation arose, the measures would be postponed till the termination of the war. It is really surprising that by putting forward this Bill, from which the Ministry expects to realise about 5 lakhs of rupees, the Honourable Premier has gone back upon his word. I should like to draw his attention to the statement of objects and reasons in which it has been laid down: "Due to rapid development of electricity, which has come to play an important part in modern life, the expenditure which the provincial government has to incur on the administration of the Electricity Law is increasing year by year." To say that rapid development of electricity is taking place is incorrect. As a matter of fact, its further development is being stopped as new connections are not being given to the needy public.

It has further been said in the statement of objects and reasons: "A tax on the sale or consumption of electricity is already in force in Bombay, Madras, Bengal and Sind and is working smoothly". In this connection I would like to submit that the policy of levying in the Punjab every tax found elsewhere, in Madras, Bengal and Bombay, for instance, is absolutely unjustifiable as those provinces are industrially more advanced than the Punjab, which is comparatively a poor province. The people here are already overburdened with taxes. As a matter of fact the limit was reached long ago. Hence to levy another tax will be extremely unfair and the Ministry will incur the displeasure of the people still more.

I am convinced that it will be most undesirable on the part of Government to levy this tax on the people at a time when they are finding it increasingly difficult to maintain themselves and when all our energies should

be concentrated on the defence of our hearths and homes. I would, therefore, suggest to Government not to create discontent among the people at this critical time, because I am afraid that the situation will become more difficult. Government has already been complaining of non-co-operation on the part of the public and they say that instead of collaborating and co-operating with them the people discourage them by offering opposition to them. Why this non-co-operation? Because the people say that Government do not watch their interests at all and whatever is done by them is not done for their interests alone. When this is the public opinion about our Government, I wonder how they dare call themselves a popular government. As I have already submitted, Government held out an assurance that no class or controversial measure would be brought before this House, but now they are throwing their undertaking overboard. This is a bad principle and bad policy.

Sir, the people expected that after the Akali-Unionist alliance, such measures would not be placed on the legislative anvil. I believe it was one of the terms of the Sikander-Baldev Singh Pact. But I have been greatly disappointed to find that the Unionist Government has not changed its policy. As you are aware, Sir, practically in every session of this Assembly, a measure to tax the urban classes is introduced. I do not think there has been any session in which taxation measures have not been introduced or passed. Now again Government proposes to levy another tax this time on electricity. Is there any doubt that by these rapid taxation measures, the intention of the Unionist Ministry is to fleece the urban classes? The excuse brought forward by Government for this new tax is that the Resources and Retrenchment Committee had also recommended a duty on electricity. May I ask Government why they ignore the other recommendations in which stress has been laid on reducing the expenditure? It is no argument, therefore, that it was recommended by the Resources and Retrenchment Committee. The fact of the matter is that Government have adopted such of the recommendations of the Resources and Retrenchment Committee as suited their purpose and have ignored the others. This is most unfair.

My honourable friend Rai Bahadur Sohan Lal has already asked Government as to how and where the money realised by this tax will be spent. Do they want to employ persons for party propaganda? After all, what is the purpose to be served by the imposition of this duty which the Ministry seems anxious to do, not caring even for the resentment among the public?

I should also like to draw the attention of the Minister in charge to the fact that when a dispute arose between Government and the Lahore Electric Supply Company, which was then represented by the late Lala Harkishan Lal, Government pressed to reduce the rates for electricity. But what do we see now? Government on the contrary are out to levy a surcharge on the consumers. I strongly oppose this measure. Government are ignoring the famine conditions prevailing in the province. The masses in the towns, who will be directly affected by the new tax, can hardly make both ends meet, since the cost of living has gone up ten-fold or even more. Under these conditions, to overburden people, who are already suffering greatly due to famine prices, is nothing but oppression.

[R. B. L. Gopal Das]

This so-called popular Government should not rob the people of everything. If Government persist in doing so, I would suggest to them to hang their head in shame and resign, so that they may not abuse their majority power any more by resorting to such oppressive methods. Sir, if they had been sympathetic and considerate to the welfare of the people, they would never have come forward with a measure for imposing a new and unnecessary tax on the people who are already hard hit. As the Bill is fundamentally defective and without justification, I would urge Government to withdraw it right now, so that the question of referring it to a select committee will not arise.

Let me also point out that as electricity has not been made available to rural areas, the ruralites will not be affected by this tax. Why create this invidious distinction? Government should first electrify the whole province and then impose a tax of this nature so that all sections of the population may bear this burden equally. And, Sir, who knows the extent to which Government may go on increasing the duty step by step?

This proposed duty is meant to crush the urbanites only. Under these circumstances, I request the Honourable Minister to withdraw this bill for the present, and reconsider it when the Punjab will be industrially developed to such an extent as to bear the burden of taxes conveniently. In case the people are forced to pay this new duty, I wish to bring it home to the Honourable Minister that the people cannot discontinue the consumption of electricity due to dirth of kerosene oil and other oils in the province. Government, instead of encouraging people to consume electricity, will be doing a great disservice to them by levying the proposed duty. I hope that the Honourable Minister will withdraw this Bill forthwith. With these words, Sir, I support the circulation motion moved by my honourable friend Rai Bahadur Lala Sohan Lal.

Sardar Santokh Singh (Eastern Towns, Sikh, Urban): I rise to support the circulation motion. All over the civilised world, where any taxation measure is considered necessary, it is the primary duty of the ministry in charge to convince not only the legislature but also the public outside that the imposition of the tax is absolutely necessary and that without it the affairs of the Government could not be run. But with our ministry the position is always very different. They never care to take this House into their confidence. They never give any facts and figures, much less do they offer any justification, for the measures of taxation that they bring forward in such rapid succession.

Now turning to the statement of objects and reasons of the present measure, one has regrétfully to come to the conclusion that every word of it is untenable. They lay down curious propositions. I am puzzled and surprised at the assertion that to make the use of electricity safer and convenient one must pay more, as if by your not paying more the use of electricity will become both unsafe and inconvenient. It is a curious proposition. But these intelligent people bring forward these Bills in this House and have the audacity of making assertions which cannot stand a moment's scrutiny. Then mention is made of the high expenditure which the provincial Government has to incur on the administration of the Electricity

Department. I submit that if this high expenditure has any relation to the increased income, this sentence in the statement of objects and reasons is absolutely redundant. But if it is that without any increase in the corresponding income this Government is incurring enhanced expenditure, I should simply say that it can be the result of either their spendthrift nature or want of control on their subordinates. This Government compares this tax with that of far off provinces such as Bombay, Madras and Bengal. I should ask them in all earnestness, why not go nearer home and compare your taxation measures with those of your neighbouring provinces of Delhi and the United Provinces? If you only compare your taxation measures with those of the neighbouring provinces of Delhi and the United Provinces from the time the Provincial autonomy has come into force, I am sure you will simply have to hang your head in shame. Those provinces of Delhi and the United Provinces have not imposed any additional taxation in the shape of either marketing fees, or sales tax or many other measures which this Government has thought proper to bring before this legislature. Then they talk and talk very recklessly of at least 11 foreign countries where taxation on the use of electricity according to them is to be found. I wonder if the Honourable Minister in charge or any other responsible gentleman ever cared to enquire what a low rate of energy prevails in those countries. I speak open to correction but all the same I feel confident that I will not be far wrong when I say that the rate of electricity in England is no more than 25 per cent of what we have in this province. Have they ever cared to find out before putting into black and white these propositions, as to how their own charge compares with those foreign countries, where this duty is said to be in existence, and what are the rates of electricity that are charged to the consumers in those foreign countries? Nobody is unaware of the fact that in those foreign countries even cooking is done by electricity and this could not have been the case, unless the electricity there was sold at very cheap rates.

Further on they say that "the provincial Government is in need of fresh sources of revenue to meet the increasing demands for widening the scope of its services". Here the cat is out of the bag, if it is meant, that more money is to be spent on services. This has been our chief complaint from the very beginning of the provincial autonomy. Our complaint has been, it is and I am afraid it will perhaps continue, that so far as the control of expenditure is concerned, this Government has abdicated entirely in favour of the services who are free to spend as much as they like to the great embarrassment of the urban population upon whom measures of taxation one after the other in quick succession are being imposed. If widening of the scope of *services to the public* is intended, it will mean that some addition to the capital outlay will be necessary, and for that purpose additional taxation will be most unsound. My friend has just now brought to the notice of the House that it was part of the settlement arrived at between the Honourable Premier and Sardar Baldev Singh that no controversial measures will be brought up, at least during the period of the war. I am sorry to find that none of those gentlemen is present here just now, but I hope that the Honourable Minister in charge of the measure who happens to be here will kindly consult the Premier and, as has been suggested, he will persuade him to withdraw his measure. In any case,

[Sardar Santokh Singh]

equity, fairness and justice require that the Bill should be circulated for eliciting public opinion, so that those who are most concerned, those whose pockets are to be touched, may have an opportunity to have their say in the matter. With these words I support the circulation motion.

Minister for Public Works (The Honourable Malik Khizar Hayat Tiwana): I have heard with attention the arguments advanced by honourable members opposite. As far as I can see they are only averse to pay anything extra to what they are paying at present. The main argument advanced was that electricity is a necessity and not a luxury. That statement may be partially true. It is a necessity in certain cases. But certainly it is a luxury in others. It is a comparative matter. We have to see what is the standard in our country. In the villages there is no electricity at all. Comparatively one can say that electricity is a luxury there. Then, Sir, we have to see how electricity is consumed in cities. We have radios, we have frigidaires, we have electric cookers and all other modern conveniences. All of these cannot be called necessities. This measure has been brought forward not on Government initiative only. It embodies one of the recommendations of the Resources and Retrenchment Committee, a committee on which the various interests of this House were properly represented. Again it is not a controversial measure at all in any sense of the word. My friends say that it is a controversial measure and is covered by the Premier's assurance. As far as I understand that assurance does not relate to measures of this sort at all. Otherwise no taxation would ever be possible. That assurance was regarding controversial measures where a burden is to be laid on certain sections only and not on others. As far as this measure is concerned everybody who uses electricity has to pay. If there is no electricity in certain villages they do not pay. On the other hand, there are some villages too where they use electricity and they too will have to pay. All those who make use of electricity would pay.

Then the third argument advanced was, why do we want money? I thought it was not necessary at all, during the third year of the war, to ask why we want money. Even if there were no war, Government would have needed money for all the beneficent activities.

Rai Bahadur Mukand Lal Puri : How much?

Minister for Public Works : We expect to get something like five lakhs from this measure. The tax is only six pies per unit, a rate which should not be grudged.

Rai Bahadur Mukand Lal Puri : Is it on all kinds of electricity? Is there any differentiation in electricity used for lighting and electricity used for fire and working the tube wells?

Minister : The honourable member will find the exemptions in the Schedule. An argument was advanced that because the Punjab finances were in good condition due to the stewardship of the Honourable Finance Minister, therefore no tax was needed. That is quite to the contrary. If we have made good use of money in the past and finances have been properly looked after, this additional money will be put to good use. It will form part of the revenues of the Province and will be applied with all the care by the Finance Department. It is not a correct inference from the

Honourable Finance Minister's speech that because the finances are well managed, therefore no money is wanted. Take the recent expenditure we had to incur. More than a crore has been spent in these very areas on A. R. P. and there are other daily needs on account of various measures. That is the reason why we want this amount. It was said that the cost of collection will be great. One of the great features of this measure is that the cost of collection would be very small because it will be realised along with the electricity companies' bills. It will be put on as surcharge as in the case of Entertainment Tax. We may have to employ a few Inspectors for unmetered connections, but so far as the metered connections are concerned, the levy will be along with the bills and I do not think that there will be any heavy cost on this score. The other argument advanced by my honourable friend was that Government goes up to Simla. If Government goes up to Simla, electricity is used there also. He should not take up that line of argument because he is one of the first to quit the plains during the summer. So far as I recollect, one more argument was advanced and that was that in the Delhi Province there is no such tax. That is perfectly correct. Four Provinces have levied this tax but Delhi is not one of them. Delhi is fortunately situated. It lives on indirect taxes realised from the whole of India and the Government of India being there, they get all the money without being in need of taxes. This tax is for a very small amount. (*An honourable member*: What about the United Provinces?) The United Provinces have not got it so far. There are other four Provinces where they have got it and there is no reason why we should not have it when our Resources and Retrenchment Committee have recommended this tax. If the measure is circulated, the average citizen's reply will be that the taxes should be wiped out, but this is a tax brought in because other Provinces have got it. The Resources and Retrenchment Committee looked into it minutely and came to the conclusion that this tax should be levied. The incidence is very small and it would not seriously affect anybody. It would be a flea bite for the millionaires opposite and the Province will get relief to the extent of five lakhs. The dilatory motion put forward by the honourable members would serve no useful purpose. I am sure in their heart of hearts they realise that. I have, therefore, no hesitation in opposing the motion for circulation.

Mr. Speaker : Question is—

That the Punjab Electricity Duty Bill be circulated for eliciting opinion thereon by the 31st March 1943.

The Assembly divided : Ayes 11, Noes 66.

AYES

Amar Nath Shah, Lala.
Gokul Chand Narang, Dr. Sir.
Gopal Das, Rai Bahadur Lala.
Jalal-ud-Din Amber, Chaudhri.
Muhammad Abdul Rahman Khan,
Chaudhri.

Muhammad Nurullah, Mian.
Mukand Lal Puri, Rai Bahadur.
Santokh Singh, Sardar.
Sohan Lal, Rai Bahadur Lala.
Sohan Singh Josh, Sardar.
Teja Singh, Sardar.

NOES

Abdul Haye, The Honourable Mian.	Abdul Rahim, Chaudhri (Gurgaon).
Abdul Rah, Mian.	Ali Akbar, Chaudhri.
Abdul Rahim, Chaudhri (Gurdaspur).	Allah Yar Khan Daulatana, Mian.
	Amjad Ali Shah, Sayed.

Baldev Singh, The Honourable Sardar.	Muhammad Hassan Khan Gur- chani, Khan Bahadur Sardar.
Chhotu Ram, The Honourable Chaudhri Sir.	Muhammad Saadat Ali Khan, Khan Bahadur Khan.
Dasaundha Singh, Sardar.	Muhammad Sarfraz Khan, Raja.
Faiz Muhammad, Shaikh.	Muhammad Yasin Khan, Khan Sahib Chaudhri.
Faqir Chand, Chaudhri.	Mula Singh, Sardar.
Faqir Hussain Khan, Chaudhri.	Nasir-ud-Din, Khan Bahadur Chaudhri.
Farman Ali Khan, Subedar-Major Raja.	Nasrullah Khan, Rana.
Fateh Muhammad, Mian.	Naunihal Singh Mann, Captain Sardar.
Fazal Din, Khan Sahib Chaudhri.	Nawazish Ali Shah, Sayed.
Fazal Karim Bakhsh, Mian.	Nur Ahmad Khan, Khan Bahadur Mian.
Ghazanfar Ali Khan, Raja.	Pir Muhammad, Khan Sahib Chaudhri.
Ghulam Qadir Khan, Khan Baha- dur.	Prem Singh, Chaudhri.
Ghulam Samad, Khan Sahib Khawaja.	Prem Singh, Mahant.
Gopal Singh (American), Sardar.	Pritam Singh Siddhu, Sardar.
Guest, Mr. P. H.	Ram Sarup, Chaudhri.
Gurbachan Singh, Sardar Bahadur Sardar.	Ranpat Singh, Chaudhri.
Haibat Khana Dahi, Khan.	Riasat Ali, Khan Bahadur Chaudhri.
Harnam Das, Lala.	Ripudaman Singh, Rai Sahib Thakur.
Harnam Singh, Captain Sodhi.	Roberts, Sir William.
Het Ram, Rai Bahadur Chaudhri.	Sahib Dad Khan, Khan Sahib Chaudhri.
Inder Singh, Sardar.	Shahadat Khan, Khan Sahib Rai.
Jagjit Singh Man, Sardar.	Sikander Hyat-Khan, The Honour- able Lieut.-Col. Sir.
Joginder Singh Man, Sardar.	Sumer Singh, Chaudhri.
Jugal Kishore, Chaudhri.	Suraj Mal, Rai Sahib Chaudhri.
Khizar Hayat Tiwana, The Honour- able Malik.	Talib Hussain Khan, Khan.
Kishan Das, Seth.	Tara Singh, Sardar.
Manohar Lal, The Honourable Sir.	Wali Muhammad Sayyal Hiraj, Sardar.
Maqbool Mahmood, Mir.	
Mohar Singh, Rao.	
Mubarik Ali Shah, Sayed.	
Muhammad Azam Khan, Sardar.	
Muhammad Faiyaz Ali Khan, Nawabzada.	

Mr. Speaker : The question is—

That the Punjab Electricity Duty Bill be referred to a Select Committee consisting of—

Mian Abdul Rab
Khan Sahib Khawaja Ghulam Samad
Chaudhri Sumer Singh
Rao Mohar Singh
Sardar Joginder Singh Mann
Sardar Bahadur Sardar Ujjal Singh
Lala Sita Ram
Lala Harnam Das
Shaikh Faiz Muhammad.

The motion was carried.

Mr. Speaker : The question is—

That the quorum of the Select Committee shall be five.

The motion was carried.

DISTRICT BOARDS BILL

Minister for Public Works : Sir, I beg to introduce the Punjab District Boards Bill. I beg to move—

That the Punjab District Boards Bill be referred to a Select Committee consisting of—

Khan Bahadur Captain Malik Muzaffar Khan
Khan Bahadur Chaudhri Riasat Ali
Shaikh Faiz Muhammad
Rai Sahib Chaudhri Suraj Mal
Chaudhri Anant Ram
Bhagat Hans Raj
Tikka Jagjit Singh Bedi
Khan Bahadur Chaudhri Nasiruddin
Lala Amar Nath Shah
Mian Muhammad Nurullah
Sardar Muzaffar Ali Khan Qizilbash
Mian Allah Yar Khan Daulatana
Mian Badr Mohyuddin Qadri.

