

THE Punjab Legislative Council Debates.

From 18th September to 14th December 1929.

Vol. XIV.

OFFICIAL REPORT.



Lahore :

Printed by the Superintendent, Government Printing, Punjab,
1930.

39
=

**PRINCIPAL OFFICERS OF THE PUNJAB LEGISLATIVE
COUNCIL.**

President :

The Honourable Khan Bahadur Chaudhri Shahab-ud-Din.

Deputy President :

Khan Bahadur Sardar Habib-Ullah.

Secretary :

Sardar Abnasha Singh.

Hakim Ahmed Shujaa, B.A. (Officiating)

Assistant Secretary :

Pandit Tej Kishen Kaul.

PUNJAB LEGISLATIVE COUNCIL.

LIST OF MEMBERS.

EX-OFFICIO MEMBERS AND MINISTERS.

- ✓ The Hon'ble Khan Bahadur Mian Sir Fazl-i-Husain, Kt., K.C.I.E., Revenue Member to Government, Punjab.
- ✓ The Hon'ble Mr. A. M. Stow, O.B.E., I.C.S., Finance Member to Government, Punjab.
- ✓ The Hon'ble Sardar Sir Jogendra Singh, Kt., Minister for Agriculture (Sikh, Landholders).
- ✓ The Hon'ble Mr. Manohar Lal, M.A., Minister for Education (Punjab University).
- ✓ The Hon'ble Malik Firoz Khan, Noon, Minister for Local Self-Government, (Shahpur East (Muhammadian), Rural).

I.—OFFICIALS NOMINATED.

- ✓ Anderson, Sir George, Kt., C.I.E., Director of Public Instruction, Punjab.
- ✓ Astbury, Mr. A. R., C.I.E., M.I.C.E., Chief Engineer and Secretary to Government, Punjab, Public Works Department (Buildings and Roads Branch).
- ✓ Calvert, Mr. H., C.I.E., I.C.S., Financial Commissioner and Secretary to Government, Punjab, Development Department.
- ✓ Emerson, Mr. H. W., C.I.E., O.B.E., I.C.S., Chief Secretary to Government, Punjab.
- ✓ Gill, Colonel C. A., D.P.H., I.M.S., Director of Public Health, Punjab.
- ✓ Mitchell, Mr. Alan, I.C.S., Offg. Secretary to Government, Punjab, Transferred Departments.
- ✓ Muzaffar Khan, Khan Bahadur Nawab, Director of Information Bureau, Punjab.
- ✓ Ogilvie, Mr. C. M. G., C.B.E., I.C.S., Home Secretary to Government, Punjab.
- ✓ Penny, Mr. J. D., I.C.S., Secretary to Government, Punjab, Finance Department.
- ✓ Sale, Mr. S. L., I.C.S., Legal Remembrancer and Secretary to Government, Punjab, Legislative Department.
- ✓ Smith, Mr. J. B. G., C.I.E., Chief Engineer, Public Works Department, Irrigation Branch.
- ✓ Townsend, Mr. C. A. H., C.I.E., I.C.S., Financial Commissioner, Punjab.
- ✓ Wilson, Mr. W. R., I.C.S., Revenue Secretary to Government, Punjab.

II.—NON-OFFICIALS NOMINATED.

- ✓ Abdul Ghani, Khan Bahadar, Maulvi, Representative, General interests.
- ✓ Dalpat Singh, Honorary Captain, Sardar Bahadur, I.O.M., M.V.O., Representative of the Punjabi Officers and Soldiers of His Majesty's Indian Forces.
- ✓ Ghani, Mr. M. A., Representative of the Labouring Classes.
- ✓ Maya Das, Mr. Ernest, B.A., Representative of Indian Christians.
- ✓ Batten Chand, Rai Bahadur, Lala, O.B.E., Representative, General interests.
- ✓ Roberts, Mr. Owen, Representative of the European and Anglo-Indian communities.
- ✓ Shave, Dr. (Mrs.) M. C., Representative of the European and Anglo-Indian communities.
- ✓ Sheo Narayan Singh, Sardar Bahadur Sardar, C.I.E., Representative, General interests.

III.—ELECTED.

- ✓ Abdul Ghani, Shaikh, West Punjab Towns (Muhammadan), Urban.
- ✓ Afzal Haq, Chaudhri, Hoshiarpur-cum-Ludhiana (Muhammadan), Rural.
- ✓ Ahmad Yar Khan, Daultana, Mian, Multan East (Muhammadan), Rural.
- ✓ Akbar Ali, Pir, B.A., LL.B., Ferozepore (Muhammadan), Rural.
- ✓ Ali Ahmad, Chaudhri, Gujranwala (Muhammadan), Rural.
- ✓ Balbir Singh, Rao Bahadur, Captain, Rao, O.B.E., Gurgaon (Non-Muhammadan), Rural.
- ✓ Baldeo Singh, Chaudhri, B.A., B. T., North-West Rohtak (Non-Muhammadan), Rural.
- ✓ Bishan Singh, Sardar, Sialkot-cum-Gurdaspur (Sikh), Rural.
- ✓ Bodh Raj, Lala, M.A., LL.B., West Punjab Towns (Non-Muhammadan) Urban.
- ✓ Buta Singh, Sardar, B.A., LL.B., Multan Division and Sheikhpura (Sikh), Rural.
- ✓ Chhajju Ram, Chaudhri, C.I.E., Hissar (Non-Muhammadan), Rural.
- ✓ Chhottu Ram, Rai Sahib Chaudhri, B.A., LL.B., South-East Rohtak (Non-Muhammadan), Rural.
- ✓ Daulat Ram, Kalra, Rai Bahadur Pandit, M.B.E., East and West Central Towns (Non-Muhammadan), Urban.
- ✓ Dhanpat Rai, Rai Bahadur Lala, Punjab Industries.
- ✓ Din Muhammad, Mr., M.A., LL.B., East and West Central Towns (Muhammadan), Urban.
- ✓ Duli Chand, Chaudhri, Karnal (Non-Muhammadan), Rural.
- ✓ Faiz Muhammad, Shaikh, B.A., LL.B., Dera Ghazi Khan (Muhammadan) Rural.
- ✓ Fateh Singh, Sardar Sahib Sardar, Ferozepore (Sikh), Rural.

III—ELECTED—CONTINUED.

- ✓ Fazl Ali, Khan Bahadur Chaudhri, M.B.E., O.B.E., Gujrat East (Muhammadan), Urban.
- ✓ Firoz-ud-Din Khan, Rana, B.A., LL.B., South-East Towns (Muhammadan), Urban.
- ✓ Ganga Ram, Rai Sahib Lala, Ambala-cum-Simla (Non-Muhammadan), Rural.
- ✓ Gokul Chand, Narang, Dr. M.A., Ph.D., North-West Towns (Non-Muhammadan), Urban.
- ✓ Gopal Das, Lala, Lahore and Ferozepore-cum-Sheikhupura (Non-Muhammadan), Rural.
- ✓ Gray, Mr. V. F., Punjab Chamber of Commerce and Trades Association, Commerce.
- ✓ Habib Ullah, Khan Bahadur, Sardar, Lahore (Muhammadan), Rural.
- ✓ Harbakhsh Singh, Sardar, B.A., Hoshiarpur and Kangra (Sikh), Rural.
- ✓ Hari Singh, Sardar, Ambala Division (Sikh), Rural.
- ✓ Hira Singh, Narli, Sardar, Lahore (Sikh), Rural.
- ✓ Joti Parshad, Lala, South-East Towns (Non-Muhammadan), Urban.
- ✓ Kartar Singh, Bedi, Baba, Lyallpur (Sikh), Rural.
- ✓ Kesar Singh, Chaudhri, Amritsar-cum-Gurdaspur (Non-Muhammadan), Rural.
- ✓ Kesho Ram, Sekhri, Lala, B.A., LL.B., Amritsar City (Non-Muhammadan), Urban.
- ✓ Khan Muhammad Khan, Wagha, Malik, Sheikhupura (Muhammadan), Rural.
- ✓ Labh Singh, Mr. M.A., LL.B., (Cantab.), Rawalpindi Division and Lahore Division, North (Non-Muhammadan), Rural.
- ✓ Maqbool Mahmood, Mir, B.A., B. Lit., Amritsar (Muhammadan), Rural.
- ✓ Mehar Chand, Pandit, B.A., Jullundur-cum-Ludhiana (Non-Muhammadan), Rural.
- ✓ Mohan Lal, Rai Bahadur Lala, B.A., LL.B., North-East Towns (Non-Muhammadan), Urban.
- ✓ Mohinder Singh, Sardar, Ludhiana (Sikh), Rural.
- ✓ Mubarak Ali Shah, Sayad, Jhang (Muhammadan), Rural.
- ✓ Muhammad Abdullah Khan, Khan, Muzaffargarh (Muhammadan), Rural.
- ✓ Muhammad Abdul Rahman Khan, Chaudhri, Jullundur (Muhammadan), Rural.
- ✓ Muhammad Amin Khan, Khan Bahadur, Malik, O.B.E., Attock (Muhammadan), Rural.
- ✓ Muhammad Hayat, Qureshi, Khan Bahadur Mian, C.I.E., Shahpur West (Muhammadan), Rural.
- ✓ Muhammad Husain, Sayad, Montgomery (Muhammadan), Rural.

III.—ELECTED—CONCLUDED.

- ✓ Muhammad Iqbal, Dr. Sir, M.A., Ph.D., Lahore City (Muhammadan), Urban.
- ✓ Muhammad Jamal Khan, Leghari, Khan Bahadur Nawab, Baloch Tumdars (Landholders).
- ✓ Muhammad Raza Shah, Gilani, Makhdumzada Sayad, Multan West (Muhammadan), Rural.
- ✓ Muhammad Sadiq, Shaikh, Amritsar City (Muhammadan), Urban.
- ✓ Muhammad Saif Ullah Khan, Khan Sahib Khan, Mianwali (Muhammadan), Rural.
- ✓ Mukand Lal, Puri, Lala, Lahore City (Non-Muhammadan), Urban.
- ✓ Nanak Chand, Pandit, M.A., Hoshiarpur (Non-Muhammadan), Rural.
- ✓ Narain Singh, Sardar, B.A., LL.B., Rawalpindi Division and Gujranwala (Sikh), Rural.
- ✓ Narendra Nath, Diwan Bahadur Raja, M.A., Punjab Landholders (General).
- ✓ Nur Khan, Risaldar Bahadur, Rawalpindi (Muhammadan), Rural.
- ✓ Partap Singh, Sardar, Jullundur (Sikh), Rural.
- ✓ Raghbir Singh, Honorary Lieutenant, Sardar, O.B.E., Amritsar (Sikh), Rural.
- ✓ Rahim Bakhsh, Maulvi, Sir, K.C.I.E., Ambala Division, North-East (Muhammadan), Rural.
- ✓ Ram Singh, Chaudhri, Kangra (Non-Muhammadan), Rural.
- ✓ Sadullah Khan, Mian, Lyallpur South (Muhammadan), Rural.
- ✓ Sewak Ram, Rai Bahadur Lala, Multan Division (Non-Muhammadan) Rural.
- ✓ Shahadat Khan, Rai, Lyallpur North (Muhammadan), Rural.
- ✓ Sikander Hyat Khan, Captain Sirdar, K.B., M.B.E. (Muhammadan), Landholders.
- ✓ Talib Mehdi Khan, Malik Nawab Major, Jhelum (Muhammadan), Rural.
- ✓ Ujjal Singh, Sardar, M.A., Sikh (Urban).
- ✓ Umar Hayat, Chaudhri, Gujrat West (Muhammadan), Rural.
- ✓ Yasin Khan, Chaudhri, B.A., LL.B., Gurgaon-cum-Hissar (Muhammadan), Rural.
- ✓ Zafarullah Khan, Chaudhri, B.A., LL.B., Sialkot (Muhammadan), Rural.

TABLE OF CONTENTS.

FOURTH SESSION OF THE THIRD PUNJAB LEGISLATIVE COUNCIL.

PAGES.

Wednesday, the 18th September 1929.

✓ Oath of Office	1
Starred questions and answers	1—62
Unstarred questions and answers	62—80
Discussion on the Report of the Punjab Reforms Committee and the memoranda of the Punjab Government to the Indian Statutory Commission	81—126

Thursday, the 19th September 1929.

Discussion on the report of the Punjab Reforms Committee and the memoranda of the Punjab Government to the Indian Statutory Commission	127—172
--	---------

Friday, the 20th September 1929.

Starred questions and answers	173—178
Unstarred questions and answers	178—181
Statement re flood in the Indus	181—188
Discussion on the Report of the Punjab Reforms Committee and the memoranda of the Punjab Government to the Indian Statutory Commission	184—246

Monday, the 25th November 1929.

✓ Oath of Office	247
Starred questions and answers	247—267
Unstarred questions and answers	267—288
Reports and statements laid on the table	288
The Punjab Regulation of Accounts Bill (Presentation of the Select Committee's report)	288
Government's demands for supplementary and additional grants	288—312
Government's demands for excess grants, 1927-28	312—313
The Punjab Pure Food Bill	313—323

Tuesday, the 26th November 1929.

	PAGES.
Starred questions and answers	325—345
Unstarred questions and answers	345—360
Resolutions—	
<i>Re Relief measures, Dera Ghazi Khan District (withdrawn)</i> ..	360—374
<i>Re Waste lands in the Shahpur Colony area (withdrawn)</i> ..	374—395

Thursday, the 28th November 1929.

✓ Oath of Office	397
Starred questions and answers	397—412
Unstarred questions and answers	412—425
Resolutions—	
<i>Re Grant-in-aid for indigenous systems of medicine (lost)</i> ..	426—445
<i>Re Viceroy's announcement about constitutional reforms (carried)</i>	445—464
<i>Re Compulsory primary education</i>	464

Friday, 29th November 1929.

Starred questions and answers	465—503
Unstarred questions and answers	503—520
Election to the Railway Advisory Committee	520
Resolutions—	
<i>Re Compulsory primary education (withdrawn)</i>	520—544
<i>Re Opening of an intermediate college in Montgomery (withdrawn)</i>	544—546
<i>Re Elections to the Legislative Council (withdrawn)</i> ..	546—548

Monday, 2nd December 1929.

✓ Oath of Office	549
Starred questions and answers	549—566
Resolutions—	
<i>Re Reduction of abiana on cotton crops (withdrawn)</i> ..	567—596
<i>Re Tax on goats and sheep, Kangra District</i>	596—599

Tuesday, 3rd December 1929.

✓ Oath of Office	601
Starred questions and answers	601—614
Statements laid on the table	614—616
The Punjab Pure Food Bill	617—658

Thursday, 5th December 1929.

	PAGES..
Starred questions and answers	659—671
The Punjab Pure Food Bill	671—704

Friday, 6th December 1929.

Starred questions and answers	705—735
Unstarred questions and answers	735—758
Adjournment of the Council	758
The Punjab Pure Food Bill	758—774
The Punjab Regulation of Accounts Bill	774—795

Monday, 9th December 1929.

✓ Oath of Office	797
Starred questions and answers	797—808
Unstarred questions and answers	804—812
The Punjab Pure Food Bill (Report of the drafting committee presented)	812
The Punjab Regulation of Accounts Bill	812—849

Tuesday, 10th December 1929.

The Punjab Regulation of Accounts Bill	851—884
--	---------

Thursday, 12th December 1929.

✓ Oath of Office	885
Starred questions and answers	885—887
The Punjab Regulation of Accounts Bill	887—928

Friday, 13th December 1929.

The Punjab Regulation of Accounts Bill	929—968
--	---------

Saturday, 14th December 1929.

✓ Oath of Office	965
The Punjab Regulation of Accounts Bill (Passed)	965—1002 1007—1014
The Punjab Pure Food Bill (Passed)	1002—1008
Draft Rules under the Punjab Land Revenue Act (Considered)	1008—1005
The Punjab Land Revenue (Amendment) Bill	1005—1006
Appendix	i—xxxiii
Index	

PRINTED BY
THE SUPERINTENDENT, GOVERNMENT PRINTING, PUNJAB.
7 PLC-600-13-5-30-SGPP Lahore.

PUNJAB LEGISLATIVE COUNCIL.

4TH SESSION OF THE 8RD PUNJAB LEGISLATIVE COUNCIL.

Wednesday, the 18th September, 1929.

THE Council met at the Council Chamber at 10 A.M. of the clock. Mr. President in the Chair.

OATH OF OFFICE.

The following member was sworn in :—

✓ Ferguson, Mr. J. A. (Official, nominated).

STARRED QUESTIONS AND ANSWERS.

JAWALI AIDED SCHOOL.

*1433. **Lala Bodh Raj :** (a) Will the Honourable the Minister for Education be pleased to state if it is a fact that the inspection of Jawali aided school was done at the Chandrain school and the boys of Jawali school had to appear at Chandrain for examination?

(b) If so, what were the reasons for the inspection officer to adopt such an unusual procedure?

(c) Is it a fact that the number of boys as stated to have been examined by the inspection officer does not correspond with the number as shown by the Manager of the Jawali school? If so, what are the reasons for this discrepancy and what action has been taken against the persons at fault?

The Honourable Mr. Manohar Lal : (a) There is no aided school at Jawali, nor is there any Chandrain school in the Kangra district.

(b) & (c) do not arise.

Lala Bodh Raj : Sir, when I sent notice of this question, even then it was pointed out that the schools concerned were in the Muzaffargarh district and not in Kangra.

The Honourable Mr. Manohar Lal : Do I understand that these schools are in the Muzaffargarh district?

Lala Bodh Raj : Yes.

The Honourable Mr. Manohar Lal : We shall make enquiries.

UNANI AND AYURVEDIC SYSTEMS OF MEDICINE.

*1444. **Lala Bodh Raj :** (a) Will the Honourable Minister for Local Self-Government be pleased to state whether in view of the assurance held out by him on 22nd February 1928, while discussing the resolution regarding encouragement of Unani and Ayurvedic systems of medicine any efforts have been made to ascertain the requirements of various institutions engaged in promoting that cause and to finance them with Government aid?

(b) Will the honourable member also lay on the table a comparative statement showing the number of dispensaries in Allopathy, Unani and Ayurvedic opened after the reforms year by year?

The Honourable Malik Firoz Khan, Noon : I regret that the answer to this question is not yet ready. It will be supplied to the honourable member when ready.

ENGINEER, SIMLA MUNICIPALITY.

***1512. Lala Joti Parshad :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that the present Engineer, Roads and Buildings, of the Simla municipality, was temporarily appointed for six months on Rs. 700 per mensem *plus* Rs. 50 per mensem conveyance allowance with effect from 3rd November 1920 ;
- (b) whether it is a fact that from 1st April 1928 his pay was fixed at Rs. 800—50—1,000 per mensem *plus* Rs. 50 horse allowance ;
- (c) whether it is a fact that after six years and five months he has been drawing a maximum of Rs. 1,050 per mensem, whilst the rate admissible to the Punjab Service of Engineers is Rs. 250—20—750 per mensem ;
- (d) if the answer to (a), (b) and (c) be in the affirmative, what are the reasons for this preferential treatment ?

The Honourable Malik Firoz Khan, Noon : (a) Yes, but the appointment was on six months' probation.

(b), (c) Yes.

(d) Mirza Nawab Hussain is not a member of the Punjab Service of Engineers and there is no question of preferential treatment, as it is for the Municipal Committee to decide the rate of pay to be paid to its Engineer.

GRANT OF LAND IN NILI BAR.

***1553. Chaudhri Ram Singh :** (i) Will the Honourable Revenue Member kindly state whether it is a fact—

- (a) that many villages in the Hoshiarpur and Kangra districts suffer great losses from the floods from the river Beas every year ;
- (b) that some of these villages have been totally washed away by these floods ?

The Honourable Khan Bahadur Captain Sardar Sikandar Hyat Khan : The question has necessitated enquiries from the local officers, which are not yet complete. An answer will be communicated to the honourable member when ready.

PRIMARY SCHOOLS.

***1608. Lala Gopal Das :** Will the Honourable Minister for Education kindly state—

- (a) how many primary schools have been newly opened in the years 1927 and 1928 ;
- (b) in what areas have the provision of compulsory primary education been applied during this period ;
- (c) what is the total school-going population in these areas ?

The Honourable Mr. Manohar Lal : A statement showing the information desired is enclosed.

PUNJAB LEGISLATIVE COUNCIL.

CORRECTION SLIP.

(Punjab Debates, Vol. XIV, No. 1.)

Page 2.—For Starred Question No. 1553, *substitute* the following question—

*** 1553. Chaudhri Ram Singh:** (i) Will the Honourable Revenue Member kindly state whether it is a fact:—

- (a) that many villages in the Hoshiarpur and Kangra districts suffer great losses from the floods from the river Beas every year;
- (b) that some of these villages have been totally washed away by these floods;
- (c) that the Government has been occasionally helping such zamindars of other districts of the Punjab whose lands have been washed away by granting them lands in the new colonies;
- (d) that sometime back such zamindars of the Kangra and Hoshiarpur districts whose lands have been washed away by the action of the rivers had made a representation to the Government requesting grant of land in the Nili Bar?

(ii) If the answer to the above be in the affirmative, will Government kindly state how much land has been granted to such zamindars in the Nili Bar during the last three years? If no land has been granted, will it kindly state the reasons for the same?"

LAHORE:

The 1st October 1929.

ABNASHA SINGH,

Secretary, Punjab Legislative Council.

STARRED QUESTIONS AND ANSWERS.

8

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS.
		1927.	1928.			
1	Lahore ..	8	3	..	..
2	Amritsar ..	..	7	Sadhar	80	
				Mahsampur	72	
				Chawinda Devi (including Hidayatpura and Chagawan.)	80	
				Tarpai	75	
				Khabba Rajputan	90	
				Udhanangal	94	
				Chandanke	88	
				Kathunangal	90	
				Tarsikha	110	
				Dharder	110	
				Jalal Usman	74	
				Chhajawaddi	141	
				Bhoewal	90	
				Fatehpur Rajputan	159	
				Mehta	200	
				Nagoke	168	
				Neshta	61	
				Mode	84	
				Buriwala	149	
				Gondiwind	272	
				Chaba Kalan	87	
				Tapa Lakha	49	
				Kalla	163	
				Sohal	187	
				Pindian	60	
				Mianwind	117	

[Hon'ble Mr. Manohar Lal.]

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS.
		1927.	1928.			
2— concl.	Amritsar ..			Nathu ke Burj ..	96	
				Palasaur ..	140	
				Kot Muhammad Khan ..	120	
				Dode ..	139	
				Mano Chahal ..	139	
				Raja Sansi ..	325	
				Kot Rajada ..	66	
				Othian ..	110	
				Mohan Bhandari ..	70	
				Talwandi Nahar ..	124	
				Kaler ..	79	
				Kohala ..	68	
				Mehlanwala ..	212	
				Sadhar (Ajnala) ..	45	
				Chak Mokand ..	63	
				Khasa ..	65	
				Rampura ..	37	
				Khurmanian ..	40	
				Dehriwala ..	95	
				Bhatike ..	84	
				Jodha Nagri ..	50	
2	Sialkot ..	3	16	Kosli Amir Ali ..	155	
				Ladhar ..	366	
				Beli Manhasan ..	124	
				Rasulpur ..	542	
				Jassar ..	436	
				Nonar ..	354	

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS.
		1927.	1928.			
3— concl.	Sheikot ..			Chandawal Zafarwal Kalaswala Naushehra Shahzada Kapurpur Sihowal Wadala Kalan Majra Kalan Bhopalwala	210 586 314 209 335 220 303 166 256 411	
4	Sheikhupura	6	..	Chak No. 8 (Anandgarh) .. „ No. 4-G.B. .. „ No. 6-G.B. .. „ No. 2 (Chander Nagar) „ No. 179-B.B. .. „ Bhola Nathuwala Ayya Nagar Chuhakara Mandi .. Nankana Sahib .. Sheikhupura	110 67 65 110 60 139 101 390 By a-l-a-w-e have been sanctioned, but Part II has not been applied yet.	
5	Gurdaspur ..	10	12	..	..
6	Gujranwala	3	26	Nawshera Virkan .. Wandho Gulloke Maraliwala Sohawa Dhillwan ..	258 258 67 97 63	

[Hon'ble Mr. Manohar Lal.]

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS.
		1927.	1928.			
6- contd.	Gujranwala...			Khan Musalman ..	49	
				Gorala ..	98	
				Shehniwala ..	31	
				Sahib ..	44	
				Denisar Pain ..	41	
				Lalapur ..	101	
				Nathu Soya ..	31	
				Shame Dhada ..	95	
				Budha Goraya ..	40	
				Thatta Gulab Singh ..	72	
				Lil ..	53	
				Gobindpura ..	73	
				Harchoke ..	30	
				Khabbeke ..	46	
				Udhowali ..	150	
				Ahmadnagar ..	197	
				Gakhar ..	411	
				Tehliwala ..	30	
				Philloke ..	75	
				Nokhar ..	130	
				Ehri Khurd ..	102	
				Bhatti Bhango ..	110	
				Ladhewala Chima ..	150	
				Gilwala ..	63	
				Kalsake ..	157	
				Natt Kalan ..	111	
				Wayanawali ..	72	

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS.
		1927.	1928.			
6— contd.	Gujranwala..			Bainska Chima Kot Inayat Khan Jaura Laysiwala Butala Jhanda Singh Kot Bhawani Dass Rahwal Mission Talwandi Khajurwala Varpal Kalan Seharan Khord Jhattanwall Papanakha Seroke Kot Jaffar Khanke Head Kot Hara Mandiala Chattha Madan Chak Noinwala Wazirke Nainwala Mission Kalewala Jhamwala Darveshke Kot Waris Bedhoke Ghosian Chak Dadan Chusra	156 144 86 89 121 76 20 106 99 100 106 90 74 68 194 71 118 81 39 85 84 80 80 40 69 66 39 47	

[Hon'ble Mr. Manohar Lal.]

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS.
		1927.	1928.			
6— contd.	Gujranwala..			Kot Yusuf	31	
				Dodan Wali	65	
				Khoosar	108	
				Langianwali	40	
				Behram	50	
				Chaka Mitra	54	
				Pathanwali	60	
				Deohri	51	
				Ballewala	58	
				Lambanwali	45	
				Thatta Chhina	47	
				Lolianwala	58	
				Manohar Chattha	37	
				Pandori Kalan	26	
				Dogranwala	51	
				Kot Bare Khan	59	
				Gar Jakh	92	
				Kartarpura	42	
				Kailianwala	36	
				Madrassa Chattha	40	
				Mansoorwali	42	
				Gumianwala	37	
				Nazimabad	122	
				Dhaunkal	117	
				Mardeke	42	
				Bharoke Chima	51	
				Wadala Chima	56	
				Kot Sujana	50	

Serial No.	District.	NUMBERS OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	Remarks.
		1927.	1928.			
6— contd.	Gujranwala..			Kallanwala Mandi Sukheke Garhi Gondal.. .. Sukheke Village Haro Ratte Machhu Naka Mirza Bhattian Kaulo Tarar Mochiwala Kali Murad Bakhsa Vinni Kot Salim Soranwala Beriwalla Nothen Mian Rahiman Kot Ghazi Matteke Bhakka Bhattian Dohatta Azmat Ramke Chattha Thatta Nanak Madhora Kalan Veneke Tarar Kot Nakka Kot Hassan Khan Beranwala Chak No. 2 ..	135 30 60 96 60 32 55 197 110 57 90 60 70 28 60 45 50 40 50 35 37 56 80 168 20 54 32	

[Hon'ble Mr. Manohar Lal.]

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THIS YEAR.		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS.
		1927.	1928.			
6 continued.	Gujranwala			Jandoke	70	
				Chak Bhatti	164	
				Mahmudpur	80	
				Rampur Tarrar	150	
				Pilo	25	
				Pir Kamal	72	
				Jalsipur Bhattian	130	
				Ghabikka	60	
				Kot Sarwar	60	
				Thatta Jahad	50	
				Hallan	61	
				Mehlowala	76	
				Kila Nohad Singh	38	
				Chandala	54	
				Badde Ratta	60	
7	Kangra ..	24	14	Sagar Kalan	91	
				Rohlu	175	
				Nagrote Bagwan	532	
8	Hoshiarpur	4	Bani	153	
				Pubowal		
				Kothar		
				Polian		
				Dulehr		
				Kungret	1,245	
				Bitan		
				Singh Sur Kalan		
				Gondpur Tari Bola		
				Gondpur Tari Jal Chand		

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS.
		1927.	1928.			
9	Jullundur ..	20	4	Gura Hussainabad Tahli Sardi Shankar Chek Mughlani Bopa Rai Awan Chuharmi	927	
10	Ludhiana ..	3	6	.. ..	..
11	Ferozepore ..	10	4	Jandwala Bhame Shah .. Nihal Khora Markhai M. C. Ferozepore City ..	148 170 70 1,723	
12	Hlasar ..	39	1	.. ..	..
13	Rohatak ..	2	2	Mahmudpur Dobh Berhana Dahkora Jakaudah Dulehra Kherka Gujer Dipalpur Mor Kheri	149 94 193 55 68 136 56 91 73	

[Hon'ble Mr. Manohar Lal.]

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS
		1927.	1928.			
13— contd.	Rohtak ..	2	2	Gandhra	112	
				Bhalaut	147	
				Kahni	205	
				Birdhana	88	
				Tumbaheri	67	
				Dadri	45	
				Soldah	58	
				Madana Kalan	48	
				Janti Kalan	107	
				Bighan	81	
				Kakroi	137	
				Qimashpur	95	
				Ohhetara	22	
				Kharak Kalan	262	
				Do. Khurd	65	
				Atali	87	
				Farmana	174	
				Khanda	217	
				Burki	150	
				Matan	138	
				Nunamajra	101	
				Kasarirahmanan	64	
				Lukar	35	
				Khizarpur Ahir	23	
				Rowari	77	
				Pahladpur Kirhanli	115	
				Salhawar	90	

Serial No.	District.	NUMBERS OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	Remarks.
		1927.	1928.			
13— contd.	Rohtak ..			Ferozepore Bangar ..	40	
				Kailana	62	
				Kundal	38	
				Dubaldhan	110	
				Nidana	249	
				Khubru	83	
				Guhna	131	
				Bohar	540	
				Sankhau	68	
				Rohad	157	
				Kathura	220	
				Ritauli	88	
				Kahrawar	168	
				Jasaur Kheri	99	
				Beland	150	
				Nagar	82	
				Kharhar	133	
				Dighal	384	
				Dhandhan	60	
				Lakariya	21	
				Gangatan	30	
				Sunderpur	80	
				Nagri	230	
				Bahnakherpur	264	
				Pakasma	173	
				Nilohiti	107	
				Chhara	304	

[Hon'ble Mr. Manohar Lal.]

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS.
		1927.	1928.			
13— <i>contd.</i>	Rohtak ..			Riwari-Kherha ..	48	
				Bhupania ..	177	
				Goelakalan ..	71	
				Dadanpur ..	33	
				Gwalison ..	57	
				Bamnola ..	41	
				Jakhala ..	48	
				Jitpur ..	33	
				Serya ..	44	
				Gochhi ..	101	
				Shedipur ..	31	
				Birari ..	39	
				Kansala ..	120	
				Bhaprauda ..	149	
				Botana ..	358	
				Gangana ..	199	
				Ahri ..	77	
				Seeman ..	190	
				Garhi Haqiqat ..	15	
				Purkhas ..	188	
				Juan ..	197	
				Bhatgaon ..	317	
				Harsanakalan ..	111	
				Gumarh ..	87	
				Burha Khalsa ..	33	
				Panchi Jatan ..	137	
				Murthal ..	277	

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS.
		1927.	1928.			
13— contd.	Rohtak ..			Sitauli 38 Palrhi Kalan 28 Busain 53 Titoli 181 Bidhlan 99 Khidwali 203 Baliana 372 Silana 69 Malikpur 24 Begpur 43 Gijji 64 Mungan 58 Sanghi 283 Jasia 152 Samarhgopalpur .. 193 Sunari Kalan.. .. 142 " Khurd 50 Chhoti Bahu 25 Banfani 287 Mandauthi 322 Kherkamsalmanan .. 14 Bhurewas 63 Dhauch 22 Makraulikalan .. 133 Larhant 65 Bainyapur 24 Bahmanwas 34		

[Hon'ble Mr. Manohar Lal.]

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which com- pulsion has been applied during 1927 and 1928.	Total school-going age popula- tion.	REMARKS.
		1927.	1928.			
18— contd.	Rohtak			Chamari 96 Sampla 122 Garhibalab 32 Katesra 73 Khudan 126 Surehti 78 Surakhpur Tibba Haveli .. 19 Garawarh 36 Palrhi Khurd 11 Kurarhibrahimpur 88 Rajpur 87 Larhsauli 87 Sersa 69 Nandnaur 23 Mundlana 285 Dabodakalan 40 Anwal 181 Chuliana 89 Hasangarh 208 Siwanamal 217 Biroharh 124 Jhanswa 51 Ahulana 88 Muhana 153 Surehli 38 Shamashpurmajra 51 Chandol 48		

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	Remarks.
		1927.	1928.			
13— <i>contd.</i>	Rohtak ..			Kasni	96	
				Baroda	325	
				Chatana	55	
				Kareorhi	41	
				Lehracha	38	
				Mahlana	87	
				Rathdana	186	
				Zainpur	57	
				Chhara	304	
				Jagal	231	
				Kherhi Asra	55	
				Jharhli	60	
				Machhrauli	93	
				Kalanga	225	
				Busana	53	
				Sondhi	23	
				Zahidpur	24	
				Yaqubpur	49	
				Joli	123	
				Sehri	65	
				Bhainswal Kalan	237	
				Samchana	135	
				Islamia	243	
				Nyamans	53	
				Karor	70	
				Dhakla	105	
				Khetawas	75	

[Hon'ble Mr. Manohar Lal.]

Serial No.	Distr. et.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS.
		1927.	1928.			
13— <i>concl.</i>	Rohtak ..			Salunga	52	
				Lagian	85	
				Subana	97	
				Silani	111	
				Himayunpur ..	97	
				Mahra	74	
				Barona	125	
				Sisana	250	
				Matenhel	199	
				Barahi	128	
				Bamnoli	88	
				Berhwasni	128	
				Kanwali	61	
				Rohat	140	
				Jharaut	45	
				Sahmsarmajra ..	70	
				Gannaur	232	
				Kheora	215	
				Thana Kalan ..	115	
14	Gurgaon ..	9	15	Rahna	35	
				Khol	56	
				Chandi	37	
				Bahora Kalan ..	184	
				Malai	81	
				Ali Meo	96	
				Rupnagar Natauli ..	39	
				Ali Brahmanan ..	55	

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS.
		1927.	1928.			
14— concl.	Gurgaon ..			Pausar	33	
				Jaurasi	45	
				Chandaini	36	
				Chasera	176	
				Bigbaoli	45	
				Chhainsa	130	
				Atali	123	
				Sotal	33	
				Alawalpur	135	
				Rangala	33	
				Mandarka	50	
				Padhaini	50	
				Kherli Lala	50	
				Harchandpura	55	
				Ghamrauj	160	
				Bhondsi	425	
				Kherla	78	
				Pinaugwan	250	
				Marora	75	
				Sidhraoli	42	
				Bolni	175	
				Bhatsana	178	
				Kherli Nuh	13	
				Nagina	277	
				Bazidpur	60	
				Bhadas	136	
				Mandi Khara	60	
				Nahrauli	47	

[Hon'ble Mr. Manohar Lal.]

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS.
		1927.	1928.			
15	Karnal ..	65	5	Amin	203	
				Salpahni Kalan	77	
				Kurari	131	
				Talheri	40	
				Malakpura	51	
				Ijrana Kalan	72	
				Ramana	73	
				Sambhli	116	
				Bhagal	214	
				Ramba	199	
				Kharindwa	103	
				Yara	73	
				Sagga	58	
				Darar	142	
				Dibarki	42	
				Sangoha	166	
				Jaurasi	225	
				Rahashra	100	
				Naultha	264	
				Qawi	143	
				Raipure	46	
				Siwan	406	
				Mandi Kalan	78	
				Kalsana	113	
				Gadhi Bleba	81	
				Devidaspora	39	
				Halhar	170	

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS.
		1927.	1928.			
15— contd.	Karnal ..			Rattag	62	
				Baras	118	
				Rawa	247	
				Goh	92	
				Mohammadpur ..	62	
				Saunkhra	94	
				Palri	56	
				Gorgadh	32	
				Bhagana	58	
				Padha	133	
				Munwana	190	
				Joser	32	
				Jarauli	65	
				Pasina Khurd ..	62	
				Pundri (P) Charaunda ..	62	
				Sikri	41	
				Pewant	66	
				Karora	178	
				Hibhana	212	
				Atwala	92	
				Teontha	126	
				Bilona	96	
				Chamrara	65	
				Brahan Mazra ..	35	
				Bhadaur	49	
				Dahar	97	
				Pardhana	59	

[Hon'ble Mr. Manohar Lal.]

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS.
		1927.	1928.			
15— <i>contd.</i>	Karnal ..			Baraut	135	
				Kheri Naru	56	
				Jani	70	
				Balranghran	139	
				Shahpur	29	
				Sandir	106	
				Babarpur	98	
				Agaundg.	90	
				Dabri	35	
				Phurlak	90	
				Chamrara	68	
				Bandh	46	
				Bilona	46	
				Naisi	50	
				Khanpur	36	
				Bastli	64	
				Taragadh	41	
				Alewah	202	
				Amunpur	87	
				Kheri Dabdalan	39	
				Madlauda	143	
				Urlana Kalan	338	
				Bijna	89	
				Raipur Jattan	36	
				Dingar Mazra	52	
				Kalheri	111	
				Barana	66	

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS.
		1927.	1928.			
15— contd.	Karnal ..			Raja Kheri	153	
				Kachrauli	60	
				Kabri	79	
				Chandauli	60	
				Jalaipur	102	
				Daurana	95	
				Palnawa	200	
				Serhadda	61	
				Rahra	148	
				Karandi	49	
				Mathana	58	
				Machhrauli	11	
				Bubka	38	
				Rapri	26	
				Fatuhpur	20	
				Barna	34	
				Peoda	32	
				Nachraun	100	
				Nalwi	100	
				Lukhi	40	
				Gadli	39	
				Budhakhera	60	
				Chorpura	16	
				Salara	46	
				Shiam Gadh	147	
				Churni	32	
				Landhi and Dasmazra ..	60	

[Hon'ble Mr. Manohar Lal.]

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS.
		1927.	1928.			
15— contd.	Karnal ..			Chamrori	48	
				Lakhmari	48	
				Thaska Khadar	24	
				Jobal	69	
				Pehladpur	30	
				Dhanaura	60	
				Habaspur	18	
				Rair Kalan	24	
				Biholi	160	
				Bhorak	42	
				Bakkal	80	
				Kohand	62	
				Rainipura	63	
				Niawal	25	
				Batauli	30	
				Alipur Khalsa	40	
				Gudha	55	
				Dunya Mazra	40	
				Gurha	55	
				Wazirpur Tityana	36	
				Mahaoti	129	
				Haldana	58	
				Ugra Kheri	63	
				Budhuwalmasri	51	
				Paoti	59	
				Sheharmalpur	90	
				Karbans	97	

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Area in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS.
		1927.	1928.			
15— contd.	Karnal ..	..	..	Ahmadpurmazra ..	21	
				Joshi ..	30	
				Bhalsi ..	33	
				Adyana ..	122	
				Narah ..	99	
				Dikadla ..	103	
				Hartari ..	30	
				Bapauli ..	180	
				Manana ..	123	
				Lohari ..	63	
16	Ambala ..	5	..	Tharwa ..	53	
				Ugala ..	146	
				Sabga ..	66	
				Nahaoni ..	83	
				Dhin ..	130	
				Nagal ..	52	
				Kanwala ..	41	
				Allahpur ..	27	
				Babyal ..	279	
				Ramgarh ..	16	
				Naneola ..	112	
				Mohra ..	61	
				Barara ..	110	
				Saha ..	237	
				Khadri ..	72	
				Kharwan ..	189	
				Talakeur ..	95	

[Hon'ble Mr. Manohar Lal.]

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS.
		1927.	1928.			
16— contd.	Ambala ..			Mustafabad	190	
				Mahlanwali	70	
				Khirkhi Manakpur ..	108	
				Kursli	66	
				Narangarh	200	
				Imbli	50	
				Bhareri Kallan ..	107	
				Baragaon	46	
				Koawa Khurd ..	86	
				Haveli	197	
				Bharog	69	
				Bhurewala	77	
				Rataur	82	
				Khatauli	111	
				Bihla	75	
				Raipur Rani	245	
				Tira	83	
				Manakpur Sharif ..	151	
				Bhareli	101	
				Barwala	156	
				Mubarakpur	115	
				Sindran	69	
				Allepbur	30	
				Daon	132	
				Slawan	58	
				Barki Pukhta	55	
				Bakarapur	51	

Serial No.	District.	NUMBERS OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS
		1927.	1928.			
16— contd.	Ambala ..			Giganazra 37		
				Mullanpore 149		
				Sarhana 51		
				Baironmazra 48		
				Bharatgarh 54		
				Mandwala 82		
				Morinda 308		
				Dhangrahi 60		
				Gola 68		
				Rajokheri 181		
				Bethel Shekhan 32		
				Pilkhanj 133		
				Thakarpura 59		
				Damla 77		
				Tighri 49		
				Leda Khadar 40		
				Chholi 68		
				Shejgur 39		
				Saran 115		
				Chhapar 42		
				Sasani 40		
				Gadharia 115		
				Doodhar 63		
				Bhagwala 39		
				Fatehgarh 171		
				Kot 58		
				Saranwan 78		

[Hon'ble Mr. Manohar Lal.]

Serial No.	District	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS.
		1927.	1928.			
16— contd.	Ambala ..			Ramgarh 78		
				Jeoli 59		
				Raiwali 115		
				Shahzadpur 335		
				Bharog 17		
				Dosarna 61		
				Manauli 156		
				Sawara 57		
				Ropalheri 30		
				Bursail 172		
				Simbalmazra 26		
				Hallomazra 52		
				Bahloipur 59		
				Kansal 48		
				Sahaoran 80		
				Maloya 77		
				Kalibar 55		
				Raipur Kalan 31		
				Majra 64		
				Mani Mazra 233		
				Jhallian Kallan 60		
				Panjkohe 53		
				Gardley 21		
				Kandhola 79		
				Samana Kallan 101		
				Sindwan 35		
				Salinpur 40		

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS.
		1927.	1928.			
16— <i>concl.</i>	Ambala ..			Khant	79	
				Singh Bhagwantpur ..	96	
17	Simla ..	2	2	Dheda	111	
				Kotkhai	42	
				Purag	49	
				Galeha	15	
				Kiari	74	
18	Gujrat ..	1	..	Peroshah	220	
				Chak Manju	232	
				Qiladar	164	
				*Kuthala	214	
				Bahlolpur	335	
				Jalalpur Sobtian ..	284	
				Fateh Pur	279	
				Hajiwala	268	
				Makiana	296	
				Ghansia	306	
				Miana Gondal ..	413	
				Channi Ghena ..	148	
				Busal	276	
				Shahidanwali ..	116	
				Harra	461	
				Chak No. 40 ..	218	
				Mong	320	
				Mangat	400	
				Khiwa	302	
				Ghanian	329	

[Hon'ble Mr. Manohar Lal.]

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS.
		1927.	1928.			
18— <i>concl.</i>	Gujrat ..			Helan 348 Qadar Abad 406 Pehrianwali 341 Mangowal 233 Chhoker 363 Sikaryali 400 Pindi Kulu 250 Dittie Wal 298 Haslanwala 345 Kulawal 300 Paran 130 Saduklahpur 142 Mandi Bhalwal 115 Goral 88 Khori 247 Malka 300 Aima Shahji 288 Khohar 183 Kotla Qasim Khan 211 Makhananwali 433 Beas Kalan 130 Pindi Beha-ud-din 149		
19	Shehpur ..	8	..	Thatti Noor 210 Chak No. 22-S. B. .. 350 „ 26-S. B. .. 40 „ 70-S. B. .. 61 „ 80-S. B. .. 72		

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS.
		1927.	1928.			
19— contd.	Shahpur ..			Chak No. 55-S. B. ..	26	
				" 53-S. B. ..	50	
				" 37-S. B. ..	106	
				" 32-S. B. ..	13	
				" 35-S. B. ..	77	
				" 131-S. B. ..	25	
				" 23-S. B. ..	30	
				" 27-S. B. ..	42	
				" 71-S. B. ..	60	
				" 45-S. B. ..	91	
				" 56-S. B. ..	75	
				" Jodh ..	13	
				" 40-S. B. ..	108	
				" 36-S. B. ..	111	
				" 133-S. B. ..	146	
				" 24-S. B. ..	53	
				" 51-S. B. ..	15	
				" 72-S. B. ..	37	
				" 44-S. B. ..	153	
				" 57-S. B. ..	76	
				" 84A-S. B. ..	82	
				" 41-S. B. ..	129	
				" 38-S. B. ..	29	
				" 127-S. B. ..	80	
				" 136-S. B. ..	44	
				" 25-S. B. ..	30	
				" 51-A. S. B. ..	14	

[Hon'ble Mr. Manohar Lal.]

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS.
		1927.	1928.			
10— <i>contd.</i>	Shahpur ..			Chak No. 74-S. B. ..	37	
				" 43-S. B. ..	80	
				" 52-S. B. ..	50	
				" 54-S. B. ..	154	
				" 42-S. B. ..	105	
				" 34-S. B. ..	110	
				" 135-S. B. ..	45	
				" 64-S. B. ..	50	
				" Nalli ..	368	
				" 92-S. B. ..	80	
				" 91-S. B. ..	131	
				" 120-S. B. ..	30	
				" 88-S. B. ..	91	
				" 110-S. B. ..	58	
				" 50-S. B. ..	57	
				" 87-S. B. ..	60	
				" 120-S. B. }	67	
				" 116-S. B. }		
				Theri ..	25	
				Chak No. 75-S. B. ..	145	
				" 30-S. B. ..	76	
				Midh Ranjah ..	519	
				Chak No. 106-N. B. ..		
				" 102-N. B. ..	98	
				Pail ..	280	
				Chak No. 34-N. B. ..	78	
				" 35-N. B. ..	106	
				" 135-N. B. ..	60	

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS.
		1927.	1928.			
19— <i>contd.</i>	Shahpur ..			Bhabra	272	
				Joya	222	
				Kaura	50	
				Chauki	54	
				Bandial	330	
				Nurowana	116	
				Jabbi	269	
				Behk Mekah	107	
				Chak No. 132 S. B. ..	90	
				Ajanala	160	
				Chak No. 35 N. B. ..	90	
				„ 95 N. B. ..	41	
				Dhul Kadhi	271	
				Dhirowal	180	
				Mari	200	
				Jharkal	57	
				Sandra	103	
				Nari	203	
				Tilokar	112	
				Dhak	125	
				Ukhali	109	
				Kund	313	
				Naushehra	436	
				Kufri	311	
				Chak No. 122 N. B. ..	30	
				„ 121 N. B. ..	62	
				„ 120 N. B. ..	38	

[Hon'ble Mr. Manohar Lal.]

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS.
		1927.	1928.			
19— contd.	Shahpur ..			Chak No. 126 N. B. ..	35	
				.. 133 N. B. ..	77	
				.. 131 N. B. ..		
				Bunge Chhel ..	195	
				Utta ..		
				Lak ..		
				Dharana ..	306	
				Kot Moman ..	347	
				Chak No. 96 N. B. ..	112	
				Datigarwala ..	165	
				Dhau ..		
				Lal Hussain ..		
				Haveli Charagh ..		
				Wadoo ..	86	
				Chattia ..		
				Jara ..	23	
				Narang ..	500	
				Panji Pit ..		
				Thatta Surab ..		
				Ali ..		
				Ali Raimoh ..		
				Jahid Kamran ..		
				Thakurwala ..		
				Muhammad Aliwala ..	500	
				Sherki Jali ..		
				Havel Nathoka ..		
				Thati Sahib Zada ..		

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS.
		1927.	1928.			
19— <i>conold.</i>	Shahpur ..			Village Bhai Khan .. } Kot Bhai Khan .. } Chak No. 75 N. B. .. } „ 163 N. B. .. } „ 162 N. B. .. } „ 164 N. B. .. } „ 165 N. B. .. } Uchhali } Daiwal } Sabhral } Phullarwan } Chak No. 33 S. B. .. } „ 101 S. B. .. } „ 99 N. B. .. } „ 104 N. B. .. } „ 113 N. B. .. } „ 88 N. B. .. } Laghari } Bhakar-Bar } Jamali } Aqil Shah } Chak No. 10 N. B. .. } Mittha Tiwana } Jaha } District Board Vernacular M. S., Bhet .. } District Board Anglo-Vernacular M. S., Khanpur.. }	134 156 89 148 484 253 317 106 503 172 330 300 326 56 203 263 112 80 395 119 278 500	
20	Jhelum	11	—	District Board Vernacular M. S., Bhet .. } District Board Anglo-Vernacular M. S., Khanpur.. }	278 500	

[Hon'ble Mr. Manohar Lal.]

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS.
		1927.	1928.			
20— <i>contd.</i>	Jhelum ..	..	..	District Board Anglo-Vernacular M. S., Munde ..	390	
		..	..	Islamia High School, Dhar-yala Jalap ..	347	
		..	..	District Board Anglo-Vernacular M. S., Bhoun ..	807	
		..	..	District Board M. S., Domeli ..	656	
		..	..	District Board Vernacular M. S., Maira ..	503	
		..	..	District Board M.S., Abdul Khaliq ..	393	
		..	..	District Board M. S., Sohawa ..	281	
		..	..	District Board M. S., Andrana ..	345	
		..	..	District Board M. S., Ghazial ..	295	
		..	..	District Board Primary S., Sardhi ..	373	
		..	..	District Board Vernacular M. S., Karyala ..	530	
		..	..	District Board M. S., Tstrol ..	239	
		..	..	District Board School, Pinwal ..	139	
		..	..	District Board, Dhab Kalan ..	350	
		..	..	D. B. Dullah ..	309	
		..	..	„ Mingan ..	500	
		..	..	„ Mora Kor Chisham ..	320	
		..	..	„ Gagar Kalan ..	338	
		..	..	„ Jandala ..	262	
		..	..	„ Banghial ..	217	

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS.
		1927.	1928.			
20— conold.	Jhelum ..			D. B. Pindi Kukar ..	208	
				" Sanwal ..	407	
				" Dheri Sayadan ..	120	
				" Khewra ..	387	
				" Gadari ..	90	
				" Panchore ..	119	
				" Nawanlok ..	139	
				" Golpur ..	168	
				" Rawal ..	47	
				" Toba ..	193	
				" Ahmad Abad ..	117	
				" Langar ..	102	
				" Chak Khushi ..	55	
				" Chak Shafi ..	83	
				" Dalipor ..	127	
				" Jotana.. ..	89	
				" Diwalian ..	302	
				" Gugh ..	75	
				" Thanial Kamal ..	106	
				" Bamla ..	200	
21	Rawalpindi..	20	..	Banda ..	504	
				Sagri ..	311	
				Bassali ..	273	
				Nun ..	171	
				Harakka ..	189	
				Khana Dak ..	171	
				Kallar ..	499	

[Hon'ble Mr. Manohar Lal.]

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS.
		1927.	1928.			
21— <i>conold.</i>	Rawalpindi..			Nara	233	
				Maira Matore ..	302	
				Beor and Janathal ..	143	
				Lehri	203	
				Harnal	272	
				Sukhi, Mohra Kanial ..	522	
				Kuntirlla and its suburbs..	355	
				Narali	354	
				Qazian	400	
				Bhagam	114	
				Kakrai	131	
				Dewal	118	
				Karor	186	
				Tret	61	
22	Attock --	9	..	Bahadur Khan ..	177	
				Mamdot	82	
				Dhullal	187	
				Tatral	71	
				Saroba	132	
				Shahbazpur	83	
				Paurmiana	196	
				Chinji	139	
				Bhal	94	
				Qutbal	255	
				Paryal	300	
				Gakhar	90	
				Godho	417	

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS.
		1927.	1928.			
22— concl.	Attock ..			Dhermund 136 Chauntra 132 Adhwal 261 Nara 299 Girdi 80 Chihari 106		
23	Mianwali ..	22		Chhidru 248 Tari Khel 71 Tiba Mehrban Shah .. 51 Harnoli 286 Mai Roshan 57 Gulmiriwala 44 Khola 127 Kanjani 86 Chap Sandi 65 Umarwali 95 Phathi 128 Nichwen 77 Noon 61 Kallur Kote 313 Shadia 285 Kalri 91 Rokhri 290 Dabb 129 Hathi Khanwala .. 121 Khabari 53 Chak Ghulamaliwala .. 72		

[Hon'ble Mr. Manohar Lal.]

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS.
		1927.	1928.			
29— contd.	Mianwali ..			Piplan	283	
				Maibal	196	
				Darya Khan	395	
				Musa Khel	213	
				Abbs Khel	162	
				Bori Khel	163	
				Mamunwali	52	
				Yarbegi	53	
				Chakrala	338	
				Themewali	129	
				Jhor	55	
				Jhok Ali Khan	90	
				Dhurnaka	120	
				Khaglanwala	70	
				Dhibba	90	
				Kalwal	93	
				Mian Mohdwal	44	
				Rikhi	50	
				Sultanwala	80	
				Ghulamman	60	
				Bani Afghana	70	
				Nanshehra	48	
				Dalliwala	56	
				Silwan	70	
				Notak	200	
				Rodi	74	
				Tibba Niana	150	

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS.
		1927.	1928.			
23— <i>conold.</i>	Mianwali ..			Musiwalli Bhakra Beuruli Dheli Namdar .. Bala Namal Ban Sumal Wan Bhachran .. Dagar Wagwrah .. Ding Dhulla Azmat Khanwala.. Yaru Khel Chak 111/7 A. R. .. " 28/11-L. .. " 7/11-L. .. " 32/12-L. .. " 45/12-L. .. Lishari Chak 2/10-L. .. Jamalkot Nanshehra Jambra .. Tanbar Pir Hayat Warsin Hakim Sidharke .. Lalupur Hamman Rath ..	81 50 30 81 65 100 60 375 40 74 60 60 200 200 200 303 200 470 214 313 263 229 157 176 158 221 187	
24	Montgomery	20	51			

[Hon'ble Mr. Manohar Lal.]

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS.
		1927.	1928.			
24— <i>concd.</i>	Montgomery..			Maleketam	162	
				Chak Mandi Khan	199	
				Nama Jindeka	122	
				Ladhewal	286	
				Hota	140	
				Chura Manneka	200	
				27/4-L.	328	
				70/5-L.	70	
				110-9-L.	182	
				64/4-R.	221	
				40/3-R.	285	
				15/1-R.	325	
				Sheikhu	260	
				Konea	329	
				40-G. D.	178	
				Chuchak	423	
				Farid Kot	102	
				Attari	187	
				4/G. D.	139	
				Bhaun	169	
				Kanduwala Sari	120	
				Pipli Pahar	73	
				Chak Jawahar Singh	100	
				Rukun Pura	100	
				Jethpur	250	
				58/5-L.	368	
				99/9-L.	325	
				Ladhe	286	

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		[Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS.
		1927.	1928.			
25	Lyalpur ..	45	11	..	..
26	Jhang ..	11	15	Dhabbi	230	
				Mandi Shah Jiwana ..	182	
				Chak 458	88	
				Gilmala	115	
				Qutab	87	
				Jalalpur	70	
				Hassu Wali	102	
				Yarewala	85	
				Allah Yar Jutta ..	164	
				Fauja Dhara	73	
				Madhrajbana ..	246	
				Islampur Nasheb ..	146	
				Budhoana	148	
				Dhamapa	98	
				Rustam Sargana ..	136	
				Kotla Muhammad Zarif ..	94	
				Dargahi Shah	68	
				Chak 133	235	
				„ 138	201	
				„ 152	232	
				„ 200	204	
				„ 210	380	
				„ 225	104	
				„ 241	142	
				Bhoana	192	
				Kandiwal	205	
				Pakka	98	

[Hon'ble Mr. Manohar Lal.]

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS.
		1927.	1928.			
26— contd.	Jhang ..			Bukhari	156	
				Jhangar Giltoran ..	145	
				Harsa Sheikh ..	242	
				Chak 221	170	
				.. 10	140	
				.. 456	71	
				Jhoke Daya	131	
				Buta Kotla	134	
				Bullo	317	
				Haveli Mandar Durgiana ..	138	
				Bhasero	81	
				Roranwali	81	
				Kariwala	145	
				Bhamb	65	
				Khutiana	97	
				Jhoke Usman	54	
				Ashaba	149	
				Deraaj	133	
				Pindi Maduki	118	
				Mazari	84	
				Kot Maldev	280	
				Hassan Khan	159	
				Mari Shah Sakhira	212	
				Majhi Sultan	86	
				Sajhar	97	
				Rata Matta	168	
				Chhotta	165	

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS.
		1927.	1928.			
26— contd.	Jhang ..			Kerin	49	
				Bhon	97	
				Kot Mul Chand ..	121	
				Thatha Thabana ..	67	
				Kot Khaira ..	154	
				Kalera	123	
				Lau	124	
				Kot Ise Shah ..	473	
				Qadirpur	67	
				Chak 165	112	
				„ 156	97	
				„ 262	127	
				Thatha Mokd. Shah ..	90	
				Bhangar	120	
				Khaki Lakhi ..	307	
				Vijhlana	75	
				Aura	247	
				Kot Shakir	289	
				Ghanspur	65	
				Chak 229	87	
				„ 187	57	
				„ 240	87	
				„ 183	79	
				Dhaulka	86	
				Tahli Gandan Wali ..	95	
				Nadhaghar	82	
				Wasuestana	337	

[Hon'ble Mr. Manohar Lal.]

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS.
		1927.	1928.			
26— contd.	Jhang ..			Satiana	173	
				Chak 232	256	
				Wala	80	
				Kot Khan	189	
				Lashari	105	
				Sheikh Chunar	138	
				Ranjit Kot	60	
				Chak 267	65	
				„ 181	87	
				Pakkewala	70	
				Chak 254	38	
				„ 250	65	
				Khanoana	140	
				Habib	27	
				Pir Kot Sidhana	340	
				Massan	81	
				Mulkhiana	51	
				Khiwa	87	
				Chak 256	72	
				„ 173	90	
				„ 449	79	
				Chela	235	
				Sher Chakir	82	
				Wasi Shah	97	
				Shah Jiwna	140	
				Balian	46	
				Ballo Shahabal	87	

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS.
		1927.	1928.			
26— <i>contd.</i>	Jhang ..			Kot Barhim	98	
				Rajoa	97	
				Chak	268	
				Rashidpur	170	
27	Multan ..	20	..	Fatehpur	115	
				Mailsi	141	
				Jahangirabad	162	
				Tulamba	279	
				Zorkot	35	
				Cattle Farm, Chak 99 ..	66	
				Jafirabad	58	
				Makhdum Rashid	117	
				Amirpur	86	
				Sardarpur	102	
				Makhdumpur	38	
28	Muzaffargarh	18	17	Basti Ghulam Haidar Khan	54	
				Basti Warianwala	46	
				Atirpur	51	
				Det Angra	52	
				Dinpur	45	
				Khokhar Isra	47	
				Sinwala	44	
				Khokharwala	51	
				Tibbi Khurd	55	
				Wara Sirah Koona	45	
				Hassan Sher	43	
				Jharkal	53	

[Hon'ble Mr. Manohar Lal.]

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS.
		1927.	1928.			
28— contd.	Muzaffargarh			Munda	52	
				Sheikh Umar ..	43	
				Hala	49	
				Haider Ghazi ..	56	
				Bet Lamberwala ..	45	
				Budh	44	
				Ishaq Ishaq ..	44	
				Bangpur	67	
				Utra Sandiala ..	48	
				Ganga	44	
				Basti Kharik ..	44	
				Ali Abrind	51	
				Lingar Sarai ..	43	
				Dogar Kalasra ..	41	
				Rao Bela Sharqi ..	36	
				Dherampur	46	
				Jahan Khan	45	
				Bilewala	50	
				Phulan	53	
				Bhambri	45	
				Kundai	43	
				Basti Nabi Bakhsh ..	54	
				Basira	61	
				Kinjhar	64	
				Qureshi	55	
				Brahmanwali ..	49	
				Mochiwali	55	

Serial No.	District.	NUMBER OF PRIMARY SCHOOLS OPENED IN THE YEAR		Areas in which compulsion has been applied during 1927 and 1928.	Total school-going age population.	REMARKS.
		1927.	1928.			
28— <i>contd.</i>	Muzaffargarh			Jhandewali	47	
				Gudara	44	
				Sherif Chhajra	46	
				Kotla Gamu	45	
				Manhan	49	
				Naushehra	49	
29	Dera Ghazi Khan.	8	20	Kohar	83	
				Kot Qaiserani	145	
				Retra	80	
				Makwal	144	
				Paigah	129	
				Kot Chhutta	213	
				Choti Wala	223	
				Drahman	170	
				Mathra	191	
				Shera	185	

**NOTIFICATION REGARDING ZAMINDARS BY INSPECTOR OF SCHOOLS,
AMBALA.**

***1630. Lala Joti Parshad :** Will the Honourable Minister for Education please state—

- whether it is a fact that the Inspector of Schools, Ambala division, has issued instructions under which only those tribes, who are notified as agriculturists under the Punjab Land Alienation Act, are given the benefit of being called zamindars;
- whether the restricted definition contravenes the express definition of the word 'zamindar' recognised by Punjab Government;
- the effect of the restricted definition on payment of school fees by persons who actually till the soil and solely depend upon agriculture for their livelihood?

The Honourable Mr. Manohar Lal : (a) No; but there appears to have been a local misunderstanding of the rule on the subject. The matter is receiving attention.

(b) & (c) Do not arise.

MR. GHULAM HUSSAIN, TEACHER.

***1645. Lala Bodh Raj :** Will the Honourable Minister for Education please state whether it is a fact that Mr. Ghulam Hussain, Head Teacher, Municipal Primary School, Kasur, made alterations in the examination marks of the boys, and that he admitted his offence before the District Inspector of Schools?

If so, what action has been taken against the said teacher by the Committee or the Department of Education?

The Honourable Mr. Manohar Lal : The answer to this question is not yet ready. It will be communicated to the honourable member when ready. As a matter of fact, Sir, I am in very unfortunate position in that my answers to most of the questions have gone up to Simla. They are really ready if I may say so. I received notice of these questions on Friday.

DEPRESSED CLASSES.

***1827. Lala Joti Parshad :** Will the Honourable Minister for Education please state whether the answer to starred question No. 1627¹ asked by me on 8th December, 1928, is ready? If so, it may kindly be read over.

The Honourable Mr. Manohar Lal : The information is not yet ready. It will be communicated to the honourable member when ready.

SCALE OF SCHOOL AND BOARDING HOUSE CONTINGENCIES.

***1858. Chaudhri Duli Chand :** With reference to my question No. 617², asked on the 13th March, 1928, will the Honourable Minister for Education kindly state—

- (a) whether the rules regarding the scale of school and boarding house contingencies have been followed in the Ambala division;
- (b) if so, the year from which they have been followed?

The Honourable Mr. Manohar Lal : The Inspector has been addressed and the information will be supplied as soon as it is received from him.

¹Vol. XII, page 241.

²Vol. XI, page 650.

SEPARATION OF JHANG FROM MAGHIANA MUNICIPALITY.

***1985. Lala Bodh Raj :** With reference to answer to part (b) of starred question No. 1518¹, asked on 29th November 1928, will the Honourable Minister for Local Self-Government please state, if the matter referred to has been decided? If so, with what result?

The Honourable Malik Firoz Khan, Noon : I regret that the answer to this question is not yet ready. It will be supplied to the honourable member when ready.

MUSSALMAN WAQF ACT.

***2029. Mr. M. A. Ghani :** Will the Honourable Minister for Local Self-Government be pleased to state how many Mutwallis of Mussalman Anquafs in the Punjab have submitted their statements of accounts under section 9 of the Mussalman Waqf Act, 1923, in each year ever since it has been enforced in this province?

The Honourable Malik Firoz Khan, Noon : I regret that the answer to this question is not yet ready. The information is being collected and when ready will be communicated to the honourable member.

MUSSALMAN WAQF ACT.

***2030. Mr. M. A. Ghani :** Will the Honourable Minister for Local Self-Government be pleased to state the number of Mutwallis of Mussalman Anquafs in the Punjab who have been (i) prosecuted, (ii) convicted, (iii) acquitted under section 10 of the Mussalman Waqf Act, 1923, in each year ever since it has been enforced in this province?

The Honourable Malik Firoz Khan Noon : I regret that the answer to this question is not yet ready. The information is being collected and when ready will be communicated to the honourable member.

MUSSALMAN WAQF ACT.

***2031. Mr. M. A. Ghani :** Will the Honourable Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that all Mutwallis of the Mussalman Anquafs in the Punjab who have not rendered their statements of accounts under section 8 of the Mussalman Waqf Act, 1923, in any year ever since it has been enforced in this province have been prosecuted under section 10 of the Act;

(b) if not, how many of them have not been so prosecuted;

(c) the reasons for their non-prosecution?

The Honourable Malik Firoz Khan, Noon : (a) No.

(b) The total number of such Mutwallis in the province is not known.

(c) No steps have been taken by any Anjuman or other body or person to institute complaints in court.

NAZUL LANDS IN AMRITSAR.

***2075. Chaudhri Afzal Haq :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that Nazul lands outside Hathi Gate, Amritsar, have been taken possession of by the Durgiana (Temple) authorities ;
- (b) whether it is a fact that even public roads near Durgiana outside Hathi Gate have also been encroached upon ;
- (c) whether it is a fact that the municipal committee and local Government have been requested to remedy the state of affairs ;
- (d) if so, with what effect ?

The Honourable Khan Bahadur Captain Sardar Sikandar Hyat Khan : I regret that the answer to this question is not yet ready. It will be supplied to the honourable member when ready.

DISTRICT BOARD, LYALLPUR.

***2079. Lala Bodh Raj :** (a) Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that in the year 1928 increase in pay or higher grades once granted by the District Board, Lyallpur, to several teachers working in the schools under the Board were withdrawn ;
- (b) what were the reasons for such withdrawal ;
- (c) whether the said teachers were asked to refund the amount that had been allowed to them under the orders sanctioning these grades, which orders were afterwards cancelled ; if not, why ?
- (ii) Will the Honourable Minister please lay on the table a copy of the order cancelling the original orders sanctioning the increase in pay or higher grades ?

The Honourable Malik Firoz Khan, Noon : I regret that the answer to this question is not yet ready. It will be supplied to the honourable member when ready.

MANDI HYDRO-ELECTRIC SCHEME.

***2146. Chaudhri Afzal Haq :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) the total number of gazetted staff above the rank of overseers, on the organisation of the Mandi Hydro-Electric Scheme in respect of its (a) Construction Staff, (b) Electric Project Section, (c) Hydraulic Project Section ;
- (ii) the number of Europeans and Indians in each of the branches (a), (b) and (c) referred to above ;
- (iii) how many Europeans and Indians referred to in (ii) above are apprentice Engineers ;

- (iv) how many Europeans and how many Indian Engineers of and above the rank of Assistant Engineers are employed in the whole organization ;
- (v) how many Europeans and Indian Engineers employed in the whole scheme are permanent and how many temporary ;
- (vi) the academic qualification, length of service, and pay of the officials referred to in (3) above ?

The Honourable Sardar Sir Jogendra Singh : It is regretted that the answer to above question is not yet ready and will be supplied to the honourable member when ready.

**ENCROACHMENTS ON MUNICIPAL LANDS BY MUNICIPAL COMMISSIONERS,
KASUR.**

***2159. Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that some of the Municipal Commissioners, Kasur, or their relations have made illegal encroachments on municipal lands ;
- (b) if so, what action has the municipality taken in the matter of demolishing the unauthorised encroachments ;
- (c) will the honourable member please state the number of such cases pending on 1st April 1928, (ii) pending from 1st April 1928 to the end of the year ;
- (d) in how many cases encroachments have been removed ?

The Honourable Malik Firoz Khan, Noon : I regret that the answer to this question is not yet ready. It will be supplied to the honourable member when ready.

REST-HOUSE OF THE GREY CANAL AND MR. NICHOLSON, C.I.E.

***2177. Lala Bodh Raj :** Will the Honourable Member for Revenue please state—

- (a) whether it is a fact that Mr. Nicholson, C.I.E., while he was Executive Engineer at Suleimanke Weir got the rest-house of the Grey Canal for residential purposes of the canal officials ;
- (b) whether the rent of the said house has been debited to the accounts of Sutlej Valley Project and credited to the district board, Ferozepore ;
- (c) whether the rent has been charged from the canal officials using the house ; if not, why ;
- (d) what amount of rent has been paid to the district board, Ferozepore, and what amount charged from the canal officials ?

The Honourable Khan Bahadur Captain Sardar Sikandar Hyat Khan : (a) No permission was obtained to the use of the District Board Rest House at Fazilka by Canal Officers as a Rest House.

(b), (c) and (d) Do not arise.

SUB-DIVISIONAL OFFICER, LAL SOHANRA.

***2214. Lala Bodh Raj :** Will the Honourable Member for Revenue please state—

- (a) whether it is a fact that the Sub-Divisional Officer, Lal Sohanra Sub-Division in 2nd Bahawalpur Circle charged the travelling allowance showing his headquarters at Lal Sohanra State Rest-house while he was actually residing at Lal Sohanra S. V.P. Rest-houses from July 1928, up to the end of the year 1927 or so;
- (b) if so, was any action taken against him by the Executive Engineer, Bahawalpur Division, if not, why?

The Honourable Khan Bahadur Captain Sardar Sikandar Hyat Khan : The informant of the honourable member has not perhaps told him that Lal Sohanra has been shifting from place to place, and therefore his question is not definite enough to be answered. In case he has any particular fact to disclose in public interest, Secretary, Irrigation Branch (Construction), will be glad to receive it and give it his best consideration.

BAND ATTACHED TO HIGH SCHOOLS.

***2232. Chaudhri Afzal Haq :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that almost every high school in the Punjab has got its own band played by the students of the high schools;
- (b) if so, whether there are any rules or orders rendering it obligatory for the students of a school to join its band;
- (c) if the answer to the latter part of this question be in the negative whether any cases have come to the notice of the Government in which the Headmasters of high schools have exercised compulsion in the matter?

The Honourable Mr. Manohar Lal : Information is still being collected and will be communicated to the honourable member as soon as it becomes available.

HIGH SCHOOLS IN ROHTAK.

***2243. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state—

- (a) the names of high schools in the district of Rohtak maintained by (i) Government, and (ii) local bodies;
- (b) the number of teachers in the schools referred to in (a) in the Anglo-Vernacular section of the educational service (provincial or subordinate), the number of those among these teachers who come from outside the Ambala division, and the names and tribes of those who belong to statutory agricultural tribes;
- (c) whether it is a fact that teachers in the high schools maintained by local bodies were appointed by the Inspector of Schools?

The Honourable Mr. Manohar Lal : The information is being collected and will be supplied to the honourable member as soon as ready.

VERNACULAR MIDDLE SCHOOLS.

***2244. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state—

- (a) the number of vernacular middle schools with provision for teaching English as an optional subject in each of the districts of the Ambala division, the number of teachers who teach English in these schools and the names and tribes of those among them who belong to statutory agricultural tribes ;
- (b) the number of schools referred to in (a) from which English as an optional subject has been abolished and the names and tribes of the teachers who have been thrown out of employment as a consequence of this abolition ?

The Honourable Mr. Manohar Lal : The information is being collected and will be supplied to the honourable member when ready.

MUNICIPAL ENGINEERS, PUNJAB.

***2262. Lala Joti Parshad :** Will the Honourable Minister for Local Self-Government please state—

- (a) the names of the first class municipalities in the Punjab where the Municipal Engineers are not qualified hands ;
- (b) the names of such engineers and the reasons for keeping them in service ?

The Honourable Malik Firoz Khan, Noon : The honourable member is referred to part (b) of the answer given to question No. 1155¹ unstarred.

VAIDS AND HAKIMS EMPLOYED BY LOCAL BODIES.

***2287. Lala Joti Parshad :** Will the Honourable Minister for Local Self-Government please state the number of Vaid and Hakims employed in the service of the local bodies of the province in the years 1926, 1927 and 1928 ?

¹Vide page 67 *infra*.

The Honourable Malik Firoz Khan, Noon : A statement giving the required information is laid on the table.

Name of local body.	1926.		1927.		1928.	
	Vaid.	Hakim.	Vaid.	Hakim.	Vaid.	Hakim.
DISTRICT BOARDS.						
Kangra ..	..	..	5	..	5	..
Lyallpur ..	..	..	..	..	3	7
Multan ..	2	2	2	2	..	..
Shahpur ..	..	2	..	2	..	4
Sheikhupura ..	..	4	..	2	..	6
Karnal ..	1	1	2	1	2	2
Gujranwala ..	..	1	..	1	..	1
Rohtak ..	..	..	1	..	..	..
Hissar ..	3	..	4	1	4	1
Total ..	6	10	14	9	14	21
MUNICIPALITIES.						
Sirsa ..	..	..	1	..	1	..
Ambala City ..	..	1	..	1	..	1
Rawalpindi ..	..	..	..	1	..	1
Sharakpur ..	..	1	..	..	..	..
Panipat ..	..	..	..	1	1	1
Wazirabad ..	..	1	..	1	..	1
Sialkot ..	..	1	..	1	..	1
Amritsar ..	1	1	1	1	1	1
Rohtak ..	1	..	1	..	1	..
Bahadurgarh ..	1	1	1	1	1	1
Beri ..	1	..	1	..	1	..
Jhajjar ..	..	1	..	1	2	1
Total ..	4	7	5	8	8	8
SMALL TOWN COMMITTEES.						
Tallagang ..	..	1	..	1	..	1
Shahpur City ..	..	1	..	1	..	..
Hafizabad ..	..	..	..	..	..	1
Total ..	..	2	..	2	..	2
NOTIFIED AREA COMMITTEE.						
Sheikhupura ..	..	1	..	1	..	..
Total ..	..	1	..	1	..	..
GRAND TOTAL ..	10	20	19	20	22	31

VEDIC KANYA PATHSHALA, SHAHPUR.

***2308. Lala Bodh Raj :** With reference to the reply to starred question No. 1986, asked on the 18th March 1929, will the Honourable Minister for Education please state if the pathshala referred to has been paid the sanctioned grant-in-aid? If not, what are the reasons for so much delay?

The Honourable Mr. Manohar Lal : I regret that the answer to this question is not yet ready. It will be supplied to the honourable member when ready.

RECOGNITION OF SCHOOLS.

***2332. Sardar Ujjal Singh :** Will the Honourable Minister for Education please state—

- (a) the names of schools that applied for recognition in the year 1928, together with the year when each of them applied for recognition for the first time;
- (b) which of these schools were (i) recognised, and (ii) refused recognition?

The Honourable Mr. Manohar Lal : The information is being collected and will be supplied to the honourable member when ready.

TEACHERS AND CLERKS OF GOVERNMENT AND BOARD SCHOOLS
IN THE AMBALA DIVISION.

***2344. Lala Joti Parshad :** Will the Honourable Minister for Education please state—

- (a) the number of teachers and clerks communitywise of Government and Boards Schools in the Ambala division whose services were dispensed with after the taking over of the charge of the division by Mr. Wilson;
- (b) out of the posts thus fallen vacant how many were filled in by Hindus and how many by Muhammadans, not taking into account those whose appeals were accepted?

The Honourable Mr. Manohar Lal : The required information is being collected and will be supplied to the honourable member when ready.

PETITION WRITERS.

***2394. Chaudhri Duli Chand :** Will the Honourable Member for Finance kindly state—

- (a) the total number of petition-writers in each of the districts of Karnal and Rohtak;
- (b) the number of statutory agriculturists among them?

The Honourable Mr. A. M. Stow :

(a) Karnal ..	..	..	..	..	48
Rohtak ..	..	..	..	..	59
(b) Karnal ..	..	..	..	..	19
Rohtak ..	..	..	..	..	12

DISTRICT BOARD VERNACULAR MIDDLE SCHOOLS.

***2412. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state—

- (a) whether all teachers teaching English as an optional subject in District Board Vernacular Middle schools in the Ambala Division were before the present Inspector took over charge, appointed by the Inspector of Schools;
- (b) what is the number of teachers of the class referred to in (a) in each of the districts of the Ambala Division, how many of them come from outside the division, and how many of them are statutory agriculturists?

The Honourable Mr. Manohar Lal : (a) Yes, but subject to the concurrence of the chairman, District Board.

	Simla.	Gurgaon.	Rohatak.	Karnal.	Ambala.	Hissar.	Total.
(b)	4	4	16	13	10	26	73
(i) How many of them come from outside the Division .. .. .	..	1	9	4	6	5	25
(ii) How many of them are statutory agriculturists	1	3	4	6	2	10	26

RAI SAHIB MUNSHI GHULAB SINGH AND SONS.

***2414. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state—

- (a) whether the attention of Government has been drawn to complaints in the Press that the firm of Rai Sahib Munshi Gulab Singh & Sons was allowed to put up the prices of text-books against the terms of their contract at some time during the period of the Great War in consideration of the rise in the price of paper, etc. ;
- (b) whether it is a fact that the said firm has now been allowed to maintain its old prices in spite of the fact that under the existing contract prices have been brought down to Re. 1 for every 600 pages of printed matter instead of the previous price of Re. 1 for every 550 printed pages ;
- (c) if the reply to the above be in the affirmative, what action, if any, Government has taken to remove them ;
- (d) if the attention of Government has not been drawn to these complaints, whether Government intend to look into them now ;
- (e) what is the average total price realised by Rai Sahib Munshi Gulab Singh and Sons for the sale of text-books in a year ?

The Honourable Mr. Manohar Lal : (a) The attention of Government has been drawn to certain complaints. The fact is that representations were received from a large number of publishers stating that, owing to the rise in the price of paper, they could not afford to sell their books at the given rates, and, as a result, in June, 1920, these rates were revised for all publications approved by the Text-Book Committee.

(b) The said firm, together with all other publishers, have been permitted to maintain the old rates of 500 pages to the rupee instead of 550 pages to the rupee until October 1, next ; but this relaxation is not permissible to the said firm in respect to new publications and editions published on or after April 1, 1929.

(c) The said firm has given the information that all new publications and editions published on or after April 1, 1929, have been priced at the reduced rates.

(d) Does not arise.

(e) The average sale price, realised from the sale of the Text-Book Committee's publications in a single year approximates to Rs. 2,72,000.

Rai Sahib Chaudhri Chhotu Ram : Why were these publishers permitted to maintain the old rates, and under what rule ?

The Honourable Mr. Manohar Lal : By the Director of Public Instruction.

Rai Sahib Chaudhri Chhotu Ram : Under what rule ?

The Honourable Mr. Manohar Lal : The position is that some time towards the end of 1928 a large number of representations was received from various publishers in the first instance from Messrs. Macmillan & Co., that these rates, particularly in the case of books meant for prizes do not pay and thereupon the Text Book Committee decided that the rates in case of prize books, etc., should be lowered to, I believe, 400 pages per rupee. That was the decision of the Text Book Committee. About that time the Text Book Committee came to the conclusion that the proper rate for presented books should be lowered from 500 pages to 550 pages per rupee and this was provided in the new agreement with the contractors. The question still remained whether the new rates should be brought into effect abruptly without notice generally to all publishers and authors whose books are on the approved and the prescribed list, and the Director of Public Instruction came to the conclusion that the new rate of 550 pages should come into effect from 1st October 1929. It did not touch the contracting firm.

Rai Sahib Chaudhri Chhotu Ram : Did the Director of Public Instruction do it in his capacity of Director of Public Instruction or as President of the Text Book Committee ?

The Honourable Mr. Manohar Lal : I think as President of the Text Book Committee. No date had been fixed by the Committee.

Rai Sahib Chaudhri Chhotu Ram : Has the Director of Public Instruction the power to alter the questions of the contract ? If so, under what rule ?

The Honourable Mr. Manohar Lal : I do not understand the question.

Rai Sahib Chaudhri Chhotu Ram : Has the Director of Public Instruction power to alter the contracts ?

The Honourable Mr. Manohar Lal : I should say no. He has no such power.

Rai Sahib Chaudhri Chhotu Ram : Then how did he do it ?

The Honourable Mr. Manohar Lal : But he has not done it.

Rai Sahib Chaudhri Chhotu Ram : He has done it.

The Honourable Mr. Manohar Lal : Nobody has done anything to vary the contract.

GRANTS-IN-AID TO LOCAL BODIES.

*2422. **Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self Government be pleased to state—

- what was the budget provision for grants-in-aid to the local bodies in the years 1927-28 and 1928-29 ;
- what was the actual sum that has been utilised ;
- whether it is a fact that there is always a saving in this item ;
- if so, why and what steps Government intends to take to utilise this grant in full in future ?

The Honourable Malik Firoz Khan, Noon : The required information is contained in the attached statement.

[Hon'ble Malik Firoz Khan, Noon.]

STATEMENT SHOWING BUDGET PROVISION AND ACTUAL EXPENDITURE OUT OF GRANTS-IN-AID TO LOCAL BODIES IN THE YEARS 1927-28 AND 1928-29.

Department.	(a) 1927-28.			(b) 1928-29.			(c) Whether it is a fact that there is always a saving in this item.	(d) If so, why and what steps Government intends to take to utilize the grant in full in future.
	Budget provision.	Expenditure.	Saving.	Budget provision.	Expenditure.	Saving.		
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.		
1. Veterinary Department.	1,84,200	1,70,400	13,800	2,09,200	1,68,502	40,698	No.	
2. Communications Board.	13,70,948	13,70,948	..	11,50,000	11,58,954	46	No.	
3. Public Health Department.	9,75,470	5,34,898	4,40,572	10,87,473	10,00,040	87,433	No.	
4. Education Department.	77,47,700	75,87,640	1,60,060	86,56,300	83,58,987	297,313	Yes. The amount spent in some years under the rules is less than the amount budgeted.	The savings are due mainly to the fact that building grants are either not claimed by local bodies during the financial year or full payment is not made by the department till receipt of completion certificate under the rule. In the sanctioning letter local bodies are requested to claim building grants during the year in which they are sanctioned.
5. Medical Department.	1,75,000	1,32,126	42,875	1,75,000	92,065	82,935	Yes	Prior to the year 1927-28 the grants sanctioned by Government under both the heads were paid to local bodies in full, but in the year 1927-28, the following conditions were laid down by Government for the payment of these grants:—

- (i) one-half on commencement of work;
 (ii) second half on completion and production of contractor's final bill.
 (iii) in case of grants for instruments and furniture, total amount to be paid on receipt of articles in the dispensary.

These conditions were considered necessary as some District Boards and Municipalities used to draw the grant from the Government treasury, but did not care to spend the amount on the specific works for which they were sanctioned. There have been many instances in which the Local Fund auditors pointed out such irregularities as also cases in which the grants were not utilized at all for many years. The tendency on the part of local bodies is generally to secure the grants and not to contribute their quota towards the works and this led the non-payment by Government of grants sanctioned for them. If the local bodies would care to contribute a fair portion (about half of the cost) towards the works for which they apply for a grant, there will be very small savings under these heads in future.

	1,04,53,319	97,76,011	6,77,307	1,12,86,973	1,07,73,543	5,08,435
Total						

RAI SAHIB MUNSHI GULAB SINGH AND SONS.

***2426. Shaikh Faiz Muhammad :** Will the Honourable Minister for Education kindly state—

- (a) whether it is a fact that the firm of Rai Sahib Munshi Gulab Singh & Sons had agreed to sell the publications of the Text-Book Committee at the rate of 550 pages for a rupee, with effect from 1st April 1929 ;
- (b) if so, whether the said firm has fulfilled the above condition ;
- (c) if not, what steps the Text-Book Committee proposes to take against it ?

The Honourable Mr. Manohar Lal : The attention of the honourable member is invited to the answer to starred question No. 2414.¹

UNSTARRED QUESTIONS AND ANSWERS.

ACREAGE RATES IN DIPALPUR CANAL AREA.

732. Sayad Muhammad Hussain : (a) Will the Honourable the Revenue Member be pleased to state whether he is aware of the fact that new watercourses were not ready at the time of the starting of the Dipalpur Canal and that old watercourses were used by the zamindars as the medium of irrigation ?

(b) If the answer to part (a) is in the affirmative, will the Government kindly state whether it is their intention to defer the imposition of acreage rates for this year ?

The Honourable Khan Bahadur Captain Sardar Sikandar Hyat Khan : The answer to both (a) and (b) is in the affirmative.

NON-OFFICIAL PRESIDENTS OF LOCAL BODIES.

742. Khan Bahadur Chaudhri Fazl Ali : Will the Honourable the Minister for Local Self-Government be pleased to say if any official presidents of local bodies have been substituted by non-official presidents in any of the local bodies of the Punjab since the 1st January 1927 ? If so, in what places ?

The Honourable Malik Firoz Khan, Noon : I regret that the answer to the question is not ready. It will be communicated to the honourable member when ready.

MUNICIPAL COMMITTEE, KASUR.

750. Rai Bahadur Pandit Daulat Ram, Kalra : (i) Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) the average monthly income of the municipal committee, Kasur, during the last seven months ;
- (b) the average monthly expenditure in all departments of the committee ;

¹ Vide page 58 *supra*.

- (c) the amount due to contractors for supplies and works completed ;
- (d) the amount due to traders for octroi refunds ?
- (e) whether it is a fact that the committee has been withholding payments due to contractors and traders for want of funds ?

(ii) If the replies to the above be in the affirmative, will the Government be pleased to state what measures the committee has adopted to put its finances on a sound footing ?

The Honourable Malik Firoz Khan, Noon : I regret that the answer to this question is not ready. It will be communicated to the honourable member when ready.

PEASANT GRANTS.

753. Sardar Partap Singh : (i) Will the Honourable the Revenue Member be pleased to state—

- (a) whether it is a fact that in 1914 the Government granted land in chaks Nos. 47 and 48 L/5, district Montgomery, as peasant grants to those persons only who had very small holdings in Jullundur district ;
- (b) whether it is a fact that after some time it was found that the land of chaks Nos. 47 and 48 was of inferior quality and that the Government was pleased to grant a better type of land in chaks Nos. 72 and 73 to the abadkars of chaks Nos. 47 and 48 in addition to the land already given to them ;
- (c) the principle on which the additional grant was distributed ;
- (d) whether it is a fact that some families having large number of male members tilling the land with their own hands have been also ignored ;

(ii) If the answer to (a) to (d) above be in the affirmative, will the Honourable the Revenue Member be pleased to state how many persons in chaks Nos. 47 and 48 have not been given any land in the additional grant ?

The Honourable Khan Bahadur Captain Sardar Sikandar Hyat Khan : I regret that the answer to this question is not ready. It will be communicated to the honourable member when ready.

RECEIPT OF PANCHOTRA BY A DISTRICT BOARD MEMBER.

777. Chaudhri Duli Chand : Will the Honourable Minister for Local Self-Government kindly state—

- (a) if it is a fact that under the present District Board Rules no one can stand for election or remain a member who has drawn or did draw any remunerations for services rendered to the Board ;
- (b) if there are any members who received Panchotra as a remuneration from the District Board, Ludhiana, for collection of Haisiat tax ;
- (c) if so, what action does Government intend to take with regard to them under the rules ?

The Honourable Malik Firoz Khan Noon : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

LAND ALIENATION BY CHRISTIANS.

799. Rai Bahadur Lal Sewak Ram : Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that Government issued a notification No. 266, in *Government Gazette*, dated 14th November 1918, that Christians cannot alienate land to non-Christians ;
- (b) if it is a fact that alienations are taking place to non-Christians in Lyallpur, Montgomery and Jhang districts in spite of the above notification ;
- (c) if so, what steps does Government intend to take to stop such alienations ?

The Honourable Khan Bahadur Captain Sardar Sikandar Hyat Khan : (a) Yes.

(b) No alienations in contravention of the provisions of the Alienation of Land Act by Christians to non-Christians have taken place in the districts mentioned.

(c) Does not arise.

SUB-INSPECTORS.

834. Rai Sahib Chaudhri Chhotu Ram : Will the Honourable Member for Finance kindly state the total number of Sub-Inspectors in the province and the number among them who come from the Rohtak, Hissar, Karnal and Gurgaon districts ?

The Honourable Mr. A. M. Stow :

Total number of Sub-Inspectors in the Punjab	.. 882 (including 40 for Delhi).
Number of Sub-Inspectors who are residents—	
Rohtak district	.. .. 20
Hissar district	.. .. 6
Karnal district	.. .. 15
Gurgaon district	.. .. 6

DISTRICT INSPECTORS OF SCHOOLS, ETC.

960. Shaikh Faiz Muhammad : Will the Honourable Minister for Education kindly state for each district in the province—

- (a) the percentage of Muslims in the total population ;
- (b) whether the District Inspector of Schools is a Muslim or non-Muslim ;
- (c) the number of Muslim and non-Muslim Assistant District Inspectors of Schools ;
- (d) the number of Muslim and non-Muslim headmasters of District Board Vernacular Middle Schools at present ;

- (e) the number of Muslim and non-Muslim candidates who passed the Vernacular final examination from District Board Vernacular Middle Schools in 1928 ;
- (f) the number of Muslim and non-Muslim scholars enrolled in the secondary department of all District Board Vernacular Middle Schools on 31st March 1928 ?

The Honourable Mr. Manohar Lal : The required information is being collected and will be supplied to the honourable member when ready.

MUNICIPAL ELECTION PETITION AT KAMALIA.

982. Sardar Ujjal Singh : Will the Honourable Minister for Local Self-Government be pleased to state—

- (1) whether an officer was recently appointed in the Montgomery district to hold enquiries into a municipal election petition at Kamalia ;
- (2) whether the said officer found that one candidate had received money raised (by subscription) and retired ;
- (3) whether the said officer dismissed the petition and ordered the petitioner to pay costs to the respondent ;
- (4) whether receiving money by a candidate as an inducement to withdraw from an election is punishable as a corrupt practice ;
- (5) if the reply to the above parts be in the affirmative, what action Government intend to take in the matter ?

The Honourable Malik Firoz Khan, Noon : (1) Yes.

(2) Yes.

(3) Yes.

(4) Yes.

(5) The dismissal of an election petition by an enquiring officer is final and no question of taking further action arises so far as the election under enquiry is considered.

Government are considering whether there are sufficient grounds for instituting proceedings against the candidate who was believed by the enquiring officer to have been paid his costs out of money raised by public subscription as an inducement to withdraw.

DIET MONEY LAPSED TO GOVERNMENT.

1018. Lala Bodh Raj : Will the Honourable Member for Finance lay on the table a statement showing separately for each of the last 5 years

[Lala Bodh Raj.]

the amount of diet money lapsed to Government originally deposited by the litigants for the expenses of witnesses in their cases ?

The Honourable Mr. A. M. Stow : The amount of diet money that has lapsed to Government on this account during the past five years is as follows :—

			Rs.	A. P.
(1) 1924-25	..	..	1,77,848	10 9
(2) 1925-26	..	..	1,29,292	10 1
(3) 1926-27	..	..	1,20,635	2 7
(4) 1927-28	..	..	1,16,971	1 10
(5) 1928-29	..	..	1,11,376	1 4

MANDI HYDRO-ELECTRIC SCHEME.

1128. Chaudhri Afzal Haq : Will the Government be pleased to state—

(1) the total number of Gazetted staff, above the rank of overseer, on the organization of the Mandi Hydro-Electric Scheme in respect of its :—

(i) (a) Construction staff ;

(b) Electric Project section ;

(c) Hydraulic Project section ;

(d) Number of Europeans and Indians in each of the above branches (a), (b) and (c) ;

(ii) (a) How many European and how many Indian Engineers of and above the rank of Assistant Engineers are employed in the whole organization ;

(b) how many Europeans and how many Indians under (i) mentioned above are apprentice Engineers ;

(c) separate number of each of the permanent and temporary and European and Indian Engineers, employed in the Hydro-Electric Scheme ;

(2) what are the qualifications of each of the above (ii) (a) and (ii) (b), showing separately the number of holders of European, American, or Indian University degrees, or holders of diploma or a certificate of any college or school of any of those countries ;

(3) what are the qualifications, length of service and pay of each of the apprentice Engineers ;

(4) is there any European apprentice engineer in this department ;

(5) how many of the apprentice engineers have British qualifications ;

- (6) is it a fact that the grade of apprentice engineer is Rs. 150 to Rs. 255 with an annual increment of Rs. 7 only, while the annual increment of draftsmen, lower in grade than apprentice engineers, is Rs. 12.
- (7) what are future prospects of apprentice engineers, and what is the fixed period of their apprenticeship in the department ;
- (8) whether it is a fact that some of the apprentice engineers have resigned after serving for a year or so, and if so, how many and why ;
- (9) is it a fact that on the creation or vacancy of a post in the Electrical branch, it is advertised, in spite of duly qualified apprentice engineers working in the department ;
- (10) if so why, how many, on what pay and with what qualifications, such engineers have been taken ?

The Honourable Sardar Sir Jogendra Singh : It is regretted the answer to above question is not yet ready and will be supplied to the honourable member when ready.

QUALIFIED MUNICIPAL ENGINEERS IN THE PUNJAB.

1155. Sardar Ujjal Singh : Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that the Resident Engineer, Simla municipality, is not a qualified engineer ;
- (b) the names of the first class municipalities in the Punjab where Municipal Engineers are not qualified engineers ?

The Honourable Malik Firoz Khan, Noon : (a) The officer in question holds no engineering diploma but has many years' experience as Engineer-in-charge of roads and buildings. At the time of his appointment in 1921 he was certified by the Chief Engineer of the time as fitted to carry on the ordinary duties of Municipal Engineer.

(b) The following first class municipalities employ no municipal engineers, viz. Murree, Dalhousie, Dharmasala and Sialkot.

The remaining first class municipalities employ qualified engineers.

GOVERNMENT HIGH SCHOOLS AND MATRICULATION PASS PERCENTAGE.

1189. Rai Bahadur Lala Sewak Ram : Will the Honourable Minister for Education please state—

(a) the names of the Government High Schools where the average pass percentage in Matriculation for the last three years is 80 or above ;

(b) the names of their headmasters who have been in charge throughout the period ?

The Honourable Mr. Manohar Lal : Information is still being collected and will be communicated to the honourable member when ready.

REMARKS ON REPORTS OF NON-OFFICIAL VISITORS TO JAILS.

1187. Chaudhri Afzal Haq : Will the Honourable Finance Member be pleased to state—

(a) whether it has been brought to the notice of the Government that Superintendents of jails do not send to the non-official visitors the copies of Inspector-General of Prisons' remarks on the reports made by the non-official visitors of the jails ;

(b) if so, whether the Government has now issued instructions to the Superintendents to comply with the orders of the Government without fail ?

The Honourable Mr. A. M. Stow : (a) Yes.

(b) Yes.

SCHOOL FINAL EXAMINATION.

1194. Pandit Mehar Chand : Will the Honourable Minister for Education be pleased to state—

(a) whether it is a fact that the candidates taking up English in the School final could not join the ninth class in April ;

(b) whether some measures have been adopted to undo the harm thus done to the large number of candidates who could not join the higher classes in time, as the result of the school final examination was declared late in June ;

(c) what steps Government intend to take to avoid such injurious delays in future ?

The Honourable Mr. Manohar Lal : The information is still being collected and will be supplied to the honourable member when ready.

HARGO LAL GIRLS' HIGH SCHOOL.

1197. Pandit Mehar Chand : Will the Honourable Minister for Education be pleased to state—

- (a) whether the Hargo Lal Girls' High School, otherwise known as the Hargo Lal Kanya Mahavidyalaya, Ambala Cantonment, applied to the Inspectress of Schools, concerned, for recognition in March 1928 ;
- (b) whether it is a fact that the Inspectress concerned has neither visited the school nor replied to any of the letters received on the subject from the Honorary Secretary of the School ;
- (c) whether the Government will be pleased to lay on the table the correspondence, if any, on the subject ;
- (d) whether it is a fact that in September 1928 a representation on the subject was made by the management of the school to the Director of Public Instruction, Punjab ;
- (e) if so, will the Government be pleased to place on the table a copy of the said representation ;
- (f) what reply has been given to the management of the school by the Director of Public Instruction ;
- (g) whether the Government is aware that the said school contains more than 200 girls on its rolls and is housed in a suitable building ?

The Honourable Mr. Manohar Lal : The information is being collected and will be supplied to the honourable member when ready.

ANNUAL INCREMENTS TO TEACHERS OF DISTRICT BOARD SCHOOLS.

1205. Mr. E. Maya Das : Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that some district boards have been unable to grant annual increments to their school teachers ;
- (b) if so, what is the cause ;
- (c) what are the names of the district boards ?

The Honourable Mr. Manohar Lal : (a) Yes.

(b) Financial stringency, due in some cases to the abolition of the Haisiat tax and the remission of land revenue on account of the floods.

(c) District Boards Hissar, Ludhiana, Gujranwala, Jhang and Gujrat.

COST PER UNIT OF POWER AT MANDI

1240. Dr. Gokul Chand, Narang: Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether he is aware that Colonel Battye has declared that the cost for unit of power at Mandi will be 7.1 pies whereas in the Mysore State the cost of per unit of power is .948 pie ;
- (b) if so, whether he will please explain why under the Mandi Hydro-Electric Scheme it would cost 7.1 pies per unit as stated by Colonel Battye ?

The Honourable Sardar Sir Jogendra Singh: It is regretted the answer to above question is not yet ready and will be supplied to the Honourable Member when ready.

STAFF FOR MANDI HYDRO-ELECTRIC PROJECT.

1241. Dr. Gokul Chand, Narang: (a) Will the Honourable Minister for Agriculture be pleased to supply information regarding the engineering staff of the rank of Assistant Executive Engineers and above who are at present employed on the works in the Mandi State in connection with the Mandi Hydro-Electric Project in the following tabular form :—

Name and grade.	Particulars of technical education, stating degree or diploma etc., dates and name of University.	Particulars of experience prior to his employment in Hydro-Electric Branch with special reference to the work in which he is now engaged.	Present duties in detail.	Present salary with overseas pay, if any, with salary prior to joining the Hydro-Electric Branch.	Names of Indian applicants for the post with particulars of their training and qualifications.

(b) Will the Government be pleased to state the principles on which apprentice engineers are recruited by the Mandi Hydro-Electric Branch and supply the following information :—

Name of apprentice engineers, paid and unpaid.	Particulars of engineering education stating degree or diploma, etc., dates and name of University.	Practical training prior to the joining of the Hydro-Electric Branch stating period and place of such training.	Date of appointment in Hydro-Electric Branch, present pay and rate of increment and nature of work done by them in the department.

The Honourable Sardar Sir Jogendra Singh : (a) Such information as is available regarding the engineering staff of the rank of Assistant Executive Engineers and above in the Hydro-Electric Branch is given in the accompanying statement.

(b) Young Indian Engineers with good technical qualifications but with little or no practical experience are employed in the Hydro-Electric Branch as apprentice engineers to assist officers with a view to qualify themselves later for appointment as gazetted officers or for equivalent appointments.

The accompanying statement shows the information regarding the apprentice engineers who are actually employed in the Hydro-Electric Branch.

[Hon'ble Sardar Sir Jogendra Singh.]

STATEMENT SHOWING THE INFORMATION REQUIRED TO BE
BY DR. GOKUL CHAND.

Col.	1	2	3
Serial No.	Name and grade.	Particulars of technical education, e.g., degrees and diploma, etc., dates and name of University.	Particulars of experience prior to joining this Branch with special reference to the work in which he is now engaged.
1	Mr. C. E. Jefferis, A.M.I.C.E., I.S.E., Officiating Superintending Engineer.	University College, London. Associate Member of the Institution of Civil Engineers.	Executive Engineer, Irrigation Branch, Under-Secretary to Government, Punjab, Public Works Department, Irrigation Branch.
2	Mr. R. N. Aylward, D.S.O., M.C., Executive Engineer.	Associate Member of Institution of Civil Engineers.	On War Service. With Great Indian Peninsular Railway. Executive Engineer, Punjab Hydro-Electric Surveys Division up to 1925.
3	Major Alex. Sanderson, D.S.O., M.C.	Holds diploma in Civil Engineering issued by Engineer-in-Chief, Public Works Department, and Mining Engineering and Metallurgy issued by Kalgoortie School of Mines, Western Australia.	On War Service. Working as a contractor subsequently.
4	Mr. S. J. Bruford, Executive Engineer.	Member, Institute of Mechanical Engineers, Associate Member, Institute of Mechanical Engineers.	Three years apprenticeship with Messrs. Marine with Messrs. Newcastle-on-Tyne Electric Supply Company, Limited, where he worked for two years as Junior and Senior Engineer and Shift Engineer, Assistant to Chief Engineer, Madras Electric Supply Corporation, Limited, in 1912. Staff Captain R. E. 1914-19 under Nepal Government in charge of State Hydro-Electric Works from 1921-1926.
5	Mr. D. P. O'Kelly, Assistant Executive Engineer.	Has 16 years' experience as Mechanical Engineer in the Military Engineer Service.	See column 2, was a Garrison Engineer previous to joining the Hydro-Electric Branch.

GIVEN IN REPLY TO PART (a) OF THE COUNCIL QUESTION No. 1241
NARANG.

4	5		6
Present duties in detail.	SALARY.		Names of Indian applicants for the post with particulars of their qualifications.
	Present.		
	Basic.	S. O. P.	
	Rs.	£. s. d.	
Superintending Engineer, In-charge Construction Circle.	1,750	13 6 8	Rs. 1,275 O.S. P. ₹ 80 special pay Rs. 200.
Executive Engineer in-charge "T" (Tunnel) Division.	1,375	30 0 0	Not known.
Executive Engineer, in-charge "A" (Adit) Division.	1,375	30 0 0	Not known.
Executive Engineer in-charge "M" (Mechanical) Division and "P" (Power Station) Division.	1,175	30 0 0	Not known.
Sub-Divisional Officer, In-charge M.M. (Independent) Sub-Division and Personal Assistant to Superintending Engineer "C" Circle.	925	30 0 0	Not known.

[Hon'ble Sardar Sir Jogendra Singh.]

STATEMENT SHOWING THE INFORMATION REQUIRED TO BE
DE. GOKUL GHAND

Col.	1	2	3
Serial No.	Name and grade.	Particulars of technical education, e.g., degrees and diploma, etc., dates and name of University.	Particulars of experience prior to joining this Branch with special reference to the work in which he is now engaged.
6	Major A. G. Wheeler. Assistant Executive Engineer.	Associate Member of the Society of Engineers.	Assistant in Messrs. Burn and Co. Assistant Superintendent, Canal Foundry and Engineering Works, Roorkee, Deputy Assistant Director of Works and A.C.B.E. for three years or M.E.S. in North-West Frontier. Executive Engineer in Bangalore Municipality, Bangalore.
7	Captain A. Guthrie, R. E., Assistant Executive Engineer.	Bachelor in Science (Hons. London University) Associate Member of the Institution of Mechanical Engineers, Associate Member of the Institution of Electrical Engineers.	Completed 18 months' course of practical in Institution in Electro-Mechanical in Portsmouth Dockyard. Two years experience on this project in 1920-22.
8	Lieutenant N. Bodington, R.E., Assistant Executive Engineer.	Associate Member of the Institution of Electrical Engineers.	Was employed in the M.E.S. before joining the Hydro-Electric Branch.
9	Mr. N. V. Dorofeeff, Tunnel Engineer.	Associate Member of the Institution of Engineers (India).	Civil Engineer, 1914, R. E. 1915, on Railway Survey and Construction during which period he worked as Assistant Engineer. Railway Survey and Construction, Divisional Engineer open line maintenance 1920. R. E. Railway Survey and Construction 1921-25. Engineer in charge Hydro-Electric Survey and Tunnel 1927.
10	Mr. D. S. McPhail, Resident Engineer.	B. Sc. in Civil Engineering McGill University, Montreal, Canada, Associate Member of the American Society of Civil Engineers, Associate Member of the Engineering Institute of Canada.	Assistant Engineer with Messrs. Sir W. G. Armstrong, Whitworth and Co., Limited on the Humber Development Scheme, Newfoundland.

- (1) Column 2.—The dates of education at
 (2) Column 5.—Information regarding pay
 (3) Column 6.—This column is left blank as

GIVEN IN REPLY TO PART (a) OF THE COUNCIL QUESTION No. 1241 BY
NARANG—CONTINUED.

4	5			6
Present duties in detail.	SALARY.			Names of Indian applicants for the post with particulars of their qualifications.
	Present.		Drawn prior to joining this Branch.	
	Basic.	S. O. P.		
	Rs.	£. s. p.		
Sub-Divisional Officer, incharge "T/P" Sub-Division.	875	30 0 0	Rs. 1,100 in Bangalore.	
Sub-Divisional Officer incharge "T/N" Sub-Division.	725	25 0 0	Pay of grade as R. E. Officer.	
Sub-Divisional Officer incharge of "P/H" Sub-Division.	575	15 0 0	Pay of grade as R. E. Officer.	
Sub-Divisional Officer incharge "T/S" Sub-Division.	1,100 (Fixed).		Rs. 900.	
Resident Engineer	1,025	30 0 0	Not known.	

Universities are not available.
drawn prior to joining Hydro-Electric Branch is not available,
the required information will involve labour incommensurate with the object to be served.

[Hon'ble Sardar Sir Jogendra Singh.]

STATEMENT SHOWING THE INFORMATION TO BE GIVEN IN REPLY TO PART

Cols.	1	2	3
Serial No.	Name of Apprentice Engineer.	Particulars of engineering education stating degrees or diploma, etc., dates and name of University.	Practical training prior to the joining of the Hydro-Electric branch with period and place of such training.
1	Mr. K. C. Gandhi.	Holder of Faraday House London Diploma (1923). Graduate of Institute of Electrical Engineering.	(1) Pupillage with Messrs. Kitson and Co., Ltd. (Airedale Foundry) Leeds (October 1920 to September 1921). (2) Pupillage with Messrs. Charing Cross West End and City Electric Supply Company, Ltd. (August '22 October '22). (3) Messrs. Newton Bros. (Derby) Ltd. Derby (November '22 January 1923). (4) Metropolitan Borough Council of St. Marylebone Electric Department (February '23, October '23). (5) Assistant Engineer, Quetta Hydro-Electric Scheme, Quetta (December '23 April '24). (6) Engineer incharge, M.E.S. Installations, Quetta (May '24, February '25). (7) Engineer incharge, Bhatinda Electric Supply, Bhatinda (June '25 March '26).
2	Mr. N. C. Gupta.	B.Sc. in Mechanical Engineering from the University of Birmingham.	(1) Messrs. The British Electric Plant Co., Ltd. (2) Harland Engineering Co. Ltd., Alloa, Scotland, as student apprentice and Sales Engineer, respectively.
3	Mr. T. N. Idnani.	B. Sc. Bombay, B. Sc. Technology Manchester Associate Manchester College, Technology.	Vacation Courses Training at British Insulated and Helsby Cables Ltd., Prescott, Special Training in Industrial Organisation, High Voltage, Electric Technics and Transmission.
4	Mr. Fazal Ellahi.	Holder of Diploma of the Madagan Engineering College, Moghalpura (1927).	(1) Locomotive Workshops of the North-Western Railway, Lahore. (2) Amritsar Electric Power Station. (3) Municipal Engineering Works Water Pumping Station and General Repair shop. (4) Automobile Workshops of Messrs. Narain Dass and Co., Lahore. (5) Punjab Foundry Works, Lahore. (6) Messrs. Tata Iron and Steel Co., Jamshedpur.
5	Mr. M. A. Ghafoor	Has studied for three years in Nottingham College, England.	

(b) OF COUNCIL QUESTION No. 1241, BY DR. GOKUL CHAND, NARANG.

4	5	6	7
Date of appointment in the Hydro-Electric Branch.	Present pay.	Scale of Pay and rate of increment.	Nature of work done by the Apprentice Engineer in the Hydro-Electric Branch.
1st November 1927	Rs. 255	Rs. 150—7—255	Assistant to Sub-Divisional Officer. In charge Branch Transmission Line (Middle) Sub-Division.
1st July 1927 ..	255	150—7—255 ..	Attached Officer employed on designing estimating work in Electric Power Division.
1st July 1927 ..	206	150—7—255 ..	Attached Officer in "E" Circle employed on designing and estimating works.
1st November 1927	157	150—7—255 ..	Attached Officer with the Resident Engineer employed on Concrete and Cement testing.
1st November 1927	157	150—7—255 ..	Attached Officer T-S Sub-Division employed on miscellaneous out-door work.

[Hon'ble Sardar Sir Jogendra Singh.]

STATEMENT SHOWING THE INFORMATION TO BE GIVEN IN REPLY TO PART

Cols.	1	2	3
Serial No.	Name of Apprentice Engineer.	Particulars of engineering education stating degrees or diploma, etc., dates and name of University.	Practical training prior to the joining of the Hydro-Electric branch with period and place of such training.
6	Mr. B. N. Ghanna	Graduated from the Central Technological Institute, Bombay. Obtained a Diploma in Mechanical Engineering.	(1) Worked as an Apprentice in the Royal Indian Marine Dockyard, Bombay, for 6 months. (2) Messrs. Richardson and Cruddas, Bombay, for 6 months. (3) Employed as Sub-Bridge Inspector in North-Western Railway for 8 months.
7	Mr. H. S. Bedi ..	B.Sc. (Engineering) from the Lewis Institute of Chicago, U.S.A.	Has undergone practical training for 2 years as follows:— (a) Six months as Factory Superintendent in Hindu Incent Manufacturing Co., Chicago, U.S.A. (b) Nine months in Public Service Co., Chicago, U. S. A. (c) Eight months in Benjamin Electric Manufacturing Co., Chicago U. S. A.
8	Mr. P. C. Gulati ..	(1) Completed four years course in Electrical Engineering leading to the degree of L.E.E. (Honours) at O.I. Mechanical Institute, Bombay. (2) Student of the Institution of Electrical Engineers.	(1) Worked as unpaid Apprentice Engineer in this Branch for about 6 months. (2) Worked for three months as an Apprentice Civil Engineer in the Punjab Public Works Department, Irrigation Branch.
1	Mr. Sadanand Maya Das,	B. Sc.	UNPAID APPRENTICE. Worked for one year with the Engineering Department of the Agricultural Institute at Nainital, U. P., for obtaining practical and theoretical training. Worked as an unpaid Apprentice Engineer in "M" Division of this Branch for over a year for obtaining experience in the Mechanical line.
2	Mr. Rahmat Ellahi	Holder of Diploma of the MacLagan Engineering College, Moghalpura.	Two years practical training in the Moghalpura Locomotive Shops, North-Western Railway, Lahore.
3	Mr. Abdul Hamid ..	B.Sc. in Electrical Engineering, Durham University.	Messrs. J. H. Holmes and Co., Electrical Engineers, New Castle on Tyne and Allgemeine Electricitäts-Gesellschaft of Berlin.
4	Mr. H. L. Kashyap	B.Sc. in Engineering (Edinburgh).	(i) Siemens Schuckert Werke and Siemens Halske, Berlin. (ii) British Electric Plant Co., Alloa, Scotland.
5	Mr. H. B. Prasad ..	B. Sc. in Electrical Engineering, U. S. A.	..

(b) OF COUNCIL QUESTION No. 1241, BY DR. GOKUL CHAND, NARANG.

4	5	6	7
Date of appointment in the Hydro-Electric Branch.	Present pay.	Scale of Pay and rate of increment.	Nature of work done by the Apprentice Engineer in the Hydro-Electric Branch.
1st October 1928 ..	Rs. 150	Rs. 150—7—255 ..	Attached Officer in Lyallpur Electrical Sub-Division, employed on work in connection with service connections to consumers in Lyallpur.
6th October 1928 ..	150	150—7—255 ..	Attached Officer in B. L. Division, employed on miscellaneous work.
1st May 1929 ..	157	150—7—255 ..	Attached Officer in Lyallpur Electrical Sub-Division, Lyallpur, employed on work in connection with service connection to consumers in Lyallpur.
ENGINEERS. Unpaid appointment as paid Apprentice Engineer on Rs. 150 per mensem in the scale of Rs. 150—7—255 recommended to the Local Government whose orders are awaited.			Attached to "M.C." Sub-Division to assist in outdoor miscellaneous work.
		(Date when joined).	
Unpaid ..		17th December 1928	Employed to assist Engineer Officers in connection with design and estimating work in "E" Circle.
Do. ..		24th January 1929	Employed to assist the Transmission Line Engineer in designing and estimating works.
Do. ..		31st May 1929 ..	Attached to B. L. Division to assist the Executive Engineer in estimating work.
Do. ..		27th June 1929 ..	Ditto .. Ditto.

MALIKANA.

1252. Sardar Bahadur Captain Dalpat Singh : Will the Honourable Revenue Member kindly state the grounds on which malikana is charged from Military Jagir Grantees ?

The Honourable Khan Bahadur Captain Sardar Sikandar Hyat Khan : The object of the Government of India in granting land to a Military Jagir Grantee was to secure to the grantee, after all payments to Government and expenses of cultivation, an annual income of Rs. 400 and no more. In cases where these grantees have been given two rectangles or squares or more, the Punjab Government is justified in charging malikana, since the return from two rectangles or squares is greatly in excess of Rs. 400 per annum.

It has been decided that in the case of grants of one rectangle or square made since 1927, no malikana will be charged.

CLOSURE OF PAKPATTAN CANAL.

1257. Sardar Hira Singh, Narli : Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that the Pakpattan canal of the Sutlej Valley Project was closed for one month in April and May 1929 just when the wheat crop was being irrigated and the time of sowing the kharif was near at hand ;
- (b) whether it is a fact that this closure resulted in heavy loss to the zamindars who were put to great inconvenience owing to the scarcity of water ;
- (c) if the answer to (a) and (b) be in the affirmative, will Government please state what concession it is proposed to give to the zamindars of the Nili Bar ?

The Honourable Khan Bahadur Captain Sardar Sikandar Hyat Khan : (a) The Canal was closed for a total period of 24 days between April 21st and May 31st, but no water was required for the wheat crop during this period.

(b) No. Some inconvenience was felt for drinking water only.

(c) Does not arise.

* LADY DISTRICT AND ASSISTANT DISTRICT INSPECTORS OF SCHOOLS.

1289. Mr. E. Maya Des : Will the Honourable Minister for Education be pleased to lay on the table a statement showing the names of district boards that are employing Lady Assistant District Inspectors of Schools or Lady District Inspectors of Schools ?

The Honourable Mr. Manohar Lal : The District Boards of Gujranwala and Jullundur employ lady district inspectors—one for each district. At the latter place the designation of the officer is that of Supervisor of girls schools.

**DISCUSSION ON THE REPORT OF THE PUNJAB REFORMS
COMMITTEE AND ON THE MEMORANDA OF THE
PUNJAB GOVERNMENT TO THE INDIAN
STATUTORY COMMISSION.**

The Honourable Mr. A. M. Stow (Finance Member): Sir, I beg to move—

That this Council—

(1) do proceed—

(a) to take into consideration the report of the Committee appointed by the Council on 11th May 1928 to take part in the joint conference of the Indian Statutory Commission, and

(b) to discuss the memorandum prepared by the Punjab Government for the use of the said Commission, and

(2) recommends to the Governor in Council that the report of these discussions as recorded in the proceedings of the Council be forwarded to the said Commission."

Chaudhri Afzal Haq: Sir, I rise to a point of order, whether this motion is in order.

The Honourable Mr. A. M. Stow: Sir, honourable members will recollect that in the course of the last session of the Council the Honourable Leader of the House laid on the table the memoranda prepared by the Punjab Government for the use of the Statutory Commission. Captain Sikandar Hayat Khan presented the Report of the Punjab Reforms Committee appointed by this Council. The House will also recollect that many members expressed a desire that a discussion should take place regarding these documents and that the record of the debate should be forwarded to the Statutory Commission. The Leader of the House characterised these suggestions as eminently reasonable and stated that he would endeavour to make arrangements accordingly. Stress was laid upon two points by the honourable members who expressed a wish that the discussion should take place;—the first was that sufficient time should elapse before such a debate took place to allow a study of these important documents and secondly that the debate should take place in time to permit of the record of the proceedings being sent to the Statutory Commission before that Commission took in hand the final drafting of their conclusions. The Leader of the House took these two points into consideration and endeavoured to make the best arrangements possible. At the close of the session the Punjab Government got into communication immediately with the Statutory Commission and it was explained to the Commission that the Punjab Legislative Council usually sat at the end of October or the beginning of November and that the discussion would take place then and would be more convenient for the majority of members. It was also pointed out that if the discussion took place at the usual time when the meetings of the Council were held, the proceedings could reach the Statutory Commission probably by air mail about the middle of November.

Lala Bodh Raj: On a point of order. The honourable member is going into the merits of the motion and not on the point of order raised by Chaudhri Afzal Haq.

The Honourable Mr. A. M. Stow : I am not going into the merits of the motion. I am explaining to the House why it is that we are meeting on this date.

Lala Bodh Raj : Chaudhri Afzal Haq did not want to know why the motion is moved. His point is that the motion is out of order.

Mr. President : The honourable member Chaudhri Afzal Haq has not stated his point of order.

The Honourable Mr. A. M. Stow : The Chairman of the Statutory Commission explained in his reply that the Commission would likely be beginning the study of the conclusions in the weeks that lay ahead, and that while it was not possible definitely to say by what date this process would have so advanced as altogether to exclude from consideration any new documents received, he could fairly say that if the reports of such debate reached the Commission not later than the 15th October 1929 they would be in time to be considered. This assurance gave a definite date and it was decided that unless the debate took place in the third week of September so as to enable the report of the discussion to be sent to London by the last mail in September, the proceedings would be infructuous so far as those honourable members were concerned who wished to have their views on these reports placed on record. That is the reason why the present session is being held on this particular date. But for this limiting factor, an effort would have been made to discuss the matter when all those interested in the Report were present. Unfortunately, Raja Narendra Nath and others will miss this debate.

As regards the words of the motion, I may explain that a form was sought which would give an opportunity for a full debate on the documents concerned and so give effect to the expressed desires of many members of the Council.

Before I close I should like to make it clear that Government members will vote on the original motion as introduced by me, that is to say, in favour of the discussion taking place on the documents and in favour of the record of that discussion being forwarded to the Simon Commission. But as regards the discussion on the documents, the position is different. Government has already sent a memorandum to the Statutory Commission and what now seems desirable is that the Simon Commission should be in possession of the views of the unofficial members in different quarters of the House upon the documents which have been presented. Accordingly in the discussions which will take place upon these documents, it is not proposed that Government members should take a part except by way of explanation or correction should these be necessary in cases where any error or misconception may have arisen as to facts in allusion to, or descriptive of matter contained in the Government memorandum. Sir, I move the motion.

Mr. President : The motion moved is—

That this Council—

(1) do proceed—

- (a) to take into consideration the report of the Committee appointed by the Council on 11th May 1928 to take part in the joint conference of the Indian Statutory Commission, and
- (b) to discuss the memorandum prepared by the Punjab Government for the use of the said Commission, and

(2) recommends to the Governor in Council that the report of these discussions as recorded in the proceedings of the Council be forwarded to the said Commission.

Chaudhri Afzal Haq: Sir, I draw your attention to Article 105.....

Mr. President: Article 105 relates to Standing Orders.

Chaudhri Afzal Haq: However, my point is that the words used in regard to a motion are that "it shall be clearly and precisely expressed, and shall raise substantially one main definite issue." But the motion as it is before the House raises more than one main definite issue.

Mr. President: The honourable member is probably referring to an old edition of the Business Bye-Laws of the Council.

Chaudhri Afzal Haq: I have now got the new edition. I refer to page 35, Article 111 which reads:—

"Subject to the restrictions contained in Articles 109 and 110 *supra* and to the provisions of the standing orders, any member may move a resolution relating to a matter of general public interest;

Provided that no resolution shall be admissible which does not comply with the following conditions, namely:—

(a) it shall be clearly and precisely expressed, and shall raise substantially one main and definite issue,".....

But, here, Sir Government moves three definite issues. One is to take into consideration the report of the Committee and the other is to discuss the Government Memorandum and the third is to recommend to the Governor in Council that the report of the discussion as recorded in the proceedings of the Council be forwarded to the Simon Commission. I think, Sir, that the resolution as it stands is not admissible and should be taken into consideration at a time when three resolutions are brought forward and not at a time when there is one resolution raising three definite main issues. This is why I say that the resolution as it stands is not in order.

Mr. President: The honourable member may be technically right. But I would request him to distinguish between an issue and a point. The first part of the motion, as it stands, involves to all intents and purposes only one issue, though it involves two points. As to the second part of the motion, relating to the request to forward the proceedings to the Simon Commission, that is only a subsidiary point. May I invite the honourable member's attention to Article 120 which lays down that when any resolution involving several points has been discussed, it shall be in the discretion of the President to divide the resolution, and put each or any point separately to the vote as he may think fit. I intend to put the three points separately to the vote of the House. The last point does not appear to require any discussion. The House expressed a unanimous wish on the 1st August last at Simla that its opinion be communicated to the Simon Commission, and if I remember aright, Chaudhri Afzal Haq was one of the members who expressed a wish to that effect. Points (a) and (b) of the motion raise practically only one definite issue, that is, discussion of the opinion expressed by the Government and the Provincial Reforms Committee; while, as already explained, part 2 is a subsidiary point and nothing will be gained or lost if it is treated as a separate motion or as a part of the proposed motion. ~

Rana Firoz-ud-Din Khan : I beg to submit, Sir, that my friend has raised this point of order on the basis that the resolution.....

Mr. President : Order, order. I may point out that this is not a resolution but a motion, and that the standing orders on which the honourable members are relying relate expressly to resolutions, and apply to motions only by way of analogy.

Rana Firoz-ud-Din Khan : My point of order is based on different grounds.

Mr. President : Is it a different point of order ?

Rana Firoz-ud-Din Khan : It is a different point of order, Sir.

Mr. President : I shall be glad to hear what the honourable member has to say.

Chaudhri Afzal Haq : I have not yet finished.

Mr. President : I decline to allow a discussion to be raised on a point of order. But if the honourable member has something substantial to say, he is welcome to do so.

Chaudhri Afzal Haq : You have very kindly reminded me of my expression of the wish that the report may be considered in the next session. But, Sir, I think, I never intended that any recommendation should be made to the Commission. This is quite absolutely another issue. My submission is, so far as the two parts are concerned, your view is quite right. But so far as the third issue is concerned, my party and its programme is involved in it. I never thought as a non-co-operator, as one of those who non-co-operated with the Commission that my expression of opinion at that time will take me so far that you will think that I am going to recommend that this report be submitted to the Commission.

Mr. President : I need only read what the honourable member said--

"Perhaps I voice the wish of the whole House that before the Simon Commission actually draft their report our opinion should be sent to them"
(Laughter).

The honourable member is at liberty to change his opinion and express a different view now. I have read out what he said on 1st August, 1929. As regards his point of order, I take it that he agrees with me that the motion does not involve different issues.

Chaudhri Afzal Haq : You will kindly allow me a minute or two.

Dr. Gokul Chand, Narang : Is this a point of order to say that the motion that the report of the debate be sent to the Commission does not meet with the creed of the honourable member ? It may be a lapse of memory on his part.

Chaudhri Afzal Haq : Sometimes a member says something different from what he has in mind.....

Mr. President : When that part of the motion is taken up it will be open to the honourable member to explain away his speech of the 1st August last.

Chaudhri Afzal Haq : You have not decided the point I have raised, though you have referred to my speech. My point is that so far as the third point is concerned that is a definite issue in itself and cannot be taken into consideration without the other two issues. That is my point ; but you have not decided that point. My submission is that his third point is absolutely a definite and different issue from the two points, and that is a definite recommendation.

Mr. President : Yes, it will be discussed and voted upon separately. I have already said so.

Chaudhri Afzal Haq : Then I understand that only the first two parts are to be taken into consideration for discussion.

Mr. President : Clauses (a) and (b) of Part 1 of the motion will be discussed and put to the vote of the House separately.

Chaudhri Afzal Haq : I submit that no doubt Article 120 gives you power to.....

Mr. President : I hope the honourable member will agree with me that though there are two different points there is only one main issue.

Chaudhri Afzal Haq : The third issue is not a mere point.

Mr. President : I think it is only a point, different from the two other points.

Chaudhri Afzal Haq : Then you should rule out the second part.

Mr. President : The main issue is the discussion by the House of the report of the Reforms Committee and of the Government memorandum. But the three parts of the motion shall be separately voted upon. In fact, they shall be separately discussed.

Rana Firoz-ud-Din Khan : My point is, Sir, that under Article 111.....

Dr. Gokul Chand, Narang : I wish to ask a question before he moves his point of order. There is some doubt at least in my mind and in that of some of those sitting on this side as to the procedure which is going to be adopted in the discussion on this motion. Mr. Afzal Haq is anxious that the discussion also should be separate.

Mr. President : I think the three parts of the motion should be discussed separately. They cannot be discussed together or simultaneously. Each part should be taken up separately.

Dr. Gokul Chand, Narang : I just give a crucial test of separate discussion. Will every honourable member of this House be entitled to

[Dr. Gokul Chand, Narang.]

speak on the first two sub-divisions of the first motion and then also again be entitled to make a speech on number 2 ?

Mr. President : Yes, provided the two speeches do not cover the same ground or overlap.

The Honourable Khan Bahadur Captain Sardar Sikandar Hyat Khan : It will be difficult to divorce (b) altogether while discussing (a) because members may like to refer to that.

Mr. President : Certainly. When a member is discussing the report he may refer to the memorandum and *vice versa*.

Dr. Gokul Chand, Narang : Parts, (a) and (b) will have to be discussed together.

Mr. President : If the House wishes to do so, I shall have no objection, but this point will be decided later.

Rana Firoz-ud-Din Khan : My point is that Article 111 requires that the question must raise a definite issue, and that the motion as worded does not at all raise a definite issue.

Mr. President : It has been decided already that there is only one issue.

Lala Kesho Ram, Sekhri : How shall it be voted upon ?

Mr. President : Separately.

Rana Firoz-ud-Din Khan : My question was not about the number of issues involved, but that there is no definite issue raised by the motion. The wording of the motion is rather too general as well as vague and does not raise a definite issue. The consideration of the report is not a definite issue.

Mr. President : That "the Council do proceed to take into consideration the Report" is a definite point, and that it "do proceed to discuss the Government memorandum" is also a definite point, and taken together, they form one issue.

Rana Firoz-ud-Din Khan : But it has not been put in that form.

Mr. President : I have already ruled that the motion is not out of order on that ground.

Mir Maqbool Mahmood : Before I could raise my point, I beg to rise to ask for some information. What does the honourable member, the mover of this motion, mean by the words, "take into consideration" ? Is it a discussion of the report or does he want us to debate the report, make amendments to it and make it a report of the House ?

Mr. President : I presume the honourable members know well what the expression "take into consideration" means. The Council has often taken Bills into consideration and is quite familiar with the expression.

Mir Maqbool Mahmood : If that is the interpretation that applies to the words 'take into consideration,' I beg to raise my point of order. If the House is to take this report into consideration you might remember, Sir, when this Committee was appointed to confer with the Simon Commission, they were not instructed to make any report to us or to the Commission. They chose to send one to the Simon Commission and no report is made to this House. We cannot take it into consideration nor can we accept it or amend it making it the report of the House. All that we want now is a general discussion and that was what we intended when we wanted to express our opinions on the report, a general discussion just like the one we have on the budget.

Mr. President : Order, order. What the honourable member himself said on the 1st August last, was—

"May we take it, Sir, that the Government does not want the discussion to be a merely academic one and they will take steps to arrange to convene a session of the Council in time for the opinion of the Council to reach those who are to formulate this decision?"

As to what the honourable member then meant and how he will like to explain away his speech is his business. But as to how a deliberative body can express its opinion upon any question, there is only one way and that is by voting upon it. Therefore, if the House wishes to express its opinion on the Report, it can do so by expressing its agreement or disagreement with the recommendations of the Committee, or by modifying some or all of those recommendations by moving motions to that effect. But, on the other hand, if the House wishes to hold only a general discussion on the report, it is open to it to amend accordingly the motion now before it.

Shaikh Muhammad Sadiq : What was the original motion when a Committee of this House was appointed?

Mr. President : It is immaterial what the original motion was when this House appointed the Reforms Committee inasmuch as it had passed at that time a Resolution to the effect that the Committee shall submit its report direct to the Simon Commission, even then when the report of the Committee came before it, it would not be estopped or debarred from taking it into consideration. That is the constitutional aspect of the question. But if the House does not wish to express its approval or disapproval of the report or does not wish to modify or amend the recommendations of the Committee appointed by it, it may proceed only to discuss the report generally.

Mir Maqbool Mahmood : Will the evidence on which that report is based be made available to the House, Sir?

Mr. President : On the 1st of August last when the honourable member proposed that the opinion of the House should be communicated to the Simon Commission, had he then expressed this desire, I would have at least tried to procure and place the evidence before the House.

Mir Maqbool Mahmood : With due deference to you, Sir, if you read.....

Mr. President : Order, order. I shall not allow any further discussion on the point. When the honourable member rises to speak to the motion he may explain away his previous opinion as he may please.

Lala Bodh Raj : Sir, you know that at the time when the Committee was constituted to co-operate with the Simon Commission, we the members of the Nationalist party opposed that motion in deference to the wishes of the premier political organisation of the country. Our consistent attitude requires that we should keep ourselves away from the discussion that is going to take place now on this motion. (Dr. Gokul Chand, Narang: Then walk out) I am sure that in the present Council, constituted as it is under separate electorates, my friends on the other side will place their separate view points before this House without taking into consideration that there are other communities also inhabiting this country whose interests have to be safeguarded. I have got nothing to say as to the attitude of the members of those different communities, but as I am sure, Sir, the question is not to be discussed from a national point of view, I simply beg to remind the honourable members of the House that they should not forget the old story of the two cats.

Dr. Gokul Chand, Narang : May I put a question to the honourable member? If he were not connected with any community, would he have been here?

Lala Bodh Raj : I am here as an Indian, as a Hindu Nationalist.

Mr. President : The honourable member is opposed to the motion. Is it not so?

Lala Bodh Raj : Yes, Sir. I am opposed to the motion altogether and I can assure the House that that view is shared by every member of the Nationalist party.

Mr. President : I understand that some honourable members have handed over to the Secretary notices of an amendment to the effect that for the words 'take into consideration,' the word 'discuss' be substituted in part (1) (a) of the motion.

Shaikh Faiz Muhammad : Sir, my amendment is more or less of a technical nature. It has been pointed out just now that the words, 'take into consideration' mean taking into consideration at full length every item in the report and discuss it and vote upon it. If we were to proceed like that, it would take a very very long time and the three days allotted for this purpose would be insufficient. There are, I believe, altogether 72 proposals and if we take into consideration every proposal and record a vote on each,

89

DISCUSSION ON THE REPORT OF THE PUNJAB REFORMS COMMITTEE
AND ON THE MEMORANDA OF THE PUNJAB GOVERNMENT
TO THE INDIAN STATUTORY COMMISSION.

it would be a very difficult task. I therefore propose that for the words 'take into consideration' the word 'discuss' be substituted. In that way we shall have a general sort of discussion and we may be able to record a general sort of vote just as we have a general discussion in connection with the budget and gather the sense of the House. I therefore move :—

"That for the word 'take into consideration' in 1 (a), the word 'discuss' be substituted."

Dr. Gokul Chand, Narang : May we know the names of members who have given notice of similar amendments ?

Mr. President : Honourable Members, Shaikh Faiz Mudammad, Mir Magbool Mahmood, Sardar Narain Singh and Nawab Major Talib Mehdi Khan, have given notice of the amendment. Motion under discussion, amendment moved—

"That for the words 'take into consideration' in (1) (a), the word 'discuss' be substituted."

The question is that that amendment be made.

The motion was carried.

Mr. President : The question as amended is—

"That this Council—

(1) do proceed—

(a) to discuss the report of the Committee appointed by the Council on 11th May, 1928 to take part in the joint conference of the Indian Statutory Commission, and

(b) to discuss the memorandum prepared by the Punjab Government for the use of the said Commission, and

(2) recommends to the Governor in Council that the report of these discussions as recorded in the proceedings of the Council be forwarded to the said Commission."

Shaikh Muhammad Sadiq : May I know, Sir, whether you propose to put the two parts separately or together, for I believe there are some who would like to vote for one not for the other ?

Mr. President : I shall put the two parts separately to the House.

Mr. President : The question is—

"That this Council do proceed to discuss the report of the Committee appointed by the Council on 11th May, 1928 to take part in the joint conference of the Indian Statutory Commission,"

The motion was carried.

Mr. President : The question is—

"That this Council do proceed to discuss the memorandum prepared by the Punjab Government for the use of the said Commission."

The Council divided: Ayes: 51; Noes: 6.

11 A.M.

AYES.

Col. C. A. Gill.
Mr. H. Calvert.
Mr. C. A. H. Townsend.
The Honourable Malik Firoz Khan,
Noon.
Khan Bahadur Nawab Muzaffar
Khan.
Mr. W. R. Wilson.
Sir George Anderson.
Mr. A. R. Astbury.
Mr. M. A. Ghani.
Mr. J. A. Ferguson.
The Honourable Mr. Manohar Lal.
The Honourable Sardar Sir Jogendra
Singh.
The Honourable Khan Bahadur
Sardar Sikander Hyat Khan.
The Honourable Mr. A. M. Stow.
Mr. A. Mitchell.
Mr. J. D. Penny.
Mr. C. M. G. O'Gilvie.
Mr. J. G. Beazley.
Dr. (Mrs.) M. C. Shave.
Khan Bahadur Maulvi Abdul
Ghani.
Mr. S. L. Sale.
Dr. Gokul Chand, Narang.
Mr. Labh Singh.
Rai Bahadur Lala Sewak Ram.
Mir Maqbool Mahmood.
Rai Bahadur Lala Mohan Lal.

Chaudhri Ram Singh.
Chaudhri Kesar Singh.
Rao Bahadur Captain Rao Balbir
Singh.
Mian Ahmad Yar Khan, Daultana.
Rai Bahadur Pandit Daulat Ram,
Kalia.
Rai Sahib Lala Ganga Ram.
Lala Gopal Das.
Lala Joti Prasad.
Rai Bahadur Lala Rattan Chand.
Lala Kesho Ram, Sekhri.
Pandit Mehar Chand.
Sayad Mubarik Ali Shah.
Khan Sahib Khan Muhammad
Saifullah Khan.
R. S. Chaudhri Chhotu Ram.
Chaudhri Zafarullah Khan.
Maulvi Sir Rahim Bakhsh.
Malik Nawab Major Talib Mehdi
Khan.
Sayad Muhammad Husain.
Risaldar Bahadur Nur Khan.
Rai Bahadur Lala Dhanpat Rai.
Mr. V. F. Gray.
Sardar Ujjal Singh.
Sardar Bahadur Captain Dalpat
Singh.
Sardar Bahadur Sardar Sheo
Narain Singh.
Mr. E. Maya Das.

NOES.

Rana Firoz-ud-Din Khan.
Lala Bodh Raj.
Chaudhri Muhammad Abdul Rah-
man Khan.

Chaudhri Afzal Haq.
Sardar Hira Singh, Narli.
Sardar Partap Singh.

The motion was carried.

Mr. President: The question is—

“That this Council recommends to the Governor in Council that the report of these discussions as recorded in the proceedings of the Council be forwarded to the said Commission.”

Shaikh Muhammad Sadiq: May I know, Sir, whether the amend-
ments which have been sent in will be in order, if this motion is passed?

Mr. President : I will decide that question at the proper time. Now I have put the question—

“That this Council recommends to the Governor in Council that the report of these discussions as recorded in the proceedings of the Council be forwarded to the said Commission.”

The Council divided : Ayes : 51 ; Noes : 8.

Ayes.

Col. C. A. Gill.
Mr. H. Calvert.
Mr. C. A. H. Townsend.
The Honourable Malik Firoz Khan,
• Noon.
Khan Bahadur Nawab Muzaffar
Khan.
Mr. W. R. Wilson.
Sir George Anderson.
Mr. A. R. Astbury.
Mr. M. A. Ghani.
Mr. J. A. Ferguson.
The Hon'ble Mr. Manohar Lal.
The Hon'ble Sardar Sir Jogendra
Singh.
The Hon'ble Khan Bahadur
Sardar Sikandar Hyat Khan.
The Hon'ble Mr. A. M. Stow.
Mr. A. Mitchell.
Mr. J. D. Penny.
Mr. C. M. G. O'Gilvie.
Mr. J. G. Beazley.
Dr. (Mrs.) M. O. Shave.
Khan Bahadur Maulvi Abdul
Ghani.
Mr. S. L. Sale.
Dr. Gokul Chand, Narang.
Mr. Labh Singh.
Rai Bahadur Lala Sewak Ram.
Mir Maqbool Mahmood.
Rai Bahadur Lala Mohan Lal.

Chaudhri Ram Singh.
Chaudhri Kesar Singh.
Rao Bahadur Captain Rao Balbir
Singh.
Mian Ahmad Yar Khan, Daultana.
Rai Bahadur Pandit Daulat Ram,
Kalia.
Rai Sahib Lala Ganga Ram.
Lala Gopal Das.
Lala Joti Prasad.
Rai Bahadur Lala Rattan Chand.
Lala Kesho Ram, Sekhri.
Pandit Mehar Chand,
Sayad Mubarik Ali Shah.
Khan Sahib Khan Muhammad
Saifullah Khan.
Rai Sahib Chaudhri Chhotu Ram.
Chaudhri Zafrullah Khan.
Maulvi Sir Rahim Bakhsh.
Malik Nawab Major Talib Mehdi
Khan.
Sayad Muhammad Hussain.
Risaldar Bahadur Nur Khan.
Rai Bahadur Lala Dhanpat
Rai.
Mr. V. F. Gray.
Sardar Ujjal Singh.
Sardar Bahadur Captain Dalpat
Singh.
Sardar Bahadur Sardar Sheo
Narain Singh.

Mr. E. Maya Das.

Noes.

Rana Firoz-ud-Din Khan.
Sardar Buta Singh.
Lala Bodh Raj.
Chaudhri Muhammad Abdul
Rahman Khan.

Chaudhri Afzal Haq.
Sardar Hira Singh, Narli.
Sardar Hari Singh.
Sardar Partap Singh.

Mr. President : Now, the Council will proceed to discuss first the report of the Reforms Committee and when that is finished, the Government memorandum.

Mir Maqbool Mahmood (Amritsar, Muhammadan, Rural) : Sir, before I proceed to express my views on the Reforms Committee's report with your permission, I would like to explain certain misinterpretation of my words used at the last session regarding the intention of this House in having this discussion now.

Mr. President : Order, order. The Council has decided to discuss the report. Therefore no explanation is called for.

Mir Maqbool Mahmood : I understood you, Sir, to say that I could explain myself in the course of my speech.

Mr. President : Personal explanations are permissible but contradictions of speeches are not allowed.

Mir Maqbool Mahmood : If an interpretation is put on a speech which was not intended, is that a personal explanation or not, Sir ?

Mr. President : If a speech is misunderstood or misconstrued by any member of the House, then of course an explanation is justified, but no one in this House has misunderstood the speech of the honourable member, therefore, there is no need for an explanation.

Mir Maqbool Mahmood : I understood you, Sir, unless I am wrong, to say that I intended to say on the last occasion that the definite opinion of the whole House should be sent.

Mr. President : I did not interpret the speech of the honourable member. I simply read it out to the House.

Mir Maqbool Mahmood : I do not mean to question you, Sir, but I understood you to say....

Mr. President : I do not think that a personal explanation is called for. So the honourable member need not insist upon making one.

Mir Maqbool Mahmood : Very well, Sir. Reverting to the Punjab Reforms Committee's report, all of us here realise that the work that had been entrusted to our colleagues of the Council on the Committee was a very important and a very delicate one. We also admit that unfortunately for them, for the province and the country as a whole, they set on this work in an atmosphere which was not best calculated to evolve a common basis and a common agreement on the various problems before them. As such, those of us who have given some thought to and studied carefully their report realise full well that they had to work under obvious limitations. In spite of that, we feel that it is unfortunate that a better and a greater line of common action could not be evolved by our colleagues on the Committee than has been found possible.

Apart from that, I feel I will be failing in my duty as a member of this House if I were not to congratulate the members responsible for the majority report for the very constructive report that they have produced. They

have according to their lights put up a constructive and complete scheme and in putting up that scheme they have tried to enumerate and meet the various difficulties and objections touching the various aspects of the questions before them. Now, with regard to the minute of dissent by my honourable friends, Raja Narendra Nath and Dr. Gokul Chand, Narang, I hope I will not be accused of any lack of respect or deference if I say that we all expected from our colleagues of such mettle and experience and intellect that they would rise equal to the occasion and present a constructive report or at least a constructive supplement to the report instead of the note offered by them which has been rightly called 'destructive.' As regards the third minute of dissent by Sardar Ujjal Singh, though there may be differences on certain points I feel that he is entitled to the credit of the House for the many original suggestions that he has put forward on certain points. I think, Sir, the whole House will agree with me in repudiating the implied suggestion in the note of my honourable friends, Raja Narendra Nath and Dr. Gokul Chand, Narang, questioning the *bona fides* or otherwise of the non-Muslim members who have thought it fit to sign the majority report. It is anything but graceful. I hope that my honourable friends would realise and say openly as they have often been fair enough to tell us in private that there can be honest differences of opinion, and that if there were some non-Muslim members who thought it fit to sign the majority report they were as honest in their views as my honourable friends were in appending their note of dissent.

It is very important, Sir, that some provision should be made to safeguard against any hasty and ill-conceived amendments of the constitution itself. Neither the majority report nor the minority report suggests any safeguards and we are strongly of opinion that no amendment of the constitution agreed to shall be made unless it is passed by four-fifths majority of each House of the Indian Legislature separately and by three-fourths of the provinces with two-thirds majority in each province. Some such provision is incorporated in the constitutions of most federal countries. Its first portion has been already accepted by the All Parties Conference and although the second portion has not been incorporated, it will, I am confident, be appreciated as a necessity in the future constitution of India.

Then, Sir, the majority report and the minutes of dissent by the minority may be divided for the purpose of our discussion into two parts, the constitutional and the communal aspects. On the constitutional aspect of the question the main difference of opinion is on the residuary powers and bicameral provincial legislatures. I am surprised to find that our liberal and progressive friends like Dr. Gokul Chand, Narang and Raja Narendra Nath, should have thought fit to recommend that Law and Order should not be transferred, while the so-called reactionaries have recommended that it should be so transferred. However, I am happy to note that my honourable friend Dr. Gokul Chand, Narang, has sent in an amendment which shows his real intention in this matter. Consistency is no virtue in politics and I congratulate the honourable member for having come to the right path.

[Mir Maqbool Mahmood.]

Now Sir, so far as the whole country is concerned I say, that Hindus and Mussalmans with very rare exceptions, are all agreed as to the minimum instalment of reforms that the country should get forthwith. Speaking for myself I feel that the minimum should be dominion status in all matters except foreign affairs, relations with States and defence, and these subjects too should be transferred to our complete control in a specified number of years. I find, Sir, that the majority report more or less goes in that direction. They suggest that the army and foreign and political affairs may be administered by two special members who shall be assisted by boards of members of the central legislature. This recommendation of theirs does not give any share to the Indian States in the administration of the army and foreign affairs. I am sure my friends of the majority report realize that in the interests of the country as a whole it is necessary to give adequate representation to the Indian States on these boards or otherwise in the decision of matters concerning the country's defence and foreign affairs. Similarly provision should be made for ensuring timely and effective association of the Indian States in the settlement of all-India questions, which concern British India as much as the States and should not be decided exclusively by either.

The question of residuary powers, Sir, is rather a ticklish matter. Unfortunately I find that the best brains of the country are divided on this question. Speaking generally, we all feel that we should have a central government sufficiently strong in central matters and having final voice in the administration of the subjects reserved to it. But this ideal of a strong central government is not incompatible with provinces which are completely autonomous in provincial subjects and which have residuary powers also vested in them. I have no communal object in making this statement. I am sure that the members of the committee, both those who signed the majority report and those who signed the minority report, will on a dispassionate analysis agree with the desirability and feasibility of my suggestion. Moreover, no future constitution of India would be worthy of the country unless the Indian States also are included in the scheme. Now the Indian States claim complete residuary powers, constitutionally and legally. I have the privilege of enjoying a representative position in the Indian States world, but when I express these views I do so in my individual capacity. It is patent that most of the big States have these residuary powers legally and constitutionally which they are not prepared to surrender. As such, I am confident that this is not a matter sufficiently vital, the conflict of opinion on which will or should be allowed to stand in the way of a truly United India constituting provinces as well as States. Nor should the difference regarding bicameral chambers in provinces create any real difficulty. The notes of dissent press for the second chamber, to steady communal vagaries. This should be unnecessary with the provision that no legislation affecting any community's personal laws, institutions, etc., should be passed without the assent of at least two-thirds of the members in the legislature concerned, of the community affected. Now, Sir, regarding the communal aspect, I feel I must express my views no matter how unpalatable they may be either to one side or the other. I have consistently for years stuck to my views. They are my personal

views and I know that the majority of my community do not agree with me though I conscientiously feel that they have nothing to fear from the adoption of my views which are doubtless in the bigger interests of India as a whole. I am one of those who believe that separate electorates, whatever their virtues, give no incentive for a common national feeling and national development. Perhaps it was a necessary evil in the transitional stage of the constitution. We all admit that it was necessary during the transitional stage to protect the minority and backward communities. But if we look at the constitutions of countries in Europe or America which have had the same problem of protecting the rights of the minorities as we have in India, we do not find anywhere the adoption of the principle of separate electorates or reservation of seats. I have studied the working of the constitutions of such countries on the spot, and I have found that the fundamental rights of the minority communities are protected by specific provisions in the constitution itself. For instance, the Muhammadan and the Sikh minorities in India want protection of their rights with regard to the services, their position in the cabinet, the educational development of their communities and the sanitary improvements, the Land Alienation Act and other similar matters. Let all these matters be tabulated and a settlement regarding them be incorporated in the fundamental rights of the constitution. It should be easily possible even in the present day communal India and it is only the fear engendered by the suspicious atmosphere that makes many insist upon protection of these rights through separate electorates. Once the fundamental rights of the minority communities are protected there is no need for separate electorates or reservation of seats. I have spoken about this to some of my Muhammadan, Hindu and Sikh friends and they have all said that these suggestions deserve consideration. Let us then join hands to find a solution and abolish separate electorates.

The Honourable Malik Firoz Khan, Noon : You suggest now.

Mir Maqbool Mahmood : My personal suggestion would be this :— First of all, the leaders of the minority communities should sit together and draw up a list of rights which they want to be protected. Then all the communities must come to an agreement and the safeguards should be incorporated in the fundamental declaration of rights. Having done that, no weightage should be allowed to any community in the provincial sphere. The voting strength should be according to the population strength. I am in favour of adult suffrage after ten years and in the meanwhile we shall have to evolve some formula to arrange that as far as possible the voting strength of various communities should be approximate to the population rates. Election should be on the basis of plural member constituencies and proportional representation so devised that all minorities get their due representation at least according to their population rates. In order, however, to provide that all the communities may have a voice in the ultimate decision of questions affecting the country, I would suggest that in the Punjab there should be at least one Hindu and one Sikh in the cabinet, in the United Provinces there should be at least two Muhammadans in the cabinet and

that in the other provinces one at least shall be a Muhammadan. (An Honourable Member: Bengal). In Bengal there should be at least one Hindu. Sindh, North-West Provinces and Baluchistan should be dealt with as recommended by Nehru Committee and minorities even there should be assured seats in cabinet.

The Honourable Malik Firoz Khan, Noon : May I ask the honourable member whether these are his personal views or the views of his constituency ?

Mir Maqbool Mahmood : I have already said that they are my personal views. Weightage to the minority communities should be allowed only in the central legislatures, thirty-three per cent. of seats in both Houses of the central legislature given to Muhammadans and a specific percentage of total seats assured to Sikhs with weightage desired by them. This will not affect the Hindu majority in those Houses. When all this is done, there will be less chance of friction than now. Without meaning any offence to personalities I may say that now when we have separate electorates the personal element plays a very important part. The mere fact that a certain man is a minister or a head of a department gives rise to a cause of complaint because there is no settlement regarding services. All this would be avoided if the general principles to which I have referred are put into practice. Then whoever is in charge of the administration will become immaterial. I have spent a sufficiently long time in discussing my suggestions with certain leaders of all the communities and I can safely say that I have had an encouraging response.

And when I press these views, I hope it will be understood that they are my views in case a compromise is reached more or less on those lines, and that my expression of these views will not be cited as an argument against any demand of my community or the views of my constituency as such. These are my personal views as a basis of any compromise which might be evolved on these lines.

There is just one word, Sir, and I have done. It seems absolutely necessary in view of the circumstances of the country that we should have a declaration of rights appended to the constitution.

One thing seems clear and I feel I owe it to Government and to the country that the sooner, in the interest of evolving a better understanding in the country, the round table conference is convened, to which various important institutions are invited to send representation, the better will it be for all concerned. I feel that the main principles even in the Government memorandum are the same; there is not much difference and it is the question of venue which should not be unusually stressed against and if a round table conference is convened before any action is taken on these constitutional suggestions, I feel that the country will accept them in a better mood. That will lead to a constructive understanding between the East and the West, between the communities in India and between British India and Indian States.

Mr. Din Muhammad [East and West Central Towns (Muhammadan), Urban] : Sir, unlike my friend who once belonged to a Muslim constituency when he was returned to the Council but now belongs to a Sikh

State, I do not wish to exclude from my praise or expression of gratitude the authors of the dissentient note. I am glad, Sir, that they have exhibited the courage of their convictions which is admirable, and however preposterous their demands, however unreasonable their claim and however unjust their criticism might appear to those who disagree with them they have yielded to no notions of expediency or complacency or propriety for the sake of mere unanimity, and have expressed their own opinions as well as the opinions of the community that they choose to represent in a very bold manner.

The keynote of all these dissentients is the condemnation of separate electorates, the vilification of the Musalmans who ask for them and the intimidation to the Government to non-co-operate with them or to throw away the reforms if they yield to the Muslim demands. Sir, even a bare analysis of the whole situation would show that they are altogether mistaken in their views. What are we driving at, what is our object in view? Full responsible government for India. And is this the way they are going to work it out? They say: deprive the Musalmans of their just rights, give surplus rights to the Sikhs, give them what is due to them and then and then only it would be a democratic form of government. Otherwise, they say, it would be a negation of democracy. And how do they divide the seats? They say the Sikhs who constitute only 11 per cent. of the population must be given 38 per cent., the Hindus who constitute 84 per cent. of the population must retain 34 per cent., and the honourable Raja Narendra Nath and the honourable Dr. Gokul Chand, Narang, say they would agree to this weightage to the Sikhs, provided they cut off this slice from the side of the Musalmans. This is the note they append to the dissenting note prepared by Sardar Ujjal Singh:

"We have read Sardar Ujjal Singh's note. We agree with him on the principal points urged. We think that he has made out a good case for the Sikh minority in the Punjab being given the same weightage as is given to the Muslim minority in other provinces. It is of course understood—"

And this is really the very important part of the note—

"it is of course understood by him as well as by ourselves that the proportion of Hindu representation which barely comes up to its proportion in the population is not to be reduced."

Now, as I have submitted before the House this is what the democratic Hindus demand. They say that the Musalmans who constitute 56 per cent. of the population should be given 28 per cent., the Sikhs with 11 per cent. of population should get 38 per cent., the Christians should run away with 5 per cent. and that the Hindus will remain content with 34 per cent. which comes up to their numerical strength.

The object of democracy is to provide that justice be done to every soul that breathes on the surface of this earth. That is the spirit of democracy. If you take away the just rights of a certain important section of the community, if you sacrifice the most important interests of one community at the altar of another community, you are sowing the wind and then if you reap the whirlwind, it is not that community which is to blame. Intimidation *versus* intimidation, agitation *versus* agitation. Every community knows how to agitate for its rights. We are not going to be

[Mr. Din Muhammad.]

cowed down like that and if it is their intention to cow down Government into a belief that if these unjust demands of theirs are not listened to, they would non-co-operate, let them do so. We insist on our rights and we are not going to listen to any suggestions which encroach on our just rights.

Now, Sir, looked at from my point of view if there is any community that is not entitled to any separate representation at all, it is the Sikh community. If, for certain unknown reasons, the bureaucratic government of old at our back admitted either in the Montford Report or in any other State document that the Sikh community was a distinct and important community, it could not in any way be a justification for to encroaching upon our rights. We have to see to which community they belong. They belong, to all intents and purposes, to the Hindu community. They intermarry. They revere the same books. They revere the same saints. They follow the same laws. They observe the same social customs and they worship the same animals and in spite of that, for mere political reasons they come forward and say that they are a distinct community, that they are a very important community and all that and claim separate rights. We should not entertain their demands. I have taken pains to go through the reasons they have advanced in support of their claims. I have read Sardar Ujjal Singh's note and I have read the dissenting note appended by Raja Narendra Nath and Dr. Gokul Chand, Narang, and I have also read the separate note written by the "plain man from the country-side" in the Government Memorandum, and I find that they base their claims on three grounds, viz.—

- (1) they were the former rulers of this province;
- (2) they contribute gallant soldiers to the Army; and
- (3) they pay 40 per cent. of the land revenue.

Now, Sir, if we are reasonable, if we are just, if we are not intentionally blind to realities, we should know that this is not a distinction which exists in their case only. If fifty years ago the Sikhs ruled the Punjab, we also had the honour to rule the whole of this country for nine hundred years. Whom did the British displace in Bengal? From whom did they take over charge in Madras? Who were their predecessors in the United Provinces? And from whom did the Sikhs take over? Did they not take over from us who had ruled all over the country for so many centuries and whose glories still remain immortal in marble? And you ignore our claims; you encroach upon our rights for the reason that the Sikhs happened to rule this country eighty years ago.

Then they say they provide gallant soldiers to the Army. Can this Government deny that it was the Musalmans who bore the brunt and who contributed more than three-fourths of the Army during the Great War and that even now Musalman soldiers are the pride of their Army? (A voice: Shame). Shame or no shame, we cannot ignore realities. You cannot ignore this fact that the Musalman army constitutes at least three-fourths of the army and that it is the Musalman army that has won for you all the strength and security that you enjoy.

Coming now to the third reason, that they pay 40 per cent. land revenue (Dr. Sir Muhammad Iqbal: It is incorrect.) The

bureaucracy is responsible for the figures, but even if you take them at their word that they pay 40 per cent., it still remains to be seen who pays the 60 per cent. that remains. Certainly not the Hindus. If on the basis of these qualifications that the Sikhs possess, you are prepared to give 11 per cent. of the population 33 per cent. representation, how can you in fairness and justice deny the Musalmans the just rights that they claim on the basis of their numerical strength? How in fairness can you grant any sort of representation to these gentlemen who are sitting to my left who neither contribute much towards land revenue nor contribute men for the army of India and who have never ruled India at least for one thousand years? They rely on the agitation that they can start and the vociferousness with which they can press their claims. But that is not the way in which constitutions can be settled. Constitutions can be settled only if everybody, most honestly and most conscientiously, is prepared to surrender the right of his neighbour and of his brother. Supposing a parent dies and his estate is to be divided among his descendants. Will any member of the family be justified in excluding any other member of the family, under whatever disqualifications he may suffer? It might have been just under the Hindu Raj long ago, but it is not just now. A baby in arms, a leper, a blind man, a person labouring under any disqualification, all would be entitled to an equal share in the patrimony of his father. Here is the heritage of our mother-country to be distributed among her sons and see how they clamour to deprive us of our own just share and insist that if the Muslim claim is acceded to, it would not be democratic. Well, a democracy looked through the particular spectacles of the venerable Raja and the honourable Doctor might wear a different aspect. Democracy in popular parlance, however, means nothing less and nothing more than that every man must have his due share.

I wish to lay before the House one more point to demonstrate that if any community is not entitled to separate representation it is only the Sikhs. They urge that they are a distinct nation politically, but in a court of law has this plea been ever raised by any Sikh? Has he ever pleaded in a court of law that he is not a Hindu and that he is not governed by the *Dayabhaga* or the *Mitakshara* or Mann's laws? Never. Why? Because they know that in a court of law this plea will not hold water. Here they raise this plea, because they realise that there is a Government which is ready to flatter them, that there is a Government which is prepared to please them and that there is a Government which would listen to them whatever they might urge, for reasons of state, and this is the reason why they come forward to urge boldly the plea which cannot stand the test of reason.

Let me submit that it is the good sense of the component parts of the body politic that can lead to the drafting of a reasonable constitution which might be agreed to by all members of the body politic. Honourable members might have seen in yesterday's *Civil and Military Gazette* and the *Tribune* a forecast given by the *Sunday Times* of some of the recommendations which are being made by the Statutory Commission.

[Mr. Din Muhammad.]

Lord Burnham is said to have contradicted the report. But what do we find?

Mr. President : Will the honourable member confine his discussion to the Report and not proceed to discuss the forecast which has appeared in the newspapers?

Mr. Din Muhammad : I refer to that only as an argument. The first paragraph says that India is not fit for dominion status. Why do they say that? Because they find that we are unreasonable, because they find that we have not yet learnt how to respect the feelings of others, how to discharge our duties towards others, how to surrender to others what are their just dues. That is why they say that India is not yet fit for dominion status. After all, full responsible government or dominion status, as other countries enjoy, connotes that the members who either form the legislature or the executive know how to dole out justice among the various communities that reside in the country, know how to acknowledge the rights of others and how to discharge their own duties creditably and honourably towards others. Unless we learn that, surely we shall never be entitled to bear the burden of that heavy responsibility which we claim. This was the reason why I referred to that forecast. Even to-day if Hindus, Muslims, Sikhs, Christians, all of us unite, if all of us become reasonable, if all of us are prepared to surrender to everybody his due, the result would be that there would be a united demand from India to the Mother of Parliaments and the Mother of Parliaments shall have to yield. If we all march to solve this problem hand in hand, all these communities with one mind and with one voice, the victory would be quite clear. But if we go on fighting among ourselves, if this is the state of affairs that prevails, if there are internal dissensions, tribal feuds, and communal riots, surely we shall never reach the goal.

Now the honourable member from Amritsar was pleased to say that separate electorates are a necessary evil, that it gives no incentive to nationalism. I, voicing the feelings of my constituency which I have the honour to represent and the community to which I have the honour to belong, most emphatically protest against these remarks, especially when they proceed from a Muslim gentleman. I am not one with those who call separate representation an evil, be it necessary or unnecessary evil. They all mislead us who say that every defect that we find in the present administration is due to separate electorates. Joint electorates are permissible only if there is one nation. But if there are more than one nation, different nationalities welded together artificially, then separate electorates are absolutely necessary. If we care to examine whether we are one nation or not, we shall find to our disappointment that we are not. We have different histories, different religions, different descent, different interests and different languages. How can we be one nation under these circumstances? This is not the only country in which more than one nationality resides. This is not the only country where more than one religion prevails. In such countries there is an artificial constitution which welds the people together in an artificial manner and makes it incumbent upon and possible for the different nationalities to surrender the rights of everybody else, and to stand each on its own legs by sending its own representatives.

DISCUSSION ON THE REPORT OF THE PUNJAB REFORMS COMMITTEE 101
AND ON THE MEMORANDA OF THE PUNJAB GOVERNMENT
TO THE INDIAN STATUTORY COMMISSION.

The expression 'Joint electorates' is a misnomer. Imagine that even when the Muslims claim 51 per cent. of the seats, our Hindu friends come forward and say that it would be a Muslim Raj, it would be a Muslim rule. We claim only one seat more than the seats allotted to our sister communities. There can never be electorates which are equipoised. There will always be a majority of one community or another, and if we apply that test, naturally an electorate would be a Hindu electorate or a Muslim electorate, a Hindu constituency or a Muhammadan constituency.

Moreover, joint electorates would teach us just to be time-servers and hypocrites, how best to show ourselves in order to momentarily influence the minds of the other communities. We have had a very sad experience of a joint electorate during the last election. The only argument that is advanced on behalf of those who advocate joint electorates is that the member who will be returned by a joint electorate would realise his responsibility and have equal regard for the rights of all the communities that send him to the Council. I am really pained to refer to a very bold instance in this House which has belied all the arguments that are being advanced. The Honourable Minister for Education was returned by a joint electorate and the Honourable Minister knows perfectly well that during the last three years there has been a constant uproar against his policy towards the Muslims.

Mr. President : May I request the honourable member to confine his speech to the report ?

Mr. Din Muhammad : I am only discussing the report. I am taking up the case put forward by the Hindus for joint electorates. For me, this is the only point of importance in the report. I am not concerned as to whether we are to have four or five Ministers or whether the Chief Minister should nominate the other Ministers. I am here concerned only with the protection of the Muslim rights, the rights of the community which sent me here. I consider this to be the only crucial point for the Muslims. That is the

reason why I am discussing the reasons urged
for the introduction of joint electorates and
the virtues of separate electorates and I am going to demonstrate
before the House that these reasons are not sound and that separate
electorates are the only possible form of electorates that you can
introduce in this country in the interests of peace, in the interests of
security and good government. I was illustrating before you, Sir, that the
only argument advanced for the joint electorate is that joint electorates
lead to harmony, that the member elected by joint electorate always looks
to the interests of the other communities as well. But I submit before this
House that we have been absolutely disappointed to find that the Honourable
Minister for Education, whose constituency was joint and in whose constitu-
tency more than 800 Musalmans exist who voted for him at that time with
the hope that he would guard and respect their rights and feelings, has
absolutely disappointed us. How can we then say that joint electorates
will be useful to us in any way ? How can we shut our eyes to this
reality ? Here look at this Council itself. This is also a joint electorate

12 noon.

[Mr. Din Muhammad.]

and if an office bearer is to be chosen or an important point has to be discussed, do we find that the communities sitting here have any regard for the feelings or for the needs of other communities sitting there? Everybody stands on his own legs. Everybody protects his own community and feels for himself. It is a farce, therefore, to say, that when members will be returned by joint electorates they will work together for the achievement of the national object. This is a country, as I have submitted before, where there cannot exist a nation, where there must remain separate communities. And since these separate nationalities have separate rights, unless you introduce separate representation there can be no good government, there can be no good will between the governors and the governed.

The second point that has been touched by the authors of the dissentient note, in which impliedly a threat is also advanced to the Government, is the question of the Land Alienation Act. They insist that in every constitution that is devised for India, there must be a separate clause to safeguard and to protect the civic rights of the population, and they quote the Land Alienation Act as an instance of an encroachment on these civic rights. They blame the Government for having passed that Act. They blame the Government for having enacted this piece of preferential legislation, and they take it to task for not repealing it so far. Here also I am constrained to submit that they are putting forward a mistaken view altogether. It is not a desire to encroach upon the civic rights of individuals or of any community that was responsible for the passing of this Act. I admit that under ordinary circumstances individual rights cannot be encroached upon, that we are bound to respect and protect the civic rights of individuals as well as of communities. But, Sir, in my humble judgment, the feelings, and the most noble feelings they were that originated this Act, were the same that actuated the Americans to abolish the system of slavery. It was to provide against the economic slavery of one class by another class, that this Act was passed, and no Government would be functioning properly if it is not able to protect one community from economic slavery under another community. If a Government finds that a community is rushing headlong into a pit of destruction, if the Government finds that a community is imbecile, the Government must put forward measures to protect its interests. The Government does the same even in the case of ordinary individuals. Take, for instance, an imbecile aristocrat or a prince. There is the Court of Wards or the Council of Regency to protect him. Similarly, in the case of the insane and lunatics, the Government is ready to protect them from all encroachments on their person and property. Similarly, if Government believes that a community is imbecile, if Government knows that a community is blind to all its interests, that it is rushing headlong towards its destruction, then it is the function and the most important function of Government to enact a piece of legislation and an enactment which will protect its interests, which will protect that community against its enemies. Even if a constitution contained the clause on which my friend insists it would not mean *ipso facto* the abrogation or the annulment of this Act. This is a question

which is altogether separate from the protection of civic rights. It has absolutely nothing to do with the protection of the civic rights. It is obligatory on the part of every Government to protect the weak against the strong communities. If there is a Government which cannot protect the weak against the strong, then let that Government say good-bye to the country, for, that Government ceases to function and it has absolutely no right to keep its control.

The honourable gentleman from Amritsar suggested that instead of introducing separate electorates, we must provide safeguards in the constitution itself. I, for one, do not believe in such safeguards at all. Everybody knows that during the last 60 years or so, in spite of the orders and instructions contained in the Proclamation of Queen Victoria of revered memory and of other kings, whenever the executive so desired it has been violated, its fundamental principles broken and racial discrimination introduced. What could the country do but to create an uproar against its violation and nothing else, to feebly protest against the misdoings of the bureaucracy and nothing more? Such safeguards cannot satisfy us. The Muslim community requires that in any constitution that is settled, whatever form that might take, there must be an express declaration of rights that the other communities must concede. We want nothing more, nothing less. Unless the constitution is drafted on these lines it would not be acceptable to the Muslim community at all.

The other points that have been dealt with by the authors of the dissentient notes are very minor and do not deserve any consideration whatever from my point of view. However, there is one objection and a very important one which deserves to be met. Both the honourable members who belong to the Hindu community and the honourable gentleman who belongs to the Sikh community have expressed surprise as to why the Muslims being a majority community of the province require any protection in provinces like the Punjab and Bengal. We are here concerned with the Punjab. On the one hand, you will be pleased to see, Sir, they argue that a division of this country into provinces is only for administrative convenience and that it is not real, but when the case of Muslims comes before them they say? "No, this division is real. You are a majority here, why do you claim protection?" If we treat India as a whole, we are a minority community. We know, Sir, that our brethren reside in other provinces in which they are in a very insignificant minority. We know that we run the risk of their rights being trampled upon by the majority who have never yet evinced any sign of friendliness towards us and it is, therefore, that we insist that, as a minority community in the whole of India, we must have separate electorates on the basis of numerical strength wherever it is possible. It is not, Sir, that we claim this so that we may be able to ride roughshod over the rights of the Hindus, it is simply in self-defence that we do so. We assure honourable members of this House that our past conduct has shown that we know and now often show how to please others and how to live and let others live. It is only the members of the other community that have always been on the offensive and aggressive, and have not yet convinced us that our interests are safe in their hands.

[Mr. Din Muhammad.]

Another point that deserves consideration is as to whether the honourable members who signed the majority report were in any way justified in reducing the claim of Muhammadans from 56 to 51 per cent. Sir, it is no doubt true that we members of the Council elected them to serve on the Committee both as Mussalmans and as members of the National Unionist Party, it is also true that they were representing, both of them, the rural interests in the province but we never gave them this mandate. If I mistake not, it is under a misapprehension of their functions that they have been led to place their signatures on a report which reduces the claims of Muhammadans from 56 to 51 per cent., and in that action of theirs they cannot claim the support of the community that sent them to that Committee. Perhaps they wanted their report to be treated as an organic whole. The honourable member (Dr. Gokul Chand) while criticising the majority report has remarked somewhere that the majority report took a wrong view of the Nehru Report inasmuch as they treated it section by section while it was an organic whole which was not open to dissection. Similarly, Sir, I beg to submit that the majority report should be treated and it is then that the views of the Muslim members might be tolerable, for along with the reduction of the Muslim seats they clearly mention that Baluchistan and North-West Frontier Province should be given reforms, that Sind should be separated from Bombay. They signed the report to effect a compromise with the Hindus and to assure them of the peacefulness of the Mussalmans. They did this in an altruistic manner so that the rights of their brethren in the other provinces might be safeguarded. It is only under these conditions that I believe those two Mussalmans signed the report, although it was the unanimous wish of the community that they will not be satisfied with anything less than 56 per cent. The honourable members should know that numerical strength is the only criterion which determines the status of a community in a legislative body. Some of the gentlemen urged also the question of voting strength. I would submit that voting strength is a false standard which can not be applied to determine the relative strength of a community in any council or governing body. When the Simon Commission was pleased to visit my town, I brought it to their notice that there is a pit in which one is apt to fall if one is not careful enough to see that voting strength is altogether artificial. There are voters who claim qualifications in more than one constituency. In my town there were Hindu shopkeepers who possessed qualifications in 4 different wards and from among 8,000 voters in all I picked about 4,000 voters that had been repeated more than once, twice, thrice, and four times in the rolls. A voter was running a shop here, living there and held property in another place, he could be shown as a voter in all those places. It is no doubt true that he will not be allowed to exercise more than one vote but the evil has been done. His name has been repeated four times and he has swollen the number of electors and his community is permitted to urge that it should be given larger representation on that basis. The voters' registers are thus falsely prepared. Therefore, this criterion is altogether unnatural. There is only one natural criterion which you can apply to determine the relative strength of any community which should form part of any constitution and that is this. Count the number of persons that belong to that community.

Make no exception in favour of any person whether he is young or old, is a vote-exercising or a non-exercising member of the community, is a child or an adult, man or woman, and give him or her a share in the administration direct or indirect. This can be the only one natural standard that can be applied to determine the relative position of a community in a Council. Under these circumstances also, I am fully justified in urging that if we Mussalmans ask for representation on the basis of numerical strength, we ask for nothing unnatural. We are only putting forward a proposition which can lead to peace and which can lead to prosperity. The only reason that is urged for giving weightage to the Sikhs here is that such a weightage is given to Mussalmans in other provinces. That would not be a reason which would apply to the Sikhs at all as they are not found anywhere else. I agree with the honourable members who wrote the dissentient note that we are mainly concerned with our own province, and have nothing to do with the other provinces. It is the arbitrator, the judge who is to see whether he can cut a slice here or add a slice there. We are concerned only with putting forward our own claim and our claim is that every community should enjoy representation in the reformed council on the basis of its numerical strength. This is the most important point which vitally affects the Muslims and because both the honourable members who signed the majority report as also those who were responsible for the minority report have erred in this direction, it was incumbent upon me to insist that nothing less than separate representation would satisfy the Muslims and that their proportion must be determined by their numerical strength. If Government is fond of being intimidated into action we are not now, Sir, such loyal persons as to sacrifice our rights on the altar of loyalty. We are also prepared to give threats. If agitation alone can lead this government to give a community its due share we will also agitate and agitate until we get our rights. We will not be mere disinterested observers of their sacrificial slaughter. We will not tolerate it quietly and cowardly. In a democratic country, in a country which enjoys full responsible government every bit of share that a community is entitled to, counts. It is a factor necessarily to be taken note of to keep up the vitality of that particular community. If we want to live, we shall have to gain all our just rights and not forego even an inch. Whatever the Government might feel towards the Hindu or the Sikh community, so long as our demand is reasonable, it must be had and had at any cost.

These are the considerations, Sir, which I wished to place before the House so that the position of the community to which I have the honour to belong may not be misunderstood by the report of the Muslim members who sat on the Reforms Committee in this province. I would like once more to impress on the honourable members of this House that if we are just and reasonable towards each other, if we are united in making a demand which is absolutely reasonable and which would appeal to any man of common sense, it is impossible that the British Government would be in a position to deny that demand. Victory would then be achieved and achieved at very cheap cost. Let us forget all our religious prejudices. Let us rise high above all communal dissensions. Let us not fight among

[Mr. Din Muhammad.]

ourselves for the loaves and fishes and let us all be fair, just and reasonable towards the members of the sister communities. It is then and then alone that our point would be gained. (Cheers.)

Rai Bahadur Lala Mohan Lal [N. E. Towns (Non-Muhammadan) Urban]: Sir, I have heard the interesting speeches of the honourable member, Mir Maqbool Mahmood and my honourable friend from Gujranwala. The former has tried to give us an idea of what he personally thinks should be done. As I understood him, he agrees that there should be joint electorates; but that I understand is his personal opinion. The other honourable member, however, stood up and said that that was not the opinion of his community. I have heard, Sir, both of them say that they want democratic Government in India and they also want self-government in the Punjab. The honourable authors of the report have been congratulated by both of them and I join in the chorus of appreciation of their labours. But I wish to say at the same time that the majority report looks so plausible and so charming to the outside world that it gives the apparent impression that the demand of the Muhammadans is a just demand for real self-government. But if one were to see beneath the surface, one would find that from the Hindu point of view it is neither just nor desirable. The Muhammadans want under this scheme to establish in the Punjab what my honourable friend from Gujranwala called a Moslem Raj. What does the majority community want? They want that in the matter of so-called self-government which they propose for the Punjab, they should have the number of seats according to their population. At the same time, being a majority community, they would like us to concede that they should have separate electorates. From aught I knew of constitutions, I have not heard or read of a majority community seeking such protection both ways. On the one hand, if they are in a majority, they claim that they should be given seats according to their population and on the other, they claim that they should have separate electorates. I have heard the honourable member from Gujranwala talk about the Sikhs and claiming that the Muhammadans were the governors of the Punjab and of India but some years ago. Probably all my Muhammadan friends claim to come from Afghanistan or some other Muhammadan country into India, that they were never Hindus and were none of them converted to Muhammadanism. Is it their claim that at no time the Hindus ruled India or the Punjab? If that is so, I question the truth of such a statement. As honourable members may be well aware and as I personally think, the Muhammadans in the Punjab and in India to a great extent were just like the Sikhs, the inhabitants of Hindustan. There have been conversions from the Hindu population. My honourable friend then alluded—I am very sorry I have to refer to it—to the past conduct of the ruling community in India and I ask, has it been of such a character as to show that justice was done or due consideration shown to the feelings of the other communities. Is that what history teaches us? For, from Peshawar to Cape Comorin, how many temples have been demolished and mosques put up? That has been the attitude of the majority community who claims to have ruled this land and to have been fair to every community in India. I should submit, Sir, that history is against them. What we, Hindus, say of the majority report in the Punjab is this; that just as I submitted before,

they want the Muslim Raj in the cloak of local self-government. They want that because they are in the majority, they should be protected both ways. I am one of those who would concede their claim if they were to agree that throughout India their claim should be considered by the framers of the constitution uniformly on the population basis, that the population basis shall be the only criterion. If that were their position, I feel that the Hindus would be wrong if they were to object to that principle in the Punjab alone. But as I submitted before, if the Muhammadan members urge the population basis in the Punjab alone and in no other part of India, they are not fair. If they claim protection from the Hindus in the Punjab alone the Punjab Hindus wish to be similarly protected. But what is the attitude of the Muhammadans generally? So far as my reading goes, their attitude is best expressed by the vernacular proverb which would mean when translated:

'If you come to my house, what presents will you bring; and if I pay a visit to you, what will you offer to me?' (*Pir Akbar Ali*: That is what you have been doing). That is what appears to me to be the present attitude of the Muhammadans. If they want to have any constitution framed for the Punjab they say, we are in the majority and give us seats according to our population. But so far as other parts of India are concerned, my honourable friend from Gujranwala stated that we were not concerned with them and that our concern should be only the Punjab. I tell them, Sir, be fair; we want to be fair too. Adopt one basis and that for the whole country. If there should be a constitution for the whole of India, let it be even on the basis of population as they would have it. We quite agree, but that basis should apply to the whole of India and not to this province alone. In the Punjab, it is well known that the Muhammadans are in the majority so far as population goes and even as landowners, they pay a larger amount of revenue. So what principle they seek to apply to the majority community in this province should be applied in all fairness to the majority community all over India.

Pir Akbar Ali: Let us agree for the Punjab alone on the population basis. Other provinces will consider their case for themselves.

Rai Bahadur Lala Mohan Lal: That would mean, Sir, as I said Moslem Raj. In the case of Sikhs, they say that they should be given no weightage. The Sikhs however claim that they are an important community, that they have been supplying soldiers for the army and that they have been the rulers of the Punjab about sixty years back. And nevertheless the Muhammadans will not concede their claim. Just look at the condition in the United Provinces and in Madras. In Madras, if I remember rightly, the Muhammadans form only about 8 per cent. and in the United Provinces about 14 per cent. of the population. They have been given 30 per cent. in the United Provinces and an equally large proportion of representation in the other provinces under the Lucknow Pact. But the Muhammadans urge that the same principle should not be applied for other minority communities in India. When the Sikhs make a similar claim, they are told that as they come out of the same stock as the Hindus, they should not be given any weightage. This, Sir, is the attitude, this is the mentality of the Muhammadans. I and others on these benches here shall

[R. B. Lala Mohan Lal.]

never agree to such a state of things. I do not want to go into details Sir, but I feel bound to point out that the Government have tried their best to find out in their constitution sufficient safeguards to the minority communities. In the majority report in which I am very sorry my honourable friend Chaudhri Chhotu Ram appears, those safeguards are nowhere. We feel that the administration of justice, i.e., the High Court should be above board and it should under no circumstances be left under the local Government. As regards the appointment of Ministers, it is probably the idea of the members of the majority report that they shall not be appointed by the Governor, but that the Governor should appoint the Chief Minister and that the other Ministers should be selected by the Chief Minister, without any regard to the claims of any other caste, community or creed. I am greatly apprehensive, I have great fears that if that provision were retained, the Chief Minister, a Muhammadan, will seldom appoint a Minister of either the Sikh or the Hindu community on the plea that a Hindu or a Sikh will not co-operate with him. My honourable friend from Gujranwala just now has been kind enough to refer to the honourable the Minister for Education and remarked that he had not acted as he should and that he had been caring more for the Hindus than for the Muhammadans. This question has been discussed several times in this House and the Honourable Minister has been able to defend himself. May I remind my friend from Gujranwala that there have been cases in which some of the subordinates in the department in charge of the Honourable Member for Revenue who have been dismissed for dishonesty and for other such serious charges were Muhammadans and that they have been restored. I do not like to go into the question further. But when the members of the other community raise it, we feel bound to give our reply. Subordinates who were found guilty of dishonesty and were dismissed have been restored in spite of the recommendations of the officers concerned to the contrary. We, Hindus in the Punjab feel as much as my honourable friend from Gujranwala that a constitution acceptable to all should be agreed upon, but having regard to the mentality of the Muhammadans and from the views enunciated by the honourable member from Gujranwala and I may be excused for saying, even the part played by the Honourable Minister for Local Self-Government in this matter the majority community want all for itself even if other communities shall have to suffer. I have not heard of a community forming the majority of the population claiming seats in proportion to their population and at the same time insisting upon separate electorates. How is that consistent, how is that just? And yet that is what the Punjab Muhammadans want. The Muhammadans form 56 per cent. but we are agreeable that their representation may be proportionate to their population throughout India. But as against the Hindus and the Sikhs combined they should not be in the majority. But they give a threat that unless their demands are met as put they will do this, they will do that. That was the reason, Sir, why I suggested the postponement of the Borrowers Bill which the local Government brought into this Council till the time when the majority community will be in power. Had my suggestion been accepted it would have given us an idea of how the majority community would safeguard the claims of the minority communities. But the Government was in a

hurry and they wanted that the Bill should be passed by the present Council. The report of the majority is totally unacceptable to us, the Hindus. We do not want it. In fact, if I could do it, I would vote for its total rejection, and say that the constitution suggested be accepted subject to the safeguard proposed by the minority representatives. I strongly recommend that the majority report should be rejected on the ground that it does not give adequate protection for the minority communities. The Sikhs I personally think, are entitled to weightage having regard to their importance as a community in the Punjab. Just as the Muhammadans claim in other parts of India that as they are in a minority, they shall get larger representation than they are actually entitled to on the population basis, the Sikhs are entitled to make a similar claim.