Sir, the present Act was passed in 1888 and due to the constitutional and other changes the state of affairs at present in this province is totally different from what it was in 1888 and it has been felt for some time that the District Boards Act be amended. The non-official and official agencies have been suggesting amendments from time to time and the issue was whether we should bring forward an amending Bill or a new comprehensive measure which should include all those suggestions and improvements. A committee was appointed some time ago by Government of selected district board members, vice-chairmen including two non-official chairmen that we had in this province. This committee sat for a long time and have submitted recommendations which are unanimous and based on those recommendations is the present Bill. I do not want to go into the details of the Bill at present. They are already in the report which has been made available. The salient features are that the district boards have been given powers to enhance local rates to any pitch from one anna of the annual rental value of the land with the previous sanction of Government and the statutory maximum limit now existing will not operate. Government will be in a position to enhance the taxation if any board was so inclined. The power to nominate has been retained but this is due to the joint electorate which is a very healthy feature of the district boards, election to which is based on joint electorate. It is only for communal disparity that we have added a provision to nominate members. Other nominated members will be experts. Another feature is that the term of office of the members has been increased from a period of 3 years to 5 years to enable them to gain experience and carry through their schemes. This would be the same length of life which the Assembly enjoys at present. Then the boards are given full powers to elect non-official chairmen. Ordinarily chairman will be the executive authority of Board under the Bill and an official executive authority can be appointed by the Government for the prompt discharge of executive duties which is some times necessary. Then provision has been made for the provincialisation of certain district board services, such as Secretaries and Engineers. This is a long

[Minister for Public Works]

desired change and a reform overdue. Then the members hereafter would be under an obligation to notify their relationship to a person whose appointment to the board service is under consideration. This provision has been put in to check the criticism of nepotism and jobbery, etc. It is also proposed that members and employees of the district boards should be liable to account for any district board money or property which is placed under their charge. A similar provision exists in the Municipal Act at present. In short we have tried to liberalise the constitution of the district boards and bring it to the level of municipalities. I hope, Sir, that the general scheme of the Bill will meet with the approval of the House. As regards criticism that has been offered, we hope to deal with it in the Select Committee. The Bill will not come before the House until the Budget session. Till then the district boards will have ample opportunity of putting forward their suggestions which would be considered in the Select Committee. Since the Bill was last published I regret to say that I have not come across any criticism of the Bill. I hope the House will agree to the Bill being referred to the Select Committee as proposed by me.

Mr. Speaker : Motion moved is—

That the Punjab District Boards Bill be referred to a Select Committee consisting of—

Khan Bahadur Chaudhri Riasat Ali
Khan Bahadur Captain Malik Muzaaffar Khan
Mian Allah Yar Khan Daulatana
Shaikh Faiz Muhammad
Rai Sahib Chaudhri Suraj Mal
Chaudhri Anant Ram
Bhagat Hans Raj
Tikka Jagjit Singh Bedi
K. B. Chaudhri Nasir-ud-din
Mian Badr Mohy-ud-Din Qadri
Mian Muhammad Nurullah
Lala Amar Nath Shah
Sardar Muzaaffar Ali Khan Qizilbash

Mian Muhammad Nurullah (Lyallpur, Muhammadan, Rural) : I move—

That the Punjab District Boards Bill be circulated for eliciting opinion thereon by the 25th March 1943.

Sir, I regret that due to bad cold I may not be able to do full justice to my speech that I would have liked to make on this very important Bill. All the same having taken the sense of most of the members of this House, I feel that this amendment is very necessary. The Bill seeks to make some very important fundamental changes in the existing law on the subject. The original Act was passed as long ago as 1888. There is a similar circular motion by Rai Bahadur Mukand Lal Puri ; he gives his date as the 15th of February. Then there is a motion by Sardar Lal Singh who has gone over to the Ministerial benches with Sardar Baldev Singh. The third one is by Chaudhri Sumer Singh who has all along been a staunch Unionist. Just now when I was returning I was told by somebody that mine is a very necessary motion. I am, therefore, perfectly correct in saying that I have the moral support of most of the members of this House. Having heard the statement of the Honourable Minister for Public Works I must say that the changes that are contemplated in this Bill are very fundamental. He just now remarked that the district boards will have time to give in their opinions.

My submission is that they never do so unless you ask them. As a matter of fact their opinions should have been taken long ago; they are the people who are rightly concerned; they have to run their administration. (*Rai Bahadur Lala Gopal Das*: They are the *mai baps*). Truly they are. Reforms in this direction were needed for a very long time. In other provinces like Bombay and United Provinces, they had taken steps in this direction. They had changed the official chairmen to non-official chairmen as long ago as 1928 and other powers have also been delegated. Some of them have done wonderfully well. Only yesterday the Honourable Premier said about the late Nawab Sir Fazal Ali that he had been a very successful chairman of the District Board. That shows that clue had been taken by the Government long ago and this reform should have been made much earlier. It is a curious thing that while power to elect their own chairmen is being given now under this Bill, Government is going to put an executive authority over the board—a break on the work of the non-official chairman and a break on the principle of local local self-government from the very start. If you turn through the pages of this Bill you will not find any provision which gives power to the district boards to appoint their own executive authority. Even in that reactionary Bill which was passed in the time of Dr. Sir Gokul Chand Narang in those days of autocracy and aristocracy, power was given to the municipalities to appoint their own executive officers. But in this case they have not even done that. You have given them power to appoint their own chairman, no doubt, but as soon as they are appointed you will thrust your own men who may be antagonistic to the policy of the district boards. You are making both these things together and not giving the district boards any chance to work independently and follow their own policy which would be useful to the public and to the constituents. You are taking away what you are giving. I have an experience of the Lyallpur Municipal Committee. We could not appoint our own executive officer simply for a difference of one vote and that vote was of a gentleman who had been elected but not gazetted. This again is a power which the Government has taken into its own hands without any rhyme or reason. A person is duly elected but his name is not gazetted because he disagrees with the authorities of the District. Some charges are framed but never proved and notification of an elected member stopped. Why allow him to contest? Such arbitrary action reduces election to a farce. Anybody can make an application, there are frictions everywhere. Government should not enjoy this power, this exorbitant power. Just now the Honourable Minister remarked that certain clauses have been included to avoid nepotism and such things. Can we not make the same charge against the Government? Why should they appoint men whom they wish? Why should they indulge in 'Kumba Parwari'? If they had not taken the power to appoint executive authority and let the non-officials work independently, this charge would have stood repudiated.

I will not take very long to point out certain clauses on which public opinion should be taken before they are passed. If you will turn to clause 3, you will find—

'All land shall be subject to the payment of a rate, to be called the local rate at the rate of one anna for every rupee of its annual value'

[M. Muhd. Nurullah]

In my opinion it is a fundamental change. In the original Act a portion of land revenue is the local rate. It is probably two annas in a rupee. Now you are making a different principle and a very vague one. To my mind it is another taxation on the zamindars. I say that it is bound to be much more than it was before. The Honourable Minister just now said that this was another form of taxation to enable the district board to get as much as it likes. If a board is inefficient and is unable to manage with 16 lakhs that it is raising at present, this provision will enable it to raise that tax to 25 or 32 lakhs. If such a board submits proposals for raising this tax, the Government will surely sanction them because the non-official chairman is to its liking and so on. It is not fair for the Government to encourage the district boards to raise taxation as much as it likes, although Government sanction will be necessary. It is essential that an upper limit should be fixed beyond which a district board cannot raise the tax. Otherwise you would be unnecessarily burdening the zamindars whose burden you say you want to lighten. On this point, therefore, it is necessary that you should obtain the opinion of the public. Many of the members of this House do not read the provisions of the Bill either due to want of time or because they are committed to support the Government whether they like the provisions of the Bill or not or for some other reason and, therefore, it is very desirable that the opinion of the public be sought whose opinions will be very valuable when the clauses come up for consideration by this House. After all by circulating this Bill for eliciting public opinion the Government programme will not be upset, because the date fixed is 31st March. Therefore as soon as the budget is disposed of next year this Bill can be taken up and passed. This would also obviate the necessity of bringing in amending Bills shortly after the passing of the present Bill, as has been the case with several other Bills recently passed by this House, which had to be amended even before they could come into force.

Again there is a provision in the Bill under which the provincial Government or the district board may abolish or reduce any tax or may exempt any person or property or any class of persons from liability in respect of any such tax. This involves a principle. I think that Government should not possess powers of discrimination between individuals or classes of people. Another clause in the Bill where a controversy may arise is in regard to membership of the boards. There is provision for nomination of members to the boards. I do not see any need for this nomination at all. There are no nominated members in this Assembly and yet has it not been functioning properly? Where is the necessity for the Government to reserve to itself the power of nomination to these boards? Let Government allow the elected members of the district boards to manage their own affairs without interference by Government through nominated members. It is likely that these boards may commit mistakes, but let them learn by committing mistakes. You can provide for election in such a way that no interest goes unrepresented in these bodies.

Mir Maqbool Mahmood: Does the honourable member want separate electorates to be introduced in the district boards as in the case of this Assembly?

Mian Muhammad Nurullah : That is not the question I am concerned with at present. My only point is that you can arrange for all the interests to be represented in the local bodies. If you are unable to do so, I am prepared to give you suggestions in private in the matter so that there may be no complaints.

Mir Maqbool Mahmood : Make the suggestions here and now.

Mian Muhammad Nurullah : My present point is that this Bill is a very important one and great principles are involved and you should not therefore hurry it through by reference to select committee even at this stage. Take another instance. The Honourable Minister said that the Government should reserve to itself the power of nomination so that experts may be nominated to these boards. But experts are seldom nominated to these boards. I know of an instance where an engineer who had served in a municipality, in a district board and in the war and who had retired was available for nomination, but he was not nominated. The Deputy Commissioner had his own whim and nominated another gentleman who was not an expert in any line. The local authorities have their own axes to grind. So this is a point of principle on which I take objection.

I will not detain the House very long. I will only mention a few more principles involved in the Bill on which it is essential that the opinions of the public should be sought. Clause 26 (1) says that every person shall be liable for the loss, waste or misapplication of any money or other property belonging to the Board, if such loss, waste or misapplication is a direct consequence of his neglect or misconduct, etc. This question was discussed when the Executive Officers Bill was being discussed in the case of municipalities. By this provision you are only barring capable people from entering the district boards, because such people would not care to seek election to district boards if after certain number of years they are likely to be held liable for surcharge for any loss or wastage that occurred five years ago. This is not wholesome. It requires a little consideration and a little thought and I think that the public should be given an opportunity to express its opinion.

Then I come to clause (3) on page 11. It reads —

(e) if his continuance in office is, in the opinion of the Provincial Government, contrary to the interests of the public,

These powers are too wide to be given to a provincial Government. Why should they have the power to remove a member on the pretext that it is against the interests of the public to have him as a member of the District Board? And they are the sole judge. Even this morning Government refused to answer questions on the plea that it was not in the public interest to answer them. "Public interest" is a very vague term, and I would not like Government to take such wide powers for themselves. They may say that it is not in the public interest, while I think it is. The term is vague and is liable to be abused. I would not like Government to do anything in the matter. Therefore I would request Government to take public opinion on this.

The next matter I would like to draw your attention to is section 41 on page 13—

41. The Executive Authority shall be the principal executive officer of the Board.....

[M. Muhd. Nurallah]

I have already dealt with this point which is of very great importance. The Board should be given powers, in the first instance, to appoint the Executive Authority of its own choice, an officer who will co-operate not merely with the members of the Board but an officer that would like to co-operate with the non-official Chairman. So that when the appointment is made with the goodwill of the members of the Board, then you will see progress in that local body. Therefore I would not like the provincial Government to have the power of arbitrarily appointing anybody they like, even when it is against the wishes of the members of the Board or it is against the policy that the non-official Chairman wants to carry on. It is being done every day.

I know it, being a member of a District Board as well as a member of a Municipality. I find that every day men are being appointed against the wishes of the Municipality. There is always a tussle going on between the local Government and the Municipal Committee, and the local bodies are suffering greatly. Members of the Committee want an official of their own choice and Government thrusts its own official on them. In some cases Government have appointed a good Punjab Civil Service man who is doing very well in the Board. He has been co-operating with the members of the local body. Government can remove him from that place. Government should not take upon themselves such wide powers, but they can do what they like and let the local bodies go to the dogs. This is another principle on which I would like the public to have their say, that Government should not possess these powers.

Then I would draw your attention to part (g) of clause 42 which says—

(g) shall subject to the provisions of section 45 appoint officers and servants of the Board.

This is another very wide power you are giving to the Executive Authority that you appoint. You should leave this power to the Board. Let the Board go on with their work and the Government not give this power to the Executive Officers and nullify the good work of the local self-government. Let the members make mistakes, as it is by those mistakes that they will learn. It is through their mistakes that they will make progress, and make useful members. Let them go on. You will find that most of the honourable members of this House who happen to be members of the District Board have learnt a great deal about local self-government, and they are certainly very useful. Take Captain Naunihal Singh Man who was a member of his District Board as well as its Vice-Chairman. He has always been very useful. Then there was Nawab Sir Fazl Ali who proved so very useful. He was a man of sound judgment and mind because he had taken a training there, and he proved most useful. You should not allow this power to the Executive Authority, but give full powers to the District Board.

Just to add a few more instances, I must draw your attention to clause 46 (1) on page 15 :

The Board shall on the requirement of the Deputy Commissioner, reduce the number or remuneration of such persons or dismiss the person who is unfit for his employment as the Deputy Commissioner may direct.

Why give the Deputy Commissioner such vast powers? Do not reduce the local self-government to a farce? Why give these powers to him at all? It might lead to nepotism. He might not act in the interest of the Board.

Still you must support him because he is the man on the spot. My idea is that you should not give these powers to him, but let the Board manage as it likes. Then section 53 on page 16 reads—

A person shall, so long as he is, and for twelve months after he ceases to be a member of a Board, be disqualified for being appointed Secretary of a Board or to any paid office under a Board.

This again is a wrong principle. Let the Board exercise their choice and if an honourable member of that Board wants office and if he is an efficient man let them appoint him. Having been in the Board he might prove to be more efficient than anybody in that job. I know of an instance where a member of a Marketing Committee was appointed its secretary. One Chaudhri Shah Muhammad, B.A., LL.B., was appointed at Lyallpur. When selection was made for the best man as Secretary their choice fell on this member. Within a few months his pay has been raised from Rs. 75 to Rs. 150 as he is most efficient, as efficient as any Minister of this House can be. If you can get efficiency from among the members that you have then why debar the Board from selecting one of the members? On this point public opinion is necessary. Therefore on principle I object to this provision.

Then just a passing remark about sections 56 and 57. Section 56 deals with the "duties of a Board" and section 57 with "discretionary functions of Boards". This is a distinction that should not be made.

I would just like to draw your attention to section 126 on page 29 where you have given wide powers to the deputy commissioner. I had better read that out. Section 126 which deals with "Extraordinary power of Deputy Commissioner in cases of emergency" reads—

126. (1) In case of emergency the Deputy Commissioner may provide for the execution of any work.

Here again the principle involved is open to objection. You are giving very wide powers to the Deputy Commissioner, and I think that is not very desirable. It is possible that we might have a good deputy commissioner. I am not condemning any individual. I am just pointing out that public opinion would be useful on this point also.

Let us come to another section (Section 124) at the top of page 29 dealing with powers of Deputy Commissioner and Commissioner. Sub-clause (3) of that clause reads—

(3) The power of a Commissioner or Deputy Commissioner under this section may be exercised by such other officer, or officers as may be empowered by the Provincial Government in this behalf.

Having given the commissioners and deputy commissioners a set of powers, why have this vague power with you so that you, may appoint any Tom, Dick or Harry and interfere with the discretion vested in the commissioners and deputy commissioners? With these remarks I request the Honourable Minister to consider what I have stated and allow time for the public to have their say before the Bill is enacted into law.

Mr. Speaker : Motion under consideration, amendment moved is—

That the Punjab District Boards Bill be circulated for eliciting opinion thereon by the 25th March, 1943.

Pandit Bhagat Ram Sharma (Kangra West, General, Rural) : Sir, much has been stated with respect to this Bill which the Government has brought forward. My first objection to this particular legislation is that it is

[Pt. Bhagat Ram Sharma]

undemocratic. So many provisions are sought to be incorporated in this particular legislation which radically affect the existing District Board legislation. With a view to consider all this and with a view to get the opinions of all those who can guide the honourable member on this point, this particular motion has been moved that the Bill be circulated for eliciting public opinion. I do concede that there are members in this august Assembly who can guide the Minister on these matters. But it cannot be said that all those people who can give us valuable information with respect to this matter are represented in this House. There are many people outside this Assembly too who can give us very valuable suggestions in the direction of improvement of the Bill which is now under consideration.

The name of this Bill is the Punjab District Boards Bill. To my mind this is a misnomer. The name ought to have been "The District Boards Executive Authority Bill", because for all practical purposes the powers in this Bill are either vested in the executive authority or the residuary powers are taken by the provincial Government. The District Boards under the new Act if passed will have practically no powers at all. The residuary powers are either with the provincial Government or with the nominees of the provincial Government. The particular clause in the Bill dealing with the executive authority has been read out by my honourable friend, Mian Nurullah, and I do not want to waste the time of the House by again going through the same provision. I would only point out that this particular clause dealing with the executive authority and other clauses giving powers to the executive authority are rather retrograde. They supersede the rights which the voters have.

The second feature which renders the Bill undemocratic is the non-official chairman. The provision dealing with this subject is clause 16. The first paragraph is all right. But the proviso which is added to the main clause negatives the effect of the first paragraph. Then we come to the section dealing with the election of the members. With respect to this I have to make two suggestions for the consideration of the House. The first is that there is a provision for the official bloc. The salaried officers of the Government can even now be on the board. There is a provision that not more than six salaried servants of the Crown may sit on the Board. So the fact remains that the official bloc is there. Then the nominated bloc continues as before. There is one improvement also on the old Act and that is that at the sweet will of the Government an elected member can be sent away at any time. That particular clause has been just referred to by the honourable member who has just preceded me. It is stated that if a member is not functioning, in the opinion of the Government, in the interests of the public, he can be removed by the Government. That is the reason given for removing him. Now, Sir, the interpretation which has been given from time to time on the expression 'public interest' is very well-known to honourable members of this House. We have seen that whenever the Punjab Government or the Ministry does not like anything, it will say that it is not in the public interest. They always take shelter behind this phrase 'public interest' whenever they want that anything should not go out in the press. Even this morning we have seen how the names of honourable members of this House who were arrested or detained under section 129 of the Defence

of India Act, were withheld by the Premier on the ground that it was not in the public interest to disclose them. Everybody knows that the Leader of the Opposition, Diwan Chaman Lal and other very important members were put behind bars and yet the answer came that it was not in the public interest to disclose their names. If that is the type of interpretation put on that expression and if the Government is to decide what is public interest, then no independent elected member would remain on the Board, and Chaudhri Sir Chhotu Ram will also rule in the district boards.

Another point which I want to put before this House for its consideration is this. We have already been 5 years in this Assembly. We were elected early in 1937 or towards the end of 1936. The statutory term for members of this House was only five years and it is only due to the exigencies of the war that we are here. But we cannot say that we are representing the public here in any sense of the term and the present Cabinet has functioned for the last 5 or 6 years and functioned in a very bad manner. They cannot say that they have carried the public with them and particularly when they are going to put on the anvil of legislation such measures which are fundamentally against democratic form of Government. We should take the public into confidence. We should at least refer this matter to the public outside and find out what they have to say on this controversial point which is sought to be introduced in this Bill. I take fundamental objection to the executive authority which is sought to be introduced in the district boards. My honourable friend who has preceded me has suggested certain improvements in that respect, but I object to the very principle. The question is one whether there should be an executive authority or not. The question what is the best method of appointing one and what are the rules which should guide the appointment of an executive authority comes later on.

I object to the appointment of executive authority and take objection to the placing of an officer, representative of the Government, over and above the elected body of the district. Under these circumstances I support the circulation motion which has been moved by my honourable friend who has just spoken. I also have a circulation motion in my name. It fixes the time up to 1st January. If the Government is very keen to pass this measure at the earliest possible moment, then this is not going to make any difference. It is a question of two months and within that period this controversial point should be thoroughly thrashed out and public opinion should be invited on this point, so that when we actually come to legislate we should be more enlightened and guided by the expert opinion outside. With these remarks I support the circulation motion.

Captain Naunihal Singh Mann (Sheikhupura West, Sikh, Rural : Sir, I have very carefully heard the criticism levelled against the Government by certain friends on the opposition benches. I am glad to know that after all the gentlemen over there have agreed in principle that the Act ought to be amended and that there are certain good things which have been brought about.

Rai Bahadur Mukand Lal Puri : Nothing.

Captain Naunihal Singh Mann : I think my friend from Lyallpur in the beginning of his speech said that the Bill seeks to get a non-official Chairman.

Rai Bahadur Mukand Lal Puri : No expression on that point.

Captain Naunihal Singh Mann : That is an opinion which, I think, must be held by every member here. The District Board Act, which is at present in force, was brought on the statute book in 1883. Honourable members, who have been on the local bodies, very well realise that there are certain difficulties which have come in their way while working the old Act and at times these difficulties have been pointed out to the Government by certain local bodies. I personally had the experience of being a member of my District Board for several years and I had the privilege to work as Vice-Chairman for some years. I know that during the working of the present Act there were certain difficulties which came in our way. While I was on the Board, we used to represent to the Government that the existing Act ought to be amended and if I forget not, I had once approached the Honourable Dr. Sir Gokul Chand Narang, when he was the Minister of Local Self-Government with regard to certain sections which stood in our way. They related to the fixation of the term of the Vice-Chairman and he then told me that he could not do anything off-hand. However, he agreed to refer that matter to the Legal Remembrancer and after some time he found that on the one hand the present Act had given powers to the boards for fixing the term of the Vice-Chairman, while on the other hand, the Government, by framing certain rules, had taken those powers. It was a thing which was most unconstitutional and he very kindly, in his own discretion, after consulting the Legal Remembrancer, issued certain instructions giving powers to the Boards to the effect that those which had fixed the terms under the Act were entitled to hold elections on that basis.

I also heard with great interest the question of eliminating the nominations. I quite agree that it ought not to be there, but all the same it would amount to introduction of separate electorates. I think we have had enough of it before. We want that there should be joint electorates even in the Assembly. The only place where we have joint electorates are the local bodies and I know how great regard and respect we have there for the people who come and support us. I wish there had been joint electorates for the Assembly as well so that we people may have regard for the Muslims and Hindus and similar should be the case for the Sikhs. What I mean is that this is a great evil and it ought to be eradicated and we are all out for it and if you are out for it, I am afraid the nomination would be necessary, because, in order to give the communal quota to certain classes, who do not come in, the nomination would almost be essential. The Bill was drafted, as I know, by a Committee which contained Vice-Chairman and members of local bodies as also most capable lawyers. I think this Bill has been published in the Gazette and the copies thereof were circulated to all the district boards and other vital interests. I am sure my honourable friend from Lyallpur will be included in the Select Committee. He is one of the members whose advice will always be forthcoming even after this Bill goes back to the Select Committee for consideration. If you give time, it would mean that you would be delaying a measure which has been before the House since long. I do not blame the present Government, but I think this is the only measure which has been in force since 1883. It ought to have been amended long, long ago. In case a dilatory motion is put forward and the Bill is again thrown away for several months, it would mean that you

would be depriving the district boards from the work which they ought to have done and which should be done as soon as possible. With these words I oppose the circulation motion.

Rai Bahadur Mukand Lal Puri (Rawalpindi Division, General, Rural): Sir, I had no desire to take part in this debate or to enter into a survey of the provisions of the District Boards Act, but now that after such a long time the Punjab Government has thought fit to revise a legislation with respect to an important branch of administration, that is, the administration of local affairs by the district boards, it is my duty to point out to the Government that they should not rush through the legislation but tackle some of the important problems which are really facing these district boards so far as the administration of local affairs is concerned. I shall only refer to one problem and that is the problem of the representation of the minorities in the various district boards of the Province. It is not unknown to the Honourable Minister for Local Self-Government that the Hindus and the Sikhs stand very little chance of getting themselves represented in the district boards of the western districts. I think the same difficulty would be felt by the Muslim minority in some of the Eastern districts. I am not aware of the actual position with regard to them, but I know that with regard to Gujrat District Board and other district boards in the western districts, it has not been possible for some time for any Hindu or Sikh to get elected to the District Board. This is a problem which a Government ought to consider and find a solution, when they are revising the entire Act. There are difficulties, no doubt, difficulties of communal electorates, difficulties of joint electorates, difficulties inherent in the very nature of the problem but if the Government and the Select Committees are to do their duties, it is up to them to face the situation seriously and bring home to minorities living in western districts and to minorities living in eastern districts that they are having a fair share of representation on local district boards.

Minister of Public Works: By nominations.

Rai Bahadur Mukand Lal Puri: My learned friend suggests that the only method is nominations. I join issue with him and say that there are better methods available and methods which have after consideration been adopted even in some other provinces of our country. Other provinces have tackled the problem and have faced the facts squarely and adopted methods which have brought contentment to minorities while they have absolutely satisfied the requirements of the majority. I would, for this purpose, commend to his consideration the provisions of the United Provinces Local Bodies Act as to how they protect the interests of minorities. No doubt, they give a certain amount of weightage but weightage is necessary. Supposing in a district board consisting of 50 members, according to the population basis Hindus and Sikhs are entitled only to 2, or again take the case of some eastern districts where according to the population basis Muslims may only be entitled to 4 seats out of 50 then you can hardly say that the vast interests of Hindu and Sikh minorities in the western districts or Muslim minorities in the eastern districts are properly safeguarded. No harm would be done and no democratic

[R. B. Mukand Lal Puri]

principle would be infringed if in those districts you give either of the minorities a certain amount of weightage, which would without interfering with substantial majority of the majority community, make it possible for the voice of the minorities to be effectively heard in these district boards. I would commend to the consideration of the Honourable Minister all such measures which have been adopted in other places, particularly the United Provinces, to meet this problem. A solution like the one adopted in the United Provinces would lead to better administration of the district boards, as well as carry a sense of security, justice and fair play to the minorities and he would face this problem squarely and give us really some constructive proposals.

Khan Sahib Khawaja Ghulam Samad (Southern Towns, Muhammadan, Urban) (*Urdu*): Sir, we have been continuously observing for the last so many years that in the previous District Boards Act there are innumerable defects. Many a time the attention of the Government had been drawn to those glaring defects, but nothing could be done till the District Boards Act could be amended. Government would have removed those defects, but they were helpless for that reason. A few years ago, a committee was, however, appointed to look into the loopholes in the previous Act to amend it, if necessary. We then hoped that this Act would see some improvements, but our hopes were not fully fulfilled. The Act though improved in some respects has become even worse in other respects. The 'statement of objects and reasons' appended to the Bill now before us, points out that the present District Boards Act was brought on the statute book in 1883. Since then circumstances have changed considerably and many defects have been pointed out to Government from time to time by various official and non-official agencies. An attempt has now been made to remove all such defects and to bring the Act up-to-date, especially by widening the scope of the activities of the district boards. However, I boldly assert that the present Bill is hardly an improvement upon the previous Act. I can point out that still many defects have been introduced in this Bill.

Sir, our Government is called a "Zamindara Government", and boasts of being for zamindars. It has been pointed out to the Government off and on that the local rates, which are an awful bug-bear for the small zamindars and the payment of which is very keenly resented by them, should be cancelled. But as ill-luck would have it, not to speak of cancelling them, a provision for local rates is made in this Bill also. They will be assessed and collected double the annual revenue along with land revenue for the time being assessed on any land from every zamindar, whether the assessment is levied or not. The petty zamindars have to experience great difficulty in the payment of local rates. I urge upon the Government to cancel them or to exempt small zamindars who pay land revenue from Rs. 5 to Rs. 25

Now I say something regarding the constitution of boards. We see the same principle working in it that was working in the previous Act. We have often heard of numerous complaints from the Muslims of different districts of Ambala Division and the attention of the Government has also been drawn to them frequently. They have complained that their seats in the district boards have been reduced and are not according to their

voting strength and proper labour. They get a nominal share in employment and thus their rights in the district boards have been usurped. They are getting less than their share according to their population. If Government wishes to make amends for the Musalmans, they should arrange for the introduction of separate electorates in Ambala Division with reservation of seats, having in view the principle of weightage. I submit that we should follow the practice that is adopted in some of the municipal committees, i.e., we should stick to separate electorates in district board elections also. We have requested the Honourable Minister repeatedly to grant the same concessions to the district boards which are granted to some of the municipal committees. Government may please make amends for the injustice that is being done to the district boards.

Sir, it is said of municipal committees and district boards that they are the basis of the local self-government and democracy rules therein. But in case Government officials, viz., Executive officers and Executive authorities are appointed in them, how can their assertion be regarded as valid? The Provincial Government has reserved the power to appoint Chairman and where it is not possible some outsider as Executive authority. It means that the district boards would have no *locus standi*. Further, I submit that Government has virtually the power to appoint Executive Authority. They have also the right to remove him at any time, if it appears to them that he is incapable of performing the duties of his office or has been guilty of misconduct or neglect which renders his removal expedient. It means that Government is all in all in the matter of appointment and dismissal of the Chairmen of the district boards. Even an Executive Authority can appoint or remove a man carrying the pay up to Rs. 100 while the Executive Officer could only appoint independently a man up to the salary of Rs. 25. These provisions being against the principle of democracy are a fatal blow to local self-government. I suggest that there should be no Executive Authority.

Sir, it has been said repeatedly by our Government that the foundation of local self-government is based upon the municipal committees and the district boards and ultimately the district boards and municipal committees will be made an autonomous units. But now it pains me to note that their dogmatic assertions have been nullified by the introduction of this Bill.

Now I come to the question of repairs of roads. It is admitted on all hands that the condition of the district board roads is already very bad and the pity is that even the present Bill does not lay any emphasis on the improvement of roads. A handsome grant is provided in the annual budget for the district boards for this purpose but I can boldly say that it is not spent properly. Chapter 5 of the Bill in which the duties and discretionary functions of the district boards have been enumerated does not lay sufficient stress on this point. As a matter of fact the whole House knows that the district board roads are generally dilapidated and unsuitable for public traffic. Their condition is better untold. Roads are constructed to facilitate traffic, but our roads are more often than not impassable. They obstruct traffic. The carts of the poor zamindars are often stuck in the mud and pits of these roads. Sometimes it is difficult to see a bullock-cart on the dusty road

[K. S. Khawaja Ghulam Samad]

which gives out clouds of dust at the time of traffic. The poverty-stricken agriculturists find it impossible to carry their agricultural produce to the markets for sale in rainy season. I would request the Honourable Minister in charge to take this important matter in his own hands and not leave it to the management of the district boards. Furthermore, Sir, section 117 has been proposed in this Bill to protect the Executive Authorities and the District Board Officers against legal suits. It is laid down in this section that no suit or prosecution shall be entertained in any court against any board or against any officer or any member of a board for anything in good faith done or intended to be done under this Act. Now this protection need not be given to the district boards or to their officers and servants. On the other hand, it should be provided in the Bill that if any officer or servant of the board will do any wrong to any person, he will be severely dealt with. The salutary effect of my proposal would be this that the district board officials will be on guard. But the present section 117 will make them bold enough to commit any offence and go scot-free. I object to such provisions, and on account of the defects enumerated, I submit that the Bill should be circulated for eliciting public opinion thereon. The aggrieved persons should be given ample opportunity to seek redress in a court of law against the officers of the Board who adopt undue measures to the detriment and prejudice of the public. Again, the words, 'sufficient reason' are also significant. Every act on the part of the District Board Official shall be regarded just and valid and attempt shall be made to hold their undesirable act based on sufficient reason. I would like to develop my argument and explain my views in detail, but I am sorry to note that the Honourable Minister in charge of this Bill is getting extremely impatient and wants me to finish my speech abruptly. I, therefore, leave the matter here, although I had several other points in my mind which needed reference and the pointed attention of the House as well as that of the Honourable Minister. But I reserve my right to discuss this Bill in detail if and when it comes up again before the House. A provision has been made in the Bill for the aggrieved person to appeal, but no limitation has been provided in it, nor has it been provided that the time spent in obtaining a copy of the order appealed against shall have to be computed or not.

With these few words, Sir, I support the circulation motion now before the House.

Minister for Public Works (The Honourable Malik Khizar Hayat Tiwana): Sir, I have heard with attention to the arguments which have been advanced in favour of the circulation motion. The honourable member from Lyallpur on the one hand was anxious that the passage of this Bill, which had been delayed for long, should be expedited and at the same time he wanted to delay it by proposing that it may be circulated for eliciting public opinion thereon. He had not objected to the principle of the Bill, but he has fallen foul with certain provisions of it. The principal objection which he raised was against the executive authority that is provided for in the Bill. This objection was voiced by several honourable members who have spoken on the measure. I would like to say that there seems to exist a misunderstanding about the question. The executive

authority, as it stands in the Bill, would not be an imposition from anywhere outside. The executive powers would ordinarily be with the Chairman who would be a non-official member elected by the board itself to this office. No trouble arises at present because we have all the Deputy Commissioners, barring in two district boards, as Chairmen. When the executive authority vests in 40 members, how can a collective authority like that function efficiently? One of the honourable members would say that roads are not in good order. Some other member would complain that something else was not in good order. The district boards can make by-laws and lay down certain broad principles. How can they run the day-to-day administration and so many services efficiently and well? Therefore we must have the executive authority vested in some body. The power would be vested in no less a person than the Chairman of the board who will be elected by the members themselves. I do not think there could be any objection to this provision. Of course, there is a provision that if the Chairman of the board fails to run it efficiently an executive authority would be appointed. What happens at present is that in such cases, as is provided for the local bodies, supersession takes place. In those extreme cases we have provided that Government should have the power of putting in somebody from outside to look after and manage the board, call it sort of temporary court of wards or partial supersession; but as soon as Government would be convinced that there was no need for interference that executive authority would be withdrawn. That is only a provision to keep things going otherwise there is no attempt to take away the power from the elected representatives of the people. Then it was said that we have given power to enhance local rates to the district boards. Yes, we have done that because many district boards were asking for it. There are some urgent reforms waiting which for lack of funds have been withheld. The local representatives would be elected by the people who are to be taxed. The local boards generally are very reluctant to tax themselves. If however they want it for any good cause they have the power to do so. Of course, a check has been kept by the provincial government whose previous sanction would be necessary. So if there is a board which is going out of its way in taxing the people there is the check of the provincial government which means that indirectly the check of this House will be there to stop them from arbitrarily laying any burden on the people. Otherwise I think that the elected representatives of the people should be relied upon in this matter: they would not resort to unnecessary taxation. My only fear is that they would not tax themselves at all. At present there is a statutory limit and this is being removed. We find that an increase in taxation is not possible. Well, Sir, nomination, as I have already said on the floor of the House, is not a desirable form of representing certain interests. But what are we to do? There is joint electorate and if we replace joint electorates by separate electorates it would be characterised as a retrograde step. My honourable friend Mr. Mukand Lal Puri remarked that the Hindus would not get their representation in the predominantly Muslim districts of the North-West Punjab and that the minorities would go unrepresented. Well, Sir, how can we form separate wards for them? Take the case of a ward where there is a majority of Muslims. In the elections it so happens that two Muslims contest against a non-Muslim. The votes

[Minister for Public Works]

are divided and the non-Muslim is elected. Thereby the Muslim representation is gone. There is disparity in such cases and as our policy is to give every community their due representation only alternative is nomination and therefore we have provided it. If any honourable member suggests in the Select Committee during the passage of the Bill or even later on any other satisfactory solution acceptable to all concerned I am sure Government would be glad to accept it and will be prepared to incorporate it in the Act. (*An honourable member*: What about reserved seats?) There are reserved seats but the objection is that they neither represent the one nor the other community. If the House accepts reserved seats we will be glad to accept it also. (*An honourable member*: What about scheduled castes?) I have said that nominations would be the only remedy. If the House puts forward any other agreed solution we will be glad to accept it. It was said that wide powers have been retained for the provincial government. These powers already exist. Some power of supervision is already provided under the Municipal Act for the Deputy Commissioners. We have not provided any new power. Then the honourable member from Lyallpur said, why give the emergency powers to the Deputy Commissioners? What is to be done? Suppose there is an emergency and something is urgently wanted, does the honourable member mean that a meeting of the board be convened and till then something vital should be left undone? I do not think that was the intention. These powers exist under the present Municipal Act. If the honourable member sees the original Act he will find that the rule-making power of the Government and the supervision of the Deputy Commissioner is there. Similarly, we have provided powers of delegation.