Before I resume my seat, I wish to say just a few words on the question of franchise. Perhaps this is the time when I should touch the point and bring it to the notice of the Council. Simla is a place peculiarly situated. It has got a migratory population. The number of voters there is about four to six thousand Hindus and Muhammadans. The Government at present does not give them the chance to vote, simply because at the time the voters' list is prepared they happen to be at Simla while at the time of actual voting, they move down. My submission for the consideration of the Simon Commission and for the authorities concerned would be that Simla, Dalhousie and other places similarly situated should be turned into postal constituencies, having regard to the fact that the voters of Simla move down not on their account but on account of the orders of the Government of India and of the Government of the Punjab. If it were left to them, they would like to remain at Simla throughout the year and their right to vote will then be exercised at the election time. As they are deprived of exercising this right, I press upon the attention of the Government and the authorities that they should have regard to their claims.

With these remarks, I resume my seat.

Dr. Gokul Chand, Narang [North-West Towns (Non-Muhammadan) Urban]: Sir, I have never stood up either in this House or anywhere else to speak on a matter of greater and more vital importance. I feel that we are on the parting of ways, that our fate is really going to be decided within the next few months and as a member of a minority community, I feel that I am face to face with a great crisis that is coming before us, and which my community and the other minority communities in this province have to face. We all wish for Swaraj. We all wish that India should be ruled by Indians just as other countries are ruled by their own people, that the will of the people should determine the destinies of our country just as the will of the people of the other countries determines their destinies, that foreigners should be here not as rulers, but as friends just as foreigners visit other countries as friends and not as rulers. They should be welcome as members of the same human race. Their co-operation should be welcomed as the co-operation of friends. They should share our joys and our sorrows, and they should help us in the uplift of our race and we should be in a position to help them in the uplift of their race. But unfortunately the scene that our country has presented during the last 5 or 6 years and the scene that

[Dr. Gokul Chand, Narang.]

this House, I am afraid, is presenting to-day and is likely to present for another day or two is not calculated to inspire us with the hope that Swaraj is going to become a reality or that the dream that we have been dreaming is going to be realized in the near future. If some one of our hoary ancestors were to peep in from his abode of the blessed ones and looked at this House and heard the speeches that have been made and also was in a position to read the literature that this province and some other provinces have poured forth he would certainly shed tears, if spirits can shed tears. But I think I need not waste the time of this House on mere sentimentalism. We are faced with stern realities, realities which are going to affect our future, and it is, therefore, necessary that as practical men, who take interest in their own future and in the future of the race that is going to follow us we should face the problems that are before us.

When this Simon Committee was appointed, there was a great deal of agitation in this country, and the people who agreed to serve on the Simon Committee were made victims of severe criticisms in the Press because the whole country and particularly the vocal part of the country appeared to be against that association with the Statutory Commission that was sent to this country to make an enquiry as to the avenues of further political advance in this country and I think I shall be voicing the feelings of all the members of this Committee when I say that it was a deep sense of duty and in fact I feel that it was a great sacrifice on our part that we agreed to serve on this Committee in the face of the opprobrium, of criticism, and of the taunts and of the positive abuse that was hurled against us. This work had to be done. Let it be that it was a dirty work, more dirty than even the scavengers do. Scavengers are an extremely important part of the community. Even Mahatma Gandhi and men like him can do the work of a scavenger when it is necessary. There is no reason why people should not have come forward and faced opprobrium and criticism. I do not want any credit. I do not want any reward either from this side or that side. It was out of a sheer sense of duty that I joined this Committee, because I know that whether the people who are making these noises all over the country succeed in their attempts or not whether they succeed in their task or not, this Commission is going to decide the fate of this country and I did not like the future generations to blame the present generation that they were given an opportunity to have their say and that they did not avail themselves of that opportunity. It may be that our voice would not be heard, that it will be looked down upon with contempt whatever it may be.

میر رسول اللہ غلام شاہ و بیس

We have done our duty. They may listen or they may not listen to what we have said, the burden lies on them. The blame does not lie with us. Let us be called traitors, let us be called deserters, let us be called unpatriotic we have done our duty and have produced this report which is placed before the House.

Now as to the report, unfortunately that report is not unanimous. I assure, Sir, nobody feels more regret than I do myself that the report has not been unanimous, and I assure you, Sir, no amount of conciliatory

spirit was lacking on our part when we were prepared to go as far as our reason and our conscience would take us to make the report unanimous and at least as unanimous as possible.

But there was a limit beyond which we could not go consistently with our sense of duty. Our note has been described by my honourable friend Mir Maqbool Mahmood as nothing but destructive. He has congratulated the majority report members, for their very full, systematic and constructive report. But he has failed to understand that the note we appended was not intended to be a complete report. It is not intended to be a report and it could not be so. It was not intended to deal with all the points arising in the revision of the constitution. Wherever we have kept silent and whatever point we have not discussed, that should be taken to have been agreed to by us. It is only those points on which we disagree with the majority that we have touched upon in our note. Our note, whether you describe it as a minority report or a note does not deal with all the points. What we want is this that the majority report should not be accepted as a whole but should be considered in the light of the points that we have suggested in our note. It is therefore unreasonable to say that our report is scrappy and incomplete and does not give any constructive programme. It was never intended to do anything of the kind.

Now with reference to the personal remarks to which my learned friend Mir Maqbool Mahmood has taken exception I may say that we have not said anything which may be considered objectionable. We have not imputed motives. We could have done so. We could have done so and we had plenty of material which we can include in our note and which would have placed an entirely different construction upon the so-called agreement of the non-Muhammadan members; but out of a sense of delicacy we refrained from saying more than what we have said. But Sir, you will be surprised to see that notwithstanding this, a great argument has been made out of this. "Here is our report, national in its aspect. Why? Because it is agreed to by two non-Muhammadan members." Now if we had realised more than we did that this would be used as an argument we might have gone a bit further and given further explanations or fuller explanations of the reasons why and how the agreement of the two non-Muhammadan members was secured and what motives and circumstances led them to give their assent to the report of the Muhammadan members. We thought that the facts were so patent that it was unnecessary to say anything more than this. We thought it was fully known that the Hindu member who has given his assent to the report is so far as his politics are concerned, not in agreement with the views of the overwhelming majority of the Hindu members of this Council. We considered that to be a patent fact. We thought that the history of the past six years of the Council since when the Honourable Member Rai Sahib Chandhri Chhotu Ram has been in this House would be sufficient to indicate to those who are concerned with the affairs of the Punjab that he could not but have voted as he has done. He is a member of the Unionist Party and it has been admitted at least so far as the Government memorandum is concerned that, though apparently it is a party which is open to all the different communities, it is to all intents and

[Dr. Gokul Chand, Narang.]

purposes a Muhammadan party. So far as the actual voting on the various subjects under discussion was concerned, that also clearly shows that Chaudhri Chhotu Ram could not be expected to go against the wishes of his Muhammadan colleagues. He knows that his position in the Council entirely depends on the support of the Muhammadan members forming the majority of the Unionist Party. He fully realises that if he can ever expect to be in the cabinet it can be only with the support of the Muhammadan majority in his party. In view of these facts, it is not strange that Rai Sahib Chaudhri Chhotu Ram should have appended his signature to the report of the majority. But beyond this I need not go as it may lead to personal recrimination in which I have no desire to indulge.

The Honourable Malik Firoz Khan, Noon : Sir, may I draw your attention to a ruling of yours that no member of this House should attribute any base motives to another honourable member and say that an honourable member who has signed a particular report has done so not on the intrinsic merits of the report but having in view his own future career? I hope you will enforce your former ruling.

Dr. Gokul Chand, Narang : An argument has been made out not only in this House but also in the press by one of the signatories of the majority report Chaudhri Zafrullah Khan stating that the report of the majority was entitled to respect and credit as a nationalistic report because it had also the signature of Rai Sahib Chaudhri Chhotu Ram appended to it. I think, Sir, that with due deference to the susceptibilities of the Honourable Minister for Local Self-Government, I am perfectly within my rights in explaining what led in all probability and according to my reading of the situation, to the agreement of Rai Sahib Chaudhri Chhotu Ram to the majority report. This is no time to indulge in mealy mouthed compliments. I am not going to do it. Temperamentally I am not fit for it. It is impossible to change my nature. Apart from temperamental questions I think I am perfectly within my rights to expose the apparent unanimity of the four members of the Punjab Reforms Committee so far as this report is concerned.

Mr. President : I may point out that the imputation of a bad motive or a motive different from that acknowledged is unparliamentary, and that, therefore, the learned Doctor should not attribute any motive to Rai Sahib Chaudhri Chhotu Ram and should withdraw all motives which he has already ascribed to him. He has said in plain words that the Honourable Rai Sahib signed the report from selfish motives. I hope the honourable member will withdraw his words.

Dr. Gokul Chand, Narang : I do not say for a moment that Rai Sahib Chaudhri Chhotu Ram has been dishonest. I do not say that, if that would satisfy my honourable friend. But there is such a thing as loyalty to one's party; there is such a thing as the impossibility or the extreme difficulty of going against the wishes of the party with which one has worked for six years or so and with which one expects to work in the future and whose support one expects when he is in office. No parliamentary procedure that I know of can prevent me from referring to these things or putting them in this way.

Mr. President : I request the honourable member once more not to attribute any motives whatsoever to an honourable member of the House. He has clearly stated that the honourable Rai Sahib has signed the report from motives which are not unselfish. Such things ought not to be said by one honourable member of another honourable member.

Dr. Gokul Chand, Narang : Sir, I know and you also know very well that when there is a question of party, one's own personal views have sometimes, if not very often, to be kept in abeyance out of a sense of loyalty to the party. The Members of Government cannot be considered dishonest when they vote against their own individual opinions for the sake of cabinet unity. On many matters individual members of Government hold different opinions from those of the Government as a whole.

Mr. President : I quite appreciate the honourable member's position. Had he contented himself with saying that Chaudhri Chhotu Ram's personal opinion was different but that in deference to the wishes of his party he signed the report against his own opinion, no one would have taken exception to his statement. But he has clearly gone beyond that limit.

Dr. Gokul Chand, Narang : I repeat once more the words, loyalty to party.

Mr. President : He said more than this.

Dr. Gokul Chand, Narang : I am sorry if I used any other words. I was only explaining the psychology of the honourable member who signed the majority report.

Mr. President : The honourable member would have been in order, if he had simply said that the honourable Rai Sahib would have acted differently as an individual member, but that in deference to the wishes of the members of his party he signed the report against his personal inclinations.

Dr. Gokul Chand, Narang : When you called on me to explain the matter.....

Chaudhri Zafrullah Khan : Sir, I only wish to tell the honourable member that anything which the honourable member wants to remain as part of his speech will duly invite a reply and when that part of his speech is discussed by other members I hope no point will be raised that the honourable member meant this, that or the other if the words which require so much explanation continue to remain part of his speech.

Dr. Gokul Chand, Narang : I will not object to anything at all.

Mr. President : I would request the honourable members to observe parliamentary decorum.

Dr. Gokul Chand, Narang : Absolutely, Sir.

Mr. President : The honourable member just now said that he was sorry for being misunderstood. He said something which he did not mean to say and that he did not mean what he said.

Chaudhri Zafrullah Khan : Then, Sir, other honourable members will be at liberty to say something and then explain that they did

[Ch. Zafrullah Khan.]

not mean what they said and they meant what they did not say. The honourable member clearly said—I have got his words down on paper—that he *could* have imputed motives in his note if he had realised better than he did how the argument would be put forward as to the value of the signature of the particular member to the majority report.

Mr. President : I hope the two leading members of the House will at once come to an understanding.

Dr. Gokul Chand, Narang : If my honourable friend Rai Sahib Chaudhri Chhotu Ram will just give me the words to which he objects I shall certainly withdraw them.

Mr. President : Will the honourable member withdraw the words the honourable Chaudhri Zafrullah Khan has read out ?

Dr. Gokul Chand, Narang : Sir, I do withdraw. After all we are not going to be here always, so what is the use of our losing our friendship ?

Mr. President : The words which gave offence to the honourable Chaudhri Chhotu Ram or to any member of his party have been withdrawn by the honourable and the learned doctor, Gokul Chand, Narang.

Rai Sahib Chaudhri Chhotu Ram : I will, however, refer to them in my reply.

Chaudhri Zafrullah Khan : So far as members are concerned they have the right of reply, and they will answer this point in their speeches.

Dr. Gokul Chand, Narang : I will not go any further because I believe that what I have said is quite enough. Nor shall I say at this stage anything about the European member who has agreed with the Muhammadan members of the Punjab Reforms Committee. There may be things, as our note says, on which Mr. Owen Roberts might have had his reasons for having agreed with them. But for fear lest I should be transgressing, Sir, as you consider.

Mr. President : This much has been said even in your report.

Dr. Gokul Chand, Narang : I would not say anything more. Any further comment or amplification of that I would reserve. This much, Sir, it is necessary to say in view of what the honourable member from Amritsar said about our minority report. But I claim for that note that it says all that is necessary to supplement or alter what has been said in the majority report of the Punjab Reforms Committee. Now, Sir, with respect to the actual recommendations which have been made by the majority of the Committee I would like to take a little time of this House. The first thing to which I wish to draw the attention of this House is that the question of the freedom of a country can be looked at from two points of view, and the question would be whether both those points of view have been present in the minds of the majority while drafting their report. One is the question of sentiment ; the other is the question of practical inconvenience or convenience. So far as the question of sentiment is concerned even if we get full provincial autonomy for this province and the whole of Great Britain continues to be as strong and as firm and as tight and as comprehensive as it is at present our sentiment for Swaraj will not be satisfied. It is not that I had to go out of the Punjab and tell the United Provinces people I am a free man or I have to go to Maharashtra and say I am a free man. Not at all. It is

when I leave India and go to America or go to Japan or Australia that the pitiable character of my position becomes patent. It is then that the brand of slavery on my forehead becomes apparent or springs into view. It is then that I feel that I am not a free man. I am refused access to many of the free countries because I do not belong to a free country. The test, therefore, which I tried to lay before my colleagues of the Punjab Reforms Committee and I lay now before this House as to whether we shall be free men or shall continue to be slaves is this : Will full provincial autonomy as full as their hearts can desire make us an independent country, make us a free country, give us the same status as is enjoyed by the people in Canada or in Australia, in Ireland or in South Africa. My humble submission is that no amount of provincial autonomy would raise us in the estimation of the people outside this country, and therefore so far as the question of honour is concerned, so far as the question of sentiment is concerned, we continue to be slaves, we continue to be a subject race unless we get freedom in the central government. If the central government becomes free, if we get the dominion status such as is enjoyed by the countries just mentioned by me, it is then and then alone that we can claim to be free people and that we shall be received with respect by free countries outside our own country. Till then we shall be a subject race just as we have been for so many years before. Provincial autonomy seems to have a charm, some sort of magic for some people in this province. They do not realise that provincial autonomy after all is nothing but a creature of administrative convenience. Assume for the moment that India was not such a big country as it is at present. Will there be any question then of provincial autonomy? Supposing the Punjab of itself formed the whole of India, would anybody raise the question of divisional autonomy or of district autonomy—the people living in the Rawalpindi division should be absolutely independent of the central government at Lahore and people living in the Multan division should have an autonomy or self-government of their own independent of the control of the central government at Lahore? No such question would arise. (A voice: What about America?) We know something about America, we have not been churning water all this time. Well, Sir, this is so far as the sentiment for freedom or liberty, the aspiration to be a free man is concerned. We shall never be free unless we are free in the central government, unless we are in a position to regulate our relations with countries outside India. It is only then that other countries would recognise that we are also a country, that we are looking after our own affairs ourselves and are not following the leading strings of another nation howsoever good, howsoever statesmanlike and liberal and howsoever much it may be the embodiment of virtues. Therefore to begin with I think I would be voicing the feelings of all the patriotic members of this Council when I say that the first thing that we want is freedom in the central government, freedom to look after our own affairs so far as the central government is concerned, and it is then that the question would arise how to regulate the administration of various provinces. But we find that after having made a certain recommendation in their report the gentlemen forming the majority of the Committee want that no further advance should either precede or even synchronise with

[Dr. Gokul Chand Narang.]

provincial autonomy. That is really not a language which should have been used by people who claim not only to be statesmen but also patriots. They want to be ruled in so many spheres of administration by the same bureaucracy, by the same sun-dried bureaucracy which they have been condemning for such a long time. There cannot be full provincial autonomy if it is overshadowed by a government which is not free. Therefore my submission, Sir, if anything is to come out of these discussions, would be that the Simon Commission should be asked to recommend that dominion status should be conferred upon this country, and then these intra-provincial relations which are after all matters of detail can easily be settled afterwards by ourselves. I have no objection if at the same time provisions are made for the administration of provinces provided suitable provision is made for autonomy in the central government on the same lines as is enjoyed by Canada and other self-governing dominions. This is the first thing.

Then I would also submit that if it were possible this Council should suggest to the Simon Commission through proper channel, of course, whatever that may, that if they are really agreeable to do anything substantial for India, if they are prepared to recommend the same status for India as is enjoyed by other self-governing dominions, then they would be well advised to make a declaration that as the case may be they are going to recommend or they have recommended that such a status should be conferred upon India. It will be of great practical utility because as you know, Sir, the country, at least those who have the lead of the country at the present moment are planning a campaign. That campaign may not do any good to anybody, but it may still be started if it is forced upon the leaders. I do not say that it would succeed, I do not say that it would fail, but certainly it would cause a great commotion, a great agitation in this country and it would upset many things. Therefore, if the Simon Commission is so inclined it will be well advised to make a declaration to that effect.

Then we come to the constitution which has been recommended by the majority of the Committee of this province. The fundamental point there is that of the electorates, because that is the first step towards the constitution. What is the recommendation that they have made. They have expressed pious thoughts here and there. Like the memoranda of the Government they have also indicated that separate electorates are not desirable things, yet they have recommended them; because they find that in the present state of evolution of this province, according to them joint electorates cannot be introduced in this province. They may have separate electorates, they may elect their own members with their own votes. They are quite welcome to do so. But let them not say that the Punjab is thereby going to have representative government. The Punjab cannot have representative government so long as the electorates are separate and the representation to the Council is communal. The matter has been discussed over and over again in the Press and on scores and hundreds of platforms and to a certain extent in this House also, and I need not go into the various aspects of this question. But I would ask the honourable members to try to visualise the frame work of the government which would be evolved if the recommendations of the majority are carried out. I shall

try to draw the picture, howsoever faint and incomplete it may be. The province is cut into three parts, the Muhammadan Punjab, the Sikh Punjab and the non-Muslim Punjab. In the first place I may assure you that there is a large body of Hindus who do not like that their name should totally disappear from the constitutional manuals and books of rules and regulations of this country. They still firmly believe that this country of Hindustan was their country. It has really cut them to the quick to find that the word "Hindu" has totally disappeared from the literature relating to the electorates and elections and so on. They are no longer Hindus, but they are non-Muslims. (*Interruption*). The feeling is so keen on this point, that some Hindus wanted to non-co-operate and to abstain from taking any part in the elections or voting until their name was restored. Well, it is not a very difficult thing to substitute, as the Nawab Sahib has suggested, the expression 'Hindus and others' for the expression 'non-Muslims.' Just as you have Muslims and Sikhs, similarly you may have Hindus and others. It may be after all only a sentimental thing, but in this world sentiment plays a very important part and it cannot be entirely ignored. But that was only by the way. We start with these three divisions of this province, the Muslims in one compartment, the Sikhs in another and the Hindus huddled, if I may say so, in another miscellaneous enclosure consisting of Christians, Anglo-Indians, Europeans and all sorts of people for whom no names in the constitution except 'non-Muslim' can be found.

Then we come to the votes. Candidates have to state in their nomination papers, to which community they belong. The Hindus would of course have to say 'non-Muslim' and not 'Hindu' because they would not be recognised as Hindus and their nomination papers would be invalidated. The Sikh has to state that he is a Sikh, and if it is questioned if he is a Sikh or not, then a declaration has been prescribed and he has to make a declaration that he believes in this, and that and does not believe in this and that and so on and then alone his nomination paper would be considered. Then, the Muslim has of course to state that he is a Muslim. At the elections Muslims can cast votes only for Muslims, the Sikhs for the Sikh candidates only. The Sikhs will have nothing to do as to who goes to the Council on behalf of the Muslims. The non-Muslims must vote for the non-Muslims. The Council that is thus framed has to work jointly. They are all required to vote on any question that comes before the House. No law can be framed unless each member is given an opportunity to vote on it and there may not be any sectional law such as the Hindu law, Muhammadan law or non-Muslim law or Sikh law. But the members returned by one community are not to be influenced by others. Already they come into the Council through the electorate of their own. What happens? They have absolutely no obligation to the other communities because they know that they are entirely independent of the members of other communities. They were returned by their own brethren in faith and they can snap their fingers at the sentiments and at the requirements of other communities altogether.

Then, let us suppose for a moment that this Council is formed, then we have to form a cabinet to carry out the executive work of the Council. The cabinet is naturally to be formed out of the members of the Council and

[Dr. Gokul Chand Narang.]

according to the well-established principles of representative government on which so much emphasis has been laid by our learned friends of the majority party, a cabinet can only be such as enjoys the confidence of the majority in the Council. Otherwise it will not be able to stand a single day and no stable cabinet would be possible unless every member in the cabinet enjoys the confidence and approval of the majority in the Council. Now, what is that majority? How is that constituted? In England it is possible that there is a majority sometimes of persons holding one set of political views, sometimes of persons holding another set of political views. We have Liberals, Conservatives and we have the Labourites. A time may come when a small independent party may also gather power and another party may arise in England. But how are those parties to be determined? By their political views, by their political programmes and not by the church they frequent or by the religious creed that they profess. The constitutional safety of the parties in other countries which are governed by constitutional governments lies in this that the majority is changeable, is removable. To-day one party enjoys the majority, to-morrow another. But under the recommendations of the majority of the Reforms Committee it would be impossible for any change in the majority in this Council. (A voice: What about other provinces?) I will come to other provinces later. Don't be impatient. There is no time limit. I think I will be allowed to have my full say.

A voice: We have two days more.

Dr. Gokul Chand, Narang: Now, the Majority report is very generous from one point of view, and that is, that in order to secure advantages for their brethren in other provinces they have reduced their majority in this province from 56 per cent. to 51 per cent.

Chaudhri Zafrullah Khan: It is not 51 per cent. It is 50.4 per cent.

Dr. Gokul Chand, Narang: Very well, as small a majority as possible, but still a majority, still an unchangeable majority. Therein lies the sting of the thing. My learned friend, Mr. Din Muhammad said, if I am not mistaken, that even if there are general electorates, sometimes Muhammadans will come in larger numbers, sometimes the Hindus and so on, and thus one community has to be in a majority. But then, that majority will be returned both by you and me, and not by you alone. If the Hindus come in a majority as the result of elections, they will be in the Council on the strength of your votes as well as my votes and they will not be entirely devoid of allegiance to the various communities in the province and to the members of the different communities in the Council. What would Mr. Din Muhammad care for me if he is not to depend on me for a vote, if he is not to depend upon the whole of this side for his support at the elections?

Then, he said that Muhammadans form a different nation. If that is the sentiment and if I were in the position of England, I would not advance this province by one-hundredth of an inch. If he looks upon the Hindus and the Muhammadans and Sikhs of this province or of this country as members of different nations, he does not deserve to have one iota of political

reform for this province, and it would be sheer folly on the part of those who have got the power to revise the constitution to give anything to a province which contains such luminaries as my honourable friend from Gujranwala who looks upon the different communities as different nations. Because he uses the word 'Allah' and I use the word 'Parmeshwar,' because he believes in the 'Koran' and I believe in 'Vedas,' because he prays one way and I pray in a different way, we belong to different nations as if he had come from Honolulu and his blood and bones and flesh and every part of his body was not made of the soil and dust of this country. That is the sentiment that he has expressed and at the same time he wants provincial autonomy for this province. It would be sheer folly, it would be extravagance on the part of the Simon Commission to make any recommendation for provincial autonomy to this province if this is the index of the mentality of the majority community in this province. What can we expect from them when they are in power? What is the difference between the present government and the future government? Because even now we are governed by an alien nation and even according to the recommendations of the Committee it will be the government of one nation over other nations, if we accept the theory of my honourable friend Mr. Din Muhammad. It will not be the members of the same nation ruling over that nation, but it will be the rule of one nation over the other nations. What is the incentive to the present minority communities to change their masters if even in the future they are to be ruled by a different nation? Mind you, all these Muslim brethren would not condescend to call themselves brethren of the Hindus or the Sikhs if they think that they belong to a different nation, if they think that they are not Indians, but that they are Muslims and that they are members of the Muslim nation. This is the first time I have heard that Muslim is synonymous with nation. I rely upon the sentiment expressed by our great poet, Dr. Sir Muhammad Iqbal, that the Great Prophet of Arabia only laid the foundation of Muslim religion and not of Muslim nation. He formed only a community of people believing in certain set of doctrines. He never said that the Mussalmans were to form a nation by themselves. If he had said that the Muslims were to form one nation, then there should be one King for all the Muslims in the world. There should not be any diversity of interest, no difference in political privileges or rights between one Muhammadan country and another. It would then mean that one nation has been fighting against itself, has been ruling the same nation and overthrowing the same nation and so on.

Here is the mentality. With this mentality my learned friends want majority in this province and they want provincial autonomy for this province, and they do not want to be ruled, they do not want to be superintended over, they do not want to be directed or to be controlled by any outside agency. They want to have full power. This is what they want. My submission is this. If the majority report is to be followed by the Simon Commission, if their recommendations are going to be based upon this, I speaking for myself and I hope, I am representing the views of the whole of the community to which I have the honour to belong, we do not want provincial autonomy, if it is to be given to a community which believes that

[Dr. Gokul Chand Narang.]

it is not a community and a part of the Indian nation but which claims to be a different nation which is claiming to rule over another nation called the Hindus. We do not want any such Swaraj. That would not be Swaraj, that would be another domination of one nation by another nation, a substitute, as I have said, of one for the other. And this is not what either the Hindus or the Sikhs if they are to be treated as different nations can ever agree to. Unfortunately the framers of the majority report did not fully realize the import of their recommendations or if they did, I am not going to impute any motives, do not be anxious, then I would submit, if they fully realised then, they committed this blunder knowingly and deliberately and I await even now to hear what defence they can have for making these recommendations. We are all crying for representative government, government of people for the people by the people. That is a trite maxim of politics. Which are the people who are to be governed? Who are the people to govern? Hindus, Sikhs and Muslims living in this province. Who are to rule over them? Muslims; and for whom are they going to govern them? Surely not for the benefit of Hindus. In any case when they secure the majority with this mentality they can never be expected to have the same tender regard for the interest of the Sikhs and the Hindus as for their own because *ex hypothesi*, as laid down by my friend Mr. Din Muhammaad, the Hindus and Sikhs form separate nations, I do not say Sikhs form a separate nation. (A Voice: Sikhs do not form a separate nation). Thank you for the correction. Sikhs and Hindus form one nation and the Muhammadans form another. It does not make the slightest difference to the argument which I am submitting whether the Sikhs are separate from Hindus or not. They will soon demonstrate it. Personally I shall be very happy if the Sikhs get up and say we are Hindus. I am prepared to embrace them as my brethren. But the pity of it is that they do not admit that claim. They claim they have separate scriptures, separate beliefs, separate prophets and in spite of this if they are prepared to listen to the advice of the learned friend from Gujranwala (Mr. Din Muhammad) I shall be very happy because they are after all originally a part of the Hindus and if they revert again to us, I shall be very happy to embrace them. But let us see whether they are prepared to act upon the suggestion made by the honourable member.

Now, Sir, you would remember that before it had been decided what procedure shall be adopted in connection with the business of to-day, I sent up a number of amendments. Of course those amendments by the procedure which has been adopted by a decision of this House cannot now be moved. But I have submitted another amendment to which I would draw the attention of the House now that I have done with my preliminary remarks and I come to the actual various details of the provincial administration. That motion, I would not call it an amendment, it is a substantive motion which I put before this House with your permission, Sir, is this.

Mr. President : If the motion referred to by the honourable member is only a part of his speech he is welcome to deal with it, but if he expects it to be proposed from the chair, I am afraid I shall have to disappoint him.

DISCUSSION ON THE REPORT OF THE PUNJAB REFORMS COMMITTEE 121
AND ON THE MEMORANDA OF THE PUNJAB GOVERNMENT
TO THE INDIAN STATUTORY COMMISSION.

Dr. Gokul Chand, Narang : I shall first read it, Sir, and then await for your decision. The motion that I beg to move before this House subject to the ruling of the chair, is this :

"This Council disapproves of the report of the majority of the Punjab Reforms Committee inasmuch as it is inconsistent with the notes of the other members of the Committee."

Before you give your ruling, I would ask your permission to say a few words in connection with the motion. The procedure agreed to to-day in this House.....

Mr. Din Muhammad : Can a motion be moved by the honourable member at this stage during the course of a speech? This offends all the standing orders on the point.

Mr. President : I think the House decided this morning that the report of the Reforms Committee be discussed and that it is in compliance with that decision of the House that discussion is now going on. Discussion means an investigation or examination of the *pros* and *cons* of a matter by arguments for and against it. Therefore, no motion should be moved in the course of the debate, except as a part of one's speech.

Dr. Gokul Chand, Narang : What I want to submit in connection with this motion... (A voice: It is not a motion). Whatever it is. The President has called it a motion, you may call it by any name. It will still be a rose. You may call it a thorn, no doubt it has a thorn (laughter). Now, Sir, what the Council by its procedure has done to-day is really unprecedented and I.....

Mr. President : The honourable member and his party are responsible for sanctioning that "unprecedented" procedure.

Dr. Gokul Chand, Narang : I thought that would be said. I agreed with every word that you stated in the beginning that the only way which any civilized deliberative body could adopt.....

Chaudhri Zafrullah Khan : Can a member now discuss as to what should have been done?

Mr. President : So long as he is relevant he should not be interrupted.

Dr. Gokul Chand, Narang : What I mean to submit is, I am not going behind your decision, or the decision of the Council but what I mean to submit is this, that this Council has still an opportunity to save the situation, to save its face, I adopt the words of the Honourable Revenue Member. When the motion was accepted that the report of the Punjab Reforms Committee may not be considered but may be discussed, it meant that it was not to be treated as if it was the report of a select committee on a bill and that it could not be discussed clause by clause. But I still maintain, subject to what you may decide, that it is still open to the House to record its opinion in a formal and definite manner on the report as a whole without going into the various clauses, and unless that is done I am sure you would agree with me that all these 3 days' debate would be a waste of breath.

Mr. President : I am at one with the learned doctor, but if the House decides only to talk out the report, and not to express its agreement or disagreement with it, it is its own doing.

Dr. Gokul Chand, Narang : Is it not too much to expect that when these five or six hundred pages of the reports of the proceedings of these three days' debates go in a big bundle to the Secretary to the Simon Commission he would even take the trouble to remove the cover? It is, humanly speaking, improbable that he will even remove the cover. If this House had recorded its opinion on a definite point that would have been a business of ten minutes to peruse. Even now what I want to submit is this that the House can adopt a procedure by which without expressing its opinion on each clause separately it can put its view on record on the report as a whole so that the Commission if it cares to look at the report of to-day's proceedings or of these three days' proceedings would know what the opinion of this House with respect to the report as a whole is, and I would submit that the decision which is already arrived at does not.....

Pir Akbar Ali : May I know if the honourable member is speaking on the motion before the House or he is suggesting a thing that should have been done. He is not now discussing the motion before the House as I understand. He is not discussing the report at all.

Mr. President : I sympathise with the honourable doctor and others in this House who share his views. It should not be considered, however, that by passing that motion the Council has debarred itself from moving motions adopting, rejecting or modifying the recommendations of the Reforms Committee. The motion passed this morning is that the Council do proceed to discuss the report of the Reforms Committee. The discussion may be a mere talk-out, or it may assume the shape of motions for the adoption, the rejection, or the modification of the report. But I do not mean to allow any member to move any motion without a written notice. So, if any member desires to move a motion he would please give a written notice of the same.

Dr. Gokul Chand, Narang : In case, Sir, my motion is ruled out of order, it will still serve a useful purpose. As you were pleased to point out, it may serve to direct the debate which may follow. It may serve as a sort of head note, if I may so put it, on which various honourable members may offer their comments or give their views. It would give them an opportunity of comparing the majority report and the minority notes and to bring out the differences and supporting either the recommendations of the majority report or those of the minority note. It will serve at least that purpose. But my motion is there. If the House oppose it or if some honourable members of the House, particularly those who were so anxious to raise points of order, want that the House.....

Mr. President : I cannot allow only one of the honourable members, who a party to the decision arrived at this morning, to move a motion; while the other members of the House are under the impression that they cannot move any such motion. If the proceedings of the Council are to be communicated to the Simon Commission the discussion should be finished in two more days. So, if the honourable members of the House wish to move motions they are welcome to do so. But in every case a written notice of the proposed motion should be given to the Secretary before 8 P.M. to-day.

Dr. Gokul Chand, Narang: Sir, I was not questioning your ruling, nor the propriety of what you said. And I was glad that you agreed with me so far as the merits of the decision of the Council to-day are concerned. All that I wish to submit is that if this cannot be voted upon and if members who have been so anxious to raise points of order do not want that.....

Mr. President: Does the honourable member wish his motion to be voted upon?

Dr. Gokul Chand, Narang: That is what I move for, but I shall accept your ruling, Sir.

Mr. President: My ruling is in your favour. But I wish to give the same opportunity to the other members, as you wish to avail yourself of. If members wish to move any motions, I allow them to draft their motions and hand them to the Secretary by three o'clock to-day.

Dr. Gokul Chand, Narang: My motion is already there, Sir. I only want to know whether I can go on with the motion or not.

Mr. President: The honourable member is well aware that no motion is before the House unless it is proposed from the Chair.

Dr. Gokul Chand, Narang: I bow to your ruling, Sir. I agree it is not before the House.

Mr. President: Is it the pleasure of the House that motions adopting, rejecting or modifying the report of the Reforms Committee should be moved, discussed and voted upon? (Voices: No, no.)

Dr. Gokul Chand, Narang: On your question, Sir, whether the House is willing to have substantive motions for discussion, that side of the House has been so emphatic in their "noes" and that ends the matter.

The motion I have moved is no longer before the House and I shall now proceed with the discussion of the report.

Chaudhri Zafrullah Khan: Sir, reference has been made to this side of the House and so far as the two members of the Committee who sit on this side are concerned, they are perfectly indifferent as to whether substantive motions are moved or whether there is only a general discussion.

Dr. Gokul Chand, Narang: I do not think I would be guilty of any breach of trust or betraying any confidence if I submit that during our deliberations we were very particular at one stage to lay down certain general principles safeguarding the rights of all citizens of this country. And I want to draw the attention of the House to the omission of those fundamental principles from the majority report which were considered at one time to be so important. What I wanted to be embodied in the report first of all was that there should be an express statutory provision with respect to certain fundamental matters, so that there could not be any question of any individual suffering from any disadvantage. I would even now submit that there should be a statutory provision in the reforms constitution which will lay down that all citizens of India shall be equal before the law, and shall possess equal civic rights. It becomes absolutely necessary to embody such a provision in the revised constitution of a country like India where the

[Dr. Gokul Chand Narang.]

influence of caste is predominant and I think we require the help of a statute to remove the sting of caste superiority, of aristocracy *versus* democracy, of the rich against the poor, of the Brahmin against the Pariah, of the touchable against the untouchable. It should be in the fundamental constitution of the country that no person shall by reason of his religion or caste or creed be prejudiced in any way in regard to public employment, office of power or honour and in the exercise of any trade or calling. This is a matter which has been giving a great deal of trouble to the authorities who for the moment hold the reins of power in the country and it is a matter which has been causing a great deal of heart burning not only in this province but in other provinces as well. And it is therefore absolutely necessary that the Reforms constitutions should provide that no one shall be prejudiced by his religion or by his creed which may include even his political or social creed or by his caste in the matter of appointment to places of honour or power under Government. It has led to a great deal of evil in this country and we want that this shall cease to exist.

Then, Sir, what we want is that all citizens shall have equal rights to the use of public roads, public wells and admission to public and aided schools. You are aware, Sir, that in this province just as in some other provinces there are people who are debarred from the use of public wells and are not permitted to enter public schools or schools which receive aid from public funds. And unfortunately even the enlightened public opinion of this province was, up to a very recent time and probably even to this day is, not prepared to remove that disability. You are aware, Sir, that a resolution was moved in this House that all public wells should be thrown open to the use of all people irrespective of their caste or creed and this resolution, the civilised world outside India would be shocked to learn, was defeated by a majority of votes in this Council. We therefore want that such a thing should be provided for in the statute. It is a matter of very great regret, if not of actual shame, that the enlightened representatives of the most advanced country in Europe also joined the Muhammadan party in this Council in defeating that resolution. All the Hindus and all the Sikhs voted for the resolution and all the Muhammadans and the official members voted against it. (Mr. J. G. Beazley: Question). If my statement is challenged I shall directly refer to the proceedings.

Mr. President: It is two o'clock now, so the honourable member will continue his speech to-morrow.

Before the Council disperse to-day I once more wish to invite the attention of the honourable members to their right of discussing the report of the Reforms Committee by moving motions approving, disapproving, adopting or modifying its recommendations. I wish particularly to ask the leaders of the various parties and their colleagues whether they wish to adopt that procedure. If they wish, they would please say so and hand over their motions by three o'clock to the Secretary.

Dr. Gokul Chand, Narang: For our part our leader is away in England and I have to consult other members before expressing our party view. We shall send up motions if we so decide before three o'clock as you suggest.

Mr. President : What I am particular about is that the other members of the House may also know that one party has decided to move motions, so that they also may, if they care to do so, hand in their motions. I do not wish that one party may take undue advantage of the ignorance of the other members of the Council. All members are entitled, in fairness, to receive the same treatment.

Dr. Gokul Chand, Narang : May I take it, Sir, that it has been decided that we could send in amendments by three o'clock to-day ?

Mr. President : If the honourable member is unable to come to a decision immediately, no amendments shall be allowed to be handed over to the Secretary. But if he and his party come to a decision now the remaining members of the House shall also be able to decide whether they shall table amendments or not.

Dr. Gokul Chand, Narang : If that is your ultimatum, in a way—I do not mean any bad sense—I will submit that the motion I have moved before this House may be taken to have been given notice of by me.

Mr. President : No. The honourable member will have to give notice of his motion and the other honourable members may also to follow the same course. But let the House clearly understand that the discussion and disposal of all the motions must end by 1 o'clock on the 20th instant if the proceedings are to be sent to the Simon Commission in time.

Mir Maqbool Mahmood : On a point of order, Sir. Is it in order for the leaders of any party at this stage, once it has been decided that there shall be only a general discussion, to move such an amendment which would go against the vote of the House ?

Mr. President : No statement made by any member can alter or change the rights of the members of the House. I think a motion to discuss does not preclude motions for modification, etc.

The Honourable Malik Firoz Khan, Noon : May I point out that your ruling is not quite clear ? So far as the general discussion on the first part of the resolution is concerned certain members have had their full say on the subject and there are others who are waiting to speak and they will do so to-morrow or the day after. If you now proceed to admit a motion of this nature, either from this side or from the other, then it means that the discussion will be confined to that particular motion with the result that the other members who wish to take part in the general discussion will be deprived of the opportunity of expressing their opinion. The discussion will be concentrated upon the particular motions and we have got only two days before us with the result that other members will be denied the opportunity of expressing their views at all on the report as a whole. The decision arrived at this morning that there shall be a general discussion without any substantive amendments being taken up is fair to all parties and need not be gone back upon. All members will have the opportunity of taking part in the general discussion, and now to admit substantive motions will be extremely unfair and will go against the wishes of the House as expressed by the vote this morning.

Dr. Gokul Chand, Narang : May I say a word about what the Honourable Minister has said? I think he has proceeded on the wrong supposition that those honourable members who have not spoken up to this time will be deprived of the opportunity of having their say on the report as a whole. He is entirely mistaken on that. No amendment is now going to be sent in which would go against the decision arrived at this morning, that the proposals shall not be discussed. The amendments would be in the form that I have submitted, either that the minority report may be adopted or thrown overboard or something of that kind. That would mean that every member can speak on any part of the report or on the report as a whole.

Mr. President : Then, nothing shall be gained by making such an amendment.

Dr. Gokul Chand, Narang : With great respect to you, you yourself were pleased to say that the present discussion is like the discussion of a bill clause by clause after it has returned from the select committee.

Mr. President : There is no expressly prescribed procedure. So the Council may follow such procedure as it may consider reasonable. There is, however, a great force in what the honourable Minister for Local Self-Government has said.

The Honourable Malik Firoz Khan, Noon : Apart from the difficulties I have pointed out there is also this additional thing to be considered. Suppose amendments come from both sides of the House, how are you going to decide the priority of the motions? You will have, probably, to hold a ballot and by the process of the ballot some motions will necessarily have to come later and cannot come up for discussion for want of time.

Chaudhri Zafrullah Khan : Supposing you decide to allow such motions and overcome the difficulties pointed out by the Honourable Minister and the substantive motions are taken up by the Council, inasmuch as our views as expressed in the report of the Committee will come in for criticism we will have to reply to it.

Mr. J. G. Beazley : May I also enquire, Sir, whether non-official substantive motions may be moved on a day which has not been allotted for non-official business.

Mr. President : Then on the whole it appears to be inevitable that we should proceed with a general discussion of the Report.

It has been suggested that from to-morrow we may meet from 9 to 1 p. m. instead of from 10 to 2. I wish to consult the convenience of members.

Shaikh Muhammad Sadiq : It will be impossible for the mofussil members to be present here at 9.

(After taking the sense of the House).

Mr. President : As the wish of the House is to hold the sittings from 10 to 2, the Council shall meet accordingly.

The Council then adjourned till 10 a.m. on Thursday, the 19th September 1929.

PUNJAB LEGISLATIVE COUNCIL.

4TH SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

Thursday, the 19th September, 1929.

THE Council met at the Council Chamber at 10 A. M. of the clock. Mr. President in the chair.

DISCUSSION ON THE REPORT OF THE PUNJAB REFORMS COMMITTEE.
AND ON THE MEMORANDA OF THE PUNJAB GOVERNMENT
TO THE INDIAN STATUTORY COMMISSION—*contd.*

Dr. Gokul Chand, Narang [North-West Towns, (Non-Muhammadan), Urban]: Sir, yesterday when I was discussing the question of the necessity for a provision in the reformed constitution regarding the admission of all citizens to the use of public wells, roads and admission to public and aided schools I made a statement that when a resolution was moved in this Council in order to achieve that object in this province, the officials and the Muhammadan members of this Council opposed the resolution while all the Hindus and the Sikhs unanimously supported it. That statement was challenged by the learned Chief Secretary to the Government. I pointed out that the resolution which was then before the House was more or less of the same character. I did not think that my statement would be challenged and therefore I did not have the necessary reference at hand. I have now got the reference and I am glad to find that the statement I made is entirely supported by the record and I regret very much that my honourable friend, the Chief Secretary to the Government, is wrong. The resolution exactly was this. "This Council recommends to the Government to take necessary steps to ensure that people of the untouchable classes are not prevented from drawing water from public wells in charge of local bodies." The question was put by you, Sir, and the Council divided. There were 20 Ayes and 29 Noes. These 20 Ayes were composed of Hindus and Sikhs and the 29 Noes were composed of the 16 officials and 13 Muhammadans who were then present. This state of affairs requires to be remedied at once. The untouchables are not a very small number even in the Punjab. The Chamars alone number about 8 lakhs and to depress such a considerable section of humanity for ever and to debar them from the social amenities which are open to the other citizens of the country is certainly anything but just. Of course, it would be said that the Hindus are responsible for it. Well, I concede that it was at one time the superstition of the Hindus and the ambition of certain classes of them, the so-called higher classes, that was responsible for the depression of this class of people. But now the Hindus have officially declared that they are not for maintaining these distinctions. It is strange that people who run down caste and who run down Hindu society as caste-ridden people should be opposed to any proposal for the uplift of these backward classes while

[Dr. Gokul Chand, Narang.]

the Hindus and their cousins, if I may so call them, the Sikhs, should be unanimous in support of such a proposal. The matter concerns also the admission of these people to the public schools. On this point I should like to say that there are certain people, who no doubt out of very good motives, are of the opinion that education should be made available for these untouchables also and that separate schools should be opened for them. This proposal is just on a par with the view of certain orthodox Hindus who say that the untouchables must surely be provided with good water but that separate wells should be sunk for them. The educationists who recommend separate schools are of the same type as the orthodox Hindus who propose separate wells for the depressed classes. No doubt, the one proposal would give the poor people enough water as the other would give them some amount of education. But ultimately this would do them more harm than good. If I were a member of the so-called depressed classes and if I were told that I would not be admitted to the model schools maintained out of public funds, but that separate schools would be provided for me and my people with very good trained teachers who would give very efficient education, I would say that I would rather go without any education than be relegated to such a position which is calculated to perpetuate my slavery and depress me for ever. I have often warned my friends of the depressed classes that they should never ask for separate privileges, because that would tend to crystallise and stereotype their depressedness. They would for ever be branded with the mark of inferiority. For these reasons, I think it is absolutely necessary that a provision like the one I have mentioned just now should be made.

Next, I wish to draw the attention of the House to a very important matter, i.e., the admission of the depressed classes to the various public services of the country. I asked a question in this Council whether the deprivation of the opportunities of service for the depressed classes particularly in the Police Department was justified by the provisions in the Government of India Act which say that a person's caste, creed or religion should not be a bar to his opportunity of service under the Crown. I was told in reply that it was a matter of policy and that there was nothing in the Government of India Act which ran counter to that policy. This was most heart-breaking. It means that one of the most enlightened Governments says that a certain class of His Majesty's subjects entitled to citizenship of this Empire shall be deprived of opportunities of service under the Crown on no other ground than that they happen to be born in that class. It is absolutely necessary that this policy should be knocked on the head by an authoritative provision in the revised statute.

Then I proceed to the next point. I want that no part of the public funds shall be employed for the endowment of any religion or used directly or indirectly for the propagation and teaching any religion. This evil also exists at present; or in any case there is some danger that public funds may be diverted to particular uses or mis-uses and therefore, it is necessary that such a provision should be made. No religion should be recognised by the Indian States and no amount of public funds should be spent for the propagation or teaching or endowment of any religion. Every religion will have to provide for itself. Cognate with this, and in fact consequential to

this, there should be another provision that all laws which impose or are likely to impose any disability on any citizen of the Punjab on account of his caste or religion shall be abrogated. This may knock out some of the laws which are now in force and prevent the enactment of certain laws which some people have in contemplation. Caste privilege and caste disability should both disappear if we want to occupy a place of equality and honour among the civilised nations of the world.

Then Sir, I turn now to more important matters. In case communal electorates are continued, it would seem inadvisable to extend the franchise beyond that recommended by the Punjab Government, provided that all matriculates may be granted the right to vote for the Punjab Legislative Council. The Government have recommended that to the present list of voters tenants paying an annual revenue of Rs. 25 may be added. The majority report has recommended that all land-holders paying Rs. 5 as land revenue may be enfranchised and that all tenants paying Rs. 10 as land revenue may also be enfranchised. My submission is that in the present state of evolution of the province for reasons which have been given already in the official memorandum, it is not expedient that the franchise should be extended. Our ideal may be adult franchise. But when those people in the west who are centuries ahead of us have not yet attained that ideal, or for practical reasons have not thought it fit to introduce that system, it is simply preposterous to expect that India which is still on the threshold of constitutional advance should adopt adult franchise.

I now proceed to another important point and that is this. As long as the principle of separate electorates and communal representation continues in any province, all the major communities in the province must be represented in the cabinet of the province subject to the condition that no one should be appointed Minister unless he commands the confidence of the members belonging to his community, nor shall he be removed from his office unless at least two-thirds of the members belonging to his community join in the adverse vote against him. This is one of the most fundamental propositions with which this House has to deal. After all, if the Government is to be made representative in the proper sense of the word it can adopt only one of two methods. Either communal representation should totally disappear. Then it would not matter whether five Muhammadans are appointed as Ministers or five Sikhs are appointed as Ministers or five Hindus; if there were any such luck reserved for them, were appointed Ministers. No one will have any ground to grumble just as in England no one can grumble if all the cabinet is composed of all Protestants or all Roman Catholics or all Jews. But if communal representation is to be continued and still the cabinet is to possess a representative character as far as may be possible in those circumstances, it would not be representative unless all the important communities of the province are represented on the cabinet. This is the first part of this proposition of mine. The question would be how to bring them all in. The learned authors of the majority report have only left things to chance. They have contented themselves by saying that in all probability all communities would be represented. But, Sir, the minorities can never be

[Dr. Gokul Chand, Narang.]

satisfied with these good wishes or with this optimism only. When a constitution has to be drafted specific provision must be made in order to provide safeguards for the protection of the interests of the minorities. I still feel that it is not in accordance with the very best ideal that I should be asking that a Minister from this community and a Minister from that community must necessarily be in the cabinet, but we have to face the circumstances. If they insist upon the continuance of communal electorates and communal representation, this is the necessary consequence. Without this no minority community will feel safe and there will always be bickerings in the province. Then, again, Sir, the majority report has not provided any method by which representation on the cabinet of the various major communities may be secured. It may depend upon the sweet will of the Chief Minister. He will be appointed, according to the majority report, by the Governor and the remaining Ministers will be appointed by the Governor no doubt, but with the advice of the Chief Minister. And on the face of it their reasoning is very plausible. The only difficulty is that that reasoning would apply only to countries where there is no communal representation. No cabinet will stand for a moment unless all the Ministers belong to one party or to various parties which are prepared to work with one another. That is a matter of chance. Just think for a moment what the practical result would be. Let us suppose that the Honourable Sir Fazl-i-Husain is appointed as Chief Minister, or for the matter of that, my honourable friend Sardar Sikandar Hyat Khan is appointed Chief Minister by the Governor. Naturally he knows that his position depends upon the support of the majority of votes in the Council. Naturally, that majority, if communal representation continues, will consist of the members of his community. It will be impossible for him in these circumstances to recommend any man who does not command the confidence of the same majority. It means then, in absolutely clear words, that all the Ministers would be appointed by the Muslim majority in the Council, and in order to keep up appearances I would concede that they may be very generously inclined and they may take a Sikh and a Hindu. But what a Hindu and what a Sikh—when they would be chosen by the Muslim majority in the Council ! I would certainly congratulate the honourable Rai Sahib Chaudhri Chhotu Ram for he is bound to be selected and none but he is bound to be selected. No doubt that would be the case. I would not connect this part of my argument with anything else or with the etiology of the majority report, but I would confine myself only to my present argument that the provisions should be such as may not render it inevitable that a person who does not command the confidence of the members of his community should be most eligible for selection by the communal majority in the Council. It is therefore absolutely necessary that some provision must be included in the statute and I regret that no such recommendation has been made by the majority report that no person belonging to any community shall be appointed a Minister unless the members of the Council belonging to his community approve of his selection. Otherwise it is obvious that he will not be the representative of the community to which he happens to belong by the accident of birth but he will be the representative of the community that has appointed him. He will be practically a servant, if not an abject slave, of the communal

majority in the Council. We know, Sir, I do not mean disrespect again, and you will permit me to again make a reference to the manner in which the official members of this House vote. They are the servants of the Crown and they are under a discipline. Their individual opinions may be entirely different but under party discipline and as they are servants of the Crown they have to vote as they are directed to vote. That does not surely imply any disrespect, in any case, I mean none whatsoever. Now, the members of the cabinet will be in the same position. They will be the servants of the Crown but they will be the nominees of the majority in the Council. They will be drawing their salary from the public funds but they will practically be the servants of the majority because the majority can put them in, has put them in and the majority can put them out whenever it likes, and therefore, whatever the opinions of the Hindu and Sikh Ministers may be, it would be expecting the impossible from them that they should vote as they desire and not vote as their Chief desires. In other words, they would be compelled to vote as the majority decides and the majority would be communal, permanent, unchangeable, irremovable, which means that for ever, so long as the system continues, the Ministers belonging to the communities other than Muslim community will be in name Hindus and Sikhs, but in practice Musalmans, and that is not a contingency which is very pleasant to contemplate. Then, again, Sir, I will not refer to the past—the past also bears some testimony—but as I have submitted, I will not make any reference to it. The thing is there patent and it does not require any further argument or proof.

Then, Sir, once he is in, enjoying the confidence of the members of the community to which he belongs, there must be some safeguard against his removal bag and baggage, and if the power of removal is left solely to the majority community in the Council, it would be no good his being appointed as a member of the cabinet because though he may be enjoying the confidence of the whole of his party or the whole of his community, still his position would be absolutely insecure, if the right of removal is left to the majority community. It is for this reason that I suggest that he shall not be removed unless at least two-thirds of the members of the community to which he belongs join in the adverse vote against him. Then alone, Sir, the minority will be able to secure what they want; they will have a Minister of their choice, and they will be able to keep him there so long as he enjoys the confidence of the party. The question would arise, will such a cabinet work? When the majority knows that the other communities have to be represented, it only follows that they shall also understand that the representatives of the other communities have to remain there and therefore, any proviso which prevents them from exercising the tyranny of the majority should not be distasteful to them. For these reasons, Sir, I would suggest that these provisions should also be included in the statute.

Then, Sir, I come to the most contentious point in the whole reform agitation and the crux of the constitutional problem which we are discussing to-day and that is this. I would propose that so long as in any province the majority community is not prepared to abandon communal electorates

[Dr. Gokul Chand, Narang.]

and communal representation, no community should be placed in a position of absolute majority in the Council. It might be said.....

Dr. Sir Muhammad Iqbal: Reject democracy.

Dr. Gokul Chand, Narang: Then I shall be following the sage counsel of my learned friend, the poet, who has himself advised:

Guréz az taiz-i-jamhúri Ghulam-i-pukhtá káre-shan.

Ki az maghz-do sad khare fikar-i-insáne name ayad.

I do not act upon it. I do not believe in it, but the criticism comes very ill from the author of the stanza.

Dr. Sir Muhammad Iqbal: I have seen it from personal experience that it is bad.

Dr. Gokul Chand, Narang: Then it is very strange, Sir, that my very learned friend to whom we look for inspiration and for guidance and advice not only in matters literary and practical but also in matters philosophical and political, it is really surprising that he should be here in that crowd which he has so beautifully described in his verse which I have just referred to. He ought to have sat apart from this crowd so that he might not be contaminated by the agitation or infection of the rest of the members. That was only aside. Let us now take the practical side of the criticism that Dr. Sir Muhammad Iqbal has intended to convey in his interruption. He says 'abolish democracy.' Well, if communalism is to continue democracy is automatically, *ipso facto* abolished, because if we go upon ideals, if we have to go upon abstract principles, then certainly I maintain that communalism and democracy are things incompatible with each other and democracy cannot exist in countries where gentlemen like Mr. Din Muhammad exist who describe themselves as belonging to a separate nation and rely upon the separation of their stock, religion, race, language and all that and want an artificial constitution and not a constitution which would be conducive to the growth of nationalism. My ideal, and I say in reply to the criticism of my honourable friend, Dr. Sir Muhammad Iqbal, my ideal is that all racial distinctions should be removed. Communal distinctions should be removed, all caste distinctions should be removed, man as man should be treated as a unit in the building up of the nation and we should aspire after a constitution which will help us in evolving a nation if it does not exist. My ideal is to beat both the nations, if there are two in this country at present, into a pulp and make them into one nation, if that method was at the disposal of human beings like us. That is my ideal. (*Interruption*). I do not believe as my learned friend does, that my religion is destructive of patriotism or rather, that patriotism is destructive of my religion. You will be surprised that the noble knight should have solemnly expressed a view that patriotism is destructive of Islam. Perhaps it will give a shock and, it will be a surprise which I see is already quite apparent in the face of my friend, Sikandar Hyat Khan. Nor dare the poet deny it. He has solemnly said when referring to patriotism—

Aur mazhab-i-Islam ki jar katti hai is se.

Is that or is that not his verse? (*Interruption*). I am replying to the criticism whether democracy can exist in view of the recommendations I

am making, or whether democracy can exist where such mentality exists that patriotism is destructive of Islam or that any religion can be incompatible with patriotism. I would have congratulated my friend if he had run down patriotism from a higher point of view as Rabindranath Tagore has done. Tagore says that patriotism itself from a higher point of view is narrow-mindedness. There is sense in that. Man as man, whether he is an American or Indian, a Hottentot, a sweeper, a Brahman or a pariah, all are one. I can understand that. But I cannot understand his communalism on one side and his running down patriotism on the other. (*Interruption*). That might be his meaning, but he has not expressed it in the verse which I have referred to. I say that so long as communal representation continues no community should be placed in a position of absolute majority. Why? Because it is inconsistent with the democratic principles which my learned friend so much loves. I make this recommendation because I believe that communal majority at its best is but a form of tyranny and in any case. . . . (A voice: Will it apply to all provinces?) Yes. I remember your yesterday's interruption. Do not be impatient. I would say at once that in no province the majority community of which is not prepared to abandon communal electorates and communal representation political advance could be made. That is my ideal. I do not want that any community in any province whatsoever, whether Bihar, Madras or the United Provinces where the Hindus preponderate, should be in a majority as Hindus. In no province in India should the Muhammadans be in a majority as such. (*Hear, hear*). Let them come as Punjabis, let them come as Indians, let them occupy 99 per cent. of seats and I for one shall not raise my little finger against them. (*Hear, hear*). I welcome that, because if I am crushed I shall be crushed by my own countrymen and not by foreigners like Mr. Din Muhammad. I am prepared to suffer if the suffering is caused by my own brethren and if I am killed by my own brother, I prefer that death to living under foreign domination or tyranny. That is my ideal. I am not for having Hindu majority as such in one province and asking the Muslims not to ask for a majority in another province. That would be absurd on the face of it and foolish and unfair and unjust and I shall not be guilty of that unfairness or injustice or such folly. I hope this will satisfy my friends over there. When we want to do away with communal electorates, let me point out that it is not that we are asking for it because we consider that there would be an advantage to us in the Punjab. Rather I realise, and many Hindus realise, that if communal electorates are abolished in this province, the Hindus would go to the wall. We know that. The Muhammadans in the Punjab are, I should say, unnecessarily and unwisely afraid of it. If I were a Muhammadan living in this province I would have jumped at the proposal of the Hindus. I would say 'All right, this means making over the whole Punjab to us.' Because it has been demonstrated mathematically and geographically that if communal electorates are removed the Punjab practically passes over to the Muhammadans. They will have 67 to 70 per cent. of seats in this province. We know that. (A voice: On the basis of adult suffrage?) No, even under the present suffrage. That is what people do not understand. I can give you positive proof of it from the result of the joint electorates in this province. Take

[Dr. Gokul Chand, Narang.]

the case of district boards. (The Honourable Malik Firoz Khan, Noon : Yes, Gurdaspur.) The Honourable Minister should be the last person to interrupt like this, because I would say—

In hama awarda-i-tust.

You should remember that. Now, take the case of district boards. There is no communal electorates in the district board elections and what is the result? The blue book printed and published by the Government itself shows that the Muhammadans have fared very much better in the district board elections, because there is no communal representation. That is a statement of fact and that the Honourable Minister who is supposed to know something of his own subject should get up and throw an interruption like this at me is indeed a matter for surprise.

The Honourable Malik Firoz Khan, Noon : Before any misunderstanding is created I should like to offer a word of explanation.

Mr. President : Order, order. Two members should not stand in their seats at the same time.

(Again the Honourable Minister rose to speak).

Dr. Gokul Chand, Narang : I have not given way.

Mr. President : Order, order. Will the honourable member please resume his seat? What does the Honourable Minister wish to say?

The Honourable Malik Firoz Khan, Noon : What I wanted to state was this, that the honourable member had not stated the real facts about the district board elections as they exist. I wish to point out that the electoral circles created in district board elections are made in such a way as to give preponderance to the various communities according to their desert. Therefore, each community voting for its own candidate, the result is what the honourable member suggests. But his reasoning is wrong.

Mr. President : The honourable member can correct the facts, if they are wrong. But if he wants to correct the reasoning of the honourable member, he should wait till his speech is finished.

The Honourable Malik Firoz Khan, Noon : I did not want to correct his reasoning. I only wanted to apprise the Council of the information which he has kept back.

Dr. Gokul Chand, Narang : The Honourable Minister accepts my statement of facts. He says that the preponderance of Muhammadans in the district boards is due to some manipulation made by the department which has been presided over by Sir Fazl-i-Husain before and now by him. I take it that it may be due to that. But, after all, that predominance is there.

Now, it may be said as was said by Mr. Din Muhammad, that the safest test of counting the heads for franchise is still misleading, may be unfair and therefore the best course is to count the heads of the Hindus, of the Sikhs and of the Muslims and then give them votes according to the number of heads that they possess; and whether he did it consciously or unconsciously, he even included children. He wanted a vote even for the baby

that was born yesterday. I think it would be disrespect to the House to take up its time in dealing with such arguments and I would not therefore detain the House so far as that argument of Mr. Din Muhammad was concerned. Counting of heads has not yet been adopted even in England; and it was only after a considerable struggle that only recently even women in that country have been given franchise. We are in this respect far ahead of them, counting time for time, for in the very second Council we gave the right of vote to our women. A long time will have to elapse before we give the right to new-born babies as Mr. Din Muhammad suggests. But so long as this thing continues, my submission is that to have an absolute majority of one community in the Council as such will be detrimental to the best interests of the country. It is a thing which might be thrust upon the minorities by force; but it will not be a matter to which they will be willingly a party. Of course, we lost this country by force, we did not voluntarily give this country to Englishmen, they took it by their grit, by their sacrifice, by their enterprise and by their resourcefulness and discipline and organisation and so on. That is a different matter. But we shall not make it a *sankalp* (gift) of our liberties, of our honour, of our life and property to a community which, if Mr. Din Muhammad's remarks are to be a guide, looks upon itself as a separate nation.

Now, Sir, I may say that there is an instance in one province of this country where this principle which is very much and very often announced and emphasised in this province has been abandoned. The principle which is very much emphasised in this province and which, if I am not mistaken, was the invention of the Honourable Mian Sir Fazl-i-Husain is that no majority community should be reduced to a minority. This principle has been followed here and has been applied to the municipalities and other local bodies. Assam has abandoned this principle. The Muslims in Assam are only 23 per cent. and the Hindus are in overwhelming majority and yet the Hindus have placed themselves in a position of minority in their own province. (A voice: Question) Certainly, Sir, Honourable Sardar Sikandar Hyat Khan was present at the meeting where this announcement was made at Delhi and I reminded him that this statement was made by the European President of the Assam Reforms Committee at a meeting in which members of all the Reforms Committee took part. All that he said then was—I remember the conversation distinctly—that there the Hindus are not in a majority, because they are classed as miscellaneous, but on this point I joined issue with him. Apart from that, as I have just submitted, so long as members want to come to this House as followers of this religion or that religion they have no right, no sanction of any constitutional law or any principle of democracy to claim a majority, unchangeable, irremovable majority in a legislative body. On this point it may be of interest to this House to know that a Hindu member of the Punjab Reforms Committee, after all, made some contribution to the majority report. That contribution is at page 33 of the report in the form of a foot-note. His views probably in Sardar Sikandar Hyat Khan's words are:—

“One of us (Rai Sahib Chaudhri Chhotu Ram) is of opinion that in the matter of distribution of seats in the Punjab we should abide by Lucknow Pact, viz., the number of seats in the Provincial Councils should be divided equally

[Dr. Gokul Chand, Narang.]

between the Muslims and non-Muslims. With this end in view the strength of the Council should be fixed at an even number. If, however, (*this is what is very interesting and illuminating*). If, however, an odd number is decided upon it will be more consistent with fairness to allot the extra seat to Muslims."

Now, Sir, there is a great virtue in this honourable member of the Punjab Reforms Committee which I fully appreciate and realize, and that virtue is that he always stands up for the zamindar class, for the agriculturists. That is a virtue which I fully appreciate and admire and I recognize that the distinction of zamindar and non-zamindar, of traders and non-traders if kept within proper bounds and not taken to its extreme length, is far less injurious to national interest than the distinction between the Muslims and non-Muslims. I would have admired and been grateful to Chaudhri Chhotu Ram if he had stuck to this principle. His courage, however, unfortunately failed at the last moment. He was the representative of the Unionist Party, which on paper knows no distinction of Muslims and non-Muslims. He ought to have stood up for his favourite community, namely, the community of cultivators, the tillers of the soil, for whom I have great and genuine respect as but for them I would have starved. (*Laughter*). I have great sympathy with them, but, Sir, that was the time for Chaudhri Chhotu Ram to stand up for that community, and I do not mean any disrespect, but he betrayed that community when the psychological moment had arrived. He succumbed to the pressure and said "Give the odd seat to the Muslims." He ought to have insisted upon this that whereas the agriculturists form the majority in the province, they should have the majority in the Council. There would have been some sense and some reason in that. But when he comes to the actual recommendations, it comes, to this, the Muslims as such should have a majority in this Council. It would have been much less open to objection if he had confined himself to the principle which he has been always claiming to follow since his advent to this Council. I do not know whether by this he has served his Hindu zamindars, the members of the Hindu zamindar community, whether he has advanced the interest of the cultivators. He forgets that when a member comes to the Council, not as a zamindar, but as a Muslim, he will be a Muslim first and a zamindar afterwards. The proceedings of the Council amply demonstrate this. Chaudhri Duli Chand gets up and moves a resolution that more seats should be given to the zamindars in the cadre of School Inspectors, I believe the district inspecting staff. This was a laudable thing, from a certain point of view, and excusable because it is reasonable and is perfectly intelligible that as the majority of the population is agricultural, inspectors belonging to the agricultural class would probably take a little more interest in the welfare of the agricultural classes, than perhaps, a member of the other class might do. He pressed this point, but he was followed by Muslim speakers and particularly Shaikh Din Muhammad again, and he converted the whole resolution into a Muslim and non-Muslim resolution and that zamindar and agricultural affair was forgotten, and I pointed out to him then and there what became of his resolution. You say 'agriculturists should get so many seats; and Muslims get up and say Muslims should get so many seats.' Muslims and agriculturists are not quite synonymous—that you would concede, Sir, and my honourable friend would also concede—and, therefore, it does not

follow that when he says Muslims should get the majority of seats, *ipso facto*, it is the agriculturists who get the majority of seats. That result might follow but that result by certain manipulation might not follow. And if he really has the interest of the zamindar community at heart he should have stuck to that principle and should have recommended that the agriculturist community should have the majority over any community. That would have been less open to objection.

Now all those arguments, Sir, when a certain community is in a majority in the Council and that majority is absolutely religious, would apply to the recommendations which I have submitted to this House. I need not repeat what I said yesterday, but it is obvious that such a majority will become a permanent majority, that will never be removable.

Now I come to another point, the question of official block. I do not want to flatter the official block. I have perhaps more grievances against that block than against even my honourable friends sitting over there. But, Sir, so long as communal representation continues, and if it is to be presumed that the official block is doing its duty conscientiously and honestly, they are sure to act as a ballast. I may be considered a great reactionary and I am sure a section of the Press will run me down for opposing the recommendation which has been made by the majority for the total extinction, abolition, I mean of the official block. But you cannot have either way. On the one side, Sir, my honourable friends want democracy. They are against nomination. They do not want any official member to be there and at the same time and in the same breath they want a religious majority. Now what is one to conclude? Does it not make the whole position suspicious, when they want to remove them so that, being in a majority, they may do whatever they like and there may be no witness to the perpetration of the majority tyranny in this House? At least, when these gentlemen throw up the reins of office and go home and are free men once more and give expression to their own opinion without any party pressure or official discipline, they would be in a position to say what was happening in the Council and what may happen when the whole House is left in the hands of a religious majority. But, Sir, if the official members were to throw in their lot with the religious majority then certainly, instead of being a blessing, they would be a curse, because they would make the position of minority communities more miserable and more pitiable, and while on this point, Sir, I cannot help giving expression to a matter which has been brought to my notice that the majority report is not the workmanship of the members who have signed it in its entirety. All the members, I believe, are here. No one is absent. I should like them to contradict me.

Chaudhri Zafrullah Khan : I do. It is a lie.

Mr. President : The honourable member has used unparliamentary language. He might have said : "it is not true," "it is not correct" I hope he will withdraw what he has said.

Chaudhri Zafrullah Khan : I refuse. He wanted it to be contradicted most emphatically: So I contradict it most emphatically.

Mr. President: Order, order. I once more request the honourable member to withdraw his words.

Chaudhri Zafrullah Khan: I withdraw, Sir. I was saying that the statement that the majority report is not the workmanship of the members who signed it, is entirely and absolutely wrong and ought to be wrong to the knowledge of the member who is making that statement.

Dr. Gokul Chand Narang: I do not accept that contradiction and I do not at all accept the proposition of my learned friend that as a member of this Committee I ought to have known that it was the workmanship only of the members who formed the majority. It is said that the official hand has touched the report.

The Honourable Khan Bahadur Captain Sardar Sikandar Hyat Khan: That is a gross mis-statement, Sir.

Dr. Gokul Chand, Narang: I should be very glad if my information is incorrect. I should like a further contradiction.....

Mr. President: I cannot allow this to be discussed any longer. The honourable member will proceed to his next point.

Dr. Gokul Chand, Narang: I want to know whether this report is not even the result of a consultation with official members.

The Honourable Khan Bahadur Captain Sardar Sikandar Hyat Khan: No, Sir.

Dr. Gokul Chand, Narang: All right. I take that contradiction. And I may tell my friends that it is in the interests of the majority members, if my friend the Chaudhri Sahib had the sense to understand it, that this contradiction should be made here and the opportunity for this contradiction should be given. For, there is a feeling that this report is not entirely their handiwork.

Sayad Muhammad Husain: On a point of personal explanation. The progressive party among the Muhammadans does not agree with the majority report. It is the demand of the majority members, and not of the Muslim community. We wanted 56 per cent. and they only put it down at 51.

Dr. Gokul Chand, Narang: That is the impression, Sir, and my honourable friend Chaudhri Zafrullah Khan gets up and calls me names.

Chaudhri Zafrullah Khan: I did not. I merely said that the statement made by you was not true. I did not call you names.

Dr. Gokul Chand, Narang: Well, what you have said is known to every one.

Mr. President: I cannot allow a dialogue. All speeches should be addressed to the Chair.

Dr. Gokul Chand, Narang: My honourable friend only uttered a monosyllable. He did not make any contradiction though he thought that that was perhaps the most emphatic and suitable way that was available to him.

Mr. President: I would once more request the honourable member to proceed to discuss his next point, if any.

Dr. Gokul Chand, Narang : Yes, Sir. Having cleared the ground which was necessary in order to remove this suspicion which had been created, I shall proceed to my next point.

Of the same nature is the point which I now want to place before the House, and that is the question of a second chamber. The majority report have declared that a second chamber would be inadvisable. We have recommended a second chamber. That may also seem to be a reactionary measure. But reactionary or progressive, it is the result of the same canker which they have introduced in their report. So long as communal electorates and communal representation continue we believe honestly and hope at least that the constitution of a second chamber might have some steadying influence upon what the more ardent spirits, the younger minds in the lower House might be led by their enthusiasm to do. It would serve as a check upon them. Of course, it would be absolutely necessary that its constitution should be on different lines. If that was also to be on communal lines and the same principles were to be introduced in the second chamber, it would be worse than useless. If its constitution is not going to be different, then I would say that my recommendation should be deemed to be withdrawn. Because, we do not want to pile one evil upon another, and we would have a second chamber only if it differs in its character and its composition from the Legislative Council and not otherwise.

Then we come to another very important point bearing upon the grant of provincial autonomy to this province. My learned and honourable friend, Mir Maqbool Mahmood, yesterday taunted me with a sort of inconsistency. In our note we have not made any definite recommendation for the transfer of security subjects. We have not opposed the transfer either. So far, therefore, as the question of consistency or otherwise was concerned, my learned friend was speaking without the book. But the mere manner in which we treated this subject in our note is slightly different from the recommendation which I am now making and I may inform my learned friend that the cue has been taken from a Muslim minority report in another province. I thought what was good for the Muslim minority in another province might also be good for the Hindu and Sikh minorities in this province. This recommendation of mine is word for word the same as has been made by a Muslim minority in another province and my recommendation, Sir, is this, that so long as this communal atmosphere continues to prevail in this province, the security subjects in the Punjab should be entrusted not to a single Minister but to a Board consisting of 5 members, one of whom shall be a Minister, one a permanent official of the provincial government and three others, representatives of each community, Muslim, Hindu and Sikh. And I think that with this safeguard the security subjects may also be transferred. With respect to the Government memorandum on this subject, all that I can say is this. With due deference again, their reasoning points one way while their recommendation is the other way.

Chaudhri Zafrullah Khan : On a point of order. Is this not a reference to the Government memorandum being incidentally made in order to discuss the recommendations contained in the report or in the

[Ch. Zafrullah Khan.]

notes? My honourable friend now wants to proceed to discuss the recommendation contained in the Government memorandum and that subject is not at present under discussion.

Deputy President : I understood the ruling given by the President yesterday to be to the effect that if any member wants to discuss the memorandum, he is at liberty to do so.

Chaudhri Zafrullah Khan : With great respect, no, Sir. The subject matter of the two parts (a) and (b) of the motion was held to be separate and was asked to be discussed separately though to explain any point in the course of the discussion a reference could be made to one part while another was under discussion.

Deputy President : I think the ruling of the honourable the President yesterday was that if any member desired to make any remarks on the memorandum he would be deprived of a second speech, but that he was at liberty to refer to it while the report was under discussion.

Dr. Gokul Chand, Narang : My learned friend's memory has failed him so far as this matter is concerned. Parts (a) and (b) are linked together and they deal with the same subject and it is inevitable that when discussing one, reference may be made to the other. In fact on a pure question of procedure and relevancy I may submit that I shall be and every member shall equally be at perfect liberty to discuss in one speech both the recommendations of the Reforms Committee and those of the officials. There is no bar to that and the honourable the President, as you pointed out, made it absolutely clear yesterday. All the reasons that the official memorandum gives tend to the conclusion that the subjects should not be transferred. They have referred to the difficulties and those difficulties I shall refer to not because they have been referred to there or as part of the official memorandum but as one who realises the conditions prevailing in the province. If the matter was left to one individual member of the Government, he will certainly be placed in the most unenviable position. The security subjects are really the crux of the whole administration, the pivot on which the whole government turns. If you are over-strict, you are blamed ; if you are less strict, it is necessary you should upset the whole government, the peace of the province and let in anarchy to prevail. If these subjects are to be left to a Minister who depends for his office on the popular vote, on the votes of his community, can you think for a moment, Sir, that he would be able to bring an independent, an entirely independent judgment to bear upon the very intricate and difficult questions which he might have to decide as the Minister in charge. A riot, for instance, takes place somewhere and Hindu and Muslim heads are broken. The matter comes up and the police take some action. It would be the Minister who would be blamed. If he happens to be a Sikh, he will be criticised as inclining more towards the Hindus than the Muslims. If he is a Hindu, he will be blamed as having sided with the Hindus. (A voice : If he were a Britisher ?) If he was a Britisher, he will be abused thoroughly or he will not be criticised at all. For, people who are convinced that the Britisher has taken a dispassionate view will say nothing but would be grateful. If on the other hand, they think that the Britisher has failed in doing his duty, they will say : this is

why we want Swaraj, these people do not care for the Hindus and Muslims breaking their heads, and as we find it often said they bring about riots instead of stopping them. For, that has been said from a hundred platforms in this country. That is what will be the case if the Britisher is there. In order to obviate all these difficulties, it will be better that considering the importance, the seriousness of the subjects and the great difficulty in the way, they should be placed in the hands of a board. And as I have just now submitted, in making this suggestion I am following the example of another province where the Muslim minority has recommended this. If I am not mistaken, it is the Bihar Muslims. And in that way all communities will be satisfied. Or even if they still blame, the blame would be equally divided.

Thus, Sir, I come to another important matter and therein also I differ from the recommendation of the majority. The majority have also recommended that the High Court Judges should not be appointed by the provincial government and that is quite good so far as it goes. But they have made a provision that the judges would be liable to removal by an adverse vote in the Council. Speaking subject to correction that is my vivid recollection. That would mean that the highest court of justice and the whole department of justice would be drawn into the vortex of politics.

Mir Maqbool Mahmood : It is the Governor and the House jointly.

Dr. Gokul Chand, Narang : Yes but on the recommendation of the House. If the House passes a resolution that such and such a judge should be removed the Governor will remove him. Apparently they have followed the example of England where a judge can be removed on an address to the Crown by both the Houses of Parliament. That is the law in England. But there are no Hindu and Muslim questions there. No Protestant and Roman Catholic questions either. And here the past experience shows that serious attempts have been made from time to time to criticise the High Court in season and out of season. To-morrow or let us say day after to-morrow speaking in terms of years, the whole of the High Court may be Muslim or the dominating note in the High Court may be Muslim and the Hindus may get up and kick up a row over some ruling given by some one of the judges of the High Court and getting around them some Muhammdan members who are disappointed may join the Hindus and if there is a majority they may pass a resolution of condemnation over that particular judge. If the Muslims take into their heads to criticise a judge, they pass a vote of censure against him and then approach the Governor who must naturally submit to a resolution of this nature passed by a majority in the House. This would be detrimental to the best interests of the province. In various countries the supreme court of justice is empowered even to criticise the measures passed by the legislatures and it therefore is necessary in the interests of purity of justice and in order to prevent malicious resolutions being passed by a majority that the department of justice should be placed entirely independent and beyond their reach. Now I would recommend that even the budget relating to justice and to the High Court should not be voted upon by any local legislature and

[Dr. Gokul Chand, Narang.]

the whole department of justice should be directly under the High Court of every province.

Then again, Sir, there is another point on which we are in disagreement with the majority report and that is with regard to the power of superintendence, guidance and control vested in the central government. Now, Sir, provincial autonomy which is so much desired by a certain section of this province and by a certain section of this House may be a very good thing. It may be said we shall at least be free in our own province. It should not be forgotten that when power is secured it is liable to be abused. I would not place any check upon the advance of freedom in this country. Certainly we should have the highest power which people of other countries have. But if the country is to be split up into administrative units and these units are to be granted local autonomy there should be an agency in the country itself consisting of our own men that should be in a position to exercise the power of general superintendence, guidance and control, not only on matters which relate to the central government but to all provincial departments whether legislative, administrative or financial. Now if no such control were allowed to vest in the central government that would mean that there would be no second veto such as there is now exercised by the Governor-General. That would be one mistake so far as the legislative field is concerned. If there is no power of control or guidance or superintendence in matters administrative it would mean that the blunders of provincial governments or the excesses in which provincial governments indulge sometimes or are liable to indulge, will not be rectified by the central government. I want that that power should continue. If the central government had not exercised any control over the provincial government the wrongs of the Punjab done to it in 1919 would not have been righted to-day. On many occasions the central government has interfered and great injustice and great wrong has been prevented. I want that to continue. Of course I want that that agency should be changed. Instead of being guided and controlled and superintended over by a bureaucracy, we should have our own men to exercise superintendence over us, to guide us and to control us and to prevent an abuse of power by any provincial government. I may again say that I do not want it as an exception in my province because Muhammadans happen to be in a majority here, I want similar rule to be applied to other provinces of India because I do not believe that the Hindus will not abuse the power given to them and only Muhammadans will abuse it. There may be a difference of degree, but I do not think that one community is angelic and the other is absolutely satanic.

Sayad Muhammad Husain : In the central government there would be a Hindu majority. Will not the Hindu majority oppress ?

Dr. Gokul Chand, Narang : Pir Sahib was probably not present when I adverted to this question. For his information I may submit again and it would be a pardonable repetition that I do not believe that any community should have a majority in any province on religious basis and even in the central government on religious basis. If it happens that a certain community is in a majority by the system which I propose that cannot be helped and as I said—Pir Sahib was away then—if 99 per cent. of the members of this Council turn out to be Muhammadans with non-communal electorates after the abolition of the communal electorates, I should not have the least

grudge. I should be very happy because I shall have the consolation that there they are in a majority not because they happen to follow a particular religion but because they have been sent there by Hindus, as well as by Muhammadans as well as by Sikhs and everybody has had a voice in their selection. That makes all the difference in the world. If Pir Sahib comes to the Council with the votes of his followers he does not care for me but if with 500 of his *murids* he gets 200 Hindu votes and 50 Sikh votes, he will know that no doubt a majority of his electors are Muslims, still he cannot ignore the 250 votes of the non-Muslims and the sting would be taken out of him in fact out of the most bigoted representative. This unfortunately my friends cannot see. No doubt with communal representation abolished.....

Dr. Sir Muhammad Iqbal : Because you know that whether communal or joint electorates the whole country goes to your community.

Deputy President : The honourable member will please wait till his turn comes.

Dr. Sir Muhammad Iqbal : That turn will never come at this rate.

Dr. Gokul Chand, Narang : Now that the House is constituted like this, no undue restrictions would be placed upon my freedom of speech. It may not be possible for me to speak here after two years, that is just possible but so long as that state of affairs does not become an accomplished fact I hope I shall be permitted to go on. It is open to every one if my honourable friends think that I am wasting their time, they can certainly go out to take their tea or please themselves. I started by saying that I have never been face to face with a more serious situation than the one with which I am face to face now. I do not want to give out secrets. The chief reason of my to-day being here at this moment is this very question, and I think my existence in this House would have been absolutely useless and infructuous if I had not had the opportunity of saying my say. It may be wasting my breath. It may be crying in the wilderness. What I am saying may not go to the quarters for which it is intended, let it be; but for once I shall have the satisfaction that I have done my duty. No doubt what I am saying here cannot be pleasant to the ears of my learned friends, because they are wedded to certain ideas and certain convictions, but I must do all that lies in my power to try to shake those convictions if possible. They may not be shaken, they will not be shaken perhaps, but it is better to have fought and failed than never to have fought at all. I must put in the little fight that I can in support of what I consider to be justice and fairness and sound reason. I was submitting, Sir, that the control of the central government should not be relaxed. Of course the provinces which want to sever themselves from the main body will no doubt insist upon weakening the central government so that centrifugal tendencies which at least the Punjab possesses might have a free play and that is exactly what I want to prevent. What is present in the minds of the Hindus and what is present in the minds of the Sikhs and if that is not present, it is time that it should be present in their minds both in this House and outside, is that with provincial autonomy

[Dr. Gokul Chand, Narang.]

granted to the Punjab on the lines suggested by the majority report, there is an end to their communal existence and their principles, their honour, their lives and their property will be at the mercy of the religious majority in the House. They cannot ignore the fact that the Punjab occupies a peculiar position in the map of the world. They cannot obliterate from the map of Europe and Asia the spots which indicate that right from Constantinople up to Karachi and Saharanpur, there is one vast Muhammadan tract. That has been very beautifully pointed out by Dr. Shifaat Ahmad in his note which he submitted to the Simon Commission. The Muhammadans are well known for their religious solidarity and union. In fact this is the chief distinguishing character of the Muslim community. It is therefore not a mere dream or an idle fear on the part of the non-Muslim minorities of this province to contemplate that a day may come when the whole of this horizon which is now occupied by various Muslim countries might begin to lower over their heads.....

It is therefore absolutely necessary that the Punjab which is occupied by a Muslim majority should not be placed in such a position that it might fall a prey to the pan-Islamic propaganda which is carried on in India and outside India. It is to prevent this centrifugal tendency that we are anxious that the control of the Central Government should not be weakened. The past history of India shows that as long as the Central Government was strong India was very strong and it was one nation. It was so in the time of Asoka and of the kings who preceded Asoka and in the time of the Moghuls. In those days India was ruled by a strong central government from the east to the west and from the north to the south. It was then only that India was united and strong and free. But as soon as the hold of a strong central government weakened the provinces fell off as sparks from fire. One governor sets himself up as an independent ruler in the Punjab, another becomes the Shah of Oudh and another becomes the Nizam of Hyderabad, all independent of the central government. As soon as the central government weakened, independent provincial governments were set up then and there and the whole of India fell like a house of cards, an easy prey to foreign aggression. Just as after Asoka the other emperors of India fell an easy prey to the Moghuls, the Afghans and other invaders of India, so also the Moghuls when they became weak fell an easy prey to aggression on all sides. The small independent provinces cannot after all withstand foreign aggression as a strong central government can. If the Nizam set himself up as an independent ruler he was always bothered by the Marhattas and he sought safety in accepting their suzerainty. The Punjab fell an easy prey to Ahmad Shah Abdali and when he in turn was not in a position to hold the Punjab the Sikhs took it over from him. In the same way bit by bit the whole country was swallowed up by the advancing wave of invasion. Like all wise and patriotic people we should all be unanimous in recommending that the hold of the central government should not be weakened. It will of course be said that I am asking for the strengthening of the central government because the central government is expected to be mainly Hindu in composition. My reply to this will be exactly the same. If separate electorates continue I have not the slightest doubt that

you will have in the legislative bodies people who are not entirely devoid of communal feelings, because they have to depend upon communal voters. But when they know that they have to depend not entirely upon the members of their own community they will be more liberal and sensible and patriotic and they will place the interests of the country before the interests of the community. That is my reply to the criticism. The Muhammadan provinces will suffer more, if they do suffer, by the continuance of communal representation. Because it is unhuman to expect that the Hindus who may form the majority in the central legislative bodies would not hear what is going on in the Muhammadan provinces and feel no sympathy with their co-religionists in the provinces under Muhammadan domination where their rights are not properly protected. Supposing in the Punjab fair treatment is not accorded to the Hindus and the Sikhs, the United Province people will say, "Well, the Hindus of the Punjab are after all our brethren and if we have no control over the Punjab directly we can put pressure upon the Muslim majority of the Punjab by turning the screw in our province against the Muhammadans. If there is an outcry in the Punjab by the Hindus, let there be an outcry in the United Provinces by the Muhammadans." In the same way this spirit of retaliation will spread from province to province to the eternal shame and unrest of this country. That is not a state of affairs which any far-seeing and patriotic Indian should contemplate with equanimity. I hope, Sir, we shall not be blinded by prejudice and our cherished convictions not to look ahead and see the disastrous results which it will inevitably bring in its train.

A subsidiary question relating to this is the question of the residuary powers. The majority of the committee have recommended that the residuary powers should be vested in the provinces. There is no doubt that there is a precedent for it in the United States of America and this argument has been urged times without number. But that is not the case in Canada which has also some sort of federal constitution. Now, Sir, with your permission I would just like to say a few words about this federation and federal government, because it so often occurs in the majority report. My honourable friend, Mir Maqbool Mahmood, though he did not directly address himself to this question indicated by his reference to the position of the Indian States that the federal system was probably the only suitable system for India. All that we have to see is what this stands for. If federation means that India should first be cut into pieces and then strung together so that each bit should be artificially connected with the rest I am not for that federal system. The analogy of the United States of America will not apply to this country. In the United States of America before federation came on each state had grown up independently and separately and it was the necessity of facing a common enemy successfully that made them combine to devise some means and pool their resources. That was the essence of the federation adopted by the United States of America. Then it grew and grew till it became a big state called the United States. Are the various provinces of India in the same position as the various states of America? They are certainly not in that position. These provinces were only the result of an accident. As these gentlemen conquered this country they cut

[Dr. Gokul Chand, Narang]

it up into various provinces for administrative convenience. At one time they had the three presidencies of Bengal, Madras and Bombay and the remaining portions they called the North-West Provinces. In the time of Lord Curzon the name was changed into United Provinces of Agra and Oudh. It does not indicate that Agra was in any way different either in its traditions or administrative peculiarities from Oudh or Oudh from Bihar and Orissa. They all run into one another. This is the fundamental difference between America and India. At no time were the various states in America under one American sceptre; they never constituted one country. On the other hand in India all the provinces were combined together and formed one complete state under one sceptre. And it is only by an accident that the country now consists of several provinces. Perhaps in the time of Asoka or Chandragupta or Akbar it consisted of more provinces. It does not mean that the various provinces have different civilisations and different interests. It may be in the United States of America one state has more Germans, another has more French and a third has more Italians. They all possess different characteristics and their social and economic interests are different. There is not a complete merger of one community into another. That analogy cannot be applied to India. India was held by one sceptre and ought to be kept under one sceptre if it is to be strong and free and able to withstand foreign aggression. Otherwise India will fall an easy prey to foreign invasion. There will be inter-provincial jealousies. If unrestricted powers in financial matters are given to the provinces one very awkward result might follow. This province for instance where the agricultural interests dominate may easily say: "Why should we pay so much revenue and *abiana*? So and so pays only so much income-tax. We shall reduce the amount of revenue and *abiana*." Similarly if the others are in power they will say, "Why should we pay so much income-tax and stamp duty and court fee and so on?" This will produce financial instability and intercommunal bickerings in various provinces. The uniformity which now exists in financial matters will cease to exist if all the provinces are given financial independence of the central government. I need not dilate on this subject at length. It is patent.

I come to recommendation No. 55 of the majority report page 63 which is fully dealt with in pages 50 and 51 of the report. The paragraph reads:

"To avoid any undue advantage to the more populous provinces it would be necessary to adjust the representation in the central legislatures on a basis which would give equal opportunities of representation to all the various provinces whether big or small. One way of achieving this would be to allot an equal number of seats to each of the provinces. This practice is in vogue in some other countries despite the divergence in size and population between the various units. We however consider that a more equitable method will have to be devised to obtain a certain amount of uniformity in representation from the various parts of the country. In this connection we would commend the suggestion that India should be divided into five more or less equal units for this purpose, each unit returning one hundred members to the Assembly and forty members to the Upper House."

This is the recommendation. It is very curious that the members of the majority community should not have thought of the consequence of such electoral division of the country into five divisions. In the first place you see the country is divided into a number of provinces, eleven or twelve. Provinces for electoral purposes first require to be cut up into five parts.

which would mean one whole province, perhaps one-third of another province to come together, two-thirds or three-fourths of that second province to go with another province in its entirety or three-fourths of that one-fourth of that province to be tagged on to the fourth province and so on. This is the recommendation that the honourable members have made.

The Honourable Khan Bahadur Captain Sardar Sikandar Hyat Khan : No.

Dr. Gokul Chand Narang : If the words do not connote this they mean nothing. And then they say that from that electoral unit 100 members may be returned.

The Honourable Khan Bahadur Captain Sardar Sikandar Hyat Khan : If you read the remaining lines you will see that that is not what is meant.

Dr. Gokul Chand Narang : The remaining lines are :—

“ We are of the opinion that this arrangement will be more suitable and equitable and will secure more or less equal representation to the various units which would be approximately of the same size and contain an equal number of people. With a little care and labour it should be possible to constitute more or less homogeneous units for this purpose”.

After having read these lines which I thought was only an argument and not a recommendation itself, the position remains the same. It means a part of one province is necessarily to be tagged on to another province and these two or three provinces have to return 100 members. Let us suppose that it is done. What will be the result ? Will the evil be prevented ? When the members are returned by one electoral unit some members will belong to one province and some others to another, while from another electoral unit some will belong to one and the same province and others will belong to another province. So that when a provincial matter comes up about which anxiety is felt by the majority members the question would still be there. Those members which belong to the Punjab will take the Punjabi point of view whether they have been returned from one-fifth of the whole of India or by the Punjab itself. In the same way the Bengalis whether they are tagged on to Bihar or whether they are tagged on to Orissa, they will take the Bengali point of view. So that the evil which they want to remedy, namely the evil of a provincial sentiment will still be there. And the thing would be absolutely unmanageable. It would not be a little care and labour but probably care and labour which in practice it would be impossible to bestow upon the matter. I would therefore submit that this recommendation should be treated as deleted from the majority report.

Then, Sir, I come to another point :

“ That until the abrogation of the communal principle, each community should have a representation both in the central and provincial legislatures in accordance with their population with power to minorities to contest additional seats provided that the Sikhs in the Punjab shall be given weightage.”

This proposition of mine must be taken in conjunction with 3 (c) and No. 19, of the recommendations sent by me and not by itself, because if considered by itself it might appear inconsistent. No community is to be

[Dr. Gokul Chand, Narang.]

placed in a position of majority and special constituencies have to be maintained. Making provision for these two things, the communities which means naturally the minority communities should be given seats both in provincial councils and in the Legislative Assembly according to their population, and I would therefore submit that the recommendation of the majority that the Muslims should have 33½ per cent. of seats in the Assembly would militate against this, and would create heart burning in the minds of the minorities who are given no weightage. The minorities should be given the power such as has been given in the Nehru Report to contest seats other than those to which they are entitled on the basis of population, but the case of the Sikhs is different and I would submit that in the peculiar circumstances of this province that community is entitled to a weightage and this principle has been recognised by the majority. As to the extent of the weightage I would not take the time of the House, and would leave this matter in better hands, but I can assure my Sikh friends that so far as we are concerned we have all sympathy for them because we are convinced that they are entitled to as much weightage as there may be possible for the legislatures to give them without affecting the other minority community.

There is another recommendation in the majority report which is very curious and that is that a part of the members returned to the Assembly may be returned through the provincial legislative bodies. That would mean, Sir, and I do not know really why this recommendation should have been made by them, that persons who are returned through the legislative bodies should be such as would have the approval naturally of the majority in the councils. In the Punjab unless each community votes with respect to its own community even in the Council and there is not a united vote of all the members of the Council, it would mean that from the Punjab only such Hindus would be returned as command the approval of the Muslim majority. From Madras only such Musalmans will be returned as would be prepared to bow to the Hindu majority there, and so on with respect to another provinces. So that there is no evil which it remedies and there is no particular boon which this system confers. The forecast of the recommendations of the Simon Commission which have been published in the Indian press point to this, in fact they seem to go further, that all the members of the central legislature should be returned by the local legislative bodies. If this is so, I hope not only all the Hindu and Sikh members but even the Musalman members who are not entirely at one with this and only want that a small fraction should be returned by the local legislative bodies, would warn the Simon Commission against such a procedure because it would create a great agitation and dissatisfaction in the country. The natural course of democratic evolution is that the voters should have a direct voice in selecting their representatives in the highest legislative body of the country and if the members of the Assembly are to be elected by the members of the provincial councils it means that the electorates have directly no control over the members of the highest legislature of their country. As I have said the thing seems to be reactionary and retrograde and we should all warn the Simon Commission against it, if that body, of course, heeds our warning.

There are only two more points to which I want to draw the attention of this House and the first of them is that special constituencies should not be abolished. Of course the grievance has been that from the University special constituency, for instance, only a Hindu has been returned up to this time. Well, that is not quite true unless it is confined to the period of reforms, because I know as a matter of fact that Sir Fazl-i-Husain (then Mian Fazl-i-Husain) was returned to the then Legislative Council by the University.

Rai Sahib Chaudhri Chhotu Ram : But he had then no rival candidate.

Dr. Gokul Chand, Narang : Even if he had no rival candidate.....

Chaudhri Zafrullah Khan : This point was gone into before the Simon Commission.

Dr. Gokul Chand, Narang : I do not remember all that happened before the Simon Commission. Sometimes the honourable member's memory is more keen than at other times. Even if there was no rival what does it indicate? It indicates that there was no malice or jealousy or any deliberate and artificial rivalry being set up against him. But that is only by the way. That was not the principal part of my argument. There is a very simple remedy for it. Instead of having one seat for the University have two or have three, so that my honourable friends may have a chance to return a member of their choice, the Sikhs may return a member of their choice and the Hindus may return a member of their choice. There is no harm in that. After all a University is the embodiment of the intellectual resources of the province from which light emanates, according to the motto of the University, and it will not be an excessively indulgent treatment to the University if it is given more seats than one. To remedy this very evil I would recommend that more seats should be given to the University, and as the interests of industry and commerce are becoming of late important and we are going to spend something like 16 crores of rupees over the development of industrial and commercial interests, more seats should also be provided for industries and commerce. If the depressed classes want separate representation they should also be given a separate representation and four or five seats may be given to them also. There is one more class which is even weaker than the depressed classes, and that is the weaker sex. I think no honourable member of this House would object to the allotment of a number of seats, say four or five seats for women of the Punjab, and in view of this it would also be necessary to have at least two seats for the Indian Christians of the province. I understand that the population of the Christians which was taken into consideration for the purpose of allotting them seats was on the basis of the last census which probably put their population at 1,99,000, but I learn from a reliable authority that since then Christians have multiplied and their population will soon be about 5 lakhs or so.

In view of this if 30,000 Anglo-Indians and Europeans are given two seats it does not seem unreasonable that the Christians should be given at least two seats and I would recommend even more than two. One seat may be given to Anglo-Indians and one seat may be given to Europeans, so that

12 noon.

[Dr. Gokul Chand, Narang.]

all classes and interests may be represented. (A voice: How many to women?) Four or five. If the depressed classes, as I have said, want separate representation they may be given four or five seats also, but personally I would advise them not to press for separate representation because the result of it would be that then they would be recognised as depressed classes for a long time to come. Their depressed condition would become stereotyped.

One last word and I have done. It is this, that paragraphs 18, 21, 22, 23 and 24 may be deleted from the majority report. As the honourable members may see, the summary of these recommendations is at pages 64 to 70. Recommendation 18 is at page 65. It says that all the constituencies should be thrown open to all the communities irrespective of caste or creed. That is in paragraph 46. If you read that paragraph and then keep in view that the electorates are communal and the representation continues to be communal and the cabinet is to be controlled by a communal majority then this recommendation, as I pointed out to Sir Fazl-i-Husain when he appeared as a witness, appears to be nothing better than perhaps a joke. I will not say anything more about it.

With respect to recommendation No. 21 I ask for its abolition because it is practically speaking outside the province of the Punjab Reforms Committee. That relates to the very debated and debatable subject, and an extremely contentious subject too, of the separation of Sind and its constitution into a separate province. The Mussalmans say that we oppose it because we grudge the creation of a new province with a Muslim majority. The Hindus say, the Mussalmans want this tract to be constituted into a separate province because as I have already submitted, they want their control to extend from Constantinople right up to Karachi. That is their apprehension; but the real practical and political argument against it is this that Sind is too small a province to be an independent province. It has not adequate resources and it would be a burden on other provinces which they may not be prepared to bear. (A voice: Question). My honourable and learned friend says "question." He relies for the resources of the new province of Sind on the Sukkur Barrage Scheme. Now, as has been pointed out by us that will not help the Sindhis at all, at any rate for a very long time to come and Sind would be a dependent province. Apart from that the general feeling is that no part of the country should be constituted into a separate province expressly with the object of giving a majority to a particular community. All sorts of apprehensions are entertained by the Hindus not only of the Punjab but of the whole of India. They say that when Maharaja Ranjit Singh was ruling the province he was very anxious to have Sind, because he wanted an outlet at Karachi, he wanted to open the door to Napoleon Bonaparte to come to India through Karachi and it was only as a result of a very definite and severe ultimatum which was given by the British Government that Ranjit Singh desisted from making an invasion of Sind. Otherwise it would have been a matter of two or three weeks for him to take Sind in those days. In the same way it has been suggested that a King of Afghanistan—I will not mention his name—has been very anxious for an outlet at Karachi. Of course, I am not in the secrets of Government. They know better what sort of negotiations have been taking place between him and the Government.

In any case, so far as we are concerned really it is not within our province to say whether another province should be created or not. It is for the central government; and so far as the Bombay Presidency is concerned, it has rejected the proposal. It is not in favour of the creation of Sind into a separate province and I think the majority members might very well have left out this contentious question out of their report.

Then, next comes the recommendation No. 22, that is, that reforms should be given to Sind on equal terms with other provinces. That is a consequential one and I will not take up the time of the Council over this. Next comes recommendation 23, that is, that a beginning of the reformed system should be made in Baluchistan with a view to bringing it to the level of the more advanced provinces within a reasonable period; and the next is that the five settled districts of the North-West Frontier Province should be admitted to the benefits of reforms on the lines of the Montford scheme immediately. If these recommendations serve any purpose I would say they only serve the purpose of deepening the suspicions of the Hindus against the authors of the majority report. The suspicion is that the majority of the members of the Committee want practically to convert the whole of the western and northern India into one Muhammadan state. That is the suspicion. It is quite possible that these recommendations might have been made out of pure sympathy for these people, out of generous motives and out of love of democracy and so on. But the circumstances are such as would not lend support to the idea that that alone was the object. Again it is not a question of *bona fides* of these gentlemen. I am only referring to the apprehensions to which these recommendations lend themselves. I will not go into the merits of the questions. They have been discussed again and again, they have also been discussed in the Assembly and in the Press; and nothing that I might say here would add to what has been already said and it might only create misunderstandings. With these remarks I would submit that the majority report which has been placed before this House is really full of holes and it would not hold water for a second, and this House cannot commit itself to the support of the majority report. Speaking as a Hindu I say with confidence that with the exception of Rai Sahib Chhotu Ram and may be one or two of his friends, there is not a single Hindu member of this Council who would lend the slightest support to the majority report, who, if he gets an opportunity in this House, would not stand up and condemn it as an unworkable and unsound report. I may also say that in spite of the general boycott preached against the association with the Simon Commission, Hindus of the highest eminence with the exception of those belonging to the Congress party have expressed their views entirely against the recommendations made in the majority report. The Congress Hindus like the Congress Muslims are in favour of the Nehru report; that *ipso facto* means condemnation of the recommendations in the majority report. Outside the Congress circles, Hindus of the highest position associated with us appeared before the Simon Commission in spite of the boycott and in spite of the opprobrium and supported the views that I have now ventured to place before this House and which are embodied in our note. I can say without fear of contradiction that there is not a Hindu

[Dr. Gokul Chand, Narang.]

of any position in this province outside the boycotting party who does not share the views that have been expressed by us in our note and condemning the recommendations of the majority report. I thank you, Sir, and the honourable members of this House for listening to me patiently. (Cheers).

Mr. V. F. Gray (Punjab Chamber of Commerce and Trades Association, Commerce): Sir, the matter before us is to take up for discussion the report of the Committee appointed by this Council. We have just listened to one of the members of that Committee for nearly three hours. The remaining members of the Committee are equally anxious to have an opportunity to have their say. I think it would be better for the members of the Committee who worked with the Simon Commission and who have submitted their report to remain silent and leave the report to be discussed by the other members of the House. I do not want to say a word against the magnificent speech of Dr. Gokul Chand, but I rather think that if any views of the House placed before the Simon Commission are to be of much value, they should be made by those who have not already placed such views before them.

Now to turn to the report itself. It seems to me that we are committed now to a democratic government, rightly or wrongly, to give every man eventually one vote, and to do that, in time separate electorates must go. For, separate electorates mean a House full of men with very strong views in regard to their own community, without any spirit of give and take, such representatives being sent solely to urge the claims of the community electing them. If we have the system of joint electorates, we get much more moderate men, far less extreme in their views. If the electorates are so arranged as to procure Hindu majorities in some cases and Muhammadan majorities in others, but with a leavening of votes of the opposite community, there would be a greater amount of moderation between the communities. If, for instance, in a constituency with a Muhammadan majority two Muhammadans stood for election, the more moderate one who was sympathetically inclined to the Hindus would probably be returned with the help of Hindu votes, which would make for moderation in the House. When in Council, they would show a spirit of give and take, and would give rise to a greater possibility of adjusting differences and promoting good government than when we have extremists of either side meeting together with no ideas of reconciliation. At present, open electorates especially in a province like this where strong feelings are entertained by the majority community is impossible at once, but we must aim to reach that goal. Why not make some approach to it at once in a small way, that is part open and part separate electorates? For argument's sake, assuming the Council to consist of 100 seats, exactly half the number should be divided among the Hindus, the Sikhs and the Muhammadans in a similar proportion as recommended, with no majority or if required, a majority of one would not matter. The remaining half should be divided among common electorates, so that there will be no chance of the same community necessarily forming an unassailable majority every year in the Council. The rural or agricultural and other varying interests will tend to mean more and communal interests less and even in time may get into power in the Council following later general elections. If what is recommended in the majority report functions, we

shall have 51 Muhammadan members coming here every time and for all time, you will never get any change. We do not want that; we want a change in Government; at times a change in the tone of the Council; it is not good for any one community or group to be always either the rulers or even the ruled. I think therefore that there should be some attempt at mixed electorates at once in part if not in whole. I sympathise very much with the Hindu feeling that no actual communal majority should exist. It seems to be totally wrong. There must be a certain influence from outside two contending communities which must make itself felt, otherwise it will be perfectly impossible that any unfair legislation by a majority community which has always got the power in its hands could be prevented. There are certain very minor communities that do want special representation owing to their small numbers and the impossibility of otherwise voicing their feelings. I mean communities like the Indian Christians, Europeans and the depressed classes whose influence would go a great way to prevent any outstandingly unfair legislation by the majority community.

I then pass on to another class whose representation is very essential to a Council of this sort, and that is industries; commerce and labour. They must be represented here because it is very essential that the opportunity of voicing the views of the commercial and industrial people and even of the labourers be given and will be of great value to the Council. You are making great efforts to industrialise the Punjab by such efforts as the Mandi Hydro-Electric Schemes, etc., and I think it is highly necessary that the seats given to commerce, industry and labour are increased. I should, in this connexion, like to point out the position of the Chamber that I represent. In the Morley-Minto Reforms, out of 11 elected seats, the Punjab Chamber of Commerce had one. When the Montagu-Chelmsford scheme came along, there was a general scramble for seats. The Punjab Chamber's representative stood still and did not make any request for increased representation. And the result has been that when we had 1 elected seat out of 11 at the beginning, we have now out of 70 elected seats only half of one, for this seat is shared by the Chamber of Commerce with the Trades Association. To compare commercial and industrial representation in other provinces, in Bengal there are 15 seats given to commerce and industries, in Bombay 7 and in Madras 5 and the United Provinces 3. This last province approaches in conditions more nearly to the Punjab. The Punjab Chamber of Commerce ranks on a par with the Upper India Chamber in the Associated Chambers of Commerce of India, each having 8 votes. But while in the United Provinces Legislative Council the Upper India Chamber of Commerce has 2 seats *plus* 1 seat to the United Provinces Chamber of Commerce, we have, with the same number of votes as the Upper India Chamber of Commerce, only half a seat here. Since the representation in the Councils were decided upon, another Chamber has been formed in the Punjab, *viz.*, the Northern India Chamber of Commerce which has two votes on the Associated Chambers of Commerce. Therefore the Chambers in the Punjab command 10 votes as against 8 in the United Provinces, but in the legislature half a seat against 3. I do therefore think that we are entitled to far greater representation than we have at present. I want to bring this matter to

[Mr. V. F. Gray.]

the prominent notice of the Commission because in the majority report one seat is suggested for industries, one for commerce and one for labour. This representation is utterly inadequate compared with the position in the other provinces even to-day and still more so, when seats are increased. To-day we hear so much talk about the industrial advancement of the province here, in this Council and yet the proposed representation is not sufficient to even voice the feeling and ideas of the industrial and commercial section of the people :

As regards the wider issues of the report, I will only briefly refer. I object strongly to the recommendation of the majority report and the Government Memorandum in recommending that law and order should be a provincial subject. This is unwise and will lead to trouble. Police ought to be under the central government free from local prejudices. There may be a very small local police force just to serve occasional local needs, but the major police force must be kept out of the influence of party politics of the province and free from the local wire pulling. I also fully endorse the last speaker's remarks that nothing should be done to weaken the central government. A strong central government means a strong India. Another point on which I cannot find myself in agreement with the majority report, is their recommendations for indirect elections to the central legislature. My opinion is that these elections should be direct. I would also advocate a larger representation of commercial interest in the Assembly of the central government. The major fault I consider in the previous reforms was that the majority of commercial seats in the central legislature were given to the various chambers in the Council of State as a safeguard. But it has been found to be very difficult to influence commercial legislation in the second House, for arguing only after the Bill is complete is insufficient. All legislation in connection with commerce and industries is enacted in the Assembly and that is the place where commercial representation ought to be stronger to mould such legislation from its inception. I, therefore, strongly advocate more commercial representation from the provinces in the Assembly.

As regards the suggestion for the creation of second chambers, with your permission, I should like to read the note put up by my chamber which deals with that point :—

“ In the event of the provincial Government retaining the powers which they have at present, the Chamber (i.e., the Punjab Chamber) will strongly urge the creation of a second chamber in the province with suitable powers of revision, particularly in regard to money bills. The constitution of a second chamber should be so devised as to act as a check on class legislation in matters of taxation. If the landed interest predominates in the lower chamber, the upper chamber should contain sufficient urban representation to act as a check on unfair taxation of the urban people. In the matter of money bills, the Chamber is in favour of following the American precedent and of giving the second chamber the same powers of amendment and rejection as it might have in regard to other bills. For the prevention of deadlocks between the two chambers, machinery similar to the one provided for removing a deadlock between the Council of State and the Legislative Assembly ought to prove effective and satisfactory.”

With these few remarks, Sir, I regret I am not in favour of the majority report as it stands, but as this is only a general discussion, I merely content myself with pointing out these differences.

Chaudhri Zafrullah Khn [Sialkot (Muhammadan), Rural]: Sir, I have listened with great attention, as I am sure the rest of the House has, to the speeches so far delivered on this subject which has formed the basis of discussion since yesterday in this House. I was not able to follow the greater part of the speech of the honourable member who has just sat down except the last portion of it which related to the question of a second chamber, for the reason that the honourable member did not care to make himself audible to this part of the House. Personally, Sir, I would have far preferred that the greater portion of the time allotted for the discussion of the report of the provincial reforms committee and the memoranda submitted to the Simon Commission by the Government should have been occupied by speeches delivered by honourable members who were not members of the Provincial Reforms Committee, as it would have given them an opportunity of putting forward their views. But unfortunately one member of the Provincial Reforms Committee has taken up so much of the time of the House in repeating, to a very large extent, what we had the misfortune to submit to in the Committee itself from him, that it necessarily involves the double misfortune of another member of the Committee who has signed the majority report taking up the same amount of time, I hope it will be a lesser amount of time—possibly a longer period of time, in replying to the criticisms which that honourable member has put forward with regard to the report before the House. That I submit is extremely unfortunate. I want to make it clear that this double infliction upon the House has been necessitated by the honourable member who was responsible for that lengthy fulmination against the majority report which lasted for more than three-and-a-half hours—a period of time which was entirely unconscionable. The dissentient members of the Committee had had the opportunity of appending their notes of dissent to the report in which presumably they set forth all the arguments in favour of their own recommendations and against the recommendations of the majority, which at that time seemed to them plausible or relevant, and it was not necessary to repeat those arguments at such greater and absolutely indefensible length before this House and thus to deprive the House of expressing an opinion upon the recommendations of the Committee. But, as I have said, that conduct involves a reply from one or more of the members who have signed the majority report with the result that the House has been practically shut out from a general discussion of the report as submitted to the House. That is a very unfortunate result which cannot now be helped. (*An honourable member*: Cannot the reply be given in a brief manner?) All over the world replies are longer than criticisms or questions, but I shall try to make my reply as brief as possible. I shall try not to follow my learned friend in every detail, but must necessarily explain many things to which he has tried to direct the attention of the House. (*Interruption.*) Sir, I have tried to explain in these few remarks why I cannot with all the wish in the world pay greater attention to the claims of honourable members of this House.

Before I come to the discussion of the various matters which have been raised in such great detail by my honourable friend, Dr. Gokul Chand, Narang, I should like to meet one or two points which were urged by other

[Ch. Zafarullah Khan.]

honourable members who spoke before him. The first speaker, Mir Maqbool Mahmood pointed out a serious omission, as he called it, in the recommendations of the majority report and he said that the majority report had failed to provide safeguards for any future amendments of the constitution. He made a suggestion that the constitution should be open to amendment by the central legislatures by a four-fifths majority of the members of those legislatures in each House provided the change was supported by three-fourths of the provinces and was carried in each of those provincial legislatures which supported the change by a two-thirds majority. That was the suggestion put forward by my honourable friend. Speaking at the present moment not as a member of the Committee but merely as a member of the House, because the Committee has expressed no opinion on this matter, I would submit that that proposal has my entire support, with this technical addition that the right of initiating a proposal for an amendment of the constitution should be reserved not only to the central legislatures but also to the provinces. That is to say, the proposal might be initiated in either House of the central legislatures or in any of the provincial legislatures, but it should be given effect only if the conditions set forth by my honourable friend are fulfilled. There was another suggestion made by the same honourable member that it would be worth while trying to furnish guarantees to minorities, or perhaps to all interests, with regard to special subjects as to which they might entertain reasonable apprehensions, and subject to that, the representation of each community in the provincial legislatures in accordance with its population basis based upon joint electorates might be accepted. That, as has been explained by the honourable member who followed him, Shaikh Din Muhammad, is entirely unacceptable to the Muslim community. Even apart from that, that suggestion having been put before the House, none of the honourable members belonging to other parties has so far taken up that suggestion and I hope my honourable friend, Mir Maqbool Mahmood himself has realised by this time that his suggestion is not acceptable to those parts of the House for whose benefit it was intended.

Dr. Gokul Chand, Narang : I would ask the honourable member to put down the suggestion in writing. We have not been able to follow it and it should not be taken that we have rejected it.

Chaudhri Zafarullah Khan : With regard to the suggestions made and the criticisms offered by my honourable friend from Gujranwala, all that I need note is that he has stressed the point that the Muslim demand for representation in the provincial legislatures is unanimously for a representation on the basis of population. That is no doubt so. Even in the recommendations of the majority report, this fact was recognised, and so far as I can recollect, the majority have declared that so far as the Muslim members were concerned they felt that that demand had a great deal of force behind it. In paragraph 81 of the report, this is what they say :—

“ Our Muslim colleagues feel that there is a great deal of force behind the claim of the Punjab Muslims for an allotment of seats in the Provincial Legislative Council on the basis of population, i.e., 55 per cent. seats to the Muslims.”

Fifty-five or fifty-six per cent. represents the demand of the Muslims but I understand that the demand really is for representation in accordance with their population which I understand is somewhere between 55 and 56 per cent., to be correct, 55·4 per cent. And I suppose that the demand is that, so long as the system of communal electorates and reserved seats is not abolished, the representation should continue to be on the population basis. That is to say, if the Muslims fall below 55 per cent., their representation shall fall to that figure, but if it should rise above 56, it should also correspondingly rise. That, as I submit, was not controverted even in the report itself. Neither the Muslim members of the Reforms Committee nor their two colleagues who joined them in signing the majority report have anywhere said that there was any doubt as to the Muslim demand or that the Muslims as a community had agreed to accept anything less. There has been a great deal of misimpression and misunderstanding with regard to this point as dealt with in the majority report. The report of the majority is not a report either of the two Muslim members or of the two non-Muslims and this paragraph, paragraph 81, does not represent the Muslim demand. All that the four members who have made themselves responsible for the majority report did in this connection was, that subject to the note by one of them, Rai Sahib Chaudhri Chhotu Ram, they made an endeavour to fix the basis of representation which they thought, neither as Muslims nor as non-Muslims but as members of the Reforms Committee, was fair to all interests and to all communities. They did not expect that the various communities would accept the whole of their report without exception. They hoped that it might be so, but they knew very well that it would not be so, because after all, the fairer the offer that was made, the less satisfactory it would appear to the various separate groups or communities so far as their own demands were concerned. But what grieved them was not that eventually and ultimately the different groups, interests and communities did not accept their recommendations, but that three of their own colleagues could not see their way, on grounds which were reasonable in their own view, to agree with the recommendations of the majority and thus to submit a unanimous report. So that, so far as the point made by Mr. Din Muhammad is concerned, the majority have not gone further than this, that they have, on their own responsibility, as four members of the committee, put forward a scheme which they thought was fair in the interests of all communities but which they did not suggest, for one moment, would be acceptable to the Muslim population of the province as a whole any more than it would be acceptable to the Hindu population. And since the publication of the report, each community has been emphatic in its criticism of the report. And the particular Muslim criticism, so far as the question of representation of the various communities is concerned, is that a great injustice has been done by the members of the majority in putting their representation at 50·4 per cent. instead of at 55·4 per cent. which they allege is their legitimate share in this respect. I hope that, so far as this point is concerned, I have made it perfectly clear. So far as I am personally concerned, as a member representing my constituency, my views are also represented in the opening sentence of the paragraph I have read out, that there is a great deal of weight behind the Muslim demand that their representation in the provincial Council should be on the basis of population. I

[Ch. Zafrullah Khan.]

was then persuaded by certain considerations, as I would still be willing to be persuaded by those considerations, with a view to achieving unanimity if that were possible to suggest that the compromise put forward by us should be accepted. If that is not accepted, there is no doubt that the Muslim demand remains as I have described it to be.

So far as the speech of my honourable friend, Rai Bahadur Lala Mohan Lal is concerned, I need not deal with any of the points raised by him separately as one or two points that he attempted to discuss have been included in the long commentary of my learned friend, Dr. Gokul Chand Narang. Before I proceed to attempt to reply to the various criticisms put forward by the learned Doctor against the majority report and certain other suggestions which he has put forward before the House which were not contained in the majority report or in the two dissentient notes, I should like to offer a personal explanation. My honourable and learned friend at one stage of his speech made the definite assertion that the report was not the handiwork of the four members who had signed it.

Dr. Gokul Chand Narang : Is not that matter concluded by the definite ruling of the Chair ? I thought it was.

Deputy President : I would request the honourable member not to touch that question again. It has already been discussed and definitely concluded.

Chaudhri Zafrullah Khan : If my honourable friend had waited he would have perhaps been satisfied rather than would have disagreed with what was to follow. I do not want to enter into any sort of controversy or to import any further heat into the matter. One thing that I wanted to say was that his direct challenge that he should be contradicted elicited from me a contradiction in a form which I subsequently amended and for that, I again express my regret to my honourable friend, and the second thing which I want to state is that there can be a misapprehension as to what he has stated. I am not one way or the other going to contradict him over again, but I merely want to explain lest there should be any misapprehension with regard to the subject. So far as I understand the expression 'the handiwork of the members who signed the report', I construe these words as meaning that this report was not entirely drafted and prepared by those members who signed it. If that is what is meant by the remark, then I must say that that statement is not correct. If it means that the report has been in parts influenced by suggestions and proposals contained in official memoranda or the opinions of officials of Government expressed in their evidence before the Simon Commission, this is not only correct but it is an additional merit in support of the report of the majority. The members, who have signed this majority report when discussing the various matters which formed part of their report and when eventually discussing the draft which was mainly prepared by the Chairman of the Committee and where it was not actually prepared by him, it was supplemented by notes from the other three members who signed the report along with him, had in view the entire evidence that was placed before them both in the form of documents and also orally when they sat in joint free conference with the Simon Commission and they were, therefore, well aware of the views of the various sections of the Government as well as non-official individuals

and organisations. They cannot deny and have no wish to deny that in various parts of their proposals they have been influenced at various times by ideas expressed in these documents and the evidence before the Commission but they want to explain, as a matter of fact, that they were so influenced. Nobody can deny that when you have got a certain amount of material before you which you have read and attempted to digest, you have to be influenced by it.

Dr. Gokul Chand, Narang : Nobody said anything about that.

Chaudhri Zafrullah Khan : Therefore, my explanation of the remark to which I object is that the report in the sense that it was drafted, prepared, revised and put into its final shape by the members who have signed it is entirely their own handiwork. Nobody else had anything to do with it at all. It was placed in the hands of Government for getting it printed and published and if there was any proof correction either in the Government Press or anywhere else, the members are not responsible for it, but so far as the report itself is concerned, that is entirely their own work based upon material which was placed before them. But if the suggestion is that in some way Government had tried to influence the actual recommendations and that they had conveyed their wishes in this respect either directly or indirectly to the members of this Committee, then that is a suggestion which I on behalf of the members who have signed this report emphatically repudiate.

Having cleared that point, I would now take up the various matters to which my learned friend alluded in the course of his speech yesterday and this morning. My learned friend in the very beginning expressed his regret that the Committee could not make a unanimous report and he assured the House that he and the other two members of the Committee, who have written dissentient notes, were prepared to go as far as their reason and conscience permitted them to go. All that I can say is that their reason and conscience must have prescribed a very narrow limit for them beyond which they could not see their way to go. If that limit had not been so narrow and so circumscribed, I have not the slightest doubt that unanimity could have been achieved. As a matter of fact, on some occasions I certainly felt that we were on the verge of achieving it but somehow or the other, the moment we separated at one of these stages and met again our views had diverged again. I shall not blame the dissentient members because after all it is perfectly apparent that when two persons have disagreed in spite of efforts to agree among themselves each maintains that it is the fault of the other and nothing is gained by repeating that allegation.

Then, my learned friend went on to say that one criticism which has been levelled against their dissentient notes was that they had proceeded merely to a destructive criticism of the proposals contained in the report of the majority and had made no attempt whatever to put forward a constructive proposal. This is an allegation which I do not make as a matter of criticism against their notes. If they did not choose to put forward a constructive scheme it was their own look out and it takes nothing away from their dissentient notes, but I make this allegation as a

[Ch. Zafrullah Khan.]

matter of profound regret that nothing in the alternative was put forward by my three learned friends as a connected whole for us to consider and if they had put forward this matter in the form of a connected whole before us, it is possible that in spite of the apparent, almost irreconcilable, disparity of the proposals some basis could have been found on which all of us could have agreed and this complaint which I make not only here but which I made to my honourable friend immediately after I had an occasion to peruse the note of dissent which has been signed by him Raja Narendra Nath would not have arisen. I submit that we expected from them and I still say that we expect from them that if they disagreed so vitally and entirely with the proposals contained in the majority report they should have put forward constructive proposals stressing the points of difference which existed in the proposals and should have given us a chance of considering their proposals for, then we might have found a way out of our difficulty. That is why I have complained against the failure of my honourable friends to have put forward any constructive proposals of their own. I do not mind, I have no right to mind the destructive criticism in which they have indulged. If they do not agree with the proposals, of course it is their duty to criticise these proposals their incongruous nature, their hollowness, if they deserve that epithet, and to expose their impracticability. In answer to these criticisms my friend has suggested that this criticism is based on a misconception. He says, 'We were not called upon to put forward a full or a whole scheme. We had before us the report of the majority. We have criticised it wherever we have differed from it and we have criticised it only where we disagreed with it. Where we have not expressly disagreed we accept this report.' That was to me a very astounding statement to make in answer to the criticism which was put forward. The criticism was that they rejected this thing because, as my honourable and learned friend has said this morning in concluding his speech, that this report was so full of holes that it could not hold water. Granting it is so full of holes that it would not hold water, that it will not receive and has not received the slightest support either from my honourable friend or from any member of his community, the criticism was that they on the other side had not put forward any constructive proposal. Their answer is: Why, we have the report; it is only in some parts that we have disagreed with it and where we are not in disagreement with it, the report can stand. But the concluding note of my honourable friend's speech was that not a particle of it can stand because it is so full of holes. If the criticism of my learned friend is correct and if the report is reasonably open to all the objections that he has raised against it, if from the report all those passages are to be deleted which he wants to be deleted, then nothing is left in the report which can form a whole.

Dr. Gokul Chand, Narang: If that is so, will my honourable and learned friend indicate any question on which our opinion is not patent?

Chaudhri Zafrullah Khan: My honourable friend having had his say and being himself fond of telling anybody who rises to interrupt him that not having given way the honourable member has no right to go on interrupting, I did not give way to him and, therefore, he should not have gone on with his interruption.

Dr. Gokul Chand, Narang : Is it permissible under the rules to put a question or not ? I did not want to put a question myself but it was one that was aroused from the constant repetition of the same thing by the honourable member.

Chaudhri Zafrullah Khan : It was a principle accepted by my learned friend. There is nothing in the report which is acceptable to my learned friend. The position is that the report is not acceptable to them and I should like to know whether there is any scheme which he has put forward for the country to consider. It is quite easy to say, we have left so many points which we have not touched. But there is scarcely anything in the report which remains except perhaps the question of the life of the legislative council being prolonged to five years ! He tells me that he has left such things intact as that the Governor should remain and the ministers should remain. But on the whole he has taken away all the material. It is just as reasonable to suggest that even after taking away the roof, the fittings and the walls, of a building whatever is left is still a building. As I have said I am not making a complaint of the point. It was open to them to demolish the report altogether but they should have forward some alternative proposal of their own.

Then I refer to his remarks which were contained in his preliminary criticism of the report. It was an explanation or an attempt to explain the signature of one of the members who have signed the majority report and the value to be attached to it. Objection was taken to

I P.M. the remarks contained in the dissentient note by Mir Maqbool Mahmood who said that they were not graceful. My learned friend said : " Yes, they are not graceful. You say we imputed motives to the two non-Muslim members who have signed the majority report. We could have imputed motives, but we did not do so." So saying he went on to impute motives to those members. I do not wish to go into the details of the motive that was imputed to the honourable member Rai Sahib Chaudhri Chhotu Ram. But they were subsequently boiled down to this, i.e., that Rai Sahib Chaudhri Chhotu Ram signed the report as he was a member of the National Unionist Party and as the majority of the members of that party were Muhammadans. That was alleged to be the one reason or the principal reason for his assent to the report. The answer to that would best come from Chaudhri Chhotu Ram himself so far as it is a personal reflection on him. But so far as it is a mere question of party, if the members of our party including Chaudhri Chhotu Ram and other non-Muslim members thought that a certain scheme was worthy of their support and accordingly signed the report, surely there is nothing sinister in it. My learned friend when he put forward that explanation forgot that the fourth member who signed the report was not a member of the Unionist Party and did not for any matter of preferment depend on the Muhammadan members of the party as was alleged to be the case in the case of Chaudhri Chhotu Ram. My learned friend says that he would not have put forward this explanation before the House if capital had not been made out of the fact that the report had been signed by two Muslim and two non-Muslim members. Why should he call it a report of the Muslim members to which two non-Muslims members have appended their signatures ?

[Ch. Zafrullah Khan.]

It is neither a report of Muslim members endorsed by non-Muslim members nor a report of non-Muslim members endorsed by the Muslim members. All the points were fully discussed by all the members before they finally agreed to them. At a very early stage in our deliberations it became plain and it went on becoming plainer later, that some of the members were able to agree on substantial points and that some of the other members were not able so to do. Towards the close of the discussions we found that four of us could agree among ourselves with regard to the main recommendations and we sat together to consider each matter separately. There was no question of the report being produced by Muslim members or by non-Muslim members. Several of the proposals are there at the instance of Muslim members and several at the instance of non-Muslim members. Almost all of them were modified in the course of the discussion. That was what happened, and not that the report is that of the two Muslim members and that the two non-Muslims were coerced into accepting it.

My honourable friend discussed another topic and it ran throughout his discourse at various places. I shall try to discuss it here at one place only, but he has made it a part of his argument in various other places and as I have to reply to those points I am afraid I shall not be able to avoid repetition. The question was of provincial autonomy as against dominion status. In the first place, I cannot conceive of the question being put in this way. Provincial autonomy and dominion status are not opposed to each other. They are part of the same system. My learned friend said, and that is a matter on which I entirely agree with him, that Indians cannot consider that they are the inhabitants of a free country till not only is a Punjabi respected in Madras and a Bengali respected in Bombay, but till they are all respected outside India and particularly in the self-governing Dominions and Crown Colonies as citizens of a free country and exactly on the same basis as the members of other free countries. So far as that principle is concerned I am at one with him. I shall go further and say that if at any stage of the future development of the Empire it is found, consistent with the allegiance of the British people of the Dominions to the Crown, that they can have more power in the conduct of their affairs, that power should be granted to India also. Otherwise India will have a grievance that it was not being fairly treated by the British Crown. Not only do we want that we should now be in the same position as the Dominions, provided certain conditions which we have mentioned in the report are fulfilled, but that in the further stages also all further powers granted to the Dominions should be granted to us also automatically. That is the least demand that any Indian can put forward at the present stage. The difference between my honourable friend and myself and those who think with me is not really so much between dominion status being granted and provincial autonomy being granted as to the manner in which this desired state of things can be brought about. I can well understand the proposals contained in the majority report. But I cannot understand this criticism of them, because the matter is not so clear to me as it possibly is to my honourable friend who put forward that criticism. Our proposal is this. We have visualised an India of autonomous provinces with a strong central government, strong in the sense which I shall presently define. The whole should possess the status of a British

Dominion. Inasmuch as we have treated the provinces as units we want it to be clearly understood that certain powers which up to the present have been exercised by Parliament have been delegated to the provincial governments and that the provincial governments have ceded, or at any rate as a matter of legal arrangement are supposed to have ceded, certain portions of these powers to the central government for the common good of all. We suggest that the units and their powers should be clearly defined before we can go further with regard to dominion status. Not that we want it to be delayed if the central government can be placed on a basis of dominion status immediately. Although we have said that any further transference of responsibility in the central government should not precede or synchronise with the establishment of provincial autonomy in the provinces what is meant is not necessarily that it may be delayed for many years. The object is that the two should be clear and distinct. It must be clearly understood that the provinces are completely autonomous and the authority that is vested in the central government is vested in it on behalf of the provinces and for the common good of all. We realise also that the provinces have had far greater opportunities during the last nine years to exercise responsibility than is the case with the central government. In the logic of things it naturally follows that the provinces are ready for a far greater load of responsibility than the central government. From the very nature of the provincial subjects it is clear that a complete transfer of responsibility in the provincial sphere can be undertaken immediately, and before a complete transfer of responsibility could be brought about in the central government. Even that section of politicians who claim immediate dominion status for the central government very often qualify it by excepting defence and foreign affairs from the control of the people. They themselves admit that the time has not yet come for a complete transfer of responsibility in the sphere of the central government. That being so, the criticism of my learned friend Dr. Gokul Chand Narang himself becomes apposite. He has stated that it would be incongruous to subordinate a fully reformed provincial government to an only partially reformed or semi-reformed central government. If, as is accepted by even the advocates of immediate dominion status, the transfer of the control of the army and foreign policy is not at present advisable, the central government remains only a partially reformed government. And according to yourself autonomous provinces should not be subjected completely to the control of a semi-reformed central government. These were the various reasons which prompted us in making the suggestions that complete provincial autonomy, meaning thereby that the provincial executive should be completely responsible to the provincial legislature, having nothing to do with all-India subjects and inter-provincial matters, should be granted to the province immediately; and that having been granted as much of responsibility as can be safely transferred in the central government should be transferred as soon as possible thereafter. The central government should be placed on the basis of complete dominion status. That is the recommendation. There is nothing heinous in having said that the transfer of responsibility in the central government should not precede or synchronise with the establishment of provincial autonomy in the provinces. My learned friend said that he could conceive

[Ch. Zafrullah Khan.]

of provinces only as mere units for the purpose of administrative convenience. He cannot conceive of provinces which should be autonomous within themselves. He has stated in his note that if it were not that India was such a big country there would be no provinces. Nobody disagrees. If it were not that India is a big continent it would be one country. Suppose the Punjab alone were India you would not have any provinces and you would not require any provincial autonomy. The whole thing would be within manageable proportions. The population would be bound together by certain ties of common association and common traditions. There are more or less among the people of a single province elements which go to make up a single community. Therefore it would not be necessary either by reason of the extent of the country or by reason of the variations of race or religion or colour or languages which are much more marked in the whole of India than in the Punjab to have different provinces. Both reasons of administrative convenience and the character of the population would indicate that the unitary form of government would be suitable. It was begging the question to say that if India were not so big it would not have so many provinces. Supposing Europe was only of the size of England then you would have only one country. The whole of Europe is not England and therefore there are different countries, and they have independent administrations. The whole of India is not the Punjab and therefore as there are different provinces with various differences in different matters you cannot have a unitary form of government. You require a federal form of government in which each province should have liberty to develop along its own lines, so long as it does not infringe upon the sphere of another province or upon the sphere of the central government. So, as I have already submitted, it is really begging the question.

Then my learned friend said and that was said this morning and great emphasis was laid on the point, that if you give provincial autonomy to the provinces in the sense in which the majority have recommended, then you are intensifying what is called "the centrifugal tendency of the various provinces to fall away from the Central Government", and more particularly so in the case of the Punjab. He said, look at the Punjab with such a vast belt of Muslims round it in Sind, North-West Frontier Province and Baluchistan who would declare their adherence to Bacha Saqo or Nadir Khan or whoever might be the ultimate Ruler of Afghanistan. He may not have actually said it in so many words but that is what was at the back of his mind; he said, look at the past history of India, the moment the central government became weak the provinces fell off from it. He did not realise that there was not one point of similarity between the constitution of the present days and the constitution of the times of Asoka and Chandragupta—I would not say in the time of Akbar or Aurangzeb for they were never masters of the whole of India. He said, India was one nation so long as it was under one central unitary form of government, but the moment it ceased to be so different provinces resulted. He forgets, however, that the chief distinction lies in this that the system of government at that time was entirely different from the present system. It was not only a unitary form of government; it was a personal form of government, and the system of government at

present and the system of government which is proposed under the proposed reforms scheme is quite different from the system in vogue in the time of Asoka and Chandragupta. Everybody agrees that central subjects including all-India legislation and all-India taxation should be reserved entirely to the central government. Then it is agreed that the defence of the country must be reserved entirely to the central government. Visualise then the central government having as much money as it wants for its own needs, the power to levy more taxes if it so desires, and having all the material which it requires for the defence of the country, and if it does not do so it will not be the fault of the provinces. Given that central government, and in its own sphere make it as strong as you like to make it, then where is the fear that any of the various provinces which constitute the country which have not the authority to maintain an Army, which have not the authority to levy taxes for military purposes should in time be driven away from the central government? What happened in the Mughal days or in the days of Asoka was that various provinces for various reasons which do not apply now, and the principal of them was the lack of means of rapid communication, could not be adequately supervised and were held together only so long as there was a powerful monarch ruling the country. If that monarch was succeeded by a weak man who could not rule the country strongly another man occasionally succeeded in consolidating the whole of the country under his rule. His weaker descendants who succeeded him afterwards had not the capacity or the ability to continue to do so. I shall not pursue this matter into greater detail. In fact it was not necessary to have pursued it even in this detail if my learned and honourable friend had not put this point of view forward so persistently during the sittings of the Provincial Reforms Committee. The honourable member said that if you make the central government weak then the provinces will fall away. No one advocates that you should make the central government weak. What has been suggested is that the spheres of the central government and the provincial governments should be clearly defined. Having defined them each should keep within its own sphere. The sphere of defence both by land and by sea as well as by air and any other means from which danger might threaten, you have got to leave to the central government; all these would be entirely central and would in no case be provincial subjects. On the other hand, if there were anything in the fears of my learned and honourable friend that the provinces would have the tendency to fall away, that tendency would be intensified by a mischievously interfering central government at the headquarters always trying to interfere in provincial matters, always trying to queer the pitch, as it were, if the expression might be allowed, so far as provinces are concerned. My learned friend said, if you give provincial autonomy to the Punjab—and the words used by him were shocking to me—if you give provincial autonomy to the province, as it is within a Muhammadan belt from Constantinople to Karachi, our very liberties, our lives, our honour would not be safe. This was an astounding statement to make. From the experience which I have had of our sister communities in this province I would say I was afraid that so far as our economic struggle is concerned we have got to safeguard our rights and interests, which are vital, but it has never entered my head, never have I

[Ch. Zafrullah Khan.]

had the remotest fear that if the non-Muslim communities in this province had the running of the government in the provincial sphere in their hands, the lives and the honours and the liberties of the Mussalmans would be in danger.

Dr. Gokul Chand, Narang : Because they will not be.

Chaudhri Zafrullah Khan : And I cannot see the slightest justification for the reflection which was made by my friend that the moment provincial autonomy is granted to the Punjab their liberty, their lives and their honour would not be safe at the hands of the majority or the Musalman population. This is an allegation which had better not have been made. And if that is the state of mind of my honourable friend, if he thinks that in the Punjab if you have a Musalman majority in the legislature, by whatever means that end might be achieved, having regard to the proximity of the Punjab to certain barbaric countries their liberties would not be safe.....

Dr. Gokul Chand, Narang : I did not call them barbaric, Sir.

Chaudhri Zafrullah Khan : Although that expression was not used, his words certainly implied that they were semi-civilised and barbaric. The moment you say that, it indicates a state of mind in which my learned friend and those who think alike with him find themselves having that fear before them. Supposing he finds himself in the majority in this House with the thought in his mind that the whole Musalman population from Constantinople to Karachi, is thirsty for the lives and the liberties and honour of my friend and the members of his community, what sort of treatment, having that fear in his mind and being in that frame of mind, would he mete out to the Musalmans of this Province? What are the shortest, what are the briefest, what are the surest means which he would like to employ to put an end to that fear for ever? And that indicates the real clue to the whole of the criticism which has been put forward by my friend before this House. That fear is entirely unjustified and absolutely unreasonable and he wants to have a non-Muslim majority in this Province. I shall presently examine his suggestion that so far as that is concerned, it would practically be handing over the Punjab to us if we with a population of 56 per cent. have 50·4 seats in the legislature. I shall examine that later, but if that absolutely unjustified fear is there and if he had a majority in this Council what is the treatment which he would mete out to me. But I shall even now not do him the injustice of suggesting that if at any future time under altered circumstances and a different system of election, as well might happen, there is a non-Muslim majority in this house, then the liberties, the lives and the honour of the Muslims would not be safe.

Then discussing this matter there was a remark which my learned friend made by the way, and he said as a matter of protest—"I must strongly protest against the entire disappearance of the very name of my community from the whole of the electoral system of this province" and all that. Here is a nationalist exhibiting so much ardour in favour of nationalism, a rank enemy of communalism,—communalism to him is like a red

rag to a bull—and one of the complaints which he has made and the protest which he has entered is that in the electoral rolls his people are described as non-Muslims and not as Hindus!

Dr. Gokul Chand, Narang: Yes, I protest against the disappearance of the name of my community only when communal representation is maintained. Otherwise not.

Chaudhri Zafrullah Khan: These are peeps into his mind which he has very kindly and generously afforded us while he was on the surface putting forward the nationalist plea. He is opposed to the communal system and separate electorates as being destructive of the spirit of nationalism and democracy and it is democracy that he wants to establish here. Now, that again is a plausible argument. He wants to establish democracy and he defined democracy as a government of the people by the people for the people. That is a definition which all of us have heard but which we have very seldom in practice known being applied to any form of government although it is being more and more progressively applied in order to achieve the ideal, but it has not so far yet been reached. He would have government in this country of the people by the people for the people. What is his definition of the people? He would have government of the people, that is to say of the entire population of the country. There his definition of the people includes the whole of the population of the country, every man, woman and child whether possessing property or not, whether possessing education or not. He would not exclude anybody from that definition. Then comes government by the people. Who are those 'people.' Here his definition of 'people' changes. He says universal adult suffrage is impracticable in this country and that it is absolutely destructive of all institutions in this country. Therefore the people who are to govern, meaning thereby the electors, must be few. Therefore it comes to this, that it is the government of the whole people by the electors. Where the electors correspond with the whole people it is a government of the people by the people. Where they do not, it is a government of the people by a section of the people and according to the definition of the honourable doctor that ceases to be democracy. Therefore, when an advocate of democracy stands up he has got to show that he is in favour of this principle in practice, and not merely in theory, that it is to be a government of the people by the people, that is to say, all sections of the people whom you want to govern should have a controlling voice in the administration of the country. What are the proposals of my learned friend in that respect? When he comes to that question in the Nehru Committee's report he says that that report is an organic whole and that you cannot take one part and adopt it and leave out the rest. I shall not discuss the question whether the Nehru report does or does not put forward the feasibility or the practicability or the desirability of immediate universal adult suffrage. But what are the proposals of the honourable doctor? He says for this government of the people by the people you should give a vote in the elections of representatives of the people to land-owners, to factory owners and to owners of large commercial enterprises and now he comes

[**Ch. Zafrullah Khan.**]

forward with a further proposal of giving it to persons who are qualified as malleables, that is, persons who possess more or less intellectual qualification and to the rest of the people you must not give a vote. Taking together all these categories that he has put forward, they will not come to 10 per cent. of the population. Therefore according to him the practical application of the definition of democracy is a government of the people by 10 per cent. of the people for the benefit of that 10 per cent. That is his definition of democracy; after all it is very easy to use plausible phrases, to dangle them before our eyes. But what is democracy? The very first principle towards the realisation of democracy is the gradual lowering of the franchise qualification till you achieve the ideal of universal adult franchise. If you are not progressing towards that, then you are not helping the country towards democracy; whatever form of government you suggest, whatever may be the division of seats among the various communities and groups, whatever may be the extent of responsibility of the executive to the legislature, you are depriving a section of the people of any share in the government of the country, and to that extent you are falling short of democracy. The proposals of my learned friends who have signed the Hindu dissentient note and the proposals of my honourable friend who has signed the Sikh dissentient note are that you cannot lower the franchise. Therefore you will be keeping the franchise more or less with the landed aristocrats, the commercial aristocrats, the industrial aristocrats, and the intellectual aristocrats and this government will be a democracy! I fail to understand what kind of democracy this will be.

Now what is the real reason for their recommendation? Is that recommendation actuated by a nationalist impulse, is it actuated by a democratic impulse? We know what it has been actuated by. The situation so far as population and voting strength is concerned is this. Roughly I cannot say exactly, the Muslims in the population form 55.4 per cent. The non-Muslims—including the Europeans and Anglo-Indians and Indian Christians whose number is so small, the bulk of the non-Muslims being formed of Hindus and Sikhs constitutes the rest, say 44.5 per cent., Hindus roughly 92 or 93 per cent. and the Sikhs 11 per cent. That leaves a small percentage which constitutes other communities. The voting strength in the present voting registers is as follows:—Muhammadans who form 55.4 per cent. of the population have roughly only 44 per cent. in the voting registers. The Hindus have almost the same percentage as their population, if they form 93 per cent. of the population they have 93 per cent. voting strength or slightly less or more. Sikhs who form 11 per cent. of the population have something like 24 per cent. of voting strength. Now, of course we know, and it is an elementary thing to realise that so far as the government of the country is concerned the amount of influence and control that you can bring to bear upon the government directly by means of the legislature would be proportionate to your voting strength.

Mr. E. Mayadas: How is it that the Sikhs have got 24 per cent. of the voting strength while they form only 11 per cent. of the population?

Chaudhri Zafrullah Khan: What I mean to say is that the Sikhs have got 24 per cent. of the votes while they form 11 per cent. of the population. As I was saying, it is an elementary thing that the amount of

influence that you can bring to bear upon the government of any country, which is responsible to the legislature is in direct proportion to your voting strength; and your population has absolutely nothing whatsoever to do with it except with reference to any change in the franchise qualification which might affect your voting strength. We hear a great deal of talk of the majority community in this province; but when you use the expression "majority community," what exactly do you mean? I have submitted that no doubt the Mussalmans in this province are in the majority in the population, but in the definition of the "people" in the phrase 'government of the people by the people' the Mussalmans become only 44 per cent. and the non-Muslims 56 per cent. Who then are in the majority? Our contention is that the Hindus and the Sikhs really form one community. (A voice: No). It is not so according to you. There are several matters which are being discussed and which are controversial. I do not say that our contention is accepted.

Sardar Ujjal Singh: It is not for you to say what the Sikhs are or are not?

Chaudhri Zafrullah Khan: I do not say that the Sikhs profess the same religion as the Hindus. That would be entirely unjustifiable and perhaps might even wound the feelings of the Sikhs or the Hindus. I never suggested that. My contention is that so far as representation in the legislature is concerned, so far as those factors are concerned which constitute the community of interest in political matters, for all practical purposes, having regard to those factors the Sikhs and the Hindus form one community. I never suggested that they form one religious community.

Sardar Ujjal Singh: That is absolutely wrong.

Chaudhri Zafrullah Khan: That is my contention. There are factors which I shall put forward in support of my contention. The factors are these. In the first place, the principal thing that differentiates the communities in this province and keeps them in separate water-tight compartments is the principle of inter-dining or *achhut*. If any outward indication were to be sought which would at the very outset distinguish a Hindu from a non-Hindu it is this distinction that a Hindu will inter-dine with a Hindu, but will not inter-dine with a non-Hindu. I am not talking of my honourable friend Dr. Narang or of my other friends who by virtue of their having been away to England must have inter-dined with non-Hindus unless the English people are Hindus. My submission is that the first *prima facie* test whether a man is a Hindu or not is one of inter-dining. It is common among certain communities to make such social distinctions. But there is inter-dining between the Hindus and the Sikhs. There is no inter-dining between the Muslims and those two groups of Hindus and Sikhs. That is the first test.

Another test is inter-marriage. A Hindu will inter-marry with a Hindu, but will not inter-marry with a non-Hindu. But Hindus and Sikhs inter-marry, whereas Hindus and Muslims do not inter-marry, nor do Sikhs and

[Ch. Zafrullah Khan.]

Muslims inter-marry. The Sikhs repudiate caste as contrary to their religious principles, but certain Sikhs and certain sections of the Sikh community in matters of geneology, for the purpose of determining whether a match can or cannot take place between a Hindu and a Sikh or between a Sikh and a Sikh very often resort to the system of caste. That is their criterion.

Sir, then you will find that among the Hindus at any rate there are persons who bear Sikh names. But you will not find a single such person among the Muslims. You will find, so far as prohibited degrees of marriage are concerned the Sikhs have no such prohibition in their scriptures so far as I understand. In these matters they follow the Hindus but they have not borrowed such institutions from the Muslims. Look at it in any way you like, you will find that these divisions do not exist between the Sikhs and the Hindus as they exist between Hindus and Muslims.

Dr. Gokul Chand Narang : Is it a fact that the leader of the Sikh community, Guru Nanak, was a Muslim ?

Chaudhri Zafrullah Khan : Is that a question to me ?

Shaikh Muhammad Sadiq : Then you say that Sikhs are Muslims.

Chaudhri Zafrullah Khan : Yes, if this is accepted. I revere Guru Nanak as a saint and he is revered by the majority of the Muslims of this country to such an extent that they put him in the calendar of their saints. I firmly believe in him as a *wali* not merely as a matter of courtesy but as an article of faith. If the Sikhs accept that position the matter ends there and there will be only two communities and the whole question shall be simplified. But if it is not accepted by the Sikhs then the question becomes more complicated.

Let us face facts as they stand. As I have said no marks of division exist between the two communities the Sikhs and the Hindus. These are positive tests. Now there is a negative test. So far as doctrines are concerned the Hindu religion embraces within its fold the doctrines of every kind. The existence of God is accepted.

Dr. Gokul Chand Narang : That is really going a bit too far. This is not the occasion for discussing the question of theology.

Mr. President : I quite agree with the honourable Doctor. I am not going to allow a discussion on theology.

Chaudhri Zafrullah Khan : I will not go into theology. What I am attempting to do is this. With regard to these practical matters there is a greater affinity between the Hindus and Sikhs than between the Muslims and the Sikhs.

Mr. President : The honourable member may say that for the purposes of his argument he will take the Hindus and the Sikhs to be one. But I do not think that he will be able to convince the House that the Sikhs and the Hindus are one religiously, politically and socially.

Dr. Gokul Chand, Narang : That will be treading on very delicate ground.

Chaudhri Zafrullah Khan : I would not go further but the fact that a certain proposition will not be accepted by the House is no ground whatsoever for not putting forward my reasons in support of it. However, I shall refer to the point, namely, that even with 44 per cent. the Muslims will remain in a majority. How will they still remain in a majority I fail to understand. Supposing that the Sikhs and the Hindus were treated as separate for this purpose, even then how do we remain in a majority. We may then be the strongest single community in the Council but we will not be in the majority.

Mr. President : What has the honourable member got to say with regard to the question which was put to him by the Honourable Mr. Maya Das? What does the honourable member mean by 44 per cent.?

Chaudhri Zafrullah Khan : I tried to explain that in the population of this province the Muslim percentage is 55 per cent. I hope I am quite clear there. Then I proceeded to explain that in the Voting Register owing to the franchise qualifications not operating equally with regard to each community—or rather to put it in another way, owing to each community not possessing in the same uniform degree the qualifications which would entitle them to vote, this percentage is not maintained in the Voting Register. Out of every 100 voters in this province 44 are Muslims, about 24 are Sikhs and the remaining are Hindus with some admixture of Europeans, Anglo-Indians and Christians. That is what I meant.

Mr. President : What the honourable member means is that out of the total number of voters in the province 44 per cent. are Muslims. Is that so?

Chaudhri Zafrullah Khan : Exactly, Sir.

Mr. President : What is the percentage of the Muslim Voters out of their total population and the percentage of other communities as well.

Chaudhri Zafrullah Khan : As I have said the population in the province.....

Mr. President : What is the percentage of the voters of the various communities as compared with their respective populations. That is what Mr. Maya Das wants to know.

Chaudhri Zafrullah Khan : It is less than 8 per cent. Of course I am speaking subject to correction.

Mr. President : Of that 8 per cent. how many are Muslims?

Chaudhri Zafrullah Khan : $8 \times \frac{44}{100}$.

Mr. President : Apparently the honourable member is not ready with his answer.

Chaudhri Zafrullah Khan : No member in this House is ready with such answers.

[Ch. Zafrullah Khan.]

For my purpose, Sir, I shall take it that 44 per cent. are Muslims and 56 per cent. are non-Muslims. Taking these figures it will appear that the Muslims are not in the majority in the Voting Register, nor are they the strongest single community taking the other communities together. But if the other communities are treated separately then you can say that the Muslims form the strongest single community. Therefore, my submission is that it is easy enough to realize what were the reasons behind these very "non-democratic" recommendation of my three learned friends that the franchise should not be materially and substantially lowered. They have no doubt recommended a somewhat lower franchise, but not a very substantially lower franchise.

Dr. Gokul Chand, Narang : We have doubled the number of voters.

Chaudhri Zafrullah Khan : It is still between 5 and 6 per cent., that is, less than 10 per cent. That does not affect my argument. My argument remains why these most non-democratic recommendations have been made and why the authors of these two dissenting notes have not put forward the ideal of universal adult franchise to be realized within any appreciable period of time. The reason is that any material and substantial reduction in the franchise qualifications is likely to tend in the direction of eliminating this disparity between the Muslim percentage of population and the Muslim percentage in the voting register. And this is likely to have its effect upon other communities. So far as the Sikhs are concerned any further lowering of the franchise would steadily bring down their voting strength from 25 to 18, 15, 12, and eventually to 11 per cent. I do not blame them for their recommendation. No community or its representatives would cheerfully agree to a suggestion which would reduce their influence over the legislature and consequently over the Government, but what I object to is why this fishing about for plausible reasons for not making the recommendation. Why not give the straight reason? Say we have got the land qualifications, the property qualifications, tax paying qualifications. Why should they be lowered? No man should be given a vote unless he materially contributes towards the carrying on of the Government of the country. This is a perfectly legitimate argument to be put forward. But that has not been put forward; on the other hand refuge is sought behind the fact that if you materially enlarge the electorates, you will not find suitable men coming forward to represent you in the legislature. That is one reason. Another reason is that primary education has not so far advanced that you can safely entrust the exercise of the electoral rights to the lower classes of population. In the same breath you are suggesting that you must have in this province Government of the people by the people and for the people, that is democracy....

At this stage the Council adjourned till 9 A.M. on Friday, the 20th September, 1929.

PUNJAB LEGISLATIVE COUNCIL.

4TH SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

Friday, the 20th September 1929.

The Council met at the Council Chamber at 9 A.M. Mr. President in the Chair.

STARRED QUESTIONS AND ANSWERS.

***2443—2508.**—Cancelled.

TAX ON MOTOR CARS, DALHOUSIE MUNICIPALITY.

***2509. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (i) (a) Whether it is a fact that in 1926 the Dalhousie Municipal Committee submitted to the Government for confirmation a resolution exempting (1) the Commissioner, Lahore Division, (2) the General Officer Commanding Lahore District, and (3) other officers of higher rank according to their precedence from the payment of a tax of Rs. 2 levied on motor cars permitted to pass beyond the club corner on the cart road ;
- (b) Whether it is a fact that the Government refused to confirm the aforesaid resolution of the committee ;
- (c) Whether it is a fact that in 1928 the Government on its own accord moved the committee that if it would pass a resolution exempting only (1) the Commissioner, Lahore Division and (2) the General Officer Commanding Lahore District, from the payment of the aforementioned tax, the Local Government will confirm the resolution ;
- (ii) (a) If the answers to the above are in the affirmative, why the Government (a) refused to confirm the first resolution of the Committee ;
- (b) Offered to confirm it subsequently provided that the officers higher in rank than the Commissioner, Lahore Division and the General Officer Commanding, Lahore District, were excluded from the proposed exemption ?

The Honourable Malik Firoz Khan, Noon : (i) (a) Yes.

(b) Yes.

(c) No.

(ii) (a) Because in the proposal received from local officers reasons for the proposed exemption were not given.

(b) Government has not been approached by any other higher officers on the subject.

EXEMPTION FROM MOTOR TAX, DALHOUSIE MUNICIPALITY.

***2510. Chaudhri Afzal Haq :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that some officials who hold much higher rank than the Commissioner and the General Officer Commanding, Lahore District, and who visit or spend their summer at Dalhousie are not exempted from the payment of tax on motor-cars permitted to pass beyond the club corner on the cart road ;
- (b) whether it is a fact that the Deputy Commissioner, who is the President and the Sub-Divisional Officer who is the Vice-President of the municipal committee, Dalhousie, are not exempted from the payment of the aforementioned tax ;
- (c) whether it is a fact that under the bye-laws in force all motor cars permitted to go beyond the club corner on the cart road must be withdrawn from the public road immediately after unloading ;
- (d) whether it is a fact that motor-cars can be allowed to go beyond the club corner on the cart road only in the day ;
- (e) whether the exemption from payment of motor-tax applies only to the Commissioner and the General Officer Commanding, Lahore District, or also to the members of their families or other persons who may use their motor-cars ?

The Honourable Malik Firoz Khan, Noon : (a) Yes.

(b) Yes.

(c) Yes.

(d) No.

(e) Only to the Commissioner and the General Officer Commanding, Lahore District.

POPULATION ON COMMUNAL BASIS IN QADIAN.

***2511. Pir Akbar Ali :** Will the Honourable Minister for Local Self-Government state—

- (a) the percentage of Muslims in the population of Qadian in the Gurdaspur District ;
- (b) the percentage of such non-Muslim low castes and untouchables in the population of Qadian who have no objection to the eating of flesh of dead or dying animals including the flesh of kine, such as sweepers, etc. ;
- (c) the total number of non-Muslims in the population of Qadian and the total population of Qadian ?

The Honourable Malik Firoz Khan, Noon : (a) 79 per cent.

(b) Government have no information.

(c) The total number of non-Muslims is 928, and the total population 4,448 according to the Census Report of 1921. It is believed that the number of Muslims has since considerably increased but exact figures for present population are not available.

SALE OF "JHATKA" MEAT IN QADIAN.

***2512. Pir Akbar Ali :** Will the Honourable Finance Member please state—

- (a) whether there is a small town committee at Qadian, and if so, the number of Muslim and non-Muslim elected members of such committee ;
- (b) whether there are any arrangements in Qadian for the sale of *jhatka* meat ; if so, whether the small town committee, Qadian, has supported or opposed the initiation and continuance of these arrangements ?

The Honourable Mr. A. M. Stow : (a) Yes.

(b) Yes. The Small Town Committee supported the initiation of these arrangements.

EDUCATIONAL INSTITUTIONS, QADIAN.

***2513. Pir Akbar Ali :** Will the Honourable Minister for Local Self-Government please state—

- (a) the number of educational institutions of all descriptions in Qadian classified as Muslim and non-Muslim ;
- (b) the number of newspapers, periodicals and magazines of all descriptions issued from Qadian classified as Muslim and non-Muslim ;
- (c) the dates on which telegraphic and railway facilities became available at Qadian and the date on which the Qadian small town committee began to function ?

The Honourable Malik Firoz Khan, Noon : It is regretted that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

GROWTH OF POPULATION, QADIAN.

***2514. Pir Akbar Ali :** Will the Honourable Revenue Member please state whether Qadian is growing steadily in population and if so, the causes which have contributed and are contributing towards such growth ?

The Honourable Khan Bahadur Captain Sardar Sikandar Hyat Khan : Yes ; Qadian is growing steadily in population as will be evident from the following figures :—

1901	..	..	..	..	2,814
1911	..	..	..	..	3,818
1921	..	..	..	..	4,448

It is believed that the population has continued to increase considerably since 1921, the reason for this increase being the growing importance of Qadian because of its being the head-quarters of the Ahmadiya community.

PROPRIETORS OF AGRICULTURAL LAND IN QADIAN.

***2515. Pir Akbar Ali :** Will the Honourable Revenue Member please state the number of Muslim and non-Muslim proprietors of agricultural land within the area of Qadian and of the two hamlets Ahmadabad and Qadirabad which are included within the revenue mahal of Qadian ?

The Honourable Khan Bahadur Captain Sardar Sikandar Hyat Khan : The question has necessitated enquiries from the local officers which are not yet complete. An answer will be communicated to the honourable member when ready.

SLAUGHTER HOUSE FOR KINE AT QADIAN.

***2516. Pir Akbar Ali :** Will the Honourable Finance Member please state—

- (a) the date or dates on which an application or applications were made for the licensing of a slaughter house for kine at Qadian and the names of the person or persons or authority by which such application was made ;
- (b) the date on which any such application was granted by the Deputy Commissioner, Gurdaspur ;
- (c) whether any slaughter house was erected at Qadian in pursuance of such permission ; if so, whether the slaughter house still stands, and if not, whether it has been demolished, lawfully or unlawfully, by whom and on what date ;
- (d) whether Government had any information that any persons contemplated the demolition of the slaughter house, and if so, what arrangements Government made to meet the contingency and whether such arrangements proved adequate in the event, and if not, why not ;
- (e) whether any application for revision of the order of the Deputy Commissioner granting permission for the opening of a kine slaughter house at Qadian was preferred before the Commissioner ; if so, by whom and on what date and what was the order passed thereon by the Commissioner and the reasons therefor ?

The Honourable Mr. A. M. Stow : (a) The date of the last occasion on which an application for a license was made was 30th November 1928, and the application was made by two Mussalmans of Qadian.

(b) 30th of April 1929.

(c) A slaughter house was erected in the neighbourhood of Qadian but was demolished subsequently. In connection with that demolition, a case is now *sub judice*.

(d) The local authorities received information of the contemplated demolition and made such arrangements as were possible at short notice. The arrangements proved inadequate in the event as the police force available on the spot was too small.

(e) An application was made on 9th August 1929 by Lala Amar Nath and Pandit Dhiraj Lal and is still pending before the Commissioner.

Pir Akbar Ali : Will the Government kindly inform if the police did take any step to prevent the persons who intended to demolish the slaughter house ?

The Honourable Mr. A. M. Stow : I believe they were hopelessly outnumbered.

Lala Kesho Ram, Sekhri : Sir, in so far as we do not possess a copy of these questions, will it not be possible for the honourable member to read out the question, so that we may be able to follow the answer.

Mr. President : A list of questions was circulated to the honourable members. In addition to that list, another list containing questions and answers should have been circulated but as answers to the questions for to-day were not received from the Government, the latter list has not been printed and circulated.

PUNJAB LAWS ACT AND SLAUGHTER OF KINE.

***2517. Pir Akbar Ali :** Will the Honourable Finance Member please state whether the object of the rules framed under section 48 of the Punjab Laws Act is to prohibit the slaughter of kine altogether or so to regulate such slaughter as to cause the least offence to the feelings of those who are opposed to the slaughter of kine ?

The Honourable Mr. A. M. Stow : The object of the rules is as far as possible to prevent the slaughter of kine in a particular place from giving offence to the feelings of those who object to it on religious grounds.

SECTION 48 OF THE PUNJAB LAWS ACT.

***2518. Pir Akbar Ali :** Will the Honourable Finance Member please state—

- (a) whether there has at any time been any correspondence between the Government of India and the Punjab Government with reference to the object and provisions of section 48 of the Punjab Laws Act ;
- (b) if so, what are the principles, instructions or considerations indicated by the Government of India in such correspondence as proper guides in such matters ?

The Honourable Mr. A. M. Stow : (a) Yes, about 30 years ago.

(b) The Government of India affirmed the principle that where the religious feelings or race prejudices of different classes are involved while reasonable liberty is allowed to all classes, this liberty must be exercised in a manner least calculated to offend the prejudices of others, and emphasised that the object of the rules under section 48 of the Punjab Laws Act was to maintain the existing practice so far as practicable and to avoid undue interference with the existing custom.

LICENCES FOR KINE SLAUGHTER HOUSES AND SALE OF BEEF.

***2519. Pir Akbar Ali :** Will the Honourable Finance Member please state what are the considerations that guide the Punjab Government in the matter of granting or withholding licences for kine slaughter houses and the sale of beef ?

The Honourable Mr. A. M. Stow : Government follow the principle that where the religious feelings or race prejudices of different classes of subjects are involved, while reasonable liberty is allowed to all classes, this liberty must be exercised in a manner least calculated to offend the prejudices of others.

UNSTARRED QUESTIONS AND ANSWERS.

1297—1301.—Cancelled.

MANDI HYDRO-ELECTRIC SCHEME.

1302. Rai Bahadur Lala Sewak Ram : (1) Will the Honourable Minister for Agriculture be pleased to state—

- (a) the original estimated cost of the Mandi Hydro-Electric scheme ;
- (b) the cost now anticipated ;
- (c) reasons for excess ;
- (d) whether the Government can now definitely say that the estimate will not again be revised ?
- (2) When the scheme will be complete, what will be—
 - (a) working charges ;
 - (b) depreciation charges ;
 - (c) interest charges ;
 - (d) total charges per annum ?
- (3) What is the anticipated income from the scheme per year ?
- (4) What will be the—
 - (a) cost price per unit of every kw./h ;
 - (b) sale price per unit of every kw./h. in different districts ?
- (5) What is the cost of energy per unit to big industrial concerns from big crude oil engine plants ?
- (6) Whether the Government have made sure that the industrial concerns in this province will prefer to have electric energy from Mandi scheme rather than generate it from their own plants or purchase it from any other power house ;
- (7) Whether it is a fact that a sufficiently large number of industrial concerns exists in the province to utilise the electric energy generated by the Mandi works ;
- (8) Whether the Government have framed their programme for marketing the energy to be produced by the Mandi works ;
- (9) Whether any reports have been obtained from (i) the Director of Industries ; (ii) the Director of Agriculture, regarding the industrial and agricultural progress anticipated due to this scheme ;
- (10) Whether the machinery and plant necessary for the Mandi works are obtained in the best and cheapest market, and if so, whether any tenders are called ?

The Honourable Sardar Sir Jogendra Singh : It is regretted the answer to the above question is not yet ready and will be supplied to the honourable member when ready.

PUNJAB CENTRAL MIDWIVES BOARD.

1303. Rai Bahadur Lala Sewak Ram : Will the Honourable Minister for Local Self-Government be pleased to state whether it is a fact that there is not a single Hindu or Muhammadan registered medical woman on the Punjab Central Midwives Board? If so, will Government be pleased to state what steps are being taken to co-opt a Hindu or Muhammadan lady doctor?

The Honourable Malik Firoz Khan, Noon : It is true that there is no Hindu or Muslim registered medical woman on the Punjab Central Midwives Board. The Board is constituted as follows :—

1. Inspector-General of Civil Hospitals, Punjab—*President*.
2. President, Board of Examiners of the Central Midwives Board.—(Dr. Newton).
3. The Professor of Midwifery, King-Edward Medical College, Lahore.—(Captain S. N. Hayes, I.M.S.).
4. A member of the Punjab Medical Council to be elected by the Council from time to time.—(Dr. Mirza Yaqub Beg).
5. A registered medical woman to be co-opted by the Board from time to time as a vacancy occurs.—(Dr. M. R. Bisset).
6. A nurse who is a certified midwife to be co-opted by the Board from time to time as a vacancy occurs.—(Miss G. M. Delamere).

No steps are being taken to co-opt a Hindu or Muslim lady doctor, but Government will be glad to receive suggestions.

EXAMINERS FOR MIDWIFERY DIPLOMA EXAMINATION.

1304. Rai Bahadur Lala Sewak Ram : Will the Honourable Minister for Local Self-Government be pleased to state whether it is a fact that there was not a single Hindu or Muhammadan lady doctor or nurse among the examiners for midwifery diploma examination held by the Punjab Central Midwives Board at Ludhiana in April 1929? If so, will Government be pleased to state what steps are being taken to remedy this grievance on future occasions?

The Honourable Malik Firoz Khan, Noon : There is no Hindu or Muslim doctor or nurse on the Board of Examiners for the Midwifery diploma examination of the Punjab Central Midwives Board. Government will be willing to consider any suggestions that might be made on the subject.

CANDIDATES FOR THE DIPLOMA IN MIDWIFERY.

1305. Rai Bahadur Lala Sewak Ram : Will the Honourable Minister for Local Self-Government be pleased to state the number of candidates

R. B. Lala Sewak Ram.]

who sat for the diploma in midwifery examination held at Ludhiana in April 1929 by the Punjab Central Midwives Board and the number of candidates declared successful under each of the following categories :—

- (a) (i) Hindus ; (ii) Muhammdans ; (iii) Indian Christians ; and (iv) Europeans and Anglo-Indians ;
- (b) (i) Stipend holders ; and (ii) private candidates ?

The Honourable Malik Firoz Khan, Noon : In April 1929, 24 candidates appeared for the Diploma in Midwifery examination of the Central Midwives Board held at Ludhiana. Of these 22 were Indian-Christians, one Hindu and one Muslim. Seventeen Indian-Christians passed and no Hindu or Muslim. No information is available as to how many were scholarship holders and private candidates. The candidates appeared at Ludhiana from different centres, but if the honourable member considers it necessary to ascertain the number of scholarship holders and private students, the information will be collected. This will, however, take some time.

ENCOURAGEMENT OF THE STUDY OF MIDWIFERY.

1306. Rai Bahadur Lala Sewak Ram : Will the Honourable Minister for Local Self-Government be pleased to state what steps are being taken to encourage the study of midwifery among Hindu and Muslim ladies of the province with a view to increase the number of qualified midwives available to undertake maternity and child welfare work among their communities ?

The Honourable Malik Firoz Khan, Noon : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

DISCRIMINATION BETWEEN STIPEND HOLDERS AND PRIVATE CANDIDATES AT THE MIDWIFERY EXAMINATION.

1307. Rai Bahadur Lala Sewak Ram : Will the Honourable Minister for Local Self-Government be pleased to state whether it is a fact that at the examinations held by the Punjab Central Midwives Board, discrimination is made between stipend holders and private candidates in that the former are more leniently examined ? If so, will Government be pleased to state the reasons for such discrimination ?

The Honourable Malik Firoz Khan, Noon : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

WATER-SUPPLY AT DAJUL, DERA GHAZI KHAN DISTRICT.

1308. Rai Bahadur Lala Sewak Ram : Will the Honourable Minister for Local Self-Government please state—

- (a) what has been done so far as regards the water-supply of Dajul, district Dera Ghazi Khan ;
- (b) how much money has been sanctioned by Government for this purpose ;
- (c) when is the work supposed to be taken in hand ?

The Honourable Malik Firoz Khan, Noon : (a) A scheme has been prepared by the Public Health Circle and will be submitted to the Rural Sanitary and Improvement Board for consideration.

(b) The scheme is estimated to cost Rs. 1,60,000 and the district board has asked for a grant from the Rural Sanitary and Improvement Board of the full amount. No grant has yet been sanctioned for the purpose of carrying out the scheme, but during the course of the investigations grants were made by Government to cover the cost of trial borings.

(c) The scheme has not yet been approved by the Rural Sanitary and Improvement Board.

METALLED ROAD TO SHUJABAD AND JALLALPUR-PIRWALA.

1309. Rai Bahadur Lala Sewak Ram : Will the Honourable Minister for Local Self-Government please state—

(a) whether it is a fact that there is no metalled road from Multan to Shujabad, a tahsil ;

(b) whether it is also a fact that there is no metalled road to Jallalpur Pirwala, a sub-tahsil ;

(c) if the reply to the above parts be in the affirmative, what action Government proposes to take in the matter ?

The Honourable Malik Firoz Khan, Noon : (a) and (b) Yes.

(c) Unmetalled roads exist between the places mentioned in (a) and (b). These roads are district board roads. Government are not aware whether the board is proposing to metal them.

STATEMENT RE FLOODS IN THE INDUS.

The Honourable Khan Bahadur Captain Sardar Sikandar Hyat Khan (Revenue Member) : Sir, I understand that some honourable members want information in some detail about the recent abnormal floods in the province. Government has tried to keep the public apprised of the situation by press *communiqués*, but I understand that some of the members have not read these *communiqués* or else they have not been fully kept in touch on account of not having any newspapers available to them in certain parts of the province. I, therefore, Sir, with your permission propose to make a brief statement so that honourable members may know what the situation is in the affected areas and what steps Government has taken to ameliorate the condition of the distressed people in those parts.

Towards the end of July torrential rain in the Suleiman hills caused the hill torrents which emerge from those hills to pour in very violent spate over practically the whole of the Dera Ghazi Khan District, which itself at the same time received an exceptionally heavy downpour of rain. The result was that nearly all the canal tract extending over a stretch of about 100 miles was inundated. Unfortunately the main onset of this flood inroad from the hills came at night, and in the alarm and confusion about 170 lives were lost, and a large number of cattle drowned. The loss of grain, houses and household effects was also considerable. On receipt of the news of

[Hon'ble K. B. Capt. Sardar Sikandar Hyat Khan.]

the disaster the President of the Red Cross Society immediately placed a sum of Rs. 8,000 at the disposal of the Deputy Commissioner to relieve destitution; and a sum of Rs. 2 lakhs was allotted by way of taccavi for seed, for cattle, and also for the relief of distress among agriculturists. I proceeded from Simla early in August to enquire into the situation personally. As a result of my visit and discussions with the officials and non-officials an additional grant of Rs. 2 lakhs taccavi was made, and the Provincial Famine Relief Fund was drawn upon to the extent of Rs. 50,000 for the relief of destitution and the provision of food in areas swept by the floods. An application was also made to the Indian Peoples Famine Trust for assistance to villagers who had their small homesteads swept away.

2. The partial bursting of the Shyok glacier in the middle of August, and the release of the impounded water caused a huge flood in the Indus, the advent of which caused widespread alarm along the Indus riverain. A system of warning had, however, been devised, and an organisation for evacuating threatened tracts had long been matured and the flood passed without causing the damage which had been apprehended, though the river at the Attock gauge rose to 56 feet or within $3\frac{1}{2}$ feet of the previous record.

3. Hardly, however, had the last been seen of that flood when without warning torrential rain in the north of India and in the Indus catchment area sent down an unprecedented flood in the Indus, the gauge at Attock rising to $66\frac{1}{2}$ feet in the evening of the 28th August, $6\frac{1}{2}$ feet above the 1882 flood level. Owing to very heavy rain throughout the northern Himalayas, the Jhelum and the Chenab, concurrently with the Indus, came down in heavy flood, the Jhelum topping the previous record at Mangla by 10 feet and causing widespread havoc along its course in the districts of Gujrat, Jhelum, Shahpur and Jhang which had been visited in the previous year by a like affliction, though on a lesser scale.

4. In the riverains of the exposed districts, i.e., Attock, Mianwali and Muzaffargarh on the Indus, and in the four districts already mentioned on the Jhelum and the Chenab, reports from the Deputy Commissioners show that there has been extensive destruction of crops, cattle, household property, food stocks, and houses. Fate has been kind to Dera Ghazi Khan in that the protective embankments on the river have held and kept the flood out, but breaches occurred in Muzaffargarh on both the Indus and the Chenab system, the Indus breaches flooding great tracts of the countryside, in which notable rescue work has been done by the Company of Sappers with pontoons which the military authorities kindly placed at the disposal of the Punjab Government at the instance of His Excellency the Governor, and which were taken from Roorkee to Muzaffargarh by a special train.

5. His Excellency the Governor personally visited the Multan and Muzaffargarh districts from the 12th to 15th of this month, and during the course of his visit made a public appeal for subscriptions for relief of distress. His Excellency the Viceroy has made a personal contribution of Rs. 1,000 to the relief fund thus opened. The Honourable Minister for Local Self-Government has been on tour in the Shahpur, Jhelum and Mianwali districts to see things for himself, and to supervise the organisation of the Red Cross relief for disaster from floods, a prominent feature in Red Cross activities.

I have also recently returned from a visit to the districts of Gujrat and Attock to acquaint myself with the needs of the districts in the Rawalpindi Division. The Financial Commissioner (Revenue) toured in Multan Division and a portion of the Rawalpindi Division and the Commissioners of both these Divisions have visited the affected areas in their Divisions.

6. As a result of the information now available from the more detailed reports of local officers, and from the inspections made by His Excellency the Governor, the Honourable Minister for Local Self-Government, the Financial Commissioner, Commissioners and myself, it has now become possible to make allotments to the various districts in accordance with their needs. Allotments, including the emergent grants made at the very outset, and now totalling Rs. 1,56,000 have been made from the Provincial Famine Fund, and further allotments totalling Rs. 1,20,000 have been made from the Indian Peoples Famine Fund to the districts of Dera Ghazi Khan, Muzaffargarh, Multan, Jhang, Shahpur, Jhelum, Gujrat, Mianwali and Attock. In addition taccavi totalling Rs. 16,10,000 have been sanctioned. Suitable directions have been issued concerning the suspension and remission of Government demands for land revenue and water rates, etc., in the districts where damage to crops has occurred. The President of the Punjab Red Cross Society has informed the Punjab Government that a sum of Rs. 25,000 is being distributed by the agency of local Red Cross Societies from Red Cross Funds for the relief of distress in the districts concerned, and it is hoped that further sums will be made available for the same purpose later when further subscriptions have been received from the public in answer to the recent appeal of the Society for flood relief.

7. It must be remembered that the bill for repairs of canals and the roads and renewal of bridges, etc., will be enormous; while on the other hand, there will be a large decrease in receipts due to remissions and suspensions of land revenue in the affected areas. All these factors will seriously affect our finances and consequently react on the activities of the various departments.

8. The Punjab Government would also like to take this opportunity of associating itself with His Excellency the Viceroy in his expression of his deep sympathy with the sufferers from these floods and in his appreciation of the devoted efforts of both officials and non-officials to mitigate the calamity. It is hoped that the substantial relief measures indicated will to a very large extent relieve the situation in the districts which have suffered.

Sayad Muhammad Husain: Will you not allow a little discussion on what has fallen from the lips of the Honourable Revenue Member?

Mr. President: As there is no question before the House, debate on the Ministerial explanation cannot be allowed.

Sayad Muhammad Husain: The Honourable Revenue Member gave us an assurance

Mr. President: I will not allow any discussion on the explanation made by the Honourable Revenue Member.

The Honourable Khan Bahadur Captain Sardar Sikandar Hyat Khan: Sir, may I inform the honourable member that I shall be glad to receive any suggestions or criticism from him if he wishes to do so after the Council sitting and also from other members, if they so desire.

**DISCUSSION ON THE REPORT OF THE PUNJAB REFORMS
COMMITTEE AND THE MEMORANDA OF THE PUNJAB
GOVERNMENT TO THE INDIAN STATUTORY
COMMISSION.**

Lala Kesho Ram, Sekhri : Sir, we have already spent two days on the discussion of this report and yesterday my friend took so long a time and I expect he will take another three hours today. Also, I expect that the honourable member who has written another dissentient note, Sardar Ujjal Singh, might take an hour or two. Under these circumstances, will not the Chair be pleased to extend the time allotted for the debate or curtail the time limit for speeches, for, after all, honourable members other than the signatories have also to make a statement in this House on the subject, and I suppose it was meant for such members to discuss this report; but somehow or other, the discussion has taken a different course and those who have signed the report have taken upon themselves to defend what they have written. In the circumstances, I would like to know whether the Chair is going to extend the time or fix the time limit?

Mr. President : What does the honourable member mean by asking whether the Chair proposes to extend the time?

Lala Kesho Ram, Sekhri : Extend it to another day or two.

Rai Sahib Chaudhri Chhotu Ram : Or hold another sitting after three o'clock to-day.

Mr. President : I wish to state for the information of the House that the Council is at liberty to go on discussing the report for as many days as it likes. There is no legal objection to its doing so, but it must remember that on the 1st of August last it expressed the wish that a session should be held in time to enable it to discuss the report and forward the report of the discussion to the Simon Commission. The report of the debate has, therefore, to be printed and despatched by the English mail leaving here on the 26th instant (*Voices: Air mail*). Air mail is so very uncertain yet. The honourable members must have read in the papers that only the other day the air mail was burnt. Therefore, if the report of the debates is to reach the Simon Commission in time, at least one copy of it must be despatched on the 26th instant at the latest. However, if the Council does not wish its debates to go to the Simon Commission, it is at liberty to go on discussing the Reforms Committee's report for days together.

Lala Kesho Ram, Sekhri : Is it your ruling, Sir, that you are not prepared to extend the session to another day?

Mr. President : It is not for me to extend or curtail the number of days. The business before the Council is the Government business and the Council can sit from day to day until that business is finished. I leave it to the honourable members to finish it in as many days as they like. But if they wish that a printed copy of the debate should reach the members of the Simon Commission in time, in that case they must finish the discussion to-day. Otherwise, the proceedings cannot be printed and despatched in time. However, if they do not wish that these debates should reach the Simon Commission they might go on discussing the Report for as many days as they like.

Sardar Ujjal Singh : We must see that the views of all parties are represented thereon.

The Honourable Mr. A. M. Stow : Sir, as far as Government is concerned, I should like to make it clear that there would be no objection whatever to an afternoon sitting to-day.

Mr. President : On the very first day I asked the honourable members up to what hour they would like to sit. I clearly stated that they could sit, if they liked, in the afternoon. But they did not take the suggestion and now they want more time. Is this fair? The hour of the commencement of business was deliberately fixed at 10 A.M., so that if the Council liked, it might sit in the afternoon. But when I put forward the suggestion not a single member expressed his willingness to sit in the afternoon; while now, many gentlemen want extension of time.

Rai Sahib Chaudhri Chhotu Ram : The House did not at the time anticipate that Dr. Gokul Chand Narang would take more than 4 hours and Chaudhri Zafrullah would take as much.

Mr. President : Well, if the honourable members do not wish this debate to be sent to England, they are at liberty to go on discussing the report.