Then, Sir, Khawaja Sahib tried to bring in separate electorates. As I have remarked I cannot agree to that according to the present policy of the Government in such matters. The policy is that joint electorates should be retained where they already exist. He also wanted the communal proportion to be extended not only to the members but to the members of the service also. That is a very complicated affair. We have discussed this question many times, but I confess that we have not been able to arrive at a satisfactory solution. In the case of permanent Government servants the conditions are more or less uniform while they differ in the case of board service from district to district and from local body to local body. It has not been found possible to lay down any definite principle in regard to that, as in such matters the question of salaries will come and then there will be the difficulty of key position and so on. If any practical suggestions are made, we will be only too glad to consider them.

I submit that this Bill will be a great improvement on the present Act. The main feature is that they will have their non-official chairmen. At present barring two districts there are official chairmen. I think it is a great advance and it should be appreciated by my honourable friends opposite if they are real friends of democracy and local self-government. I am sure the House will agree to my motion of referring this Bill to a Select Committee. There is ample time to receive suggestions from all quarters as we are not considering this Bill before the Budget session. The Bill has been

published in the Gazette and there has been no criticism so far and even if there is some disagreement, people will have ample opportunity to have their say. Any suggestions and criticism on the Bill can be considered in the Select Committee and I think no useful purpose will be served by circulating this measure for eliciting public opinion thereon as suggested. It will be sheer waste of time. I oppose the motion for circulation.

Mr. Speaker : Question is—

That the Punjab District Boards Bill be circulated for eliciting opinion thereon by the 25th March 1943.

The motion was lost.

Mr. Speaker : Question is—

That the Punjab District Boards Bill be referred to a Select Committee consisting of—

Khan Bahadur Chaudhri Riasat Ali
 Khan Bahadur Captain Malik Muzaffar Khan
 Mian Allah Yar Khan Daulatana.
 Shaikh Faiz Muhammad
 Rai Sahib Chaudhri Suraj Mal
 Chaudhri Anant Ram
 Bhagat Hans Raj
 Tikka Jagjit Singh Bedi
 Khan Bahadur Chaudhri Nasir-ud-Din
 Mian Badar Mohy-ud-Din Qadri
 Mian Muhammad Nurullah
 Lala Amar Nath Shah
 Sardar Muzaffar Ali Khan Qizilbash.
 And that the quorum shall be 5.

The motion was carried.

The Assembly then adjourned till 12 noon on Wednesday, 4th November 1942.

1911

1911年1月1日 星期日
1911年1月2日 星期一
1911年1月3日 星期二

1911年1月4日 星期三

1911年1月5日 星期四

1911年1月6日 星期五



1911年1月7日 星期六

1911年1月8日 星期日
1911年1月9日 星期一

PUNJAB LEGISLATIVE ASSEMBLY

EIGHTH SESSION OF THE FIRST PUNJAB LEGISLATIVE ASSEMBLY

Wednesday, 4th November, 1942.

The Assembly met in the Assembly Chamber at 12-10 p. m. of the Clock (there being no quorum at 12). Mr. Speaker in the Chair.

STARRED QUESTIONS AND ANSWERS

VIDYA SAGAR

***8330. Pandit Bhagat Ram Sharma:** Will the Honourable Premier be pleased to state—

(a) whether he is aware of the fact that certain orders under rule 26 of the Defence of India Rules have been served on one Vidya Sagar, son of Mulkh Raj, resident of Mohalla Dharowal, Pale Shah Gate, Sialkot City, debarring him from entering certain notified areas and he has thus been debarred from pursuing his vocation in life;

(b) if the answer to (a) above be in the affirmative, the action Government has taken or intends to take to afford some relief to his family, under these circumstances?

Parliamentary Secretary (Mir Maqbool Mahmood): (a) Vidya Sagar is now detained under rule 26 of the Defence of India Rules.

(b) Does not arise.

CONGRESS PRISONERS

***8392. Sardar Sohan Singh Josh:** Will the Honourable Premier be pleased to state—

(a) whether it is a fact that congress prisoners arrested and detained without trial since the 9th of August 1942, are lodged in the Old Central Jail, Multan; if so, what is their number at present;

(b) whether it is a fact that the said prisoners are permitted no interviews with their friends and relatives; if so, why;

(c) whether it is a fact that the said prisoners are permitted to write only one post card in two months to their relatives and to receive likewise one post card in two months from outside; if so, the reasons for this restriction;

(d) whether it is a fact that the said prisoners are not provided with *charpoy*s and that they have to sleep on the ground in extremely insanitary conditions; if so, why;

(e) whether it is a fact that the congress prisoners lodged in the said jail are not permitted to receive clothing from their homes and that the clothing supplied to the said prisoners are the same as those supplied to C class convicts; if so, why;

[S. Sohan Singh Josh.]

(f) whether it is a fact that the food supplied to these prisoners is at the rate of six annas a day and that they are not permitted to supplement their diet privately; if so, why;

(g) whether any, and, if so, what facilities for games are allowed to these prisoners in the said Jail;

(h) whether any, and, if so, what facilities have been provided to these prisoners for the washing of clothes and for taking bath;

(i) the allowances, if any, sanctioned for the dependents of these unconvicted political prisoners?

Parliamentary Secretary (Mir Maqbool Mahmood): It is not in the public interest to answer this question on the floor of the House, but if the honourable member requires information for his personal and private enlightenment only, I will endeavour to see what can be given to him by me privately.

The honourable member is, however, aware that the Honourable the Premier has undertaken to examine this question personally with a view to remove legitimate complaints, if any, to the fullest extent permissible under the rules.

Sardar Sohan Singh Josh: May I know whether Lala Bhim Sen Sachar, the Leader of the Opposition, has been allowed any interview up till now?

Parliamentary Secretary: I beg to submit that a supplementary question should arise out of the answer given and not out of the question.

Mr. Speaker: Yes.

Pandit Bhagat Ram Sharma: I only want to know as to what public interest is involved in not answering parts (c) and (d) of this question.

Parliamentary Secretary: I have stated that the Honourable Premier has undertaken to examine this question personally with a view to remove legitimate complaints, if any, to the fullest extent permissible under the rules.

Malik Barkat Ali: When was this task of examining the question undertaken by the Premier?

Parliamentary Secretary: My honourable friend opposite is not in the habit of attending the session regularly, so he does not know that an announcement has already been made on the floor of the House.

Sardar Sohan Singh Josh: May I know how long the Honourable Premier will take to decide the question under discussion?

Mr. Speaker: That is not a supplementary question.

Malik Barkat Ali: Will the Parliamentary Secretary please state why it is that the Honourable Premier did not undertake this task soon after the 9th of August, 1942?

Mr. Speaker: That again does not arise out of the answer.

Dr. Sir Gokul Chand Narang : In view of the Hon'ble Premier's undertaking to remove legitimate grievances, will the Parliamentary Secretary please say whether non-allowance of interviews to those prisoners will be included among the legitimate grievances which have to be removed ?

Mr. Speaker : I disallow the question. A supplementary question can be asked only for elucidating an answer to a question.

Dr. Sir Gokul Chand Narang : Quite right. The answer which has been put on the record is that the Honourable Premier will take early steps to remove legitimate grievances. It might create some hope and cheerfulness in the minds of the persons concerned but they might be entirely in the dark as to what legitimate grievances are in the opinion of Government which would be removed. They are suffering from a number of grievances which according to them are legitimate and they would naturally like to know whether those grievances are likely to be removed, for instance, the non-granting of interviews, not allowing them to write more than one post card in two months to members of their family. Another grievance is that they are made to sleep on the ground. Would they be provided with *charpais* ? That is not clear. That is why I want Government to elucidate the answer so far as the word "legitimate" is concerned. My first point is whether the non-allowance of interviews would be treated as a legitimate grievance.

Mr. Speaker : The question is whether "it is not in the public interest to answer this question" is an answer to the question.

Dr. Sir Gokul Chand Narang : You have been pleased to say that it is only the answer that is to be elucidated. My question is whether the non-allowance of interviews would be treated by the Honourable Premier, so far as his own opinion is concerned, as a legitimate grievance.

Parliamentary Secretary : Such questions shall be considered strictly on merit. I understand that orders have already been issued that in cases where *charpais* have not been supplied they should be supplied. In view of the spirit in which the Honourable Premier has approached this question, no supplementary question would improve the position ; it might make it worse.

Dr. Sir Gokul Chand Narang : Will the Parliamentary Secretary be pleased to state whether the non-allowance of interviews would be treated by the Honourable Premier as a legitimate grievance ?

Parliamentary Secretary : All such grievances will be considered on merits.

Dr. Sir Gokul Chand Narang : This is a concrete matter. It is not a question of merits or demerits in general. I am trying to get an answer on a concrete point, the non-allowance of interviews. What is the question of merit or demerit in it ? Will they be allowed or not ?

Parliamentary Secretary : I cannot be expected to answer such a hypothetical question or to anticipate the decision of the Honourable Premier. In certain cases they may be perfectly legitimate. In other cases they may not be.

Dr. Sir Gokul Chand Narang : Then it means that interviews will be allowed to some persons and may not be allowed to others. Do I understand the Parliamentary Secretary to mean that ?

Parliamentary Secretary : I am afraid I cannot anticipate the decision of the Honourable Premier which will depend on the merits of each case and I cannot add anything to the answer I have already given.

Dr. Sir Gokul Chand Narang : But the Parliamentary Secretary stated that orders have already been issued.

Parliamentary Secretary : Yes, regarding *charpais*. Orders have issued only with respect to *charpais* and not with respect to any other grievances. No orders have issued about writing of letters or the grant of interviews.

Sardar Santokh Singh : May I know whether the Honourable Premier will look into all the complaints that have been made by means of questions and speeches in this House ?

Parliamentary Secretary : They will all be looked into.

Sardar Sohan Singh Josh : Will the Parliamentary Secretary please state whether the questions that have to be considered by the Honourable Premier will include the question of the supply of soap and oil to the prisoners, to wash their clothes and for taking bath ?

Malik Barkat Ali : May I ask the Parliamentary Secretary when the grievances mentioned in the question under consideration came for the first time to the notice of the Honourable Premier ?

Sardar Sohan Singh Josh : Is the Parliamentary Secretary aware that all these things have come to our notice from letters written by prisoners to their relatives and friends ?

Premier : It sounds paradoxical. On the one hand, the honourable members say that prisoners are not allowed to correspond with their relatives, and then they suggest that they are regularly in touch with the outside world.

Dr. Sir Gokul Chand Narang : One post card in two months, that is all they are allowed.

Premier : They should not waste that opportunity in this way.

CIVIL DISOBEDIENCE PRISONERS IN SHAHPUR JAIL

*8394. **Sardar Sohan Singh Josh :** Will the Honourable Premier be pleased to state—

(a) whether any representations were made to the Government by the Civil Disobedience prisoners detained in the Shahpur Jail in September 1942 ;

(b) the nature and subject-matter of those representations ;

(c) whether any reply was given by the Government to those representations ; if so, whether Government will be pleased to lay it on the table of the House ?

Parliamentary Secretary (Mir Maqbool Mahmood): It is not in the public interest to answer this question on the floor of the House, but if the honourable member requires information for his personal and private enlightenment only, I will endeavour to see what can be given to him by me privately.

Sardar Sohan Singh Josh: May I know if any application has been made regarding the transfer of the prisoners to some other jail because of the present jail being set apart for consumptive prisoners?

Parliamentary Secretary: The answer is in the negative.

Sardar Sohan Singh Josh: Has the Parliamentary Secretary got any information regarding that?

Parliamentary Secretary: I have already stated that it is not in the public interest to answer this question on the floor of the House but if the honourable member requires information for his personal and private enlightenment only, I will endeavour to see what can be given to him by me privately.

Dr. Sir Gokul Chand Narang: The Honourable Parliamentary Secretary can satisfy the House at least on one point. I want to know whether it is a fact that these prisoners, some of whom are of very high position and used to high standards of life, are fed with food which costs no more than 6 annas a day.

Premier: As a matter of fact I am not certain whether or not these 6 annas also include rationing.

Dr. Sir Gokul Chand Narang: Our information is that it includes everything. If the Honourable Premier has any doubt he can make it certain because if it is true that these 6 annas includes the food supplied to these prisoners, rations, fuel and everything, it is something scandalous.

Premier: I shall certainly look into that.

Mian Muhammad Nurullah: Will the Honourable Premier consider the question in the light of the rise in prices?

Premier: I am going to consider it in every light.

CHAUDHRI KRISHNA GOPAL DUTT

***8395. Sardar Sohan Singh Josh**: Will the Honourable Premier be pleased to state—

(a) whether Chaudhri Krishna Gopal Dutt, M.L.A., detained at present in the Shahpur Jail, fell ill in the month of September 1942;

(b) what medical relief, if any, was afforded to him;

(c) the state of his health at present;

(d) whether the Government recently considered the question of his release; if so, with what result?

Parliamentary Secretary (Mir Maqbool Mahmood): (a) Yes.

(b) He was given the best medical attention available including that of the Civil Surgeon and the Jail Doctor.

[Mir Maqbool Mahmood.]

(c) He is having no temperatures at present. He is, however, feeling a little weak as a natural consequence of Malaria. He is being properly attended to by the Medical Officer-in-charge of the Jail and has been given permission to get treatment from his own doctor.

(d) The question of his release was not considered.

Sardar Sohan Singh Josh : Did he apply for homœopathic treatment?

Premier : We had a doctor who is a homœopath to treat him.

Malik Barkat Ali : Do the Government propose to consider the question of his release now?

Premier : How does that question arise? His case will not be distinct from others.

MR. M. A. KHALIQ

***8405. Malik Barkat Ali :** Will the Honourable Premier be pleased to state—

(a) whether he is aware of the fact that one Mr. M. A. Khaliq is confined in the Rajanpur Jail as a security prisoner, under the orders of the Government of India;

(b) whether at the time of his arrest the Government of India specified that the said Mr. M. A. Khaliq was to be detained in the Rajanpur jail; if not, the reasons why he was confined in the Rajanpur Jail and not in some other jail of the province near his own district of Hoshiarpur?

Parliamentary Secretary (Mir Maqbool Mahmood) : He is detained under the orders of the Government of India, and questions about him cannot be raised on the floor of the House and should be addressed to the Central Government.

Malik Barkat Ali : Will the Parliamentary Secretary kindly state whether the Government of India definitely stated that he should be detained in the Rajanpur jail?

Parliamentary Secretary : I have nothing to add to the answer I have already given, especially in view of the fact that he is detained under the orders of the Government of India.

CIVIL DISOBEDIENCE PRISONERS

***8407. Rai Bahadur Mukand Lal Puri :** Will the Honourable Premier be pleased to state—

(a) the object of the Government in not allowing even the approved newspapers to the Civil Disobedience prisoners;

(b) whether he is aware of the fact that no interviews with relatives and friends are allowed to the Civil Disobedience prisoners;

(c) whether any books and writing material are allowed to the above-named prisoners;

(d) whether it is also a fact that listening in to Radio news and programmes is not allowed in the jails where the Civil Disobedience prisoners are lodged?

Parliamentary Secretary (Mir Maqbool Mahmood) : It is not in the public interest to answer this question on the floor of the House, but if the honourable member requires information for his personal and private enlightenment only, I will endeavour to see what can be given to him by me privately.

DETENUS IN SHAHPUR CAMP JAIL

***8408. Sardar Santokh Singh :** Will the Honourable Premier be pleased to state :—

(a) whether it is a fact that the Shahpur Camp Jail in which the following gentlemen are supposed to be detained, is a malaria-stricken place :—

1. L. Bhim Sen Sachar, the Leader of Opposition in the Assembly.
2. Dr. Gopi Chand, Ex-leader of Opposition in the Assembly.
3. Lala Krishna Gopal Datt, Deputy Leader of the Congress party in the Assembly.
4. Munshi Hari Lal, M.L.A.
5. Lala Dev Raj Sethi, M.L.A.
6. S. Partap Singh, M.L.A.
7. Mahasha Krishan.
8. Mahasha Varinder.
9. S. Gopal Singh Qaumi.
10. S. Darshan Singh Pheruman.
11. S. Gurmukh Singh "Musafir".

(b) whether he is aware of the fact that almost all the above-mentioned gentlemen have, at one time or the other, during their period of detention, suffered from malaria and other complaints ;

(c) whether it is a fact that Chaudhri Krishna Gopal Datt, M.L.A., (Deputy Leader, Congress Party of the Legislative Assembly) has had 2 attacks of his heart trouble and his condition is very weak, and that he still runs temperature ;

(d) whether he applied to the jail authorities that the Allopathic treatment did not suit him and that he might be put under a Homoeopathic Doctor ; if so, whether his request was granted ; if not, the reasons therefor ;

(e) whether any representations were made to the authorities concerned by Lala Bhim Sen Sachar, Leader of the Opposition in the Punjab Legislative Assembly and Dr. Gopi Chand, Ex-Leader of the Opposition in the Punjab Legislative Assembly, stating that owing to unhealthy conditions of the Shahpur Camp Jail and its surroundings, this Camp Jail might be abolished in so far as political prisoners were concerned, and that in the matter of allowance the detenues be treated on the same basis as was the case with the prisoners in the Deoli Prison Camp ; if so, what has been the fate of these representations ;

(f) whether it is a fact that at the Deoli Camp each detenu was given Rs. 17 per mensem *plus* Re. 0-9-8 per day, and this could be further supplemented by Rs. 10 per month out of one's own resources, whilst in the Shahpur Camp Jail, only Re. 0-6-0 per day, per head, are allowed ; if so, the reasons therefor ;

(g) whether it is a fact that no newspapers whatever are allowed to the above-mentioned detenues ; if so, the reasons therefor ;

[S. Santokh Singh.]

(h) whether it is a fact that no interviews whatever are allowed to the above-named detenus and the tents in which they are kept do not afford sufficient protection against weather conditions; if so, the action Government propose to take in the matter;

(i) whether it is a fact that Lala Feroz Chand and Lala Mohan Lal of the servants of India Society are among the detenus mentioned above; if so, the reasons for their detention;

(j) Under what rule of the Defence of India Rules all these above-mentioned gentlemen are being detained and whether it is intended to try them in a court of law? If not, why not?

Parliamentary Secretary (Mir Maqbool Mahmood): It is not in the public interest to answer this question on the floor of the House, but if the honourable member requires information for his personal and private enlightenment only, I will endeavour to see what can be given to him by me privately.

INDUSTRIES

***8176. Khan Sahib Khawaja Ghulam Samad:** Will the Honourable Minister for Finance be pleased to state whether Government has adopted any measure to start wholly or partly State-owned and State-managed industries in the Province, if so, their nature and details?

The Honourable Sir Manohar Lal: Owing to present uncertain conditions specially the difficulty of obtaining requisite machinery it has not been possible to start such industries in the Punjab. A beginning has, however, been made by providing a sum of Rs. 1,28,400 in the current years' budget for a State-owned Glue Factory at Shahdara which will start as soon as the necessary machinery becomes available.

MR. ALLAH RAKHA CHAMAN

***8331. Pandit Bhagat Ram Sharma:** Will the Honourable Minister for Finance be pleased to state whether it is a fact that one Mr. Allah Rakha Chaman of Amritsar, now confined in the Ferozepore Jail, is ill; if so, what is the present state of his health?

The Honourable Sir Manohar Lal: Prisoner Allah Rakha Chaman has since been released.

COMRADE MUNSHI RAM NATHAWAN.

***8332. Pandit Bhagat Ram Sharma:** Will the Honourable Minister for Finance be pleased to state—

(a) whether it is a fact that Comrade Munshi Ram Nathawan of Batala, who is confined in the Multan Jail, is suffering from consumption;

(b) if the answer to (a) above be in the affirmative, what is the present state of his health and the action Government propose to take to afford him facilities for medical treatment?

The Honourable Sir Manohar Lal: I regret that the answer to this question is not yet ready.

RESIGNATION BY CONGRESSMEN FROM MUNICIPAL COMMITTEES.

*8174. **Khan Sahib Khawaja Ghulam Samad**: Will the Honourable Minister of Public Works be pleased to state—

(a) the number of Congressmen who have resigned their membership of the Municipal Committees, Small Town Committees and Notified Area Boards and District Boards in the Ambala Division as a result of the Congress Working Committee mandate;

(b) whether such vacancies have since been filled by nomination or election;

(c) the names of local bodies in which such vacancies are filled and also of those in which vacancies have not been filled in the said division?

Parliamentary Secretary (Shaikh Faiz Muhammad): A statement containing the required information is laid on the table.

Serial No.	Name of local body	Number of Congressmen resigned	Whether vacancies have been filled by nomination or election	Whether vacancies have been filled or not
DISTRICT BOARDS				
1	Rohtak ..	2	By election ..	Filled.
2	Ambala ..	5	Do. ..	Do.
3	Karnal ..	1	Do. ..	Do.
MUNICIPAL COMMITTEES				
1	Rohtak ..	5	By election ..	Filled.
2	Rewari ..	6	Do. ..	Do.
3	Sirsa ..	2	Do. ..	Do.
4	Jhajjar ..	2	Do. ..	Do.
5	Rupar ..	1	Do. ..	Do.
6	Sonepat ..	2	Do. ..	Do.
7	Bhiwani ..	3	One filled by election	2 vacancies not filled so far.
8	Faridabad ..	1	By election ..	Filled.
9	Palwal ..	1	Do. ..	Do.
10	Hodal ..	1	Do. ..	Do.
11	Hansi ..	1	..	Not filled so far.
NOTIFIED AREA COMMITTEES				
Nil.				
TOWN COMMITTEES				
1	Ladwa ..	1	By election ..	Filled.

ROADS

***8175. Khan Sahib Khawaja Ghulam Samad :** Will the Honourable Minister of Public Works be pleased to state—

(a) the number of new roads, *kacha* or *pacca*, constructed by District Board and Public Works Department, separately, in the Ambala Division during the current financial year 1941-42 ;

(b) the *kacha* roads made *pacca* in the Ambala Division during the above-named period ;

(c) the length of such roads as mentioned in (b) ;

(d) the total amount of money spent by the Government for construction, repairs and transformation of *kacha* roads into *pacca* during the above-mentioned period in the said division ?

Parliamentary Secretary (Shaikh Faiz Muhammad): A statement giving the required information is laid on the table.

Statement

Name of District	(a)		(b)	(c)	(d)
	District Board	Public Works Department, Buildings and Roads Branch	Kucha roads made pucca during the year 1941-42	Length of kucha roads made pucca during 1941-42	Total amount of money spent by Government for construction, repairs and transformation of kucha roads into pucca during 1941-42
				Miles	
Hissar ..	<i>Nil</i>	<i>Nil</i>	Sirsa-Dabwali section of Delhi-Multan road.	32.52	The total expenditure incurred so far comes to Rs. 4,64,862. <i>Nil</i> .
Rohtak ..	<i>Nil</i>	<i>Nil</i>	Najafgarh-Bahadurgarh road.	4.86	
Gurgaon ..	One—Daultabad approach road.	<i>Nil</i>	Hodal-Hasanpur. Hodal-Funahana Jhajjar-Rewari (Is being metalled).	3 13.91	..
Karnal ..	<i>Nil</i>	<i>Nil</i>	(i) Panipat-Sansuli.	2	..
Ambala ..	<i>Nil</i>	<i>Nil</i>	(ii) Kaithal-Guhla.	2	<i>Nil</i>
			Two kacha roads were made pucca.	3.81	Rs. 5,371
Simla ..	<i>Nil</i>	<i>Nil</i>	Kufri-Fagu section of the Ambala-Tibet road.	2.53	Rs. 3,176

Khan Sahib Khawaja Ghulam Samad : May I know whether these *kucha* roads made *pacca* during the year 1941-42 as given in column (b) of the statement, were so made by the district board or by the Government, that is, by the Public Works Department?

Parliamentary Secretary : The statement I have placed on the table contains all the information required. If any further information is required, I would like to have notice.

INSECURITY OF LIFE AND PROPERTY IN LUDHIANA DISTRICT

***8354. Chaudhri Muhammad Hasan :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether it is a fact that the public of Ludhiana District represented in the Panchayat Conference held some time ago at Jagraon and attended by four Honourable Ministers of the Punjab Government to the latter in the address presented to them that public felt that life and property were insecure in the district and asked for adoption of adequate measures for the protection of life and property in the district ;

(b) whether Government has considered all the grievances put forth in the address presented by the said Zamindara League at Jagraon and has adopted any measures for the redress of those grievances ;

(c) if reply to the above be in the affirmative, what those measures were and in what manner they proved effective ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : No record appears to exist of the exact terms of any address or representation made at this conference, on the subject of insecurity of life and property in the Ludhiana District. The crime statistics for the district, however, give no ground for particular alarm or apprehension.

SHORT NOTICE QUESTION AND ANSWER

BAN ON KHAKSAR MOVEMENT

***8454. Mian Abdol Rab :** Will the Hon'ble Premier be pleased to state—

(a) whether the Punjab Government were recently consulted by the Government of India regarding the removal of all-India ban imposed by them on the Khaksar movement ;

(b) whether the Punjab Government opposed or supported the proposal of the Government of India to withdraw this ban against the movement ?

Lieutenant-Colonel the Honourable Sir Sikander Hyat-Khan : It is not customary to give details of official correspondence between the Central and Provincial Governments. There is, however, no secret of the views of the Punjab Government in this matter. They are that there is no objection to the removal of the ban on the Khaksar movement provided that a clear and unambiguous pronouncement is made by its Leader that for the duration of the war social service is to be performed in an individual

[Premier.]

capacity and that there will be no drilling, no uniforms, no badges or symbols and no implements—restrictions which apply to all volunteer organisations in the Punjab.

Khan Bahadur Shaikh Karamat Ali : Will the Honourable Premier be pleased to state if he knows any leader of the Khaksars whose word can be relied upon for negotiations in the absence of Allama Mashriqi ?

Premier : I am afraid this is a very unfair question because I cannot say which leader can be relied upon or not relied upon. I can say this much that from time to time certain people who are prominent in the Khaksar movement, have seen me and the difficulty has been that they had promised to give an undertaking on behalf of the movement but they were repudiated by the movement itself or some other leader of the movement. That has been the difficulty so far.

Malik Barkat Ali : Will the Honourable Premier be pleased to state whether the Punjab Government now believes or not that the charges made against the Khaksars about their being fifth columnists or being engaged in some correspondence with the enemy are entirely baseless ?

Premier : That does not arise from this question.

Malik Barkat Ali : I want to know whether the Punjab Government is aware of this position or not that the charges are baseless ?

Premier : The honourable member shall have to give me notice of that question.

Khan Sahib Khawaja Ghulam Samad : May I know whether the Leader of the Khaksar movement has announced not only once but repeatedly that he will comply with the orders of the Punjab Government mentioned by the Honourable Premier in his reply to the Short Notice Question ?

Premier : Not to my knowledge. If he is prepared to issue a declaration in accordance with what I have suggested, there will be no difficulty at all.

Khan Sahib Khawaja Ghulam Samad : May I know whether Muhammad Shah, who is the representative of the Khaksar movement in the Punjab, has mentioned the same thing as the Honourable Premier requires Allama Mashriqi to announce ?

Premier : There is no such gentleman as Muhammad Shah. I believe my honourable friend is referring to Mian Ahmad Shah who came to see me about eighteen months ago. In that connection the honourable member will probably remember that as soon as he gave an undertaking, the very next day another leader from the United Provinces said that Syed Ahmad Shah had no business to come to me and that he had not been authorised by Allama Mashriqi. I, however, accepted that undertaking and released the prisoners.

Malik Barkat Ali : May I know whether the Punjab Government, in view of the statement made by the Honourable the Home Member of the Government of India, is prepared to modify its position in regard to Allama Mashriqi and the Khaksars ?

Premier : What does my honourable friend mean by 'to modify its position' ?

Malik Barkat Ali : It was stated by the Honourable the Home Member of the Government of India that the Government does not—

Premier : It does not arise out of the question.

Malik Barkat Ali : Let me finish. The Honourable the Home Member said that one or two Governments were still opposed to the withdrawal of the ban on the Khaksars although the Khaksars were not fifth columnists and there was no foundation for the charge laid against them of being in correspondence with the enemy. Is the Punjab Government one of those Governments who were opposing the relaxation or removal of that ban? I put it to the Honourable Premier to state on the floor of this House whether after that announcement of the Honourable the Home Member his Government will not remove the ban?

Premier : My honourable friend's deductions and insinuations are absolutely incorrect. How does he deduct from that answer that the Punjab Government refused? I have stated the position of the Punjab Government in very clear words and that condition applies to all volunteer organizations. The Punjab Government is not prepared to discriminate between these organisations.

Malik Barkat Ali : May I tell the Honourable Premier that there is no question of any insinuation. As a matter of fact it is being freely stated after the debate there that the Punjab Government and the Central Provinces Government are the only two Governments who are opposing the proposal.

Premier : I am afraid that again is incorrect. My honourable friend is probably influenced by wishful thinking and nothing else.

Khan Sahib Khawaja Ghulam Samad : May I know whether the Honourable Premier is aware of other similar movements—that is parading in the market with their symbols and *bellas* on their shirts and with uniform? Is he aware of it or not?

Malik Barkat Ali : Is it a fact or not?

Premier : I have not been able to follow my honourable friend Khawaja Sahib. If any organisations or any individuals are going about with implements which are illegal, they should certainly be dealt with according to the law.

Khan Sahib Khawaja Ghulam Samad : Does he know anything about Jaili Party of Rohtak district? Is he aware that hundreds of Jats with yellow shirts on and jailies in their hands come to Rohtak and drill in the roads with a view to intimidate the non-jats Rohtak public?

Premier : I am afraid I do not know anything about the Jaili Party but there are several "جلی" (bogus) parties (laughter) in this Province.

Mir Maqbool Mahmood : Must be Guava Jelly Party!

Khan Sahib Khawaja Ghulam Samad : Is it a fact that the members of this party parade in the streets of the city with their uniforms on and with jailies in their hands? I do not know what you call it but in my part of the province they are called jailis.

Premier : I do not know of any Jaili Party but I can assure my honourable friend that if anybody contravenes the notification issued by this Government, action will be taken against that party if it is brought to the notice of the authorities.

Khan Sahib Khawaja Ghulam Samad : May I know whether any representation was received by him against this party from Rohtak district ?

Premier : Representations are received in dozens by me but all are not necessarily seen by me. They are sent to the departments concerned by my Secretary.

Malik Barkat Ali : Will the Honourable Premier be pleased to state whether it is within his knowledge or not that the Khaksars, for months and months, have not been engaged in activities, a declaration which he put forward as a condition precedent to the removal of the ban ?

Premier : That is very wise of them.

Malik Barkat Ali : Why does not the Honourable Premier show more wisdom ?

Premier : I cannot possibly discriminate between Khaksars and any other voluntary body.

Malik Barkat Ali : That is not my point. I am drawing attention to the fact that the Khaksars have given up indulging in some of the activities to which the Premier objects, that is, marching, etc., for many months past.

Premier : Then there should be no difficulty. I have already said that if they make a clear declaration that they will comply with the conditions I have mentioned and merely confine their activities to individual social service, the Government will have no objection to the ban against them being removed.

Khan Sahib Khawaja Ghulam Samad : May I know whether he has received any complaints of the local officers regarding the Khaksars during the year 1942 from any Punjab district ?

Premier : I have from Ambala. (*Laughter*)

Khan Sahib Khawaja Ghulam Samad : That must be a wrong complaint.

Premier : That is why no action has been taken.

LEAVE OF ABSENCE OF CHAUDHRI KARTAR SINGH, M.L.A.

Secretary : An application for leave of absence has been received from Chaudhri Kartar Singh, M.L.A. It is addressed to the Honourable Speaker and runs as follows :—

In view of the fact that I am a security prisoner, I cannot attend the session of the Assembly. I, therefore, pray that I may be granted leave for six months.

Mr. Speaker : The question is—

That the leave applied for by the honourable member be granted.

The motion was carried.

ADJOURNMENT

Premier: Sir, I beg to move after consultation with the Honourable Leader of the Opposition—

That the Assembly at its rising to-day shall stand adjourned to Friday, the 6th November, at 3-30 in the afternoon.

The motion was carried.

LEGISLATION *re* RELIGIOUS MATTERS.

Premier: Sir, I have to make a statement. You will remember that I gave an undertaking in a debate about 12 months ago, and subsequently also in connection with my talk with the Sikh Parties, that if the House so wanted, a convention should be set up that in religious matters, which exclusively concern a particular community, after due regard has been paid to the necessity of any precautions as regards law and order, the decision with regard to legislation should be left exclusively to the members of that community. Before we actually and formally adopt that convention, I should be glad to receive suggestions from various members of this House, and specially the leading members of this House, with regard to the proportion which they would like to fix, whether there should be a bare majority or whether this decision should be taken by the members of that community by three-fourths or two-thirds majority. The figure which has been suggested to me from some quarters is that we should fix two-thirds for the purpose. I will be grateful if the members of the House will consider this matter and give me their considered views, if possible, during the present session and if that is not possible, they should send me their views in writing as early as possible so that we can formally take up the question of adopting that convention.

The Assembly then adjourned till 3-30 p.m. on Friday, 6th November 1942.

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PUNJAB LEGISLATIVE ASSEMBLY

EIGHTH SESSION OF THE FIRST PUNJAB LEGISLATIVE ASSEMBLY

Friday, 6th November, 1942

The Assembly met in the Assembly Chamber at 3-30 p.m. of the clock Mr. Speaker in the Chair.