Sardar Ujjal Singh : That will be absolutely useless, for our views would not be before the Simon Commission.

Dr. Gokul Chand, Narang : I still think, Sir, that the question put by my friend Lala Kesho Ram has not been answered. I might not have understood it, but, I believe it has not been quite answered. Does it lie with us to prolong the session for another day?

Mr. President : I might further explain that except for the Budget and the non-official business, His Excellency the Governor fixes only the day of the commencement of a session and does not fix any period, especially for the Government business, which shall go on till it is finished, or the Government does not wish to proceed with it, or the Council is dissolved, prorogued or adjourned. As to fixing the duration of speeches under the rules and standing orders in force, I have no power to fix a time limit. Had one of the honourable members moved a motion for fixing a time limit on their speeches, I would have been only too glad to put that motion to the House and to regulate the debate according to the decision of the House.

The Honourable Sardar Sir Jogendra Singh : If we have an afternoon session, all the members will have an opportunity to express their views.

Mr. President : I shall have no objection if the honourable members decide to sit up to midnight.

Rai Sahib Chaudhri Chhotu Ram : Have another sitting in the afternoon.

Mr. President : I have no objection at all.

Dr. Gokul Chand, Narang : Then do we sit from 3 P.M. till we get tired.

Mr. President : I have no objection. But the sense of the House appears to be that we should meet at 3 in the afternoon, and go on till we get tired or the Kalka mail leaves Lahore. (*Laughter*).

Rai Sahib Chaudhri Chhotu Ram : Let it be from 3 to 5.

Mr. President : Yes. Let it be from 3 to 5 P.M.

Chaudhri Zafrullah Khan [Sialkot (Muhammadan), Rural] : Sir, as I said yesterday honourable members who are anxious to speak have my fullest sympathy and they would not have found me on my legs if they had persuaded one of their dissentient members not to take so much of the time of the House and to confine his speech within reasonable limits.

Dr. Gokul Chand, Narang : Not a single member rose up to speak while I was addressing the House. I thought that no one was willing to speak and I went on.

Mr. President : I will not allow any further discussion on this point. Will the honourable member please resume his speech?

Chaudhri Zafrullah Khan : Yesterday I was discussing the pretensions of those members of the Reforms Committee who, in spite of their apparent fondness for the principles of democracy, had in their recommendations run counter to the elementary principles of democracy. Let us see what their recommendation is with regard to the lowering of the franchise qualifications. My honourable friend, Dr. Gokul Chand, Narang, came forward with one of his amendments which could not be put in the form of an amendment, having regard to the course which the discussion has taken but which has been put forward in the form of a suggestion. It amounted to this. He said that in case communal electorates were continued it would be inadvisable to extend the franchise beyond the recommendations of the Punjab Government, provided that all matriculates may be granted the right to vote for the Punjab Legislative Council. I really fail to understand the connection between communal electorates and the lowering of the franchise. Either the classes to which the franchise would otherwise be extended by my honourable friend are equipped with the necessary qualities for exercising their franchise or they are not. Whether communal electorates are retained in the future constitution either for a definite or an indefinite period, it has nothing whatever to do with the ability of certain classes of the people to exercise their franchise properly. He suggests by implication that if communal electorates are done away with he would perhaps be prepared to extend the franchise very materially. That shows the spirit in which the criticisms of my learned friend against the majority report have been conceived. His real object is that the franchise should not be extended and he wants to hang that recommendation on a peg and the most convenient peg is the fact that certain classes firmly believe that for the present or for several years to come communal electorates are a necessary safeguard for their interests. But he goes on to say that all matriculates may be granted the right to vote for the Punjab Legislative Council. In what way the matriculates are immune from the atmosphere created by the continuance of communal electorates he did not care to explain. These proposals have been put forward from certain points of view and they are

sought to be supported by reasons which are entirely inadmissible. As I stated yesterday with regard to the position taken up by my honourable friend our Sikh Colleague, he could have put it on the basis of education. But instead of that he has gone to entirely different considerations. He might have said that you must attach a certain amount of weight to literary qualifications and that as the Muslim community does not possess it in the same degree as the other communities we should give the latter weightage by enfranchising all the matriculates without reference to property qualification. But the recommendation in its present form is unintelligible. The franchise is sought to be extended in a particular direction which would help a particular community on behalf of whom this suggestion is made and it is restricted in other directions. The ultimate result is that the franchise would be maintained practically where it stands at present. Only a very small number of electors are now on the list and even if this number is doubled the electoral strength will not be more than 6 per cent. of the population. The proportion of 44 per cent. for Muhammadans and 56 per cent. for the Hindus and the Sikhs combined is sought to be maintained in the electorate. If there is to be any extension, it is sought to be made in favour of the Hindu community.

Dr. Gokul Chand, Narang : In favour of all educated people.

Chaudhri Zafrullah Khan : Communal electorates being opposed to democracy you want to hold joint elections with this franchise. I shall discuss later on what would be the result of joint elections.

I explained yesterday that as against 55 per cent. in the population the Muslims were only 44 per cent. in the voting register. It might be objected in some quarters that there are certain elements which ought to be taken into account in fixing the franchise and that as the Muslim community is deficient in some of them they cannot complain if their voting strength is low. Their weightage in the council should be in direct proportion to their voting strength. This should happen until universal adult franchise is adopted. Apart from the question whether the population strength or any other qualification should determine the franchise, my submission is that the Muslim population in the province is mainly rural and is rural in far greater proportion than the Hindu community. The franchise has been fixed in such a manner that it operates far more strictly on the rural classes than on the urban classes. Every person who owns immovable property of the annual rental value of Rs. 96 which is not subject to land revenue is entitled to vote at elections to the provincial legislature. Similarly every person who is a tenant of any such property, that is to say, of property of the annual rental value of Rs. 96 is also entitled to vote. This may roughly be described as an urban qualification. Not that it is confined to the towns, but that it is mostly found in towns. So in urban areas any person who either pays rent in respect of his tenement at Rs. 8 a month or receives rent in respect of any property that he owns at Rs. 8 a month or himself occupies property which can be assessed at Rs. 8 a month is entitled to vote. Such a person possessing only the minimum qualifications necessary for the franchise will not pay any income-tax and will contribute nothing whatsoever directly towards the expenses of the ad-

[Ch. Zafrullah Khan.]

ministration of the province. The property which he occupies or owns could not be of more than Rs. 2,000 value. The usual rule for capitalising the value of urban property is to multiply the annual rent by 20. If you take the annual rent of the property at Rs. 96 and take away Rs. 6 for annual repairs and maintenance which is not a large sum you have Rs. 90. And 20 times Rs. 90 is Rs. 1,800. Roughly speaking, a person who owns or occupies immovable property of the value of Rs. 1,800 in a town is entitled to a vote. As against this, no tenant-at-will in any rural area, it does not matter what the extent of his holding may be, what the rent he pays may be, what the share which he contributes to the land revenue of his holding may be, is at present entitled to a vote. I am not unconscious of the fact that our honourable Sikh Colleague has agreed to the recommendation that tenants in rural areas who satisfy certain qualifications in rural areas should be enfranchised. At present I am discussing the disparity existing between the voting strength of the different communities. With regard to the owners of property there is also a very serious disparity. In rural areas every landholder who pays in respect of his land or every occupancy tenant who pays in respect of his holding, land revenue of Rs. 25 per annum is entitled to vote. Now the average value of land which pays Rs. 25 as land revenue per annum could not be less than five or six thousand rupees. If that is so, the franchise qualification in the rural areas is three times as high as it is in the urban areas, with the result that whereas almost every householder in a town has a vote it is not the case in rural areas.

Dr. Gokul Chand, Narang : Twenty times the land revenue comes to Rs. 500 only and not Rs. 5,000.

Chaudhri Zafrullah Khan : Land revenue is not rent and you cannot capitalise the value of agricultural land as 20 times the land revenue. I am willing to purchase any amount of land at that price. It is really far higher than that.

Dr. Gokul Chand, Narang : I shall inform you if there is any such thing.

Chaudhri Zafrullah Khan : If land assessed to Rs. 25 annual land revenue is ever available for Rs. 500 or Rs. 600 per acre, I am prepared to purchase any amount of it, because then I can become a millionaire in a very short time. Well, that is the disparity. As I have said before, almost every householder in urban area has a vote for I cannot conceive of any tenant who does not pay Rs. 8 per mensem as rent. On the other hand, a vast body of tenants in rural areas are without a vote. And even with regard to the property qualification any one owning property worth Rs. 1,800 in a town is entitled to a vote and the fact is notorious that property in towns has risen enormously in value recently and anybody who wants a vote in rural areas must own approximately property worth Rs. 5 or 6,000. That is one of the main factors which have worked harshly against the rural classes. If these disparities are removed, I cannot say that the result would be to bring the voting strength of each community up to or to reduce it to its proportion in the population, but these glaring disparities would be far less glaring than they are at present. Therefore so far as franchise is concerned my submission is that the attitude adopted by my dissenting friends is entirely unreasonable and is opposed to their claim that they are advocates of democratic

principles. If the country is to advance in the direction of democracy the only attitude to adopt with regard to franchise is to fix universal adult franchise as an ideal to be achieved, as has been recommended in the report of the majority, by certain definite stages.

Another objection, or rather suggestion, which was put forward by my learned friend with regard to the subject of provincial autonomy was that the superintendence and control in all fields of administration and legislation possessed by the central government should be maintained. What my honourable friend wants is a unitary form of government for the whole country, and the provinces as mere administrative units. One of the reasons which he gave for the retention and the possible extension of these powers of superintendence and control was "to check the blunders and excesses of provincial governments." He said, for instance, what would have happened if the central government had not possessed the power in 1919 which they at present possess, and how could the blunders and excesses of the provincial government of this province been checked at that time? From my learned and honourable friend I was astounded to hear such a remark. According to him whatever excesses took place under the Martial Law régime of 1919 were attributable to the provincial government and that they were the blunders and the excesses of the provincial government with regard to which the central government very generously and very beneficently came to the rescue of the population. The matter would not bear examination for one moment from that point of view. He says whatever excesses took place in 1919, whatever blunders were committed in 1919 were committed by the provincial government. Those members of this House who then took the trouble or have since taken the trouble of even cursorily following the correspondence which took place between the two governments on that occasion must have realised that the head of the then provincial government in the Punjab strenuously maintained the point of view and tried to press it upon the central government that the martial law administration should be kept subject to the control of the civil administration and that contention of the head of the provincial government was at that time rejected by the central government on the ground that they had never heard of any martial law administration being subjected to the control of the civil administration, and the Lieutenant-Governor was then told or at any rate he realised that he in his individual capacity was as much subject to the jurisdiction of the martial law authorities and could be as easily flogged by Colonel Johnson as the meanest man who walked the streets in those days. Therefore, Sir, I fail to understand where the blunders and the excesses of the provincial government came in in 1919 which were checked by the benign and the beneficent central government. Whatever might or might not be said in favour of the argument that these things ought to be controlled by the central government the instance chosen was extremely unhappy and inapposite.

Then my dissenting learned friend said that the provinces cannot stand attacks of foreigners so well by themselves as would the central government. If that was a real apprehension in his mind, then he must have conceived of a system of provincial autonomy entirely different from what

[Ch. Zafrullah Khan.]

has been recommended by the majority. The majority do not contemplate in their system of provincial autonomy that this benign and beneficent and watchful and paternal central government would leave the defence of the borders of this country to the provinces which happen to be contiguous to the border. Nobody has stated that the provinces either singly or by themselves should at the time of an invasion themselves make provision for defence. There could not possibly be any misunderstanding about it. The central government would be entirely and completely responsible for the defence of the country. I cannot see the force of the argument that in the case of foreign aggression the central government would be able to meet an attack better than any province contiguous to the frontier. I cannot understand the validity of the argument at all.

Then my learned friend said, but after all what objection have you to this system which we advocate of a unitary form of government in which the provinces should be entirely subordinate to the central legislature and carry out the behests of the central government; we are not advocating this system for the Punjab only, we are advocating it for all the provinces throughout? Our first objection, apart from their generous attitude, is not that the system is in any way peculiarly obnoxious to the majority members from any preconceived prejudices, but we, considering the system as it is, feel that the entire progress of the country will be arrested if all these provinces from Cape Comorin to Peshawar were to be put under the control of one central government, however beneficent that government may be. We have no inherent prejudices against a unitary form of government; we have got no prejudices in favour of a federal government. But considering the size of the country, the diversity of races by which it is populated, the diversity of interests to which each group or combination of groups adheres, the vast diversity of languages that are spoken in this country, the diversity in religious creeds and doctrines and beliefs, we feel that India is to be treated more as a combination of provinces or countries, that is to say, more as a federation than a small country with a homogeneous population, homogeneous interests similar pursuits and common ideals, and therefore with that purpose we have recommended the federal system in order to give free scope to the people of each province to progress, in the direction most suitable for them under conditions which are best suited to them and which ought to be determined by themselves, that is to say, so far as purely provincial matters are concerned, each province should have as much liberty to progress on its own lines as possible. We, as it were, want to build from the foundations. We want to have each province placed on a secure basis. My friends want to build from the top and that is a method which has not so far been invented. It may be invented in the near future when air travel and other matters connected with air are more fully developed, but so far we have always built from the bottom and from the foundations and we have never built from the top. We want to prepare each province from the foundations. Then there is the argument that they have suggested the same system for all provinces and therefore we should have no objection. I must refuse to be carried away by generalisations or by mere sentiments. As I have said my reason for adhering to the system advocated in the majority report.

DISCUSSION ON THE REPORT OF THE PUNJAB REFORMS COMMITTEE 191
AND ON THE MEMORANDA OF THE PUNJAB GOVERNMENT
TO THE INDIAN STATUTORY COMMISSION.

is this. I cannot conceive, for instance, that a Madras Brahmin can have anything in common with a Punjabi Jat from the Jhelum district, in any matter whatsoever, race or religion, creed, historical associations, social system, except a common allegiance to the Crown. And if you brought a Maori from Newzealand, a settler from Canada and another from Australia and put them side by side with these people they would not, except perhaps in the matter of complexion which is largely regulated by climate, differ more among themselves than do these two men the Madras Brahmin as compared with the Jhelum Muhammadan. That is my reason why you cannot have a conglomeration of these people under a unitary form of Government.

We certainly have to take into consideration the feelings and apprehensions of the various sections of the population of this country. There is no doubt that the greater part of these apprehensions is due to lack of trust and confidence in each other which has been engendered by the treatment which one community has meted out to the other during the past century, or half a century or a quarter of a century, as the case may be. That is the difficulty as the result of which we are unable to solve this inter-communal problem. So far as the larger problem of dominion status is concerned there is no difference between this country and the other dominions. What we really have got to solve is this, the spirit of distrust and lack of confidence and the prevailing apprehensions which one cannot say are entirely unjustified. The present situation is that in certain provinces the Muslims are in a majority and in the rest of the country they are in a minority in the population, sometimes a very small minority. In all the provinces they are in a minority so far as the voting strength is concerned. Therefore, for practically all time to come, owing to the preponderance of the Hindu population in this country and one cannot make a grievance of that, things are as they are and one must face them—there must necessarily and naturally continue to be a Hindu majority controlling the central legislatures so far as one can visualise, for several centuries to come. That being so, from the communal point of view—I am not here discussing political considerations—from the communal point of view it is a matter of entire indifference to the Hindu population wherever they are in a majority as to whether the Central Government possesses entire power in the administrative and legislative fields or whether it is a federation possessing power only in all-India subjects and having power only over all India taxation. This cannot be said of the Punjab. Take the provinces in which the non-Muslims are in a majority in the voting strength, but are in a minority in the population, that is to say, so far as the present reformed system is concerned, Bengal and the Punjab. So far as these two provinces are concerned apprehensions have been expressed by honourable members of this House that in course of time the population element will begin to count. Working on that impression they visualise that it is possible that either in the near or the distant future in those provinces the Muslims may be in a majority in the voting registers also. If they are in a majority in the voting registers also, then what difference does it make

[Ch. Zafrullah Khan:]

in the matter of application or the non-application of this doctrine which has been put forward by my honourable friend. What do they want to achieve by the application of this doctrine? What they really want to achieve is that by the application of this doctrine, they want to put this province on the same level as the provinces in which they are in a majority in the legislatures, in a majority in voting strength and in a majority in the population. They want to say, 'practically abolish this provincial administration; let us have administration directly from the capital of the country, the imperial capital or the dominion capital or whatever you may call it.' As I have said this change will make no difference to other provinces, but it will make a great difference to this province. The references to the centrifugal force which is being exercised by provinces are being put forward in order to bolster up the claim that India can be treated as one country and as one nation and as containing a homogeneous population and as a country where you can ignore distances and where you can have a unitary form of government. But my point is this. As I have said, in the provincial sphere the different communities inhabiting a province should be given perfect liberty to develop along the lines most suitable to them which they should themselves determine from time to time. My learned friend, Dr. Narang made capital of an expression used by the member from Gujranwala (Mr. Din Muhammad) in the course of his speech. He was horrified at hearing the Muslims described as a nation and the other communities as other nations inhabiting this country. He harped upon this word nation and said: 'I am shocked at his suggestion that they are a different nation in this country. With this mentality I can imagine what treatment they are going to mete out to us. I would rather be dominated by a Punjabi who might or might not happen to be a Muslim than be dominated by a different nation.' As a matter of fact he knew quite well that these are expressions which are commonly used. For instance, India may be described as a continent or may be described as a country. Each country is generally inhabited by one nation or more, and on this basis the use of the word 'nation' would be just as correct. Take the vernacular word for it. The word nation translated in vernacular is *qaum*. (International) is always translated as *دولت* = *haindaqum*. The same word is used for community. What difference is there, then, between the two words? One can say the people of India are made up of different communities and nations or one can say the Indian nation is made up of different groups and communities, all meaning the same thing, nothing more nor less than that implied by the use of the one expression or the other. I think the honourable member unnecessarily imported heat into the discussion by alluding to this use of the word nation. He must face the facts. Call it a nation or a group of communities or a group of people, you cannot get rid of the fact that it is more or less a conglomeration and the only thing that binds the whole together is this common allegiance to one Crown. If you can point out to me any other factor which goes towards making a nation, which is common to every inhabitant of India and which is not common to the inhabitants of India and the inhabitants of any other country in the world, I shall admit that that definition is wrong. You cannot say that we talk the same language, you

cannot say that we have common traditions, we have got common historical associations, we have got common culture, or that we have got common social customs. Let us hope that in course of time a special culture and special social customs peculiar to India will be evolved. At that time we can think of one nationality. Now one has to face the existing facts. One cannot go merely on phrases. One must go by the situation as it exists. Therefore, my submission is that under the present conditions you have got to establish provincial administrations on that basis.

Then with regard to the suggestion that it should be a federation, it is really a part of the same question which has been answered. My learned friend said, 'You always cite the instance of the United States of America. But then, the United States of America, before they united into this group or into this Union were separate independent units.' I was again surprised to hear my learned friend suggest yesterday that they did not at that time owe any common allegiance to the same ruler and that they were independent units which combined together for the common good. In the first place, I do not see what difference it makes, even if his statement of facts be true, which I submit it is not? What difference does it make to us? In India also, we can constitute each province as an autonomous area with a central government for common purposes only. There can be a central federal government in India. My learned friend knows that the colonies and the states which constitute the U. S. A. originally owed allegiance to the Crown and then rebelled from the Crown of England and constituted a federation of their own. India without rebelling from the Crown can constitute a similar federation. I hope England has learnt a lesson from the rebellion of the United States and has not forgotten it. England, I suppose, knows that if she had conceded the reasonable demands of the colonies, they would have continued as a British dominion. I am sure England does not want India to become a federation by rebellion. She can create India into a federation by constitutional means. Then the difference between the United States of America and the United States of India will be that in the one case it was established by a violent act whereas in the other it would be by peaceful constitutional means. Otherwise I do not see why the analogy of the United States of America cannot apply.

I shall now, Sir, proceed to discuss the next question raised by my learned friend and that was the question of separate electorates. His main objections to separate electorates were that if you have separate electorates Government will not be representative of the people, you will be setting up reservation of seats or at least reservation of constituencies for particular communities and then you will be setting up unchangeable majorities and minorities. My honourable friend harped upon the word nation, used by Shaikh Din Muhammad and talked the danger to lives, honour and liberty and that sort of thing, and then he said that under these circumstances it will be sheer folly for any Government to grant an iota of further reforms to this province. Finally, his objection was that this system is not democratic. I have tried to expose the fallacy of the doctrine of democracy as to what it really means. The definition of the word is one thing and its application is quite another. I will

[Ch. Zafrullah Khan.]

have to discuss very briefly the theory of democracy in connection with separate electorates. One member who spoke yesterday, I think it was Mr. Gray, so far as I could follow him—his speech was quite inaudible to this side of the House—said that members returned by separate electorates would possess a peculiarly narrow mentality, for that reason also separate electorate ought to be abolished. These are the main objections. Before going to our reasons for recommending separate electorates, I shall first deal with the objections that have been raised against them. The first objection is that Government under separate electorates will not be representative of the people and that it would be opposed to the principles of democracy. I cannot understand in what sense this objection was made but if it was meant in the sense that all sections of the people will not have a fair and equal chance of influencing elections to the legislature and through the legislature the executive, then I can understand the objection. I cannot understand it from any other point of view. From this point of view I demonstrated yesterday that under the recommendations made by my dissenting friends Government would be representative not of the whole people but would be the representative of only a very small section of the people. That objection is understandable, but that objection applies to the recommendations in the dissenting notes and does not apply to the recommendations in the majority report. But under whatever franchise, whether restricted or universal, if Muslims elect their own representatives and Hindus their own, and the Sikhs their own, how even then the legislature is not representative of the people, I really cannot understand. I cannot really understand the objection because each of these communities is under this system being given an equal chance. Now, under these separate electorates what do you try to do? Having, on the basis of certain facts which are within the knowledge of the people who made these recommendations from time to time, known that in certain instances certain communities are liable to be exploited by certain other communities and that the former communities will not be left to the free exercise of their right of franchise if they are to be influenced in joint electorates by the members of other communities, what the Government has tried to do in the past, at any rate, what the Reforms Scheme has tried to do, is that the right of exercise of franchise shall be made free and shall not be subject to any undue influence or exploitation, that is the spirit under which this recommendation is made. It cannot be denied that the experience of the past does show exploitation and undue influence. That the experience of the present even shows that there is that apprehension, a genuine apprehension, I shall be able to show from the speech of my honourable friend. In view of that apprehension the system of separate electorates seeks to eliminate those factors which are the cause of the apprehension and seeks to give to the electorates of the various communities the right of free exercise of the franchise which they possess. Now, will this system ensure a fully representative Government? Sir, what is the other system recommended by the learned Doctor where certain communities would influence the legislature first directly through the weight of their own votes and then indirectly through the votes which they have captured not legitimately but by the

exercise of means which are open to question? I leave it to the House to consider which of these two systems would lead to a more representative legislature and consequently a more representative Government. I said I would illustrate from the speech of my honourable friend that there was this apprehension. When he was dealing with another part of the subject, that is to say, the suggestions put forward for consideration by those who signed the majority report that a certain proportion of the members of the central legislature, should be elected by the provincial legislatures, my honourable friend gave expression to an apprehension in this connection. He said supposing the Muslims are in a majority in this Council and this Council is to elect representatives or a certain quota of its representatives to the central legislature, we are sure that a House which a majority of Muslims will naturally elect those Hindus and those Sikhs who are prepared to dance to the tune of the Muslims. He asked what Hindus and what Sikhs would they be? Very good. I am willing to accept that proposition. The members of the majority who have put forward that recommendation with regard to the elections to the central legislature are not wedded to that suggestion and I am willing to accept that to a certain extent there can be such an apprehension. But does not this support the Muslim contention, when you return Muslim members from these mixed constituencies, from these joint electorates, what kind of Muslims will you return to these Councils. This is exactly the apprehension which the Muslims entertain. You have demonstrated by putting forward that criticism that in your own mind also that apprehension exists and that you would not be so fond of joint electorates if the Muslims were in the majority in the constituencies and not a minority in the voting registers or in the voting strength. If you knew that you had to get the approval of independent Muslim electors, you would not have suggested joint electorates, as you have done now. The moment you have a common culture, the moment mutual trust has been engendered and there is a spirit of conciliation, the moment the feeling is created that there is no desire on the part of our community to exploit the other community, the moment that situation arises, the complexion of the legislature will change and separate electorates will go. We have refused to lay down any limit of time when separate electorates must necessarily go, for this reason that we do not want to continue them a moment longer than they may be justified by the mentality of the different communities. If this change of mentality comes about within 5 years then the colour of the legislature will also change. On the other hand, if it is to be found that even after 20 years the present conditions prevail then the safeguard of separate electorates will continue. That is why we have not fixed any definite period after which separate electorates must cease to exist.

Then my honourable friend said that under these circumstances it would be sheer folly to give an iota of further reforms to this Province as the result would be that instead of a white domination we will simply exchange a brown or a black domination. According to my learned friend, the fact that a member has been returned by a separate communal constituency turns him into a foreigner, and the fact that he has been returned

[Ch. Zafrullah Khan.]

by a joint constituency makes him a real national and patriotic Indian. If that is the definition according to my learned friend and communal electorates are going to bring in a black or a brown domination, that is to say, that in certain provinces there would be domination by non-Muslims and in others domination by Muslims, and if you call that domination a domination by foreigners, then I am afraid in our present legislature there are only two or three Indians and the rest are all foreigners, black and brown who are trying to dominate this country.

Now, I shall revert to the argument that members returned by separate electorates have a peculiarly narrow mentality.

The narrow mentality must be in the first place the result of the point of view from which matters are looked at. Even in England, the huge conservative element in the country has a very narrow mentality in spite of the fact that there is no question there of communal electorates or separate electorates or joint electorates. In the eyes of the labourites, the radicals, the socialists and the communists, the conservatives have an extremely narrow mentality. But that is the result of the point of view. From their own point of view people who talk of joint electorates necessarily imagine or really believe that the others have got a narrow mentality. From another point of view it can be demonstrated by practical illustrations that that charge is not correct. At present, except for certain special constituencies like the University, Commerce and Industries constituencies, all the general constituencies whether for the central or for the provincial legislatures are separate and communal. My honourable friends on the other side claim that they are all nationalists, they are all democrats, they are not at all tinged with communalism to any extent whatsoever. They point to honourable members on this side as the products of separate communal electorates and consequently possessing narrow mentalities. According to them the result of joint electorates will be that we will be able to influence them, that is to say, Muslim electors will be able to influence the returning of their representatives and Hindu electors will be able to influence the returning of our representatives. But if you take them at their own estimation, there is nothing to influence them about. They are nationalists, patriots and democrats of the first water! What more influence do you want the Muslim electors to exercise? What they really want in the end is this, that they according to themselves will continue as they are because they are above criticism even now and that we shall be changed into something similar to them. If that is the actual result, as it will probably be, of the introduction of the system they suggest whatever way it is brought about, the Muslims are not going to accept it. They do not want you to remain as you are and themselves to become very similar to you. If that be the result of your system, we do not want that system whatever may be the arguments in support of it. Then, the idea seems to be that a member returned by a joint constituency will give far greater satisfaction to the country, will be more acceptable to all groups in the country, that his mentality will be such that everybody will more or less approve of the way in which he discharges his functions in this House while the other representatives who come through separate electorates will necessarily be narrow. I may remind my honourable friends that Pandit Moti Lal Nehru

has been returned by a separate communal Hindu electorate, that Pandit Madan Mohan Malaviya has been similarly returned. I will not say anything either in praise or in disparagement of the policy of these gentlemen. But I presume that their policy is entirely satisfactory to the other side of the House. They will remember that Mr. Jinnah has been returned by a separate communal Muslim electorate. They will also remember that in this very House, Dr. Mohammad Alam, Chaudhri Afzal Haq, Rana Firoz-ud-Din Khan, Shaikh Muhammad Sadiq and Chaudhri Abdul Rahman Khan who sit with the majority of non-Muslim members of their own party on those benches have been returned by separate communal Muslim electorates. And therefore there is no axiom that once you get a man by — separate electorate I am not implying that these gentlemen have necessarily a very liberal outlook or that they have a narrow mentality, I am proceeding on facts which should be admitted by the other side—his outlook should be narrow, and that on the other hand, when a man is got by joint electorate, his outlook will necessarily be satisfactory. So under a government which has been proceeding on the basis of separate communal electorates it follows that you have got all sorts and types of men as you are bound to get under a system which gives full play to the free exercise of the electoral right possessed by the electors. It is, however, expressly stated, that a member elected by a joint electorate would necessarily and naturally give more satisfaction than one elected by a communal electorate. As I have said, we have got certain instances here in this House and I do not, so far as I am concerned as a member of this House, want to proceed to criticise anything which is not directly relevant to the discussion on which we are at present engaged. I want to ask this question of the honourable members opposite without meaning any kind of disrespect or criticism to the Honourable Minister for Education who has been returned by a joint electorate. Rightly or wrongly, you must admit that outside this House—as I have said, we are not criticising him here—whatever satisfaction he may have given to us inside the House, so far as the feeling of nationalism, of security in the hearts of the people of the country is concerned, are you or are you not aware, that, the Muslims have throughout, practically within a few months after his taking charge of office, through the press and the platform, criticised his policy as narrow, communal and anti-Muslim? Is not that a fact? Let us concede for a moment that that criticism is wrong, that it is unjustified and that it is unfounded, but has he given more satisfaction? You have made the experiment and you have given the Honourable Minister who was elected by a joint electorate the opportunity of proving to the country the difference in the mentality between the persons elected under the two different systems and the effect which that difference in the mentality would produce upon the country in general and the electors in particular. Have you found that the result justifies the system which you advocate? Unfortunately it does not. (*An honourable member* : But Chhotu Ram did satisfy?) Well, Rai Sahib Chaudhri Chhotu Ram, according you is entirely un-Hindu, that is to say, he is not communally a Hindu though of course by religion he is a staunch Hindu. The moment a man becomes communally a non-Hindu, you disclaim him and according

[Ch. Zafrullah Khan.]

to you, he ceases to be a Hindu. But, on the other hand, it is possible for a member elected by a separate communal Hindu electorate to cease to be a Hindu in his mentality. I wish you had not suggested Rai Sahib Chaudhri Chhotu Ram's name, for he is not an instance of the type of narrow mentality which is created by separate communal electorates. He is elected by a separate communal electorate but does not give satisfaction to the urban Hindus and he is, therefore, not a Hindu. So, according to you, even a representative elected by a separate communal Hindu electorate can be an un-Hindu. This question of mentality does not appeal to me at all. The mentality remains the same. The present system is frankly communal. Nobody denies that. We justify it on certain grounds and those grounds do not appeal to you. But it is frankly communal. Even the way in which the cabinet is formed is frankly to enable each community to be represented in the government. It is not a question of the majority supporting or opposing a person. I shall go into that when I discuss the suggestion for the retention of the official block. The present Ministry is communal. It is no secret that the present Hindu Minister not only gives far more satisfaction to my honourable friends on those benches but feels that he is their nominee, and when nominating him they knew that whoever the nominee was, he would have to sit in a cabinet formed on the principle that each community must be represented, apart from political parties in this House, on the cabinet. And strange to observe, their choice could not fall on any but a member returned by a joint electorate, to form a good communal Minister. So that, if you go by mentalities, mentalities remain the same whether representatives are returned by communities jointly or separately by each community. The only question is, are your legislatures going to be truly representative of the people or not? If you seek to make them truly representative of the people, then you must give to your electors the right of free exercise of their franchise uninfluenced by any considerations, except considerations of a political or economic nature. Such considerations must not be allowed to enter into the question of choice of representatives except to an unavoidable degree. But here they enter very largely into the field, very largely to an avoidable degree, if there is a joint electorate. And in order to avoid this, the system of communal electorates has been put forward.

Then, my learned friend said: Oh, well, if you could advise your Muslim colleagues here and the community outside to accept the system which we put forward, then the Punjab would be handed over to you. He added that we ought to jump, that was the word he used, at the suggestion made by them that we should have joint electorates even on the present franchise basis for he said, if we did it, they would be wiped out altogether and we would have the whole thing to ourselves. If the desire of the honourable member was that he should be wiped out altogether and that we should have the whole thing to ourselves the easiest way of getting it, if he is fond of getting it, was to persuade the signatories of the majority report to recommend not a bare majority but an overwhelming majority of elected Muhammadan members in this House. After all, can anybody in his senses really credit this statement that my honourable friend was anxious to have a system adopted as a result of which so far as he can see, a certain result

according to him but let us say the probable result, would be that this House would be swamped by Muslim members and that non-Muslims would be wiped out? Does my honourable friend mean to say that he does not give us credit for even that amount of intelligence that where we are likely to sweep the entire House, we are yet hesitating to accept that system and would stick to a system which would give us a bare majority, or according to the demand of this community only 55 per cent which certainly under no constitution can be described as a working majority. How according to my honourable friend even under the present franchise, that is forming 44 per cent. in the voting register, if we contest the elections with joint electorates we would be returned in overwhelming number and the Hindus wiped out, I personally fail to see. The question, however, is not how many will or will not be returned, but it is the free exercise of the electoral right.

Then, he said, as an illustration, 'Look at what has happened in the district boards.' He said that in the district boards we have swept the boards and have obtained representation in excess of the numbers to which we were entitled on our voting strength. Now there are one or two criticisms which I have to offer with regard to this illustration also. So far as the franchise for district boards is concerned it is lower, considerably lower, than the franchise fixed for elections to this House, although I have not the figures I have not the slightest doubt that the percentage of Muslim voters in the list of district board voters is far higher than the percentage of Muslim voters for this Council. Secondly, it is not a secret, this House has been told so, that the constituencies for the district boards are so arranged as to give definite majorities in the voting register to certain communities, so many constituencies in this district should have a Muslim majority of voters and so many should have a Sikh majority of voters and so many should have a Hindu majority of voters, and therefore, to that extent, the principle of communal electorate is brought into play and it is the result of the application of that principle that adequate representation has been secured to the Muslims and to other communities. Therefore so far as this result can be attributed to that manipulation of the constituencies you are admitting that in these district board elections that principle is working, and that there are constituencies which are so framed as to have a definite communal majority. To that extent the principle is working and therefore your illustration is vitiated as an illustration of perfectly free joint electorates in which the Muslims have obtained more than their share which is justified by their voting strength, and even then your illustration does not always hold good. According to this manipulation of the constituencies, in the Gurdaspur District 15 constituencies have a preponderance of Muslim voters, and 11 constituencies have a preponderance of non-muslim voters, i.e., in 15 we preponderate and in 11 you preponderate. That is practically what would happen more or less on similar lines if we had joint electorates so far as this Council is concerned. In the north-western parts of the province and in some of the central districts the Muslims will preponderate and in the south-eastern and certain other districts in the central Punjab non-muslims will preponderate. We have a similar instance in the Gurdaspur district. According to you in the constituencies so framed and constituted, Muslims ought to have swept the district board of

[Ch. Zafrullah Khan.]

Gurdaspur and the non-Muslims should have been wiped out but the result has been that though out of 26, 15 constituencies are preponderatingly Muslim and 11 non-Muslim, only 9 Muslims have been elected and 17 non-Muslims have been elected. How does that illustration work? If the experiment points out to anything at all it points to the fact that even if you frame constituencies on this basis you have to let certain communities have a preponderance in certain constituencies and let others have preponderance in others according to their population. Even if the conditions are such, with this disparity of 15 and 11, the result of the elections will be 9 Muslims and 17 non-Muslims. Therefore, your illustration with regard to the district boards does not help you at all. My learned friend then asked: Why do not the Muslims adopt the same attitude here as has been adopted by the Hindus in Assam. Assam Hindus, he said, being in a majority have voluntarily agreed to turn themselves into a minority in the Assam legislature. Why cannot you display the same generous disposition? But when that statement was challenged by the Honourable the Revenue Member, then my learned friend stated, well, the European Chairman of the Assam Committee stated that the Hindus were not in a majority. On the one hand you state that Hindus have voluntarily agreed to turn themselves into a minority and you support this statement by asserting that we were assured of this by the chairman of the Assam Committee. But if the Hindus are not in a majority in Assam how have they turned themselves into a minority? Even if the Hindus in Assam had done so, all that it would signify would be that the treatment meted out by the Hindus to the other communities is of a character different from that meted out by them here. It shows that they have not aroused the same apprehensions which have been aroused in other provinces in the minds of Muslims as a result of their treatment by non-Muslims and the moment you begin to accord to us the same treatment and create the same feeling of confidence we shall be the first to ask for the obliteration of separate electorates. Somehow, a point was sought to be made by my learned friend that Islam does not teach patriotism. In this connection my learned friend should remember a very short saying of the holy Prophet:—

حب الوطن من الإيمان

"Love of country is a part of faith with a Muslim."

If you have not patriotism your faith is not complete. If my honourable friend has any misconception that the Muslims are devoid of patriotism, he had better disabuse his mind of the idea. Certainly, the mentality of the Muslims with regard to this matter is entirely different from that of non-Muslims as was sought to be explained by an intervention by Sir Muhammad Iqbal. In defence of our hearths and homes and our country, we would be, as against a foreign aggressor, be he a Muslim or a non-Muslim, not only as zealous but let me hope more zealous even than my non-Muslim friends, because the brunt of the defence would fall upon us and we would cheerfully accept that burden. If that is patriotism we are patriots, but in our outlook with regard to humanity we are, I must say, certainly different. We are to be found, as my honourable friend has said, in almost every country on the surface of the globe. Our faith does not restrict itself either to one country or to one people or to one race or in any way circumscribe itself. We subscribe to universal doctrines and therefore

in these matters we treat everybody as being on the same level whether Indian or non-Indian. In the rights of humanity, Muslims and non-Muslims share alike. So far as the rights of humanity are concerned we are not restrained by considerations of administration or of parties. But I need not pursue this matter further. I have explained that Islam does not restrict the feeling of patriotism.

Then as regards elections to the Assembly, my learned friend raised an objection to the proposals made by the majority. The members who signed the majority report are not wedded to their proposals. They have put forward these proposals for what they are worth and leave the matter where it is, to be accepted by the House or by the Simon Commission or not. It is not the anxious concern of those who have signed the majority report. Representation to the Assembly will necessarily be either by provinces, a certain number of seats being allotted to each province or by groups, another suggestion which we have made by dividing India into 5 groups. A question might arise in the central legislature, which does not affect the country as a whole, but only affects certain individual provinces. Now such a resolution might be put forward or a piece of legislation might be put up before the central legislature which affects, for instance, favourably the province of Bengal but does not affect so favourably the province of the Punjab, and let us also assume that it also affects favourably the central legislature and the central government as against the provincial governments but in a peculiar way it also unfavourably affects the Punjab as might well happen in the way of restrictive commercial or industrial legislation or even taxation. At such a time it might happen that the members elected direct to the central legislature would probably side with the party who is advocating either greater financial control or a larger income or greater powers for the central government, or the central legislature. With regard to such questions it would be useful to have a small group from different provinces who represent no particular constituency but the province as a whole, through the local legislature. These were the considerations which influenced the members who have signed the majority report in putting forward this suggestion. As I have said, the suggestion may be worth what it appears to be worth or it may not be. This is a suggestion which has not been definitely put forward as a recommendation and having given my reasons I would leave it to those who would be finally responsible for framing the constitution to deal with it as they please.

Then the next question raised by my honourable friend was with regard to the appointment and removal of High Court Judges. So far as the appointment was concerned he said he had no particular objection to the recommendation made by the majority. So far as the removal was concerned he raised a point which I wish to clear up. Paragraph 135 on page 56 of the Report says "All judges of the High Court, whether permanent or additional or acting, should be appointed by the Crown on the recommendation of the local Government." To that my honourable friend had no objection, so I need not discuss that. Further on it is said: "No judges of the High Court should be removable except by the Crown

[Ch. Zafrullah Khan.]

on the joint recommendation of the Governor and the local legislature concerned." My learned friend somehow conceived that this was a sort of additional power being provided for the removal of judges. In the first instance I want to assure him that this is a misconception. It is, if anything, as I shall presently explain, in reality a safeguard against the removal of judges by the Crown. I am at one with him in believing that the highest court of judicature of any province or any country is the best guardian of the rights of the people and the Judges ought to have absolute security of tenure, irrespective of whether the legislature thought they were discharging their duties properly or not. My honourable friend said that

11 A. M.

one honourable judge may give a ruling which may not be acceptable to the majority of the members of the council and therefore they might try to remove him. If any such thing should ever happen I and those who think with me would never be parties to it. Judges are after all human beings and they also make mistakes and they are the first to admit this. If one honourable judge makes a mistake and gives a wrong judgment his judgment is set aside by a division bench on letters patent appeal and then there is the appeal to the Privy Council. The judges do not claim immunity from error. The mere fact that an honourable judge has given a ruling with which the legislature does not agree will be no reason for disparaging him or the High Court as a whole. After all there is no guarantee that the views of those members of the legislature who think that the ruling of the judge is wrong are correct. The legislature should have nothing whatsoever to do with such matters. The judges should have absolute security of tenure and complete independence in the discharge of their duties which are of the highest character. They are to be in no way influenced by extraneous considerations such as whether their action will please the legislature or not, whether it will please the executive or not. The legislature does not expect them, as I am sure the executive does not expect them to be influenced in that manner. They are above all these considerations and placed there by the common will of the community for the dispensation of justice. But provision is made here to meet extremely rare contingencies which may occur once in a thousand years where not only every member of the legislature but also the judges themselves think that there should be a remedy. The provision is meant more as a safeguard against the removal of a judge rather than for the removal of a judge. This could be done only when three authorities agree, the local legislature, the Governor and the Crown. If my learned friend implied that the desire of the local legislature would be expressed by a majority vote and that thereby the judges will have no security of tenure and independence I agree with him. But the remedy does not lie in making the High Court a central subject. It would only be that the money would then be provided by the central government and not by the local government. But you can make it a condition that the vote of the legislature should be unanimous, so that even if one member thinks that the basis on which the proposal with regard to any honourable judge is put forward is not justifiable the legislature will have no power to proceed against him. Therefore give to the honourable judges of the High Court not only as a matter of generosity but also as a matter of absolute necessity,

DISCUSSION ON THE REPORT OF THE PUNJAB REFORMS COMMITTEE 208
AND ON THE MEMORANDA OF THE PUNJAB GOVERNMENT
TO THE INDIAN STATUTORY COMMISSION.

if you want pure administration of justice, absolute security of tenure and complete independence. That does not run counter to the recommendation made here. Still, if there is any doubt, you may make it a condition that the vote of the legislature should be by two-thirds majority or four-fifths majority or unanimous.

Dr. Gokul Chand, Narang : But even one man can throw enough mud, though he is fully conscious that the motion will be defeated.

Chaudhri Zafrullah Khan : If one man is so minded he can do that also in the central legislature. We cannot help indiscretions in politics. The same thing might be done in Parliament also. After all, ours is only a recommendation and it might be altered in any way by those who frame the future constitution. I have explained that this provision is meant to secure to the honourable judges absolute security of tenure and not to weaken it. If you think that it has a tendency to weaken it, make it as strong as you like it to be, so that the honourable judges may be completely free from all extraneous considerations in the discharge of their duties.

With regard to constituencies my learned friend said that special constituencies should not be abolished. He said that we have recommended the abolition of the special constituencies for the university, commerce and industries, because they have not returned Muslim members in the past. Although that is one matter to be discussed, that consideration was not at the back of the recommendation. It should have been clear enough to my honourable friend. The basic principle is this. Divide the constituencies in any manner you like, provided they are so arranged that the representation of the various communities and the interests in the province is put in the manner recommended by the majority report of the committee. There was no consideration whether the university returned a Muslim member or not. If it does not it will be considered as a non-Muslim constituency. Our primary consideration was that special constituencies in provincial legislatures would serve no useful purpose. But if you want to have them, have them on this basis without affecting the percentage recommended by the report of the majority of the committee. Experience of the past nine years in this Council would have shown that the interests of these special constituencies are not in any way served particularly by the honourable members representing these constituencies. The sphere of provincial legislation is so circumscribed that questions affecting commerce and industry are not likely to be debated in this House. Everything that affects these subjects forms a concern of the central government. So far as the landed interests are concerned, in view of the fact that there is this division of urban and rural constituencies we were of opinion that there was no justification for landholders' constituencies. So far as the university is concerned there is the Education Minister and being part of the education department there is nothing which shows that it requires a special representative in this House. We thought that this distinction should be done away with. But if it is not acceptable to this House or to the framers of our constitution, so far as we are concerned, all we are anxious about is that by the creation of a number of special constituencies

[Ch. Zafrullah Khan.]

the proportion of seats which we have allotted to the different communities should not be disturbed. Subject to that, have as many constituencies as you please. My honourable friend said: "Why should you suppose that the University will not return a Muslim member? It may be that in these three elections it did not return a Muslim member, but in the old un-reformed legislative council it returned Sir Fazl-i-Husain as its representative." I wish to point out here that this illustration is fallacious. At that time the election of the university member was not in the hands of the graduates as it is at present but in the hands of Fellows among whom there was a much larger proportion of Muslims than the proportion of Muslim electors in the present university constituency. But apart from that what happened was this. The non-Muslim group did not want Sir Fazl-i-Husain to be returned. So they thought the best way of achieving this was for them to put up a candidate who would not merely be acceptable to them but also to the European, Christian and Anglo-Indian members. Their choice fell on Raja Sir Harnam Singh. But when the time came for the scrutiny of the nomination papers objection was taken by Sir Muhammad Shafi on behalf of Sir Fazl-i-Husain that the Raja Sahib not being a British subject was not eligible for election to the local legislature. Mr. Woolner, I believe, was the returning officer. He heard the parties and gave a ruling that the objection must be upheld. Sir Fazl-i-Husain being the only remaining candidate, he was declared elected. It was not at all due to the generosity of non-Muslim members towards the Muslim candidate. My learned friend ought to have known these facts. This fact was repeatedly put forward before the Simon Commission to show that even in joint constituencies where an overwhelming majority of the electors belong to another community a Muslim member has been returned. But it was pointed out by Sir Muhammad Shafi and Sir Fazl-i-Husain that there was not an overwhelming majority of Hindus in the constituency, that there were Europeans, Anglo-Indians and Christians and under the circumstances, as I have explained, there was no election at all. The returning officer declared Sir Fazl-i-Husain elected since the rival candidate could not stand for election. Let us take another illustration from constituencies where this kind of election has been going on on a larger number of occasions. Let us take the elections of fellows by the registered graduates of the university. There you have had many opportunities of electing fellows. Eight of them are elected by the registered graduates. Your choice is not limited there. But what do we find? Ever since this system was introduced under the reforms of Lord Curzon, not a single Muslim has ever been elected. You cannot say that you could not have elected even one member out of eight. Therefore there is no foundation for the suggestion of my learned friend that even with the present franchise we would be wiping them out. The elections to the district board of Gurdaspur show that there is absolutely no security and that there is every reason to fear that the Muslims would be outvoted and that a very large majority of non-Muslim members would be returned to the Council.

Dr. Gokul Chand, Narang: Will my honourable friend express his views on joint electorates with reservation of seats?

Mr. President : I do not think one honourable member can ask another honourable member to make a speech on a particular subject. He can only ask a question on any matter under consideration.

Dr. Gokul Chand, Narang : Has he got any views on that ?

Mr. President : He may or may not have.

Dr. Gokul Chand, Narang : Can that information be vouchsafed to me ?

Mr. President : May I request the honourable member to be as brief as he can ?

Chaudhri Zafrullah Khan : From the matters that I have been dealing with, you can very well realise the stage at which I have arrived. I have been following my friend in his speech. I might say I have got only a few points left.

Mr. President : I may state that if a number of members do not get to talk, I shall have to hold a sitting to-morrow and I hope that in fairness to all parties in this House, Government will agree to that.

Chaudhri Zafrullah Khan : Now, Sir, with regard to this question I do not want to explain my views at this stage with regard to joint electorates with reserved seats, and for this reason. On many occasions, public and private, one of them being the occasion when we were sitting in joint free conference with the Simon Commission, the accredited representatives of the Hindu community, with regard to whom it was stated yesterday by my friend that he was in complete accord with their views and that they were in complete accord with his views, have made this very plain and emphatic statement and repeated it three times to the Chairman of the Commission that so long as any principle of reservations was retained in any form or shape, in any nook or corner of this country, they were opposed to the slightest constitutional advance in the country.

Dr. Gokul Chand, Narang : That is not quite correct.

Chaudhri Zafrullah Khan : That declaration being there, so long as the attitude of the other community is that they want us to explain our views on everything reserving to themselves this rigid position that unless you concede this point and that point they are not willing to discuss matters, why should they benefit by my views ? Surely there had been plenty of opportunities in the discussions which were held in the Punjab Reforms Committee, of which both of us were members, for him to have elicited my views.

My honourable friend stated yesterday that if you are anxious to have a Muslim returned from the University constituency, allot two or three seats to the University, but he did not tell us whether those three seats should be allotted to the different communities, so that one seat may go to the Hindus, one may go to the Sikhs and one may go to the Muhammadans. If that is so, then my honourable friend was himself advocating separate constituencies for which he has such an abhorrence. If the seats are not allotted communitywise, then judging from past experience we can say that the increased number will go to augment the number of

[Ch. Zafrullah Khan.]

seats of the community to which my honourable friend belongs. He did not care to explain in what way he thought the thing would be remedied.

Dr. Gokul Chand Narang : I did, Sir. What I said was this.

Chaudhri Zafrullah Khan : Sir, I have not given way to him.

Mr. President : The honourable member who is in possession of the House has not given way to Dr. Gokul Chand. Therefore, he might wait.

Chaudhri Zafrullah Khan : I will drop that point. Then the honourable member wants two seats for commerce which are bound to be non-Muslims. But he wants to take away the Tumandar constituencies which is necessarily bound to be a Muslim seat. Again as I have submitted, however plausible the argument, the object is perfectly apparent and must be taken at its real value.

Then my friend has ridiculed the idea of having reserved constituencies for various communities but not having any separate communal seats in this House. The suggestion put forward is, form your constituencies for separate communities but throw them open to contest by all communities. You may not have any practical effect resulting therefrom immediately but you will have established the idea that the constituencies are open to everybody, and the electorates might follow suit.

I shall not enter into or even try to follow my learned friend into the question of the distribution of provinces and the reforms to be granted to the North-West Frontier Province or Baluchistan or Sind. The whole of his apprehension was really summed up by me under the head Constantinople to Karachi. As I have repeated more or less the same argument so many times I shall not repeat it again. But what I want to say is that there is one question of political expediency from the point of view of defence which ought to be kept in view. So far as your defence is concerned, of course the Frontier itself has been excluded even from our recommendations; we have recommended reforms for the five settled districts of the North-West Frontier Province. Those five districts might well have formed part of the Punjab. It was only for certain considerations of convenience that they were kept separate from the Punjab. If they had formed part of the Punjab they would also have benefited by the reforms, but apart from that consideration, my honourable friend has asked, as the population of these districts has certain kinds of sympathies with people across the border and the people of Afghanistan, how would the grant of reforms to these districts affect the question of imperial defence? Let us look at it. So far as the religious sympathies of the people inhabiting these districts are concerned they are preponderatingly Muslim population. They find an entirely Muslim population in Afghanistan and they find that their brethren across the frontier are independent and for good or for bad they have their destinies in their own hands. They may be trying to rebuild their destinies again, at any rate they have got them in their own hands. So far as the Punjab is concerned, they will have a great deal of say in their own affairs, that is to say, we shall have a reformed constitution under a system which will give to this province complete autonomy, but it is proposed to keep these districts under a bureaucratic government. What will be the feeling ultimately inspired in the breasts of the

people in these districts with regard to the defence of this country? Would they be extremely anxious to defend a country which keeps them in a permanent state of subjection when their brethren across the frontier as well as in the Punjab possess substantial and effective powers of control and administration? Would they not be anxious to regain the status of independence? What will be the state of the people of these five districts under the reform scheme when they know that their neighbours are controlling their internal affairs? Will they not resent being left out? That is one reason why we want that reforms should be extended to these five settled districts which do not actually form the frontier. The five settled districts of the North-West Frontier Province should be admitted to the benefits of the reforms on the lines of the Montague Chelmsford scheme immediately. As a matter of fact the Muslim demand is that the new constitution when it comes into force should also apply to these districts. But I am surprised to find that the suggestion of the majority, that the reforms of 1919 might be applied to these five settled districts with a provision in the constitution for a further advance as soon as they are fit for it, should have shocked my learned friend to such an extent.

Then with regard to some of his amendments, I will not say very much. Some of them are mere matters of administrative convenience. By all means throw open the public roads, and public wells to everybody so long as you take care to restrict your reform to public wells and do not interfere with private roads and wells. I shall not also try to expose the real meaning behind those very innocent clauses (a), (b), (c), (d) and (e) of his suggestion under head 2. They are, as everybody has perceived, directed against the Alienation of Land Act and educational facilities granted to members of certain communities.

With regard to the cabinet my learned friend's suggestion was that by statute you must have this provision that so long as communal electorates are not done away with you must have a member of each community in the cabinet. Now I have not the slightest doubt that unless rendered actually impossible by something done by this House itself or any section of this House, that would ordinarily be done, but that is a matter of administration to be decided by the authority who appoints the Ministers which would ordinarily be the Governor. I have not the slightest doubt that that would be done unless it is made impossible by some section or a community for some reason or other not to accept office. For instance, if the Sikhs, for some reason refuse to accept office, you cannot manufacture a Sikh to put him in office. But it would be extremely inadvisable to put this provision in the statute.

Further the suggestion does not restrict itself to that. It says that the Hindu Minister should be acceptable to the Hindu members of this House and should be removable only by a vote of two-thirds of the Hindu members. So also, the Sikh Minister should be acceptable to the Sikh members of this House and should be removable only by two-thirds of the Sikh members of this House. Similarly with the Muslim Minister.

Dr. Gokul Chand, Narang : I never said that. What I said was that two-thirds of the members belonging to the community to which the Minister belongs should join the adverse vote against the Minister.

Chaudhri Zafrullah Khan : I understand that the vote of censure of a Minister by a majority should include in that majority two-thirds of the members of the community to which the Minister belongs. That is what I meant, and I am sorry if I failed to express it in that way. However, I understood the honourable Doctor quite all right. I have no objection to the principle that the cabinet should be representative of all communities, in the sense that it should contain members of all communities if that can be managed provided they all belong to one political party in this House and command the confidence of the majority. But the moment the Council by a majority of votes on any question opposes the Minister, that Minister loses the confidence of the House in the sense that he has not the support of the majority of the House and he must resign or the whole cabinet must resign. That is the general principle. Under this principle, if you put three Sikhs, two Hindus and one Muslim in the cabinet, it does not matter to me.

Then the question was raised, if you have a Muslim majority in the Council, naturally the cabinet will consist of Muslims. If you examine the majority report you will see that it recommends only a bare majority and in no case can you establish a Muslim government in the province. You cannot say that the Muslims have got a working majority in the province. Again it is presumed that the political complexion of all Muslim representatives in the Council will be the same, though there is no warrant for that presumption. Past experience tells us that that is not so. Various political and economic considerations which rule the divisions now will continue to rule even under the next reforms and perhaps may become more intensified. That is to say, the complexion of all Muslim members will not be the same any more than the political complexion of all Hindu members or even of the Sikh members will be the same. In this Council composed of all the three communities we have distinct parties differing in vital matters. There are Muslims there in that block along with Hindus and Sikhs, there are non-Muslims in our block. The only party in this House which has not a Muslim as one of its members and is composed entirely of non-Muslims, I may say which is composed entirely of Hindus, is yours. My submission is that it is entirely wrong to assume that the Muslim majority in the matter of electorates or constituencies imports a majority party of Muslims in this House. The experience of this Council has amply proved that it is possible for parties to be formed of various communities or interests. That is a sure guarantee that in the future with a 49·6 per cent. Hindu *cum* Sikhs or rather with 48 per cent. Hindu *cum* Sikhs in this House all that you have got to do is to win over a small percentage of Muslims who think alike with you and then all your difficulties will be solved. (A voice : Why not have a majority on economic basis ?) Therefore it cannot be said that you are establishing an unchangeable majority. As time goes on, these communal distinctions will disappear and the time will have arrived when it will be possible to do away with separate electorates. We feel that it is necessary for some time to come to continue separate electorates. Then again my learned friend

said that if a majority community in a province does not agree to abolish communal electorates, then this should not be done and that should not be done and so on. This is on a par with his other suggestions. What he really means is this: In other provinces non-Muslims do not want communal electorates, whereas the Muslims in the Punjab and Bengal do want separate electorates and therefore the Punjab and the Bengal should be excluded from the operation of any further reforms. That is what his suggestion comes to. My answer to that is very short. I have said that population counts for absolutely nothing at all so far as elections to the legislature are concerned. If you talk of a majority community you must take into consideration the majority community so far as voting strength is concerned. What is a majority community on the basis of population is not a majority community according to voting strength. Thus in this province while you have 56 per cent. of the Muslim population you have only 44 per cent. of Muslim voter. The Hindu-cum-Sikhs form the majority community of this province; 44 per cent. Muslims and 56 per cent. Hindu-cum-Sikhs. Thus the majority community is not supporting separate electorates, and therefore even according to our learned Doctor's theory, you cannot shut out the Punjab from the advance claimed for other provinces. Again, our learned Doctor said that if in any province the majority community asks for separate electorates, then a penalty must be imposed on that province by restricting the political advance. Demand for separate electorates is not a sin that it should be punished. But even if it is a sin, it is a sin only in the case where, according to my learned friend the majority community asks for it, that is people who have got the majority of voting strength. As I have shown the majority community on this basis is the Hindu cum Sikh community and they do not want separate electorates.

Just one farther observation and I have finished. As honourable members are aware one of the members who signed the majority report is not here, Mr. Owen Roberts. Like my honourable friend, Raja Narendra Nath he is away in England. If he had been here he might have had something to say with regard to the hint contained in the second paragraph at page 78 of the dissentient note. It is said that Mr. Owen Roberts was expected to bring to bear upon the matter an outlook which was not communal. I endorse that expectation. He made from day to day strenuous efforts to bring about a unity in the recommendations of the committee and I can safely assert that it was no fault of his nor is it the fault of the other three members who signed the majority report if his desire could not be achieved.

In conclusion, all that I have to urge is this. In politics nobody can claim to put forward a perfect scheme. Nor do we make that claim for this report. All we do assert is that we have honestly tried to do our best—perhaps our best is not as good as might have been the best of some other members—but we have tried to do our best to adjust the various matters arising for consideration with regard to the future constitution of this province and in some respects certain matters relating to the constitution of the central government in such a manner as to afford satisfaction and to create a sense of security in all the inhabitants of this province.

[Ch. Zafrullah Khan.]

That has been our effort. (*Interruption*). One of my honourable friends says, excepting your own community. We tried to do the same for our own community also. We regret to find that the various communities are just as strongly trenched behind their respective positions to-day as they were when the question of the future constitutional reform of the country was first mooted. Each of them alleges that it is willing to go as far as its reason and conscience permit, but nobody except these four members has tried to make a move in that direction. That our report has been so thoroughly condemned by the Muslim community in this province from the press and the platform and by its representatives in this House is the surest guarantee of the fact that the report is not a Muslim report, it is not a communal report. (A voice: It is a mere show.) Retorts can easily be made but they had better not be made, because having made that effort, I am content to leave it at that and I must not cavil at any misrepresentations or misconstructions of this effort of ours inasmuch as we knew from the very beginning that it would be subject to such misrepresentations. But my regret is, as I expressed at the beginning that our friends who have dissented from us have not put forward or made any effort to put forward before us any counter proposals of their own which we could have compared with our proposals and from which we could have tried to evolve some result which might perhaps have been acceptable to all members of the Committee if not to all the communities. Naturally of course it is for each community to put forward its demands and it will go on making them lest if at any time its demands weaken, the concessions made to it should also weaken. Those of us who took the responsibility for this thankless task from the very beginning knew this but nevertheless we took upon ourselves the responsibility of putting forward some sort of scheme reconciling the various dissentient factors and we have evolved something which naturally enough cannot give complete satisfaction to each separate section either of this House or of the people of this province. (*Cheers*.)

Sardar Hira Singh, Narli [Lahore, Sikh, Rural] (Urdu): Sir, our party had decided not to take part in the present discussion, but in the majority report a statement has been made by which some matters are misrepresented regarding the Sikh community. It is better and it is our wish that the system of separate electorates may be discontinued for the future, and it may be replaced by the system of joint electorates, so that the evils of communalism may cease to trouble the country. If by good luck the system of joint electorates is introduced so much the better, and we shall be quite satisfied under that system. But if the evil system of communal representation is to continue we cannot be satisfied unless we get at least thirty per cent. of seats in the council.

Dr. Gokul Chand, Narang [North-West Towns (Non-Muhammadan) Urban]: Sir, one minute for personal explanation. A reference was made to my speech yesterday as to the increase of seats for the University. This is what I said:—

"There is a very simple remedy for it. Instead of having one seat for the University have two or have three, so that my honourable friends may have a chance to return a member of their choice. There is no harm in that."

Sardar Ujjal Singh, (Sikh, Urban): Sir, I do not desire to follow the example of my two learned colleagues of the Reforms Committee in taking such a long time of this House and I will be as brief as possible. Before I say anything on the subject under discussion I consider it my duty to express my satisfaction at the very friendly relations maintained throughout the discussion of the Punjab Reforms Committee, even when controversial points were under consideration. No heat was imported nor were any hot words exchanged. After a lengthy discussion we agreed to differ and my two Hindu colleagues and myself could not conscientiously endorse the findings of the majority. My honourable friend Chaudhri Zafrullah Khan has pointed out that no constructive proposals were put forward, either by me or by my Hindu colleagues. In fact, all the points that have been dealt with in the majority report formed the subject of discussion and on those points on which we differed, and they were very fundamental points, we have submitted separate minutes of dissent. These minutes were in the form of constructive proposals. Those who have read them and will read them carefully will see that they were certainly definite proposals. It was, however, unfortunately reserved for this House to hear some provoking speeches. I must confess that I was very sadly disappointed at the course this discussion has taken. I was hoping that we shall find in our discussion some additional support for the claim of establishment of self-government in this country, that the majority community will explain conditions of confidence and carry the minority communities with them. Does any one here believe that the discussion has supported the claims of the majority? In fact, I feel it has merely vindicated the official reading of the situation and I do not therefore wish to go into the cheap criticisms and follow Shaikh Din Muhammad, who has not yet realized who the Sikhs are. I am sure his forefathers did. I would like to treat his remarks with contempt, and would declare in the words of the poet :—

Ham kaun hain ham kiya hain ham kuchh nahin lekin waqt éne
do waqt éne do ham tum ko bata denge

Chaudhri Zafrullah Khan also followed Shaikh Din Muhammad in the same vein. He put forward a few arguments, if I may call them arguments, in establishing the fact that the Sikhs were not a separate community and that they were Hindus. One of the plausible arguments he put forward was that some of the Hindus bore Sikh names like Rao Balbir Singh. It might interest the members of this House to learn that some Hindus bear Muslim names in the north-west districts. There are Hindu names like Pera Khan. I know that one of the leading Hindus was given the title of Khan Bahadur. He was Khan Bahadur Dr. Chaitan Shah. He was given the title of Khan Bahadur because his name resembled that of a Muslim.

Now, I come to the question of interdining. My honourable friend
12 noon. says because the Hindus and Sikhs interdine,
therefore, the Sikhs must be Hindus. I ask
if Muhammadans keep aloof and are untouchables, that no members of
other community dine with them. As a matter of fact the Muslims and the
Christians interdine freely. Does this mean that Muslims are Christians or
Christians are Muslims? As a matter of fact, it is as absurd and presump-

[Sardar Ujjal Singh.]

tuous on the part of a member of any community to say that the Sikhs are Hindus as on the part of a member of another community to say that Muslims are Jews or Christians. Sikhs have their own traditions, their own history, their own religious Scriptures and their own religious ideals and marriage laws. Chaudhri Zafrullah Khan and Shaikh Din Muhammad may not have realized what the Sikhs are, but the name of the Sikh nation is writ large in the history of the British Empire, and I need do no more than refer them to the annals of the battles which the Sikhs have fought for the British.

Sir, the problem before us is not to display our communal dissensions but to show our preparedness for provincial autonomy. And in this respect I am sure the House will agree with me that the performance of many members has been anything but helpful.

Chaudhri Zafrullah Khan laid great stress on the realization of true democracy. But can he tell me honestly if his scheme of reforms when put into operation will help the realization of that ideal? Can he single out any country in the world where democracy has made headway with the system of communal representation, with one community placed in a position of permanent majority and other communities of permanent subordination? I have great regard for the Chaudhri Sahib and I had hoped that he would face the problem squarely. But I am sadly disappointed. The question is what sacrifice the majority community is going to make to win over the minority communities, what pledges can the majority community give to the minorities so that there may not be any apprehension of a possible abuse of power in the hands of the majority. Sir, this is the acid test and judged by that standard, I feel that the majority has failed in establishing its claim and has offered no such pledges as would allay the apprehensions of the minorities.

There is no doubt that the foundation of democracy is the franchise, and my honourable friend, Chaudhri Zafrullah Khan, spoke so eloquently in dealing with the subject. I wish his arguments were devoid of that inherent motive which seeks to establish a Muslim Raj with the help of the British. I would appeal to the British statesmen not to follow this sort of argument but to follow the traditions which have brought them success in the past and to see that every community is placed in a position of equality with others. The minorities naturally ask for protection. In the first instance, the majority community should in fairness give such protection as the minorities ask for, but if they fail to do so as it is evident they have failed, the minorities have to appeal to His Majesty's government for such protection. The Sikhs have expressed their determination to fight to the bitter end to establish their position in this province, even if a new Akali Dal is to be raised.

Coming to the definite proposals regarding the franchise, I have in my notes in the Report pointed out how Great Britain by various stages reached adult suffrage :—

"It may not be out of place here to point out that though full responsible system existed in England in 1832, by the first Reform Bill only 3 per cent. of the population got the franchise and in 1867, by the Second Reform Bill 4·03 per cent. of the population was enfranchised and there was no change up to 1884. The percentage of literacy in 1841-45 in England was 67·4 per cent. among men and 51·1 among women, as against 11 per cent. and 2 per cent. in the Punjab."

Sir, I cannot believe that we can reach that ideal by a single leap. We must travel over all the stages. I fully admit that universal suffrage is the ideal which we must reach, but the question is the method of achieving that object. Is it practicable at this stage? We must lower the franchise just to the extent to which it is feasible, up to the limit at which it is workable. There can be no better criterion than education and property qualifications so that the rights and properties of vested interests may be fully safeguarded. Education, as I have said, is a primary qualification for the exercise of the vote. It would be interesting to remind the House that my honourable friend, Chaudhri Zafrullah Khan, a great champion of democracy, an ardent advocate of adult suffrage, opposed my resolution in this House last Simla session for the appointment of a committee to find out ways and means for introducing compulsory primary education. You can well see the mentality of my honourable friend. I have already suggested in my note that tenants are to be enfranchised but I feel there is a class of skilled workers like village carpenters and blacksmiths which should also be enfranchised.

Sir, coming to the recommendation of the majority report, I need only refer to three or four important points. The principal recommendations of the majority report are communal electorates, with Muslims given an absolute majority in the Legislature, a permanent irremovable majority as against all the communities combined, with a Cabinet having a Chief Minister from that wooden inelastic majority who would appoint his second fiddle, may be from his own community, may be from the members of other communities. With such a constitution of the Legislature and the executive, the Punjab is then to enjoy complete provincial autonomy unfettered by any control from the Central Government either in matters of legislation or administration. Some powers according to the majority report may be delegated to the Central Government but the residuary powers are to be vested in the provincial government. A layman or a casual reader might call it a great specimen of patriotism but in their unguarded moments, my colleagues of the majority report have let out their mind. For, when they come to deal with the advance in the Central Government, at page 49 of the Report, they say that any further advance towards the responsibility of the executive to the legislature in the Central Government should follow and not precede or synchronise with the establishment of autonomy in the provinces. So, Sir, their patriotism is limited only to the constitution of the provincial government in which the Muslims are to reign supreme for all time uninfluenced by the votes of any other community. Sir, no better scheme of change from the British Raj to Muslim Raj could be devised. Not only this, my friends of the majority report have the audacity to believe that we, the Sikhs or other minorities like the Hindus will meekly submit to a scheme of reforms like that. I cannot speak for the feeling of the other communities, but I know full well the feelings of my own community. The Sikhs will under no circumstances submit to a permanent slavery under any one community. They will be prepared to make all sacrifice to establish their position in the province. They are prepared to forego their rights on the altar of nationalism and for the cause of national solidarity, but under no circumstances whatsoever they

[Sardar Ujjal Singh.]

will allow themselves to be dominated by any single community, be it Muslim or Hindu. And what the Sikhs feel and say, they know how to translate into action.

Dealing with the question of communal electorates, I need not take long but I would only point out that the proposal for a communal electorate has been condemned from its very inception in no ambiguous terms by the authors of the Montford Report. I need not repeat their words for they are very familiar. But, recently, communal electorates have been very strongly condemned by the Donoughmore Commission on Reforms and for the information of the House, I would just read a few lines. The Commissioners say :

"Communal representation is as it were a canker on the body politic eating deeper and deeper into the vital energies of the people, breeding self-interest, suspicion and animosity, poisoning the new growth of political consciousness and effectively preventing the development of a national or corporate spirit. As we are suggesting, there can be no hope of bending together the diverse elements of the population in a realisation of their common kinship and acknowledgment of common obligations to the country of which they are all citizens so long as the system of communal representation with all its disintegrating influence remains a distinctive feature of the constitution."

Sir, no greater condemnation of this system could be made. Even the Punjab Government have admitted that with a system of communal electorates, there can be nothing like party system, nothing like democratic Government. Here are the words of the Punjab Government :

"Parliamentary system under which one party gives place to another on account of a change of allegiance on the part of a portion of the electors or their representatives will have in the near future no counterpart in the Punjab. At the same time a member of a minority party can have little grounds for hope in the present conditions that in time to come his minority will be changed into a majority."

So, Sir, under the communal system of electorates, true representative Government is impossible. You cannot have a real cabinet system of government when under all conditions and at all times there is going to be one permanent majority in this Council and one Chief Minister if he happens to command the votes of his community at all times. There can be no chance for men like my hon. friend Dr. Gokul Chand Narang to serve the country, however much he may be considered capable for the task. Unless a community accelerates the process of *shuddhi* or pursues some other kindred method, it is impossible to convert a minority community into a majority and a majority into a minority. There will consequently be a permanent majority and a permanent minority and there will be a permanent Chief Minister for all intents and purposes. Parties having different political creeds might spring up in the near future just as they are in England and in other foreign countries, where democratic institutions flourish. Such parties, under a communal system of electorates will have absolutely no chance of representation. And it is an inherent principle of representative Government that parties holding different views on political and economic matters should be directly represented. And it is very likely that in future in this country, parties on economic grounds and on political grounds, on grounds of capital and labour might grow. For this purpose, it is absolutely essential that a system of common electorates on the method of proportional representation which I have suggested in my note should be

introduced. This system has been in vogue in various countries with most modern constitutions. It is in vogue in Germany, in Switzerland, in Holland, in Denmark, in the Austrian republic and I do not know whether in the near future, England might introduce this system also. But this system is established in various countries of the world to give proper representation to political minorities so that all parties having different political and economic views should find representation in the legislature of the country. Sir, speaking about my own community there has been a great misunderstanding abroad that Sikhs are anxious to have common electorates. As a Sikh I would oppose common electorates tooth and nail. But if I suggest it, I do so for the sake of common nationality, and national solidarity. Every one can see that Sikhs are in a minority in every district with the exception of Ludhiana where they are 41 per cent. of the population. In all other districts they are in a minority. Sikhs can have little chance to be adequately represented if common electorates are introduced. It is a great mistake to imagine that Sikhs are upholding or recommending common electorates for their communal advantage. It is a matter of great pity that such a patriotic offer has been greatly misrepresented by interested parties. I may state here the deliberate opinion of the Sikh community as voiced by the various district Sikh Leagues and the Central Sikh League, the Chief Khalsa Diwan and by the most important religious body, the Shiromani Gurdwara Prabandhak Committee and the Akali Dal that Sikhs are not at all enamoured of common electorates. They want to establish them not for their own interests but for the interest of the country. In fact their interests are bound to suffer immensely if common electorates are introduced. But they think that the sacrifice will have to be made by minorities if we are to see representative institutions established on right lines in this country and they are willing to make sacrifice in that direction. They will not stand in the way of establishing common electorates if they are set up throughout India in the new constitution. But it is no use abolishing communal electorates in one province and retaining them in others. You cannot stop communal ideas by placing artificial barriers. Ideas cannot be shut out by barbed wires or by some other artificial means. If you have communal feelings because communal electorates are retained in the United Provinces, this province cannot escape from its poisonous effect. It is for this reason that the Sikhs suggest that communal electorates, if they are to be abolished, should be abolished throughout the country. They should be driven out of India for good. Sir, the majority report has created great misunderstandings by making a statement about the views of the Shiromani Gurdwara Prabandhak Committee and the Akali Dal. The Shiromani Committee as you all know, is a religious body established by statute and it does not meddle with politics. It is for this reason that the Shiromani Committee did not express its views on the question of representation. But since this deliberate misrepresentation was made, it was on the 14th of this month that the Committee issued a statement saying that they were unanimously of opinion that either common electorates should be introduced in the country or they should demand their full

[Sardar Ujjal Singh.]

claim of 80 per cent. representation for the Sikh community. A similar statement has been issued by the Akali Dal yesterday. The misunderstanding created by a letter issued by my four Sikh members of this Council has been cleared by one of them and I need not say anything on this point. But I reiterate once again that the whole community is determined on this point, whether extremists or moderates, that either communal electorates should be driven out of the country or the Sikhs must have their place and position in accordance with their historic and political importance, in accordance with their sacrifices, in accordance with their stake in the country. It might be said and it is often said that if no community is to be given a position of majority in case communal electorates are retained what would happen in other provinces. That is a usual plea advanced by Muslim friends. Sir, I do not like to go into great detail but every one can see that the position of the other provinces is entirely different from this province. There are two principal communities in other provinces whereas in this province there are three principal communities to be considered. Whatever my friend Chaudhri Zafrullah may say, it is an established fact that Sikhs are a community which can never be ignored. No single community should dominate in their province. The Sikhs cannot seek protection anywhere else. The Muslims have their majorities in provinces like Bengal, Baluchistan and the North-West Frontier Province and they want to create another province of Sind for this purpose. The Hindus have their own majority provinces. Both these communities can take reciprocal action. But what are the poor Sikhs to do? They cannot look for any outside help. They have all their interests centred in this province and this is the reason why they want an effective voice in the administration of this province. There is another point. In other provinces where the Hindus are in a majority the Hindus do not want separate electorates. They do not want that the Muslims should not influence their nominations but here in this province, on the one hand Muslims want separate electorates, they do not want to be influenced by the votes of Hindus, Sikhs and Christians, and still want a majority in the legislature. Do you think it is at all compatible with any principles of democracy? It is for this reason that Sikhs base their claims on two important points. First, in any case in this province there ought to be no one community in absolute majority. It is the right of Muslims to be in a majority over every other community, but they have no right to be in a majority over all the other communities combined. Shaikh Din Muhammad pointed out with great force that Sikhs had no rights for separate representation. Sir, I submit that it is the exclusive right of no single community to have protection by any means either by separate electorates or by some other way. It is the inherent right of only minorities whether they be Hindus, Muslims or Sikhs to say in what respect and to what extent they want to seek their protection. Judged by this criterion if any community deserves protection most by separate representation or by some other way it is the Sikh community which is in a minority. My honourable friend Shaikh Din Muhammad ridiculed the claim of the Sikhs that they supply recruits for the army. He said: we do the same thing. He might ridicule the claim of the

Sikhs but it cannot be ignored that Muslim minorities in other provinces have comparatively no importance as compared with the Sikhs in this province. It is not to be lightly treated that the Sikhs were the rulers of this province before the British. This fact only shows that left to ourselves we can be rulers of this province.

Mr. President : Order, order. That matter is not now under discussion.

Sardar Ujjal Singh : I am only just mentioning this to point out the importance of the Sikh community.

Mr. President : That has been done and I have allowed it to be done, but do not please exceed the limit.

Sardar Ujjal Singh : This is a matter not to be lightly treated. This shows to what extent the Sikhs can make sacrifices. This shows the extent to which the Sikhs can fight for their rights. This shows to what extent the Sikhs, if left to themselves, can defend the country. This shows that Sikhs as a minority deserve to have an influential and an effective voice in the administration of the province.

The second point is of great importance, i.e., the Sikhs' claim for 80 per cent. There is certainly no criterion on which the representation of the various communities can be based. But given the principle of communal representation it necessarily follows that the different communities should be properly represented. We have the analogy of the representation of Muslim minorities in other provinces and considering also the historic and political importance of the Sikh community, their stake, their sacrifices for the cause of the Empire and considering also the fact that the Sikhs form 25 per cent. of the voters and also whereas one Muhammadan candidate represents 9,000 voters one Sikh candidate has to represent 14,000 voters, it is necessary that the representation of the Sikh community should be about 80 per cent. It is not a definite figure, but we roughly base our claim on these important grounds.

Then Sir, wherever one community enjoys a slight majority over the other communities, it is to the interest of the province as a whole that no community should be placed in an absolute majority. It will have a steadying influence on the administration and legislation of the province if our Muhammadan friends have to depend on a few votes of the members of the other communities. They will not then introduce measures which will seriously affect the interests of the other communities.

I come now to the cabinet. If the communal system is maintained in the council it only follows as a necessary corollary that the cabinet also should be on communal lines. You cannot have a council composed of various communities and a cabinet composed of one community only and one community having a dominating voice in the country. If you have a Chief Minister from that permanent majority returned by the Muslim voters of the province he might appoint members of other communities who will be only second fiddles and who will not command the confidence of their own community. Will you call that a representative cabinet? It will certainly be a

[Sardar Ujjal Singh.]

negation of the cabinet system. If communal representation is to continue then all the three principal communities in this province should be represented in the cabinet; and I shall go further and say that they should be represented in the proportion of their representation in the Council. It may be that we may require twelve Ministers. In that case one Hindu or one Sikh Minister would be of no value for the purpose of their communities. The representation in the cabinet should be commensurate with the representation in the legislature.

I should like to say a few words on one general point on which Chaudhri Zafrullah Khan touched at great length, and that is with regard to the question of federal *versus* unitary government. I have no quarrel about the use of the word federal or unitary. The learned doctor pointed out the analogy of the United States of America. The United States of America came into being in 1776 after the war of liberation. Before that it consisted of a number of independent sovereign states having their own governors and independent of one another.

The Honourable Malik Firoz Khan, Noon : Were they not appointed by the King?

Sardar Ujjal Singh : The Governors were appointed by the King, but the states were independent of one another. The constitution of the United States of America was born of the war. Prior to the war of liberation the states, thirteen in number, were separate British colonies, each with its own governor and with its own history. On the 4th July 1776 according to a unanimous declaration these 13 colonies became free and independent states and absolved from allegiance to the British Crown. They were independent states united for a common purpose. These independent states united to fight a common enemy. But after the war of liberation, it was felt that that union was not enough for their purpose, and that it would not bring sufficient strength to their country. After the war of liberation the limited powers of these international courts proved quite inadequate to deal with the financial and economic ruin that followed in its train. To men like Alexander Hamilton the only remedy seemed to be the abolition of the 13 colonies and the creation of a central single state. It was felt that only the establishment of a unitary form of government would bring sufficient strength. That was the feeling of one of the eminent men of the United States of America. But it was further pointed out that each state possessed a very strong sense of its individual history and having come into existence as a separate colony with interests widely different any such unification was clearly impracticable. That only shows that where a country happens to be one in the beginning it is to the disadvantage of that country to be broken up into various parts. In fact the history of other countries shows that the tendency has been quite the other way about. Where there have been different colonies and different provinces the tendency has been to unite for a common purpose. (Interruption) I do not like to go into an academic discussion. But if there are several independent provinces, independent of the control of the central government, you might call that system a federal system; but if the central government has got sufficient control over the

provinces you may call it unitary. It all depends on what powers are retained by the central government and what powers are delegated to the provincial governments.

With regard to the residuary powers, in Canada which consisted of two different provinces which united together to form one province the residuary powers are vested in the central government. In the German republic where there are different states, the residuary powers are vested in the central government. Chaudhri Zafrullah Khan said that as India was such a big country it was to the best interests of India that it should be divided into various autonomous provinces. Sir, the size of the country is not necessarily a reason for breaking up the country into various autonomous provinces. Russia is a much bigger country in size, having an area of 7 million square miles as against 2 million square miles of India. Still it is one country.

The Honourable Malik Firoz Khan, Noon : It is a federation of various soviets.

Sardar Ujjal Singh : The size of the country is no argument for splitting it up into independent provinces. It might ultimately lead to the weakening of the central government.

Before concluding I wish only to say that my community wants the united raj of all communities but it is determined to accept no constitution in which it is placed in a position of subordination. We shall refrain from no constitutional measure which will

Mr. President : The honourable member has repeated this three or four times.

Sardar Ujjal Singh : I reiterate that we will refrain from no constitutional measure to secure our legitimate position in this province. which our history, our traditions, our manhood, our spirit of self-sacrifice, and our stake in the country rightly entitle us to. In this respect I feel I am echoing the feelings of not only my friends in this Council but of the whole community outside it.

Mr. President : May I ask the honourable members whether they intend to finish the discussion of the report before 1 o'clock, so that they may begin discussion of the Government memorandum when the Council meets at 3 o'clock, or do they wish to continue the discussion of the report ?

(Honourable Members : We shall discuss the report).

Shaikh Muhammad Sadiq : And the memorandum also after the report has been discussed.

Mr. President : The Council will then continue to discuss the report of the committee. I take this to be the sense of the House.

Shaikh Muhammad Sadiq : Sir, this is a very important political issue. If Government was pleased to allow only three days it might as well not have given the Council any chance to discuss it at all.

Mr. President : Government has no doubt given three days. But if the House wishes to continue the discussion for thirty days, that can be arranged.

Dr. Gokul Chand, Narang : Then it lies with us to paralyse the Government at once.

Mr. President : Government is too strong to be paralysed.

Dr. Gokul Chand, Narang : It will be paralysed if it remains here for thirty days.

Mr. President : Why should the Government members remain here for 30 days. To constitute a meeting of the Council the presence of only 15 members is necessary. But the honourable members decided this morning that they would meet in the afternoon and finish the discussion at five o'clock. I hope they will stand by that decision.

Shaikh Muhammad Sadiq : When the Council meets again in the afternoon, the time should be extended and no time should be taken to have been fixed.

Mr. President : Let me state the constitutional position. Once a Council begins to sit, its business can be stopped only in the following ways :—

- (1) by its dissolution ;
- (2) by its prorogation ;
- (3) by its adjournment ; or
- (4) by its business being finished.

Sardar Harbakhsh Singh : Sir, the members who wrote the report have occupied most of the time, practically the whole of the time has been taken by three members of the Committee in discussing their own report. In fact, it has been a debate among themselves, and other members have had no opportunity to discuss the report or the Government memorandum. Therefore, you will kindly consider that the request for the extension of time is very reasonable, so as to enable members to put their respective views before the House. I request again that ample opportunity should be given to the many members who want to express their own views on this report.

The Honourable Khan Bahadur Capatin Sardar Sikandar Hyat Khan : Sir, may I point out that it is very difficult to separate the Government memorandum so far as the constructive proposals are concerned from the Committee's report. As a matter of fact, you must have noticed that many members referred to Government memorandum so far as the important recommendation about franchise and other matters are concerned. I do not think that the honourable members on the other side are very serious when they say that they want to discuss the Government memorandum separately because the first part of the memorandum refers to the descriptive matter and is a bulky volume which does not really require any discussion, and the second portion of the report consists of notes of the non-official Members of Government which have been referred to in the speeches of honourable members. I suppose they can bring in the Government recommendations in the speeches while discussing this report. But, I think, Sir, that if the honourable members wish to discuss further this report, perhaps we can sit for another hour, say up to 6 o'clock and finish it.

Mr. President : The House has already carried the motion that the proceedings of this debate should be submitted to the Simon Commission.

Shaikh Muhammad Sadiq : No, Sir, we never did. We never passed a resolution that the proceedings should be sent to the Simon Commission. How can we vote for it without knowing what will be forwarded to the Commission?

Mr. President : If I remember aright that part of the motion was put before the House separately and carried by a division.

Shaikh Muhammad Sadiq : Sir, how can you pass the second portion without passing the first? It is unconstitutional and I protest strongly against it. If certain members want to voice their feelings let them go to England and voice them there. We take it then that the resolution was never passed that the proceedings should be sent to the Simon Commission.

Mr. President : May I take the sense of the House to be that we meet again at 3 o'clock and sit up to 5, and if necessary up to 6 o'clock and finish the discussion? Will members indicate by show of hands if they agree to meet this afternoon from 3 to 5 and if necessary to finish the discussion of the report?

Lala Kesho Ram, Sekhri : You have already given a ruling, Sir. Are you going to revise that ruling now?

Mr. President : No. The House has already decided to sit from 3 to 5.

Lala Kesho Ram, Sekhri : But, Sir, why should the question be now reopened? Your ruling once given is final.

Mr. President : I take it that the House sticks to its decision.

Lala Kesho Ram, Sekhri : Unless you reopen the question.

Mr. President : The absence of a single dissentient voice shows that the House sticks to the decision that it will meet at 3 o'clock and sit up till 5 P.M.

Mr. J. G. Beazley (Chief Secretary) : Sir, I wish merely to detain the House for a minute with reference to the subject raised by Dr. Gokul Chand on the first day, and mentioned by him again yesterday, namely the attitude of Government towards a resolution which was moved in this House in regard to the use of wells by "untouchables." Dr. Gokul Chand implied, in fact, he said, on the first day that the most enlightened Government in the world, by which I presume he meant the British Government, as represented by the reserved half of this Government, that this most enlightened Government in the world had openly opposed a resolution recommending that all public wells might be used by "untouchables." Yesterday morning Dr. Gokul Chand produced a report of the debate and read out the resolution and said that it showed that the resolution which he quoted the day before was correct and was the one which Government had opposed. In this connection I merely want to say two things. In the first place, it was not the reserved half of Government, but it was the Minister for Education who opposed it. (*A voice : Chaudhri Chhotu Ram. Another voice : No, Mian Sir Fazl-i-Husain.*) In the second place, the Doctor Sahib left out the most important words on which the whole debate hinged and that was the reference to "public wells in charge of local bodies."

Dr. Gokul Chand, Narang : I did.

Mr. J. G. Beazley : On the first day you did not, and I therefore stated that that was not the resolution opposed by Government. The resolution referred to public wells in charge of local bodies. The Honourable Minister for Education was unwilling to accept the resolution because he was unwilling to interfere with the discretion of local bodies in the matter, and in his opposition, as is almost invariably the case, he received the support of the official block.

The Council then adjourned for lunch.

The Council re-assembled at 3 P.M.

Mr. M. A. Ghani (Nominated, non-official) : Sir, just to divert the attention of the House from the stale, backward and hackneyed communal wrangles that have been going on here for the last two days to the higher, nobler and more modern labour politics of the day, I, with your permission want to make a few observations on the question of labour representation in the legislature so far as the report of the Punjab Reforms Committee is concerned. It will be admitted on all hands that from capitalism to socialism the world is passing with an electric speed. In less than a decade socialism of an extreme militant type has established itself very firmly in Russia, which forms one-third of the total area of the world. In another one-third, a socialist Government of another type, to my great rejoicing, is ruling over an empire on which the sun never sets and of which our province also forms a part. Even the 'yellow man' of China has also unfurled the 'red' flag. In several other countries of the world, and particularly of Europe, socialists of one type or another are in power. In a word, there is no progressive country in the world where socialism is not permeating itself over the ideas and aspirations of the people. In every country the ill-clad, ill-fed and down-trodden labourers and workmen are becoming conscious of their power. The 98 per cent who have for centuries been groaning under the tyranny of the strange and unnatural oligarchy of two per cent are throwing off their lethargy and are asserting themselves ; and the time is not far off when Abraham Lincoln's dream, government of the people by the people for the people, will be truly realised, when Karl Marx's principle of equal division of property will be truly appreciated, when Lenin's slogan of equality of man will be truly practised, when the international theme of the League of Nations and the Kellogg's pact of peace will be truly established.

Mr. President : May I ask what part of the Report the honourable member is discussing.

Mr. M. A. Ghani : This is only introduction to my speech. A great revolution indeed, this change from capitalism to socialism in the whole world. In view of this new order of things, I say, we cannot shut our eyes from its potential influences on the vast majority of the people of this country. We cannot remain aloof from the rest of the world. I assure you that these ideas are permeating themselves very rapidly on the aspirations and ideas of the labouring classes of this province. Already we see that the new economic phases of life have made themselves manifest in the great awakening among the labourers and workmen of this country. The great and

prolonged strikes of Bombay, Calcutta, Madras, Jharia, Jamshedpur, Dhariwal and other places, the lockouts on almost all the big railway systems in India and their workshops, the agrarian troubles of the United Provinces and tea plantations of Assam, the growth of trade unions and labour combinations of the labouring classes like mushrooms, the wonderful development and progress of the great labour movement and the consequent appointment of a Royal Commission on Labour in India, are but a few signs of the great awakening of the political and economic consciousness of the working classes. With all this, I really fail to understand if my friend Sardar Ujjal Singh was really serious when he said on page 89 of the report under discussion 'My colleagues have unnecessarily raised the red bogey of Communism and I am of opinion that the reference might well have been avoided.'

My idea in giving this long introduction is to submit to the House that without realising what is going on among the people of this province, which forms no less than 98 per cent of the population, I do not think such remarks ought to have been made by Sardar Ujjal Singh. (*Hear, hear*). Sardar Ujjal Singh is a great factory owner and a big landlord. Happily for him his factories and lands are far from Lahore. They are, therefore, for the present outside our present sphere of activities, otherwise he would have surely never made the above remark. He would have "the red bogey" in his own place. Has he not read in the papers that in the Meerut conspiracy case when the accused enter the court they cry 'Long live revolution, down with imperialism.' In the Delhi bomb outrage case, similar communistic cries were heard and outside the Mochi gate, Lahore, where public meetings are held, there also you hear this cry. So, I beg to assure this House that unless and until the labouring classes are taken into confidence, you will be inviting the labouring classes to adopt those militant weapons which have been used by them in so many countries in order to assert themselves. So much for the remarks made by Sardar Ujjal Singh.

The signatories to the minority report have gone a step further. There is no mention whatever in their report that the labouring classes will have representation. My submission is, given adequate and true representation to the labouring classes there will be peace. Otherwise you will be inviting Bolshevism into this country. If capitalists like Dr. Gokul Chand Narang, and Raja Narendra Nath, are going to ignore the labouring classes altogether and if they do not give labour adequate representation which they justly deserve, naturally, in the words of Sardar Ujjal Singh, we will show to them what we are and we will get what we want when the proper time will come. I really admire the majority report in this respect. They say at page 18.

"Subject to these limitations we are in favour of as broad a franchise as possible, which will bring all classes within its scope, including the rural tenant and urban labourer. We consider this necessary not only for reasons of equity and fair play, but also to save these classes and the country from the lures and dangers of communism, towards which there is already a perceptible movement. We are of the opinion that unless this vast multitude—consisting of agricultural tenants and labouring classes—is given an immediate interest, however indirect in the administration of the country, there is very little likelihood of its being exploited by 'Red' agents who will not fail to make capital out of its disabilities.

[Mr. M. A. Ghani.]

by enlarging upon the shortcomings and inequities of a constitution which seek to exclude the working classes from the exercise of the franchise."

There is much wisdom in these remarks and there is much food for thought. I congratulate the writers of this report for their shrewdness and for their perfect statesmanship (*hear, hear*). They argued the case of granting franchise to the humble people very nicely indeed, but when they came to make recommendations on the basis of this argument they decided very wrongly (*Laughter*). If you will refer to page 33 of the Report, you will find the recommendations embodied in paragraph 75. It runs thus :

"We therefore recommend for acceptance one of the following alternative proposals for apportioning the seats in the Provincial Legislature amongst the various communities."

In part (2) of this paragraph you will find that eight seats have been given to special constituencies of capitalists but only one single seat for the labouring classes. I ask the members of the majority report whether it is fair play and whether it is equity of which they have made so much in their report. Eight seats have been allotted for Hindu landlords, Muslim landholders and Sikh landholders and commercial and industrial interests. I would like to put it seriously to this House whether in the ordinary constituencies these special interests will not be represented. I may say that most of the members representing the general constituencies in this Council are big landlords. In view of this what necessity there exists for granting eight seats for special interests which are capitalistic (*Hear, hear*). Much has been said since the day before yesterday of representation of different communities on the basis of population. Sikhs want 30 per cent, Hindus 34 per cent and Mussalmans 55 per cent. I would also submit that labour should be recognised as a distinct interest and since labour forms 98 per cent of the population there is no communal feeling among the labourers such as Muslim, Sikh or Hindu interest. I would submit that labour also should get the number of seats according to their population, that is 98 per cent of the seats, and the rest 2 per cent may be divided among the Mussalmans, Hindus, Sikhs and so forth (*Cheers*).

Then, Sir, I am afraid that this may be a very flagrant demand. That demand can never be exceeded under the present prevailing political conditions in this province. In fairness and in equity I would ask the Members of the Simon Commission to give us at least 8 seats for factory labourers and at least 5 seats for agricultural tenants and at least 4 or 5 seats to depressed classes. (*Hear, hear*). There is one fallacy as regards the definition of labour among the people. They regard it as synonymous with factory labour, that is not our definition of labour. We include in the term labour all agricultural labour, for instance, the blacksmith, the carpenter, the chura, the chamars and other subservient labourers in the village. We also include all the peasant proprietors. We also include agricultural tenants.....

Pir Akbar Ali : If you will include the churas and chamars, then you will reduce the Hindus.

(A voice : So much the better).

Mr. M. A. Ghani : I am reducing proportionately the Muslim strength also, in this respect. We also include factory labourers. We also include barbers, domestic servants and the tongawalas and other people who earn their livelihood by manual labour and by their intellectual labour. We thus include all the clerks and peons and also everybody who is living in this province. I fail to understand why one seat is given to labour in this province. It has been remarked by my honourable friend Sardar Sikandar Hayat Khan, who to my joy is now our Revenue Member, that labourers have also been given votes in the general constituencies. They have been given votes in the Municipalities and district boards. But no labour member can be returned by election. Unless you give us separate electorates, I mean separate electorates for labour, there is no hope for adequate representation of the labour class in this province. Muslims want separate representation simply because they fear that the wealth of the Hindus would buy the poor voters and very few able Muslims will be returned. Similarly, this fear is in our minds. The wealthy can always return their own members by buying the votes of the poor voters. Every one knows that election is a mere game of wealth ; whoever can put more money he can surely be returned to this council. Therefore, I want separate representation for labour. I humbly beg to submit that in the interest of this country we ought to be very careful as regards the labouring classes of this province ; for we are not far from Soviet Russia. Sir, I would submit that in order to take the labouring classes into confidence it is very essential that an adequate and fair representation should be given to them.

As regards the election by nomination of labour members to this Council, the Majority Report says that nomination ought to be absolutely eliminated. Well, I am one with them. I fully realize that election in very many constituencies is far better than nomination. I assure this House that so far as labour representation in this House is concerned, election is as good as nomination. I assure this House that ever since I have been nominated to this Council, I have never been influenced by Government in the matter of votes. If you will refer to the proceedings of the House you will find that more than once I have voted against the Government.

Shaikh Muhammad Sadiq : More than once ?

Mr. M. A. Ghani : Well, I do not remember once or twice but surely more than once. My apprehension is that if election is introduced among the labouring classes, capitalists will come in and will take the place of real labour leaders. With these observations, Sir, I fully agree with the majority report. *(Cheers).*

Mr. E. Maya Das (Representative of Indian Christians) : Sir, I would first of all thank the members of the Punjab Reforms Committee for all the troubles they have taken in the preparation of their report, especially the President and the Secretary, because of the heavy work that fell to their share. I am here as the representative of the weakest and the poorest member of the family. In spite of all that might have been said, Sir, we are one family and we are brothers and I represent the weakest and the poorest members of the family. It is a matter of real regret that some members got

[Mr. E. Maya Das.]

a little excited and they used some words, which I am sure, they really had not intended to use nor did they desire that the interpretation be placed on them which has been placed and I think we ought to be liberal in the matter of interpretation under such circumstances.

We stand here to-day, and we try to look ahead and it appears as though the road we have got to traverse is rather dark and has many gaps which are lacking bridges, and therefore we apprehend great difficulties in pursuing this path. But, Sir, I would say that our beautiful land, this land of five diamonds set in emerald is the finest place on earth and the Almighty God who has given us this lovely province to live in and who has been our help in ages past will not leave us now. No doubt there will be difficulties. But have not such and even greater difficulties been overcome in the past? Let us have faith and our difficulties will be overcome in the future also, only it will be necessary for us to work and pull together. In any case let us not begin our work in an atmosphere of distrust. When you employ a servant, if you tell him straightaway that you know him to be a rogue, that does not give much encouragement to work honestly. Trust begets trust and love begets love. Sir, I remember an occasion, before the Hindu and Muslim Universities came into existence when the leaders of these communities were busy in raising funds for their respective Universities. It was the leader of the Muslim community who sent a cheque for Rs. 2,000 as a contribution for the Benares University. What was the response? He received a cheque for Rs. 5,000 in return. So, Sir, it is like this when we are prepared to concede and give, then it is that we may expect that others will become inclined to give us something in return and this is the way to win the hearts of other people. Considerable fear has been expressed that in case the majority community comes into power, something dreadful may happen. I do not think, Sir, that that fear is justified when we know that Muhammadan Native States in India give to Hindus positions of responsibility and trust. If I mistake not a Hindu holds a very high position of responsibility even in Afghanistan. The same is the case in Hindu and Sikh States, where Muhammadans are installed in high positions of responsibility. Therefore we should be more ready to trust others and be prepared to do unto others as we would be done by.

I wish to say one word on the subject of protection. It has been argued that a considerable degree of protection is necessary. A certain amount of assistance and protection is no doubt necessary. For man whose legs are weak perhaps one or even two crutches may be wanted. But, Sir, if you give him three crutches what is he going to do with the third? I mean to say, that only the minimum degree of protection should be asked for and should be given and not more. Just as the development of children is arrested when they are not allowed the normal exercise of their limbs, similarly must these communities suffer which are brought up in the lap of over-protection.

In the matter of carrying of burdens, responsibilities and powers, these should be placed on such shoulders only as are able to carry them. Too heavy a burden will crush the man who is asked to bear it, and if an

inexperienced person is placed in charge of a store filled with explosives, that is to say, too much power, then it is not difficult to foretell that the result is bound to be disastrous sooner or later.

What is the work before us. The work before us is to lift the burden of over two crores of population. We have to feed them, to provide means for their healthy growth and to make them fit for their place in the world; no small work is this. This is not work about which any one community can say: "we will do it all by ourselves." For, every one has to make a contribution and some will have to contribute more than their share, for, a great many among us are too weak and too poor to help themselves. Just as in the case of a family, when one member gets ill, that member requires greater care and greater attention, in the same way the weaker communities should be helped by the stronger.

In what spirit are we going to enter upon this work? I would respectfully beg all my brethren here to enter upon this work not in a spirit of how much I can take but rather how much I can give. That is to be the key-note of success if we are serious about the important work before us. I feel certain that the majority community in spite of all that might have been said will not fail to respond when the time comes and will not fail to come up to this test when asked to. While on this subject, I wish to add that we should be very careful about the wording of our proposals because any little careless word might give rise to misapprehension; for instance, I would draw attention to the figures 56 per cent. and 55.8 per cent. The majority community claim 56 per cent. but the correct figure is 55.8 per cent. If that is so, it is nearer 55 than 56. It is usual in such cases to drop the fraction in favour of the lower number. It would have been very graceful if instead of 56 the figure 55 had been selected. The preference given to the figure 56 leads to the possible interpretation that the community is inclined to ask for a little more than they are entitled to. The strength of the majority community will lie not in numbers, but upon their attitude towards the minorities and the degree to which the other communities can put their trust in them.

I wish to speak a word about my community as to who we are. We are the children of the soil, we come preponderantly from the depressed classes and the rest of us are related to all or almost all the remaining communities in the province. What has my community contributed? I am proud to be able to say that we have helped in the work of uplift of the depressed classes. We have striven in the field of education and in the medical department to do all that we could. Here I should acknowledge with gratitude the liberal help that we have received from America and England and other foreign countries. Similarly in the future my community will not fail to serve as before to the best of their ability and will also be prepared to undergo sacrifices when called upon to do so. As it is possible that many members in this Council may not have had the opportunity of studying the growth of the Indian-Christian community, with your permission, I will quote a few figures from the census reports. In 1881, the number of my community in this province was 3,796. In 1891, 19,547; in 1901, 37,980, in 1911; 163,964 and in 1921, it was

[Mr. E. Maya Das.]

8,15,091. According to a private census recently taken our population now stands at about 4·5 lakhs. In 1920 when the reforms scheme was being worked out, the official figure of the Indian-Christian population before the authorities was that of 1911 and on that basis one seat was given to the community. Members of my community were disappointed for they were of opinion that they could be given two seats. They therefore approached Mr. Hallifax, who was then the Reforms Commissioner, and the reply they got from him was that they had come a little too late, that it was not possible for him to do anything then, but he said that the matter would be considered on a future occasion. Two seats have now been recommended for us on the basis of one seat for every 150,000, but is it not fair to expect three seats since our population is now 450,000? It would be better in future to take the census one year before the next step of reforms is given, so that up-to-date figures may become available to work upon. The present figures are about 10 years old and my community is suffering much on this account because of all the communities our growth has been the most rapid.

Sir, in the course of the speeches delivered, we have heard many arguments for and against various matters and I wish to express my opinion just on two points. In the first place, it will be better for us not to have communal electorates and in the second, no one community should have an absolute majority.

I have almost done, but before I sit down, I would respectfully utter a warning about the spirit of dissension going about in this land. We should do all we can to guard against that spirit entering this chamber. Actuated by the spirit of "ready to contribute the maximum and willing to accept the minimum", let us co-operate and put our shoulders to the wheel.

There are other matters on which I might have spoken, but I do not wish to take up the time of the House, nor is it necessary for me, for, my community has touched on them in their memorandum to the Simon Commission. Before I sit down, however, I feel bound to point out that here we are like the fingers of a hand united and yet separate. Though we are divided, yet against a common enemy we should close the fingers and crush him out of existence.

Lala Kesho Ram, Sekhri : Sir, at the outset I would submit that a very wrong procedure has been adopted in this House. The signatories of the report have taken it upon themselves to give further explanation of all that they have written. It was never expected of them that they should take so much time and discuss these things at so great length. Anyhow if one had started, the other had fallen into the same pit. It is a matter of credit for none. I suppose it would have been much better if the signatories of the majority report had left it alone. I, for one, have got an opportunity to speak just when the House is so thinned down, when the honourable speakers have left. Of course, this discussion has done more harm than good. It would have been much better if the gentleman from Gujranwala had not arrogated to himself the position that he took that he was or rather that he belonged to a community that once ruled this place. I do not know whether he belongs to any Moghul dynasty; it is not known to me, possibly he might belong to.....

Mr. President : The attack is not dignified.

Lala Kesho Ram, Sekhri : Sir, the gentleman is not here (*Laughter*). Anyhow I would not go on with that any further. My contention is that if the criterion is that those who have been the rulers of this place ought to have special privileges, then I suppose it lies very well in the mouth of those who are now ruling the place to say that they must have the lion's share. This is not the criterion, and I suppose the House would not allow this to be a criterion. My submission is that the report has been noticed by the press and with your permission I would submit what the 'Pioneer' says in one of its leading articles about this report. It says :

"The best that can be said about the majority report of the Punjab Reforms Committee is that it is an excellent example of upright and fairly worded and fairly well restrained communal but just as excellent a specimen of muddled speculation and gross ignorance of constitutional theory."

Now, Sir, he is not a Hindu or a Muhammadan or a Sikh but he is a gentleman who has had experience in constitutional theory. Our friends have taken so much time and I suppose some public money has also been wasted, and they have been sitting day in and day out, but they have not been able to come to any good conclusions. What have they done? They have divided the people into watertight compartments. I submit that I hold brief for neither. I feel that the minority has failed in doing its duty in not putting up a better scheme. I feel the majority has failed in many respects. There have been many faults of omission and commission. They have omitted, as I submitted to the Press some time back, to discuss the position of the Governor. When they will have all Ministers of different communities and no officer as a member of the Executive Council, in fact they have done away with the Executive Council, they look up to the Chief Secretary as a very able man who would work as a Secretary of the Cabinet. If that is the case, they also look upon the Indian Civil Service Officer to be their future Governor and I doubt very much whether with the Cabinet as it is, they would ever be able to disagree with him and check his activities. They would always say: so and so is the future Governor, he has got the potentialities of a Governor, let us try to please him.

The Honourable Khan Bahadur Captain Sardar Sikandar Hyat Khan : It mostly depends upon the mentality.

Lala Kesho Ram, Sekhri : Of course. Anyhow when they were giving so many powers to the Governor it was becoming of the majority to go into this question more thoroughly and they should have at least thought whether it would not be much better if they had suggested that a man of parliamentary experience should be the Governor. Anyhow this question was left out. At page 48, paragraph 101, it is said :

"On examination it will be found that those powers are so extensive and complete that they fully cover all the various spheres of administration in the province, and contain adequate provision for safeguarding the interests of minorities, if and when necessary".

The Honourable Khan Bahadur Captain Sardar Sikandar Hyat Khan : Because the minorities wanted these interests to be safeguarded.

Lala Kesho Ram, Sekhri : I would submit that at the same time the Governor is the agent of the Governor General in Council. Now, what have the signatories of this report done? They have done away with the cabinet, they have done away with the cabinet of the central government.....

The Honourable Khan Bahadur Captain Sardar Sikandar Hyat Khan : There is a cabinet in the central government.

Lala Kesho Ram, Sekhri : The executive members do constitute a cabinet, and the Governor-General functions through the cabinet. Then the Governor-General would function through a Governor with whom all the powers would rest. Now, there is a cabinet in the central government and the Governor-General consults the cabinet.

The Honourable Khan Bahadur Captain Sardar Sikandar Hyat Khan : Not in all matters.

Lala Kesho Ram, Sekhri : In matters of public importance he has to discuss with them, though they cannot approve or disapprove of the action taken by the Governor-General. If I remember aright, in the martial law days, the Governor-General did consult. Now, what will happen according to your scheme. All the residuary powers are to rest with the Governor and the Governor is the agent of the Governor-General. What is the position? The residuary powers are with the Governor. You make him the supreme head and you make him the agent of the Governor-General. These are matters which require elucidation and still I have got the satisfaction that after me, I shall have one of the signatories to explain the matters more fully.

Now, Sir, the rural constituencies have been allowed to stay. This was a problem before the committee, whether the rural and urban question was to go on or whether they should bring it to a finish somehow or other. And what have they done? They should have found out a solution for it. They should have found out that the constituencies should be on territorial lines in a manner that, no question of urban and rural would arise. They should have been able to find out how best to solve this problem. But what have they done? You find this report absolutely silent, if not silent, at least it does not give any useful solution towards the solving of this problem.

Now, Sir, there is one thing that I believe the majority report was right in. When I say this, I speak on behalf of myself and I do not think I have any right to speak on behalf of my party—for that is the business of the leader or the deputy leader—I agree with the majority report that law and order should be transferred. When you have provincial autonomy it does not look nice that those persons who are responsible for the government of the province should be deprived of a subject like law and order. They must have the subject under their control and it is for them to administer it.

I, for one, do not agree with the minority report also as to the need for a second chamber (*hear, hear*). I do not want a second chamber. I suppose it is much better for us if there is a majority to govern the province. What useful purpose will the second chamber serve? My submission is that the second chamber is unnecessary and I, for one, am not in favour of it.

I would submit further that so far as separate electorates are concerned I join issue with them. The time has come now for us to realize — we have seen at least three councils with separate electorates — that they have done more harm than good. If I may be permitted to make the statement, I would submit that these councils are, if not solely, mainly responsible for these communal riots. You find that communal riots generally come in about the election time. We create that atmosphere when we go to the electors. If I am a Hindu, I say I am the most bigoted Hindu and that no Muhammadan should be allowed to live in this country and I will try to kill as many of them as possible. The same will be the mentality of a Muhammadan. *(Interruption.)* Let me tell the truth and the plain truth. You must be knowing it for yourself what you are actually doing.

Pir Akbar Ali : Say we actually do so.

Lala Kesho Ram, Sekhri : Possibly I do that as well. But Shaikh Din Muhammad told the same thing the other day. Did you have then the courage to contradict him ?

Pir Akbar Ali : Yes, I contradicted him and Dr. Gokul Chand, Narang also did.

Lala Kesho Ram, Sekhri : My submission is that I have found that it is only about the time of the elections that these communal riots come into existence and I would say that we are the persons mainly responsible for them. Sometimes we say that the Government is concerned in it. It may or may not be so, but we are the persons who are responsible for bringing about these communal riots. The committee should have found out that separate electorates were not wanted any further.

It pains me also to see that the majority community wants protection. By all means assure them of a majority ; let them come by joint electorates and rule the province. We do not grudge them that. But as Muhammadans, as representatives of the Musalmans of that mentality which was shown by the gentleman from Gujranwala, I submit they have no right. Sardar Ujjal Singh in his dissenting note has described their attitude well and says that the motive of these gentlemen is none other than the grabbing of absolute power untrammelled by any influence or obligation to any other community. Otherwise we know of no principle which is recognised to be respectable and reputable whereby a majority community insists on separate electorates based upon religious distinction. At least I expected Rai Sahib Chaudhri Chhotu Ram to rise to the occasion and counsel his friends of the unwisdom of separate electorates. But even he I suppose discovered that his party members were not willing to see eye to eye with him and that it was better to leave things alone.

So far as the services are concerned it is a moot point. It is only the services that make a minister popular or unpopular. If a particular Minister appoints men of his community to posts under Government then the other communities feel that their interests are at stake in the hands of that Minister. In order to avoid this difficulty a Public Services Commission composed of the members of all the communities should be appointed for regulating and

[Lala Kesho Ram, Sekhri:]

determining the appointments, promotions and dismissals in the various services. It is only then that the Ministers can say that they have nothing to do with these appointments. Otherwise if a Mussalman is in charge of the department, the non-Muslims will say that their interests are not safeguarded and if a non-Muslim is in charge the Muslims will say that their interests are not safeguarded.

At page 60 of the report it is stated :

"In some quarters a demand has been put forward for the inclusion in the new constitution of some clause which would prevent a majority in any of the bodies above enumerated from using their strength for the enactment of any measure that is likely to amount to a trespass upon the legitimate rights of a minority relating to their culture, religion, language, personal laws, endowments, food-stuffs, etc."

I have not been able to follow what this etc., means in a constitutional document. The suggestion is this. No legislature, central or provincial, should pass any enactment affecting any of these matters without the assent of two-thirds of the members of the community to be affected by such a measure. No measure, no social reform measure, can be taken up unless two-thirds of the members of the community agree to it. Do I understand that the European and the Anglo-Indian communities represented by one of the signatories to the report will have even more power than the Governor to say that no such measure shall come up before the Council to discuss social reform? Is it in his power to veto it? Is it in the power of Mr. Maya Das, the only representative of his community, to say of any social reform measure that it affects his community and that as two-thirds of the members representing his community (he being the only member) object to it, it should not be brought forward? Then there can be no social reform. This constitutional principle is unknown to law. If that be the case the Sarda Bill would not have been brought forward. One of the members would exercise a power comparable only with that of the Governor.

The Honourable Khan Bahadur Captain Sardar Sikandar Hyat Khan : If you want you may take it out ; it was put in only in the interest of the minority communities.

Lala Kesho Ram, Sekhri : Sir, this report recommends the taking away of all the powers from the central government and vesting them in the provincial government.

Mr. President : That is a repetition of the arguments advanced by some other honourable members.

Lala Kesho Ram, Sekhri : I suppose, Sir, I have got my own way of doing things.

Mr. President : The honourable member is not entitled to repeat the arguments of the previous speakers.

Lala Kesho Ram, Sekhri : I neither repeat the speech nor the substance of it, Sir, I only criticise the policy. I do not remember who has said what I am going to say.

Mr. President : The honourable member may or may not know. I hope he will respect the rules of the House.

Lala Kesho Ram, Sekhri: I have always done that, Sir. It is Parliament that has to allot the powers to the central government and to the provincial government. But sitting comfortably in this hall, how did you think it much better to deprive the central government of the powers that have been given to them under the Act? How can you do it? The central government would think twice before handing over these powers to you. This has been aptly put by the "Pioneer" as follows:

"There must necessarily be a large measure of decentralisation by the Central Government but this decentralisation has not yet affected the essential unitary nature of the present form of Indian government. The problem in the future is how much shall be surrendered by the central government to the provincial governments, and in view of the disruptive forces which undoubtedly exist, and have existed in the past history of India, it would demand a considerable blindness to facts and reality to justify the sweeping away of a strong central government. Federalism according to the Punjab quartet would give the provinces all residuary powers. It is not contemplated, however at the present moment to alter the powers of the Governor-General, it is only suggested that they should be exercised not through the cabinet of the central government, but through autocratic governor. It is impossible to understand what precisely is meant by this muddled allocation of functions. The provinces are to have residuary powers, but the Governors as agents of the Governor-General, are to be practically supreme. Surely the truth is that Mr. Owen Roberts and his friends cannot visualise at present how they can secure a communal majority in the central government and so they are asking for a bastard federalism, the real purpose of which would not deceive a child."

The paper says further:

"In the words of the two Hindu representatives the majority want communal plebiscites, communal representation in the legislatures, one-third Moslem representation in the central legislature, the introduction of reforms in Baluchistan and the Frontier provinces and the creation of Sindh into a separate province. They do not desire the introduction of responsible government in the central legislature, either to precede or even to synchronise with provincial autonomy." We are not primarily concerned with the ordinary communal objections which will be raised to these proposals. Our primary concern is to express sorrow that there should be found in this stage of India's political evolution three Indians and a European who can be so short-sighted as to believe that a scheme of this sort will be acceptable to the majority of their countrymen and who seem to think that all their platitudes about self-government and the desire for further reforms will blind any intelligent observer as to their real aims."

With these words I resume my seat.

Shaikh Muhammad Sadiq: [Amritsar City (Muhammadan), Urban]: Sir, when the question of the appointment of the Committee came up here, I was rather diffident as to what these gentlemen would do. I knew that it would be no thing but the churning of water. But, Sir, it is worse, for it is not the churning of water, it is the churning of mud and muck. During the last three days what has been happening here other than mud slinging? The speeches that have been made here will make the situation in the province worse than it is. After the coolness of Simla one should have thought that the same coolness would pervade here in the Punjab. But instead of peace and goodwill among men we find them abusing each other, making the atmosphere worse than ever before. My learned friend opposite (Dr. Gokul Chaudhary, Narang) stated that though he was abused and strong words were used against him, he agreed to work on the Committee simply because he did not like that the future generations should blame

[Sh. Muhammad Sadiq.]

him for not putting forward his community's point of view. I can assure him that after the mentality he has exhibited in his speech, the opinion of the future generation will not be different from the opinion at present held about him. The minority report is the greatest blunder. Sir, a man has a right to express his opinion but he has no right to change his opinion every five months. He should not be like a weather-cock changing its direction according to the wind. Politics are substantial things and the politician who expresses his opinion should stick to it. The opinion the learned Doctor expressed in his minority report is absolutely different from that expressed in his speech in this house.

Lala Kesho Ram, Sekhri : But consistency is no virtue in politics. *(Laughter.)*

Shaikh Muhammad Sadiq : You express your political opinion to-day. To-morrow you find adverse wind blowing and you change your opinion accordingly. We are not going to be treated like children. We want our leaders to be responsible, we want their opinions to be responsible, and they should give their opinions after mature consideration.

Sir, the question of Muslim majority has been hanging heavily on my honourable friend's mind. But it is rather strange that so many educated people, so many lawyers have called the Muhammadan community a majority community, while allotting them a minority of votes. Our Hindu and Sikh friends want to arrange electorates in such a manner as to reduce the Muslim majority into a minority. They say they want to have democracy, but taking the power from white men and giving it to ten per cent. brown men is not democracy. It is moc(k)raey—mocking the public, mocking democracy, taking away the power from white men and handing it over to a bureaucracy of ten per cent. of the population. My learned friend the Doctor Sabib from Lahore and Rawalpindi and Raja Narendra Nath of London want democracy, but a democracy which is the creation of their own mind, not following any of the principles on which it is based in other parts of the world. They say it should not be lower than in the neighbouring provinces. We expected of them to give their own opinion, but they say it should not be lower than other provinces. Why should you follow what the other provinces say or do?

The next thing is that they want to follow the present system of having an official block. They were all the time abusing the present bureaucratic system and now being the present favourite wife they do not want to be out-done by the first wife and want official block *(laughter)*. What do the officials say? They say there is not much difference in the mentality of the man who pays Rs. 25 land revenue and the man who pays Rs. 5. Sir Malcolm Hailey also says that there is nothing to choose between the man paying Rs. 25 and the man paying Rs. 5. But for the sake of unwieldiness of the constituencies they will not reduce the qualification. They admit that there is no difference. If there is no difference, why do you not extend franchise to the man paying Rs. 5? The object is to bring the level lower and lower, so that there should be true democracy as it exists in England, France and other parts of the civilised world by giving power to the people of the country. Our friends do not agree to lower the franchise,

while they wish to impose joint electorate on Muhammadans. But we Mussulmans will never accept joint electorates unless our voting strength is in proportion to our population. Why is it unwieldy? We are at present spending say five lakhs, let us spend 10 lakhs. There is no question of unwieldiness. England with a population of 40 millions has about 700 members. Let us with a population of 22 millions have 800 members. There is no question of unwieldiness. If England can arrange, we can also do so. Under the Gurdwara Act every Sikh has a vote, but Sardar Ujjal Singh will not allow all Punjabis to vote for the Punjab Council. They will not give them the training, and yet they cry for democracy. Let them be sincere.

Ninety-nine per cent. of the members of my constituency in Amritsar are for separate electorates, but I do not say they are wedded to separate electorates. We can coax them to agree to joint electorate if it is necessary provided the other communities show sweet mentality to co-operate with the Muhammadans in other respects by guaranteeing their rights and privileges.

Then, Sir, what does Dr. Gokul Chand want? He says that there should be one-hundred and fifty seats, of whom twenty-five at least should be the official block. In other words he says, "I used to be against them, but now that they are going away I cannot bear the thought of their leaving us" (*laughter*). I could not believe my eyes when I read that recommendation in the report. Just imagine Dr. Gokul Chand wanting the official block of twenty-five to be kept on, whilst as Swarajist leader in this House he used vehemently to condemn it. Then out of the remaining one-hundred and twenty-five, he wants twenty-four special seats; he wants four seats for commerce, four for industries, and so on; then why not two sweepers, four Arains, three Lohars, three chamars, and four Bhabunjas etc., (*laughter*). Let him include every profession like this and there will be nothing left to distinguish between Hindus and Muhammadans. That is his idea of democracy. (*Laughter*.) Why does he not try to make the Hindus and Sikhs and Muhammadans unite and say: We want the Nehru report?"

If instead of producing his own concoction he had stuck to the Nehru Report which has been accepted by the Mahasabha, I would have certainly believed in his sincerity.

Dr. Gokul Chand, Narang: My note is as near the Nehru report as anything possibly can be.

Shaikh Muhammad Sadiq: As near as east is to west and as near as north is to south. I know that nearness—as near as you are to me. (*Laughter*). Does the Nehru report say that there should be four seats for commerce, four for industries, two for women and four for depressed classes? Next time he will say that all the members will be nominated by His Excellency the Governor (*laughter*). They will come to that by and by. That is not democracy. If he had come up courageously before us and said that the Hindu Mahasabha and all the Sabhas will not budge an inch from the Nehru report and if the Muhammadans did not want the Nehru report

[Sh. Muhammad Sadiq.]

then Hindus will fight to the finish in support of that report. This statement would have produced a great effect. But, Sir, he has cooked in his own *handi*, (a pot) (*laughter*). He has cooked his *bara masala* on one side and *lummasala* on the other. Compare his minority report with the motions he has brought forward today.

Then, Sir, Raja Narendra Nath and Dr. Narang say that the Police should be a central subject, but in the list of motions which I had thrown away as waste paper, Dr. Gokul Chand says that it should not be like that. He says that the security subjects should be entrusted to a Board consisting of a Hindu, a Sikh, a Mussalman, a member of the cabinet and an official. He forgets the first elements of constitutional law. To whom will this board be responsible, may I ask? Government cannot be run in this *mazakia* fashion (*laughter*). There may be a section.....

Dr. Gokul Chand, Narang : That is a suggestion of your Musalman brothers.

Shaikh Muhammad Sadiq : If a Musalman brother is foolish I do not care. I will send him to the lunatic asylum, I will not send him anywhere else (*laughter*).

Then, Sir, new people come into politics and express such peculiar views. Yesterday Mr. Din Muhammad said that Musalmans are a different nation. How can a community be a nation?

Dr. Gokul Chand, Narang : He is older in politics than you are, and he is a Martial Law prisoner.

Shaikh Muhammad Sadiq : And so are you (*laughter*). I find that Martial Law prisoners are the worst of the lot. Either they were arrested by a foolish Government for things they never did and thus were unfortunately foisted on us as our leaders or they have now deteriorated from their high ideals.

So I say that if we can join together we can find a solution of this problem. It is immaterial to me whether one community has the ninety-nine per cent. of the seats in the Council or another community has the ninety-nine per cent. of the seats. But I can assure you that if all the communities meet together in a reasonable spirit, a solution can be found of this difficulty. The Sikhs ruled this province for about forty years. What has been the result now? They could not continue the rule for any length of time. So, my contention is that no particular community can rule the country for any length of time. If we are to have a lasting government, all communities should join together and evolve a constitution suitable for the country. If we meet in that reasonable spirit, the Muhammadans will be only too willing to give even more than the other communities deserve. Instead of that, if we have such motions by Dr. Gokul Chand as we have in this printed list, what happens? It only creates distrust among us. It would have been better if the Doctor Sahib had not sent in these motions. As I said, no community can rule this province or that for five years, nay, not even for five minutes without the co-operation of others. What is, then, the use of self-government where any community is to be excluded? Any constitution that is framed must be acceptable to all the communities

DISCUSSION ON THE REPORT OF THE PUNJAB REFORMS COMMITTEE 237
AND ON THE MEMORANDA OF THE PUNJAB GOVERNMENT
TO THE INDIAN STATUTORY COMMISSION.

and interests, whether they are in a minority or a majority. So we must only accept an agreed constitution and that can only be framed by us.

Now, we have got the Punjab Government memoranda, the report of the majority party of the Provincial Committee, the minority reports, the conflicting views of this Council and the memoranda supplied by various non-officials outside this Council. To which of the proposals contained in these documents can the Simon Commission give support? They must certainly feel perplexed and may not be able to recommend any forward step for this province. I would, therefore, appeal to you and through you to the House not to forward our debates in this Council to the Simon Commission. They will only laugh when they see the debates. They will laugh at the fact that we cannot come to some common understanding, that we are unable to patch up our differences. Then they will begin to dictate their own constitution which may not be acceptable to us. What is the use of such a constitution? I would much better have our own home made constitution than a constitution prepared in England for us. We do not want a constitution prepared by the Englishmen, who do not understand our local conditions. I would, therefore, appeal to the members here to join together and prepare a scheme of provincial autonomy or central autonomy or whatever that may be. If we do that and present our scheme to the British Parliament, I am sure our claim will be very strong and Parliament cannot refuse our demands. If we do not do that, we will be only playing into the hands of the bureaucracy which will be detrimental to our interests. After all, our differences are due to the mentalities of the various communities. If we begin to trust one another, all our differences can be easily settled. It may be said that our interests are different. But we fail to recognise that the interests of the one is merged in the interests of the other. In the urban interests rural interests are intertwined. In the rural interests are merged urban interests. It is therefore plain that if both the urban and rural interests do not co-operate there is no hope. My honourable friend said, that if provincial autonomy is given for the Punjab the Hindus will be crushed by the Muhammadans. The Muhammadans of other provinces might equally say that they will be crushed by the Hindus. Thus by denying self-government to the Punjab you will be depriving the whole of India of self-government. Do you think that the British will grant self-government to Bombay and not to Punjab? No. If self-government is given it must be for all the provinces of India and not for one or two provinces only. It is said that if self-government is given to the Punjab, then it will be Muslim Raj. But you do not consider that the Hindus form seventy-five per cent. of the population of India. The Hindus will always form a permanent majority and so it will be Hindu Raj. I therefore appeal to you not to raise this bogey of Muslim Raj or Hindu Raj. Let it be Indian Raj where all communities participate in the administration.

So, I will ask you to come forward and ask the Punjab Government not to forward our speeches to the Simon Commission. Let all the speeches delivered here be forgotten. Let us forget the speech of Mr. Din Muhammad and let us forget the speech of Dr. Gokul Chand, Narang. I wish that these

[Sh. Muhammad Sadiq.]

speeches are not read by the Simon Commission. It will only show our slavish mentality and not our wider outlook.

Let us all meet in a conference like reasonable men, not for abusing one another, but for evolving the idea of give and take. I am sure the Punjabis are not fools to play into the hands of mischievous people. We, Muslims, Sikhs and Hindus want self-government not to oust the Englishmen, but because liberty is our birthright. We want self-government simply for the sake of liberty, not that we are against any nation nor against the Englishmen. Really sensible people will frame a constitution which will be acceptable to all and which will be possible of being carried out. (Cheers).

Rai Sahib Chaudhri Chhotu Ram [(South-East) Rohtak (Non-Muhammadan) Rural]: Sir, I am very sorry that after the eloquent appeal of the honourable member representing the urban Moslem constituency of Amritsar, I should have to revert to a subject which would be painful

Mr. President: The honourable member need not revert to such a subject.

Rai Sahib Chaudhri Chhotu Ram: It is a very sound advice, Sir, but I am sorry I cannot act up to it. The remarks have been provoked by an attack which was made by an honourable member of this House upon me personally and upon the policy which I followed in the past and which I have been following up till now. Therefore, in the very nature of things it becomes very very difficult for me to avoid referring to what is really disagreeable.

Mr. President: A reply to these attacks will further embitter the feelings of the members of the House. I think the Honourable Rai Sahib may avoid giving any reply at all.

Rai Sahib Chaudhri Chhotu Ram: I will try to be as calm, as cool and as unoffending

Mr. President: The honourable member should not only be calm and cool but also pleasant and if possible sweet. I may also tell the honourable member that after ten minutes the House will be adjourned.

Rai Sahib Chaudhri Chhotu Ram: In that case, I need not begin at all.

Mr. President: It is enough that the honourable member has expressed his readiness to meet those attacks. He need not actually meet them.

Chaudhri Duli Chand: The views of the Hindu zamindars have not been explained.

Mr. President: Please do not reply to the attacks, but discuss the report from the rural point of view.

Rai Sahib Chaudhri Chhotu Ram: I will try to be as brief as possible, but I cannot refrain from replying to what has been said against me. Dr. Gokal Chand, Narang, has always been the cause of unpleasant scenes in this House. I cannot recollect a single session in which he has not started either a communal topic or a personal attack on somebody. When

DISCUSSION ON THE REPORT OF THE PUNJAB REFORMS COMMITTEE 289
AND ON THE MEMORANDA OF THE PUNJAB GOVERNMENT
TO THE INDIAN STATUTORY COMMISSION.

he talks to me privately he is very agreeable, very pleasant, very nice, almost alluring. But when he gets up in this House, he comes out with his venomous attacks. It is very difficult for me to understand his mentality.

The Honourable Khan Bahadur Captain Sardar Sikandar Hyat Khan : May I remind you, Sir, about the announcement which you made that if after 5 o'clock members would like to speak and if the House agreed, you will extend the time from 5 to 6 o'clock.

Mr. President : That point may be raised at 5 o'clock.

Rai Sahib Chaudhri Chhotu Ram : I was saying, Sir, that it is very difficult for me to reconcile the mentality of Dr. Gokul Chand, Narang, as exhibited in private and his mentality as exhibited in this House.

Dr. Gokul Chand, Narang : Official capacity and private capacity.

Rai Sahib Chaudhri Chhotu Ram : Well, I do not like to be interrupted. Interruptions only mean longer time, and I would request the Chair to prevent these interruptions.

Mr. President : There should be no interruptions and side remarks.

Rai Sahib Chaudhri Chhotu Ram : Dr. Gokul Chand, Narang, brought forward a charge that selfish motives and prospects of personal gain had induced me to put my signature to the Majority Report. I think there is no one in this House who knows better than Dr. Gokul Chand, Narang, himself that I am not likely to be influenced by prospects of personal gain. In July 1926, he made a definite offer to me in the name of the Hindu community after consultation with Hindu leaders that they would see that I was returned to the Council unopposed and that I should be re-appointed Minister with the unanimous support of the Hindu community, provided I accepted the leadership of the Hindu community as a Hindu and gave up my cult of zamindar as against the non-zamindar. And he also told me that I might name any other price which would satisfy me. I told him curtly that my principles had no price.

Mr. Labh Singh : Is the honourable member discussing the Report ?

Rai Sahib Chaudhri Chhotu Ram : I am replying to the charge of selfish motives raised against me.

Lala Kesho Ram, Sekhri : Is the honourable member entitled to cast aspersions against another honourable member and on himself that he was being sold and that a price was offered.

Mr. President : There is another aspect of the question. If the statements made by the honourable member are contradicted there might be unpleasantness.

Dr. Gokul Chand, Narang : At the end, Sir, these statements will create a wrong impression that they were made and were not contradicted. They require explanations which I am prepared to give. I never thought that Chaudhri Chhotu Ram would make public use of the private talk with me in the manner in which the talk did not take place.

Mr. President : Private conversation should not be brought in.

Rai Sahib Chaudhri Chhotu Ram : An offer was made after consultation with the leading members of the Hindu community.....

Dr. Gokul Chand, Narang : I never made him an offer. I never told him that I was speaking after having consulted the party. That is entirely wrong.

Rai Sahib Chaudhri Chhotu Ram : My honourable friend definitely told me that he had consulted the leading members of the Hindu community.

Lala Kesho Ram, Sekhri : I was never consulted, Sir.

Mr. President : Order, order. It is for this reason that I would advise the honourable member not to bring in any private conversation which is liable to be contradicted. If he possesses any document he might read it.

Rai Sahib Chaudhri Chhotu Ram : The contradiction came too late, as a result of an afterthought.

Dr. Gokul Chand, Narang : There was no need for a second thought. The Honourable President ruled out that no contradictions or even side remarks were allowed.

Mr. President : I presume the learned Doctor knows parliamentary procedure well and will not interrupt the honourable member who is in possession of the House. I have told him not to bring in any private conversation which is liable to be contradicted.

Rai Sahib Chaudhri Chhotu Ram : I would not say anything more about it. However, if Dr. Gokul Chand, Narang, has taken the least trouble to get himself acquainted with the politics of the various parts of this province, as I expected he had been doing, he ought to have known that my attitude in political matters never coincided with his attitude. I am not a communal minded person. I am a pure zamindar. I do not stand either for Hindu rights or for Muslim rights. I stand for the rights of zamindars. I have been fighting for this cause for the last 15 or 20 years and I will continue to fight for this cause until I die. I have fought for this cause, I have suffered for this cause and I have full faith that I will win a victory in the end. Some honourable members said that I put my signature to this report on account of selfish motives. After all, when you examine the report to which I have put my signature, you will find that the views contained in the report coincide essentially with the views I have been expressing as a Member of this Council, both privately and publicly.

Now, I will proceed to reply briefly to a few points in the Majority Report to which exception has been taken. Perhaps as I have to be brief my remarks may sound dogmatic. But in the interests of brevity I shall prefer to be dogmatic rather than to take one unnecessary minute of the House. My friend said yesterday or the day before that there was no amount of a spirit of conciliation lacking on the part of Dr. Gokul Chand, Narang, in order to arrive at a unanimous decision. May I point out the type of the spirit of conciliation that he showed. He gave an exhibition of that spirit.

Dr. Gokul Chand, Narang : I again object to this, Sir. He is probably going to relate something which might have transpired at some

meeting of our Committee. I leave it to you whether he is in order in referring to the proceedings of the committee.

Rai Sahib Chaudhri Chhotu Ram : He made reference to the spirit of conciliation which he showed while he was working as a member of that Committee.

Mr. President : The honourable member should not disclose what took place at the meetings of the Reforms Committee.

Rai Sahib Chaudhri Chhotu Ram : Sir, he made a definite statement that in spite of all the spirit of conciliation on his part.....

Mr. President : Was that statement taken down in writing?

Rai Sahib Chaudhri Chhotu Ram : He made that statement here in the House in his speech that the maximum spirit of conciliation was exhibited on his part and that he was very sorry that in spite of that spirit no unanimity was possible. I will just point out the type of spirit exhibited by him. It was of the same nature as he exhibited here when he questioned Chaudhri Zafrullah Khan: What are your views on the subject of joint electorates with reservation of seats? Exactly the same spirit was there. "Are you prepared to give up separate electorates? What do you think about the infernal resolution of 1919 about services? Are you prepared to give it up? Are you prepared to have the Land Alienation Act repealed? These things seem to stand in the way of a unanimous decision being arrived at. Are you prepared to give them up?" Apart from questions like those, he never put forward anything to help a unanimous decision. It was all 'take' and no 'give'. That was the kind of conciliatory spirit which he exhibited while he was on the Committee and he gave a specimen of the same spirit when my honourable friend Chaudhri Zafrullah Khan was speaking by asking him what his views were on the subject of joint electorates with reservation of seats without himself touching the subject.

I will now make a reference to the question of the powers of interference to be given to the Central Government. This question was made the subject of great grievance by my honourable friend, Dr. Gokul Chand. 'They want provincial autonomy in the Punjab and yet they would deprive the Central Government of all powers of interference or supervision or control' that was his criticism. As a matter of fact, that is not the recommendation made in the majority report. In the majority report definite conditions of gravity have been specified under which alone the Governor-General could interfere. Now that is one thing and what my friend suggests in his criticism is another. What my honourable friend really wishes is that the Central Government ought to have the power of interfering, supervising, controlling and guiding every department of the provincial government. That, of course, we have not agreed to. We are definitely opposed to any such power of interference.

Mr. President : How many minutes more will the honourable member take to finish his speech?

Rai Sahib Chaudhri Chhotu Ram : Another 20 minutes.

Sayad Muhammad Husain : Will the honourable President give the rural members an opportunity of having their say ?

Mr. President : Rai Sahib Chaudhri Chhotu Ram is in possession of the House, and, as he has a personal explanation to make, he is entitled to the indulgence of the House for a few minutes more.

The Honourable Khan Bahadur Captain Sardar Sikandar Hyat Khan : Is it the idea, then, that the House will stand adjourned soon after the honourable member finishes his speech ?

Mr. President : I should think so.

Rai Sahib Chaudhri Chhotu Ram : I was speaking of the general powers of interference and control which my honourable friend proposed for the Central Government. I will just mention some of the main considerations which influenced the attitude of the majority members. I am not going to repeat the arguments which have already been put forward by Chaudhri Zafrullah Khan. I am only going to supplement them. One very important consideration which led us to make that recommendation was the position which the Indian States took in the matter. That the Central Government should not, except under well-defined circumstances of gravity, have any powers of interference, was the view they took in this matter. They are independent sovereign states more or less of the same nature, as Dr. Gokul Chand claims were in existence in the United States of America before the federation came. They cover an area of about two-fifths of the whole country. How can you ignore them ? Unless you lay it down definitely that except under specified conditions, the Central Government would have no right of controlling or interfering with the administration of local Governments these States will never come in. Is it desirable, is it politic, is it in the country's interests that the door to admission of the Indian States should be closed altogether ? Unless you guarantee to them that they will not be interfered with, that no attempt will be made to interfere in their internal administration, they will not agree to come in. That was one principal consideration which weighed with us. The other consideration was that, after all, the Central Government was bound to be influenced by the Legislative Assembly. On the Legislative Assembly there is bound to be a preponderance of members from Madras, Bengal and the United Provinces. These three provinces taken together form, I think, about 50 per cent. of the total population. Bengal has about 6.5 crores, United Provinces, 4.5 and Madras, 4.5. On the whole this means over 15 crores. Thus these three provinces contain, roughly speaking, half the population of India. And population, though not the sole factor in determining the share of the various provinces for representation on the Assembly, will be an important factor. And I think that a very large proportion of the members of the Assembly will be drawn from these provinces. Are we going to be governed in the internal administration of our province in accordance with a policy which will be laid down by the Central Government influenced by the Legislative Assembly so composed ? There are many occasions on which the interests of the several provinces come into conflict. Naturally, Madras, United Provinces and Bengal will be able to carry everything before them. That would be hardly desirable from a provincial point of view and naturally that consideration weighed with us. There were also other

reasons which have been advanced already by Chaudhri Zafrullah Khan and I need not repeat them.

I should like, then, to make a reference to the desire of the honourable Member from Rawalpindi, Dr. Gokul Chand, that certain clauses relating to fundamental rights should be incorporated in the constitution. Apart from the difficulty of incorporating them in the constitution itself, I look upon these clauses with some suspicion. They are very beautifully worded, but under the beautiful phraseology, there is concealed a sinister design, to have the Land Alienation Act repealed, to have the Government resolution of 1919 repealed and to have all the land laws or customary laws which now operate in favour of the poor agricultural classes also repealed. If my honourable friend says that this is not their object, and if he agrees to a proviso that these clauses shall not be deemed to effect such existing legislation as the Land Alienation Act, the Pre-emption Act, the customary laws of the Punjab and the Government resolution of 1919, I will be quite willing to have the clauses incorporated in the constitution and I undertake to do my best to induce my other colleagues also to agree to it. Is my honourable friend prepared to accept my suggestion? (*Dr. Gokul Chand, Narang*: That is from the Nehru Committee's Report. Ask them.) Sir, let us discuss what is before us and not the Nehru Report. My honourable friend suggests the inclusion of these clauses and my suspicion is that the clauses are meant to lay the axe at the root of all the laws and the executive instructions which we think are necessary for the safeguarding of the zamindars. If that suspicion is dispelled, if that doubt is removed, perhaps the clauses will be agreed to and I shall see that there is no opposition to them so far as we are concerned. Subject to such a proviso as the one I have indicated, we are prepared to subscribe to the clauses.

Then, I come to my note with regard to communal distribution of seats. I propose that half and half should be the proportion between Muslims and non-Muslims. An even number for this purpose should be fixed, and we should try to stick to the Lucknow pact. But if an odd number is decided upon, then the extra seat should go to Muslims rather than to non-Muslims. That has been my view and I stand by it. I am prepared to demonstrate the justice of it. So far as the first proposal is concerned, namely, the proportion of half and half, that was agreed to in 1916 by men of undoubted patriotism like Gokhale and Tilak, men of greater political vision than either Dr. Gokul Chand or I can claim to be. I have proposed that that pact should be adhered to, but if, by the fixing of an odd number as the total number of seats in the Council that becomes impossible and an extra seat is left, it must go to Muslims. For, I consider that a community which comprises 55 per cent. of the population should have that extra seat. That is certainly more just than that extra seat should go to non-Muslims. (*Dr. Gokul Chand Narang*: Why an odd number be chosen at all? Why not insist on an even number?) By all means, I would prefer to have an even number. But if by any means that is not to be, I make the alternative suggestion. Anyway, that is my position, I stick to it and I am prepared to vindicate it. I think it would be most unjust, most unfair and almost a dishonest attitude

[R. S. Ch. Chhotu Ram.]

to take, that the extra seat should go to a class which is only 45 per cent. of the population. I may also draw the attention of the House to a resolution which was passed at Madras in a session of the Congress, I think in 1927, recognising the justice of the formula that no majority should be reduced to a minority. So far as the question of distribution of seats by half and half is concerned, the question of reducing any majority to minority does not arise. But as soon as you give an extra seat to 45 per cent. of the population, you reduce the majority to a minority. That was a proposal which was agreed to by the Congress, by people who may reasonably be admitted to be less communal in mentality and more just minded than we are here in this Council Chamber and it should not be objected to by Dr. Gokul Chand.

Dr. Gokul Chand, Narang : Question.

Rai Sahib Chaudhri Chhotu Ram : Do you question the correctness of the statement that the Congress people adopted the formula or do you question the superiority of their wisdom ?

Dr. Gokul Chand, Narang : No, not the superiority of their wisdom but I question the accuracy of the statement.

Rai Sahib Chaudhri Chhotu Ram : Then, Sir, there was a good deal of hot discussion as to the fact whether the Sikhs were a separate community or only a part and parcel of the Hindu community. I recognize that there is a close social, racial and even religious affinity between the two communities, but it is not practical politics to say that the Sikhs do not form a separate community at present. They may have been part and parcel of the Hindu community—(Dr. Gokul Chand, Narang : As the Muslims were)—years and years ago, but at present they form a distinct community. They have been recognized as a distinct community and there is no use saying that they really are a part and parcel of the Hindus. Sikhs have been recognised as a separate community and they must have some definite share of the seats and the question arises what that share should be. Sikhs form 11 per cent. of the population. As a minority community they are entitled to a certain weightage. What should be the extent of that weightage ? What, again, should be the effect of this weightage on the share of the other communities, Hindus and Muslims ? Now, any weightage that is given to the Sikhs must come out of the share either of the Hindus or of the Muslims.

Lala Gopal Das : Why not form that from the share of both of these communities ? (Hear, hear).

Rai Sahib Chaudhri Chhotu Ram : Quite so, either from the share of either or of both. One seat has been given to the Europeans and Anglo-Indians. You cannot reduce it any further. Two seats have been given to Indian Christians and in this, we have proceeded on the assumption that for every 1,50,000 persons there should be one seat. The population of Indian Christians is just over three lakhs. So, you cannot reduce the number of Indian Christians any further. You must, therefore, take this weightage out of the share of the Hindus or of Muslims or of both. If you take anything out of the share of the Muslims then they are at once reduced to a minority. (A voice : How ?). Take one of their seats and they are reduced to a minority.

Lala Kesho Ram, Sekhri : They will still be in a majority over any single community.

Rai Sahib Chaudhri Chhotu Ram : If you take one seat out of the share of Muslims they are at once reduced to a position of minority as against the remaining communities. So according to that formula, if it is a just formula, and I believe it is a just formula, you cannot take anything more out of the share of Muslims. It, therefore, only remains for the Hindus to give something out of their share. Personally I would be prepared to make a present of 4 or 5 more seats out of the share of the Hindus because I know that these 4 or 5 seats are sure to be captured by zamindars while if they are left with the Hindus more than half of them may be captured by non-zamindars like Dr. Gokul Chand Narang, Mr. Labh Singh and Lala Sawak Ram. After all it is more or less a sentimental argument, and my proposal may be regarded as a sporting offer. We have to go by definite rules and principles. Hindus are in themselves a minority and will the Sikhs consider it a fair thing to ask the Hindus to make to them such a large surrender of their share? Would they like it? Would it be proper for them to ask for such a surrender?

Dr. Gokul Chand, Narang : They have not made any such proposal.

Rai Sahib Chaudhri Chhotu Ram : That is another story.

Mr. President : Has the honourable member finished?

Rai Sahib Chaudhri Chhotu Ram : I do not know whether. I have taken 20 minutes.

Mr. President : He has already spoken for more than half an hour.

Rai Sahib Chaudhri Chhotu Ram : How many more minutes have I? I shall try to compress my remarks within that time.

Mr. President : Will the honourable member now wind up his speech?

Rai Sahib Chaudhri Chhotu Ram : Now, I will draw the attention of the House to one thing more. My honourable friend Dr. Gokul Chand, Narang, drew a frightful picture of Muslim raj in this province. My Muslim colleagues have repudiated any desire on their part to establish a Muslim raj in this province. They think it would be undesirable and they think that it would be impracticable. Even if there were any desire on their part to have a Muslim raj it would not be possible.

Rai Bahadur Lala Sewak Ram : It will be possible with your help.

Rai Sahib Chaudhri Chhotu Ram : Well, then that would not be a Muslim raj. I know that with my help a certain type of raj can be and I hope, will be established, but it will not be a Muslim raj, but a zamindar raj. The arguments that were so ably put forward by Chaudhri Zafrullah Khan to prove that there would not be and there could not be any Muslim raj in this province need not be repeated by me. But I would add that there is another very practical consideration which must have a restraining influence on the desire of Muhammadans if such a desire exists in any irresponsible section of the community that a Muslim raj may be established. The Muslim know very well that they are in a

[B. S. Ch. Chhotu Ram.]

bare majority here. I am absolutely sure that even if the Muslims are given 55 per cent seats in the Council they will not have a working majority. It will not be either a stable or a safe majority. Any ministry that may be formed will be thrown out of office within a couple of months, of course, with that majority of one in a Council of 165. There can be no fear of any such thing. Can my Hindu friends give any reasonable proof that Muhammadans have any desire or will be in a position to establish a Muslim raj here? Then there is a further fact. If Muslims were to establish a Muslim raj here, what about the United Provinces, Bihar, Assam, Madras and Bombay? There, Hindus can much easily establish a Hindu raj and that fact in itself, if no other higher ground will deter the Muhammadans from thinking of establishing a Muslim raj here. Well, if in spite of these things a Muslim raj is, as a matter of fact, established or an attempt is actually made to establish a Muslim raj here, then I assure Dr. Gokul Chand Narang that I shall be the first to raise the banner of revolt against that raj. He may then be found skulking behind the shutters of his shop but I shall be there to fight in grim earnest.

Dr. Gokul Chand Narang : They may give you a high office and then your revolt will end.

At this stage the Council adjourned *sine die*.

PUNJAB LEGISLATIVE COUNCIL.

4TH SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

Monday, the 25th November, 1929.

THE Council met at the Council Chamber at 2 P.M. of the clock. Mr. President in the Chair.

OATH OF OFFICE.

The following members were sworn in :—

- ✓ Emerson, Mr. H. W. (official, nominated).
- ✓ Smith, Mr. J. B. G. (official, nominated).
- Sikandar Hyat Khan, Khan Bahadur, Capt. Sardar (Muhammadan, Landholders).
- ✓ Mukand Lal Puri, Lala [Lahore City (Non-Muhammadan), Urban].

STARRED QUESTIONS AND ANSWERS.

HYDRO-ELECTRIC BRANCH, P. W. D.

***2520. Lala Bodh Raj :** Will the Honourable Minister for Agriculture please state—

- (a) whether his attention has been drawn to an article headed "Hydro-Electric Branch, Public Works Department," published in the fourth column, page 12, of the "Tribune," dated the 7th August, 1929 ;
- (b) if so, whether the Honourable Minister has made enquiries into the allegations appearing in that article ? If so, with what result ?

The Honourable Sardar Sir Jogendra Singh : Until attention had been drawn by the honourable member to the letter it had not come to the notice of Government and though this letter is anonymous, enquiries will be made to ascertain the true fact.

PRESS REPORTERS AND LAHORE CONSPIRACY CASE.

***2521. Lala Bodh Raj :** Will the Honourable Finance Member please state—

- (a) whether it is a fact that the press reporters allowed to take reports of the proceedings of the recent Lahore conspiracy case were searched before they could enter the court room ;
- (b) if so, what were the reasons for such a procedure and under what provisions of law were such searches made ;
- (c) whether the reporters made a protest against this procedure ; if so, what action was taken on their protest ?

The Honourable Mr. A. M. Stow : (a) Yes.

(b) The duty imposed upon the police force by section 149, Criminal Procedure Code, and 28, Police Act, of preventing offences has rendered these searches necessary under the circumstances attending the trial in question.

(c) Yes. Permanent passes are now issued to approved press representatives, and the holders of such passes are not searched.

Lala Bodh Raj : Will the Honourable Member please tell whether the reporters of the Press were suspected persons ?

The Honourable Mr. A. M. Stow : The police were acting under the instructions received by them.

LAHORE CONSPIRACY CASE.

***2522. Lala Bodh Raj :** Will the Honourable Finance Member please state—

(a) whether the proceedings of the Lahore conspiracy case are being held *in camera* or they are open to every member of the public ;

(b) what are the reasons for placing restrictions on the visitors who come to watch the proceedings of the case ?

The Honourable Mr. A. M. Stow : (a) The proceedings are not being held *in camera*.

(b) Precautions have been necessary owing to the possibility of an outrage in court.

LAHORE CONSPIRACY CASE.

***2523. Lala Bodh Raj :** Will the Honourable Finance Member please state—

(a) whether it is a fact that during the trial of the Lahore conspiracy case the trying magistrate or other higher authorities had permitted certain gentlemen to have an interview with the accused in that case in the jail, but the jail authorities refused such interviews ;

(b) if so, what were the reasons for the jail authorities not to allow the interviews ?

The Honourable Mr. A. M. Stow : (a) The only official who is competent to allow interviews to be held with under-trial prisoners is the Superintendent of the Jail concerned.

(b) The persons concerned were not eligible under the rules.

LAHORE CONSPIRACY CASE AND HUNGER STRIKE.

***2524. Lala Bodh Raj :** (a) Will the Honourable Finance Member please state whether it is a fact that some of the accused in the Lahore conspiracy case have had recourse to hunger strike as a protest against the improper treatment accorded to political prisoners in various Punjab jails ;

- (b) will the Honourable Member please lay on the table a list of such persons with the number of days they have been on hunger strike ?
- (c) was any representation made by them to the Government in the matter ? If so, what action has been taken by the Government thereon ?
- (d) will the Honourable Member please lay a copy of the representation on the table ?

The Honourable Mr. A. M. Stow : (a) Yes.

- (b) A list is laid on the table.
- (c) Representations were made by Bhagat Singh and Dutt, which were referred to the Special Jail Enquiry Committee, whose report is still under consideration.
- (d) Copies are laid on the table.

Names of under-trial prisoners who have been on hunger strike.

Name.	Period.
	Days.
1. Jatindra Nath Dass	68
2. Vejoi Kumar Sinha	14
3. Jatindra Nath Sanyal	51
4. Kanwal Nath Tiwari	51
5. Surindra Nath Pandey	51
6. Mahabir Singh	51
7. Kishori Lal	51
8. Gaya Parshad	51
9. Ajai Kumar Ghosh	51
10. Sheo Varma	51
11. Jai Dev Kapur	51
12. Sukh Dev	24
13. Agya Ram.	44
14. Convict Bhagat Singh	81
15. Convict B. K. Dutt	81

Application, dated 17th June, 1929, from Convict No. 1119 Bhagat Singh, Mianwali Jail, to the Inspector-General of Prisons, Punjab, Lahore (through the Superintendent, Mianwali District Jail).

I HAVE been sentenced to life transportation in connection with the Assembly Bomb Case, Delhi; and am obviously a political prisoner. We got special diet in Delhi Jail, but since my arrival here I am being treated as an

[Hon. Mr. A. M. Stow.]

ordinary criminal. Therefore, I have gone on hunger strike since the morning of 15th June, 1929. My weight has decreased by lbs. 6 than my weight at Delhi Jail in these two or three days.

I wish to bring to your kind attention that I must get special treatment as a political prisoner. My demands being :—

- (1) Special diet (including milk and ghee, rice and curd, etc.).
- (2) No forcible labour.
- (3) Toilet (soap, oil, shaving, etc.).
- (4) Literature of all kinds (History, Economics, Political Science, Poetry, Drama or Fiction, newspapers).

I hope you will very kindly consider what I have said and decide favourably.

Application, without date, from B. K. DUTTA of Assembly Bomb Case, to the Superintendent, Central Jail, Lahore.

I WANT to let you know, and the higher authorities, that I demand the following things on the ground of being a 'Political Prisoner':—

After the Bomb incident in Assembly, Lord Irwin in his last speech said that 'These bombs were not directed towards any individual, but towards the Institution.' Again Mr. Middleton in his judgment mentioned that, 'These persons (Dutta and Bhagat Singh) used to enter the Court with the cries of 'Long Live Revolution,' 'Long Live Proletariat,' etc., which shows clearly what sort of political idea they cherish. In order to put a check in propagating these ideas I transport them for life."

Again I must mention that when an European breaks an ordinary law in order to fulfil his selfish motive, he gets all kinds of privileges in the Jail. He will get well ventilated room, with electric fittings, best food (such as milk, butter, toast, meat, etc.), and good clothing, while we Politicals are deprived of such things.

The comments of Lord Irwin and Mr. Middleton is sufficient to prove that we are Politicals, and on this ground I demand that we (Dutta and Bhagat Singh) should be treated as Politicals. I must get better food as it is necessary to keep a man's health. At the same time I must get all kinds of literature and newspaper in order to discuss the different politics. People call us rash, misguided and impatient youths. So we must be given a fair chance of studying the various books in order to see that whether we are really impatient, misguided youths or not ; whether our life or work is wrong or right.

My demands are as follows :—

- (1) Better food, including loaf and milk in morning, rice, dal with ghee and vegetable and curd and sugar in the noon ; and bread meat and chattri at night.

- (2) No labour.
- (3) All kinds of literature and newspapers.
- (4) Toilet, including soap, oil, comb and barber, etc.
- (5) Better accommodation.
- (6) Civil Dress.

I used to get all these things in Delhi Jail, before and after my conviction from the Jail expenses. But here I am deprived of all those things : that is why I have begun hunger strike since 14th June, 1929. My comrade, Bhagat Singh in Mianwali Jail, is also on hunger strike for these very reasons and I will not give up my hunger strike till the Government accedes to our (I and Bhagat Singh) demands.

Expect an early reply and will gladly discuss over this matter with any Government officer whoever comes to me.

PRISONERS IN JAILS AND HUNGER STRIKE.

***2525. Lala Bodh Raj :** Will the Honourable Finance Member please state—

- (a) whether it is a fact that certain other prisoners confined in several jails in the Punjab resorted to hunger strike out of sympathy with the accused in the Lahore conspiracy case who had gone on hunger strike ;
- (b) whether it is a fact that some of them have been punished under the jail rules and the Prisons Act for adopting such a course ;
- (c) whether the Honourable Member will please lay on the table a list of such persons referred to in (a) and (b) above with the nature of punishment or sentences awarded in each case ?

The Honourable Mr. A. M. Stow : (a) Yes.

(b) No Jail punishments have been inflicted so far as is known to Government. Eight persons have been tried and convicted under section 52 of the Prisons Act.

(c) A list is laid on the table.

List of persons referred to in clauses (a) and (b) above.

Teja Singh.

Kabul Singh,—three months' rigorous imprisonment.

Gopal Singh, Qaumi,—three months' rigorous imprisonment.

Ahmad Din.

Ram Chandra.

Daljit Singh.

Sohan Singh.

B. K. Bannerji.

[Hon. Mr. A. M. Stow.]

Ram Kishen,—two months' rigorous imprisonment.

Karam Singh,—one year's rigorous imprisonment.

Bachant Singh,—one year's rigorous imprisonment.

Sundar Singh,—one year's rigorous imprisonment.

Kartar Singh,—one year's rigorous imprisonment.

Thakar Singh,—one year's rigorous imprisonment.

Master Mota Singh (went on partial strike).

Lala Bodh Raj : Is it a fact that these persons have been convicted because they could not work on account of the hunger strike?

The Honourable Mr. A. M. Stow : I have not seen a copy of the judgment in this case; but if the honourable member would still like to know the reasons for the convictions, if he will ask a suitable question, I shall see that the enquiry is made.

SPECIAL CLASS PRISONERS.

***2526. Lala Bodh Raj :** Will the Honourable Finance Member please state yearly from 1921—

- (i) the number of persons convicted under section 124-A;
- (ii) the number of persons convicted under other sections of the Penal Code or other penal laws in connection with the Congress activities or non-co-operation movement;
- (iii) the number of persons convicted in connection with the Akali agitation or Gurdwara movement;
- (iv) the respective number of persons out of each of these categories as were classed as special class prisoners?

The Honourable Mr. A. M. Stow : It is regretted that a reply cannot be furnished to this question owing to the fact that records of the matters on which information is sought have not been maintained and to reconstruct them at this stage would involve a disproportionate amount of time and labour.

FLOODS IN THE JHELUM, CHENAB AND THE INDUS AND RELIEF TO SUFFERERS.

***2527. Lala Bodh Raj :** Will the Honourable Revenue Member please state—

- (a) the losses caused by the recent floods in the rivers Jhelum, Chenab and Indus in the districts of the Multan division;
- (b) what measures have been adopted by the Government for the relief of the distressed?

The Honourable Mian Sir Fazl-i-Husain : (a) A statement showing the estimated damage is laid on the table.

(b) Large sums of money have been placed at the disposal of the Deputy Commissioners concerned for distribution of gratuitous relief, and advances as *taccavi*. The sums allotted are:—

For gratuitous relief.

From 48—Famine (Re-	From the grant sanc-
served) A—Famine	tioned by the Indian
Relief.	People's Famine
	Trust.

		Rs.	Rs.
Jhang	.. ..	8,000	6,000
Multan	.. ..	..	5,000
Muzaffargarh	.. ..	85,000	22,500 <i>plus</i>
			Rs. 15,000 balance
			from flood relief fund
			collections of 1924.
Dera Ghazi Khan	.. ..	50,000	22,500

For advances as taccavi loans.

		Land Improvement Loans Act, XIX of 1888.	Agriculturists Loans Act, XII of 1884.
		Rs.	Rs.
Jhang	.. ..	80,000	1,20,000
Multan	.. ..	50,000	1,57,000
Muzaffargarh	.. ..	45,000	4,55,000
Dera Ghazi Khan	.. ..	80,000	4,60,000

The question of damage to standing crops will be adequately dealt with under the ordinary rules of suspensions and remissions of land revenue.

[Hon. Mian Sir Fazl-i-Husain.]

ESTIMATE OF DAMAGE CAUSED BY FLOODS IN THE JHELUM, CHENAB AND INDUS IN THE DISTRICTS OF THE MULHAN DIVISION IN 1929.

District.	Number of villages damaged.	Number of villages destroyed.	Loss of human life.	Cattle lost.	Number of houses damaged.	Number of houses destroyed.	Houses destroyed.	Grain destroyed.	Crop destroyed.
1	2	3	4	5	6	7	8	9	10
Jhang ..	..	..	..	202	..	12,813	55,971	26,248	11,719
Multan ..	192	..	8	944	..	9,444	1,20,631	14,646	23,431
Muzaffargarh ..	483	103	10	7,241	4,739	39,054	3,40,794	47,311	69,304
Dera Ghazi Khan ..	169	2	171	3,977	17,337	3,200	Rs. 2,36,730*		Rs. 7,34,182*

* Value of houses, grain and crops destroyed.

Lala Bodh Raj: Will the Honourable Member pleased to state whether he is sure of the fact that the relief has been distributed to the needy people?

The Honourable Mian Sir Fazl-i-Husain: If the honourable member has any complaints that have reached him, the Financial Commissioner will be very glad indeed to hear them.

GOBIND RAM AND OTHERS VERSUS SIALKOT MUNICIPAL COMMITTEE.

***2528. Chaudhri Afzal Haq:** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that in 1926 a suit was brought by Gobind Ram and others against the Municipal Committee of Sialkot for issue of a permanent injunction restraining the defendant from demolishing plaintiffs' buildings on a site situated at Sialkot;
- (b) whether it is a fact that after the decision in appeal by the District Judge, Sialkot, dismissing the suit the Municipal Committee compromised the suit;
- (c) whether the expenses of the litigation on behalf of the Municipal Committee were borne by the Municipal Committee or by some other person; if they were borne by some other person, what interest he had in the matter and whether he was consulted when the compromise was arranged;
- (d) whether the Commissioner agreed to the compromise;
- (e) whether it is a fact that the town-planning scheme has suffered by the compromise effected by the committee;
- (f) if so, what steps have been or are being proposed to be taken to remedy the situation?

The Honourable Malik Firoz Khan, Noon: (a) Yes.

(b) Yes, during the appeal in the High Court.

(c) The expenses of the litigation on behalf of the Municipal Committee were borne by the firm Fateh Mohammad Deura and Co., who were injuriously affected by the building in question. The firm was apparently not consulted when the compromise was arranged.

(d) No.

(e) Yes.

(f) The compromise having been accepted by the High Court nothing further can be done in the matter.

GRANT OF LAND TO LAMBARDARS IN THE JHANG DISTRICT.

***2529. Sayad Mubarik Ali Shah:** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that a square of land was given to every lambardar (in the Lower Chenab Colony Chaks in the Jhang district) at the time of colonization for his local services;

[Sayad Mubarik Ali Shah.]

- (b) whether it is a fact that after some years the Government asked most of them to keep a mare for mule-breeding and maintain it on the same square of land ;
- (c) whether it is a fact that recently many of the said lambardars have been ordered to keep mares (on the same squares) for horse-breeding ;
- (d) if the answer to (a) be in the affirmative, what are the reasons for imposing such restrictions as in (b) and (c) on the lambardars ;
- (e) whether the Government have received any complaints of the humiliating treatment accorded to these lambardars by the local and inspecting staff of the Army Remount Depôt; and, if so, what steps the Government intend to take to check such treatment ?

The Honourable Mian Sir Fazl-i-Husain : (a) Lambardari squares were allotted in most chaks to lambardars and in many chaks more than one lambardar was allotted a square. Lambardari squares were allotted in order to secure the financial position of the lambardar and not as rewards for the services rendered by the lambardar to any particular Government official.

(b) Many lambardars in the Lower Chenab Colony held half a square each on annual leases. In 1903 these lambardars were offered an increase in their lambardari grants to one square each for as long as they held the post of lambardar, provided that they agreed to mule-breeding conditions. In all cases these offers were thankfully accepted.

(c) It is entirely optional with the mule-breeders to keep mares for horse-breeding instead of for mule-breeding.

(d) No justification is needed for an arrangement to which both parties to the contract willingly agreed.

(e) Complaints have been made to Government about the hardship caused by enforcing the terms of the contract. The complaints were from persons whose lambardari squares had been confiscated in the past for a breach of the conditions of their grants.

The Army Remount Department is not under the control of the Punjab Government, but the Punjab Government will be prepared to bring to the notice of Army Remount Department specific instances of an inquiry if it is found that sufficient reasons exist for doing so.

OUTLETS ON THE RAJBH NILA No. 1, LOWER CHENAB CANAL.

***2530. Sayad Mubarik Ali Shah :** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that the sizes of outlets Nos. 1 and 2 on the 'Rajbah Nila No. 1' (supplying water to chak No. 200-J.B.), section Kherwala, in the Jhang division of the Lower Chenab Canal, were to be increased ;

- (b) whether it is a fact that the estimated cost of the alterations had been recovered by the canal authorities from the zamindars about nine months ago ;
- (c) whether it is a fact that the zamindars of that chak have suffered much owing to shortage of water-supply so far as the last *rabi* and present *khari* crops are concerned ;
- (d) if the reply to the above be in the affirmative, what are the reasons for not taking action in the matter so far ?

The Honourable Mian Sir Fazl-i-Husain : (a) No.

(b) Yes, but as the replacement of existing outlets by a modern type will be affected on the whole distributary, the amount recovered will be now refunded.

(c) No.

(d) Does not arise.

TAWAN ON AB-ZAIA.

***2531. Sayad Mubarik Ali Shah :** (a) Will the Honourable Revenue Member please lay on the table a statement showing the amount of money realized from the zamindars of Jhang division of the Lower Chenab Canal as *Tawan on Ab-Zaia* in the years (i) 1926-27, (ii) 1928-29 (up to date) ?

(b) If there be much excess in 1928-29, what are the special reasons for this ?

The Honourable Mian Sir Fazl-i-Husain : (a) The amount realised from the zamindars of Jhang Division as *Tawan on Ab-Zaia* in the years (i) 1926-27, (ii) 1928-29 is as follows :—

					Rs.	A.	P.
1926-27	..	..	..	..	1,252	10	0
1928-29	..	..	..	..	777	7	

(b) Does not arise.

ELECTED ELEMENTS IN THE JHANG DISTRICT BOARD.

***2532. Sayad Mubarik Ali Shah :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether the Jhang district board passed a resolution recently demanding therein increase of elected element in the total strength of the board ;
- (b) whether any action has been taken on that by the Ministry for Local Self-Government; and, if so, what ?

The Honourable Malik Firoz Khan, Noon : (a) No.

(b) Does not arise.

DAMAGE TO COTTON CROP IN THE JHANG DISTRICT.

***2533. Sayad Mubarik Ali Shah :** Will the Honourable Revenue Member please state—

- (a) whether the Government is aware that the cotton crop in the Jhang district has been very badly damaged by a disease locally called 'tela';
- (b) whether the Government has received any representation and resolutions (from the zamindars of Jhang district) requesting therein the general remission of land revenue and water-rates on the said crop;
- (c) if so, what steps have been taken or are proposed to be taken on these petitions or resolutions?

The Honourable Mian Sir Fazl-i-Husain : (a) There has been some white fly in Jhang, but it is reported that it has not caused any appreciable damage and generally the crop is making satisfactory progress.

- (b) No.
- (c) Does not arise.

FLOODS IN THE JHELM AND THE CHENAB.

***2534. Sayad Mubarik Ali Shah :** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that the rivers Jhelum and Chenab pass through the Jhang district for a considerable length;
- (b) whether it is a fact that they meet at 'Trimun' and then run jointly in the Shorkot tahsil of the district;
- (c) whether it is a fact that both the rivers have had unprecedented floods this year;
- (d) whether it is a fact that the floods have caused wholesale destruction of the standing crops and most of the houses have been destroyed and cattle killed in the 'kachas' and 'ilaqas' along the banks of either river;
- (e) whether it is a fact that most of the poor villagers of the flood-affected areas have been rendered homeless, grainless and possess no fodder stock for their cattle;
- (f) if the reply to the above be in the affirmative, what relief the Government intend to give to the persons affected by this calamity?

The Honourable Mian Sir Fazl-i-Husain : (a) & (b) Yes.

(c) The flood in the Jhelum river was extremely high, though it is impossible to say that it exceeded all past records. The Chenab flood, though high, has occasionally been surpassed in previous years.

(d) & (e) Considerable damage was done to crops, fodder and houses in the flooded area, but not to the extent implied in the honourable member's question.

(f) A sum of Rs. 9,000 was placed at the disposal of the Deputy Commissioner, Jhang, for gratuitous relief. And a sum of Rs. 1,50,000 has also been allotted for advances as *taccavi* loans for the purchase of seed, fodder &c. The question of damage to standing crops will be adequately dealt with under the ordinary rules of suspensions and remissions of the land revenue.

GRANT OF LAND TO 'BAR' PEOPLE OF THE LYALLPUR DISTRICT.

***2535. Sayad Mubarik Ali Shah :** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that the Government have sanctioned some land for such of the 'Bar' people of the Lyallpur district whose brothers or near relatives were given land (on account of their being original inhabitants of the Bar) during the colonization operations of the 'Sandal Bar' comprising the whole of the Lyallpur district, but somehow or other they were left out and deprived of the rights enjoyed by their brothers or near relatives ;
- (b) whether it is a fact that lists of such persons are being prepared by the local authorities concerned ;
- (c) if the answer to the above be in the affirmative, what does the Government intend to do with similar cases in the colonized areas of the Jhang district which adjoin the Lyallpur district ?

The Honourable Mian Sir Fazl-i-Husain : (a) No.

(b) & (c) do not arise.

REGULATION OF ACCOUNTS BILL.

***2536. Sayad Mubarik Ali Shah :** Will the Honourable Finance Member please state—

- (a) whether the Regulation of Accounts Bill was sent to a select committee in the Simla session of the Punjab Legislative Council this year ;
- (b) whether there was an understanding that the committee will not hold its sittings till 15th October next and in the meantime the Government will elicit public opinion on this Bill and certain members of the committee will suggest the bodies to whom the Bill is to be circulated ;
- (c) whether the members of the select committee have suggested some organizations to be consulted on the measure or whether the Government has asked the opinion of any bodies of its own choice ;
- (d) if so, how many organizations were asked for opinion, and how many of them have sent in their views, and how many have ignored the invitation ?

The Honourable Mr. A. M. Stow : (a) Yes.

(b) Yes.

(c) Two members of the select committee were asked to send Government a list of the organizations whom they wished to be consulted on the provisions of this Bill, and on receipt of their lists, invitations were despatched to those organizations. Government itself has consulted the Judicial, Revenue and Income-Tax Departments.

(d) Fifty-one organizations have been asked for their views, but up to the present only fourteen replies have been received.

RAILWAY CONNECTION BETWEEN CHINIOT TOWN AND THE HEADQUARTERS
OF THE JHANG DISTRICT.

***2537. Sayad Mubarik Ali Shah :** Will the Honourable Revenue Member please state—

(a) whether there was a proposal for connecting Chiniot town with the headquarters of the Jhang district by a railway ;

(b) if so, when it is expected that the work of construction will actually be taken in hand ?

The Honourable Mian Sir Fazl-i-Husain : (a) Yes.

(b) Detailed consideration of the project is postponed pending the execution and completion of other more important remunerative projects.

OFFICIAL RECEIVERS.

***2538. Sayad Mubarik Ali Shah :** Will the Honourable Finance Member please state—

(a) whether the ratio between the official receivers in the Punjab is one Muslim against 14 non-Muslims ;

(b) whether there was a proposal to appoint an official receiver in the Jhang district ;

(c) whether the High Court recommended a non-Muslim gentleman and the Punjab Government advised the High Court to revise its suggestion and recommend some Muslim gentleman ;

(d) whether the proposal in (b) has been amended by the authorities concerned and two official receivers have been appointed in the Jhang district as a temporary arrangement ;

(e) what were the reasons which led the authorities concerned to make the original proposal and then amend it ;

(f) what does the Government intend to do in order to make up this very serious difference in this branch between the Muslim and non-Muslim communities ?

The Honourable Mr. A. M. Stow : (a) Yes.

(b) Yes.

(c) The correspondence between the High Court and the Punjab Government on the subject is confidential and no answer to this part of the question can be given.

(d) Yes.

(e) Government is not in possession of the information required.

(f) The question is under consideration.

DROWNING ACCIDENT IN THE CHENAB NEAR CHINIOT.

***2539. Sayad Mubarik Ali Shah :** Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that a boat was recently drowned near Chiniot in the Chenab river causing more than 75 deaths ;
- (b) whether it is a fact that a magistrate was deputed by the District Magistrate, Jhang, to inquire about the causes of the accident;
- (c) whether the magistrate has submitted his report, and, if so, what are the causes to which he attributes this accident ?

The Honourable Mr. A. M. Stow : (a) Yes, but enquiries indicate that the number of persons who were drowned did not exceed 44.

(b) Yes, and further enquiries were made personally by the Deputy Commissioner.

(c) From the reports received it appears that the ferry boat capsized because its oar became entangled in a sunken rope attached to the piers of a railway bridge under construction at a place where the river was on that day running in abnormally high flood.

COLONIZATION OF THE JUNGLE PIR MAHAL.

***2540. Sayad Mubarik Ali Shah :** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that the Jungle Pir Mahal is being colonized ;
- (b) whether it is a fact that this portion of the Lyallpur district adjoins the Shorkot tahsil of the Jhang district ;
- (c) whether it is a fact that most of the inhabitants of the adjoining *ilaga* of the Jhang district kept their cattle in the same jungle and paid 'tirmi' etc. (pasture taxes) ;
- (d) whether it is a fact that they are being deprived of these concessions vested in them so far as grazing of their cattle of *kachi barani* is concerned by this colonization ;
- (e) if the reply to the above be in the affirmative, how does the Government intend to compensate them ?

The Honourable Mian Sir Fazl-i-Husain : (a) and (b) Yes.

(c) Certain people have in the past been permitted by Government to graze their cattle in this rakh on the usual conditions.

(d) Such permission will no longer be possible in the future.

(e) No compensation is called for, as no rights are being disturbed ; the selection of colonists from these graziers is under consideration.

AWANS, ETC., OF THE LYALLPUR DISTRICT DESCRIBED AS AGRICULTURAL TRIBES.

***2541. Lala Bodh Raj :** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that the Awan, Moghal and Gakhar tribes in the Lyallpur district and the Pathans in the Jhang district have been recently declared to be agricultural tribes under the Punjab Alienation of Land Act ;
- (b) whether any lists were prepared showing the debts they owed at the time they were declared as such tribes ;
- (c) what steps were taken to safeguard the interests of the creditors who had advanced money on the assurance that their lands could be sold towards payment of their debts and on the sale of which lands restrictions would now be placed on account of such declaration ;
- (d) what were the special reasons for declaring them as agricultural tribes ?

The Honourable Mian Sir Fazl-i-Husain : (a) Yes.

(b) No.

(c) None were necessary. The High Court has held that notifications under the Land Alienation Act have not retrospective effect.

(d) Because examination showed that they were true agricultural tribes, and had been treated as such in other districts.

Lala Bodh Raj : Will the Honourable Member please state how long these tribes have been living in the district ?

The Honourable Mian Sir Fazl-i-Husain : That would require some research work, I am afraid.

PATHANS OF JHANG DISTRICT DECLARED AGRICULTURAL TRIBES.

***2542. Lala Bodh Raj :** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that the creditors of the members of the Pathan tribes in the Jhang district declared as agricultural tribes under the Punjab Land Alienation Act had made representations to the Government not to declare them as agricultural tribes ;
- (b) will the Honourable Member please lay a copy of such representation on the table ?
- (c) whether it is a fact that previously the Government had refused to declare them as agricultural tribes ;
- (d) if so, what were the reasons for the refusal ?

The Honourable Mian Sir Fazl-i-Husain : (a) Yes.

(b) A copy is laid on the table.

(c) Yes : in 1906.

(d) Partly the insignificance of their numbers, partly the anticipation that, if notified, they would acquire the lands of other agricultural tribes.

Copy of the representation to the Commissioner, Multan, made by creditors of the members of the Pathan tribes in the Jhang district declared as agricultural tribes under the Punjab Land Alienation Act.

We, the undersigned most humbly and respectfully beg to lay the following few lines for your kind perusal and favourable consideration :—

- (1) That the Pathans of village Kotla Mohd. Zarif Khan, tahsil Shorkot, district Jhang, have applied to your honour to be declared as an agricultural tribe under the Punjab Alienation of Land Act.
- (2) That these people had once long before applied to the same effect but their application was after due enquiry rejected by the Government (*vide* Punjab Alienation of Land Act by Ushnak Rai, page 44, and Gurcharan Singh, page 41).
- (3) They again put in a similar application on 10th July 1923, but that was also for valid reasons rejected both by the Deputy Commissioner, Jhang, and by the Commissioner, Multan. The copy of the Commissioner's order, dated 12th February 1925, is attached herewith.
- (4) They again put in a similar application in 1927 to the Deputy Commissioner, Jhang. The Deputy Commissioner, Jhang, had forwarded it to the Commissioner, Multan, for reconsideration, but the same was rejected in 1928 in the month of October or November, by your predecessor.
- (5) That these Pathans are not the original settlers of this district but are only a nomadic tribe, who settled in the district not very long ago.
- (6) That the main occupation of these Pathans is not agriculture, but most of them are in Government and in private service, nor do they cultivate the land themselves.
- (7) That the total number of Pathans and the area held by them is very small.
- (8) That their customs are altogether different from those prevailing amongst the agricultural tribes in the district.
- (9) That these Pathans have of long been incurring heavy debts and their indebtedness has assumed a large figure.
- (10) That the main reason for their now putting in this application is to escape this indebtedness and it would be a very great hardship, in fact cruelty and an act of extreme injustice to the other tribes and communities of the district if they were allowed to escape their indebtedness in this way.
- (11) That they have amassed a large wealth and want to buy lands from real agricultural tribes and thus defeat the real object of the Land Alienation Act.
- (12) That there are absolutely no valid reasons for the declaration of these Pathans as agricultural tribes. The motive of their application is to defraud their creditors and some of them to buy land from the real agricultural tribes in the district.

Hon'ble Mian Sir Fazl-i-Husain.

- (19) The undersigned therefore pray that in view of the above facts and especially in view of the fact that their (Pathans') applications had been thrice before rejected and in view of the Financial Commissioner's circular letter No. 6, dated 3rd December 1906, Lahore; there are absolutely no legal or equitable grounds for even entertaining such an application.
- (14) The application of the Pathans for being declared as an agricultural tribe be rejected in view of the fact that the Deputy Commissioner and the Commissioner have already twice dismissed their applications. The remarks of Punjab Government regarding the Pathans of Jhang district are also attached herewith.

The undersigned hope that this humble petition would be favourably perused by you.

Lala Bodh Raj : Will the honourable member please state how their number has increased during the period from 1906 to the present time when they were declared as notified agricultural tribes?

The Honourable Mian Sir Fazl-i-Husain : Will not the natural process explain it?

Lala Bodh Raj : Is the Honourable Member sure that they would not acquire lands of the other agricultural tribes?

The Honourable Mian Sir Fazl-i-Husain : A matter of chance.

CONCESSION TO CHILDREN OF AGRICULTURISTS IN THE MATTER OF PRIMARY EDUCATION.

***2543. Mr. E. Maya Das :** Will the Honourable Minister for Education be pleased to state—

- (1) whether it is a fact that in the matter of primary education the children of agriculturists are shown consideration which is not shown to children of non-agriculturists; if so, what are these considerations;
- (2) whether the reason for the children of agriculturists having been shown consideration in the past is that the agriculturists were paying local rates, whereas the non-agriculturists were not paying any corresponding tax;
- (8) whether it is a fact that non-agriculturists are now paying taxes known as *haisiyat* and profession taxes; if so, what steps the Government propose to take to extend the same consideration to the children of the non-agriculturists as is being shown to the children of agriculturists?

The Honourable Mr. Manohar Lal : (a) Yes, they are granted fee remission at the primary stage, the main consideration is their backwardness.

(b) No.

(c) Does not arise.

DISTRICT BOARDS AND SCHOOLS.

***2544. Mr. E. Maya Das :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that district boards are empowered to open schools, but not to close them ;
- (b) if so, whether the question of empowering district boards to close schools is under consideration ?

The Honourable Mr. Manohar Lal : If the honourable member will please indicate the type of school to which he refers, I shall have the exact position of district boards ascertained.

RAINFALL AT JOGINDARNAGAR.

***2545. Mr. E. Maya Das :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) what was the extent of rainfall registered at Jogindarnagar during the summer months of 1929 ;
- (b) what was the rainfall during the corresponding period in the previous year ;
- (c) whether the rainfall during the current year interfered with the progress of the hydro-electric works ; if so, in what way ?