STARRED QUESTIONS AND ANSWERS

LALA PRABH DAYAL

***8343. Pandit Bhagat Ram Sharma :** Will the Honourable Premier be pleased to state—

(a) whether he is aware of the fact that Lala Prabh Dayal, President, Congress Committee, Una, District Hoshiarpur, was arrested on February 2nd, 1942, afternoon ; if so, the law under which he has been arrested and detained ;

(b) whether it is a fact that the said Lala Prabh Dayal applied for release on parole owing to the marriage of his daughter and illness of his aged father ; if so, the action taken in the matter ;

(c) whether it is intended to try him in open court ?

Parliamentary Secretary (Mir Maqbool Mahmood): (a) Yes Under rule 34 (6) (g) and (k) read with rule 38, Defence of India Rules.

(b) No.

(c) He was tried in open court and was convicted on 24th February 1942 and sentenced to 9 months' rigorous imprisonment.

BAKHSHI RAM

***8344. Pandit Bhagat Ram Sharma :** Will the Honourable Premier be pleased to state whether it is a fact that one Bakhshi Ram, a detainee in sub-jail, Gujrat, requested the Government to release him on parole on 6th February 1942, for one month owing to illness of his mother and also to transfer him to Lahore Jail so that he may be able to get his eyes and teeth examined as there was no arrangement in Gujrat Jail for such examination ; if so, the action taken by the Government in the matter ?

Parliamentary Secretary (Mir Maqbool Mahmood): Bakhshi Ram submitted a request on 7th February 1942 ; he was transferred to Lahore for dental treatment. His request for release on parole was considered and rejected.

DETENUES IN WOMEN'S JAIL, LAHORE

***8398. Sardar Sohan Singh Josh :** Will the Honourable Premier be pleased to state—

(a) whether he is aware of the fact that the political prisoners confined in the Women's Jail, Lahore, had certain grievances regarding letters, charpoys, interviews, and food, in reference to which they made representations in the early part of October 1942, to the jail authorities ;

(b) whether it is a fact that on October the 9th, they protested against the failure of the authorities to redress their grievances ;

(c) whether it is a fact that on this day, the women political prisoners were ill-treated to the extent of being dragged by the women convicts, roughly handled and forcibly removed to cells where they were confined by way of punishment ;

(d) whether it is a fact that some of these prisoners sustained injuries as a result of this rough handling on 9th October ;

(e) whether Government are prepared to institute an enquiry into the happenings of October the 9th, in the Women's Jail ; if not, the reasons therefor ?

Parliamentary Secretary (Mir Maqbool Mahmood) : It is not in the public interest to answer this question on the floor of the House, but if the honourable member requires information for his personal and private enlightenment only, I will endeavour to see what can be given to him by me privately. I would be very interested if the honourable member would let me know the source of his information, as the facts have been grossly exaggerated.

Sardar Sohan Singh Josh : May I know whether the Parliamentary Secretary will be able to guide us as to what type of questions should be asked so that they may be in public interest ?

Pandit Bhagat Ram Sharma : May I know from the Parliamentary Secretary in case the source of information is given he would be prepared to answer the question on the floor of the House ?

WAR FUNDS

***8399. Sardar Sohan Singh Josh :** Will the Honourable Premier be pleased to state the names of the districts in which the contributions to the various war funds have been collected from the people along with the land revenue together with the total amount collected in this manner ?

Parliamentary Secretary (Mir Maqbool Mahmood) : Government are not in possession of any figures showing the contributions to war funds which may have been collected with land revenue demands. In three or four districts some contributors have, for the sake of their own convenience, paid donations to the war fund along with the land revenue ; Government have forbidden the levy of any contributions, whether voluntary or otherwise, based on the land revenue demand and collected through the land revenue agency.

Sardar Sohan Singh Josh : May I know who is the authority to decide whether this war fund is to be collected along with the land revenue or not ?

Premier : It is not officially collected with land revenue at all.

Pandit Bhagat Ram Sharma : May I know from the Premier whether the war fund was in fact collected along with land revenue in almost all districts last year ?

Premier : My honourable friend's information, I am afraid, is not correct. As a matter of fact it was only in two or three districts that the contributors themselves agreed and asked that their contributions to the war fund should be collected along with land revenue.

Pandit Bhagat Ram Sharma : May I know whether in the Kangra district war fund was collected with land revenue last year ?

Premier : I should like to have notice but so far as I am aware it was not done.

Sardar Sohan Singh Josh : May I know whether the Premier is aware that in the Gujranwala district the Deputy Commissioner gave an order that the war fund be collected along with land revenue ?

Premier : No. As a matter of fact a similar complaint was received sometime ago and an enquiry was made and the complaint proved to be incorrect. What happened was that certain lambardars had gone to the Deputy Commissioner and represented that it would be more convenient for them if they could pay their contributions with the land revenue.

Sardar Sohan Singh Josh : Is there any compulsion applied for the collection of war fund ?

Premier : On the contrary special instructions have issued that land revenue agency should not be used for the collection of war contributions.

WAGES OF MEN GUARDING RAILWAY LINES

*8400. **Sardar Sohan Singh Josh :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether the persons guarding the railway lines in the province are being paid any daily wages ; if so, how much per head ; if not, why not ;

(b) the number of persons daily guarding the railway lines in (1) the Amritsar district ; (2) the Lahore district ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : (a) No. The question of paying persons guarding the railway is under consideration.

(b) Figures from the Amritsar district are not yet available but in the Lahore district 392 men are required at a time and with reliefs this means 1,176 men.

Sardar Sohan Singh Josh : Is the Parliamentary Secretary aware that an unrest has been caused by this new kind of 'begar' ?

Parliamentary Secretary : I am not aware of any such unrest.

Sardar Sohan Singh Josh : May I know if anything is going to be paid to the men who guard the railway lines ?

Parliamentary Secretary : I have said that this question is under the consideration of the Government.

Sardar Sohan Singh Josh : How long will it take to arrive at a final decision ?

Parliamentary Secretary : It is very difficult to say how long it will take.

DETENUES IN WOMEN'S JAIL, LAHORE

***8406. Mian Abdul Aziz :** Will the Honourable Premier be pleased to state—

(a) whether he is aware of the fact that the political prisoners confined in the Women's Jail, Lahore, had certain grievances regarding letters, charpoys, interviews and food, in reference to which they made representations in the early part of October 1942, to the jail authorities ?

(b) whether it is a fact that on October the 9th, they protested against the failure of the authorities to redress their grievances ;

(c) whether it is a fact that on this day, the women political prisoners were ill-treated to the extent of being dragged by the women convicts, roughly handled and forcibly removed to cells where they were confined by way of punishment ;

(d) whether it is a fact that some of these prisoners sustained injuries as a result of this rough handling on October the 9th ;

(e) whether Government are prepared to institute an enquiry into the happenings of October the 9th, in the Lahore Women's Jail ; if not, the reasons therefor ?

Parliamentary Secretary (Mir Maqbool Mahmood) : I invite the attention of the honourable member to the answer given to the starred question No. 8398¹ on the same subject.

M. L. AS. DETAINED IN SHAHPUR JAIL

***8413. Sardar Bahadur Sardar Ujjal Singh :** Will the Honourable Premier be pleased to state—

(a) the number and names of the members of the Punjab Legislative Assembly who have been arrested under the Defence of India Rules ;

(b) the arrangements which have been made for their accommodation and the kind of food and other arrangements which the Government have made for them ;

(c) whether a representation was sent to the Government recently by a member of the Assembly on behalf of all the detenus detained under the Defence of India Act stating that the Shahpur Jail was not a suitable place for their confinement as, *inter alia*, it had been used as a jail for

tubercular prisoners, was damp, had brackish-water and the place was infested with white-ants, worms, insects, scorpions, etc.; if so, whether he would be pleased to lay that representation on the table of the House and also state what action, if any, the Government took on this?

Parliamentary Secretary (Mir Maqbool Mahmood): The Honourable Premier has already undertaken to examine the various complaints brought to his notice with a view to remove legitimate complaints, if any, as far as permissible under the rules. It is not, however, in the public interest to answer this question on the floor of the House, but if the honourable member requires information for his personal and private enlightenment only, I will endeavour to see what can be given to him by me privately.

DETENUS IN SHAHPUR JAIL

***8414. Sardar Bahadur Sardar Ujjal Singh:** Will the Honourable Premier be pleased to state—

(a) whether he is aware of the fact that a representation was recently made by seven or eight persons including Dewan Chaman Lall, M. L. A., Mr. Bhim Sein, Sachar, M. L. A., Leader of the Opposition in the Punjab Legislative Assembly and others as representing the entire body of detenus in the Shahpur Jail in which they requested for a change of the jail on the ground of its being unhealthy and harmful;

(b) whether it is a fact that they represented, *inter alia*, that the diet apart from being poor was unbalanced and of a rotten quality;

(c) whether he would be pleased to place that representation on the table of the House, and state what action, if any, was taken by the Government in that connection?

Parliamentary Secretary (Mir Maqbool Mahmood): The answer to this question is the same as given with regard to the starred question 8413 above.

TREATMENT OF DETENUS IN SHAHPUR JAIL

***8422. Mian Abdul Aziz:** Will the Honourable Premier be pleased to state—

(a) whether he is aware of the fact that the detenus in the Shahpur Jail recently submitted a representation to the Government containing a request for providing some amenities to them in the jail; if so, whether he will be pleased to lay a copy of that representation on the table of the House together with the instructions, if any, issued to the Shahpur jail authorities on that representation;

(b) whether it is a fact that the detenus in the Shahpur Jail are not being accorded that treatment which was agreed to by the Punjab Government on the security prisoners in Deoli Camp and Montgomery Jail going on hunger strike last year, if so, the reasons thereof?

Parliamentary Secretary (Mir Maqbool Mahmood): The Honourable Premier has already undertaken to examine personally various complaints brought to his notice with a view to remove legitimate complaints

[Mian Abdul Aziz.]

if any as far as permissible under the rules. It is not proposed to give any further information in public interest at this stage.

OLD CENTRAL JAIL, MULTAN

***8423. Mian Abdul Aziz :** Will the Honourable Premier be pleased to state—

(a) whether he is aware of the fact that a scandalous state of affairs as regards equipment and arrangement and the attitude of the medical authorities existed in the jail hospital of the Old Central Jail, Multan, in the month of September last when the malaria epidemic reached its climax there ;

(b) whether it is also a fact that the patients after repeated requests and representations for the removal of their grievances left the hospital as a protest on the 23rd September 1942 ;

(c) whether it is also a fact that a lathi-charge was made on these patients by the convict warders at the instance of an Assistant Superintendent and in the presence of the Deputy Superintendent of that Jail ;

(d) whether it is also a fact that keshas (long hairs) of a Sikh civil disobedience prisoner named Lachhman Singh were pulled by a convict warder and that he was also beaten by that warder and also by the Assistant Superintendent mentioned in part (c) above ;

(e) whether all these complaints were brought to the notice of the Superintendent of that jail, if so, to what effect ?

Parliamentary Secretary (Mir Maqbool Mahmood) : It is not in the public interest to answer this question on the floor of the House, but if the honourable member requires information for his personal and private enlightenment only, I will endeavour to see what can be given to him by me privately. I may, however, state that so far as the Government is aware, information on which the question is based is grossly exaggerated and that part (d) of the question is absolutely unwarranted.

Mian Abdul Aziz : I shall be obliged if you will kindly convey the reply to me personally.

GRANT-IN-AID FOR INDUSTRIES

***8337. Pandit Bhagat Ram Sharma :** Will the Honourable Minister for Finance be pleased to state—

(a) whether it is a fact that the Punjab Government has earmarked Rs. 20,000 to be given as grants to educated young men with a view to enabling them to start industries in the Punjab ;

(b) whether it is a fact that some educated young men from Kangra district who had received training with the help of the Government demonstration party in ban, ropes and mat manufacturing, sometime ago made applications for grant of loans for starting these industries ; if so, the names and addresses of these young men ;

(c) whether it is a fact that the applications have been rejected ; if so, reasons for the same ?

The Honourable Sir Manohar Lal : (a) Yes.

(b) No. Only one application was received from Kangra district for the development of handloom weaving industry and a grant-in-aid of Rs. 850 has been sanctioned for the applicant (Lala Duni Chand, Weaver of Manali).

(c) Does not arise.

TEXT BOOKS OF HISTORY

***8177. Khan Sahib Khawaja Ghulam Samad :** Will the Honourable Minister of Education be pleased to state—

(a) whether new Text Books in the History of India have been published and prescribed for the Middle Schools in the Province and whether the passages in them that caused communal hatred have been expunged therefrom, as pointed out by him in reply to question No. 7070 asked on 28th January, 1941 ;

(b) whether the Government have moved the University of the Punjab to expunge such passages as caused communal hatred from the text books of History prescribed for High Schools and Colleges ; if so, the steps that the Board of Studies has taken in the matter ?

The Honourable Mian Abdul Haye : (a) Not yet, the rest of the question does not arise.

(b) Yes, attention is also invited to part (2) of answer to starred Assembly question No. 7070¹ asked by Sardar Sampuran Singh in 1941.

Khan Sahib Khawaja Ghulam Samad : May I know since when this matter is under the consideration of the Government and when we should expect a decision of the Government on this point ?

Minister : New text books are now being written, and if the situation as regards paper permits they will be prescribed next year. The question of expunging objectionable remarks would be kept in view when the books are approved.

TEACHING OF ARABIC IN DEGREE COLLEGE, ROHTAK

***8178. Khan Sahib Khawaja Ghulam Samad :** Will the Honourable Minister of Education be pleased to state—

(a) the number of Professors and Lecturers in the Degree College, Rohtak, community-wise ;

(b) whether any adequate arrangement to teach Arabic has been made in that college ;

(c) the number of students in Arabic in each class of the said college ?

The Honourable Mian Abdul Haye :

(a) Hindus ..	..	..	..	6
Muslims ..	..	..	..	8
Sikhs ..	..	..	..	2

[Education Minister.]

(b) Yes.

(c) 1st year	8	} As it stood on the 15th October 1941.
2nd year ..	..	..	2
3rd year ..	..	..	2
4th year ..	..	..	..

D. B. HIGH SCHOOL, MAHEM

***8190. Khan Sahib Khawaja Ghulam Samad :** Will the Honourable Minister for Education be pleased to state—

(a) the number of years for which the present Headmaster, D. B. High School, Mahem, has been in charge of that school ;

(b) whether it is a fact that the *Muslims* of Mahem have several times represented to the authorities for the transfer of this Headmaster from this School ;

(c) the action, if any, taken so far by the authorities on the representation ?

The Honourable Mian Abdul Haye : (a) About thirteen years.

(b) One representation from the *Muslims* of Mahem was received through the honourable member in January, 1941.

(c) The complaint was enquired into and no action against the Head Master was considered necessary.

Khan Sahib Khawaja Ghulam Samad : May I know what the result of the enquiry was ?

Minister : It was found that the complaints forwarded by the honourable member was either unfounded or grossly exaggerated.

Khan Sahib Khawaja Ghulam Samad : May I know the name of the officer who made the enquiry ?

Minister : I have not got his name in my head.

Khan Sahib Khawaja Ghulam Samad : Is it the policy of the Government to let a headmaster or any other officer continue in one particular district for a number of years ?

Minister : If an officer is found suitable he may continue in one place for the whole of his life.

COWS AND BULLOCKS

***8412. Sardar Bahadur Sardar Ujjal Singh :** Will the Honourable Minister for Development be pleased to state whether he is aware of the fact that there has been a decrease of 245,566 cows and a similar decrease in the number of bullocks in the Punjab during the period of 5 years (1935 to 1940), if so, whether he has instituted any enquiry into the causes of this decrease ?

Parliamentary Secretary (Chaudhri Tikka Ram) : The decrease in the case of cows is correct, but in the case of bullocks it is 28,503 only. No regular enquiry has been instituted into the causes of this decrease,

but it is generally known to be due to the export of large number of cows either on account of good breeds in the ordinary course of business or on account of famine conditions and scarcity of fodder.

Moreover, as the House knows, there is a tendency for stall-fed cattle to replace the old village herds in the most developed districts of the province; in other words, people prefer to keep one good milch animal in place of two bad ones.

SUGARCANE (PUNJAB AMENDMENT) BILL.

Dr. Sir Gokul Chand Narang : Sir, this day has been fixed for the consideration of the Report of the select committee on the Sugarcane (Punjab Amendment) Bill. There is no doubt that the Report was sent to the members of this House some time ago, but it was formally presented in the House only the day before yesterday. As this Bill is a very important one and quite lengthy, I am afraid many of us have not had the time to consider it and send in amendments. I, therefore, request the Honourable Minister incharge of this Bill to postpone its consideration to the next session.

Minister for Development : In view of the difficulty explained by my honourable friend, Dr. Sir Gokul Chand Narang I agree that this Bill may not be taken up to-day.

ADJOURNMENT

Premier : I move—

That the House be adjourned till 12 noon on Tuesday, 10th November 1942.

The motion was carried.

The Assembly accordingly adjourned till 12 noon on Tuesday, 10th November 1942.

PUNJAB LEGISLATIVE ASSEMBLY

EIGHTH SESSION OF THE FIRST PUNJAB LEGISLATIVE ASSEMBLY

Tuesday, 10th November 1942

*The Assembly met in the Assembly Chamber at 12 noon of the clock.
Mr. Speaker in the Chair.*

STARRED QUESTIONS AND ANSWERS

RETIREMENT OF GOVERNMENT SERVANTS

***8235. Khan Sahib Khawaja Ghulam Samad :** Will the Honourable Premier be pleased to state the total number of Government servants in the Punjab who have retired from service from April 1937 up-to-date after putting in 25 years' service ?

Parliamentary Private Secretary (Sayed Amjad Ali Shah) : Figures from April 1937 are not available.

One hundred and twenty-four Government servants retired during the period September 1940 to January, 1942 after completing 25 years' qualifying service.