The Honourable Sardar Sir Jogendra Singh : (a) Rainfall recorded at Jogindarnagar during the summer months of 1929 was—

May	..	..	..	..	0.85 inch.
June	..	..	..	..	5.16 inches.
July	..	..	..	..	30.55 inches.
August	..	..	..	..	49.12 inches.
September	..	..	..	..	2.90 inches.

(b) No information is available as there was no rain gauge at Jogindarnagar in 1928.

(c) During the monsoon it was impossible to carry out very much " outdoor " work, but work on driving the tunnels and surge shaft continued uninterruptedly. Delay occurred due to the stoppage of goods traffic on the Kangra Valley Railway for a period of about 1 month.

HYDRO-ELECTRIC WORKS.

***2546. Mr. E. Maya Das :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether it is a fact that on the excavation of the tunnel at Jogindarnagar soft earth and rushing water have been encountered ;
- (b) if so, what was the extent and force of water ;
- (c) whether these features have tended to interfere with the progress of the Hydro-electric Works ; if so, to what extent ?

The Honourable Sardar Sir Jogendra Singh : (a) Yes.

(b) About 8 to 4 cusecs entered from the sides and roof of the tunnel.

(c) Yes. It is difficult to estimate the extent, but instead of driving upto 200 feet per month at each heading the progress has been from 0 to 180 feet per mensem in the South (Adit) Tunnels and 108 to 209 feet per mensem in the North Tunnel aggregating a total length of 685 feet driven in the South (Adit) Tunnel and 709 feet in the North (Brot) Tunnel during the 5 months of the monsoon.

Mr. E. Maya Das : Has the tunnel passed through the area of soft earth, or is it still in that area ?

The Honourable Sardar Sir Jogendra Singh : As I explained before, on the north side there we are meeting good rock. In the mid point we met boulders and water and progress at this point was very slow about an inch a day for two months but now we are in good rock.

Mr. E. Maya Das : My question was whether the tunnel now has crossed the region of the soft earth or whether there is still any patch of such earth.

The Honourable Sardar Sir Jogendra Singh : It is impossible to say till the tunnel is through whether it will meet soft earth any more.

TUNNEL AT JOGENDARNAGAR.

***2547. Mr. E. Maya Das :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) what was the dimension of the diameter of the tunnel it was intended to excavate at Jogindarnagar ;
- (b) what is the height of the excavation that the rushing waters have caused to be made in the tunnel where there is soft earth ;
- (c) when the tunnel is built, in what manner is it proposed to fill up the empty space above it ?

The Honourable Sardar Sir Jogendra Singh : (a) The finished (concreted) diameter of the tunnel is 9' 3". This necessitates the excavation being extended to a diameter of from 11' 3" to 13' 0" according to the type of rock encountered.

(b) In isolated places cavities ranging in height from 6 to 80 feet have occurred. There is a cavity estimated to be 120 feet high and an average of 20 feet wide but its length is not known at present.

(c) Cavitation makes it necessary to replace the usual temporary timbering by steel sets with precast lagging. These are so fixed as to permit the full thickness of concrete lining to be poured. On the top of the slabbing a cushion of hand packed stone will be placed to a depth of at least 6 feet. This is the general practice but every case has to be considered and dealt with on its merits.

DISCHARGE OF THE UHL RIVER.

***2548. Mr. E. Maya Das :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether it is a fact that the winter of 1928-29 was one of the coldest experienced all over the province ;

- (b) what was the lowest temperature registered at Brot ;
- (c) at the time of the lowest temperature, what was the discharge of the Uhl river ;
- (d) was it more or less than is required for the successful working of the scheme ?

The Honourable Sardar Sir Jogendra Singh : (a) I cannot say whether winter 1928-29 was one of the coldest.

- (b) the lowest temperature at Brot was 18° F.
- (c) 162 cusecs.
- (d) More.

NEWSPAPERS AND GOVERNMENT ADVERTISEMENTS.

***2549. Sardar Hira Singh, Narli :** With reference to unstarred question No. 1159¹ asked on the 26th July 1929 and the answer thereto, will the Honourable Finance Member kindly state—

- (a) the names of the papers which received Government advertisements and the reasons for the same ;
- (b) whether it is a fact that the *Akali-te-Pardesi* has the largest circulation of all the Gurmukhi papers ;
- (c) whether it is also a fact that the *Akali-te-Pardesi* and also the *Asli Qaumi Dard* do not receive Government advertisements ; if so, why ?

The Honourable Mr. A. M. Stow : (a) and (c) Government is not prepared to give the information asked for.

- (b) No.

UNSTARRED QUESTIONS AND ANSWERS.

SELECTION OF DEPUTY COLLECTORS IN THE IRRIGATION BRANCH.

1310. Rai Bahadur Lala Sewak Ram : Will the Honourable Revenue Member be pleased to state—

- (a) the general principles observed in the selection of candidates for the posts of Deputy Collectors in the Irrigation Department ;
- (b) whether there were any departures from those principles when the last selection was made ; and if so, what departures were made and why ;
- (c) whether any of the candidates selected in the last selection had been declared unfit in the previous selections ; if so, how many of them had been so declared unfit and to what communities they belong ;
- (d) whether any of the candidates now selected had been adversely reported upon by the head of the department ; if so, under what circumstances they were selected ;
- (e) whether it is a fact that some of these candidates selected for the posts of Deputy Collectors have superseded no less than 80 men above them on the seniority list ; if so, what are the reasons for making such drastic supersessions ?

The Honourable Mian Sir Fazl-i-Husain : (a) Their record is examined, seniority is taken into account, but the best men are selected.

(b), (c), (d) and (e) No.

LOCAL RATE AND *haisyat* tax.

1311. Mr. E. Mayadas : Will the Honourable Minister for Local Self-Government be pleased to state—

(a) whether during the year 1928-29 there were any districts in which local rate as well as profession or *haisyat* tax were levied?

(b) If so, for any district for which it may be convenient to give the actual or approximate figures, will Government be pleased to state—

- (1) (i) the amount of local rate,
(ii) the number of assesseses;
(iii) the average amount per head;
- (2) (i) the amount of *haisyat* or profession tax;
(ii) the number of assesseses;
(iii) the average amount per head?

The Honourable Malik Firoz Khan, Noon : (a) Yes, the Ferozepore district, where local rate and profession tax were levied during the year 1928-29.

(b) The figures for the Ferozepore district are as follows :—

	Rs.
(1) (i) the amount of local rate ..	.. 2,29,052-0-0.
(ii) the number of assesseses ..	.. 1,70,081-0-0.
(iii) the average amount per head	.. 1-5-7.
(2) (i) the amount of Profession tax	.. 59,958-0-0.
(ii) the number of assesseses	.. 19,608-0-0.
(iii) the average amount per head	.. 2-12-8.

INDIAN CHRISTIANS IN GOVERNMENT DEPARTMENTS.

1312. Mr. E. Maya Das : Will the Chief Secretary be pleased to lay a statement on the table showing the names of departments—

- (a) in which there is at present no Indian Christian employed in the higher or the lower grades;
- (b) the qualifications required for entering the higher and the lower grades of such departments?

Mr. H. W. Emerson : The information asked for by the honourable member is being collected and a reply will be communicated to him in due course.

STADIUM AT LAHORE.

1313. Mr. E. Maya Das : Will the Honourable Minister for Education be pleased to state, whether it is a fact that it is proposed to construct a stadium at Lahore ? If so, by when is the proposal likely to mature ?

The Honourable Mr. Manohar Lal : No such project is contemplated by the Education Department.

SANTORIUM FOR TUBERCULAR PATIENTS.

1314. Mr. E. Maya Das : Will the Honourable Minister for Local Self-Government be pleased to state, whether it is proposed to build a sanatorium for tubercular patients in the Punjab ? If so, in what place and what will be the probable cost ?

The Honourable Malik Firoz Khan, Noon : The matter has at various times been under the consideration of Government, but no action is contemplated at present, especially in view of the fact that a new sanatorium has recently been opened by private enterprise near Sanawar.

MODEL TOWN AT PALAMPUR.

1315. Mr. E. Maya Das : Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is proposed to build a model town at Palampur ; if so, what stage has the project reached ;
- (b) whether a site has been selected, if so, how far it is from the railway station and Palampur town ;
- (c) whether good drinking water is available near the site ; if not what action is proposed to be taken to remedy this defect ?

The Honourable Malik Firoz Khan, Noon : The necessary information is being collected and will be communicated to the honourable member when ready.

SPECIAL INCREMENTS TO EMPLOYEES OF KASUR MUNICIPALITY.

1316. Mr. E. Maya Das : Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that during the last two years special increments were given by Kasur Municipal Committee to their employees ;
- (b) If so, what were the reasons for these special increases ;
- (c) the names of the recipients ?

The Honourable Malik Firoz Khan, Noon : (a) No.

(b) The salaries of the employees of the municipal committee of Kasur were fixed on a time-scale basis in the year 1925 but no increments for the years 1926 and 1927 were given by the Committee. The increments due for the three years 1926 to 1928 were, however, given by the committee in 1928.

[Hon'ble Malik Firoz Khan, Noon.]

(c) A list of the recipients is attached.

Serial No.	Name of recipients.	Serial No.	Name of recipients.
1	Ghulam Mohy-ud-Din Khan.	19	Abdul Aziz.
2	B. Lal Chand.	20	Haq Nawaz Khan.
3	M. Muhammad Yaqoob.	21	Ghulam Hussain.
4	M. Fazal Muhammad Khan.	22	Dost Muhammad Khan.
5	M. Fazal Bakhsh.	23	Muhammad Hussain.
6	M. Nazim Hussain.	24	Shah Din.
7	Sh. Rahim Bakhsh.	25	Abdul Karim.
8	M. Ghulam Muhammad Khan.	26	Dyal Chand.
9	Pt. Salag Ram.	27	Inayat Khan.
10	Pt. Duni Chand.	28	Sekandar Khan.
11	Rab Nawaz Khan.	29	Sh. Mumtaz Ali.
12	Barkat Ali.	30	Lala Des Raj.
13	Usman Khan.	31	Ibrahim.
14	Mubarak Ali.	32	Mani Ram.
15	Muhammad Siddiq.	33	Hans Raj.
16	Muhammad Khan.	34	Sardar Ali.
17	Nawab Din.	35	Ghulam Hussain.
18	Shah Din.	36	Muhammad Umar.

EMPLOYEES OF KASUR MUNICIPALITY.

1317. Mr. E. Maya Das : Will the Honourable Minister for Local Self-Government be pleased to state, whether it is a fact that some employees of the Kasur Municipal Committee are related to the members of the Committee? If so, a statement may kindly be laid on the table showing the names of persons concerned and degree of relationship.

The Honourable Malik Firoz Khan, Noon : Yes. A statement giving the required information is attached.

STATEMENT SHOWING THE RELATIONS OF MUNICIPAL EMPLOYEES WITH MUNICIPAL COMMISSIONERS.

Serial No.	Name of the employee.	Designation.	Name of member related to	Detail or degree of relation.
1	Ghulam Mohy Din	Head Clerk	Khan Bahadur Sardar Muhammad Shahbaz Khan.	Maternal uncle of the member was the husband of maternal aunt (Khalee) of the official. The son of member's cousin is engaged to the official's sister-in-law.
2	M. Fazal Bakht	Officiating Accountant	P. Muhammad Abdullah	Sister of the official is married to the nephew of the member.
3	M. Inayat Khan	Town Inspector	Khan Bahadur Sardar Muhammad Shahbaz Khan.	(1) Employee's sister was the wife of the cousin of Khan Bahadur Sardar Muhammad Shahbaz Khan. (2) Khan Bahadur Sardar Muhammad Shahbaz Khan is the husband of the employee's niece (sister's daughter). (3) The employee is the maternal uncle of the wife of the member. (4) The member's daughter is married to the employee's cousin. (5) The employee's cousin is a widow of the member's brother Fateh Baz Khan (deceased). (6) Employee's cousin (chacha zad Bhai) is the member's cousin (Phuphi zad Bhai). (7) The employee's cousin (Fazal Muhammad Khan) is the brother-in-law of the member's brother.

[Hon'ble Malik Firoz Khan, Noon.]

STATEMENT SHOWING THE RELATIONS OF MUNICIPAL EMPLOYEES WITH MUNICIPAL COMMISSIONERS.

Serial No.	Name of the employee.	Designation.	Name of member related to	Detail or degree of relation.
4	M. Ghulam Muhammad Khan	Terminal Tax Inspector ..	1. Khawaja Haji Muhammad Khan.	(1) The employee is the real younger brother of the member.
			2. Khawaja Ghulam Haider Khan.	(2) Second member's cousin is married to the employee's brother Haji Muhammad, Municipal Commissioner.
5	Rab Nawaz Khan ..	Ahlmad Office ..	Khawaja Ghulam Haider Khan.	The employee is married to the cousin of the member.
6	Fazal Muhammad Khan ..	Cashier ..	Ditto ..	The employee's sister is the aunt of the member.
7	Ghulam Hussain Khan ..	Moharrir ..	Ditto ..	The employee's sister is remotely related to the member (daughter-in-law).
8	Dost Muhammad Khan ..	Do. ..	Ditto ..	Dost Muhammad Khan was married to the (deceased) sister of the member. The employee is the cousin of the member on his mother's side.
9	Jamal Din ..	Dafadar Conservancy ..	Khawaja Haji Muhammad Khan.	The employee is the father-in-law of the member.
10	Ahmad Nawaz Khan ..	Chapresi, Terminal Tax ..	Ditto ..	The employee is the cousin of the member.
11	Usman Khan ..	Moharrir ..	Ditto ..	The employee is nearly related to the member as a son-in-law.
12	Ismat Din ..	Do. ..	Sh. Muhammad Abdullah ..	The employee is a nephew of the member's cousin.

MIXED TENNIS CLUBS.

1318. Mr. E. Maya Das : Will the Honourable Minister for Local Self-Government be pleased to state, whether the attention of Government has been drawn to the statement in column 2, page 5, of the *Civil and Military Gazette*, dated 8th August 1929, that mixed tennis clubs have become features of village life in Gurgaon district?

If so, will he kindly state—

- (a) the names of villages where such clubs exist ;
- (b) average cost per mensem of such a club ;
- (c) the source from which the expenses are met ?

The Honourable Malik Firoz Khan, Noon : (1) Yes.

(2) (a) There are no mixed tennis clubs in any of the villages of the Gurgaon district.

(b) and (c) Do not arise.

SUITABLE BUILDINGS FOR GIRLS HIGH SCHOOLS.

1319. Mr. E. Maya Das : Will the Honourable Minister for Education be pleased to state—

- (a) in what towns Government has got suitable buildings of their own for girls high schools ;
- (b) whether it is proposed to build more buildings where suitable buildings do not exist ; if so, where and when ?

The Honourable Mr. Manohar Lal : (a) Jullundur, Lahore, Sialkot, Rawalpindi, Multan and Lyallpur.

(b) Government will take what steps it can to improve the buildings in other places.

CASH RENTAL FOR *barami*, *chahi* AND *nahri* LANDS.

1320. Mr. E. Maya Das : Will the Honourable Revenue Member be pleased to lay a statement on the table showing by districts cash rental per acre for *barami*, *chahi* and *nahri* lands in the Punjab ?

The Honourable Mian Sir Fazl-i-Husain : The information asked for by the honourable member is not readily available, and its collection would entail an amount of time and labour which, in the opinion of Government, would not be justified by its value, but the honourable member will find such information as is available on the subject in the various settlement reports in the Financial Commissioners' Office which he is at liberty to consult.

EXPORT OF BONES.

1321. Mr. E. Maya Das : (a) Will the Honourable Minister for Agriculture be pleased to state what is the quantity of bones exported from the Punjab last year ? If possible, information may kindly be given by districts.

(b) Is there any export duty charged by the Punjab Government ? If so, what was the amount realised ?

The Honourable Sardar Sir Jogendra Singh : (a) A statement is laid on the table showing by districts the quantity of bones exported from the Punjab during the calendar year 1928, which comes to nearly 5 lakh maunds.

(b) No.

[Hon'ble Sardar Sir Jogendra Singh.]

STATEMENT SHOWING BY DISTRICTS THE QUANTITY OF
BONES EXPORTED FROM THE PUNJAB DURING THE
CALENDAR YEAR 1928.

Name of district.					Quantity.
					Mds.
Ambala ..	..	..	..	..	10,291
Amritsar ..	..	..	..	..	10,062
Attock ..	..	..	..	..	11,875
Ferozepore ..	..	..	..	..	28,478
Gujranwala ..	..	..	..	..	26,288
Gujrat ..	..	..	..	..	17,681
Gurdaspur ..	..	..	..	..	83,740
Gurgaon ..	..	..	..	..	449
Hissar ..	..	..	..	..	29,597
Hoshiarpur ..	..	..	..	..	19,699
Jhang ..	..	..	..	..	28,974
Jhelum ..	..	..	..	..	6,140
Jullundur ..	..	..	..	..	25,506
Kangra ..	..	..	..	..	809
Karnal ..	..	..	..	..	18,084
Lahore ..	..	..	..	..	88,421
Ludhiana ..	..	..	..	..	6,389
Lyallpur ..	..	..	..	..	24,615
Mianwali ..	..	..	..	..	14,000
Montgomery ..	..	..	..	..	22,459
Multan ..	..	..	..	..	29,720
Muzaffargarh ..	..	..	..	..	8,571
Rawalpindi ..	..	..	..	..	12,644
Rohtak ..	..	..	..	..	1,650
Shahpur ..	..	..	..	..	29,405
Sheikhupura ..	..	..	..	..	20,918
Sialkot ..	..	..	..	..	28,668
Simla ..	..	..	..	..	560
Total ..					490,588

WATER-LOGGED AREAS.

1322. **Mr. E. Maya Das :** Will the Honourable Revenue Member be pleased to lay on the table a statement showing the water-logged areas by districts?

The Honourable Mian Sir Fazl-i-Husain : A statement is laid on the table.

STATEMENT SHOWING THE WATER-LOGGED AREAS FOR THE YEARS 1927-28 AND 1928-29, IN THE SIX NORTHERN DISTRICTS OF THE PUNJAB.

UNSTARRED QUESTIONS AND ANSWERS.

275.

District.	NUMBER OF ESTATES SURVEYED.		Class of area.	THUR.		Differ- ence.	SEM.		Differ- ence.
	1927-28.	1928-29.		1927-28.	1928-29.		1927-28.	1928-29.	
				Acrea.	Acrea.	Acrea.	Acrea.	Acrea.	Acrea.
Gujranwala ..	620	580	Cultivated ..	20,356	16,843	-3,513	405	270	-136
			Uncultivated ..	1,77,835	1,76,606	-1,227	6,539	6,284	-255
Shakot ..	107	106	Cultivated ..	981	274	-107	1,801	1,315	-486
			Uncultivated ..	2,694	2,457	-237	5,421	5,421	Nil
Sheikhpura ..	264	263	Cultivated ..	8,098	8,479	-1,217	1,541	1,309	-232
			Uncultivated ..	40,620	45,776	5,156	5,600	5,226	-374
Gujrat ..	289	263	Cultivated ..	7,494	5,687	-1,807	1,224	986	-238
			Uncultivated ..	9,185	9,060	-125	7,834	7,730	-104
Shahpur ..	94	93	Cultivated ..	3,091	2,757	-334	599	326	-273
			Uncultivated ..	9,229	9,804	75	4,293	4,212	-81
Jhang ..	20	20	Cultivated ..	635	374	-261	12	7	-5
			Uncultivated ..	6,174	6,152	-22	207	143	-64
Total ..	1,394	1,323	Cultivated ..	41,653	34,414	-7,239	5,662	4,213	-1,369
			Uncultivated ..	2,46,735	2,49,355	3,620	28,894	29,016	-122

[Hon'ble Mian Sir Fazl-i-Husain.]

STATEMENT SHOWING THE WATER-LOGGED AREAS FOR 1928-29 IN THE SOUTHERN DISTRICTS OF THE PUNJAB.

District.	Number of estates surveyed.	Class of Area.	Thur.	Sem.
			Acres.	Acres.
1. Ambala ..	5	Cultivated ..	..	12
		Uncultivated ..	..	448
2. Karnal ..	31	Cultivated ..	225	92
		Uncultivated ..	2,770	1,591
3. Ludhiana ..	25	Cultivated ..	202	225
		Uncultivated ..	321	1,368
4. Gurdaspur ..	61	Cultivated ..	24	128
		Uncultivated ..	76	6,240
5. Lahore ..	59	Cultivated ..	5,669	99
		Uncultivated ..	9,962	385
Total ..	181	Cultivated ..	6,120	556
		Uncultivated ..	13,129	10,032

NOTE.—The water-logging survey in above districts was commenced in October 1928.

INSPECTION OF RURAL DISPENSARIES BY CIVIL SURGEONS.

1323. **Mr. E. Maya Das :** Will the Honourable Minister for Local Self-Government be pleased to state, whether it is a fact that during 1928-29 certain rural dispensaries were not inspected by civil surgeons in some districts? If so, what is the number of such dispensaries?

The Honourable Malik Firoz Khan, Noon : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

BOOKS RELATING TO EVILS OF DRINK HABIT.

1324. **Mr. E. Maya Das :** Will the Honourable Minister for Agriculture be pleased to lay a statement on the table showing the names of books describing the evils of drink habit in a scientific manner which have been approved for being placed in school libraries?

The Honourable Sardar Sir Jogendra Singh : None, so far as I know.

EVILS OF DRINKING ALCOHOL.

1325. Mr. E. Maya Das : Will the Honourable Minister for Agriculture be pleased to state what steps have been taken and are being taken to encourage the production of scientific literature for exposing the evils resulting from drinking alcohol?

The Honourable Sardar Sir Jogendra Singh : Scientific literature on the subject is contained in medical books of reference which are primarily intended for the use of the medical profession, and are too technical in nature to be readily assimilated by the public at large. Popular treatises on the subject are prepared by individuals and societies, and experience has shown that these works are most suitably undertaken by this kind of agency.

SHED NEAR THE MOTOR STAND AT SIMLA.

1326. Mr. E. Maya Das : Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that at the motor stand at Simla there is no shed to protect the vehicles, the passengers and their luggage from sun and rain;
- (b) whether the municipal committee is considering the question of providing a shed or not;
- (c) if so, by when will a suitable shed be completed;
- (d) if not, what action Government proposes taking in the matter?

The Honourable Malik Firoz Khan, Noon : (a) There is no regular motor stand at Simla, but during the season months, when there is a great deal of motor traffic, a part of the bullock cart stand is used as a motor stand. Near this spot the municipal committee has built a few garages which are rented to owners of motor-cars.

(b) The question was duly considered by the municipal committee who came to the conclusion that the erection of a roofed shed over the open space would not be in the public interest.

(c) Does not arise.

(d) Government does not propose to take any action in the matter.

CART TRAFFIC ON THE KALKA-SIMLA ROAD.

1327. Mr. E. Maya Das : Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that bullock cart traffic is not permitted on the Simla-Kalka road during the daytime;
- (b) if so, what is the penalty for infringement of these orders;
- (c) what officer is responsible for the control of this traffic;
- (d) what steps were taken by him during July 1929 to exercise this control?

The Honourable Mian Sir Fazl-i-Husain : I regret the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

GOVERNMENT HIGH SCHOOLS FOR GIRLS.

1328. Mr. E. Maya Das : Will the Honourable Minister for Education be pleased to state—

- (a) how many Government high schools for girls are there in the Punjab and in what districts ;
- (b) what is the maximum number of students that can be accommodated in each school ;
- (c) what is the demand for admission in each school and whether it is on the increase ;
- (d) if the demand is in excess of accommodation available, what action Government proposes to take in the matter ?

The Honourable Mr. Manohar Lal : (a)

No.	Name of School.				District.
1	Lady MacLagan High and Normal School for Women, Lahore.				Lahore.
2	Victoria Girls' High School, Lahore				.. Lahore.
3	Government High School for Girls, Sialkot				.. Sialkot.
4	Ditto	ditto	Gujranwala	..	Gujranwala.
5	Ditto	ditto	Moga	..	Ferozepore.
6	Ditto	ditto	Lyallpur	..	Lyallpur.
7	Ditto	ditto	Rawalpindi	..	Rawalpindi.
8	Ditto	ditto	Multan	..	Multan.
9	Ditto	ditto	Jullunder	..	Jullunder.
10	Ditto	ditto	Ludhiana	..	Ludhiana.
11	Ditto	ditto	Ambala	..	Ambala.
12	Ditto	ditto	Hissar	..	Hissar.
13	Ditto	ditto	Hoshiarpur	..	Hoshiarpur.
14	Ditto	ditto	Amritsar	..	Amritsar.
15	Ditto	ditto	Jhang	..	Jhang.

(b) and (c) It is difficult to estimate how many girls can be accommodated in each school, but the demand for admission is increasing rapidly.

(d) Government is taking steps to see that the accommodation is extended as far as possible.

HILL ALLOWANCE TO THE STAFF OF THE HYDRO-ELECTRIC
BRANCH AT BROT AND JOGINDERNAGAR.

1329. **Mr. E. Maya Das :** Will the Honourable Minister for Agriculture be pleased to state—

whether it is a fact that the clerical establishment working in the offices of the Hydro-Electric Branch at Brot and Jogindernagar has not been treated alike in the matter of hill allowance? If so, what is the reason for this differentiation?

The Honourable Sardar Sir Jogendra Singh : The clerical establishment stationed at Brot is in receipt of a higher rate of compensatory allowance than the staff at Jogindernagar because—

- (a) the price of food at Brot is higher than at Jogindernagar; and
- (b) the winter climate of Brot is more severe and the members of the staff stationed there have to spend larger sums on warm clothing, boots, bedding and firewood.

MISAPPROPRIATION OF GOVERNMENT MONEY IN THE AGRICULTURAL
DEPARTMENT, LYALLPUR.

1330. **Sardar Hira Singh, Narli :** Will the Honourable Minister for Agriculture kindly state—

- (1) whether there were any allegations of misappropriation of Government money against a gazetted officer of the Agricultural Department at Lyallpur in December 1928;
- (2) whether any enquiry was held into these allegations, and, if so, by whom and on what date; whether the enquiry was held by a panel officer or by an officer of the department;
- (3) whether it is a fact that the officer in question was held guilty of excess payment made by him deliberately and asked to refund the excess Government money;
- (4) whether Government is prepared to lay the papers relating to the enquiry on the table;
- (5) whether the law officers of the Crown were consulted in this respect; if so, a copy of their opinion may please be laid on the table;
- (6) what were the reasons which led the Honourable Minister to take departmental action only and not hand over the papers to the police;
- (7) what punishment has been given to that officer and by whom;
- (8) whether that officer was a permanent member of the Provincial Agricultural Service or on probation only; if the latter, whether he has been reverted to his permanent post, and, if not, why not, after this serious incident?

The Honourable Sardar Sir Jogendra Singh : (1) No allegation of misappropriation was made. A recommendation for payment at a higher rate than that prevailing in the market was forwarded for sanction

[Hon'ble Sardar Sir Jogendra Singh.]

by the officer in question on account of the cost of a certain quantity of gram purchased by him for Government.

(2) An enquiry was held by the Director of Agriculture, Punjab, between December 1928 and April 1929.

(3) The officer in question was not held guilty of excess payment, but guilty of passing on the claim for payment without proper scrutiny. The officer in question was ordered, with the approval of the then Financial Commissioner, to refund the difference in price, Rs. 80.

(4) The detailed report of the Director of Agriculture is laid on the table.

(5) No.

(6) The facts of the case did not warrant a prosecution.

(7) The additional cost of Rs. 80 was recovered from him.

(8) The officer was a member of the Provincial Agricultural Service on probation. His probationary period has been extended up to December 31st, 1929.

In view of the fact that he had previously suffered from encephalitis and was still the worse for his illness, when his carelessness caused this loss to Government, he was not reverted to his permanent post.

Copy of a letter No. 15890, dated the 24th September, 1929, from the Director of Agriculture, Punjab, to the Deputy Secretary to Government, Punjab, Development Department, on the subject of misappropriation of Government money in the Agricultural Department, Lyallpur.

With reference to your endorsement No. 2152-D. (S.), dated the 17th September, 1929, on the subject cited above, I have the honour to forward herewith the papers relating to the enquiry held into an allegation that M. Muhammad Hassan Khan, Assistant to the Cotton Research Botanist, Lyallpur, had paid a higher rate than that prevailing in the market on account of the cost of a certain quantity of gram purchased by him for Government.

2. The facts of the case, as brought to light by the enquiry held by me along with Mr. Trought, Cotton Research Botanist, and Pandit Karta Kishen, Extra Assistant Commissioner (late Personal Assistant to Director of Agriculture, Punjab), are that M. Muhammad Hassan Khan, Assistant to the Cotton Research Botanist, purchased 160 maunds of gram, in two separate lots of 100 and 60 maunds, respectively, from Hazari Lal, shopkeeper at the Risalewala Farm. Both the consignments were obtained by the shopkeeper from the Lyallpur market on 21st September, 1928. He began to cart the first consignment of 100 maunds to the Risalewala Farm (for which place the stock was purchased) on 21st September, 1928, and the second one of 60 maunds was carted to the farm between that date and 26th September, 1928. The Lyallpur market rate for gram on 21st September, 1928, was Rs. 4-12-0 per maund, but Hazari Lal put in a claim of Rs. 5-4-0 per maund. The fault of M. Muhammad Hassan Khan lay in the fact that he passed on the claim to the Cotton Research Botanist for payment without proper scrutiny.

3. M. Muhammad Hassan Khan had a severe attack of encephalitis shortly before this incident occurred, and I am convinced that he was then, and even at the time of the enquiry, viz., from December 1928 to April 1929, suffering from its after-effects. It appears that it was due to this that he failed to examine the bill of cost with reference to the date of purchase and the market rate prevailing on that date.

4. Taking all the circumstances of the case into account, I ordered, with the approval of the Financial Commissioner, Development, that, as a penalty for his carelessness, M. Muhammad Hassan Khan should refund to Government a sum of Rs. 80, which represented the difference in price of 160 maunds of gram charged at Rs. 5-4-0 per maund, instead of Rs. 4-12-0 per maund, the actual price prevailing in the market on the dates of purchase. I also directed that the Cotton Research Botanist should have no further transactions with Hazari Lal, shopkeeper, who was not considered any longer to be a suitable person for employment as an agent for the purchase of articles for Government.

5. As M. Muhammad Hassan Khan was still on probation, his probationary period was extended up to 31st December, 1929, and he was transferred as Extra Assistant Director of Agriculture to Karnal.

6. In view of what has been stated above, no necessity was felt to consult the law officers of the Crown in this connection.

7. This office file on the subject, sent herewith, may kindly be returned when no longer required.

COMPENSATION FOR PEOPLE WHOSE LANDS HAD BEEN DEVASTATED BY
THE FLOODS IN THE DEK RIVER.

1331. Dr. Sir Muhammad Iqbal : Will the Honourable Revenue Member please state—

(a) whether it is a fact that in February 1929 the Deputy Commissioner, Sialkot, made visits to those villages in the said district of which the lands are subject to devastation by floods in the Dek river and recommended compensation grants of land in the Nili Bar Colony for those peasant proprietors the greater portion of whose holdings had become *burd* on account of river action ;

(b) if so, whether it is a fact that in determining the extent of the *burd* holdings only such lands were taken into consideration as were entered as *burd* in the *jamabandis* of 1923-24 and not those which were laid waste by the Dek subsequent to that year ;

(c) whether it is a fact that many of the lands of villages like Khaira, Makhanpur, Chak Ishaq, etc., on the river Dek have been rendered *burd* after 1923-24 and are entered as such in the annual Survey Register, i.e., *Girdawari* ; if so, what action Government intend to take with respect to these lands ?

The Honourable Mian Sir Fazl-i-Husain : (a), (b) and (c).—The Deputy Commissioner was allotted 720 rectangles for dealing with cases of damage from water-logging and *nala* action. He has not yet selected grantees for all these rectangles. He has deferred the completion of his selections in order to avail himself of the latest information now being collected about damage done by the Deg Nala, and will doubtless be able to give full consideration to the points raised by the honourable member, a copy of whose question will be sent to him.

EXTERNAL EXAMINERS, PUNJAB VETERINARY COLLEGE.

1332. Chaudhri Afzal Haq : Will the Honourable Minister for Agriculture be pleased to state—

- (1) the number of external examiners communitywise for the year 1929 at the Punjab Veterinary College;
- (2) whether it is a fact that so far no Muhammadan external examiner has been appointed at the Punjab Veterinary College;
- (3) whether it is a fact that Muhammadans with qualifications similar to, or even better than, the external examiners so far appointed at the Punjab Veterinary College are available;
- (4) if answers to parts (2) and (3) be in the affirmative, what are the reasons for not appointing any Muslim external examiners so far?

The Honourable Sardar Sir Jogendra Singh :

- | | | | |
|---------------|----|-----------------|------|
| (1) Europeans | .. | .. | 5 |
| Indians | { | Muhammadans | .. |
| | | Non-Muhammadans | .. 3 |
- (2) Yes.
 - (3) No.
 - (4) Does not arise.

DIVERSION OF THE GHAGGAR STREAM BY THE PATIALA STATE.

1333. Chaudhri Afzal Haq : Will the Honourable Revenue Member please state—

- (a) whether it is a fact that the Ghaggar stream has been diverted by the Patiala State for their own use;
- (b) whether it is a fact that the zamindars of Hissar district could not get water for irrigation purposes;
- (c) whether it is a fact that zamindars of that ilaqa claimed to have incurred a loss of 15 lakhs on account of the diversion of the Ghaggar stream by the Patiala State;
- (d) if the answer to the above is in the affirmative, what action Government intend to take in the matter?

The Honourable Mian Sir Fazl-i-Husain : (a) and (b) Government have received complaints to this effect from the Ghaggar Zamindar Association.

(c) The association has complained that the zamindars have suffered heavy loss, but Government have so far received no definite estimate of that loss.

(d) The whole question is under discussion between the Punjab Government and the Patiala Darbar through the Agent to the Governor-General, Punjab States.

RIVER FLOOD IN THE HOSHIARPUR DISTRICT.

1334. Chaudhri Afzal Haq : Will the Honourable Revenue Member be pleased to state—

(a) whether it is a fact that considerable damage has been caused by the river flood this year in the Hoshiarpur district ;

(b) if so, what steps Government has taken to afford relief to the sufferers ?

The Honourable Mian Sir Fazl-i-Husain : (a) Some distress was caused in the Dasuya tehsil by floods from the Beas, but no abnormal damage was caused by floods in other tehsils, whether from that river or the Sutlej.

(b) The Deputy Commissioner is doing all he can to afford relief by *taacat* advances and by remission of land revenue where justified, and by the provision of land for new *abadis* in one or two cases.

DAMAGE TO VILLAGES INSIDE DUSSI BUND, TEHSIL DASUYA, BY RIVER FLOOD.

1335. Chaudhri Afzal Haq : Will the Honourable Revenue Member be pleased to state—

(a) whether it is a fact that considerable damage has been done to the villages inside Dussi Bund in tehsil Dasuya by river flood ;

(b) whether it is a fact that the zamindars of those villages have claimed compensation for the damages caused by Dussi Bund ;

(c) if so, whether Government made any enquiry into the matter ?

The Honourable Mian Sir Fazl-i-Husain : (a) Certain villages lying between the Dussi Bund and the river suffered damage by erosion of the left bank of the Beas river.

(b) No, so far as Government is aware.

(c) Does not arise.

TRIAL OF MAULANA ZAFFAR ALI KHAN AND SARDAR MANGAL SINGH.

1336. Chaudhri Afzal Haq: Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that Mr. Lewis, Additional District Magistrate of Lahore, tried Maulana Zafar Ali Khan and Sardar Mangal Singh of the charge of being members of an unlawful assembly;
- (b) whether it is a fact that in acquitting them the said magistrate recorded some unpleasant remarks against them in the judgment;
- (c) if so, what action Government intend to take in the matter?

The Honourable Mr. A. M. Stow: (a) Yes.

(b) The honourable member presumably refers to the reasons stated by the magistrate for giving the accused the benefit of the doubt. If this is so, Government consider that the remarks in question were relevant to this portion of the judgment of the court.

(c) None.

M. B. HIGH SCHOOL, ABOHAR.

1337. Rai Sahib Lala Ganga Ram: Will the Honourable Minister for Education please refer to his answer to council question No. 928¹ asked by Pir Akbar Ali on the 26th February, 1929, and state—

- (a) whether it is a fact that the entire ilaqa of Abohar is agitating for the provincialisation of the school and on its behalf one Bagh Ali, Sukhera, landlord, Abohar, is representing the case to the department and to the Ministry of Education now and then;
- (b) whether it is also a fact that since then the municipal committee, Abohar, has submitted the case of the said school for provincialisation through the proper channel and that it is lying with the Inspector of Schools, Jullundur division;
- (c) if the answers to (a) and (b) above be in the affirmative, what action Government intend to take in the matter of provincialisation of the school as early as possible?

The Honourable Mr. Manohar Lal: (a) Representations on the subject have been received through one Bagh Ali.

(b) Government has no information, but the Inspector's recommendations have not so far been invited.

(c) I have nothing to add at present to the answer given to part (d) of council question No. 928.¹

¹ Vol. XII, pages 422-23.

AHALKARS, ETC., IN THE JHANG DISTRICT.

1338. Sayad Mubarik Ali Shah : Will the Honourable Finance Member kindly lay on the table a list showing—

- (a) the present number of Ahalkars in the judicial department, i.e.; readers, ahalnads, nazars, bailiffs, moharrirs, peons, with their respective emoluments, and persons on the candidates' list for these posts in the Jhang district ;
- (b) the number of Muslims and non-Muslims amongst them ;
- (c) the number of agriculturists and non-agriculturists ?

The Honourable Mr. A. M. Stow : (a), (b) and (c). A tabular statement is laid on the table.

[Hon'ble Mr. A. M. Stow.]

LIST OF ESTABLISHMENT IN THE JUDICIAL DEPARTMENT IN THE JHANG DISTRICT.

Name of appointments.	Number of appointments.	Non-Muslime.	Muslime.	Agriculturists.	Non-agriculturists.	REMARKS.
GENERAL MINISTERIAL ESTABLISHMENT.						
		Rs. 75-5-150.				
Clerk of Court	1	1	1	1	..	
		Rs. 75-5-125.				
Reader	1	..	..	..	..	Post vacant, the Hindu incumbent having recently died.
		Rs. 40-2-00.				
Readers	4	1	3	2	2	
		Rs. 30-11-00-2-70.				
Ablinads	5	4	1	1	4	
LAWSON APPOINTMENTS.						
Daftari on Rs. 13	1	1	..	..	1	*Information not available from the records.
Ordinary peons on Rs. 14 each	7	5	2	..	..
Chaukidars on Rs. 13 each	2	..	1	1	..	
		PAID CANDIDATES.				
Paid candidates on Rs. 25 each	2	1	1	1	1	

UNPAID CANDIDATES.

PROCESS-SERVING ESTABLISHMENT.

Candidates ..	13	12	1
Civil Nazir ..	1	1	1
Nazir-Nazira ..	5	4	1
Medad Nazir-Nazira ..	5	4	1
Bellis ..	6	4	2

TEMPORARY.

Bellis ..	5	3	2	1	4
Process servers ..	41	23	18	*	
Candidates ..	50	34	16	*	

*Information not available from the records.

SETTLEMENT PAPERS, MULTAN TAHSIL.

1339. Lala Bodh Raj : Will the Honourable Member for Revenue please state—

- (a) whether it is a fact that S. Gur Partap Singh, Revenue Assistant, while at Multan in dealing with the demarcation case of Sidhu Ram and Taraf Mubarak in tahsil Multan, case No. being 85/21, reported that the settlement papers had not been correctly prepared, and that they required revision ;
- (b) if so, whether the necessary mistakes pointed out in those papers have since been corrected, and if not, why ?
- (c) whether it is also a fact that the Collector, Multan, asked the petitioner in the said demarcation case to bear the expenses for the correction of records of settlement ? If so, why ?

The Honourable Mian Sir Fazl-i-Husain : The honourable member's question makes no mention of an order on appeal, a perusal of which will be helpful.

REPORTS AND STATEMENTS LAID ON THE TABLE.

Secretary : (1) Appropriation Accounts of the Punjab Government and the Report of the Accountant-General thereon and (2) Report of the Committee on Public Accounts of the Punjab Legislative Council on the Appropriation Accounts of the year 1927-28 and other matters are laid on the table.

THE PUNJAB REGULATION OF ACCOUNTS BILL.

The Honourable Mr. A. M. Stow (Finance Member) : Sir, I beg to present the report of the Select Committee on the Punjab Regulation of Accounts Bill.

GOVERNMENT'S DEMANDS FOR SUPPLEMENTRY, ADDITIONAL AND TOKEN GRANTS.

The Honourable Mr. A. M. Stow (Finance Member) : Sir, I beg to present the Additional, Supplementary and Excess Demands for grants specified on the continuous list of Government business. These have all been recommended by His Excellency the Governor. As regards the Additional and Supplementary Demands for the current financial year, I would draw attention to the statement of the financial position which has been circulated to the honourable members. With regard to the Excess grants for 1927-28, I may inform the Council that these are presented on the recommendation of the Public Accounts Committee whose report has been circulated.

IRRIGATION GRANT.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : Sir, I beg to move—

"That supplementary and additional sums not exceeding Rs. 21,95,230 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1930 in respect of Irrigation."

The motion was carried.

IRRIGATION—CAPITAL EXPENDITURE GRANT.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : Sir, I beg to move—

“That an additional sum not exceeding Rs. 5,470 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1930 in respect of Irrigation—Capital Expenditure.”

The motion was carried.

POLICE GRANT.

The Honourable Mr. A. M. Stow (Finance Member) : Sir, I beg to move—

“That a supplementary sum not exceeding Rs. 1,00,717 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1930 in respect of Police.”

Mr. President : The demand moved is—

“That a supplementary sum not exceeding Rs. 1,00,717 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1930 in respect of Police.”

Lala Bodh Raj [West Punjab Towns, (Non-Muhammadan), Urban] : Sir, I beg to oppose this demand altogether, and I have got my reasons for opposing this demand. The Honourable Finance Member has not placed before the House any reason in favour of this demand, but from the Memorandum that has been placed before us it appears that this additional police is required on the occasion of the session of the Indian National Congress to be held at Lahore in the month of December next, and the strength of the additional police that is required is 1 Superintendent, 1 Inspector, 4 Sergeants, 10 Sub-Inspectors, 10 Assistant Sub-Inspectors, 40 Head Constables and 500 foot constables.

This additional police has been entertained from the 16th of September, 1929 and it is to continue up till 31st January, 1930. The Honourable Finance Member has come up so late as 25th November, 1929 for sanction by this Council of this expenditure. It was in the beginning of the year that it was decided that there would be a session of the Congress at Lahore in December and after that, we have had occasion to meet in this Chamber in the months of February and March, July and September of this year. It would have been very reasonable and appropriate on the part of the Finance Member if he had come to this House for the sanction of this expenditure a little earlier so that the House would have been in a position to give its decision one way or another. Now a portion of this amount for which sanction is now asked has already been incurred, or in other words, it appears that we as members of this House are not required to give our opinion on the subjects placed before us, but we are merely asked to say ‘ditto’ to whatever the Government does, or to put it in those famous words, we are here to register the decrees of the executive.

Coming to the merits of the subject, I submit that if you turn to page 251 of the Budget you will see that the strength of the police already sanctioned is as follows : 36 Superintendents, 32 Assistant Superintendents, 50 Deputy Superintendents, 129 Inspectors, 38 Sergeants, 3 Probationary Inspectors, 848 Sub-Inspectors, 201 Assistant Sub-Inspectors, 2,848 Head Constables.

[Lala Bodh Raj.]

and 16,372 foot constables. In the Budget you will also find that there are several items of new expenditure under several heads under District Police Force. I will not go into the details of those items, but I will simply suggest that in view of the fact that the province is already spending more than a crore of rupees, poverty-stricken as it is already, it cannot afford this extra expenditure on the police. It would have done for the Government to get the work done by the existing staff. It will not be difficult for the Government to send for 20 or 25 constables from each district and thus easily make up the number of 500. They could have also got a Superintendent and one or two Inspectors and 4 sergeants from the existing staff from other districts. But if the Honourable Member comes forward with the plea that the existing staff is already over-worked, I will just give some instances to show what the present police staff is doing. If one is to come to a decision from what the present staff is doing, one can easily find that there is a sufficient number of police at present to spare. We find from the reports of the press and otherwise that a number of policemen are shadowing the Congress workers in each and every district and wherever a public meeting or a political conference is held, a number of policemen go ahead of the Congress people for the purpose of stopping the activities of the Congress and terrorising the people telling them that they should not attend such public meetings or conferences, and sometimes they themselves create trouble. We have the instances of Nikodhar and Jhang where the Congress people were belaboured without any justification whatsoever. Great trouble is created by these men on the occasion of public meetings and political conferences. The additional police that is now recruited, if I understand rightly, was not requisitioned by the Reception Committee of the Indian National Congress, nor are the Members of Government prepared to help the Congress in the furtherance of its objects. The only work that is required on this occasion is to control the street traffic. That is the only work which, if I understand rightly, is to be undertaken by this additional police, unless it be to harass the Congress workers or to beat the Congresswallahs. We read in the "*Hindu Herald*" of the 28rd November a report by its representative that when he went outside the Sessions Court he found that one of the newly recruited constables was found chained along with other police constables and on enquiry the reply was that they were learning how to chain the Congresswallahs. If that is the sort of training that is given to them, I would submit, Sir, that that is not the work that is demanded from this police. The only work that can be demanded is that they should work in the interests of the public and they should administer to the convenience of the public. If the reports that we receive about the police are true, then I submit that it is better that we should not have such police. It may be stated that this additional staff is only temporary, but our fears are that it will not be temporary, but next year the Government will come forward with the plea that this additional police should continue in view of the exigencies of the situation that has been created by the session of the Congress at Lahore and that they do not know what complications might arise. But what I say is, let us wait and see, and if necessary, then the Honourable Member can come forward and say that the strength that we have got is not sufficient to cope with the situation and more police is required. But at present, I do not see any necessity for the additional

police. I would like to quote, in this connection, from the Statement of the Financial Position, November 1929, supplied by the Honourable Finance Member. With your permission, I beg to read a few lines from this statement :—

"The year 1929-30 opened favourably with a good *rabi* crop, except, in certain barani districts, particularly those of the Ambala Division where the failure of the winter rains resulted in heavy suspensions and remissions of land revenue. The monsoon started late and ended early, particularly in the south-eastern districts of the province where considerable agricultural distress is apprehended before the next monsoon. In the Lahore Division and the greater part of the Jullundur Division the monsoon was on the whole satisfactory, and in the unirrigated areas of the Rawalpindi Division crops, though varying widely in quality, may on the whole be regarded as average. In the south-western area the outstanding feature of the season has been the destructive floods. In the Dera Ghazi Khan district the hill torrents swept away crops wholesale, and did great damage to canals, and similar havoc was wrought in the Muzaffargarh district generally and in the Indus, Jhelum and Chenab riverains in other districts by the floods at the end of August. Locusts have in many parts of the Province done considerable harm and will, it is feared, not improbably do more."

This is the state of affairs in the province. And what is the result on the finances of the province? To quote the words of the Honourable Finance Member :—

"The effect of these supplementary estimates is shown in the attached *pro forma* account. They will reduce the expected closing balance to only 53 lakhs or, excluding a balance of about 20 lakhs in the Famine Relief Fund which must be left out of account in deciding whether the local Government has a plus or a minus balance at the end of the year to 33 lakhs. This figure will be further reduced by the expected loss of revenue due to the floods and to drought in the Ambala Division, which is not likely to be less than 20 lakhs, and an expected shortage of 20 or 30 lakhs under Extraordinary Receipts. Further expenditure is likely to be necessary on the famine relief and on repairs to civil works. It is clear, therefore, that there will be a minus balance at the end of the year, and it has been necessary to warn the Government of India that a loan will be required from the Provincial Loans Fund if this is to be avoided."

This is the state of affairs of our finance, and it has been found necessary to warn the Government of India if these things continue. It is for us now to see whether we shall allow the Government to incur the present expenditure or expenditure on similar things. We have to see whether we can allow the finances of this province to go into this condition as mentioned here in view of the fact that the people of this province are poverty-stricken and cannot afford to bear any further burden of taxation. We apprehend that at the end of this year when the Honourable Finance Member will come before us with his budget for the next year with bad prospects he might come forward with another scheme of taxation which we might not be willing to accept.

Under these circumstances there is no justification whatsoever for the Honourable Finance Member to spend over a lakh of rupees for additional police. During the past few years additional police was entertained from time to time when there were communal disturbances, or when there were political disturbances. Now at present there are no communal disturbances, there are no political disturbances; there is perfect peace and order in the country. In certain districts the additional police, which was already entertained, is allowed to continue. If the Honourable Member would withdraw that additional police, he would relieve the people of those districts from the taxation and he can also utilise that police for the

[Lala Bodh Raj.]

present purpose. I hope honourable members of this House will agree with me in rejecting this demand not only on political considerations but also on the consideration that the Government members do not care a bit for the voice of the Council and the only effective way of expressing our resentment is to reject this demand altogether.

Chaudhri Afzal Haq [Hoshiarpur-cum-Ludhiana (Muhammadan) Rural] (Urdu): Sir, the honourable member representing Multan has discussed the scheme of recruiting fresh police for the coming session of the Congress to some extent. He has tried to show by placing the requisite facts and figures before the House that fresh recruitment simply to keep order during Congress days is not only unnecessary, but also absolutely uncalled for. In fact, he has actually succeeded in showing that the police force in the districts is sufficient and available to do the work for the present occasion.

Moreover, the procedure of the Government in asking the Council to assent to this demand is irregular. The Government first spends a sum and then comes and asks our consent for it. This amounts to saying that Government commits itself first and accordingly leaves no choice for us but to yield to its demand, fair or unfair. If we oppose its demands, then it begins to complain that we do not co-operate with it. It was decided in December last year that the session of the next Congress was to be held in the Punjab and the Government were aware of it, but in a pleasant slumber they allowed the time to pass and did not bring this demand to our notice at the proper time. The Government has already committed itself to the scheme by incurring expenses on it, and now moves the demand for its grant. This delay and easy forgetfulness on the part of the Government is inexplicable and incomprehensible.

The Honourable Mian Sir Fazl-i-Husain: At least let us here know how you explain this delay on the part of the Government.

Chaudhri Afzal Haq: This is due to negligence on the part of Government and to the knowledge that the opposition is not strong and the Government can rush through a demand at any time. Had the opposition been strong and had the Government known it, it would never have shown so much carelessness. Dishonesty is a crime and so is negligence. Had the Government called the police from the districts for the present occasion, the public funds would have surely been spared this unnecessary charge. In addition to this, the permanent police force would also have received a kind of training in controlling big gatherings and in maintaining law and order among them. But you would not let them learn this valuable experience and on the contrary have engaged a police consisting of inexperienced youths for the Congress which is an All-India gathering; and it is quite possible that these raw and hot blooded youngsters may in their zeal overdo their duty, and provoke some members of that vast gathering into unlawful acts. This would be deplorable and the consequences are too patent to need comment. It is true that as long as there is an awakening in the country, as long as the people are desirous of attaining *Swaraj*, as long as Indians are alive to the curse of foreign rule and as long as they are earnest to end it, or mend it Government will always consider it to be of the utmost importance that the police should not only be

strengthened as regards numbers, but that it should also be kept alert so as to cope with all occasions and emergencies. But even conceding this, the question still remains of employing only the right type of men for this duty and my party feels that if the Police was to be used at all, it would have been better, if the Government had employed only the railway police and the district police for the present occasion.

My next submission is that a feeling exists amongst the people that the Government still looks with suspicion on the gatherings and meetings that are held from time to time in the country for the purpose of achieving Home Rule without in any way transgressing the established law and provoking violence in the country. In this connection it is widely rumoured, and the press has also commented on it, that the Government have issued circulars to the effect that all the Government offices will remain open during the Christmas holidays and that no Government employee will be allowed to attend any political meeting whatsoever. This is what the press says.

Khan Bahadur Nawab Muzaffar Khan : Press news are not always reliable.

Chaudhri Afzal Haq : Then why don't you contradict the false statements published in the newspapers? Is it that you wish them to excite the feelings of the public? If the Head of the Information Bureau advises the House to suspect the *bona fides* of the press, then why does he abstain from publishing a statement to this effect? A master may or may not allow his servants to go to a certain place; I am not in a position to say anything on it. But assuming that the master has a right to order his servants not to attend a certain meeting, even then, one thing is clear that there is some motive in giving such an order; and under the present circumstances this motive is no other than that the Government does not want its servants to take part in Congress activities. Then, Sir, on the other hand, it is rumoured that this very Government which does not want its servants to take part in political meetings, has incurred expenses for getting some of its servants appointed members of the Reception Committee of the Congress. Where does this inconsistency on the part of the Government lead to, especially when these rumours and press articles still stand uncontradicted? Do they not lead one to believe that Government looks with suspicion and alarm at the Congress? And is it not possible that some of its servants so encouraged might somehow or other provoke the gathering to violence? If this is to happen, then I would submit that such a police force should not be employed, for its presence will be very, very harmful to the various interests of the country. As compared with such a police, I think the leaders of the people are far more competent to keep the gathering under control. Under these circumstances, such a police force should be wholly dispensed with and it should not be mustered here in Lahore. If the Government insists upon such an unlawful interference with the work of the Congress, then they have no right to ask our consent for such a grant and we are not prepared to accede to any such demand. Considering the importance of the recent proclamation of His Excellency the Viceroy we have a right to expect that the Government will assure us that they do not look with suspicion on Congress activities, and that they have not issued any such circulars. Only in that case can we accede to their present demand ignoring all their carelessness and many inconsistencies in presenting it.

Mr. H. W. Emerson (Chief Secretary) : Sir, I think the common sense of the House recognises that the demand presented is a necessary and a proper one, and it is, therefore,

not necessary for me to make more than a few remarks on the observations made by the honourable members from Hoshiarpur (Chaudhri Afzal Haq) and Multan (Lala Bodh Raj). The honourable members have attempted to obtain the support of the House on the ground that the House has not been treated in the way in which it ought to have been treated; that this demand ought to have been put before the House during the budget session (*Interruption*) or at least that it should have been presented as a supplementary demand in July and that it is improper for Government to anticipate the vote of the Council in the way in which, in regard to part of the expenditure, it has found it necessary to anticipate it. I think the past practice of the Government and the care the Finance Department exercises over the various demands of the Government, have given the House every assurance that Government are not in the habit of anticipating the vote of this House except in unavoidable circumstances. In regard to police arrangements for the Congress session at Lahore, I would say that the gathering is likely to be a very large body supplemented as it will be by a large number of other conferences to be held at Lahore during the Christmas week. It is impossible to forecast long in advance the requirements of police protection and precaution. In fact, the requirements are apt to change from day to day. Only yesterday I had a talk in an informal conference with the Inspector-General of Police and the Deputy Inspector-General of Police, Lahore Range, in order to consider whether the estimates they had prepared only two or three weeks ago could still be accepted as sufficient; and the conclusion we had reluctantly to reach was that owing to certain indications rather than developments which had occurred since they made their estimates it was necessary to revise them. Government avoid so far as possible placing before the Council demands which may prove to be unnecessary, and in fact that is a principle that is consistently pressed upon the departments both by the Public Accounts Committee and by the Finance Department. Until the requirements of Government become known the Council should not be asked to vote money for them. In accordance with that principle no demand was made in this Council until it became quite clear that the expenditure would be necessary. When it became clear then the demand was made. In order that the necessary preparations might be put in train it was necessary to anticipate the vote of the Council. I think the House will be perfectly satisfied that no reflection whatsoever is cast on the dignity of the House by the action which the Government has taken. I am surprised that the honourable members, both of whom are well-known as active and enthusiastic supporters of the Congress should take exception to an expenditure which this Government has to meet in the interests of the Congress. (*Interruption*.) The honourable members seem to imagine that this expenditure is being borne by Government in order to frustrate the activities of the Congress. I can assure the honourable members that this is not the intention of Government and never has been its intention. (*Hear, hear*). The numbers of people likely to attend the Congress and the other conferences (and there are about 16 or 17 other all-India conferences) that will be held in Lahore during the Christmas week is very large. For the Congress alone the estimate

is three lakhs. We know that in the Punjab alone a large number of Sikhs are coming for their conference, and there are indications that the Muhammadans are likely also to be present in Lahore in considerable numbers during Christmas. A large ingress of people must place a very great strain on the police arrangements. Traffic regulation, readiness to prevent any trivial incident from developing into anything in the nature of a communal trouble—these are only two of the demands which will be placed on the police. The general policy pursued by them will be to interfere as little as possible in the proceedings of the Congress or of any other body which wishes to take part in political discussion in Lahore. No one will be more pleased than the Government, if after Christmas week, it is found that the police preparations have been unnecessary. But I do not think that any one in the House who gives serious thought to the responsibility put upon the police during the next four or five weeks will dispute the fact that the expenditure proposed is moderate and reasonable and does not exceed prudent insurance against possible causes of trouble.

Now, there are just two minor matters which I should like to mention. The honourable member from Hoshiarpur seems to think that Government intend to issue an order stopping the Christmas holidays for its subordinates. It is true that the fact that the session of the Congress is being held in Lahore this year will not allow a number of Government officers to take the holidays which they otherwise would have enjoyed; and I think the honourable member ought to be grateful to those officers who will have to spend the whole Christmas holidays on duty. But apart from those officers there is no intention at all on the part of the Government to keep any Government subordinate on duty during the holidays whose services are not actually required. (*Hear, hear.*) That is the first point.

The second point which I should like to mention, and I think which arises out of a question put by an honourable member, is that there appears to be some misunderstanding about a supposed circular issued by the Punjab Government that all prominent members of the Congress are to be continuously shadowed, and secondly, that the friends of Government have been asked to use their influence to prevent persons from attending the Congress. Now, both these allegations are wrong. No such circular has been issued by Government and no such instructions have been given to any one in the sense that has been indicated by the honourable member. I cannot help feeling that the reason why the honourable members who have opposed the demand think of rejecting it is because of the misunderstanding as to the alleged orders of Government and as to the supposed functions of the extra police. I hope that I have been able to assure them on these points and that at any rate, the House as a whole will recognise that this demand is necessary and is nothing more than a reasonable insurance against risk which Government would be failing in its duty if it did not foresee and ask the House to provide by agreeing to this demand.

Shaikh Muhammad Sadiq [Amritsar City, (Muhammadan), Urban]:

Sir, I am fully aware that there would be a rush of people at the Congress time from all parts of the country and consequently there would be a greater necessity for policemen. But the question is whether such a large number as this is required by Government, *viz.* five hundred constables, forty head.

[Sh. Muhammad Sadiq.]

constables, many sub-inspectors and inspectors. This has created a legitimate apprehension in the minds of the people that the intention of the Government is to overawe the people attending the Congress. That is the impression created in the mind of an ordinary ignorant person who does not understand the working of the departments of Government. This apprehension has been strengthened by the rumour that circulars have been issued by Government in this connection. I am very glad that the honourable member, the Chief Secretary, has dispelled these wrong notions and cleared the atmosphere by pointing out that no such circulars had been issued, or would be issued.

My honourable friend asked whether the Government has asked its officers to join the reception committee. I say if they have done so, then we should not mind it. If the Government is so far advanced in political ideas, then we should welcome it; but if the orders are issued owing to some ulterior object, viz., with the object of causing disturbance, then we must certainly condemn it. But my objection is that the number required is large and I find also that these people are to be new recruits. I do not think it is wise policy to appoint new recruits at such a time. If the Government would only ask the districts to send their trained men, people who knew how to regulate traffic, who knew how to deal with political meetings, it would be a convenient arrangement. For, it is quite likely that these new recruits would be rash in their behaviour towards the volunteers of the Congress or would think it to be their duty to shadow the leaders. They will overdo their duty in the belief that they would thereby get confirmed in their posts for their zeal. I would therefore suggest that an undertaking should be given by Government that they will have a good proportion of old men from the districts sending the new recruits for work in the districts. (*The Honourable Mian Sir Fazl-i-Husain*: They will all be old.) I am glad to hear that. Then, I am told that they will be trained for four months. I had the honour of being the Secretary of the Reception Committee for the session of the Congress held in Amritsar. It was attended by the present honourable the Revenue Member also. He knows as the president of many of the conferences held from time to time that much of the duty of regulating the traffic during processions falls on the volunteers on such occasions. In this respect, I think there should be a clear understanding between this House and the Government that the policemen who are going to be recruited are in no way to interfere with the work of the volunteers in the several processions. It often happens that many people would be watching the processions and the atmosphere which is already thick with police searches, arrests and charges of communism will be getting worse if the police were allowed to exceed their limits. So I request that new rules for regulating processions and the like should not be devised and this session of the Congress should be allowed to go on as smoothly as the previous one at Amritsar. If any new procedure is prescribed and the new recruits were allowed to handle the situation, I am very much afraid that they will interfere with the processions and something untoward is bound to happen. If the police are only going to look after the property of the Congressmen and the general public, they would be doing their legitimate duty. The regulation of traffic will also be their ordinary duty. But beyond that, if they are allowed to

regulate public meetings and processions, they would be acting in excess of their powers. If the Government intend to allow them these extended powers, I have no hesitation in saying that it is the duty of this House to reject this demand. If, on the other hand, they are required to do the normal work, I cannot understand the necessity for such additional number to the staff already in Lahore. My suspicion is that the Government are getting nervous over the whole affair and probably intend to add later more constables to the number now proposed and then, come to this House again for a supplementary grant. So far as I can see the atmosphere is not so bad in the Punjab as to make the Government nervous. Because there would be "Hindus coming, Muhammadans coming and the Sikhs as well," the Government should not urge it as a reason for their apprehending communal troubles. All the communities will realise that after all they belong to the same country. Already all these communities are living in Lahore without giving any trouble to the Government. If more numbers would be coming during the Congress time, the Government need not be unnecessarily alarmed and urge that as a justification for strengthening their position. All the communities are realising that their differences only help the Government with a chance of interfering in their affairs.

Again, there will be a considerable number of volunteers. And all of us know that they are drawn from all classes and given the necessary training. There should be as little interference on the part of the Government with the Congress people as would be possible. And I think it would be better if the Government could bring the head of the police and the head of the volunteers together and see that the Superintendent of Police co-operates with the Secretary and the President of the Congress in order that there should be no misunderstanding, nothing to upset the peace of the Punjab.

The plea of the Government has been that unavoidable circumstances have happened which make this demand necessary. The Government should surely have known that the Congress was to be held here this year. (The Honourable Mian Sir Fazl-i-Husain: Who knew it for certain?) I was certain that the Congress was going to be held here, and that for the simple reason that the Government refused the site in the Minto Park, there was no question that its venue would be shifted to any other place than Lahore. I do not think that the circumstances have been in any way unavoidable or unexpected. The Honourable Member, the Chief Secretary stated that there were unavoidable reasons which necessitated this demand at such a late date. But he did not mention what they were. The Government seem to have had their own reasons for bringing this at this time.

In the end I would say that the number proposed to be recruited is too much. At the most we shall have ten to twelve thousand people attending the Congress and this large addition to the ordinary police force is far in excess of the required number. It means that when the Government did not recruit in such large numbers for the Amritsar Congress, they were not so ready to protect the city of Amritsar as they are very careful now to protect the city of Lahore. Again, there are occasions where there happen to be equally large congregations as at the Baisakhi and Diwali, but precautions on this large scale are not taken by Government on those occasions. Is it because they apprehend that persons like Mahatma Gandhi and other prominent leaders would be throwing bombs or create serious disorder?

[Sh. Muhammad Sadiq.]

What is the necessity for having so many policemen, one for every 15 Congressmen? I think there will be more policemen than visitors at the Congress. For there are nearly two or three thousand delegates for whom 500 policemen are proposed. It looks like the Government preparing to deal with Russian or German methods. Even after the unfortunate Jallianwala Bagh affair when the Congress met at Amritsar, I do not think that such a large number of policemen were recruited. It may be that the Government want to please 500 people by giving them jobs and train them as a sort of experimental corps. But that is quite a different thing. Most of the so-called agitators will be in Lahore and the only work that the police will take it upon themselves to do is to shadow them all. My honourable friend thinks that there will be more work in the district centres. I am of the contrary opinion for most of the work will be in Lahore as all the men will be here-busy with the Congress. Probably the Home Secretary will feel the weight of his responsibility and spend sleepless nights while the Superintendent of Police and other such officers will have an easy time at polo or tennis trusting to the cleverness of the Home Secretary in managing the affair. The arguments put forward by Government are not convincing. There will be, I concede, good ground that an additional one or two hundred men would be required but for such a large number as 500 there seems to be absolutely no necessity. I think we can easily reduce that number by one half. Again, look at the site of the congress meeting. it is a separate city, some miles off from this place and there can be no question of congestion of traffic. There is a nice road and there are no side-streets. If the Government had asked for a somewhat smaller number, we would gladly have voted for the demand, but now as it is, we cannot help thinking that it may be the intention of the Government to frighten the people by this large police force. The Congress and the other conferences will be over in about 4 days and for this brief period Government want to spend so much money by recruiting such a large number as 500 and keep them on for four months. The whole thing looks ridiculous and I strongly feel that such a large number is quite unnecessary.

Sardar Harbakhsh Singh [Hoshiarpur and Kangra (Sikh) Rural] (Urdu): Sir the matter now before the House is an ordinary one but is slowly assuming some magnitude. Of course it looks very much ridiculous that for a 4 days' session of the Indian National Congress the Government should incur such a heavy expenditure spread over a period of 4 months. The real question before us is to see whether or not at the time of the next session of the Congress at Lahore there is any real apprehension or danger of the breach of peace in a grave manner. If the answer is in the affirmative, I would say that a small police force would not do and that the Government should make arrangements for the introduction of Martial Law on the occasion. But in case there is no such apprehension, the Government would be well advised to send for a number of constables from each district to make up a force. If such a force was still found inadequate, it could be augmented from other Provinces. Generally the Government of India takes upon itself to control and make arrangements for big fairs like the *Kumbh* fair. The Congress is also an all-India body. Its delegates come from different parts of the country. Naturally it should have been the duty of the Gov-

ernment of India to make necessary arrangements with regard to its session by way of supplying an additional police force. If that had been done the advantages would have been twofold. Firstly, the Punjab Government would have been relieved of the liability they have proposed to take upon themselves and secondly there would have been little chance of turning these newly recruited 500 men against Government after their demobilisation. To employ persons and soon after that to remove them from service when they have once worn a Police uniform is one way of spreading discontent in the country. I wish to remind here the Government of the discontent which had spread among ex-soldiers after their sudden demobilisation after the war. Although my honourable friend the Chief Secretary has not made the matter quite clear and has out of his statesmanship mentioned things in a suppressed manner, yet it seems to me that Government is terribly apprehensive of this Congress Session. In the beginning of this year the Congress gave this challenge to the Government that if Dominion Status is not granted by the 31st of December, the Congress would put forward the country's claim to full independence and launch on a scheme of non-co-operation which may be violent. This challenge of the Congress caused a grave misunderstanding in rural areas where the people thought that if Government did not yield before the Congress, goodness knows what would happen to the British Raj in India on the 1st January 1930. Perhaps the people thought that on the failure of the British Government to comply with the wishes of the Congress leaders there would be all chaos and disorder and everything would become topsy-turvy. Such being the state of affairs, the British Government rose to the occasion and caused an announcement to be made by His Excellency Lord Irwin to the effect that in the near future Dominion Status shall be granted to India. This announcement has had a very wholesome effect on the minds of the leaders. They are thinking of accepting the offer of a round-table conference. Surely the whole situation has now changed or is changing. The Congress is a national body but there are two parties in the Congress. One consists of extremists and the other consists of moderates. The former are supposed to be the bitter enemies of the British Government and are difficult to reconcile, while the latter sincerely desire an orderly and consolidated progress. Both these parties, though for a time agreed to the boycott of the Simon Commission because no Indian was appointed on this Commission, are again thinking and feeling differently on account of the announcement recently made by His Excellency the Viceroy. There is also a third party in the Congress, that is of those who oppose the Nehru Report. They are not prepared to accept anything short of full independence as is well known; the leader of this party from this province is Sardar Kharak Singh. The Congress in fact and in reality belongs to the majority community. The Hindus thinking that they cannot do anything alone and cannot thus style themselves as Nationalists have joined hands with a section of the Muhammadans. They have, however, totally disregarded the feelings of the Sikhs. Both amongst the Hindus and Muhammadans there are two parties, one being in favour of co-operating with Government and the other in favour of non-co-operating with it. One party always tries to intimidate the Government and the other readily receives what the Government is coerced to give. The poor Sikhs, however, do not know or like these tactics. They are open-hearted and straightforward people. But

[S. Harbakhsh Singh.]

the majority communities have no regard for them, nor has the Government who took their Raj for the sake of better management and as a sound trust.

Pir Akbar Ali : Is the honourable member talking of the general characteristics of the zamindars or of the Sikhs alone ?

Sardar Harbakhsh Singh : Sir, the Sikhs who were just a few decades back, rulers of this province, cannot tolerate that they should be treated so lightly. They are brave people and have rendered conspicuous services to the State, as well as to the Congress in all national movements.

Dr. Gokul Chand Narang : Is it a continuation of the debate of the last session or what ?

Sardar Harbakhsh Singh : I well knew that neither the Hindus nor the Muslims will be pleased over this matter, when the Sikhs are concerned.

Dr. Gokul Chand Narang : Personally, I am very pleased.

Sardar Harbakhsh Singh : I perfectly know that it is not the subject of a resolution that I am discussing, but I am just coming to the point, honourable members will see (*Laughter*). It seems that Sikhs are friendless. The country has no regard for them although they have done so much for the country's sake. The Government have failed to recognise their loyal services. The Congress is according step-motherly treatment to them. In these circumstances if we are told that Dominion Status shall be granted to India it has no charm for us—the Sikhs. We do not want a Dominion Status under which the Sikhs may lose their very existence. The Sikhs are now determined to fight till the last for the protection of their legitimate rights. I think you may have learnt from the proceedings of the Sikh League at Lyallpur how much the Sikhs are agitated over the treatment being meted out to them by the Congress. In the forthcoming session of the Congress they would certainly try to press forward for the settlement of their claims and if no heed is paid to them there is every likelihood of a commotion and if a "*morchā*" is formed goodness only knows what may happen. It is strange that the next session of the Congress is being held in the Punjab, the home of the Sikhs, in order to flout their feelings and thus to beard the lion in his own den. We do not like that either Muslim or Hindu Raj should be established in this province. Yet there is a strong section of the Muslims in the Punjab who cannot see eye to eye with the Congress and against whom the taunt of Moslem Raj in this Province is levelled by the Hindus and who will surely muster strongly for their own conference at Lahore in opposition of the Congress. So there may be three different camps set up in the Christmas week with which situation the Government may have to cope. I have not become a member of the Congress as I have certain differences with them, but I hope that the honourable members of the House who do belong to the Congress would convey our message to the Congress for amicable settlement of minorities. Under such circumstances was it not better that the next session of the Congress should have been held somewhere else, if the two honourable members sitting in front of me who oppose this grant, which is apparently meant and required in their own interest, are so anxious for effecting a

saving in the revenues of the Province (*Laughter*). With these remarks I resume my seat.

Rai Bahadur Lala Sewak Ram [Multan division (Non-Muhammadan), Rural] (Urdu): Sir, I do not say for a moment that police arrangements should not at all be made. I simply object to the entertainment of new men. There have been occasions of big gatherings of people such as at the fair of Kurukshetra. There have also been three or four sessions of the Congress in Lahore but never were such arrangements made as are proposed to be made this time. The police required on those occasions was brought from different districts. If the same policy were adopted this time, the Government would have easily saved a lac of rupees which could better be advanced to the flood sufferers. The floods have done havoc in the western Punjab. The people are rendered homeless. They are hardly able to eke out an existence. Why should not the proposed one lac of rupees be distributed amongst these people? The next point which I wish to urge is that on or about 16th September these new men were employed and the demand relating to them is put before the Council to-day although there was a Council session on the 18th September. This is open to serious objection. The Government should have placed this demand before the Council in the last session. I regard it as a slight to the House. If we members of this house were to unite, which is impossible, and reject the demand, the Government would have to resort to its powers of certification but Government knew what sort of people we were. They were sure that the Council would give the required sanction; therefore they employed these men in anticipation of sanction. Let us join hands and give Government a lesson for the future. I would request the House to reject the grant *in toto*.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural] (Urdu): Sir, His Excellency the Viceroy's recent announcement relating to the future constitution of this country has amply proved the *bona fides* of the British Government. I wish this announcement had been made earlier or at least the Punjab Government would have known that such announcement was going to be made. If that had been the case the present situation would not at all have arisen. The Britishers have given proof of their statesmanship. I congratulate the British Government on this timely announcement of their policy with regard to the India's future. Had the Congress also made an announcement to the effect that the rights of minority communities would be properly protected, the matter would have finished then and there. But this has not been done and the minority communities are left to themselves to protect their rights. Muhammadans are not a subject race. They came here as conquerors. How can they be satisfied with anything falling short of their due? Like other Indians, they have every right to be free. They do not want to be slaves of any one. They would insist on the federal form of government being established in the country. They would bravely shoulder their responsibilities. They are prepared to make the greatest sacrifice in order to protect their legitimate rights. The Nehru Report does not afford adequate protection to minorities. I think I am voicing the feelings of the Mussalmans of the Punjab when I say that they are not going to be cowed down by any force meant to deprive them of their right and that

[Sayad Muhammad Husain.]

nothing short of 56 per cent. representation in all spheres of public life and administration would satisfy them. In this period of transition every individual has a right to look for freedom. With these words, I would ask the House to accept the grant.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member):

4 P.M.

Sir, it is rather suprising, that this grant which I have not the slightest doubt most of us regarded as more or less non-controversial, should have evoked such a discussion, and that discussion should have developed into a discussion of the most controversial nature, i.e., distribution between different communities of the political power which it is expected will soon devolve upon India. I have no wish whatsoever to enter upon any discussion of that aspect of the debate, as I think with the honourable members on my right, that that is not very relevant to the grant under discussion.

In the first place, it is pointed out that the present demand, inasmuch as it is made after the expenditure has been incurred to some extent, is to that extent a slight to the House. I fully appreciate the force of the criticism and I rely upon the House and its memory when I say that Government during this year, during last year and during a number of years preceding it, have been taking every precaution to present as few demands to this House as possible, where any part of the demand asked for has been incurred. I believe honourable members will bear me out when I say that such has been the practice. The question arises why in this particular case our vigilance failed to bring this demand before the House earlier. Honourable members have been talking about the September session. You are very well aware, Sir, that the September session was held with the sole object of discussing the reports on reforms prepared for the Simon Commission and no other business was transacted during that session. Therefore, it is not right to say that Government should have presented this demand in the September session. Now, we go back to the two previous sessions, the budget session and the July session at Simla. Although the honourable members who made much of this point are not here now, I trust their colleagues sitting opposite will bear me out when I say that although a very large number of people desired that the invitation extended by the Punjab to hold the Congress session at Lahore should take effect, none of us—when I say 'us' I do not mean as a member of the Government—but none of us, the public in the Punjab, were very sanguine about its materialising. In the Congress circles it was well understood that doubts existed whether considering the conditions prevailing in the Punjab, it would be possible to hold the session in Lahore. So it would not be right to say that everybody knew on the 1st January 1929 that a Congress session would be held in Lahore in December 1929, and therefore the Government should have presented this demand earlier.

Then it can be said, we might have done it in the July session; but is it not a fact that you put in demands in your supplementary budget only when you are fairly certain that the amount that you are putting in the budget would be required? And in case the all-India leaders had selected some more central place, for instance, the Imperial City, our demand would

have been altogether unnecessary. Therefore I can assure the honourable members that it was not with the object of forcing their hands that the expenditure was incurred, and the demand made now.

Dr. Gokul Chand Narang : When did the honourable member for his Government become certain or fairly certain that the Congress would positively be held in Lahore ?

The Honourable Mian Sir Fazl-i-Husain : In view of such workers as the honourable member interrupting not taking active part in making arrangements for the coming session, it is natural that people like myself (who was one of his old colleagues), could not very well be sure whether it will or will not come off. However that is by the way. Therefore I assure you and I assure the House that the fact that the demand was not put in the July session was not due to the fact that we wanted to force the hands of the Council.

There is another argument which has been put forward by one of the honourable members as to why the Government did not bring this demand before the expenditure was incurred to a certain extent. The House knows full well that a demand of this nature whether presented before any expenditure is incurred or after it is incurred, is bound to be supported by the House, because of the great sense of responsibility which has always distinguished the deliberations of this House. (*Hear, hear.*) In view of this, to say that Government intentionally kept away this demand till this session with the object of forcing the hands of the House, surely that criticism will not hold water for a moment.

Then it was asked why we are going to employ in Lahore for Congress work raw men who do not know their business, and why we spend so much for the sake of 3 or 4 days ? I assure you, Sir, that from the very beginning the intention was, as a matter of fact, that the district police with experience will come to Lahore, and the new recruits will go to the districts.

Chaudhri Afzal Haq : The note does not say that.

The Honourable Mian Sir Fazl-i-Husain : I do not recollect all that is contained in the note. But I can only point out that, however, well written and lengthy a note might be it is difficult for budget purposes to include all things that an administrative department has got in its file relating to the subject.

Then, the honourable member from Amritsar has raised the question of numbers and he seems to think that the attendance at the Indian National Congress will be limited to 2,000 strong coming from different parts of the country. He is not here now. I am afraid he has not joined the Reception Committee this time ; otherwise he would have known that the Reception Committee is not making arrangements for only 2,000 but for much more than that. As a matter of fact, the conservative estimates of the attendance at Lahore one way or the other run into lakhs. Therefore, it would not be right to say that just for 2,000 congress leaders we are making these arrangements, and it only shows lack of information.

Then we have to remember that police arrangements in connection with such functions are not made with the object of surveillance of the delegates. In this case as in all other large gatherings, and in every country,

Mian Sir Fazl-i-Husain.]

we find certain classes of society who take advantage of such large gatherings to carry out their nefarious purposes, may be they are politically misguided, may be they are morally misguided and have no respect either for the person or the property of the citizens. What is so astounding in to-day's debate is that this debate should take this turn and no mention be made of the horrible bomb explosion that took place in Lahore only last night where a man was injured, three bombs having burst in a dharamsalā, and yet the honourable members come and say 'Government is too sensitive, Government is so nervous.' Surely these are not the days when Government of any country can sit quiet. In the Punjab there has been a fair amount of excitement. There is no use concealing facts from ourselves. There has been a certain amount of bitter feeling created in different classes and different communities. All that the Government desire to do is to take reasonable precautions, as very rightly pointed out by Mr. Emerson, which come under the insurance category. Insurance can never guarantee immunity against troubles, the sort of immunity which the honourable member from Hoshiarpur desires. If communities are misguided enough to come into clash with each other, they must remember that they are doing the greatest harm to themselves and to their country (*hear, hear*) and I have not the slightest doubt that the leaders of all communities will long before the Congress session comes up, put their heads together and try to avoid attempts of the nature which will militate against the good name of the Punjab in the presence of the leaders from all over India. They will be doing the utmost harm to the Punjab, if on this occasion they make an exhibition of their weakness and thereby they will be disgracing the name of the Punjab not only in India but far away in Europe as well. I hope and trust that proposals for carrying out demonstrations which some of us feel in many cases are but forms of intimidation to other communities, are not undertaken, because in the presence of a strong central Government they can really serve no useful purpose, and can only do harm by creating bitterness among the various communities.

Dr. Gokul Chand, Narang : Then why are you sleeping ?

The Honourable Mian Sir Fazl-i-Husain : I am very much awake and I am trying to wake up others as well to a sense of responsibility in the matter. We wish to make it absolutely clear that Government looks with the utmost disapproval at any attempt, on the part of any community, either to intimidate Government or to intimidate other communities. I assure the House, Sir, that Government would like nothing better than a most prosperous and a most successful session of the Congress wherein leaders from all over India will deliberate and arrive at a most wise decision in the most momentous part of the career of this country's advance.

Rana Firoz-ud-Din Khan [South-East Towns (Muhammadan), Urban] (Urdu) : Sir, the announcement recently made by His Excellency the Viceroy and the question of interdivision of political powers and rights over which so much time and breath has been wasted, have nothing to do with the demand under consideration. The session of the Congress had to be held in spite of that announcement and the police arrangements had also to be made. It is inconceivable that the announcement, whatever be its

nature, could have the effect of annulling or even postponing the session of the Congress. And there has come no change in the atmosphere of the country that the Government could be expected to make no extraordinary police arrangements in connection with the next Session of the Congress to be held at Lahore. However, these are questions which are more or less beside the real issue and I do not want to waste the time of the Council in discussing these questions. The question that is worth asking is this : why is it that Government has presented this demand at the eleventh hour and why is it that it has failed to present the same earlier ? In answering this question the Honourable Revenue Member has tried to convince the House that Government was not sure, till some time before the present session of the Council, that the next Congress session was actually to be held at Lahore. But how are we to believe that our Government, which is so vigilant, could not make sure till recently that Lahore had been selected to be the place for holding the next annual session of the Congress. The Honourable Revenue Member must be fully aware that it is in the very constitution of the Congress to decide upon the place, before the current session is over, where the next session must be held. In the last Calcutta session of the Congress invitations were received from various provinces, Punjab being one of them, and it was decided there and then that the next annual session will be held at Lahore. This fact was broadcasted all over the country as soon as the Calcutta session was over and in January 1929 every one knew that invitation from the Punjab had been accepted. In the face of these facts there was no room for doubt and I am not prepared to believe that Government did not know it for certain that the Congress session was actually to be held at Lahore. And I am aware of no such circumstance which could create a doubt in the mind of the public or of the Government with regard to the place for holding the session of the Congress. So far as I am aware this question was never re-opened after it was decided during the Calcutta session. Admitting for the sake of argument that the Punjab Government could not ascertain this fact so early as to be able to put this demand in the budget session of the Council, then why is it that this demand was not put forward in the July session which was held at Simla ? By that time everything had become clear. The Congress authorities had made a request for the loan of Minto Park which was refused and questions were put in Council during its Simla session. This ought to have removed the doubts, if there were any, with regard to this matter.

Much has been said with regard to the police arrangements contemplated, I will not say that no police is required in connection with the Congress session. I am rather of opinion that police arrangements are a necessity. When police arrangements are necessary in connection with ordinary fairs and wrestling matches, it is no use denying that police arrangements are necessary in connection with the next session of the Congress. But our objection is that the way in which this emergency is proposed to be met is not the right and economical way. In every budget session of the Council we are required to vote for a large grant for the reserve police consisting of so many constables, head constables and the Sub-Inspectors of Police for the various districts of the province. This reserve is made use of at the time of very important fairs and festivals and on such other occasions when concourse of people gather together and that no extra police is recruited

[Rana Firoz-ud-din Khan.]

for such occasions. Government could make use of that reserve for this occasion as well. It was not very difficult for it to spare 500 men out of that reserve. There are 29 districts in the province and if 17 or 18 men had been selected out of the reserve in each district, there would have been no need to recruit extra police. Of course if 1,500 or 2,000 police men had been required in connection with the Congress session, there would have been some sense in the recruitment of this extra police. But as things stand, the money asked for will be wasted. It can be said with some show of reason that, if these 500 men are drawn from the reserve stationed in various districts, who will keep peace and order in these districts? On that score I can assure the Government that *muffasils* will be as quiet as the grave. The Congress workers and the delegates are mustering strong at Lahore and their activities will be centred at one place. Those who will remain at home will be anxiously waiting to see what programme of work the Congress is going to frame for the next year and until such time they will naturally keep quiet. There will be no activity outside Lahore and, therefore, no reserve will be required to keep watch over the movements of the Congress workers or other agitators in the districts. The Government can certainly spare 500 men out of that reserve and can thus save the expenditure which is proposed to be incurred on the recruitment of fresh police. My friend Lala Bodh Raj had just now told me that a few days ago he saw in Jhang Mr. Om Parkash, an accused, being taken in a lorry to the court with a guard of 25 policemen stationed on both sides of the lorry. If in the Jhang district 25 policemen can be spared to escort one accused to the court, I do not see any reason why 500 men cannot be spared from 29 districts to be utilised in connection with the next annual session of the Congress. For these reasons I cannot support the grant now before the House.

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadan), Rural]: Sir, when I first listened to the Chief Secretary with regard to this demand, my idea was to oppose this demand. But after hearing the speeches that have since been made here I have made up my mind to give my vote in favour of the demand. It is really a sad commentary on the present political state of the Punjab that various communities living here should be thinking that at the time of the Congress they should be marching as an army to invade the Congress camp in order to get their demand acceded to by those political leaders who have prepared the Nehru Report. Sir, believe me when I say that a very large part of the Hindus living in this province are under a serious apprehension that their life and property is not safe, that things are coming to such a crisis in this province that not only 500 policemen but a much larger force would be needed to keep peace and order and to keep the law breakers in check. Here we have an exhibition of that very feeling from one very important member of this House when with a certain amount of feeling he gave expression to these demands which we find to-day being made in a certain section of the Press by a certain section of the Punjab population. "If we cannot have things by amicable settlement, let us have them by any means that lie within our power." That is the argument that is being utilised and used in the city of Lahore. We know it for certain that volunteers who were at one time recruited for a certain object are now going to be utilised

for enforcing the demands on the political leaders who are going to confer here during Christmas week. The honourable member Pir Muhammad Husain also told us here in this House that if these demands are not conceded they will have their way some-how or other, and I think Mr. Emerson was perfectly right when he said that these 500 men are needed in the interest of the Congress. There are people who say that the Congress will be invaded and the Congress leaders will be forced to concede to the demand of a certain section of the population. Unfortunately such a state of affairs is not going to bring us nearer the goal which is at the heart of every peace-loving citizen of this province. I might submit, Sir, that I can speak from personal knowledge that the Secretary of State for India and the Under-Secretary of State for India are really sincere and are desirous of conceding to the demand of the Indians if they are made by a united people. I have had the privilege of meeting these gentlemen and having long interviews with them, and I can say that they are sincerely desirous of seeing India go on the path of ordered progress. It is up to everyone of us that at this juncture when the hand of fellowship has been held out in all sincerity and earnestness by such gentlemen as the Viceroy of India and the Secretary of State, that we should sink our differences and cease to think of our 56 and 83 percentages. Sir, I belong to a minority community. I do not belong to a majority community living in the Punjab. I say as a representative of the Hindu minority, if we really are desirous of marching on the path of progress, it is our duty to cease thinking as Hindus, Muslims and Sikhs. We have at this time the greatest opportunity being offered to India. If we lose this opportunity we lose the hand of friendship that is being extended to us. Such a chance is not going to come again. Will you then in such an atmosphere talk of invading the Congress, of having your "morchas," or will you in a spirit of mutual goodwill come and take part in the round-table conference? Take warning that if the various communities press for their percentage demands, then those statesmen of Europe will utilise this opportunity of refusing the demand of dominion status.

Take warning. The times are in your favour. If you want to cut at the root, if you want to destroy yourselves, you can do so easily. Nothing is more easy than this. I would, therefore, appeal to my friends, those who represent the Sikhs, those who represent the Muhammadans and who have spoken for their 53 per cent. demand—I can speak on behalf of the Hindus of the Punjab that they are not satisfied with the Nehru Report and they are not in favour of the formula which has been enunciated by the Congress leaders—here is an opportunity which is being offered to you for the first time. Such an opportunity will not come again. If you cease to think as Hindus, Muslims and Sikhs, if you begin to think as citizens of India and as citizens of the Punjab, you have your future assured. But if you go on thinking in the way you have been doing hitherto, then I myself am not one for dominion status or independence or even for the present reform. I say with all the seriousness and earnestness that I can command that at this time when we have got this mentality shown here that the Muhammadans are going to invade the Congress and break it up as stated by Pir Sahib in his speech, Government is right and is perfectly justified in bringing this demand in order to protect the Congress leaders from invasion by undesirable persons.

Pir Akbar Ali [Ferozepore (Muhammadan) Rural] (Urdu) : I would have let pass this demand without saying a word, for it in noway concerns us the zamindars. The Government have recruited a fresh police force to keep order in the *Mahasabha* otherwise known as the Congress. So the demand moved concerns either the Government or the Congress, but my honourable friend representing Hoshiarpur has here and there, as is usual with him, cast reflections on the zamindars, whether Hindus, Muslims or Sikhs. His remarks require to be replied to, and I in duty bound rise to answer them. The present occasion was not opportune to bring in the communal question. The question that at present involves the attention of the House is whether any more police is required or not. If it is thought that such a police is indispensable, then let the Government arrange to meet the additional expenditure incurred on its account. We are not concerned with it ; but the honourable member representing Hoshiarpur went out of his way to bring in the question of 80 per cent. and 45 per cent., &c. We zamindars form 90 per cent. of the population of the province, and we contribute 90 per cent. of the revenues of the province and we are not prepared to pay for the remaining 10 per cent. non-zamindars for whose safety and well being during the Congress days more police is required. We are already poor and depressed, we cannot afford to be saddled with this extra burden. We zamindars also hold our meetings in the country, but we never require extra police to keep law and order for us. The Government proposes to increase the police strength for the benefit of the Congress which is a gathering of the non-zamindars, so let it charge the additional expenditure from them.

Then there is the question of percentage as regards rights under the expected reformed constitution. Our demand is not for 56 per cent., but for 90 per cent. We pay 90 per cent. of the land revenue ; we constitute 90 per cent. of the population of the province, and, therefore, we demand that 90 per cent. of the rights granted should be ours. The remaining 10 per cent. rights we are prepared to give to the remaining 10 per cent. non-zamindar population of the province. If our demand is not acceded to, we will also hold meetings in protest and will carry on a strong agitation in the villages. We rural people do what we say, and we never hold out verbal threats.

In the end I submit that the sum of the demand moved should not be paid from the public funds which mainly consist of the land revenue paid by the zamindars.

Mr. M. A. Ghani [Non-official, nominated] : Sir, when the Congress session was held in Calcutta last year, one lakh of labourers marched upon the Congress to take possession of the pavillion and to put forward their demands and their rights. The volunteers of the Congress obstructed the labourers and consequently many heads were broken and arms maimed and the Bengal Government failed to protect the labourers and workmen of that place from the opposition of the volunteers. I should like to congratulate the Punjab Government for anticipating that trouble and for making adequate police provision to prevent such occurrences in the Punjab this year. I submit that I and other labour leaders intend in the next December to march five lakhs of labourers to the Congress *pandal* to put our

demands before the Congress. I think it is my right to ask the Government to protect me and my five lakhs of labourers who will be going to the Congress from being molested by the Congress volunteers. I want the Government to place sufficient policemen there to protect me and my following from the assaults of the Congress volunteers. The Congress is a capitalistic body ; it is a body which has ignored the rights of labour. The Congress wants to substitute the present Government by an independent capitalistic Government. I represent the cause of labourers who form 98 per cent. of the population of this country. (*Hear, hear and laughter*) and I want to tell the Congress and the leaders who have spoken in this House this afternoon that the Congress can never afford to ignore our rights. I, therefore, very strongly support the demand of Government for the extra expenditure for the additional police.

Mr. President : The question is :

"That a supplementary sum not exceeding Rs. 1,00,717 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1930 in respect of Police."

The motion was carried.

CIVIL WORKS (TRANSFERRED) GRANT.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture) : Sir, I beg to move :

"That an additional sum not exceeding Rs. 6,58,000 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March, 1930 in respect of Civil Works (Transferred)."

The motion was carried.

FAMINE (RESERVED) GRANT.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : Sir, I beg to move :

"That an additional sum not exceeding Rs. 1,30,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1930 in respect of Famine (Reserved)."

The motion was carried.

LOANS AND ADVANCES (RESERVED) GRANT.

The Honourable Mian Sir Fazl-i-Husain : Sir, I beg to move :

"That an additional sum not exceeding Rs. 30,00,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1930 in respect of Loans and Advances (Reserved)."

Mr. President : The demand moved is :

"That an additional sum not exceeding Rs. 30,00,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1930 in respect of Loans and Advances (Reserved)."

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadian), Rural]: Sir, I wish to heartily support the demand which has been moved by the honourable member from the Government benches. I wish to draw the attention of the Government to the very serious condition of the people living in Hissar, Rohtak, Gurgaon and Ambala districts. I had been there and saw the acute state of their suffering. When I last visited Hissar I found that such people as the *lambardars*, *sufedposhes* and others who were considered to be the gentry of the rural population were not able to make their ends meet, and had to go on with sometimes only one meal a day. I actually saw these respectable men coming as witnesses to the courts or as parties to suits with a small quantity of bread tied up in their *chaddars*. Such is the situation in the Hissar district. I understand in the Rohtak district and in Gurgaon and Karnal districts as well, the conditions are equally bad and the distress is acute. I feel, therefore, that the Government should be supported in this demand. Not only that. I want to draw the attention of the Government at this stage that something more is needed than what they propose to do in the matter. As a matter of fact, I would urge seriously and earnestly upon the Government that they should appoint a committee at once to give relief to the men in distress and to the cattle as well which are dying like ants and flies because of the famine conditions. Various respectable gentlemen who are acquainted with the conditions in these districts told me that not more than 15 per cent. of the cattle will outlive this famine. The condition is, therefore, more serious than the Government imagines and in supporting this demand I wish to draw its attention to the gravity of the situation and the urgent necessity for relief on a large scale to the sufferers of Hissar, Rohtak, Karnal and Gurgaon districts.

Mr. President: The question is:—

“That an additional sum not exceeding Rs. 30,00,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1930 in respect of Loans and Advances (Reserved).”

The motion was carried.

IRRIGATION GRANT.

The Honourable Mian Sir Faz l-i-Husain: I move:

“That a token sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1930 in respect of Irrigation.”

The motion was carried.

POLICE GRANT.

The Honourable Mr. A. M. Stow: Sir, I beg to move:

“That a token sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1930 in respect of Police.”

By way of explanation, I should like to say that according to the revised estimates the total amount required for the telephone connexions will be Rs. 3,625 instead of Rs. 6,000 as stated at page 21 of the Memorandum

GOVERNMENT'S DEMANDS FOR SUPPLEMENTARY, ADDITIONAL AND 311
TOKEN GRANTS.

Mr. President : The demand moved is :

"That a token sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1930 in respect of Police."

Sardar Hira Singh, Narli [Lahore (Sikh), Rural] (Urdu) : Sir, Government intends to instal telephonic connections between the different police stations. This scheme is very good in itself and I don't object to it because it will involve us in some heavy expenditure. What I want to say is this, that the zamindars who mainly constitute the rural population should be allowed to use the telephones at the police stations for their private purposes, on the payment of some fee. In this connection last year I asked questions in the Council, and the Government's answer was that the people neither use such phones, nor take any interest in similar matters. The zamindars often stand in great need of knowing the prices of grain in different grain markets, and if the Government grants them permission to use police station telephones, then it would be affording them a convenience which they stand urgently in need of.

As regards telegraphic connections, the Honourable Revenue Member had granted permission to their use on the Upper Bari Doab Canal, but then this permission has not been extended in the case of other canals. If the Government grants permission to the use of all the canal telegraphic connections and all the police station telephones (which are going to be installed shortly) then it would be adding to its revenues. By such permission the Government will increase its income and the zamindars will have another convenience at their service. It is very important and the representatives of the zamindars should press forward this request with all their zeal. In the end I again request the Government to see its way to grant us our request.

Mr. President : The question is :

"That a token sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1930 in respect of Police."

The motion was carried.

EDUCATION (TRANSFERRED) GRANT.

The Honourable Mr. Manohar Lal : I move :

"That a token sum not exceeding Rs. 10 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March, 1930 in respect of Education (Transferred)."

The motion was carried.

PUBLIC HEALTH GRANT.

The Honourable Malik Firoz Khan, Noon : I move :

"That a token sum not exceeding Rs. 10 be granted to the Punjab Government (Ministry of Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March, 1930 in respect of Public Health."

The motion was carried.

MISCELLANEOUS (RESERVED) GRANT.

The Honourable Mian Sir Fazl-i-Husain : I move—

“That a token sum not exceeding Rs. 10 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March, 1930, in respect of Miscellaneous (Reserved).”

The motion was carried.

GOVERNMENT'S DEMANDS FOR EXCESS GRANTS, 1927-28.

ADMINISTRATION OF JUSTICE GRANT.

The Honourable Mr. A. M. Stow : I beg to move—

“That a sum not exceeding Rs. 14,541 be granted to the Governor in Council to meet the excess expenditure incurred during the year ended the 31st of March, 1928, in respect of Administration of Justice.”

The motion was carried.

JAILS AND CONVICT SETTLEMENTS GRANT.

The Honourable Mr. A. M. Stow : I beg to move—

“That a sum not exceeding Rs. 11,406 be granted to the Governor in Council to meet the excess expenditure incurred during the year ended the 31st of March, 1928, in respect of Jails and Convict Settlements.”

The motion was carried.

POLICE GRANT.

The Honourable Mr. A. M. Stow : I beg to move—

“That a sum not exceeding Rs. 17,543 be granted to the Governor in Council to meet the excess expenditure incurred during the year ended the 31st of March, 1928, in respect of Police.”

The motion was carried.

MISCELLANEOUS (RESERVED) GRANT.

The Honourable Mian Sir Fazl-i-Husain : I move—

Mr. President : A demand for an excess grant has to be presented to the Council by the Finance Member (Rule 81).

The Honourable Mr. A. M. Stow : I move—

“That a sum not exceeding Rs. 131 be granted to the Governor in Council to meet the excess expenditure incurred during the year ended the 31st of March, 1928, in respect of Miscellaneous (Reserved).”

The motion was carried.

REFUND RESERVED GRANT.

The Honourable Mr. A. M. Stow : Sir, I beg to move—

“That a sum not exceeding Rs. 834 be granted to the Governor in Council to meet the excess expenditure incurred during the year ended the 31st of March, 1928, in respect of Refunds (Reserved).”

The motion was carried.

REFUNDS TRANSFERRED GRANT.

The Honourable Mr. A. M. Stow : Sir, I beg to move—

5 P. M.

"That a sum not exceeding Rs. 10,856 be granted to the Punjab Government (Ministry of Agriculture) to meet the excess expenditure incurred during the year ended the 31st of March, 1928, in respect of Refunds (Transferred)."

The motion was carried.

THE PUNJAB PURE FOOD BILL.

The Honourable Malik Firoz Khan, Noon (Minister for Local Self-Government): Sir, I beg to present the final report of the select committee on the Punjab Pure Food Bill.

The Honourable Malik Firoz Khan, Noon : Sir, I beg to move—

"That the Punjab Pure Food Bill as reported by the select committee be taken into consideration."

Mr. President : The motion moved is—

"That the Punjab Pure Food Bill as reported by the select committee be taken into consideration."

Pandit Nanak Chand (Hoshiarpur, Non-Muhammadan, Rural): Sir, I rise to oppose the motion which has just been made. Sir, the honourable members are aware that some time ago this House discussed the question of the purity of the ghi and the *banaspati ghi* and a very interesting discussion took place on the floor of this House in which members of all parties took part....

Mr. President : The object of the honourable member is to oppose the motion?

Pandit Nanak Chand : Yes, Sir.

Mr. President : Is the honourable member quite in order in opposing the motion to take into consideration a Bill which has emerged from a select committee?

Pandit Nanak Chand : Sir, can I not oppose this motion? Is this motion not placed before the House for voting? If it is to be voted upon, then I submit that I can and I am within my rights in opposing this motion. If of course a vote has not to be demanded then, in that case, I have not the right to oppose this motion.

Mr. President : Standing Order 45 (2) expressly provides that if the member in charge moves that the Bill be taken into consideration, any member may move as an amendment that the Bill be recommitted or circulated for the purpose of obtaining opinion thereon. I am doubtful that the honourable member is in order in opposing the motion.

Pandit Nanak Chand : Sir, if I am showing a difference of opinion it should not be taken as showing disrespect to the Chair.....

Mr. President : The point is not quite clear.

Pandit Nanak Chand : So far as I am concerned, I beg to differ from the view which you have just now expressed. The agenda says definitely that a member of the Government is to move that the Punjab Pure Food Bill as reported by the select committee be taken into consideration. The House, I submit, has got a perfect right to say that we are not going to take into consideration the select committee's Report. I make a distinction between the Bill as introduced at the first instance and when a report of the select committee is laid before the House. In that case the Bill when it has gone to the select committee emerges with certain modifications and I understand that this Bill has also undergone certain modifications, the honourable members of this House have got a right to say that we were agreed to the introduction of the Bill in its original form but we are not prepared to consider the Bill in its modified form. You, Sir, draw upon the analogy of the House of Commons. I submit that that analogy has no bearing because we have not got anything like the first reading, the second reading or the third reading in this House. Our rules are entirely different and so far as my memory serves me I personally have on one occasion before also opposed the report of the select committee when it was placed before the House. My memory may be misleading, but this is an impression left upon my mind and I submit that I am perfectly within my rights as a member of this House to oppose the motion when it is made. Had the Honourable Member for Government merely said I present the final report of the select committee on the Punjab Pure Food Bill, then I could have said nothing. Because he has presented the report to the House and has asked us to pass that report of the select committee, I can say, "no, I am not prepared to pass it. I differ from the report that has been laid on the table and I think I am within my right to make a suggestion of this kind that the report of select committee embodies certain harmful principles and I am entitled to oppose those principles on which this Bill is framed. I respectfully wish to place these views for your consideration, Sir, so that you may consider them and if there is any doubt you may adjourn the House and allow us to study it in greater detail because this is a constitutional question and we are not prepared to give up our rights and privileges as members of this Council.

Mr. President : In addition to the amendments that the Bill be re-committed or circulated for obtaining opinion thereon, the honourable member may also move that the Bill be not taken into consideration now or that it may be refused or rejected for specific reasons. But in view of the fact that a motion for consideration of the Bill has been made, the honourable member has a right to oppose it. Therefore, on further consideration I allow him to proceed. (*Voices of thanks, thanks*).

Pandit Nanak Chand : I was submitting, Sir, that some time ago this House discussed a very important question, namely, that of the purity of *ghi* and *banaspatti ghi*. The honourable members of this House from all quarters and representing all shades of opinion were of opinion that certain measures must be adopted.....

Mr. President : The honourable member is aware, I believe, that there are amendments for recommitment and circulation of the Bill. If these amendments are moved by the honourable members in whose names they stand,

the original motion that the Bill be taken into consideration, will be put to the vote of the House after the amendments are disposed of.

Pandit Nanak Chand : Sir, even here I venture to differ.

Mr. President : I beg your pardon. If the members in whose names the amendments stand wish to move them they will be entitled to do so.

Pandit Nanak Chand : But, Sir, there is only one motion before the House at this time and that is the consideration of the report of the select committee.

Mr. President : The honourable member is welcome to speak to that question but it shall not be put to the vote of the House unless the amendments, if moved, are disposed of.

Pandit Nanak Chand : I will discuss this and reserve these things till such a motion is made.

Mr. President : One amendment stands in the name of the honourable member himself. So, if he resumes his seat without moving the amendment, he will forfeit his right to move the amendment.

Pandit Nank Chand : But, I will have the right to speak on the amendment when it is moved by some other member.

Mr. President : That will be seen.

Pandit Nanak Chand : That amendment stands in the name of some other members also and, therefore, I shall have the right to speak on that.

Mr. President : That question has not arisen yet.

Pandit Nanak Chand : I wanted to be sure.

Mr. President : I have given an indication of what my own inclination in this matter is.

Pandit Nanak Chand : I want to be clear that I have now the right the move—.....

Mr. President : The honourable member will be quite in order to move his amendment at the end of his speech. But after he resumes his seat he will not be allowed to move it again.

Pandit Nanak Chand : That is perfectly clear to me. But supposing after I have sat down another member of the House stands up and moves that the Bill be circulated for eliciting public opinion thereon. Shall I have a say then? I want your ruling.

Mr. President : When that question arises a ruling will be given.

Pandit Nanak Chand : The Chair is a source of light and one can always seek light from the Chair.

I was submitting that some time ago in this House the question of the purity of *ghi* and *banaspati ghi* came for consideration. Members representing all views, all shades of opinion took part in that debate and they gave an expression to their feelings that measures must be adopted to protect the *ghi* from adulteration and if *banaspati ghi* is to be sold in the shops certain measures should be adopted by which people would know that they are purchasing *banaspati ghi* and not the *ghi* as understood in our own province. Sir, I would have most gladly and most sincerely accorded my support to the measure if it was confined merely to the adulteration

[Pandit Nanak Chand.]

of *ghis*. But the Bill as it is presented to us to-day, I submit, is a very great encroachment on the liberty of the subject. I have read this Bill very carefully and I find there is no article of food or drink which will not come within the purview of this measure, if the recommendations which are embodied in the select committee's report are carried out. If this Bill is carried into law, no article will be safe from the hands of the executive. This, I consider, Sir, a very great encroachment on the liberties of the subjects who are living in this province and I will develop this point later in my speech. Now I wish to state one thing very strongly and that is so far as this Bill is concerned and certain of its provisions with regard to evidence and prosecutions are concerned, it really goes against the law of evidence as we have understood so far and as being administered in His Majesty's courts so far. If this Bill is passed, then I submit you will have a new law of evidence so far as this Bill is concerned. Therefore I regard this Bill as a very dangerous and obnoxious measure and I submit that this Council which is zealous of the rights of the subject should not be a party to passing it. (*Interruption*). My honourable friend, Chaudhri Duli Chand is very anxious to interrupt. I will shortly take up that point. I submit that the conditions of this province both as regards education and as regards the prevalence of communal feeling, are such that the working of this Bill which encroaches on the liberties of the subject will create the greatest possible hardship. Now, Sir, I would draw your attention and the attention of this House that so far as the Punjab is concerned, most of the people in the province, be they shopkeepers or be they zamindars as represented by my friend Chaudhri Duli Chand, be they artisans or be they labourers, most of them are illiterate and it would be very difficult for them to understand the provisions embodied in the Bill and the implications flowing therefrom and the result would be that it would be possible for the inspectors and for other officers who are armed with certain very extensive powers to annoy the people and in many cases to make money out of them. This, I submit, will easily be achieved by those who would be entrusted with the powers of interfering under this Bill. I submit, therefore, that the Government should not overlook the conditions of the province as regards the illiteracy and ignorance which prevails everywhere. Then I have to refer to another point. It is unfortunate that this province, Punjab especially, is divided into various castes and communities which are bitterly hostile to one another even at the present time. Now provisions are made in this Bill for the appointment of inspectors and other officials who are to carry out the provisions of the Bill. I would ask my honourable friend the Minister who has brought forward this Bill whether in the appointment of these various officials, communal consideration will play any part or not or will the Government say that any honourable members will not come forward and say why such and such a community is not properly represented? This is a very pertinent question which I want the Honourable Minister to reply. We know from our personal experience of the last 9 years that so far as Government appointments are concerned, every class and every religion and every caste is coming forward and asking that these posts should be filled on communal basis. The result of that has been that in the actual working of the administration communal bias and class bias has been prevailing to a great extent, the result being that

when a member belonging to a particular community is an official and is in charge of a certain department or a certain district, the members of the other communities always come forward and make certain allegations, sometimes justifiably and sometimes without any justification that the official is not acting in the interest of the people at large, but is acting only in favour of his own community. Now let me read out to the Council by way of illustration what sort of powers these inspectors under this Bill will wield. I invite the attention of the honourable members to this very important clause, clause 7, which says,

"An Inspector may at all reasonable times enter into and inspect any place where there is any food which he has reasonable ground for believing to be intended for sale; inspect any food, wherever found, which he has reasonable ground for believing to be intended for sale; seize in such manner as may be prescribed any food, wherever found, which is or appears to be injurious to health; destroy in such manner as may be prescribed any food, wherever found, which is decayed or putrefied."

The inspector will decide all these things. Then look at the punishments which are to be given; they are in clauses 13, 15 and 18 under which fines can be imposed as also imprisonment which may extend to six months. No qualifications of the inspector are given here, whether he is to be of the rank of a High Court Judge or of the calibre of my friend the Honourable Minister who is bringing forward this Bill. We do not know what sort of inspectors they will be, whether they will be of this class or of the class from which my friend Chaudhri Duli Chand comes or of any other class. But we can presume who these inspectors will be. They will be like the ordinary police inspectors and other inspectors whom we know going about, or like the sanitary inspectors. The House is not unaware of the mentality of these people. It is not unaware of the cases of bribery and cases of extortion. Now you are going to arm people of this kind whom you are not going to recruit on the basis of merit, with all these powers. If the Honourable Minister will make an announcement on this point I shall be very glad. But inspectors recruited on communal grounds, inspectors drawing Rs. 60, 50 and 30, are going to be entrusted with these powers. They may enter the place or the shop of anybody provided they know or they can make out a case that there is something which is intended to be sold there. Here I am carrying on my profession of law and I might have created a number of enemies. These enemies of mine may go to these Inspectors and say, 'here are Rs. 50; take this. There is Pandit Nanak Chand; you drag him somehow or other to the court. It is very easy. Only the other day the Pandit was having a basket of fruits. It is intended for sale, though it may be that I have received them from a friend of mine for private purpose. Then what am I to say? Where is the safeguard for me in this Bill? The inspector may prove his case. He may get false evidence and in some cases one inspector may corroborate another and say 'yes, it is intended for sale'. Just imagine, there is no village where there are no factions. I had a very interesting experience when I went on my election campaign. I always found one section of the village always siding with me because the other section was siding with the other candidate.

This happens not only in the villages, not only in small towns but in big towns as well. These Inspectors having all these powers will enter any shop or house and will drag people to court. Had the Honourable

[Pandit Nanak Chand.]

Minister kept the Bill confined merely to *ghi*, there might have been some force, and we would have been glad to support it. But now when he comes forward and asks in all sincerity the honourable members of this House to give him their support in carrying out the provisions of this Bill, I submit that we are merely cutting our throats and the throats of those people whose representatives we are in this Council. Some people are glad, they are very glad that it is the shopkeepers who will suffer. They think that recruitment to the inspectors will be from a certain class and the sufferers will be another class. Some think like that, and they therefore are prepared to lend support even to such a harmful section of the Bill as I have read out before this House. However, they must remember that these caste distinctions, these class distinctions are slowly dying out. I can to-day bring hundreds of those people who at one time did not take to shopkeeping but have now taken up the profession of shopkeeping. They are dealing in various kinds of merchandise for which they had no inclination before. Therefore do not think that by becoming a party to this Bill you are cutting the throat of the *bania* shopkeeper, or the *Khatri* shopkeeper or the *Arora* shopkeeper, you are really cutting the throat of all classes by placing in the hands of the executive such a strong weapon. I quite understand, Sir, that in the west and in other advanced countries, governments are the representative of the community and governments are now being armed with those powers which in past times would not have armed them with. But those conditions do not exist here. We are always thinking in terms of class, caste or religion, and that is the real reason why at the present moment we should not be prepared to arm the executive with such powers. It matters not whether the executive is Muhammadan for it will not remain Muhammadan always; it does not matter whether the executive is Hindu for it will not remain there for all times. But at the present time this feeling is there, and I ask you in all sincerity not to allow such a measure to be passed. We should if we are very sincere concentrate on one particular thing. It may be *ghi* or it may be milk. I said *ghi*, because every section of the House supported the resolution which was moved by an honourable member of the House, and every class and community was anxious that *ghi* should be kept pure, and that it should not be permitted to be mixed up with any other food which is not good. We should have tried that first. We should have first given that a trial. We who in this Council represent not a single nation but various sections of a nation, various castes and various tribes and religions, ought to have given that limited legislation a chance to work. Had that chance been given, had it proved to be a success, we would have taken up certain other things. But to ask the Council at this stage to give its support to a measure of this kind, I submit is a very suicidal policy and we shall soon learn that it has not taken us anywhere near the desired goal.

Then with regard to another point which I hinted at. In this very Council my friend, Chaudhri Afzal Haq and Rana Feroz-ud-Din Khan, and other friends who used to sit on these benches in the last Council have times out of number brought before the House the question of corruption which is existing, in the various services. I ask you now in all sincerity, do you think you will be able to find honest men who will be above temptation in carrying out the provisions of this Bill? You cannot change the

mentality of a people in such a very short time. It is a thing which cannot be hidden that people who make money by taking bribes are given honours by us, they are invited to our dinners and *jalsas*, respectable men are anxious to have their daughters or sons married in their families. The spirit of condemnation which ought to be against such people does not exist in the province. You will remember the amount of opposition which was raised by the resolution which I moved in this Council for an increase of pay of patwaris. Some members vehemently opposed the resolution. Some said that patwaris were ruining the zamindars; others said that they were filling their own pockets, and so on. Everybody condemned the patwaris. From which class are you going to recruit the inspectors? Are they going to come from some class which will be free from these defects? The Bill allows the inspector to enter any shop or place. Supposing he enters my house or the house of my friend, Sardar Sikandar Hyat Khan.

K. B. Captain Sardar Sikandar Hyat Khan : He will not leave my house alive (*laughter*).

Pandit Nank Chand : My friend says that if an inspector enters his house, he will not leave it alive. Quite so. There will be many murders and there will be many riots. Perfectly true. There are the Manjha Sikhs whom my friend Sardar Harbakhsh Singh represents (*A voice : He does not represent them*). Very well he represents the Doaba, my part of the country, which produced the *Babbar Akalis*. If this Bill is passed, there will be many *Babbar Akalis*. Naturally they will not permit interference of this kind. I say the Honourable Minister should pause and consider whether he would permit a thing of that kind. So far as the manufacture of illicit liquor and distillation is concerned, we all know many false prosecutions take place and many false cases are brought to court. Many of my Sikh friends and many of my Jat friends from Hissar have come to me and I have taken their cases. And so many times the cases have been proved to be false. And now you bring forward this Pure Food Bill in this form. Let us see how "food" is defined and then you will think you are drinking water and.....

Rai Sahib Chaudhri Chhotu Ram : May I rise to a point of order? I think the underlying principle of the Bill was to secure purity in articles of food. The House has agreed to that principle. Is it now open for the honourable member to say that the bill should be confined to only one particular article of food?

Mr. Labh Singh : Is not that objection too late?

Mr. President : This aspect of the question was not discussed. He has been allowed to speak because there stands an amendment against his name and it is the first on the list of amendments. He may speak on the main question and move his amendment towards the end of his speech or he may resume his seat without moving the amendment.

Pandit Nanak Chand : Now, Sir, I was referring to the definition of food—

"'Food' includes every article used for food or drink by man other than a drug and any article which enters into the composition or is used in the preparation of any such article and also includes flavouring and colouring matters and condiments."

[Pandit Nanak Chand]

Just see for a moment. 'Food' includes every article used for food or drink. We know—and Mr. Townsend will bear me out—that so far as Hissar is concerned water is sometimes sold there. Now according to the Bill if a *kahar* or water carrier mixes—unlike Lahore there are two kinds of water in Hissar, sweet and saltish—if a *kahar* mixes sweet water with saltish water, he can be hauled up. (A voice: Hindu and Muhammadan water). Yes, that is a very good illustration. There is Hindu food sold at the railway station and there is the Muhammadan food. Now a Hindu goes to purchase food and the Muhammadan food is mixed up with it. There is a class amongst the Muhammadans which says, do not take food which is touched by Hindu hand. If the food prepared for Muhammadans is touched by Hindu hands, what will be the result? (A voice: That does not come within the definition). It will come like this. You know, Sir, that Hindus have a strict injunction not to use *charbi*, but only *ghi*, while the Muhammadans may use *charbi* also for the preparation of food. The two things are mixed up together. What will happen? Let us see what is meant by adulteration. Clause 4 says:—

"For the purposes of this Act any food shall be deemed to be adulterated—

- (i) if it contains or is mixed or diluted with any substance which diminishes in any manner its nutritive or other beneficial properties as compared with such food in a pure and normal state or which in any other manner operates or may operate to the prejudice or disadvantage of the purchaser or consumer."

Let us see how many things are implied in this. If you mix good food with bad food, you come within the provisions of this Act. If you mix Hindu food with Muhammadan food—you do it to the disadvantage of the purchaser. What is this Bill? Any inspector may get hold of any vendor. He may get hold of fifty persons, and then you will require more than 500 policemen to carry them to jail. Life will not then be worth living in the Punjab.

This is not all. Let us look at the next clause—

- "If any substance or ingredient has been extracted or omitted therefrom, and by reason of such extraction or omission the nutritive or other beneficial properties of the food as sold are less than those of the article in its pure and normal state or the purchaser or consumer is or may be in any other manner prejudiced thereby."

This provision alone is enough to make food vendors liable to prosecutions. If in certain *baji* or vegetable he does not put the proper amount of salt, he can be got hold of. If he does not put salt in its natural form, he may be got hold of. The Bill gives power to the inspector and the inspector will have a good time of it. They will not only make money, but will be having nice feasts at the expense of these poor vendors. What a nice thing for these inspectors! Perhaps we may give up our present profession and become inspectors. Then the clause goes further.

- "If it contains or is mixed or diluted with any substance of lower commercial value than such food in a pure and normal state."

A man might be selling this mixture with the very object of making it cheaper, but who can escape the inspector? Can the Honourable Minister tell me whether there is any scope for a man to sell cheap food? If he sells cheap food, he will be told, "This is not pure food; it is lower in commercial value," and so on. And what is the standard? How are you

going to judge and who is to be the final authority as to whether the food is of lower commercial value? It is the inspector. So, if this Bill is passed, no man can be safe. Listen further. There is one very important provision and it is in clause 22.

"No suit, prosecution or other proceeding shall be entertained in any court against any person for anything done in good faith in pursuance or execution of this Act or in intended execution of this Act or of the rules framed under this Act."

We know what good faith is and how good faith is to be decided. Then you may ask, what would be the condition of this unfortunate province if this Bill is passed into law and then worked? (*Laughter*). This is not a joking matter. We may be happy and in a holiday mood now and pass this Bill, but we shall have to pay the price for it and not only we but our next generation too will have to pay for it. Then, there is one other important provision to which I wish to draw the attention of the House. Look at clause 12—

"In any prosecution under this Act the court may presume that any food sold, exposed or offered for sale was sold, exposed or offered for sale for human consumption or use."

Here is a man who sells *dana* for cattle. He can be caught hold of for selling inferior article and the court may presume that it was meant for human consumption. Just imagine the court having to presume that it was meant for human consumption even though the seller may have always meant it for cattle. The moment some food is exhibited for sale, the inspector will come and say, "well, I will presume and the court also will presume that it is intended for human consumption." It may be *gur* or *dana* intended for cattle. I do not know whether the Honourable Minister is really serious when he asks this House to commit itself to such provisions as are embodied in this clause. Besides there are many more such presumptions in the Bill. The presumption in sub-clause (b) of clause 12 is—

"That a person sold or intended to sell a food if such person sold or intended to sell for human consumption or use any article of which such food is a constituent."

Another presumption is in sub-clause (c) which says—

"That any food found in the possession of a person, who is in the habit of manufacturing a like food for sale is in his possession for purposes of sale."

In the face of these presumptions how can a man be safe from the courts? (*Interruption*). I say that no presumptions should be made in favour of the prosecution. It is always for the prosecution to prove every inch of the guilt of the accused. The guilt must be proved to the hilt. Presumptions must always be in favour of the innocence of the accused. That is the ordinary principle. Why leave discretions to courts?

Again there is another interesting clause to which I should like to draw the attention of the Council and that is clause 18. It refers to the very important plea of ignorance.

"In any prosecution under this Act it shall be no defence to allege that the seller was ignorant of the nature, substance or quality of the food sold or offered for sale by him or that the purchaser having bought only for analysis was not prejudiced by the sale."

When I read this clause it takes my breath away. In this Bill you bring in the plea of good faith in the case of the inspector, whereas in the case

[Pandit Nanak Chand.]

of the accused who ought to be better protected in the courts of law than the prosecutors, when he urges his want of knowledge and proves this want of knowledge, even then he is not exempt. What a wonderful Bill! Just imagine. Here is a man who is carrying on some trade or business. He sells in good faith articles which he gets from another man who mixes the good with bad articles. What happens to that unfortunate man who has no knowledge of the composition of the articles which he exposes for sale? The Bill says the plea of ignorance shall not come in. I just ask the honourable members whether it is desirable that such a provision should be retained in this Bill. A Bill with such provisions is not going to bring peace to this province, but will only embitter the feelings and will involve the people in litigation. It will only give power to the executive which will be utilised as an engine of oppression.

Now, I will move the amendment that stands in my name, namely :—

“ That the Punjab Pure Food Bill as amended by the Select Committee be circulated for the purpose of eliciting public opinion thereon.”

I have already explained in the earlier part of my speech that this Bill goes to the very root of the fundamental rights of a subject of the State, that it is very large in its scope, that it is very obnoxious in its application, and that it is destructive of the peaceful life of the villagers, of the citizens and of the zamindars whose welfare we have so much at heart. I submit that a Bill of this kind should have been circulated for eliciting public opinion.

The Honourable Malik Firoz Khan, Noon : It was sent to the Press on the 11th April, 1929.

6 P.M.

Pandit Nanak Chand : Very well, Sir. It was sent to the Press. But that is not what I mean. The Press fortunately or unfortunately is concerned with independence and dominion status and other important matters so much so that it could afford little attention to this measure. It may also be that as there was no discussion of the Bill on the floor of this House, the Press did not proceed to criticise the provisions of the Bill. So far as we are concerned, we trusted to the good sense of the select committee and did not expect the Bill to be so harsh as it is but would be a beneficial measure. There are other people than the Press from whom the Government ought to have elicited opinions. I refer to municipalities, district boards, village panchayats, the traders' association, the shopkeepers' association, the Mahajana Sabha, the zamindars of the several districts, their leagues and other bodies. A Bill of this nature which embraces within its scope every article of human consumption whether of food or drink should be carefully considered and criticised and the lead in the matter should naturally be given by these bodies who are most affected by it. What were their opinions? I ask the Honourable Minister. Were they acceptable to the provisions as they stand or did they want modifications? The municipalities, for example, have got much to do with the purity of food within its limits and have to inspect the articles. I ask the Honourable Minister whether he gave them the chance to educate public opinion in regard to the provisions of the Bill. Besides the associations and bodies I have mentioned,

there are the Bar Associations, who should be allowed a say in the matter. My honourable friend, the Minister, would have got plenty of material so far as the legal effect of this Bill is concerned from these sources from the legal point of view. If the Bill had been circulated in this manner and opinions elicited from all quarters, we would have valuable criticism for our consideration at its discussion.

With these words, I move my amendment.

Mr. President: The original motion was :

"That the Punjab Pure Food Bill as reported by the Select Committee be taken into consideration,"

since which, an amendment has been moved—

"That the Punjab Pure Food Bill as amended by the Select Committee be circulated for the purpose of eliciting public opinion thereon."

I think we might interrupt to-day's business at this stage and take it up on the next official day.

PANEL OF CHAIRMEN.

Mr. President: Before we disperse, I have to announce to the Council that under Rule 8 of the Punjab Legislative Council Rules, I have nominated the following gentlemen to serve on the panel of Chairmen for the current session :—

Mr. Owen Roberts,

Pandit Nanak Chand,

Chaudhri Atzal Haq, and

Rai Bahadur Lala Sewak Ram.

The Council then adjourned till 2 P. M. on Tuesday, the 26th November, 1929.

PRINTED BY
THE SUPERINTENDENT, GOVERNMENT PRINTING, PUNJAB.
180-PLC-600-7-12-29-SGPP Lahore.

PUNJAB LEGISLATIVE COUNCIL.

4TH SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

Tuesday, the 26th November 1929.

THE Council met at the Council Chamber at 2 p.m. of the clock. Mr. President in the Chair.

STARRED QUESTIONS AND ANSWERS.

MEMBERS OF CRIMINAL TRIBES.

***2550. Sardar Hira Singh, Narli :** Adverting to answers to unstarred question No. 1160 (i) (a)¹ and starred question No. 2258 (i) (b)² given on the 26th and the 27th July 1929, respectively, will the Honourable Revenue Member kindly state whether he is prepared to explain the discrepancy in the figures given in answers to these questions showing the number of persons who have been declared members of criminal tribes?

The Honourable Mian Sir Fazl-i-Husain : The honourable member does not appear to have correctly understood the replies given to the questions referred to by him. Six hundred Jats in all were notified as members of a criminal tribe under section 3 of the Criminal Tribes Act, 1924, in Mouza Sabhra, of whom 174 have been restricted under section 11 of the Act.

ELECTION WARDS, DISTRICT BOARD, LAHORE.

***2551. Sardar Hira Singh, Narli :** (i) Will the Honourable Minister for Local Self-Government kindly state—

(a) whether he is aware of the fact that some of the election wards of the district board, Lahore, consist of 1,500 voters, while others consist of only 150 voters;

(b) whether it is a fact that the Government stated in reply to a Council question on a previous occasion that these wards would be reorganized before the next election;

(ii) if the answer to the above be in the affirmative, will the Honourable Minister kindly state what action he has taken or proposes to take in the matter?

The Honourable Malik Firoz Khan, Noon : (i) (a) It is understood that the facts are approximately as stated.

(b) No. Government stated that the matter would be considered.

(ii) It was decided to postpone further consideration until after the revision of voters' qualifications which came into force in 1928. The revision having now taken effect the matter is being re-examined.

¹Volume XIII, page 17.

²Volume XIII, page 36.

COW SLAUGHTER-HOUSE AT QADIAN.

***2552. Dr. Sir Muhammad Iqbal :** Will the Honourable Finance Member please state—

- (a) the population of Hindus, Sikhs and Muslims in Qadian ;
- (b) whether there are any shops for the sale of jhatka in Qadian and their situation ;
- (c) whether the Muslim population of Qadian was permitted to build any cow slaughter-house in Qadian ;
- (d) if so, the time when the permission was given and the population round about the place where the slaughter-house was built ?

The Honourable Mr. A. M. Stow :

- (a) 3,525 Muslims.
- 788 Hindus.
- 172 Sikhs.
- 18 Christians.

4,448 Total.

(b) Sanction for a shop for the sale of jhatka meat was given by the town committee, but Government has no information as to its situation.

(c) A license for kine-slaughter in a village adjoining Qadian was granted by the Deputy Commissioner on the 30th April 1929, but he cancelled the license on the 20th August 1929.

(d) The population of the village in which the slaughter-house was situated is entirely Muslim and the population of the surrounding villages on three sides is mainly Muslim, and of the villages on the fourth side is mixed.

COW SLAUGHTER-HOUSE AT QADIAN.

***2553. Dr. Sir Muhammad Iqbal :** Will the Honourable Finance Member please state—

- (a) whether any petition for revision of the order permitting the Muslims to build a cow slaughter-house in Qadian was made to the Commissioner ;
- (b) if so, the person or persons who made this petition and the orders which were passed on this petition ?

The Honourable Mr. A. M. Stow : (a) Yes.

(b) The signatories to the petition were Lala Amar Nath and Pandit Dhirat Ram. A copy of the order of the Commissioner, dated the 9th October 1929, is laid on the table.

Copy of the order of J. A. Ferguson, Esquire, Commissioner, Lahore Division, dated the 9th October 1929.

1. M. Fazal Karim for certain Muhammadans and one Christian of Qadian and the surrounding villages.
2. Pandit Amir Chand for Sikhs, Hindus and certain Muhammadans of villages Nathpur, Rampur, Rajada, Chima, Bhatewad, Kot Todar Mall.

SUPPORTING MR. MOTI SAGAR.

3. Lala Krishan Gopal for Sikhs, Hindus and Muhammadans of Qadian, Mansurka, Kotla-Musa, Thakriwala and Butar—Supporting Mr. Moti Sagar.

4. Lala Charan Das for Sikhs, Hindus and certain Muhammadans of villages Bhangwan, Salahpur, Padnori, Tughal-wala, Basra, Kahlwan and Dalla—Supporting Mr. Moti Sagar.

Rai Babaudr Lala Moti Sagar,

Dr. Gokal Chand, Narang.

Chaudhri Zafrullah Khan for Muhammadans.

B. Sheikh Muhammad, Pleader for Crown.

Special Crown counsel for this case.

ORDER.

References.—Section 43 of Act IV of 1872, and Rules I—III prescribed in Punjab Government notification No. 819, of 15th July 1890.

This is an application for revision of the order of the Deputy Commissioner, Gurdaspur, issuing a license on 30th April 1929 to Mir Islam and Khuda Bakhsh of Qadian to perform kine-slaughter in Bhaini Bangar. On 7th August 1929 the Deputy Commissioner decided at Qadian that this slaughter-house site should not be used; but that the Muhammadans should carry on the work for the present inside Qadian, at a suitable spot, and that ultimately they should select a site for a slaughter-house contiguous to New Qadian. In accordance with this decision the Deputy Commissioner issued written orders on 20th August 1929 cancelling the license until further notice. As the license has been cancelled by the Deputy Commissioner, the application for revision abates.

2. At the same time, in view of the words "until further notice" in the Deputy Commissioner's order of 20th August, the following remarks may be made:—

There is nothing on record to show that there would have been any danger of riot or affray or disturbance of the peace if a slaughter-house had been built in New Qadian, which is a suburb of Qadian. The first application was for a license for a beef slaughter-house and shop at Qadian. If there was no danger of breach of the peace or of riot or affray, then the Deputy Commissioner had no power to grant a license. It is only in the case of a Municipality or other place falling within the definition of "Town" or "Town lands" in notification No. 819 of 15th July 1890 that the Deputy Commissioner can grant a license without reference to the question whether there is danger of riot, affray or breach of the peace. Qadian, though it is a Small Town with a Small Town Committee, does not fall within the definition of "Town" or "Town lands." It is my considered opinion that there would have been no breach of the peace if a slaughter-house had been

[Hon'ble Mr. Stow.]

erected in New Qadian. I base this opinion on the report of the Tehsildar dated 12th January 1929 and the absence of evidence to the contrary. It is true that certain Muhammadans of Qadian, Bhaini Bangar and others of the small group of Muhammadan villages in this Sikh tract have from time to time objected to the proposal, but they have now closed their ranks. It is also true that "jhatka" slaughter in Qadian has annoyed some of the Muhammadans. Relations between the communities in that neighbourhood are on the whole not unfriendly and it was unfortunate that it was ever decided to locate the slaughter-house in the open fields of Bhaini Bangar. As regards the present position, Chaudhri Zaffarullah Khan, M.L.C. for the Ahmadiya community of Qadian, contends that "if there is a slaughter-house in 'New Qadian,' there is not the slightest fear of a breach of the peace" and therefore not the slightest use of applying "Rule III;" while Dr. Gokal Chand, Narang, representing the other side, states in court that "if there was no apprehension of breach of the peace, riot or affray on 30th April, there was no case for applying Rule III. The Crown can set aside and be neutral. Let no further action be taken. Let New Qadian and Old Qadian be treated as any other villages."

Counsel for the Deputy Commissioner at the same hearing stated that "there was no such danger of breach of the peace, riot or affray on or about 30th April as would justify action under Rule III."

8. Whether there is any such danger now is for the Deputy Commissioner to decide. If he decides that such danger does exist, he will doubtless consider—

- (a) that there is no established custom of kine-slaughter all the year round in that neighbourhood;
- (b) that the question arises whether reasonable annoyance would be caused to the surrounding villages by the license of a slaughter-house in New Qadian; and whether the phrase "reasonable annoyance" should not be interpreted with reference to the mentality and intellectual capacity of the villager;
- (c) that the Muhammadans claim that there exist very exceptional circumstances which justify the grant of such a license. Chaudhri Zaffarullah Khan, M.L.C., urges in this connection that Qadian is historically Muslim, founded by Muslim and owned, so far as regards agricultural land, by Muslims, mainly of one family; that not a single non-Ahmadiya is an owner in all Qadian; that Ahmadiyas are increasing and that the percentage of non-Ahmadiyas goes on decreasing; that the percentage of non-Muslims was only 14 per cent. in the census of 1921. He urges that there is a real economic necessity. He points out that the unsuccessful applications for licenses in 1915 and 1923 were not pinpricks, but genuine indications

of economic need; that the community did not press these applications because they balanced self-interest against reasonable regard even to the unreasonable feelings of their neighbours and were prepared to bear loss with equanimity. He contends, however, that there has been a great change in Qadian since 1926. It now has a telegraph office, a Small Town Committee, and a railway. It has schools, both spiritual and secular, both for boys and girls. It holds the second place in the province for the issue of newspapers and periodicals. He states that cattle are always killed there on the 'Id and that 200 cattle are killed either at Batala or near Qadian each year for the guests of the head of the community in Christmas week. These now number 15,000, of whom 10,000 come by rail, and this annual gathering has taken place for 30 years. The population of New Qadian consists mainly of the lower middle class, comparatively poor. Some are used to beef, while others have taken to it as cheaper than mutton. This population includes persons who have migrated from the United Provinces and elsewhere to New Qadian. It is a model suburb in which a large number of the houses have compounds of 2 kanals or more in area. It lies in an arc with a radius of $\frac{3}{4}$ mile in which there is no non-Ahmadiya house. Finally, he urges that it is wiser to place a slaughter-house in New Qadian than to risk importing beef from Batala with probable clashing on the way with non-Muslims.

4. Whether the Deputy Commissioner should or should not consider that the circumstances of New Qadian are such as now to justify the issue of an order licensing a slaughter-house therein under Rule III, is a matter in which I do not desire to fetter his discretion.

5. For the above reasons, the application for revision, which has abated, is hereby filed. The position is, therefore, that no license for a slaughter-house exists at present, and that, until or unless the Deputy Commissioner decides to license a slaughter-house in Qadian or Bhaini Bangar, no kine-slaughter can take place in either Qadian or Bhaini Bangar; for the Deputy Commissioner has not cancelled his prohibitory orders issued under Rule III; he has merely cancelled a license until further notice.

COW SLAUGHTER-HOUSE AT QADIAN.

***2554. Dr. Sir Muhammad Iqbal:** Will the Honourable Finance Member please state—

- (a) the principles, if any, which regulate permission for the building of cow slaughter-houses and the opening of shops for the sale of jhatka in various towns of the Punjab;
- (b) if there are any such principles, whether the same were observed in permitting the Muslims to build a cow slaughter-house in Qadian?

The Honourable Mr. A. M. Stow: (a) As regards kine-slaughter, the honourable member is referred to the answer to Council Question

[Hon'ble Mr. Stow.]

No. 2519.¹ As regards jhatka shops, regulation is effected under the Punjab Municipal Act, 1911, and the Punjab Small Towns Act, 1921.

(b) The honourable member is referred to the order of the Commissioner, dated 9th October 1929, a copy of which is laid on the table.²

COW SLAUGHTER-HOUSE, QADIAN.

***2555. Dr. Sir Muhammad Iqbal :** Will the Honourable Member for Finance please state—

- (a) whether the Government is aware that the only cow slaughter-house in Qadian has been demolished by force ;
- (b) if so, the person or persons who demolished it and the name of the community to which they belong ;
- (c) whether the police took any steps to prevent those who demolished it from demolishing it ;
- (d) whether the Government have taken any steps to restore it ;
- (e) if not, the step the Government proposes to take in the matter ?

The Honourable Mr. A. M. Stow : (a) Yes.

(b) Certain persons were prosecuted in connection with the demolition, but were discharged. In these circumstances Government is not able to give the information required.

(c) The honourable member is referred to the answer to Council Question No. 2516.³

(d) No.

(e) The honourable member is referred to the order of the Commissioner, dated the 9th October 1929, a copy of which is laid on the table.⁴

COMPENSATION FOR DAMAGES BY FLOODS IN THE CHAKKI RIVER.

***2556. Chaudhri Ram Singh :** Will the Honourable Revenue Member kindly state—

- (a) whether it is a fact that the proprietors of villages Damtal, Sirt and Mohtli in the Nurpur tahsil of the Kangra district applied for a copy (i) of the report by Mian Sir Fazl-i-Husain, Revenue Member, (ii) of the report by the Financial Commissioner, Punjab, and (iii) of the order dated 14th May 1921, passed by Shaikh Nur Muhammad, civil member at Pathankot, on the subject of compensation proposed to be granted to the proprietors of land washed away by the action of the Chakki river ;
- (b) if so, the reasons for which copies applied for have not yet been supplied ?

The Honourable Mian Sir Fazl-i-Husain : (a) No.

(b) Does not arise.

¹Pages 177-78 ante.

²Vide answer to question No. 2553* on page 326 ante.

³Pages 176-77 ante.

⁴Vide answer to question No. 2553 on page 326 ante.

COMPENSATION FOR LANDS WASHED AWAY BY THE CHAKKI RIVER.

***2557. Chaudhri Ram Singh :** Will the Honourable Revenue Member kindly state—

- (a) whether the amount of compensation proposed to be given to the proprietors of lands washed away by the action of the Chakki river has been arrived at according to the prices of land obtaining at the time the lands were washed away or according to the prices now prevailing ;
- (b) if the amount has been fixed according to the present prices, whether it is also proposed to grant compensation to these proprietors to cover the loss on account of crops not grown during this interval ?

The Honourable Mian Sir Fazl-i-Husain : (a) The honourable member is referred to the answer to his Council Question No. 2409 (ii) (c).¹

(b) No.

LAND GRANTS TO ZAMINDARS AFFECTED BY FLOODS.

***2558. Chaudhri Ram Singh :** Will the Honourable Revenue Member kindly state—

- (a) whether it is a fact that Government has granted lands in the new colonies to zamindars of various districts affected by the floods ;
- (b) whether it is also a fact that Government cut the Dhangu hill to protect the Madhopur canal, being well aware that thereby the lands in villages Damtal, Sirt and Mohli in the Nurpur tahsil of the Kangra district would be adversely affected ;
- (c) if the answer to the above be in the affirmative, will Government kindly state the reasons for which land has not been granted to the zamindars of the above villages in the colonies in exchange for land so affected ?

The Honourable Mian Sir Fazl-i-Husain : (a) Yes.

(b) In order to afford necessary protection to the main channel of the Upper Bari Doab Canal, the Chakki torrent was, in 1863, diverted by means of a cut through the Dhangu hill. Adequate compensation has been paid from time to time for land eroded by the torrent in the villages named : total compensation sanctioned up to date amounts to Rs. 89,606.

(c) Does not arise.

Chaudhri Ram Singh : Was there any proposal of granting compensation by way of grant of land to the persons concerned ?

The Honourable Mian Sir Fazl-i-Husain : Compensation has been paid from time to time to the persons concerned.

Chaudhri Ram Singh : I want to know whether there was any proposal of granting land or not..

The Honourable Mian Sir Fazl-i-Husain : To which land does the honourable member refer ?

Chaudhri Ram Singh : I am referring to the land in the Nili Bar.

The Honourable Mian Sir Fazl-i-Husain : I require notice of that question.

EXTENSION OF THE DAMTAL BUND.

***2559. Chaudhri Ram Singh :** Will the Honourable Revenue Member kindly state—

- (a) whether it is a fact that, with a view to protect the lands and gardens in village Damtal and in other neighbouring villages, the Chief Engineer, Irrigation Branch, decided on the spot as far back as 17th March 1927 in favour of the extension of the Damtal bund ;
- (b) if so, the reasons for which that decision has so far been held in abeyance ?

The Honourable Mian Sir Fazl-i-Husain : The Chief Engineer inspected the Damtal area in February 1927 in connection with the erosion by the Chakki. One of the proposals made was the construction of bunds for the protection of this area, but in April 1927 the whole question was examined by a meeting presided over by Honourable Revenue Member and it was decided to consider the question of compensation for the area which had been eroded. After full investigation of the case and determination of the eroded area for which compensation had not been paid it was decided in May last that a compensation of Rs. 50,796 for an area of 584 acres should be paid.

Chaudhri Ram Singh : Did the zamindars accept that compensation ?

The Honourable Mian Sir Fazl-i-Husain : I do not know.

SALE OF GIRLS FOR MARRIAGE.

***2560. Chaudhri Ram Singh :** Will the Honourable Finance Member kindly state—

- (a) whether it has come to his notice that the practice of selling daughters for matrimony for a consideration has been steadily on the increase in the Punjab ;
- (b) if so, what steps Government is prepared to take to put an early stop to this evil practice ?

The Honourable Mr. A. M. Stow : (a) No.

(b) The cessation of the practice can only be brought about effectively by the growth and pressure of public opinion.

HALLA PENALTY.

***2561. Chaudhri Ram Singh :** With reference to starred question No. 2848¹ put by me on the 1st August 1929, and the answer thereto, will the Honourable Revenue Member kindly state whether it is a fact that, on a notice given by Achhar Singh of Jandwali and Sher Singh of Dhadle to the

Secretary of State for India, Mr. Jenkins, Deputy Commissioner, Hoshiarpur, ordered on the 15th of February last the remission of *halla* penalty; if so, will he kindly state the reasons for which the proprietors of ten per cent canals have been refused copies of the order remitting the penalty?

The Honourable Mian Sir Fazl-i-Husain : No.

Chaudhri Ram Singh : Has any enquiry been made as promised in the Simla session of the Council?

The Honourable Mian Sir Fazl-i-Husain : I shall be glad to answer that question if the honourable member gives the date and other necessary particulars.

Chaudhri Ram Singh : Has Government arrived at any decision after the enquiry held on 15th February?

The Honourable Mian Sir Fazl-i-Husain : No decision has been arrived at so far.

RECLAMATION OF LAND IN THE BRIYAL AREA.

***2562. Chaudhri Ram Singh :** With reference to starred question No. 2849¹ put by me on the 1st August 1929, and the answer thereto, will the Honourable Revenue Member kindly state whether Government has since arrived at any decision in the matter?

The Honourable Mian Sir Fazl-i-Husain : No.

ALLOTMENT OF LANDS IN THE NILI BAR TO PEOPLE OF JHANG DISTRICT.

***2563. Sayad Mubarik Ali Shah :** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that the Government has reserved a certain amount of area in the Nili Bar Colony for allotment to such persons as have lost their lands by river action or water-logging in the Punjab;
- (b) whether it is a fact that some districts have been particularized by the Government to the inhabitants of which the grants of land referred to in part (a) are proposed to be made;
- (c) whether it is a fact that the district of Jhang is not included in the list of such districts;
- (d) whether it is a fact that the two great rivers, the Jhelum and the Chenab, run their respective course throughout the length of the Jhang district producing the diluvion effects on their four banks and also causing great devastation on account of annual floods;
- (e) whether it is also a fact that the said district is also subject to water-logging towards its north-eastern area;
- (f) if the reply to the above parts be in the affirmative, what action the Government intends to take to secure equal treatment for the Jhang district in the matter of grant of land, etc., in the Nili Bar Colony?

The Honourable Mian Sir Fazl-i-Husain : (a) Yes.

(b) No.

(c) Does not arise.

(d) It is true the Jhelum and Chenab rivers run through the Jhang district, but they have in the last ten years thrown up over 1,000 acres more than they have washed away and the annual floods are of great benefit to the *sailab* crops.

(e) and (f) The honourable member is referred to the answer given to his Council Question No. 2224 (starred)¹ on the 26th July 1929.

HEADWORKS OF THE LOWER JHELUM CANAL.

***2564. Sayad Mubarik Ali Shah :** Will the Honourable Revenue Member be pleased to state—

(a) whether it is a fact that on account of the recent floods the head-works of the Lower Jhelum Canal have been damaged ;

(b) whether it is a fact that in the main channel of the said canal a serious breach occurred ;

(c) whether it is a fact that on account of accidents mentioned in (a) and (b) water-supply in the areas commanded by the canal has been inadequate, irregular, and is still scarce ;

(d) whether the Government is also aware that fodder crops in the said area have been entirely dried up and the cotton crop also has greatly suffered for the reasons given above ;

(e) if the reply to the above parts be in the affirmative, what relief the Government proposes to afford to the zamindars affected ?

The Honourable Mian Sir Fazl-i-Husain : (a) and (b) Yes.

(c) Supply to the canal was seriously affected. It has, however, been adequate since the beginning of November.

(d) No serious damage was done to fodder crops. American cotton suffered badly and *desi* cotton slightly.

(e) This is still under consideration.

SENIOR SUB-JUDGE, JHANG.

***2565. Sayad Mubarik Ali Shah :** (a) Will the Chief Secretary be pleased to state whether it is a fact that for the last 20 years the post of senior sub-judge or its equivalent post at Jhang has always been occupied by non-Muslim incumbents except for one brief interval ;

(b) if so, will the Government kindly state the reasons for not appointing a Muslim senior sub-judge at Jhang ?

Mr. H. W. Emerson : (a) Government is not prepared to undertake the labour of examining the postings of sub-judges to the Jhang district for the last 20 years.

(b) Does not arise.

MAGISTRATE WITH FIRST CLASS POWERS FOR MIAN CHANNUN AND TOLUMBA.

***2566. Sayad Mubarik Ali Shah :** Will the Chief Secretary be pleased to state—

- (a) whether it is a fact that the sub-divisional magistrate at Khanewal exercises first-class powers over Khanewal police station alone, while the two important police stations of Khanewal tahsil, viz., Mian Channun and Tolumba, are excluded from his jurisdiction ;
- (b) whether it is a fact that the first-class powers over the two above-mentioned stations are exercised by a magistrate at Multan which is at a distance of about 60 miles from both these stations ;
- (c) whether it is a fact that the litigant public at Mian Channun and Tolumba have to pass through Khanewal railway station before reaching Multan ;
- (d) if so, whether the Government intends to make any changes in the location of magistrates in order to spare the public of Mian Channun and Tolumba police stations the inconvenience and expense of coming to Multan to attend their cases ?

Mr. H. W. Emerson : (a) and (b). The first-class cases of the Mian Channun and Tolumba police station areas (other than the section 30 cases, which are taken by the sub-divisional magistrate) are at present heard by a magistrate at district headquarters.

(c) Yes.

(d) Enquiries are being made from the Deputy Commissioner of Multan as to whether arrangements are feasible which will cause less inconvenience to the public of the two thanas mentioned.

INTEREST ON UNPAID PRICE OF GOVERNMENT LAND IN NILI BAR.

***2567. Rana Firoz-ud-Din Khan :** (1) Will the Honourable Revenue Member please state—

- (a) whether it is a fact that in the conditions of sale of Government land in the Nili Bar Colony, for the year 1928 in particular, and previous and subsequent years in general, no rate of interest is fixed for the unpaid price of Government land sold by auction ;
- (b) whether it is a fact that no interest is mentioned in the contracts of sale of Crown land executed in the year 1928 ;
- (c) whether it is a fact that, notwithstanding this, interest is being charged and demanded at different rates from auction purchasers ;

(2) if the answer to (1) above be in the affirmative, will the honourable Member please state under what authority the Government is charging interest ?

The Honourable Mian Sir Fazl-i-Husain : (i) (a) No.

(b) Contracts are not executed until principal and interest, if any, have been paid in full. Therefore no stipulation about interest is required.

(c) Interest is being charged on unpaid balances in accordance with the conditions governing the auction and published in the schedules of sale.

(ii) Does not arise. Government has authority to determine the conditions on which land is auctioned, and bidders accept these conditions.

Rana Firoz-ud-Din Khan : With regard to (c), is it or is it not a fact that, notwithstanding the fact that no rate of interest was mentioned in the schedule attached to the conditions of sale, in many cases interest is still being charged at the rate of 6 per cent. or so ?

The Honourable Mian Sir Fazl-i-Husain : Is not my reply contained in (b) ?

Rana Firoz-ud-Din Khan : What I say is that interest is being demanded for the unpaid balance and that no such rate of interest is mentioned in the schedule attached to the condition of sale.

The Honourable Mian Sir Fazl-i-Husain : That must have been because an agreement must have been arrived at before the auction sale on that point, otherwise it could not have happened. I am afraid I cannot agree with the honourable questioner.

Rana Firoz-ud-Din Khan : Will the honourable Member please make enquiries whether it is a fact, and, if it is so, then take proper steps to stop realization of such interest ?

The Honourable Mian Sir Fazl-i-Husain : The reply was prepared after making enquiries ; and, if the honourable member likes me to make further enquiries, I see no harm in doing so.

DEFAULT IN PAYMENT OF PURCHASE PRICE OF LANDS IN NILI BAR.

***2568. Rana Firoz-ud-Din Khan :** Will the Honourable Revenue Member please state —

(a) whether it is a fact that, in case of default of payment of instalments of purchase price of Crown lands in the Nili Bar sold by auction, penal interest at the rate of 12½ per cent. is provided for in the contract ;

(b) if so, under what authority has the Government inserted this illegal provision ?

The Honourable Mian Sir Fazl-i-Husain : (a) The correct figure for penal interest is 12 per cent.

(b) Government has full authority to impose such conditions for auctions as it may consider necessary in the interests of the State.

Rana Firoz-ud-Din Khan : Has the Government authority to impose conditions with respect to penal interest, irrespective of the existing law on the subject ?

The Honourable Mian Sir Fazl-i-Husain : Certainly not.

SCARCITY OF WATER-SUPPLY IN NILI BAR.

***2569. Rana Firoz-ud-Din Khan :** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that there is general discontent amongst colonists in the Nili Bar owing to scarcity of water-supply ;
- (b) whether it is a fact that the canal was closed for about two months and there were frequent breaches in the canal with the result that people could not sow cotton in right time and in sufficient areas ;
- (c) if so, what concession does Government propose to give to the purchasers and lessees ?

The Honourable Mian Sir Fazl-i-Husain : (a) There is no scarcity of supply in the Pakpattan Canal, which irrigates the Nili Bar at present, although an abnormally low river supply in the months of April and May 1929 must naturally have caused great disappointment at the beginning of this Kharif season.

(b) No. A statement of the supply given to the Pakpattan Canal during the cotton-sowing season April 1st to May 15th is placed on the table.

According to the original programme, the canal was to be closed for 8 days from the 1st to the 8th of May. It was actually closed for 18 days from the 21st April to the 8th of May. Only two breaches occurred. These caused reductions in supplies on April 5th and on May 18th and 14th. It is therefore wrong to say that the canal was closed for two months, and there were frequent breaches in it.

(c) In view of (b) above, does not arise. Moreover, especially lenient rules as to Kharaba are in force on this canal.

STATEMENT SHOWING FIGURES OF DAILY INDENT AND DISCHARGE OF THE PAKPATTAN CANAL AS REPORTED IN THE WEEKLY WEATHER REPORTS FROM 1ST APRIL TO 15TH MAY 1929.

Dates.			Indent.	Discharge.	REMARKS.
April 1929—					
1st	..	..	1,809	1,620	
2nd	..	..	1,809	1,146	
3rd	..	..	1,809	1,446	
4th	..	..	1,809	1,620	
5th	..	..	1,809	566	Reduced owing to breach in canal.
6th	..	..	1,809	1,620	
7th	..	..	1,809	1,571	
8th	..	..	1,809	1,452	
9th	..	..	1,809	1,501	
10th	..	..	1,809	1,501	
11th	..	..	3,000	2,030	

[Hon'ble Mian Sir Fazl-i-Husain.]

STATEMENT SHOWING FIGURES OF DAILY INDENT AND DISCHARGE OF THE
PAKPATTAN CANAL AS REPORTED IN THE WEEKLY WEATHER REPORTS
FROM 1ST APRIL TO 16TH MAY 1929—CONCLUDED.

Dates.			Indent.	Discharge.	REMARKS.
12th	..	..	2,678	2,030	
13th	..	..	2,678	2,030	
14th	..	..	2,678	2,030	
15th	..	..	2,678	2,030	
16th	..	..	2,678	1,950	
17th	..	..	2,678	1,756	
18th	..	..	2,678	1,756	
19th	..	..	2,678	1,756	
20th	..	..	2,678	1,756	
21st	..	..	2,678	Closed	
22nd	..	..	2,678	"	
23rd	..	..	2,678	"	
24th	..	..	2,678	"	
25th	..	..	2,678	"	
26th	..	..	2,678	"	
27th	..	..	2,678	"	
28th	..	..	2,678	"	
29th	..	..	2,678	"	
30th	..	..	2,678	"	
May 1929—					
1st	..	..	Closed	Closed	
2nd	..	..	"	"
3rd	..	..	"	"
4th	..	..	"	"
5th	..	..	"	"
6th	..	..	"	"
7th	..	..	"	"
8th	..	..	"	"
9th	..	..	500	500	
10th	..	..	500	500	
11th	..	..	500	500	
12th	..	..	2,610	2,600	
13th	..	..	1,000	1,000	} Reduced owing to breach in } Sheikh Fazal Sub-Division.
14th	..	..	1,000	1,000	
15th	..	..	2,240	1,890	

WATER-COURSES, NILI BAR COLONY.

*2570. **Rana Firoz-ud-Din Khan** : Will the Honourable Revenue Member please state—

- (a) whether it is a fact that in the Nili Bar Colony Government has charged Rs. 75 per square from auction purchasers for the construction of water-courses ;
- (b) whether it is a fact that no water-courses have been constructed, especially in places where such water-courses were to be made across the old river-bed ;

(c) whether it is a fact that owing to the failure of Government to construct water-courses a considerable area has not been cultivated and still instalments of purchase price are being realized ;

(d) if answers to (a), (b) and (c) be in the affirmative, whether the Government is prepared to postpone realization of instalments till it has fulfilled its obligation ?

The Honourable Mian Sir Fazl-i-Husain : (a) Yes. But the construction rate charge of Rs. 8 per acre to which reference is made includes not only the cost of construction of water-courses, but also of preliminary survey and demarcation of the land, and of the necessary culverts.

(b) No. No such cases have been reported in sale areas.

(c) Does not arise, but in any case instalments are not realized until the Colonization Officer has decided that he is justified in directing that instalments should begin to be collected.

(d) Does not arise.

INTERVIEW WITH UNDERTRIAL PRISONERS, LAHORE CONSPIRACY CASE.

***2571. Lala Bodh Raj :** Will the Honourable Finance Member please state—

(a) whether it is a fact that Sriyut Subash Chandra Bose, the president of the Punjab Students' Conference, held at Lahore from 18th to 20th October 1929, was not allowed to interview the undertrial prisoners of Lahore conspiracy case ;

(b) whether it is a fact that the Punjab Government issued any instructions to the trying magistrate in the matter, and, if so, what were those instructions ;

(c) what were the reasons for disallowing the interviews and for the Government to issue such instructions to the magistrate in his capacity as a judicial officer ?

The Honourable Mr. A. M. Stow : (a) Yes.

(b) No.

(c) Mr. S. C. Bose was not eligible under the rules governing interviews with undertrial prisoners. The second portion of this part of the question does not arise.

ZAMINDARS IN ZILLADAR GRADE IN THE IRRIGATION DEPARTMENT.

***2572. Lala Bodh Raj :** Will the Honourable Revenue Member please state the percentage of zamindars in zilladar grade in the Irrigation Department of the Punjab Government as on 1st January 1919 and on 1st January 1929 ?

The Honourable Mian Sir Fazl-i-Husain : Percentage of zamindars in zilladar grade in the Irrigation Branch, Public Works Department of Punjab Government, was on 1st January 1919 44.8, and on 1st January 1929, 55.3 but the accuracy of the figures cannot be guaranteed.

Lala Bodh Raj : Will the Honourable Member please state if the word zamindar is being used in the reply he has given in the widest sense of the term or in the sense of statutory agriculturists ?

The Honourable Mian Sir Fazl-i-Husain : That is why I said that the accuracy of the figures cannot be guaranteed. It is difficult to say how at different times this term was interpreted.

RECRUITMENT OF AGRICULTURISTS FOR THE POSTS OF ZILLADARS.

***2573. Lala Bodh Raj :** (a) Will the Honourable Revenue Member please state whether it is a fact that Government prescribed any percentage of recruitment to the post of zilladar in the Irrigation Department for the agriculturists in 1919 ;

(b) if so, will the Honourable Member please lay on the table a copy of such instructions ;

(c) will the Honourable Member please state if those rules are still being enforced or if there has been any change in the rules ; in case there has been any change, will the Honourable Member please state those changes and the reasons for such changes ?

The Honourable Mian Sir Fazl-i-Husain : (a) Yes.

(b) A copy of paragraph 17 of the Proceedings of His Honour the Lieutenant-Governor of the Punjab in the Home Department No. 4572-S., dated 3rd October 1919, is placed on the table.

(c) These rules are still being enforced.

Copy of paragraph 17 of the Proceedings of His Honour the Lieutenant-Governor of the Punjab in the Home Department, No. 4572-S., dated 3rd October 1919.

17. In the Irrigation Branch of the Public Works Department out of the total Indian staff employed in the grades ranging from Temporary Engineer to petty establishment in superior service (both inclusive), 26 per cent. of the existing posts are filled by zamindars. In the two revenue grades, that is to say, those of Deputy Collector and Zilladar, included in the above the proportion is 44 per cent. ; or somewhat higher if zamindar is understood in the more extensive sense of that term. In the three engineering grades, viz., those of Temporary Engineer, Upper Subordinate and Lower Subordinate, the proportion is 19 per cent. The general recommendations of the Committee were that in the case of the Zilladar grade the Department should aim at securing zamindars for 66 per cent. of the posts while for posts in the engineering grades or for posts of draftsmen zamindars should be preferred where qualifications are equal as between them and non-zamindars. As regards the latter grades the remarks made in the last paragraph in relation to the Buildings and Roads Branch are applicable, and subject to them His Honour accepts the recommendations of the Committee. The officers of the two revenue grades have, in the execution of their duties, to be in close and constant touch with the agricultural population and it is in His Honour's opinion highly expedient that they should include a substantial proportion of members of the zamindar classes. He considers that 66 per cent., the proportion prescribed for Tahsildars and Naib-Tahsildars,

is in no sense excessive in the case of Zilladars, and he desires that in future that proportion of fresh appointments should be allotted to zamindars subject to the general condition already laid down. Such alternations in the rules for the recruitment of Zilladars as may be necessary in this connection should be carried out.

Lala Bodh Raj : Is it not a fact that under the rules in force the word zamindar is used in the widest sense of the term and not in the sense of agriculturists ?

The Honourable Mian Sir Fazl-i-Husain : Quite.

SUPERSESSIONS AMONG ZILLADAR CANDIDATES.

***2574. Lala Bodh Raj :** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that in making up the percentage of proportion of Muslims and non-Muslims as laid down in the revised rules of appointment of zilladars the supersession of seniors by juniors among departmental candidates have taken place ;
- (b) if so, whether any safeguards are proposed to be taken by the Irrigation Department to prevent such supersessions in future ; and, if so, what ?

The Honourable Mian Sir Fazl-i-Husain : (a) No. Appointment of candidate Zilladars within the Irrigation Branch is from various classes of staff, namely, (i) permanent subordinates ; (ii) permanent munshis, and very exceptionally (iii) permanent clerks. Appointment is entirely by selection by Chief Engineer. There is, therefore, no question of supersession of seniors by juniors among departmental candidates.

- (b) Does not arise.

Lala Bodh Raj : Is it a fact that in the various classes from which the candidate zilladars were appointed there were certain other clerks who were senior to those who were appointed as candidate zilladars ?

The Honourable Mian Sir Fazl-i-Husain : I should not think so.

SRIJUT KIRAN CHANDRA DASS.

***2575. Lala Bodh Raj :** Will the Honourable Finance Member please state—

- (a) whether it is a fact that Srijut Kiran Chandra Dass, the brother of the late Jatindra Nath Dass, one of the Lahore conspiracy case prisoners who died in jail, was allowed a permit on or about the 19th October 1929 to enter the court-room of the special magistrate trying the Lahore conspiracy case ;
- (b) whether it is a fact that no instructions were given by the magistrate to the police at the gate to search his person before allowing him entrance into the court-room ;
- (c) whether it is a fact that he was not allowed to enter the court-room without having his person searched by the police ; if so, what were the reasons that warranted the police to search his person without any instructions from the magistrate ;

[Lala Bodh Raj.]

(d) whether it is a fact that the said Srijut Kiran Chandra Dass did not submit to the police search and preferred not to go inside the court-room?

The Honourable Mr. A. M. Stow : (a) Yes.

(b) Yes, but the magistrate had not given orders to the contrary.

(c) Yes. In this connection the honourable member is referred to the answer to part (b) of Council Question No. 2521.¹

(d) Yes.

Lala Bodh Raj : Is it a fact that the police did not refer to the magistrate before asking Srijut Kiran Chandra Dass to submit to their search?

The Honourable Mr. A. M. Stow : I have no information on that point.

COMPLAINT OF ALLAH DITTA *re.* HIS TRAVELLING ALLOWANCE.

***2576. Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government please state—

(a) whether it is a fact that one Allah Ditta, orderly of the District Health Officer, Jhang, made several complaints in the year 1929 to the department and the Deputy Commissioner of the district that the travelling allowance charged for him for 12 months had not been paid to him by the Health Officer while his thumb-impression was being taken on the travelling allowance register;

(b) whether it is a fact that the complaints made to the department were returned to the Health Officer for disposal;

(c) whether it is a fact that the complainant made his statement before the Deputy Commissioner for being forwarded to the Director of Public Health;

(d) what action has been taken by the department on such complaints?

The Honourable Malik Firoz Khan Noon : (a) Yes.

(b) Yes.

(c) No.

(d) No action has been taken by the Director of Public Health as the matter is one which primarily concerns the District Board and no reference has been received on the subject either from the Board or from the Deputy Commissioner.

COMPLAINT OF VACCINATORS AGAINST THE DISTRICT HEALTH OFFICER, JHANG.

***2577. Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government please state—

(a) if any complaints have been made by the vaccinators against the District Health Officer, Jhang, in the year 1929;

(b) If so, what action has been taken thereon?

The Honourable Malik Firoz Khan, Noon : (a) Yes, certain vaccinators of the Jhang district who had been suspended by the District Board submitted complaints against the District Medical Officer of Health, Jhang, direct to the Director of Public Health.

(b) The complaints were returned to the petitioners through the District Medical Officer of Health for submission to the District Board through the proper channel.

Lala Bodh Raj : Is the Honourable Minister aware if any enquiry has been held on those complaints?

The Honourable Malik Firoz Khan, Noon : I require notice of that question.

DUST NUISANCE.

***2578. Mian Ahmad Yar Khan Daultana :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that there is a strong complaint against dust in all the municipalities of the province;
- (b) if the answer to part (a) above is in the affirmative, what steps are the Government taking to cope with this menace;
- (c) whether it is a fact that the sweepers in all the municipalities in sweeping the roads and highways raise such clouds of dust as make the things round about more dusty and thus render sweeping ineffective;
- (d) if the answer to part (c) above is in the affirmative, what steps do the Government propose to take to save the public from the dust raised by municipal sweepers?

The Honourable Malik Firoz Khan, Noon : (a) Yes.

(b), (c) and (d) A copy of a circular letter, issued by Government to its officers three days before notice of the present question was given, is laid on the table.

No. 33403 (L. S. G.—Comts.), dated Lahore, the 30th October 1929.

From—ALAN MITCHELL, Esq., I.C.S., Officiating Secretary to Government, Punjab, Transferred Departments,

To—All Commissioners of Divisions and Deputy Commissioners in the Punjab.

SUBJECT :—Improvement of the methods of street sweeping in the towns of the Punjab.

I AM directed by the Punjab Government (Ministry of Local Self-Government) to address you on the subject of the methods of sweeping now employed in the streets and open spaces of the towns in the Punjab, and to invite your co-operation and that of the general public in devising improved and more effective means of attaining the object in view. The Ministry has noticed that in most towns the practice is to employ a number of sweepers with hand brooms who are usually let loose on the streets at an early hour of the morning, the time frequently corresponding with that at which members

[Hon'ble Malik Firoz Khan Noon.]

of the general public are taking their morning walk. In the process of sweeping up into heaps for removal animal droppings, waste paper and other litter, a cloud of dust is swept up into the air which is not subsequently removed, but merely settles in another portion of the street. The Ministry feels that the time has probably come for more modern methods to be introduced into the streets and open spaces of larger towns. It is suggested that mechanical brushing machines might be introduced drawn by animals or driven by motors, which could be used to clear the principal streets of all forms of street sweepings during the night at hours when the streets are deserted. In smaller streets and open spaces separate arrangements might be made to collect animal droppings by lifting them in pans, and for the collection of waste paper and similar litter spiked sticks could be employed, such as are frequently used by the caretakers in public parks. If a certain amount of sweeping by hand brooms is still necessary, it is suggested that this should be done during the night hours before the general public are abroad on their morning walks.

It is realised that this problem is one that presents peculiar difficulties in a country which is completely dry for nine or ten months in the year, and that no complete solution may be immediately available, but the object of the Ministry in addressing you on the subject is to invite your co-operation and that of the local bodies and general public of the Province in devising some means of mitigating the nuisance.

ALIJAJ MINOR RE-MODELLING SCHEME.

***2579. Sardar Harbakhsh Singh :** Will the Honourable Revenue Member kindly state—

- (a) whether it is a fact that the new modelling of outlets on Alijaj minor (Upper Chenab Canal, district Sheikhupura) put into force during this 'kharif' has resulted in about 3,000 acres going out of cultivation along the minor for want of irrigation as against only about 300 acres in all that have been brought under additional irrigation at the tail;
- (b) was this resultant loss or deficiency along the minor contemplated or anticipated in the scheme and, if not, who is responsible for this tremendous loss;
- (c) whether it is a fact that the Alijaj minor has so far been usually allowed a flow of 2·6 gauge, and that now it is allowed a flow of 2·3 only;
- (d) whether it is not a fact that this reduction of supply has resulted in defeating the purpose of the old 'warabandi' in so far as a zamindar takes three times more time now to irrigate one acre of his land than he took before, and whether any notice was given to the landowners, etc., of this predicament;
- (e) whether there is any intention of reverting to the old sizes of the outlets?

The Honourable Mian Sir Fazl-i-Husain : (a) Irrigation figures for the minor are —

	<i>Kharif</i> <i>permissible.</i>	<i>Kharif</i> 1928.	<i>Kharif</i> 1929.
	Acre.	Acre.	Acre.
(a) On whole minor ..	4,168	5,450	4,659
(b) On tail ..	548	204	480

(b) As the remodelling was accompanied by restriction of supply to that authorized, some reduction in irrigation was contemplated.

(c) Exact figures of the gauges are not available, but it is probably correct that this is due to the restriction of supply referred to in the answer to part (b).

(d) and (e) No.

UNSTARRED QUESTIONS AND ANSWERS.

DEPARTMENTAL CANDIDATES FOR ZILLADARSHIP.

1340. Lala Bodh Raj : Will the Honourable Revenue Member please state—

- (a) the number of departmental candidates communitywise recommended by the Superintending Engineers, Irrigation Branch, Punjab, for zilladarship during 1928 ;
- (b) how many of them were accepted by the Chief Engineer ;
- (c) in how many cases did the candidates state that they were members of notified agriculturists ;
- (d) how many of them were zamindars and how many non-zamindars according to the rules laid down in Punjab Government circular of October 1919 ?

The Honourable Mian Sir Fazl-i-Husain :

	<i>Muslims.</i>	<i>Hindus.</i>	<i>Sikhs.</i>
(a)	58	52	26
(b)	16	6	8
(c)	51 from all communities.		
		<i>Zamindars.</i>	<i>Non-zamindars.</i>
(d)		51	80

DUST NUISANCE.

1341. Mr. Din Muhammad : Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that there is a strong complaint against dust in all the municipalities of the province ;
- (b) if the answer to part (a) above is in the affirmative, what steps are the Government taking to cope with this menace ;

[Mr. Din Muhammad.]

- (c) whether it is a fact that the sweepers in all the municipalities in sweeping the roads and highways raise such clouds of dust as make the things round about more dusty and thus render sweeping ineffective;
- (d) if the answer to part (c) above is in the affirmative, what steps do the Government propose to take to save the public from the dust raised by municipal sweepers?

The Honourable Malik Firoz Khan, Noon : The attention of the honourable member is invited to the reply given to question No. 2578.¹

DUST NUISANCE.

1342. Sardar Harbakhsh Singh : Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that there is a strong complaint against dust in all the municipalities of the province;
- (b) if the answer to part (a) above is in the affirmative, what steps are the Government taking to cope with this menace;
- (c) whether it is a fact that the sweepers in all the municipalities in sweeping the roads and highways raise such clouds of dust as make everything around more dusty and thus render sweeping ineffective;
- (d) if the answer to part (c) above is in the affirmative, what steps do the Government propose to take to save the public from the dust raised by municipal sweepers?

The Honourable Malik Firoz Khan, Noon : The attention of the honourable member is invited to the reply given to question No. 2578.¹

DUST NUISANCE IN MUNICIPALITIES.

1343. Shaikh Faiz Muhammad : Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that there is a general complaint against 'dust' in all the municipalities of the province;
- (b) if the answer to part (a) is in the affirmative, what steps Government are taking to cope with this menace;
- (c) whether it is a fact that sweepers in all municipalities in sweeping the roads and highways raise such clouds of dust as make everything around more dusty and thus render sweeping ineffective;
- (d) if the answer to (c) above is in the affirmative, what steps Government propose to take in the matter?

The Honourable Malik Firoz Khan, Noon : The attention of the honourable member is invited to the reply given to question No. 2578.¹

¹ Vide page 343 ante.

BOAT-BRIDGE MATERIAL STORED AT GHAZI GHAT.

1344. Shaikh Faiz Muhammad : Will the Honourable Minister for Agriculture kindly state—

- (a) the exact extent of loss sustained by the Public Works Department with details of boat-bridge material stored at Ghazi Ghât and stated to have been washed away or otherwise destroyed during the recent floods in the Indus ;
- (b) names of the sub-divisional officer and sub-overseer or overseer in charge of the above material ;
- (c) number of khalasis appointed to look after the material during the last summer ;
- (d) number of khalasis appointed for the same purpose during each of the three summers previous to the last ; and, if there was a decrease in the number of khalasis, will Government kindly state who advised it and its reasons ;
- (e) whether the Public Works Department authorities are prepared to admit that the loss of destruction of boat-bridge material was due to decrease in the number of khalasis and absence from duty of some of them ?

The Honourable Sardar Sir Jogendra Singh : I regret that the answer to this question is not yet ready as information has yet to be received from the Superintending Engineer, Fourth Circle, on the subject. It will be communicated to honourable member when ready.

INSPECTOR AND ASSISTANT INSPECTOR OF SCHOOLS, MULTAN DIVISION.

1345. Shaikh Faiz Muhammad : Will the Honourable Minister for Education kindly state in respect of the district inspectors of schools and the assistant district inspectors of schools separately serving in the Multan division—

- (a) how many of them come from outside the division ;
- (b) how many of them are statutory agriculturists ?

The Honourable Mr. Manohar Lal : A statement giving the requisite information is laid on the table.

Total number.	Number of District Inspectors in the Multan Division who are statutory agriculturists.	Number of those that were not born in the Multan Division.
(a) District Inspectors of Schools serving in the Multan Division.		
6	5	4
(b) Assistant District Inspectors of Schools serving in the Multan Division.		
30	21	13

**HEADMASTERS AND SENIOR ENGLISH TEACHERS OF GOVERNMENT
HIGH SCHOOLS IN THE MULTAN DIVISION.**

1346. Shaikh Faiz Muhammad : Will the Honourable Minister for Education kindly state in respect of headmasters and senior English teachers of Government high schools in the Multan division--

(a) how many of them come from outside the Multan division ;

(b) how many of them are statutory agriculturists ?

The Honourable Mr. Manohar Lal : A statement giving the required information is laid on the table.

Number of those that were not born in the Multan Division.	Number of Headmasters or Senior English Masters in the Multan Division who are statutory agriculturists.
(a) Headmasters of Government High Schools in Multan Division.	
11	11
(one of them is officiating).	
(b) Senior English Masters.	
22	21

SUPERINTENDENTS OF DEPUTY COMMISSIONERS' AND COMMISSIONERS' OFFICES IN THE MULTAN DIVISION.

1347. Shaikh Faiz Muhammad : Will the Honourable Revenue Member be pleased to state--

(a) the exact number of days, months or years during which the post of superintendent of the Deputy Commissioner's office at Dera Ghazi Khan has been held by a Hindu, Muslim or Sikh during the last 20 years ;

(b) the total number of permanent superintendents of Deputy Commissioners' and Commissioners' offices in the Multan division and the number of Mussalmans among them ?

The Honourable Mian Sir Fazl-i-Husain :--

				Y.	M.	D.
(a) Christian	..	..	..	4	7	18
Hindu	..	..	..	18	6	1
Muslim	..	..	..	0	8	12
Sikh	..	..	..	1	1	29

(b) 7, of whom two are Muslims.

SALE OF COLONY LANDS BY PUBLIC AUCTION.

1348. Rai Sahib Chaudhri Chhotu Ram : Will the Honourable Revenue Member kindly state—

- (a) the amount of colony lands sold by public auction in 1925, 1926, 1927, 1928 and 1929 ;
- (b) the average price per acre fetched at these sales in each year ;
- (c) the proportion of land purchased by members of notified agricultural tribes and others respectively in each of the years mentioned in (a) ?

The Honourable Mian Sir Fazl-i-Husain : (a) and (b) The required information as regards agricultural land is contained in the attached statement.

(c) The information is available only in regard to the Nili Bar Colony and has been embodied in the enclosed statement. The collection of this information for other colonies would involve trouble and expense out of all proportion to the value of the information.

[Hon'ble Mian Sir Fazl-i-Husain.]

Serial No.	Year.	Name of colony and district.	Area sold by public auction in acres.	Average price per acre.	PROPORTION OF LAND PURCHASED BY MEMBERS OF NOTIFIED AGRICULTURAL TRIBES AND OTHERS RESPECTIVELY.	
					Members of notified agricultural tribes.	Others.
1	1925	Lower Chenab Canal Colony (Jhang district).	5,522	Rs. 333		
2	1925	Lower Bari Doab Canal Colonies (Montgomery and Multan districts).	19,084	605		
3	1926	Upper Chenab Canal Colony (Sheikhupura district).	3,108	93	The information is not available.	
4	1926	Lower Chenab Canal Colony (Sheikhupura district).	13,544	383		
5	1926	Lower Chenab Canal Colony (Lyallpur district).	29,100	503		
6	1926	Lower Chenab Canal Colony (Jhang district).	6,450	292		
7	1926	Nil Bar Colony (Montgomery and Multan districts).	8,379	484	55%	45%
8	1927	Lower Chenab Canal Colony (Lyallpur district).	3,610	494		
9	1927	Lower Bari Doab Canal Colony (Montgomery district).	8,485	214	The information is not available.	
10	1927	Lower Bari Doab Canal Colony (Multan district).	7,745			
11	1927	Nil Bar Colony (Montgomery and Multan districts).	12,566	398	89%	11%
12	1928	Lower Chenab Canal Colony (Lyallpur district).	7,380	537		
13	1928	Lower Bari Doab Canal Colony (Montgomery district).	9,858	260	The information is not available.	
14	1928	Lower Bari Doab Canal Colony (Multan district).	4,996	334		
15	1928	Nil Bar Colony (Montgomery and Multan districts).	17,093	376	71%	29%
16	1929	Nil Bar Colony (Montgomery and Multan districts).	5,061	384	74%	26%

AVERAGE PRICE OF UNGINNED COTTON AND WHEAT.

1349. Rai Sahib Chaudhri Chhotu Ram : Will the Honourable Revenue Member kindly state the average price per maund of—

- (a) unginced cotton ; and
- (b) wheat in 1920, 1924, 1926, 1927, 1928 and 1929 ?

The Honourable Mian Sir Fazl-i-Husain : I regret the answer to this question is not ready. It will be communicated to the honourable member when ready.

GRANT TO ROHTAK DISTRICT BOARD.

1350. Rai Sahib Chaudhri Chhotu Ram : Will the Honourable Minister for Education kindly state—

- (a) whether it is a fact that a sum of Rs. 70,000 drawn by the district board of Rohtak in 1928-29 remained unspent owing to the reason that salaries of teachers in village schools for the last three months of the financial year were not paid until the 31st March 1929 ;
- (b) whether this sum of Rs. 70,000 has been deducted from the ordinary grant for the current year ;
- (c) how it is proposed to recompense the said district board for the deduction of Rs. 70,000 from its grant for the last financial year ;
- (d) who is responsible for this irregularity, and what action is proposed to be taken against him ?

The Honourable Mr. Manohar Lal :

- (a) Yes.
- (b) and (c) No deductions have been made in the grants paid in the current year on the understanding that additional expenditure incurred in the current year by the payment of arrears of salaries will not be taken into account in assessing the grant next year.
- (d) It has been reported that the cause of this trouble is the faulty preparation of the budget. The matter is being enquired into.

MOTOR LORRIES AND ROADS.

1351. Sardar Mohindar Singh : Will the Honourable Revenue Member be pleased to state—

- (a) what is the number of passengers that a one-ton and a ton-and-a-half lorry is allowed to carry respectively on—
 - (i) the Lahore-Ferozepore Road ;
 - (ii) the Ferozepore-Moga Road ;
 - (iii) the Moga-Ludhiana Road ;
- (b) if the number of passengers is not the same for the same type of vehicle on each of these roads, will Government be pleased to explain the reason for making this difference ?

The Honourable Mian Sir Fazl-i-Husain :

*Passengers that may be
carried in a lorry of*

	1 ton.	1½ tons.
(a) (i) <i>Lahore-Ferozepore Road—</i>		
(a) Licensed in Lahore district ..	16	20
(b) Licensed in Ferozepore District ..	18	22 or 23
(ii) <i>Ferozepore-Moga Road—</i>		
Licensed in Ferozepore district ..	18	22 or 23
(iii) <i>Moga-Ludhiana Road—</i>		
(a) Licensed in Ferozepore district ..	18	22 or 23
(b) Licensed in Ludhiana district ..	17 to 21	17 to 21

according to seating capacity.

(b) The question of fixing the same number of passengers for the same type of lorry is under the consideration of Government.

PROHIBITION OF LORRIES ON CERTAIN ROADS.

1352. Sardar Mohindar Singh : Will the Honourable Revenue Member be pleased to state —

- (a) whether it is a fact that lorries are not allowed to run on certain roads at night;
- (b) if so, what are the names of these roads, and what is the reason for this prohibition?

The Honourable Mian Sir Fazl-i-Husain : I regret the answer to this question is not yet ready. It will be communicated to the honourable member when it becomes ready.

BREACH IN THE BUND AND MAIN CANAL OF SULEIMANKE.

1353. Sayad Muhammad Husain : Will the Honourable Revenue Member kindly state the extent of damage done and the amount of compensation proposed by the Government for the following villages in the tahsils of Dipalpur and Pakpattan on account of the breach in the bund and main canal of Suleimanke on the 20th and 22nd of August 1929 ;

- (i) Chak Haider Shah,
- (ii) Chak Sahib Din,
- (iii) Chak Bagum,
- (iv) Chak Doger,
- (v) Pir Ghani,
- (vi) Chak Shams-ud-Din,
- (vii) Būla Chaistee,
- (viii) Chak Mogal ?

The Honourable Mian Sir Fazl-i-Husain : It is admitted that some damage to crops and houses in the villages mentioned has occurred and the honourable member may rest assured that compensation will be paid in each case for the damage done. As to the amounts of compensation in the case of each village, Government is not in a position to give actual figures as the matter is still under consideration.