COW SACRIFICE ON ID-UZ-ZUHA

***8237. Khan Sahib Khawaja Ghulam Samad :** Will the Honourable Premier be pleased to state whether it is a fact that Muslim Rajputs of M. Dadyana were prohibited from offering sacrifice on 10th of Id-uz-Zuha, if so, the reasons therefor ?

Parliamentary Private Secretary (Sayed Amjad Ali Shah) : The question is essentially a communal one, and in accordance with the usual convention, I propose to treat it as unstarred, and a written reply will be sent to the honourable member in due course.¹

DETENTION OF SARDAR SARDUL SINGH KAVEESHAR, COMRADE FAZAL ILAHI QURBAN, COMRADE DES RAJ CHADHA AND COMRADE KARAM SINGH MANN

***8345. Pandit Bhagat Ram Sharma :** Will the Honourable Premier be pleased to state—

(a) the places where the following persons are being detained :—

- (1) Sardar Sardul Singh Kaveeshar, President All-India Forward Block ;
- (2) Comrade Fazal Ilahi Qurban of Lahore ;
- (3) Comrade Des Raj Chadha, B.A., Lahore Cantonment ;
- (4) Comrade Karam Singh Mann, Bar.-at-Law ;

¹ Vide Appendix at page 318 *infra*.

[Pt. Bhagat Ram Sharma.]

- (5) Comrade Arjan Singh Gargaj of 'Akali Patrika' ;
- (b) the law under which they are detained and the period for which they are detained ;
- (c) the diet given to them ;
- (d) the general state of health of each one of them ;
- (e) the weight of each of them at the time of arrest and at present ?

Parliamentary Private Secretary (Sayed Amjad Ali Shah): The only person mentioned in the question who is at present under detention is Sardar Sardul Singh Kaveeshar, and as he is detained under the orders of the Government of India, questions about him cannot be raised on the floor of this House and should be addressed to the Central Government.

SARDAR SARDOOL SINGH KAVEESHAR

***8346. Pandit Bhagat Ram Sharma:** Will the Honourable Premier be pleased to state whether the Government has afforded any facilities to Sardar Sardool Singh Kaveeshar, who is at present detained under section 129 Defence of India Rules, to carry on his duties regarding Peoples Insurance Company and the Hindustan Bank of which he is the Managing Director, if not, why not ?

Parliamentary Private Secretary (Sayed Amjad Ali Shah): He is detained under the orders of the Government of India and questions about him cannot be raised on the floor of this House and should be addressed to the Central Government.

EXAMINATION OF THE CASES OF DETENUS BY THE TRIBUNAL

***8347. Pandit Bhagat Ram Sharma:** Will the Honourable Premier be pleased to state the procedure the Government intends adopting in the matter of examining the cases of the detenues detained in the Punjab and also state whether the detenues are to be allowed to appear before the Tribunal to put their cases before the Tribunal or not ; if not, why not ?

Parliamentary Private Secretary (Sayed Amjad Ali Shah): The practice is that the Committee examines the case against each security prisoner and makes such recommendations as it may consider necessary about each individual case, the security prisoners are given an opportunity to represent their cases in writing, but do not appear before the Tribunal in person.

LATHI CHARGE ON CIVIL DISOBEDIENCE PRISONERS IN MULTAN CENTRAL JAIL

***8409. Sardar Sohan Singh Josh:** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that a *lathi* charge was made on the civil disobedience prisoners on the list of patients in Old Central Jail, Multan, on 23rd September 1942, when they left the jail hospital as a protest against the unsatisfactory arrangement in the hospital and against the attitude of medical authorities there ;

(b) whether it is a fact that *keshas* (long hair) of Sardar Lachhman Singh, one of the civil disobedience prisoners were pulled by a convict warder under order of the jail officials on this occasion ;

(c) whether it is a fact that after the *lathi* charge incident the five M. L. As. detained in that jail asked the jail authorities to supply them with paper and pen so that they might send the full report of the high-handedness of the jail authorities to the Government ; if so, after how many days their request was conceded to ;

(d) whether it is a fact that about fifty patient prisoners along with two members of the Punjab Assembly who are detained in that jail were locked in punishment cells after the *lathi* charge incident where the said Lachhman Singh was mercilessly beaten by the Assistant Deputy Superintendent and convict warders ;

(e) if the reply to the above (a), (b), (c) and (d) be in the affirmative, the reasons for the same and the action Government propose to take in the matter against the officials concerned ?

Parliamentary Private Secretary (Sayed Amjad Ali Shah) : It is not in the public interest to answer this question on the floor of the House, but if the honourable member requires information for his personal and private enlightenment only, I will endeavour to see what can be given to him by me privately.

Sardar Sohan Singh Josh : With regard to part (c) of the question, may I ask the Parliamentary Private Secretary whether papers were supplied or not to the M. L. As. for writing the complaint against the jail authorities to the Government ?

Mr. Speaker : Has any answer been given to the main question, and if so, which facts in that answer require elucidation ? Only facts which are mentioned in the question and which have been answered can be further elucidated.

REMOVAL OF GANDHI CAPS FROM THE HEADS OF MR. BHIM SEIN SACHAR, M. L. A., AND THE CIVIL DISOBEDIENCE PRISONERS

***8410. Sardar Sohan Singh Josh** : Will the Honourable Premier be pleased to state whether it is a fact that Gandhi caps of Mr. Bhim Sein Sachar, the leader of the Opposition, Punjab Legislative Assembly, Mian Iftikhar-ud-Din, President, Punjab Provincial Congress Committee, Dr. Gopi Chand Bhargava, Lala Deshbandhu Gupta, M. L. A., Pandit Shri Ram Sharma, M. L. A., were forcibly removed from their heads when they reached Shahpur and Multan Jails ; if so, under whose orders their caps were removed and also the reasons for which this was done ?

Parliamentary Private Secretary (Sayed Amjad Ali Shah) : Government have no information, and since orders have been issued, subsequent to the alleged incident, that Gandhi caps may be considered to be part of their own clothing which such prisoners are allowed to wear, no useful purpose would be served in making further enquiries.

Sardar Sohan Singh Josh : Am I to understand that Government did not issue any instructions to the jail authorities with regard to the withholding of Gandhi caps from the prisoners ?

Premier : No.

Sardar Lal Singh : Is the House given to understand that it is of their own accord that the jail authorities did so ?

Premier : According to the jail rules private clothes of prisoners are removed and jail clothes issued instead.

Sardar Lal Singh : In view of the fact that several complaints during this session have been brought to the notice of the Honourable Premier, is he in a position to give some sort of assurance to this House that these prisoners are going to be treated better ?

Premier : So far as Gandhi caps are concerned, orders were issued, even before the question was put, that they should be allowed.

Sardar Sohan Singh Josh : Is the Honourable Premier aware that the clothes of the convicted prisoners, and not of the detenus, are taken away by the jail authorities ?

Premier : The question of Gandhi caps arose with regard to convicted prisoners. Government has issued instructions that if they want to retain them they can do so.

Sardar Sohan Singh Josh : What about the prisoners who have not been convicted ?

Premier : They would be able to retain their Gandhi caps.

SPECIAL CLASS CIVIL DISOBEDIENCE PRISONERS

***3411. Sardar Sohan Singh Josh :** Will the Honourable Premier be pleased to state—

(a) whether it is a fact that the Government has created a new special class for the civil disobedience prisoners 1942, if so, how does this class compare with the old A, B and C classes of prisoners and 1st and 2nd class of detenus ;

(b) what is the treatment accorded to civil disobedience prisoners, 1942, as regards food, clothes, bedding, toilet, right of association among themselves, interviews, correspondence, books, newspapers, writing material and other similar facilities ;

(c) whether it is a fact that civil disobedience prisoners 1942, are mentioned as 'Rebels' in the Government instructions and whether any special instructions have been issued in the matter of treatment to be accorded to them in the jails ;

(d) whether it is a fact that the Deputy Inspector-General, Criminal Investigation Department (Police) Punjab, has the sole charge of civil disobedience prisoners 1942, and the Honourable Minister-in-charge of jails has no control whatever ;

(e) if the reply to the above (c) and (d) be in the affirmative, the reasons for the same ?

Parliamentary Private Secretary (Sayed Amjad Ali Shah) : It is not in the public interest to answer this question on the floor of the House, but if the honourable member requires information for his personal and private enlightenment only, I will endeavour to see what can be given to him by me privately.

I would like, however, to point out that the Deputy Inspector-General of Police, Criminal Investigation Department, Punjab, is in no way in charge of civil disobedience prisoners confined in jails. Such prisoners are dealt with in accordance with the rules which apply to them and under the orders of the Minister in charge of them.

DETENUS IN SHAHPUR JAIL

***8415. Sardar Bahadur Sardar Ujjal Singh :** Will the Honourable Premier be pleased to state—

(a) whether the Inspector-General of Prisons has visited the Shahpur Jail where some of the M.L.As. are confined as detenus; if not, why not;

(b) whether the Honourable Minister for Finance, the Minister-in-charge of Jails, has visited the Shahpur Jail; if not, why not;

(c) whether the detenus mentioned above have recently submitted any representations regarding their difficulties and complaints to the jail authorities; if so, whether they have been brought to the notice of the Inspector-General of Prisons or the Honourable Minister for Finance; if not, the reasons therefor?

Parliamentary Private Secretary (Sayed Amjad Ali Shah): It is not in the public interest to answer this question on the floor of the House, but if the honourable member requires information for his personal and private enlightenment only, I will endeavour to see what can be given to him by me privately.

TREATMENT OF CONGRESS MEN DETAINED IN JAILS

***8416. Sardar Bahadur Sardar Ujjal Singh :** Will the Honourable Premier be pleased to state—

(a) whether he is aware of the speech of the British Prime Minister, Mr. Winston Churchill, in the House of Commons, in which he stated that the leading congress men arrested under the Defence of India Rules were being treated with the highest respect and given every comfort;

(b) what the Punjab Government has done or proposes to do to carry out the policy underlying the abovementioned statement of the British Prime Minister?

Parliamentary Private Secretary (Sayed Amjad Ali Shah): (a) and (b) I can find nothing in Mr. Churchill's speech which can be read as indicating any general policy for treatment of civil disobedience prisoners. But in any case there is no question of treating such prisoners with anything, but respect, and as much as possible is done for their comfort within the rules under which they are detained.

DETENUS IN SHAHPUR JAIL

***8417. Sardar Bahadur Sardar Ujjal Singh :** Will the Honourable Premier be pleased to state—

(a) whether he is aware of the fact that only six annas a day are allowed for the food for the whole day including fuel, etc., per detenu in

[S. B. S. Ujjal Singh.]

the Shahpur Jail in these days when the cost of food and other commodities is so dear ;

(b) whether it is a fact that the detenus under the Defence of India Act in 1940 were allowed twelve annas a day and are still allowed the same in the Gujrat Jail ;

(c) the reasons for treating the above-named detenus differently from the detenus of 1940 ?

Parliamentary Private Secretary (Syed Amjad Ali Shah) : It is not in the public interest to answer this question on the floor of the House, but if the honourable member requires information for his personal and private enlightenment only, I will endeavour to see what can be given to him by me privately.

CONFINEMENT OF M.L.As. IN PUNISHMENT CELLS IN OLD CENTRAL JAIL, MULTAN

***8424. Mian Abdul Aziz :** Will the Honourable Premier be pleased to state—

(a) whether he is aware of the fact that two of the Punjab M.L.As. now detained in the Old Central Jail, Multan, were locked in the punishment cell on the 23rd September 1942 ; if so, under whose orders this was done and why it was done ;

(b) whether he is aware of the fact that the following day some fifty civil disobedience prisoners on the list of patients and some other civil disobedience prisoners were ordered to be confined in punishment cells without any fault on their part and without a note being made to that effect on their history sheets and without their being produced before the Superintendent of the Jail ; if so, the reasons therefor ;

(c) the action, if any, that the Government proposes to take against this highhandedness ?

Parliamentary Private Secretary (Sayed Amjad Ali Shah) : It is not in the public interest to answer this question on the floor of the House, but if the honourable member requires information for his personal and private enlightenment only, I will endeavour to see what can be given to him by me privately.

M.L.As. DETAINED IN SHAHPUR JAIL

***8425. Mian Abdul Aziz :** Will the Honourable Premier be pleased to state—

(a) the number and names of the members of the Punjab Legislative Assembly who have so far been arrested under the Defence of India Rules ;

(b) the arrangements which have been made for their accommodation and the kind of food and other arrangements which the Government have made for them ;

(c) whether a representation was sent to the Government recently by a member of the Assembly on behalf of all the detenus detained under the Defence of India Act stating that the Shahpur Jail was not a suitable place for their confinement as, *inter alia*, it had been used as a jail for tubercular prisoners, was damp, had brackish water and the place was infested with whiteants, worms, insects, scorpions, etc.; if so, whether he would be pleased to lay that representation on the table of the House and also state what action, if any, the Government took on this representation?

Parliamentary Private Secretary (Sayed Amjad Ali Shah): It is not in the public interest to answer this question on the floor of the House, but if the honourable member requires information for his personal and private enlightenment only, I will endeavour to see what can be given to him by me privately.

REPRESENTATION BY DETENUS IN SHAHPUR JAIL

***8426. Mian Abdul Aziz:** Will the Honourable Premier be pleased to state—

(a) whether he is aware of the fact that a representation was recently made by seven or eight persons including Diwan Chaman Lall, M.L.A., Mr. Bhim Sein Sachar, M.L.A., Leader of the Opposition in the Punjab Legislative Assembly, and others, as representing the entire body of detenus in the Shahpur Jail in which they requested for a change of the Jail on the ground of its being unhealthy and harmful;

(b) whether it is a fact that they represented *inter alia* that the diet, apart from being poor, was unbalanced and of a rotten quality;

(c) whether he would be pleased to place that representation on the table of the House, and state what action, if any, was taken by the Government in that connection?

Parliamentary Private Secretary (Sayed Amjad Ali Shah): It is not in the public interest to answer this question on the floor of the House, but if the honourable member requires information for his personal and private enlightenment only, I will endeavour to see what can be given to him by me privately.

DETENUS IN OLD CENTRAL JAIL, MULTAN

***8434. Malik Barkat Ali:** Will the Honourable Premier be pleased to state—

(a) the total number of detenus detained under the Defence of India Rules or other regulations in the Old Central Jail, Multan, from the 9th of August up to the 30th September 1942;

(b) whether it is a fact that these detenus are neither given any cot nor any bedding;

(c) whether it is a fact that the morning tea is served to them at 11 a.m., and the first meal is served at 2 p.m.;

(d) whether it is a fact that the vegetables served to them are uneatable and the water supplied to them for bathing and washing is inadequate;

[M. Barkat Ali.]

(e) whether there was any *lathi* charge on these detenues about the 23rd of September 1942; if so, the circumstances under which this charge was made and the result of this charge including the injuries sustained by the various detenues;

(f) whether it is a fact that after this *lathi* charge, most of the detenues were shut up in grinding cells for 24 hours, and as a result of this the detenues in protest remained on hunger strike for 2 days;

(g) if the answers to the foregoing parts be in the affirmative, the action Government propose to take in the matter?

Parliamentary Private Secretary (Sayed Amjad Ali Shah): It is not in the public interest to answer this question on the floor of the House, but if the honourable member requires information for his personal and private enlightenment only, I will endeavour to see what can be given to him by me privately.

Sardar Sohan Singh Josh: A very convenient formula!

Premier: In the absence of any other formula this is the only formula to go on.

WATCHING OF LUDHIANA-FEROZEPUR RAILWAY LINE

***8435. Sardar Lal Singh**: Will the Honourable Minister for Public Works be pleased to state—

(a) whether he is aware of the fact that villagers living in villages along the Ludhiana-Ferozepur Railway line are being coerced by the local police officers into watching the railway line day and night; if so, the justification thereof;

(b) whether any remuneration is intended to be paid to those who are being compelled to do that duty; if not, why not;

(c) whether these villagers who are placed on duties on the railway lines will receive any compensation for loss of their own vocational work?

The Honourable Mian Abdul Haye: (a) No. Villagers are required to do watch and ward under the Punjab Village and Small Towns Patrol Act (Act VIII of 1918).

(b) The question of whether villagers should receive any remuneration for doing these duties which they are required to do by law, is being examined.

(c) Not apart from any remuneration which it may be decided to give them, if such a decision is reached.

Sardar Lal Singh: I suppose the Honourable Minister has taken note of the fact that it is particularly the villages on the railway line that are being affected by this sort of work.

Minister: I dare say, yes.

DISTURBANCES IN THE PUNJAB

***8436. Sardar Lal Singh :** Will the Honourable Premier be pleased to state—

(a) the number of disturbances in the Punjab and the places at which these disturbances broke out following the arrest of All-India Congress leaders in August last ;

(b) the number of deaths or casualties resulting from the quelling of such disturbances ;

(c) the number of arrests made or detentions ordered for the prevention of these disturbances ;

(d) the number of people, community-wise, arrested, challaned or detained for civil disobedience or for shouting slogans since 1st August, 1942 ?

Parliamentary Private Secretary (Sayed Amjad Ali Shah) : It is not in the public interest to answer this question on the floor of the House, but if the honourable member requires information for his personal and private enlightenment only I will endeavour to see what can be given to him by me privately.

Sardar Lal Singh : The number of disturbances may not be very large and there may be no harm in giving the figures.

Premier : In fact there were no disturbances in the Punjab except two minor incidents.

CANCELLATION OF LICENCES OF FIRE-ARMS OF BURMA EVACUEES

***8437. Sardar Lal Singh :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether it is a fact that all Burma evacuees now in the Punjab and holding licences for fire-arms are being made to deposit their arms and whether it is also a fact that those whose licences are valid for British India, are also liable to deposit their arms ; if the answer to the latter part be in the affirmative, under what law this is being done ;

(b) whether the practice of making all such Burma evacuees, who are licence-holders of arms, deposit their arms is being uniformly followed in all districts of this province, if so, the total number of Burma evacuees of Ludhiana and Rawalpindi districts who possess arms licences and of these how many have already been asked to deposit their arms with their licences district-wise ?