PAKPATTAN MAIN CANAL.

1354. Sayad Muhammad Husain : Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that the Pakpattan main canal has obstructed the natural drainage at burgee No. 75000 and no adequate arrangements have been made by the Canal Department to let the rain and flood-water pass ;
- (b) whether it is also a fact that owing to this defect serious damage was done to the standing crops and Government had to pay heavy compensation in the year 1928 ;
- (c) if the answer to parts (a) and (b) are in the affirmative, what measures are Government going to adopt to ensure against such loss arising from obstructed drainage ?

The Honourable Mian Sir Fazl-i-Husain : (a) The attention of the honourable member is invited to the reply already given to his Council question¹ No. 790 answered on 28th November 1928.

(b) The compensation paid for damage amounted to Rs. 16,500.

(c) In normal years the existing syphons at R.D. 42000, R.D. 58000 and R.D. 66000 are ample, and it is only on the occasion of abnormal rain-fall or a serious breach that damage to standing crops would occur.

In the interests of all, it is considered better to pay occasional compensation than face the very heavy cost of a syphon the building of which would necessitate a long closure of the canal.

INSANITARY CONDITION OF BHERA TOWN.

1355. Dr. Gokul Chand Narang : Will the Honourable Minister for Local Self Government be pleased to state—

- (a) whether it is a fact that the condition of Bhera town became very insanitary recently as a result of the flood-water accumulating in low places round about the city ;
- (b) whether it is a fact that representations to that effect were made to the Deputy Commissioner by some residents of Bhera ;
- (c) if so, will the honourable Minister be pleased to state what action, if any, was taken on those representations ?

The Honourable Malik Firoz Khan, Noon : (a) There is room for improvement in the sanitary condition of Bhera at any time. It has been ascertained that the insanitary condition was not unduly aggravated by the

[Hon'ble Malik Firoz Khan Noon.]

floods of the present year as the floods subsided and the water drained off with great rapidity.

(b) Yes.

(c) The Deputy Commissioner took what action was possible to improve the situation, but was disappointed to find that the persons responsible for the representations were not prepared to assist in carrying out the necessary remedial measures.

LISTS OF VOTERS FOR PUNJAB LEGISLATIVE COUNCIL AND DISTRICT BOARDS.

1356. Mr. E. Maya Das : (a) Will the Honourable Revenue Member be pleased to lay on the table a statement by districts showing—

(i) the number of voters for the Punjab Legislative Council ;

(ii) the number of voters for the district boards ;

(b) whether it is a fact that these lists are prepared by patwaris ;

(c) whether it is a fact that the patwaris are paid some extra allowance for preparing lists of voters for the Legislative Council, but are not paid anything for preparing lists of district boards ;

(d) if so, will Government be pleased to state the reasons for making some payment in one case and not in the other ?

The Honourable Mian Sir Fazl-i-Husain : The necessary information is being collected and will be communicated to the Revenue Member in due course.

WHEAT SEED DRILL.

1357. Mr. E. Maya Das : Will the Honourable Minister for Agriculture be pleased to state—

(a) whether it is a fact that a wheat seed drill has been recently invented and the patent rights acquired by the Agricultural Department ;

(b) whether it is a fact that its sale price has been fixed at Rs. 50 ;

(c) if so, what are the reasons for its price being fixed at so high a figure ?

The Honourable Sardar Sir Jogendra Singh : (a) A wheat drill has been invented but patent rights have not been acquired by the Agricultural Department.

(b) No. The sale price is Rs. 55 at present, but steps are being taken to see if it can be reduced.

(c) The drill costs Rs. 55 to make, and is being sold at cost price.

SWIMMING-BATH IN THE AGRICULTURAL COLLEGE, LYALLPUR.

1358. Mr. E. Maya Das : Will the Honourable Minister for Agriculture be pleased to state—

(a) whether it is a fact that it is proposed to build a swimming-bath for the use of the boarders in the Agricultural College, Lyallpur ;

(b) if so, by whom is it likely to be constructed ?

The Honourable Sardar Sir Jogendra Singh : (a) and (b) There was such a proposal some years ago, but it has been held in abeyance for lack of funds.

GRADUATES OF THE AGRICULTURAL COLLEGE.

1359. Mr. E. Maya Das : Will the Honourable Minister for Agriculture be pleased to state—

(a) the number of boys that graduated from the Agricultural College, Lyallpur, in 1928 and 1929 ;

(b) the number of those among them who were able to find employment in the Agricultural Department, together with the capacity in, and the pay at which, employed ?

The Honourable Sardar Sir Jogendra Singh : A statement giving the required information is laid on the table.

[Hon. Sirdar Sir Jogendra Singh.]

STATEMENT SHOWING THE NUMBER OF STUDENTS WHO GRADUATED FROM THE PUNJAB AGRICULTURAL COLLEGE, LYALLPUR IN THE YEARS 1928 AND 1929 AND OF THOSE WHO WERE GIVEN EMPLOYMENT IN THE DEPARTMENT.

Serial No.	Year.	Number of students who graduated from the Punjab agricultural College, Lyallpur.	Number of those who were given appointments in the department.	Posts in which appointed.	Scale of pay.	Capacity in which appointed.	REMARKS.
1	1928	17	17	Agricultural Assistant, "A" Class.	Rs. 100-10-200/10-300	Permanent on probation.	
	Total	..	17				
2	1929	29	3	Ditto	Ditto	Ditto.	
			11	Ditto	Ditto	Provisional permanent on probation.	
			10	Ditto	Ditto	Officiating.	
			2	Ditto	Ditto	Temporary.	
			2	Demonstrators	Ditto	Officiating.	
	Total	..	23				

LINING OF BIKANER CANAL.

1360. Mr. E. Maya Das : Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that the sides of the lined channel of the Bikaner Canal are so steep and slippery that human beings and animals if they once fall into the canal are not able to come out ;
- (b) what measures Government is contemplating to adopt to safeguard against such mishaps ?

The Honourable Mian Sir Fazl-i-Husain : (a) The lining of the Bikaner Canal increases the danger of drowning in the case of animals and possibly, but to a lesser extent, in the case of human beings.

(b) For this reason, it is proposed to fence the canal at bridge sites where this danger occurs.

ELECTION PETITION AGAINST THE ELECTION OF SARDAR HARBEL SINGH.

1361. Lala Bodh Raj : Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that an election petition was made against the election of S. Harbel Singh, a member of the Small Town Committee, Jaranwala, in Lyallpur district in August 1927 ;
- (b) whether it is a fact that the application has not been disposed of so far ;
- (c) if so, what are the reasons for this long delay ?

The Honourable Malik Firoz Khan, Noon : (a) Yes.

(b) Yes.

(c) The case was postponed from time to time for the purpose of securing the attendance of witnesses.

LEAVE OF MR. BASHIR DIN, CLERK, CANAL OFFICE, ISLAM DIVISION.

1362. Lala Bodh Raj : Will the Honourable Revenue Member please state—

- (a) whether it is a fact that Mr. Bashir Din, Clerk, Canal Office, Islam Division, was sanctioned leave for about one month and 23 days, but was not permitted to leave the station ;
- (b) if so, what were the reasons for not granting him permission to leave the station ?

The Honourable Mian Sir Fazl-i-Husain : (a) Yes.

(b) Has the honourable member any information that this was done improperly ? If so, the Chief Engineer will be glad to know of it in his office, if the honourable member would like to mention it to him or communicate to him.

ADAM WAHAN WEIR.

1363. Lala Bodh Raj : Will the Honourable Revenue Member please state the maximum discharge of water as shown above the Adam Wahan Weir, as well as the real maximum discharge below the said weir ?

The Honourable Mian Sir Fazl-i-Husain : There is no weir at Adama Wahan which is the site of a railway bridge.

SARDAR HARNAM SINGH, LAHORE CONSPIRACY CASE PRISONER.

1364. Lala Bodh Raj : Will the Honourable Finance Member please state—

(a) if it is a fact that S. Harnam Singh, son of S. Gurdit Singh, resident Kotla Nan Singh, tahsil and district Hoshiarpur, a prisoner in the Lahore conspiracy case of 1914-15, having passed a major portion of the period of his sentence in the Andamans and other jails, was transferred to the Mianwali jail on the ground of ill-health ;

(b) whether it is a fact that his health has not improved and that he applied for a transfer to some other jail ;

(c) if so, what action has been taken on his application in the matter ?

The Honourable Mr. A. M. Stow : (a) Yes.

(b) Part (1) Yes. Part (2) Yes.

(c) It was not sanctioned as it was not supported by the superintendent and medical officer of the jail.

SARDAR HARNAM SINGH, LAHORE CONSPIRACY CASE PRISONER.

1365. Lala Bodh Raj : Will the Honourable Finance Member please state—

(a) whether it is a fact that a number of prisoners convicted along with S. Harnam Singh, son of S. Gurdit Singh, a prisoner in the Lahore conspiracy case of 1914-15, confined in the Mianwali jail for the same period of sentence, have been released, while S. Harnam Singh is still being detained ;

(b) if so, what are the reasons for his further detention and when is the said prisoner going to be released ?

The Honourable Mr. A. M. Stow : (a) Yes.

(b) There are no grounds for premature release in his case. The exact date of his release cannot be accurately estimated.

MANKA CANAL.

1366. Khan Bahadur Nawab Muhammad Jamal Khan : Will the Honourable Revenue Member kindly state—

(a) whether it is a fact that the Irrigation Department is expected to provide water for irrigating 45 per cent. of the commanded area of the Manka Canal in Dera Ghazi Khan district ;

- (b) whether it is a fact that, while average irrigation at the Upper Manka is 55 per cent. of the commanded area, the zamindars of the Lower Manka receive less than 29 per cent. and those of the big village Darkhast Jamal Khan at the tail only 19 per cent. ;
- (c) what steps Government proposes to take to ensure a fair distribution of water so far as this particular canal is concerned ?

The Honourable Mian Sir Fazl-i-Husain : The information asked for is being collected and will be supplied to the honourable member when received.

GRANT-IN-AID.

1367. Chaudhri Duli Chand : Will the Honourable Minister for Education kindly state—

- (a) the total grant-in-aid given to each of the divisions for the year 1928-29 ;
- (b) the total grant-in-aid given to each of the divisions from April 1929 to September 1929 ;
- (c) the total grant-in-aid sanctioned for each of the divisions from October 1929 to March 1930 ?

The Honourable Mr. Manohar Lal : (a) Attention of the Honourable member is invited to my answer to council question No. 1198,¹ with which a statement showing maintenance grants to schools in the Punjab, sanctioned during the year 1928-29 from provincial revenues, was laid on the table.

(b) Grants were continued to aided schools during the period from April 1929 to September 1929, at the monthly rate of one-twelfth the total grant paid during the year 1928-29.

(c) The matter is under consideration.

GRANTS-IN-AID TO AIDED HIGH SCHOOLS, AMBALA DIVISION.

1368. Chaudhri Duli Chand : Will the Honourable Minister for Education kindly state—

- (a) the grant-in-aid given separately to each of the aided high schools in the Ambala division for the year 1928-29 ;
- (b) the grant-in-aid given separately to each of the aided high schools in the Ambala division from April 1929 to September 1929 ;
- (c) the grant-in-aid sanctioned separately for each of the aided high schools in the Ambala division from October 1929 to March 1930 ?

The Honourable Mr. Manohar Lal : The information will be supplied to the Honourable Member later.

¹Volume XIII, pages 70—81.

MILITARY SCHOLARSHIPS.

1369. Chaudhri Duli Chand: Will the Honourable Minister for Education kindly state separately for each of the years from 1926-27 to 1929-30—

- (a) the grant voted by the Council for military scholarships;
- (b) the money actually spent on these scholarships;
- (c) the steps he has taken to avoid savings under this item?

The Honourable Mr. Manohar Lal:

			Rs.	
(a)	1926-27	..	4,00,000	(Including the contribution by the Silver Wedding Fund).
	1927-28	..	4,00,000	
	1928-29	..	4,00,000	
	1929-30	..	4,00,000	
(b)	1926-27	..	3,48,514	
	1927-28	..	3,18,017	
	1928-29	..	2,98,340	
	1929-30	..	..	Not available at present.

(c) Government has recently relaxed the rules.

RESOLUTIONS.

RESOLUTION RE RELIEF MEASURES, DERA GHAZI KHAN DISTRICT.

Shaikh Faiz Muhammad [Dera Ghazi Khan (Muhammadian), Rural]
(Urdu): Sir, I beg to move that—

"This Council recommends to the Government that the following measures of relief be immediately adopted in the Dera Ghazi Khan district:—

- (a) land revenue demand for the last *kharij* harvest be remitted,
- (b) no interest be charged on *taccavi* loan advanced to the zamindars and cultivators and its repayment be extended over a period of at least ten years,
- (c) irrigation embankments washed away during floods be rehabilitated,
- (d) That an expert officer who may be conversant with peculiar conditions obtaining in the district be appointed to investigate and report on the possibility of effectively controlling some of the bigger hill torrents and strengthening protective embankments so as to ensure the safety of the district in future."

Before speaking on the resolution I would like to take this opportunity of thanking the Government on behalf of the people of the Dera Ghazi Khan District for all the help given by the Government to the flood sufferers of the district. Government has given about 4½ lacs of rupees to this district by way of relief. A large sum is also given for distribution among the poor. His Excellency the Governor, the Honourable Revenue Member and the Honourable the Minister for Local Self-Government have paid visits to the

district in order to ascertain the amount of damages done by floods and to personally sympathise with the flood sufferers. We are also grateful to the Red Cross Society for the grant of 18 thousand rupees.

After making these prefatory remarks, I should like at this stage to give in as brief words as possible an account of the situation of the Dera Ghazi Khan district to enable the honourable members who have no experience or idea of its position to vote intelligently on the Resolution. The North-west part of the district runs along the western bank of the river Indus for a distance of 250 miles. On the north is situate the North-Western Frontier Province and on the south the Sindh Province. On the west the district is surrounded by the Suleman mountains. In summer the river water spreads over the eastern part of the district and hill torrents attack the western part of it. In the months of July and September the people suffered irreparable losses by heavy rainfall and floods. Heavy rains caused considerable loss to cattle and crops and the people of the district were already in the grips of this trouble when an unprecedented flood came in the river Indus. The people who had already lost their cattle and crops by the fury of the elements were now completely ruined by this enormous flood and they were rendered absolutely destitute and homeless, their entire stock of ordinary eatables having been washed away by the rushing tide of waters. In many parts they were closely surrounded by water and no provisions could reach them and it was with great difficulty that flour and other things were carried to the people by means of boats. Such were the sufferings of the people.

Now, turning to the resolution itself, I would submit that the first part of it says that the land revenue demand for the last *kharif* should be remitted. Before the floods came the people thought that it was a rainy year and that there would be good crops. But later on to their utter surprise they found that the water from the river and the *Rodkoi*s totally destroyed their crops. Water was still there when the locust pest appeared. This continued for one month. Maize and barley crops were destroyed. Grass became poisonous and could not be used as fodder for cattle. Then shortly after that malaria appeared. The majority of the people were attacked by malaria. This caused a considerable delay in sowing the *rabi* crops. Such being the state of affairs, I would ask the Government to remit the land revenue demand for the last *kharif* crop. It may be said that a large part of the district is under fluctuating assessment and, therefore, the question of remission does not arise. In reply to this I would submit that whole of the Sanghar tahsil is under permanent assessment and land revenue demand for last *kharif* should be remitted at least with respect to that tahsil. Suspension of land revenue would not help us.

The second part of my resolution says that no interest should be charged on *taccavi* loan advanced to the zamindars and cultivators of the district. It may be said that there is no such precedent. But, Sir, in view of the unprecedented loss of the people this concession would not seem too much and is justified on humanitarian principles.

With regard to the third part of my resolution, I have to submit that there are two kinds of embankments, those under the charge of the

[Sh. Faiz Muhammad.]

Canal Department and those made by the people. My resolution refers to the latter. I understand that the Canal Department is repairing its embankments, but the people have no means to repair their own embankments. I would request the Government to repair these embankments.

As regards the fourth part of the resolution I would submit that because during the recent floods the water has changed its direction and caused irreparable loss to the people, it would be desirable if Government should appoint an expert officer conversant with the peculiar conditions obtaining in the district for the purpose of carrying out the necessary survey and reporting on the possibility of effectively controlling the hill torrents and strengthening the protective embankments. With these words I would commend my resolution for the acceptance of the House.

Mr. President : The resolution moved is—

"That this Council recommends to the Government that the following measures of relief be immediately adopted in the Dera Ghazi Khan district :—

- (a) land revenue demand for the last *kharif* harvest be remitted ;
- (b) no interest be charged on taccavi loan advanced to the zamindars and cultivators, and its repayment be extended over a period of at least ten years ;
- (c) irrigation embankments washed away during the floods be rehabilitated ;
- (d) that an expert officer who may be conversant with peculiar conditions obtaining in the district be appointed to investigate and report on the possibility of effectively controlling some of the bigger hill torrents and strengthening protective embankments so as to ensure the safety of the district in future."

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural], (Urdu) : Sir, whenever Government increases the burden of taxes, those who are taxed naturally raise hue and cry against that increase although their opposition seldom proves of any avail. When last time *abiana* was increased to the extent of about one crore of rupees, the zamindars protested strongly against it, but their cry proved a cry in the wilderness. The zamindar members of the Council made fiery speeches against that increase, but noble and simple by their nature they did not press their demand very much fearing lest they should be misunderstood and lest the prospect of the grant of provincial autonomy to the Province should be marred. The honourable members will remember that on all such occasions Government invariably puts forward this plea that taxes have been increased because the districts like Hissar and Dera Ghazi Khan badly stand in need of help and that money must be provided to ameliorate the pitiable conditions of the people living in such districts. Now it is the time for the Government to prove its *bona fides* and help the people of the Dera Ghazi Khan District who have been overtaken by an unprecedented disaster. So far Government has been very indifferent to what has happened in this district during the last rainy season. I cannot help saying, in this connection, and I hope I shall be excused for saying that our Ministers and Members and others who are in power are not performing their duties, as they ought to do. If such a calamity had befallen any part of France or any other civilised country and if Government of that country had remained so indifferent to the sufferings of its people, the whole system would have been revolutionised and the existing Government would have been substituted by some popular Government.

But here the conditions are different and our Government can afford to be indifferent to everything with impunity.

Coming to the resolution before the House I should say that the demands made by the honourable mover of the resolution are very ordinary and very reasonable. The honourable mover represents that district and he has witnessed with his own eyes what he has stated before the House. I should also think that if he had failed to bring forward this resolution he would have failed to do his duty which he owes to his constituents. In asking for relief for the people of Dera Ghazi Khan he has only done his duty to them. The first thing that he has asked for as a measure of relief is that the demand for the last *khari* harvest should be remitted. In this connection I may be permitted to explain that there are two forms of land revenue one *ghair mustaqil* and the other *mustaqil* and both these forms are prevalent in the Dera Ghazi Khan district. I may also say that the zamindars are not very much enamoured of the *ghair mustaqil* form of revenue although it proves a blessing when calamities befall. In the areas in which this form of land revenue obtains, no revenue is charged when crops fail on account of some natural calamity. As regards such areas the land revenue will be automatically remitted. But what the honourable member wants is that the land revenue should be remitted in the case of areas which are under fixed assessment. Government should know, if it does not know already, that the system of fixed assessment operates to bring ruin to the zamindars when their crops fail altogether. It will be no exaggeration to say that in such cases they begin to starve and they find it impossible to meet Government demands. On such occasions suspension of land revenue does not prove useful. The disaster which has recently overtaken the people of the Dera Ghazi Khan district is universal and no less than total remission of land revenue will help them. Suspension of land revenue is no good device to help the zamindars and in fact Government has to do so when the crops fail because it cannot send to jails all the zamindars of a certain area on account of their inability to pay land revenue. Government has to remit the land revenue suspended after some time and if that is so why it should not remit the land revenue at the very outset. Even in the case of domestic animals we cannot do like that, feed them for some time and when they should gain flesh, deprive them of that nourishing food so that they may again be reduced to skeletons.

The other measure of relief suggested by the honourable mover is that no interest should be charged on *taccavi* loans and that their repayment should be extended over a period of ten years. It is equally a simple and reasonable demand. I admit that these loans should be realised with interest as soon as possible so that Government may be able to advance them to other deserving people. I know too that there are other districts which equally deserve this sort of help. But the calamity which has befallen the people of Dera Ghazi Khan district is such that these considerations cannot and should not prevail. The interest that would have been ordinarily charged on these loans should be debited to some other head. All possible concessions should be shown to these people. They are the right hand of the Government and it will be strengthening its own foundation if it will not grudge to help them at this crisis.

[Sayad Muhammad Husain.]

The name of the Honourable Revenue Member will be remembered for all times if he will rise to the occasion and the people will rightly say that a *lakh data* had come from Delhi to bless them. The name of Qutab-ud-Din, who was very generous, is remembered even to this day although his tomb is lying uncared for. (Laughter)

Chaudhri Afzal Haq : Mind that it is a public fund.

Sayad Muhammad Husain : I ask for public funds and not for that of any private individual. This is the spirit of toleration which you will show and which your colleagues in the Congress will show. (Laughter) ?

The third measure of relief suggested by the honourable mover is that the embankments washed away during the floods be rehabilitated. By these embankments the honourable mover does not mean, as he has explained himself, those of the Government canals. They will be rehabilitated as a matter of course. But the question is who will rehabilitate private embankments. The people by themselves are not able to do so. It is beyond their capacity. So far as I understand the disaster which has overtaken the people of the Dera Ghazi Khan district is unprecedented and I do not think the honourable mover has witnessed such a disaster before during his lifetime.

Shaikh Faiz Muhammad : Even my father had not experienced such a disaster in his life.

Sayad Muhammad Husain : In the circumstances it is essential that Government should accede to the request of the honourable mover. If it is always prepared to levy more taxes, it should also show its preparedness to spend the revenues for the welfare of its people.

Then, in the end, the honourable mover has requested that an expert be appointed to investigate the possibilities of strengthening protective embankments to ensure the safety of the people against the damages done by the hill torrents. Students of psychology know that when misfortunes come, the average man loses his balance of mind and cannot think for himself. The people of the Dera Ghazi Khan district are at present face to face with many calamities. Besides the floods which washed away everything they had, they are now passing through another ordeal and that is that famine is staring into their faces. They are, therefore, helpless and need all possible help which we can give them. Fortunately for them Mr. Wilson is one of the members of the Council. He is one of the best friends of the district. He has passed about ten years of his life in that district and I hope he will do everything to move the Government to come to the rescue of the people whom he loves. Before I finish I wish to express my gratitude to those high officers of the Government who recently took the trouble of visiting the district and seeing what had happened there with their own eyes.

” عمرت دراز باد کہ این ہم غنیمت است ”

Mr. W. R. Wilson (Revenue Secretary) : Sir, through no fault of mine I missed the major part of the speech of the honourable member who moved the resolution and although I have heard all that the Honourable

member from Montgomery has said, I regret I have not been able to understand him. (*Sayad Muhammad Husain*: It was pure Urdu). It was so rapidly delivered if the honourable member will allow me to say so; and I may perhaps be permitted to say that there was more of the Pir in the speech than the patwari. Therefore, I propose briefly to address myself to the terms of the resolution as tabulated.

In the first place I think I ought to explain to the House that when the Honourable Member for Revenue paid a special visit to Dera Ghazi Khan in the beginning of August to enquire personally into the nature and the extent of damage done by the floods in July, one of the first orders he issued was that considering the extent of the disaster that had overtaken the district all land revenue outstanding from the previous *rabi* should be suspended for the time being. And then, towards the end of September instructions were sent to the Collector that in circles where the land revenue was fluctuating the assessment of *kharaba* should be carefully and sympathetically made and in areas where land revenue was fixed, the full scope of the scheme of suspension should be carried out. So much for the executive instructions from the Financial Commissioners.

As far as I understand the situation, the district at present is suffering from three calamities, (1) a series of dry years, (2) the floods of July and August and also I think the honourable member will bear me out, (3) the great deal of damage that has been done by a persistent plague of locusts. As regards the drought that has been prevalent in the district for the previous two or three years, there is an elastic suspension scheme in the area where the assessment is fixed. Although it has been the practice in the Punjab in the case of ordinary calamities first to suspend land revenue, and then if it is found from experience that recoveries cannot prudently be made within three years, to remit the arrears then outstanding. This House, I think, knows that recently Government modified that rule and made the rule much more lenient. The rule now is that when it has been found impossible to recover outstanding arrears of land revenue suspended after the lapse of three harvests, the Collector should examine the crop statistics of those three harvests at the next harvest together with the statistics of that harvest, and consider such remissions as are in his judgment required or desirable.

As regards the floods in July I will refer to them later on. But taking the broad consideration I think I ought to say now that my ten years' experience of the district is that a deluge is much better than a drought, and that while when a deluge comes there is undoubtedly damage, at the same time there is very frequently an aftermath of compensating gain. I think there is a local proverb

“ *Bod awe tan bakht awe.* ”

that is, floods bring fortune in their train. That is the broad consideration that I think should be borne in mind when considering the present state of the district. The honourable member from Montgomery referred to *mustaqil* and *ghair mustaqil* forms of revenue. I think, if the House will bear with me, in connection with part (a) of the resolution I should briefly explain why the demand in that part of his resolution, that is, that the land

[Mr. Wilson.]

revenue demand for the last *kharif* be remitted is essentially unreasonable and to do that I will have to refer briefly to the system of assessment in force in the district. In the riverain the assessment is entirely fluctuating. Therefore no land revenue can be remitted in the riverain if no land revenue is imposed and no land revenue is imposed unless the crops mature. In the area which is locally called the Pachahd the system of assessment is fixed, but as the honourable member for Dera Ghazi Khan himself pointed out, the area is such that very violent fluctuations in cropping occur there. In one year you will get nothing except a stretch of naked sun-baked waste. Next year you will have numerous broad oases all over the hill-torrent area. For example in the Sanghar circle the annual cropping can fluctuate from 4,000 or 5,000 acres to 90,000 acres and experience also shows, as the honourable member also mentioned, that there is a certain periodicity in cropping crops; that when you compare units of say three successive years, the variations in the cropping, balance out evenly. It is well-known that in the Pachahd area an abundant harvests can make up the deficiency of three or four previous harvests. Obviously with conditions such as these, when the land revenue is fixed, what is needed is a suspension scheme, the operation of which should be made as elastic as possible and when land revenue is really not paid from an isolated harvest but from a cycle of harvests then what one has to do obviously is first to suspend and then to see whether the subsequent fortunes of the *ilaga* in which suspension has been made are such that the suspended revenue can be collected or should be remitted.

In the canal tract the assessment is a little more complicated. At the previous settlement the assessment on wells was made fixed and the canal assessment was made fluctuating with a very light rate on *nahri* soil. At the last revision this system was maintained except that the light *nahri* soil rate was abolished except in one tahsil. The reason is that it was considered impolitic to try to impose any measure of fixity when the conditions oscillate so violently as in the case of inundation canals. It was considered that any fixity would tighten the hands of the local canal officers unnecessarily and it was also feared that inequalities in distribution would crop up. Therefore in the *kharif* the canal assessment was made entirely fluctuating. In the *kharif* the whole fortunes of the cultivator are due to the canals alone. The wells hardly work at all, but if the canals work well and if floods do not come in, the assessment imposed is purely fluctuating. If the canals do badly or if floods come in and the harvest is destroyed, then the assessment being purely fluctuating, it means that in the *kharif* there is no land revenue to be remitted, because if crops do not mature, no revenue is payable. Nowhere is any part of the canal assessment fixed except in Jampur, and in Jampur the flooding from hill torrents was comparatively slight this year.

I ought to mention, however, that in the canal tract there is also a fixed assessment and that fixed assessment is on the wells. This fixed assessment on wells is designed to recover land revenue due from the presence of the well. Strictly speaking, that fixed land revenue, assessed as it is on the well, should have been *bachhed* in the main on the *rabi*, but the people's wishes had to be consulted in the matter and there was a tendency

3 P.M.

to put a rather heavy proportion of the fixed assessment on the *kharif* and a part of the fixed assessment is therefore paid in the *kharif*. If however the Deputy Commissioner considers that such proportion of the fixed assessment which falls due in the current *kharif* instalment should be suspended in any particular estate or estates it is open to him to make the recommendation. But, inasmuch as the assessment is on the wells and the wells only irrigate during the winter, my submission is that in the matter of fixed revenue assessment in the canal tract the profit and loss account for the whole year should be taken as a whole, and it will probably be found that any detriment or loss in the *kharif* has been made good in the *rabi*.

There is one point that perhaps the honourable member from Dera Ghazi Khan does not realise, and it is this, that owing to these floods from the hills, this incursion of floods from the hill torrents into the canal area there is bound to be this winter thousands, probably tens of thousands of acres of *mattar*, *chana* and *taramira* incidental cropping which can only be considered as a windfall for the canal tract; and on this adventitious cropping the settlement officer recommended that a fluctuating assessment should be put when obtained on land not under fixed assessment, but the Financial Commissioner refused to sanction this proposal and the result this year will be that in large areas, where no revenue account will be taken of such windfall, there will be thousands and tens of thousands of acres under *mattar*, *chana* and *taramira*. And all that is grist to the mill and very welcome grist which has to be considered in the year's account of losses and gains. I would therefore recommend to the House that this part, *i.e.*, part (a) of the resolution should not be accepted.

As regards part (b), *i.e.*, the proposal that no interest should be charged upon *taccavi* loans and that the term for their repayment should be extended for a period of at least ten years, the honourable member for Dera Ghazi Khan will remember, perhaps, that yesterday there was a Council question the reply to which showed that during the last few months, Government have given Rs. 30,000 under Act XIX of 1883, *i.e.*, the Land Improvement Act, and not less than Rs. 4,60,000 under Act XII of 1884, *i.e.*, the Agriculturists Loans Act, to the Dera Ghazi Khan district. I think the House will agree with me that in the matter of the extent of the *taccavi* allotment to the district, the district has been treated generously. The Agricultural Loans Act contemplates the giving of loans for seed and for the provision of plough cattle and also for the relief of agricultural distress. This last object, the relief of agricultural distress, has perhaps been more loosely and widely interpreted of late than has been the fashion in the past. But a *taccavi* loan is not a dole but a loan and in considering the period for its repayment regard is to be had to the specific object, the productive object, it is hoped, for which the loan is given. In the matter of loans given for seed, the seed is reckoned as yielding its return in six months, and the ordinary period for repayment of loan for seeds is six months. Similarly the period for repayment of a loan for the provision of plough cattle has been laid down, and normally the period in which the loan is to be repaid is two years, that is, in four half-yearly instalments. But if, say, when a loan under the Agriculturists' Loans Act had been given for the relief of agricultural distress, using that term in the wider connotation.

[Mr. Wilson.]

which is now being attached to it, and if the borrower finds that the application of the loan has not brought to him any return within the period in which it was considered it would, the borrower can always apply to the Deputy Commissioner to extend the period,—the maximum limit is 10 years—for another year or two years or so, though any extension to the full permissible term is likely to prove a burden to the borrower.

As regards interest, as I said before, a *taccavi* loan is not a dole, it is a loan given for what is supposed to be a productive purpose. And so, in the eyes of the cultivator and also in the eyes of Government, the idea of stewardship should be fundamental: the cultivator should realise that this money that the State gives him on what are comparatively easy terms, should so be used as to give a profitable return; and from Government's point of view, the idea of stewardship is also fundamental, because Government has not got at its command a bottomless purse from which as much in the way of *taccavi* can be allotted without any reckoning of interest. Just as in the case of land revenue the true remedy for temporary distress seems to be in affording suspensions when needed, so in *taccavi* loans if the borrower finds that the repayment of the loan within the prescribed period has become burdensome to him and he makes a representation to that effect, the collector can always suspend the recovery just as in the case of land revenue. And that suspension means that all the ensuing instalments are post-dated. Therefore, in regard to part (b) of the resolution, I suggest that as far as the term for repayments is concerned, the collector is prepared to consider the need for suspension on the application of the borrower or with regard to the agricultural circumstances of the district or the town. As regards interest, it is both impolitic and unwise, and probably not in the best interests of the borrower to say: "Here is a *taccavi* loan, do what you like with it—there will be no interest."

As regards part (c) of the resolution, I understand the Chief Engineer will have something to say. But what I just wish to say now is this. It is quite true that before the Pachahd people in the coming winter there will be a great deal of work to do in the way of putting up sads, repairing bands and similar work which has been necessitated by the torrential rains of July. But then perhaps it is not necessary to be in too much of a hurry to get this work done, because unfortunately past experience is that when you have had a cataclysm like the one we had last July, the next year is generally a dry one, the torrents may run fitfully and next year possibly the people of Dera Ghazi Khan may be crying for a repetition of the floods of this year. (Interruption: Is that the reason for not remitting the land revenue, that the next will be a dry year?) No. I have been advocating suspensions and I was only saying that although there is an immense amount of work to be done, I would advise the Pachahd people not to be too much in a hurry. They have had a bad flood—not an unmitigated evil: they may have worse drought next year. I therefore suggest to the House that the measures of relief such as are mentioned in the first two parts of this resolution are not needed, though due consideration will be given to (c) and (d).

Mr. J. B. C. Smith (Chief Engineer, Irrigation): Sir, until the honourable mover spoke after moving his resolution I was entirely in agreement

with parts (c) and (d) of the resolution. I certainly sympathise with his recommendations and would have supported them whole-heartedly but for what he said subsequently. In paragraph (c) the resolution states that the Council recommends to the Government that the following measures of relief be immediately adopted in Dera Ghazi Khan district, namely irrigation embankments washed away during the floods be rehabilitated. The surprise came when he stated what irrigation embankments meant. Not only did the mover mean embankments for which Government was responsible which Government maintains and looks after and for which, including such works as are connected with the canals, Government is this year spending 3 lakhs, but also embankments and bunds which have been put up by the people themselves probably with the aid of district authorities, possibly without. I do not know the district at all, but I can hazard this, that these bunds are probably the work of years and possibly of decades. In any case they are not the direct concern of Government. In part (d) he asks for an expert officer to advise the local body and the people as to the possibility of effectually controlling some of the bigger hill torrents and strengthening protective embankments so as to ensure the safety of the district in the future. The Government has already been considering this and it has made up its mind and he will hear more fully of it when the Honourable Revenue Member speaks. But for Government to take on the responsibility of all these bunds which, as I said, probably have been built up by the people of the country in years past, for Government to take on the responsibility for restoring them at once, is a proposal which I do not think this House can really, honestly, seriously entertain. The honourable member from Montgomery got up and censured the Government for not having already started doing all that the honourable mover requested. He said: if it were any other civilized country Government would have been "cleared out." He did not go quite so far as to suggest that it ought to be cleared out here. But he obviously meant that Government should do far more than it is doing. I would like to tell him what any other civilized country would have done, that is what they would have done in countries like America and Australia and any other country that is civilised. They have their local bodies, they have more than local bodies, they have real co-operation amongst the people who form those bodies. In an instance of the present kind if they considered that there is something to be done in the hill torrents or these *suds* as they are called, they would themselves get an expert to come and prepare a scheme which they would prepare to start with their own funds or with a loan. They would become shareholders and they would be prepared to carry out such a scheme as would give them the necessary relief absolutely on their own initiative. The Government would not interfere with the matter at all. In America you have the Reclamation Service and the Reclamation Service would get that scheme examined by its experts in order to see that the people's money is not squandered. Now, that is what they do in other civilised countries. We are not expecting you to do so here. But it is really unjust to come out and say that the Government should be "cleared out" because they have not undertaken what the people have done themselves in the last perhaps 20, 30 or 50 years. You do not know what you are talking about.

Sayad Muhammad Husain : But was there any such havoc done in any other civilised country as was the case in Dera Ghazi Khan district? It was so abnormal there.

Mr. J. B. G. Smith : Nature of course has given vent to its pleen only in Dera Ghazi Khan district. I recall something to my mind. Two years ago the late Governor of this Province in discussing one of these situations with me stated that the Irrigation Engineer is not now looked upon as an ordinary human being, who tries to adapt nature to man's uses but he is looked upon as the deity itself. That seems to be reflected in the speech from that side of the House to-day. I do not think I have anything more to say. As I said we are quite prepared to provide an expert officer and so far as irrigation matters are concerned we have no need for any resolution to be moved before the Council. We are doing the work that is necessary for irrigation channels and bunds for which Government is responsible. *(Cheers).*

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : Sir, this resolution, it was very natural, should have been moved in the very first session after this great calamity that overtook not only Dera Ghazi Khan but many other districts in the province. Government as soon as it became aware of this great calamity stirred itself and stirred its officers and took active steps forthwith to see what was the extent of the damage done, what can be done immediately to relieve the great sufferings of the people who were subjected to these sufferings by this great calamity, and also what steps it was necessary to take to insure the good prospects of the next crop so that people after their present calamity may be in a position to recoup their strength. I recognise, Sir, that Dera Ghazi Khan if it was not the greatest sufferer from the floods, it was undoubtedly one of the greatest sufferers and on that account I, Sir, on behalf of Government am here to express the greatest possible sympathy with the district and the people who have suffered from these floods *(hear, hear)*. I recognise, Sir, that the demands of the people of the province to-day on the Government are much greater than they used to be, but I do not resent this, as a matter of fact, I am prepared to welcome it. It shows that the people of the country hold their Government responsible to them, expect it to come to their rescue, whenever they are in trouble, and this is the greatest compliment that a Government can expect to be paid to it by the people whom it tries to serve. I further recognise, Sir, that it is the duty, and I trust the members opposite also recognise that it is the duty, of Government at once on the occurrence of such a calamity to mobilize all its force in order to serve the people and when I say all its strength I include therein, Sir, the noble efforts that non-officials made on such occasions last year and this year—the Red Cross Society came to the forefront and rendered really very great assistance. In every afflicted district, non-officials and officials, worked hard in order to relieve the sufferings of the people. Financial assistance was forthcoming not only from Government treasury but also from non-official treasuries—pockets. From the Indian Famine Trust Fund a fair amount of assistance was also forthcoming. Some of us might have desired that the assistance from non-official sources within the province may have been much greater than it has been but I have not the slightest doubt that as public opinion develops and grows, the non-official support will not be

limited to speeches only, but will be extended to more substantial forms, that is to say, contributions towards the relief of the sufferers. As regards the main points taken up in the resolution I assure the honourable mover and his supporter that Government is in sympathy with the underlying principles of that resolution, and will do all it can to meet it, within the rules that have been framed to guide our officials. I will not be vague about it. I will presently put before the Council more definitely what is being done. It has been the wish of Government to leave nothing undone which can be done in connection with the sufferings caused by floods. The House should not be led away in any way, to imagine that because the officers of Government have to act under the rules that exist for their guidance and because they have to bring these rules to the notice of the Council and to the enthusiastic members of the House who wish things to be done at once, they lack in sympathy or desire to render all the assistance that can possibly be rendered. Nothing of the kind. I am Sir, anxious to impress on the mind of the Council that since the advent of Reforms, to my knowledge, and I have no knowledge of the matters as they stood before, there is an ever increasing desire on the part of the officials to render the utmost help they can, to the people in general uplift work, and in particular whenever a calamity like this has befallen any part of the province. I have not the slightest doubt that the non-official members recognise this with gratitude. Both the non-official members who have spoken on the subject have paid glowing tributes to the zeal and enthusiasm and the hard work that our officials during these floods have put in.

Sir, I recognise that these hill torrents are really a great nuisance to Dera Ghazi Khan. They are a great nuisance which it does not appear very easy to control and turn to our benefit. For about 2 years Government has been most anxious to devise some plans, some schemes, to control these torrents counteracting all the mischief and if possible, to turn them to our good. This great calamity has brought this matter prominently to our notice and this resolution has been helpful. The honourable member desires that Government should depute a special officer to study one, two or more torrents to see what can be done for them. I have, Sir, consulted the Chief Engineers on this point and in order to meet the wishes of the local officers as well as of the non-official members of this Council interested in Dera Ghazi Khan, we have decided to spare the services of Mr. Claxton who has intimate knowledge of the district to be placed on special duty for this work. I trust he will be fortunate enough to find some way of controlling these hill torrents, I have no doubt he will study the problem carefully and put up such schemes as he can in the best interests of the country. His work will include advising the Deputy Commissioner with reference to the *sads* and *bunds* and various other things which have been washed away by the floods. A little controversy has been raised as to who is going to build the *sads* and *bunds*. They are undoubtedly not a charge on the Irrigation Department. Neither has the honourable mover mentioned it nor has the Chief Engineer suggested that he is going to be saddled with building these more or less simple *bunds*. I understand they are the chief concern of the Deputy Commissioner and of the people whose lands they pass through. I have no reason

[Hon'ble Mian Sir Fazl-i-Husain.]

to believe that the Deputy Commissioner of the district will find any difficulty in getting it done in the best way he can. No doubt when abnormal floods like these occur and wash away bunds, it will be difficult for the people themselves to put them up at once at their own expense ; but whenever any proposal comes from the Deputy Commissioner in the matter of assisting the people in this respect, I can assure the honourable mover of the resolution that it will receive very sympathetic consideration from the Government. That settles the question of what the honourable member has chosen to call the rehabilitation of *sads* and bunds. I have met his wish in the matter of appointing a special officer by putting Mr. Claxton on duty to do this work as well as the work of studying the question of hill torrents and devising some scheme to utilise them for irrigation purposes.

There are now left only two points, one with reference to the *kharij* revenue, and the other to the question of *taccavi*. As regards land revenue, really there is not much to quarrel about. The honourable member from Montgomery who is a non-official expert in the matter of land revenue, *khara* and *abiana*, has always been ready with his expert knowledge to help the Council. As rightly pointed out, wherever there is a case of fluctuating land revenue there can be no dispute. It is fluctuating and so the matter ends there. The difficulty may perhaps be in the *pachad* where the land revenue is fixed, that is, should it be remission or suspension. There again it is more or less what you would call an academic discussion. There can be no suspension year after year, if there is no produce really, and no one would desire remission to take place if the money can be easily recovered. There is really no question whatsoever of the people being made to pay next year when they are not really able to pay. I will not allow anybody to violate the rules, but within the rules if anything can be done, the Council can count upon my getting it done in the best interests of the people who have suffered from these floods and I trust the Council will leave it at that. Within the rules everything that can be done shall be done and when I say 'within the rules' you may count upon it that the rules will be interpreted in a humane and sympathetic way.

Sayad Muhammad Husain : Remission also is within the rules.

The Honourable Mian Sir Fazl-i-Husain : All that can be done within the rules will be done, and the manner in which Government is tackling the question of floods is such that it does not permit a small gain here and a small gain there to stand in the way of rendering help to the people to the utmost extent possible within the rules.

Then coming to *taccavi*, the Council, I am glad, has recognised that *taccavi* has been distributed to the needy people in as large quantities as practicable. I trust that the people who have taken the *taccavi* will be more fortunate in the future than they have been in the past and will benefit by the *taccavi*. If circumstances are adverse, as has already been pointed, the rules give a certain amount of latitude to the Government and there again such latitude as the rules allow will be utilised to the full in the best interests of the people.

Sayad Muhammad Husain : The question of interest also comes under this latitude.

The Honourable Mian Sir Fazl-i-Husain : So far as interest is concerned, it is certainly, as has been realised by the honourable member for Montgomery, in need of some device or other. His device was to divert some money from some head or other and credit it to the account of interest on *taccavi*. I understand that is his device. My Financial colleague is not here to test that suggestion, but to me as a lawyer it looks like bungling the finances of the State. It may be possible to do it financially. I am not an expert in finance. But I do not see how you can take away some money from some head or other and credit it to interest on *taccavi* distributed in the Dera Ghazi Khan district. But if after this suggestion is fully examined by the Finance Department and it happens to be above criticism or reproach, the Government will see whether it can adopt this suggestion; but at first sight it does seem to me to be rather weak. However, the fact remains that *taccavi* realisations are conducted in the best interests of the finances of the province, and the Government while on the one hand is most anxious to make it quite clear that *taccavi* is a loan and not a gift or a piece of charity, still it acts in a way which befits a Government to adopt. I think that the honourable member who has moved this resolution has rendered a signal service to the district as well as to the province by ventilating the troubles of his district and I am glad to have had the opportunity of placing before the Council the extent of work that has already been accomplished by Government officials, and also stating to the council the programme of work that Government has before it with reference to this matter. I am ready to admit that but for this motion we might have taken longer in appointing a special officer to study the question and to that extent the Government is indebted to the mover of the resolution.

Shaikh Faiz Muhammad [Dera Ghazi Khan (Muhammadan), Rural] (Urdu) : Sir I had hoped that in view of the sad plight of the inhabitants of the Dera Ghazi Khan district the Government would not have recourse to mere explanations. But the speech of the Revenue Secretary was unfortunately, full of evasive explanations as we usually receive from the Government benches. In the very beginning of my speech I thanked the Honourable the Revenue Member and the Revenue Secretary for the visit which they paid to our district in order to acquire first-hand knowledge of the state of affairs in that part of the province. They did see the conditions prevailing there. But the situation is not the same now. After their visit we have had very heavy rains and serious floods. And then to add to our misery locusts worked a havoc in the district. This Sir, was the reason why I moved this resolution.

In reply to what has been said with regard to the suspension and remission of land revenue I beg to submit that I am perfectly aware of the fact that usually remission is preceded by suspension. But the conditions prevailing in our district are such that I could not but request its remission. In our district the experience is that we get rains every fourth year. The present year was the wet one, but the rains were so heavy that instead of a long-expected boon they proved a veritable curse. And now Sir, the situation will not change for another three years which as experience shows are going to be absolutely dry. Therefore, the people do deserve some help at the hands of the Government.

[Sh. Faiz Muhammad.]

There appears to be some misapprehension with regard to the question of land revenue. I wish to make it clear to the House that all the temporary crops have been ruined in our district. But it is just possible that a very little part of them might have been saved, and the Government will charge land revenue for that little part. It was to this revenue that my request related.

The Government do not realise their own mistake. They first made all the water head up in one place and then let it loose to ruin our crops. The Government may not be willing to lose temporary land revenue, but it is surely their duty to make some amends for their own mistake. I had no desire to go into details but it seems proper to lay a few facts before the House. First of all when the floods came they caught the people all un-awares and the result was that some 200 lives were lost, a great number of cattle died and in addition to that grain and fodder worth about 20 lacs of rupees were swept away. In the face of these facts the request made to the Government is a very moderate and reasonable one.

As regards the *taccavi* loans I beg to submit that I also consider them a loan and not a charity or anything of that sort. But it must be remembered that there was a time when loans were given without any interest. And surely Sir, this is the fittest occasion to follow that practice.

In the end Sir, I thankfully accept what the Honourable the Revenue Member has said with regard to the remaining parts of my resolution and, I do not wish to press my resolution to vote and beg leave to withdraw it.

The resolution was by leave withdrawn.

RESOLUTION REGARDING WASTE LANDS IN THE SHAHPUR COLONY AREA.

Khan Bahadur Mian Muhammad Hayat, Qureshi [Shahpur West (Muhammadan), Rural], (Urdu): Sir I beg to move that—

"This Council recommends to the Government to distribute Government waste lands in the colony area of the Shahpur district on a generous scale, as peasant grants amongst petty zamindars holding lands on the banks of the river Jhelum in the Shahpur district who have lost lands by river action or have suffered serious losses by floods."

Sir, the river Jhelum flows through the Shahpur district and I wish to draw the attention of the House to the sad plight of the petty zamindars whose lands are situated on either side of the river. This *ilaqa*, known to the public as the Gaddhi *ilaqa*, is mentioned in the official records as Chak Jhelum. On account of the presence of the river water it came under cultivation thousands of years ago. The holdings of these people are so old that owing to the distributions that have been taking place generation after generation the lands held by the zamindars in most of the villages have been reduced to a few *kanals* only. Thus it is very difficult for these people to make both ends meet. And now the constant floods in the Jhelum have made this bad situation all the worse for them. Thousands of their cattle died and their crops and other things worth many lacs of rupees were destroyed by the last floods.

Last year's floods, although they worked a havoc in the district, did not cause a very great alarm, because then it was thought that such things happen only once in many years. But their re-appearance this year has made them to be looked upon as a permanent menace. Again, it is believed that one of the causes of these floods is that trees and bushes on the mountains have been cut down; and thus the danger has increased in magnitude. Before the introduction of canals and roads there existed in this area a natural network of drains and whenever there was a flood all the water went back to the river through these drains. But now on account of canals, roads and the Sargodha Railway line which is no less than 7 or 8 feet in height the water is headed up with the result that, when let loose it ruins the adjoining ilaqa. During the last floods water was flowing 7 or 8 feet high in our lands. It is true that the *rabi* crop has been cultivated in some parts of the *ilaqa*, but most of the lands are still lying uncultivated.

Thus Sir, this resolution has been moved to remove these permanent grievances. In the Jhelum colony area there are Government waste lands which have not come under cultivation yet. It is perfectly true that all the superior lands have been already given away, but 28,000 acres of land are with the temporary cultivators and there are also some other tracts which can be given to these poor people. They are not crying for superior tracts. What they want is some land by cultivating which they might be able to feed their families. I want to make it absolutely clear that this resolution is moved for the benefit of the poor zamindars whose holdings consist of a few *kanals* only and not for the big landlords and well-to-do people. As I have said, these people will be quite prepared to cultivate comparatively inferior lands. They are hardworking people and I am sure that they will turn even the inferior lands to good effect. The Government also is sure to gain much in this way.

Moreover, these lands will be a source of relief to these people and their relatives at the time of floods and pestilence. I assure the House that at present the whole district is in the cruel grip of malaria and nearly 40 per cent. children have died of this epidemic. If land is granted to these people they will be able to remove their families and cattle from the river banks to the colony area at such times and thus hundreds of lives might be saved.

Someone may accost me with the question, why this demand is made for the Shahpur people only. I beg to submit Sir, that firstly, there are undistributed Government waste lands in this district and secondly, that in other colonies the rights of such people were not overlooked but in the Shahpur district no land was given to these people. It was bounden duty of the Government to do something for the people whom it had deprived of the river water in creating this colony. Lands were granted to the horse-breeding tribes but no attention was paid to the rights and grievances of these people.

Thus Sir, the waste lands are available and the distribution of these lands amongst these petty zamindars is sure to benefit both the Government and the poor people. Therefore, I hope that my resolution will commend itself to the House and the Government.

Mr. President : The resolution moved is—

"This Council recommends to the Government to distribute Government waste lands in the colony area of the Shahpur district on a generous scale, as peasant grants, amongst petty zamindars holding lands on the banks of the river Jhelum in the Shahpur district, who have lost lands by river action or have suffered serious losses by floods."

Sardar Harbakhsh Singh [Hoshiarpur and Kangra (Sikh), Rural], (Urdu): Sir, the importance of the resolution under consideration can well be realised from the fact that five or six members of the House have given notice of the same. I could have also moved this resolution to-day but thinking that I belong to a far distant district and that it would be better if the honourable member representing the Shahpur district should move, I did not move it. According to the Persian proverb—

دل خوش بعد از دوش

I would have put the case of my own district or the districts of Doab, where the zamindars have also suffered terrible losses by the action of *chos*, swan and the river Beas, but my visit to the *ilagas* referred to in the resolution has changed my opinion. I am now constrained to think that the necessity of the zamindars of these flooded areas is greater than that of the zamindars of my district. It seems to me that the recent floods have done havoc in those parts. The flood seemed to be a deluge of Noah. The zamindars whose cattle and lands have been washed away by floods have a very miserable plight. Of course His Excellency the Governor and the Honourable Members and the Honourable Ministers have paid visits to those *ilagas* and sympathised with the flood sufferers. The distribution of a few lacs of rupees cannot do much. They require some substantial help. It has been said that there are 90 thousand acres of land in the colony area of the Shahpur district available for distribution among the sufferers. If that is correct why not the Government comply with the wishes of the honourable mover of the resolution and give away this land to those petty zamindars who have suffered losses by floods. The blessings of the present day, the railways, roads and canals have proved a source of trouble to the zamindars of these *ilagas*. It has also been stated that the Government have not granted any squares of land to the zamindars of the flooded areas of the Shahpur district while other districts of the province have been given the lion's share. If that is correct, the Government becomes all the more in duty bound to give some suitable relief to the flood sufferers of the Shahpur district. With these words I support the resolution.

Pandit Mehar Chand [Jullundur-cum-Ludhiana (Non-Muhammadan), Rural], (Urdu): Sir, I fully realise the importance of the resolution under consideration. The Honourable Revenue Member has admitted that riparian zamindars of the province have suffered great losses by recent floods. He has also given an assurance that every calamity stricken area will have the best consideration of the Government. It is but reasonable, therefore, that some means may be devised to give suitable help to the sufferers. The zamindars living on the banks of the Jhelum river have suffered irreparable loss by recent floods. It is the duty of the Government to help such zamindars.

(At this stage Mr. President left the chair and it was occupied by the Deputy President.)

They should be given Government waste land if there be any in their own district, and if there is none they should be given lands elsewhere. With these words I support the resolution.

Pir Akbar Ali [Ferozepore (Muhammadian), Rural], (Urdu): Sir, the importance of the resolution under consideration can well be realised from the fact that many honourable members have given notice of the same. Conditions similar to those obtaining in the Shahpur district are also found in other districts. But it looks absurd to talk of other districts when the particular instance of one district is before the House. The honourable mover has given an account of the sufferings of the riparian zamindars of the Shahpur district. His proposal that the Government waste land in the colony area of the Shahpur district be distributed amongst those petty zamindars who have suffered losses by floods, is but reasonable. To give land on temporary cultivation in new colonies may be a wise step but giving land on temporary cultivation in a colony like the Shahpur colony cannot be profitable. As my honourable friend the mover has remarked the zamindars of riverain areas have a very bad lot. Sometimes heavy rainfall, sometimes floods and sometimes malaria give them great trouble. The plight of these zamindars who have no lands is very miserable. I strongly support the resolution and ask the Government to find out in which other districts Government waste land is available for distribution. There are four thousand acres of such land in village Abohar, district Ferozepore. This land can easily be irrigated and can afford an income of forty thousand rupees.

The Honourable Mian Sir Fazl-i-Husain: To which land does the honourable member refer?

Pir Akbar Ali: I am referring to Government waste land in village Abohar, district Ferozepore. If this land is distributed among the deserving zamindars of the same district both the Government and the grantees would stand to gain. I think this land can pay Rs. 2,000 as land revenue.

Deputy President: Order, Order. Is not the honourable member rather going out of the scope of the resolution when he discusses about all the waste lands of the province?

Pir Akbar Ali: I am submitting that the position in other parts of the province is the same as in the Shahpur district. I was submitting that 90 thousand acres of Government waste land in the colony area of the Shahpur district (a portion of which is given on temporary cultivation) can be distributed among the flood sufferers both to the best advantage of the Government and the grantees. With these words I support the resolution.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) (Urdu): Sir, whatever I have to say in connection with the resolution under consideration I better say in Urdu for the convenience of the zamindar members of the House. I have attentively listened to the speeches delivered by the honourable mover of the resolution and those who spoke in support of it. It appears to me that most of the honourable members are not well acquainted with real facts. Before taking part in a debate one would naturally like to be in possession of relevant facts. Therefore I would state what the facts are.

[Hon'ble Mian Sir Fazl-i-Husain.]

In the first place let us see how much land is available for distribution in the colony area of the Shahpur district. An honourable member stated that there were 90 thousand acres of such land. Another member remarked that there were only 80 thousand acres available for the purpose and so on. As a matter of fact there are only 80 thousand acres of such land out of which 50 thousand acres have no means of irrigation. Does the resolution under consideration refer to these 50 thousand acres of Government waste land? If so, I am prepared to comply with the wishes of the honourable mover provided, of course, the zamindars of the riverain areas undertake to bring that land under cultivation. If they are prepared to give the required undertaking I would ask the Honourable the Financial Commissioner to prepare some scheme for the distribution of the land in question. Will this satisfy the honourable mover? Should I finish or proceed to state other facts?

Khan Bahadur Mian Muhammad Hayat Qureshi : We would like the Honourable Revenue Member to proceed further.

The Honourable Mian Sir Fazl-i-Husain : Very well, Sir. In the second place I have to state that the remaining 28 thousand acres are not at present available for distribution. This land which is given on temporary cultivation brings us 4 lacs of rupees annually by *malikana*, but if it is given to the colonists our annual receipts from it would be reduced by 8½ or 9½ lacs. One should think twice before he takes any such step. In the third place, I would say that the account given by the honourable mover of the sufferings of riverain zamindars of the Shahpur district is somewhat exaggerated. Besides that, there is also some misstatement of facts. If we look at the actual facts and figures we will find that during the last decade the land gained by alluvion in the Shahpur district amounts to six thousand acres. If we compare this district with other districts where similar conditions obtain, we will find that the plight of the riverain zamindars of Shahpur district is not so miserable as has been depicted by the honourable mover.

1. In Dera Ghazi Khan district eleven thousand acres of land have been washed away.
 2. In Jullundur district six thousand acres have been washed away.
 3. The Gujrat district lost about two thousand acres.
 4. The Jhelum district also lost about two thousand acres.
- In the above four districts no land was gained by alluvion.

Chaudhri Ram Singh : What about the Kangra district?

The Honourable Mian Sir Fazl-i-Husain : I do not find the name of the Kangra district in my list. I do not think there are any big rivers running through the district and taking away the land. In the fourth place I have to state that the average holding of a zamindar in the province consists of 8 acres. In the Shahpur district, an average holding consists of 21 acres. There are very few holdings of less than ten acres.

Khan Bahadur Mian Muhammad Hayat Qureshi : No. It is wrong.

The Honourable Mian Sir Fazl-i-Husain : I beg your pardon. Certainly there has been some mistake. An average holding of 21 acres is the case in the Sargodha tahsil alone.

Khan Bahadur Mian Muhammad Hayat Qureshi : Yes, that is right.

The Honourable Mian Sir Fazl-i-Husain : In the Shahpur district there are 52·7 per cent. ten acre holdings as against 28·8 per cent. in the whole province. This shows that the district of Shahpur is much better off than the rest of the Punjab.

In the fifth place I have to make clear that although the Shahpur district has greatly suffered on account of floods yet there are other districts which suffered far more serious losses by floods. Looking at the statement of losses suffered on account of floods by various districts of the province we find—

- (1) In Shahpur district, 388 villages were affected by floods while in the Muzaffargarh district the number of such villages is 484.
- (2) In Shahpur district 69 villages were washed away while the number of such villages in the Muzaffargarh district is 108.
- (3) In the Shahpur district 7 lives were lost while in Dera Ghazi Khan, 171 lives were lost.

With regard to the loss of cattle the figures are as follows :—

<i>Name of district.</i>		<i>Number of cattle.</i>
1. Shahpur	.. ..	1,966
2. Muzaffargarh	.. ..	7,841
3. Dera Ghazi Khan	.. ..	8,977

Similarly the recent floods caused a heavy loss to property and crops in the various districts of the province. Therefore it is wrong to say that the Shahpur district suffered most on account of floods.

Now let us turn to another point. It has been said that the zamindars of the riverain areas of the Shahpur district have not been granted lands in the colonies. Let us see whether this statement is correct. From a perusal of the official record we find that no less than 1,055 squares of land have been given to these zamindars. One thousand squares of land were given to them in the Shahpur colony and 50 squares of land in the new colonies.

Khan Bahadur Mian Muhammad Hayat Qureshi : Yes, one thousand squares of land on horse-breeding conditions.

The Honourable Mian Sir Fazl-i-Husain : There is another trouble. The Shahpur canal has been in existence for the last twenty years. The soil and the levels were unfavourable, and the zamindars have so carelessly used the water that portions of the canal have resulted in water-logging. In this area the question of water-logging has become very acute. The horse-breeding grantees have also suffered badly from water-logging. I have tried to help the horse-breeding grantees whose lands were deteriorated by water-logging. A horse run consisting of 45 squares of land was taken back from the military authorities and was given to the horse-breeding

[Hon'ble Mian Sir Fazl-i-Husain.]

grantees. The honourable mover and the supporters of his resolution have ignored one thing and that is, if these thirty thousand acres were to be distributed amongst the zamindars of the riverain areas, where should the cultivators go, who have no other means of living.

Sayad Muhammad Husain : Do not the cultivators pay *malikana* ?

The Honourable Mian Sir Fazl-i-Husain : At least they are maintaining themselves and their families. I cannot see any reason why petty zamindars should be preferred to the cultivators who have no lands.

One honourable member has just asked me why Government does not give away Government waste land in village Abohar, district Ferozepore, to those zamindars who suffered losses by floods. He further said that if that land is given to such persons, the Government shall not stand to lose but would gain something in the form of land revenue. I am sorry to observe that the memory of some of the honourable members seems to be short. When their lands do not yield much they come to me and complain about the shortage in the supply of water. They say that their lands are being neglected and new lands are being supplied sufficient water. But while making such complaints to me they ignore the fact that if water is to be supplied to the lands in the new colonies, where is that water to come from? We have to curtail the present supply of water in order to provide water for the lands in new colonies. It is hardly fair that some honourable members should say one thing at one time and quite a different one at another time. While giving peasant grants, we have to take into consideration the claims of the people of the congested areas, flooded areas and water-logged areas. We have got facts and figures, and our decision has to rest on them. I have stated the facts and I hope that the honourable members now will be in a position to express their views regarding the reasonableness or otherwise of the resolution under consideration.

Chaudhri Ram Singh [Kangra (Non-Muhammadan), Rural] (Urdu) : Sir, so far as the principle underlying this resolution is concerned, I am in perfect agreement with it, but I can only support the resolution in case this principle is made of general applicability. If the application of this principle is to be restricted to one place as has been suggested by the mover of the resolution, I regret I shall have to oppose the resolution. My honourable friend Sardar Hira Singh has also tabled an amendment to the same effect. Like him I want that lands in the colonies should be distributed to all the zamindars who have suffered by the action of rivers or whose holdings are very small. I would rather suggest that Government should appoint a committee which should tour over all the Province and find out which of the districts in the Punjab have suffered from the action of rivers or from the floods and where the holdings of the zamindars are very small. It should also find out who have been already granted lands and who have been ignored on previous occasions.

Deputy President : I do not think that the honourable member is in order to speak generally on this resolution. If he wants to say anything particularly in connection with the Shahpur resolution, he is at liberty to do so.

Chaudhri Ram Singh : Sir, I am trying to explain to the House that only deserving persons should be granted lands whether they belong to Shahpur district or to any other district. The Honourable Member for Revenue has also emphasised this point and in doing so he has stated facts and figures relating to various districts although I am sorry that he has made no mention of the Kangra district.

Deputy President : May I point out again that we are not discussing at this stage whether land should be given in the Kangra district. The question is about Shahpur and if the honourable member wants to speak in connection with the resolution, he may do so, otherwise I do not think he will be within the scope of this resolution.

Chaudhri Ram Singh : Sir, I have tabled an amendment to that effect and I think I can speak on it.

Deputy President : Are you sure that that amendment would be in order? I think it is not in order.

Chaudhri Ram Singh : Sir, the Honourable Revenue Member himself talked of other districts and I will request that I may also be permitted to do so.

Deputy President : The honourable member will remember that I stopped the honourable member from Ferozepore speaking generally. I do not think I can really allow any member to speak generally on this resolution.

Chaudhri Ram Singh : Then I shall be compelled to oppose the resolution as it is worded.....

Mr. H. Calvert : On a point of order, Sir. Is not the honourable member perfectly right in opposing this resolution on the ground that it is showing favouritism to one district while there are more deserving people than those in Shahpur?

Deputy President : Of course if the honourable member wants to put forward that sort of argument then he will be quite in order.

Chaudhri Ram Singh : This is exactly what I was explaining. It is a pity that the Honourable Revenue Member has totally ignored the Kangra district, although, in my opinion, it has suffered more than any other district from floods and other calamities. The river Beas which runs through this district has wrought havoc to the district generally and to the Nurpur tahsil of the district particularly. Within my recollection there were many prosperous villages with teeming population in the Nurpur tahsil whose very names have been forgotten. For example there was Plahata village in that tahsil with an area of about 1½ thousand *ghumaon* of fertile land. In 1901 when I was 12 years old, I had taken the census of that village and it was populated by the people called *Ghirt*. At that time this village was in a prosperous condition but now we find no trace of that village. The fertile land of that village has become waste and its proprietors have since migrated to another village where they are tilling the land of other people on *batai*. Besides that there were 11 wells working in another village called Indaura in that tahsil and there were many gardens too in that village. But all these wells and the gardens have been washed

[Ch. Ram Singh.]

away by the floods and thousands of acres of land are lying waste and uncultivated and heaps of sand are to be seen there. Four of these wells were washed away during the recent rainy season. Similar is the case with my own village. One thousand acres of superior land in my village has been rendered unfit for cultivation by the action of the river. Similarly many other villages have met the same fate. Then the diversion of the flow of the Chakki river, which has been done by cutting the Dhangu hill in order to protect the Madhopur canal, has done great damage to the lands in many villages of the Nurpur tahsil. The compensation proposed to be given to the proprietors of these lands, has been estimated to amount to Rs. 89,000, as I have been told to-day in answer to one of my questions. This amount is nothing as compared with the value of those lands and the damage which has been done to their proprietors. Moreover the lands at the banks of Ohbaonch Khad, in Satai Gran, which were very fertile, have been washed away. Palampur suffers from the want of fodder and the chaff of rice is used as fodder in that tahsil. Similar conditions prevail in Kulu and other tahsils. There are many zamindars in the Kangra district who do not own more than one *kana* of land. Under the circumstances I think that the people of the Kangra district are more deserving than those of other districts. The case of Hoshiarpur district is also worth the consideration of Government. I think it would be much better if the Government were to lay down a general principle in clear terms on this point so that no deserving person should be deprived of the grant of land. With these words I resume my seat.

Sayad Mubarik Ali Shah [Jhang (Muhammdan), Rural], (Urdu): Sir, I live on the outskirts of the Shahpur district and I am fully conversant with the conditions of that district. I also own a village in that district; and we got about 2,000 maunds of wheat from its lands in last *rabi* harvest which was stored in the same village and owing to the floods that has been destroyed and only 50 maunds are left with us, which can be used. You will be surprised to know that even the *pacca* buildings in which we used to store our grain, and which was situated in the middle of the village on a high level as compared with rest of the buildings have not been able to save the grain from being washed away by the floods. You can very well guess what must have been the lot of the people who possessed only *kacha* buildings to protect themselves and their grain and cattle. These have been totally effaced and the grain and cattle in them have been washed by the floods. At this time our village looks like a forlorn place. We have arranged to send to these villagers fodder and grain from other places and given them a loan of these necessities as a *tacavi*. Similar is the state of affairs in most of the villages in the Shahpur district and it is only reasonable that Government should grant them land on a liberal scale out of the waste lands in the colony area of the Shahpur district. This will enable them to feed themselves and their cattle in times of calamities as we did on this occasion. Government should waste no time in showing this favour to these people. After these ordeals, through which they have recently passed and after the attack of malaria, they are not able to withstand the extremity of cold weather which has already set in and unless the proposed relief is given to them, many of them will be totally ruined. This section of the people is well known for its loyalty to

the Crown and they are always prepared to help the Government on all occasions. These people, recruited in hard times for the Government, supplied a large number of recruits during the Great War without any inducement or invitation. It is the duty of Government to help such people, if not for any other reason, to show that it feels grateful to the people who render help whenever help is required. With these words I support the resolution.

Sayad Muhammad Husain : [Montgomery (Muhammadan), Rural] : Sir, there was considerable force in the arguments of my honourable friend, the mover of this resolution. But unfortunately I could not see eye to eye with the arguments adduced by the Honourable Revenue Member in opposing this resolution. The Honourable the Revenue Member stated that sufficient land was given in the Shahpur district as Ghoripal grant to the people of the district. Now the mover of this resolution admits that land was given to them ; but it was given not to the poor people who did not possess any land or who were petty proprietors. No care was taken to see whether the people to whom the land was given were men already possessing vast amount of land or whether they were in possession of a little or no land. The main condition was that the man should be a good horse-breeder and should be able to spend about Rs. 1,000 per mare. Now under those circumstances those people who could not afford to pay Rs. 1,000 were deprived of the opportunities to take up the land. The vast majority of the landless people who could not afford to pay that sum were left without any land. The honourable mover of the resolution now wants that the land should be given to those people who are poor and are rendered helpless by the recent floods, and what is the sort of land he wishes to give to these people ? It is not superior land, superior to that land which was given to the Ghoripals, but a most inferior type of land and this land is to be given to the locals who have proved to be very good tenants. The locals have this advantage ; they are poor and they are in possession of a good deal of manure and they can convert the inferior soil into superior soil. This land which is available now is land which nobody at that time was willing to take up.

As regards the argument that this land is reserved for the waterlogged area of the Ghoripals, the conditions are now changing. Waterlogging is disappearing and in place of waterlogging we are spending lakhs of rupees to repair weirs. The difficulty which the Honourable Revenue Member points out in the matter of accommodating the Ghoripal people on account of waterlogging is therefore out of question. There is no fear of the land being spoiled. The Canal Department is at work. Water has been scarce and this year it may become more scarce on account of the damage done by the floods. I do not think that more than 50 per cent. of the land under the *rabi* can be irrigated now. Therefore there is no fear that in the near future lands will be spoiled by waterlogging and further the land under discussion is inferior land and nobody will take it.

The Honourable Mian Sir Fazl-i-Husain : Is that correct that nobody will take up this land ?

Sayad Muhammad Husain : In my opinion no horse-breeder will be willing to take up this inferior land which is now lying there. It would have long ago been taken up but for its inferiority. It will be acceptable only to

[Sayad Muhammad Husain.]

the locals who on account of its close proximity to their lands and to their homes may be willing to take up the land.

Then there is the economic question. Government, it is stated, is not going to give this land free. Let them realise the price in due course as they are realising in the case of the other colonies and it will rather be a gain to the province rather than a loss. Not only the price will be realised in due course but the land revenue and *abiana* will be coming in.

Khan Bahadur Captain Sardar Sikandar Hyat Khan : Rs. 2,70,00,000 will be realised as price.

Sayad Muhammad Husain : Now I have it on the authority of the *ex-officiating* Revenue Member of the Government that Rs. 2,70,00,000 will be realised as the price of this land. If that is so, I do not see why the Government should not give away this land.

The Honourable Mian Sir Fazl-i-Husain : May I ask the honourable member whether he is prepared to give Rs. 2,70,00,000 for these 28,000 acres which works out at the rate of Rs. 12,000 per acre? If so Government will be very pleased to close the bargain.

Sayad Muhammad Husain : I am not prepared to purchase it. It was the *ex-Revenue* Member who has said that. He must have had knowledge of it while he was a Member of the Government. These are the words which escaped from the lips of one who acted as Revenue Member.

Then the other argument put forward by the Honourable Revenue Member is that if you give the land to these people, the class of tenants whom we are now getting on contract system will be deprived of their livelihood. I have to say that unfortunately the condition of these people who have got land on tender system is going from bad to worse. This is my experience of the Nili Bar and other colonies. What I therefore submit is that this land should be distributed to the destitute and helpless people who are not in possession of any land or who have got very little land and who will be willing to pay any reasonable price which Government may fix in accordance with the rules which they may lay down. By doing this the Government will get into their treasure an amount of money which may possibly approximate the figure given by the *ex-officiating* Revenue Member. I say, Sir, that the temporary cultivating of which the Honourable Revenue Member was speaking should be discouraged. People are ignorant and they do not know what value they will get out of the land.

People in my part of the country have been ruined by taking temporary cultivation without knowing what the result would be.

5 P. M.

The Honourable Mian Sir Fazl-i-Husain : Taking from whom?

Sayad Muhammad Husain : From Government.

The Honourable Mian Sir Fazl-i-Husain : What about taking it from land-owners?

Sayad Muhammad Husain : They do not go to that limit. And secondly land-owners do not insist upon that. They remit it. They know that if they insist upon it they will get no tenants. Government is very

slack in remitting it, but the land-owners generally remit it. The conditions in the case of the two are quite different. In these circumstances it would have been advisable if the Honourable the Revenue Member had shown the same sympathy which he has already shown in the case of Dera Ghazi Khan by coming to the help of these people for whom everybody has so much regard. With these words I strongly support the resolution.

(At this stage Mr. President resumed the chair.)

Sardar Hira Singh, Narli : [Lahore (Sikh), Rural], (Urdu) : Sir, I want to discuss my amendment which.....

Mr. President : Does the honourable member wish to speak to the main question or does he propose to move his amendment ?

Sardar Hira Singh, Narli : I propose to move my amendment.

Mr. President : His amendment goes beyond the scope of the original resolution.

Sardar Hira Singh, Narli : Sir, I have only changed the wordings of the original resolution, otherwise my amendment is the same.

Mr. President : What is the honourable member's amendment ? Will he please explain himself ?

Sardar Hira Singh, Narli : Sir, my amendment is that the following be substituted for the original resolution—

"That this Council recommends to the Government to distribute Government waste lands in the colony area of the Shahpur district or in any other part of the province on a generous scale as peasant grants or in lieu of reasonable price to such of the statutory agriculturists whose holdings have become too small to be economic as the result of river action, water-logging or fragmentation amongst the members of the same family."

Mr. President : I think the scope of the amendment is much wider than that of the original resolution.

Sardar Hira Singh, Narli : Sir, I tabled this amendment in order that all difficulties as are caused by river action, water-logging and fragmentation may be removed from all over the province and.....

Mr. President : But this is altogether an independent resolution. The resolution is limited to the distribution of certain waste lands in the Shahpur district, while the amendment goes far beyond the resolution, inasmuch as it asks for the distribution of all waste lands in the province.

Sardar Hira Singh, Narli : Very well, Sir, I will speak to the main question under discussion. Sir, the Honourable Revenue Member particularly addressed me to know what scheme could be resorted to in order to bring these uncommanded areas under cultivation. I suggest that where water is sweet the land may be granted to the people and let them cultivate it by well irrigation ; and in those tracts where water is brackish and which are uncommanded canals may be constructed and cultivation may be carried on by lift irrigation. Now there is the question from where to supply water to these canals ? In *kharif* water abounds in the rivers and much of it uselessly flows out to the sea, these canals can be fed by this extra water once yearly during the *kharif* season.

[S. Hira Singh, Narli.]

My second submission is that whenever we ask the Government to grant land to the poor zamindars, they always bring in the excuse of the scarcity of water and say that they can't give them any more land. So far as the poor zamindars are concerned this is a very plausible excuse; but when a rich man applies for grant of land this excuse evaporates into thin air and he is given land as well as supplied water. A wealthy gentleman of Lahore has been granted land in this manner.

The Honourable Mian Sir Fazl-i-Husain : Who is this gentleman?

Sardar Hira Singh, Narli : He is Sardar Balwant Singh, an executive engineer. He has been granted 100 squares of land. Well Sir, coming to my point I submit that this 100 squares of land could very well have been distributed amongst a 100 poor zamindar families. But how could Government have abandoned its policy of pleasing a few rich men for the sake of a million starving wretches. If the Government will insist upon continuing to shower its favours on the capitalists then that day is not far off when when we shall see the same conditions prevail here in India which once prevailed in the present Soviet Russia. If you will press them hard the people are sure to turn at bay. I invite the attention of the Honourable Revenue Member to a well known Punjabi proverb. It is this, that the zamindars first of all try to resort to agriculture, and if the agricultural conditions are not favourable then they try to get themselves enlisted soldiers in the army, and if perchance they fail even to join the army, they steal and rob. If the Government wants them to adopt the last mentioned profession then let it stand by and see them suffer indifferently. I think the Government would do better if it frames some laws for the relief of all the zamindars who from time to time suffer on account of floods, water-logging and fragmentation of holdings.

Then, an honourable member suggested that the waste land in the different districts may only be granted to the people of those districts in which such waste land was available. I think this suggestion is not a sound one for all the people of the Punjab have got an equal right over the Government waste land of the province, whether the land is in Montgomery or in Multan. If there is any Government waste land in the district of Montgomery then all the zamindars of the province have an equal right to share it, for the revenues of Montgomery alone were not sufficient to turn its barren tracts into arable land. The whole province incurred expenses on its account, and it was only then that water conditions became favourable in that district and the area became commanded and cultivable.

My next submission is that henceforward the Government may discard the system of offering land for auction, for this leads to a deplorable state of affairs and the zamindars suffer a lot on account of it. They purchase land for gain but crop after crop fails and so what they spend on the means of cultivation far exceeds what they gain from it. Hence they fail to pay the price of their land and become bankrupts. This defect should be remedied as soon as possible.

Khan Bahadur Chaudhri Fazl Ali [Gujrat East (Muhammadan), Urban], (Urdu) : Sir, at first I thought this resolution quite innocent but after hearing the speech of the Honourable Revenue Member I think its

adoption is rather difficult. One honourable member suggested that if no land grants are to be made in favour of the other districts then there is no reason why Shahpur should be made an exception. This reminds me of the story of an old hump-backed woman who was asked by people whether she would have her own back cured of the defect or would she like to see other people afflicted by the same deformity? Her answer was that she preferred the second alternative. Similarly, the honourable member representing Kangra pressed forward that if the Government is not going to grant any land to the Kangra district then it should not also grant any land to the Shahpur district. My contention is that there is no Government waste land in the Kangra district and the Government can't help it, for it can in no way arrange to shift some of the Government waste land from Shahpur to Kangra for the benefit of the population of the latter. Therefore it is not true to say that where arrangements can be made to grant land to the zamindars there they should not be made simply because there are some people for whom no such arrangements are possible. Similarly various other members also went out of their way to talk of things immaterial to the matter under discussion. The honourable mover of the resolution said that there was some Government waste land available for distribution in the Shahpur district; and the Honourable Revenue Member answered that some portion of that land had already been granted on temporary lease grants and the remaining was uncommanded and no irrigation arrangements could be made for it. The matter that required to be brought to the notice of the Government was this: that the people whose lands or houses had been washed away by the recent floods were in a miserable plight and under the circumstances required the Government's sympathy. Our duty was to bring it to the notice of the Government and further it was the Government's business to think out what relief it could grant them. Various Government officers have visited these areas in person and have seen the deplorable condition of the inhabitants with their own eyes. They have fully acquainted the Government with their misery and wretchedness. To be brief, Sir, their troubles are these. The rivers when in flood wash away the houses of the people and when they ebb they leave them malaria-stricken unable to build new houses for themselves. In the past floods were not so common but from the last two years they have become a regular scourge for the province. Shahpur is not the only district which has suffered. There are other districts which have sustained far heavier losses. There is the Jhelum district; there is the Gujrat district and so there are many such which have suffered in the recent floods. The depressing circumstances obtainable in the Gujrat district can very well be ascertained by this simple fact that the District Board, Gujrat, received an application from the inhabitants to grant them a certain land under District Board garden to be used as their burial ground for their old graveyard was near the river and they could not bear to see the bodies of their dead floating about. This application shows how much people have suffered there. If the Government grants them land somewhere also then during the flood days they can seek shelter and safety there. I as well as other members have explained the troubles of the people to the Government and have requested land grants for them. We have discharged our duty and done what was in our power. Last year as well as the year before Government had very benevolently given relief to

[K. B. Ch. Fazl Ali]

the people who had suffered losses on account of the floods. A majority of these sufferers have been adequately relieved and we are grateful to the Government for it. Government is aware of the conditions of the people and knows how far it is possible for it to help them. We look upon a matter from only one point of view while Government has to go into all the pros and cons of it. To understand a thing and to decide upon it the Government is the best judge for it has got at its service all the means required to ascertain the facts.

In the end I express my heartfelt gratitude once again for what the Government has already done for these people. We should avoid dwelling on the faults and shortcomings of the Government for in view of what it has already done for us it amounts to ingratitude. Instead of putting an unreasonable pressure on the Government let us thank it for its magnanimity and generosity and ask it to further extend its favours as far as possible by arranging more land grants to the people whose holdings have become small or whose lands have been washed away by river action.

Mr. H. Calvert (Financial Commissioner, Development): Sir, I rank second to none in my sympathy with the sufferers from the late floods. I am certain all of us are prepared to do our utmost to relieve the suffering caused by the floods and come to the help of the multitude of sufferers. But surely it is only reasonable that we should try first to help those who have suffered most. As the Honourable Member for Revenue pointed out, there are far worse sufferers in the Punjab than those of the Shahpur district; and it behoves the Government as the trustee for all the people of the province to try to distribute the small measure of relief open to it in the best possible way and to try always to give relief where relief is most needed and where relief will be most useful. I sometimes like to amuse myself by imagining honourable members preparing their speeches on resolutions. We have to assume that as long as we sit beneath you every one of us is as careful in preparing speeches as we are. We must give them credit for making some researches into all documents open to them, going through documents day by day and hour by hour and trying to find out facts to place before the House. I should like to imagine the honourable mover of the resolution searching the archives of the Punjab Public Library to try and find out whether he could get any evidence in support of the theory that the inhabitants of the Shahpur riverain have suffered more than the inhabitants of other riverains. I should be surprised when he found that the Shahpur riverain people had gained some 6,000 acres while people of other districts had lost many thousands of acres. He knowing full well the great complaint of shortage of water from all these colonists would of course go round to all the various people taking irrigation from the canals and ask them whether they would mind taking a little less water in order that some water may be used to bring the spare land under cultivation. Of course all irrigators will say: 'Yes, we shall take less water and make no complaints of shortage of water.' I can also imagine him going to a certain body of people who like to call themselves Lavaris' League and ask them whether they would agree that all this land which they are clamouring for and clamouring vigorously should be given to people not of their own number. You may presume that the honourable

mover has persuaded the member for Montgomery that the land should be given to the people of the riverain. But Government must preserve this asset. Government is always trying to hold in reserve sufficient land, finance and resources to meet emergencies. The honourable mover would have the Government give away in 1929 all the spare assets in the Shahpur district leaving nothing for 1930 and for other years to come. It seems to me unwise that we should be asked to give away the whole of the available land in this colony by one stroke and leave nothing whatever to meet future floods or future catastrophes of any kind. It must be understood that Government is not withholding any land from cultivation. Every acre of land which can be cultivated with the water available is being cultivated. We have been trying for many years to extend the cultivation in this particular colony and with very great success. But it must be understood that from the point of view of the province as a whole it does not matter whether this land is being cultivated by A or B or by X, Y or Z. If you eject the peasant cultivators of 88,000 acres and put in a batch of cultivators from some other district, the peasant cultivators who have been evicted will have a grievance and they will approach him and request him to move a resolution in this Council that some land should be given to them in exchange for the land which has been taken from them. Then I shall have to put forth the same argument but this time we shall have no land.

This particular case has taken a great deal of our time. It has taken up a great deal of our time because we also were anxious to do all we could to meet the suffering caused by the floods. But as we had to take a survey of the whole province and not of one district only, it was felt that it would be a mistake to favour one particular small tract as against the whole province. We have heard that there are people worse off than those who have suffered from the floods; and Hoshiarpur and Kangra were specially mentioned in this connection. The people of the dry districts of Rawalpindi, Attock, Mianwali, Kangra and Hoshiarpur have equal claims to this land with the people of the Shahpur district, and it must be remembered that some people of the riverain have derived enormous advantage from the Sargodha colony while the people in the dry districts have derived practically none. Therefore on the principle of justice, if this land is to be given away it should be given away to districts which have gained least of all from the colonisation schemes. In other districts like Kangra we find the holdings to be two acres per family. In Hoshiarpur it is about three acres and there are some districts where the people are struggling for mere existence, whereas in the riverain of the Shahpur district there is actually an increasing area of land available for cultivation and the grievance there is not lack of land but lack of tenants. Therefore if this land is to be given to anybody it must be given to those who are really in need and not to those who have more land than they can cultivate. It was urged by the member for Montgomery that when land was being given in the riverain it was given to the wealthier people, that is those who were known to be good horse-breeders. That is not strictly true. The land was given to a class of people who were good horse-breeders and not to individuals on their personal merits as horse-breeders. It was not the case of whether A or B was a good horse-breeder, but the land was given to a particular type of people who were known as good horse-breeders. The member for Montgomery also tried to suggest that the land had to be

[Mr. Calvert.]

given only to wealthier people because they had to pay something like Rs. 1,000 for a mare. That also is not strictly accurate. In those days the sum required to buy a mare was nothing more than Rs. 200 and there was no difficulty to find this sum for the colonists who received two rectangles of land. I may also say that in grants in the various colonies Shahpur riverain ranks first. I have not been able to discover any other tract which has got more rectangles in proportion to the population than Shahpur riverain. There are up and down the province hundreds of thousands of people in dire need of land and their claims are more urgent. Government is making enquiries throughout the length and breadth of the province for people in dire poverty and who need the greatest assistance of the particular kind we are able to afford. We are day by day selecting those people and giving them lands. I therefore beg this Council to bear this in mind : that there are many people who are in very poor circumstances and that Government can best utilise its available asset by giving it to those who are in greatest need of it. (Cheers.)

Mr. M. A. Ghani (Nominated, Non-official) : Sir, with some of the honourable members who have spoken before me I am entirely in agreement as to the principle involved in the present resolution. But there is one thing which I cannot understand, and that is this. Why on earth the "petty agriculturists holding lands on the banks of the river Jhelum in the Shahpur district who have lost lands by river action or have suffered serious losses by floods" have been singled out to give the benefit of the principle involved in this resolution? Have not the people of the Muzaffargarh district and those of the Dera Ghazi Khan district and other districts in the Punjab likewise suffered? Have not the people of other districts suffered equally though from other causes? I think the Government should not favour the people of one district at the expense of other people of the province. I am not against any help that may be given to the "petty agriculturists of the Shahpur district." Give them help by all means, but for Heaven's sake do not overlook the claims of the people that are living elsewhere in the Punjab. My humble submission is that these waste lands in the Shahpur district are not the sole property of the people of that district. They are the property of the public and the public as a whole have got a rightful claim to it. The Government, therefore, while distributing these lands ought not to overlook the claims of other poor people who are living in the province. In fact the people whom I have in mind are much poorer than the "petty agriculturists of Shahpur." What about those people who have not got an inch of land in the province? What about those who have not got a single pie of capital in any form or shape in the country? What again, about those ill-fed, ill-clad and down-trodden masses of the country who have suffered so much at the hands of the big landlords and the big *banias* of this province? I will, therefore, submit that while distributing these lands among the agriculturists of Shahpur exclusively, the claims of the labourers and workmen by the sweat of whose brow the capitalists are amassing wealth and more wealth should not be overlooked. I would most humbly request the honourable member who has moved this resolution not to be so selfish as to get the entire benefit of the waste lands to the people of his own district and overlook the claims of the poor labourers and the poor

workmen who are groaning under the tyranny of the landlords and the big capitalists of this province.

With these words, Sir, I beg to oppose the resolution.

Chaudhri Duli Chand (Karnal, Non-Muhammadian, Rural), (Urdu) : Sir, I had to no desire to participate in the debate on this resolution, but after the speeches made by the Honourable the Revenue Member and another honourable member from the opposite benches I feel it necessary to say a few words. The Honourable Revenue Member was pleased to quote some figures to show that the average holdings in the Hoshiarpur and Kangra districts were much less than in the Shahpur district. Then he remarked that on principle the waste lands should go to those districts and not to Shahpur.

The Honourable Mian Sir Fazl-i-Husain : I did not say that.

Chaudhri Duli Chand : It was said that the lands should be given to the people of those other districts and not to those of Shahpur.

The Honourable Mian Sir Fazl-i-Husain : No ; I said that the claims of the Shahpur district should be considered.

Chaudhri Duli Chand : The honourable member was pleased to remark that in some other parts of the province holdings were much smaller and that these lands were not the sole property of the Shahpur district but belonged to the whole province. In this way the honourable member will some day come forward to tell us that the lands belonged to the whole of India, and then after a time, becoming more cosmopolitan, he will also include the people of England among those who have a just claim to these lands. I beg to submit, Sir, that this is a very dangerous argument. I come from the Karnal district and the average holdings in that district are quite reasonable. Now if you were to follow this argument you would surely have the lands snatched away from the zamindars and handed over to capitalists.

Thus, Sir, the argument of average holdings is absolutely wrong and misleading. The only right principle is that the lands be given to peasant proprietors. Of course I do not mean to suggest for a moment that nothing should be given to the 'sajhis,' but it is quite obvious that when you give lands to the peasant proprietors the 'sajhis' will also benefit by them. It is not true, Sir, that the real owner of the lands is the Government and not the people. The ruling of a High Court is quite contrary to that. The Jats, the Rajputs and other such people in a way conquered these lands just as the British conquered the country. But the Government has succumbed to 'bania-ism' and, therefore, the just claims of the sons of the soil do not receive a proper consideration at the hands of the Government. Now to prove this, I draw the attention of the House to a highly amazing transaction that the Government has completed in my district. It is said that lands should be given to poor people. But what did the Government do ? It gave away its lands to a very big capitalist and did not get a single pice as a sale price from him in return. (A voice : What is his name ?) I need not give his name ; the Government knows it all right. This, Sir, is the state of affairs, and the Government never takes the trouble to redress wrongs. In fact the higher authorities are only too ready to grant anything

[Ch. Duli Chand.]

recommended by lower officers; and at times the higher officers conduct every detail of such transactions in person.

An honourable member remarked that he opposed the motion because the lands were demanded for the Shahpur district only. Similarly it was pointed out by the Financial Commissioner that there were some other districts with much better claims than Shahpur. Well, Sir, those people are our zamindar brethren too. We will be very glad if something is done for them. For instance the conditions in the Jhajjar tahsil are really very bad. Let the Government give these lands to the zamindars of that tahsil. But I tell you that it is nothing but side-tracking. Again the policy of the nationalist reform party in this Council is anti-zamindar. For instance when we pressed for reduction in water-rates a member of that party created an awkward position for us by a suggestion the repetition of which is not necessary as that is known to all of us. Similarly to-day also a member of that party has made a very displeasing insinuation. I beg to submit, Sir, that this is not a commendable policy. It must be within the knowledge of the House that when floods came in the Jumna, Rai Sahib Chaudhri Chhetu Ram, the then Minister in charge, personally visited the affected area and a very suitable locality was offered for a village which had been ruined by the floods. I wish that the Government followed the same principle in all such cases. In the end, Sir, I strongly deprecate the spirit that has found its way into the House.

Khan Bahadur Mian Muhammad Hayat Qureshi (Urdu) : Sir, this resolution has been discussed at very great length. We have heard speeches both in its favour and in opposition, but I venture to say, Sir, that no speaker has taken exception to the principle underlying the resolution. The Honourable Revenue Member and the Financial Commissioner have been pleased to remark in the course of their speeches that the claims of the poorest people must be considered first of all. I admit, Sir, that it is a very good principle, but may I ask why it was not followed in the Upper Chenab, the Bari Doab and other such colonies? I submit that, whenever people were provided, the inhabitants of the district were given the priority. Had this not been the case I would not have come forward to claim the same advantages for the poor zamindars of my district, who possess very small holdings or no land at all. The Honourable Revenue Member said that 1,000 squares of land were distributed among the Shahpur district people. But it is well known, Sir, that those squares were given not to the poor people but to people already well established in life and not dependent upon such grants for their livelihood. It was also pointed out that these people bring under cultivation the lands left by the river. That is very true, Sir, but I beg to submit that this fact rather goes to support my resolution. It shows that the population has increased to such an extent that these poor people are reduced to such straits that they have to bring under the plough even inferior lands thrown out by the river. The Honourable Revenue Member was also pleased to say that the holdings of the Shahpur zamindars were not small. But at the same time he made it clear that those remarks were about the zamindars in the Sargodha colony. Yes, Sir, their holdings are not small, and they need not be, because they are new colonists and possess squares of good land. It must be borne in mind that all the

other districts of the Punjab are mainly populated by middle class people but it is not the same with our district. In Shahpur the people there are either big landlords or very poor cultivators. Therefore, in our case the principle of average holdings is very misleading and highly injurious to the poor people.

Then the Honourable Revenue Member pointed out that the horse-breeding tribes had suffered very much on account of water-logging and that it was the duty of the Government to provide relief to them. I am very glad to hear this and sincerely wish that the Government fulfil this promise at a very early date. But in that case I would request the Government to give the inferior lands left by the horse-breeding tribes to these poor people. I do not demand 20 or 40 thousand acres of land for them. Give lands to the whole province by all means but for God's sake, do something for these people also. Then the honourable member was pleased to say that there was an upland area of 50,000 acres and that if these people wanted such lands Government would be prepared to consider their case. In reply to that I assure the Government that these poor zamindars will be glad to welcome even a part of this area if it is offered to them; such is their need. We are ready to accept anything that the Government is prepared to give us.

Again, the honourable member pointed out that 23,000 acres of the land were already under cultivation and asked that if that area was to be distributed where would the present cultivators go? I submit, Sir, that these cultivators also belong to the Shahpur district. For instance, I have 10 squares on temporary cultivation and if they are taken away from me and given to these poor people I will not feel the loss. As regards the loss of 4 lacs of rupees which the Government will have to sustain and to which the honourable member drew the attention of the House I beg to say that the Government will be compensated to a great extent by the interest which the prices of the peasant grants will fetch. Under these circumstances, Sir, I hope that the Government will have no hesitation in acceding to my request.

(The Honourable Mian Sir Fazl-i-Husain, rose to speak at 5-56 p.m.)

Mr. President : Does the honourable member wish to make a very long speech?

The Honourable Mian Sir Fazl-i-Husain : I want to make a very short speech, but I cannot limit it to the 3 minutes that remain.

Mr. President : How many minutes will the honourable member take?

The Honourable Mian Sir Fazl-i-Husain : Say about 8 minutes.

Mr. President : The honourable member will please try to finish it in 5 minutes.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) (Urdu) : Sir, the speech that has just been made by the honourable mover was, as usual, very reasonable, well-balanced and conciliatory. It has reduced our points of difference to a minimum. He has made it quite clear in the course of his speech that he does not necessarily want this area of 23,000 acres of land for the riverain people. Then he said that he had no objection to a part of this area, which yields an income of about 4 lacs a year to Government, being distributed amongst those horse-breeding grantees whose lands have been water-logged, and suggested that the inferior lands

[Hon. Mian Sir Fazl-i-Husain.]

vacated by these grantees may be granted to the zamindars of the riverain area of Shahpur. Again we were informed by the honourable mover that his poor constituents would be quite willing to accept a part of the uncommanded area, for the irrigation of which no arrangement exists at present. And, lastly, Sir, he was pleased to concede the point that those horse-breeding grantees who have suffered heavy losses on account of water-logging had a prior right to the Government waste lands.

I have no desire to raise a controversy with regard to the size of the holdings of the riverain people. You know, Sir, that I cannot be expected to possess a personal knowledge of the size of the holdings in each and every district of the province and that, consequently, I have to depend upon the official records. But the honourable mover has not got even such facilities at his disposal and, therefore, his statement is based upon mere guess-work or hearsay. As regards the actual distribution of 1,000 squares of land amongst the riverain zamindars of the Shahpur district, my statement is based on two most reliable authorities—the official files and the gentleman who began the distribution of those squares 25 years ago. Now the position is this: the honourable mover says that no such squares were distributed and I say that they were distributed. But in view of the unflinching persistence on the part of the honourable mover I shall make further enquiries in this connection.

Then it was remarked that the lands should be given to the zamindars only. Now, Sir, I absolutely fail to appreciate the logic underlying this suggestion. There is a considerable number of Jats, Sainis, Brahmans and others who have been declared statutory agriculturists and who, owing to ill-luck, do not possess any lands at present. Are we to treat them as untouchables simply for that reason?

Rai Sahib Chaudhri Chhotu Ram : Agriculture may not be their occupation.

The Honourable Mian Sir Fazl-i-Husain : No; they have much better claims because they cultivate the lands. You are simply proprietors while they are the real cultivators.

Now, Sir, while taking exception to the opinion of the honourable mover that all the Government waste lands should be distributed or that they should be given to the zamindars only, I am prepared to undertake to—

- (1) make enquiries whether, at the time of the colonisation, distribution of lands, the claims of the riverain zamindars of the Shahpur district were really overlooked,
- (2) ascertain whether there is really a class of such undefined riverain people about whom it is said that their holdings are hopelessly small,
- (3) try to give better lands to these horse-breeding grantees who are really in a sad plight,
- (4) ascertain from the local officers whether the comparatively inferior lands vacated by the horse-breeding grantees mentioned in (3) above can be given to the poor cultivators of the riverain tracts, and whether they are prepared to accept such lands, and

- (5) make enquiries as to whether these allegedly poor cultivators are willing to accept lands in the uncommanded area of 50,000 acres about which no promise of canal irrigation can be made; and, if so, to consider their case sympathetically.

In my opinion, Sir, this is a very fair promise and I shall be glad if the honourable mover of the resolution is satisfied with it. But if he still persists in his original resolution, then I cannot but oppose it.

Khan Bahadur Mian Muhammad Hayat Qureshi : Sir, I have no doubt that this promise, made in such a princely manner, will be fulfilled to the letter, and, therefore, I beg leave to withdraw my resolution.

The resolution was by leave withdrawn.

The Council then adjourned till 2 p.m. on Thursday, the 28th November, 1929.

THE
GOVERNMENT OF PUNJAB
OFFICE OF THE SECRETARY
Lahore
1929

Lahore :

Printed by the Superintendent, Government Printing, Punjab.

1929.

PUNJAB LEGISLATIVE COUNCIL.

4TH SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

Thursday, the 28th November 1929.

The Council met at the Council Chamber at 2 P.M. of the clock. Mr. President in the Chair.

OATH OF OFFICE.

The following members were sworn in—

- ✓ Khurshed Muhammad, Khan Bahadur Shaikh (Official, nominated).
- ✓ Abdul Ghani, Shaikh [West Punjab Towns (Muhammadan), Urban].

STARRED QUESTIONS AND ANSWERS.

APPOINTMENTS IN P. E. S.

***2580. Shaikh Faiz Muhammad :** Will the Honourable Minister for Education kindly state what was the total number of appointments in P. E. S. on 15th October 1929 and how many of these were actually held by Muslims on that date ?

The Honourable Mr. Manohar Lal : The Consolidated Annual Statement which will give figures up to the end of December 1929 is in course of preparation and a copy of it will be supplied to the honourable member as soon as it is available. However, if the honourable member desires the exact position on the 15th October 1929 it will be furnished to him in the course of the next few days.

APPOINTMENTS IN THE S. E. S. (A.-V. SECTION).

***2581. Shaikh Faiz Muhammad :** Will the Honourable Minister for Education be pleased to state the total number of appointments in the S. E. S. (A.-V. Section) on the 1st January 1929 and 15th October 1929 with the percentage of Muslims in each case ?

The Honourable Mr. Manohar Lal : The Consolidated Annual Statement which will give figures up to the end of December 1929 is in course of preparation and a copy of it will be supplied to the honourable member as soon as it is available. However, if the honourable member desires the exact position on the 15th October 1929 it will be furnished to him in the course of the next few days.

CIVIL VETERINARY DEPARTMENT.

***2582. Lala Bodh Raj :** Will the Honourable Minister for Agriculture please state—

- (a) whether it is a fact that all the professional veterinary work (hospital work, field inoculations and castrations) is done by the veterinary assistants in the Civil Veterinary Department, Punjab ;
- (b) whether it is a fact that the other staff of veterinary inspectors, deputy superintendents, superintendents and Director, Civil Veterinary Department, only do checking and inspection of the work of veterinary assistants ;
- (c) whether it is a fact that most of the superintendents have never done the professional work both before and after their appointments as such which they are expected to examine, inspect, check or supervise ?

The Honourable Sardar Sir Jogendra Singh : (a) No.

(b) No.

(c) No.

TOURING VETERINARY DISPENSARIES.

***2583. Lala Bodh Raj :** Will the Honourable Minister for Agriculture please state—

- (a) whether it is a fact that there are certain touring veterinary dispensaries in the Civil Veterinary Department, Punjab, which certain veterinary assistants are ordered to visit weekly or bi-weekly ;
- (b) whether it is a fact that the travelling allowance of such veterinary assistants is often reduced and in several cases altogether disallowed ;
- (c) whether it is a part of their duty to bring any prescribed number of cases to the touring dispensaries at the time of their visits to such dispensaries ;
- (d) what are the reasons for disallowing their travelling allowance ?

The Honourable Sardar Sir Jogendra Singh : (a) Yes.

(b) Yes, in a few cases.

(c) No.

(d) The travelling allowance is disallowed or reduced only when it is found that the journey was unnecessary, or that it was not completed with due expedition, or that the halt was of an excessive duration.

INCREMENTAL SCALE OF PAY FOR VETERINARY ASSISTANTS.

***2584. Lala Bodh Raj :** Will the Honourable Minister for Agriculture please state—

- (a) whether it is a fact that, excepting the veterinary assistants, all the other veterinary establishment, including the clerks are on an annual incremental scale of pay ;

- (b) if so, what are the reasons for not granting the veterinary assistants the same privileges as to the other services of the department ?

The Honourable Sardar Sir Jogendra Singh : (a) Yes.

(b) The question of the pay of veterinary assistants is bound up with the re-organization of the department recommended by the Royal Commission on Agriculture and is under consideration.

ASSISTANT TO THE PROFESSOR OF MEDICINE, LAHORE VETERINARY COLLEGE.

***2585. Lala Bodh Raj :** Will the Honourable Minister for Agriculture please state—

- (a) whether it is a fact that the Assistant to the Professor of Medicine, Punjab Veterinary College, Lahore, has been delivering lectures in medicine for the last three years ;
- (b) what are the reasons for the said teaching work not being done by the Professor of Medicine himself ?

The Honourable Sardar Sir Jogendra Singh : (a) Yes, supervised by the Professor of Medicine who is always present.

(b) It was done at the request of the Assistant himself, who desired to be trained in lecturing. This procedure will continue until the Professor is satisfied that the Assistant has become proficient.

MEMORIALS OF THE MEMBERS OF THE PROVINCIAL VETERINARY SERVICE.

***2586. Lala Bodh Raj :** Will the Honourable Minister for Agriculture please state—

- (a) whether it is a fact that several temporary appointments against superior posts on special rates of pay and increments higher than the existing provincial veterinary service scale of pay and increment have been made during the past four years in the Civil Veterinary Department, Punjab ;
- (b) whether it is a fact that the members of the provincial veterinary service, Punjab, have made representations in the form of memorials or by passing resolutions in their recognized associations against the appointments referred to above ;
- (c) if so, what action has been taken by Government on these memorials or resolutions ?

The Honourable Sardar Sir Jogendra Singh : (a) Yes. The salary approximates to Indian Veterinary Service.

(b) Yes.

(c) The memorials of the officers in the Provincial Veterinary Service, Punjab, are still under the consideration of Government.

PROVINCIAL VETERINARY SERVICE.

***2587. Lala Bodh Raj :** Will the Honourable Minister for Agriculture please state—

- (a) whether it is a fact that several members of the provincial veterinary service have from time to time been officiating in higher posts both in the field and on the teaching side and that their work was approved ;
- (b) whether any of the temporary appointments created on the superior scale of pay and increments were given to such members of the service as are referred to in (a) above ;
- (c) if so, what is the number of such appointments in comparison with the total number of appointments ?

The Honourable Sardar Sir Jogendra Singh : (a) Yes.

(b) Yes, in one case.

(c) One.

VACANCIES IN INDIAN VETERINARY SERVICE.

***2588. Lala Bodh Raj :** Will the Honourable Minister for Agriculture please state—

- (a) whether he is aware that, in provinces like Bombay, Madras and the United Provinces, all the vacant posts in the cadre of the Indian Veterinary Service are filled by appointing the members of the existing provincial veterinary service ;
- (b) if so, what are the reasons for not adopting the same rules in the province of the Punjab ?

The Honourable Sardar Sir Jogendra Singh : (a) No.

(b) Does not arise.

SALARIES OF THE DIRECTOR AND THE PRINCIPAL, PUNJAB VETERINARY COLLEGE.

***2589. Lala Bodh Raj :** Will the Honourable Minister for Agriculture be pleased to state if there is any proposal to fix the salaries of the Director, Civil Veterinary Department, Punjab, and the Principal, Punjab Veterinary College, at about Rs. 2,000 or more per mensem ?

The Honourable Sardar Sir Jogendra Singh : No.

DIRECTOR, C. V. D., PUNJAB (MR. T. E. QUIRKE).

***2590. Lala Bodh Raj :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether the Director, Civil Veterinary Department, Punjab (Mr. T. E. Quirke), has passed any post-graduate courses or if he has any original research work to his credit ;
- (b) whether the said Director has been confirmed in his post ;
- (c) if so, when ?

The Honourable Sardar Sir Jogendra Singh : (a) Mr. Quirke has passed a post-graduate course at Muktesar, but has never been engaged in original research work.

(b) Yes.

(c) On July 4th 1928 when the post of Director, Civil Veterinary Department, Punjab, was sanctioned.

PRINCIPAL, PUNJAB VETERINARY COLLEGE.

***2591. Lala Bodh Raj :** Will the Honourable Minister for Agriculture be pleased to state if the Principal, Punjab Veterinary College, Lahore, has any recognized original work to his credit?

The Honourable Sardar Sir Jogendra Singh : Yes.

- (a) He was the first to make and use a vaccine for the treatment of eczema in dogs. This has resulted in considerable profit to Government.
- (b) He modified by experiments the treatment of *surra* in horses. This is now being extensively used in the province resulting in a successful termination of 90-95 per cent. of *surra* cases.
- (c) He was the first to institute and carry out the teaching of Histology to Veterinary students.
- (d) He was the first to institute the prophylactic treatment of animals against rabies in this country. This necessitated, by experiments, the modification of dosage, and has resulted in very considerable revenue to Government.
- (e) He carried out, in conjunction with Colonel Walker the control of foot and mouth disease by Chemo Therapy. This has resulted in the saving of many lives in the Hissar Cattle Farm and other places.

AGRICULTURAL CONFERENCE.

***2592. Lala Bodh Raj :** Will the Honourable Minister for Agriculture please state—

- (a) whether it is a fact that nearly all sub-committees held in September 1928 to consider the agricultural items of the agenda for the Government of India Agricultural Conference by the Agricultural Department consisted of the members both from the Indian Agricultural and the Punjab Agricultural Services;
- (b) whether it is a fact that the sub-committee on veterinary education and services consisted of only two members and none of them belonged to the Punjab Veterinary Service;
- (c) whether the two members referred to in (b) had any experience in veterinary education;
- (d) whether professors of the Punjab Veterinary College were invited to take part in the discussion on veterinary education; if not, why?

The Honourable Sardar Sir Jogendra Singh : (a) All the members of the sub-committees consisted of Superior Officers belonging either to the Indian Agricultural Service, the Indian Veterinary Service or officers of equivalent rank holding special appointments. No officers of the Provincial Agricultural Service attended the sub-committees except two officers who were performing the duties of officers of the Indian Agricultural Service for the time being. In addition to them an officer holding a temporary post pending the formation of the Superior Provincial Agricultural Service also attended the Conference.

(b) Yes.

(c) Neither of the two officers had served on the staff of the Punjab Veterinary College, though both had the usual experience of Veterinary education which all fully qualified Veterinary Officers possess.

(d) No. The attendance of the Professors at the preliminary meeting was not deemed necessary.

BHAKRA SCHEME.

***2593. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Revenue Member kindly state—

- (a) what progress has been made with the aerial survey in connection with the Bhakra scheme for which money was voted in the last session (July 1929) ;
- (b) whether the two Superintending Engineers appointed to examine the effect of the Bhakra scheme on the level of water in the Indus have submitted their report ;
- (c) if the report referred to in (b) has been submitted, whether a copy of it will be placed on the table of this House ;
- (d) if the report referred to in (b) has not yet been submitted, when it is expected to be submitted ;
- (e) any other action which the Punjab Government may have taken since last July to expedite the Bhakra scheme ?

The Honourable Mian Sir Fazl-i-Husain : (a) The honourable member is under some misapprehension. Money was voted for land surveys not aerial surveys, in connection with the Bhakra scheme at the last (July 1929) session.

(b), (c) and (d) The Superintending Engineer appointed by us has not been able to devote himself to this important work as he was needed in Lahore in an urgent and important matter which could not be handed over to another officer. But this delay will not influence the eventual progress of the project.

(e) The land surveys for which funds were voted in July 1929, have been started. Apart from this necessary engineering staff has been selected. The demand for their salaries is included in the supplementary estimates to be presented to Council in the November session. This staff will take up the preparation of the Haveli project immediately and will, at the same time, commence the preliminaries for the Bhakra dam project.

**ALIENATION OF AGRICULTURAL LAND TO SATISFY DECRETAL
DEBT.**

***2594. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Revenue Member kindly state—

- (a) whether Hoshiar Singh, Mahajan of Gohana in the Rohtak district, had a decree of about Rs. 4,000 against a Jat of village Gamri in the Gohana tahsil ;
- (b) whether the judgment-debtor referred to in (a) died, leaving a widow, five sons and four daughters, all minors ;
- (c) whether the Collector, on reference to him by the civil court in execution proceedings, proposed that the whole agricultural land (114 bighas) owned by the minors should be alienated for full twenty years to satisfy the decretal debt ;
- (d) whether the proposal of the Collector referred to in (c) was accepted by the civil court ;
- (e) whether the tahsildar of Gohana had reported that the whole family of the minors depended solely on their land for their livelihood ;
- (f) whether the Collector made his proposal without having given the minors or their guardian or their counsel an opportunity of being heard ;
- (g) whether Government intends to issue any instructions in this behalf for the guidance of Collectors ?

The Honourable Mian Sir Fazl-i-Husain : (a) and (b). Yes. Hoshiar Singh, Mahajan of Gohana, sued the minor heirs of his Jat debtor of village Gamri and obtained a decree for Rs. 4,645.

(c) (d) and (e). Yes.

(f) No.

(g) Instructions on the subject are contained in paragraph 21 of Standing Order No. 64, and there appears no need to make any additions to or alterations in the instructions.

SALE OF LAND OF AGRICULTURAL INSOLVENTS, KARNAL.

***2595. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Revenue Member kindly state—

- (a) the number of instances in which the agricultural land of insolvent belonging to notified agricultural tribes has been ordered to be sold in the civil district of Karnal since the High Court ruling bearing on this point was published ;
- (b) the number of petitions lodged by creditors to get their debtors declared insolvent in 1925, 1926, 1927, 1928 and 1929 in the civil district of Karnal ?

The Honourable Mian Sir Fazl-i-Husain : (a) 17.

(b) 1925	..	..	..	..	..	N/L
1926	..	..	..	..	..	2
1927	..	..	..	..	..	8
1928	..	..	..	..	..	9
1929	..	..	..	..	..	175

ANNUAL RAINFALL, ROHTAK DISTRICT.

***2596. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Revenue Member kindly state the average annual rainfall of the headquarters of each of the four tahsils in the Rohtak district and the rainfall up to date this year?

The Honourable Mian Sir Fazl-i-Husain : A statement giving the required information is laid on the table.

RAINFALL IN THE ROHTAK DISTRICT.

Tahsil.	Annual average.	RAINFALL IN INCHES, IN THE MONTH OF										Total.
		January 1929.	February 1929.	March 1929.	April 1929.	May 1929.	June 1929.	July 1929.	August 1929.	September 1929.	October 1929.	
Rohtak ..	19.68	0.36	..	..	0.25	0.28	0.35	4.07	4.38	0.64	..	10.33
Gohana ..	20.56	0.85	..	..	0.75	0.31	0.75	3.33	3.48	0.26	..	9.73
Jhajjar ..	19.70	0.16	..	..	0.82	..	2.28	6.99	3.08	..	..	13.31
Sonepat ..	23.00	0.68	..	..	0.54	0.62	0.09	4.76	2.31	..	0.55	9.55

FAMINE RELIEF.

***2597. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Revenue Member kindly state—

- (a) the approximate loss in receipts from land revenue in consequence of the failure of the present *kharif*;
- (b) the approximate expenditure which will be necessitated by the repairs or reconstruction of works damaged by this year's floods;
- (c) the amount which is expected to be given out in taccavi loans;
- (d) the approximate amount which the Punjab Government will have to pay to the Railway Department in lieu of concession rates for the transport of fodder;
- (e) the approximate amount which the Government expects to spend on famine relief?

The Honourable Mian Sir Fazl-i-Husain : (a) Rs. 12·24 lakhs.

(b) Rs. 59·15 lakhs.

(c) Rs. 62 lakhs.

(d) Rs. 50,000.

(e) Rs. 18 lakhs.

The figures are only estimates.

SUSPENSION OR REMISSION OF LAND REVENUE IN ROHTAK DISTRICT.

***2598. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Revenue Member kindly state—

- (a) whether Government has received any proposals for the suspension or remission of land revenue in the Rohtak district;
- (b) and, if so, what are the amounts of remission and suspension respectively proposed by the district authorities?

The Honourable Mian Sir Fazl-i-Husain : (a) Not yet.

(b) Does not arise.

FAILURE OF *kharif* CROPS.

***2599. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Revenue Member kindly state—

- (a) whether it is not a fact that there has been a widespread failure of the *kharif* crops this year in the districts of Rohtak, Hissar, Gurgaon and Karnal;
- (b) whether it is not a fact that in a year like the present there is a much greater danger of the occurrence of canal cuts than there would be in a normal year;

- (c) whether in a year like the present it would not be desirable to make special arrangements to prevent canal cuts and to insist that the supply of water to the areas at the tail would be a proper test of the diligence and watchfulness of the canal officials; and, if so, whether Government intends to make such arrangements and to invite the attention of canal officials to this test?

The Honourable Mian Sir Fazl-i-Husain : (a) Not of Punjab Canal irrigated crops. Unirrigated crops have suffered from failure of monsoon.

(b) Yes.

(c) Present arrangements are considered adequate; but the attention of canal officials is again being drawn to this matter.

TACCAVI LOANS, ROHTAK DISTRICT.

***2600. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Revenue Member kindly state whether Government will insist on the recovery of *tacca vi* loans even in areas in the Rohtak district where the *kharif* has failed and where it is proposed either to remit or suspend land revenue?

The Honourable Mian Sir Fazl-i-Husain : The attention of the honourable member is drawn to paragraph 629 of the Land Administration Manual which contains the rules on the subject. A Deputy Commissioner may order the suspension of any instalment in consequence of the failure of the crops or any other serious calamity reporting his action to the Commissioner.

WAGES OF PEOPLE ON FAMINE WORKS.

***2601. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Revenue Member kindly state—

- (a) the scale of wages for men, women and children engaged on famine works ;
 (b) the year when this scale was fixed ;
 (c) whether it is proposed to adhere to this scale even now when the prices of the necessaries of life have advanced so substantially ?

The Honourable Mian Sir Fazl-i-Husain : (a) The scale of wages paid on famine works is adjusted to the price of the cheapest grain in common use in the district and varies with it. It is based, in accordance with the recommendations of the Indian Famine Commission of 1901, on the lowest amount sufficient to maintain healthy persons in health. For persons who are not in health separate provision is made. To raise the wage would, as the Commission pointed out, be unjust to other sections of the community, and would prolong the period for which persons would cling to relief works.

Details of the wage scale will be found in paragraphs 139—143 of the Famine Code, a copy of which is laid on the table.

(b) In 1907.

(c) This is unnecessary, in view of the reply to part (a).

[Hon'ble Mian Sir Fazl-i-Husain.]

EXTRACT FROM "THE PUNJAB FAMINE CODE, 1906."

CHAPTER VII.

Wages and allowances.

139. *General.*—The principle of the wage scale is that the famine wage should be the lowest amount sufficient to maintain healthy persons in health. Persons who are not in health when they come on the works should be treated specially, within the terms of this Code.

140. *Wage scale.*—The following wage scale shall be adopted on all public works :—

Class.	WAGES IN CHHITAKS (1 CHHITAK — 2 OUNCES.)	
	Male.	Female.
Special-Mates and special gangs	One pice more than Class I.	
Class I. Diggers	18	18
.. II. Carriers	14	14
.. III. Working children	10	10
.. IV. Adult dependants and rest-day wage ..	12	10
.. V. Non-working children—		
Over 10, but under 14 years ..	8	8
Over 7, but under 10 years ..	6	6
Under 7 years, but not in arms ..	4	4
Children in arms	One pice extra to the mother, or 3 chhitaks.	

NOTE.—If cooked food is given the price of the ration, including the allowance of salt, oil, condiments, etc., should equal the price of the wage given in the above table.

141. *Variations of the wage.*—(a) The scale of wages given in the preceding section can be altered only by the Local Government or by the Famine Commissioner, if such has been appointed under Section 86 of the Code, specially empowered by the Government of India in this behalf. The circumstances under which an enhanced scale of wages may be required would include the following :—

When the physical conditions of the people has so deteriorated that a more liberal diet is required; when severe cold calls for a larger supply of food; when owing to variations in the market prices the ordinary wage is insufficient to procure the proper proportion of oil, condiments, vegetables, etc. It may be assumed that out of a full wage of 18 chhitaks the worker should purchase 11 chhitaks of grain, and oil, condiments, vegetables, etc., with the price of the remaining 7 chhitaks of his wage. On the other hand

a reduction in the wage scale is necessary in the case of workers on non-departmental village works, or may be required at the end of a famine, or if a demand for labour has arisen and the able-bodied relief workers remain on the works without necessity. In no case shall the full wage of a digger be raised so as to exceed 20 chhitaks or reduced to less than 15 chhitaks, the wages of the other classes, or of such of them as may be considered necessary, being altered proportionately.

(b) On private works, whether aided or unaided, the persons undertaking the work shall make their own terms with the labourers.

When the power of altering the wage is exercised it should take the form of a direction that the wages in the pice-wage table shall be increased or lowered by so many pice, and not that the grain-wage or allowance shall be altered by so many chhitaks.

142. *Cash payment.*—Wages shall be paid in cash unless the Local Government otherwise directs.

143. *Price basis.*—The basis of conversion shall be the price prevailing in the nearest bazar of the cheapest grain in common use, not flour, but grain cleaned for sale. The price basis shall be fixed by the Commissioner, and shall not be altered on account of small variations in market prices. But, to meet sudden and sharp oscillations in market prices, the Deputy Commissioner shall have power to alter the basis within a limit of 20 per cent. reporting his action by telegram to the Commissioner.

FAMINE WORKS.

*2602. **Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Revenue Member kindly state—

- (a) whether in starting famine works it is not customary to have regard to the principle of utility ;
- (b) whether Government has any objection to the conversion of kutchia roads into pucca roads or to the repairing of kutchia roads or making of fresh ones as famine works, where circumstances permit, in preference to the digging of tanks ?

The Honourable Mian Sir Fazl-i-Husain : (a) Yes, but other considerations, as the amount of labour that can be employed on each work, have also to be borne in mind.

(b) The honourable member can be assured that all the classes of work mentioned by him will be duly considered. In deciding whether kutchia roads should be made pucca, it is necessary to bear in mind — amongst other considerations two—firstly, that the cost is heavy, and most of it does not go to pay labour in the area effected and secondly, funds may not be forthcoming to keep the pucca roads, once made, in proper condition.

LAND REVENUE AND WATER RATES.

*2603. **Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Revenue Member kindly state—

- (a) whether variations in the prices of agricultural produce from year to year make any difference in the amount of land revenue or water rates to be paid by the owner or occupier of agricultural land ;

[R. S. Ch. Chhotu Ram.]

- (b) whether variations in the yield per acre of agricultural land make any difference in the land revenue or water rates to be paid per acre from year to year; and, if so, under what circumstances and to what extent?

The Honourable Mian Sir Fazl-i-Husain : (a) No.

- (b) No, except in so far as provision is made in tracts under a fluctuating system of assessment for remitting land revenue or water rates when crops have failed to mature.

CHAHI RATES.

***2604. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Revenue Member kindly state—

- (a) whether a motion for a cut of Re. 1 was carried by the Council in the budget session of 1927 as an indication of the Council's view that *chahi* rates were unjustifiable;
- (b) whether any, and, if so, what, action was taken by Government in pursuance of the motion referred to in (a);
- (c) whether any steps have ever been taken to form an estimate of the annual income derived by Government from *chahi* rates; and, if not, whether Government intends to take any such steps now?

The Honourable Mian Sir Fazl-i-Husain : (a) Yes.

- (b) and (c) An enquiry was made as to the financial effect of the abolition of *chahi* rates in the province. It would mean a decrease in land revenue of at least forty-two lakhs, but it is impossible to give an exact figure. For some time past however in re-settlements *chahi* lands have been assessed with great moderation.

COMMUNAL REPRESENTATION IN PUBLIC SERVICES.

***2605. Rai Sahib Chaudhri Chhotu Ram :** Will the Chief Secretary kindly state—

- (a) whether the annual consolidated statement showing the proportionate representation of various classes in the various branches of public services due on the 1st January 1929 is yet ready for distribution to the members of the Council; if not, when it is expected to be ready;
- (b) what are the causes responsible for the delay in the publication of the statement referred to in (a);
- (c) what action is proposed to be taken to prevent the recurrence of delay in future?

Mr. H. W. Emerson : (a) Copies of the statement for 1929 were distributed to honourable members during the July session.

- (b) and (c) The attention of the honourable member is invited to the reply given to part (c) of his unstarred question No. 1180¹ on the 27th July 1929.

COMPETITIVE EXAMINATION FOR SUB-JUDGES.

***2606. Rai Sahib Chaudhri Chhotu Ram :** Will the Chief Secretary kindly state—

- (a) whether the detailed results of the competitive examination held for filling a certain number of the posts of extra assistant commissioners are duly published in the *Government Gazette* ;
- (b) whether a competitive examination of sub-judge candidates is also held ;
- (c) whether the detailed results of the examination referred to in (b) are not published ;
- (d) whether there is any objection, and, if so, what, to the publication of the results of the examination of sub-judge candidates in the same manner and to the same extent as is done in the case of extra assistant commissioner candidates ;
- (e) if there is an objection, whether the objection proceeds from the High Court or the local Government ;
- (f) with whom the final responsibility for the recruitment of sub-judges rests ?

Mr. H. W. Emerson : (a) Yes.

(b) The examination is not a competitive examination but a qualifying examination to assist the Honourable Judges in the selection of candidates for the post of sub-judge.

(c) The results are not published in the *Gazette*.

(d) and (e) The question has not hitherto been considered and will now be examined.

(f) The honourable member is referred to section 22 of the Punjab Courts Act of 1914.

SECOND DIVISION LL.B.'s.

***2607. Rai Sahib Chaudhri Chhotu Ram :** Will the Chief Secretary kindly state—

- (a) whether it is not a fact that the rule allowing second division LL.B.'s to sit for the competitive examination held for the recruitment of sub-judges was framed with the object of encouraging the increased employment of candidates belonging to backward classes ;
- (b) whether he is prepared to place a list of the names of second division LL.B.'s with their tribes on the table of the House ; and, if he is not so prepared, what are the reasons for this reluctance ?

Mr. H. W. Emerson : (a) The honourable member presumably refers to the rule by which District Judges submit the nomination rolls of candidates for the post of sub-judge when required to submit them by the Honourable Judges of the High Court. Provided that he satisfies certain qualifications, e.g., age, a zamindar candidate, who has passed the LL.B. examination in the 2nd division, is entitled to have his roll submitted

[Mr. Emerson.]

by the District Judge. The object of this rule is to enable the Honourable Judges of the High Court to nominate to the local Government for appointment as sub-judges, a sufficient number of zamindar candidates whose nomination rolls have been approved by the Honourable Judges and who have passed the qualifying examination.

(b) It is not clear what information regarding 2nd division LL. B.'s the honourable member desires and over what period. If he will be good enough to state explicitly what information he requires, Government will consider whether it is possible to supply it.

SUB-JUDGES' COMPETITIVE EXAMINATION.

***2608. Rai Sahib Chaudhri Chhotu Ram :** Will the Chief Secretary kindly state—

- (a) how many second division LL.B.'s were allowed to sit for the sub-judges' competitive examination last year and how many of them were members of notified agricultural tribes ;
- (b) how many second division LL.B.'s are being allowed to sit for the examination this year and how many of them are members of notified agricultural tribes ?

Mr. H. W. Emerson : Government are not in possession of the information necessary for a complete reply to be given. The information is being obtained and a reply will be given to the honourable member in due course.

SUB-JUDGE CANDIDATES.

***2609. Rai Sahib Chaudhri Chhotu Ram :** Will the Chief Secretary kindly state—

- (a) how many names were specially requisitioned by the High Court for being included among sub-judge candidates last year and how many have been requisitioned this year ;
- (b) whether there are any, and, if so, how many, candidates belonging to notified agricultural tribes among those referred to in (a) ?

Mr. H. W. Emerson : Government are not in possession of the information necessary for a complete reply to be given. The information is being obtained and a reply will be given to the honourable member in due course.

UNSTARRED QUESTIONS AND ANSWERS.

SCHOOLS IN AMBALA DISTRICT.

1370. Rai Sahib Lala Ganga Ram : Will the Honourable Minister for Education please state—

- (a) figures of educational progress in the municipal and district board areas of the Ambala district for the last 14 years separately for each year from 31st March to 31st March ;

- (b) number of primary, lower middle and middle schools for vernacular education, aided or unaided, recognized or unrecognized, managed by local or private bodies for girls and boys separately with the name of the controlling bodies ;
- (c) lower middle, middle or high schools for English education with full particulars as in clause (b) above ;
- (d) number of students in each class for each year in vernacular and English classes separately with full particulars as in clause (b) above ?

The Honourable Mr. Manohar Lal : The value of this information (even if procured) will not be commensurate with the time and labour spent on its collection.

COMPULSORY EDUCATION IN AMBALA DISTRICT.

1371. Rai Sahib Lala Ganga Ram : Will the Honourable Minister for Education please state—

- (a) in what committees, small towns and district areas of the Ambala district is free and compulsory education prevalent ;
- (b) the names of committees and small towns that have adopted wholly or partly the *Punjab Compulsory Primary Education Act* with population of such area, number of school-going boys and those really under education on 31st March 1929, and similar information with regard to the different groups of villages of the district board area ;
- (c) the names of the municipal committees and small towns where free and compulsory education is not at all adopted, whether any efforts have been made in the direction ; and, if so, with what results and after how long shall free and compulsory education be possible in such areas ?

The Honourable Mr. Manohar Lal : The honourable member's attention is drawn to answers to Council Questions Nos. *1608¹ and *2626². Further information now sought by him is not all readily available, and it is doubtful whether the labour involved in collecting some of it will be justified by the results achieved. Such of the information, however, as can be put together without expenditure of undue labour and time will be collected, and furnished to the honourable member as early as possible.

EDUCATIONAL PROGRESS IN MUNICIPAL AND DISTRICT BOARD SCHOOLS.

1372. Rai Sahib Lala Ganga Ram : Will the Honourable Minister for Education be pleased to state—

- (a) the figures of educational progress in municipal board and district board schools, aided or unaided, recognized or unrecognized, managed by local or private bodies for the last 14 years separately from 31st March 1916 to 31st March 1929 ;

¹ Volume XII, page 234.

² Vide page 474 *infra*.

[R. S. Lala Ganga Ram.]

- (b) names of the villages in the Kharar and Rupa tahsils where there are any such institutions with the names of the managing body, kind of schools and the number of scholars under education?

The Honourable Mr. Manohar Lal : The value of this information (even if procured) will not be commensurate with the time and labour spent on its collection.

PRIMARY AND SECONDARY EDUCATION IN AMBALA DISTRICT.

1373. Rai Sahib Lala Ganga Ram : Will the Honourable Minister for Education be pleased to supply a statement regarding the annual cost on primary and secondary education by all different resources for each year according to each tahsil of the Ambala district.

The Honourable Mr. Manohar Lal : The question does not specify the period for which information is sought and it would be difficult to collect much of the information which is required. Such information as can readily be obtained, will be sent to the honourable member later.

PROMOTION FROM PROVINCIAL TO INDIAN ENGINEERING SERVICE,
BUILDINGS AND ROADS BRANCH.

1374. Rai Bahadur Lala Sewak Ram : Will the Honourable Minister for Agriculture please state—

- (a) what percentage has been fixed for promotion from the Provincial Engineering Service (Buildings and Roads Branch) to the Indian Service of Engineers;
- (b) whether any promotion has since been given to any officer of the Provincial Engineering Service in the Buildings and Roads Branch;
- (c) if not, why not?

The Honourable Sardar Sir Jogendra Singh : (a) In 1920 a percentage of 0.2 per annum or one appointment in 5 years was fixed.

(b) No.

(c) The actual strength of the Indian Service of Engineers was in excess of the sanctioned cadre and hence no appointments could be made. Recruitment to the Indian Service of Engineers in the Buildings and Roads Branch ceased in 1925.

PROMOTION FROM PROVINCIAL TO INDIAN ENGINEERING SERVICE,
IRRIGATION BRANCH.

1375. Rai Bahadur Lala Sewak Ram : Will the Honourable Revenue Member please state—

- (a) what percentage has been fixed for promotion from the Provincial Engineering Service (Irrigation Branch) to the Indian Service of Engineers;

(b) whether any promotion has since been given to any officer of the Provincial Engineering Service in the Irrigation Branch;

(c) if not, why not?

The Honourable Mian Sir Fazl-i-Husain : (a) 20 per cent.

(b) Yes; eight since 1st January 1927.

(c) Does not arise.

ZILLADARS IN THE IRRIGATION DEPARTMENT.

1376. Rai Bahadur Lala Sewak Ram : Will the Honourable Revenue Member give a statement communitywise showing—

(a) strength of zilladars in the Irrigation Department on the 1st January 1929;

(b) number of men on the waiting list on that date;

(c) number of candidates now selected in 1929?

The Honourable Mian Sir Fazl-i-Husain : (a) Strength of zilladars on 1st January 1929—

<i>Muslims.</i>	<i>Hindus.</i>	<i>Sikhs.</i>	<i>Others.</i>
98	61	58	2

(b) Number of men who had been selected as "Candidate zilladars" and not yet appointed as zilladars was on 1st January 1929—

<i>Muslims.</i>	<i>Hindus.</i>	<i>Sikhs.</i>
17	7	14

(c) Number of men selected as "Candidate Zilladars" in 1929—

<i>Muslims.</i>	<i>Hindus.</i>	<i>Sikhs.</i>
37	14	17

BHAKRA DAM.

1377. Rai Bahadur Lala Sewak Ram : (a) Will the Honourable Revenue Member be pleased to state whether it is a fact that the people of the Hissar, Rohtak and Gurgaon districts have suffered a great deal for want of rain;

(b) if so, will he please state when the Bhakra Dam will be taken in hand?

The Honourable Mian Sir Fazl-i-Husain : (a) Yes, as far as the unirrigated portions of the districts referred to are concerned.

(b) The Bhakra Dam will be taken in hand as soon as the Project is ready and formally sanctioned. Funds have been asked of the Council in present session to commence preliminaries of the Bhakra Dam Project.

SUB-INSPECTOR, ABBAS KHAN.

1378. Rai Bahadur Lala Sewak Ram : Will the Honourable Finance Member be pleased to state—

(a) whether Government has received any representations from the Hindus of Kinjar, district Muzaffargarh, against sub-inspector Abbas Khan;

(b) if so, what action Government proposes to take in the matter?

The Honourable Mr. A. M. Stow : (a) Yes.

(b) After enquiry Government consider that no action is necessary.

PURCHASE OF STAMPS.

1379. Lala Kesho Ram, Sekhri : Will the Honourable Finance Member be pleased to state—

- (a) if it is a fact that there is a branch of the Imperial Bank situated in the Amritsar City at a distance of three miles from the courts ;
- (b) if it is a fact that the public who have to purchase stamps have first to go to the treasury situated in the court compound and get a challan duly signed by the official at the treasury and then go to the Imperial Bank for the deposit of the money, then again go back and get a stamp from the treasury ;
- (c) if the answer to (a) and (b) be in the affirmative, what action Government proposes to take to simplify the procedure ?

The Honourable Mr. A. M. Stow : I regret that the answer to this question is not ready. It will be communicated to the honourable member when ready.

COLD WEATHER OF 1928-29.

1380. Mr. E. Maya Das : Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether it is a fact supported by Government records that the last cold weather was one of the coldest experienced for many years past ;
- (b) whether he is aware that many fruit trees were more or less severely damaged all over the province ;
- (c) whether any simple and practicable remedy is known to the Agricultural Department by the adoption of which the severity of the damage could be appreciably lessened ;
- (d) if so, what is this remedy and what steps have been taken to bring it to the notice of persons concerned ?

The Honourable Sardar Sir Jogendra Singh : (a) Yes.

(b) Yes.

(c) Yes.

(d) Generally the practice covering small fruit trees with suitable materials during the winter has proved sufficiently effective. Other measures adopted in various countries for the protection of fruit trees are—

- (i) the use of large heaters or the burning of fires in orchards to raise the temperature ;
- (ii) the production of smoke screens by means of smouldering fires, etc.,
- (iii) the irrigation of the orchards which minimise the injurious effects of frosts ;

These remedies are being made known to zamindars by lectures given at agricultural association meetings, and it is also proposed to issue a departmental leaflet on the subject.

CHARGE FOR CANAL WATER BY VOLUME.

1381. Mr. E. Maya Das : Will the Honourable Revenue Member be pleased to state—

- (a) whether experiments about charging for canal water by volume have been carried out anywhere, if so, where;
- (b) whether these experiments have been successful, and, if so, what are the conditions necessary for the successful working of this system on the smallest possible area and what is that area?

The Honourable Mian Sir Fazl-i-Husain : (a) Yes, on certain estates on the Lower Bari Doab and Lower Chenab Canals.

(b) It is difficult to say, but on the whole, as yet they cannot be said to have succeeded.

MOTOR ACCIDENTS.

1382. Mr. E. Maya Das : Will the Honourable Finance Member be pleased to state—

- (a) what is the number of motor accidents that took place during the year 1928-29 which resulted in serious injury or death of one or more persons;
- (b) in how many instances were cases instituted against those to blame and what punishment was generally inflicted?

The Honourable Mr. A. M. Stow : The information asked for is not yet available. It will be supplied to the honourable member when ready.

CO-OPERATIVE BANKS.

1383. Mr. E. Maya Das : Will the Honourable Minister for Agriculture be pleased to state—

- (a) what is the number of co-operative banks in the Ferozepore district;
- (b) how many persons were given loans of, or are owing the bank—
Rs. 1,000 to Rs. 5,000 ;
Rs. 5,000 to Rs. 10,000 ;
upwards of Rs. 10,000 ;
- (c) how many of these transactions are likely to result as bad debts?

The Honourable Sardar Sir Jogendra Singh : (a) Three Central Banks; two Banking Unions; and 940 Credit Societies.

(b) and (c) As Co-operative Societies are private associations and Banks never reveal the private transactions of their members, Government can give no information.

CANAL WATER.

1384. Mr. E. Maya Das : Will the Honourable Revenue Member be pleased to state for any locality for which it may be convenient to give the information—

- (a) how many cubic feet of canal water are required for raising—

1 acre of wheat ;	1 acre of rice ;
2 acres of grams ;	1 acre of jowar ;
1 acre of barley ;	1 acre of makai ;
1 acre of sugarcane ;	1 acre of bajra ;
- (b) what is the amount of the water-rate per acre in each case?

The Honourable Mian Sir Fazl-i-Husain : (a) No experiments of a scientific nature have so far been conducted to find out the water requirements of crops.

In the years 1918-19 to 1920-21 a series of observations were made by Irrigation Branch for the entire area commanded by certain outlets on different canals to find out the amount of water used by zamindars in actual practice. Average results of all the outlets examined on the Lower Chenab Canal for the year 1918-19 are—

Crop.	C. ft. of water required to mature one acre.
Cotton	68,000
Sugarcane	127,000
Rice	115,000
Wheat	39,000
Gram	16,500
Barley ⁵	24,000
Maize	60,000
Jowar and Bajra	49,000

(b)—

Crop.	RATE.	
	Flow.	Lift.
	Rs. A. P.	Rs. A. P.
1. (a) Wheat except on Kharif Channels ..	5 4 0	2 10 0 per crop.
(b) Wheat on Kharif Channels ..	3 12 0	1 14 0 " "
2. Gram	3 4 0	1 10 0 " "
3. (a) Barley except on Kharif Channels ..	5 4 0	2 10 0 " "
(b) Barley on Kharif Channels ..	3 12 0	1 14 0 " "
4. (a) Sugarcane	12 0 0	6 0 0 " "
(b) Sugarcane on Kharif Channels ..	10 0 0	5 0 0 " "
5. Rice	7 8 0	3 12 0 " "
6. Jowar	1 8 0	0 12 0 " "
7. Makki	5 0 0	2 8 0 " "
8. Bajra	3 4 0	1 10 0 " "

GOVERNMENT HIGH SCHOOL FOR GIRLS.

1385. Mr. E. Maya Das : Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that it is proposed to open a Government High School for Girls in Ferozepore ;
- (b) if so, by when it is likely to be opened ?

The Honourable Mr. Manohar Lal : (a) No such proposal is under consideration.

(b) Does not arise.

DRAINAGE NEAR THE SIKH KANYA MAHAVIDYALIA.

1386. Mr. E. Maya Das : Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that the question of drainage of the neighbourhood of the Sikh Kanya Mahavidyalia is before the Urban Sanitary Board ;
- (b) if so, by when is a decision likely to be reached ;
- (c) if the Urban Sanitary Board has not as yet taken up this question, by when are they likely to take it up ?

The Honourable Malik Firoz Khan, Noon : (a) No.

(b) Does not arise.

(c) As soon as the Municipal Committee of Ferozepore submits the necessary proposals.

MALARIA.

1387. Mr. E. Maya Das : Will the Honourable Minister for Local Self-Government be pleased to state whether 1928-29 was an average year as regards malaria or was is above or below average ?

The Honourable Malik Firoz Khan, Noon : The attention of the honourable member is invited to paragraph 26 of the Report on the Public Health Administration of the Punjab for 1928 from which it will be seen that during the year 1928 the Punjab was exceptionally free from epidemic malaria.

MALARIA.

1388. Mr. E. Maya Das : Will the Honourable Minister for Local Self-Government be pleased to state the number of deaths caused by malaria during 1928-29 ?

The Honourable Malik Firoz Khan, Noon : Deaths from malaria are not recorded separately ; but the total number of deaths from fevers, which also includes deaths from malaria, was 816,235 during the year 1928.

MALARIA.

1389. Mr. E. Maya Das : Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether Government has got any definite scheme for eradicating malaria from the province ;
- (b) if so, when was this scheme prepared and what progress has been made with it ?

The Honourable Malik Firoz Khan, Noon : (a) A scheme for the eradication of malaria has been drawn up and is now in operation:

(b) The scheme may be said to have started in the year 1910 when the intensive study of malaria in the Punjab was commenced. Considerable progress has been made in carrying out *anti-malaria* measures, more especially during the past four years during which extensive drainage schemes have been carried out in urban and rural areas by the Urban and Rural Sanitary Boards, by the Irrigation Department, and by the Water-logging Board.

To deal with a severe epidemic of malaria which broke out in the west of the province in October last an elaborate scheme for distributing quinine free of cost was also devised and brought into operation.

CESS FOR EDUCATIONAL PURPOSES.

1390. Mr. E. Maya Das : Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that about 15 years ago the Government was pleased to authorize the district boards to levy a special cess to be devoted entirely to educational purposes ;
- (b) if so, what district boards availed themselves of this offer and when ?

The Honourable Malik Firoz Khan, Noon : (a) The honourable member is possibly referring to the provisions of section 4 of the Punjab Primary Education Act, 1919.

(b) So far as Government are aware no district board has yet levied the special education cess under the Act in question.

STATIONING OF POLICE AT FERRIES.

1391. Mr. E. Maya Das : Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether it is a fact that formerly police constables used to be stationed at ferries ;
- (b) whether it is a fact that they were removed some time ago ; if so, when ;
- (c) what was the reason for the withdrawal of the police ?

The Honourable Sardar Sir Jogendra Singh : I regret that the answer to this question is not ready. It will be communicated to the honourable member when ready.

ARTIFICIAL FERTILISERS.

1392. Mr. E. Maya Das : Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether there are many artificial fertilizers in the market ;
- (b) if so, what are their names ;
- (c) has the Agricultural Department tested any of them ;
- (d) if so, with what results ;
- (e) whether the Agricultural Department is in a position to recommend any of them ; if so, which ones and for what crops ?

The Honourable Sardar Sir Jogendra Singh : (a) Yes.

- (b) (1) Nitrate of Soda,
- (2) Ammonium Sulphate,
- (3) Ammonium Chloride,
- (4) Calcium Cyanamide,
- (5) Superphosphates,
- (6) Sulphate of Potash.
- (c) Yes.
- (d) The results are still indecisive.
- (e) Not yet.

MILKING COWS.

1393. Mr. E. Maya Das : Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether it is a fact that Government has been making efforts to improve the breed of milking cows ;
- (b) if so, what degree of success has been attained ?

The Honourable Sardar Sir Jogendra Singh : (a) Yes.

(b) In some of the Grantee farms quite satisfactory progress has been made in the last few years. It is hoped that with further selection and grading still further progress will be achieved in the next few years. The progress achieved in the Government Cattle Farm at Hissar is also encouraging.

At the Lyallpur Dairy, by careful selection, elimination of bad milkers and breeding only from the best, the average daily yield of milk per cow throughout the year, both dry and in milk, has increased from 5·4 pounds to 11·28 pounds.

EDUCATION IN RUPAR AND KHARAR TAHSILS.

1394. Rai Sahib Lala Ganga Ram : Will the Honourable Minister for Education be pleased to state—

- (a) the number of students classwise of all lower middle and middle schools, aided or unaided, in the Rupar and Kharar tahsils on 30th June 1929 and the names of such English and vernacular schools with optional English ;

[R. S. Lala Ganga Ram.]

- (b) the number of students with English, optional English, as their subjects on 30th June 1929 in different lower middle schools in the Rupar and Kharar tahsils separately ;
- (c) the number of students in each class in the following schools separately on the 30th June 1929—
 - (i) Government High School, Rupar.
 - (ii) Khalsa High School, Rupar ;
 - (iii) Islamia High School, Rupar ;
 - (iv) Public High School, Rupar ;
 - (v) Khalsa High School, Chamkaur (Rupar) ;
 - (vi) Mission High School, Kharar ;
 - (vii) Khalsa High School, Kharar ;
 - (viii) Khalsa High School, Kurali (Kharar) ;
 - (ix) State High School, Nalagarh ;
 - (x) State High School, Bilaspur ;
 - (xi) Arya High School, Kathgarh ;
 - (xii) Khalsa High School, Anandpur.

The Honourable Mr. Manohar Lal : The information is being collected and will be supplied to the honourable member when ready.

LOCAL BODIES.

1395. Rai Sahib Chaudhri Chhotu Ram : Will the Honourable Minister for Local Self-Government please state—

- (a) what has Government done ever since he took office in replacing official presidents in municipalities, small towns and notified areas by non-official presidents ;
- (b) whether Government during this period has replaced any official president by a non-official president ; and, if so, will he kindly state the number of official presidents removed and the number of official presidents still in office ;
- (c) will he also kindly state the reasons for keeping on the official presidents in these local bodies ?

The Honourable Malik Firoz Khan, Noon : (a) Copies of two *Communiqués* issued by Government regarding the replacement by non-official of official presidents in municipalities, small towns and notified areas are attached.

(b) and (c) Yes. Statements A and B showing—

- (i) the municipalities in which official presidents have been withdrawn or ordered to be withdrawn, and
- (ii) the municipalities in which official presidents are still in office and the reason for retaining them

are attached. Government are not in a position without consulting the Commissioners of divisions to furnish similar details about small towns and notified areas.

A.

List of municipal committees from which official presidents have been actually withdrawn or ordered to be withdrawn during the period of office of Honourable Minister for Local Self-Government.

1. Rewari.
2. Abohar.
3. Zira
4. Muktsar
5. Urmar Tanda.
6. Sialkot.
7. Gujrat.
8. Mianwali.
9. Bhakkar.
10. Jhelum.
11. Pind Dadan Khan.

} Withdrawals will take place after the next general elections of the committees in December 1919 and May 1920, respectively.

B.

1	2	3
Serial No.	Name of municipal committee.	Reasons for the retention of the official president.
1	Burra	The local officers are not in favour of the withdrawal of the official presidents.
2	Panipat	
3	Faridabad	
4	Thanesar	
5	Rupar	The committees are themselves desirous of retaining the official presidents.
6	Firospur-Jhirka	
7	Beri	
8	Sonepat	
9	Simla	Hill municipalities that are excluded from these orders.
10	Kasumpti	
11	Dharamsala	The case is under consideration and local officers' opinion has been called for.
12	Jagraon	
13	Chunian	Local officers are not in favour of withdrawal at present and their cases will be considered next year.
14	Dinanagar	
15	Sharakpur	The committee has been asked to express its opinion in the matter after the next elections in the coming February.

[Hon'ble Malik Firoz Khan.]

1	2	3
Serial No.	Name of municipal committee.	Reasons for the retention of the official president.
16	Dalhousie	<i>Vide</i> remarks against Nos. 9 and 10.
17	Baghbanpura	Elective system is not prevalent in these municipalities, but steps are being taken to introduce it as early as possible.
18	Patti	
19	Jandiala	
20	Murree	<i>Vide</i> remarks against Nos. 9 and 10.
21	Campbellpur	Local officers are not in favour of withdrawal but a further report has been called for by the end of this year.
22	Hazro	Their case will be considered next year as they are not considered fit for withdrawal at present.
23	Pindigheb	
24	Isakhel	Non-elective municipalities.
25	Pekpattan	
26	Kamalia	The committee has been asked to express its wishes in the matter.
27	Karor	Their cases will be considered next year on the committees passing resolutions that they desire to have non-official presidents.
28	Jampur	
29	Rajanpur	
30	Mithankot	

ENGLISH CLASSES IN MIDDLE SCHOOLS.

1396. Rao Bahadur Captain Rao Balbir Singh : Will the Honourable Minister for Education please state—

- (a) whether it is a fact that optional English classes in middle schools in the Gurgaon district have been abolished from this year ;
 (b) if so, what are the reasons for this action ?

The Honourable Mr. Manohar Lal : The information is being collected and will be supplied to the honourable member when ready.

GOVERNMENT HIGH SCHOOLS IN GURGAON DISTRICT.

1397. Rao Bahadur Captain Rao Balbir Singh : Will the Honourable Minister for Education please state—

- (a) whether it is the intention of Government to raise any of the Government High Schools in the Gurgaon district to the intermediate standard ;
 (b) if so, which of them ?

The Honourable Mr. Manohar Lal : (a) No such proposal is under consideration at present.

(b) Does not arise.

TACCARI LOAN.

1398. Rao Bahadur Captain Rao Balbir Singh : Will the Honourable Revenue Member please state the amount of *taccavi* loan per tahsil given for the construction of wells in the Gurgaon district during the current year ?

The Honourable Mian Sir Fazl-i-Husain : A statement showing the amounts allotted to each tahsil in the Gurgaon district and the money actually distributed as *taccavi* during the current financial year up to date, is laid on the table.

Statement showing the distribution of taccavi under the Land Improvement Loans Act, XIX of 1888, in the Gurgaon district from 1st April 1929 to 18th November 1929.

Tahsil.	Amount allotted.	Amount actually distributed to zamindars up to 18th November 1929.
	Rs.	Rs.
Gurgaon	33,000	7,850
Rewari	59,500	5,100
Palwal	38,075	8,625
Nuh	37,000	12,580
Ferozepore-Jhirka	42,000	11,000
Ballabgarh	40,425	6,707
Total	2,50,000	51,862

WATER RATE.

1399. Rao Bahadur Captain Rao Balbir Singh : Will the Honourable Revenue Member please state—

(a) the water rate on *chahi* land in the Gurgaon district ;

(b) does Government intend to abolish it at the next settlement of some nearer date ?

The Honourable Mian Sir Fazl-i-Husain : (a) and (b) It is not understood what the honourable member means by water rate ; the term applies to canal irrigated lands. If he will explain his meaning exactly, the information asked for will be supplied.

RESOLUTIONS.

RESOLUTION re GRANT-IN-AID FOR INDIGENOUS SYSTEMS OF MEDICINE.

Rai Bahadur Lala Mohan Lal [North-East Towns, Non-Muhammadan, Urban] (Urdu) : Sir, I beg to move that—

“That this Council recommends to the Government that Government grant-in-aid for indigenous systems of medicines be increased from Rs. 9,000 to Rs. 20,000 a year.”

Sir, I need not speak on this resolution at any great length, because much has already been said on this question on some previous occasions. As for instance I moved a resolution on the 24th November 1927 in which I requested the Government to express its policy with regard to the standardisation of indigenous medicines. The reply on behalf of the Government was vouchsafed by the Honourable Malik Firoz Khan, Noon. But, Sir, it was in no way different from the replies that we usually receive from the Government. The Government is very generous as far as lip sympathy is concerned, but it never puts its sympathy to practice.

In 1925, many questions were put with regard to Government grant-in-aid for the indigenous systems of medicines. At that time an over-whelming majority of the Hindu and Muslim members was of opinion that the Government must do something to help these systems. In reply the Honourable Minister in charge of Local Self-Government informed the House that the Government had sanctioned Rs. 9,000 as grant-in-aid to be equally distributed amongst the D. A.-V. Ayurvedic College, the Islamia College Tibbia classes and the Tibbia College at Delhi.

Then I asked as to what the Government was doing for standardisation of these medicines. The Honourable Mian Sir Fazl-i-Husain, the then Minister in charge, was very profuse with sympathetic expressions and at the same time informed us that Rs. 80,000 had been set aside in the budget for this purpose. He also promised to send a medical man to the Medical College at Calcutta for training and make a report. But then, Sir, it appears that the money was applied to some other purpose, heaven knows what. A Sub-Assistant Surgeon was, no doubt, deputed to Calcutta but nothing came out of those fine promises and sympathetic expressions.

My demand, throughout, has been that the Government should start a college for training *vaid*s and *hakims*. Last time the Minister incharge was pleased to remark that it would entail a huge expenditure and that, perhaps, the Government would not be able to spare the money required for the purpose. I submit, Sir, that the medical men trained in the western systems have no sympathy with the indigenous systems and therefore, such schemes should not be left at their mercy. Most of the western medicines do not suit the Indian temperament and in addition to that our own medicines are much cheaper. But in spite of all this the Government does not extend a helping hand to these medicines and goes on establishing allopathic dispensaries in various parts of the province. If the Government is really desirous of helping these systems of medicines it should either start a training college for *vaid*s and *hakims* or increase the grant-in-aid that is being given to the institutions engaged in this work. I made enquiries with regard to the expenditure that is being incurred by these institutions:

and was informed that the annual expenses of the D. A.-V. Ayurvedic College were Rs. 32,000 and those of the Islamia College Tibbia classes Rs. 24,000 while the grant-in-aid offered to each of them by our sympathetic Government is no more than Rs. 8,000 a year. I may inform the House, Sir, that the D. A.-V. College people have also made adequate arrangements for teaching Anatomy in their college and thus remove the time-worn objection of the opponents that in these systems there were no arrangements to train students in Pathology and Anatomy. The railway authorities have granted a special concession in connection with the corpses that are brought to this college for post-mortem examination. Is it not possible for the Government to do anything at all? The Government spends Rs. 7,00,000 a year on one Allopathic institution alone, i.e., King Edward Medical College. Then is it too much to ask it to increase the grant-in-aid to the indigenous institutions from Rs. 9,000 to Rs. 20,000 a year? I may also add, Sir, that my own suggestion about this sum of Rs. 20,000 is that Rs. 7,500 each may be given to the D. A.-V. Ayurvedic College and the Islamia College and Rs. 5,000 to the Tibbia College at Delhi.

Now Sir, I would request the House to compare these petty grants with those made by the other provinces. The United Provinces Government is spending Rs. 2,00,000 a year to encourage these systems out of which Rs. 50,000 each are given to the Ayurvedic College of the Benares Hindu University and the Tibbia College of the Aligarh Muslim University, and the remaining sum of Rs. 1,00,000 is distributed amongst other institutions of this kind. The Madras Government maintains an Ayurvedic school and is spending Rs. 1,00,000 a year. The Ceylon Government has recently sanctioned Rs. 75,000 for a college to train students in the indigenous systems of medicines. Similarly the Bihar and Orissa Government maintains an Ayurvedic institution at Patna though I have not been able to ascertain the expenditure thereon. This shows, Sir, that the Punjab Government has no reason to be proud of the treatment which it has so far meted out to the indigenous systems of medicine and that if it has any sympathy with these systems it should have no hesitation in accepting my resolution.

In the end I should like to offer another suggestion. A committee consisting of some members of this Council should be appointed to examine the condition of all such institutions and then recommend the deserving ones for grant-in-aid. I do not mind if the committee is appointed by the Government itself. Moreover, as far as I am aware, the University has made no arrangements for the examination of the students receiving training in these institutions. Therefore a board should be appointed to conduct such examinations.

I think, Sir, that this much will suffice at present. If any further explanation is required after the Honourable Minister and other honourable members have expressed their opinions, I will try to offer it in my reply to the debate. With these words I commend my resolution to the House.

Mr. President : The resolution moved is—

“That this Council recommends to the Government that Government grant-in-aid for indigenous systems of medicines be increased from Rs. 9,000 to Rs. 20,000 a year.”

Chaudhri Afzal Haq [Hoshiarpur-*cum*-Ludhiana, Muhammadan, Rural] (Urdu) : Sir, as has been stated by the honourable mover the attention of Government has from time to time been drawn both by means of resolutions and questions to the matter of encouraging the indigenous systems of medicine. Our attempts in this case have not altogether gone in vain. The Government have done something towards the encouragement of these systems though not so much as we would have desired them to do. No doubt there is a large section of the public who prefer the western system of medicine to the indigenous system of medicine. But the question which calls for our attention is whether or not the western system of medicine, no matter how far it may have advanced and developed, suits our requirements. The suitability of this system is very much doubtful. In the Madras Council the non-official members raised the question of encouraging the indigenous system of medicine, on which the Government appointed an enquiry committee who held the indigenous system of medicine to be scientific. After this some provincial governments made certain arrangements for the improvement of these systems of medicine. We are grateful to the Honourable Minister for Local Self-Government for his sympathetic response to our call. Last year when a sum of nine thousand rupees was sanctioned for the encouragement of the indigenous systems of medicine he was pleased to explain that he had made a beginning and that in future large sums of money would be provided for this purpose. There is a private institution in Delhi which is working very satisfactorily. It has the sympathies of the whole of India. The Punjab Government did well in giving a grant-in-aid to this institution. Constitutionally speaking Delhi may be considered a separate province but for administrative convenience it is included in the Punjab province. If the Punjab Government withholds its grant, the people will say that Government do not like to support the private institutions. Moreover the question where a central Tibbia College should be located is for experts to decide. Our opinion on the point carries no weight. Recently Government has opened a large number of rural dispensaries in the province. Successful students from the medical college and medical schools are appointed in these dispensaries but the successful students from Tibbia College, Delhi, and Tibbia institutions at Lahore are not at all appointed anywhere. Unless you employ the latter you cannot promote the cause of the indigenous systems of medicine. Many a time we have asked the Government to invite the attention of the local bodies to the advisability of engaging qualified *hakims* and *vaids* but to no effect. We are told that Government thinks it inadvisable to interfere in the internal administration of the local bodies. Well Sir, if that is the case, the opening of a new college will not help us. In 1928 the Ministry for Local Self-Government issued a *communiqué* stating the difficulties which Government feels in the matter of encouraging the indigenous systems of medicine. The criticism made in the said *communiqué* was only in the direction of a wholesale condemnation of these systems of medicines and surely this is not the way to encourage these systems of medicine. No science can ever thrive without the help of Government. The ideas of the people are becoming more and more democratic and only that Government which acts according to the wishes of the people can be successful. Therefore, the right thing for the Government to do is to satisfy the people by acceding to their requests.

In the end I would say that apart from the question of opening a Tibbia College at some central place or the purpose for which the money will be spent, I would request the Government to increase the grant for the indigenous systems of medicine, as proposed, to twenty thousand rupees.

Sardar Harbakhsh Singh [Hoshiarpur and Kangra, Sikh, Rural], (Urdu): Sir, just as there are different ways of reaching God so there are different ways and systems of medicines by which various kinds of ailments are cured and health is attained. Each system of medicine has attained some degree of success in the treatment of diseases. The theory of allopathic doctors is that diseases are always due to blood impurities and germs. They do not believe that heat or cold has anything to do with diseases. There is another school of physicians who believe in what they call phlegm, bile and black bile and they say that whenever there is an excess of any of these elements, a person falls victim to a disease. The vaidic system bases its theory on there being different kinds of airs or winds lodging in different parts of the body and prescribes treatment of these *Vayoo*s.

There are propounders of another system of medicine who believe in the efficacy of colours and who remedy diseases with the help of colours. There is yet another system of medicine which is termed as nature cure system. As I have already said all these various systems of medicines have attained some degree of success. But in this twentieth century most of the Indians do not like to make use of decoction and they prefer to be treated by the use of small pills. That is why most of our students go to seek admission into Medical College and Medical Schools. They know that as allopathic doctors they can practice privately and can earn their livelihood even if they were to fail to get any service under Government. The main reason for which the western system of medicine has become so popular is that patent medicines are always available for use. In the case of Ayurvedic and Yunani medicines, it takes much time for their preparation and even after they are prepared one cannot be sure that they have been carefully and properly prepared. On account of the carelessness with which these medicines are prepared, they lose much of their efficacy. On the other hand, the western system of medicine is, without doubt, working very satisfactorily in this country. Quinine is a wonderful discovery and there is no better remedy for malaria than quinine. I am inclined to the view that it is due to the success of the western system of medicine that Britishers are ruling over this country to-day. It is an historical fact that in the days of Mughal an English doctor treated successfully the daughter of Emperor Shah Jahan when *hakims* and *vaid*s had failed, on which the English were permitted to establish factories in this country. That was the beginning of British Raj in this country. Moreover the new diseases which have now appeared with the spread of western civilisation are so complicated that only allopathic doctors can successfully cure them as they were unknown before. It is a pity that there is yet a large section of our countrymen who, in the face of these facts, clamour for support for indigenous systems of medicine and who are so averse to the western system of medicine that they do not like to hear the very name of it. This is especially so with the masses who are poor and ignorant, although in some cases they are found to be justified in clinging to the indigenous system owing to better results. For

[S. Harbakhsh Singh.]

instances in the days of Influenza epidemic a much larger number of people were saved by this system of treatment.

So far as the question of Government aid to encourage *hakims* and *vaid*s is concerned, I fully realise the difficulty of the Government. Government can not be expected to help incompetent men with no qualifications. It will be dangerous to help quacks. The indigenous systems of medicine are incomplete and unsystematic as they stand at present, and for that reason Government has not been able to pay much attention to them. A Tibbia College is already in existence in Delhi and it is doing good work. About 400 students are studying in that college and about 100 of these students belong to the Punjab, of whom 50 are Hindus. That is sufficient for the present to encourage these two systems and the opening of a new college at Lahore is not necessary. The aid that the Government is rendering to one such institution at Delhi and two such institutions at Lahore should be increased and I will have nothing to say against it. But I fear that the progress that the D. A.-V. College is stated to be making on the Ayurvedic side in teaching how to conduct operations or post-mortem, as the honourable mover was pleased to put it, might not lead to an unwholesome competition between a complete and thorough system and a system of doubtful character which is not desirable. It is an admitted fact that so far as surgery is concerned the western system of medicine has surpassed all other systems, and has been most successful. No other system can compete with it in this respect. In my opinion it is very objectionable to ask for a grant to make the competition between the western system of surgery and the indigenous systems keen. As I have said before the grant-in-aid already sanctioned for the indigenous systems is no doubt very small and I will not object to its being increased. But I wonder how it will be utilised. If the increased grant is spent on opening a new college and a larger number of *hakims* and *vaid*s are produced every year, I ask how they are going to be successful without medicines. There are no good Yunani or Ayurvedic pharmacies which stock all sorts of medicines. Sufficient money is required for bringing into existence such pharmacies. If you are so anxious to encourage the indigenous systems of medicines why should you not ask the capitalists of your country to invest large sums of money for the purpose? In the end I would request the Government to increase the grant-in-aid for these two systems of medicine from Rs. 9,000 to Rs. 20,000 provided the money is spent in such a way as will not lead to a competition between the western system of medicine and the indigenous systems of medicine. With these words I support the resolution.

Mr. Din Muhammad [East and West Central Towns, Mohammadan, Urban]: Sir, I entirely agree with the spirit of the resolution which has been moved by the honourable member from Simla, and with some of the general observations which have been made by the honourable speakers who have followed him. But I regret to say that I do not see eye to eye with them in regard to some of the practical suggestions that they have made. It is no doubt true that the Unani as well as the Ayurvedic systems are in some respects more suitable for the Indian system of living. It is also true that some of the medicines are cheaper. But before we recommend extra expenditure, we have to satisfy ourselves whether the money we so spend would be well-spent. It is absolutely useless to make haphazard suggestions.

and to ask the Council to vote for an extra expenditure to be spent in a haphazard method. The honourable members who have spoken before me have made certain suggestions, have advanced certain theories and have themselves contradicted them in the course of their speech. They have submitted before the House that it would be a very desirable thing if a Unani and Ayurvedic College was opened here and they themselves have admitted that they are not yet satisfied whether a true need for such an institution has been created in the country, or whether it would be desirable to incur such a heavy expenditure in view of the fact that there is a successful institution already working at Delhi. Some of the honourable members have suggested that it would be useful if some *vaids* and *hakims* were added to the already heavy list, but then they themselves have advanced their fears that for want of proper *davakhana*s (pharmacies), it would be impossible for them to work in a satisfactory way. In my humble judgment, time has come now when the east and west should combine in the domain of medical science also as they are combining in other spheres. If we are satisfied that it is absolutely essential for the upkeep of our health, that we should also have the advantage of the Unani or the Ayurvedic system of medicine, I would most respectfully suggest that we should insist on adding an Ayurvedic and a Unani Chair in the existing medical colleges, so that after undergoing training in these two systems of medicine as well as in the allopathic system, the colleges may turn out doctors efficient in both ways. A purely Unani or a purely Ayurvedic *vaid* or *hakim* is a square man in a round hole under the present circumstances. He cannot satisfy the demands of the people. We shall have to admit that in some respects there is absolutely no relief for certain diseases in the Ayurvedic or Unani system. (A voice: So it is in the case of allopathy as well). That is why I say that both should be combined and instead of turning out a large number of *vaids* and *hakims* who may prove a standing menace to human life, we should combine both the systems and provide for both in the existing syllabus of medical studies in the existing medical colleges where men would have better grounding and would prove of greater efficiency in the line.

It has been suggested that if this grant is increased from Rs. 9,000 to 20,000 it would be of some avail. The honourable member who is responsible for this motion has not yet placed before us figures which would demonstrate that by a mere increase of 11,000, some such substantial good will accrue that will justify our voting this expenditure. Results of the Islamia College or of the D. A. V. College have not been placed before us to show that they are turning out efficient people, people who can be relied upon in the matter of medicines. It is true that the Tibbia College at Delhi is working most satisfactorily in all respects but the management has got western literature on medicine translated into Urdu in almost all branches of medicine, in pathology, in physiology and in anatomy, etc., to help *vaids* and *hakims* that are studying there just to have an insight into the western system of medicine also and I would therefore suggest that if the Council is disposed to incur more expenditure in this respect, it would be unwise to throw the money in a haphazard manner and help those institutions which have not yet proved their efficiency. It would be better if the aid that is sanctioned for the Tibbia College be increased so that good work might continue there and we might have reliable physicians to help us.

[Mr. Din Muhammad.]

We all know that before a person is educated in the Lahore Medical College or the Medical School at Amritsar he is expected to possess certain qualifications which might stand him in good stead in picking up what he learns. But we are not at all aware what qualifications are laid down by the Ayurvedic College at Lahore or the Tibbia College at Delhi and Islamia College at Lahore; whether those persons who join these institutions are required to possess any minimum educational qualifications or not we do not know. Unless we are satisfied that they have good grounding and they can be relied upon after they spend a couple of years there, we will not be justified in incurring any extra expenditure.

I would quite welcome the proposal, if a committee is formed and before that committee are placed all those facts and figures which are urged by the honourable members of this House and then the committee's decision is awaited as to the advisability and the desirability of incurring extra expenditure in this respect and also as to the lines in which that expenditure must be incurred. With these few remarks, though, as I have submitted I agree with the general principle of the resolution, I oppose the practical suggestions that are made and also the additional grant that is claimed.

Lala Mukand Lal Puri [Lahore City, Non-Muhammadan, Urban]: Sir, I rise to support the proposal which has been made by Rai Bahadur Lala Mohan Lal. I think it is too late in the day to contend that Ayurvedic and Unani systems of medicines are not systems which have been acknowledged and recognised as very efficient systems of recognised utility. In fact the Punjab Government by granting Rs. 9,000, a paltry sum no doubt, has admitted the claims of these systems, and I think there will be very few members in this House who will deny that these systems of medicines are more in consonance with the temperament of the people of the country, they are cheap and by the force of public opinion even the municipalities and district boards are being compelled to employ *vaids* and *hakims* where before they only employed allopathic doctors. Mr. Din Muhammad has stated that before any further grant is sanctioned a case should be made out that the institutions to whom assistance is given are already doing good work and are properly managed and are turning out efficient *hakims* and *vaids*. I want to assure him that the two systems are not now run by quacks but are being run by men who have got regular education in the theory and practice of Indian medicine. With respect to the minimum qualifications which the D. A.-V. College demands, it is the Matriculation of the Punjab University or the Shastri or the Visharad examinations of the Punjab University or an equivalent examination. In addition to teaching Ayurvedic system of medicines elementary principles of anatomy, physiology, chemistry and botany are also taught and thanks to the Honourable Minister and the Inspector-General of Civil Hospitals dead bodies are also now supplied for teaching and demonstration purposes. While Sardar Sahib was opposed to these Ayurvedic doctors or Unani *hakims* being allowed to meddle with anatomy, I am glad to find that Mr. Din Muhammad does not share his views. He thinks that the students should be taught the rudiments of modern science and that is being done in the D. A.-V. College. They are not being taught anatomy or physiology with a view to being efficient surgeons, but so that they may be efficient *hakims* and medical

men. I can assure Mr. Din Muhammad that the paltry sum of Rs. 9,000, which the Government spends on Ayurvedic and Unani systems of medicine is not at all sufficient. The D. A.-V. College spends about Rs. 92,000, on the maintenance of the Ayurvedic College. It is run by public charity and the same is the case with the Islamia College which I understand spends almost an equal sum, i.e., about Rs. 24,000. So that any amount which the Government may be pleased to grant to the D. A.-V. College or the Islamia College will be usefully spent. But I think the plea put forward by Rai Bahadur Lala Mohan Lal, that an Ayurvedic College should be established and that these things should not be entirely left to the voluntary efforts of the people, should receive the attention of the Council. When several other Governments like the Madras Government and the Bihar Government have a College of their own why should not the Punjab Government do the same? After all these things should not be left to voluntary agencies. The problem of medical relief in this country will never be solved unless medical relief is made cheaper and I think indigenous systems of medicines are certainly cheaper. You cannot carry relief to every nook and corner of the country if you have to rely entirely upon the western systems. No doubt an effort has been made by opening rural dispensaries in villages, but I think unless they are further supplemented by appointing *vaids* and *hakims* for villages medical relief will never be sufficiently widespread and will not be efficient and will not be sufficient to satisfy the needs of the country. I do not want to lay down how the Government should spend these Rs. 20,000. I think these Rs. 20,000 are not quite sufficient. Why should not the Government spend 2 lakhs, if it is not prepared to spend 10 lakhs? I do not want to lay down how it should be spent, perhaps it can be spent by giving scholarships or increasing the grant to these colleges. What I want to say is this. Is the Government justified in spending on the encouragement of these two systems of medicines an amount of money which is less than half the amount which it pays to one civil surgeon, or less than that which it pays to one senior assistant surgeon or even less than what is spent on the opening of a rural dispensary. Unless the Government wants to assure the House that it is doing something, what is the idea in spending Rs. 9,000 only out of such a big budget? Even one rural dispensary, out of so many which are being opened by Government, costs Rs. 5,000 for buildings, Rs. 2,000 for equipment and Rs. 2,500 recurring for medicines, and the district boards and municipalities are asked to pay more. If one rural dispensary costs so much, what is this sum of Rs. 9,000 for encouraging these two ancient systems of medicine which flourished long long ago and satisfied the needs of large humanity before the allopathic system was at all known? This is hardly fair and the Punjab Government would simply be doing its duty if it increased the amount to Rs. 20,000 as my friend Lala Mohan Lal suggested. I think it will be realised that any amount spent on these indigenous systems of medicines will bring back tenfold the value of the money spent. It will automatically lead to the establishment of Indian industrial development. It will lead to the manufacture of Indian drugs, it will lead to the culture of Indian drugs and herbs, and it will lead to the avoiding of the objection put forward by my friend Sardar Harbakhsh Singh that you must provide for Indian pharmacopia. I think the supply and the demand will adjust itself and these things will follow. I cannot understand why the Punjab Government should not spend on Indian drugs. Indian drugs are increasingly

[L. Mukand Lal Puri.]

being used by allopaths also, I know many allopaths in Lahore who prescribe the Indian drugs and Indian medicines borrowed from Ayurvedic and Unani systems. With these few remarks I heartily support the proposal (Cheers).

Shaikh Muhammad Sadiq [Amritsar City, Muhammadan, Urban]: Sir, I had no mind to speak on the subject but the remarks made by my friend from Gujranwala force me to say a few words. I do not want an impression to remain in the Punjab that this Council condemns the systems of medicines of the country. After all what is the difference between the drugs used by the allopaths and those used by *hakims* and *vaid*s? The only difference is this that in one case the instructions given are partly in English and partly in Urdu while in the other case the instructions are given in Urdu or the vernacular of the place. There is no doubt that the allopathic system has got some new medicines. But those medicines can also be utilized by *hakims*. Take the case of *ajwain*. Some call it *ajwain* and others call it Thymol. There is the difference only in name, but the stuff is the same. How many doctors have you got in the Punjab? You find one doctor probably in 80 square miles. (A voice from the Government benches: one in 100 square miles). Thank you for correcting me. I ask the gentleman from Gujranwala if a man in the village is ill, must he go 15 miles or 20 miles for a doctor? Why should a poor villager go all that distance for a small disease which can be cured by an ordinary *hakim*? Why should he run in a tonga or go on foot for 20 miles or so to be treated for a small ailment? No doctor will charge him less than Rs. 2, while a *hakim* in the village will be ready to do that in exchange for a small amount of corn or *gur*.

The Honourable Mian Sir Fazl-i-Husain: Not now.

Shaikh Muhammad Sadiq: Of course not now. Then, Sir, to come at this late hour and say the colleges must prove their efficiency is not reasonable. The Government accepted the principle and utility of these institutions when it promised to pay Rs. 11,000. If you think the thing is not worth the money you should have opposed this grant in the last budget session. Once you have accepted the principle and say that Rs. 9,000 are not sufficient you should pay more. The principle was accepted as soon as the Government promised to help with Rs. 9,000. Millions of people are treated by *vaid*s and *hakims* and I know in Amritsar a number of doctors also prescribe Unani or Ayurvedic medicines. Even in this House 60 per cent. of the members are treated by *hakims* and *vaid*s. Both the systems are good. *Hakims* are good and doctors are good. When one fails you resort to the other, and it is absurd to say that *hakims* and *vaid*s are inefficient.

After the destruction of the Mughal Empire there was no school left in which the Unani system could be taught. When the new Government came it introduced the system which was adopted by the Europeans. They came as conquerors and they hated all other things except their own and so they also hated the Indian medicine. I do not for a moment say that the European system is bad. It may be very good but what we want is that the Indian system also should be there side by side. Now can you increase your students from 100 to 1,000 by a stroke of the pen? Now have you got accommodation for more than a small number of students in the

Amritsar Medical School and till you find accommodation for more are the people to die without any medical aid? It will take a number of years for the Government to open a sufficient number of allopathic schools to serve the needs of the whole country. If you think that the allopathic system is the best system, why should you not adopt the next best till you get the best? I may anticipate the argument of my friend the Honourable Minister. He may say, 'we want the best education.' He himself presided over the medical conference last year, when he said that the sub-assistant surgeons were as good as people with M. B., B. S. degrees. It may be that the *hakims* may not be so efficient as the M. B., B. S., but they are better than nothing. How are you going to treat the people who have no medical relief at all at present? I ask was Hakim Ajmal Khan not efficient? Are the other *hakims* not efficient? It will be a libel if we say so of the gentlemen who are doing a great service to the country and also to the system which has been used for thousands of years not only in this country but also in Turkey, Arabia and many other countries. My friends said that the *hakims* did not know surgery. If they do not know, they will learn it. Why should a man go 20 miles off to have his wound dressed? Therefore I say there are many grounds on which we have to support this resolution. It is a question of principle. You have admitted the principle and you cannot now raise the question of efficiency or inefficiency. If you say the system is inefficient, then Government is wrong in granting even this Rs. 9,000. In Amritsar the municipality is running dispensaries where there are *vaids* and *hakims*. Why did not the Minister object to this? He sanctioned this. Now you have already given Rs. 9,000 and we want something more and unless you say that the system has proved inefficient it is not proper to refuse the additional sum. My honourable friend from Gujranwala says, 'leave the Rs. 9,000 alone, but do not give the Rs. 11,000.' I do not know whether this is on account of a whip issued to him that he has taken this attitude. For people who are using Indian medicines to come and say that this grant should not be made, is not proper.

The Honourable Malik Firoz Khan, Noon, (Minister for Local Self-Government); Sir, the question of encouraging the two systems of medicine called the Unani and the Ayurvedic has been brought before this Council and before the public and the press on many occasions and I have also realised that there is a great deal of feeling in favour of these systems in the minds of the general public. I do not wish at this moment to go into the merits or the demerits of the two systems, the eastern and the western, and I do not wish to discuss whether the medicines of the one system are *garam*, or hot and those of the other are cold, nor do I wish to discuss whether the medicines administered by one system are sweet in the form of *sharbats* and those administered by the other are bitter in the form of pills. But I wish to say that there is something in the Unani and Ayurvedic systems which has not yet so far been adopted by the western system; but that, I am afraid, is no fault of the western scientists or of the western system. That is due to the fact that those particular remedies are kept a secret in the mind of *hakims* and *vaids* and they cannot be got at by the modern scientists.

The former Secretary to the Transferred Departments, Mr. Beazley, who was one of the ablest Secretaries that our Secretariat has seen, usually

[Hon'ble Malik Firoz Khan Noon.]

did not have much regard for the two eastern systems of medicine. But unfortunately he got a sore on his hand and he consulted every doctor that he could come across in Lahore but who, do you think, cured him at the end? The Honourable the President put him on to a barber who gave a little ointment which solved the difficulty (*hear, hear.*) Mr. Beazley, I am glad to say, has mentioned it to me.

Dr. Sir Muhammad Iqbal : It was my clerk who cured him.

The Honourable Malik Firoz Khan, Noon : There is no doubt that every effort should be made to assimilate these medicines which we possess in the eastern systems into the western system of medicine. Various suggestions have been made for achieving this object. Some members have suggested that the medical education should continue on the western system and the valuable properties of the eastern system should be adopted by the western system. On the other hand, suggestions have been made to the effect that the eastern systems should be developed on their own lines and they should adopt what is good in the western system. A year or two ago I visited the Tibbia College in Delhi where they teach the Unani and Ayurvedic systems, to see for myself and learn what these two systems were and how they were being taught. What I noticed there was, that in most of the subjects the college authorities took hold of the text books on the various subjects written in English and translated them into Urdu and taught them. For instance, surgery, pathology, gynecology, anatomy, physiology and other subjects are dealt with by the western authors in a beautiful manner and our Unani and Ayurvedic Colleges cannot do better than adopt these books, translate them and teach them in their institutions. This is exactly what is being done in the Tibbia College. If we have any institutions to teach these two systems they must be first class institutions imparting the education in the very best manner possible. That is why I feel that these institutions should have a minimum qualification for the entrance of the students. I was glad to learn from the Honourable member from Lahore that the minimum qualification to the D. A. V. College was the Entrance Examination. If you take a boy who with his Entrance examination qualification enters into one of these Unani and Ayurvedic Colleges—which is also the minimum qualification for entrance into the Amritsar School—and studies there for four years, it is quite reasonable to expect that that boy after four years of study, when he goes into public life, will expect to receive remuneration similar or at least a little below what the sub-assistant surgeon is now receiving. To argue that the *hakims* and *raids* are much better than the sub-assistant surgeons, I think, is deceiving ourselves, because if the *hakim* or the *raida* is properly educated and is able to practise independently and efficiently, he cannot be much better than the ordinary sub-assistant surgeon at present. My learned friend from Amritsar argued that the Unani and Ayurvedic medicines are cheap. I have no doubt that the medicines sold in the *pansari* shops in the villages are cheap, because I know of a case where during the plague epidemic one *pansari* told me that when people wanted medicines and he had none in his stock he simply boiled some leaves of a tree and kept them in kerosine tins and sold them to the people who asked for the medicine. I am glad to find that my honourable friend from Amritsar is keeping excellent health and

I hope he will continue to do so for many more years ; but should he in his later years feel the necessity of getting his medicines from *hakims* in Delhi he will discover what the *kushta* and *nuskhas* cost. I do not wish to say that the Unani and Ayurvedic medicines have not got a certain amount of attraction for the general public. It is for us to see how best we can meet the public wishes in this respect, whether like some other provinces we should have an educational institution in the Punjab or use the Delhi college. Luckily for us Delhi is so close to the Punjab, having originally been a part of this province itself, that our students in the Punjab find it quite easy to go to Delhi and receive education there. There is a beautiful college there with very spacious grounds and extensive buildings. The staff is an up-to-date one. If we have a college of our own in this province we will have certainly to spend a great deal of capital on buildings and the recurring expenditure on the institution cannot be anything less than a lakh of rupees or two per annum.

It is for the House to decide whether it is going to make use of an institution which exists already by helping it further and strengthening it by sending boys to that institution and giving it a grant-in-aid, or by starting a new institution. Personally I would suggest that it would be very unwise for the Council to press for another institution of this kind to be opened here. There are at present two institutions here which are imparting education in the two systems of medicine, that is the D. A.-V. College and the Islamia College. Grants were given to these two institutions simply because members of the Council wanted that some grants should be given to them. At that time no grant to these colleges was justified because they never came forward and asked for any grant. But simply because there was a certain amount of feeling in the Council that grants should be given that we gave them Rs. 3,000 a year. The only reason how an extra grant could be justified in the case of these institutions would have been for the honourable mover of the resolution to come forward and place before the Council the income and expenditure of these institutions. If he had shown us that the colleges were spending so much, that their income was low and that they were doing such good work that Government should do something to meet their deficit, he would have justified his arguments to a certain extent. But I am glad to say that I can give the Council the income and expenditure incurred by these institutions. The D. A.-V. College is spending Rs. 32,812 per annum on its Ayurvedic classes. The income of the College to meet this expenditure is as follows :—

			Rs.
Interest on investment	..	..	8,693
College fees	..	..	1,300
Excess fees	..	..	440
Punjab University	..	..	2,300
Sale proceeds from the College pharmacy	..	..	19,000
Boarding House	..	..	600
Sport fees	..	..	125
Government grant	..	..	3,000
D. A.-V. College	..	..	1,900
Lahore Municipality	..	..	500
Total	..	..	<u>32,798</u>

[Hon'ble Malik Firoz Khan Noon.]