The Honourable Mian Abdul Haye : (a) Burma evacuees, who possess arms under the licences issued by the Burma Government, are required to deposit their arms as they cannot legally possess such arms without obtaining regular licences under the Indian Arms Act, 1878, and rules made thereunder. Those evacuees, whose licences are valid for British India, are not liable to deposit their arms unless their licences are cancelled.

(b) All evacuees whose licences are valid for Burma only have been instructed to deposit their arms. The total number of Burma evacuees

[Education Minister.]

of Ludhiana and Rawalpindi districts, who possess arms licences is 8 and 10 respectively. All of them have been asked to deposit their arms. Fresh licences are being issued in deserving cases after necessary enquiries and verifications have been made.

TRANSFER OF MIAN IFTIKHAR-UD-DIN, M.L.A., AND OTHERS FROM MULTAN CENTRAL JAIL TO MIANWALI JAIL

***8442. Mian Muhammad Nurullah :** Will the Honourable Premier be pleased to state—

(a) the reasons why Mian Iftikhar-ud-Din, M.L.A., President, Punjab Provincial Congress Committee, Lala Deshbandhu Gupta, M.L.A., Pandit Shri Ram Sharma, M. L. A., Dr. Lehna Singh of Sargodha and Mr. Chaman Lal journalist of Delhi have recently been transferred from Old Central Jail, Multan, to District Jail, Mianwali ;

(b) whether it is a fact that Mian Iftikhar-ud-Din, M.L.A., and Lala Deshbandhu Gupta, M.L.A., while in Multan Jail, made a representation to the Superintendent of the Jail in which they made certain demands for the prisoners and in which they also protested against certain irregularities and also against the ill-treatment meted out to the civil disobedience prisoners in the Jail ; if so, whether he will be pleased to lay a copy of that representation on the table of the House and also state whether any action has been taken so far thereon ?

Parliamentary Private Secretary (Sayed Amjad Ali Shah) : It is not in the public interest to answer this question on the floor of the House, but if the honourable member requires information for his personal and private enlightenment only, I will endeavour to see what can be given to him by me privately.

SHAHPUR CAMP AND OLD CENTRAL JAIL, MULTAN

***8443. Mian Muhammad Nurullah :** Will the Honourable Premier be pleased to state :—

(a) whether he is aware of the fact that the Shahpur Camp Jail and Old Central Jail Multan are *kacha* and without any drainage arrangements ;

(b) whether he is also aware of the fact that the Old Central Jail, Multan, is notorious for malaria epidemic ;

(c) the number of patients in the Multan Jail Hospital on the 30th September 1942 ;

(d) whether the civil disobedience prisoners in these jails are forced to sleep on *kacha chabutras* or on floor where *pocha* is performed with dirty water, if so, why ;

(e) whether any steps are being taken to redress the grievances above-mentioned ?

Parliamentary Private Secretary (Sayed Amjad Ali Shah) : It is not in the public interest to answer this question on the floor of the House, but if the honourable member requires information for his personal and private enlightenment only, I will endeavour to see what can be given to him by me privately.

IRREGULARITIES IN MULTAN JAIL

***8444. Mian Muhammad Nurullah :** Will the Honourable Premier be pleased to state :—

(a) whether it is a fact that the civil disobedience prisoners who have not got their own clothes are to be provided with jail clothes and bedding approximating to "B" class standard ;

(b) whether it is also a fact that in the Multan Jail a number of civil disobedience prisoners were not given jail kits up to the end of September last in spite of their repeated demands ; if so, the reasons therefor ;

(c) whether it is a fact that washing soap and other facilities provided by rules for these prisoners were also not issued to them ; if so, the reasons therefor ;

(d) who is responsible for these irregularities ?

Parliamentary Private Secretary (Sayed Amjad Ali Shah) : It is not in the public interest to answer this question on the floor of the House, but if the honourable member requires information for his personal and private enlightenment only, I will endeavour to see what can be given to him by me privately.

M. L. A'S. HOLDING OFFICES OF PROFIT UNDER THE DEFENCE
DEPARTMENT

***8449. Malik Barkat Ali :** Will the Honourable Premier be pleased to state—

(a) how many members of this Assembly together with their names, hold offices of profit under the Defence Department of the Central Government or other offices connected with the prosecution of the War, and since when ;

(b) the amount of pay or remuneration per month that each one of them is getting and also the nature of the duty or work that he is performing ;

(c) whether these Honourable members are also drawing their allowances as members of this Assembly or as Parliamentary Secretaries or Private Parliamentary Secretaries ?

Parliamentary Private Secretary (Sayed Amjad Ali Shah) : (a) (1) Mrs. J. A. Shah Nawaz, (2) Khan Bahadur Mian Mushtaq Ahmad Gurmani, (3) Major Nawab Ashiq Hussain, (4) Captain Dina Nath, (5) Captain Bhai Fateh Jang Singh, (6) M. Fateh Muhammad, (6) Captain, Sayed Mubarrak Ali Shah, (8) Khan Bahadur Raja Muhammad Akram Khan, (9) Khan Bahadur Nawab Muzaffar Khan, (10) Captain S. Nainihal Singh Man, (11) Major Malik Sardar Khan Noon.

The exact dates of the appointments of these members are not available.

[S. Amjad Ali Shah.]

(b) Government have no precise information as all the honourable members mentioned are employed under the Central Government but all are serving in the Defence Forces or are performing duties in connection with the prosecution of the war.

(c) The attention of the honourable member is drawn to the answer given to question No. *8884¹. Such members will continue to draw their allowances as members, provided they attend the requisite number of meetings but will not draw allowances for being Parliamentary Secretaries or Parliamentary Private Secretaries in view of the fact that Government have decided that they should not perform their functions as such.

SHAHPUR JAIL

***8450. Sardar Santokh Singh:** Will the Honourable Premier be pleased to state—

(a) whether it is a fact that the Shahpur Camp Jail, where the political prisoners are being detained at present, was at one time used as a Jail for tubercular prisoners, was damp, had brackish-water and was infested with white-ants, worms and scorpions;

(b) whether this Jail has ever been visited by the Inspector-General of Prisons since the time the present detenus have been detained in that Jail;

(c) whether it has come to his notice that in the speech recently made by Mr. Winston Churchill in the House of Commons, the British Prime Minister stated that the leading Congressmen arrested under the Defence of India rules were being treated with consideration and were in the highest comfort;

(d) whether it is a fact that the conditions in the Shahpur Camp Jail do not warrant that statement;

(e) whether any of the detenus in this Jail have been bitten by scorpions during the last 2½ months and, if so, their names;

(f) whether it is a fact that during the last rainy season these detenus had to sleep on the ground, which was infested with worms, white-ants, and under covering which leaked;

(g) whether the Government is aware of the very strong feeling of resentment which exists in the province on the reports, as to the conditions physical and mental, to which these detenus are subjected and, if so, what do the Government propose to do to allay these apprehensions?

Parliamentary Private Secretary (Sayed Amjad Ali Shah): It is not in the public interest to answer this question on the floor of the House, but if the honourable member requires information for his personal and private enlightenment only, I will endeavour to see what can be given to him by me privately.

PAY OF GAUGE READERS

***8456. Khan Bahadur Shaikh Karamat Ali :** With reference to part (b) of the Unstarred Question No. 1444¹, asked on 1st December 1941, will the Honourable Minister for Revenue be pleased to state whether the question of the re-fixation of pay of gauge readers has so far been considered, if so, the result thereof ?

The Honourable Chaudhri Sir Chhotu Ram : The question of fixation of pay of the gauge readers employed in the Upper Bari Doab Circle was duly considered and the revised rates of pay allowed from 1st March 1942.

SUB-JUDGES' COURTS

***8234. Khan Sahib Khawaja Ghulam Samad :** Will the Honourable Minister for Finance be pleased to state the number of Sub-Judges' courts abolished from April 1937 up to date by the High Court in the Province, and the names of the towns where such courts were abolished ?

The Honourable Sir Manohar Lal : Number of Sub-Judges' courts abolished from April 1937 up-to-date 24

(i) Names of towns where such courts have been abolished—

Hissar	2
Karnal	1
Ambala	1
Kangra	1
Hoshiarpur	3
Jullundur	1
Ludhiana	2
Ferozepore	1
Zira	1
Amritsar :	2
Tarn Taran	1
Batala	1
Gujrat	1
Sheikhpura	1
Sargodha	1
Rawalpindi	1
Lyallpur	1
Multan	1
Muzaffargarh	1

[Finance Minister].

(ii) Sub-Judges at the stations entered in column 1 of the list below visit the stations entered in column 2 for the periods shown in column 3, so that these courts cannot be regarded as completely abolished—

1	2	3
Rohtak ..	Jhajjar ..	Up to 10 days each month as work may require.
Rohtak ..	Sonepat ..	Ditto.
Fazilka ..	Muktsar ..	Ditto.
Ferozepore ..	Zira ..	Ditto.
Lahore ..	Chunian ..	Ditto.
Narowal ..	Shakargarh ..	Ditto.
Hafizabad ..	Wazirabad ..	Ditto.
Campbellpur ..	Pindigheb ..	Ditto.
Sargodha ..	Bhera ..	Ditto.
Muzaffargarh ..	Leiah ..	Ditto.
Amritsar ..	Ajnala ..	For 5 days a month.

LOAN FLOATED BY PUNJAB GOVERNMENT

***8448. Rai Bahadur Lala Sohan Lal :** Will the Honourable Minister for Finance be pleased to state—

(a) how much of the loan recently floated by the Punjab Government was subscribed by the public direct ;

(b) how much of the loan was subscribed by the Reserve Bank of India and the Imperial Bank of India ;

(c) how much of the loan was called from the underwriters ;

(d) the names of the parties who were underwriters ?

The Honourable Sir Manohar Lal : The information desired is confidential and it is regretted that it cannot be disclosed.

Dr. Sir Gokul Chand Narang : Was not the issue of the loan advertised in the papers ?

Minister : The information required is confidential.

Dr. Sir Gokul Chand Narang : Why is it confidential when once it has appeared in the papers ?

Minister : The information required has not appeared in the papers.

Premier : It is not in business interests. The under-writers themselves do not want it.

Dr. Sir Gokul Chand Narang : They must be anxious to advertise themselves.

Minister : I am not so sure.

CIVIL DISPENSARY, ZAFARWAL

***8457. Khan Bahadur Shaikh Karamat Ali :** Will the Honourable Minister for Education be pleased to state whether he is aware of the fact that there is no qualified nurse *dai* attached to the Civil Dispensary at Zafarwal in the Sialkot District, and the female patients visiting that hospital suffer very much and many of them lose their lives on this account, if so, the action proposed to be taken to alleviate the suffering of the women-folk in the jurisdiction of the Zafarwal dispensary ?

The Honourable Mian Abdul Haye : It is, as stated by the honourable member, a fact that there is not a nurse *dai* at the Zafarwal dispensary. The institution is, however, maintained by the district board, and it is for that body to appoint a nurse *dai* if the necessity exists.

MUSLIM PRIMARY SCHOOL, ZAFARWAL

***8458. Khan Bahadur Shaikh Karamat Ali :** Will the Honourable Minister for Education be pleased to state—

(a) whether it is a fact that a Muslim Primary School is being run by the Anjuman-i-Islamia, Zafarwal, in the Sialkot district, under an annual grant-in-aid of about Rs. 400 payable by the local Notified Area Committee ;

(b) whether it is a fact that the said amount of grant-in-aid has not been paid to the school for the last two years and the school is going to be closed down for want of finances ;

(c) if the answers to the above parts be in the affirmative, what action does the Government propose to take to save this school of such a long standing from being closed down ?

The Honourable Mian Abdul Haye : I regret that the answer to this question is not ready.

DEATH OF CATTLE IN GOVERNMENT CATTLE FARM, HISSAR

***8441. Khan Sahib Chaudhri Sahib Dad Khan :** Will the Honourable Minister of Development be pleased to state—

(a) the number of cattle, sheep and goats that died during the quarter ending 30th September 1942, as compared with the number that died during the same period in the previous year in the Government Cattle Farm, Hissar ;

(b) the names of the different areas of the farm where above-mentioned deaths occurred with the name of the officer-in-charge of the said areas with causes of death in each case and the reason for this abnormal rise in the mortality of cattle in that farm ;

[K. S. Ch. Sahib Dad Khan.]

(c) what action Government intends to take against the officer-in-charge of the health of these animals?

The Honourable Sardar Baldev Singh : I regret that the answer to this question is not ready.

UNSTARRED QUESTIONS AND ANSWERS

COMMUNAL REPRESENTATION IN GOVERNMENT CATTLE FARM, HISSAR.

1571. Khan Sahib Chaudhri Sahib Dad Khan : Will the Honourable Minister of Development be pleased to state :—

(a) the number community-wise, of officers, gazetted and non-gazetted, drawing Rs. 80 or more per mensem in the Government Cattle Farm, Hissar ;

(b) whether it is a fact that the Sikhs and Muslims are under-represented among these officers, and, if so, whether it is or it is not intended to make up the deficiency now when six farm-overseers are to be recruited in the near future?

The Honourable Sardar Baldev Singh : (a) The number of such gazetted and non-gazetted officers in the Hissar Cattle Farm (excluding the ministerial staff) is 11 as under—

Hindus 7, Muslims 2, Sikhs 2.

(b) As communal proportion is already maintained in the different cadres of the department, the question of under-representation does not arise.

DISPOSAL OF DISEASED ANIMALS IN GOVERNMENT CATTLE FARM, HISSAR.

1572. Khan Sahib Chaudhri Sahib Dad Khan : Will the Honourable Minister of Development be pleased to state :—

(a) the rule governing the disposal of the cattle in the Government Cattle Farm, Hissar, declared as positive tubercular cases ;

(b) whether he is aware of the fact that these diseased animals are being sold to butchers contrary to the rule regarding their disposal and to the detriment of the health of the public using their beef ;

(c) whether he is further aware that these animals when purchased mix together with other cattle before they are slaughtered and thus healthy animals catch this disease ; if so, the action intended to be taken for preventing the disposal of such cattle in an unauthorised manner ?

The Honourable Sardar Baldev Singh : I regret that the answer to this question is not yet ready.

STATEMENT SHOWING ACTION TAKEN ON RESOLUTIONS PASSED BY THE ASSEMBLY

Secretary: Statement showing action taken by Government on Resolutions passed by the Punjab Legislative Assembly since October 1941 is laid on the table.

Statement showing action taken by Government on resolutions passed by the Punjab Legislative Assembly since October 1941.

Serial No.	Terms of resolutions passed	Volume No. and page of Legislative Assembly Debates	Action taken
1	2	3	4
1	In view of the recent developments in the international situation and the possibility of mischievous elements in the population seeking to create panic or public alarm or promote communal strife with a view to advance their own perverse objects this Assembly urges upon the Government to adopt effective administrative measures to cope with the vicious activities and, if necessary, to take further powers by means of passing such fresh legislation as it may consider desirable.	Volume XVIII, pages 72—116 (4th December 1941)	<ol style="list-style-type: none"> 1. The powers under rule 56 of the Defence of India Rules formerly vested in the Provincial Government have been delegated to the District Magistrates with a view to discouraging the holding of political or other meetings likely to exacerbate communal feelings or to have an adverse effect on the morale of the people. 2. A large number of intelligence staffs have been created for various duties in connection with the war. 3. A second battalion in the Provincial Additional Police 1,000 strong and two armed reserves in districts with a total strength of 2,271 officers and men to supplement the existing police and civic guard in emergencies.
2	This Assembly recommends to the Government to convey to the Government of India this Assembly's emphatic protest against the low level of wheat price at which the Government of India have instituted control and further to convey to the Government of India this Assembly's considered view that in order properly and adequately to safeguard the interests of the grower, no control be instituted while on the other hand duty on the import of foreign wheat should be restored to its previous level.	Volume XVIII, pages 117—22 and 257—303 (4th and 11th December 1941)	A copy of the resolution has been forwarded to the Government of India for necessary action.

Serial No.	Terms of resolutions passed	Volume No. and page of Legislative Assembly Debates	Action taken
1	2	3	4
3	This Assembly recommends to the Government to set apart at least 30 lakhs of rupees from the revenues of current financial year with the object of forming a nucleus for a Peasants Welfare Fund.	Volume XVIII, pages 501—23 (12th February 1942).	A sum of Rs. 30 lakhs was set apart from the surplus of 1941-42 as a first instalment to the Peasants Welfare Fund. The question of utilizing this fund is under the consideration of Government.
4	This Assembly recommends to the Government to retire under the rules of 25 years' service qualifying for pension all officers whose efficiency or integrity is doubtful.	Volume XVIII, page 524 (12th February 1942).	Orders have been issued to give effect to the resolution.

ADJOURNMENT

Premier : I move—

That the House be adjourned *sine die*.

The motion was carried.

The Assembly accordingly adjourned sine die.

APPENDIX

COW SACRIFICE ON *ID-UZ-ZUHA*.

Answer to Starred Question No. 8237 (page 301 ante).

Lieutenant-Colonel The Honourable Sir Sikander Hyat-Khan :
In compliance with an order, dated the 21st August, 1941, passed by the Deputy Commissioner, Ambala, regulating kine slaughter under the Punjab Laws Act, in village Dadyana, where a dispute had arisen, cows were not slaughtered by the Muslim Rajputs on the 29th December, 1941 (10th of *Id-uz-Zuh*). Cows were, however, slaughtered on the 30th and 31st December 1941. I may add that anyone aggrieved by this order has a right of appeal against it.

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