So you will see that all the money that is needed by this institution for this purpose is there already. Had there been a deficit the honourable mover of the resolution would have been justified in pressing for an increase in the grant-in-aid. I need not give you the figures of the other institution because they are more or less on the same lines.

You will see that even in the Tibbia College at Delhi the greatest part of the income is from their *Dawai Khana*. Here too the largest portion of the income is from the *Dawai Khana*, that is to say, Rs. 19,000 out of the total income of Rs. 32,000.

In the case of the D. A.-V. College I am able to give you figures about students also. There are at present 118 students on the roll of the Ayurvedic College. Out of this number there are 43 students in the 1st year, 53 in the 2nd year, 13 in the 3rd year and there are only 9 students in the 4th year. These figures lead me to two conclusions. Either it is that the students after having entered this institution in large numbers find that they cannot expect any good living out of this profession when they go out of the institution, that their numbers have dwindled down, or else the low figure of the 4th year is due to the fact that entries in the first year were very small. Whatever the reasons for these figures, there is no doubt that it is yet too early to gauge the result of the grant that Government has given to this College. We have yet to see how it is being used and how it is going to be used in the future. The grant was only made last year and I feel that before any increase in it is made we should certainly wait and see that it is deserved. The honourable member has moved this resolution, but so far as I am concerned I have never been approached by either of the institutions for an increase in the grant. I am as willing to see the authorities of the two institutions as the honourable mover himself is, and if they were in need of money they should have approached me and told me that they were in need of more money. From the facts that I have given the House and from the figures that I have quoted to the House certainly it does not appear that any of these two institutions deserves an increase in grant-in-aid. If they think that they deserve more grant, they should approach me direct without having to go to a member and ask him to move a resolution in the House.

As regards the Delhi Tibbia College I have had a visit by Hakim Jamil Khan who wanted an increase in the grant given to his institution. I do not know what Government is likely to do nor do I know whether that increase in the grant is deserved or not, but I will certainly try and go into the merits of the case. We have certainly to keep one thing in mind and that is this, that at present you have your Medical School at Amritsar and you have Sub-Assistant Surgeons produced from there for your rural dispensaries where medicine is absolutely free to all people, who go and visit there. Last year as many as six lakhs of persons went to these rural dispensaries and all of them received their medicine absolutely free of cost. So the question of cheapness of medicine as compared with other systems of medicine does not arise. In this case they are getting absolutely free medicine from Government itself. If there were any need it would be advisable perhaps at some future date to try and investigate if the doctors in charge of the rural dispensaries cannot be made to undergo some sort of a post graduate course, as was suggested by an honourable member, in order to

learn what was there in the Unani and Ayurvedic systems of medicine and practice it in their rural dispensaries. It may also be possible to carry out research work in the Amritsar school, but as far as research work is concerned there is already the School of Tropical Medicine in Calcutta where research work is carried on. I gave the case my careful consideration and Government came to the conclusion that as research was already being carried on in Calcutta, it would be waste of money to try and duplicate their work and set up a similar institution in Lahore. With these few remarks I suggest that as far as facts go no case has been made out for an increase in the grant.

Pandit Mehar Chand [Jullundur-cum-Ludhiana, Non-Muhammadan Rural], (Urdu): Sir, Ayurvedic and Unani are two important indigenous systems of medicine which were very popular in India before the allopathic system of medicine was introduced. If not fully extinct they are at least being gradually replaced by this new system of treatment. Some time back the public made an effort to keep these two systems alive. Consequently a Tibbia College was started at Delhi and in the Punjab on the request of the people; two important educational institutions—the D.-V. A. College and the Islamia College—took up the work of making them popular by starting Ayurvedic and Tibbia classes. Now both these systems are progressing side by side on their respective lines in these two institutions. Sir, it is high time that we should extend a helping hand and save these two systems from becoming altogether extinct, for in the past, before the coming of the English, they efficiently supplied all the medical needs of the people. On the basis of experience I can say that these *vaid*s and *hakims* have successfully treated many serious cases in which the doctors had failed. I do not mean that the doctors are incapable but what I want to say is this that some men are more intelligent than others, and we must recognise and value real worth. In Delhi there is a *hakim* who is blind but very very intelligent. People come to him for treatment. Is it not a sin to let a system which can do so much good in the hands of a capable person, die out for want of encouragement? I think it is the Government's duty that it should spend as much money as it can to revive these systems. This would be not only for the benefit of India but also for the benefit of the whole world. The Government ought to try to keep alive all the useful institutions of India. Sardar Harbakhsh Singh was afraid that in encouraging these systems there was danger to the public well-being on account of the lack of the standard medical products. In answer to this I say that two important institutions are working for the revival of these systems of medicine and you can fix some standard of ability for the students who take up their study, and then the objection of Sardar Harbakhsh Singh would be no longer valid. The annual income of the D.-A. V. College Pharmacy is Rs. 19,000 and with this income the pharmacy and the Ayurvedic classes are being run. The Honourable Minister for Local Self-Government stated that the income was Rs. 82,000 which is quite sufficient and therefore there is no reason why they should be allowed a further grant of money. Sir, my contention is that as there are no hospitals in the villages and the poor folk have to walk 10 or 12 miles to reach a town where there is such arrangement, they cannot get medical help at the proper time. Imagine, Sir, how hard and difficult it is for an indigent woman in winter to walk such a long distance in scanty clothing in order to arrive at a hospital.

[Pt. Mehar Chand.]

to bring some medicine for herself or for her suffering child. In the past you could very well find at least two or three *hakims* or *raids* in each and every village but discouraged by the new system of allopathy they have become nearly extinct. This is not all. It would have been of little consequence if they had only become extinct. The difficulty is that they are extinct and the new system has failed to supply the deficiency completely. Therefore poor villagers are often left unprovided with medical help. Hence it is necessary that we should revive the indigenous system of medicine, and if these two institutions, i.e., the D.-A.V. College and the Islamia College are providing us with *hakims* and *raids* let us encourage them by giving them more grants-in-aid.

Then, Sir, the Honourable Minister said that the students did not like to study *Hikmat* and *Vaidic ilaj*, and placed the figures before us that in the D.-A. V. College in the first year 43 students joined the Ayurvedic class, in the second year 53, in the third year their number fell to 13, and in the fourth-year it still went down and only 9 students joined the class. If the Government takes an active interest and tries to popularise these two systems in all earnestness I think the students will be coming forth in large numbers to take advantage of these courses. In this way the people will derive the benefit of cheap treatment and those persons who become *raids* and *hakims* will have a means of earning their livelihood. Even in such times as the present *hakims* and *raids* never insist upon getting their fees beforehand but the doctors almost always demand their fees in advance and then see the patient even if the case is very serious. (An honourable member: Can you quote instances where *hakims* and *raids* have treated free?) Yes, hundreds of them in the Jullundur district. Even now when people have become selfish and materialistic there are many *raids* and *hakims* who still possess the essentially Indian charitable heart.

The Honourable Mian Sir Fazl-i-Husain: But those hearts are now changing.

Pandit Mehar Chand (continuing)—Sir, in the D.-A.V. Ayurvedic College at a time 150 patients are treated free and there are twelve blocks reserved for experimental work. The honourable mover of the resolution has asked only Rs. 20,000 for the indigenous systems of medicine. I think the sum of the grant-in-aid for these systems should be increased by a far larger amount.....

The Honourable Mian Sir Fazl-i-Husain: The mover has asked for 11 thousands only.

Pandit Mehar Chand: Rs. 9,000 are already granted, and an addition of Rs. 11,000 is demanded. So in all it comes to Rs. 20,000. Some time back the Honourable Revenue Member very kindly visited the D.-A.V. College, Jullundur, and asked me what we had done for the development of the industrial education. First I thanked him for his question, and then replied "Please set an example first and then expect us to follow. First grant us one lakh of rupees and then come and enquire what we have done for the development of the industrial education." In answer he told me that I would also be invited at the Industrial Conference. The right course to encourage these systems is for the responsible heads of

the Government to pay visits to these colleges, grant them money, and see that their wants are supplied; and point out their mistakes and give them new suggestions. The idea that in doing so they harm the western system of medicine should be removed. I do not mean that the western system of medicine should be discouraged altogether. What I mean to say is this, that you should try to revive these systems which were useful in the past. This means no discouragement to the new system. With these few words I lend my hearty support to the resolution moved, and request the Government to give a lakh of rupees if possible instead of Rs. 11,000 as proposed.

Rai Bahadur Lala Mohan Lal : Sir, I have heard with great regret some of to-day's debate. My friend from Hoshiarpur was half willing to support me. He said something in favour and something against the resolution. He said that the students in the colleges would like to have small pills for their ailments instead of a tumbler of *doshandha*. I do not deny the existence of the class of people whom my friend described. But the problem before the Punjab is, which system the majority of the people in the Punjab would prefer. It is true that the educated people would prefer the western system of medicine. But my object in moving this resolution is that by Government giving sufficient grant-in-aid may encourage the Ayurvedic and Unani systems to become more efficient and help these colleges to bring forth better qualified vaidas and hakims who will serve humanity better than they do at present. That is my aim and that is why I pressed upon the Honourable Minister for Local Self-Government that the grants for these institutions should be increased from Rs. 9,000 to Rs. 20,000. My friend from Gujranwala opposed my resolution probably because his mentality is the same as that of the people who practice western system of medicine whether Indian or European. I have never heard a single sympathetic word from the practitioners of the western system of medicine towards the Ayurvedic or Unani system of medicine. But exceptions prove the rule. Sir Pardey Lukis has written very strongly in favour of the Unani and Ayurvedic systems. It was only last year that a paper was read in one of the medical societies at Home in which the value of the Ayurvedic and Unani systems of medicine and surgery was very much appreciated and was advocated. I forget the name of the doctor who read the paper.

As regards surgery part of the western systems, I admit that the western system is far ahead of the eastern system, but I would like to place before the House my personal experience. Three years back I got a boil in my leg. Colonel Halliday saw me and I showed my leg to him. He prescribed hot fomentation for the boil and said that I should keep my leg in a particular posture for several days. Then General Macwatts also saw my boil and said that this should be done. I lay in that condition for some days when my friend Lala Fakir Chand, Advocate, Lahore, came to see me and asked me what my complaint was. I explained to him my position and he strongly recommended that I should send for the hakim in Hoshiarpur and that I should undergo treatment under him. I first hesitated. Being a member of the Council and being an educated man I did not want to put myself under the treatment of an uneducated man. However, at last owing to the persuasion of Lala Fakir Chand I agreed and four days later the hakim arrived and I submitted myself to the treatment of the native doctor.

[R. B. Lala Mohan Lal.]

The hakim came to my house and opened my bandage and after examining the boil said there was nothing serious about it and that I would be all right in a week. He brought his surgical instruments which consisted of a pair of scissors and within five minutes he finished the treatment. Afterwards he asked for vaseline and mixing some powder with it he applied it to the opened boil. In a week I was quite all right as promised by the hakim. Ten or twelve days later General Macwatts and Colonel Halliday came to see me and they were surprised to see me completely cured. They asked me whether it was due to their treatment. 'No,' I said. They asked me what had happened. Then I narrated to them all that had happened. What I mean to say by this personal experience is that there are individuals in India who can practise surgery very well and that surgery was very successful in ancient days and that owing to want of encouragement it has fallen into desuetude.

So far as the resolution is concerned I have heard the Minister for Local Self-Government frequently expressing sympathy with such motions, but no practical result has come out of such sympathy. Whenever I bring a motion for an indigenous medical college in the Punjab, I am told that it would be a question of great expense. When the Honourable Mian Sir Fazl-i-Husain was the Minister for Local Self-Government I asked that the Indian systems of medicine should be standardised. He told me that a provision of Rs 30,000 had been made in the budget and that he would send Doctors to Calcutta for training. One student was sent to Calcutta for training, but afterwards there was no result. In 1925 I put a question as to the amount of money that was spent on the Medical College in Lahore and I was told that it was 18 lakhs. I asked as to the annual expenditure on the College and I was told that it was between four and five lakhs. Thus you see how the Government is encouraging the western system of medicine. The total expenditure in the Punjab on the western system of medicine is several lakhs of rupees. The Honourable Minister for Local Self-Government has just told us that in rural dispensaries about six lakhs of persons get medical relief. I ask whether, considering the total population of the Punjab, this figure of six lakhs of people who receive medical aid in the rural dispensaries is satisfactory. I respectfully submit, No. We, who are pressing upon the Government the necessity of encouraging the Ayurvedic and Unani systems of medicine have got in view that the ancient systems of medicine which for want of state patronage has practically gone to dogs may be revived again so that people may begin to derive medical benefit out of it.

It is true that it is desirable from the present Government point of view that the western system of medicine should be encouraged, because the Government being foreign desires to encourage western system. But I am sure some day we will have our own Government when probably our own system will receive that encouragement at its hands which is at present being denied to it.

I was reading the figures the other day and was struck at the fact that more than 2 crores of rupees worth of drugs are being imported into India from England, Germany and other places. Our effort should lie in making

a beginning, though small, and encouraging the study of the indigenous systems in the D.-A. V. College and the Islamia College and produce Indian medicines. It should be the duty of the Government to appoint a small committee consisting of some members to see whether the money that is granted by the Punjab Government is being properly applied, what are the needs of the institutions and what further encouragement they require. I will therefore strongly recommend to Government that they should take that step even now and make a beginning. It was discouraging to hear from the Honourable Minister for Local Self-Government that because the income and expenditure of the D.-A. V. College equalized there was no case made out for an increased grant. How can improvement be made, I ask, under the present unsympathetic conditions? We who are all in favour of the indigenous system are trying our level best to carry on the show, but in my humble opinion no institution, no industry can flourish or succeed unless State aid comes in. I am strongly of opinion that Government aid is absolutely essential for the encouragement of Ayurvedic and Unani systems. I would recommend strongly to the House that my motion should be accepted and I hope the Honourable Minister will himself see his way to accept it.

Before I sit down, I would like to reply to the queries of the Honourable Minister for Local Self-Government with regard to the small number of boys in the institution on IV class, I say that the number was bound to be small as the institution was started only four years ago and in the beginning admissions are small. As time passes on we have every hope that it would attract large number of scholars. It is true that in the higher classes i.e., IV, there are only 9 students, the reason for the number being small is that the number of the students who joined when the college was opened was small. Another point as put by the Honourable Minister for Local Self-Government was that the scholars when they will be turned out by the Unani and Ayurvedic systems would demand the same salary as the students that pass from Amritsar Medical School. The Honourable Minister for Local Self-Government is aware that the Amritsar Medical School is not open to all but a limited number. The students that would pass from the Ayurvedic and Unani classes would be in addition to those that pass from the Medical school at Amritsar. The question of salary would depend upon demand. May I know whether it is not a fact that Assistant Surgeons apply for posts in rural dispensaries on a salary of Rs. 70? The Assistant Surgeons are qualified M.B., B.S., but they apply on such a small salary because the number of unemployed amongst them is a large one. The advantage of having students in Ayurvedic and Unani systems trained is that they would prefer to settle down in villages and treat the public. The majority of them would belong to the villages and they would refer to go back to their homes and practise there. If a large number of Unani and Ayurvedic men are turned out, the quacks practising these systems would disappear, as the people would like to be treated by trained men rather than by untrained man.

With these words, I commended my motion for the acceptance of the House.

The Honourable Malik Firoz Khan, Noon (Minister for Local Self-Government): Sir, I am afraid I am unable to add very much to what I have already submitted to the House on the question under debate. The honour-

[Hon'ble Malik Firoz Khan, Noon.]

able member has still not given any facts and figures which would justify the enhancement in the grant-in-aid. Until the facts and figures are not given the increase cannot be justified. I am afraid it will not be right on my part to suggest before the Council that money should be given there where it is really not wanted. He has said that the Punjab Government and the Ministry have done nothing in this connection. My honourable friend himself realizes that it was only last year that the Punjab Government gave grant-in-aid to these institutions to the extent of nine thousand rupees. In addition to that we have already issued a circular letter, dated the 5th May 1928, to all district boards through the Commissioners to the effect that we will be prepared to give them 50 per cent. grant-in-aid to cover the salary of one hakim and one vaid, who were to be employed by way of experience in order to carry out the wishes of our Council. We invited opinions from the various district boards and in the next year's budget we are asking for a sum of Rs. 4,000 to cover the salary of such hakims and v aids that may probably be employed by the district boards. I am afraid, it will be difficult for Government to give this increase in the grant-in-aid at the present moment, and I hope that the Council will not accept the resolution.

Mr. President : The question is—

“That this Council recommends to the Government that Government grant-in-aid for indigenous systems of medicines be increased from Rs. 9,000 to Rs. 20,000 a year.”

The Council divided : Ayes 22 ; Noes 38.

AYES—22.

Mr. M. A. Ghani.

Rai Bahadur Lala Sewak Ram.

Rai Bahadur Lala Mohan Lal.

Chaudhri Ram Singh.

Lala Mukand Lal Puri.

Rao Bahadur Captain Rao Balbir Singh.

Lala Gopal Das.

Rai Bahadur Lala Rattan Chand.

Lala Kesho Ram, Sekhri.

Pandit Mehar Chand.

Sardar Buta Singh.

Chaudhri Muhammad Abdul Rahman Khan.

Chaudhri Afzal Haq.

Shaikh Muhammad Sadiq.

Sardar Hira Singh, Narli.

Sardar Hari Singh.

Sardar Partap Singh.

Sardar Harbakhsh Singh.

Sardar Ujjal Singh.

Sardar Sahib Sardar Fateh Singh.

Sardar Mohinder Singh.

Mr. E. Maya Das.

NOES—38.

Colonel C. A. Gill.
Mr. H. Calvert.
Mr. C. A. H. Townsend.
The Honourable Malik Firoz Khan, Noon.
Khan Bahadur Shaikh Khurshaid Muhammad.
Mr. W. R. Wilson.
Sir George Anderson.
Mr. A. R. Astbury.
Mr. J. B. G. Smith.
The Honourable Mr. Manohar Lal.
The Honourable Sardar Sir Jogen-dra Singh.
The Honourable Mr. A. M. Stow.
The Honourable Mian Sir Fazli-Husain.
Mr. A. Mitchell.
Mr. J. D. Penny.
Mr. C. M. G. Ogilvie.
Mr. H. W. Emerson.
Khan Bahadur Maulvi Abdul Ghani.
Mr. S. L. Sale.

Khan Bahadur Captain Sardar Sikandar Hayat Khan.
Mian Ahmad Yar Khan, Daultana.
Sayad Mubarik Ali Shah.
Khan Sahib Khan Muhammad Saifullah Khan.
Mr. Din Muhammad.
Chaudhri Zafullah Khan.
Maulvi Sir Rahim Bakhsh.
Dr. Sir Muhammad Iqbal.
Khan Bahadur Nawab Muham-mad Jamal Khan.
Pir Akbar Ali.
Rai Shahadat Khan.
Chaudhri Ali Ahmad.
Chaudhri Yasin Khan.
Malik Khan Muhammad Khan, Wagha.
Khan Bahadur Mian Muhammad Hayat, Qureshi.
Chaudhri Umar Hayat.
Shaikh Abdul Ghani.
Sardar Bahadur Captain Dalpat Singh.
Sardar Bahadur Sardar Sheo Narain Singh.

The motion was lost.

RESOLUTION RE VICEEROY'S ANNOUNCEMENT ABOUT
CONSTITUTIONAL REFORMS.

Chaudhri Zafullah Khan (SIALKOT, MUHAMMADAN, Rural): Sir,
I rise to move—

“That this Council recommends to the Government that it may be pleased to convey to His Excellency the Governor-General the respectful congratulations of this House on His Excellency's announcement made on the 1st November 1929; relating to the policy of the British Government with regard to the future constitutional development of the Government of this country and to respectfully urge upon His Excellency the Governor-General the necessity of securing full and adequate representation for this province in the conference to be held in pursuance of His Excellency's announcement.”

I apprehend, Sir, that with regard to both the portions of this resolution I shall have the support not only of the non-official portions of the House but also of the official benches, as I cannot see anything in the two suggestions put forward which should arouse any kind of controversy whatsoever. With regard to the first portion as the House is well aware, the announcement of His Excellency the Governor-General has been very favourably received in almost all sections of the country and by almost all classes of political thought. Even among those who at first were doubtful with regard to the welcome to be extended to this announcement opinion is slowly and

[Ch. Zafullah Khan.]

surely crystallising, and I think I am right in saying that no announcement of a political nature made by the representative of His Majesty in India in very recent times has received such a unanimous amount of welcome in this country as the announcement which His Excellency was pleased to make on the 1st of November 1929. No doubt, it might have been thought in some quarters that after the exhaustive enquiry made by the Simon Commission into the work of the reformed constitution of 1919 and the factors which must be taken into consideration before a decision can be pronounced upon the lines along which the government of this country should develop by the Simon Commission, it was perhaps not necessary to invite further opinion from different sections and groups in this country with regard to this matter as such opinion had already been submitted to Parliament, to the Simon Commission in great detail. But honourable members of the House are well aware that certain leaders of certain schools of political thought in this country although they had put forward their considered views with regard to the future development of the Government of this country in the form of reports and addenda to reports of memoranda were nevertheless dissatisfied with the fact that they had not been given an opportunity of putting forward their views to Parliament in a manner which they considered was consistent with their dignity and self-respect. In order to obviate any such objection and for certain other reasons also to which I shall presently advert, this announcement of the 1st of November 1929 was made. And this announcement is particularly welcome at this stage first for the reason to which I have already adverted that it takes away the principal objection raised by one school of political thought in this country that they had not been afforded adequate opportunity to submit their views to Parliament upon the future development of the Government in this country; and secondly for the more important reason that it affords opportunity to all classes and interests in this country to put forward their views at a stage at which they would be enabled to influence substantially and materially the legislative proposals which might be put forward before Parliament on the basis of the report which may be submitted by the Simon Commission. Honourable members would appreciate that the proposed conference as announced would take place at a time after the British Government have had occasion to consider the report which is about to be made by the Simon Commission and before the recommendations contained in that report have been cast in the shape of legislative proposals. For both these reasons that the conference is to come after the report of the Simon Commission and before the recommendations are cast into the shape of legislative proposals this announcement as I have said is particularly welcome. That it would come after the report of the Simon Commission is a matter for gratification for this reason that both those sections, that which co-operated with the enquiry of the Simon Commission and that which did not avail themselves of that opportunity, would be able to judge of the recommendations made before they are called upon to pronounce an opinion at the table of this conference with regard to the future constitutional development of this country. They would then know where the proposals of the Simon Commission stand and in what respects they are open to objection or can be improved upon. If this conference had been called earlier this opportunity

would not have been afforded to the various classes and communities and interests in this country. That this conference would come before the recommendations contained in the Simon Commission's report are put in such a shape that they could be put before the Parliament in the shape of a Bill to be passed by the Parliament is also a matter for gratification for this reason that if Indian opinion had been invited at a stage when these recommendations had been moulded into the form of legislative proposals, that opinion could not to any very material degree affect those proposals at that stage. There is no doubt that minor changes or alterations might have been effected as the result of expression of Indian opinion but no change in principle would then have been possible. To this matter special prominence was given by the Right Honourable the Secretary of State in his speech in the House of Commons a few weeks ago when the matter was discussed by the House. I therefore submit that for these reasons this announcement at this stage is a particularly welcome announcement and indicates a very liberal and far-sighted political policy both on behalf of the British Government and His Excellency the Governor-General. And my submission to this House is that we should take full advantage of this proposed conference and should attempt that the representation on this conference of the various classes and interests should be such that whatever may be the eventual legislative proposals that may be put before Parliament everybody should feel that they had had a due share in putting forward freely and frankly their views before the final decision was arrived at with regard to such a momentous question as is now forming the subject of discussion both in this country and in England. With regard to the representation at this proposed conference, as honourable members will perceive, this resolution confines itself to saying this, that this House should recommend to the Government to urge upon His Excellency the Governor-General the necessity of securing full and adequate representation for this province in the conference to be held in pursuance of His Excellency's announcement, and for this reason. As honourable members are well aware, on a previous occasion when the report of the Provincial Reforms Committee was being discussed in this House I tried to explain at some length the line along which there should be a constitutional advance in this country and the only line along which the advance could be called democratic and could be welcome to the people of this province. That line was that development must be along the lines of provincial autonomy. I tried to stress even then that any real development in the Government of the country was possible only if different provinces were constituted as autonomous units and the powers that are delegated to the Central Government should be regarded as powers which have been committed to the care of the Central Government for the common good of the whole country by the different provincial autonomous units. That being so, I need not enter into the various reasons in support of this proposition. But one result would clearly emerge from this and that result is that if the proposition then advanced by me has the support of the House, then representation on this proposed round table conference must be on provincial lines, on a provincial basis and not on an all-India basis. That is to say, representatives must be selected for this conference with a view to secure representation for the different provinces as such irrespective of actual individuals who are selected to represent their various provinces upon

[Ch. Zafrullah Khan.]

this conference. That is the suggestion which is contained in the second part of this resolution. And no doubt inside each province care must be taken to secure due and adequate representation for all classes, all communities and all interests. It may be asked as to how such representation is in actual effect to be secured. Various suggestions would be possible to put forward as to how that could be achieved. It might be suggested that the various political associations in the province should be invited to nominate their representatives or that the various religious bodies or communities should be asked to nominate their representatives or that the local bodies in the provinces might be asked to nominate their representatives. But honourable members would readily perceive that this kind of representation would not only be difficult and confusing but would be almost impossible in the sense that it would make the proposed conference an extremely unwieldy body. Therefore some other method of representing the various interests in the provinces would have to be secured which should have the elements both of definiteness and certainty and also of keeping the representation of each province within due limits. I would therefore suggest for the consideration of this House that the best means of securing due and adequate representation for all classes of interests in this province would be by committing the selection of the representatives of this province to the non-official members of this House, whether it is actually the present House which is to be called upon to nominate the representatives or whether it is its successor after a possible election which is called upon to nominate. (Shaikh Muhammad Sadiq: From amongst the members or outside?) That would be for the House to settle whether they would confine the selection within itself or whether they would select anybody from outside. What I am suggesting is that this House, whether it is actually there at that time or its successor, as I have said, being the representative of the province, would be the best body to nominate representatives upon the conference. It need not necessarily confine itself to selecting representatives from among itself and this is an important matter to which the attention of the House might well be directed at this stage. Speculation is rife as to the personnel of the proposed conference and various interests are putting forward claims for representation, not only due and adequate representation as this resolution asks for the province, but some of them are for preponderating representation upon the proposed conference, and it is therefore high time that this House should record its opinion as to the representation which should be accorded to this province and also the method by which that representation is to be achieved. Now it may be objected, so far as the method which I have suggested is concerned, that in some provinces some sections of the community or certain minorities and in all provinces perhaps certain special interests might be left without due representation, if the method suggested by me is adopted; and no doubt that would be to a certain extent a valid objection. With regard to this my suggestion would be that certain proportion of representation may be set apart for nomination by some authority which should nominate representatives for these special interests and for these small minorities who might otherwise go unrepresented on this conference. Having regard to the principle which I have already enunciated before the House with regard to representation being

on a provincial basis and not on an all-India basis, perhaps the best person to nominate such representatives would ordinarily be the Governor of each province. But there again perhaps it might be said that if the Governor of each province is to nominate representatives for his province for these special interests and small minorities there is likely to be overlapping and certain amount of confusion which it would be best to avoid and if there is any real ground in that objection then my submission is that such nomination then should be left to His Excellency the Governor-General. In this manner adequate representation may be obtained for all classes and interests in each province upon the proposed conference. It is particularly necessary, Sir, that due attention be paid to this aspect of the question. As I have submitted the announcement to hold the proposed conference is a very welcome announcement and it obviates very grave objections against the procedure which had already been adopted and suggests modifications to the proposals of the Simon Commission at a proper stage. Nevertheless if proper representation for all classes and interests is not secured the effect which this proposed conference might have upon the political situation of the country might be the reverse of beneficent. No doubt if proper representation is secured and proper safeguards are provided, this round table conference that has been outlined by His Excellency the Governor-General might achieve a great deal of good, but on the other hand if due attention is not paid to the factors which I have placed before the House it might possibly result in making the situation far more delicate and confused than it is at present. With these few remarks, Sir, I submit this, as I conceive it to be, entirely non-contentious resolution for the consideration of the House.

MR. PRESIDENT: The resolution moved is—

"That this Council recommends to the Government that it may be pleased to convey to His Excellency the Governor-General the respectful congratulations of this House on His Excellency's announcement made on the 1st November 1920, relating to the policy of the British Government with regard to the future constitutional development of the Government of this country and to respectfully urge upon His Excellency the Governor-General the necessity of securing full and adequate representation for this province in the conference to be held in pursuance of His Excellency's announcement."

Sardar Ujjal Singh (Sikh Urban): Sir, I rise to give my whole-hearted support to the resolution which is moved by my friend from Sialkot. The weighty announcement of His Excellency the Governor-General has received unparalleled reception in this country. In the words of an Indian newspaper the Viceregal statement is pervaded by a spirit of good will towards India, deep earnestness, characteristic sincerity and honesty of purpose and above all by unmistakable sympathy with Indian aspirations. Sir, Lord Irwin has rightly deserved the gratitude of this country by championing the cause of India. His name will go down in history as one of the greatest Viceroys. This statement is a remarkable document in two respects. Firstly, it has cleared doubts expressed in some quarters about the goal of British policy in India. The goal has now been definitely declared to be that of dominion status with all its implications. A still more important part of the statement is the holding of a round table conference in London between the representatives of this country and the representatives of the British Government. Sir, the demand for a round table conference has been the demand for a long

[S. Ujjal Singh.]

time of the most advanced section of the politically minded India. In 1924 the leader of the Congress party, Pandit Moti Lal Nehru, made this demand on the floor of the Indian Legislative Assembly in the famous resolution which inspired Sir (now His Excellency) Malcolm Hailey in one of his finest orations to give that famous interpretation to the words "responsible government." Now that demand has been fully met in this statement. The statesmanship of His Excellency Lord Irwin has thrown a great responsibility on Indian leaders. It is very easy to talk of round table conference but to realise the responsibility and to act up to it is a different matter. Round table conference is a high sounding word, no doubt; it gives equality of status to all those assembled to solve the intricate and most complicated problem of constitution making. But in order to take full advantage of a round table conference we must in the first instance put our own house in order. Unless the Indian delegates meet the British statesman with a united demand the round table conference will make confusion worse confounded. How far that unanimity is within the reach of practical achievement is still a matter of conjecture and it is here that Indian statesmanship and a spirit of nationalism should rise equal to the occasion. Sir, the crux of the whole problem is the solution of the communal tangle. It is the one question which has been the stumbling block in the way of political advancement of this country. If it means that power is to be distributed between various religious bodies, power that is wrested from the British is to be divided between various communities, I think it is almost a hopeless task to find any satisfactory solution. At the utmost the scope of communal representation should be limited to the protection of minority interests, wherever they exist, in a reasonable manner. I do not desire to dwell at length on this thorny subject as it has formed the subject of discussion on the floor of this House on many occasions. What I want to point out is the fact that the success of the round table conference depends on two points. Firstly, that we ought to have a united demand before the Indian delegates meet the British representatives in the conference, and secondly, that the conference should have a representative character. I am at one with my honourable friend from Sialkot that this province should have proper representation on the conference and if we are not able to arrive at any unanimity with regard to communal problem I think all interests and all communities should have representation on the round table conference. Sir, this announcement in certain quarters has been stated to be ill-timed. In my opinion it was just the time to strike when Lord Irwin made this momentous announcement. I have said that Lord Irwin is deserving of the highest gratitude of this country. By his statesmanship he has saved a critical situation. He has struck just at the right moment. It is a shortsighted policy to imagine that repression can stifle the yearnings of a people for freedom. Repression has never been successful in the past. If at all it has inflamed the spirit which it wanted to crush. It is only such strokes of statesmanship as exhibited by Lord Irwin that are helpful in promoting good will and better understanding between the people of this country and the British people whom God has ordained to guide and to lead the people of this country on to that fulness of life which the British people enjoy in their own country.

Rai Bahadur Lala Mohan Lal [North-East Towns, Non-Muhammadan, Urban]: Sir, I beg to support the first part of the resolution wholeheartedly, that is, so far as the conveyance of the congratulations of this House to His Majesty's Government is concerned. With regard to the second part, regarding proper representation, I am all in all with the spirit underlying that part of the resolution. I have listened very carefully to the speech of my honourable friend, Sardar Ujjal Singh. In the Punjab we have always been feeling and thinking of nothing but communalism. If that spirit is going to prevail in the conference where our representatives are to go, then I will say we do not want our representatives to go there at all. If our representatives are to go, only those who have broad views and who can think of Indian nationalism first and not communalism, should be selected. But if communalism is to go to the forefront—for instance I see that on the floor of this House some say that we should have nothing less than 56 per cent. of representation and so on—if that spirit is to be imported into the round table conference also, then it is better that we do not send any representatives at all. Be our representatives Hindus, Sikhs or Muhammadans, they should be able to put forward Mother India's interests first and nothing else, and it is only people who can do so should be sent to the round table conference. With these few remarks I wholeheartedly support the first part of the resolution.

Chaudhri Afzal Haq [Hoshiarpur-cum-Ludhiana (Muhammadan) Rural], (Urdu): Sir, the Opposition party to which I have the honour to belong, has been opposing the Government at every step with a view to compel them to call for a round table conference so that both England and India may have an opportunity of coming to an honourable understanding. Every Indian is feeling a sense of gratitude towards His Excellency Lord Irwin for his recent announcement regarding the future constitution of India. This announcement is a gesture to both the countries to remove their differences. In the proposed conference will be judged India's capacity to govern itself and the measure of the agreement among its delegates at the conference will be the test of India's fitness for responsible self-government. Sir, so far as the first part of the resolution is concerned no sensible Indian would oppose it. But with regard to the second part of the resolution relating to the adequate representation of the Punjab in the proposed conference, I would submit that I can neither support it nor oppose it. The reason for this is that, if no representatives are sent to the conference there is the danger of the Punjab views going unrepresented, and on the contrary, if hot-headed and intemperate representatives are sent, there is every likelihood of the utter failure of the conference to come to some stable settlement. The time has come when our fate will be decided. We should try to patch up our differences and give proof of solid patriotism. Above everything else, we should be careful not to do anything which might excite communal jealousy or work prejudicially to the best interests of our country. There have been two parties in the country, one in favour of co-operating with Government and the other in favour of non-co-operating with it. The former has had the opportunity to lay its views before the Government and the Simon Commission, but the views of the latter are still unrepresented. Now that Government have agreed to hold a round table conference, it would be desirable

[Ch. Afzal Haq.]

to afford also an opportunity to the non-co-operators to express their views on the subject of constitutional reform. I think it would not be out of place here to say a word or two about the Leaders' manifesto. It is expected that the representatives of the Government and its opponents will soon meet to discuss the possibility of effecting some permanent understanding between the Government and the people. Therefore in order to create a peaceful atmosphere in the country it would be advisable for Government to release forthwith the political prisoners. With these few words I support the resolution.

Mr. E. Maya Das (Non-official, nominated), (Urdu): Sir, the resolution under discussion consists of two parts and from the speeches which have been delivered so far with regard to the first part, it appears that

5 P. M.

the honourable members are very pleased and it is the result of that feeling that all have risen to congratulate His Excellency the Viceroy on the memorable announcement that he has recently made. I whole-heartedly associate myself with them and respectfully congratulate His Excellency the Viceroy. But so far as the second part of the resolution is concerned, it is, in my humble judgment, superfluous. I am sure that those, to whom this resolution is sought to be forwarded, are wide awake and well able to see that the claims of any province to adequate representation in the conference are not ignored and I am also sure that they will not do anything which will give cause of complaint to any one. It was, therefore, not necessary to make the request which has been made in the second part of the resolution. May I request you to divide the resolution into two parts, as has been done before in similar cases, and to put the two parts separately to vote? I hope you will accede to my request.

Mr. Owen Roberts (Non-official, nominated): Sir, that portion of the community that I am here to represent that is permitted to be vocal on these matters has already expressed its views on this resolution in no uncertain terms in their telegram to the Secretary of State. It might, therefore, be superfluous that I should speak on the subject, but the honourable mover of the resolution has raised a point of very great interest to me. He has emphasised the necessity for provincial representation, the representation of the interest of the man in the province. At a very early stage in this matter I had to contest the view put forward very authoritatively that Calcutta was the only place and the only proper place for European interests to be discussed. That view I strongly opposed. The main division amongst Europeans in India is that of official and non-official. The community in Calcutta is overwhelmingly non-official, and I submit that you cannot possibly select from a district where one community alone preponderates suitable persons to represent the views of Europeans throughout the country. In this province the number of Europeans is quite—I am not quite sure—but I think it is as large as it is in Bengal, and hitherto we have not even received recognition of the fact by representation in the Assembly. I know that recommendations have now been made that this should be remedied, but in the future of India there must be a provision based not merely on the needs of the non-official; the provision made for

Europeans must be such that all Europeans, whether officials or non-officials, shall be able to live on self-respecting terms with their neighbours, and it is only possible for that matter to be debated in all its aspects if our representation is sanctioned on a basis to admit of it. I do not believe that for many years to come, that unless we have the directing force or, at any rate, a certain weight of European administration in this country, that European commerce or commerce of any type can possibly hope to hold its own or continue on the same terms on which it has developed in the past, and I, therefore, urge that this Council, when the matter comes before it, will endeavour to see that effective representation of European interest is allowed from this province. I do not suggest that all our interests are peculiar to ourselves alone; far be it from me to suggest anything of the sort, because I firmly hold that if an Englishman, official or non-official, is acting up to the tradition of British connection in this country, he places foremost before him the necessity for devising a system of government under which all the subjects of His Majesty can live, as I said before, on self-respecting terms (hear, hear), and I do not think that the final conference should be confined to persons whose interests lie in one direction and one direction only, and hope that the European community will have representatives of all points of view at the joint conference.

Mr. Din Muhammad (East and West Central Towns (Muhammadan) Urban]: Sir, I whole-heartedly endorse both parts of the resolution that has been moved by the honourable member from Sialkot, and we should feel grateful to him for bringing forward this resolution, as an opportunity has been afforded to us to voice our feelings on the very momentous announcement made in living memory. All those who have followed Lord Irwin's career here might have realised by this time that he has always appeared as an apostle of peace, peace between the two countries, peace between various communities, peace between the rulers and the ruled, and that has been the predominating idea in his viceroyalty so far. Now in view of the ultimatum that was given by the Congress on the 31st December 1928 that unless some sort of gesture was made by the British Government conceding the right of Dominion Status to the Indians they would start passive resistance from the 1st January 1930, it appears that His Excellency the Viceroy has taken the wisest step to avert all those untoward incidents which might have happened if he had remained silent on this point. He has taken courage in both hands and those that have followed the debates in the House of Commons and the House of Lords would realise for themselves as to what courage he has exhibited in making this announcement. It appears that the Liberals were not prepared to support him. It appears that his own party—the Conservatives—were not prepared to lend him the whole-hearted support, and from the speech of the Secretary of State it appears that it was he who brought round even the Labour Government to agree to this statement being made which has dispelled all mistrust engendered so far by the memorable speech in the Legislative Assembly by the ex-Governor of this province. From this it would appear, what a bold step he has taken and how deeply grateful we should feel to him for taking this bold step by which he has averted by one stroke of the pen all those unhappy incidents which might have taken place after 31st December 1929.

[Mr. Din Mohammad.]

The most important part of the announcement, however, with which I wish to deal is the second part, the part which relates to the round table conference. An honourable member on my left has very plainly spoken that unless nationalist members are chosen for the round table conference, they will not have anything to do with such a conference. The honourable members of this House might have seen that the honourable members sitting on this side of the House have a very queer mentality. They would throw away reforms if the Muslim community is given its just share in the administration, and they would not have anything to do with the conference simply.....

Mr. President : Order, order. The honourable member will please not introduce such controversial points.

Mr. Din Muhammad : If you permit me to say so, Sir, I am not introducing any controversial matter. I am only going to explain as to what a nationalist member is and what a communalist is, as the honourable member from Simla has introduced these words. So that real representatives may not be excluded from the round table conference merely on the ground that they are communalists.

Rai Bahadur Lala Sewak Ram : So you are.

Mr. Din Muhammad : I may be.

Mr. President : My ruling is that the honourable member should not proceed in that strain.

Mr. Din Muhammad : I am not proceeding in that strain, Sir.

Mr. President : If the honourable member proceeds in the same strain, I will have to ask the House to allow me to request him to resume his seat.

Mr. Din Muhammad : My submission is that it was urged before the House that nationalist members alone should be chosen. I was submitting what sort of a Nationalist should be chosen for the conference and what a nationalist is. In these circumstances I was not introducing any controversial matter, nor am I here to defy your rulings. Anyhow I consider it a duty to my constituency to submit before the House what a nationalist member is and what sort of a representative should be chosen for the conference.

Mr. President : The honourable member is a member of the Punjab Legislative Council and as such represents the whole province, not only his constituency.

Mr. Din Muhammad : It was urged before the House that nationalist members alone should be chosen for this conference. Well and good, but my only submission is that we differ as to the interpretation that is to be placed on the word "nationalist." We consider that the organic whole is only strong if its component parts also are strong, that if any component part is weak the organic whole cannot but be weak, and that only those persons, whether they are Hindus or Muhammadans or Sikhs, who wish to keep their own community strong are the real nationalists as by making the parts strong, they want to see the whole nation strong. All those persons who hold a different point of view and who want to feed fat at the expense of

another community are not nationalists at all. Those persons therefore who are called communalists are not communalists at all. They are the real nationalists because they want to see every component part of the body politic to be strong so as to be able to bear the brunt of the administration when it is placed on their shoulders. If two bullocks are yoked to a plough and one of them is weak and one alone is strong, the plough would not work well. It is only, Sir, when both bullocks are strong to bear their respective burdens that the land would be tilled properly. All those persons therefore who urge that in the forthcoming round table conference every interest should be represented really and effectively, I submit, are not wrong. Those that confine the choice of the round table conference to the so-called nationalist class alone are confining it within a very narrow limit. That limited representation would not be an adequate representation, it would not be an effective representation and the round table conference would not serve its purpose well unless all interests representing all communities and all shades of opinion were adequately and effectively represented on the conference. (A voice : 56 per cent basis). Fifty-six per cent. or any other basis, that is not my function to determine. It is the function of the authorities who are responsible for making the choice. My only request is that all shades of opinion should be represented there and as the provinces differ.....

Lala Kesho Ram : Sir, how many shades of opinion are there in this province ?

Mr. President : The honourable member may proceed.

Mr. Din Muhammad : As you know, Sir, one province differs from another province in many respects, therefore it is not a strange request to make that the representation should be on a provincial basis. Even if a leader is of all-India reputation and belongs to Bombay or Madras, I am perfectly justified in urging that he cannot enter into the spirit of the Punjabi and he cannot realise what his needs are. It is a Punjabi alone who would be in a position to urge the needs of the Punjab.

It appears from the announcement that this conference would only be a deliberative or a consultative body. Representatives might be consulted in one lot or might be consulted separately. Therefore even though the conference may become unwieldy, even if it may be inconvenient to summon as many representatives as there are shades of opinion, even though the representatives so chosen may number one hundred, it is essential that all the different interests should be represented at the conference. If that is done, there will be this satisfaction in every body's mind, that every point of view has been placed before the proper authorities and that every representative has succeeded in bringing to the notice of the authorities concerned what the needs of the interest he represents are. I do not agree with the honourable member from Hoshiarpur who remarked that only such persons should be invited who were not afforded an opportunity beforehand to place their views before the Simon Commission or before the provincial committees. They were given a chance to place their case before the Commission and if they non-co-operated it is their fault. In these circumstances it is perfectly justifiable if I submit that this Council should

[Mr. Din Muhammad.]

pass a resolution to the effect that we should respectfully express our gratitude to His Excellency the Viceroy for the announcement and that we should also respectfully urge before him that the only representation that would satisfy the needs of the country would be the real and effective representation of all interests including all communities.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture): Sir, on behalf of my fellow Ministers and myself I wish to express our deep sense of appreciation of this high act of statesmanship which the announcement of His Excellency the Viceroy marks in the history of India. The announcement is a pledge that British Government is prepared to confer on India the same privileges and powers which the self-governing dominions enjoy. The announcement further conveyed the decision of His Majesty's Government to call our representatives to a round table conference, to consider and prepare the future constitution for India. The significance of this announcement lies in its clearing up the atmosphere of distrust and in His Majesty's Government extending across the seas a hand of fellowship.

I may begin by mentioning that I am now expressing my own personal views. I feel it is now for India to prove her fitness, by presenting an agreed programme and by cordially operating in framing the new constitution. To achieve this high purpose we must set our own house in order; we must come to an agreement ourselves settling all our differences of which we have heard a good deal in this House, before we proceed to the conference. We must realise that assumption of sovereign power is justifiable only if we can provide for proper representation of all interests and guarantee even-handed administration for all, irrespective of race and creed. We must give an assurance to all, including the important European community represented by my friend Mr. Owen Roberts who just voiced his views. In the new constitution all interests whether Hindu or Muhammadan or Sikh or European, should be fully safeguarded and that the new constitution should be a constitution based not on race or creed, but on common consent of all parties, to serve all interests with one purpose only, that the interests of all the people may be fully served—so that India may rise within the Empire to its full opportunities of moral and material development. This is the spirit in which we should approach this problem, in seeking reconciliation of all conflicting interests, in generous enthusiasm to incur risks in an endeavour to meet legitimate aspirations of all communities.

If I may say so, democracy is more a feeling than a fact, even in western countries. I doubt whether democracy in its true sense has been anywhere realised. This feeling depends upon every member of a community or a nation feeling that he is equal to everybody else and it is by promoting this feeling and its realisation that we can move towards the attainment of democracy, and not by creating or emphasising feelings of mutual disbelief and distrust. This can only be secured by majority communities placing minority communities in a position of comparative equality. I can see no other way, till communities merge into a united nation.

We are deeply grateful to His Excellency the Viceroy for proving himself an ambassador of India. He realised what India wanted and pleaded

her cause with such success that he secured the pledge of the British nation, to raise India to dominion status. We are grateful to him again for securing the holding of a round table conference. We hope that his faith will be justified by our co-operation, thus strengthening the links of comradeship between India and England.

My friend Chaudhri Zafrullah Khan has advocated that representation to the round table conference should be on a provincial basis and that provincial Councils should elect its representatives from amongst the members of the Council or outside if necessary. I submit that if the representation is to be on the provincial basis, the number of elected representatives will be so large that it may be almost impossible to reach decisions amidst a multitude of councillors. May I make another suggestion? I think an electoral college for the round table conference should be formed, to which the provincial Councils, central legislature and recognised public bodies should elect representatives, and then the members of the electoral college, should elect an agreed number of members from amongst themselves for the conference. This would secure an adequate and full representation of all interests on an electoral basis, without making the conference too unwieldy and save it also from provincial controversies. These are, however, matters which need very serious and careful consideration. All I can say at present is that when the selection is made, I hope all interests and communities will find full and adequate representation and our representatives will be inspired with the high purpose of seeking unity and making the links that bind India and England stronger.

Shaikh Abdul Ghani [West Punjab Towns (Muhammadan) Urban]: Sir, I would not have added to the long list of speakers—not because I was wanting in my duty on this occasion, but because the subject, I think, has been amply discussed—but for a remark by the Honourable Minister for Agriculture. He was pleased to say that the pronouncement showed that the Government was prepared to keep its pledge. I may be pardoned—because I was just entering in—if I did not fully realise the force of his remarks. I submit that what characterises most this pronouncement is the fact that it went far ahead of any previous proclamations or announcements on the subject. If we refer to the Proclamation of Queen Victoria and also to subsequent proclamations we will find that none of those pronouncements ever pledged to India in clear, unambiguous or emphatic words dominion status. Therefore, what is most important and what makes this pronouncement so unique is the fact that Lord Irwin having the courage of his convictions lost no time in translating his thoughts into action. So, I submit that he deserves to be called the most courageous Viceroy of India. He fully realised at the time, that this pronouncement of his would provoke among the hostile circles lot of criticism and would pledge not only his position as Viceroy of India but also would pledge the labour Government that was in power in England. In spite of all that, as he realised and believed that nothing short of dominion status would satisfy the people, he without waiting even for the recommendations of the Simon Commission, very emphatically declared that the goal for India was nothing short of dominion status. That is why I thought it my duty to get up and give expression to feelings of gratitude to the Viceroy who has been so bold, so good and so kind to India.

Sh. Abdul Ghani.]

We have just a forecast in the papers of the report of the majority party of the Indian Central Committee that was appointed to help the Simon Commission. As we go through it we find that that Committee at the time it drafted the report never realised that the British Parliament or the British nation will go so far as to give dominion status to India; and this in my opinion enhances the value of the pronouncement, because the pronouncement went far ahead and the Committee itself did not claim dominion status as its right, I mean in very clear words did not put down the attainment of dominion status as the goal of the constitutional advance of India.

With respect to the representation on the round table conference, certain suggestions have been made. But I think it is a very delicate question and requires very careful thought. Of course the Punjab is a thorn in the side of the body politic of India and so far as this province is concerned, the authorities while selecting representatives will give due weight to claims of all interests. I, however, hope that the success of the whole scheme will depend upon the unanimity secured in the discussion in the round table conference. With these few words, I beg to support the resolution.

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muhammadan), Rural]: Sir, whenever any resolution is moved by my honourable friends on my right, I always feel something communal at the bottom. The mere fact of my friend, the mover of the resolution, holding that the selection should be on provincial basis and not on all-India basis, shows that he wants to have the predominance of his own community in the round table conference. (*Voices : No, No.*) Evidently when the selection is made on provincial basis, it will be according to 56 per cent. from this province, or something like this, or in the same way as the Members of the Simon Committee of this province were elected by this House. That is one thing. Then he says that Council should elect all these members. On this point again I do not agree with him. Why should the Council elect members for the round table conference? If the members are to be elected, there should be big public meetings of all the citizens of the chief towns and cities of the Punjab, and from rural areas also, and thus we should get these elections, and not from a small House like this. In case the selection is confined to this House alone, what sort of members would be elected? The sort of members the mover exactly wants and the executive wants. I also oppose the idea of His Excellency nominating members to this Conference. Nominations are not at all desirable. Whenever representatives for the matter of this sort are required, there should be election, and election by public at large, and not by nomination by the Governor, because in that case only a few favourite men can be nominated, who will not be able to represent the feelings of the general public. I submit, Sir, that this conference should consist mostly of all-India leaders. The provincial leaders have not thought all these questions in such a way as the all-India leaders have thought. There should not be preponderance of the members of one community or the other, but the men should be all-India leaders. There may be lucky one or two from this province also who may come amongst all-India leaders, but not the sort of men who were elected to the Simon Committee by this House. Then, Sir, there is one other point—every one agrees with the first

part of the resolution up to "Government of this country" with that I also agree. Therefore, I submit, Sir, that this resolution should be separated into two parts. One up to "Government of this country" and the second part up to "announcement," because almost every one is in favour with the first part. As to the second part, the feelings differ. Therefore, I submit that unless.....

Mr. President : No argument is needed on this point. This should be left to the discretion of the Chair. I have heard all that the honourable member has said. He need not dilate any further on the point.

Rai Bahadur Lala Sewak Ram : Sir, the second part of the resolution is controversial and should be put separately. I submit, Sir, that in the round table conference there should be no representation on provincial basis, because my friend does not take the responsibility of other provinces. Therefore, I object to his chief argument that the election should be on provincial basis. The election should be on all-India basis.

Sardar Harbakhsh Singh (Hoshiarpur and Kangra (Sikh), Rural) : Sir, I find myself in full agreement with every word of this resolution. I feel very grateful to the mover of this resolution for bringing it up in the form in which he has done. The proclamation or declaration made by His Excellency Lord Irwin is most important and deserves our thanks from the core of our hearts. There are no two opinions about it that he has saved a very complicated situation by this statesmanlike act. Now, there are no misgivings left on the point that English Government will not move in the matter and that it is not in fact going to give us really responsible Government. This doubt has been set aside by this momentous announcement of His Excellency the Viceroy, and now we are on surer grounds and know perfectly well that there is no gainsaying the fact that we are going to be given Dominion Status. Since the day this declaration was made, I for one feel, I may tell the truth, an inch higher and the love and veneration for Lord Irwin will always be preserved in our hearts. I feel a desire in the heart of my hearts to embrace every European whom I may come across ever since the announcement, especially on account of the fact that the Secretary of State for India, the Honourable Mr. Wedgwood Benn, when making the most important speech in the Parliament admitted that there exists a blood connection between the Europeans on that side of the globe and the Indians on the other side thereof. He said that in fact we are members of the same family that migrated from Central Asia; one branch went to Europe and the other came to the Punjab. In that respect we are more closely connected in this province with the Englishmen in England because that branch which came this side to India first came to the Punjab where they settled. Therefore, we are certain of being more closely related with the Englishmen than the people of any other province in this country. Taking that point in view, we Punjabis feel all the more elevated on account of this declaration or announcement. Of course I for one feel that now we are on the high road to real responsible Government in this country. But the only question is whether we are going to get it all at once. It is a very nice gesture which His Excellency the Viceroy has made, but it is not stated clearly whether we will get the responsible Government in 1930 or 1940 or at what time.

Mr. President : This is not relevant.

Sardar Harbakhsh Singh : Exactly, Sir, (laughter). It looks that it is not relevant. But I was submitting, Sir, that we should take advantage of the speech and make ourselves worthy of the Dominion Status at the earliest possible moment. It is no use passing merely such resolutions of thanksgiving. We should sink our differences as Hindus and Muhammadans from this moment and make ourselves fit for the Dominion Status at the earliest possible opportunity. That will be the only way in which the full realization of the benefit which accrues from the speech of His Excellency Lord Irwin can be achieved. I, therefore, submit that from this moment onwards there should be no question of Hindus and Muhammadans amongst us. We should feel that we are all sons of the same soil and that we are members of the same family, and that if Muhammadans prosper, they are our own brothers; if Hindus prosper they are likewise our own brothers. We all are brothers including the Europeans. If we really want to achieve the benefit which this declaration gives, we must sink all our differences, at once and bring about a change of heart between ourselves. The conspiring voices that we have been hearing or overhearing should cease that "Oh, by such and such a thing Muhammadans will progress and be benefited," or "Oh, how can we tolerate such and such a thing for the Hindus, who do not like to see us prosper." This much on that part of the resolution.

I have already said that I am in full agreement with every word of this resolution, but with the latter part of the resolution which wants that "full and adequate representation for this province" should also be granted on the round table conference, I agree because I think that unless this is done, of course, there is a grave danger at least to my community. (Voices : what about sinking differences). Just listen and I will distinguish the case. Hindus and Muslims form all-India communities. Their interests are surely to be safeguarded in the conference, in every respect, whosoever goes there to represent them. But the Sikhs are left out altogether. You will find them only in this province. They do not exist in large numbers in any other province of India. Thus there will be nobody to place the views of the Sikhs before the conference, if they are not allowed to represent from the Punjab. I may submit, Sir, further, that Military is the most important Reserved Department of the Government of India, where the Sikhs play a very great part for the benefit of the whole of India. Taking alone this share of the service to the Government of India, which the Sikhs render in the army, into account, they deserve special consideration and therefore we want that they should be fully represented and that is the view point which we wish to place before the Government in this respect. Moreover, Sir, there is another fact which has lately developed. So far we do not know what will be the representation of the Sikhs, but it has been urged by rival communities that Sikhs are in a minority if the question of representation be settled on a basis of population, &c., only. But it is also now stated in the declaration that for the adjustment of the wider question of Dominion Status not only the residents of the British India, but also the Indian States will have to be consulted and allotted a share in the round table conference. Thus the point of view of the Sikhs gains strength by this arrangement because their position and importance shall have to be considered collectively although the Princes will represent only their own states and not the-

Sikhs of the British Punjab. Hence we cannot fail now to take into consideration the question whether the Sikhs have a much wider scope in the Punjab for demanding adequate representation as surrounded by Sikh States, than on merely a population basis as before, and that question now cannot be set aside or ignored as an all-India problem. The Sikhs of the Indian States and the Sikhs of British India were quite different entities, are now, but under the changed circumstances they assume collective importance. The question of the representation of the States will no doubt be dealt with separately. The Sikhs of British India nevertheless form a separate entity and the question of the Indian States entering into the conference does not affect their position in such a way as to exclude them from the conference. No doubt there are Sikh states surrounding the Punjab which enhance the position of the Sikhs in general. There is the Patiala State, there are Nabha, Jind, Faridkot, Kalsia and Kapurthala States. Even Kashmir I claim to be a Sikh State. Thus the question is to be handled in a very wider scope than before as regards Sikhs. Therefore, when the arrangements are made to elect representatives from this province to the round table conference, due share must be allotted to the Sikhs, I mean the Sikhs of the British Punjab. All States will have their own representatives to guard their interests and their rulers cannot strictly speaking represent British subjects. In expressing these views I am voicing the feelings of the Sikhs of the British Punjab. Sikhs should have their independent share in this matter.

Another point which I wanted to submit is that the Punjab is mainly an agricultural as well as a Military province. Therefore, if any representatives are to be sent from the Punjab, they should mainly represent the points of view of the zamindars of this province and not be opposed to them. Whether the representative is a Hindu or Muhammadan, it does not matter, but he must be a zamindar. That can be the only meaning of the expression of the full and adequate representation in the round table conference, and that is the only way in which we can sink our differences, which, otherwise, will go on.

Shaikh Muhammad Sadiq [Amritsar City (Muhammadan) Urban]: Sir, as has been said there are two distinct portions of the resolution that has been moved. To the first nobody has any objection. There is no doubt that His Excellency's statement and that of the Secretary of State have done a great lot to remove the feeling of ill-will that was once existing in the country. The announcement, like a magician's wand has dispelled to a great extent all those feelings at one stroke. We must therefore be thankful to them for this bold pronouncement. Now India's destiny is clear. She must be free some day. But for the present she wants to remain an equal partner in the British Empire though it does not mean that she will ever be under the British till eternity. We have to see therefore before us for the present for a measurable time a goal of equal partnership and we must have the British people ready to extend the hand of fellowship if they want us to remain as friends within the Empire. This issue has always been clouded in England chiefly by the efforts of the strong reactionary Conservative party in England and we must be thankful to the Labour Government for having cleared it.

[Sh. Muhammad Sadiq.]

The second part of the resolution is rather open to controversy. The honourable mover wants adequate representation for the provinces, and Heaven knows what would be considered adequate. I call it, that it is adequate *misrepresentation* that my honourable friend wants. Whom does he want to represent this province? I do not think even in this House we can all agree upon any individual. My honourable friends opposite would call the benches on our left to be communal and they in turn would return them the compliment, and when all sections of the House are rightly or wrongly considered communal, who is there to be selected from it to represent it at the conference? There is absolutely no chance of agreement. If that is the case inside the House, what is the situation outside in the province? The Sikhs would like to have 93 per cent. representation and even among them, leaders like Kharak Singh and Mangal Singh are pulling against each other. The same is the case with the other communities. Do you want that such representatives should be nominated? If Mr. Shafi is chosen, the cry is raised: No, no; he cannot be considered the right representative. If it is my honourable friend Chaudhri Zafrullah the objection will come: No; he has already been before the Simon Commissioners and that his recommendations are not acceptable. It is just possible that my honourable friend Mian Sir Fazl-i-Husain may be agreed upon as the representative. Even then, it would be said that he has done some things rightly or wrongly as a communalist. How is it possible in these circumstances to decide the choice? I cannot conceive of a country sending an embassy which was not united, absolutely unanimous in their views, extremely fair to the claims of all the communities like the Hindus, Sikhs and the Muhammadans, not to speak of the Parsis and other communities. I therefore fail to see, Sir, what this adequate representation that my honourable friend wants is. Do you think that one more Muslim on the representation would mean the community getting more than it would otherwise get? I do not see that there is any individual in this House who is fit to represent this province and who will be accepted as such by all sections. What will be the ultimate result of such a suggestion as this is that a few individuals would have a trip to England. And what will they do there? Attempt to present a united case? I am afraid it will be a generation and probably many of them will have to die there if they were to attempt at that impossible task. If we are to decide on an embassy on this important mission, it is highly necessary that all our ambassadors must have one heart, one soul, one spirit. Fancy the Sardar Sahib pressing the Sikh claim, fancy my honourable friend the Minister for Agriculture over there sticking to his topsy-turvy haphazard scheme of provincial autonomy; fancy my honourable friend Mian Sir Fazl-i-Husain representing the Hindus and the Muslims as well. What will all these representatives do there? They may come to blows; they will denounce each other, condemn each other and present to the Britisher a very unedifying spectacle. Is it for this that we are asking for *adequate representation*? I say there is no one in this province just now who is admittedly fit enough to be sent on this mission as representative of the province. Then, Sir, my honourable friend, the mover says: This House shall elect them. Well, we have elected him to the Simon Commission, I mean the provincial committee. What has my honourable friend done there? He

has brought forward proposals which are acceptable to no one. I want that some persons who have not expressed themselves one way or other, people who are accredited all-India leaders, that such persons should go rather than individuals selected by this Council. There is some sense I concede in asking the Congress, the Muslim League, the Hindu Mahasabha and the Sikh League or other all-India bodies to send their representatives. Even then I should seriously think there would be no use unless all of them feel in their heart of hearts that their country is common and their interests united. What is the use of rushing to England before coming to an agreement here? We start with grand ideas to begin with. My honourable friend who spoke before me started with an idea of united India, free from all communalism but ended with the plea that the Sikhs—among that category he included even some Indian Sikh States which could hardly come in—as they are no more Sikh States—should have their own case specially represented. That is rather bad communalism. I say that there is no one who can be said to represent all interests. And that being so, why bind the hands of His Excellency and of His Majesty's Government? They have extended their hand of fellowship. Let time decide after consulting all-India bodies what sort of people should go. When the time comes, let not the Secretary of State and the Viceroy feel that their hands are bound in the choice of representatives. We must have pronounced views on the subject, a clear-cut case to present with a united front. If, on the other hand Punjab wants 2, the United Provinces would like to have 4 and Madras equally the same number and the other provinces will proportionately increase their number. So it is much better to leave the Government a free hand in the matter. My friend then said, let us have all shades of opinion represented on the conference. Well, we are having many shades of opinion in the country. There are to be seen all the shades and colours that are possible under the Sun and it would indeed require a superhuman being to select the right shade. Provinces will send so many shades that it will be a difficult task to find a solution of the problem before us and moreover the number of the delegates will be so many as to make the working of the conference impossible. My only plea is that the whole task should be left to Government. If they decide, as I am sure they must, to consult the leading bodies like the Khilafat Committee, the Muslim League, the Indian National Congress, the Hindu Mahasabha and similar bodies, they will surely hit upon right persons, people belonging to all-India bodies, or leaders of various movements. They and not we have the right to go in the name of the country. I would therefore appeal that the choice should not be fettered and that the Government be made to feel that their hands are not tied.

Sir, with these words, I would request you to put the resolution in two parts separately. For the first portion, so far as I see, there will be whole-hearted support. For I feel certain that the name of the Secretary of State and Lord Irwin will live for ever for this fine gesture and the voice of Little Ben will remain dear throughout the length and breadth of this country as that of the Big Ben in Britain. His name will be remembered with gratitude all over the country. But the task of selection in provinces is bound to be difficult and for my part, I would be content by leaving it to the Government.

Pir Akbar Ali : I move—

That the question be now put.

The motion was carried.

Mr. President : I propose to put the resolution separately in two parts to the vote of the House.

The question is—

“That this Council recommends to the Government that it may be pleased to convey to His Excellency the Governor-General the respectful congratulations of this House on His Excellency's announcement made on the 1st November 1929, relating to the policy of the British Government with regard to the future constitutional development of the Government of this country.”

The motion was carried.

Mr. President : The question is—

“That this Council recommends to the Government that it may be pleased to respectfully urge upon His Excellency the Governor-General the necessity of securing full and adequate representation for this province in the conference to be held in pursuance of His Excellency's announcement.”

The motion was carried.

RESOLUTION RE COMPULSORY PRIMARY EDUCATION.

Pir Akbar Ali [Ferozepore, (Muhammadan), Rural] (Urdu) : Sir, I beg to move that—

“This Council recommends to the Government that compulsory primary education comprising a six years course of primary vernacular education should be introduced throughout the province within the next seven years.”

Sir, my resolution can be split into three parts. The first part is that primary vernacular education should be made compulsory ; the second part is that instead of comprising four years as at present its course should comprise six years ; the third and the last part is that it should be introduced throughout the province within the next seven years. As regards the first part of it I would like to say that in some form or other at various times this resolution has been moved in this Council and has always got the full consent of the House. Some time back this very matter was presented to the House in a different form and then it was decided that a committee should be appointed to report on it. Although whenever presented, this resolution has always met the unanimous approval of the House and no member has ever dissented, yet notwithstanding all this up till now no such committee has been appointed.

Now I come to the second part of the resolution. It is with regard to my proposal of extending the course of primary vernacular education over six years instead of four. Sir, I have made this recommendation for two reasons and they are.....

At this stage the Council adjourned till 2 P.M. on Friday, the 29th November, 1929.

PUNJAB LEGISLATIVE COUNCIL.

4TH SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

Friday, the 29th November 1929.

The Council met at the Council Chamber at 2 P.M. of the clock. Mr. President in the Chair.

STARRED QUESTIONS AND ANSWERS.

DISTRICT INSPECTOR OF SCHOOLS, ROHTAK.

***2610. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state—

- (a) whether the Vernacular Middle School at Kanhaur in the Rohtak district was never visited by the permanent District Inspector of Schools for about three years ;
- (b) how many, if any, and which schools not within two miles of a pucca road or a railway station, were visited by the said District Inspector in 1928 ?

The Honourable Mr. Manohar Lal : (a) The information is not available, but will be obtained from the local authorities.

(b) It is apprehended that the details desired may entail a serious expenditure of time and effort, entirely disproportionate to the value of the information obtained ; if that should be so, it is proposed to ask the Divisional Inspector to examine the position in this respect generally and to report to Government.

ASSISTANT DISTRICT INSPECTORS AND ANGLO-VERNAACULAR TEACHERS IN THE AMBALA DIVISION.

***2611. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state—

- (a) the number and names of Assistant District Inspectors serving in the Ambala division, who are untrained ;
- (b) the number of Anglo-Vernacular teachers serving in the Ambala division who are untrained ;
- (c) the number, names and tribes of those among the employees referred to in (a) and (b) who are members of notified agricultural tribes ;
- (d) whether they were employed because trained hands were not available or because they belonged to backward tribes ;
- (e) if the answer to (d) is in the negative, what were the special considerations which led to the appointment of untrained men ?

The Honourable Mr. Manohar Lal : (a) One L. Gurprasad Mathur, Assistant District Inspector of Schools, Karnal. In this connection reference is also invited to the answer given to part (b) of Council Question ¹ No. 2411*.

(b) Five (in Government schools).

(c) A statement is laid on the table.

(d) They were employed because they were considered to possess suitable qualifications.

(e) Does not arise.

STATEMENT SHOWING NUMBER, NAMES AND TRIBES OF UNTRAINED ASSISTANT DISTRICT INSPECTORS AND TEACHERS IN THE AMBALA DIVISION WHO ARE MEMBERS OF NOTIFIED AGRICULTURAL TRIBES.

Serial No.	Name.	Designation.	Tribe.	REMARKS.
1	B. Harnam Singh, B.Sc. (Agri.)	Agricultural teacher, Government High School, Kot Khai.	Jat.	

HYDRO-ELECTRIC SCHEME.

***2612. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Minister for Agriculture kindly state the pace of progress of work and expenditure on the Hydro-Electric Scheme?

The Honourable Sardar Sir Jogendra Singh : It is regretted the answer to the above question is not yet ready and will be supplied to the honourable member when ready.

BHAKRA DAM.

***2613. Chaudhri Baldeo Singh :** Will the Honourable Revenue Member kindly state—

(i) (a) whether the experts appointed to report on the effect of the construction of the Bhakra Dam on the water level of the Indus Inundation Canals have submitted their report ;

(b) if so, what is their finding ;

(c) if not, when is the enquiry expected to be finished ;

(ii) whether the Government propose to make any headway with the construction of the Bhakra Dam in the next year ?

The Honourable Mian Sir Fazl-i-Husain : The honourable member is referred to the answer given to Question ² No. 2593*.

Chaudhri Baldev Singh : Question No. 2593* does not contain any reply to part (c) of my question, that is, as to when the enquiry is expected to be finished?

¹ Volume XIII, pages 299-300.

² Page 402 ante.

The Honourable Mian Sir Fazl-i-Husain : Naturally the question cannot contain the answer, it would not be a question otherwise.

Chaudhri Baldeo Singh : My question is, if the finding is not ready when is the enquiry expected to be finished ?

The Honourable Mian Sir Fazl-i-Husain : The finding has been ready for some time.

Chaudhri Baldeo Singh : Is it about the inundation canals ?

The Honourable Mian Sir Fazl-i-Husain : It is about the Bhakra Dam.

Chaudhri Baldeo Singh : My question is about the inundation canals, When is the report of the Superintending Engineer expected to be ready ?

The Honourable Mian Sir Fazl-i-Husain : Answer to that question was given by me in this House only two or three days ago in answer to a very exhaustive question by Rai Sahib Chaudhri Chhotu Ram. I said therein that the time of the receipt of that report may be a little bit delayed but it will not affect the taking up of the project.

BREACH IN THE CANAL BUND NEAR SULEIMANKE.

***2614. Sayad Muhammad Husain :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that a considerable damage was done to village Muhibali and Chak No. 41 Kanipur in the tahsils of Dipalpur and Pakpattan on account of a breach in the canal bund situated at a distance of four miles from head Suleimanke ;
- (b) whether it is a fact that the inhabitants of the above mentioned area represented to the authorities that the disaster would be averted if the canal department were to effect a breach in the main canal on the 21st of August instead of the 22nd of August 1929 ;
- (c) whether it is a fact that on the morning of the 21st the inhabitants of the above mentioned villages sent telegrams to the Executive Engineer, Suleimanke and other district officers informing them of the breach in the bund and requesting an instantaneous breach in the main canal to save them from destruction ;
- (d) whether it is a fact that the inhabitants of the above mentioned villages gave a definite undertaking to the Engineers to fill the gap at their own cost and by their own labour, if they are allowed to make a cut on the 21st ;
- (e) whether it is also a fact that the canal department did not pay any regard to the above mentioned request and assurance and later on a cut was made by them after both the villages were flooded and heavy loss in grain, standing crops, fodder, etc., was sustained by the inhabitants ;
- (f) if it is a fact that the Sub-Divisional Officer, Pakpattan, was deputed to ascertain the loss incurred by the inhabitants of these villages and if so, whether he has submitted any report ?

The Honourable Mian Sir Fazl-i-Husain : (a) Some damage in these villages was done.

(b) Yes.

(c) Yes.

(d) Yes. Verbally.

(e) No. The request of the villages was fully considered. If the cuts had been made on the 21st of August at the time and place requested, greater damage would have been caused by water pouring out of the canal which was running with high supply at the time and is in heavy filling. A cut in the canal would have flooded the villages 12 hours earlier than it was flooded by water from the breaches higher up.

(f) The report of the Executive Engineer, Suleimanke, is awaited.

BOOK BY MR. DURRANI ABOUT SWAMI DAYANAND.

***2615. Chaudhri Ram Singh :** (i) Will the Honourable Finance Member please state—

(a) whether it is a fact that one Mr. Durrani published a very objectionable book about Swami Dayanand, the well-known founder of the Arya Samaj ;

(b) whether it is a fact that on 23rd July 1929 the Government issued a *communiqué* stating therein that Mr. Durrani has stopped publication of the book ?

(ii) if the answer to the above be in the affirmative, will the Government please state whether the said Mr. Durrani gave a verbal or written undertaking to stop publication ? If it was in writing, will the Government please lay a copy of the same on the table ?

(iii) Is the Government aware of the fact that since the time the *communiqué* was issued, the said Mr. Durrani has been selling the book and sending the same per V. P.P. ?

(iv) If the answer to the above be in the affirmative, has Government made any enquiry in the matter ? If so, with what result ?

The Honourable Mr. A. M. Stow : (i) (a) Mr. Durrani published a book entitled "Swami Dayanand ; his life and teachings" which was considered likely to cause offence to the Arya Samajists.

(b) Government issued a *communiqué* on the 23rd September 1929 that Mr. Durrani had offered to withdraw his book from the market, that the offer had been accepted by Government and the book had since been withdrawn.

(ii) He gave a written undertaking to withdraw the book. Government is not prepared to lay the correspondence on the table.

(iii) Government has seen an allegation to this effect.

(iv) Enquiries into the allegation were made but the allegation was not substantiated.

Chaudhri Ram Singh : Will the Honourable Member please state whether Government has made enquiries into the fact that Mr. Durrani has been selling the book and that on the 20th of August he sent a copy of it by V.P.P. to one Tarlok Ram, Sharma of Gujrat?

The Honourable Mr. A. M. Stow : I have already stated that enquiry into the allegation was made but the allegation was not substantiated.

Rai Bahadur Lala Mohan Lal : May I know, Sir, if the Government would be prepared to make a further enquiry. We have a positive proof in our hand and we challenge the Government to refute that.

The Honourable Mr. A. M. Stow : If the honourable member will produce the necessary particulars an enquiry will be made.

Rai Bahadur Lala Mohan Lal : Then I presume that Government will take action against the gentleman.

The Honourable Mr. A. M. Stow : That depends on the result of the enquiry.

Lala Bodh Raj : Has the Government made any enquiry from the person concerned whether he sent any book by V.P.P.?

The Honourable Mr. A. M. Stow : To me the question seems to be the same as asked by the other honourable gentleman. If that is so the answer will also be the same.

BOOK BY MR. DURRANI re SWAMI DAYANAND.

***2616. Chaudhri Ram Singh :** Will the Honourable Finance Member lay on the table a copy of the Press Branch report regarding the book published by Mr. Durrani regarding Swami Dayanand together with the name of the officer making the same?

The Honourable Mr. A. M. Stow : Government is not prepared in this or any similar case to lay on the table a copy of the Press Branch Report or to give the name of the officers making the report.

DIFFERENTIAL TREATMENT BY GOVERNMENT TO HINDU AND MUSSALMAN AUTHORS.

***2617. Chaudhri Ram Singh :** Will the Honourable Finance Member please state—

- (a) whether it is a fact that there is a general feeling amongst the Hindus of the Punjab that the Punjab Government shows indulgence to the Mussalman authors who write against the Hindus while it takes immediate action against the Hindu authors;
- (b) if the answer to the above be in the affirmative, will the Honourable Member please explain the position of Government in this matter?

The Honourable Mr. A. M. Stow : (a) and (b) Government are not aware of any such feeling, and if it exists, it is without foundation. Government regard with disfavour activities which tend to create communal dissension whatever their source may be.

GRANT OF LAND.

***2518. Chaudhri Ram Singh :** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that the Government has granted squares of land to the owners of the lands acquired for the purposes of construction of the railway line between Jullundur and Mukerian;
- (b) if the answer to the above be in the affirmative, will Government please state to whom and how many squares of land were granted in this connection;
- (c) is the Government also considering the advisability of granting squares of land in the Nili Bar to the owners of lands in the Kangra district acquired for the construction of the Kangra Valley Railway?

The Honourable Mian Sir Fazl-i-Husain : (a) Yes.

(b) A list is laid on the table giving the information required.

(c) No.

Serial No.	Name with address.	Number of squares.
1	Miran Bakhsh, son of Kalu, Arain of Dasuya	$\frac{1}{2}$
2	Fatta, son of Hion, Arain of Dasuya.. .. .	$\frac{1}{2}$
3	Kalu, son of Faiza, Arain of Dasuya	$\frac{1}{2}$
4	Abadan, son of Hion, Arain of Dasuya	$\frac{1}{2}$
5	Maju, son of Hion, Arain of Dasuya	$\frac{1}{2}$
6	Khajja, son of Umra, Arain of Dasuya	$\frac{1}{2}$
7	Karam Hahi, son of Pir Bakhsh, Arain of Kaithan	$\frac{1}{2}$
8	Umar Khan, son of Beje Khan, Afghan of Kaithan	$\frac{1}{2}$
9	Bata and Maula, sons of Kalu, Arain of Kaithan	1
10	Ali Bakhsh, son of Imam Din, Arain of Kaithan	$\frac{1}{2}$
11	Ghulam Qadir and Umar Din, sons of Miran Bakhsh, Arain of Kaithan	1
12	Nihala and Badhawa, sons of Bhardana, Saini of Urmur	1
13	Mangtu, caste Saini of Urmur	$\frac{1}{2}$
14	Bihari, Gulzari, Sawan, sons of Diwan, Saini of Urmur	$1\frac{1}{2}$
15	Nauranga, Maula, sons of (not given) Saini of Tanda	1
	Total	10 $\frac{1}{2}$

WADE WATTAR.

***2619. Mian Ahmad Yar Khan, Daultana :** Will the Honourable Member for Revenue be pleased to state—

- (a) the names of the canals on which *wadh wattar* is in force at present;
- (b) whether it is a fact that it is only levied on the Sutlej Valley Canals;
- (c) if the answer to (b) is in the affirmative, the reasons why this tax is levied only on the Sutlej Valley Canals?

The Honourable Mian Sir Fazl-i-Husain : (a) (i) Khadir Branch, Chak Dogar, Bhatti, Rohmanki and Tabbar, non-perennial channels of Pakpattan Canals.

(ii) Dipalpur Canal.

(iii) Eastern Canal.

(iv) Mailsi Canal.

(b) Yes.

(c) The *wadh wattar* rate is levied on the Sutlej Valley Project non-perennial canals at Re. 1-4-0 per acre and is justified by the fact that these areas were previously served by inundation canals and all areas growing *rabi* crops from them were charged a *rabi* rate varying from Re. 1-2-0 to Re. 1-4-0 on the Sutlej Canals to Re. 1-8-0 on the Grey Canals. The option of not sowing such areas, which do not contain much "*wattar*" or moisture lies with zamindars themselves.

WADE WATTAR.

***2620. Mian Ahmad Yar Khan, Daultana :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that under old *wadh wattar* rules a water-rate at Rs. 2-8-0 per acre was levied on the crops sown in the *wadh* of a previous crop which had *wattar* in it;
- (b) whether it is also a fact that at present it is levied or is proposed to be levied at Re. 1-4-0 per acre on the crops sown in the *wadh* of a previous crop whether there is *wattar* in it or not;
- (c) whether it is a fact that the *chahi-nahri* revenue is realized for crops sown with *chahi* irrigation in the *wadh* of a previous crop having no *wattar* at all?

The Honourable Mian Sir Fazl-i-Husain : (a) Water rate under the old rules prior to *kharif* 1924 was levied on areas sown in the *rabi* with a crop on the moisture from the previous *kharif* crop, and this was known as *wadh wattar* rate: the rates varied from Re. 1-0-2 to Rs. 2-4-0 per acre on the different canals.

[Hon'ble Mian Sir Fazl-i-Husain.]

(b) Yes, from *rabi* 1928-29 the *wadh watter* rate of Rs. 1-4-0 per acre is levied on the non-perennial canals of the Sutlej Valley Project on the crops grown on the moisture of a previous crop.

(c) The meaning is not quite clear and a detailed enquiry has to be made from the local officers.

WATER RATE AND LAND REVENUE ON SUBSIDIARY CROPS.

***2621. Mian Ahmad Yar Khan, Daultana :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that with the main cotton crop the zamindars often sow *moth*, *jawar* or *bajra*, etc., as a subsidiary crop ;
- (b) if so, whether it is also a fact that if only the subsidiary crop succeeds and the cotton crop fails for deficient water supply, the subsidiary crop is treated as the main crop and full water rate and revenue are levied ;
- (c) whether it is a fact that the province of the subsidiary crop is only a small fraction of what it would be if it were the main crop ;
- (d) if the answers to the above parts be in the affirmative, what steps does Government intend to take in the matter ?

The Honourable Mian Sir Fazl-i-Husain : (a), (b), (c) Yes.

(d) Government has not been able to find the way to do something in the matter. *

WATER FAILURE ON THE MAILSI CANALS.

***2622. Mian Ahmad Yar Khan, Daultana :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that the Islam Weir in the Sutlej Valley Project was damaged in the month of September and consequently the Mailsi Canals ceased to run ;
- (b) if so, whether Government is aware that the *kharij* crop on these canals was almost destroyed on account of want of water to mature them ;
- (c) if so, will Government kindly state the remission which it has been pleased to give to the areas concerned ;
- (d) whether Government is aware that the people on the Mailsi Canals are deprived of the *rabi* 1929-30 ;
- (e) if so, what steps Government has taken or proposes to take to save the people of the 3rd British Circle, Sutlej Valley Project, from the great loss that they will have to undergo in the absence of the *rabi* crops ?

The Honourable Mian Sir Fazl-i-Husain : The information is not available at headquarters and has necessitated enquiry being made from the local officers and the result is awaited. The information when received will be communicated to the honourable member.

LOCAL RATES AND SIDHNAI CANAL ZAMINDARS.

***2623. Mian Ahmad Yar Khan, Daultana :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that local rates are charged on the land revenue only throughout the province ;
- (b) whether it is also a fact that in the case of the Sidhnai Canal (Multan district) zamindars, the local rate is charged on the land revenue and water rates combined ;
- (c) if the reply to the above is in the affirmative, what is the reason for the departure from the general practice in the case of Sidhnai Canal ?

The Honourable Mian Sir Fazl-i-Husain : (a) Yes.

(b) Yes.

(c) The attention of the honourable member is drawn to the reply given to his Council question¹ No. 1175 in July last.

UNTOUCHABLES AND PUBLIC WELLS.

***2624. Rai Bahadur Lala Mohan Lal :** Will the Honourable the Minister for Local Self-Government be pleased to state—

- (a) whether the attention of Government has been drawn to the judgment of Mr. Justice Harrison as reported in Indian Law Reports, Lahore, page 482, admitting the right of untouchables to draw water from public wells ;
- (b) if the reply to the above be in the affirmative, whether the Government intend to draw the attention of all the Deputy Commissioners to this ruling of the High Court ?

The Honourable Malik Firoz Khan, Noon : (a) Yes.

(b) It is a published ruling and requires no further advertisement. Moreover it expounds a principle of criminal law about which there seems to be no doubt.

Rai Bahadur Lala Mohan Lal : That is not the reply to my question in part (b). My question was whether the Government is prepared to draw the attention of the Deputy Commissioners to this ruling of the High Court ?

The Honourable Malik Firoz Khan, Noon : This is a principle of law and everybody ought to know it. There is, therefore, no need to draw anybody's attention to it. This is a published ruling and as a District Magistrate, every Deputy Commissioner ought to know it.

Rai Bahadur Lala Mohan Lal : But many of the Deputy Commissioners do not know it. Is there any harm in drawing their attention to it ?

The Honourable Malik Firoz Khan, Noon : The honourable member's having asked this question in the Council will make it public through the Press and the Deputy Commissioners will certainly read it.

REPORT OF UNEMPLOYMENT COMMITTEE.

***2625. Rai Bahadur Lala Mohan Lal :** Will the Chief Secretary be pleased to state what action has been taken on the Punjab Unemployment Committee's report?

Mr. H. W. Emerson : The attention of the honourable member is invited to the reply given to starred question¹ No. 1508 on the 29th November 1928. Replies have now been received from most Heads of Departments and it is hoped that a resolution will issue shortly indicating the extent to which Government has accepted the conclusions of the Committee and proposes to give effect to its recommendations.

COMPULSORY PRIMARY EDUCATION.

***2626. Rai Bahadur Lala Mohan Lal :** Will the Honourable Minister for Education be pleased to state the names of the rural and urban areas in which compulsory primary education has been—

(a) enforced ;

(b) applied for but not introduced ?

The Honourable Mr. Manohar Lal : (a) A statement showing the information desired is enclosed.

(b) The only cases pending in the Department of Education are a few applications from municipal areas with regard to which additional information is being called for on financial grounds.

Names of rural areas where compulsion has been enforced.

HISSAR DISTRICT.	HISSAR DISTRICT—contd.
1. Kalanwali.	16. Alika.
2. Balsamand.	17. Chuli Bagarian.
3. Rania.	18. Datiwas.
4. Sahuwala.	19. Dhansu.
5. Nandheri including Chikanwas.	20. Pirthala.
6. Harita.	21. Dadu.
7. Kajla.	22. Jhirri.
8. Ladesar.	23. Shergarh.
9. Sesai.	24. Alika.
10. Narnaund.	25. Gudha Kalan.
11. Tigrana.	26. Hakodh.
12. Bass.	27. Sandol.
13. Umra.	28. Kaimri.
14. Chang.	29. Pali.
15. Sewani.	30. Petwar.
	31. Jamawar.

¹ Volume XII, pages 86-87.

Names of rural areas where compulsion has been enforced—continued.

HISSAR DISTRICT—conold.

82. Badala.
83. Thurana.
84. Data.
85. Kuleri.
86. Kabra Kalan.
87. Shekhu Kera.
88. Bapora.
89. Biran.
40. Rewasa.
41. Gochi.
42. Bamla including Phul Pura, etc.
43. Naraungabad.
44. Budana.
45. Tuglan.
46. Adampur.

ROHTAK DISTRICT.

47. Lohari.
48. Chimni.
49. Kheri Patauda.
50. Saragthal.
51. Pinana.
52. Ratanthal.
53. Garhi Brahman.
54. Nangal Kalan.
55. Shahzadpur.
56. Pagthala.
57. Aterna.
58. Chandi.
59. Bainsi.
60. Pulthi.
61. Patwapur.
62. Pataudah.
63. Majra Dubaldhan.
64. Mahmudpur.
65. Dobh.
66. Kakrana.
67. Sundana.
68. Lahli.
69. Gopalpur.
70. Kalanaur.
71. Guryani.
72. Talao.
73. Garhi Bala.
74. Garhi Sampla.
75. Sohti.
76. Kherri.

ROHTAK DISTRICT—conold.

77. Senpal.
78. Gobhana.
79. Bhainsro Kalan.
80. Madina.
81. Mandora.
82. Nigana.
83. Kahnaur.
84. Pilana.
85. Barhana.
86. Dehkora.
87. Jakpanda.
88. Dulehra.
89. Kherka Gujar.
90. Dipalpur.
91. Morkheri.
92. Gandhra.
93. Bhalaut.
94. Kahni.
95. Birdhana.
96. Tumbaheri.
97. Dadri.
98. Soldah.
99. Madana Kalan.
100. Janti Kalan.
101. Bighan.
102. Kakroi.
103. Qimashpur.
104. Chhatera.
105. Kharak Kalan.
106. Kharak Khurd.
107. Atail.
108. Farmana.
109. Khanda.
110. Rurki.
111. Matan.
112. Nahri.
113. Bahu Akhbarpur.
114. Paksama.
115. Niloti.
116. Chhara.
117. Rawari Khara.
118. Bhupania.
119. Goela Kalan.
120. Dadanpur.
121. Gwalisan.
122. Bamnola.
123. Jakhala.
124. Jitpur.

[Hon'ble Mr. Manohar Lal.]

*Names of rural areas where compulsion has been enforced—continued.*ROHTAK DISTRICT—*contd.*

125. Serya.
126. Gochhi.
127. Shiddipur Loa.
128. Birar.
129. Kansala.
130. Bhaprauda.
131. Butana.
132. Gangana.
133. Ahri.
134. Seman.
135. Garhi Haqiqat.
136. Purkhas.
137. Juan.
138. Harsana Kalan.
139. Gumar.
140. Budha Khalsa.
141. Panchhi Jattan.
142. Murthal.
143. Sitaoli.
144. Palri Kalan.
145. Kurar Ibrahimpur.
146. Rajpur.
147. Larsauli.
148. Sersa.
149. Nandnaur.
150. Mundlana.
151. Dabodha Kalan.
152. Anwal.
153. Chulian.
154. Hasangarh.
155. Siwana Mal.
156. Birohar.
157. Jhanswa.
158. Ahulana.
159. Mohana.
160. Surehli.
161. Shamaspur Majra.
162. Chandol.
163. Kasni.
164. Barodah.
165. Chatana.
166. Karewri.
167. Lehrara.
168. Mahlana.
169. Batdhana.
170. Zainpur.
171. Chhara.
172. Jagsi.

ROHTAK DISTRICT—*contd.*

173. Kheri Asra.
174. Jharli.
175. Machhroli.
176. Kelanga.
177. Busana.
178. Bhainswal Kalan.
179. Samchana.
180. Ismaila.
181. Nayabas.
182. Karor.
183. Dhakla.
184. Khetawas.
185. Selanga.
186. Ladain.
187. Subana.
188. Silani.
189. Humayunpur.
190. Mahra.
191. Barona.
192. Sisana.
193. Matanhel.
194. Barahi.
195. Bamnoli.
196. Barwasni.
197. Kanwali.
198. Rohat.
199. Jharot.
200. Salimsar Majra.
201. Gannaur.
202. Kheora.
203. Thana Kalan.
204. Nuna Mazra.
205. Kasar Brahmanan.
206. Luksar.
207. Khizarpur Ahir.
208. Riwara.
209. Pahladpur.
210. Salhawas.
211. Ferozepore Bangar.
212. Kailana.
213. Kundal.
214. Dubaldhan.
215. Nidana.
216. Khubru.
217. Guhana.
218. Bohar.
219. Sankhol.
220. Rohad.

Names of rural areas where compulsion has been enforced—continued.

ROHTAK DISTRICT—contd.

221. Kathura.
222. Ritauli.
223. Kahrawar.
224. Jasaur Kheri.
225. Baland.
226. Nagar.
227. Kharar.
228. Dighal.
229. Dhandhlan.
230. Lakarya.
231. Gangtan.
232. Sunderpur.
233. Busain.
234. Titauli.
235. Bidhlan.
236. Khirwali.
237. Baliana.
238. Silana.
239. Malikpur.
240. Baghpur.
241. Gijhi.
242. Mungan.
243. Sanghi.
244. Jassiah.
245. Samar Gopalpur.
246. Sunari Kalan.
247. Chhoti Bahu.
248. Banyani.
249. Chilkana.
250. Mandauthi.
251. Kherka Musalmanan.
252. Burawas.
253. Dhaur.
254. Makroli Kalan.
255. Larot.
256. Bhayyanpur.
257. Bhmanwas.
258. Chamari.
259. Sampla.
260. Garhi Balab.
261. Katesra.
262. Khudan.
263. Surahiti.
264. Surakhpur.
265. Patti Haveli.
266. Gurawar.
267. Sondhi.
268. Zahidpur.

ROHTAK DISTRICT—contd.

269. Yaqubpur.
270. Joli.
271. Sehri.
272. Kosli.
273. Achhej.
274. Kanwali.
275. Nahra.
276. Rayya.
277. Bakheta.
278. Rohna.
279. Kulasi.
280. Kanonda.
281. Kheri Sadh.
282. Ladpur.
283. Pahsor.
284. Ukhachana.
285. Kablana.
286. Khungai.
287. Munda Khera.
288. Barsa.
289. Devar Khana.
290. Ismailpur.
291. Chhudani.
292. Bhadani.
293. Jehangirpur.
294. Badli.
295. Daryapur.
296. Kheri Jat.
297. Mahmudpur.
298. Jehazgarh.
299. Nogaon.
300. Asandah.
301. Asan.
302. Gorar.
303. Chhapar.
304. Siwana.
305. Gudha.
306. Nuran Khera.
307. Akbarpur Berota.
308. Bhainswan Khurd.
309. Giwana.
310. Garwal.
311. Kharkhara.
312. Sheikhpura.
313. Raj.
314. Bahalgah.
315. Asawarpur.
316. Lawan.

[Hon'ble Mr. Manohar Lal.]

*Names of rural areas where compulsion has been enforced—continued.*ROHTAK DISTRICT—*conold.*

- 317. Jatheri.
- 318. Marodhi Rangran.
- 319. Marodhi Jattan.
- 320. Karontha.
- 321. Farmana and Riwar.

GURGAON DISTRICT.

- 322. Meola Maharajpur.
- 323. Nikhri.
- 324. Raipur.
- 325. Chandpur.
- 326. Gharora.
- 327. Rupraka.
- 328. Pallah.
- 329. Dyalpur.
- 330. Bukhraka.
- 331. Lohinga.
- 332. Likhi.
- 333. Dharahera.
- 334. Pali.
- 335. Shikohpur.
- 336. Mandelpur.
- 337. Fatehpur Taga.
- 338. Chirsi.
- 339. Qabulpur Khadar.
- 340. Patoka.
- 341. Malab.
- 342. Marora.
- 343. Gangola.
- 344. Akera.
- 345. Parli.
- 346. Aherla.
- 347. Nuh.
- 348. Untka.
- 349. Sonka.
- 350. Ferozerpore Namak.
- 351. Shahpur Nagli.
- 352. Salaheri.
- 353. Jogipur.
- 354. Khor.
- 355. Dhankot.
- 356. Uhjina.
- 357. Fatehpur Bileek.
- 358. Sunpsir.
- 359. Malerna.
- 360. Sagarpur.
- 361. Ajronda.
- 362. Palhawas.

GURGAON DISTRICT—*conold.*

- 363. Mahohana.
- 364. Singar.
- 365. Rahana.
- 366. Khol.
- 367. Chandu.
- 368. Bahora Kalan.
- 369. Malai.
- 370. Ali Meo.
- 371. Rupnagar Natoli.
- 372. Ali Brahmanan.
- 373. Pausar.
- 374. Jaurasi.
- 375. Chandeni.
- 376. Ghasera.
- 377. Bhigaoli.
- 378. Chhainsa.
- 379. Atali.
- 380. Sotal.
- 381. Alawalpur.
- 382. Rangala.
- 383. Mandarka.
- 384. Padheri.
- 385. Harchandpura.
- 386. Ghamroj.
- 387. Bhondel.
- 388. Kherla.
- 389. Pinangwan.
- 390. Marora.
- 391. Sidhraoli.
- 392. Bolni.
- 393. Bhatsana.
- 394. Kherli Nuh.
- 395. Nagina.
- 396. Bazidpur.
- 397. Bhadas.
- 398. Mandi Khara.
- 399. Narhaoli.

KARNAL DISTRICT.

- 400. Kutial.
- 401. Munak.
- 402. Tiraori.
- 403. Babail.
- 404. Ramsaran Mazra.
- 405. Babian.
- 406. Pundri.
- 407. Fatehpur.
- 408. Baraut.

Names of rural areas where compulsion has been enforced—continued.

KARNAL DISTRICT—contd.

409. Keorak.
410. Kaithal.
411. Kaimla.
412. Khera.
413. Kirmach.
414. Indri.
415. Gagsina.
416. Israna.
417. Demli.
418. Mandi.
419. Sanghaur.
420. Burshiam.
421. Bala.
422. Chika.
423. Ahar.
424. Unchasamana.
425. Jalmana.
426. Ismailabad.
427. Hathwala.
428. Phara.
429. Dhatrat.
430. Popran.
431. Bahauli.
432. Didwari.
433. Radaur.
434. Faridpur.
435. Dadupur.
436. Jhansa.
437. Ghogripur.
438. Geong.
439. Rawa.
440. Ijrana Khurd.
441. Thaskamiranji.
442. Kaul.
443. Assandh.
444. Barsat.
445. Pattikalyana.
446. Salwan.
447. Gumthala Gadhu.
448. Umri.
449. Kewana.
450. Nisang.
451. Dachaur.
452. Gondar.
453. Allupure.
454. Sakra.
455. Bhawana Lakhu.
456. Kalsaura.

KARNAL DISTRICT—contd.

457. Arnauli.
458. Byana.
459. Habri.
460. Sambhalka.
461. Baragaon.
462. Sambhli.
463. Balu.
464. Kachwa.
465. Gahir.
466. Topra.
467. Rajeund.
468. Pal.
469. Niwarsi.
470. Chhatar.
471. Naguran.
472. Ranwar.
473. Samana Bhao.
474. Salpani Kalan.
475. Kurri.
476. Talheri.
477. Malakpur.
478. Ijrana Kalan.
479. Romana.
480. Bhagal.
481. Raab.
482. Khmrindwa.
483. Yara.
484. Sagar.
485. Daaar.
486. Dobirki.
487. Sangoa.
488. Jaurasi.
489. Raiksera.
490. Naultha.
491. Kawi.
492. Raipur.
493. Siwan.
494. Mandi Kalan.
495. Kalsana.
496. Garhi Birbal.
497. Devidaspura.
498. Alahar.
499. Rattak.
500. Brass.
501. Ladwa.
502. Chaunra.
503. Goli.
504. Muhammadpur.

[Hon'ble Mr. Manohar Lal.]

*Names of rural areas where compulsion has been enforced—continued.*KARNAL DISTRICT—*contd.*

- 505. Bandh.
- 506. Bilon.
- 507. Amin.
- 508. Naisi.
- 509. Khanpur.
- 510. Bastli.
- 511. Taragarh.
- 512. Aliwah.
- 513. Jaddaula.
- 514. Amunpur.
- 515. Kheri Dabdalan.
- 516. Madlanda.
- 517. Urlana Kalan.
- 518. Bijna.
- 519. Saunkhra.
- 520. Palri.
- 521. Gorgadh.
- 522. Bhagana.
- 523. Padha.
- 524. Muwana.
- 525. Josar.
- 526. Jarauli.
- 527. Pasina Khurd.
- 528. Pundri.
- 529. Seekri.
- 530. Peont.
- 531. Karora.
- 532. Hibana.
- 533. Atwala.
- 534. Teontha.
- 535. Balana.
- 536. Chamrara.
- 537. Brahman Mazra.
- 538. Bhadaur.
- 539. Dehar.
- 540. Pardhana.
- 541. Barauta.
- 542. Kheri Naru.
- 543. Jani.
- 544. Bal Rangran.
- 545. Shahpur.
- 546. Sandhir.
- 547. Babarpore.
- 548. Agondh.
- 549. Dabri.
- 550. Raipur Jattan.
- 551. Phurlak.
- 552. Dingar Mazra.

KARNAL DISTRICT—*contd.*

- 553. Kalheri.
- 554. Barana.
- 555. Raja Kheri.
- 556. Kachhrauli.
- 557. Chandauli.
- 558. Jalalpur.
- 559. Pabnawa.
- 560. Daurana.
- 561. Sarhada.
- 562. Rahra.
- 563. Kharandi.
- 564. Nathana.
- 565. Machhrauli.
- 566. Dubka.
- 567. Kabri.
- 568. Rapri.
- 569. Fatehpur.
- 570. Barna.
- 571. Peoda.
- 572. Nachron.
- 573. Nalvi.
- 574. Lukhi.
- 575. Gadli.
- 576. Chorpura.
- 577. Budhakhera.
- 578. Salaru.
- 579. Shyamgarh.
- 580. Churni.
- 581. Landhi.
- 582. Lakmari.
- 583. Chamrori.
- 584. Thakka Khadar.
- 585. Jubal.
- 586. Pehladpur.
- 587. Dhanaura Bhallar.
- 588. Behauli.
- 589. Haibatpur.
- 590. Rain Kalan.
- 591. Bhorak.
- 592. Bakkal.
- 593. Kohand.
- 594. Rainpura.
- 595. Niyawal.
- 596. Baraoli.
- 597. Alipur Khalsa.
- 598. Gudha.
- 599. Durya Mazra.
- 600. Gurha.

Names of rural areas where compulsion has been enforced—continued.

KARNAL DISTRICT—*contd.*

601. Wazirpur Totana.
602. Mahawati.
603. Budhwal Majri.
604. Haldana.
605. Ugraheri.
606. Paeta.
607. Sheharmalpur.
608. Karhana.
609. Idyana.
610. Narah.
611. Dikadla.
612. Hartari.
613. Bapauli.
614. Manana.
615. Lohari.
616. Mubarakabad.
617. Basdhara.
618. Uchana.
619. Sheikhpura.
620. Kerwali.
621. Phusgarh.
622. Malakpur.
623. Ganjo Gadhi.
624. Mohri.
625. Dhodpur.
626. Khalila.
627. Gharaunda.
628. Ujah.
629. Pasina Kalan.
630. Urlana.
631. Chhajupur.
632. Dhadola.
633. Rasalpur.
634. Gadhi Chhaju.
635. Puthar.
636. Bijawa.
637. Narina.
638. Waisar.
639. Sega.
640. Sismore.
641. Bhaghana.
642. Kathana.
643. Sarsa.
644. Dabha.
645. Rahera.
646. Amunpur.
647. Teora.
648. Kharak.

KARNAL DISTRICT—*concl'd.*

649. Whore.
650. Chandaula.
651. Dhand.
652. Kalwa.
653. Makhala.
654. Balkhera.
655. Bhustala.
656. Mathana.
657. Harigarh of Boota Singh.
658. Sihun Majra.
659. Shadipur.
660. Dahola.
661. Sheikhpura.
662. Agondah.
663. Katlaheri.
664. Sink.
665. Maholi.
666. Siwah.
667. Palri.
668. Atta.
669. Narina.
670. Jamalpur.
671. Kalron.
672. Shamboo.
673. Pegaon.
674. Kurar.
675. Samauli Khurd.

AMBALA DISTRICT.

676. Holi.
677. Behta.
678. Samalheri.
679. Boh.
680. Dulyani.
681. Jansui.
682. Dokheri.
683. Rojo Kheri.
684. Badala Naya.
685. Shahar.
687. Tiwar.
688. Rasandheri.
689. Gorangan.
690. Shekarullahour.
691. Ghanauli.
692. Behrampurbet.
693. Lutheri.
694. Behrampur.
695. Zimindar.

[Hon'ble Mr. Manohar Lal.]

*Names of rural areas where compulsion has been enforced—continued.*AMBALA DISTRICT—*contd.*

- 696. Kherisalatlaipur.
- 697. Bela.
- 698. Chamkaur.
- 699. Tirak.
- 700. Manakpur.
- 701. Sharif.
- 702. Sarhana.
- 703. Bhareli.
- 704. Barwala.
- 705. Mubarikpur.
- 706. Tharwa.
- 707. Ugale.
- 708. Sabga.
- 709. Mahaoni.
- 710. Naggal.
- 711. Bherog.
- 712. Bhurewala.
- 713. Rataur.
- 714. Sundran.
- 715. Khatauli.
- 716. Bihla.
- 717. Raipur Rani.
- 718. Thirki.
- 719. Manakpur including—
 - (a) Jango Mazra.
 - (b) Bari Kohri.
 - (c) Wasalpur.
 - (d) Manglaur.
- 724. Korali.
- 725. Dhun.
- 726. Narain Garh.
- 727. Imli.
- 728. Bhareri Kalan including—
 - Bhari Khurd.
- 729. Pada Gaon.
- 731. Korwa Khurd.
- 732. Haveli including—
 - (a) Wasupur.
 - (b) Sadipur.
- 735. Mahlanwali.
- 736. Khadri.
- 737. Talakaur.
- 738. Kharwan.
- 739. Bhairon Mazra.
- 740. Bharat Garh.
- 741. Dhangrali.
- 742. Mandwarah.
- 743. Morindah

AMBALA DISTRICT—*contd.*

- 744. Allahpur (Kharar).
- 745. Daon including—
 - (a) Raipur.
 - (b) Pallo Mazra.
 - (c) Ram Garh.
- 749. Ram Garh.
- 750. Siswan.
- 751. Roorki.
- 752. Kaunla.
- 753. Allahpur (Ambala).
- 754. Babyal.
- 755. Ramgarh.
- 756. Maneola.
- 757. Mohara.
- 758. Barar.
- 759. Mullanpur.
- 760. Baqarpur.
- 761. Giga Mazra.
- 762. Saha.
- 763. Mustafabad.
- 764. Kalawar (Jag).
- 765. Tajewala.
- 766. Lothari.
- 767. Khizrabad.
- 768. Paterheri (Naraingarh).
- 769. Hangauli.
- 770. Kakar Mazra.
- 771. Badhanli.
- 772. Akal Garh (Kharar).
- 773. Kalewal.
- 774. Kurali.
- 775. Baihlan Khanpur.
- 776. Hasanpur.
- 777. Lulon.
- 778. Kainaur (Rupar).
- 779. Purkhali.
- 780. Hawarah.
- 781. Dum Chheri.
- 782. Bhaini.
- 783. Sohana (Ambala).
- 784. Rajauli.
- 785. Tandwal.
- 786. Bilaspur (Jagadhri).
- 787. Abdullapur (Jagadhri).
- 788. Aurangabad (Jagadhri).
- 789. Naharpur (Jagadhri).
- 790. Lahaura (Kharar).
- 791. Kubba Heri (Kharar).

Names of rural areas where compulsion has been enforced—continued.

AMBALA DISTRICT—contd.

- 792. Majri (Kharar).
- 793. Godhera (Kharar).
- 794. Parchh (Kharar).
- 795. Paraul (Kharar).
- 796. Mansulia Kalan (Rupar).
- 797. Dulchi Mazra.
- 798. Roorki Aheran.
- 799. Sidhupur Kalan.
- 800. Phul Khurd.
- 801. Uncha Chandna (Jagadhri).
- 802. Kandala (Kharar).
- 803. Kahjeri (Kharar).
- 804. Bhajeri (Kharar).
- 805. Rani Mazra (Kharar).
- 806. Dhabali (Kharar).
- 807. Gola (Ambala).
- 808. Bhateri Shekhan.
- 809. Pilkhani.
- 810. Thakarpura.
- 811. Damla (Jagadhri).
- 812. Tighri (Jagadhri).
- 813. Leda Khadar (Jagadhri).
- 814. Chholi (Jagadhri).
- 815. Shahpur (Jagadhri).
- 816. Saran.
- 817. Chhapar (Jagadhri).
- 818. Sasauli (Jagadhri).
- 819. Gadhaula (Jagadhri).
- 820. Deodhar (Jagadhri).
- 821. Baghwala (Narain Garh).
- 822. Fatehgarh.
- 823. Kot.
- 824. Saranwan.
- 825. Ram Garh.
- 826. Jeoli.
- 827. Rai Wali.
- 828. Shahzadpur.
- 829. Dearna (Kharar).
- 830. Manauli.
- 831. Sawarah.
- 832. Ropalheri.
- 833. Borail.
- 834. Simal Mazra.
- 835. Hallo Mazra.
- 836. Bhailolpur.
- 837. Kansal.
- 838. Sahaoran.
- 839. Maloya.

AMBALA DISTRICT—concd.

- 840. Kalibar.
- 841. Raipur Kalan.
- 842. Majra.
- 843. Mani Mazra.
- 844. Jhallian Kalan (Rupar).
- 845. Panjkuha.
- 846. Gardley.
- 847. Kandhola.
- 848. Samana Kalan (Rupar).
- 849. Sindhwan.
- 850. Bampara.
- 851. Salempur.
- 852. Kant.
- 853. Singh Bhagantpur.

SIMLA DISTRICT.

- 854. Chhansa.
- 855. Bhutti.
- 856. Shamathala.
- 857. Tharola.
- 858. Jauni.
- 859. Chamian (Banya).
- 860. Kadaur.
- 861. Bargon.
- 862. Sabathu.
- 863. Kakkar Hatti.
- 864. Kiari.
- 865. Kotkhai.
- 866. Dhada.
- 867. Purag.
- 868. Galeha.

LUDHIANA DISTRICT.

- 869. Lalton Kalan.
- 870. Kalak Majri.
- 871. Narangwal.
- 872. Dehlon Gopalpur.
- 873. Dhanderi Kalan.
- 874. Kotala.
- 875. Swaddi Kalan.

FEROZEPUR DISTRICT.

- 876. Jandwala Bhime Shah School areas.
- 877. Markhai school areas.
- 878. Nihal Khara School areas.

[Hon'ble Mr. Manohar Lal.]

Names of rural areas where compulsion has been enforced—continued.

JULLUNDUR DISTRICT.

- 879. Shankar.
- 880. Sarh.
- 881. Hussainabad.
- 882. Tahli.
- 883. Gure.
- 884. Bopa Rai.
- 885. Chak Mughlani.
- 886. Awan Chaharmi.

HOSHIARPUR DISTRICT.

- 887. Pubowal.
- 888. Kothar.
- 889. Pohlian.
- 890. Dolchar.
- 891. Kungrat.
- 892. Bitan.
- 893. Singh Sur Kalan.
- 894. Gondpur Taraf Vola.
- 895. Gondpur Taraf Jai Chand.

KANGRA DISTRICT.

- 896. Nagrota Bagwan.
- 897. Rehlu.
- 898. Bani.

LAHORE DISTRICT.

- 899. Kahna Nau.
- 900. Manhala Kalan.
- 901. Niazbeg.
- 902. Kanganour.
- 903. Saraich.
- 904. Ladheke Unche.
- 905. Kamanah.
- 906. Jia Bagga.
- 907. Shahpur.
- 908. Shahpur.
- 909. Rampura.
- 910. Dholanwal.
- 911. Lakhodehr.
- 912. Lalkhoki.
- 913. Fatehgarh.
- 914. Lidhar.
- 915. Jallo.
- 916. Her.
- 917. Wahga.
- 918. Kachha.
- 919. Sultanki.

AMRITSAR DISTRICT.

- 920. Sathiala.
- 921. Bundala.
- 922. Pheruman.
- 923. Galewali.
- 924. Bal Khurd & Kalan.
- 925. Nag Kalan.
- 926. Bhorchi Rajputan.
- 927. Kotla Sultan Singh.
- 928. Nurdi.
- 929. Shahbazpur.
- 930. Fatehabad.
- 931. Taroo.
- 932. Thathi Khara.
- 933. Attari including Kahangarh.
- 934. Khadur Sahib.
- 935. Madoke.
- 936. Jasterwal.
- 937. Khiala Kalan.
- 938. Ajnala.
- 939. Sadhar.
- 940. Mahsampur.
- 941. Chawinda Devi including—
- 942. Chogawan and Hidayatpura.
- 943. Tarpai.
- 944. Khaba Rajputan.
- 945. Udo Nangal.
- 946. Chandanke.
- 947. Kathu Nangal.
- 948. Tarsikka.
- 949. Dhardev.
- 950. Jalal Usman.
- 951. Chhajalwaddi.
- 952. Bhoewali.
- 953. Fatehpur Rajputan including—
Chopa.
- 954. Mehta.
- 955. Nagoke.
- 956. Neshta.
- 957. Mode.
- 958. Ruriwala.
- 959. Gandiwind.
- 960. Chambs Kalan.
- 961. Tappa Lakhma.
- 962. Kalla.
- 963. Sohal.
- 964. Pindian.
- 965. Mianwind.
- 966. Nathu ka Buri.

Names of rural areas where compulsion has been enforced—continued.

AMRITSAR DISTRICT—contd.

- 967. Palasaur.
- 968. Kot Mohd. Khan.
- 969. Dode.
- 970. Mano Chabil.
- 971. Raja Sansi.
- 972. Kot Rajada.
- 973. Othian.
- 974. Mohan Bhandari.
- 975. Talwandi Nahir.
- 976. Kaler.
- 977. Kohala.
- 978. Mehlanwala.
- 979. Sadhar.
- 980. Chakmokand.
- 981. Khasa.
- 982. Rampura.
- 983. Khurmanian.
- 984. Dehriwala.
- 985. Bhatteke.
- 986. Jodhe Nagri.
- 987. Shamnagar.
- 988. Marari Kalan.
- 989. Thiriewal.
- 990. Borewal Kang.
- 991. Sohian Kalan.
- 992. Loharka.
- 993. Bhalaipur.
- 994. Sultanwind.
- 995. Varbal.
- 996. Dhand.
- 997. Kairon.
- 998. Kang.
- 999. Bath.
- 1000. Brahmipur.
- 1001. Udhar.
- 1002. Dhariwal.
- 1003. Chetanpur.
- 1004. Awan.
- 1005. Karyal.
- 1006. Wachhoya.
- 1007. Jatta.
- 1008. Passia.
- 1009. Gaggomahil.
- 1010. Ghonewala.
- 1011. Lopoke.
- 1012. Ballarwal.
- 1013. Fatehwal.
- 1014. Sangtu Nangal.

AMRITSAR DISTRICT—conold.

- 1015. Bachiwind.
- 1016. Laskri Nangal.
- 1017. Dag Dogran.
- 1018. Ranewali.
- 1019. Bohalian.
- 1020. Jafarkot.
- 1021. Nangal.
- 1022. Suhawal.
- 1023. Panj Garain.
- 1024. Rurewal.
- 1025. Gagar.
- 1026. Chumra.
- 1027. Sarai Amanat Khan.
- 1028. Gonalwar.
- 1029. Shahabpore.
- 1030. Roreasal.
- 1031. Sarahli Mundan.
- 1032. Cholha Sahib.
- 1033. Sarhali Kalan.
- 1034. Sufian.
- 1035. Samrai.
- 1036. Sultan Mahil.
- 1037. Makowal.
- 1038. Kamalpore.
- 1039. Radola.

GUJRANWALA DISTRICT.

- 1040. Nowshahra Virkan.
- 1041. Nathu Suya.
- 1042. Shamsa Dhada.
- 1043. Budha Goraya.
- 1044. Thatta Gulab Singh.
- 1045. Harchoke.
- 1046. Lil.
- 1047. Gobindpur.
- 1048. Bupra.
- 1049. Kila Mihan Singh.
- 1050. Khabheki.
- 1051. Kamoke.
- 1052. Bharoke Virkan.
- 1053. Nurpur Chabil.
- 1054. Talwandi Rahwali.
- 1055. Gunaur.
- 1056. Santpura.
- 1057. Butala Sharam Singh.
- 1058. Sohawa Dhiluan.
- 1059. Udhowali.
- 1060. Deohri.

[Hon'ble Mr. Manohar Lal.]

*Names of rural areas where compulsion has been enforced—continued.*GUJRANWALA DISTRICT—*concl'd.*

- 1061. Wandho.
- 1062. Butala Jhanda Singh.
- 1063. Gulloke.
- 1064. Khan Muselman.
- 1065. Gorala.
- 1066. Nokhar.
- 1067. Shehni Wala.
- 1068. Bhiri.
- 1069. Talwandi Khajoorwali.
- 1070. Philoke.
- 1071. Ballewala.
- 1072. Kot Bhawani Dass.
- 1073. Lohianwala.
- 1074. Kot Bard Khan.
- 1075. Saib.
- 1076. Wanianwala.
- 1077. Garjakh.
- 1078. Dhanser Pien.
- 1079. Maraliwala.
- 1080. Lambanwali.
- 1081. Lallapur.
- 1082. Jhallan.
- 1083. Mehlowala.
- 1084. Qila Nohad Singh.
- 1085. Chandala.
- 1086. Baddo Rattan.

WAZIRABAD DISTRICT.

- 1087. Kartarpura.
- 1088. Bhatti Bhango.
- 1089. Kot Jafar.
- 1090. Thatta Chhina.
- 1091. Langianwali.
- 1092. Baddoke Gosien.
- 1093. Kot Harkarn.
- 1094. Kaberwala.
- 1095. Wazirke.
- 1096. Ghakka Miter.
- 1097. Nizamabad.
- 1098. Rapnakha.
- 1099. Kalewala Chima.
- 1100. Kot Bhaga.
- 1101. Dilawar.
- 1102. Jamke Chattha.
- 1103. Dharowal.
- 1104. Kakka Kaulo.
- 1105. Nadala Pacca.
- 1106. Khivewali.

WAZIRABAD DISTRICT—*cont'd.*

- 1107. Bhoma.
- 1108. Wayanwali.
- 1109. Kot Jahangir.
- 1110. Kaliske.
- 1111. Ladhewala Chima.
- 1112. Pathanwali.
- 1113. Ahmadnagar.
- 1114. Saroke.
- 1115. Dehla Chatha.
- 1116. Pandorian Kalan.
- 1117. Bharoki Chima.
- 1118. Khanke.
- 1119. Kot Hara.
- 1120. Jhamwala.
- 1121. Natt Kalan.
- 1122. Mandhiala Chata.
- 1123. Mansurwali.
- 1124. Biaka Chima.
- 1125. Jaura.
- 1126. Gilwala.
- 1127. Kot Inayat Khan.
- 1128. Kot Waris.
- 1129. Chaura.
- 1130. Behram.
- 1131. Dhamkal.
- 1132. Adal Garh.
- 1133. Mardeke.
- 1134. Gakhar.
- 1135. Jandiala Dhabwala.
- 1136. Laveriwala.
- 1137. Hazrat Kailianwala.
- 1138. Par Lakhan.
- 1139. Vinni.
- 1140. Kot Salim.
- 1141. Suiyanwala.
- 1142. Beriwal.
- 1143. Nothen.
- 1144. Mian Rahiman.
- 1145. Kot Ghazi.
- 1146. Matteki.
- 1147. Bhaka Bhattian.
- 1148. Dohatta Azmat.
- 1149. Ramke Chatha.
- 1150. Tharra Nank.
- 1151. Madhora Kalan.
- 1152. Wanike Tarrar.
- 1153. Kot Nakka.
- 1154. Kot Hasan Khan.

Names of rural areas where compulsion has been enforced—continued.

WAZIRABAD DISTRICT—conold.

- 1155. Beranwala, Chak No. 2.
- 1156. Jandoke.
- 1157. Chak Bhatti.
- 1158. Mahmudpur.
- 1159. Rampur Tarrar.
- 1160. Pilo.
- 1161. Jalalpur Bhattian.
- 1162. Ghabrikka.
- 1163. Kot Sarwar.
- 1164. Thatta Jahad.
- 1165. Pir Kumal.
- 1166. Kot Sujana.
- 1167. Kot Ishaq.
- 1168. Kaliauwala.
- 1169. Mandi Sukheke.
- 1170. Garhi Gondal.
- 1171. Sukheki village.
- 1172. Hardo Ratta.
- 1173. Machhu Nikka.
- 1174. Mirza Bhattian.
- 1175. Ragho.
- 1176. Kaulo Tarrar.
- 1177. Mochiwala.
- 1178. Kila Murad Bakhsh.
- 1179. Pindi Bavra.
- 1180. Sagar Kalan.

SHEIKHUPURA DISTRICT.

- 1181. Chak No. 8 (Anandgarh).
- 1182. Chak No. 4-G. B.
- 1183. Chak No. 6-G. B.
- 1184. Chak No. 2 (Chandernagar).
- 1185. Chak No. 179-R. B.
- 1186. Chak Bhola.
- 1187. Nathuwala.
- 1188. Aya Nagar.
- 1189. Awan Lobana.
- 1190. Dhero Hinduan.
- 1191. Kot Pindi Dass, including—
- 1192. Chuhewala Wandala.
- 1193. Khudiala.
- 1194. Khunda.
- 1195. Mahe, including Chamba Ajo Chak.
- 1196. & 1197. Jiwan Goraya.
- 1198. Ghuchli Virk, including
- 1199-1200. Kotli Virk, Jhanda.

SHEIKHUPURA DISTRICT—contd.

- 1201. Farkhino, Dhundi.
- 1202. Garval.
- 1203. Chhapanwali.
- 1204. Allahabad No. 5.
- 1205. Hemrajpora.
- 1206. Jhuer.
- 1207. Thatha Qadir Shah, including—
- 1208. Theri, Kot Mirza Jugian to Lagar.
- 1214. Jugian Tahllian Chak Jindo, Jugian Mauli, Awan.
- 1215. Chuharkhana old village
- 1216. Kakar Gill.
- 1217. Butar.
- 1218. Aliabad.
- 1219. Amarkot.
- 1220. Ramgarh.
- 1221. Makki 525.
- 1222. Hembo Chak 578.
- 1223. Qila Sujana Singh.
- 1224. Bahar.
- 1225. Hamiroke.
- 1226. Dharmapura.
- 1227. Dharowali, including—
- 1228. Kariwal, Maur.
- 1229. Baddomali.
- 1230. Hardo Bhandoke.
- 1231. Mandhiala.
- 1232. Pindorian, including Sianwal.
- 1233. Durgi.
- 1234. Bhular.
- 1235. Ajnianwala.
- 1236. Mangal Singh Wala.
- 1237. Sheroke, including Jhok.
- 1238. Ghandra Chammanwala.
- 1239. Swanke.
- 1240. Mohammadpura.
- 1241. Rasulpura, including—
- 1242. Gilwala, Jauranwala.
- 1243. Adilgarh, Jhandianwala.
- 1244. Tiphi, Tolanwala.
- 1245. Gobindgarh.
- 1246. Gajiana, including Thatha.
- to 1249. Nastar, Chambal, Thatha Ali.
- 1250-52. Shahkot, including Chak 84, Chak 88.
- 1253. Dhaban Singh No. 81.
- 1254. Mallian Kalan.

[Hon'ble Mr. Manohar Lal.]

*Names of rural areas where compulsion has been enforced—continued.*SHEIKHUPURA DISTRICT—*concl'd.*

- 1255-57. Thatha Isa, including Kot
Husain, Thatha Husain.
1258. Kot Nizam Din.
1259. Mipur Bar.
1260. Kamalpur.
1261. Machralla.
1261. Lamrupura.
1263. Chak No. 19.
1264. Burala.
1265. Martinpur.
1266. Youngsonabad.
1267-70. Dhari, including Pipalwala
Thatha Ismail, Thatha Nur.
1271. Alipur.
1272. Mahmuniwala.
1273. Bahawal Kot.
1274. Jasni Kalan.
1275. Baghiavi.
1276. Fateh Darao.
1277. Mirapur.
1278. Wazira.
1279. Murade Kalan.
1280. Malowal.
1281. Bhikhi.
1282. Nurpur Virkan.
1283. Amba Rausian.
1284. Khiare Kalan.
1285. Thatha Khattian.
1286. Feroze.
1287. Virke Bath.
1288. Mandi Marh Bilochan.
1289. Jamke.
1290. Harde Ladeke.
1291. Gunian, Chak 17.
1292. Faizpur Kalan.
1293. Dhamke.
1294. Sahid.
1295. Chak No. 13.
1296. Kot Kohd.
1297. March Bhangwan.
1298. Burjattari.
1299. Gurmula Chak 12.
1300. Qureshianwala.
1301. Bhagian.
1302. Madana.
1303. Bukanwal.
1304. Faizpur Khurd.

SIALKOT DISTRICT.

Nil.

GURDASPUR DISTRICT.

Nil.

GUJRAT DISTRICT.

1305. Haryanwala.
1306. Jaura Karnana.
1307. Sahna.
1308. Lakkanwal.
1309. Ajnala.
1310. Jokalian.
1311. Guliana.
1312. Dhorla.
1313. Goleki.
1314. Gill.
1315. Rukkan.
1316. Chelianwala.
1317. Peroshah.
1318. Chak Mana.
1319. Qiladar.
1320. Kothala.
1321. Bhalolpur.
1322. Jalalpur Sobatian.
1323. Fatehpur.
1324. Hajiwala.
1325. Makiana.
1326. Ghansia.
1327. Miana Gondal.
1328. Channi Ghena.
1329. Busal.
1330. Shahidanwala.
1331. Harya.
1332. Chak No. 40.
1333. Mong.
1334. Mangat.
1335. Khiwa.
1336. Ghanian.
1337. Helan.
1338. Qadarabad.
1339. Pahrianwala.
1340. Chhokar.
1341. Sikaryali.
1342. Pindi Kalu.
1343. Dittewal.

*Names of rural areas where compulsion has been enforced—continued.*GUJRAT DISTRICT—*conold.*

- 1344. Haslanwala.
- 1345. Kulewal.
- 1346. Puran.
- 1347. Sadullahpur.
- 1348. Mandi Bhalwal.
- 1349. Goral.
- 1350. Khor.
- 1351. Malka.
- 1352. Aima Shahji.
- 1353. Khohar.
- 1354. Kotla Qasim Khan.
- 1355. Makhanwala.
- 1356. Besa Kalan.

SHAHPUR DISTRICT.

- 1357. Thatti Noor.
- 1358. Chak 22-S. B.
- 1359. Chak 26-S. B.
- 1360. Chak 70-S. B.
- 1361. Chak 80-S. B.
- 1362. Chak 55-S. B.
- 1363. Chak 53-S. B.
- 1364. Chak 37-S. B.
- 1365. Chak 32-S. B.
- 1366. Chak 35-S. B.
- 1367. Chak 131-S. B.
- 1368. Chak 23-S. B.
- 1369. Chak 27-S. B.
- 1370. Chak 71-S. B.
- 1371. Chak 45-S. B.
- 1372. Chak 56-S. B.
- 1373. Chak Jodh-S. B.
- 1374. Chak 40-S. B.
- 1375. Chak 36-S. B.
- 1376. Chak 133-S. B.
- 1377. Chak 24-S. B.
- 1378. Chak 51-S. B.
- 1379. Chak 73-S. B.
- 1380. Chak 44-S. B.
- 1381. Chak 57-S. B.
- 1382. Chak 64-A., S. B.
- 1383. Chak 41-S. B.
- 1384. Chak 38-S. B.
- 1385. Chak 127-S. B.
- 1386. Chak 136-S. B.
- 1387. Chak 25-S. B.
- 1388. Chak 51-A.-S. B.
- 1389. Chak 74-S. B.

SHAHPUR DISTRICT—*contd.*

- 1390. Chak 43-S. B.
- 1391. Chak 52-S. B.
- 1392. Chak 54-S. B.
- 1393. Chak 42-S. B.
- 1394. Chak 34-S. B.
- 1395. Chak 135-S. B.
- 1396. Chak 64-S. B.
- 1397. Nali.
- 1398. Chak 92-S. B.
- 1399. Chak 91-S. B.
- 1400. Chak 129-S. B.
- 1401. Chak 88-S. B.
- 1402. Chak 119-S. B.
- 1403. Chak 50-S. B.
- 1404. Chak 87-S. B.
- 1405. Chak 120-S. B.
- 1406. Chak 116-S. B.
- 1407. Theri.
- 1408. Chak 75-S. B.
- 1409. Chak 30-S. B.
- 1410. Midh Ranjah.
- 1411. Chak 106-N. B.
- 1412. Chak 102-N. B.
- 1413. Pail.
- 1414. Chak 34-N. B.
- 1415. Chak 35-N. B.
- 1416. Chak 135-N. B.
- 1417. Bhabra.
- 1418. Joya.
- 1419. Kaura.
- 1420. Chanki.
- 1421. Bandial.
- 1422. Nurowana.
- 1423. Jabbi.
- 1424. Behak Mekan.
- 1425. Ajnala.
- 1426. Chak 132-S. B.
- 1427. Chak 36-N. B.
- 1428. Chak 95-S. B.
- 1429. Dhul Kadi.
- 1430. Dhirowal.
- 1431. Mari.
- 1432. Jharkal.
- 1433. Sandral.
- 1434. Nari.
- 1435. Tilokar.
- 1436. Dhak.
- 1437. Ukhli Mohla.

[Hon'ble Mr. Manohar Lal.]

*Names of rural areas where compulsion has been enforced—continued.***SHAHPUR DISTRICT—consold.**

- 1438. Kund.
- 1439. Naushehra.
- 1440. Kufri.
- 1441. Chak 122-N. B.
- 1442. Chak 121-N. B.
- 1443. Chak 120-N. B.
- 1444. Chak 125-N. B.
- 1445. Chak 133-N. B.
- 1446. Chak 181-N. B.
- 1447. Bunga Chhel.
- 1448. Uppi.
- 1449. Lak.
- 1450. Dharema.
- 1451. Kotmomañ.
- 1452. Chak 98-N. B.
- 1453. Langranwala.
- 1454. Dhaul.
- 1455. Lal Husain.
- 1456. Haveli Chiragh.
- 1457. Wattoo.
- 1458. Chandna.
- 1459. Jana.
- 1460. Nihang.
- 1461. Panjpir.
- 1462. Thatta Surab.
- 1463. Village Bhai Khan.
- 1464. Kot Bhaikhan.
- 1465. Chak 75-N. B.
- 1466. Aki.
- 1467. Ahli Kamboh.
- 1468. Janda Kiman.
- 1469. Tikhanwala.
- 1470. Mohd. Ali Wala.
- 1471. Shaikh Jalil.
- 1472. Haweli Nathuka.
- 1473. Thatti Sahibzada.
- 1474. Chak 162-N. B.
- 1475. Chak 163-N. B.
- 1476. Chak 164-N. B.
- 1477. Chak 165-N. B.
- 1478. Uchhali.
- 1479. Daiwal.
- 1480. Sabhral.
- 1481. Phullerwan.

JHELUM DISTRICT.

- 1482. Bhet.
- 1483. Lehri.

JHELUM DISTRICT—consold.

- 1484. Domeli.
- 1485. Maira.
- 1486. Chak Abdul Khaliq.
- 1487. Sohawa.
- 1488. Adrana.
- 1489. Gagar Kalan.
- 1490. Jandala.
- 1491. Bangial.
- 1492. Gadari.
- 1493. Panchora.
- 1494. Khanpur.
- 1495. Kunde.
- 1496. Bhowan.
- 1497. Ghazial.
- 1498. Karyala.
- 1499. Tatral.
- 1500. Pinwal.
- 1501. Dhab Kalan.
- 1502. Dullah.
- 1503. Mingan.
- 1504. Mehra Korchashm.
- 1505. Diwalian.
- 1506. Gugh.
- 1507. Thanil Kamal.
- 1508. Bamla.
- 1509. Dharyala Jalap.
- 1510. Sardhi.
- 1511. Pindi Kukar.
- 1512. Sauwal.
- 1513. Dhri Sayadañ.
- 1514. Khewra.
- 1515. Nawanolok.
- 1516. Golepur.
- 1517. Rawal.
- 1518. Toba.
- 1519. Ahmad Abad.
- 1520. Langar.
- 1521. Chak Khushi.
- 1522. Chak Shaffi.
- 1523. Dalelpur.
- 1524. Jotana.

RAWALPINDI DISTRICT.

- 1525. Guliana.
- 1526. Missa Keswal.
- 1527. Bhaner Kaswal.
- 1528. Gujar Khan.
- 1529. Kaniat Khali.

Names of rural areas where compulsion has been enforced—continued.

RAWALPINDI DISTRICT—contd.

RAWALPINDI DISTRICT—contd.

- 1580. Jand Mehlu.
- 1581. Bijrana Kanyal
- 1582. Darkala.
- 1583. Thikaryan.
- 1584. Bhai Khan.
- 1585. Mangot.
- 1586. Sayyed.
- 1587. Mankiala Brahminan.
- 1588. Kurree Dalal.
- 1589. Nur Dalal.
- 1590. Dhang Dev.
- 1591. Bhata Malyaran.
- 1592. Jero Ratyal.
- 1593. Bhangali Gujar.
- 1594. Dara Kayal.
- 1595. Jand Nijar.
- 1596. Sahng.
- 1597. Darkali Khurd.
- 1598. Machhia.
- 1599. Bhanot.
- 1600. Jhangi Pheru.
- 1601. Bheir Kalyal.
- 1602. Bewal.
- 1603. Ratala.
- 1604. Harnal.
- 1605. Sakho and Mohra Kanyal.
- 1606. Kuntrilla and its suburbs.
- 1607. Nirali.
- 1608. Qazian.
- 1609. Bhagam.
- 1610. Ghungrilla.
- 1611. Daultala.
- 1612. Malpur.
- 1613. Khuram Gujar.
- 1614. Thalian.
- 1615. Jabbar Darwesh.
- 1616. Mohra Bhattan.
- 1617. Shakkar Pari.
- 1618. Rawat.
- 1619. Dhalla.
- 1620. Wani.
- 1621. Kirpa.
- 1622. Nakrali.
- 1623. Takhtipari.
- 1624. Usman Khatta.
- 1625. Sihala.
- 1626. Lodhra.
- 1627. Kurree.

- 1578. Jagiot.
- 1579. Dheri Shahan.
- 1580. Chirah.
- 1581. Pang Giran.
- 1582. Mohra Darogha.
- 1583. Naugazi.
- 1584. Bhara Cow.
- 1585. Maira Mohra.
- 1586. Maira Kalan.
- 1587. Chak Shah Dad.
- 1588. Bhangril.
- 1589. Jhatha Hathial.
- 1590. Timber Raytal.
- 1591. Mankiala.
- 1592. Lohi Bher.
- 1593. Banda.
- 1594. Sagri and its adjoining villages.
- 1595. Bassali.
- 1596. Nun.
- 1597. Harraka.
- 1598. Khana Dak.
- 1599. Mughal.
- 1600. Adiala.
- 1601. Chuhr Harpal.
- 1602. Sang Jani.
- 1603. Sheikhpur.
- 1604. Dalhar.
- 1605. Jhangi Sayyadan.
- 1606. Maira Mohra.
- 1607. Kahuta.
- 1608. Thoha Khalsa.
- 1609. Mawara.
- 1610. Batala.
- 1611. Baghar.
- 1612. Balhar.
- 1613. Chauk Pindori.
- 1614. Pind Bainso.
- 1615. Smot.
- 1616. Dhamali.
- 1617. Jeora.
- 1618. Aliot.
- 1619. Bhaun.
- 1620. Hathla.
- 1621. Manyand.
- 1622. Hanesar.
- 1623. Bhid.
- 1624. Tapyali.

[Hon'ble Mr. Manohar Lal.]

*Names of rural areas where compulsion has been enforced—continued.*RAWALPINDI DISTRICT—*contd.*

- 1625. Sai.
- 1626. Dalheter.
- 1627. Kanoha.
- 1628. Bhalakhar.
- 1629. Dobheran Kalan.
- 1630. Arazi.
- 1631. Dera Kalsa.
- 1632. Dakhali.
- 1623. Kamra.
- 1624. Kera.
- 1625. Khad.
- 1626. Kahuta.
- 1627. Samblah.
- 1628. Bishandot.
- 1629. Ghanoyan (Lehtra).
- 1630. Bhora Hayall.
- 1631. Keri.
- 1632. Skot.
- 1633. Sarsubashah.
- 1634. Lehrar Bala.
- 1635. Sehr.
- 1636. Phalina.
- 1637. Mirgala Khalsa.
- 1638. Kallar.
- 1639. Nara.
- 1640. Maira and Dodhilli.
- 1641. With Matore.
- 1642 & 1643. Beor and Janhattal.
- 1644. Lehri.
- 1645. Choha Kalsa.
- 1646. Ausia.
- 1647. Kotli.
- 1648. Ban.
- 1649. Daryagli.
- 1650. Dhirkot.
- 1651. Dhanda.
- 1652. Ghoragali.
- 1653. Potha.
- 1654. Phagwari.
- 1655. Sehrabagla.
- 1656. Ariari.
- 1657. Darnohian.
- 1658. Bansragali.
- 1659. Chhattar.
- 1660. Nandkot.
- 1661. Daleh.
- 1662. Anguri.

RAWALPINDI DISTRICT—*conold.*

- 1668. Ghui.
- 1664. Saneho.
- 1665. Mohra Batnora.
- 1666. Masot.
- 1667. Talot.
- 1668. Bandi.
- 1669. Wagal.
- 1670. Dani Bagal.
- 1671. Aujinah.
- 1672. Sain.
- 1673. Barhad.
- 1674. Aliot.
- 1675. Namb Behramal.
- 1676. Sarba.
- 1677. Sillah Sayyadan.
- 1678. Phaphril.
- 1679. Mohra Sayyadan.
- 1680. Kala Bassand.
- 1681. Beaga.
- 1682. Gehl.
- 1683. Kakrai.
- 1684. Dewal.
- 1685. Karor.
- 1687. Tret.

ATTOCK DISTRICT.

- 1688. Bahadur Khan.
- 1689. Mamdot.
- 1690. Dhulial.
- 1691. Titral.
- 1692. Saroba.
- 1693. Shahbazpur.
- 1694. Paurmiana.
- 1695. Chinji.
- 1696. Bhal.
- 1697. Qutal.
- 1698. Parial.
- 1699. Gakhar.
- 1700. Godho.
- 1701. Dhermond.
- 1702. Chauntra.
- 1703. Adhwal.
- 1704. Nara.
- 1705. Girdi.
- 1706. Chehan.
- 1707. Kisran.
- 1708. Thatta.
- 1709. Basal.

Names of rural areas where compulsion has been enforced—continued.

ATTOCK DISTRICT—conold.

- 1710. Malahi Tala.
- 1711. Dandi.
- 1712. Dandi.
- 1713. Tut.
- 1714. Trap.
- 1715. Nakka Kahut.
- 1716. Shah Mohdwali.
- 1717. Kot Sarang.
- 1718. Tehi.
- 1719. Chakri.
- 1720. Sihai.
- 1721. Sangral.

MIANWALI DISTRICT.

- 1722. Chhidru.
- 1723. Tari Khel.
- 1724. Tibba Mehrban Shah.
- 1725. Harnoli.
- 1726. Mai Roshan.
- 1727. Gulmiriwala.
- 1728. Khola.
- 1729. Kanjan.
- 1730. Chap Sandhi.
- 1731. Ummarwala.
- 1732. Phathi.
- 1733. Wichwen.
- 1734. Noon.
- 1735. Shadia.
- 1736. Kallure Kote.
- 1737. Kalri.
- 1738. Rojhri.
- 1739. Dabb.
- 1740. Hathi Kanwala.
- 1741. Khabari.
- 1742. Chah Ghulamaliwala.
- 1743. Piplan.
- 1744. Maibal.
- 1745. Darya Khan.
- 1746. Musa Khel.
- 1747. Abba Khel.
- 1748. Bori Khel.
- 1749. Mamunwali.
- 1750. Yarbegi.
- 1751. Chakrala.
- 1752. Thamewali.
- 1753. Jhor.
- 1754. Jhok Ali Khan.
- 1755. Dhurnaka.

MIANWALI DISTRICT—conold.

- 1746. Khaglanwala.
- 1747. Dhibba.
- 1748. Kalwal.
- 1749. Mian Mohdwala.
- 1750. Rikhi.
- 1751. Sultanwala.
- 1752. Ghulaman.
- 1753. Bani Afghanan.
- 1754. Nehrewala.
- 1755. Daliliwala.
- 1756. Silwan.
- 1757. Notak.
- 1758. Rodi.
- 1759. Tibba Naina.
- 1760. Musiwalai.
- 1761. Bakhra.
- 1762. Yaru Khel.
- 1763. Beruli.
- 1764. Dheli Namdar.
- 1765. Bala.
- 1766. Namal.
- 1767. Ban Sumbal.
- 1768. Wan Bhachran.
- 1769. Ding.
- 1770. Dagar Wagwrah.
- 1771. Dhala Azmat Khanwala.

MULTAN DISTRICT.

- 1782. Makhdum Rashid.
- 1783. Fatehpur.
- 1784. Jahangirabad.
- 1785. Tom Tolamba.
- 1786. Zarkot.
- 1787. Cattle farm, Chak No. 99.
- 1788. Makhdumpur.
- 1789. Mailsi.
- 1790. Jafrabad.
- 1791. Amirpur.
- 1792. Sardarpur.

DERA GHAZI KHAN DISTRICT.

- 1793. Chhoti Zerai.
- 1794. Choti Bala.
- 1795. Nutkani.
- 1796. Lund.
- 1797. Samina.
- 1798. Tibbi Qasrani.
- 1799. Hairo East.

[Hon'ble Mr. Manohar Lal.]

*Names of rural areas where compulsion has been enforced—continued.***DERA GHAAZI KHAN DISTRICT—concl'd.**

- 1801. Mana.
- 1802. Bandowani.
- 1803. Hajipur.
- 1804. Fazilpur.
- 1805. Kohar.
- 1806. Kot Qasrani.
- 1807. Retra.
- 1808. Makwal.
- 1809. Paigan.
- 1810. Kot Chutta.
- 1811. Drahman.
- 1812. Mantam.
- 1813. Sheru.
- 1814. Litra.
- 1815. Sokar.
- 1816. Mangrotha East.
- 1817. Yaru.
- 1818. Jhok Utra.

MONTGOMERY DISTRICT.

- 1819. Harrapa.
- 1820. Nurshah.
- 1821. Jakhar.
- 1822. Sadar Gogera.
- 1823. Jandarka.
- 1824. Kamman.
- 1825. Baman Bala.
- 1826. Akbar.
- 1827. Satghara.
- 1828. Fatehpur.
- 1829. Dipalpur.
- 1830. Hujra.
- 1831. Haveli.
- 1832. Shergarh.
- 1833. Dhulliana.
- 1834. Chak Gandasifigh.
- 1835. Qila Diwan Singh.
- 1836. Qila Deva Singh.
- 1837. Malkan Hans.
- 1838. Bunga Hayat.
- 1839. Chak 33-4-L.
- 1840. Chak 4-14-XX. L.
- 1841. Qabula.
- 1842. Chak 73-5-L.
- 1843. Kaler Kalan.
- 1844. Chak 34-4-L.
- 1845. Pirke Haveli.
- 1846. Budh Dhakku.

MONTGOMERY DISTRICT—concl'd.

- 1847. Chak 111-7-A. R.
- 1848. Chak 28-11-L.
- 1849. Chak 8-11-L.
- 1850. Chak 7-11-L.
- 1851. Chak 38-12-L.
- 1852. Chak 45-12-L.
- 1853. Lishari.
- 1854. Chak 2-10-L.
- 1855. Jamalkot.
- 1856. Naushehra Jamiera.
- 1857. Tanbar.
- 1858. Pir Hayat.
- 1859. Warsin.
- 1860. Hakim Sidharke.
- 1861. Lalupur.
- 1862. Hamman Rath.
- 1863. Maleketaru.
- 1864. Chak Mehdi Khan.
- 1865. Naman Jindeka.
- 1866. Ladhewal.
- 1867. Hota.
- 1868. Chura Maneka.
- 1869. Chak 27-4-L.
- 1870. Chak 70-5-L.
- 1871. Chak 110-9-L.
- 1872. Chak 64-4-R.
- 1873. Chak 40-3-R.
- 1874. Chak 15-1-R.
- 1875. Sheikhu.
- 1876. Kohla.
- 1877. Chak 40-G. D.
- 1878. Chuchak.
- 1879. Faridkot.
- 1880. Attari.
- 1881. 41-G. D.
- 1882. Bhaun.
- 1883. Kanduwala Sarai.
- 1884. Pipal Pahar.
- 1885. Chak Jawahar Singh.
- 1886. Rukunpura.
- 1887. Jethpur.
- 1888. Chak 58-5-L.
- 1889. Chak 99-9-L.

MUZAFFARGARH DISTRICT.

- 1890. Bakhri Ahmad Khan.
- 1891. Sultanpur.
- 1892. Pirhar Gharbi.

Names of rural areas where compulsion has been enforced—continued.

MUZAFFARGARH DISTRICT—contd.

1898. Samti.
1894. Sinawan.
1895. Daphi Makori.
1896. Khari Azim.
1897. Laskaniwala.
1898. Shahpur Doratta.
1899. Mahmudkot.
1900. Buchiwala.
1901. Umarpur.
1902. Basti Qazi.
1903. Miranpur.
1904. Khokar Isra.
1905. Shinwala.
1906. Gurmani.
1907. Thatha Gurmani.
1908. Kabir Gopang.
1909. Basti Adam.
1910. Thatha Siyalan.
1911. Tibi Nupari.
1912. Jhangra.
1918. Sonhara.
1914. Ali Dah.
1915. Mahmubwala.
1916. Aliwala.
1917. Manban.
1918. Ahsanpur.
1919. Khuawar.
1920. Chabakpur.
1921. Diwala.
1922. Basti Jarh.
1923. Jaman Shah.
1924. Nawankot.
1925. Basti Arif.
1926. Fatehpur South.
1927. Shugiwala.
1928. Sirki.
1929. Balu Sandila.
1930. Daulatwali.
1931. Shah Habib.
1932. Chaubara.
1933. Qureshi.
1934. Gulwala.
1935. Sabzojat.
1936. Alipur Shumali.
1937. Mahal Khaki.
1938. Shah Garh.
1939. Fatehpur.
1940. Basti Ghulam Haider Khan.

MUZAFFARGARH DISTRICT—concl.

1941. Bet Warianwala.
1942. Amirpur.
1943. Bet Angra.
1944. Dinpur.
1945. Khokarwala.
1946. Tibi Khurd.
1947. Wara Siran Kohna.
1948. Hassan Sher.
1949. Jharkal.
1950. Munda.
1951. Sheikh Umar.
1952. Hala.
1953. Haider Ghazi.
1954. Bet Lombarwala.
1955. Budh.
1956. Ishaq Ishaq.
1957. Rangpur.
1958. Uttra Sandila.
1959. Ganga.
1960. Basti Kharik.
1961. Ali Abrind.
1962. Langar Serai.
1963. Dogar Kalasra.
1964. Rao Bela Sharqi.
1965. Dharampur.
1966. Jahan Khan.
1967. Bilewala.
1968. Phulari.
1969. Bhambri.
1970. Kundai.
1971. Basti Nabi Bakhsh.
1972. Basira.
1973. Kinjhar.
1974. Qureshi.
1975. Brahimwali.
1976. Mochiwali.
1977. Jhandewali.
1978. Gudara.
1979. Sharif Chijra.
1980. Kotla Gamun.
1981. Manham.
1982. Naushera.

JHANG DISTRICT.

1983. Chund Bhargwana.
1984. Dhul Mohd.
1985. Mandi Shah Jiwana.
1986. Chak 458.

[Hon'ble Mr. Manohar Lal.]

*Names of rural areas where compulsion has been enforced—continued.*JHANG DISTRICT—*contd.*

- 1987. Gilmala.
- 1988. Qutab.
- 1989. Chak 456.
- 1990. Jhok Daya.
- 1991. Buta Kotla.
- 1992. Bullo.
- 1993. Haveli Mandar Durgiana.
- 1994. Bhero.
- 1995. Roranwala.
- 1996. Kariwala.
- 1997. Khutiana.
- 1998. Bhamla.
- 1999. Jhok Usman.
- 2000. Ashaba.
- 2001. Deraj.
- 2002. Pindi Madoki.
- 2003. Mazari.
- 2004. Hassan Khan.
- 2005. Mari Shah Sakhira.
- 2006. Majhi Sultan.
- 2007. Sahjar.
- 2008. Chhatta.
- 2009. Ratta Matta.
- 2010. Kiran.
- 2011. Bhon.
- 2012. Kot Mool Chand.
- 2013. Qadirpur.
- 2014. Thatha Jabana.
- 2015. Kot Khera.
- 2016. Lau.
- 2017. Kot Isa Shah.
- 2018. Kalera.
- 2019. Chak 165.
- 2020. Chak 262.
- 2021. Vijhlana.
- 2022. Aura.
- 2023. Kot Shakir.
- 2024. Ghansepur.
- 2025. Chak 189.
- 2026. Chak 282.
- 2027. Dhulke.
- 2028. Tahli Gadanwali.
- 2029. Nadha Ghar.
- 2030. Wasu Astana.
- 2031. Satiana.
- 2032. Kot Khan.
- 2033. Sheikh Ghuhr.
- 2034. Chak 267.

JHANG DISTRICT—*contd.*

- 2035. Chak 181.
- 2036. Pakkewala.
- 2037. Chak 254.
- 2038. Chak 250.
- 2039. Khanoana.
- 2040. Habib (Branch).
- 2041. Pirkot Sidhana.
- 2042. Massan.
- 2043. Mulkhiana.
- 2044. Khiwa.
- 2045. Chak 256.
- 2046. Chak 173.
- 2047. Chak 449.
- 2048. Chela.
- 2049. Sher Chakar.
- 2050. Wasil Shah.
- 2051. Balin (Branch).
- 2052. Shah Jiwana.
- 2053. Ballo Shahabal.
- 2054. Kot Ibrahim.
- 2055. Chak 268.
- 2056. Rajana.
- 2057. Rashidpur.
- 2058. Chak 175.
- 2059. Chak 215.
- 2060. Chak 216.
- 2061. Chak 171.
- 2062. Chak 448.
- 2063. Ban Mirali.
- 2064. Thathi Said Ibrahim.
- 2065. Mochiwala.
- 2066. Sultanpur.
- 2067. Mochiwal.
- 2068. Haveli Lal.
- 2069. Dhabbi.
- 2070. Kot Maldev.
- 2071. Langar Makhdum.
- 2072. Ahmadabad.
- 2073. Pir Panja.
- 2074. Jaisal.
- 2075. Bhorani Karianwali.
- 2076. Chak 144.
- 2077. Barana.
- 2078. Chak 138.
- 2079. Chak 138.
- 2080. Chak 152.
- 2081. Chak 200.
- 2082. Chak 210.

Names of rural areas where compulsion has been enforced—continued.

JHANG DISTRICT—contd.

- 2083. Chak 225.
- 2084. Chak 241.
- 2085. Bhoana.
- 2086. Kandiwal.
- 2087. Pacca.
- 2088. Bukhari.
- 2089. Jhangar Gilotran.
- 2090. Harsa Sheikh.
- 2091. Chak 221.
- 2092. Chak 10.
- 2093. Thatha Mohd. Shah.
- 2094. Chak 156.
- 2095. Chak 229.
- 2096. Chak 187.
- 2097. Chak 240.
- 2098. Wala.
- 2099. Muradwala.
- 2100. Asian.
- 2101. Chak 125.
- 2102. Kot Sultan.
- 2103. Taja Berwala.
- 2104. Panjewala.
- 2105. Thathi Bala Raja.
- 2106. Tahli Mangini.
- 2107. Sheikhhan.
- 2108. Chak 478.
- 2109. Chak 481.
- 2110. Chak 483.
- 2111. Chak 485.
- 2112. Chak 489.
- 2113. Waryam.
- 2114. Haveli Bahadur Shah.
- 2115. Hassu Bala.
- 2116. Nekokara.
- 2117. Garh Maha Raja.
- 2118. Dab Kalan.
- 2119. Ludha Mahni.
- 2120. Samandoana.
- 2121. Kakki Nau.
- 2122. Jalalpur Kamla.
- 2123. Hassuwali.
- 2124. Yarewala.
- 2125. Allah Yar Jata.
- 2126. Fauja Dhara.
- 2127. Mad Rajhana.
- 2128. Islampur.
- 2129. Budhoana.
- 2130. Dharopa.

JHANG DISTRICT—concd.

- 2131. Rustam Sargana.
- 2132. Kotla Mohd. Zarif.
- 2133. Dargai Shah.
- 2134. Bhangu.
- 2135. Khaki Lakhi.
- 2136. Lasheri.
- 2137. Ranjit Kot.

LYALLPUR DISTRICT.

- 2138. Chak 84-G.
- 2139. Chak 86-G.
- 2140. Chak 90-G.
- 2141. Chak 108-G.
- 2142. Chak 67-G.
- 2143. Awagat.
- 2144. Chak 70-G.
- 2145. Chak 865-G.
- 2146. Chak 867-G.
- 2147. Kot Kholia.
- 2148. Chak 256-G.
- 2149. Chak 250-G.
- 2150. Chak 253-G.
- 2151. Chak 249-G.
- 2152. Chak 241-G.
- 2153. Chak 178-G.
- 2154. Chak 181-G.
- 2155. Chak 245-G.
- 2156. Chak 35-G.
- 2157. Chak 88-G.
- 2158. Satiana.
- 2159. Chak 113-G.
- 2160. Chak 68-G.
- 2161. Chak 72-G.
- 2162. Chak 863-G.
- 2163. Chak 866-G.
- 2164. Chak 868-G.
- 2165. Mohd. Shah.
- 2166. Chak 254-G.
- 2167. Chak 257-G.
- 2168. Chak 251-G.
- 2169. Chak 247-G.
- 2170. Chak 246-G.
- 2171. Chak 242-G.
- 2172. Chak 179-G.
- 2173. Chak 182-G.
- 2174. Chak 66-G.
- 2175. Chak 69-G.

[Hon'ble Mr. Manohar Lal.]

Names of rural areas where compulsion has been enforced—concluded.

LYALLPUR DISTRICT—contd.

- 2176. Chak 78-G.
- 2177. Chak 364-G.
- 2178. Sial.
- 2179. Hassoka Thatha.
- 2180. Chak 255-G.
- 2181. Chak 258.

LYALLPUR DISTRICT—concl.

- 2182. Chak 252-G.
- 2183. Chak 248-G.
- 2184. Chak 249-G.
- 2185. Chak 244-G.
- 2186. Chak 180-G.
- 2187. Chak 183-G.

Names of urban areas where compulsion has been enforced.

- | | |
|--|---|
| 1. Beri. | 23. Multan City. |
| 2. Rohtak. | 24. Shujabad. |
| 3. Bahadurgarh. | 25. Municipal Committee, Dera Ghazi Khan. |
| 4. Gohana. | 26. Municipal Committee, Jampur. |
| 5. Jhajjar. | 27. Municipal Committee, Rajanpur. |
| 6. Rewari. | 28. Municipal Committee, Dajal. |
| 7. Ballabgarh. | 29. Notified Area Committee, Okara. |
| 8. Palwal. | 30. Municipal Committee, Montgomery. |
| 9. Karnal. | 31. Municipal Committee, Kamalia. |
| 10. Panipat. | 32. Municipal Committee, Pakpattan. |
| 11. Kaithal. | 33. Alipur Municipal Committee. |
| 12. Thanesar. | 34. Muzaffargarh Municipal Committee. |
| 13. Municipal Committee, Rupar. | 35. Leiah. |
| 14. *Small Town Committee, Kalka. | 36. Municipal Committee, Gojra. |
| 15. Bazar of Municipal Committee, Simla. | 37. Small Town Committee, Tandlianwala. |
| 16. Municipal Committee, Ludhiana. | 38. Jaranwala. |
| 17. Municipal Committee, Ferozepore. | 39. Toba Tek Singh. |
| 18. Municipal Committee, Fazilka. | 40. Municipal Committee, Lyallpur. |
| 19. Municipal Committee, Lahore. | |
| 20. Amritsar City. | |
| 21. Nankana Sahib. | |
| 22. Bhakkar. | |

LITERACY CERTIFICATES.

*2627. **Rai Bahadur Lala Mohan Lal** : Will the Honourable Minister for Education be pleased to state the number of literacy certificates granted to adults during the last financial year ?

The Honourable Mr. Manohar Lal : 4,487 literacy certificates were issued.

BURGLARIES AND THEFTS.

*2628. **Rai Bahadur Lala Mohan Lal** : Will the Honourable Finance Member be pleased to state—

- (a) what was the total number of the burglaries and thefts that took place during the year 1928 ;

- (b) how many of these burglaries and thefts were detected ;
- (c) in how many cases was the property recovered ;
- (d) in how many cases did the prosecution end in conviction ?

The Honourable Mr. A. M. Stow : A statement is laid on the table.
STATEMENT.

(a) Burglaries	..	..	..	13,845
Thefts	..	..	..	5,597

- (b) 3,443 burglaries and 2,974 thefts were tried during 1928.
- (c) Stolen property was recovered in 3,420 burglary cases and in 4,051 theft cases.
- (d) Conviction was obtained in 2,453 burglary cases and 2,478 theft cases.

CLOSURE OF MIRKA MINOR.

***2629. Rai Bahadur Lala Mohan Lal :** Will the Honourable Member for Revenue please state—

- (a) whether it is a fact that on receiving the orders of closure of Mirka Minor, in the Hansi sub-division of the Rohtak Division, on or about the 8th of October 1928, several big zamindars went to the Executive Engineer Rohtak Division, on 9th October 1928, to wait upon him with a view to represent their grievances with respect to the said closure ;
- (b) whether it is a fact that the Executive Engineer, without showing them ordinary courtesy of even having a talk with them, ordered them to leave his room ;
- (c) whether it is a fact that all the big zamindars submitted a petition to the Superintending Engineer, Delhi Circle, for permission to bring a defamation case against the said officer ;
- (d) if the answer to (a), (b) and (c) be in the affirmative, what action, if any, has been taken by the Superintending Engineer ; if no action has been taken, what steps Government proposes to take in the matter ?

The Honourable Mian Sir Fazl-i-Husain : (a) Yes.

(b) No.

(c) Yes.

(d) Superintending Engineer, in conversation with their leaders, advised them that no such permission was necessary, and that their petition was itself defamatory.

COMPLAINTS AGAINST THE TARSILDAR, SHORKOT.

***2630. Lala Bodh Raj :** Will the Honourable Member for Revenue please state—

- (a) whether it is a fact that the residents of Shorkot waited upon the Commissioner, Multan, in a deputation on or about the 6th September making certain complaints against the Tahsildar, Shorkot ;

[Lala Bodh Raj.]

(b) if so, what action has been taken by the Commissioner to redress their grievances?

The Honourable Mian Sir Fazl-i-Husain : (a) Yes.

(b) Enquiries are being made.

MISBEHAVIOUR OF POLICE IN GOJRA.

***2631. Lala Bodh Raj :** Will the Honourable Member for Finance please state—

(a) whether it is a fact that complaints were made to the Deputy Commissioner, Lyallpur, by the public of Gojra regarding the misbehaviour of police towards the people who had assembled in the Ram Natak Club, Gojra, on the night between 9th and 10th October 1929;

(b) if so, was any enquiry held into those complaints by the authorities and with what results?

The Honourable Mr. A. M. Stow : (a) & (b) No formal complaint was made to the Deputy Commissioner. But on receipt of information from other sources enquiries were made by him, which show that there is no truth in the allegations of misbehaviour made against members of the Police Force.

Lala Bodh Raj : Can the Honourable Member inform us the other sources of information?

The Honourable Mr. A. M. Stow : One of the sources of information if I remember right was a resolution passed by some local body, but if the honourable member will ask a detailed question I will be able to give him the information he asks for.

CANAL OFFICIALS AND HOLIDAYS.

***2632. Lala Bodh Raj :** Will the Honourable Member for Revenue please state—

(a) whether it is a fact that the Canal officials of Islam Division are not permitted by the Executive Engineer, Palla Head, to leave their station even on Sundays for purchasing their provisions of food;

(b) if so, why?

The Honourable Mian Sir Fazl-i-Husain : (a) No.

(b) Does not arise.

CANAL OFFICIALS AND HOLIDAYS.

***2633. Lala Bodh Raj :** Will the Honourable Member for Revenue please state—

(a) whether it is a fact that in case the Canal officials of Islam Division, if permitted by the Executive Engineer, Palla Head, to leave the station on gazetted holidays, leave their station, those gazetted holidays are counted towards their casual leave;

(b) if so, why?

The Honourable Mian Sir Fazl-i-Husain : (a) No, not now.

(b) Does not arise.

Lala Bodh Raj : Was this practice resorted to in the past ?

The Honourable Mian Sir Fazl-i-Husain : Need we go into the past ?

PALLA HEAD.

***2634. Lala Bodh Raj :** Will the Honourable Member for Revenue please state—

(a) whether it is a fact that the Palla Head in Islam Division was washed away by the recent flood in the Sutlej ;

(b) what was the maximum height of water at the time of the above flood ;

(c) what is the previous record of the height of water ?

The Honourable Mian Sir Fazl-i-Husain : (a) Six bays of the Islam Weir collapsed on the 19th September 1929.

(b) On the 24th August 1929, which was the date of maximum flood this year, the water level below the weir rose to a Reduced Level 448.6.

(c) The previous record is Reduced Level 450.8 in the year 1927.

INDIAN NATIONAL CONGRESS AND CHRISTMAS VACATION FOR GOVERNMENT DEPARTMENTS.

***2635. Lala Bodh Raj :** Will the Chief Secretary please state—

(a) whether it is a fact that in December next some of the departments of the Government will not close during the Christmas vacation ;

(b) if so, what are the reasons for this action and whether it has anything to do with the holding of the next session of the Indian National Congress at Lahore ?

Mr. H. W. Emerson : (a) Government as at present advised do not propose to depart from the practice observed in past years.

(b) Does not arise.

PUNJAB JAILS COMMITTEE.

***2636. Lala Bodh Raj :** Will the Honourable Finance Member please state—

(a) whether the report of the Punjab Jails Committee has been submitted to the Government ;

(b) if so, what action has been taken thereon ?

The Honourable Mr. A. M. Stow : (a) Yes.

(b) The report is under consideration.

HANDCUFFS AND BAR FETTERS ON CONVICTS GHAZI ABDUL RAHMAN AND MR. AJIT SINGH.

***2637. Lala Bodh Raj :** Will the Honourable Finance Member please state—

(a) whether it is a fact that Ghazi Rahman and Mr. Ajit Singh, convicts under section 124-A, Indian Penal Code, on their transfer from Mianwali Jail to other jails in the month of October 1929, had handcuffs and bar fetters on them ;

(b) if so, what were the reasons for placing both handcuffs and bar fetters on them ;

(c) whether it is a fact that they were special class prisoners ?

The Honourable Mr. A. M. Stow : (a) Yes.

(b) The instructions given in paragraphs 756 and 757 of the Punjab Jail Manual.

(c) No.

Lala Bodh Raj : Is it a fact that they were classified as special class prisoners by the magistrate who convicted them ?

The Honourable Mr. A. M. Stow : Yes.

Lala Bodh Raj : Was the concession of their being special class prisoners withdrawn from them ?

The Honourable Mr. A. M. Stow : Yes.

Lala Bodh Raj : What were the reasons for the withdrawal of the concession ?

The Honourable Mr. A. M. Stow : I should like to correct the impression that may have been given. There was no question of withdrawing concessions. The decision of the convicting magistrate was not confirmed by Government.

Lala Bodh Raj : What were the reasons for not confirming the orders ?

The Honourable Mr. A. M. Stow : The prisoners were ineligible.

Lala Bodh Raj : What were the rules then in force which could make them eligible for those concessions and which were not satisfied in their cases?

The Honourable Mr. A. M. Stow : The rules regarding classification of special class prisoners are contained in the Jail Manual, Appendix XX, I think it is. I would refer the honourable member to that collection of rules on the subject of classification of special class prisoners, if he has any doubts.

ISSUE OF PRESS TICKETS FOR ADMISSION TO THE LEGISLATIVE COUNCIL.

***2638. Lala Bodh Raj :** Will the Honourable Finance Member please state—

(a) whether it is a fact that during the last session of the Punjab Legislative Council held in September 1929, some instructions were given by the police to the Secretary of the Council not to

issue press tickets to the accredited representatives of the vernacular daily papers, Lahore, whose names were originally submitted by the Editors of those papers to the Council Office :

(b) if so, what were the reasons for giving such instructions?

The Honourable Mr. A. M. Stow : (a) No.

(b) Does not rise.

THE 'TUFAN.'

*2639. **Lala Bodh Raj:** Will the Honourable Revenue Member please state—

(a) whether it is a fact that it was brought to the notice of the Deputy Commissioner, Lyallpur, that the Editor, *Tufan*, had sent his paper per V.P.P. to some of the patwaris and other persons of Samundri, with forwarding letters that it was being done under the orders of Mr. Mansur Hussain, Tahsildar, Samundri :

(b) if so, what action was taken by the Deputy Commissioner in the matter?

The Honourable Mian Sir Fazl-i-Husain : (a) Yes.

(b) The case has been made over to the police for enquiry.

UNSTARRED QUESTIONS AND ANSWERS.

COMMUNAL REPRESENTATION IN SERVICE.

1400. Rao Bahadur Captain Rao Balbir Singh : Will the Chief Secretary kindly state—

(a) the total number of the following officers recruited from Gurgaon district, with their respective communities :

- (1) Extra Assistant Commissioners,
- (2) Tahsildars,
- (3) Naib-Tahsildars,
- (4) Excise Inspectors,
- (5) Income-Tax Inspectors and Officers :

(b) whether it is a fact that the Ahir community is very poorly represented in these classes of officials ;

(c) if so, what steps does the Government propose to take to increase its representation?

Mr. W. W. Emerson : (a) (1) E. A. C's .. 1 Muslim.

(2) Tahsildars 3 .. 1 Bhargava.

1 Brahmin.

1 Ahir:

1 Bhargava.

1 Jain.

1 Ahir.

(4) Excise Inspectors 1 Muslim.

(5) No information is available regarding this class, as the Income-Tax Department is under the control of the Central Government.

[Mr. Emerson.]

(b) An answer to this question could be given only after an examination of the representation in the services concerned of other tribes. Government regret they are unable to carry out this examination.

(c) Does not arise.

FINANCIAL CONDITIONS OF THE GURGAON DISTRICT BOARD.

1401. Rao Bahadur Captain Rao Balbir Singh : Will the Honourable Minister for Local Self-Government please state—

(a) whether Government is aware of the bad financial condition of the Gurgaon District Board ;

(b) if so, what steps Government intend to take to rehabilitate its finances and to enable it to discharge its liabilities ?

The Honourable Malik Firoz Khan, Noon : (a) Yes.

(b) The District Board has recently taken a loan of Rs. 1,15,000 from Government free of interest which, it is hoped, will rehabilitate its finances.

PROMOTIONS IN THE PROVINCIAL CLERICAL ESTABLISHMENT OF THE IRRIGATION BRANCH.

1402. Lala Bodh Raj : (a) Will the Honourable Revenue Member please state with reference to the provincial clerical establishment of the Irrigation Branch since 1st October 1920—

(1) number of clerks promoted from Rs. 40—2—90 grade to Rs. 40—4—140 ;

(2) number of clerks promoted from Rs. 40—4—140 grade to Rs. 100—6—200 ;

(3) number of clerks promoted from Rs. 100—6—200 grade to Rs. 250—10—850 ;

(4) number of such clerks respectively who have drawn the maximum of Rs. 140, 200 and 850 ;

(b) what is the average number of years on the expiry of which a clerk in one grade is usually promoted to the other grade ?

The Honourable Mian Sir Fazl-i-Husain : (a) (1) 84.

(2) 56,

(3) 19,

(4) 11, 19, and nil respectively.

(b) 7, 8, and 5 years respectively.

POLICE IN HISSAR DISTRICT.

1403. Lala Joti Parshad : Will the Honourable Finance Member be pleased to state—

- the number of police sub-inspectors dismissed in the Hissar district during the years 1927-28 and 1928-29 ;
- the number of police sub-inspectors suspended in the Hissar district during 1927-28 and 1928-29 ;
- the number of police sub-inspectors, head constables and constables against whom cases are pending for corruption ;
- the number of police sub-inspectors, head constables and constables departmentally punished for all offences ;
- the reasons for which each of such sub-inspectors and other police officers was suspended or dismissed ?

The Honourable Mr. A. M. Stow :

	1927.	1928.	1929.
(a) Nil.	Nil.	Nil.	1
(b) 1	8		6
(c) Sub-Inspectors	..	..	4
Head Constables	..	..	1
Foot Constables	..	..	2
	1927.	1928.	1929.
(d) Sub-Inspectors	11	8	14
Head Constables	14	8	17
Foot Constables	10	33	17
(e) A statement is laid on the table.			

Statement showing the reasons for which sub-inspectors and other police officers were suspended during 1927, 1928 and 1929.

1927.

1. Suspended for taking a bribe in a case	..	4
2. Suspended on being sent for trial under section 366, Criminal Procedure Code	..	2
3. Suspended for beating a woman	..	1
4. Suspended for being disobedient to superior officers	..	1
5. Suspended for absenting from duty without permission	..	2
6. Suspended for neglect of duty	..	1
7. Suspended pending an enquiry into their conduct	..	4

1928.

1. Suspended for negligently allowing a conditionally released convict to escape	..	5
2. Suspended for withdrawing a criminal case with suspected dishonest motives	..	1
3. Suspended for absenting himself without leave	..	1
4. Suspended on a serious complaint against him	..	1

[Hon'ble Mr. Stow.]

5. Suspended for neglect of duty at the judicial lock-up	8
6. Suspended for absenting himself from duty and being arrested in a case under section 377, Indian Penal Code.	1
7. Suspended in compliance with Deputy Inspector-General's orders	1
8. Suspended pending a departmental enquiry against them.	2
9. Suspended on being arrested under section 409, Indian Penal Code.	2
10. Suspended for taking bribes in a case under section 304, Indian Penal Code	1
11. Suspended for extortion and corruption	2
12. Suspended for corruption and burking crime	2

1929.

1. Suspended for knowingly disobeying a direction of law with intent to save a person from punishment.	-1
2. Suspended on being arrested under section 4 of the Gambling Act	2
3. Suspended for cheating the railway while a recruit	1
4. Suspended for keeping a woman in wrongful confinement and beating her	3
5. Suspended for absence without leave	2
6. Suspended on being arrested under section 380/342, Indian Penal Code	2
7. Suspended on being sent up for trial under section 409, Indian Penal Code	1
8. Suspended for corruption	4
9. Suspended for neglect of duty (at the Dabwali Police Station Malkhana which was burgled)	3
10. Suspended for spoiling the investigation into the death of Sardar Sahib Chatar Singh, Zaildar	1
11. Suspended for being sent up in a case under section 182, Indian Penal Code	3
12. Suspended for neglect of duty which led to the escape of an undertrial prisoner from Sirsa Hospital.	1
13. Suspended for undermining discipline	1
14. Suspended as a result of a magisterial enquiry into the death of a suspect by opium-eating during the course of the investigation of a burglary case	1
15. Suspended for supplying liquor to undertrial prisoners	2

Statement showing the reasons for which sub-inspectors and other police officers were dismissed during 1927, 1928 and 1929.

1929.

1. Was dismissed (with effect from 2nd March 1929) for showing inefficiency and bias in the handling of the affair of the mosque at village Rewari, P. S. Sadar where he was working as Station House Officer, and for taking unwarranted action in paving the mosque built under his supervision with a guard standing by without ascertaining that the Muham-madans were exercising an undisputed right 1 Sub-Inspector 1927.

2. Dismissed with effect from 18th May 1927 for permitting a prisoner to escape who was wanted by the Bikaner State Police .. 2—1 Head Constable and 1 Foot Constable.

3. Dismissed with effect from 25th May 1927 for burking a most serious cognizable offence under section 897, Indian Penal Code .. 1 L. H. C.

1928.

4. Dismissed for failing to take proper legal action against two accused persons and for recording a report in the Roznamcha of Police Station Budhlada, which was false both as to the time of entry and general purport 1 H. C.

1927.

5. Dismissed for disobedience of orders .. 1 Constable.
6. Dismissed on conviction for theft .. 1 Constable.

1928.

7. Dismissed for having absented from duty .. 4 Constables. (1 in 1929).
8. Dismissed on a judicial conviction for grievous hurt .. 1 Constable.
9. Dismissed for having been found asleep while on sentry duty when the lock-up contained two prisoners .. 1 Constable.
10. Dismissed for overstaying leave and on return recording a false report in the daily diary .. 1 Constable.
11. Dismissed for allowing two Aheri girls to be brought to police post Bahal of which he was incharge. They were subsequently raped by other constables serving under him .. 1 Constable.

1929.

12. Dismissed for torturing .. 1 Constable.

PAYMENT TO CIVIL AND MILITARY GAZETTE FOR SUPPLY OF FORMS.

1404. Lala Joti Parshad : Will the Honourable Minister for Local Self-Government be pleased to lay on the table a statement of the total amount of bills paid to the *Civil and Military Gazette* press for the supply of forms by the municipalities and local bodies in the Punjab for the years 1927-28 and 1928-29 ?

The Honourable Malik Firoz Khan, Noon : It is regretted that the figures asked for by the honourable member are not available and their compilation would entail an expenditure of time and labour incommensurate with the results achieved. The contract for the printing and supply of the forms prescribed in the Municipal Account Code is given out on tender by the Examiner, Local Fund Accounts, in accordance with rule 361 of the Municipal Account Code, and Government are not directly concerned therewith.

WASTE LAND IN PIR MAHAL JUNGLE.

1405. Sayad Mubarik Ali Shah : Will the Honourable the Revenue Member please state—

- (a) whether it is a fact that some Government waste land in Pir Mahal jungle in the district of Lyallpur was leased out to certain individuals in the year 1928 on tender system at some rate per acre of land ;
- (b) is it also a fact that supply of water for the land was more abundant when the land was taken up by these lessees than it is at present ;
- (c) whether it is a fact that the canal authorities do not supply water to the whole of the commanded area but only to a fraction of it ;
- (d) whether it is a fact that the lessees are charged rent not for the irrigable percentage of the land but for the total area of the leased land although the total area, according to canal rules, is impossible to be irrigated and cultivated ;
- (e) whether it is also a fact that the lessees are charged revenue for the entire leased area although for want of water they do not and cannot cultivate the entire area ;
- (f) if the answer to the above be in affirmative, what steps do the Government propose to take in order to adjust the rent and land revenue in accordance with the land actually irrigated and cultivated ?

The Honourable Mian Sir Fazl-i-Husain : (a) Yes.

(b) The honourable member's question is not quite clear. As the canal authorities have not reduced the sanctioned supply of canal water since the land was leased out, the reply is in the negative.

(c) Yes. According to the ordinary rules canal water is supplied for 50 per cent. of the commanded area in the *rabi* and 25 in the *khari* harvest.

(d) Yes. The leases were taken up on this understanding. But even according to the arrangements made by the canal authorities, it is not impossible to cultivate 100 per cent. of the total area provided that sufficient rain falls.

(e) and (f). Yes. The leases were taken up on this understanding.

COMMUNAL REPRESENTATION OF THE SUBORDINATE STAFF UNDER THE
EXECUTIVE ENGINEER, P. W. D., LYALLPUR.

1406. Sayad Mubarik Ali Shah : Will the Honourable Minister for Agriculture be pleased to state the number, communitywise, of the subordinate staff, temporary or permanent, drawing Rs. 20 or upwards at present working under the Executive Engineer, Public Works Department, Lyallpur ?

The Honourable Sardar Sir Jogendra Singh :

Muhammadans	..	..	..	..	4
Hindus	..	..	..	..	20
Sikhs	..	..	..	..	4

RECLAMATION OF NUR MAHRAM AND AQLA HAYATA BELOCHES.

1407. Sayad Mubarik Ali Shah : Will the Honourable Member for Revenue kindly state—

- (a) whether the reclamation of Nur Mahram and Aqla Hayata Beloches of the Jhang district was taken in hand by district authorities about three years ago ;
- (b) the number of reports against the members of these tribes in which they were charged with having committed criminal offences—
 - (1) from March 1927 to March 1929 ; and
 - (2) from March 1929 to October 1929 ?

The Honourable Mian Sir Fazl-i-Husain :

- (a) Yes.
- (b) (1) 32.
- (2) 8.

HAI SIYAT TAX.

1408. Sayad Mubarik Ali Shah : Will the Honourable the Minister for Local Self-Government kindly state—

- (a) whether it is a fact that the District Board, Jhang, has submitted proposals for the imposition of a Haisiyat tax within its jurisdiction ;
- (b) if so, what action has the Government so far taken in according sanction to that resolution of the District Board which has been submitted to the Government ?

The Honourable Malik Firoz Khan, Noon : (a) Yes.

(b) The proposal has been recommended to the Government of India for sanction and sanction will no doubt be received in due course as the tax proposed is in accordance with the model that the Government of India are prepared to sanction.

A PUBLIC SARAI FOR JHANG DISTRICT.

1409. Sayad Mubarik Ali Shah : Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that there is no public sarai or zailghar at the headquarters of the Jhang district ;
- (b) whether it is a fact that the absence of such a building causes great inconvenience to the public ;
- (c) whether it is a fact that to meet this requirement the District Board, Jhang, had applied to the Government for a grant-in-aid to build a public sarai ;
- (d) if the answer to the above be in the affirmative, what action has the Government taken so far or proposes to take in the matter in future in order to provide a house for the public visiting the district headquarters ?

The Honourable Malik Firoz Khan, Noon : (a) Yes.

(b) Yes, to some extent.

(c) Yes, the district board had applied to Government for a grant-in-aid, but the proposal could not be entertained.

(d) Government do not propose to take any further action in the matter. It is a matter which can best be left to the District Board and the public who are likely to benefit by such a building.

DAMAGE TO SCHOOLS BY FLOODS IN JHANG DISTRICT.

1410. Sayad Mubarik Ali Shah : Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that, owing to the recent floods, about a hundred school buildings in the Jhang district have been destroyed ;
- (b) whether it is a fact that District Board, Jhang, applied for a full grant-in-aid to rebuild the school-houses so destroyed ;
- (c) if the answer to the above be in the affirmative, what steps have so far been taken or are proposed to be taken to enable the district board to rebuild the school-houses before the winter sets in ?

The Honourable Mr. Manohar Lal : (a) It has been reported that 41 buildings in the Jhang district have been destroyed or damaged by the floods.

(b) Yes.

(c) The matter is under consideration.

VERNACULAR TEACHERS IN GOVERNMENT SCHOOLS.

1411. Lala Joti Parshad : Will the Honourable Minister for Education please state—

- (a) the total number of Senior Anglo-Vernacular, Junior Anglo-Vernacular, Senior Vernacular and Oriental teachers in the Government schools of the province ;
- (b) their number in the starting grade and their number in the next higher grade ;
- (c) whether it is a fact that a number of Junior Anglo-Vernacular Teachers in the next higher grade is much less than other class of teachers ;
- (d) after how long a period a Junior Anglo-Vernacular teacher usually gets the next higher grade ;
- (e) whether it is a fact that some of these Junior Anglo-Vernacular Teachers have been working in the same grade for the last twenty years or so ;
- (f) if the answers to (c) and (e) be in the affirmative, what steps does Government propose to take to better the condition of this class of teachers ?

The Honourable Mr. Manohar Lal : (a) and (b) The requisite information is as follows :—

Kind of teachers.	Total No.	Number in the starting grade.	Number in the next higher grade.
Senior Anglo-Vernacular ..	299	135	150
Junior Anglo-Vernacular ..	229	193	30
Oriental Teachers ..	269	197	42
Senior Vernacular ..	401	296	84

(c) Yes.

(d) No time-limit has been fixed for the purpose.

(e) Yes.

(f) Certain privileges are granted to Junior Anglo-Vernacular teachers to obtain higher academical and professional qualifications. On obtaining these, such candidates become eligible for appointment as Senior English teachers and promotion to a higher grade then usually follows rapidly.

1412. Cancelled.

ADMISSION TO NORMAL CLASSES, GOVERNMENT SCHOOL, TAUNSA AND
DERA GHAZI KHAN.

1413. Lala Bodh Raj : Will the Honourable Minister for Education please state in the matter of admission to the normal classes attached to the Government school at Taunsa and Dera Ghazi Khan at the last selection and previous two selections (i) number of candidates according to community, and (ii) number of admissions according to community ?

The Honourable Mr. Manohar Lal : The information is being collected and will be supplied to the honourable member as soon as it is ready.

BAND FROM MALAKWAL TO CHACHAR.

1414. Lala Bodh Raj : Will the Honourable Revenue Member please state—

- (a) whether it is a fact that there is a proposal to construct a band from Malakwal to Chachar for a distance of over 50 miles along the left bank of the Jhelum ; -
- (b) whether it has been brought to the notice of the authorities that such a band is calculated to cause damaging effect on Shahpur and other villages lower down on the same bank of the river ;
- (c) what steps have been taken for the protection of the area referred to in (b) ;
- (d) what are the reasons for the construction of this band ?

The Honourable Mian Sir Fazl-i-Husain : (a) There is a proposal for a band on the left bank of the Jhelum not from Malakwal to Chachar but only from Chak Ram Das to near Shahpur, a distance of about 20 miles.

(b) Yes.

(c) The matter is under examination.

(d) Protection from floods.

PANDIT JAGAT RAM, LAHORE CONSPIRACY CASE PRISONER.

1415. Lala Bodh Raj : (a) Will the Honourable Member for Finance please state with regard to Pandit Jagat Ram, a convict of the Lahore conspiracy case of 1914-15 now confined in the Multan Central Jail—

- (i) period of sentence undergone by him in the Andamans ;
- (ii) period of sentence undergone in Indian jails ;
- (iii) total period of remission earned by him ;
- (iv) the dates when his case was submitted to Government for release, with orders passed in the matter of his release from time to time as well as the reports of the jail authorities made from time to time for his release ;
- (v) the probable date of his release ?

(b) Will the honourable member please lay on the table a copy of rules for the release of prisoners like Pandit Jagat Ram ?

The Honourable Mr. A. M. Stow : I regret the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

LAND GRANTS TO FLOOD-AFFECTED INHABITANTS OF KANGRA.

1416. Chaudhri Ram Singh : With reference to the answer to starred question No. 2059 asked on 19th March 1929¹, will the Honourable Member for Revenue kindly state the number of squares of land proposed to be allowed in the colonies to such of the inhabitants of the Kangra district whose lands have suffered from river action or who possess small holdings ?

The Honourable Mian Sir Fazl-i-Husain : 35 rectangles in the Nili Bar Colony have been reserved for Rajputs and agricultural Brahmans who are residents of the Kangra district.

GRANTS IN NILI BAR TO ZAMINDARS OF KANGRA.

1417. Chaudhri Ram Singh : With reference to the answer to starred question No. 1809 asked on 27th February 1929², will the Honourable Member for Revenue kindly state the names of persons who have been granted squares of land in the Nili Bar colony out of the 50 squares reserved for distribution among the zamindars of the Kangra district and the reasons for making such grants ?

The Honourable Mian Sir Fazl-i-Husain : The grants have not yet actually been made, but preliminary selections for 35 rectangles have been made by the Deputy Commissioner, Kangra.

The reasons why such grants were to be made was that the military services of the district seemed to Government to call for recognition, and Government further wished to make the experiment of trying whether colonists from the Kangra district could prove themselves to be suitable for colonisation.

GOVERNMENT TANNERY, SHAHDARA.

1418. Chaudhri Zafrullah Khan : Will the Honourable Minister for Education kindly state—

- (a) what progress has been achieved in the disposal of the Punjab Government Tannery, Shahdara, which was closed two years ago ;
- (b) what advice was tendered by the Standing Committee on Industries in this case ;
- (c) if the Government is aware that other provinces of India have leather tanning and research institutes for the improvement of trained labour in the tanning industry ;
- (d) if he has received any representation during the last year from tanners expressing the need for providing a regular course of training in elementary tanning ;
- (e) if so, whether this representation has received his consideration ;
- (f) (i) whether the Government has a record showing the quantities of tanned leather exported from this province during the last

¹ Vol. XII, page 925.

² Vol. XII, page 473.

[Ch. Zafarullah Khan.]

15 years and whether that record shows that some 15 years back the Punjab used to export much greater quantities of tanned leather to nearly all the provinces of India and there is a great decrease in this trade now;

(ii) if so, why?

The Honourable Mr. Manohar Lal: (a) Several advertisements issued in the press in 1928 offering the tannery for sale or for lease and also inviting offers for any particular part of the machinery or set of machines. The offers received were not acceptable but it is understood that the Director of Industries has recently received certain offers for the tannery. He is being asked to send them up for the orders of Government as quickly as possible.

(b) The Standing Committee on Industries in its meeting of the 8th June 1929 made the following recommendations in this case:—

“The Director of Industries should examine what machinery should be retained at Shahdara for giving training to Chamars in the elements of tanning or in the simple processes or leather manufacture. Possibly it would pay to keep one complete set of machines, disposing of the rest. The attention of the existing tanneries in the Punjab should be specially invited to the articles for disposal at Shahdara through the agency of the industrial surveyors or otherwise.”

(c) Yes.

(d) No.

(e) Does not arise.

(f) (i) Government has no record showing the quantities of tanned leather exported from this province during the last 15 years. A statement giving figures of exports of ‘leather, unwrought’ (semi-tanned) from 1914-15 to 1921-22 as given in the Inland Trade Reports of the Punjab by Rail and River is laid on the table.

In the absence of information relating to the period 1923-29, it is not possible to compare the present volume of trade with the volume of trade 15 years ago.

(ii) Does not arise.

Statement showing figures of export of leather unwrought (semi-tanned) during the period 1914-15 to 1921-22.

Year.	Quantity exported.		Value.
	Mds.		Rs.
1914-15	28,098	12,87,029	
1915-16	27,232	12,42,982	
1916-17	34,279	16,82,993	
1917-18	27,546	14,86,800	
1918-19	30,619	14,98,695	
1919-20	18,895	9,88,416	
1920-21	14,887	7,24,009	
1921-22	22,183	9,52,002	

RECRUITMENT OF SUB-INSPECTORS.

1419. Rai Sahib Chaudhri Chhotu Ram : Will the Honourable Member for Finance kindly state—

- (a) the number of sub-inspectors, recruited directly, in the province as a whole in each of the years 1925, 1926, 1927, 1928, 1929 ;
- (b) the number of the sub-inspectors referred to in (a) coming from each of the three ranges (separately), for the years 1925, 1926, 1927, 1928, 1929 ;
- (c) the number of appointments referred to in (a) which went to the districts of Rohtak, Hissar, Gurgaon and Karnal ;
- (d) the number of the posts which out of the share of the four districts mentioned in (c) went to (i) Hindus, (ii) Muslims, (iii) Hindu statutory agriculturists, and (iv) Muslim statutory agriculturists ?

The Honourable Mr. A. M. Stow : (a), (b), (c) and (d) A statement is laid on the table.

NUMBER OF SUB-INSPECTORS RECRUITED DIRECTLY.

Year.	Eastern Range.	Central Range.	Western Range.	Railway Police.	Total	Number of appointments made from the districts of Rohtak, Hissar, Gurgaon and Karnal.
1925 ..	9	18	11	3	41	..
1926 ..	7	2	8	3	20	..
1927 ..	8	5	14	..	27	Hissar, 1 Hindu Agriculturist and Karnal, 1 Muslim Agriculturist.
1928 ..	8	9	14	..	31	Rohtak, 1 Muslim Agriculturist.
1929 ..	2	6	8	1	17	..
Total ..	34	40	55	7	136	3 (Hindu Agriculturist 1, and Muslim Agriculturists 2.)

RECRUITMENT OF ASSISTANT SUB-INSPECTORS.

1420. Rai Sahib Chaudhri Chhotu Ram : Will the Honourable Member for Finance kindly state—

- (a) the total number of assistant sub-inspectors of Police selected since this new post was created ;

[R. S. Ch. Chhotu Ram.]

- (b) the total number of these posts which went to (i) Hindus, and (ii) Muslims, showing them separately as statutory agriculturists and others ;
- (c) the total number of posts which fell to the share of each of the three ranges ;
- (d) the total number of posts which went to the four districts of Rohtak, Hissar, Gurgaon and Karnal out of the share of the Eastern Range ;
- (e) the distribution of the posts which fell to the share of the four districts mentioned in (d) among (i) Hindus, and (ii) Muslims further sub-divided as statutory agriculturists and others ;
- (f) the number of head constables, recruited by direct appointment, with the details specified in (b), (c), (d) and (e) for the years 1926, 1927, 1928 and 1929 ?

The Honourable Mr. A. M. Stow : The information asked for is not yet available. It will be supplied to the honourable member when ready.

RECRUITMENT OF ZILLADARS.

1421. Rai Sahib Chaudhri Chhotu Ram : Will the Honourable Member for Revenue kindly state the number of zilladars appointed during the last three years with the following details in regard to (a) direct appointments, and (b) appointments by promotion ;

- (i) district of residence ;
- (ii) Hindus sub-divided as statutory agriculturists and others,
- (iii) Muslims sub-divided as in (ii) ;
- (iv) Sikhs sub-divided as in (ii) ?

The Honourable Mian Sir Fazl-i-Husain : The number of zilladars appointed during the last three years is :—

(a) Direct appointments 24—

(i) District of residence :	Amritsar	..	4
	Bijnour (United Provinces)	..	1
	Delhi	..	2
	Gujrat	..	1
	Gurdaspur	..	2
	Gurgaon	..	1
	Hoshiarpur	..	2
	Lahore	..	2
	Ludhiana	..	1
	Mianwali	..	1
	Montgomery	..	1
	Muzaffarnagar (United Provinces)	..	1
	Rohtak	..	1
	Shahpur	..	3
	Sheikhupura	..	1

(ii) Hindus sub-divided as statutory Agriculturists and others.	{	Agriculturists	..	3
		Others	..	1
(iii) Muslims sub-divided as in (ii).	{	Agriculturists	..	12
		Others	..	1
(iv) Sikhs sub-divided as in (ii).	{	Agriculturists	..	5
		Others	..	2
(b) Appointments by promotion 11—				
(i) District of residence :		Amritsar	..	1
		Ferozepore	..	1
		Gujrat	..	1
		Gurdaspur	..	1
		Hoshiarpur	..	1
		Jhelum	..	1
		Karnal	..	1
		Lahore	..	1
		Ludhiana	..	1
		Multan	..	1
		Shahpur	..	1
(ii) Hindus sub-divided as statutory Agriculturists and others	{	Agriculturists	..	1
		Others	..	3
(iii) Muslims sub-divided as in (ii).	{	Agriculturists	..	4
		Others	..	2
(iv) Sikhs sub-divided as in (ii).	{	Agriculturists	..	1
		Others	..	Nil.

JANDIALA GURU MUNICIPALITY.

1422. Lala Kesho Ram, Sekhri : Will the Honourable Minister for Local Self-Government be pleased to state—

- whether it is a fact that Government issued any orders in 1927 for the formation of wards and completing other preliminaries to the holding of an election in the second class municipal committee of Jandiala Guru in District Amritsar ;
- whether it is a fact that the orders referred to above were not received by the municipal committee until August 1928 ;
- if the reply to part (b) be in the affirmative, whether Government intend to hold any enquiry into the matter ;
- what steps Government propose to take to ensure an early election ?

The Honourable Malik Firoz Khan, Noon : (a) Yes.

(b) Yes.

(c) It has been ascertained that the delay was occasioned by a mistake in the Office of the Deputy Commissioner.

(d) The proposals of the committee and of the local officers have now reached Government and orders will issue as soon as they have been examined.

UN-HYGIENIC CONDITION OF THE SHAINA BAZAR IN LUDHIANA DISTRICT.

1423. Pandit Mehar Chand: Will the Honourable Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that the District Health Officer has described the condition of the bazar of village Shaina in Ludhiana district as "most un-hygienic" and submitted a proposal for the construction of a drain;

(b) if so, what action Government intends to take in the matter?

The Honourable Malik Firoz Khan, Noon : (a) Government have no information on the subject.

(b) As the matter is one for disposal by the district board or by the panchayat or sanitary committee of the village, if any such exists, no action by Government appears to be called for.

ROAD BETWEEN SHAINA AND BARNALA OR RAI KOT.

1424. Pandit Mehar Chand: Will the Honourable Minister for Agriculture be pleased to state whether there is any scheme under contemplation for the construction of a road connecting the village of Shaina with Barnala or Rai Kot (Ludhiana district)?

The Honourable Sardar Sir Jogendra Singh : Not at present.

CIVIL DISPENSARY FOR SHAINA.

1425. Pandit Mehar Chand : Will the Honourable Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that the population of village Shaina in the Ludhiana district is in the neighbourhood of 4,000 souls;

(b) whether it is a fact that there is no civil dispensary there but only a canal dispensary;

(c) whether it is a fact that the village has expanded too largely to be served properly by a canal dispensary;

(d) if so, what action Government intend to take in establishing a civil dispensary at the village?

The Honourable Malik Firoz Khan, Noon : (a) Yes. (3,520 souls).

(b) Yes.

(c) The population appears to have been practically stationary for nearly 20 years so that no expansion appears to have taken place recently.

(d) It is understood that the district board, which is the authority directly concerned, is considering the advisability of opening a dispensary at Shaina.

HARGO LAL GIRLS' SCHOOL, AMBALA.

1426. Pandit Mehar Chand : Will the Honourable Minister for Education be pleased to state—

(a) whether the Government has received any representation from the Honorary Secretary of the Hargo Lal Girls' School, Ambala, in October 1929, praying for the recognition of the said high school;

(b) if so, what action has been taken thereon;

(c) whether Government would state the reasons for the delay in the recognition of the institution?

The Honourable Mr. Manohar Lal : (a) No such representation has been received by the Director of Public Instruction.

(b) and (c) Do not arise.

WATER STAND POST, PATHANKOT RAILWAY STATION.

1427. Mr. E. Maya Das : Will the Honourable Revenue Member be pleased to state whether it is a fact that no water stand post has been supplied on the Kangra Valley Railway platform at Pathankot? If so, will he kindly bring this shortcoming to the notice of the railway authorities?

The Honourable Mian Sir Fazl-i-Husain : I cannot say till I hear from the authorities concerned who have been requested to supply the necessary information.

AERATED WATER SELLERS, KANGRA VALLEY RAILWAY.

1428. Mr. E. Maya Das : Will the Honourable Revenue Member be pleased to state whether it is a fact that in summer time aerated water sellers do not accompany the trains on the Kangra Valley Railway? If so, will he kindly bring this shortcoming to the notice of the railway authorities?

The Honourable Mian Sir Fazl-i-Husain : I cannot say till I hear from the authorities concerned who have been requested to supply the necessary information.

GOVERNMENT HIGH SCHOOLS AND DEPRESSED CLASS STUDENTS.

1429. Pandit Mehar Chand : Will the Honourable Minister for Education be pleased to state—

(a) the number of Government High Schools in the Punjab attended by students from the depressed classes, especially Chamars, Dhanaks and Meghas;

(b) the number of such schools in which wells are actually open to the students of the above communities?

The Honourable Mr. Manohar Lal : The information is being collected and will be supplied to the honourable member when ready.

TENDERS FOR THE PURCHASE OF ATTENDANCE REGISTERS.

1430. Lala Bodh Raj : Will the Honourable Minister for Education please state—

- (a) whether it is a fact that in the current year in the office of the District Inspector of Schools, Muzaaffargarh, tenders for the purchase of attendance registers were not called ;
- (b) whether it is a fact that after the attention of the authorities had been drawn in this connection Rs. 125 had to be foregone by the man who had to supply the registers ;
- (c) if the replies to above be in the affirmative, was any action taken against the official who was responsible for not having called the tenders in the first instance ?

The Honourable Mr. Manohar Lal : The information is being collected and will be supplied to the honourable member when ready.

ELECTION TO THE RAILWAY ADVISORY COMMITTEE.

Mr. President : Captain Sardar Sikandar Hyat Khan was a representative of this Council on the Railway Advisory Committee before he was appointed Revenue Member. On his appointment he had to resign his seat on the Advisory Committee. Now it is open to this Council to elect or nominate a representative. If the House desires to nominate Captain Sardar Sikandar Hyat Khan, he may again represent the industrial interests on the Railway Advisory Committee. But if a single member desires that the representative of the Council should be elected in that case the date for election shall be fixed. (*Cries of "no objection."*) Captain Sardar Sikandar Hyat Khan is nominated by the Council to be a member of the Railway Advisory Committee.

RESOLUTIONS.

RESOLUTION RE COMPULSORY PRIMARY EDUCATION.

Mr. President : The Council will now resume discussion of resolution¹ re compulsory primary education.

Pir Akbar Ali (Ferozepore, Muhammadan, Rural) (Urdu) : Sir, yesterday in support of my resolution I was submitting that in some form or other this part of my resolution has been discussed in this House on various occasions. So I hardly need dwell on it at length. With regard to it, I think it would suffice to say that educationally other provinces are far ahead of the Punjab. When compared with the other provinces we find that in various respects there is a marked difference between them and the Punjab. Its population consists of two kinds of people—rural and urban—

¹ Page 523 *infra*.

and there is a pronounced difference between the two. The rural population lives in villages and depends upon agriculture for livelihood. The urban population lives in the towns and its chief occupation is trade. Ninety per cent. of the population of our province is rural and the remaining 10 per cent. is urban. I am referring to these figures separately because often while comparing the Punjab educationally with the other provinces we mix up the percentage of the educated people in villages and the educated people in towns and then say that the Punjab does not bear a poor comparison with other provinces as regards literacy. In the towns of the Punjab education abounds but the villages are backward. So long as our rural people are not educated I fear our province will not be able to perform the duties which will fall upon it under the reformed constitution. These are the reasons which made it necessary for me to move this resolution in the Council. By these remarks I do not mean to say that the Government has in any way devoted less attention to this subject, but on the other hand I would submit that it has done its best to promote the cause of primary education in the province. During the first ministry, the Government left no stone unturned to make the masses literate. The second ministry also tried hard to educate the people. The third ministry, that is the present ministry—we do not say that it has not done anything for the spread of education,—is obviously paying little attention to the education of the masses. So far as the principle is concerned, all governments generally try to bring the backward classes to the level of those who are advanced in education. But our present ministry has failed to observe this principle. Where it has done much for the urban people it has altogether ignored the claims of the rural people. The education of rural classes has suffered a great deal only because the persons appointed on the teaching and inspecting staff are very little interested in the welfare of the poor zamindars. My contention is that as the urban people know little of the habits and temperaments of the villagers they are not fit persons to educate them. Such being the case education cannot spread in rural areas so long as Government does not appoint a sufficient number of such persons on the teaching and inspecting staff who are themselves zamindars and who are deeply interested in the welfare of the rural people. Sir, in 1927, in the provincial educational service there were only 27 per cent. zamindars; but in 1929 their number has come down to 24. Previously Sikhs were 15.9 per cent. that is, sixteen in number but now they are 13.2 per cent., that is, thirteen in number. These figures include those also who are not agriculturists. By saying that Hindu element is more prominent in the provincial educational service I do not mean to say that the Honourable Minister shows an undue favour to this community but what I mean is that he is paying more attention to the education of the urban people who are mostly Hindus. I have referred to the Honourable Minister only because appointments in this service are made by him.

Lala Kesho Ram Sekhri : Sir, may I ask how all this is relevant to the resolution before the House?

Mr. President : Will the honourable member please explain how this is relevant?

Pir Akbar Ali : I think the honourable member has not been attentive and he has raised this objection simply because he wanted to raise

[Pir Akbar Ali.]

it. Sir, I was explaining why compulsory primary education is necessary and how and in what parts of the province it should be enforced. I was developing this point that although from the figures it appears that the Punjab does not bear a poor comparison with other provinces yet if we look to the state of literacy obtaining in rural areas we will find that the zamindars are much backward educationally. On some other occasion in the course of his speech Chaudhri Afzal Haq stated that if compulsory education were to be enforced from that day it would take us 900 years to make the whole country literate. So it is clear that we should immediately start with the work which would take such a long time for its completion. This matter has more than once been discussed on the floor of this dignified House and the committee appointed in this connection has done nothing so far to promote the cause of education. I do not want to further discuss this point as the Council has already admitted the urgent need of compulsory education.

Now, Sir, I come to the second part of my resolution which says that the course of primary education should be extended to six years. In this connection I would like to say that the students who finish the four years' course do not become literate. They cannot read or write well, and they cannot keep up ordinary accounts. Previously the course of primary education extended to 5 years. Even now we come across patwaris and kanungos who had attended the five years' course. They are much better off than the students who take up four years' course because they can read and write quite well and are much better than these students. This lack of ability is due to two causes. The first cause is that the period of studies is too brief and the second is that the text books prescribed for the primary classes are very defective. As regards the first cause we can suggest the extension of the course to six years. But in the removal of the second defect we have no voice for it depends upon the sweet will of the Text Book Committee to remove it or not. The Punjab Text Book Committee is an independent body and there is no appeal against its decisions. In the last session of the Council much hue and cry was raised against it, but all that proved of no avail, for it had the support of the Sydicate where we have no voice though the Honourable Minister for Education is a member of that body and who did not even think of resigning his post though one of his predecessors did. Criticism and very severe criticism approaching censure of the policy of the present Minister was made in the last Budget Session of the Council and if there would have been some other person in his place occupying the exalted position, I am sure he would never have hesitated to resign his post. But the present Minister stuck to the post. Perhaps he thought that he would be able to serve his end better if he remained where he was. The Text Book Committee is causing great harm to the cause of education. What a pity it is that much inferior books as regard their language and moral tone have been prescribed as courses for primary schools and much superior stuff has been discarded. But it appears that the Honourable Minister could not help it because inferior publications belonged to one Suraj Narain, Mahar and the author of the superior books was a Muhammadan, Muhammad Husain, Azad by name. A pity to replace Mohammad Husain by Suraj Narain. But we are helpless in this matter and it does not lie with us to remove that defect.

As regards the other point that four years is a short period, we can recommend that instead of four years' course the course may be extended to six years. This is very reasonable for in 6 years a child can acquire ability to read and write and also to keep ordinary accounts. At least by such primary education people will be able to read newspapers and some magazines on agriculture or on some other such industry. Widespread primary education to that extent would prove very beneficial for the people as well as the country. It is also important that the present text books should be changed, for the subjects dealt in them have little concern with village life and the villagers.

Now I come to the last portion of my solution in which I have recommended that compulsory primary education should be introduced throughout the province in the course of the next seven years. To some minds this period would appear very lengthy, but keeping in view the little advance that has been made during the last 9 years I can very well say that this time is not so lengthy as it is regarded. It would be lucky if we achieve this end in 7 years for the Government is not interested and there are various other factors also which are in our way. With these remarks I move the resolution and hope the House will consent to it.

Mr. President : The resolution moved is—

"That this Council recommends to the Government that compulsory primary education comprising a six years course of primary vernacular education should be introduced throughout the province within the next seven years."

Chaudhri Baldev Singh [North West Rontak (Non-Muhammadan), Rural] : Sir, I am in sympathy with the object of this resolution, and I should like to give some suggestions as to how best to introduce compulsory education in the villages. The villagers generally are ignorant and poor. To bring education to them it is necessary that they should have some prospects before them after they have been educated. At present all children, whether boys or girls, are very useful in the village in tending cattle and in various other village occupations and unless they can be useful by getting a small amount of education to a greater extent than they are at present no body will send them to schools. Even if they do send them to school, the boys will not get much benefit from it. In my opinion, the best method to induce the villagers to take more interest in primary education is that the post of lambardar should be thrown open. At present the post of lambardar is hereditary, therefore the lambardar does not care to teach his son, though the work of a lambardar requires that he should be literate. He should at least know the figures so that he may understand the accounts that he has to keep of the collection of revenue. But generally they rely upon others for the execution of their work and they are not willing to teach their sons. If they find that the post can be bestowed upon some one else who is better fitted on account of his education, they will certainly send their sons to the schools and this will also bring other boys into the school as well.

In addition to this I should also recommend that Government should enhance the remuneration of a lambardar. The present remuneration is not very high and it might not prove a great attraction for them to take much interest in education.

[Ch. Baldev Singh.]

The third thing is inspection. There is no doubt inspectors are very necessary to look after educational work but it is very difficult to have highly paid inspectors in such large number that they should be able to visit every village and every school more than once during the course of a year. This will mean a great deal of cost to Government. To save this expense I think every village can provide some educated person who will discharge the duty of the inspector with a small amount of remuneration. Generally if a school is visited by surprise I am quite certain the number of boys on the rolls will be found much larger than the number of boys that actually go to the school, especially in the infant classes. The reason is that the villagers do not take much interest. The teacher cannot bring them all to school, he has to discharge other duties, and many times the boys themselves shirk coming to the school. In this way even those boys who reach up to the 4th class are not willing to go any further for their studies. If a villager is appointed in every village to look after the school he will be able to inform the inspecting staff how many boys generally go to the school and the teacher and the villagers will know that their work can be checked at any time whenever the inspector who has been appointed in the village wishes to do so. Therefore I think instead of having costly inspectors we can have local inspectors for one or two villages on very little remuneration. Of course they will not be able to give much assistance in the testing of education but as far as the number of boys attending the school is concerned, as far as accuracy of registers is concerned, they will be very useful. It is the duty of all concerned to raise the average attendance as far as possible and we should try to bring as many boys in the school actually to attend the classes as there are on the rolls. As a committee is soon to be appointed to go into the question of introducing primary education in this province, I do not think much more is required to be said for this resolution. This resolution is already before the Government and I think other members also have sympathy with this resolution and so this resolution will be carried.

Mr. C. A. H. Townsend (Financial Commissioner): Sir, little did I foresee when I came to the Council to-day that I would be called upon to speak. I was looking forward to spending the afternoon in my corner at the back. But the remarks that fell from the last speaker on the matter of lambardars call for a few remarks from me. He urged that the office of lambardar should be thrown open to selection and that only those people should be selected who are literate. As this House is aware, in all appointments of lambardars one principle has been followed in the past for many years, a principle well recognised in the Punjab and that is, that the son succeeds to the father. The suggestion made by the honourable member is interesting. As years pass, it may well be that Government will find it possible to lay down a rule that no person shall be appointed lambardar unless he is literate. But I urge that that time has not yet come and that to make the change advocated by the honourable member immediately would cause a great deal of justifiable vexation.

There is one other point the honourable member urged, though I am not quite certain myself what reference it has to the present resolution. He urged that the remuneration of lambardars should be increased. As this

House is aware, at present practically all lamboardars get five per cent. of the land revenue for collecting it and that five per cent. is paid by the revenue payers in addition to the land revenue. If there is a widespread desire among the revenue payers of the province to increase the remuneration of lamboardars, I am certain, speaking only for myself, that Government will be prepared to consider the proposal sympathetically.

Sardar Hira Singh, Narli [Lahore, (Sikh), Rural] (Urdu); Sir, I have every sympathy with the principle underlying the resolution under discussion. But the honourable mover has not told us as to what should be the medium of this compulsory education which he has asked for. In all the other provinces, Sir, the primary education is imparted in the mother tongue of the students.

Mr. President : Is the honourable member speaking to the amendment of Sardar Partap Singh?

Sardar Hira Singh, Narli : No, Sir, I am speaking to the main question. I do not for a moment, oppose the idea of compulsory education. Have compulsion by all means. But so long as Punjabi is not made the medium of instruction no amount of compulsory education can be useful to the rural population. We all of us speak Punjabi.

Dr. Gokul Chand, Narang (Punjabi): Then speak Punjabi here also.

Sardar Hira Singh, Narli : Very well, Sir. (Punjabi): In Sindh the medium of instruction in the primary classes is Sindhi, in Bengal it is Bengalee, and in fact, Sir, in every part of the country the primary education is imparted in the language that is spoken in the province. Some people are under the impression that the Sikhs are specially interested in the progress of Punjabi. I beg to submit, Sir, that this is a very wrong impression. If we are interested in the progress of this language, it is because it is the mother-tongue of all Punjabees, and also that it will be very easy for our children to pick up things if they are taught in our own language. No one can deny the fact that Punjabi is spoken by all the sons and daughters of the province; no matter to what religion or community they belong. Then how can any one think that the Sikh community will derive any special benefit if education is given in Punjabi? To remove any misapprehension that may have taken root in the mind of my Muslim friends, I wish to make it quite clear that we have no objection to the script remaining as it is. We have no quarrel with the Arabic character. What we want is to make education easy for our children.

Sir, Punjabi is a very poor language at present. But who is to blame for that? Surely it is our own fault. We have been neglecting our mother tongue while all the other provinces have enriched theirs with very useful literature. Even in the courts where we give evidence in Punjabi the records are kept in Urdu. It is fully admitted by the famous educationists all the world over that education, and especially primary education should be imparted to the students in their mother tongue. Therefore, Sir, so long as Punjabi is not made the medium of instruction the compulsion sought by my honourable friend cannot have the desired effect.

Chaudhri Afzal Haq [Hoshiarpur-cum-Ludhiana, (Muhammadan), Rural], (Urdu): Sir, this is a problem about which the Punjab is feeling far more strongly than any other province. There is no member of this Council and no responsible person outside the House who is not anxious to see compulsory primary education immediately introduced in the whole province. But the trouble is that the Government has not yet been able to make up its mind with regard to this very important question. On the other hand, it has been all along devising strange theories and thus trying to put off the matter. First it was said that education should be spread through co-operative societies. Then came another theory and we were told that compulsion should be introduced gradually and that it was going to be a voluntary compulsion, i.e., it would be introduced in those parts of the province which applied for it. Sir, I do not propose to make any lengthy speech to-day. I would simply refer the House to a speech that I made on this question three years ago on the floor of this House, and after which the House, much against the wishes of the Government, voted in favour of my motion. I beg to submit, Sir, that much unnecessary stress is laid upon the financial aspect of the problem. It is no use saying that the country or this Council is not prepared to give the necessary amount of money when Government

3 P. M.

has been simply wasting the grants already sanctioned by the Council. Had that money been spent properly the progress of education in the province would not have been so hopelessly negligible. Even in the departmental report on the progress of education that appeared after the above-mentioned vote of the Council we do not find any definite reference to the policy that the Government wants to follow with regard to compulsory education. Therefore, it is high time now that the House compelled the Government to make a definite statement of its policy. We do not want to be put off with assurances about voluntary compulsion and spreading education through co-operative societies which have proved a miserable failure in this respect.

I admit, Sir, that it is wise to introduce compulsion gradually. But to introduce anything gradually does not mean to put it off indefinitely. After all, there must be a time limit before which compulsory education is to be introduced throughout the province. As I pointed out in my speech referred to above, a considerable amount of literature is now available to show as to what the new Government has done in Russia with regard to the education of the masses in the course of seven years. But here in the Punjab the Government has not been able even to come to a decision about its policy, not to speak of any achievements in this connection. I do not intend to discuss this report at any great length, but I must say that it is a great mistake to waste money on the so called voluntary compulsion. That is no compulsion at all. If the Government really wants to introduce compulsion it must come forward with a definite declaration that compulsion is to be introduced throughout the length and breadth of the province within so many years. And then there must be some penal measure to compel the parents to send their children to school. Without that no compulsion can be effective. The present method of asking the defaulters to pay a nominal fine after an absurdly long enquiry or trial is nothing but a ridiculous farce.

Then, Sir, I quite agree with my honourable friend Sardar Hira Singh, Narli, that no wise person would like his children to get an education which they do not understand. But.....

Mr. President : That question has not come yet before the House.

Chaudhri Afzal Haq : It has been touched by honourable members and not been objected to by you. However, Sir, I simply wanted to say that it is very doubtful that all communities will receive equal benefit if Punjabi is made the medium of instruction.

Sardar Partap Singh : (*Started speaking in Punjabi*).

Mr. President : I take this opportunity to explain the legal position as to speeches being made in a language other than English or Urdu. Under Rule 14 any member with the permission of the President can address the Council in any vernacular of the province.

Under this rule permission may no doubt be sought and given. But there are two practical difficulties in the way. First, none of the present Reporters can report speeches made in Punjabi. The second difficulty is that under the rules it is the privilege of the members, who do not know Punjabi or Urdu, to ask the Chair to have a speech, made in Urdu or in Punjabi, translated into English and *vice versa*. Now we have not got a translator to translate the Punjabi speeches into English and *vice versa*. These are my difficulties. Unless there are Reporters competent to report speeches made in Punjabi it will be futile to allow any member to speak in Punjabi, because his speech will not be reported. Besides, if any member does not understand a speech made in Punjabi and asks me to get the same translated into English I shall not be able to comply with his request.

Dr. Gokul Chand, Narang : Sir, I just want to say a word on this point, with your permission. I think apart from the constitutional position, the difficulties which you have suggested do not seem to be so great that any member wishing to speak in his mother tongue should be prevented from doing so. The difficulty as to reporting is no difficulty at all. If there are some reporters here who find it difficult to follow Punjabi, in one day a reporter could be employed who will be able to follow Punjabi speeches. And there is no difficulty at all in reporting Punjabi speeches in Urdu. There are large diwans of Sikhs and Punjab zamindars and other people who are not habituated to talking in English or in the Urdu vernacular and at such diwans the speeches are fully reported by the C. I. D. reporters who are as a rule present there. And from personal experience, I know that when certain cases spring up under section 124-A of the Penal Code, these reporters have in many cases claimed that they have faithfully reported the speeches made in Punjabi, and courts have held the reports to be correct. If that is possible there, I cannot see any reason why there should be any difficulty for a Punjabi well versed in Urdu to report a speech made in Punjabi in this House.

If the present reporters are all Hindustanis they can be given some other job and Punjabis can be employed in their place.

Then, the second difficulty suggested by you is that of translation. There are, if I am not mistaken, many members of this House who are.....

Shaikh Abdul Ghani : On a point of order, Sir. Is the President's ruling subject to further criticism ?

Mr. President : I have not given any ruling. I have simply explained my difficulties.

Shaikh Abdul Ghani : Everybody understood you to say that speeches in Punjabi could not be made.

Mr. President : I did not mean to say that.

Shaikh Abdul Ghani : I am sorry, Sir.

Mr. President : I simply placed before the House two practical difficulties.

Shaikh Abdul Ghani : Surely some time must be allotted for a discussion of this subject and time must not be devoted to it now. There should be a separate proposition or the matter must be submitted for your consideration at some other time. We are here discussing a resolution.

Dr. Gokul Chand, Narang : Well, the second difficulty that you were pleased to suggest was that of translation. I was going to submit that, if I am not mistaken, there are some members in this House, if not many, who are not quite conversant with English and that the speeches that are made in this House in English, they are unable to follow. If they desire these speeches are translated into Urdu for their benefit. Now these members who do not know English, I mean the Punjabi members, they do not require any translation at all. If those honourable members who are not born in the Punjab, find it difficult to understand a speech when it is being made in Punjabi, they can certainly ask for translation and when you employ Punjabi reporters or a Punjabi translator, there is no reason why he should not be able to translate Punjabi with the same ease as a speech made in Urdu. In fact the translator then being a Punjabi would find it much easier to translate a speech made in his own mother tongue, than even a speech made in Urdu which is not his mother tongue. Moreover I do not think that these gentlemen sitting on your right (Official members) are quite unable to follow Punjabi speeches. A large majority of them, I trust, can follow Punjabi speeches very well. Many of them have been judicial officers, revenue officers and settlement officers, etc. They might have come in contact with people either as witnesses or as parties in court, or as zamindars who often come to them for various purposes. Lambardars, sufed-poshes and others come to them. They do not always speak in Urdu. In fact they always speak in Punjabi. Witnesses make their statements in Punjabi. When zamindars come to settlement officers or revenue officers they always express their ideas in Punjabi, and I do not think, Sir, that these officers find it difficult to understand the conversation with zamindars. If they find some difficulty here and there, they have their readers to help them. If these officials do not understand any sentence or part of a speech in this House they can ask the speaker to explain it or translate it into English. I seriously think, Sir, that there is no difficulty at all which cannot be easily overcome in order to allow these people to speak in Punjabi, who wish to speak in their mother tongue.

Khan Bahadur Captain Sardar Sikandar Hyat Khan : With your permission, Sir, may I just point out one other thing. As you have mentioned, it is entirely discretionary with the Chair to allow anybody to speak in Punjabi or in any other vernacular, when necessary. There is one

more difficulty which must be added to the difficulties already enumerated by you and that is that the Punjabi spoken in other parts of the province, say in the Attock district, is quite different from that spoken by my honourable friend. I am afraid no member of this House will be able to understand the Punjabi of that part of the province. This is a serious difficulty. If the honourable member from Attock began to speak in the dialect spoken in his part of the district no honourable member and no Punjabi reporter will be able to follow it or even to understand its gist.

Mr. President : The honourable and learned Doctor as well as some other members of the House are aware, I presume, that there is hardly any other Punjabi in the province who is more in favour of cultivation and development of the Punjabi language than the present occupant of this Chair. But rules are rules and have to be followed. The difficulties stated by me are not insurmountable. If it is the wish of the honourable members of this House that we should engage reporters to report speeches delivered in Punjabi, I will approach Government for sanction. Besides, I will have to request Government to appoint a translator to translate Punjabi speeches into English and *vice versa*. On the last occasion when I allowed one of the honourable members of this House to speak in Punjabi, and a European member requested me to have that speech translated into English, the official translator said that he could neither take down the speech, nor translate it into English. Besides at present we are printing speeches in Urdu and English, and, therefore, the speeches delivered in Punjabi shall have to be rendered into Urdu. For this purpose we shall require extra hands to do the work. So, if the honourable members wish me to approach Government, for sanction of Punjabi reporters and a translator they will please say so and their wish shall be respected. (*Voices : We do want it.*) Well ! I shall approach Government.

Dr. Gokul Chand, Narang : If you, Sir, will allow the honourable member to speak in Punjabi, I shall see if I can report and translate him if necessary. In Switzerland, I am told, there are three languages used in the same House.

Mr. President : If honourable members have no objection I shall have none whatsoever. I shall be only too glad to allow any member to speak in Punjabi provided I am not expected to have the Punjabi speech translated into English.

Khan Bahadur Captain Sardar Sikandar Hyat Khan : It would be impertinent on my part to suggest lack of knowledge in Punjabi to the Chair who is an expert in the subject, but I daresay that if I use any of the expressions used in my part of the province, it would be difficult even for the Chair to follow me. Some words perhaps you, Sir, may be able to understand but I defy any other honourable member here to translate them. That shows how difficult it would be to find any one who will report speeches so delivered, say in *pothohari* of the Rawalpindi district or in a dialect of the Attock district.

Mr. President : Will the honourable member make himself more clear ?

Khan Bahadur Captain Sardar Sikandar Hyat Khan : My object is to show how difficult it would be to get a Central Punjab reporter, for instance to report all the speeches made in the different dialects of the province as there are various and diverse dialects in use in the different parts of the province.

Sardar Ujjal Singh : My honourable friend the gallant Captain is confusing dialect with language.

The Honourable Malik Firoz Khan Noon : May I submit, as the honourable member has said, that you be pleased to invite the opinion of the House on the subject before approaching the Government for the employment of a reporter for this purpose. As far as I can see, the House really has not had an opportunity of expressing its opinion in the matter.

Mr. President : I am not collecting the opinion of the House in a formal manner. I am gathering the sense of the House only informally.

The Honourable Malik Firoz Khan Noon : But, Sir, if I recollect rightly when you heard the voices of ayes from one side of the House you were pleased to say that you would approach the Government in the matter.

Mr. President : Yes, because so far as I could see and hear there were no noes.

The Honourable Malik Firoz Khan Noon : If opinion were formally elicited, I daresay there would be several noes.

Sayad Muhammad Husain : Sir, may I point out that Multani is a dialect which is very difficult to be understood by people living in other districts. The Chair, if I may say so, may be an expert in the dialects of middle Punjab districts like Lahore and Sheikhupura, but what about the districts like Montgomery, Multan and Dera Ghazi Khan? If any member coming from these districts wishes to speak in his dialect, it will be very difficult to report or translate such speeches.

Mr. President : I think now we should proceed to discuss the resolution.

Sardar Partap Singh [Jullundur (Sikh), Rural] (Urdu) : Sir, in view of the difficulties pointed out by the Chair, I would like to speak in Urdu for the present. A resolution was moved and accepted in the Simla session held in July last. We do not know what action has so far been taken by Government on that resolution. Had some action been taken, the honourable mover of the resolution now before the House would not have moved it. There is some difference between the previous resolution and the one which is under consideration. If this resolution is accepted without my amendment, the difficulties pointed out by us to Government in the discussion of the resolution moved in the Simla session will be ignored and the money which will be spent will be wasted. I would formally move my amendment after the Government have made it clear whether any action is taken or is going to be taken in connection with the resolution accepted in the last Simla session. We should like to know whether the Government is prepared to appoint the required committee.

The Honourable Mr. Manohar Lal : The Government is going to appoint a committee.

Sardar Partap Singh : I am glad to learn that Government is going to appoint a committee. Well, Sir, if that is the case, I would request the Government to see that no scheme regarding the extension of the primary education should be considered unless the present system of primary education is completely overhauled. Besides, they should see that primary education is imparted to the students through the medium of their mother tongue. If that is done, I think a three or four years' course will suffice. With these words I would ask the honourable mover not to press his resolution and see what Government is going to do in connection with the resolution already accepted in the last Simla session.

Sardar Harbakhsh Singh [Hoshiarpur and Kangra (Sikh), Rural], (Urdu) : Sir, I am sorry I cannot agree to what my honourable friend on my left has said. It is no use asking the honourable mover to withdraw his resolution on the ground that the present system of primary education is going to be overhauled and because a committee is intended to be appointed very soon to consider the question of compulsory primary education. I should think that the Honourable Minister has thought of appointing the proposed committee only now when this resolution has been vehemently brought forward because apparently he had done nothing so far to give effect to the resolution passed by the Council in its Simla session. In my opinion no more time should be lost so far as this matter is concerned and we should not grow slack in pressing our demand.

We want that primary compulsory education should be introduced throughout the province at once and the reason for it is obvious. Unless the masses in the Punjab are able to think for themselves ; unless they are able to understand their rights and their liabilities and unless they are able to judge for themselves what is right and what is wrong, we are likely to be declared unfit for the grant of dominion status or responsible self-government. In fact our fitness for the grant of dominion status is going to be measured by the standard of literacy achieved so far as the masses are concerned, and, therefore, we will be failing in our duty if we did not insist on this resolution. Such a resolution was long overdue. It should have been brought forward much earlier. Now it is no time to hear of any dilatory tactics. We will have righted the wrong if this resolution is passed and given effect to it at once, because in that case we would attain that standard of literacy which is required of us. At this time when the masses are ignorant, they fall an easy prey to the persuasions of a few interested persons and not understanding their rights and liabilities they begin to agitate in a wrong manner and do other undesirable things when incited by some clever and selfish wire pullers. That is why we want them to receive education as soon as possible, so that they may not be misled by any one in future.

While Government has taken no serious steps to popularise primary education, I recognise that there has been some opposition to the spread of such education by the people themselves as well. But that opposition is due to the wrong feeling that the main object of education is to qualify the students for service, and since all those who have been receiving education have not been able to enter into service, the zeal for receiving education has received a set back. And I feel that that feeling is also responsible for the keen controversy over some suitable medium of instruction for our boys. We have been blinded by the greed for service which can be secured only if

[S. Harbakhsh Singh.]

the students have learnt Urdu, Persian or English and we have been, therefore, ignoring the claims of our mother tongue to recognition as the only suitable medium of general instruction. I am confident that when that feeling is removed and when people begin to think liberally as to the advantages of education, the opposition will automatically cease to have any force. When the masses will come to feel that education is meant to enable them to think for themselves and to distinguish between right and wrong, they will swarm to schools in large numbers to receive education even if they know that they will have to work on the plough throughout their lives after receiving education. Then, I am sure, the controversy over the medium of instruction will also cease to trouble us and the people will recognise that their mother tongue, I mean Punjabi, is the only suitable medium of instruction for them. But I have digressed a little from the point. To return to it I shall request the Government to lose no time in introducing compulsion in the Punjab. Compulsion had to be introduced in civilised countries like England. It is the duty of the Government to uplift the masses and to remove illiteracy amongst them and it can only be done if this resolution is at once given effect to. I shall, therefore, strongly urge that Government should accept it without demur. In this connection I shall say that the amendment desired to be brought forward by my friend.....

Mr. President : Which amendment is the honourable member referring to? Sardar Partap Singh, I think, had his say. He did not move his amendment.

Sardar Harbakhsh Singh : But he said he will do it later on.

Mr. President : Which he cannot do.

Sardar Harbakhsh Singh : Leaving aside the question whether education should be imparted in Urdu or in Punjabi or even in Hindi we should concentrate our attention on one point and demand unanimously that compulsion should be introduced without further delay. The question of the medium of instruction can be settled at leisure. At present the claims of Hindi, Urdu or of Punjabi languages should not engage our attention. Hindus want Hindi and Muhammadans want Urdu to be adopted as the medium of instruction. The Punjabi language is very lightly treated as we have seen to-day although, as I have said before, it is the only suitable medium so far as we Punjabis are concerned. I admit that for this light treatment of the mother tongue we are ourselves to blame to some extent. No effort has so far been made to make it complete and to bring it to the level of other recognised languages. But these matters can be attended to afterwards. Now we should not think of these differences and unite in our demand for the introduction of compulsion, so that the people may be prepared beforehand to shoulder the responsibilities which will devolve on them in the near future. I was given to understand that Sir George Anderson had prepared a scheme of six years' course sometime ago, but I wonder how that has been disposed of. I shall not avail of this opportunity to attack the Honourable Minister for Education by pointing out that during the last two or three years Hindus have been given preference over Sikhs and Muhammadans or over zamindars in the Provincial Educational

Service as the figures show. I would rather say that we should thank our star that the injustice done to the claims of the Sikhs and Muhammadans or zamindars has not assumed a serious shape, perhaps because the Honourable Minister feared to go to the extreme and has timidly done only this much in two or three years. Since the retirement of Sardar Bishan Singh two Sikh Assistant District Inspectors of Schools in the Jullundur division have been transferred to the teaching line and the amount of grant-in-aid to two Khalsa High Schools has been curtailed or disallowed. In this connection I may also say that deputations of the Sikhs waited on the Director of Public Instruction, and on the Honourable Minister for Education in turn, but to no effect. The Director said that he knew nothing about their complaints and grievances and the Honourable Minister said that the Director should be approached in the matter. Questions were put in Council but no reply is given. • This attitude is really puzzling. I may here sound a note of warning that this policy of the present Ministry is not the right policy. There is already a large number of non-zamindars in the subordinate service and now the Provincial Service is gradually being usurped by them. They have no sympathy with the villagers and if Government is really anxious to popularise education in the masses, as it professes to do, it should employ zamindars in much larger numbers in the Education Department. I will not be far wrong if I say that the present Minister is indifferent to the claims of the zamindars and has adopted the present policy because he is even now connected with the Syndicate of the Punjab University which consists of mostly non-zamindar members. The previous Ministers of Education had nothing to do with the Syndicate.

Mr. President : Is primary education in the Punjab regulated or controlled by the Syndicate of the Punjab University?

Dr. Gokul Chand, Narang (Punjabi) : One thing leads to another.

Mr. President : Right.

Sardar Harbakhsh Singh : What I want to say is that the Honourable Minister should dispense justice evenly and should pay due regards to the claims of zamindar communities which form the masses.

With these words I heartily support the resolution and urge with all the force at my command that this resolution should be given effect to at once. May I hope that this resolution will not meet the fate of the resolution passed by the Council in its summer session?

Sir George Anderson (Director of Public Instruction) : Sir, whenever I consider the development of our system of primary education (and this occurrence is by no means infrequent), I am reminded irresistibly of two passages in the Christian Scriptures. The first passage contains these words :—

“ First the blade, then the ear, and then the full corn in the ear.”

In other words, in order to obtain good fruit it is necessary that there should first be strong and vigorous growth ; and so it is with a system of education. We should, therefore, be careful to ensure that the growth of that system shall be strong and vigorous so that, in the fullness of time, we shall reap an abundant harvest. Mr. President, the main crop of a system

[Sir George Anderson.]

of primary education is the attainment of literacy. If we fall short of that objective, we shall be failing in our duty to those boys who are now enrolled in our schools and who have the first claim on our attention; and we shall also be guilty of squandering large sums of public money which might be utilised to better purpose in other directions. Unfortunately, throughout India in all the several systems of primary education there is an abundance of waste, and there is much that is ineffective in the teaching of our schools. The volume of literacy attained is very disappointing, though I am glad that the figures indicate that in Bombay and the Punjab these distressing symptoms are less pronounced than elsewhere. Still, the position is serious. The enrolment in class I is out of all proportion to the enrolment in the upper primary classes; attendance is irregular; progress is often disappointing. What is even more distressing is the fact that many boys who have become literate at school, shortly after leaving school relapse into illiteracy and lose their hard won literacy. Sir, I presume that my friend, the mover of this resolution, desires to discuss these matters in order to see how far we can improve our system and by what means we can make it less wasteful and more effective.

But there is another aspect of this problem which is also illustrated very clearly by a passage in the Christian Scriptures :—

“To him that hath shall be given and from him that hath not shall be taken away even that which he seemeth to have.”

These words should be interpreted in the moral sense. If, however, they are interpreted in the material sense, then grave injustice will ensue and the result will be disastrous. Therefore, not only must we improve and stabilise our system, but we have also to consider whether that system meets the needs of those who live in small and distant villages (*hear, hear*). I hope that in these few words I have proved at any rate my contention that the formulation of an educational policy is a problem of great difficulty and of great complexity.

It is a fortunate coincidence that on the agenda papers of this session there are notices of two resolutions, both dealing with the subject which is now under discussion but each dealing with a separate aspect of the main problem. The first is the resolution moved by my friend from Ferozepur. I gather that he is dissatisfied with the one-teacher-school. I am in hearty sympathy with him in his dissatisfaction, for I feel that the one-teacher-school is alike uneconomical and unfruitful. It is uneconomical in that even with only a single teacher the number of boys enrolled in the school is usually so small that the cost per head must be comparatively large. It is also unfruitful in that it is unlikely to bear good fruit in the form of literacy, for it is unreasonable to expect a teacher single-handed to teach children distributed over the four primary classes. My friend and those who support him are also dissatisfied with the four-class primary schools even when they have two or more teachers. Again I have much sympathy with his dissatisfaction and his objection to that type of school. Though a boy should ordinarily attain literacy by the time that he reaches class IV, it is essential that if he has to gain a firm grip of literacy which will be strong enough to withstand the difficulties of the future, he should attend classes V and VI. My friend has, therefore, moved a resolution in which he advocates

that our primary schools shall each have six classes, and that there shall be a system of compulsion in those six classes. Again, I have much sympathy with his object in view. It is certainly a bold step, but it would do much to reduce the distressing waste to which I have referred. There are, however, difficulties in the way. First of all, we have to count the cost thereof. It is difficult to give even a rough estimate of that cost. I do not wish to frighten my friend beside me, but the cost would amount to at least two crores recurring. And there is another objection in that my friend has been forgetful of those who live in small and distant villages; for I do not think that he would suggest the institution of a six-class school in every village of the province.

There is another resolution standing in the name of my honourable friend on the benches near by and his main object is to provide a primary school in every village of the province. This is a most laudable object. His ideal is that every boy in this province should be within easy reach of a primary school. But if we should make such provision, then we should be multiplying the number of these unsatisfactory one-teacher schools. We should thus be increasing waste, and the results would not be satisfactory.

Mr. President, I shall now ask two questions and shall do my best to answer those questions as briefly as possible. What is the goal which we all desire to reach? I have no hesitation in answering that question and in agreeing generally with my honourable friend from Ferozepur. I submit that the goal of the Punjab is to have a system of vernacular education which would comprise middle schools with eight-classes, primary schools with six classes, and branch schools to fill in the gaps. But after reading the doleful review which the Finance Department has placed in our hands, to me this ideal is but "the distant scene, one step enough for me." Therefore, my second question is: What is the next step? or in other words, how can we best spend such additional money as may become available? I shall try to answer this question by indicating what has been the policy of Government in the recent past, what is its policy to-day and what it hopes to do in the immediate future. First, there is the reduction in the number of one-teacher schools. A few years ago, there were 4,000 such schools. The latest figures indicate that the number is now about 1,500, and I hope that the number will have been further reduced by the end of the year. I submit that this policy is calculated to assist the average village containing about a thousand inhabitants, 500 men and therefore about 75 boys of school-going age. In many of the villages of this type there used to be only twenty or thirty boys at school. We then tried to encourage more parents to send their boys to school with the result that in many cases the number of pupils was raised to forty, fifty or sixty, so that an additional teacher was justified, the cost of whose salary was met by Government. I submit that the continuance of this policy should be a means of assisting the average village. Then, there are the smaller villages of 500 inhabitants, or less, in which the provision of schools is a matter of very great difficulty. We have recently started an innovation which is generally known as the branch school. I am aware that many members of this Council are of the opinion that these schools are unsatisfactory and I am prepared to admit that such is the case; but that is no reason why we should give up the experiment and why we should not try to improve these schools. We have,

[Sir George Anderson.]

therefore, been trying to improve the supervision of these schools so that they shall be more effective. I submit that a continuation of this policy is in the interests of those who live in small villages.

I now come more directly to the objects in view which have been discussed by my friend, the mover; that is, the improvement of our system by means of instituting a larger number of lower middle and full middle schools. I shall now give the relevant figures. In 1921, there were 244 full middle schools; there are now 671. In 1921, there were 412 lower middle schools; there are now 2,568. I submit that these schools are of very great benefit in improving our system. In the first place they give additional facilities to boys for receiving instruction in classes V and VI, and they also improve very much the teaching in the primary classes in that such teaching should be much more effective in secondary than in primary schools. I am glad to note that there are now more primary boys reading in these secondary schools than there are in the primary schools. Two years ago, Government drew up a programme in this respect with the result that for the last two years we have been subsidising local bodies to the extent of forty middle schools in each year and 400 lower middle schools, Government providing the total cost.

I now wish to say a few words on compulsion. My friend wishes to have a system of compulsion which would apply to the six primary classes. I note with pleasure that he is the senior vice-president of the Ferozepur district board, and I rejoice also to see in front of me my friend, Mr. Maya Das, who is the Secretary of that district board. May I suggest that when they go forth from this Council back to Ferozepur, they should propose to that board that a very large number of lower middle schools should be placed under compulsion in respect to the primary classes. I would also make a general suggestion. The next step and, in my opinion, the most effective step, would be to apply compulsion to as many lower middle schools as possible. As an experiment, it might also be possible to introduce compulsion on a six year basis in some of the full middle schools. I offer this suggestion for what it is worth.

Mr. President, I shall now conclude my remarks. When I spoke in Simla in the summer session, I ended my speech in this manner. I stated that I would yield to none in my eagerness and anxiety to witness that great and glorious day when the Punjab achieves the goal of universal primary education; but, at the same time, I gave a word of warning that we should not be carried away by our enthusiasm on behalf of the boys so as to neglect entirely the even more urgent needs and requirements of the girls. I shall conclude my speech to-day with this warning that, in future, I shall resist every resolution which aims at incurring vast expenditure on the education of boys but which neglects entirely the needs and requirements of girls. *(Hear, hear and applause).*

Mr. E. Maya Das (Non-official, nominated): Sir, in the view of the remarks made by the honourable member who has just sat down, I would request the mover of this resolution to withdraw his resolution.

Chaudhri Yasin Khan [Gurgaon-cum-Hissar (Muhammadan), Rural] (Urdu): Sir, this resolution has already been commented upon by a few members and before

I deal with the actual resolution I would like to express my opinion on what has been said by them. Sardar Partap Singh insisted upon the fact that if the resolution was to be adopted education should be imparted through the medium of the mother tongue of the students.

Mr. President : I would request the honourable member not to discuss the point any more. The amendments on the subject were not moved.

Chaudhri Yasin Khan : Sardar Partap Singh was allowed to express his views on this point. I request that the same privilege may be granted to me.

Mr. President : That is a very controversial matter and I do not wish it to be discussed incidentally.

Chaudhri Yasin Khan : Sardar Harbakhsh Singh and Sardar Partap Singh have both asked the Government to appoint a committee to go through this matter, and the Honourable Minister has also expressed his willingness to do so.

Mr. President : May I just read to the honourable member the resolution passed by this House at Simla.

"This Council recommends to the Government to appoint a committee of the Punjab Legislative Council to find out ways and means for introducing compulsory primary education in the Punjab."

Reference was to that resolution and I do not think it proper that a resolution which has once been passed should be discussed again by this House to-day.

Chaudhri Yasin Khan : On this point my only submission is this that a committee be formed if necessary and its report be submitted at an early date so that the necessary steps may be taken in proper time. One of the parts of the resolution is that the primary course may be extended to six years, and that the primary vernacular education may be made compulsory. The honourable mover's object was to provide the students with reasonable means to obtain literacy within as short a time as it is possible. Under the present system the students whatever they learn in four years forget during the following six months after they leave school. Another objection that presents itself is regarding monetary considerations, that is, the poor agriculturists are granted no concession in fees of their children reading in fifth class. It was not so under the former system and has only resulted from making the fifth primary class a part of the middle department. A fee of 5 annas per mensem is not an exorbitant sum but some students cannot afford to pay even that and consequently they have to give up their education. Another difficulty that arises is that in backward areas two attempts have to be made in order to induce the parents to send their boys to schools, once when they join the fifth class and the second time when they join the seventh class. Moreover these admissions generally result in the students having to change their schools which is a great inconvenience to their parents. There is a serious defect in the system of compulsion, and so long as the system does not extend to female education the other half of the picture will remain dark. Whenever some one points out this defect the Government proudly comes up with the plea that a large number of girls' high schools have been opened. It is regarded of no importance that the school

[Ch. Yasin Khan.]

have only been opened in big towns like Lahore and Amritsar. These schools in cities can be of no good to the rural areas. A girl who is being educated in the city cannot be expected to be a teacher in a village. The villages are not even supplied with a proper staff of women teachers for the very few schools that already exist, not to say of opening new schools for the areas where they are not existing. We require vernacular middle schools for girls in rural areas. So long as female education is not paid the proper attention, the real purpose of education cannot be achieved. If we are to act up to the spirit of the resolution and want widespread education in the province then we should avail ourselves of the services of such inspectors and teachers who are prepared to work like missionaries. They should be able to understand the life and gain the confidence of the people amongst whom they are working. Such a beginning would be a good omen. Here through you, Sir, I request the patience of the House to listen to the statement that was made in a sitting of the Montgomery All-India Muslim Educational Conference, which was presided over by yourself. Since the English came here they have been paying due regard to the question of education. They realised and insisted upon the fact that the teachers should be recruited from amongst the people who are to be educated and whose habits and mentality they understand. Captain Fuller, probably an inspector at that time, says in his report of the year 1960-61 about normal schools—"In these schools amongst the teachers under training the number of Muslim teachers far exceeds that of the teachers of any other community, as the following figures show :—Muslims 934, Hindus 111, other communities 6, for the present there appears to be no solution for the problem to balance the proportion communitywise. Excepting the Amabla Division the vernacular education is in the hands of Muslims and so long as their universal popularity is there we cannot remove them. Still the district authorities are directed that efforts must be made to change this proportion and this can be done by inducing the Hindus to get training for the profession and wherever there was not a keen demand for the Muslim teachers in the village the Hindus should be appointed instead." The same official in his report of the year 1962-63 states that the proportion of the Muslim teachers is still in excess being 3 to 1 as compared with the Hindus. In this report also Captain Fuller insists upon the encouragement of the Hindu teachers. Taken together these reports show that Muslim proportion was brought down greatly during a very short time. If the Government goes on with its present policy of following Captain Fuller's report too faithfully it is to be feared that the Muslim proportion in the teaching staff will soon vanish altogether. Now that the circumstances that necessitated the adoption of the former policy do not exist and Hindu teachers are no longer in dearth, it is high time for the Government to give Muslims a chance to make up the deficiency of Muslim teachers and inspectors.

Dr. Gokul Chand, Narang : Are not the remarks of the honourable member irrelevant ?

Mr. President : Yes .

Chandhri Yasin Khan : The honourable members clamour about levency. I would ask, if the proposals to adopt means for achieving

the purpose of education are irrelevant, then, is not spending money on this department altogether irrelevant? The Council should feel its responsibility and the committee that has to be appointed should also try to satisfy the end and aim leading to its appointment, otherwise incurring such heavy expenses is no use. Chaudhri Baldeo Singh, the member from Rohtak, while tabling a resolution which he did not move seemed to have an idea of suggesting economy. One example of this economy has been seen in the shape of a circular of the Education Department regarding fee concessions to the agriculturists; this concession has been extended to parts of eastern districts but an "if" has been added in connection with these concessions that these concessions will not be available for the sons of those who are voters of the Legislative Council.

This circular insists on a slight saving for the Government but it does not pay any regard to the evil consequences that it will entail upon the zamindars. A poor zamindar who happens to be a voter for the Council because he is an *ex*-soldier or a pensioner has to be deprived of the concession. A poor zamindar whose whole property consists in an ancestral house worth Rs. 4,000 and who is entitled to a vote on the strength of it, will be placed in a queer fix. He will either have to sell this house and deprive himself of the vote or go without education for his children. The same will be the fate of those zamindars who possess ancestral land and pay the requisite amount of land revenue which entitles them to a vote.

Mr. President : Has the honourable member any other point to urge?

Chaudhri Yasin Khan : The purpose underlying this circular of the Education Department is that the zamindar voters may renounce their demand for low franchise, and secondly, they may request the patwari to strike their names off the list.

Sir, my next point is that in order to have effective compulsion the attitude of the officers of the Revenue Department must be sympathetic. If the zamindars of some village apply that a school may be opened in their village, the elaborate nature of the procedure is enough to deter them from it. First they have to apply to the Assistant District Inspector of Schools who forwards the application to the District Inspector of Schools who forwards it to the Tahsildar through the Deputy Commissioner for investigation. The Tahsildar issues orders to the villagers concerned to come for attestation, &c. The busy zamindars cannot afford to go to a distance of 10 or 20 miles in order to appear before the Tahsildar. So the matter ends there.

Sir, the present demand for education is the result of the reforms. The first Minister gave it his whole-hearted support; the second Minister also followed in the footprints of the first. The present Minister also promised when this Council was formed to carry out their policy. But he has not given his promise a practical shape. I would be failing in my duty if I do not admit that whatever progress has been made in education in the province is due to the strenuous efforts of Sir George Anderson, the Director of Public Instruction whose integrity and devotion to the cause of education has earned the gratitude of the whole province and with education his name will always be remembered as Mr. Calvert's name is known throughout the country for the progress achieved in co-operation. What Mr. Calvert has done for

[Ch. Yasin Khan.]

co-operation, Sir George has done for education. In the end, Sir, I would once again insist upon the immediate necessity of revising the school text-books and increasing the zamindar element in the teaching and inspecting staff of the Educational Department.

Mr. President : Has the honourable member finished ?

Dr. Gokul Chand, Narang : No, he has still got to discuss the Syndicate and the Senate of the Punjab University.

Mr. President : I hope not.

Chaudhri Yasin Khan : In answer to the repeated objection of the honourable member as to the relevancy of my remarks I would say that the whole system of education is like a tree of which the primary education represents the roots and the higher education represents its leaves and fruits. If we do not make the fruit the ultimate purpose of our efforts we would be left with nothing but the worthless roots and a few branches. Therefore we should consider the matter as a whole, and go into the *pros* and *cons* of it at some length. We are also required to look to the needs of the times and if in the interest of education teachers belonging to agricultural classes (*zamindar asatara*) are wanted, we should supply them.

Dr. Gokul Chand, Narang : What is meant by the word *asatara*.

Pir Akbar Ali : It means teachers.

Chaudhri Yasin Khan : Sir, the appointment of teachers is an important factor in education and should accord with the needs of the time. When any higher officer goes to the Ambala division and suggests an increase in the Muslim element in the teaching and inspecting staff of the division, higher officers already in control there object to the suggestion on the ground of the division being predominantly Hindu. May I ask the Government if Muslim teachers preponderate in divisions like Rawalpindi where the Muslim population is 90 per cent. of the whole.

Dr. Gokul Chand, Narang : Cent per cent.

Chaudhri Yasin Khan : That is why we want a higher percentage of Muslim teachers and Inspectors in those divisions. The number of Muslim Assistant District Inspectors has decreased during the time Lala Atma Ram was Divisional Inspector. Considering the fact that he was a Hindu and his interests did not coincide with those of the Muslims, the further decrease in the Muslim proportion shows a very unfortunate state of affairs.

Mr. President : I must ask the honourable member to speak to the question before the House.

Chaudhri Yasin Khan : Sir, in conclusion I give my hearty support to the resolution and request that it may be acted upon according to the course which I have proved to be the proper one, i.e., that female education should be paid proper attention to, that the agricultural element should be increased on the teaching and the inspecting staff, and that the other defects pointed out by me should also be removed.

The Honourable Mr. Menohar Lal (Minister for Education) : Sir, the subject matter of this resolution was substantially in debate only at the recent session of this Council at Simla. Then it was pointed out on

behalf of Government, what preparations had already been made in this province for working towards this goal of compulsory primary education. It was pointed out that it was fully realised that if compulsion did not obtain, there would likely be a considerable wastage in the work of our schools and also that the whole school system was apt to be uneconomical. Sir George Anderson to-day has pointed out once again how many steps have been taken in order to realise that object, reducing rapidly one-teacher schools, developing with equal rapidity our primary schools into lower middle schools and into full middle schools. He also pointed out that the number of senior trained teachers is rapidly on the increase. I may say that this increase is so great that should it be possible otherwise to introduce compulsion, in the matter of provision of teachers, there would be no difficulty. With those facts before us, it was possible for us to view with the utmost sympathy and the resolution that was then moved by Sardar Ujjal Singh for examining the possibilities from various points of view of real compulsion, as also the general object of that resolution. As I said earlier to-day in answer to a question put by an honourable member opposite, the Government proposes very shortly to constitute this committee to go into the whole question of compulsory primary education from all relevant angles of examination. In that view of the matter it is not necessary for me to enlarge at any length to-day. But because so much has been said in various parts of the House about the way in which education in rural areas is spreading or not spreading, may I say that to-day the number of rural areas in the Punjab under compulsion stands at over 2,400. In answer to a question by Rai Bahadur Lala Mohan Lal we have to-day a list, covering two-thirds of the printed book of questions and answers, giving the names of those rural areas. Since the preparation of this statement the number has advanced still further. This statement was prepared sometime ago. Since that time the list has gone up by over 200, and if one cares to investigate these names, he will see that the rural areas cover remote villages irrespective of the divisions where they are placed; he will also see how the compulsory vernacular education has been expanding during the last few years in the province.

One small fact I wish to submit. Early in 1927 when I took over the Ministry of Education this number of compulsory rural areas was about 1,000. To-day, it is 2,400. (*Hear, hear*). That is not a progress of which we need be ashamed in any sense whatsoever, though I agree with the honourable members who have pressed for the advance of compulsory education, who did so at Simla and who have done so to-day, that we would be only too glad if the progress could be still faster. I expressed the utmost sympathy with the resolution of Sardar Ujjal Singh moved at Simla and I make no hesitation in expressing equal sympathy with the resolution that has been moved to-day by Pir Akbar Ali. But the question is, while we are about to enter, upon probably the first careful and all-round examination of the implications and of the purpose of real compulsion as distinct from voluntary compulsion—because the object of Sardar Ujjal Singh's resolution was real compulsion, and that has been very strongly supported by my honourable friends opposite—while we are on the point of entering upon this inquiry, and I think Sardar Ujjal Singh had in view at that time at any rate only four classes, it is

[Hon'ble Mr. Manohar Lal,]

difficult for us to accept this resolution as it has been framed by my honourable friend from Ferozepur, involving as it does that the system of primary education should be extended from four to six years and that the full measure of compulsion should be applied in all these six years and that, that object be attained definitely in the course of 7 years. Now, let me state one or two facts for the consideration of the honourable members of this House. At the present moment we have about 7,588 vernacular schools in this province; of this number 671 are full middle schools, 2,550 are lower middle schools and we still have 4,367 primary schools. The step which the honourable mover of this resolution would have us adopt would be tantamount to converting at a remarkably rapid rate this number of 4,367 primary schools into lower middle schools. One has to pause and think what that exactly implies. Not only that, Sir, the position further is this that even if we did convert the 4,367 primary schools into lower middle schools that would not give adequate opportunities to all the boys in the province to get to one of these lower middle schools. Even if we were to introduce compulsion at the primary stage, a matter we are about to investigate in detail, we may require, I can only make rough calculation, something like 2,500 to 3,000 additional primary schools, to achieve the object.

There is no dispute as regards the ideal or the object to be desired, the question is of defining the exact requirements, and the method of meeting them. These schools that I have mentioned, honourable members would note, that these primary schools also are situated in rural areas. There is no use thinking that these primary schools or for the matter of that most of the lower middle schools are situated anywhere other than in rural areas. One further fact. Since under this debate the controversy of rural *versus* urban has again been unfortunately raised, the total number of urban compulsory area is only 61, it was about 50 in 1927. Since then I am not aware of extra effort being made in the matter of introducing compulsion in urban areas. May I say this also. I realise, we all realise, that real compulsion is the genuine article for which voluntary compulsion is no real substitute (*hear, hear*). We would all like to have real compulsion. But as long as we are under the present system of voluntary compulsion, it rests with the gentlemen of the position and influence in their districts of my honourable friend from Ferozepur who moved this resolution, it rests with him to extend the principle of compulsion. I may say that on our part the widest possible scope is given for the application of such compulsion as is possible at the present time. I wish to make no complaint, Sir, but I feel as if I might say this that the district over the destinies of which my honourable friend (Pir Akbar Ali) presides has not shown any particularly keen desire in furthering this work of introducing compulsion under the Primary Education Act in the Punjab.

Pir Akbar Ali : I am not responsible for that.

The Honourable Mr. Manohar Lal : Before asking the Council to adopt a thing for the province as a whole, it would have been better if the honourable member would have turned his searchlight a little nearer home to his own district of Ferozepur,

Pir Akbar Ali : Genuine attempts in the Ferozepur district and in some villages have been made, but unfortunately the District Board have not got money or they did not like to give.

The Honourable Mr. Manohar Lal : The District Board is just the body over which our friend opposite presides. In this district there are only three or four compulsory areas out of a total of over 2,400 in the province. Let me say that so far as the Director of Public Instruction and the Ministry are concerned, we are only too happy when more areas choose to come under compulsion. I do not wish to enter upon the debate in many of the directions in which it is drifted in the hands of some of the honourable members, nor do I wish at this stage to anticipate in any way the deliberations of the committee that is to be appointed. The motion in the words of the honourable the mover at Simla was to find out ways and means for introducing compulsory primary education, and how that cost can possibly be met. It will be immediately realized that the costs would increase immeasurably if the level of compulsion is to be raised from 4 to 6 classes. But since we are about it, since the matter is to be examined, in any case I think, I am prepared to move so far as to ask this committee also to apply their tests to the possible cost if compulsion were to be carried to the 6th standard. Now, Sir, this raising of the level to six years will raise many other problems. As for me, my own opinion is that if compulsion could be introduced, if means can be found, if machinery can be devised and if people would be willing to support the advance, it would be desirable to carry compulsion even further. But the moment you raise it from the 4 year class unit which constitutes the present primary standard, the primary school that stood at one time meant 5 years now stands at 4, other questions arise, such as the technical importance of a lower middle unit of additional two years' course, etc. Another question will also be the raising of the age of compulsion, the present compulsion under the voluntary system is from 6 to 11 years. This is no easy matter and public opinion will have to be prepared for it. The honourable members opposite see the import of this point which will have to be seriously considered. We have to take a variety of facts into consideration, it is not a matter in which opinion can be hazarded off-hand. Even to-day much complaint is made, and very often rightly, that it is difficult to retain the boys in schools in the 2nd and 3rd class and considerable proportion of the boys who enter the first class would not remain up to the 4th class. It may be due to poverty, it may be due to apathy and various other reasons. It will be seen that these considerations appear in intensified form once you wish to raise the limit from 4th to 6th class. But as I have already indicated I have every sympathy with all that underlies this resolution, and it is my desire to see the work of compulsion carried out as far as it can possibly be.

I think the honourable members will be satisfied by my assurance that this committee which will be appointed shortly, I regret that for various reasons it has not been possible to constitute the committee before this will be asked to take into consideration the implications of the present resolution. (*Applause*).

Shaikh Abdul Ghani : Sir, I think the Honourable Minister for Education has very fully dealt with all the various aspects of the points raised today and has shown his sympathy with demands of the resolution, but

[Sh. Abdul Ghani.]

I think most of us have all along been thinking that the honourable mover in his speech on the resolution had given certain facts and figures wherein he had tried to complain that since 1927 there had been a steady decrease.

Mr. President : Order, order.

Shaikh Abdul Ghani : Sir, my humble submission is that this was the point that did require some elucidation.

Mr. President : That point is not directly before the House. Therefore, I can not allow its discussion. If the honourable mover of the resolution or some other members very skilfully made it relevant and brought it in their speeches, that is a different thing. But I cannot allow it to be discussed directly as if it were before the House.

Shaikh Abdul Ghani : That point was the only one which was not covered by the Honourable Member's reply. I, therefore, wanted to draw attention to it.

Mr. President : I think it was exceedingly discreet, nay, wise on the part of the Honourable Minister not to advert to that point.

Sayad Muhammad Husain : I move—

“That the question be now put.”

The motion was carried.

Mr. President : Does the honourable Pir Akbar Ali wish to reply?

Pir Akbar Ali [Ferozepore, (Muhammadan) Rural] (Urdu) : Sir, after what has been said by the Honourable Minister for Education and the Director of Public Instruction, I would beg leave of the House to withdraw my resolution. But before that I wish to make a personal explanation.
I.....

Mr. President : Order, order, after the honourable member has asked for leave to withdraw his resolution he cannot be allowed to make a speech.

The resolution was by leave withdrawn.

RESOLUTION re OPENING OF AN INTERMEDIATE COLLEGE IN MONTGOMERY.

Sayad Muhammad Husain [Montgomery, (Muhammadan), Rural], (Urdu) : Sir, I beg to move—

“That this Council recommends to the Government to open an intermediate college in Montgomery in the next financial year.”

Sir, the request that I have made is a very reasonable one. The very first question that arises in this connection is that of the necessity and desirability of opening such a college in Montgomery. I beg to submit, Sir, that the need for a college is very great there. There are seven high schools in that part of the province to feed the college; two in Montgomery and one each in Kamalia, Renala Khurd, Pakpattan, Dipalpur and Okara. I have been told that there is an eighth high school at Chichawatani also. The number of students in these schools is quite a large one and it is still on the increase. Now, Sir, it is really very difficult for those students to come

to Lahore to get college education. Some of them are prevented from doing so by their poverty while most of the others are refused admission for want of accommodation in the Lahore colleges. Moreover, the distance between Lahore and Montgomery is more than one hundred miles while Gujrat, which is happy in the possession of a college is situated at a distance of only 70 miles from Lahore. Similar is the case with Amritsar and Jullundur, though the colleges there are not maintained by the Government. Thus, Sir, no big educational centre is situated at so great a distance from Lahore as Montgomery. In fact the demand for a college in that part of the province is so great that it has been urged upon me in my representative capacity by people from all parts of the district and from all the various communities. Even the Deputy Commissioner expressed the opinion that a college is sorely needed in Montgomery.

Then comes the financial aspect of the matter. Sir, the Director of Public Instruction has just returned from a visit to Montgomery and he must have observed that there will be no difficulty with regard to the buildings for the college. The present buildings of the Government High School, are very spacious and will not require any extension in the event of an intermediate college being opened there. Thus a very important factor of expenditure is eliminated altogether. I admit, Sir, that the Government may be feeling a financial stringency, but as I have said this college will not entail any very great expenditure. It is very unfortunate, Sir, that every useful resolution is made the subject of communalism in this Council. But I sincerely hope that my resolution will not share the same fate, although I am very doubtful on that score.....

Mr. President : Will the honourable member please speak to the question under discussion ?

Sayad Muhammad Husain : I wanted to say, Sir, that this resolution should not be opposed simply because it is put forward by a Musalman.

Mr. President : The honourable member should not anticipate any opposition. If anybody opposes, then he will have a right of reply.

Sayad Muhammad Husain : Very well, Sir. Now this unfortunate country is hopelessly in the grips of communalism. The Hindu-Muslim question.....

Mr. President : I cannot allow the honourable member to speak on the Hindu-Muslim question.

Sayad Muhammad Husain : Very well, Sir, then I will request the House not to look upon this resolution from that point of view.

Mr. President : May I ask whether the honourable member is aware of the fact that a Government intermediate college is going to be opened next year in Montgomery ?

Sayad Muhammad Husain : I am not aware of that, Sir. In fact I asked Sir George Anderson about it before moving my resolution. Had he told me that, I would not have moved the resolution. However, if such an assurance is given by the Government, I will thankfully accept it and withdraw my resolution.

Mr. President : The resolution moved is—

“ This Council recommends to the Government to open an intermediate college in Montgomery in the next financial year.”

The Honourable Mr. Manohar Lal (Minister for Education) : Sir, I am able to intimate to this House that we actually propose to open a college at Montgomery next year if financial provision could be found. I say, if financial provision could be found for obvious reasons. For the matter has to go through several steps, one of them eventually being this very Council, before a college could be started. This is a decision at which we have arrived. I need only add that as far back as two years ago when I went to Montgomery with the then Director of Public Instruction, we made no secret of the fact that the establishment of a college at Montgomery had our entire sympathy and support.

Sayad Muhammad Husain : I thank the Honourable Minister for the assurance but it is not quite clear and definite.

The Honourable Mr. Manohar Lal : At present I cannot be definite myself.

Mr. President : I do not think it is within the power of the Honourable Minister to sanction the amount. It will be for the Council to sanction it when the annual budget is passed.

Sayad Muhammad Husain : Under these circumstances, I beg leave to withdraw my resolution.

The resolution was by leave withdrawn.

RESOLUTION RE ELECTIONS TO THE LEGISLATIVE COUNCIL.

Mian Ahmad Yar Khan Daultana : [Multan East, (Muhammadan), Rural] (Urdu) : Sir, I beg to move that—

“ This Council recommends to Government that the forthcoming elections to the Punjab Legislative Council should not be held in the next spring or summer.”

Sir, I do not think that any lengthy speech is required to commend this resolution to the House. The honourable members are well aware of the fact that the zamindars are very busy in the spring season because it is the harvesting time for the Rabi crops and the zamindars cannot attend to anything else in that part of the year. Moreover, the preparations for the *kharif* crops are also made in the same season. Now the majority of the voters for the Punjab Legislative Council consists of zamindars and if the elections take place in the spring season they will not be able to go to the polling stations and record their votes. In that case, Sir, the members elected to the Council will not have a just claim to being considered the true representatives of their constituencies. Moreover, in the present state of our country if the percentage of the votes recorded is small there is every danger of the fact being misinterpreted or some persons using it to mislead the people and to serve their own ends.

Now as regards the summer season, I beg to submit, Sir, that in many of the polling stations there is a great scarcity of shady places and water. Therefore in the scorching heat of that season, it will be absolutely impossible for the candidates to go to different places and educate their electors in a proper manner. Then, Sir, that is also the irrigation time and, therefore, people will be very busy with their lands. Thus in the summer also, it will

not be possible for the candidates to approach their electors, and for the electors to go to the polling stations to record their votes.

In view of these facts, Sir, I hope that the Council will adopt my resolution and that it will not be made the subject of any unnecessary controversy. With these few remarks I commend my resolution to the House.

Mr. President : The resolution moved is—

"This Council recommends to Government that the forthcoming elections to the Punjab Legislative Council should not be held in the next spring or summer."

Khan Bahadur Captain Sardar Sikandar Hyat Khan [Muhammadan, Land-holders] (Urdu) : Sir, I strongly support the resolution which has just been moved by my honourable friend from Multan. No one can deny the force of the arguments advanced in support of it. Besides there is still another difficulty which was very often experienced in the previous elections and which will assume a very serious form if the elections are held in the next spring or summer. The polling stations are usually situated at great distances and it becomes very difficult for the voters to have their votes recorded at such polling stations. In the last elections it was found that some polling stations were situated at a distance of forty miles from some villages. In my own district Attock some Thanas are situated at a distance of 18 miles from some villages and the voters of these places feel great difficulty in recording their votes at such Thanas. When such is the case, you can well imagine how difficult it would be for the voters to travel a distance of 18 miles or so in hot weather for the purpose of recording their votes. In summer season generally it is even difficult for anyone to step out of his house and it is often dangerous to travel such long distances. There is yet another reason for which elections should not be held in the spring either. The sitting members of this House would be handicapped in the matter of canvassing because they will have to come over to Lahore in order to attend the next budget session and will not be able to canvass their constituents, or else they will abstain from attending the budget session and the Government members will have to discuss and pass the budget without the non-official members. With these words I support the resolution.

Mr. Din Muhammad [East and West Central Towns, (Muhammadan)] (Urban) : Sir, with your permission I would like to add one word. If the newspaper reports are correct, it appears that the Bombay Council has also passed a resolution to that effect and all these reasons which have been mentioned to-day in this House were mentioned there against the holding of election in the summer or spring.

The Honourable Mian Sir Fazl-i-Husain : When should they be held ?

Mr. Din Muhammad : In November, or in autumn if you so please.

The Honourable Mian Sir Fazl-i-Husain : As late as possible ?

Mr. Din Muhammad : In addition to the points that have been raised by the honourable members that have preceded me, I would only like to add one thing more and that is that those persons who intend to contest the future elections would be handicapped if the elections are accelerated in any manner. So far not only the constituencies have been under the impression

[Mr. Din Muhammad.]

that the lease of the present Council would be extended, this was also the case with the intending candidates and if the elections are inflicted upon the Province, say in another month or so, it would mean that they would be taken by surprise and they would be handicapped in the matter of election or canvassing respectively. That the elections should not be held in the spring has already been urged before the House. It is altogether undesirable that they should be held in summer because then the harvest time and the heat are two factors which cannot be ignored and specially for those gentlemen who stand for the rural constituencies it would be simply impossible to go about canvassing and to secure the attendance of their voters at the polling stations. With these few remarks I lend my whole hearted support to the resolution.

The Honourable Mian Sir Fazl-i-Husain : Sir, Government will give its most careful consideration to the important points to which the honourable members have drawn attention.

Mian Ahmad Yar Khan Daultana : Sir, in view of the assurance given by the Honourable Leader of the House, I do not want to press my resolution.

The resolution was by leave withdrawn.

The Council then adjourned till 2 P.M. on Monday, the 2nd December 1929.

PUNJAB LEGISLATIVE COUNCIL.

4TH SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

Monday, the 2nd December 1929.

The Council met at the Council Chamber at 2 P.M. of the Clock. Mr. President in the Chair.

OATH OF OFFICE.

The following members were sworn in :—

- ✓Cowan, Mr. H. M. (Official nominated).
- ✓Holland, Mr. L. B. (Official nominated).

STARRED QUESTIONS AND ANSWERS.

HORSE BREEDING TENANCIES.

*2640. **Chaudhri Zafrullah Khan :** Will the Honourable Revenue Member please state—

- (a) whether in his speech at a durbar held on the 6th December 1928, at Sargodha, he promised to constitute a committee to go into the question of certain rules and practices relating to horse breeding tenancies ;
- (b) if so, whether such committee has since been constituted and who were appointed members of this committee ;
- (c) if such committee has not been appointed, the reasons why the appointment of the committee has been delayed and whether Government intends to appoint such committee at an early date ?

The Honourable Mian Sir Fazl-i-Husain : (a) Yes.

(b) and (c) The Committee was to consist of—

- (1) the Commissioner, Rawalpindi Division, who will act as President of the Committee,
- (2) the Deputy Commissioner of Shahpur,
- (3) the District Remount Officer of the Shahpur Area,
- (4) Mian Mohammad Hayat, Qureshi, M.L.O., and
- (5) Man Singh, who was Secretary of the Ghoripal Committee at the time. Representations on the subject were made by the Committee to various authorities. With their representation dated the 19th August 1929, the President and Secretary of the Ghoripal Committee forwarded a resolution of the Committee to the effect that since the object of the proposed Committee was only to frame rules for the future administration, there was no need of constituting such a Committee, because for the future administration the Ghoripal Committee, in compliance with the order of the Honourable Revenue Member,

[Honble Mian Sir Fazl-i-Husain.]

had already submitted its demands in detail to the Deputy Commissioner. The order was consequently modified and the nomination of the Secretary of the Ghoripal Committee cancelled.

The terms of reference to the Committee are :—

- (1) Is it possible to frame rules to systematize the methods of dealing with failures to carry out horse-breeding conditions with special reference to—
 - (i) the period to be allowed for the rectification of various classes of breaches of the conditions of the grant, and
 - (ii) the penalties appropriate to the various classes of breaches, which are either incapable of rectification, or which the tenant has failed to rectify after receiving a written notice requiring him to rectify the breach?
- (b) Is it possible to enlist the help of a non-official advisory committee in questions relating to the price of branded mares?

GHAZI ABDUR RAHMAN AND SARDAR AJIT SINGH.

***2641. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that Ghazi Abdur Rahman, B.A., and Sardar Ajit Singh have been sentenced to two years' rigorous imprisonment by the District Magistrate, Amritsar;
- (b) whether it is a fact that the Magistrate ordered that they should be treated as special class prisoners;
- (c) whether it is a fact that after a month or so, the Local Government refused to grant them special class concessions;
- (d) if so, what were the reasons for this action?

The Honourable Mr. A. M. Stow : (a) Ghazi Abdur Rahman was sentenced to undergo rigorous imprisonment for two years with a fine Rs. 200 or 6 months' further imprisonment in default, and Sardar Ajit Singh to 1½ years rigorous imprisonment with a fine of Rs. 100 or 3 months further rigorous imprisonment in default.

(b) Yes, subject to confirmation by the Local Government.

(c) Yes.

(d) They were not eligible for special class treatment under the rules as they had incited to violence.

Lala Bodh Raj : Was this fact of their inciting to violence not before the magistrate when he issued orders that they should be treated as special class prisoners?

The Honourable Mr. A. M. Stow : I should like to refer the honourable questioner to the judgment itself.

Rana Firoz-ud-Din Khan : When in spite of the judgment, in spite of the expression of his opinion in the judgment, the learned District Magistrate had recommended that they should be treated as special class prisoners,

was there any special reason for the Government to disagree with the District Magistrate's recommendations and disallow that concession?

The Honourable Mr. A. M. Stow : No. The reason for not confirming the recommendations of the Magistrate was that Government did not consider that they should be confirmed.

Chaudhri Afzal Haq : May I ask whether after eight years of political agitation this is the only solitary instance where Local Government have withdrawn the concession granted by the Magistrate?

The Honourable Mr. A. M. Stow : I should like to have notice of that question.

GHAZI ABDUR RAHMAN AND SARDAR AJIT SINGH.

***2642. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state—

(a) whether it is a fact that the political prisoners confined in the Mianwali District Jail have separately addressed letters protesting against depriving Ghazi Abdur Rahman and Sardar Ajit Singh of special class concessions;

(b) if so, whether the Government will lay these letters on the table?

The Honourable Mr. A. M. Stow :—

(a) Yes.

(b) No.

PROVINCIAL JAIL ENQUIRY COMMITTEE.

***2643. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state—

(a) whether it is a fact that the members of the Provincial Jail Enquiry Committee have submitted their report to the Government;

(b) whether that report will be laid on the table?

The Honourable Mr. A. M. Stow : (a) Yes.

(b) The report* is laid on the table.

CHANDAR KISHOR.

***2644. Chaudhri Afzal Haq :** Will the Honourable Finance Member be pleased to state—

(1) whether it is a fact that Chandar Kishor, a civil prisoner of District Jail, Multan, submitted in July 1929 two applications written in English of 20 and 18 pages, respectively, for despatching them to District Magistrates, Lahore and Multan;

(2) what action was taken by the authorities on those applications;

(3) whether it is a fact that he was not allowed to write these applications earlier;

(4) whether the Government will give details of expenses, nature of bedding and number of clothing supplied by the decree-holder on different dates to this highly educated civil prisoner?

The Honourable Mr. A. M. Stow :

1. No.
2. Does not arise.
3. Does not arise.
4. (a) Annas 0-6-0 per diem as fixed by the court.
(b) Chadar (bed-sheet) 1 ; durrie 1 ; chotahi 1. On 28th June 1929.

Lala Bodh Raj : Is it a fact that the prisoner was told by the jail authorities that his applications had been despatched to the authorities concerned and that his history ticket bears the endorsement that reminders have been issued to the authorities concerned ?

The Honourable Mr. A. M. Stow : The information which is in possession of the Government at present is as in my reply to part (1) of the question ; but if any further particulars are required, I must ask for notice.

GRANTS-IN-AID.

***2645. Chaudhri Duli Chand :** Will the Honourable Minister for Education kindly state why grants-in-aid for high schools have been reduced in the Ambala division ?

The Honourable Mr. Manohar Lal : It has been proposed to reduce grants in a number of cases presumably under the Punjab Education Code Rules but these cases are being examined.

GRANT-IN-AID.

***2646. Chaudhri Duli Chand :** Will the Honourable Minister for Education kindly state—

- (a) whether he is aware that the Ahirs of the Gurgaon district are a backward tribe in education ;
- (b) whether their school at Rewari is on the grant-in-aid list ;
- (c) if not, why ?

The Honourable Mr. Manohar Lal : (a) Yes.

(b) No.

(c) It is as yet only provisionally recognised.

AGRICULTURE IN HIGH CLASSES.

***2647. Chaudhri Duli Chand :** Will the Honourable Minister for Education kindly state—

- (a) whether Government is aware that the number of students taking up agriculture as an alternative subject in high classes has been considerably reduced during the years 1927-28, 1928-29 and 1929-30 ;
- (b) whether it is a fact that this is due to the condition laid down by the University that only those students who take up science can take up agriculture ;
- (c) if so, what steps Government proposes to take in the matter ?

The Honourable Mr. Manohar Lal : (a) The number of those taking agriculture in the Matriculation has fallen considerably.

(b) This may be one of the causes.

(c) The matter has been referred to the University.

*2648. *Cancelled.*

DAMAGE TO CROPS BY LOCUSTS.

*2649. **Rana Firoz-ud-Din Khan :** Will the Honourable Revenue Member please state—

- (a) whether he is aware that swarms of locusts invaded a number of districts and have done considerable damage to the standing crops, and if left unchecked are calculated to do even more harm to the *rabi* crop ;
- (b) the names of the districts affected, and the extent of damage in each ;
- (c) the steps that have so far been taken and are proposed to be taken to check the invasion ;
- (d) the nature and form of relief in the affected areas ?

The Honourable Mian Sir Fazl-i-Husain : (a) Yes.

(b) A statement is laid on the table. It is not possible to state the extent of the damage caused in each district.

(c) The Entomological and district agricultural staff have been continuously engaged in various endeavours to check the plague, and the subject of measures to deal with locusts is one of the items of the agenda of the Board of Agriculture in its December meeting at Pusa.

(d) Relief in the way of remission of land revenue will be given where demanded by the extent of the damage caused.

Year.	Month.	District visited.
1929	January to March	No swarms reported.
1929	April	Dera Ghazi Khan, Multan, Jhang, Shahpur, Mianwali, Attock, Rawalpindi, Jhelum, Sialkot, Lyallpur, Sheikhupura, Lahore, Jullundur, Hoshiarpur, Montgomery, Ferozepore, Ambala, Karnal, Simla, Kangra.
1929	May	All over the province.
1929	June	No swarms reported.
1929	July	Karnal, Rohtak, Simla, Ludhiana, Jullundur, Hoshiarpur, Gurdaspur, Lahore, Lyallpur, Montgomery, Multan, Muzaffargarh and Mianwali.
1929	August	All over the province.
1929	September	Muzaffargarh, Jhang, Lyallpur, Kangra, Hissar, Sheikhupura, Gujrat, Gurgaon, Ferozepore, Ambala, Gujranwala, Ludhiana, Montgomery.
1929	October	Gurgaon, Montgomery, Lyallpur, Muzaffargarh, Ferozepore, Shahpur, Kangra.

GENTRY GRANTS ON THE LOWER BARI DOAB CANAL.

***2650. Rana Firoz-ud-Din Khan :** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that in the case of gentry grants on the Lower Bari Doab Canal the price fixed for the purchase of proprietary rights was in 1927 reduced from Rs. 100 an acre to Rs. 40 an acre ;
- (b) whether it is a fact that some forty grantees had acquired proprietary rights by paying the price as originally fixed ;
- (c) whether any representations were made by such purchasers for the refund of excess price paid ;
- (d) whether Government is aware that there is agitation in the Montgomery district amongst such grantees for the refund of the excess price ;
- (e) if so, what action Government proposes to take in the matter ?

The Honourable Mian Sir Fazl-i-Husain : (a) A sliding scale varying from Rs. 40 to Rs. 100 per acre for the purchase of proprietary rights by landed gentry grantees in the Lower Bari Doab Canal Colony was sanctioned by Government in September 1927. Rupees 40 per acre was payable if the grantee preferred to make payment in one year by two half-yearly instalments.

(b) Several grantees had acquired proprietary rights by paying the price as originally fixed. —

- (c) Yes.
- (d) No.
- (e) None.

Rana Firoz-ud-Din Khan : Is it a fact that before September 1927 there was only one fixed rate of Rs. 100 per acre ?

The Honourable Mian Sir Fazl-i-Husain : The distinction is as to the period to be covered by instalments. If it was payable in one instalment it was Rs. 40 and if longer instalments, then a larger amount.

Rana Firoz-ud-Din Khan : Is it a fact that the people who paid before 1927 paid in lump sum at the rate of Rs. 100 and not in instalments and it is those people who are making agitation now ?

The Honourable Mian Sir Fazl-i-Husain : That is a matter of luck.

Rana Firoz-ud-Din Khan : Is the Government not prepared to reconsider their case ?

The Honourable Mian Sir Fazl-i-Husain : How can you in a matter like that ?

INCONVENIENCE IN DELIVERY AND CASHING OF CHEQUES.

***2651. Lala Kesho Ram, Sekhri :** Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that great inconvenience is caused to the public of Amritsar who have to take money from the Government

as at the time of the delivery of cheque to them, an identification is taken by the treasury officer and the identifier has to appear before the treasury to identify the person concerned and then again at the time of actual payment at the Bank he is to be identified;

- (b) if the answer to part (a) above be in the affirmative, what steps Government propose to take to eliminate or reduce this inconvenience to the public?

* **The Honourable Mr. A. M. Stow :** (a) and (b) The procedure of which the honourable member complains is necessitated both by Government rules on the subject and by ordinary business precautions. The Financial Commissioner is, however, examining the matter with a view to mitigating inconvenience.

TOWN IMPROVEMENT ACT.

*2652. **Lala Kesho Ram, Sekhri :** Will the Honourable Minister for Local Self-Government be pleased to state the reasons for not applying the Town Improvement Act to any municipality?

The Honourable Malik Firoz Khan, Noon : The Town Improvement Act was extended to Lahore in 1923, but as the result of an investigation by a special committee in 1927 it was decided that the formation of Town Improvement Trusts under the Act was not likely to produce satisfactory results. The Act is, therefore, practically a dead letter and all improvement schemes are now matters for the local municipal committee to deal with.

UNEMPLOYMENT COMMITTEE.

*2653. **Lala Kesho Ram, Sekhri :** Will the Home Secretary be pleased to state the action taken by Government on the recommendations of the Unemployment Committee?

Mr. C. M. G. Ogilvie : The attention of the honourable member is invited to the reply given to starred question No. 2625.¹

TUBERCULOSIS.

*2654. **Lala Kesho Ram, Sekhri :** (a) Will the Honourable Minister for Local Self-Government be pleased to state whether any conference was ever held to find out ways and means to stamp out tuberculosis as referred to by the Honourable Minister in his reply to my question No. 854² asked on the 24th November 1927?

(b) If the conference was held, then, will the Honourable Minister be pleased to state what resolutions were passed at the conference and also lay on the table a copy of the proceedings thereof?

(c) Has any action been taken in accordance with these resolutions?

The Honourable Malik Feroz Khan, Noon : (a) No invitation has so far been received from the Government of India to send representatives to participate in such a conference.

(b) and (c) Do not arise.

¹ Page 474 ante.

² Volume X-B, page 1375.

ELECTRIC CHARGES FOR THE BAR ROOM, AMRITSAR.

***2655. Lala Kesho Ram, Sekhri :** Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that Government intends to make in future the members of the Amritsar bar pay the electric charges for the bar room fans ;
- (b) if so, how much will the Government save by not paying the charges themselves ;
- (c) whether this course is proposed to be adopted on account of the financial stringency or for any other reason ?

The Honourable Mr. A. M. Stow : The honourable member is referred to the reply given to the unstarred question No. 1149,¹ put by him in the session of the Punjab Legislative Council held in July last.

CONCENTRATION OF LAW COURTS.

***2656. Lala Kesho Ram, Sekhri :** (1) With reference to the answer given by the Honourable Finance Member to question No. 903² on the 20th February 1928, will the Honourable Finance Member be pleased to state whether any project is now under the consideration of the Government for the concentration of law courts in one place ?

(2) If not, will the Government be pleased to state whether they have located three sub-judges recently in a hired building and whether this is causing a great inconvenience to the litigant public and to lawyers who have to attend to cases in so many distantly situated courts ?

The Honourable Mr. A. M. Stow : (1) No.

(2) The answer to the first part of this question is in the affirmative. One of the Sub-Judges is an officer under training and one holds his court in Amritsar only for short periods. The arrangement is the most convenient that could be made in the circumstances. No complaints have so far been received.

DHARMA RAM OF CHOTIZERIN.

***2657. Shaikh Faiz Muhammad :** Will the Honourable Finance Member kindly state—

- (a) whether it is a fact that in September last one Dharma Ram of Chotizerin in Dera Ghazi Khan district was alleged to have used insulting language with respect to the Holy Prophet of Islam and that the local police brought the matter to the notice of the District Magistrate ;
- (b) whether it is a fact that the Muslims of the place were greatly agitated by the objectionable conduct of Dharma Ram and that they applied to the District Magistrate to prosecute him under sections 158-A and 295-A, Indian Penal Code, after proper sanction from the Local Government ;

¹ Volume XIII, page 13.

² Volume XI, page 9.

- (c) whether the District Magistrate acceded to this request, and if not, will the Government state reasons for not prosecuting Dharma Ram ;
- (d) what action the District Magistrate took against Dharma Ram ?

The Honourable Mr. A. M. Stow : (a) and (b). Yes.

(c) and (d). Action was taken under section 36, Frontier Crimes Regulation, 1901, with the concurrence of counsel for the complainants who withdrew their application for prosecution under the Indian Penal Code.

MILITARY SERVICES AND CONCESSION IN SCHOOL FEES.

***2658. Risaldar Bahadur Nur Khan :** Will the Honourable Minister for Education please state—

- (a) whether it is a fact that in recognition of the valuable military services rendered by the zamindars of Rawalpindi and Jhelum districts a certain concession in fees was allowed to their children reading in schools ;
- (b) whether it is a fact that the concession referred to above has since been withdrawn ;
- (c) if so, what is the reason for withdrawing the concession and whether Government intend giving any alternative concessions to the children of these zamindars ?

The Honourable Mr. Manohar Lal : (a) Yes, but the concession was originally made on the score of poverty ;

(b) No.

(c) Does not arise.

PROVINCIAL CLERICAL ESTABLISHMENT, PUNJAB IRRIGATION BRANCH.

***2659. Lala Bodh Raj :** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that a deputation of provincial clerical establishment of the Punjab Irrigation Branch waited on the Under Secretary, Irrigation Branch, Punjab, in the beginning of May 1929 with a view to have their grievances redressed ;
- (b) if so, what action has been taken by the Government for the redress of their grievances ?

The Honourable Mian Sir Fazl-i-Husain : (a) Yes.

(b) Promotions are about to be notified and other matters complained of are under consideration.

ASSISTANT CLERKS IN THE IRRIGATION BRANCH.

***2660. Lala Bodh Raj :** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that assistant clerks in the Punjab Irrigation Branch in Rs. 40—2—90 grade are transferred from one circle to another ;

[Lala Bodh Raj]

(b) if it is a fact that assistant clerks directly recruited on the Sutlej Valley Project are being transferred at Government expense on their own application to other circles after having served three or more years on the Sutlej Valley Project and men from other circles sent in their places ;

(c) whether any promise was held out to these clerks at the time of recruitment that they will be transferred to circles desired by them after serving on the Sutlej Valley Project for more than three years ;

(d) whether any instructions were issued by the Chief Engineer in November 1925 regarding the transfers of such clerks ; if so, will the Honourable Member please lay on the table a copy of such instructions and state if effect is being given to those instructions ?

The Honourable Mian Sir Fazl-i-Husain : (a) and (b) Yes.

(c) No.

(d) A copy of Chief Engineer's No. 8399-8416-E.I., dated 19th November 1925, is laid on the table and effect is being given to paragraph 2 thereof.

No. 8399/8416-E. I., dated 19th November 1925, from the Chief Engineer, Irrigation Works, Punjab, to the Superintending Engineers noted in the margin and Executive Engineer, Railway and Quarries Division.

Memorial from Clerks.

With reference to your letter No. *, dated

†submitting memorials

S. Es.	LETTER.		from clerks attached to your
	*No.	†Dated.	
W. J. C.	7746	20-10-25	Circle, I have the honour to
S. C. C.	1879	5-10-25	
L. B. D.C.	5471	26-10-25	
Derajat	6225	12-10-25	
L. C. W. C.	6828/968-E.	14-10-25	say that the memorialists may
	7014/968-E.	21-10-25	
L. J. C.	5243/884-E.	2-10-25	be informed as follows :—
U. J. C.	4892/223-E.	5-10-25	
1st Brt.	5418/89-E. M.	14-10-25	
2nd Brt.	6876/36/4-E.	5-11-25	
3rd Brt.	6464/3-E.	8-10-25	
Bikaner	4371/VI/44-E.	5-10-25	
1st Bwp.	8189	10-10-25	
R. & Q. Dn.	3146	21-9-25	

Paragraph 1.—The revision of scale of Provincial clerical establishment is now under consideration with the Finance Department.

Paragraph 2.—Transfers of clerks not excepting assistant clerks, must be made in the exigencies of the public service whether on promotion or not, both within the Circle and to other Circles. It is, however, recognized that with low paid clerks certain expenses are incurred in transfers over long distances, which they cannot very well afford and for this reason such transfers are as few as is compatible with the efficient working of the Department.

Endorsement No. 8412—16-E. I., dated 19th November 1925, by the Chief Engineer, Irrigation Works, Punjab, on pre-page.

Copy forwarded to the Superintending Engineers—

Upper Bari Doab Circle,

Lower Chenab East Circle,

Upper Chenab Canal Circle,

2nd Bahawalpur Circle, Sutlej Valley Project,

Superintendent, Central Workshops Division,

for information.

PROVINCIAL CLERICAL ESTABLISHMENT, IRRIGATION BRANCH,
REVISION OF GRADES.

***2661. Lala Bodh Raj :** Will the Honourable Revenue Member please state—

(a) whether it is a fact that the Chief Engineer, Irrigation Branch Punjab, invited proposals from the Superintending Engineers in the Punjab in the year 1923 for the revision of the grades of the provincial clerical establishment ;

(b) whether it is a fact that in 1925 hopes were given out to the staff that the revision was in hand and will be expedited ;

(c) whether the above hopes have been realised and how ?

The Honourable Mian Sir Fazl-i-Husain : (a) and (b) Yes.

(c) The honourable member is referred to the answer given to question No. 1802¹ of 1928.

SKINNER'S ESTATE.

***2662. Lala Joti Parshad :** Will the Honourable Revenue Member be pleased to state—

(a) whether it is a fact that in February last Commissioner, Ambala division, and Khan Bahadur Mian Abdul Aziz, then Deputy Commissioner, Hissar, got a compromise effected between Colonel Stanley and tenants of Skinners' Estate ;

(b) if so, what were the terms of settlement ;

(c) who is responsible for its breach ?

The Honourable Mian Sir Fazi-i-Husain : Local officers were naturally anxious to bring about a settlement between the parties, and believed a settlement acceptable to both sides had been arrived at. Every public spirited man exerted himself to that end.

SKINNER'S ESTATE.

***2663. Lala Joti Parshad :** Will the Honourable Revenue Member please state—

(a) whether it is a fact that several criminal and revenue cases have been started by Skinners' Estate against the tenants ;

[Lala Joti Parshad.]

- (b) whether it is a fact that a number of tenants have been sentenced to maximum term of imprisonment which some of the trying magistrates were competent to award ;
- (c) whether tenants paid arrears of rent to Colonel Stanley on the express assurance of the Deputy Commissioner, Hissar, that their grievances would be redressed ?

The Honourable Mian Sir Fazl-i-Husain : (a) Yes.

(b) No.

(c) Government has no information, but is enquiring into the matter.

FAMINE RELIEF IN HISSAR.

***2664. Lala Joti Parshad :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that a meeting of the Rural Community Council, Hissar, was held on 22nd October 1929, in which important suggestions were made about relief of famine stricken people ;
- (b) if the answer to (a) be in the affirmative, will a copy of those resolutions be laid on the table ;
- (c) whether it is a fact that a deputation waited upon the Deputy Commissioner that very day requesting him help for the poor inhabitants of the district ;
- (d) what steps, if any, Government propose to take to bring immediate relief to the famine stricken people in view of the above resolutions ?

The Honourable Mian Sir Fazl-i-Husain : (a) Yes.

(b) A copy of the proceedings is laid on the table.

(c) Yes.

(d) Government has decided to start test works immediately in three centres in the district, and for that purpose have placed a sum of Rs. 20,000 at the disposal of the Deputy Commissioner, Hissar. Other measures to afford relief are also under consideration.

Proceedings of the Rural Community Council, Hissar District, held on 22nd October 1929, at 10 A.M., in the Hall of the District Board's Office, Hissar District.

PRESENT :

1. R. B. P. Jawahar Lal, B.A., LL.B., Vakil, Hissar, in the Chair.
2. K. S. Yaqin-ud-Din, Sirsa.
3. P. Thakur Dass, B.A., LL.B., M.L.A., Hissar.
4. R. S. Th. Uggar Sain.
5. S. Naunehal Singh, Rais, Babra.
6. R. S. Ch. Het Ram, Hony. Magistrate, Hissar.
7. B. Sri Kishan Dev, B.A., LL.B., Vakil, Hissar.

8. R. S. Ch. Lajpat Rai, B.A., LL.B., Vakil, Hissar.
9. Ch. Kalu Ram.
10. L. Indar Sain, B.A., LL.B., Pleader, Hansi.
11. Mr. S. G. Chopra, District Medical Officer of Health, Hissar.
12. Ch. Sahib Dad Khan, B.A., LL.B., Vakil, Hissar.
13. Ch. Bijey Singh, B.A., LL.B., Panchayat Officer, Hissar.
14. Ch. Suraj Mal, B.A., LL.B., Vice-Chairman, D. B., Hissar.
15. S. M., K. S. Hamid Khan, Hony. Magistrate, Hissar.
16. L. Atmaram, B.A., LL.B., Hony. Magistrate, Sirsa.
17. R. M. Ashraf Ali Khan, Hissar.
18. L. Joti Pershad, B.A., LL.B., M.L.C., Hissar.
19. L. Hardyial Chopra, B.A., P.E.S., Secretary.

R. S. Th. Uggar Sain, Ch. Asa Ram, Secy., D. B. Hissar, Ch. Qammar Din, Butt, Deputy Superintendent, Civil Veterinary Department, Hissar, Th. Uggar Singh, Ch. Chuni Lal, L. Arjan Das, Ch. Suleman Khan, M. Muhammad Ismail, Ch. Bhagwan Dass, Th. Resal Singh, Ch. Shiv Singh, S. Gujandra Singh, S. Ram Partap Singh, S. Dalip Singh, Swami Saran, L. Samel Mal, L. Hargupal Das, Inspector, Co-operative Societies, Hissar, and S. Lal Singh also kindly attended.

1. Resolved by a majority of votes that vigilance and propaganda societies be constituted in connecton with Child Marriage Act, 1929.

Note.—All the six Muhammdan members present were the only members against it.

(b) Resolved that a Sub-Committee consisting of the following members be formed to formulate plans and enunciate measures for the purpose mentioned in resolution first:—

1. P. Thakur Das, B.A., LL.B., M.L.A.
2. R. S. Ch. Lajpat Rai, B.A., LL.B.
3. L. Joti Pershad, B.A., LL.B.
4. R. S. Th. Uggar Sain.
5. Secretary, Rural Community Council.

2. Resolved unanimously that with a view to bring immediate relief to the famine stricken district of Hissar, a deputation consisting of the following gentlemen should wait at the earliest opportunity on Deputy Commissioner and urge the following proposals for immediate consideration.

The deputation will consist of the following members—

1. R. B. P. Jawahir Lal, B.A., LL.B.
2. K. S. Yaqin-ud-Din.
3. R. S. L. Atmaram, B.A., LL.B., Hony. Magistrate.
4. R. S. Ch. Lajpat Rai, B.A., LL.B.
5. Ch. Suraj Mal, B.A., LL.B., S.C., D. B. Hissar.
6. Ch. Sahib Dad Khan, B.A., LL.B.

[Honble Mian Sir Fazl-i-Husain.]

7. Ch. Suleman Khan.
8. R. S. Th. Uggar Sain.
9. R. M. Ashraf Ali Khan.
10. Ch. Kalu Ram.
11. Ch. Bhagwan Dass.
12. L. Joti Pershad, B.A., LL.B.
13. Pt. Thakur Dass, B.A., LL.B., M.L.A.
14. M. Muhammad Ismail.
15. R. S. Ch. Het Ram, Hony. Magistrate.

That Hissar District may be declared a famine stricken district and that immediate steps should be taken to arrange—

- (a) The import of grain food stuffs and fodder without any railway freight charge thereon or at any rate on the minimum rate.
- (b) That relief operation be started at once by Local Government and local bodies in such selected areas as may be calculated to attract the residents of the neighbourhood.
- (c) The rates at which such labour be employed should in no case be less than annas 6 for adults and annas 4 for children.
- (d) Cheap grain shops and fodder centres be started in selected areas.

3. With a view to afford relief to Bhiwani and its neighbourhood the construction of the Bhiwani Water-Works may at once be undertaken and the construction of Bhiwani-Rohtak line and Bhiwani-Hansi roads be at once started.

4. With a view to afford relief to Sirsa area specially the area previously watered by Ghaggar, *taccavi* grants may be made for repairing and completing old wells.

Three proposed roads in Sirsa tehsil be also taken up.

5. That the Communications Board be requested to take up works in the Hissar district and to conduct its various parts in Hissar as already contemplated.

6. That special appeals be issued through Government to Red Cross Societies to enlist their sympathy and invite funds from the public for relief operations in this district.

7. That in the present condition of the district remission of land revenue and water rates is immediately called for.

8. That cheap grain shops be opened in every Municipal Committee and facilities be afforded to the poor to avail of such shops.

9. That Government may be requested to sanction a subsistence allowance for the District Board bulls which at present cannot be maintained by the public.

10. Sub-Committee consisting of the following members be constituted for the purpose of expediting the above purposes and to take opportunities to work connected with relief operations—

1. P. Thakur Dass, B.A., LL.B., M.L.A.
2. L. Joti Pershad, B.A., LL.B., M.L.C.
3. Ch. Suraj Mal, B.A., LL.B., V.C.D.R., will act as Secretary of the Committee.
4. Ch. Sahib Dad Khan, B.A., LL.B.
5. R. S. Ch. Lajpat Rai, B.A., LL.B.
6. B. Siri Kishan Dev, B.A., LL.B.

11. That the Deputy Commissioner be requested to sanction a sum of Rs. 100 to the Committee for the above mentioned purpose.

MONEY COLLECTIONS BY MR. BRAYNE, DEPUTY COMMISSIONER.

*2665. **Lala Joti Parshad :** Will the Home Secretary, please state—

- (a) whether it is a fact that an approximate sum of Rs. 25,000 was collected by Mr. Brayne, late Deputy Commissioner, Gurgaon, soon before his departure on long leave ;
- (b) if so, will the Government please state (i) the name of the fund, (ii) the name of the trustees, (iii) the object of the fund, (iv) the sum already spent under each head ;
- (c) whether an account of the sum already spent has been kept or not and whether it has been duly audited by an authorised or unauthorised auditing or other agency ;
- (d) if the answer to the latter part of (c) be in the negative, what steps does Government propose to take to have the expenditure and accounts properly audited ?

Mr. C. M. G. Ogilvie : Government are not in possession of the information necessary for a reply to be given. The information is being obtained and a reply will be given to the honourable member in due course.

POLICE IN HISSAR.

*2666. **Lala Joti Parshad :** Will the Honourable Finance Member please state—

- (a) how many police stations there are in the district of Hissar ;
- (b) how many sub-inspectors in charge of these *thanas* are Hindus and how many Muslims ;
- (c) what is the total population of Hissar district community-wise ?

The Honourable Mr. A. M. Stow : (a) 19.

(b) Hindus (including Sikhs)	..	..	4
Muslims	..	..	15
(c) Hindus (including Sikhs and Jains)	..	..	598,790
Muslims	..	..	215,948
Christians	..	..	1,024
Others	..	..	1,058
Total	..	..	816,810

CITY POLICE STATIONS OF BHIWANI AND HISSAR.

***2667. Lala Joti Parshad :** Will the Honourable Finance Member please state—

- (a) whether it is a fact that a head constable is in charge of the city police stations of the important towns of Bhiwani and Hissar in the Hissar district ;
- (b) if so, how long does Government intend to continue this arrangement ?

The Honourable Mr. A. M. Stow : (a) No. An assistant sub-inspector (officiating as sub-inspector) and a head constable (officiating as an assistant sub-inspector) are in charge of Bhiwani and Hissar city police stations, respectively.

(b) The officiating assistant sub-inspector has been posted to the Hissar city police station temporarily and will be replaced by a sub-inspector when one becomes available.

CHOWKIDARS FOR NIGHT WATCH IN BHIWANI TOWN.

***2668. Lala Joti Parshad :** Will the Honourable Finance Member please state—

- (a) whether it is a fact that chawkidars have been employed by police to keep watch at night in the town of Bhiwani ; if so, the number of such chawkidars may kindly be given ;
- (b) what is the total amount so far received from the public for this purpose ;
- (c) the authority or rule under which such amount is leviable ;
- (d) whether it is a fact that money is realised from the residents of the town and there is a complaint that in doing so coercion is used ?

The Honourable Mr. A. M. Stow : (a) No. Chowkidars have been employed privately by the public.

(b), (c) and (d) Do not arise.

CRIMINAL TRIBES.

***2669. Sayad Mubarik Ali Shah :** Will the Honourable Member for Revenue kindly lay on the table a statement showing —

(a) the total population of criminal tribes in the Punjab ;

(b) the manner in which this population is divided among the various religious communities ?

The Honourable Mian Sir Fazl-i-Husain : (a) At the close of the year the total population was 180,000 including females and children.

(b) Census by religions has not been attempted as the bulk of the criminal tribes do not profess to be Hindus, Muhamādans, Sikhs or Christians.

Rai Bahadur Lala Mohan Lal : What religion do they profess ?

The Honourable Mian Sir Fazl-i-Husain : That will have to be asked from them.

VAIDS AND HAKIMS EMPLOYED BY LOCAL BODIES.

***2870. Lala Joti Parshad :** With reference to the answer given to starred question No. 2287 asked on 29th July 1929, will the Honourable Minister for Local Self-Government please state if the information referred to has been received ?

The Honourable Malik Firoz Khan, Noon : A statement giving the required information is laid on the table. This information was also previously supplied to the Secretary, Punjab Legislative Council, for transmission to the honourable member.

Name of local body.	1926.		1927.		1928.	
	Vaid.	Hakim.	Vaid.	Hakim.	Vaid.	Hakim.
<i>District Boards.</i>						
Kangra ..	..	..	5	..	5	..
Lyallpur ..	..	..	..	..	3	7
Multan ..	2	2	2	2	..	..
Shahpur ..	..	2	..	2	..	4
Sheikhupura ..	..	4	..	2	..	6
Karnal ..	1	1	2	1	2	2
Gujranwala ..	..	1	..	1	..	1
Rohtak ..	..	..	1	..	..	..
Hissar ..	3	..	4	1	4	1
Total ..	6	10	14	9	14	21

[Honble Malik Firoz Khan Noon.]

Name of local body.	1926.		1927.		1928.	
	Vald.	Hakim.	Vald.	Hakim.	Vald.	Hakim.
Brought forward ..	6	10	14	9	14	21
<i>Municipalities.</i>						
Susa ..	..	..	1	..	1	..
Ambala City ..	..	1	..	1	..	1
Rawalpindi ..	..	..	..	1	..	1
Sharakpur ..	..	1	..	..	..	..
Panipat ..	..	..	..	1	1	1
Wazirabad ..	..	1	..	1	..	1
Sialkot ..	..	1	..	1	..	1
Amritsar ..	1	1	1	1	1	1
Bolnagar ..	1	..	1	..	1	..
Bahadurgarh ..	1	1	1	1	1	1
Beri ..	1	..	1	..	1	..
Jhajjar ..	..	1	..	1	2	1
Total ..	4	7	5	8	8	8
<i>Small Town Committees.</i>						
Talagang ..	..	1	..	1	..	1
Shahpur city ..	..	1	..	1	..	..
Hafizabad ..	..	..	..	..	..	1
Total ..	..	2	..	2	..	2
<i>Notified Area Committees.</i>						
Sheikhpura ..	..	1	..	1	..	..
Total ..	..	1	..	1	..	..
GRAND TOTAL ..	10	20	19	20	22	31

RESOLUTIONS.

RESOLUTION RE REDUCTION OF *ABIANA* ON COTTON CROPS.

Sardar Hira Singh, Narli [Lahore (Sikh), Rural] (Urdu) : Sir, I beg to move—

"That this Council recommends to the Government that in view of the unprecedented fall in the price of cotton, the *abiana* on cotton crop be reduced by six annas in the rupee."

Sir, six years ago the price of *desi* cotton that prevailed in the market, was about Rs. 20 per maund and that of American cotton was about Rs. 25 or Rs. 27 per maund. Seeing that the price of cotton had gone up, Government increased the *abiana* to the extent of about 50 per cent. At that time the zamindars did not put up a hard fight against that increase. They rather acquiesced in that demand, feeling that they would be able to meet the demand from the high prices that their cotton crops will fetch them. But, as every one knows, the price of cotton whether *desi* or American has now gone down so much so that *desi* cotton is selling in the market at the rate of Rs. 7 or Rs. 8 per maund and the American cotton is selling at the rate of Rs. 9 or Rs. 10 per maund. It clearly means that the price of cotton has fallen to the extent of 60 per cent. and that is certainly an unprecedented fall. The fall in the prices of other crops is comparatively not so large. It is, therefore, in the fitness of things that Government should reduce its demand as I have suggested in the resolution.

The Honourable Mian Sir Fazl-i-Husain : What is the percentage of fall in the price of cotton ?

Sardar Hira Singh, Narli : It is Rs. 60 per cent. Then with the fall in the price of cotton, there has been no corresponding fall in the price of cotton goods. Even now we have to pay the same price for cloth which we used to pay six years ago. It would have been a matter of at least some satisfaction if the price of cloth had been reduced, but even in that case we are unlucky.

It may be asked, in this connection, how that deficiency, which will be caused by the proposed reduction in *abiana* in the Budget, will be made up. That question, in my opinion, is very easy to answer. The zamindars have adjusted their requirements according to their income and since their income has gone down, they have curtailed their needs. Government ought to do the same thing. It is not very difficult for it. It can easily reduce its expenditure if it were so minded. The pay of the officers who are getting Rs. 500 or more should be reduced. The zamindars, who intended sometime back to build *pacca* houses for themselves, have since dropped that idea for want of funds. Our Government should adopt the same course and until the conditions improve it should not undertake the completion of schemes for which it may have to incur large expenditure. It should not insist on getting as much as possible from the people in the shape of taxes because it must spend as much as it is now spending. It is not enjoined upon it that it should maintain the present standard of expenditure. The expenses must be cut down to meet the just demands of its people. The water-rate charged on the supply of water by means of canals has ever since been increasing although there has been no corresponding increase in the supply of water. I am inclined to think that canal water is just like the buffalo

[S. Hira Singh Narli.]

of a weaver who bought it from a money-lender. When that weaver brought that buffalo home on payment of Rs. 100 to the money-lender, his brother requested that he would like to share it with the former. The weaver said: "all right you can have a share in the buffalo by all means, but you must go and pay Rs. 100 to the money-lender." Accordingly his brother went to the money-lender and paid the sum of Rs. 100 to him. Then the third brother wanted to have a share in the same buffalo. He was also advised to do the same thing and to pay Rs. 100 to the money-lender. Then the fourth brother expressed the same desire and in being advised to pay Rs. 100 to the money-lender, he ran to him and paid the amount so that he might not be deprived of a share in that buffalo. Similar is the case with canal water. Whenever any people want that canal water should be supplied to them for irrigating their lands, canal is extended to that tract of land and water is supplied of course at the cost of zamindars at the head of that canal because their supply of water is out short. And then the water-rate is not reduced, but it is enhanced.

It may be said that this proposal smacks of lack of responsibility on my part and on the part of those who want a reduction in *abiana*. That is not so. The water-rate that used to be charged previously for supply of water from the Upper Bari Doab Canal was 6 annas per kanal and now it is being charged at the rate of 9½ annas per kanal. We want that the charge should come down to the previous rate and nothing more. That is not unreasonable. Then the proposed reduction, if made, will not cause such a deficit in the Budget as should create fears in the minds of any one. According to my calculations Government will lose something between 20 and 30 lakhs of rupees in its income. In the beginning of 1929 the area of culturable land was about 21½ lakhs of acres and out of it about 20 lakhs of acres were irrigated. About 4 lakhs of acres out of it were exempted on account of *kharaba* and it is only in the remaining 16 lakhs of acres of land in which the crops matured. My calculation is based on these figures and I am sure I am not wrong in arriving at this result. In these circumstances I hope that the Honourable Revenue Member will favourably consider my proposal and thereby earn the gratitude of the zamindars. He will not take the trouble of opposing this resolution and carrying the House with him by his eloquence as is usual with him.

Before I close I would like to address a few words to my non-zamindar colleagues. They should know that not only the zamindars will benefit by this proposal, but it will benefit all alike whether zamindars or non-zamindars, whether agriculturists or non-agriculturists. Non-agriculturists also own lands, though not all, and in their lands too this cotton crop is sown and if the *abiana* is reduced as proposed, surely they will also share the gain. This proposal concerns the vakils and barristers as well. They can earn good income only if the zamindars are well off and are able to pay them handsome fees (*laughter*). Therefore all should unite and support this resolution. This excessive water-rate has a very bad effect on the economic condition of the province as a whole. May I request the Honourable Revenue Member once again that he will not begin to quote facts and figures so that it may become very difficult for us to reply to his arguments.

With these few words I commend the resolution for the acceptance of the House.

Mr. President : The resolution moved is—

"That this Council recommends to the Government that in view of the unprecedented fall in the price of cotton, the *abiana* on cotton crop be reduced by six annas in the rupee."

Mr. E. Maya Das [Non-official, nominated] (Urdu): Sir, I object to the principle involved in the resolution moved by my honourable friend Sardar Hira Singh, Narli. By accepting this resolution we will set up a precedent for the future and the *abiana* rates will always be required to be enhanced or reduced according as the rates of cotton or other articles vary. Moreover this will entail recurring botheration for the Government which will be very troublesome. In addition if we take the average of what each zamindar will gain by the proposed reduction we find that it will amount to a very small saving. At most each zamindar will save annas 12 or annas 15. This sum is so small that hardly any zamindar will take notice of it. But on the other hand the labour it will involve to the Government will be considerable. Therefore, I suggest that this resolution be not adopted.

Mr. C. A. H. Townsend (Financial Commissioner): Sir, this Council has a well deserved reputation for sanity of judgment and I am confident that it will reject this resolution without the least hesitation. I desire only to put a few considerations before this Council. There are other members better qualified than me to give more details for the information of the House.

The point just made by Mr. Maya Das is well worthy of consideration. As the honourable members know the *abiana* rates have been fixed with considerable temperance and moderation after consideration of all relevant factors including the prices that prevail for a series of years. To accept this resolution would, therefore, as was just said by Mr. Maya Das, be a most dangerous innovation. It would be followed possibly by similar demands in future years. It might logically follow that if prices go up by 25 per cent., a few days later the *abiana* rates would have to be correspondingly increased. I trust the House will consider this point very carefully. If this resolution is carried then there will be no stability of rates, cultivators will not know where they are, and what rates they will have to pay and therefore will be unable to frame their budgets.

I will not follow the honourable member into his interesting suggestion as to how the resulting deficit in our finances which would be caused by his resolution if accepted, could be met. Apart, however, from any question of salaries, I wish to point out that the Council is ever demanding a great expansion of education, sanitation, medical relief and the like. How are these demands to be met?

I have one last word to say to the House. I have been in this province for over thirty years, I spent about nine years in the poor district of Hissar. I have been a great deal in the canal colonies. I have a very great regard for the peasants of this province, many of whom are my intimate friends. I fully admit that the cultivators in the canal colonies have many legitimate

[Mr. Townsend.]

grievances. But my considered opinion is that the people of the canal colonies do not realise how fortunate they are. When I was a boy I used to read the Latin poet Virgil. Many members of the House will doubtless recognise his name. I was thinking only last night about a line of Virgil on the matter which I may translate :—

“ Oh, fortunate indeed you farmers, if you only knew your good fortune.”

I do not apply those lines to the cultivators of all tracts ; but I do think that they apply in a great measure to the cultivators of irrigated lands. Take the people living in Gurgaon, Rohtak and Hissar. Take the small landholders of the Kangra district. Take the people in Jullundur, where in many places, as Government admits, there has been a regrettable fall in the sub-soil water table. Take the people of Jhelum with their small holdings, or those of Attock with their very variable rainfall. Take the people of Muzaffargarh and Dera Ghazi Khan which are liable to floods every second or third year. How can the holders of land in the canal colonies maintain that their position is not infinitely better off than that of these people ? As I said before, I leave it to other members of the House to dot the i's and to cross the t's of these few remarks. But I do ask the House to consider this resolution in all its implications with their usual care and to reject it by their unanimous vote. (*Cheers.*)

Rai Bahadur Lala Mohan Lal [North East Towns (Non-Muhammadan)] (Urban) : Sir, perhaps I would be repeating the arguments that have been just put before the House in connection with the resolution. But the adoption of this resolution would mean that if we are to-day to agree to the honourable mover's resolution, then, tomorrow there will be some other district in which some other crop will have a complete or partial failure and Government will have to reduce *abiana* on that crop also. Whenever there is a failure of crops Government has always been giving suspension or remission of land revenue. If I remember rightly it was only last year that the Government remitted or suspended about fifty lakhs of rupees. (*A voice : Quite right.*) This year too the Honourable Revenue Member has taken into consideration the failure owing to enormous floods and Government is making enquiries, and where Government finds that the condition justifies suspension or remission it will take such steps. But the adoption of this resolution would be a fatal mistake on the part of the House. In my humble opinion it should not be adopted. The question of reduction of water in canals is bound to face us so long as there is a demand on the part of the zamindars that there should be expansion of canals. I remember the Honourable Revenue Member told us last year that the quantity of water being nearly the same in all rivers, the expansion of canals is bound to affect the zamindars adversely. The honourable mover has not told us that owing either to the reduction of water or on account of the failure of cotton crop the value of land in the Punjab has decreased in any particular year. I, therefore, strongly oppose the resolution and request the House not to adopt this pernicious principle.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural] : Sir, I have heard the arguments of my honourable friend from Simla (Rai Bahadur Lala Mohan Lal), but unfortunately I did not hear in full the arguments adduced by the Honourable the Financial Commissioner. The

abiana question is a very old one, and when the *abiana* rates were enhanced several times I had the honour to oppose it on every occasion. I am, like the beggar who always begs at the door of Government, always trying somehow or other to bring the *abiana* rates to the old ordinary level. The one plea of Government for enhancing the *abiana* rates in those days was the abnormal rise in the price of cotton. In those days cotton was selling at between Rs. 20 and Rs. 25 per acre and every body's eyes were cast on the big profits that were being made by the cultivators of cotton. Everybody said that they were making such huge profits and yet were paying such small amount of *abiana*. This one fact tempted the Government to raise the *abiana* rates in which we acquiesced though much against our will. The *abiana* on cotton was enhanced and a universal rate was adopted all over the Punjab. In the Upper Bari Doab where the rates were lower before, they were made equal to those prevailing in the Chenab, in the Lower Bari Doab and other canals. Subsequently the *abiana* rates on other crops were reduced, but the rate on cotton remained untouched. I thank the Government for reducing the *abiana* rates on fodder and other crops. But I submit and I trust I will be corrected if I am wrong, that the rate on cotton ever since it was increased has never been reduced. Since the rates on cotton were raised the price of cotton has gone down considerably, and it is still going down every day. Yesterday while I was selling my cotton, all of a sudden the price went down by five annas per maund. I was told by Messrs. Birla Brothers that the price will further fall and that they had received from their Bombay office intimation that there would be a still further decrease of price in the next week. I felt very sorry that I did not sell my cotton earlier. I think we are confronted with the same phenomena which India experienced after the war of independence between the southern States and the northern States of America. In those momentous days when the northern States were fighting with the southern States the cultivation of cotton crop was stopped in America and consequently there was a corresponding abnormal increase in the price of cotton in India. The Punjab was not affected in those days because American cotton was not grown in the Punjab in those days. But the Deccan and the Bombay Presidency used to sow considerable quantities of American cotton and many of the districts were settled in those days. The result was that the land revenue was raised in accordance with the increase in the price of cotton then prevailing. Immediately the war in America was over, the price fell down and it assumed the normal level of Rs. 4 or Rs. 5 per maund. We are now confronted with the same situation. Every day the area under cultivation is increasing not only in this country, but in every other country. Unfortunately I have forgotten to bring the data which I had yesterday from Messrs. Birla Brothers. I may, however, say that every year we have got in America an increase of something like two million bales. With the completion of the Sukkur Barrage there will be greater increase of cotton crop in Sind. There is an increase of cotton crop in all other countries too. Consequently the price of cotton must go down still further. Therefore it will not be worth while for the zamindars to grow American cotton and they will have to turn to *desi* cotton, the demand for which is very little in Europe and for which the only customer in Asia is Japan. Japan mixes the superior stuff with the *desi* cotton and out of that mixture it makes cheap clothing for India or for its own consumption. Now if Japan gets cheaper cotton from other countries, what will be

[Sayad Muhammad Husain.]

the result? The result will be that the price of cotton in India will go down. In these circumstances, if my friend asks that the rate of *abiana* should be reduced, he is not unreasonable. I therefore submit that if the Government will give me an assurance instead of throwing this resolution out that it would appoint a committee to go into the question, I will be satisfied. The committee may consist of experts, officials and non-officials, whose duty will be to find out how to get out of the difficulty of a fall in prices. This would meet my honourable friend the mover of the resolution half way. Instead of that, my honourable friend the Financial Commissioner has put forward the claims of Jhelum, Dera Ghazi Khan and so on. I submit that if this question is not taken into consideration now, I am sure the price of cotton will go down lower and lower when at some time the cultivators will not be able to pay their land revenue or *abiana*. I do not say that similar requests from other districts for relief should not be listened to. I may assure you that if any steps are to be taken to relieve distress in any part of the province I will be the first to support the proposal. I shall even be prepared to meet any extra burden that may fall upon me consequent upon taking such measures. The cotton question is not merely a provincial question nor even an all India question, it is a world question. I, therefore, request the Government to give an assurance that they will appoint a committee to enquire whether this fall in prices is only a temporary or permanent feature.

So far as the cases of other districts are concerned to which the Financial Commissioner referred I may say that I had the honour of supporting the resolution of the member from Dera Ghazi Khan (Shaikh Faiz Muhammad) for the relief of Dera Ghazi Khan. If more money has to be raised for the relief of distress of Dera Ghazi Khan, Hissar, Gurgaon or any other district, we are prepared to bear any extra taxation along with our urban brethren. The tax may take any form. (*A voice*: Poll tax?) Let it be poll tax or *jazia* or whatever it may be. But let those proposals for taxation come in a concrete form for the help of these poor people. We will be ready to bear the extra burden. The question raised by my honourable friend from Lahore (Sardar Hira Singh) is a very interesting and important one even as much from the Government point of view as from the cultivators' point of view. I shall explain how the proposal contained in the resolution will be beneficial to the Government. If the *abiana* rates are not reduced, if they are allowed to remain at their present level, the cultivators will not find it to their advantage to grow cotton. Consequently there will be less cotton grown and, therefore, the revenue from *abiana* on cotton will decrease. It was pointed out that the cultivators were bringing more land into cultivation than the supply of water for irrigation will warrant and that they ought not to do so. It is not, I may submit, a loss to the province if we zamindars foolishly gamble with rains and bring more land into cultivation on the chance of getting more supply of water from rain. By this the Government only stands to gain, because it gets more revenue by the cultivation of more land.

In conclusion, I submit that an assurance from Government that it will appoint a committee to go into the whole question raised in the resolution will go a great way towards meeting the wishes of the zamindars who have lost a great deal in their cotton crop.

Dr. Gokul Chand, Narang [North-West Towns (Non-Muhammadan),

3 P.M.

Urban]: Sir, I wish I could support the resolution which my learned friend has moved. It is

always very painful to impose taxes and much more painful to pay them. As a matter of fact, nobody wants to pay any tax at all. If all taxes were abolished especially the income-tax, as my honourable friend suggests, I would be as pleased as my friends on those benches. But unfortunately the Government has to be carried on. Government itself is an evil according to some political philosophers, but it is a necessary evil and we cannot get rid of it. If those gentlemen who occupy those benches go, some others will come and if they go, some others still will come and Government has to continue. That being the case, the sinews of war, ways and means for maintaining Government have to be procured. I think, so far as the Punjab Government is concerned, the zamindars can possibly have no complaint against it. It is very unfortunate that we have sometimes to differ with our zamindar brethren in this House. Our position really is one of great difficulty, especially sitting as we do on these benches. When we were there, in the benches opposite, we had only to oppose whatever the Government said. Now that we sit here, I would repeat the expression which my learned friend used, we find ourselves between the devil and the deep sea. If we would support every thing that comes from that side, we find that Government cannot be carried on. If we would not, they say: These urban people are very narrow-minded and they have not got sufficient sympathy for the rural people. We have therefore, to look at things from a reasonable point of view, from a commonsense point of view, and from a practical point of view. As I say, so far as the Punjab Government is concerned, the zamindars have every reason to be grateful to the Government and not to be dissatisfied in any way with it. Can the Punjab zamindars point to any other province where the Government has done so much for the agricultural people? Is there any such canal system elsewhere as exists in this province? Has the Government of any other province done so much for the welfare of the zamindars as the Government of this province has done? If I am not mistaken there is no other province where any such Act as the Land Alienation Act exists. I know there is a Deccan Agriculturists Relief Act but it is in many respects different from the Land Alienation Act such as is in force in this province. It is ostensibly for the protection of the zamindars. Then we find that since the reformed government many concessions have been allowed to the zamindars. My honourable friend, the Honourable able Revenue Member was one day, I do not remember the occasion now, in a way condemning himself for having caused so much loss to the exchequer of the province inasmuch as since he assumed charge of his exalted office, he had to make remissions amounting to something like 80 lakhs of rupees. (A voice, : More than that.) It was indirectly taking credit for—I am told it is over one crore and nineteen lakhs—the whole sum in various forms which he has really put into the pockets of the zamindars. I sometimes wonder whether any other people also exist in this province besides the zamindars, and whether there is anybody who looks after their interests as well. Whenever we find resolutions in this House during the days allotted for non-official business we find some gentlemen coming forward asking for a lakh or five lakhs for the Dera Ghazi Khan district, another for grants of lands in the Shahpur district, yet another for a reduction in the *abiana*

[Dr. Gokul Chand, Narang.]

and so on, always asking for some sort of concession or other for a certain class of the people of the Punjab. We know that the non-agriculturists also sometimes suffer very badly. During the last floods, for instance, we know that several cities were decimated, I think that decimated only means reduced by one-tenth—so decimation is not the word for it. When I visited Jhelum it was just about one-tenth that escaped the devastation of the floods. I saw houses of the Hindus, Sikhs and Muslims levelled to the ground to the extent of hundreds and people having really no means to restore their small buildings. I read in the papers that when His Excellency the Governor visited Jhelum, he was approached by the people for help and His Excellency was obliged to say: There is no provision in the budget to extend any relief to you; and the poor people then said as we find in the papers that the Punjab Government might make some arrangement with the God of the Clouds that he should not send too much of water into the Punjab unless there was sufficient provision in the Punjab Government's budget to extend some relief to the people who suffered by them! Nobody seems to feel for these people. That was also the case with Pind Dadan Khan. As regards other distresses which frequently visit the non-agricultural classes I have never seen any Member of Government or many members of this House showing any tenderness for them. If it is a question of the fall of prices of cotton and relief is sought on that ground, surely when the prices of piece goods fell and many trading houses in Amritsar were ruined, not a member of this House, not to speak of an official member, had any consideration for them. Nobody came forward to ask for any relief on their behalf. Not that we do not feel for them, but we who represent the urban people are unfortunately cursed with the fatal gift of commonsense and a little more knowledge than our friends over there, and therefore, although we feel and feel keenly for them, we do not think it reasonable that on such occasions we should come to this House and Government asking for special concessions for them, because really that is a vicious principle and no limit can be imposed upon such demands. If you show a concession on one occasion to one section of the population, you will be forced to show similar concessions to another section of the population on another occasion. And as I say, so far as showing of concessions is concerned, the Punjab Government has been very generous towards the zamindars. Here is my friend who is interested in timber business and he just draws my attention to the terrible loss that timber merchants and forest lessees suffered on account of large stocks of timber being washed away on the Jhelum and other rivers. Nobody has ever shown any mercy for them. Nobody is going to start a relief fund for them. So far as the zamindars are concerned, there is really no end to their concessions. Honourable members of this House are aware that with one stroke the Government reduced the *abianna* from 75 lakhs to 50 lakhs thereby making a remission of 25 lakhs. Yet, there was a cry that sufficient concession had not been allowed. Only recently, when my honourable friend, Sardar Sikandar Hyat held the portfolio of revenue, he went through the thing again and I am told that the rate of *wadh uatlar* revenue has been considerably reduced. (*Khan Rahadur Captain Sardar Sikandar Hayat Khan*: Orders were issued in my time, but the thing was gone into in the time of my predecessor.) Well, Sir, the Honourable the Revenue Member went into this ques-

tion because I remember it was probably during the Simla session that some of the members of this House raised the question of wadh wattar, a word which I personally heard for the first time then. And their grievance was so speedily redressed. I wish that sometimes our grievances also were so speedily, nay, even slowly, redressed. It so happens, however, that nobody seems to have a tender corner in his heart for any other community in this province except the zamindar community. (*The Honourable Mian Sir Fazl-i-Husain*: You have only mentioned Jhelum and Lala Mohan Lal's timber business. You kindly mention others.) Well the honourable member is just really saying what in Persian, or shall I say Arabic, is called, Tajahul-i-arifana. Nothing is unknown to him and if he really wants and shows readiness to give relief to us and redress our grievances, he will not be lacking in knowledge of those grievances, and I can surely bring to his notice the several grievances which the non-agricultural communities feel. Only recently through his hands, the non-agriculturists of one particular district in the Punjab have suffered a loss of several lakhs because a certain community which had been trying for many years, for over 20 years I think, to have them regarded as an agricultural tribe and had always been appealing to the Government was notified as an agricultural tribe by my honourable friend himself, I mean the Honourable the Revenue Member. (*The Honourable Mian Sir Fazl-i-Husain*: What is the reference to, I fail to know.) I refer to the Kotla Mohammed Zarif in the Chiniot tahsil. The Honourable Revenue Member whoever he was at the time, for I see the honourable member disclaims it, has so done it. I am not talking of my Honourable friend Sir Fazl-i-Husain particularly, but whoever may fill the office should not make an invidious distinction between one community and another in that way. The result has been that this notification has recently come and at one sweep a loss of several lakhs has been caused to the lending community in that part of the Jhang district as it has now become impossible for them to realise a pie from the class which has been notified as an agricultural tribe recently. I do not know whether it is the Financial Commissioner or it is His Excellency that is responsible for it. I am not criticising His Excellency for my attack can only extend to these benches. This is only an instance and if the Honourable the Revenue Member wants some more, I could give him more. This is one for him to consider, and I believe he will soon, if he has not already, receive a deputation, and I am sure he will go into the question and give it a favourable consideration. Then, only recently, last year I believe, if I am not mistaken, a remission of some 40 lakhs was made in favour of the agricultural classes because of the loss to the wheat crop. (*The Honourable Mian Sir Fazl-i-Husain*: To all revenue payers?) I shall say, to all land-holders, I am talking of zamindars whether they ploughed their lands with their own hands or they did not. I was talking of the zamindars and my theme was that this Government existed primarily in the interests of the zamindars. A sum of 40 lakhs was remitted only last year and as the figures recently published show, another sum of 40 lakhs or so was given by way of *taqvi* to the landholding class in the various districts of the Punjab. In this way, I think, the Government has only during the last two or three years put more than a crore of rupees in the pockets of the zamindars and yet, the cry of *halmin mazid*, is still there. I will not say that

[Dr. Gokul Chand, Narang.]

the stomachs of these people are so deep, but certainly the cry of *habin mazid* still arises from these quarters.

The more they are given, the more they want and it really becomes impossible for the Government to satisfy the unreasonable demands which are very often, unfortunately, too often, made by zamindars in the province. I am not against giving relief where relief is necessary but this is not the method, because it opens up a vicious principle which involves the Government and the people of this country in great difficulties. Now a gentleman was just saying that the same difficulty has arisen in the case of rice crop. The prices of rice have also fallen very much. Well the rice growers may with equal reasonableness or equal unreasonableness come to the Government and say, if you are going to show concession in *abiana* to cotton growers, why not give similar concession to those who are growing rice? There are some parts of the Punjab which live almost entirely on rice, that is, their staple food is rice and if Government relief is going to be given to one class of people why should it not be given to another class of people? This relief should not be restricted only to zamindars and cotton-growing people. Why not extend it to other people who do not live directly on land, to those who live by labour? Is the Government doing anything directly beyond appointing a committee and going into the question, to save these people? Is the Government doing anything substantial for the unemployed people and for the educated unemployed? Is the Government unaware that there are thousands of educated people who have not any means of livelihood and are on the point of starvation? What is the Government doing for aged people in the form of old age pensions or something of that kind? I say instances can be multiplied for relief to be given for this reason or that and the very unreasonableness, the unimaginableness of the thing would be sufficient to defeat the resolution. It is certainly not lack of sympathy that prompts me to make these remarks. I am always ready to advocate relief of distress wherever it exists, but some suitable methods must be found. I am really surprised that no honourable member of this House has come forward with a proposal that a sinking fund should be established in this province, though something has already been done in the way of Punjab Famine Relief Fund. Every year a few lakhs should be put into that fund and all sorts of distress should be relieved out of that fund. If a crop fails, relief should be given to zamindars; if there is a depression in trade, the trading community should be given relief by means of loans if not gratuities. If there is unemployment, let some relief works be started to enable the unemployed labourers to earn their living and so on. That is the proper thing to have some such measures. It will certainly have my hearty support. But I am really sorry that I am unable to support the resolution as it stands (*hear, hear*).

Mr. J. B. C. Smith (Chief Engineer, Irrigation): Sir, I am very glad I waited for the honourable member from Montgomery to speak before I stood up. He suggested that this question can be analysed from three points of view, political, financial and economic. I leave the Honourable Revenue Member to deal with the political side of this question if he sees fit to do so, and Mr. Penny to deal with the financial aspect. I will try to confine myself to

the economic view point. It was rather surprising to read the terms in which the resolution is framed and then to listen to my honourable friend from Montgomery. The honourable mover asks for a reduction of six annas in the rupee, that is more than a third, bringing the rates back to what they were in about 1924, for the reason of an "unprecedented" fall in the prices of cotton. I will come to the "unprecedented" fall in the price a little later. My honourable friend from Montgomery based his support of the resolution *not* on the fact of any unprecedented fall, but on a doleful foreboding of an unprecedented fall—a very different matter. Government has to frame its rates on facts obtained from past records; it cannot frame them on anticipation. Coming back to the "unprecedented fall" in the prices, I think the House got the impression that when the *abiana* rate was raised in 1924, Rs. 22 to 24 per maund of cotton was the prevailing rate. I think that is the impression that the House got, I certainly got that impression from the speaker and the supporter. I go back as far as 1918. I leave *desi* out, *desi* is slightly lower than American. In 1918, the American varied from Rs. 14 to 17 per maund; in 1919 it varied from Rs. 10 to Rs. 19 the majority of the rates being less than Rs. 15; in 1920 the prices were at Rs. 7 to Rs. 10; in 1921 they varied from Rs. 9 to Rs. 12; in 1922 from Rs. 17 to Rs. 15, in 1923, this was the only year in which they got anything like Rs. 22.

Sayed Muhammad Husain : *Abiana* was raised in the same year.

Mr. J. B. G. Smith : I am talking of the rates for 1923 on which you say that the Government based its *abiana* rates. In 1924 it fell again varying from Rs. 19 to Rs. 13. In 1925 it was down to Rs. 10 to Rs. 16; in 1926 it was down to 8·7 to 10·5; in 1927 rates were down generally from Rs. 19 to Rs. 13. In 1928 they were down to Rs. 12 to Rs. 13. That is a very different state of affairs from the impression that I got of the rates which were said to be generally at Rs. 22. Now, as I told you, Government bases its rates not on any probability, but on past records. The honourable member from Montgomery gave the House another false impression and that was that the rates were increased solely because of the high prices prevailing. I may be allowed to contradict him, It is not the reason. I am quoting from the Gazette Extraordinary which was issued in October 1924. This House will remember that in about April 1924 all *abiana* rates were revised because of the deficit in the Punjab budgets. Subsequently between April 1924 and October 1924 Government thought fit to revert to the rates prevailing before 1924 for practically all crops except those which we know as "5th class" rates in which cotton was included. Certainly the price of cotton had an influence on the increase, but it was not the only reason. The increase was very largely on account of working expenses. As the Gazette notification said during the past twenty years—i.e., from about 1904—the working expenses of the canals have risen by anything from 37 to 59 per cent., the rate of *abiana* throughout the period having remained practically stationary. At the time when it was decided to increase the rates of *abiana* on cotton, a very valuable concession was also made in the abolition of *Wadh Wattar* rates to which my honourable friend, Dr. Gokul Chand, Narang, has just referred. That involved the Government in a sacrifice of something like 20 to 24 lakhs. Now then, my honourable friend, the Doctor, also made

[Mr. Smith.]

rather humorous remarks about giving away Government money. Since the *Wadh Wattar* rates were reduced the fodder rates have been reduced steadily and consistently from Rs. 8 to Rs. 1-8-0. This reduction is not only on fodder or the crops which had been listed as fodder ten years ago; the list of fodder crops has expanded steadily till we are now compelled to resist any further addition to it. These concessions have accounted for another between 18 and 20 lakhs of rupees, if I remember correctly. So that, since 1924 the revenues have been brought down by a total of about 50 lakhs or so. My honourable friend the Doctor in opposing the further sacrifice of funds wanted to know why similar concessions are not given to people who suffered losses in timber or houses in the recent floods. He will be interested to learn that Government has within the last week given a remission of over 5 lakhs to the zamindars on the Lower Jhelum Canal. The figure will probably be increased when we get the details of Jhang but at present they stand at about 5 lakhs. The remission is because of the failure of the head works of the Lower Jhelum Canal. How can Government go on doing these things, if we are to adopt the method recommended by our honourable friends from the other side of the House?

There was a rather curious argument advanced by the honourable mover and that was that 10 or 15 or 20 or may be 80 years ago they had a certain amount of water in a particular river and they used to be charged what might have been then an economic rate. Now, though larger areas are being irrigated with the same amount of water the rates are increased. The argument is that the water is a commodity for which they paid a full price 20 years ago when their canal was probably irrigating two-thirds of the present area under irrigation. Now as the area irrigated has been increased with the same amount of water, the rates should be decreased. Surely when this House wants further extensions of irrigation I take it that it will have far too good sense to accept, even for the purposes of argument, this reason advanced by the honourable mover for lowering the rate.

I think the honourable member from Montgomery made some remarks about the assessment in the Lahore district being fixed and not fluctuating. I am rather puzzled by what he said. He surely must have meant land revenue. The *abiana* is certainly not fixed and last year and the year before, there were remissions granted by the Government for cotton and for wheat. My friend, Mr. Penny, I have no doubt, will give you many good reasons as to how adversely this reduction would effect his budget if it was agreed upon. But I would like to point out just this. I will not refer now to waterlogging. But everybody knows that much greater attention is being paid to drainage now than has been in the past, and drainage costs money. Those very wise people who framed the Canal and Drainage Act forty or fifty years ago made a provision that drainage costs might be met by the Government by either providing money required for drainage by a special rate on the area that is going to be drained or finding the money itself and charging a small rate annually from the people benefited. We, the Irrigation Branch, seeing the trend of things, considered two or three years ago whether we should go to Government for sanction or to this House for sanction. We went to Government for sanction to have a small drainage tax. The Government quite wisely, after ample

consideration turned the proposal down, so that the costs of all drainage schemes, all extensions of drainage, are all met from the existing *abiana* figures. Whether we can continue to do that for all time, I do not know; but we shall not be able to do it if this House agrees to this resolution which is before it. With these words I submit that this is not the time to accept such a resolution as is put before us. (*Applause*).

Chaudhri Yasin Khan (Gurgaon-cum-Hissar, Muhammadan, Rural) (Urdu): Sir, I thought that the resolution now before the House, being a simple one, would not call for any opposition. The arguments advanced against it are very funny. May I ask the members of this House as to who sanctioned the enhancement in *abiana*? It was done in this very House and with the support and approval of the zamindar members. What I have to say is that zamindars are not miserly people. In time of need they never hesitate to render all possible help to Government. When *abiana* was enhanced the Government was badly in need of money. They willingly accepted the burden proposed to be put on them by Government. With regard to *abiana* the resolution now under consideration proposes a reduction to the extent of six annas in the rupee. That has been said to be too much. But that is not so in view of the abnormal conditions obtaining now-a-days in the country. When *abiana* was enhanced the prices of grains were very high but now they have become very low. My honourable friend, Mr. Maya Das, remarked that if we were to adopt this principle, goodness knows what would become of the administration of this country. That remark of his would have been quite appropriate if the demand for reduction in *abiana* on the part of zamindars had been unjust and unnecessary. There is a very miserable lot. It has also been said that Government does not afford any help to the labourers and the insolvents. But the question is how much they pay to the Government. Their case is quite different. They are subject to income-tax which varies according to their income. But the poor zamindars have to pay land revenue and *abiana* even if their crops are totally ruined. Whatever proposal is put before the House for the benefit of the zamindars it is sure to be met with opposition from the members on the other side. (*An honourable member: why?*) Because it has become a habit with them to oppose any motion put on behalf of the zamindars in this Council. I would request the Government to effect reduction in *abiana* in view of the principle on which suspensions and remissions are granted. If that is not done, I would be constrained to remark that Government have no sympathies with the zamindars and that they want to oppress them. It is not proper for Government to act like some of the native states where land revenue is realised in kind and where in time of need the revenue may be realised in advance. The request of the zamindars for effecting reduction in *abiana* is most reasonable and should be readily acceded to by Government. With these words I strongly support the resolution.

Rana Firoz-ud-Din Khan (South-East Towns, Muhammdan, Urban) (Urdu): Sir, as has been just remarked by an honourable friend of mine the resolution under consideration is a simple, one but it is strange to see that such an innocent resolution should be so bitterly opposed by my honourable friend, Dr. Narang. He has been pleased to remark that zamindars are always clamouring for concessions though they are already raised to the position of masters in this province. The honourable member has also

[Rana Firoz-ud-din Khan.]

narrated that the blessings of the British Raj have mostly been conferred upon the zamindars. He has stated that Government has constructed hospitals, telegraph offices and canals for the use of the zamindars. For all this they should be grateful to the Government. That is all very well. But to me it looks a bit ironical that the blessings of the British Raj as narrated by the honourable Dr. Narang to-day on the floor of this House have not once but twenty times been very lightly spoken of by him in the Bradlaugh Hall, Lahore. I cannot see how Dr. Sahib is going to reconcile his views expressed here in this House with those expressed outside it.

The Honourable Mian Sir Fazl-i-Husain : That is the beauty of the reform scheme.

Rana Firoz-ud-Din Khan : A few months back a Royal Commission on Agriculture was sent to India. A well known paper in England while commenting upon the necessity of such a commission stated that 75 or 80 per cent. of the population of India consists of zamindars. They are very backward. They are becoming very poor every day. Their poverty is adversely affecting the British nation. Consequently it was decided to send a Royal Commission to India in order to consider and report on the ways and means of ameliorating the condition of the zamindars. That was all done primarily for the benefit of the British nation. The British people decided to increase the purchasing power of the zamindars as in that lay to some extent the prosperity of the British nation. I admit that canals have been constructed for the use of the zamindars. But the benefit does not go to them alone. The British nation is earning crores of rupees by way of interest on the money invested in these canals. Thousands of tons of raw material produced with the help of the water of these canals are sent to England every year. The British people manufacture goods out of these raw materials and send them to India deriving cent per cent. profit thereon. The Government is also realising lakhs of rupees in the form of *abiana*. In this connection I am reminded of a couplet of Hali:—

صحرای میں کچھ بکریوں کو قصاب چروٹا پھرتا تھا

دیکھ اسکو یاد تمہارے آ گئے سب احسان ہمیں

Sir, the matter now before the House though a simple one has been given unnecessary importance—

اتنی سی بات تھی جسے افسانہ کو دیا

It has been said that originally enhancement in *abiana* was effected to the extent of 75 lakhs out of which 30 lakhs or so have been remitted quite recently. That is true. But no one has considered how and why this enhancement in *abiana* was effected. At the time of this enhancement the Government had to pay its annual contribution to the Government of India. Our budget was shown to be a deficit budget to the extent of 55 lakhs. The then Honourable Finance Member did not think it advisable to increase the rates of minor taxes like the court fees. He wanted to obtain a lump sum from the enhancement of *abiana* rates. Consequently it was proposed to enhance the *abiana* rates to the extent of one crore. But afterwards it was decided to enhance *abiana* to the extent of 75 or 80 lakhs only.

Unexpectedly the next year budget was found to be a surplus budget. The Government of India also remitted the provincial contribution. Under these circumstances the Government thought it advisable to reduce *abiana* to the extent of 30 lakhs. The Government had still 50 lakhs. It has also been said that enhancement in *abiana* was effected with the approval of the zamindar members of the House. That is quite wrong. The *abiana* rates were enhanced under executive orders. The poor zamindars were not even consulted in this matter. My honourable friend Dr. Narang

4 P.M.
has complained that Government helps the zamindars in and out of season but pays very little heed to other communities. The honourable member has not been able to give particular instances though he was asked by the Honourable Revenue Member to explain his point of view giving illustrations. He has however stated that Government does not help the labourers in days when labour becomes very cheap. But the honourable member seems to have ignored this fact that every inch of the land of a zamindar is subject to land revenue but the income of a labourer, if it does not exceed two thousand rupees, is not subject to income tax. Sir, when the zamindar pays land revenue, when he renders valuable services to the state, when provincial contributions have been remitted by Government of India, when our budget is a surplus budget and when the zamindar has suffered considerable loss by successive failure of crops, would it not be in the fitness of things to reduce the *abiana* rates? The troubles of the zamindars are two-fold. Firstly, the crops are not good and secondly, the prices are very low. In the years 1926-28 the crops have been below the average. The cotton crops have terribly suffered from some disease as yet unknown to Government and their department of Agriculture. When Government failed to cope with this disease, was it not better for them to warn the people not to sow cotton crops for a number of years because of the serious danger of these crops being ruined by this unknown disease? The Government have failed to discharge their duties towards the people and when the zamindars are ruined and they are asked to reduce *abiana* rates they ask how that can be done when they have to afford sufficient relief to those who have suffered by recent floods. Sir, that argument is not at all convincing. You should willingly help the people who have suffered losses by floods but that should not be the reason for not effecting reduction in *abiana*. While considering the resolution now before the House we should see whether there have been successive failures of crops and whether the prices of grains have really come down. If so, it is the foremost duty of the Government to seriously consider the question of reducing *abiana* rates. With these words I support the resolution.

Diwan Bahadur Raja Narendra Nath (Punjab Landholders, General) (Urdu): Sir, I rise to offer a few remarks on the resolution with a view to removing any misunderstanding that might have been created in the minds of the zamindar members with regard to our attitude towards this motion. Sir, I am one of those persons who stand to gain to the fullest extent if any concessions are shown to the zamindars and who suffer loss if any step, adversely affecting the zamindars, is taken by the Government. I hope, therefore, that whatever I shall say with regard to this resolution will not be construed to mean that I resent concessions made or have any feeling of jealousy about them.

[D. B. Raja Narendra Nath.]

While speaking on the motion under consideration of the House, the honourable Chief Engineer was pleased to remark that the rise in the price of cotton and other crops was only partially responsible for the enhancement in *abiana*. But I differ from him. In my opinion the rise in the prices of cotton and other crops was one of the most important factors for this enhancement. Owing to the increase in the prices of agricultural produce and consequent increase in the prices of the necessities of life of the people and for the matter of that of the Government servants employed in the Irrigation department and owing to the corresponding increase in the cost of labour, the expenditure on the Irrigation department increased. To meet the increased expenditure water-rate had to be increased. So, from whatever point of view you look at this matter, you will come to the conclusion that increase in the prices of crops was responsible for the enhancement in *abiana*. In the face of these facts it is no use denying that rise in the prices of agricultural produce had very much to do with the increase in water-rate. But in this connection we must take into consideration the fact that it is not cotton alone the price of which has fallen. The water-rate was enhanced with regard to other crops as well and their prices too have proportionately fallen and are yet falling (*A voice—Then try to have a general reduction made in the abiana*). The price of rice, in particular, has gone down very low and it is one of those agricultural products for which the water-rate fixed is very high. If I were to look at these facts and if there had been no other considerations, I would have certainly supported the resolution. In fact, I fully sympathise with the object of the resolution. I rather wish that, if possible, *abiana* on cotton crop may be reduced as proposed. But we have to see whether it is possible for the Government to do so and whether there is nothing more important to be done for the welfare of the zamindars. In my opinion there are many other things of greater importance and of greater value from the point of view of zamindars that require our immediate attention. For example, the means of communications in the villages urgently require to be improved. I will not say that our roads are good or bad as compared with the roads in other provinces. But it is certainly true that a good deal of improvement is required in respect of our roads and if these roads are improved before anything else is done, the zamindars will gain materially. In the presence of good roads the zamindars can easily and speedily take their agricultural produce to the markets and can get the high prices prevailing there. In the absence of this facility, fodder crop is almost wasted in the villages. It does not bring any return to the producers. If good roads are provided, this waste can also be avoided. Besides it is a matter of great importance that the zamindars should be educated. Their illiteracy is very much distressing. The question of public health is another important matter. There are many villages in the province the inhabitants of which have to travel 20 miles and more to seek the advice of the doctors posted to the dispensaries. Then the arrangements for the treatment of cattle, whose life and health is more dear to the zamindars and particularly petty zamindars than their own lives, are very unsatisfactory. It is no exaggeration to say that the lives of animals are more dear to petty zamindars than even their own lives. Sometimes the death of one ox ruins them for their whole lives. They can not replace that ox unless they go to some

moneylender and take loan from him and when once they contract this bad habit, they can not give it up and thus their lives become very miserable (*hear, hear*). In my heart of hearts I desire that *abiana* should be reduced, if not as much as proposed, at least half of it. I will surely profit thereby. But I cannot be so selfish. I must look to the other needs of my brethren which are, I think, more pressing. If, the income of the state is reduced, how will it be able to meet demands for increased expenditure on all the heads I have enumerated? In view of all these considerations I give my brotherly advice to the honourable mover that he should not insist on his resolution and that he should withdraw it. If this resolution is accepted and *abiana* on cotton is reduced, zamindars will come forward and demand that *abiana* on other crops should also be reduced and if Government were to yield to such demands, the present financial equilibrium will become unsettled, and reduction in expenditure on beneficent departments will become necessary.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture): Sir, speaking as an agriculturist I wish to place a few considerations before this House and particularly before the honourable mover of this resolution. The honourable mover in his resolution requests that owing to the fall in prices of cotton *abiana* on cotton may be reduced by six annas in the rupee. I think the honourable mover of the resolution is aware that so far the demand on the part of the agriculturists has been for a permanent settlement or at least long term settlements. If this resolution is to be accepted it would introduce a new principle, that is, a sliding scale according to the rise or fall in the price of commodities—a principle which, I am quite sure he will agree with me, will not be approved of by the agriculturists in general. He knows, and I think all of us know, that when the Punjab Land Revenue Act was under discussion in this Council, the demand was for the period of settlement to be increased. Now, if we accept this resolution it would mean that with every temporary fall or rise in price of commodities the Government will be in a position to lower or to raise the water rate, whereas what the people need is a fixity of assessment.

Now, coming to the water rate itself. In the Taxation Enquiry Committee I gave great deal of attention to the problem. I have always held that water rate should bear a definite proportion to the cost of production. Water is one of the most important factors in the raising of crops. You can get some idea of the price of water if the water rate is compared with what it costs to lift water for irrigation purposes by other means. This House has been pressing on me particularly in connection with the hydro-electric scheme that that scheme should bring a return on the amount that is going to be invested. That equally applies to the investment of very large capital on irrigation works. This capital should bring in at least a good return or profit. (*A voice*: What difference would it make if you reduce the rates?) An honourable member asks me what the loss would be if the rate on cotton was reduced. I can only say that I cannot answer that question. (*A voice*: Then, why do you speak on that point?) The Finance Secretary tells me that it would be about thirty lakhs a year. (*A voice*: What will be the loss per cent. on the capital invested?) I think the Finance Secretary when he gets up to speak on the resolution will give the necessary information.

[Hon'ble Sardar Sir Jogindra Singh,]

One honourable member asked me why the agricultural department did not tell the people not to cultivate cotton so that they might have been saved the cost of production as well as the *abiana* charges which they have to pay. I may assure him that the agricultural department is convinced that cotton is a paying crop. There might have been failures, but may I ask the honourable member to tell me if there is any crop which is not subject to such failures including oil seeds, wheat, sugarcane? Periodically you have some crop or other suffering. (*A voice*: Not successively for four years.) Unfortunately cotton crop has suffered, but I may say this for the information of the House that I have been looking into the cotton crop all over the province and the conclusion I have reached is this, that wherever there is good cultivation and proper plant food provided the crop survives even in bad years and yields a good return. (*Interruption*). I can take the honourable member round to Lyallpur and show him that good crop has been grown there.

Then again, the honourable member from Montgomery asked me as to what we were doing for improving the production of cotton crop. There are some new types of cotton. (*Interruption*). I am answering the question asked by the honourable member from Montgomery. Some new types of cotton are under investigation and we hope that within two or three years we shall be able to distribute the seed, and this, I hope, will resist disease successfully.

I think the member from Montgomery raised a very important question. He rightly called the attention of the House to the falling prices of commodities and I can assure him that I have been very seriously watching the effect of falling of prices on the purchasing power of the agriculturists. This is certainly a very important question which needs investigation. Lastly, I would ask the honourable mover to consider the effect of his resolution if it was accepted. He asks that the water rate may be reduced on cotton crop. I feel it will introduce a new principle. The present method of remitting water rate and revenue, wherever there is a failure of crops, meets the situation. I would therefore request the mover to withdraw his resolution.

Malik Nawab Major Talib Mehdi Khan: [Jhelum, Muhammadan,]
(Rural): Sir, a poet has truly drawn a picture in his famous line of the conditions of the zamindars which runs as follows:—

شد پریشان خواب من از کثرت تعبیرها

Sir, the point before the House is whether a case can be made out for a certain reduction in a certain cess. On the one hand it is urged that money is required for roads, education and so forth and on the other a plea is put forward that the zamindar gets all what he wants and by getting these, as my honourable friend from Ferozepur said, his stomach has become very large. I wish this had been the case. We have to consider whether a zamindar has got the same amenities of life or enjoys the same benefits and the same comforts which an ordinary human being is entitled to have. I am sorry to observe that every now and then efforts are being made to give class colour to various questions and the controversy of zamindar

and non-zamindar introduced. This is deplorable. Zamindar constitutes 80 per cent. of the population, if I mistake not, in the Punjab. Agriculture is the largest industry in the province. Now, we have to see whether the industry has received the same amount of encouragement as others have done. No doubt, vast areas of arid land have been brought under cultivation; no doubt, rivers have been cut off and poured into dry tracts of the country; no doubt a vast increase has been effected in the productive power of land, but we have to see how much of that profit is enjoyed by the zamindar, and I make bold to say that it is very little. The best plan I would suggest would be that a committee be appointed to study the whole question and see under what conditions, under what circumstances, and in what environments a zamindar lives.

Mr. President : There is no motion or amendment for the formationⁿ of a committee.

Malik Nawab Major Talib Mehdi Khan : Education has increased by leaps and bounds, means of communications have been developed, but can anyone find much difference in the conditions of a zamindar village ten or twenty years ago and now? There we have got the same filth, the same diseases, everything just as it was. A zamindar living under those conditions suffers from all sorts of diseases and the worst of it is that he has got not enough money in his pocket to combat them, nor are sufficient funds, I might say, set apart by Government for improving these conditions. I should not be accused of saying anything against the towns, but if one studies life in towns and compares it with that in villages, one is simply astonished. It should not be looked upon as a question of *abiana* rate on cotton or on wheat, it should be neither one thing nor the other; what is meant or what is really needed is whether the zamindar is assessed to the extent as all the other persons living in the province are being assessed. And if not, I might suggest that some means should be adopted to sift the question and reduce tax wherever there is need for it. I will not say it should be on cotton, I will not say it is to be on wheat, nor would I suggest income-tax. All I urge is, equalize the tax and give the poor men the same relief as others are enjoying. With these words I support the motion.

Mr. H. Calvert (Financial Commissioner) : Sir, the plain question before the House is whether a sum of round about 50 lakhs of rupees a year should be given to the very wealthy agriculturists of irrigated lands taking it out of the hands of the poor people of those districts which do not enjoy any benefit whatever from irrigation. I have been asked not to use the argument but the issue is so clear and so unanswerable that it must be put before this House and decided. We all sympathise with the plight of the cultivators due to a fall in the price of cotton. But the factors causing this are widely different and happen to be coming from different parts of the world. For many years past, cotton in America was afflicted, and very badly afflicted with the boll worm, and there was a marked tendency for the export of American cotton to fall. Latterly, the agriculturists in the United States have discovered that if they grew their cotton on high lands, the boll worm does not appear and the cotton does not suffer any loss on that account. And the outturn of American cotton is now increasing. In Egypt where prices showed signs of falling so as to cause serious loss to the

[Mr. Calvert.]

zamindars of that country, the local legislative council passed a Bill prohibiting anyone from putting more than one-third of his area under cotton. That law is being put in force so as to reduce the area under cotton and to force up the prices. Elsewhere cotton is finding a very serious competitor in woodpulp and when woodpulp is made into artificial silk the demand for cotton goods is apt to suffer seriously. Therefore, it is quite natural in these rather conflicting circumstances that the zamindars of our province should be suffering somewhat from the world-wide changes. As far as can be seen, cotton is showing a marked tendency to settling round about pre-war prices. It has seemed to me as though the economic solution would be for the cultivators of this province to put a somewhat less area under cotton until shortage of supply again raises the price.

But, although we can sympathise with the cultivators on the ground of this falling price, it has not yet been stated by any one that the price of cotton now is lower in any district than what the settlement officer took as his commutation prices. While some cultivators are suffering from this deflation of cotton prices we have to remember they are gaining from the high prices of such produce as gram.

As I have said, the policy before this House is whether to rob the poor and pay the rich. My honourable friend seems desirous of introducing quite a new division into our provincial politics when he would split the province between those who get water from our wonderful canal system and those who do not. I should like to warn him and all his friends that this is a most dangerous policy to embark upon. For one thing, they form a minority in this province and if they use their political power in this way there is bound to be a reaction which will tell heavily against them. The property of the river water in the Punjab rests with the people as a whole, and the poor cultivators on the fringe of the province who get no irrigation, who get no return from the canal system of the province, are as much entitled to a share in that water as those who are enabled by the skill of our engineers to put it on to their fields. The vast mass of people of this province are not able to get water for their fields. Most of them would willingly pay double the rates now charged. They would ask for no 87½ per cent. reduction, but are willing to pay double the rates now charged for water, provided they get it. It would be a good policy and a just policy if we could so adjust the water rates as to bestow on those who get no direct advantage, indirect advantages by the enhanced water rate.

I have said that the honourable mover would rob the poor to pay the rich, because if he proceeds to reduce the revenue of this province by round about 50 to 60 lakhs, there must be a powerful reaction on the progress of the province as a whole, there must be some decrease in the expansion of irrigation, of veterinary services, of medical and public health services, of schools, of metalled roads and all the other amenities which this Government is trying to provide for the people. It is quite impossible to adopt this resolution, to reduce the *abiana* on cotton by 87½ per cent. without causing irreparable injury to all the poor people of the province.

I do not think honourable members who feel inclined to support this resolution quite understand the financial position of our new canals. It is

quite true that last century labour was cheap and the Lower Chenab Canal was built on a basis of round about Rs. 20 per acre irrigated. But now prices have risen, labour now costs more and the triple canal project costs in capital equivalent to Rs. 71 per acre irrigated annually. The interest at 6 per cent. for this sum of Rs. 71 is round about Rs. 4-8-0. That shows that the actual capital cost of the canal requires that there should be on an average Rs. 4-8-0 per acre paid by the cultivator. The cost of administration is round about Rs. 1-8-0 per acre and if you add the cost of maintenance, it works out to about Rs. 2-12-0 per acre. Therefore we will have to produce about Rs. 6-4-0 per acre before the budget of this province could get a single pie by way of profit from this triple canal project. Now, the average water-rate on all crops is Rs. 4 per acre. Not one of my friends opposite ever explained how it was that when they actually got water at a much lower price than the cost at which the State gives it to them, they could still ask Government to lower the price. Even as it is, the deficiency caused is made up partly out of the profits on the old canals which were built at a cheap rate and partly by what are known as indirect receipts. But actually water-rates in this province are less on the triple canal project than the cost of putting the water on to the land. I think, Sir, our urban friends have every reason to object to it, have every reason to ask that those who benefit from canal irrigation should pay a water rate which would yield a profit on the undertaking and a return for those who do not get the water. My honourable friend who moved this resolution comes, I believe, from Sheikhpura. In that district up to the opening of the canal there was practically no cotton grown. Now Sheikhpura has about 1,20,000 acres of cotton. It has practically no *barani* cotton; it is all irrigated. Therefore, that district which the honourable member represents in this Council.....(4 voice: No; he represents Lahore). I beg his pardon. I have based my figures on Sheikhpura where he lives. Sheikhpura is gaining round about Rs. 70 lakhs a year on cotton alone from the introduction of this canal. I do not think that a district which has gained so much should take any part in the proposal to reduce the water rate on cotton.

The honourable member has adduced a curious argument and I must again say that it strikes me as rather peculiar that the honourable member only asked for reduction on the irrigated crop. He has asked for no reduction, no concession of any kind whatsoever for those poor people who have to grow their cotton without the aid of canal water. There are several lakhs of acres of *barani* cotton in this province and for these poor people, there is no pity, no remedy, no concession.

The water-rate in the Punjab may be taken round about 7 or 8 per cent. of the gross produce. We know that many people in Shahpur are paying one-fourth of the gross value. That is to say, that a grower of cotton is willing, if pressed, to pay one-fourth of the gross value; he is now paying only one-twelfth and he is grumbling. Now, if the water rate is 7 or 8 per cent. of the gross—and there are 50 per cent. of the growers of cotton paying rents—I think it is a fair question to ask, what about those people who cultivate more than half the land in these irrigated districts? It is a fair question to ask whether these landowners who are pressing Government to show pity to these cotton growers are prepared to give a lead and reduce the rents. Has there been any proposal on behalf of the landowners that

[Mr. Calvert.]

they will reduce their rents by 50 per cent. if Government will reduce the water rate by six annas in the rupee ? Those who claim sympathy are not prepared to extend that same sympathy to those poor cotton growers and take the first step by reducing their rents by 37½ per cent.

One final point and that a very important point. It is this. I have for years devoted all my spare time to studying the economic condition of this province, and I have no hesitation whatever in saying that the Punjab is by far the most prosperous province in the whole of India, thanks very largely to the wonderful work of our engineers. I can say without any hesitation that the cultivators of our irrigated lands are at the present moment far more prosperous than the farmers of the United States of America. I do not think the honourable mover realises how they compare with cultivators in other parts of the world. My honourable colleague, Mr. Townsend, spoke a very wise word when he reminded them how fortunate they were if they only knew their good fortune. The fixing of rates for water for irrigation purposes is a highly technical subject and I have tried to show that the rate at which the Government is actually supplying water to the zamindars is a rate lower than the cost of putting the water on to the field ; if this Council is going in this haphazard manner to interfere with the fixing of water rates and, by a casual resolution to reduce it by 37½ per cent., the result would be that apart from two or three of the earliest canals, no canal in the Punjab could show a profitable return, not even by indirect receipts. And secondly, it will naturally have the effect of making the Government very chary indeed of spending further crores of rupees on new works. Honourable members must remember that most of these canals have been built by money raised by loan. That loan is raised on the credit of the province as a whole. And if this province by a casual resolution is to be allowed to reduce water rate by 37½ per cent., then the credit of this province in so far as irrigation works are concerned will suffer. And I would ask honourable members to think twice, nay thrice, before voting for this resolution, and if they still intend to vote, I will strongly advise them to think a fourth time. (Cheers).

Sayad Mubarik Ali Shah [Jhang, Muhammadan, (Rural)] (Urdu) : Sir, much has been said in favour of and against this resolution by various honourable members. I have not got much to say on it, for if we care to look into the circumstances which have necessitated the reduction in *abiana* rates we find that they are too convincing to need any lengthy discussion. Five years back, i.e., in 1924, the circumstances were unfavourable, and there had occurred a deficiency of 55 lakhs in the annual budget of the Government ; but the zamindars were prosperous and thriving ; for the colony lands were newly distributed and brought under agriculture, and the canals were few and they supplied water in abundance on account of which the soil yielded much produce. The Government finding deficiency in the budget enhanced the water rates very greatly. The open hearted zamindars had plenty and so they did not care much for the increase. They did not make any objection to it and let the Government have its way. So far as I know, Sir, at that time Sir John Maynard gave an undertaking to the effect that if circumstances would have a happy turn and there would remain no deficiency in the Government budget, the *abiana* rates would again be

revised. Now, Sir, the circumstances have changed and the Government is no longer required to pay large sums to the Central Government and the financial condition of the province has also improved. It is high time that the promise given by Sir John Maynard should be redeemed. Moreover, Sir, the circumstances of the zamindars have also become suddenly worse. Firstly, owing to the recent extensions of the tails of some of the canals there is a general decrease in the water supply. For, the discharge of water at the headwork of the canals remains the same, but there is more land to be irrigated by the same amount of water supply as in the beginning. And secondly, owing to the constant cultivation the productivity of the soil is no longer the same as it was in the beginning. Besides this after the Great War other countries have also given much attention to their agricultural conditions, so much so that now there is going on a keen competition between the cotton produce of our province and that of other countries. While on the other hand on account of bad seed the cotton of the province has also become very inferior in quality; hence very low prices. I cannot understand as to why the Agricultural Department has taken no steps to improve the seed or to inquire into the causes of inferior yield of cotton. And in case the present circumstances continue, it is feared that the price of cotton will come down to Rs. 3 or Rs. 4 per maund. On these grounds, Sir, the present resolution in which help is sought for the poor zamindars, is very appropriate, and is in accord with the need of the time. The Government should be just to these zamindars who stood it in good stead when it required their support. Let the Government now fulfil the promise given by Sir John Maynard.

The Honourable Mian Sir Fazl-i-Husain : No such promise was given.

Sayad Mubarik Ali Shah : Even in that case justice requires that Government should show benevolence. One thing more, Sir, and it is this, that honourable Dr. Gokul Chand Narang has supported the Government by speaking against the present resolution, and I warn the Government not to be pleased with his support. The party outside the Council to which the honourable Doctor belongs thinks that so long as the zamindars are siding with the Government they cannot succeed in their purpose. Hence he is always on the look-out for creating discord between the Government and the zamindars.

Dr. Gokul Chand, Narang : I want this discord to overthrow the Government. Is it ?

Sayad Mubarik Ali Shah : The second thing that the honourable Doctor said was that the zamindars should not try to appeal or re-appeal. If this filing of appeals to higher authorities and re-appealing (in case when one fails in his first attempt) is given up by the public, then I ask the honourable the Doctor, where would his class—Vakils—go to ? The Afghans of Kot Muhammad Zarif Khan did right in trying to get their tribe notified as an agricultural tribe according to the Land Alienation Act, because the Afghans living in other districts of the province are classed so, and only they were left most probably by mistake when that Act was introduced. In the end, Sir, I give my hearty support to the resolution and request the Government to show kindness to the poor zamindars.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) (Urdu): Sir, I feel rather diffident in speaking in the Urdu language because it involves making a much larger number of corrections in the English version of the speech. It is much easier for me to glance through a speech delivered and reported in the English language. But to-day I am going to speak in Urdu, so as to make myself intelligible to the non-English knowing members of the Council. Before discussing the present resolution I think I would do well to keep myself to the bare statement of the facts and circumstances which sometime back necessitated the enhancement of *abiana* rates and which it is contended have since changed, and so necessitate a revision of the water rates. Evidence based on circumstances often proves a contention clearly and beyond doubt. The mover of the resolution has urged in the course of his speech for the reduction in *abiana* rates "on account of the unprecedented fall in the price of cotton." So far as the facts are concerned he is right in stating that *desi* cotton fetches Rs. 8 per maund and American cotton Rs. 9 or Rs. 10 per maund at the present market rate. When the present prices are compared with the prices which these varieties of cotton have been fetching some time back we are convinced of the reasonableness of the demand for reduction. But if we look up for the rates which during the various settlements for the purpose of land revenue assessments were made, we find that in no settlement have prices been fixed at a higher figure than what they are at present. (*An honourable member*: What has land revenue got to do with *abiana*?). *Abiana* and land revenue are very closely related. In fact *abiana* includes a part of the land revenue.

Dr. Gokul Chand, Narang: These gentlemen do not know even this much.

The Honourable Mian Sir Fazl-i-Husain: They ought to know it. Well, Sir, coming to the point at issue I would ask the honourable members that instead of clamouring for the reduction of *abiana* they should thank God that the prices have not fallen below the level of prices taken as the basis of assessment by different settlement officers at different times. I wish Sayad Muhammad Husain were here so that he may be convinced of the truth of what I say and be content with what is still left to us. He stated that if the Government was reluctant to reduce the *abiana* rates to-day when the price of cotton was Rs. 8 per maund, it would have to do so later on—it might be next year or the year after—when the price of cotton would go down to Rs. 5 per maund. I want to give him this assurance and I hope some one of those present will, Sir, very kindly convey it to him that if unfortunately such circumstances arise the Government will take immediate steps to bring the *abiana* rates under consideration. If the ratio between the price at which cotton actually sells and the price at which it was assessed in the settlement comes to be something like 5 to 8, and remains so for some years; it is unthinkable that the Government will remain indifferent or unmoved. Let him be assured that the Government will at once adopt adequate measures for considering the matter with a view to afford relief. If such a state of affairs as described were to continue for three or four years the Government cannot ignore it. In the present case we can easily arrive at a decision if we confine ourselves to the facts of the case. The subject under consideration at present, in no way, necessitates any lengthy discussion and a simple statement of facts like the one just now made will suffice.

References have, however, been made to some other subjects during the present discussion and I as a member of the Government take this opportunity of removing the misunderstandings which may have arisen as a result of these references to points other than the point at issue. It has been stated that the Government does not extend a helping hand to the zamindars when they are labouring under difficulties. It has been also suggested that in times of trouble Government should impose a special cess to afford relief to the zamindars of an area which has been visited by locusts or floods on account of which much damage may have been done to the crops. As regards this proposal I can only say that it is impracticable particularly at this stage of the development of society. This is possible only if the people become so law-abiding as to pay taxes imposed on them without being asked to do so. Otherwise it is impossible to give a practical shape to this suggestion. If it had been so easy to collect taxes from the people, as is perhaps thought, there would have been no need of maintaining so many departments for the realisation of taxes and other Government dues.

Now I shall proceed to point out that in case Government had not the necessary funds at its disposal, it could not have undertaken the measures of relief which it has been able to undertake during the last three or four years and which were approved and appreciated by the House. In 1926 cotton crop failed and Government had to remit land revenue and *abiana* to the extent of 81 lakhs of rupees. The year following was not a good one, but the next one—1928—was very bad, and the total loss which Government had to bear in the shape of remission of land revenue and *abiana* amounted to something like 65 lakhs of rupees.

Sayad Muhammad Husain : But the zamindars have not benefited much by that reduction and remission and in fact they are poorer after that remission.

The Honourable Mian Sir Fazl-i-Husain : If Government had not funds available, how could it have helped the zamindars at such a critical time and how could it have afforded to bear so much loss ?

Sayad Muhammad Husain : By reducing its expenditure.

The Honourable Mian Sir Fazl-i-Husain : The honourable member from Montgomery, I understood, had decided not to indulge in futile interruptions. I will at once examine his suggestion. Just think how the number of Government employees can for financial reasons be reduced at a critical moment. Does the honourable member wish that the services of some of the Members and Ministers should be dispensed with and without notice ? Does that sound sense ? For the time being this involves heavy expenditure. Just consider the conditions prevailing in the Ambala Division. In many parts famine conditions are appearing, and for sometime there has been acute scarcity of fodder for the cattle. There is but little canal irrigation in that Division, and agricultural produce is consequently scanty. If Government had not paid enormous amounts to the poor agriculturists of that Division in the form of *taccavi*, their condition would have become very precarious. I do not mean to say thereby that we are conferring any favour on them. We are simply doing our duty by them. Government would have very much liked to give them further help, but within its means it has tried

[Hon'ble Mian Sir Fazl-i-Husain.]

to help and will do more. Then the poverty of Dera Ghazi Khan has become proverbial. Government had to help that district as well and had to spend as much as 1½ lakhs of rupees for their relief. Government realises that it is not adequate relief according to the standards prevailing in some countries, but something is better than nothing.

The honourable Rana Sahib made a suggestion which, in my opinion, amounts to this, that Government should afford relief not only to those who need relief, but should also revive the dead. If the revenues from the canal colonies are reduced, wherefrom can the funds to help the non-canal areas come? That is really beyond the power of the Government to do. Another question was put during this debate. It was asked what Government had done to check the havoc that is wrought by the locusts every now and then. Government has done what it could possibly do in this connection. It issued circulars containing directions for checking this evil and in those circulars the honourable members were asked to gather together the people of the affected *Ilaga* and do as directed in the circulars. I have had to relate all these points to show that Government is providing relief where necessary and doing everything that lies in its power for the good of all. It has seldom ignored the wishes of the House. Only last year the honourable members of the House in the matter of the Land Revenue Amendment Act fixed a maximum limit for the land revenue in terms of the nett assets and insisted upon fixing at 25 per cent. as against 50 which prevailed before and 33 which Government felt was the safest. Government acceded to that request. The same was the case about the pitch of assessment. At that time the members definitely promised that if there was any deficit in the budget, it could be met by tapping other sources of income. But human memory is very short. They appear to have forgotten all they said on that occasion. Government did not concede their demand at that time, to encourage them to try afterwards to throw off the burden of taxation altogether. It is only just that people should shoulder their burdens manfully and allow the Government to undertake schemes which are likely to benefit mankind at large. If the sum of 36 lakhs of rupees is spent in lightening the burden of those who pay *abirna*, it will not do as much good as it would do if the same sum were spent in promoting other schemes of public welfare. This is the true spirit of charity and fellow-feeling and self-sacrifice for the country and we should not look upon it with jaundiced eyes. If you look forward to Home Rule, you should cultivate the habit and spirit of self-abnegation. Government has granted as much as ten lakhs a year remission to recently reassessed districts. This will be for nearly 35 years or more, which works out to nearly 3½ crores. Again, the capitalised value of this remission is not below Rs. 2 crores which if invested in some charity fund would benefit a large number of people.

Again, Sir, five years back, i.e., in 1924, the *abirna* rates were increased. Since that time the expenditure on education, public health, roads, etc., has also increased. If this extension in the work of public welfare is taken into consideration, the present demand for the reduction in water rates would hardly appear reasonable. At this stage I want to remove a misunderstanding. The honourable member on my right has hinted that

the question of *abaina* and land revenue is given undue importance in the Council debates. My answer to this is that there is nothing extraordinary about it. Out of the total income of 11 crores of rupees, 7½ crores of rupees are realised from land revenue and *abaina*, which is a direct tax. This naturally gives this question the important position it has acquired. As regards the urban people the income-tax paid by them goes to the coffers of the central government and it may be said that they contribute but little towards the provincial government income unless they resort to drinking and litigation and thus increase the excise and the court-fee receipts. Another reason why there is so much clamouring for the reduction of *abaina* rate or for the grant of land revenue remissions is that when these country gentlemen come on visits to the town, and see the big beautiful buildings on the Mall or the well stocked shops in the Anarkali bazaar, and educational and other facilities to which they are unaccustomed in the rural areas, they become envious and regard it a grave injustice to them which should be remedied somehow or other.

Dr. Gokul Chand, Narang : Please do not excite them to loot the Anarkali bazaar.

The Honourable Mian Sir Fazl-i-Husain : They think their lives can be made more comfortable and are, therefore, dissatisfied with the existing state of affairs. The Government is no doubt anxious to help them and to look after their welfare. But this does not mean that Government cares more for rural areas than for anything else. The Government, on the other hand, is equally interested in the welfare of different classes of people and is as solicitous of the welfare of the urban as of the rural people. I think it would not be out of place here to mention that sometime back the urban people had contracted a very bad habit of indulging in *satta* gambling. They used to waste much of their time and money in *satta* gambling. Government with the help of the House succeeded in passing the necessary legislation to suppress this evil which was prevalent in urban areas on a large scale. The honourable members like Rai Bahadur Lala Mohan Lal deserve our heartfelt gratitude for inviting the attention of Government to the advisability of putting a check to this evil. An honourable member complained that the Government have given no help to the inhabitants of Jhelum city though they have suffered terrible losses by recent floods. With regard to this I would submit that the honourable member is wrong. A sum of ten thousand rupees was granted to these people for the purposes of rebuilding their houses which had collapsed during the recent floods.

Dr. Gokul Chand, Narang : It was only a handful of dust in Noah's deluge.

The Honourable Mian Sir Fazl-i-Husain : Yes, it was really like a drop on the parched lips of a thirsty person. In Jhelum at the most ten or twenty thousand houses might have collapsed but a statement of losses suffered by the whole province is before me and I can tell the House that in different parts of the country houses in thousands have been razed to the ground by recent floods. Just imagine how great has been the loss to property other than houses, *e. g.*, cattle, grain, fodder. The losses suffered by the whole province amount to many crores of rupees. Such being the state of

[Hon'ble Mian Sir Fazl-i-Husain.]

affairs the Government had to afford relief to all those who had suffered from recent floods and, Sir, it is obvious that we could not go beyond our means. Jhelum had what Government could afford to give it. Besides it has also been said that no relief was granted to the timber merchants who had also suffered from recent floods. I am sorry that it is true. But I was not here when floods came. Had I been here I would have been the first man to help them. Three of them happen to be my personal friends. They are Lala Mohan Lal, Lala Harkishen Lal and Bawa Dinga Singh. The financial condition of these gentlemen is precarious (*laughter*). If the House agrees and some honourable member consents to move a resolution asking for a special tax to be imposed on the public for the purpose of providing relief to these gentlemen, I shall be glad to support it provided the rules permit me to do so.

There have been successive failures of crops for the last three years and naturally they have adversely affected both business and the Government. Whenever the zamindar suffers by failure of crops the Government suffers as well for it has to grant suspensions and remissions in land revenue. Therefore it is wrong to say that Government is indifferent to the troubles of the zamindars. I assure the honourable mover that under such circumstances as are described by Sayad Muhammad Husain or by me in the first part of my speech no administration can ever think of assessing a crop at Rs. 8 while it sells at Rs. 5 and has done so for a number of years. God forbid that such circumstances should ever arise and if such circumstances do arise, Government will never be guilty of neglect of its duty to the people. It is, no doubt true, that profits from lands have got very much reduced during the last three or four years as the facts and figures show, but then, have they risen to a very high figure? In conclusion I might make it clear that I do not complain of the fact that this resolution has been brought forward and moved. I am rather grateful to the honourable mover for doing so, for it has given us an opportunity to express our views and to clear the misunderstandings that may have been lingering in our minds. I am sure that the honourable mover, after he has listened to what I have said, will not insist that there is at present any occasion to revise the *abaina* rates.

Sardar Hira Singh, Narli: (Urdu): Sir, while moving my resolution, I made bold to anticipate to some extent the trend of the speech of the Honourable Revenue Member and told the House that he would present to us some such figures as would be likely to affect the opinion of some honourable members who do not possess any first-hand knowledge of the situation. I hope the House will admit that the speech made by the honourable member has fully justified my fears. But I beg to submit that although such figures appear very convincing when they are quoted on the floor of this House yet when we go to the villages and see the conditions prevailing there with our own eyes, we are forced to admit that these figures do not present the true picture and that the plight of the zamindars is really very sad.

Now, Sir, I will try to offer a very brief reply to the debate that has taken place on this resolution. The Chief Engineer, Public Works Department, Irrigation Branch, was pleased to remark that the rates quoted by me were not the actual rates. It appears, Sir, that the honourable member

has not tried to find out the average rates. I assure him and the Honourable Revenue Member that on an average, we have never sold cotton at less than Rs. 14 or 15 per maund, and once the prices rose as high as Rs. 22 per maund. But now the price of cotton has fallen to six annas in the rupee and I trust that the honourable members will bear me out when I say that it is not the same with other commodities. Therefore, our demand is an absolutely fair and reasonable one. I may also add that the wages of all the artisan classes have risen considerably. The weavers, the cobblers, the carpenters and iron smiths, all of them demand and are paid very high remunerations for their respective services while the prices of our products are falling lower and lower.

The reason underlying the present attitude of the Government is that it is afraid of the urban people because they possess a strong press. The Government knows that if any tax is levied on them they will at once start an awful agitation. Thus the whole brunt falls on the zamindar community because it has not got even a weak press at its back. Moreover, Sir, the *abiana* was increased by the Government without any reference to this Council and when requests were made to reduce it only a nominal reduction was made.

Sir, some of the leading members of the Council have been pleased to oppose my resolution to-day. It is because they are fortunate in the possession of extensive '*jagirs*' or enjoy great incomes and, therefore, they cannot realize, or, shall I say, that they cannot be expected to realize and appreciate the hard lot of zamindars. Then the Chief Engineer remarked that we were shown a great favour in connection with wadh wattar. But I submit, Sir, that that was only a device to rob us because now the demands made by the Government have risen to half the product. I wish to inform the House that the acreage charged on the Upper Bari Doab is less than that on any other canal in the province, yet even there it is not less than Rs. 5 per acre. It is well known that the Sindh *ilaga* is the greatest cotton producing *ilaga* in the country and also that cotton sells at a higher price there. But in that *ilaga* both land revenue and *abiana* together do not exceed Rs. 5 per acre while we are paying Rs. 6 or Rs. 7 per acre by way of *abiana* alone. It goes without saying, Sir, that when *abiana* was increased the crops must be really good. But now that we have very poor crops our demand for its reduction cannot be considered unfair. I say let the Government help the poor zamindars at this time of bad crops and if, God willing, the situation improves we will not grudge a reasonable increase in *abiana*.

As regards the financial aspect of the matter, I beg to submit, Sir, that if the Government really wanted to do something for the zamindars it could easily find the necessary money by cutting off some unnecessary expenditure. But ours is a very thrifless Government. It extorts money from us to spend for the benefit of other people who do not contribute a single pice to the provincial treasury. In this connection I may be allowed to quote an instance here. The Government constructed a metalled road between Arifwala and Burewala in the Montgomery district. Ostensibly it was constructed for the benefit of the zamindar community but it was the urban people and not the zamindars that actually benefited by it. We rather suffered.

The Honourable Mian Sir Fazl-i-Husain : That remark is not fair at all.

Sardar Hira Singh, Narli : It was another device to rob us. In the end, if the Honourable Revenue Member gives some assurance on behalf of the Government.....

The Honourable Mian Sir Fazl-i-Husain : If the price falls to Rs. 4 or Rs. 5 the Government will surely help the zamindars.

Sardar Hira Singh, Narli : Oh no; we are prepared to forego our demand, but for God's sake do not pray for that. (*Laughter*). I was saying, Sir, that my first intention was that if the Honourable the Revenue Member added some word of assurance to his original remarks I would withdraw my resolution; but if, on the other hand, he did not budge an inch from the position originally taken up by him, then I would press my motion to the vote even though it may be rejected by the House. However, it appears that the honourable member is prepared to accord a proper consideration to the matter. He being a zamindar, cannot but feel for the poor zamindars. Perhaps it is the prestige of the Government that is standing in the way of his giving expression to that feeling. Therefore, I beg leave to withdraw my resolution.

The resolution was by leave withdrawn.

RESOLUTION RE TAX ON GOATS AND SHEEP, KANGRA DISTRICT.

Chaudhri Ram Singh [Kangra, Non-Muhammadan, Rural] (Urdu) : Sir, I beg to move—

“That this Council recommends to the Government that the tax imposed on goats and sheep in the Kangra district be abolished immediately.”

Sir, a similar resolution was also moved in this House on 18th January 1926. The then honourable Financial Commissioner, Mr. King, stated that if the mover agreed the Government was prepared to appoint a committee to go into the matter. Subsequently a committee was appointed which held five or six sittings. The committee submitted its report. The recommendations made therein though not thoroughly satisfactory in the eyes of the zamindars, afforded them a certain measure of relief. Once again before this House I have no hesitation in saying that this tax is the first of its kind and that it has absolutely no justification. In no other district of the province this tax is being levied. The main argument which Government advances in support of it is that in order to save the forest growth from sheep and goats which destroy it by excessive grazing, it is necessary to impose this tax. In the Kangra district, as explained by Government in answer to a question of mine, there are 2,200 such *tikkas* where there are no *shamillat* or Government forests. Out of these 2,200 *tikkas*, 800 *tikkas* are such where people have the rights of grazing their cattle in forests, but in the remaining 1,400 *tikkas* there are no forests at all. In spite of that the Government have levied this tax on these 1,400 *tikkas* as well. The Cattle Tax Committee, consisting of a majority of the official members, unanimously recommended that these 1,400 *tikkas* should be exempt from the payment of this tax but no effect has so far been given to this recommendation.

My honourable friend Mr. Narang a short while ago remarked that zamindars are always clamouring for concessions. That may or may not be true. But in this case I am not asking for any concessions for the zamindars. I am simply requesting the Government to do justice to the people of the Kangra district who are labouring under grave injustice. In many respects the claims of the Kangra district are ignored. In new colonies, squares of land have been granted to such zamindars of other districts who have suffered losses by recent floods. The Honourable Revenue Member has flatly refused to give any help to the people of the Kangra district though their losses by floods were by no means inconsiderable. Besides, no portion of the income derived from resin has so far been distributed amongst the people of the Kangra district though a resolution to that effect was accepted by this House in the Simla session held in 1928. In the Hoshiarpur district people are entitled to a portion of the income derived from resin. In the course of his speech the Honourable Financial Commissioner admitted that this tax is highly resented by the people of the Kangra district. He said:—

"This is, Sir, the position with regard to the cattle-tax. The Government is not altogether satisfied with the position. I must admit that the tax is very unpopular and that the people do not like it and the officers of Government must have themselves said that it is a somewhat complicated tax and difficult to collect."

The Cattle Tax Committee have also reported that the zamindars of the Kangra district consider this tax to be an unjust and unlawful burden put on them by Government. This tax was imposed in the settlement operations of 1917-18. No one approves of it. As you know the Kangra district is a backward district. The zamindars of this district are so poor that they cannot easily pay their land revenue. The goats and sheep are useful in so far as they provide manure. Just imagine how cruel it is that one who keeps a goat for the purpose of providing milk to his child should be required to pay this tax, though there may be no forest near at hand where he may be able to graze his goat. The Government says that if these forests are not preserved there is every likelihood of the whole district being washed away by hill torrents. Besides you would not be able to get coal. These arguments are not convincing. Previously the census of goats and sheep was held after every three years. One who had one hundred goats and sheep at the time of the census had to pay the tax on them for the next three years even if 50 of them had died or had been sold away by the owner in the meanwhile. I understand that it has been decided to hold census of goats and sheep every year. If that is correct, so much the better. The people of the Kangra district consider this tax to be unjust and uncalled for. Therefore I would request the Government to abolish this unreasonable tax. With these words I commend my resolution for the acceptance of the House.

Mr. President : The resolution moved is:—

"That this Council recommends to Government that the tax on goats and sheep in the Kangra district be abolished immediately."

Rai Bahadur Lala Mohan Lal [North-East Towns, Non-Muhammadan, Urban] (Urdu): Sir, I beg to move—

"That in line 1, after the words 'that the' the word 'cattle' be added."

Sir, the committee appointed to go into the matter was known by the name of the Cattle Tax Committee. Besides the tax referred to in the re-

[R. B. Lala Mohan Lal.]

solution there is also another tax imposed on goats and sheep in the Kangra district. I mean the *Tirni* tax. Therefore in order to make it clear that the tax referred to in the resolution does not mean the *Tirni* tax, I have moved my amendment. I request the Government to accept my amendment which is of a very simple nature. The Government says that since this tax is levied the number of goats and sheep is increasing in the Kangra district. It is wrong. Their number is rather decreasing.

Sir, my amendment is quite simple. I propose that the word "cattle" be added before the word "tax" in the resolution. But at the same time I would request the Government to accept the recommendations of the Cattle Tax Committee. I am at a loss to understand why a unanimous decision approved of by the Chief Conservator of Forests, the Commissioner, Jullundur, the Deputy Commissioner, Kangra, and the Vice-Chairman of the District Board, Kangra, should be ignored. The Government says that there is a large number of goats and sheep in the Kangra district and if no such tax is levied on them the forests will be ruined in no time.

Rai Bahadur Lala Mohan Lal : Very well, Sir. My object in moving the amendment was to make it clear that the tax referred to in the resolution means the cattle tax regarding which the Cattle Tax Committee was appointed. I hope the House will accept my amendment.

Mr. President : The original resolution was—

"This Council recommends to the Government that the tax imposed on goats and sheep in the Kangra district be abolished immediately."

since which an amendment has been moved—

"That in line 1 before the word 'tax' the word 'cattle' be inserted."

The Honourable Mian Sir Fazl-i-Husain : If that is all that is required, I have no objection to the amendment.

Mr. President : The original resolution was—

"That this Council recommends to the Government that the tax imposed on goats and sheep in the Kangra district be abolished immediately."

since which an amendment has been moved—

"That in line 1 before the word 'tax' the word 'cattle' be inserted."

The question is that the proposed amendment be made.

The motion was carried.

Mr. C. A. H. Townsend (Financial Commissioner) : Sir, the honourable mover of this resolution made, entirely by inadvertence, an incorrect statement when he said that, when my predecessor, Mr. King, proposed the formation of a committee in November 1926 to go into the whole question of cattle tax, whatever the committee recommended the Government would accept. That is not quite correct. What Mr. King said was that a committee would be appointed to go into the whole question and that Government would carefully consider its proposals. I also noticed, from the speech of the honourable member from Simla (Rai Bahadur Lala Mohan Lal), that this was particularly rankling in his mind, that the unanimous recommendations of the committee did not meet with the approval of Government. I admit that as a general rule the unanimous recommendations

of any committee must carry considerable weight with Government. But I think this House will recognise that Government can never agree as a principle or as a fixed rule to accept all decisions of any committee appointed by it even though its recommendations may be unanimous. To do so would be really to cease to function as Government. After all what did Government do in this matter which has caused such annoyance to my friend the member from Simla? I ask the honourable member to wait until 1930. Government has deferred a final decision on the Committee's recommendations till that year when we shall have fuller information than at present as to the effect the tax has had on the number of sheep and goats in Kangra. That is all. The committee's recommendations will then get the fullest consideration. I would mention one or two other points. Chaudhri Ram Singh in the course of his speech became so eloquent and was so loud in his denunciation of Government that I personally had some slight difficulty in following him. He did not, however, tell the House that the proceeds of the tax on sheep and goats did not go into the pockets of Government, but that all went into the pockets of the district board of Kangra. Out of Rs. 20,000 a year Government does not get a single pie. The whole amount is devoted to the benefit of the people themselves. I would also tell the House that Government is not influenced by any unworthy motives in the imposition of this tax. It is with the best of intentions that the tax was imposed and that is, to reduce the number of sheep and goats in the Kangra district, where they were doing immense harm to the forests. The House is well aware of the enormous damage that many parts of this province have suffered owing to the recent floods. It is well known that where forests are not maintained in good condition, the rains wash away the soil by erosion. In the recent floods the rain water did not stay in the hills where it fell, as would have happened formerly, when the hills were well wooded, but rushed straight down into the rivers which consequently came down in floods, causing immense damage. If this House will take a long view, it will realize that our action is calculated to benefit the people of Kangra. What has happened in the Jhelum and the Indus rivers this year, may happen next year to the Beas, causing immense damage to Kartarpur and Jullundur. Possibly the Dhussi bund may break if not this year, a few years hence. Indeed if the present denudation of the Kangra forests continues at its present rate, I personally have no doubt whatever that it will break sooner or later.

The honourable mover said that if the members of the House went to Kangra they would be astonished by much that they saw there. I agree, and I submit with all the force at my command that one thing which will cause them much astonishment will be the way in which Government has neglected its duty to maintain the forests in proper condition, and has allowed many grievous encroachments on the forests. It is the duty of Government to preserve the forests for the benefit of posterity. It is difficult to make some people see the advantage of the forest department and of forest conservancy. But I hope that this House will in this matter take a long view and agree that Government in postponing their decision on this matter to next year is not unreasonable. With these words, I oppose the resolution.

The Council then adjourned till 2 p.m., on Tuesday the 3rd December 1929.

PRINTED BY
THE SUPERINTENDENT, GOVERNMENT PRINTING, PUNJAB.
251 PLC-600-26-12-26-SGPP Lahore.

PUNJAB LEGISLATIVE COUNCIL.

4TH SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

Tuesday, the 3rd December 1929.

The Council met at the Council Chamber at 2 P.M. of the Clock. Mr. President in the Chair.

OATH OF OFFICE.

The following member was sworn in :—

✓ Khan Bahadur Nawab Muzaffar Khan (official, nominated).

STARRED QUESTIONS AND ANSWERS.

BAR ROOM, HISSAR.

*2671. **Lala Joti Parshad** : With reference to answer given to starred question No. 2282¹ asked by me on 29th July 1929 will the Honourable Finance Member please state when the construction of the building is expected to be taken in hand ?

The Honourable Mr. A. M. Stow : The information asked for is not available at present. It will be communicated to the honourable member in due course.

RECIPIENTS OF JAGIRS IN HISSAR DISTRICT.

*2672. **Lala Joti Parshad** : Will the Honourable Revenue Member be pleased to state the names of the recipients of jagirs in the district of Hissar during the last five years with their services for which these jagirs were awarded to them ?

The Honourable Mian Sir Fazl-i-Husain : One jagir was given during the period in question to a resident of the Hissar district. It was awarded to Pandit Shri Datta, for long and meritorious services to the Administration.

HINDU TEMPLE AT BHIWANI.

*2673. **Lala Joti Parshad** : Will the Honourable Finance Member be pleased to state—

(a) whether the Government is aware that in the month of October 1929 some flesh was thrown in the Hindu temple near the thana at Bhiwani ;

(b) if so, will Government be pleased to state the result of the police enquiry ?

The Honourable Mr. A. M. Stow : (a) and (b). A report was made at Bhiwani city police station of the incident to which the honourable member refers, but the informant did not consider that any person had acted with

[Hon'ble Mr. Stow.]

malicious intention and he did not desire that public attention should be directed towards the incident. In these circumstances no police enquiry was held.

SUPPLY OF FODDER TO BHIWANI.

***2674. Lala Joti Parshad :** Will the Honourable Revenue Member be pleased to state the quantity of fodder brought to Bhiwani during the months of January to July 1929 by Government and the total loss sustained by Government in the supply of this fodder to agriculturists during the last famine?

The Honourable Mian Sir Fazl-i-Husain : 82,448 maunds.

Accounts have not yet been made up, but it is estimated that the loss to Government on the fodder transactions in Bhiwani is approximately Rs. 2,000.

LOWER JHELM CANAL.

***2675. Sayad Mubarik Ali Shah :** Will the Honourable Revenue Member kindly state—

(a) the number of days for which the Lower Jhelum Canal has been running from 1st July to the end of October 1929 and at what daily gauge;

(b) whether Government has taken any steps to compensate the zamindars for the loss caused by the paucity of water supply?

The Honourable Mian Sir Fazl-i-Husain : (a) Statements giving the information asked for are laid on the table;

(b) No compensation is proposed other than the remission of water rates under the ordinary and special rules applicable to the situation.

STATEMENT SHOWING DAILY GAUGES AND DISCHARGES OF THE LOWER JHELM CANAL FOR THE MONTH OF JULY 1929.

Date.	SUPPLY IN MAIN LINE AT ALA.		REMARKS.	Date.	SUPPLY IN MAIN LINE AT ALA.		REMARKS.
	Gauge.	Discharge.			Gauge.	Discharge.	
1	8.23	4,134	Remained closed for 16 days.	17	Remained closed for 16 days.
2	8.23	4,134		18	..	..
3	8.24	4,142		19	..	..
4	8.10	4,030		20	..	..
5	8.20	4,110		21	..	..
6	8.26	4,150		22	..	..
7	8.24	4,142		23	..	..
8	8.22	4,126		24	..	..
9	8.22	4,126		25	..	..
10	8.20	4,110		26	..	..
11	8.24	4,142		27	6.8	2,663	
12	8.27	3,958		28	..	..
13	8.15	3,867		29	..	..
14	7.90	3,668		30	..	..
15	..	..		31	..	..
16	..	..			

**STATEMENT SHOWING DAILY GAUGES AND DISCHARGES OF THE LOWER
JHELUM CANAL FOR THE MONTH OF AUGUST 1929.**

SUPPLY IN MAIN LINE AT ALA.			REMARKS.	SUPPLY IN MAIN LINE AT ALA.			REMARKS.
Date.	Gauge.	Discharge.		Date.	Gauge.	Discharge.	
1	Remained closed for 18 days.	17	Remained closed for 18 days.
2	5.22	1,842		18	..	..
3	5.00	1,710		19	..	..
4	7.17	3,126		20	..	..
5	7.03	3,022		21	..	..
6	6.72	2,804		22	..	..
7	6.68	2,756		23	..	..
8	7.23	3,170		24	..	..
9	7.45	3,329		25	..	..
10	7.45	3,329		26	..	..
11	7.33	3,242		27	..	..
12	7.05	3,037		28	..	..
13	7.73	3,654		29	..	..
14	7.68	3,501		30	..	..
15	..	..		31	..	..
16					

**STATEMENT SHOWING DAILY GAUGES AND DISCHARGES OF THE LOWER
JHELUM CANAL FOR THE MONTH OF SEPTEMBER 1929.**

SUPPLY IN THE MAIN LINE AT ALA.			REMARKS.	SUPPLY IN MAIN LINE AT ALA.			REMARKS.
Date.	Gauge.	Discharge.		Date.	Gauge.	Discharge.	
1	Canal closed.		Remained closed for 11 days.	16	6.83	2,881	Remained closed for 11 days.
2				17	7.03	3,022	
3				18	5.73	2,152	
4				19	7.18	3,124	
5				20	6.70	2,790	
6				21	6.70	2,790	
7				22	4.80	1,602	
8				23	6.38	2,655	
9				24	6.85	2,895	
10				25	6.45	2,619	
11				26	6.36	2,518	
12	2.50	544		27	5.97	2,501	
13	3.00	730		28	4.90	1,658	
14	5.63	2,090		29	5.55	2,041	
15	6.72	2,804		30	6.15	1,800	

[Hon'ble Mian Sir Fazl-i-Husain.]

STATEMENT SHOWING DAILY GAUGES AND DISCHARGES OF THE LOWER JHELUM CANAL FOR THE MONTH OF OCTOBER 1929.

Date.	SUPPLY IN MAIN LINE AT ALA.		REMARKS.	Date.	SUPPLY IN MAIN LINE AT ALA.		REMARKS.
	Gauge.	Discharge.			Gauge.	Discharge.	
1	4.80	1,602	Remained closed for 14 days.	17	1.22	187	Remained closed for 14 days.
2	3.80	1,086		18	1.10	140	
3	2.50	544		19	..	..
4	3.80	1,086		20	..	..
5	3.95	1,157		21	..	..
6	3.80	1,086		22	..	..
7	3.10	776		23	..	..
8	3.00	730		24	..	..
9	..	..		25	..	..
10	..	..		26	..	..
11	..	..		27	..	..
12	..	..		28	..	..
13	2.02	379		29	2.15	423	
14	1.73	292		30	2.00	372	
15	1.73	292		31	2.20	439	
16	1.35	198					

LOCUSTS PEST.

*2676. **Sayad Mubarak Ali Shah**: Will the Honourable Member for Revenue be pleased to state—

- (a) whether the Government is aware that the locusts have done havoc to the standing crops in most parts of the district of Jhang;
- (b) whether it is a fact that the locusts have laid eggs which are hatching; and the young locusts are continuing their work of destruction;
- (c) if the answer to the above be in the affirmative, will the Honourable Revenue Member kindly state what steps the district authorities did take in order to destroy the pest in conformity with the instructions laid down in the Land Administration Manual?

The Honourable Mian Sir Fazl-i-Husain: (a) and (b) Locusts visited certain parts of the district in last summer, and laid eggs which hatched out in September. Measures were taken by the Revenue and Agricultural staff to destroy the eggs and hoppers with the co-operation of the zamindars concerned up to the end of October 1929, when the hoppers disappeared. Some damage was done to standing crops, but not to the extent indicated in part (a) of the question.

(c) The Revenue and the Agricultural Departments, with whom the zamindars co-operated, did all they could to destroy the pests by entrenching and other methods.

**PROPORTION OF MUSLIMS IN THE SUB-OVERSEER GRADE OF THE
IRRIGATION DEPARTMENT.**

***2677. Sayad Mubarik Ali Shah :** Will the Honourable Member for Revenue be pleased to state whether it is a fact that in the sub-overseer grade of the Irrigation Department the proportion of Muslims is very small ; if so, will the Government kindly state what steps it proposes to take to make up this deficiency ?

The Honourable Mian Sir Fazl-i-Husain : The reply to the first part of the question is in the affirmative. To increase the representation of the community the honourable member is interested in, it is necessary to have a much larger number of them being made available for recruitment than at present. I shall be very glad to have a list of those who possess the requisite qualifications from Roorkee or Rasul and are willing to enter this service.

FRONTIER CRIMES REGULATIONS.

***2678. Lala Bodh Raj :** Will the Honourable Finance Member please state whether the Frontier Crimes Regulations apply to the Hindus of Choti in Dera Ghazi Khan ? If so, since when ?

The Honourable Mr. A. M. Stow : The Frontier Crimes Regulations have applied to the Hindus of the Dera Ghazi Khan district since 1901.

BHAKRA DAM SCHEME.

***2679. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state—

- (a) whether it is a fact that, in view of the American expert's advice that the height of the proposed Bhakra Dam be raised by 100 feet, the revision of previous estimates has become necessary ;
- (b) whether the revision of estimates referred to in (a) has been made ;
- (c) if the answer to (b) is in the affirmative, whether any additional establishment was engaged for the purpose ;
- (d) if the answer to (b) is in the negative, what are the reasons for delay ;
- (e) if any additional establishment was engaged, whether the money was found by means of reappropriation or the vote of the Council was anticipated ?

The Honourable Mian Sir Fazl-i-Husain (a) Yes.

(b) No.

(c) Does not arise.

(d) and (e) The Superintending Engineer appointed by us has not been able to devote himself to this important work as he was needed in Lahore in an urgent and important matter which could not be handed over to another officer. But this delay will not influence the eventual progress of the project.

[Hon'ble Mian Sir Fazl-i-Husain.]

The land surveys for which funds were voted in July 1929 have been started. Apart from this necessary engineering staff has been selected. The demand for their salaries is included in the supplementary estimates to be presented to Council in the November session. This staff will take up the preparation of the Haveli project immediately and will, at the same time, commence the preliminaries for the Bhakra Dam project.

SALE PROCEEDS OF FIREARMS.

***2680. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state—

- (a) whether the sale proceeds of a fire arm deposited by a license-holder whose license has been withdrawn, or who does not want to have his license renewed, are paid to the licensee if the sale takes place later than six months after the deposit ;
- (b) if the answer to (a) is in the negative, what steps Government intends to take to remove the obstacle which stands in the way of the money going to the actual owner ?

The Honourable Mian Sir Fazl-i-Husain : (a) Yes—provided the sale of the firearm does not take place more than one year from the date of deposit at a police station and three years from the date of deposit with a licensed dealer.

- (b) Does not arise.

HINDU JATS IN POLICE DEPARTMENT.

***2681. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state whether there is any Hindu Jat in the Police Department who holds the post of a Deputy Superintendent or Inspector of Police in the province who has retired in either of these capacities during the last ten or fifteen years or any period of living memory for which records exist in the Inspector-General's office ?

The Honourable Mr. A. M. Stow : The information is being collected and will be communicated to the honourable member as soon as ready.

ESTABLISHMENT OF A BOARD OF INDIAN MEDICINE.

***2682. Pandit Mehar Chand :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether the attention of Government has been drawn to the resolution passed by the Joint Committee of the Punjab Provincial Ayurvedic and Unani Conference held at Amritdhara Buildings, Lahore, on the 3rd November 1929 for the establishment of a Board of Indian Medicine ;
- (b) if so, what action Government has taken or proposes to take on the resolution ?

The Honourable Malik Firoz Khan, Noon : (a) No copy of the resolution in question has so far reached Government.

- (b) Government will give full consideration to the resolution when it is received.

GOVERNMENT—OWNED WELLS AND DEPRESSED CLASSES.

***2683. Pandit Mehar Chand :** Will the Honourable Finance Member be pleased to state—

- (a) whether Government-owned wells, i.e., those situated in the Government buildings, such as police stations, Government treasuries, courts, etc., are actually open to the use of the depressed classes such as Chamars, Dhanaks and Meghs ;
- (b) if not, whether Government intend them to be declared open to members of such depressed classes ?

The Honourable Mr. A. M. Stow : Government is collecting the necessary information which it will furnish to the honourable member in due course.

HINDU STATUTORY AGRICULTURISTS FROM ROHTAK, ETC., DISTRICTS,
AS PROSECUTING INSPECTORS.

***2684. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Member for Finance be pleased to state how many LL.B.'s have been selected for the post of Prosecuting Inspector or Sub-Inspector since this practice was first adopted and how many of them are statutory Hindu agriculturists from any of the four districts of Rohtak, Hissar, Karnal, Gurgaon and the Delhi Province ?

The Honourable Mr. A. M. Stow : No direct appointments are made to the post of Prosecuting Inspector. Sixty-two persons holding the LL.B. degree have been recruited up to date as Prosecuting Sub-Inspectors of Police. Of these three were Hindu statutory agriculturists from Rohtak and one from Gurgaon.

PROVINCIAL FOREST SERVICE.

***2685. Rai Bahadur Lala Mohan Lal :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that the Provincial Forest Service memorialised the Secretary of State for India in 1922 regarding their official equality with all-India services when placed in similar charges and that they were assured of this by the Government of India despatch No. 5, dated the 6th July 1922, and the Secretary of State for India's despatch No. 7, of 31st August 1927 (1922 ?) ;
- (b) whether it is a fact that the Provincial Forest Officers when placed in charge of divisions are allowed second class railway fares while the All-India Service Officers when holding similar charges are allowed first class railway fare ;
- (c) if the reply to the above be in the affirmative, will the Government be pleased to state the reasons for this distinction ?

The Honourable Mian Sir Fazl-i-Husain : (a) The memorials of the kind referred to by the honourable member were submitted in 1920, and not in 1922.

The reply to the second part of the question is in the affirmative.

(b) The honourable member's question appears to imply that members of the Indian Forest Service who hold charge of divisions are allowed first

[Hon'ble Mian Sir Fazl-i-Husain.]

class railway fare, while members of the Provincial Forest Service in similar positions are allowed second class railway fares. This is not the case, as members of the Indian Forest Service draw first class railway fare as members of an All-India Service, irrespective of holding charge of a division.

(c) Does not arise.

Rai Bahadur Lala Mohan Lal : My question relating to the railway fares allowed to Provincial Service Officers has not been answered.

The Honourable Mian Sir Fazl-i-Husain : It is shown here in the answer.

Rai Bahadur Lala Mohan Lal : No, Sir. The Indian Forest Service is different from the Provincial.

The Honourable Mian Sir Fazl-i-Husain : True, there is a distinction between the two and the Provincial Service men do not get first class fares. But the reason for the All-India Service men holding charge obtaining first class fares is not because of their charge, but because of the service to which they belong. And therefore there is no reason why, because they get first class fares, the provincial men should also get them.

GOVERNMENT SERVANTS AND CANTONMENT BOARDS.

***2686. Rai Bahadur Lala Mohan Lal :** Will the Honourable Finance Member be pleased to state whether the All-India Cantonments Association has made a reference to the Government pointing out the undesirability of Government servants contesting elected seats for cantonment boards? If so, what action has the Government taken in this matter?

The Honourable Mr. A. M. Stow : Yes; the matter is under the consideration of Government.

CANTONMENT BOARD, AMBALA.

***2687. Rai Bahadur Lala Mohan Lal :** Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that the Cantonment Board, Ambala, submitted draft regulations under section 44 of the Cantonment Act, without inviting public objections to the same, in March 1929;
- (b) whether it is a fact that the Punjab Government sanctioned the same without inviting public objections and directed the same to come in force from 8th June 1929;
- (c) whether the Government is aware that under section 44 (3) of the Cantonment Act no regulation framed under the Act can have effect till it has been published for public objections in such manner as the local Government may direct;
- (d) whether it is a fact that the Vice-President, Cantonment Board, Ambala, protested against the adoption of these regulations without the Ambala public being given an opportunity to examine and express their opinion about the same;
- (e) if the reply to the above be in the affirmative, what action Government has taken or intends to take in the matter?

The Honourable Mr. A. M. Stow : (a) and (d) Yes.

(b), (c) and (e). The regulations were put into force after publication in the *Punjab Government Gazette* in accordance with the provisions of section 44 (3) of the Cantonment Act read with rule 81 of the Cantonment Electoral Rules.

In the circumstances Government does not think it necessary to take any action in the matter.

PRICE OF COTTON.

***2623. Sardar Hira Singh, Narli :** Will the Honourable Member for Revenue kindly state—

(a) whether Government is aware of the fact that the price of cotton has fallen down to an unprecedented extent ;

(b) if the answer to the above be in the affirmative, whether Government intend to afford any relief to the zamindars by the remission of *abiana*, etc. ?

The Honourable Mian Sir Fazl-i-Husain : (a) No. Cotton was cheaper three years ago than it is now.

(b) Does not arise.

WARIS ON THE UPPER BARI DOAB CANAL.

***2689. Sardar Hira Singh, Narli :** Will the Honourable Member for Revenue kindly state—

(a) whether Government is aware of the fact that in the Upper Bari Doab Canal *waris* are fixed in accordance with *gharis* and *pahars* ;

(b) whether Government is also aware of the fact that there is no standard by which *gharis* and *pahars* can be measured ;

(c) if the reply to the above be in the affirmative, what action Government intends to take to fix the *waris* on this canal in hours and minutes ?

The Honourable Mian Sir Fazl-i-Husain : (a) In *Warabandis* made by Divisional Canal Officers on the Upper Bari Doab Canal the *waris* are fixed both (i) in hours and minutes, and (ii) in *gharis* and *pahars*.

(b) No ; a *pahar* is 8 hours, and there are 8 *gharis* in a *pahar*.

(c) Does not arise.

Sardar Hira Singh, Narli : Is the honourable member aware of the fact that there is no column for recording *gharis* and *pahars* in *chak bandi missal* and that there is no standard by which to measure *gharis* and *pahars* ?

The Honourable Mian Sir Fazl-i-Husain : From the information supplied by the Chief Engineers it appears that *gharis* and *pahars* are measured in hours and minutes and, where hours and minutes are not recorded in the *chakbandi missal*, an attempt will be made to standardise the time in hours and minutes.

NOTIFIED AGRICULTURISTS FROM KARNAL, ETC., DISTRICTS IN
POLICE DEPARTMENT.

***2690. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Member for Finance be pleased to state whether any Hindu belonging to a notified agricultural tribe has ever been appointed a Deputy Superintendent or Inspector of Police by direct recruitment from any of the four districts of Karnal, Rohtak, Gurgaon and Hissar ?

The Honourable Mr. A. M. Stow : No.

HIGH SCHOOLS OF BACKWARD COMMUNITIES.

***2691. Chaudhri Duli Chand :** Will the Honourable Minister for Education kindly state—

- (a) whether Government is aware that the Jat High Schools of Rohtak and Hissar, the Ahir High School of Rewari, the Meo High School of Nuh, the Gaur High School of Rohtak and the Muslim Rajput High School of Kalanaur in the Ambala division belong to the backward communities of the Jats, Ahirs, Meos, Gaur and Rajputs, respectively ;
- (b) whether it is a fact that the grants-in-aid of these schools have been reduced ;
- (c) if so, to what extent and why ?

The Honourable Mr. Manohar Lal : The information is being collected and will be supplied to the honourable member when ready.

CONCESSIONS TO LAHORE CONSPIRACY CASE PRISONERS.

***2692. Lala Bodh Raj :** Will the Honourable Finance Member please state—

- (a) what daily papers are being supplied to the Lahore Conspiracy case prisoners for their use ;
- (b) whether the same concession is granted to other political prisoners confined in other jails ;
- (c) whether there are any papers that were originally supplied to prisoners referred to in (a), but have been discontinued now ; and, if so, what are the reasons for placing any ban on those papers ?

The Honourable Mr. A. M. Stow : (a) *The Civil and Military Gazette* and the *Paisa Akhbar*.

(b) Yes, in the case of special class prisoners.

(c) No.

HANDCUFFING OF UNDERTRIAL POLITICAL PRISONERS.

***2693. Lala Bodh Raj :** Will the Honourable Finance Member please state whether it is a fact that the Inspector-General of Prisons has recommended to the Inspector-General of Police to issue instructions not to handcuff political prisoners when they are brought from the jail to the court for having their trial ?

The Honourable Mr. A. M. Stow : No.

DISMISSAL OF CERTAIN TEACHERS.

***2694. Lala Bodh Raj :** With reference to starred question No. 1805¹ asked on 5th May 1928 and the reply thereto, will the Honourable Minister for Education please state—

- (a) whether it is a fact that the teachers at fault have not been dismissed so far as desired by the department and that they have been drawing the suspension allowance ;
- (b) whether it is a fact that the departmental certificates of those teachers were called for, but they are not being submitted to avoid the action being taken thereon ;
- (c) if so, what action is being taken against the official responsible for omission in this connection ;
- (d) whether it is a fact that, even after the issue of orders calling for the certificates, the disbursement of suspension allowance has been made ?

The Honourable Mr. Manohar Lal : Enquiries are being made from local authorities and a reply will be furnished to the honourable member when ready.

CO-OPERATIVE BANK, JHANG-MAGHIANA.

***2695. Lala Bodh Raj :** Will the Honourable Minister for Agriculture please state—

- (a) whether his attention has been drawn to the fact that Mr. Karim Bux, Honorary Secretary, Co-operative Bank, Jhang-Maghiana, stated in court in the case *Crown versus Sewa Ram and others* in February 1929 or so that the accounts of the bank had been falsified or altered in connection with the amount of Rs. 50,000 under his instructions ;
- (b) if so, whether an enquiry into the matter has been made and necessary action taken against the official at fault ?

The Honourable Sardar Sir Jogendra Singh : (a) No:

(b) Does not arise at present.

WAKEFIELD WAH IN JHANG-MAGHIANA.

***2696. Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government please state—

- (a) when the Wakefield Wah in Jhang-Maghiana was completed ;
- (b) when was the charge handed over to the municipal committee ;
- (c) whether it is a fact that before the charge was handed over it had failed to carry off the water and there had been several breaches in it ;
- (d) if the reply to (c) be in the affirmative, will the Honourable Minister please state whether the department concerned in the construction of the Wakefield Wah will bear the expenses for its repairs ?

The Honourable Malik Firoz Khan, Noon : Enquiries are being made in the matter and a reply will be communicated to the honourable member when ready.

TERMINAL TAX SCHEDULE AND VEGETABLE OIL.

***2697. Lala Bodh Raj :** With reference to the reply to part (b) of question No. 1790¹ asked on 27th February 1929, and question No. 2804² asked on the 29th July 1929, will the Honourable Minister for Local Self-Government please state—

- (a) whether the terminal tax schedule has been finally sanctioned by the Government; if not, what are the reasons for the delay;
- (b) what steps have been taken to stop the substitution of *ghi* by vegetable oil in the market?

The Honourable Malik Firoz Khan, Noon : (a) Yes, the schedule has been sanctioned and will shortly be published in the *Gazette*.

(b) The Punjab Pure Food Bill which is now before the Council will, it is expected, when passed into law, effectually deal with the problem.

ACREAGE RATES.

***2698. Lala Bodh Raj :** With reference to the reply to part (a) of question No. 1958³ asked on the 6th March 1929, will the Honourable Revenue Member please state the action taken on the representations made in the matter of acreage rates?

The Honourable Mian Sir Fazl-i-Husain : The decision arrived at is incorporated in the Financial Commissioner, Development's, letter No. 1828-C. (S.), dated the 30th August 1929, a copy of which is laid on the Council table.

No. 1828-C. (S.), dated the 30th August 1929.

From—The Senior Secretary to the Financial Commissioners and Deputy Secretary to Government, Punjab, Development Department,

To—The Commissioner, Multan Division.

ACREAGE RATE TO BE CHARGED IN PROPRIETARY AREAS OF NON-PERENNIAL TRACTS ON THE SUTLEJ VALLEY CANALS.

I AM directed to refer you to the correspondence ending with my endorsement No. 5766-D., dated the 24th November 1928, and to intimate that representations have been received from the zamindars and cultivators of the old canal irrigated land in the Lodhran and Mailsi tahsils of Multan district protesting against the levy of acreage rate on account of surveys, construction of water-courses and culverts.

¹ Volume XII, pages 464-65.

² Volume XIII, page 131.

³ Volume XII, pages 719-20.

2. This rate was to be recovered on the perennial and non-perennial portions of the Government waste land on the Sutlej Valley Canals at the rate of Rs. 3 per allotted acre if paid in a lump sum, and at the rate of Rs. 4-4-0 per allotted acre in eight half-yearly instalments from those who preferred to make payments by instalments (cf. Mr. Crump's letter No. 5484-D., dated the 10th December 1927, a copy of which was forwarded to you with his endorsement No. 5486-D. of that date). Subsequently, in letter No. 1909-D., dated the 14th April 1928 (a copy of which was sent to you with this office endorsement No. 1911-D., dated the 14th April 1928), it was decided that the same rates should apply to proprietary villages, the rate being applied to each acre of gross culturable area within the "Chakbandi."

3. I am to inform you that the Governor in Council has carefully considered the representations which have been made, and has decided that in the proprietary areas of non-perennial tracts on the Sutlej Valley Canals no culverts should be constructed at present, and that the acreage or construction rate for these areas should be fixed at Rs. 1-10-0 per acre of the gross culturable area within the "Chakbandi" if paid in a lump sum, or Rs. 1-12-0 per acre (recoverable in eight equal instalments) in the case of those who prefer to make payment by instalments.

4. I am to add that the revised rates in paragraph 3 above include the postponing of the collection for two years from the beginning of the first harvest from which the new water-courses come into use, and that the payment is on account of surveys and earth-work, but does not include the cost of water-course culverts, which will be made as *taccavi* works, according to the ordinary rules of the Irrigation Branch for the construction of culverts over water-courses.

5. If in any cases culverts have already been constructed, the person or persons using the water-courses shall be called upon to pay their share of the cost of construction of these culverts. If they refuse, the full rate of Rs. 3 in a lump sum or Rs. 4-4-0 in instalments per culturable acre owned shall be recovered from the persons using the water-course concerned. The present concession is only being made on the condition that all culverts already constructed are paid for within three months of the receipt of a written demand by the Divisional Canal Officer.

MULTAN DISTRICT BOARD.

*2699. **Lala Bodh Raj:** With reference to the reply to part (a) of question No. 1960¹ asked on 6th March 1929, will the Honourable Minister for Local Self-Government please state—

(a) whether the intermediate enquiry has been completed;

(b) if so, what decision has been arrived at by the Government in the matter?

² **Mr. Alan Mitchell:** (a) Yes.

¹Volume XII, pages 722-23.

² The question was answered by Mr. Alan Mitchell in the absence of the Honourable Malik Firoz Khan, Noon.

[Mr. Alan Mitchell.]

(b) It was ascertained that no regular election petition had been presented by the petitioner and no further action was taken.

Lala Bodh Raj : Was any reference made by the local authorities on the point in issue?

Mr. Alan Mitchell : I must ask for notice of the question.

Lala Bodh Raj : Is it a fact that new elections are going to take place in a few days and that the point has not yet been finally decided by Government?

Mr. Alan Mitchell : I require notice.

Lala Bodh Raj : Will the honourable member be pleased to issue instructions to postpone the elections until this point is decided by the Government?

Mr. President : Is that not a request for a specific action? I do not think the question is permissible.

Lala Bodh Raj : I shall then ask whether there is any intention on the part of the Government to do so.

SEPARATION OF JHANG MUNICIPALITY.

***2700. Lala Bodh Raj :** With reference to the reply to question No. 1985¹ asked on 18th March 1929, will the Honourable Minister for Local Self-Government please state—

- (a) whether any report has been made by the local officers in the matter of separation of the Jhang municipality;
- (b) if so, what decision has been arrived at by the Government in the matter?

The Honourable Malik Firoz Khan, Noon : (a) No report has yet been received.

(b) Does not arise.

STATEMENTS LAID ON THE TABLE.

Secretary : The following statements are laid on the table :—

- (1) Statement showing the action taken by Government on resolutions passed by the Punjab Legislative Council from November 1928 up to date;
- (2) Statement showing the action taken by Government on cuts made by the Punjab Legislative Council in original and supplementary demands presented to the Council from November 1928 up to date.

Statement showing the action taken by Government on resolutions passed by the Punjab Legislative Council from November 1928 up to date.

Serial No.	Terms of resolutions passed.	Volume number and page of Punjab Legislative Council Debates.	Action taken.
1	This Council recommends to the Government to take steps to extend the life of present Legislative Council till such time as the new constitution comes into force so as to enable the next elections to be held under the new constitution (moved on 26th February, 1929) (carried on 26th February 1929).	Volume XII, pages 433—450.	It was decided by His Excellency the Governor not to dissolve the Punjab Legislative Council. The question of extending the life of the Council will be considered later and a definite pronouncement made before the 4th of January 1930.
2	This Council recommends to the Government to take necessary steps to institute an enquiry as to whether the Punjab Village and Small Towns Patrol, Act, 1918, should be amended or repealed (moved on 27th February 1929) (carried on 27th February 1929).	Volume XII, pages 491—508.	After seeing the reports of Commissioners, Deputy Commissioners and the Inspector-General of Police, the Standing Police Committee recommended that certain instructions be issued to Commissioners with a view to ensuring the better working of the Act. Necessary instructions have been issued.
3	This Council recommends to the Government that earnest and vigorous efforts should be made to obtain the sanction of the Government of India and the Secretary of State to the execution of the Bhakra Dam Project and the construction should be taken in hand without any avoidable delay as soon as the requisite sanction has been obtained (moved on 27th February, 1929) (carried on 28th February, 1929).	Volume No. XII, pages 517—552.	The preparation of the Project has been undertaken.
4	This Council recommends to the Government to appoint a Committee of the Punjab Legislative Council to find out ways and means for introducing compulsory primary education in the Punjab (moved on 27th July 1929) (carried on 29th July 1929).	Volume No. XIII, pages 115—119 and 149—180.	The matter is under consideration.
5	This Council recommends to the Government to appoint a Committee with a view to making an enquiry into the progress of the Mandi Hydro-Electric Scheme and submitting a report on the following points:— (i) The maximum period within which the scheme is likely to be completed;	Volume No. XIII, pages 217—254.	A committee has been appointed consisting of:— The Honourable Sir Chuni Lal Vijbhucandas, Mehta, Kt., K.C.S.I., Khan Bahadur Sardar Habib Ullah, M.L.C., Rai Bahadur Lala Mohan Lal, M. L. C., Sardar Ujjal Singh, M.L.C., Mr. G. V. Lewis, Major H. G. Howard,

Serial No.	Terms of resolutions passed.	Volume number and page of Punjab Legislative Council Debates.	Action taken.
6	<p>(ii) The ultimate cost involved and the return expected on the capital expenditure;</p> <p>(iii) The possibility of reduction in expenditure without affecting the efficiency of the Scheme; and</p> <p>(iv) the means for utilization of electric energy generated to the fullest possible extent and to the best advantage of the public and the State (moved on 30th July 1929) (carried on 30th July 1929).</p> <p>That this Council—</p> <p>(1) do proceed—</p> <p>(a) to discuss the report of the Committee appointed by the Council on 11th May 1928 to take part in the Joint Conference of the Indian Statutory Commission, and</p> <p>(b) to discuss the memorandum prepared by the Punjab Government for the use of the said Commission,</p> <p>(2) recommends to the Governor in Council that the report of these discussions as recorded in the proceedings of the Council be forwarded to the said Commission (moved on 18th September 1929) (carried on 18th September 1929).</p>	Volume No. XIV, pages 81—246.	<p>M.C., Mr. W. L. Stampe, I.S.E. and a representative of the Maudi Darbar.</p> <p>Copies of the official report of the proceedings of the Council were forwarded to the Indian Statutory Commission.</p>

NOTE.—This information has been published with Punjab Government Notification No. 37072 (H.—Legislative), dated the 19th November 1929, in Part I of the *Punjab Government Gazette*.

Statement showing the action taken by Government on cuts made by the Legislative Council in original and supplementary demands presented to the Council from November 1928 up to date.

Serial No.	(i) Major head. (ii) Minor head. (iii) Sub-head.	Reasons for reductions or cuts.	Amount of reduction	Volume number and page of the Punjab Legislative Council Debates.	Action taken by Government.
1	34—Agriculture— (Transferred).	To urge the sinking of wells by machinery for irrigating lands in the Jhelum District.	Rs. 1	Volume XII, pages 1054—1060.	Three attempts to sink wells in Jhelum have failed. Government are now trying experiments in the adjoining district of Rawalpindi.

Mr. President : The Council will resume discussion on honourable Pandit Narak Chand's amendment.¹

Mr. Owen Roberts (Nominated Non-Official) : Sir, with your permission I rise to support the amendment. My support is not based on any general prejudice against legislation which would fall within the meaning of the preamble of the Bill, but it is based rather on serious defects in the Bill itself. When I received a copy of the Bill I obtained spare copies and forwarded them immediately to the Chamber of Commerce, Karachi, the Northern India Chamber of Commerce and the Punjab Trades Association and from all those bodies I have had communication in support not only of the amendments that stand in my name but also in sympathy with the remarks that I wish now to make.

The first thing that struck me about the Bill was that it left out of consideration altogether one very important class of tradesmen, those people who are to be found scattered through every Sadr Bazar in the province and in every district headquarters, that is, the class of tradesmen who are dealing in imported provisions. In the Bill as it stands and as it has been presented to this Council there is not a single one of this class of tradesmen who would not be liable to prosecution. In fact when the Select Committee went out of its way to add item (h) of sub-clause (1) of clause 18 it showed straight away that it could never have contemplated the possibilities which such a clause would open up before the ordinary straightforward shopkeeper who deals in these articles.

This is only one of the incidental things showing how the Bill has been framed without taking into account the persons who would be affected by it while engaged in their legitimate business in a legitimate way.

When we come to consider the form of the Bill, I submit that it is such as to throw very great doubts on the *bona fides* of the Bill as a Bill which is intended to make better provision for the control of preparation and sale of food in the Punjab. I will ask the Council to go through the general provisions of the Bill with me. In the preamble the intention is expressed of legislating for the control of preparation and sale of food; in clause 2 food is defined as every article used for food or drink by man other than a drug; in clause 3 powers are taken to frame rules, and in clause 4 it is made an offence to sell an adulterated food. Up to this point I have no objection to offer. I think it is all very sound. But side by side with these clauses we find a whole group of clauses dealing with *banaspatine* and *charbini*. These are defined in clause (3) and thereafter the Bill goes on in clause 13 to lay down conditions connected with the sale of these articles; clause 14 deals in particular with the manufacture of these articles and clause 15 which to my mind should really be included in the Bill which will follow in this Council, the Regulation of Accounts Bill, discusses the accounts which sellers of these articles are to keep. Now, Sir, I submit that if this were a Pure Food Bill and nothing else, all these definitions and all these clauses should have been incorporated in the rules which have to be framed. What is the actual intention of the Bill?

¹ "That the Punjab Pure Food Bill as amended by the Select Committee be circulated for the purpose of eliciting public opinion thereon."

[Mr. Owen Roberts.]

If it is intended as a straightforward attack on the adulteration of food products, then these items should have been left out and put in the rules along with other things which will have to go into those rules, if the Bill is to be a living thing. Framed as it now is one is led to suspect that having achieved its object, which is nothing more than an attack on the trade in *banaspatine*, by the incorporation within the Bill itself of regulations in that behalf, the enforcement of the remainder of the powers taken which would lead to unpopularity, will be postponed to the Greek Kalends.

Then, Sir, I want to say a few words as to the machinery which is to be employed to enforce this Bill. The honourable mover of the resolution left no doubt in our minds as to the possible serious results. . . .

Mr. President : The honourable member is discussing in detail the clauses of the Bill. I would request him to restrict his speech to the object and purpose of the amendment now before the House that is that the Bill be circulated for obtaining opinion thereon.

Mr. Owen Roberts : Sir, my object in referring to the machinery which is provided for by the Bill was not to refer to any specific clause. My point is that machinery of this type is a very serious matter and before it can be contemplated the conditions under which it may be employed should be referred to those persons who are likely to be affected by it. When I heard the honourable mover, I thought that perhaps he was allowing himself to be run away with. But the more I think the more I am inclined to endorse practically everything he said about it. It is a very serious matter indeed to impose a number of new officials on the province at no doubt considerable cost carrying the powers these men will carry, powers of entering into places when and how they like, the only check on them being that actual prosecutions will not be allowed until they can get some second authority to agree with them. This may sound all very well, but put into practice it means this. You have two neighbours and both of them have careful wives. The ladies come to the conclusion that it is cheaper to buy a tin of *banaspatine*, rather than to buy it in small lots and they agree to buy a tin between them and on the understanding that one of them keeps the tin and the other sends for her share as she wants it. What is the result? The inspector sees *banaspatine* going from one house to another and alleges that these people are selling it and he proceeds to search the premises. He takes the matter before the sanctioning authority and that authority does not agree with him in prosecuting the people and the matter may be said to end there. But what has actually happened is this. The privacy of a home has been violated; the women have been hunted from room to room while Mr. Pokenose the Inspector has been trying to justify his existence and after a further inquisitorial process these people are told that they will not be prosecuted for having done nothing. I submit, Sir, that you cannot possibly deal with a Bill which will permit this, without eliciting public opinion upon it. Two familiar petitions rise to my mind on this subject. One of them is "Lead us not into temptation" and the other "Prevent us, O Lord, in all our doings." Of these two, Sir, I prefer the former. I would much rather see the opportunities and therefore the temptations of these inspectors reduced

than depend upon their guidance and regulation by some third party stepping into protect people from unnecessary persecution. The views I have tried to express are not mine alone but have behind them the support of serious commercial bodies and I earnestly hope that before proceeding to legislate in the manner prescribed by the Bill, the Council will insist on its being recirculated to elicit public opinion before proceeding with it.

The Honourable Malik Firoz Khan, Noon (Minister for Local Self-Government): Sir, I have listened to the honourable member with great interest because he has certainly pointed out certain amendments which he thinks are probably called for in this Bill. I am glad to say that for a long time yesterday I had a talk with the Raja Sahib and Mr. Mukand Lala Puri and they brought those very points to my notice and Mr. Puri specially seems to have worked very hard on the subject and he has pointed out several things which in a way would certainly improve the Bill and I am grateful to him for the suggestions, valuable ones, which he has made and all these suggestions are embodied in most of the amendments that are sent in and which I hope will be passed. If the honourable member who has just sat down were to know what these amendments are he would be satisfied with all these and the objection which he has in his mind would be removed, and if the honourable member, the mover of the amendment had been here he would probably have liked to have withdrawn that motion for circulation and let the House proceed with the discussion of the various amendments to the clauses of the Bill. I just want to draw the attention of the honourable members on my right that in the absence of the honourable mover of the amendment they will perhaps allow the Honourable President to put this motion to the House and have it rejected and proceed with the discussion of the amendments of the Bill.

Rai Bahadur Lala Sewak Ram [Multan division (Non-Muhammadian)] (Rural): Sir, the Honourable Minister for Local Self-Government seems to be in a great hurry to rush the Bill through. He does not want even to give us a chance to speak on the Bill and give vent to our feelings. He wants the mover of this amendment to withdraw his amendment. There have been only two speeches so far on this amendment, one from the honourable mover and the other from my honourable friend, Mr. Owen Roberts. They have distinctly told the House what a defective Bill this is. There is no doubt that if at all any unreasonable Bill has been brought before this House, it is this one. When drafting the several sections the Government did not at all realise the difficulties of a community to which the members who were predominant in the select committee were the greatest enemies. The tradesmen with whomsoever I had a talk (*Interruption*) Sir, I object to these interruptions. The tradesmen with whomsoever I had a talk have told me that this Bill will be a great hardship on them. I do not want to go into the details of the Bill at present; as my honourable and learned friend the mover of the amendment has gone into the details. He spoke at length and dealt with each clause and has told us what a hard Bill this is, especially clauses 7, 13, 18 and a few other clauses. If this Bill is passed it will be a great hardship on this community. Where is the harm if this Bill is postponed for three months? I fail to see why the Honourable Minister is in a great hurry to get this Bill through. After all, this Bill has

[R. B. Lala Sewak Ram.]

been before the House for a whole year already. It originated from resolution regarding pure *ghi*, which has now resulted in a very objectionable and a long Bill. It was never anticipated by the House that all these complications will set in from an ordinary resolution moved by a member on these benches. At first it came in the shape of a different Bill, the Adulteration of Food Bill. That Bill was considered to be very defective and had to be dropped. Now the worst possible Bill has come up. Our only request is that this Bill may be circulated for eliciting public opinion. Where is the difficulty about it? When you meet again in January or in the beginning of February the Bill may be taken up. If you now look at the amendments there are about 200 of them and if we are to go on discussing these amendments it may take 3 or 4 days and even then we may not be able to rectify the mistakes and the defects of all the oppressive clauses of this Bill. Therefore I think that the amendment moved by my friend, the honourable member from Hoshiarpur, is a very sound one. The Bill has not been published in all the newspapers. I do not think I have seen it except in one or two papers. It is not at all fair to the people of the province that a measure like this should be rushed through the Council. If my honourable friend the Minister wants to take advantage of the majority at his back he can do so at any time and pass the Bill even without allowing us to move amendments. But if he is prepared to listen to our request, I respectfully submit that he might take into consideration the feelings not only of the members on these benches but of all the tradesmen in general who are the real people concerned and give them an opportunity to hold public meetings and discuss the Bill which has not been so far discussed by them. After we come to know the opinion of all these people, whatever defects we find may be rectified and the Bill might be drafted in a form acceptable to all. It is no use passing a measure that is objected to by a particular community which we represent in this House. I therefore submit that the Bill be circulated for eliciting public opinion.

Mr. V. F. Gray (Punjab Chamber of Commerce and Trades Association, Commerce): Sir, I rise on behalf of my Chamber to welcome the Bill; but I shall also support the amendment. The Bill will, I think, be generally welcomed by commercial circles; but it is placed before us in rather a hurried manner. The Select Committee included nobody with real commercial interests in the subject matter with which the Bill deals and the amendments to the Select Committee's report show that the commercial difficulties that some of the clauses in this Bill bring fourth are still unsatisfied. The very fact of the number of amendments that you have got, as pointed out by the last speaker, proves the unsatisfactory condition of the Bill as now put forward. The Bill should either be sent back to the Select Committee with a copy of the amendments or else circulated for eliciting public opinion. I do not mind which, but for us to come here and try to make this Bill workable seems to be absolutely impossible. The Honourable Minister for Local Self-Government who is interested in the Bill has just informed us that a number of amendments have been presented to us to-day which will meet most of our objections. The fact that Government are prepared to accept a number of amendments proves my point that the Bill as presented is incomplete. Very few members have yet seen these amendments. On the face of it, on

the first reading these amendments may appear to make the Bill unobjectionable but none of us will have very much confidence that this is so unless we have time to consult the commercial houses which are directly interested in the matter. I am not now discussing the small inspectors, a subject which was raised the other day. That is a subject I do not know much about; but I am talking about the great commercial houses who import this stuff in a wholesale manner. There are a lot of small items in the Bill that present some difficulties and with a short postponement the Bill can be made one that will be welcomed by the whole province and it will be a shame to press it on the province hurriedly in an ill-considered manner. I therefore support the amendment that the Bill should be circulated for eliciting public opinion.

Khan Bahadur Captain Sardar Sikandar Hyat Khan: I rise to oppose the amendment moved by the honourable member who is not here to-day. According to a Punjabi saying—

Gur lagā diya hai

and he has himself gone away to-day. As a matter of fact I am surprised to see some honourable members saying that this Bill is being hurried through by the Government. I believe it has been before this House and the province for some years. The question of *banaspati ghi* agitated the minds of some of the members of this Council and my honourable friend, Mr. Gopal Das, moved a resolution on their behalf and requested Government to stop *banaspatine* being adulterated with ghi, and that matter was left over because the Government was considering the bringing in of a Pure Food Bill which is now before us, so that the whole question might be dealt with at one time. My friend, Mr. Owen Roberts, has sent in some amendments and I think some of them might be acceptable to this House and perhaps to the Government also. The argument that if this Bill is sent back for the purpose of eliciting public opinion it would be easier to pass it in this House, I do not think will hold water, because as a matter of fact the clauses about which my friend on the left (Rai Bahadur Sewak Ram) has so strongly and loudly protested have already been before the various conferences and meetings. The Mahajana Sabha at its last session discussed this Bill and some other bodies have also considered and discussed it and as a result sent in resolutions to the Government strongly protesting against this measure and describing it as an encroachment on the rights of the people. As for the other bodies, I believe the Chamber of Commerce and other bodies, if they had desired to send in their opinions, would have done so because the Bill was published in the Gazette sometime ago. If they have not addressed the Government it might be because they have got their representatives in this Council who can bring in amendments and put their point of view before the Council if they so desire. Mr. Owen Roberts has in the heat of the moment said that he agreed with every word of the honourable mover of the amendment. I believe he did not mean it. The mover cited an excise case of the Rohtak district. He did not go further and say that because there was corruption in the Excise department therefore the Excise Act should be scrapped. If there is no objection to the appointment of Inspectors in case of the Excise department,

[K. B. Captain Sardar Sikandar Hyat Khan.]

why object to the Inspectors being appointed under this Bill. I personally think, Sir, that this measure will affect the zamindars more than any body else because so far as the main commodities are concerned, such as *giri*, grain, milk, etc., all these are produced by the zamindars and they will be affected to a much greater extent than the shopkeepers who do the adulterating and blending. Under these circumstances it cannot be described as a class measure and I hope that the House will not proceed further with this dilatory motion but proceed with the Bill and those amendments which are considered necessary and useful might be accepted. As Mr. Owen Roberts put it, we should try to come to an agreement with the Government and if some clauses are considered unreasonable, let us try to make them reasonable. There is no other body except this Council which can do this. I therefore strongly oppose this amendment. //

Shaikh Muhammad Sadiq [Amritsar City (Muhammadan) Urban] : Sir, this Bill has been before this House for the last two or three years and if I remember aright it was through me that it was in a way postponed and I am surprised to find that my friends who are now bringing forward these streams of amendments never thought once during all these three years to send in a single amendment. Perhaps they have been waiting for the cool atmosphere of Lahore to bring in these amendments. Why were they not brought at Simla? My honourable friend from Lyallpur (Rai Bahadur Lala Sewak Ram) was present in Simla. Why did he not send in his amendments then? There was not even a single amendment in his name in the Simla session. My friend representing the Chamber of Commerce says that not a single member representing the commercial interests was on the Select Committee. He knows that I had my name thrust on the Minister because I was anxious to do something in this matter. If the honourable member wanted, the Government or the Minister would not have been so unreasonable as not to include his or anybody else's name.

Mr. V. F. Gray : I too am not an expert.

Shaikh Muhammad Sadiq : If he is not an expert it is not for us to discover who is an expert. If you are not yourself an expert, you can name an expert. What is the good of raising an objection like this? After all in a Bill like this you cannot go and bring in an outsider as expert. Members of this Council only should serve on the committee. How is it that the honourable member who was at Simla at the time this Bill was introduced did not bring forward a single amendment? What is the reason for that? Do you think it is right that a Bill should first be introduced, then considered and reconsidered by the Select Committee and then again recommitted to the same Select Committee with instructions to reconsider it so as to limit its scope? And for how long will the process go on? If at the time the Bill was introduced the honourable member was enjoying in London or Europe and for that reason he did not attend the meetings of the Council, is that a reason why the Bill should be recirculated, and simply because he says that the Bill will work very harshly on commerce? Whenever a Bill is introduced, whether it is the Sarda Bill or the Pure Food Bill, every member gets up and says, recirculate it. I do not know the object of it all. (A voice :—The object is to get public opinion). For

the last two or three years the honourable member could not get public opinion; he could not even form his own opinion (*laughter*). Then what about the honourable member from Simla? He is a prominent member of the party to which the mover belongs. That member did not suggest a single amendment. What is the point in asking that the Bill should be re-circulated?

Supposing that is done, next time some other member who has been to Australia or Japan will get up and say that he was not here at the time and therefore the Bill should be re-circulated. I therefore strongly oppose the amendment. No doubt everyone thinks that the Bill needs pruning. There are sheaves of amendments, and we are here to consider those amendments. It does not matter how long it takes to consider those amendments. The House of Commons sits all the year round. Let us do the same also. There are many legal heads in the Council on each side. (*A voice*:—They are all block heads). (*Laughter*). After they have considered the Bill clause by clause they will probably come to some decision. For these reasons I strongly oppose the amendment that the Bill be re-committed to the Select Committee.

Colonel C. A. Gill (Director of Public Health): Sir, I did not think it would have been necessary to dilate upon the urgent need of this Bill, because all those who have read newspapers for the past four or five years or have listened to the debates and questions asked in this Council on the subject of pure food, must have realised the urgent importance of this question. But not only has the feeling on the subject been voiced in this House, but nearly all the large Municipal Committees in the Punjab have long been clamouring for this Bill. Even more than that, the city of Delhi, which is outside the province, is most anxious to adopt this Bill as soon as it has become an Act and they are hoping to be able to do so shortly. (*A voice*: Have they asked for a Bill or this Bill?) They have asked to adopt this Bill.

Why this great anxiety? It is rather unusual to demand to use legislation before it has been made effective and before it has been brought in. The reason is that the evil with which it is meant to deal is increasing. In the past few years the adulteration of food has suddenly become a very serious problem. Before *banaspati ghi* was introduced it had not occurred to people that enormous profits could readily be made by substituting a poor quality article for the genuine, but as the result of experience gained with *banaspati*, the substitution of impure food has now become a common practice, and not only is *banaspati ghi* now being sold as genuine *ghi*, but artificial *atta* of little nutritive value, and which instead of being made from wheat is being made from rye and maize, is now being sold in the bazar. Pure milk is now almost unobtainable in the towns. Then again hair oil is being imported for the purpose of mixing with edible oils. So the question of adulteration has become of great and increasing importance.

Atta and *ghi* and milk constitute the staple food of the vast majority of the people of this province, especially of the poorer sections of both the rural and of the urban population, and if these three food-stuffs—*atta*, *ghi* and milk—are going to be extensively adulterated in this manner it means that the health of a large section of the population is going to suffer and their resistance to disease to be lowered. This surely is a matter of very considerable importance. I think there is general agreement upon this point,

[Col. Gill.]

and the only question is how are these people to be protected from the dishonest trader and dealer. The existing Act has been proved to be unworkable. It was in fact introduced before this question of *banaspati* had come up and consequently it contains no provisions by means of which you can deal with the problem of *banaspati*. So that a new Act or an amending Act is essential. In 1927 Government drew up an amending Act and a draft of the proposed Bill was referred to the Standing Committee on Public Health of this Council in January 1928 and the Bill, as approved by the Standing Committee was introduced into this House in March 1928. The House referred it to a Select Committee, who examined it and came to the conclusion that if such extensive alterations were necessary it would be better to withdraw the amending Bill and to introduce a new Bill. A new Bill was consequently drafted and in March 1929 a new Bill—the present Bill—was introduced into the House and referred to a Select Committee. The Pure Food Bill has therefore been examined by the Standing Committee on Public Health and by two Select Committees of this House and, in addition, a large number of members of this House have placed their expert advice and legal knowledge at the disposal of Government in trying to overcome the difficulties in drawing up the Bill. Mr. Owen Roberts complains that commercial interests were not represented on the Select Committee. Unfortunately last year he was away in England, otherwise he would have probably been placed on the Select Committee, but in any case the Bill has been long and closely considered by a very large number of members of this House who have given us the benefit of their expert advice and their knowledge of local conditions. This surely is sufficient guarantee that the provisions of the Bill do not infringe the liberties of the people and will not enable it to be used as an instrument of oppression. I think, Sir, we might say that public opinion is the father of this Bill and that this House is the mother of it, and I trust therefore that the House will deal tenderly with its offspring.

Diwan Bahadur Raja Narendra Nath [Punjab Land-holders, General]: Sir, I wish to say a few words on the main points under discussion which I and my friend Mr. Mukand Lal Puri, who has studied the Bill very carefully, have been trying to avoid. There is no doubt that the Bill has been long before the Council, but there are reasons which induce me to support the motion that is now before the House. One of the arguments in favour of the Bill is that the measure exists in other provinces too and in other countries also. The conditions of the Punjab are peculiar. This argument was used at the time when a certain Bill called the Town Improvement Bill was introduced in the Council about six or seven years ago when I and my friends now sitting on this side of the House occupied the opposition benches. On that occasion also the argument was put forward that there was nothing peculiar in the measure, that similar Acts existed in other provinces and were working satisfactorily, and with good results. We thought at that time that under the peculiar conditions of the Punjab there would be many difficulties in working the Act and we opposed it. It was passed in spite of our opposition. I find from answers to certain questions put by a friend of mine in this Council that the Town Improvement Act which was passed in this House with a flourish of trumpets has been a dead letter, that it has not been possible to introduce it and work it in any town

of this province. I am afraid that unless certain modifications are made in the Bill which is before us, this Bill will also meet the same fate although in this Council it may be passed. Mr. Puri and I have been doing our best to reason out points with the Hon'ble Minister, with the Secretary for Local Self-Government and with the Legal Remembrancer, and we covered a lot of ground. We came to agreement on many points and up to 11-30 this morning I was under the impression that I would use my influence with the members of my party to avoid a discussion on the motion for circulating the Bill for eliciting public opinion, but I found out at 12-30 that our settlement on one of the material points which was an indispensable feature of the Bill and to which we objected had failed. (*A voice: What is that point?*) I am not going to mention the point because by doing so I would be raising a discussion on that particular point. We have been trying to meet Government members to a certain extent, but we have so far failed in arriving at complete settlement. It seems to me that one great advantage of postponing the discussion of this Bill and circulating it for eliciting public opinion would be that we will be able to arrive at an understanding on that particular point. For this reason, if for no other, I support the motion which is before the House.

Mr. President:—The original motion was—

3 P.M.

"That the Punjab Pure Food Bill as reported by the Select Committee be taken into consideration;"

since which an amendment has been moved

"That the Punjab Pure Food Bill as amended by the Select Committee be circulated for eliciting public opinion thereon."

The question is that the amendment be made.

The motion was lost.

Rai Bahadur Lala Sewak Ram: May I move my amendment,¹ Sir?

Mr. President: The hon'ble member's amendment appears to be a combination of an amendment and a motion. So far as it aims that the Bill be recommitted, it is an amendment. But its latter portion, which proposes that certain instructions be given to the Select Committee, is a motion.

Rai Bahadur Lala Sewak Ram: May I submit one point, Sir? The words "with instructions..." were put in only by way of request. If they are objectionable I have no hesitation in withdrawing them and moving the remaining part only.

Mr. President: The hon'ble member will be quite in order in moving the first part of the amendment.

Rai Bahadur Lala Sewak Ram [Multan Division, (non-Muhammadan) Rural]: Sir, I beg to move

"That the Punjab Pure Food Bill as reported by the Select Committee be recommitted to the same Select Committee."

The remaining portion of the amendment which has been disallowed and which cannot be incorporated in my amendment, I will put in my arguments in support of the motion.

¹"That the Punjab Pure Food Bill as reported by the Select Committee be recommitted to the same select committee with instructions to reconsider the whole Bill so as to limit its scope to *banaspattina* and *charbati* only."

[R. B. Lala Sewak Ram.]

I have already submitted that the origin of this Bill was the resolution moved by my friend from Sheikhupura (Lala Gopal Das). He moved a resolution for doing something for the cause of *banaspati ghi*. That resolution led to the introduction of the Adulteration of Food Bill. That Bill subsequently took its present form. In reality we only wanted to see that only pure *ghi* was sold in the markets, but subsequently the question of purity of food also was brought in.

Dr. Gokul Chand, Narang : On a point of order, Sir. I just wish to draw your attention to paragraph 87 of the Constitutional Manual according to which an amendment can be moved giving instructions to the same Select Committee. It says "that the Bill may be recommitted to the same Select Committee with instructions to the Select Committee to make some particular or additional provision in the Bill. I would, therefore, submit that the original amendment of my hon'ble friend was perfectly in order.

Mr. President : No. If the hon'ble member will read the article, upon which he relies, more carefully, I hope, he will agree with me that part (1) of the article relates only to the member in charge of the Bill. As regards the rights of the other members, they are stated in paragraph (2) of the article, that is to say, "if the member in charge moves that the Bill be taken into consideration, any member may move as an amendment that the Bill be recommitted or be re-circulated for the purpose of obtaining opinion thereon."

Rai Bahadur Lala Sewak Ram : I already submitted in my previous speech that this Bill is a very complicated affair. I, therefore, submit that this Bill should be recommitted to the Select Committee. The only points with which we are concerned are the *banaspatine* and *charbini* and there is no necessity whatever to go into other details. I do not think there is much adulteration going on in other things. If, however, adulteration is going on in other things, perhaps they are explainable, but in the case of *charbini* made articles and *banaspati* made articles, we cannot find out whether the thing is made of one thing or the other. Therefore, the only thing required to give effect to the resolution is to frame a Bill with reference to these two articles. Nothing else contained in this Bill is required at present. I, therefore, beg to move the amendment so that the Select Committee may redraft the Bill confining themselves only to these articles *banaspatine* and *charbini*.

Mr. President : The original motion was—

"That the Punjab Pure Food Bill as reported by the Select Committee be taken into consideration;"

since which an amendment has been moved—

"That the Punjab Pure Food Bill as reported by the Select Committee be recommitted to the same Select Committee."

Chaudhri Afzal Haq [Hoshiarpur-cum-Ludhiana, (Muhammadans Rural)] (Urdu) : Sir, I have studied the Bill and also the amendments moved by some of the hon'ble members. In the beginning I was convinced that the Bill was defective and required a lot of amendments to be made. But now it appears to me that no effort has been spared to attain the satisfaction of all the parties concerned and that the dissenting

members really do not want the present Bill to be considered at all. The hon'ble leader of the Hindu party has admitted that it was tried to bring about an understanding between the Government and their party, and that they agreed on almost all the points with the exception of one. Had the Government rejected all the proposals put forward by my hon'ble friend then one could very well have read some ulterior motives in the conduct of the Government, but now when it is admitted that the Government did all that they reasonably could be expected to do in the matter of making the Bill as much satisfactory as possible one cannot but say that the hon'ble Hindu members are actuated by some different motive in bringing the present amendment before the House. None of the members of the Select Committee made any note of dissent against any of the provisions of the present Bill, but our Hindu members insist that it should be referred back to the same Select Committee for reconsideration. In case there is some genuine flaw in the Bill, then I am quite at one with the hon'ble member representing Amritsar in saying that the Bill should be recommitted to the Select Committee for reconsideration and that if necessary the session of Council may also be extended for a few days more. But when we do not find any such defect in the Bill, then there appears to be no reason why this Bill should again be returned to the Select Committee for reconsideration.

I congratulate the Hon'ble Minister for Local Self-Government that he has acted according to the best traditions of Parliament in presenting before the House a measure intended to give satisfaction to all parties concerned. The hon'ble Raja Narendra Nath has stated that there was only one point on which they disagreed with the Government. If so, let them present that point before the House to express its view on it. We are not bent upon causing harm to the interests of any class whatsoever. We are not in the Government's pay and have not sold our conscience to them. Let them bring in the point on which they disagree and we will consider it as disinterested parties as it behoves us to do. There is no necessity for bringing in the present motion. With these words I oppose the motion now before the House.

The Honourable Malik Firoz Khan, Noon (Minister for Local Self-Government): Sir, the honourable members of this House are already aware of the large number of amendments that have been sent in by the various sections of this House, particularly from the section round about the honourable mover of this motion. In order to save the time of this House I thought it best to discuss these amendments informally with the accredited leaders, namely, Raja Narendra Nath and Mr. Mukand Lal, Puri, who had been authorised by their party to go and discuss these amendments with me. I am glad to say that yesterday myself, Mr. Mitchell, Mr. Sale and the Director of Public Health held a meeting while this Council was going on, and discussed each and every amendment with these two representatives. I am also glad to say that out of 62 amendments we reached an agreement with regard to every one of them. (*Hear, hear*). There was, however, one question which was brought to my notice by Mr. Sale next morning. There was one amendment with regard to clause 13 which we had accepted, but which was contrary to the provisions of clause 18.

[Hon'ble Malik Firoz Khan, Noon.]

of the Bill and if we accepted that amendment two of the provisions of the Bill would have been contradictory.

Mr. President : It is not in the power of the Honourable Minister to accept such amendments. An amendment to a clause is out of order if it is inconsistent with or contradictory to the clause.

The Honourable Malik Firoz Khan, Noon : We did not know that. However, I informed these two accredited representatives by telephone my difficulty in the matter of accepting that amendment. Again, I had a talk with them this morning and explained how if that amendment were accepted it would be directly opposed to one of the clauses of the Bill. I also told them that I was not willing to accept that amendment, but I was prepared to leave the question to be decided by the Council and that I was prepared to accept the decision of the Council. Now that there is agreement on all the points except one, there is no need to refer the Bill to the Select Committee. I think that point of disagreement can be placed before the House and can be decided by the majority of the House. With these few remarks I suggest that it is not wise to recommit the Bill to the Select Committee, because out of 62 points we have reached an agreement on 61 points.

Lala Mukand Lal, Puri [Lahore City (Non-Muhammadan) Urban] : Sir, the Honourable the Minister for Local Self-Government has pointed out to the House the circumstances under which the discussion took place between Raja Narendra Nath, myself, the Honourable Minister and his assistants and colleagues. We agreed on certain amendments not because those amendments were a kind of concession to anything that we had asked for, but because it was thought right by the persons who were engaged in the consultation that those amendments should be made. With respect to clause 18 which, as was pointed out by the honourable member from Hoshiarpur (Pandit Nanak Chand), it trenches upon the fundamental principle of criminal jurisprudence. I pointed out that clause 18 should be deleted and it was pointed out to me that instead of deleting that clause, if clause 18 was amended in a particular manner, it might meet my objection. I gladly accepted that suggestion, and we agreed on that understanding that there should be no discussion on the motion of Pandit Nanak Chand that the Bill be circulated for eliciting public opinion or any amendment be pressed. This morning we were told that this was not accepted and, therefore, the discussion has been started on the other amendments. I do take it that the amendments with respect to which we agreed that they were necessary are to stand. With respect to the proposal of Rai Bahadur Lala Sewak Ram that the Bill be recommitted to the Select Committee, I want to point out that it is agreed on all hands that the Bill as it has emerged out of the Select Committee needs amendment, and if it is so, why should not the Bill be referred back to the Select Committee so that it might be redrafted in the light of the amendments which have been found to be necessary? Speaking for myself, I can say that I am not at all against the principle of the Bill. The framers of the Bill are actuated by the desire to see that pure food is made available, and so far as that goes they deserve to be congratulated. But in framing this Bill, they have gone too far. I think the

Bill in its present form as it has come out of the Select Committee will prove a terrible engine of oppression. As has been pointed out to-day, the classes who are most likely to be affected by it have not had an occasion to consider its provisions, and it is quite possible that if it is referred back to the Select Committee, the Select Committee may consider it desirable to consult them. It has been pointed out by Mr. Owen Roberts that the three European Associations had not been consulted, and it has been pointed out on the floor of this House that none of the merchants' organisations which exist in Lahore and Amritsar or in other towns of the province have been consulted.

Mr. President : That argument would have been relevant to the amendment of Pandit Nanak Chand. It is irrelevant to the amendment now before the House.

Lala Mukand Lal, Puri : I was pointing out, Sir, that when the Select Committee will consider the Bill again, it will very naturally and very likely consult these bodies in that case. There have been very serious omissions. The very name of the Act, the Pure Food Bill, has lulled the people to sleep. It has been very rightly pointed out, Sir, by the honourable member from Amritsar that no amendments at all were made by any member. People thought that it was a Bill only to prevent adulteration of *ghee* and they never bothered about it. That might have been the reason why the public did not care much about it. But the fact remains, the public opinion has not been directed towards this Act. This Bill has not been printed in any vernacular newspapers, nor has it been printed in any English newspapers; nor has it been referred to the municipalities, district boards and other bodies, who will be affected by its provisions or who are mainly concerned with the working of it.

Mr. President : Will a recommittal serve that purpose?

Lala Mukand Lal, Puri : Yes, I think so, Sir.

Mr. President : I would again point out to the honourable member that he is not speaking to the amendment now before the House.

Lala Mukand Lal, Puri : I believe, Sir, that if the Select Committee is going to do its duty it will take good care that it gets opinions not only from those persons who are interested and want to get this Bill passed, but also from those persons who are likely to be affected by the passing of this Bill. We will see that those opinions are seen and made available to the Select Committee. It is quite possible that some experts and merchants associations might make some criticism, and that criticism should be made available to the Select Committee. This is the reason, Sir, why I am dilating on this matter, that public opinion has not been at all directed towards this Bill, because the name of the Bill has lulled people to sleep. So, Sir, I support the motion which the honourable mover has made that the Bill be referred back to the Select Committee. Another reason for doing this is that after having considered this Bill, if all the amendments which are now before the House are accepted, still some provisions will need further consideration. As an illustration I may submit that sub-clause (g) of clause 18 the Honourable Minister would like to delete.

Mr. President : The original motion moved was—

“That the Punjab Pure Food Bill as reported by the Select Committee be taken into consideration.”
since which an amendment has been moved—

“That the Bill be recommitted to the Select Committee.

The question is that the proposed amendment be made.

The motion was lost.

Mr. President : The question is—

“That the Punjab Pure Food Bill as reported by the Select Committee be taken into consideration.”

The motion was carried.

Mr. President : The Council will now proceed to consider the Bill clause by clause.

The Honourable Malik Firoz Khan, Noon : May I point out, Sir, with respect to sub-clause (1) of clause 1, the figures are only given 19 and the other two figures are not given. I understand that some objection was raised by the Government of India with regard to a previous Bill that these two figures should be entered in the Bill. May I have your valuable advice on this point?

Mr. President : That clause is not yet before the House. Sub-clause (1) of clause 1 relates to the title of the Bill and will be taken later on.

Clause 1.

Sub-clause (2).

Lala Mukand Lal, Puri [Lahore City (Non-Muhammadian) Urban] : Sir, I beg to move that the following be added to clause 1 (2) :—

“In extending the Act the Local Government may extend it in respect of any specified article or food, or generally in respect of all articles of food.”

The proposed amendment confers a discretion upon the Local Government to extend it to one article of food or certain specified articles of food or to all food articles, if the Government so desires or considers it feasible. It has been said on the floor of this House that the real necessity of the measure arose out of the adulteration of *ghi*. It will be open to Government, if it thinks it proper, to extend it in the first instance only to the adulteration of *ghi*, or milk or any other article of food about which there may be some complaints.

Rana Firoz-ud-Din Khan : On a point of order Sir. Sub-clause (2) of clause 1 relates to areas to which the provisions of this Bill are to be extended and does not concern the articles of food to which they are to be applied. I submit that the amendment which relates to the articles of food to which this Bill will be applied is not in order. It is irrelevant.

Mr. President : What has the honourable mover got to say to this objection?

Lala Mukand Lal, Puri : This is perfectly in order. The clause relates to the extension of the Act. The extension may be to particular areas or it may be to particular articles of food, and I may say for the information of the honourable members, that a similar provision existed in the Adulteration of Food Act of 1919, and there is no reason why Government should not embody a similar provision in this Act.

Mr. President : The objection is that sub-clause (2) of clause 1, relates only to territorial or geographical extent ; while the amendment of the honourable member goes beyond the scope of the sub-clause inasmuch as it proposes that the Act be extended to certain articles of food.

Lala Mukand Lal, Puri : I may point out, Sir, for your consideration, that there is no marginal note to sub-clause (2) laying down as to what the section has to contain, and there is nothing so far as I think to prevent the legislators from embodying legislation on two points under this clause. If you have been in the past under the habit of confining legislation only to one point in one sub-clause or one section, then I have no objection to give it a separate number. There is nothing wrong in the enactment of this provision.

Mr. President : A marginal note is not part of a Bill.

Lala Mukand Lal, Puri : Sir, as I have already submitted, it would not make any difference whether it is a part of the Bill or not. There is nothing to indicate in sub-clause (2) of clause 1 that it is only confined to areas and cannot include any provision with respect to extension to kinds of food. There is no legal bar to its inclusion.

Mr. President : May I invite the attention of the honourable member to Article 65 (1) of our Business Manual. An amendment must be within the scope of the substantive motion. The question is whether the amendment which proposes to extend the Act to certain articles of food is within the scope of the clause which relates only to the geographical or territorial extent of the Act.

Lala Mukand Lal, Puri : I submit, Sir, that it is not laid down that it applies only to territorial extent, but the question is to what articles this Act is to be applied ? Is this Act to be applied to food, which is sold at Delhi or Agra or is this to be applied to milk which is sold at Delhi or Agra, or to the milk which is sold here ? I submit, Sir, that it would be in order, inasmuch as it is only an amendment relating to the extension of the Act.

Dr. Gokul Chand, Narang [North-West Towns, (Non-Muhammadan), Urban] : Sir, as I understand the sub-clause, it is intended to restrict or specify the operation of the Act and it gives the Government a discretion to apply it in a limited area or, to use a general expression, to a limited extent. Now, the general scope of this sub-clause is, according to the interpretation that I have ventured to put upon it, the specification of the extent of the provisions of the Act. That specification may be of two kinds. It may be a specification as to the area to which the Act would apply and to the articles to which it would apply. I am not aware of any law or rule which prohibits the enactment of two kinds of restrictions or specifications in one sub-clause of an Act. I have looked at the provision to which you were pleased to make reference. Article 65 (1) no doubt says that an amendment must be relevant to and within the scope of the motion to which it is proposed.

Mr. President : The motion is that the Act be extended to certain areas ; while the amendment is that it be extended to certain articles.

Dr. Gokul Chand, Narang : My submission, with due deference, is that the scope is not confined to the area alone. The scope is the specification of the application of the Act in a general form. The whole is a restrictive clause, and whereas the sub-clause as it exists in this printed Bill restricts it to certain areas which the Government may specify by notification, the amendment proposed restricts the operation of this measure to certain articles and is *ejusdem generis* with the scope of this restrictive clause. Otherwise, I would submit there is nothing to prevent my learned friend from saying that another sub-clause might be added. It is not at all necessary for him and there is nothing in the law which stands in the way of a second restriction or a restriction of another kind being added to a sub-clause which is devoted to the limitation of the extent of operation of the particular measure. I, therefore, venture to submit that the amendment is perfectly in order.

The Honourable Malik Firoz Khan, Noon (Minister for Local Self-Government) : Sir, this is a case in which in some Acts the first clause is like the one we have put in while in some others provisions are similar to the amendment now proposed. As a matter of fact, if the amendment were accepted it will do no harm to the Bill because.....

Mr. President : Order, order. The honourable member is proceeding to discuss the merits of the amendment.

The Honourable Malik Firoz Khan, Noon : As far as the legal aspect of the case is concerned, I think the amendment is beyond the scope of the Bill, but as far as the power of the Chair in allowing it is concerned, I leave it to you, Sir, to exercise your discretion so as to meet the wishes of honourable members.

Shaikh Abdul Ghani [West Punjab Towns, (Muhammadan) Urban] : What I wish to submit is that as has just been said by the Honourable Minister this amendment goes beyond the scope of the Bill. It not only does that, but it goes against the spirit of the Act. Nowhere is there any specification of the articles and nowhere in the Bill is it stated that the local Government or any other authority that would put the Bill into operation should satisfy itself as to the articles to which the Bill should extend. My humble submission is that this amendment is not in order.

Mr. President : Does not the extent of an Act cover its extent with regard to *area, persons and things* ?

Shaikh Abdul Ghani : But the point before the House is that certain powers which have not even been provided for in the Act are meant to be given by this amendment.

Mr. President : In view of the fact that the clause relates to the extent of the Act and that the extent need not be confined to area only the amendment does not, I think, go beyond the scope of the clause under consideration. So, I hold the amendment to be regular.

Lala Mukand Lal, Puri : Sir, I wish to point out that the amendment gives discretion to the Government and if the Honourable Minister for Local Self-Government desires to have it extended to all food, he can do so. But we all hope that in this new legislation, he will proceed cautiously and watch the results of his experiment. We, therefore, want to leave it

open to him that he might extend it to one article or to half a dozen articles and then, whenever complaints are received that any other article of food is being adulterated, he may extend the Act to that article also. No harm will therefore be done by accepting this amendment. It gives greater power to the Ministry of Local Self-Government, and I see no reason why this useful provision which finds a place in Act VI of 1919, the Adulteration of Food Act, should have been omitted here. My amendment is a copy of the provision of that Act in identical terms.

Mr. President : Sub-clause (2) of clause 1 under consideration. Amendment moved is—

“ That the following be added to the sub-clause ” :—

“ In extending the Act the Local Government may extend it in respect of any specified article of food, or generally in respect of all articles of food.”

The Honourable Malik Firoz Khan, Noon : (Minister for Local Self-Government) : Sir, I feel that if the amendment were accepted it will in a way improve the Bill and that for this reason. At present we have the standard of purity fixed for certain kinds of food and our staff for fixing the standard of purity is not so complete and full as it should be. It will take some time before we are able to fix the standard with respect to all kinds of food. It will, therefore, be open to the Government with regard to a particular area to extend this Act with regard to all kinds of food. But if discretion is left to the Local Government I think in a certain way it will improve the Act. Moreover, this provision does exist in other legislations, and I hope that the House will accept this amendment.

Mr. President : Sub-clause (2) of clause 1 under consideration. Amendment moved is—

“ That the following be added to the sub-clause :—

“ In extending the Act the Local Government may extend it in respect of any specified article of food, or generally in respect of all articles of food.”

The question is that the amendment be made.

The motion was carried.

Mr. President : Question is—

“ That sub-clause (2) of clause 1 as amended stand as part of the Bill.”

Motion was carried.

Sub-clause (3).

Mr. President : Question is—

“ That sub-clause (3) of clause 1 stand part of the Bill.”

Motion was carried.

Clauses (2) to (5).

Mr. President : The question is—

“ That clauses 2, 3, 4 and 5 stand part of the Bill.”

Motion was carried.

Clause (6).

Shaikh Muhammad Sadiq : I rise to move for the omission of sub-clause (5) of the clause.

Mr. President : Order, order, I shall put the sub-clauses of clause 6 one by one and when sub-clause (5) is reached, the honourable member may oppose it. Question is—

“That sub-clauses (1), (2), (3), and (4) of clause 6 stand part of the clause.”

Motion was carried.

Mr. President : Question is—

“That sub-clause (5) of clause 6 stand part of the clause.”

Shaikh Muhammad Sadiq [Amritsar City (Muhammadan), Urban] : Sir, Sub-clause 5 says that municipal and district officers of health may exercise powers of performing functions of inspectors throughout their respective jurisdictions. You will find, Sir, that the powers of appointing inspectors has been conferred on the Local Government; the power of removing them from the office also is in the hands of the Local Government. But here we are making an Act in which we give no power to any local authority to remove any health officer if it is found that the officer has done certain things which are contrary to the interests of the public. This inspector thus is not under the authority of the Inspector-General of Public Health, he is not under any municipality, he is not under the orders of any district board, he is not even under the orders of Government. That, Sir, is a novel way of conferring a power, and there is no provision under which we can remove him from his office even if he is not conducting his work properly. Under the circumstances it will be dangerous to arm any officer with power in an Act which does not give more power to the higher authority. For this reason I oppose the retention of this sub-clause. It is not to cast any reflection on any officer, but it is conceived principally to allow them no power that has no check. For every power conferred by an Act of a legislature there must be some controlling body who can undo anything that is done contrary to the spirit of the legislation. It will, therefore, be undesirable to arm the executive officer like that. In the General Clauses Act we find that anybody appointed can be removed by the same authority. These health officers will necessarily be appointed by the Local Government because without their appointment it will be impossible to carry out the purpose of the legislation, but all the same it is absolutely necessary that if they are to be appointed by the Government they should be removable by Government. What will happen if a health officer does not conduct himself properly as regards this Act, although he may be a very good officer otherwise? If he is not satisfactory for the purpose of this Act, and the Government may like to appoint another it will not be able to do so as he cannot be removed by any authority. For this reason I beg to oppose sub-clause (5) of clause 6.

Dr. Gokul Chand, Narang [North-West Towns (Non-Muhammadan), Urban] : Sir, I am sorry I cannot support my honourable friend from Amritsar. The reasons, such as I have been able to understand, do not seem to be convincing. The chief reason that he has given is that, if again I understand him rightly, these medical officers of health may be good otherwise.....

Shaikh Muhammad Sadiq : That was one of the reasons.

Dr. Gokul Chand, Narang : I understood that that was the chief reason. Very well, now I see that that was one of the reasons. In any case I submit that this reason is really no reason at all. On the other hand, I would submit that so far as we are aware these medical officers of health in municipalities and in district boards are generally men of very good qualifications. I do not know what qualifications will be prescribed for the inspectors that the Government will appoint under clause 6, but I may very well presume that these qualifications will probably fall far short of the qualifications which the medical officers of health in municipalities and district boards possess, and I do not see any reason why a medical officer who has qualified himself at some University either in this country or in a foreign country and who is quite competent otherwise to look after the health of a district or of a municipality concerned should not be able to judge whether a certain article of food is sufficiently putrified to be at all deleterious to health or whether a certain article of food is *prima facie* adulterated or not and, therefore, unfit for human consumption. Then again, probably if I followed him rightly, another reason given was that these municipalities may not appoint inspectors and the work will have to be done by those gentlemen. Well, I do not see any reason why, if these officers can do the work of inspectors when they are authorised under clause 5, inspectors should at all be appointed. Moreover, it appears that the Local Government may not compel any municipality to appoint an officer, because under sub-clause (1) which we have just passed a local authority "may" appoint an inspector and "shall" appoint if so required by the Local Government. So that no obligation automatically exists upon either a district board or a municipality to engage an inspector unless such district board or municipality is required by the Local Government to do so. I would, therefore ask the honourable member if the Government does not require a district board or a municipal committee to appoint an inspector, what is going to happen? Will not the Act, if this Bill is passed, be absolutely infructuous so far as those municipalities and district boards are concerned?

Shaikh Muhammad Sadiq : What page are you referring to? Where is that section about municipalities?

Dr. Gokul Chand, Narang : Page 2, column 2, clause 6, sub-clause (1), line 2. A local authority will not be under any compulsion to appoint an inspector unless required by Government, and as I have submitted my learned friend does not seem to have read this sub-clause (1) of clause 6 and he was under the impression that automatically inspectors will be appointed everywhere and, therefore, this duty will not be cast upon the existing medical officers. But apparently he is mistaken there. Now let us assume that the Local Government does require every local authority to appoint such inspectors. Well, can they all be appointed at once? Has the Local Government got any manufactory for turning out these inspectors, if they are to be men of qualifications at all? If raw youths fresh from school or from college are not to be appointed and if certain other considerations are not to be brought in for the selection of such inspectors, I do not understand how 50 or 60 or 100, it may be more than that, how such a large number of inspectors will be forthcoming? The Honourable Minister can

Dr. G. C. Narang.]

not have so many in his pocket, unless the Government has got any department for turning out inspectors by the score. What will happen during that time which will elapse before a sufficient number of inspectors can be secured? Will this Act remain in suspension and will adulterated food be allowed to be sold for human consumption until sufficient number of inspectors are forthcoming? My honourable friend has really not realized the situation that will arise by the deletion of sub-clause (5) as proposed by him. So long as the municipalities do not appoint a separate inspector these gentlemen can carry on the work and there may be some municipalities who have got medical officers of health already and who may not be able to afford the luxury of a separate inspector, or there may be municipalities where the work for medical officers is not sufficiently large and these additional duties can be entrusted to them or there are certain district boards which are not sufficiently rich and still they have got some sort of medical officer and they can take this duty from him. Take it from any point of view—from point of view of the working of this Act when it becomes law, from the economic point of view and from the point of view of the general welfare of the people for whose interests these measures are sought to be passed—look at it from any point of view and I would submit that the deletion of the sub-clause will not be justified.

Mr. Alan Mitchell (Secretary, Transferred Departments): Sir, I rise to point out that in regard to this motion there seems to be some misconception. If the honourable members will look at the Bill as it has emerged from the Select Committee they will see that this clause has only appeared in the Bill during the last meeting of the Select Committee. I understand the object of the honourable mover of the motion is not that the district and municipal medical officers of health should not be used as inspectors. It has in fact been the idea in the mind of the members of the Select Committee throughout the proceedings that normally speaking district and municipal medical officers of health should be inspectors under the Act, and that is the intention at present whether or not the clause stands part of the Bill. If this clause stands then they become automatically inspectors, and if this clause does not stand they would in all ordinary cases, I believe, be appointed inspectors under sub-clause (1). This is the present idea. The clause under discussion was suggested during the last meeting of the Select Committee, and as it fitted in with the intentions of Government it was accepted and put in. But even if it is left out the idea is that the municipal and district medical officers of health shall be inspectors and they will be appointed by order in writing under sub-clause (1). The idea, I understand, in the mind of the honourable member from Amritsar is that there may be a medical officer of health appointed by some committee who might be performing his other functions well but is not performing this particular function well, and so long as the municipality keeps that person in their employ as medical officer of health it will not be possible to remove him from the post of inspector under this Act. That being the reason there is no objection to the sub-clause being omitted, but whether the clause remains or not the result at present will on the whole be precisely the same (*hear, hear*).

Khan Bahadur Captain Sardar Sikandar Hyat Khan (Muhammadan, Land-holders): Sir, as a matter of fact I think this clause is redundant altogether. I quite realise that by inserting the clause those officers *ipso facto* become inspectors, but in the clause the word "may" has been used which means that it is discretionary with those officers to exercise these powers, if they desire to do so; otherwise there must be some authority to order them to exercise these powers. Under sub-clause (1) of clause 6 municipalities and district boards are already authorised to appoint such persons. So I think that this clause is in its present form altogether redundant. It would not have the desired effect unless the municipalities and local bodies step in to make it effective.

Lala Mukand Lal, Puri [Lahore city (Non-Muhammadan), Urban]: Sir, I just want to say a few words. After having heard the assurance of the Secretary, Transferred Departments, that the persons who ordinarily would be appointed inspectors will be men of the calibre and qualifications of District Medical Officers of Health, I do not think it is necessary that the suggestion of the honourable member from Amritsar be accepted. But I want to point out one thing that appeals to the lay mind, that these inspectors should not be ill-paid officials with no scientific training. Government should take care to appoint men who as far as can be helped should be above temptations of petty corruption.

Shaikh Abdul Ghani: I think the clause is in a way a recommendation to the authorities that they should appoint such and such men as inspectors. I do not think in an enactment like this we can agree to a clause like this. It is clear that the medical officers and health officers are already in the municipalities and local bodies. If they are competent persons and if the authorities are of the opinion that they should be appointed, it is unnecessary that we should have this sub-clause.

Mr. President: Question is—

"That sub-clause (5) of clause 6 stand part of the clause."

Motion was lost.

Mr President: The question is—

"That clause 6 as amended stand part of the Bill."

The motion was carried.

Clause 7.

Sub-clause (1) (a).

Lala Mukand Lal, Puri: Clause 7 confers certain powers on certain persons called inspectors to enter into and inspect all places where there is any food which they have reasonable ground for believing to be intended for sale. They are very wide powers, and we feel that some restriction should be placed on their power to enter these places. The words in the sub-clause are "at all reasonable times", and I contend that the words "at all reasonable times" may prove to be elastic even in the hands of honest inspectors and, therefore, it was that in the first instance I sent an amendment to the effect that instead of the words "at all reasonable times," the words "between the hours of 9 A.M. and 5 P.M." be substituted and to the same effect an amendment was sent by Raja Narendra Nath. But on discussing the matter with the Honourable Minister for Local Self-Government I have decided to move the amendment, if you would permit me, Sir, that for the words "at all reasonable times" the words "at such reasonable times as

[Lala Mukand Lal, Puri.]

may be prescribed" be substituted. I was told that it would be better to leave this matter to be regulated by rules, because it may very often happen that certain shops only open during nights, and it would defeat the purposes of this Act to fix any particular hour in the Act itself. I, therefore, move—

"That in clause 7 (1) (a) for the words 'at all reasonable times,' the words 'at such reasonable times as may be prescribed' be substituted."

Mr. President : Sub-clause (1) (a) of clause 7 under consideration. Amendment moved is —

"That for the words 'at all reasonable times' the words 'at such reasonable times as may be prescribed,' be substituted."

The Honourable Malik Firoz Khan, Noon : I hope the House will accept the amendment because it really improves the Bill and gives the public a greater security than the original draft.

Mr. President : Sub-clause (1) (a) of clause 7 under consideration. The question is—

That the four words 'at all reasonable times' stand part of the sub-clause.

Motion was lost.

Mr. President : The question is —

"That the following words be inserted at the beginning of sub-clause (1) (a) of clause 7: "At such reasonable times as may be prescribed."

Motion was carried.

Lala Mukand Lal, Puri : I move—

"That in clause 7 (1) (a) after the word 'place,' in line 2, the words 'ordinarily used for the sale of food' be inserted."

This amendment is intended to safeguard the sanctity of people's privacy. The idea is that these inspectors in the discharge of their duties should not be permitted to inspect homes. The original amendment which I sent was that instead of the word "place," the words "shop or factory" be substituted. But since these words have been suggested to me I think they are an improvement on my original amendment and, therefore, I move this amendment—

Mr. President : Sub-clause (1) (a) of clause 7 under consideration. Amendment moved is—

"That after the word 'place' in line 2 the following words be inserted: 'Ordinarily used for the sale of food,'"

Shaikh Abdul Ghani : I beg to oppose the amendment because we know that it would be really defeating the ends of the legislation that we are considering to-day. My learned friend comes from Sargodha as well as I, and both of us know that in Sargodha particularly people have got shops in their houses or contiguous to the houses and they have got back doors for them. It is common knowledge that people use their houses as store houses. The backside of the house is used as a shop and customers resort to it, while as a matter of fact they store the articles of merchandise in their houses. If we are to attach this unnecessary sanctity to such houses and try to be-

solicitous for them I think we will be defeating the very ends of legislation for which we are here now. I, therefore, hope that my honourable friend will agree with me that his amendment does not cover all the cases, and he will, therefore, withdraw his amendment.

The Honourable Malik Firoz Khan, Noon (Minister for Local Self-Government): Sir, the reasons given by the honourable member who has just sat down were the very ones that actuated the original drafters of the Bill to have the section as it is, that is to say, if a person uses a private house in addition to his shop or store house he ought to be hauled up. Since this point has been brought in I have discussed with the honourable members who represent the view point of the shopkeepers. They say that under the pretext of this section an inspector will say: "this is a reasonable time, I want to enter this place," and he will try to push himself into every house. Judging from the condition of the public as it exists, I think, Sir, that for the present it will be sufficient if you control the shops or places used for purposes of sale, and these would be covered by the phrase "places ordinarily used for the sale of food," and the inspector will have the right to go into them. But this amendment will protect the *bona fide* man who does not use the house for the purpose of sale of foodstuffs. If this Act is not stringent enough we could strengthen the provisions later on, but at present I hope the House will accept the amendment, and I can assure the honourable member that the words "ordinarily used for the sale of food" will cover the cases that he has in mind.

Shaikh Muhammad Sadiq [Amritsar City (Muhammadan), Urban]: Sir, to exclude the house from the provisions of this Bill would be to defeat the very object of the Bill. What is a house? There is no definition of "house" given in the Bill. Wherever there are a few animals living we call it a house; wherever there are some women and servants living, we call it a house; or wherever there are people living we call it a house. But now an amendment has been brought forward that the words "ordinarily used for the sale of food" should be inserted after the second line of the clause. Even now my friend has not been able to make it clear what he means by the words "ordinarily used for the sale of food." If an inspector is going to enter a house he should know whether he has a right to enter it or not. It is easy for a magistrate to decide whether a man is punishable or not for entering a place and whether that place is "ordinarily used for the sale of food" or not. But here an inspector has to decide whether he has a right to enter a place, and it is not quite so easy for him to decide whether it is a place which is "ordinarily used for the sale of food." The real object of the Bill was to make *Panaspoti* and the adulteration of ghi impossible. Much of this is done in houses in the villages. If a man possesses a big *haveli* he reserves a portion of it for converting *Banaspoti* or ordinary oil into ghi. It is very difficult to say where a house begins and where it ends. Sometimes at the back of the house this business is carried on and the front of it is used for living. And who is going to decide where the house begins and where it ends? You leave it to the inspector if you introduce these words. It is much better that we make it clear whether a man has a right to enter house or not rather than to leave it to the court to decide whether he entered rightly or not. In my opinion it would be much better to leave the section as it is and after due consideration bring an amending Bill. I know the

[Sh. Muhammad Sadiq.]

sanctity of a house can be desecrated by a person entering at all times. An inspector may enter a poor man's house at night. That would not be right, but at the same time to exclude the house would be to defeat the very object of the Bill. It will mean that everybody will set apart a small room in the house and keep all the store in that room and the inspector cannot go in. When a customer comes to buy anything, the man will bring out the thing and put it in the cart. It means that the man need not bring the things to his shop at all and that a house will thus become a factory. So I say that this section as it came from the Select Committee should remain, and hope that the Minister will do something to see that the sanctity of the house is maintained, and that houses should not be allowed to be converted into factories.

Rana Firoz-ud-Din Khan [South-East towns, Muhammadan, Urban] (Urdu) : Sir, had there been no explanation of the word "sale" given in sub-clause (b) of clause 8, I would have opposed the amendment under consideration. But now the case is different. The storage of articles of food in any place whether house or not for purposes of sale comes under this clause. The inspectors would be authorised to inspect such a place. I think it is unnecessary to oppose this amendment.

Lala Mukand Lal Puri [Lahore City (Non-Muhammadan), Urban] : Sir, it has been said that in Sargodha there are houses which adjoin shops. I can assure the honourable member that that is not a novel situation for Sargodha but such houses and shops are to be found all over the province. The idea really underlying my original amendment and the amendment which I have accepted at the suggestion of the Honourable Minister for Local Self-Government was that the inspectors should not be permitted to visit people's houses. They should only be allowed to visit places which are open to the public and where things are sold or stored for sale. Supposing, for instance, a *ganderiwala* or a fruit seller who has been hawking fruits all the day goes back to his house and keeps five apples or the remnants of his day's supply in his house, my idea is that his house should not be open to inspection on that ground. It does not affect the shopkeepers to whom the honourable member from Sargodha has referred. It really affects a very large class of retail sellers in Lahore, sellers of vegetables, sellers of fruits and sellers of other small commodities the remnants of which they may possibly take to their houses. The idea underlying my amendment was that it should not be open to an inspector to enter such a house, say, at 8 or 9 in the evening, and that this House should not permit such kind of interference with people's privacy. I moved this amendment on the understanding that that kind of privacy will be respected and that a place which is ordinarily used for the sale of food will only be liable to inspection.

Mr. President : Sub-clause (1) (a) of clause 7 under consideration. Amendment moved is—

"That after the word 'place' in line 2 of the sub-clause, the following words be inserted 'ordinarily used for the sale of food'."

Question is that that amendment be made.

Motion was carried.

Mr. President : Question is—

"The sub-clause (1) (a) of clause 7 as amended stand part of the clause."

Motion was carried.

Sub-clause (1) (b).

Lala Mukand Lal Puri [Lahore City (Non-Muhammadan) Urban] :
Sir, I beg to move—

"That in clause 7 (1) (b) substitute the following for 'wherever found': 'found in any such place or in any other place to which the public has access.'"

This is more or less a consequential amendment, the word "such" referring to the place as noted in sub-clause 7 (1) (a), and there is the further addition that the inspector may also enter upon and seize goods in any other place to which public have access.

Mr. President : Sub-clause (1) (b) of clause 7 under consideration. Amendment moved is—

"That in clause 7 (1) (b) substitute the following for 'wherever found': 'found in any such place or in any other place to which the public has access.'"

The Honourable Malik Firoz Khan, Noon : I hope, Sir, that the House will accept this amendment.

Mr. President : Question is—

"That the words 'wherever found' in line 1 of sub-clause (b) of clause 7 (1) stand part of the clause."

Motion was lost.

Mr. President : Question is—

"That in clause 7 (1) (b) insert the following after the word 'food': 'found in any such place or in any other place to which the public has access.'"

Motion was carried.

Mr. President : Question is—

"That sub-clause (1) (b) of clause 7 as amended stand part of the clause."

Motion was carried.

Sub-clause (1) (c).

Lala Mukand Lal Puri : Sir, I beg to move—

"That in clause 7 (1) (c) substitute 'so found' in place of wherever found."

I submit that this is a consequential amendment and should be accepted.

Mr. President : Question is—

"That in clause 7 (1) (c) in place of 'wherever found' the words 'so found' be substituted."

Dr. Gokul Chand, Narang : I think, Sir, it is simpler to say that the word "so" be substituted for "wherever."

Mr. President : I will put the amendment as suggested. Question is—

“That in sub-clause (1) (c) the word ‘wherever’ stand part of the sub-clause.”

Motion was lost.

Mr. President : Question is—

“That in sub-clause (1) (c) after the word ‘food’ the word ‘so’ be inserted.”

Motion was carried.

Mr. President : Question is—

“That sub-clause (1) (c) of clause 7 as amended stand part of the clause.”

Motion was carried.

Su -clause (1) (d).

Lala Mukand Lal, Puri : Sir, I beg to move—

“That in clause 7 (1) (d) the words ‘so found’ be substituted for the words ‘wherever found’.”

Mr. President : Question is—

“That in clause 7 (1) (d), line 2, the word ‘wherever’ stand part of the sub-clause.”

Motion was lost.

Mr. President : Question is—

“That in sub-clause (1) (d) of clause 7, line 2, after the word ‘food’ the word ‘so’ be inserted.”

Motion was carried.

Mr. President : Question is—

“That sub-clause (1) (d) of clause 7 as amended stand part of the clause.”

Motion was carried.

Mr. President : The question is—

“That clause 7 as amended stand part of the Bill.”

The motion was carried.

Clauses 8, 9, 10 and 11.

Mr. President : Question is—

“That clauses 8, 9, 10 and 11 stand part of the Bill.”

Motion was carried.

Clause 12.

Mr. President : Question is—

“That clause 12 stand part of the Bill.”

Lala Mukand Lal Puri : Sir, I beg to oppose sub-clause (1) (a) of clause 12. If this clause is not omitted it would prevent people from stocking in the same premises food which may be unfit for human consumption but which will be very good for animals. The idea of the Act is not that people should be prevented from carrying on trade in food for animals side by side with the trade in food for human consumption in the same premises. This point was brought to the notice of the Honourable Minister and he has agreed to the amendment.

Mr. President : Question is—

“That sub-clause (1) (a) of clause 12 stand part of the clause.”

Motion was lost.

Mr. President : Question is—

“That clause 12 as amended stand part of the Bill.”

Motion was carried.

Clause 13.

Sub-clause (1).

Lala Mukand Lal Puri : Sir, I beg to move—

“That the word ‘knowingly’ be added after the word ‘shall’ in sub-clause (1) of clause 13.”

The Honourable Malik Firoz Khan, Noon : Sir, I wish to point out that this is the amendment which I said earlier in the day was contradictory to the provisions of clause 18.

Mr. President : Clause 18 is not considered and decided yet, so the amendment is in order.

Dr. Gokul Chand, Narang : The Honourable Minister evidently wants to take advantage of the remark you made earlier in the day that you would yourself rule such amendments out of order.

Mr. President : I understood the Honourable Minister to say that the amendment was inconsistent with the clause to which it was moved. If the Honourable Minister wants me to rule the amendment to be out of order he should show that it is inconsistent with the Bill or the clause.

Lala Mukand Lal Puri : Sir, this amendment is really the crux of the whole trouble. I will have to invite your attention not only to clause 13 but also to clause 18. Clause 18 introduces a principle of criminal jurisprudence which is contrary to the accepted canons of criminal jurisprudence as administered in this country and in other countries. Clause 18 runs as follows :—

“In any prosecution under this Act it shall be no defence to allege that the seller was ignorant of the nature, substance or quality of the food sold or offered for sale or exposed.....”

That is, this clause lays down that a mistake of fact howsoever *bona fide* is no defence to a criminal charge. In the Indian Penal Code and in all systems of criminal jurisprudence it is recognised as a valid ground of

[Lala Mukand Lal, Puri.]

exemption from criminal liability that a person was acting under a *bona fide* mistake of fact. Of course mistake of law is never a ground of exemption from criminal liability although it may be treated as a ground for giving lenient sentence. But a mistake of fact has always been treated, and quite rightly so, as a ground of exemption from criminal liability. Sections 76 and 79 of the Indian Penal Code lay down that nothing is an offence which is done by a person who by reason of mistake of fact and not by reason of mistake of law considers himself bound or justified by law in acting in a particular manner. So a *bona fide* mistake of fact is a valid ground for exemption from criminal liability for a charge of murder, theft or any other offence and even charges of offences under the Excise Act, Indian Arms Act, etc. I fail to see why that ground of exemption should not be available to a person charged with offences under this Bill. If my point is conceded, it may be pointed out that the onus of proof that a person did not commit an offence under a mistake of fact will be on the prosecution. I, however, submit that it is not so. It is clearly provided by law that if a person who is charged with the offence of murder or theft wants exemption under any of these exceptions provided in the law, the onus of proof that he comes under these exceptions is on the accused.

Shaikh Muhammad Sadiq : May I know, Sir, whether the honourable member is opposing the amendment or supporting it?

Mr. President : The honourable member is anticipating and trying to meet an objection to his amendment.

Shaikh Muhammad Sadiq : Has the honourable member moved the amendment?

Mr. President : He is making a speech in support of it.

Lala Mukand Lal, Puri : I was submitting, Sir, the onus of proving will always be on the person to prove that he is not guilty because he was ignorant of the nature, substance or quality of the food sold or offered for sale or exposed. So, if you are satisfied that he is absolutely innocent, why should you deprive him of the defence which is open even to a robber, a thief or a murderer? Kindly see, Sir, the state of the law on this subject. If a bottle of liquor is found in a shop, well, it is open for the shopkeeper to show that he did not place it there, it was not in his possession, it is his enemy next door who placed it there. Would you not allow the same defence to a person into whose basket a packet of chocolate has been thrown by an enemy next door? It was on these grounds that we put forward this proposal about deletion of clause 18, before the Honourable the Minister for Local Self-Government and his advisers, and it was at their suggestion that the word "knowingly" was put in in section 18 as to some extent mitigating the hardship which would be inflicted by the retention of clause 18. Therefore, Sir, I think the Honourable Minister should have accepted the addition of the word "knowingly" and also accepted the deletion of clause 18. It was what he had agreed. Now, Sir, you would kindly see that the word "sale" as defined in the Act in clause 3 (g) includes having in possession for sale. Therefore, when you penalise "sale" under section 18 you are not only penalizing the actual act of sale, but you are also penalizing

being in possession of any article for sale. Does this House want to punish a shopkeeper, or any other person who is in possession of an adulterated article of food without having ever dreamt that it was adulterated? It should be open to him, as it is open to a person who is charged with an offence under the Excise Act, to show that the incriminating article was there without his knowledge. Why do you think that a person charged under this Act should not be entitled to the ordinary defences under the criminal law which are open to persons charged with other offences? Therefore, I submit, Sir, the word "knowingly" should be inserted. But then the objection raised on the other side is that we have enacted this provision out of our imagination; that is not so. We have put it in because we found it in other Acts. Certainly, so; I never thought that this was original. Undoubtedly it is a copy, but unfortunately an incomplete copy, a partial copy from some obscure enactments dealing with the regulation of food. In some of those enactments you come across a provision like this, but this provision is invariably followed by exceptions and safeguards, which at the time of copying this provision from other Acts, the framers of this Bill have omitted to copy. Now, Sir, I will refer you to the Act which we are repealing, that is, the Adulteration of Food Act of 1919. Similar provision no doubt exists in the Adulteration of Food Act, XVI of 1919, but then there is section 4 which deals with exceptions which meet most of the objections which I have put forward to the enactment of that provision. There are 5 exceptions and I particularly want to draw the attention of the House to 2 exceptions which are given as second and fifth. They run as follows:—

Secondly.—Where in the process of production preparation, conveyance or collection of such food some extraneous matter has become unavoidably intermixed therewith.

Fifthly.—Where the food sold or offered for sale or exposed or kept for sale was purchased by the seller as the same in nature, substance and quality as that demanded by the purchaser or that as offered or exposed or kept for sale by the seller and with a written warranty to the effect that it was of such nature, substance and quality, and the seller had no reason to believe that the food was not of such nature, substance and quality at the time when he sold it and he sold it in the same state in which he purchased it.

Wherever this section exists in certain food Acts it has got some exceptions with it, but unfortunately they have not been reproduced in this Bill. Kindly see, Sir, for instance a well-known dealer in food stuffs imports certain articles of food from England. He has imported from the best firm whose stuffs are guaranteed for purity. He has just received a parcel of biscuits. It may happen that in transit or by an accident during the voyage or by some other cause that food is adulterated or does not come to the nice standard which may be fixed by the Public Health Department. If this Bill is passed, I am afraid nothing can save that man who is quite innocent, because clause 18 of the Bill says:

"In any prosecution under this Act it shall be no defence to allege that the seller was ignorant of the nature, substance or quality of the food sold or offered for sale or exposed or kept for sale or manufactured for sale by him or that the purchaser having bought only for analysis was not prejudiced by the sale."

[Lala Mukand Lal, Puri.]

It may be that he is a first rate man, thoroughly honest, and he takes care to deal only with first class firms in England, and yet, even if he succeeds in demonstrating to the satisfaction of the Court that he is innocent, no body, according to this Bill, when it is passed, can save him. He must be punished. Yesterday, while I was discussing this topic I asked the framers of this Bill to point out any food enactment in any country of the world in which such exceptions did not exist. They were not able to tell me. It may be that later research might have enabled them to come across any such provisions, which I doubt very much. But even if such provisions did exist, are these the models which we should follow? After all certain sections of the House might think this to be an *anti-shopkeeper* legislation and therefore a matter of entire indifference to them. Even if you are not being affected by it, still as good legislators you ought to bear in mind that you should not ignore the accepted canons of criminal jurisprudence. I submit, Sir, that it is on this score that I want the House to insert the word "knowingly" in section 18. I will be equally satisfied, if this House did not accept my amendment for inserting the word "knowingly" in clause 18, but agrees to delete clause 18.

Shaikh Muhammad Sadiq : On a point of order, Sir. The amendment was not sent in time,

Dr. Gokul Chand, Narang : When this amendment was going to be moved, I have just been told, the Honourable Member in charge of the Bill stood up and drew your attention to what he considered to be an inconsistency between.....

Mr. President : I misunderstood him. I thought he was referring to clause 18, and not clause 18.

Dr. Gokul Chand, Narang : He did not object to the lateness of the amendment. The objection has been raised by my friend from Amritsar on the ground that the amendment was sent late. I understand that the objection can be raised at the time when the amendment is going to be moved, but the amendment has already been moved and no objection can be raised at this stage.

The Honourable Malik Firoz Khan, Noon : So far as this particular point is concerned, if this amendment is not moved now, the similar point will probably be raised and discussed when clause 18 is approached. In any case the discussion on this vital question of principle cannot be shut out, because the same arguments can be tackled while discussing clause 18. As there is already one amendment to omit clause 18, the same discussion will take place there. I hope the honourable member from Amritsar will withdraw his objection and let this House proceed with the amendment.

Mr. President : Does he propose that the consideration of sub-clause (1) of clause 18 be postponed, and that clause 18 be considered instead?

Dr. Gokul Chand, Narang : We have no objection.

The Honourable Malik Firoz Khan, Noon : What I submit is this, that the principle underlying this amendment to insert the word "knowingly" here and the principle underlying the amendment to omit

clause 18 is exactly the same. If the discussion takes place now, you may take the sense of the House, and there will be no other arguments to advance in favour of the other amendment.

Mr. President : The objection is that sufficient notice has not been given. An honourable member may object to the moving of an amendment, but not after it is moved.

Shaikh Muhammad Sadiq : I thought he was going to move the amendment because he was making a speech then. I was going to object.

Mr. President : Does the honourable Mr. Mukand Lal, Puri, consider his amendment to be essential ?

5 P. M.

Lala Mukand Lal, Puri : Yes, Sir. If this amendment is accepted by this House, clause 18 will naturally drop out of the Bill as was suggested by the Honourable Minister. But the mere omission of clause 18 will not bring about the end we have in view.

Mr. President : The honourable member is anticipating discussion on clause 18.

Lala Mukand Lal, Puri : I consider the amendment essential.

Mr. President : In view of the fact that the Honourable Minister has already informed the House that this was the only item on which he and the members of the opposite party differed, I consider that the amendment is an important one, and, therefore, allow it to be moved. As regards the objection on the ground of insufficiency of notice, I have decided in favour of the mover of the amendment. But what has the honourable member to say in regard to the objection that the amendment is not coherent and consistent with the context of the Bill ? Clause 18 is a clause of the Bill.

The rule is that—

“an amendment must be coherent, and consistent with the context of the Bill.”

I am reading this from page 404 of May's Parliamentary Practice. The objection has now been raised that this amendment is not coherent and not consistent with the context of the Bill. Of course, if it were inconsistent with this clause, then it would be out of order at once.

Mr. Labh Singh : I should think that we would be better able to follow the objection if you would kindly refer to the Constitutional Manual and rules which govern the conduct of our business. I should like to know what specific provision or article in our Constitutional Manual there is embodying the principle that has been alluded to.

Mr. President : If I understand the honourable member aright, his point is that our own Standing Orders being silent on the point, objection of the Chair is futile. Is that the point of the honourable member ?

Mr. Labh Singh : Yes, Sir, and also that the principle alluded to is not clear to me, anyhow. I can understand the phrase context of a section but it is very difficult to understand what may be meant by the context of a Bill, for that would be almost co-extensive with the entire principles underlying the Bill.

The Honourable Mr. Manohar Lal : Sir, by the context of a Bill is understood the principles underlying the general frame of the Bill, and it is certainly not open to anyone to suggest an amendment which cuts at the very root of a Bill. But as I take it, the expression is never understood to mean that you cannot move an amendment the possible result of which might be that certain other clauses of the Bill which are yet to be taken into consideration might thereby fall to ground. It is not laid down as a fundamental principle of this Pure Food Bill that clause 18 is a necessary part of it. Clause 18 has been read out to us. It seems to provide for a particular contingency, and in the opinion of certain members of this House is so framed that it undermines the very foundations of criminal jurisprudence. I am not expressing an opinion one way or the other, but supposing it does, to that extent it would follow, and necessarily follow, that that clause in itself is something noxious, and to speak of a clause which in the opinion of some members of the House might possibly be noxious as such an essential part of the Bill that it shall not be touched in any way without interfering with the context of the Bill or the coherency of the text of the Bill, does not appeal to me.

Mr. President : May I ask a question ? Will the Honourable Minister please say what he understands by the expression generally occurring at the beginning of definition clause of every Act—"Unless there is anything repugnant in the subject or context?"

The Honourable Mr. Manohar Lal : The general frame and constitution of the Act and the principles underlying them. The phrase has not, has never been and indeed can never be understood to make any particular clause as it existed in a Bill something that could not be touched, something to be regarded as sacrosanct. Context, after all can only mean the whole of it as put together. That is the utmost that you can get out of the word. It can never mean this, that any particular clause cannot be touched, because if that were so, no amendment of any form is possible.

Mr. President : That is no reply to my question. I want the Honourable Minister to enlighten me as to what the meaning is of the phrase which is found in almost every Act of the Indian Legislature, viz., "Unless there is anything repugnant in the subject or context."

The Honourable Mr. Manohar Lal : That is perfectly easy. Where a definition is given at the beginning of a statute and then a specific provision is made with regard to a particular matter, when you have the specific provision before you, then you cannot invoke a general definition given at the beginning of an Act as controlling it and varying it radically. That is all that it means. But when you come across the expression in May's Parliamentary Practice that an amendment with reference to a clause shall not be considered unless it be coherent and consistent with the general context, context has a very different meaning. At page 418, when referring to inadmissible amendments, May is dealing with a very different position and very special situation.

Mr. President : That is, it refers to the context of the Bill as a whole.

The Honourable Mr. Manohar Lal : Yes. But if I am interpreting a particular section or a definite provision, that is the context which particularly concerns me in the interpretation of any particular word that

occurs therein and that cannot be entirely controlled by any general idea about the definitions which may be given at the beginning of the statute.

Mr. S. L. Sale : May I divert the discussion into the particular from the general? In this particular case, the effect of clause 18 is to bar a plea, that in the case of a prosecution for food which a person puts forward as pure and which afterwards is found out to be adulterated, the plea that he did not know that it is adulterated will not be open to him. Take for example the case of a man who is accused of selling milk diluted with water. When he is brought before a court, he would normally plead that he did not know that there was any water in the milk. Clause 18 is intended to bar any plea of ignorance as a defence under the Act. The present amendment by which it is intended to make him guilty only if he sells adulterated food knowingly would be inconsistent with clause 18 as it stands at present in the Bill. Supposing, Sir, the House now agreed to the motion that the word 'knowingly' should be inserted here so that the provision would read: No one shall knowingly sell adulterated food, milk diluted with water, etc., and supposing for some reason or other the amendment that clause 18 should be deleted from the Bill were never moved at all, the result would be that you will have in the same Bill a penal clause which lays down that a person is not guilty of an offence unless he commits it knowingly and further on another clause laying down that he is not entitled to raise the defence that he did not do it knowingly.

Mr. President : May I invite the attention of the honourable Lega Remembrancer to Article 92 of the Business Manual? After this Bill is considered it will be referred to a committee of which the honourable member will be a member and in which consequential amendments shall be made and the Bill resubmitted to the Council for passage. If clause 18 is carried and also the word "knowingly" is inserted in clause 18 (1), the inconsistency will be removed by that committee.

Diwan Bahadur Raja Narendra Nath : Or clause 18 may be deleted.

Mr. President : I hold that the honourable member is entitled to move his amendment. Sub-clause (1) of clause 18 under consideration, the amendment moved is—

"That the word 'knowingly' be inserted after the word 'shall'."

The Honourable Malik Firoz Khan, Noon (Minister for Local Self-Government) : Sir, the ordinary principle of criminal law is that a mistake of law is no defence though a mistake of fact is good defence. But in the case of legislation with regard to pure food this plea of ignorance is never a bar to prosecution. The reason for that is this, that if you observe the ordinary principles of criminal jurisprudence you cannot guarantee the supply of pure food. Supposing there is a man selling milk in the street diluted with water. Under the ordinary criminal law when he is prosecuted the onus of proof lies on the prosecution to show that not only the milk is diluted but that the person accused carried out the adulteration, with the result that if you have the ordinary principle of criminal law incorporated in the Act, the accused will say that he did not know that the food was adulterated and the onus of proof will be on the prosecution to show that

[Hon'ble Malik Firoz Khan, Noon.]

the food was adulterated by the accused person which will practically be impossible. If you observe the ordinary principles of criminal law in the case of legislation of this sort you might as well not legislate at all, because it will be absolutely impossible to bring forth the proof which is necessary. This is a provision which is not new to this Bill. It does exist in the present Adulteration of Food Act VI of 1919 which is applicable to this province and I will, with your permission read out some provisions in other Acts on the subject. For instance the present Punjab Adulteration of Food Act 1919, section 8 says that :—

"In any prosecution under this Act it shall be no defence to allege that the seller was ignorant of the nature, substance and quality of the food sold or offered for sale or exposed or kept for sale or manufactured for sale by him or that the purchaser having bought only for analysis was not prejudiced by the sale."

Now, Sir, I proceed to quote to the House the provisions of the United Provinces Prevention of Adulteration Act, 1912, section 6. It reads :

"In any prosecution under Section 4, it shall be no defence to allege that the vendor was ignorant of the nature, substance or quality of the article or drug sold by him or that the purchaser having bought only for analysis was not prejudiced by the sale."

Similarly you have the Bengal Food Adulteration Act 1919, Section 5, sub-clause (2), which reads as follows :—

"In any prosecution under this Act it shall be no defence to allege that the vendor or manufacturer was ignorant of the nature, substance or quality of the articles sold, exposed for sale or manufactured for sale by him."

Then I proceed to quote to you the Madras Act No. III of 1918, section 6, sub-section (1), which reads :—

"In any prosecution for an offence against last preceding section it shall be no defence to allege merely that the vendor was ignorant of the nature substance or quality of the food sold by him or that the purchaser having only bought for analysis was not prejudiced by the sale."

Now, Sir, I proceed to quote to you the provisions of the New Zealand Sale of Food and Drugs Act. Section 13 reads :—

"In a prosecution for selling any food or drug contrary to the provisions of this Act or of any regulation made under the authority of this Act it shall be no defence that the defendant did not act wilfully unless also he proves that he took all reasonable steps to ascertain that the sale of the article would not constitute an offence against this Act or against any regulation made under the authority thereof."

You will see that as regards legislation about the control of food it is impossible to stick to the ordinary principles of criminal law and if you do so and make a mistake of fact and ignorance an excuse to let an accused off, you might as well not legislate at all. But on the other hand the honourable mover of this amendment has suggested that in other Acts there are clauses about warranty, that is to say warranty which gives protection to seller of food bought from other people and which he has not adulterated himself. Certainly that argument has force and with a view to give protection to the seller who has bought the food from other persons and who has not adulterated it himself we intend to achieve this object by means of rules under the Act and I appeal to him not to press this motion nor to press for the deletion of clause 18, because if these two amendments are accepted by the House the Act might as well be not passed. In order to remove his objection I am prepared to make this statement publicly, that I will do my utmost to try to give the utmost protection that such a person deserves and if the leaders

of the Opposition like, I am prepared to call a meeting of the Public Health Committee of the House or the Local Self-Government Committee of the House, I am prepared to call any gentleman whom you wish to be called, to be consulted when framing rules in order to give the protection asked for to these people.

Dr. Gokul Chand, Narang : Like the committee promised yesterday.

The Honourable Malik Firoz Khan, Noon : If you are satisfied that that guarantee is not sufficient and is not given by the rules, I shall be prepared to come back to the House and ask for amendment of the Act. But I feel that under the rule-making power I can give them sufficient guarantee and if that guarantee does not satisfy, I make this further statement that I will do everything in my power to satisfy the legitimate demand of the people affected. I hope with this assurance they will not try to oppose this Bill either in this section or in others.

Diwan Bahadur Raja Narendra Nath (Punjab Landholders, General) : Sir, this is the rock on which was wrecked the barge which we intended to carry to the haven of conciliation. The primary object of the Bill is, I am afraid, not clearly understood, nor clearly described by the Honourable Minister. We want to prevent adulteration and we want to achieve that object without in any way encouraging corruption and without inflicting undue hardship on any one. The object is not to copy other Acts or to copy measures that have been adopted in other provinces or countries. The object is to see whether we can prevent adulteration without encouraging corruption and without inflicting undue hardship. On the other hand I find that too much is expected from the Pure Food Bill. Hopes are held out that the general public will get pure food. I do not think so. The general public will not get pure food, though the upper middle classes may get it. But for the general public the price of pure food will rise much higher than at present while they will get the same sort of food as they are getting now. The question of purity of food is divided into three heads. First of all, injurious, food which is prejudicial to health and unfit for human consumption. The sale of such food is already indictable under the Indian Penal Code, the sale of spurious food such as *cocogem* and *banaspati* which is passed as something which really it is not. I call *cocogem* and *banaspati* as spurious food. Then comes the third class which is a very much larger class *viz.*, adulterated food. Well, Sir, the moment measures are taken to notify what is adulterated food and what is pure food, the price of pure food would go up higher than it is now. Our object is the prevention of adulteration and I think that the man who does not know the chemical composition of the food that he is selling should not be hauled up before the courts, at least he should not be convicted? It was in order to press this point that I suggested three alternatives to the Honourable Minister, either to modify the penal clause so as to give only a warning for the first offence or delete clause 18 or insert the word "knowingly" here. The last suggestion was adopted and it became unnecessary for me to advocate or to press for the deletion of clause 18 because I thought then the clause would become inoperative and it would have to be expunged by those who are responsible for the drafting of the whole Bill. I was assured by the Honourable Minister and that is the reason why I did not press for warning as the first punishment to be

[D. B. Raja Narendra Nath.]

given. Now Sir, the whole position has changed. I ask, to what extent can adulteration be encouraged and how far will the measure fall short of preventing adulteration of food if the word "knowingly" were inserted? As I explained to you this amendment is one of the three alternatives which would come before the House when different clauses are taken up for consideration, but I say that all that can be said against it is that it would give a wide scope to a man who wants to introduce adulteration. That wide scope can only be given once and not the second time. When once a man has been convicted he will not be committing the offence again. If for the first offence the courts were empowered to give warning I would not press that this word "knowingly" be inserted in this clause as an amendment. The Honourable Minister now wishes to satisfy us that he will meet our objections by means of rules. Well, if the rules are such an important factor in the working of the Act, the rules should have been before the Council together with the Bill and if this is not possible we do not know what the draft rules will be and we do not know how far the Minister will be able to carry out the noble intentions he has expressed to us on many points. On promises made to us after consultation with his friends he changed his mind. The same thing may happen with regard to rules. On this sort of assurance I do not advise my friend to withdraw his amendment. The matter is an important one. The Act can become the engine of oppression. It is better to give guarantee against corruption, against oppression, before you give guarantee for purity of food. With these words I support the amendment.

Dr. Gokul Chand, Narang [North-West Towns (Non-Muhammadan) Urban]: Sir, some time ago a very young Minister moved in this House for consideration an amending Bill so far as the Excise Department was concerned. One of the clauses that he had included in the Bill was that whenever any article offending against the Excise Act was found in the house of any person, the onus would be on that person to show that it was there without any criminal intention. Wisdom, however, dawned upon him at an early stage and he withdrew that clause. Now another young Minister fired with the zeal of reform has brought forward this measure and he has followed in the earlier steps of—not his colleague, but—one of the Ministers of this Government and he has also sought to throw the onus of innocence on the accused. Although this matter was brought to the notice of the Minister and his advisers, it is really very unfortunate that counsels of wisdom have not prevailed. What the Honourable Minister has urged is that it would be useless to pass any measure of this kind unless the recognised principles of criminal jurisprudence are departed from and in his support he has quoted 4 or 5 Acts bearing on the subject. One was the Act of 1919 passed by the Legislative Council of the Punjab which existed before the reforms. That Council, if I am not mistaken, was presided over by the then head of the province, Sir Michael O'Dwyer and I think it was passed on the 24th February 1919 when the Punjab and in fact the whole country were in the throes of a very acute and exciting agitation lead in the Punjab by no less a personage than my friend who is now the Leader of this House. At that time it did not occur to any one to see what Bills were passed in a corner of the Government House in Lahore nor was the

public taken into confidence as to what measures were going to be thrust upon them. So I think that so far as the present Bill is concerned, the Act of 1919 passed by the Punjab Government of those days cannot be a very good example.

Then we come to the United Provinces Act of 1912. That was also a very long time before the reform scheme came and so are the Acts of Madras and Bengal. I was just waiting to see whether the Honourable Minister would quote any Act of any other country than our own before the reforms were introduced here and he did quote one and that was an Act of New Zealand. The relevant sections which he read out from the New Zealand Act clearly indicate that they are quite different from the provisions which have been introduced in this Bill. No doubt there is something to this effect in the Bill also, but as the learned mover pointed out that provision is hedged in by certain reservations which afford adequate protection to the accused if a charge under the Act is brought against him. I therefore think that neither the Acts passed before the reforms in this country nor the New Zealand Act can be taken as models for our Acts. *Ex hypothesi*, the present Government is better than the pre-reform Government and therefore in order to reform our statute book we have to look forward and not look backward as the Honourable Minister has tried to do. I do not mean any disrespect and I speak in all humility and with all respect and reverence, when I say that a great personage whose name is hallowed in the greater part of the world said, "Father forgive them, for they know not what they do," and now we are being asked by the Honourable Minister to pass into law a provision which seeks to punish people although they do not know. It is a commonplace of law that a mistake of law may not be excusable but a mistake of fact is and in fact although you have been out of practice for some time now, Sir, and have been doing other work, even you would remember that the courts have sometimes even excused mistakes of law. In a certain case a client went to Sir Muhammad Shafi for advice as to the court in which he ought to file an appeal. A certain advice was given. But when the case came before the Chief Court it turned out that the court which was recommended was not competent to hear the appeal. But the time lost was taken into account although a mistake of law had been committed because the client had done all that was reasonably possible for him to do to take the best possible advice. There are other similar cases also, so that if in certain circumstances even mistakes of law can be excused there is no reason why a mistake of fact should not be excused. As a matter of fact I do not see much sense when my honourable friend says that if the word 'knowingly' is introduced in this measure the Bill may as well not be passed into law. If that were so then I would submit that the whole criminal law would tumble down because the essence of the criminal law is that there is no offence without intention and here the poor shopkeeper, whoever he may be, whether a Muslim or a Sikh or a Hindu, would be punished although he had absolutely no guilty intention. I am really surprised to find that the honourable Minister should have got up and opposed this amendment and I am all the more surprised that having accepted this amendment once, he should go back upon the agreement arrived at. I am not accusing him of breach of faith. I do not know whether there can be any breach of faith in such matters because

[Dr. G. C. Narang.]

it is a matter of expediency and he must have done it for some reason which he considered to be very good reason. But keeping this in view can we place any reliance upon the very generous and kind assurances that the Honourable Minister has given for the future? He says "let this be passed and come to me to-morrow and I will not make any rules unless I consult you. If rules cannot be framed I shall come back to this House and have this particular provision amended." This is what he has stated if I followed him rightly. I do not mean any disrespect again, but somebody has stated, "place not your trust in the promises of princes"; and if no faith can be placed in the promises of princes, can we place faith in the promises of Ministers? I am afraid our past experience is not very encouraging and rather than depend upon his mercy we shall ask for justice. If we can have it, well and good; otherwise we know we are at the mercy of the Honourable Minister and his colleagues and followers. With these words I strongly support the amendment that has been moved.

Mr. S. L. Sale (Legal Remembrancer) : I think, Sir, that it is necessary to explain how it came about that this amendment was opposed by Government. The original amendment as put in was that the word "knowingly" should be inserted in a clause which I understand will probably not be part of the Bill at all and that is clause (h). There was an amendment that the word "knowingly" should be inserted before the word "keep" in clause (h). There was no objection to that. But the suggestion of that amendment gave birth to the suggestion, that the word "knowingly" be put in at the beginning of the section and not at the end, so that it should qualify the whole of the penal clause. And that makes a very great difference. However when that altered amendment was put in, it was not at first realised that the insertion of the word "knowingly" in section 13 would be inconsistent with section 18 and as I understood it was the intention of the framers of the Bill particularly to bar such a plea of ignorance, I brought it to the notice of the Honourable Minister that to allow the word "knowingly" in section 13 would defeat the object of the framers of the Bill. That is how the breach of faith, which I think was the charge made, has arisen. The object of the Bill, as has been rightly remarked, is to prevent adulteration, and what we feel is this, that to allow the word "knowingly" to come in in this penal clause 13 will not prevent adulteration for the simple reason that it will be impossible for the prosecution to prove that the accused in any case has knowingly allowed adulteration. I take the simple example of milk diluted with water. Supposing an inspector goes into a shop and finds that the milk which is being sold to the public has been diluted with water. The seller in that case is liable under the Act, but if you put the word 'knowingly' in clause 13—this penal clause—he will be able to say that he did not know that water had been put into the milk, and I think, Sir, that most magistrates will probably acquit him, in which case it will be almost impossible to administer this Act at all.

Dr. Gokul Chand, Narang : If the shopkeeper goes out and another man pours water into his milk, what will happen?

Mr. S. L. Sale : I think, Sir, one point which has been rather overlooked by Dr. Gokul Chand, Narang is that this Bill is intended to impress on all

-people who sell food to the public that they have a duty to the public to see that the food which they sell is exactly what the purchaser intends to buy. It has been suggested that this Bill runs contrary to the ordinary principles of criminal jurisprudence. I quite admit that one principle of criminal jurisprudence is that no person shall be guilty of an offence unless he has got *mens rea* or guilty intention. That is one principle, I quite concede. But there is another batch of statutes; there are several statutes which forbid a thing absolutely and when a thing is forbidden absolutely it means that anyone who offends against that statute is guilty whether he has a guilty mind or not, and whether he knew that he was infringing the provisions of the statute or not. I have not unfortunately had time to look up English statutes in detail, but I can assure the House that there is a great body of municipal law in England which does forbid things absolutely and which makes a person liable under that law whether he knew he was breaking the section or whether he was not. For example, Sir, I can quote one case. It is an offence for a publican to sell intoxicating liquor to a person who is in fact drunk, and the publican's ignorance of that fact is no excuse.

Then again under the Food and Drugs Act, 1875, a person is guilty of the offence of diluting milk with water, although the water has been added by a servant or by a stranger without his knowledge or authority and without any default or negligence on his part or on the part of his servant. (*A voice*: What is that provision?) I am reading here from a standard work. I have not got the Act.

I also find, Sir, that under another statute a dealer in tobacco is punishable for having in his possession adulterated tobacco although ignorant of the fact of adulteration. (*A voice*: Is the defaulter sent to prison?) He can be sent to prison.

There is another provision, Sir. It has nothing to do with the Bill at present under consideration, but it shows the nature of the criminal law we are discussing. There are certain Acts which deal with disorderly houses, and it has been recently held by the Court of Criminal Appeal in England that the owner of an establishment which is a disorderly house is guilty under the provisions of the Act whether he knows that it is a disorderly house or not. The particular decision which I have in mind is one in which the plea of the owner of the house in that particular case was that he instructed his agent to improve the morals of that house. His agent did not listen to him and it continued to be a disorderly house and what could he do? The Court of Criminal Appeal held that he was guilty under the statute.

This will show, at any rate, that the present Bill which is now before the House is not running counter to one branch of the criminal law and that is that branch of criminal law which is found mostly in departments of local self-Government which lay down that certain Acts are absolutely forbidden.

I have already, I think, Sir, dealt with the point about allowing the word "knowingly" to be inserted here. It would run counter to the provisions of clause 18 of the Bill. I do not propose to say anything about clause 18 and the point may be reserved until we come to that clause. But I think it is very important for the efficient working of this Act that the

[Mr. Sale.]

word "knowingly" should not be allowed to creep into the provisions of clause 13. I think the House will be well-advised to oppose this motion. (loud cheers).

Shaikh Abdul Ghani (West Punjab Towns (Muhammadan) Urban): I think, Sir, there is some confusion with respect to the meaning of the word "knowingly". "Knowingly" would qualify the word "sell" and would not serve the object which the proposer has in view, and I do not think "knowingly" at the beginning of the section would mean anything. This is law and the court has to administer it. You know the legal objections. Supposing I am to advocate the case here and I say that no person shall unwillingly sell. How would it help the supporter and how can he possibly say that there is any confusion of the meaning of this clause or clause 18? What has this got to do with clause 18? No person shall knowingly sell. What is the meaning of the addition "knowingly" here? Would it carry us any further, or would it help the proposer in any way? My submission is that all this time has been totally wasted. We have got nothing. We have been discussing things and attributing meanings to words which I would only submit would not carry us any further. Then again add the word "knowingly" to clause (f). It will then read: "No person shall knowingly sell any *banaspatine* or *charbini* on the same premises on which he sells ghi." Does this mean anything? May I humbly ask what it will convey to the House? My meaning is quite clear. My submission is that the addition of the word "knowingly" would not help the difficulties of the shopkeepers; it would simply make the whole thing meaningless and absurd.

Mr. Labh Singh [Rawalpindi Division and Lahore Division North (Non-Muhammadan), Rural]: Sir, I have tried my best to follow the honourable speaker who has spoken last but I have not been able really to catch his meaning.

Clause 18 simply says: No person shall sell, etc. In other words it defines the offences and clause 18 (5) lays down the punishment. The marginal note says: "Offences under the Act". Clause 18 lays down the definition of the offences, and clause 18 says that a plea of ignorance will be no defence. So the two clauses—clauses 18 and 18—go together. And if any definition of an offence has got to be modified, it must be modified with reference to this clause 18 (1), and therefore there is not much meaning in saying that the insertion of the word "knowingly" after the word "shall" in clause 18 would not make any difference, or, as it has been suggested, it would make nonsense of clause 18. You may refer, Sir, also in this connection to the definition of the word "sale" which is that "sale" means a transfer of ownership in exchange for a price paid or promised..... The word 'sale' might as well have not been defined at all. If the terms are to be defined they must be properly defined so as to clearly express the meaning of the legislature and not to leave things in doubt or confusion. As regards the citation which was made by the honourable the Legal Remembrancer, he has read certain paragraphs from a text-book divorced from the context. He read a passage, it was not even a passage, it was only an isolated sentence, expressing an opinion based on his reading of a certain Act which is not before us and we are therefore absolutely ignorant as to

what the actual text of the particular Act is. That does not carry us very far. In this province the difficulty is that we have got to see not whether it will be possible from a technical point of view properly to define particular offences but what would be really our position with respect to the actual administration of the Acts creating the offences and whether we will be in a position to administer these Acts in the way in which we wish them to be administered. That to my mind is a very difficult problem. Therefore rather than create offences wholesale which are not known to law at present and which will make a serious departure from the ordinary rules of criminal jurisprudence, we should hesitate, and the best way for us would be to proceed step by step and with caution and not to add big bodies of criminal provisions to the already over-burdened statute book of this province. As it is we have got too many offences to deal with. There is the Indian Penal Code and the whole body of provisions embodied in our local laws and special laws and all the rest of them. We must hesitate before we add any more new offences to them and we should think not twice but many times before we make a big departure from the ordinary rules of criminal law. I submit, therefore that the word 'knowingly' ought to be added in this clause 18 in order to make it consistent with itself and in order to make it consistent also with the rules of criminal law and also in view of the fact that this proposed enactment is only an experimental measure of the kind in this province. When this Bill is passed, we shall see to what extent it is possible to secure pure food for the people or whether the passing of this Bill only results in raising the market value of food materials or whether this Act is being used only as an Act for the purpose of raising revenue for the state or may be for local bodies. (A voice: And for inspectors.) Of course, that goes without saying. Those of us who know what pure food measures mean and what inspection of food under the existing municipal law signifies, know that what is called bad food or impure food is bad and impure for the purposes of sale but is generally the food on which the inspectors feed themselves and grow fat and is therefore good and pure for them. We daily see our sanitary inspectors, who are charged with the duty of going about to see whether the articles sold in the markets are wholesome or not, throwing whole baskets of them into the gutters and carrying perhaps half of them to their own houses and consuming them without any serious disadvantage to their health or to the health of those to whom they may make a present of the same.

The Honourable Mian Sir Fazl-i-Husain: Do you mean members of local bodies?

Mr. Labh Singh: May be, some of the members of local bodies known to or acquainted with the honourable interrupter may have a share of it. (Laughter). So I would submit that this is a very serious matter to omit this word 'knowingly' from the clause, more especially when discussing in private the Honourable Minister in charge agreed to the insertion of this particular word. It is really so difficult for us to understand how it happens that when the reasonableness of a particular amendment has been conceded in private conversation that amendment becomes unreasonable the moment it comes to be debated upon in the open House. That is a procedure which we are really unable to understand and it strikes us as really

[Mr. Labh Singh.]

very uncanny and incongruous. That is the reason why every one of us has to get up and give vent to the same grievances and the same views. It is perfectly natural under the circumstances that we should do so and repeat our protest. This is all that I have to submit with reference to this amendment.

Colonel C. A. Gill : Sir, I beg to move—

“That the question be now put.”

The motion was carried.

Mr. President : Question is—

“That in clause 13 (1) the word ‘knowingly’ be inserted after the word ‘shall’.”

The Council divided : Ayes 18 ; Noes 38.

AYES : 18.

Diwan Bahadur Raja Narendra
Nath.
Dr. Gokul Chand, Narang.
Mr. Labh Singh.
Rai Bahadur Lala Sewak Ram.
Rai Bahadur Lala Mohan Lal.
Chaudhri Ram Singh.

Pandit Nanak Chand.
Chaudhri Baldev Singh.
Lala Mukand Lal, Puri.
Lala Gopal Das.
Sardar Narain Singh.
Lala Bodh Raj.
Rai Bahadur Lala Dhanpat Rai.

NOES : 38.

Colonel C. A. Gill.
Mr. H. Calvert.
Mr. C. A. H. Townsend.
The Honourable Malik Firoz
Khan, Noon.
Khan Bahadur Nawab Muzaffar
Khan.
Mr. W. R. Wilson.
Sir George Anderson.
Mr. A. R. Astbury.
Mr. J. B. G. Smith.
The Honourable Mr. Manohar Lal.
The Honourable Sardar Sir
Jogendra Singh.
The Honourable Mr. A. M. Stow.
The Honourable Mian Sir Fazl-i-
Husain.
Mr. Alan Mitchell.
Mr. J. D. Penny.
Mr. C. M. G. Ogilvie.
Mr. H. M. Cowan.
Dr. (Mrs.) M. C. Shave.
Mr. S. L. Sale.
Khan Bahadur Captain Sardar
Sikandar Hyat Khan.

Mian Ahhmad Yar Khan, Daultana.
Mr. Owen Roberts.
Sayad Mubarik Ali Shah.
Khan Sahib Khan Muhammad
Saifullah Khan.
Malik Nawab Major Talib Mehdi
Khan.
Shaikh Faiz Muhammad.
Chaudhri Yasin Khan.
Risaldar Bahadur Nur Khan.
Khan Bahadur Chaudhri Fazl Ali.
Khan Bahadur Mian Muhammad
Hayat, Qureshi.
Chaudhri Umar Hayat.
Rana Firoz-ud-Din Khan.
Shaikh Abdul Ghani.
Shaikh Muhammad Sadiq.
Khan Bahadur Sardar Habib
Ullah.
Mr. V. F. Gray.
Sardar Bahadur Captain Dalpat
Singh.
Sardar Bahadur Sardar Sheo
Narain Singh.

The Council then adjourned till 2 p.m. on Thursday, the 5th December 1929.

PUNJAB LEGISLATIVE COUNCIL.

4TH SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

Thursday, the 5th December 1929.

THE Council met at the Council Chamber at 2 P.M. of the clock. Mr. President in the Chair.

STARRED QUESTIONS AND ANSWERS.

CANAL CLERKS.

***2701. Lala Bodh Raj :** With reference to reply to part (b) of question no. 2082¹ asked on 21st March 1929, and question no. 2809² asked on 29th July 1929, will the Honourable Revenue Member please state if the new list of promotions has since been prepared?

The Honourable Mian Sir Fazl-i-Husain : The new list has since been prepared.

ILLEGAL ENCROACHMENTS ON MUNICIPAL LANDS BY MUNICIPAL COMMISSIONERS, KASUR.

***2702. Lala Bodh Raj :** With reference to the reply to question No. 2159³ asked on 26th March 1929, will the Honourable Minister for Local Self-Government please state if the report called for has been received and what action has been taken by the Government?

The Honourable Malik Firoz Khan, Noon : A report has been called for from the local officers but has not yet been received as the enquiries being made are still incomplete. The information required by the honourable member will be communicated to him on receipt.

Lala Bodh Raj : When was the report called for?

The Honourable Malik Firoz Khan, Noon : I have not got the file. I require notice for this question.

SMALL TOWN COMMITTEE, KOT ADU.

***2703. Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that any letter was received by the Small Town Committee, Kot Adu, district Muzaffargarh, in January 1928, from the Deputy Commissioner concerning the resolution of the committee regarding the death of Shrijut Lala Laipat Rai, Member of the Legislative Assembly;

¹ Vol. XII, page 994.

² Vol. XIII, page 132.

³ Vol. XII, page 1150.

[Lala Bodh Raj.]

- (b) whether it is a fact that the said letter was not shown to the members by the official President who is a Tahsildar in spite of the fact that such a demand was made ;
- (c) if so, what are the reasons for such an action of the President, and what action the Honourable Minister for Local Self-Government proposes to take to avoid the repetition of such a thing in future ?

The Honourable Malik Firoz Khan, Noon : (a) Yes.

(b) No.

(c) Does not arise.

DESHBANDHU ANNIVERSARY PROCESSION.

***2704. Lala Bodh Raj :** Will the Honourable Finance Member please state—

- (a) whether it is a fact that in celebration of Deshbandhu anniversary in the year 1929 a procession organised by the Congress Committee, Jhang-Maghiana, was obstructed by the police ;
- (b) if so, what were the reasons for such an obstruction ;
- (c) whether any of the Congress workers were arrested in that connection and then released ?

The Honourable Mr. A. M. Stow : (a) and (b) A procession was taken out without a license. As this was unlawful the processionists were called upon to disperse and did so.

(c) No.

Lala Bodh Raj : Whether any orders for obtaining license for the procession were issued by the local authorities ?

The Honourable Mr. A. M. Stow : I require notice of that question.

SHAIKH KARAM HUSSAIN, MANAGER, COURT OF WARDS, CHOTI.

***2705. Lala Bodh Raj :** Will the Honourable Revenue Member please state—

- (a) whether Shaikh Karam Husain, Manager, Court of Wards, Choti, District Dera Ghazi Khan, has got his headquarters at Dera Ghazi Khan and not at Choti ; if so, what are the reasons ;
- (b) whether it is a fact that his son is a Revenue Assistant at Dera Ghazi Khan who is residing in the same house with him for which the rent is being paid by the Court of Wards ;
- (c) whether it is a fact that complaints have been received against him by the Deputy Commissioner of the district and the Commissioner ; what action has been taken on those complaints ;
- (d) what are the special reasons for keeping both the father and the son in the same district ?

The Honourable Mian Sir Fazl-i-Husain : (a) Yes.

(b) Yes.

(c) The Deputy Commissioner has received complaints but they were anonymous and he did not consider it necessary to take any action upon them.

(d) None ; but is there sufficient reason why the Revenue Assistant should not serve in a district in which his father is Manager of two estates under the Court of Wards ?

Lala Bodh Raj : Will the Honourable Revenue Member please give a reply to the second-part of question (a) ?

The Honourable Mian Sir Fazl-i-Husain : I think it was said yes.

Lala Bodh Raj : What were the reasons ?

The Honourable Mian Sir Fazl-i-Husain : Reasons for what ?

Lala Bodh Raj : For keeping the headquarters of the Manager, Court of Wards, Choti, at Dera Ghazi Khan.

The Honourable Mian Sir Fazl-i-Husain : Must have been because that was suitable.

Lala Bodh Raj : Will the Honourable the Revenue Member please state if the Revenue Assistant is paying any share of the rent to the Court of Wards ?

The Honourable Mian Sir Fazl-i-Husain : I think the honourable member may safely leave that matter to another member of the House who is more interested than he is.

SMALL TOWN COMMITTEES, JARANWALA AND TOBA TEK SINGH.

***2706. Lala Bodh Raj :** With reference to replies to starred questions nos. 1948¹ and 1963² asked on 6th March 1929, will the Honourable Minister for Local Self-Government please state—

(a) whether the Small Town Committees of Jaranwala and Toba Tek Singh have been converted into municipalities ; if not, what are the reasons for the delay ;

(b) what are the reasons for not removing the official presidents in the meanwhile ?

The Honourable Malik Firoz Khan, Noon : (a) No, as the draft notifications are still awaited from the local officers.

(b) The reasons for not removing the official presidents are the same as have already been communicated in the replies to starred questions nos. 1948 and 1963 asked by the honourable member.

¹ Vol. XII, page 717.

² Vol. XII, page 724.

**RESIDENTIAL HOUSES IN MUNICIPAL AREAS AND APPLICATION OF
THE PUNJAB LAND ALIENATION ACT.**

***2707. Lala Bodh Raj:** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that the sites of residential houses within the municipal areas although assessed to land revenue are excepted from the application of the Punjab Land Alienation Act;
- (b) whether it is a fact that a circular has been issued prescribing not to make any exemption from the application of the said Act in case of sites of residential houses within the area of Small Town Committees;
- (c) if so, what are the reasons for making such a distinction?

The Honourable Mian Sir Fazl-i-Husain: (a) Yes.

(b) Yes?

(c) Because Punjab Government Notification No. 16176, dated 21st June 1919 (attached herewith) does not cover the case of Small Towns which are more in the nature of villages than of towns.

AGRICULTURE.

The 21st June 1919.

No. 16176.—In exercise of the power conferred by section 24 of the Punjab Alienation of Land Act, 1900, as amended by sections 2 and 5 of the Punjab Alienation of Land Amendment Act, 1907, and with the previous sanction of the Governor-General in Council, the Lieutenant-Governor of the Punjab is pleased, in supersession of Punjab Government, Revenue and Agricultural Department notification no. 84, dated the 14th May 1902, to exempt—

- (1) from the operation of the provisions of the said Act, other than those of section 10, the district of Simla, except the *ilaga* of Kotgarh in the Kotkhai Tahsil; and
- (2) from the operation of the provisions of the said Act, other than those of section 1, section 2, clauses (2), (3) and (6), sections 4, 10 and 16, section 17, sub-section (1), section 18, sub-section (2), section 21, sub-section (2) and section 24, every area included within the limits of any cantonment or municipality in any part of the Punjab, other than the district of Simla.

PROSECUTION OF EDITORS OF CERTAIN NEWSPAPERS.

***2708. Lala Bodh Raj:** Will the Honourable Finance Member please state—

- (a) whether it is a fact that the editor, printer and publisher of the weekly '*Tufan*' of Lyallpur are being prosecuted under section 153-A, Indian Penal Code, and that the accused have tendered written apologies;

- (b) whether it is also a fact that the editor, printer and publisher of the weekly '*Ghanchakar*' of Multan is being prosecuted under section 295-A, Indian Penal Code, and that the accused has tendered written apology ;
- (c) whether the fact of the said written apologies has been brought to the notice of the Government by the local authorities ;
- (d) if so, what decision has been arrived at by the Government in the matter ?

The Honourable Mr. A. M. Stow : (a), (b) and (c) Yes.

(d) Government are not prepared to withdraw the prosecutions, but the apologies will no doubt be considered by the Courts concerned, if the accused are convicted.

INSPECTION OF SCHOOLS AT JHANG MAGHIANA.

***2709. Lala Bodh Raj :** Will the Honourable Minister for Education please state—

- (a) whether it is a fact that the annual visits of the educational inspection staff to the various schools at Jhang Maghiana were made at different intervals ;
- (b) what were the reasons for not visiting the schools one after the other at one time ?

The Honourable Mr. Manohar Lal : Information is being collected and will be supplied to the honourable member when ready.

RAILWAY LINE BETWEEN ROHTAK AND REWARI.

***2710. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Minister for Agriculture kindly state whether the Government had, at any time during the last two years, the question of connecting Rohtak and Rewari by a railway line under consideration, and if so, at which stage the proposal stands at present ?

The Honourable Sardar Sir Jogendra Singh : The honourable member's attention is invited to the answer given to the starred question No. 2271.¹ The latest programme issued by the Great Indian Peninsula Railway shows that the project has been investigated and that the report is in the press.

RAILWAY LINE BETWEEN ROHTAK AND BHIWANI.

***2711. Rai Sahib Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state whether the proposal relating to the construction of the Rohtak-Bhiwani railway line has made any progress during the last two years and how exactly matters stand at present ?

The Honourable Mian Sir Fazl-i-Husain : The Punjab Government has been informed that the project has been sanctioned by the Railway Board, but the Board does not expect to be able to provide funds to begin construction in 1980-81.

DISTRIBUTION OF CANAL WATER.

***2712. Sardar Hira Singh, Narli :** Will the Honourable Revenue Member please state—

- (a) whether Government is aware of the fact that canal authorities do sometimes stop minors of *rajbahs* for the purpose of providing water to the zamindars at the tail ;
- (b) whether Government is also aware of the fact that the system causes heavy loss to the zamindars by affording an opportunity to the petty officials of the canal department for taking illegal gratification from the former at the time of opening such minors ;
- (c) if the answers to the above be in the affirmative, what steps Government propose to take to remove these defects or adopt some other means to carry water to the tail ?

The Honourable Mian Sir Fazl-i-Husain : (a) Yes, sometimes.

(b) Yes.

(c) The remodelling of channels and readjustment of sizes of outlets need provision of improved type of outlet wherever funds are sanctioned for such works.

Sardar Hira Singh, Narli : Will the Government make sufficient provision for that improvement in the next budget ?

The Honourable Mian Sir Fazl-i-Husain : We will try to.

Sardar Hira Singh, Narli : Will the Honourable Member please state whether there is any intention of reducing the supply of the existing outlets with a view to providing water to new ones ?

The Honourable Mian Sir Fazl-i-Husain : That may be left to circumstances.

CLEARING OFF *BHAL*.

***2713. Sardar Hira Singh, Narli :** Will the Honourable Revenue Member please state—

- (a) whether Government is aware of the fact that the canal authorities do occasionally compel the zamindars to clear off the *bhals* from the small minors without giving them wages for the same ;
- (b) if the answer to the above be in the affirmative, what steps Government proposes to take with a view to stop this practice ?

The Honourable Mian Sir Fazl-i-Husain : (a) No.

(b) Does not rise.

LOCUST PEST.

***2714. Sardar Hira Singh, Narli :** Will the Honourable Minister for Agriculture please state—

- (a) whether Government is aware that locusts have caused heavy loss to crops this year ;

- (b) if so, what steps have so far been taken by Government to protect crops from the attack of locusts ;
- (c) whether it is a fact that in the western countries the practice has been adopted of using poisonous gas and electric lights for the destruction of locusts ;
- (d) if the answer to the above be in the affirmative, what action Government proposes to take in the matter of making some such experiments in this country ?

The Honourable Sardar Sir Jogendra Singh : (a) Yes.

(b) Government has adopted every practicable measure to destroy the locusts, in co-operation with the people.

(c) Government has no information as to the use of poisonous gas, but poison has been dropped from aeroplanes on to locust swarms in some countries.

(d) Government is doubtful as to the safety of using poison in a thickly populated province like the Punjab.

Sardar Hira Singh, Narli : Was any such experiment ever made ?

The Honourable Sardar Sir Jogendra Singh : I have already said that poison cannot be used with safety in the Punjab.

DESI COTTON.

***2715. Sardar Hira Singh, Narli :** Will the Honourable Revenue Member please state—

- (a) whether he is aware of the fact that in the districts of Lahore and Amritsar, the yield of *desi* cotton crops has been very small ;
- (b) if so, what remissions Government proposes to allow to the zamindars concerned in the payment of land revenue this year ?

The Honourable Mian Sir Fazl-i-Hussain : (a) No.

(b) Does not arise.

REPAIRS TO BANKS OF MINORS.

***2716. Sardar Hira Singh, Narli :** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that for the repairs of the banks of the minors the canal department usually removes earth from the adjoining fields of the zamindars ;
- (b) whether it is a fact that this causes not only pits in the fields, but also considerable loss to the standing crops ;
- (c) whether it is a fact that no compensation is paid to the zamindars for damage done to their fields and crops ;
- (d) if the answer to the above be in the affirmative, what action Government proposes to take in the matter ?

The Honourable Mian Sir Fazl-i-Husain : (a) Yes.

(b) No, as far as possible work is done when crops are not on the ground ; when damage is done to crops compensation is always paid.

(c) No.

(d) Does not arise.

Sardar Hira Singh, Narli : Does the Government pay any compensation in case the work is done when the crops are on the ground ?

The Honourable Mian Sir Fazl-i-Husain : I have already stated that it does.

NILI BAR COLONY.

***2717. Sardar Hira Singh, Narli :** Will the Honourable Revenue Member please state—

(a) whether it is a fact that the purchasers and grantees on temporary cultivation in the Nili Bar Colony have become unable to pay instalments of the price of their lands by reason of the heavy loss incurred by them on account of successive failures of crops, the failure of timely supply of water and fall in the prices of wheat and cotton ;

(b) whether it is a fact that Bahawalpur and Bikaner States have granted concessions to the purchasers of lands in their respective colonies in the form of remitting a considerable amount of interest and extending the period originally fixed for the payment of prices ;

(c) if the answer to the above be in the affirmative, what action Government proposes to take in the matter ?

The Honourable Mian Sir Fazl-i-Husain : (a) This is what has been stated to Government but no exact information on this point is available at present.

(b) Government has no information, but inquiries are being made.

(c) Does not arise, but I should like to state for the information of the Council that the Colonization Officer has already been authorised to suspend the collection of instalments at his discretion in the case of auction purchasers and in the case of temporary cultivation leases on distributaries 4-L and 5-L, postponements of the leases have been repeatedly allowed on account of the deficiency in the supply of water, and concessions have been made in the matter of the levying of Government dues.

ALLEGATIONS AGAINST THE SUB-INSPECTOR OF TARN TARAN POLICE STATION.

***2718. Sardar Hira Singh, Narli :** Will the Honourable Finance Member, please state—

(a) whether Government is aware of the fact that on or about 11th October 1929, I sent to the Superintendent of Police, Amritsar, a representation of Sikh zamindars of village Subraon, District Amritsar, containing serious allegations against the Sub-Inspector, Tarn Taran Police Station ;

(b) have Government made any enquiry regarding the allegations contained in the said representation ;

(c) will the Honourable Member please also state whether reasonable facilities were given to the complainants to prove their allegations ? If not, why not ?

The Honourable Mr. A. M. Stow : (a) Yes.

(b) Yes.

(c) Enquiries are proceedings.

ADMISSION TO LAHORE MUSEUM.

***2719. Sardar Hira Singh, Narli :** Will the Honourable Minister for Education please state—

(a) whether it is a fact that no one can enter the Lahore Museum with foot-wear of Indian pattern on but no such restrictions are laid on shoes of western style ;

(b) if the answer to the above be in the affirmative, will the Honourable Minister kindly state the reasons for making such distinctions ?

The Honourable Mr. Manohar Lal : (a) No, the rule to which the honourable member refers was cancelled in June 1928.

(b) Does not arise.

ADMISSION OF VISITORS TO THE ROOMS OF OFFICERS OF GOVERNMENT.

***2720. Sardar Hira Singh, Narli :** Will the Chief Secretary to Government please state—

(a) whether Government is aware of the fact that some officers of Government do not allow the visitors to enter their rooms with foot-wear of Indian pattern on and before they are admitted the peons at the door force such visitors to put off their shoes ;

(b) whether it is a fact that no such restrictions are imposed on the use of shoes of western style ;

(c) whether it is a fact that a very large majority of the public use only shoes of Indian pattern ;

(d) whether it is a fact that this ban on country style shoes is regarded by many visitors as an insult and is highly resented ;

(e) if the answers to the above be in the affirmative, what action is Government prepared to take in the matter ?

Mr. H. M. Cowan (for Chief Secretary) : (a) Government is not aware of any specific instances, but it has no reason to believe that its officers require from a visitor any more courtesy than the latter would show as a matter of course were he visiting an Indian non-official gentleman.

(b) Yes.

(c) Yes.

(d) and (e) Do not arise.

USE OF *KACHHAHRAS* BY SIKH CLERKS.

***2721. Sardar Hira Singh, Narli :** Will the Chief Secretary to Government please state—

- (a) whether Government is aware of the fact that several Government officers object to the use of *kachhahtas* by Sikh clerks in office hours ;
- (b) whether Government is also aware of the fact that it is obligatory on the Sikhs to wear *kachhakka* ;
- (c) if the answers to (a) and (b) above be in the affirmative, what action Government propose to take to secure full religious freedom for the Sikhs in the matter of dress, etc. ?

Mr. H. M. Cowan : (a) and (c) Government have no information that any such objections have been made. If the honourable member will supply to me specific instances I shall be glad to make inquiries as to the circumstances.

(b) Yes.

CLOSURE OF MINORS OF RAJBABA NEWPAL.

***2722. Sardar Hira Singh, Narli :** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that outlets of Rajbaha Newpal on Upper Bari Doab in Majitha Division, District Amritsar, were closed without previous notice to the persons concerned ;
- (b) if so, why ;
- (c) whether it is also a fact that in the same year without any previous notice to the persons concerned the canal authorities also imposed a fine on the inhabitants of Dhonia Kalan ;
- (d) whether an appeal was preferred to the Commissioner against these orders of the canal authorities, and if so, with what result ?

The Honourable Mian Sir Fazl-i-Husain : (a) No.

(b) Does not arise.

(c) No.

(d) Yes, the appeal was dismissed by the Commissioner.

MASTER MOTA SINGH.

***2723. Sardar Hira Singh, Narli :** Will the Honourable Finance Member please state—

- (a) whether Government is aware of the fact that Master Mota Singh of village Tapra, District Jullundur, was prosecuted for waging war against His Majesty the King-Emperor ;
- (b) whether it is a fact that on his transfer from Jullundur Jail to Rawalpindi Jail, Master Mota Singh was suffering from fever and was forced to travel in a third class railway compartment with handcuffs and fetters on ;

- (c) whether Master Mota Singh has been treated as a special class prisoner; if so, what are the reasons for the maltreatment meted out to him?

The Honourable Mr. A. M. Stow : (a) If the honourable member refers to Mota Singh of village Patara, Jullundur District, who was convicted under section 124-A, of the Indian Penal Code, the answer in is the affirmative.

(b) If the assumption in the reply to part (a) of this question is correct the answer is that Mota Singh was not suffering from fever on his transfer from Jullundur Jail to Rawalpindi Jail and that he was fettered and handcuffed in accordance with rules 756 and 757 of the Jail Manual.

(c) Government has decided that Mota Singh should on account of his continued ill-health be treated as a special class prisoner, until further notice.

Lala Bodh Raj : Was the prisoner medically examined when he was transferred from Jullundur to Rawalpindi?

The Honourable Mr. A. M. Stow : Medically examined by whom?

Lala Bodh Raj : Was the prisoner medically examined as regard his health?

The Honourable Mr. A. M. Stow : Does the honourable member mean on the journey or what?

Lala Bodh Raj : By the Jail authorities at the time of transfer.

The Honourable Mr. A. M. Stow : I have no doubt that he was duly examined before he left the Jullundur Jail and when he arrived at the Rawalpindi Jail.

OCTROI ON CYCLES, ETC.

***2724. Sardar Hira Singh, Narli :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether Government is aware of the fact that when villagers come to the Lahore city on cycles, they are asked to pay octroi duty on their cycles;
- (b) whether Government is also aware of the fact that whenever the villagers bring their sewing machines, lamps and clocks to the city for getting them repaired, they are asked to pay octroi duty on them as well;
- (c) whether it is a fact that this taxation causes hardship to the poor villagers and is much resented by them;
- (d) if so, what action Government intend to take in the matter?

The Honourable Malik Firoz Khan, Noon : (a) Terminal tax, not octroi, is in force in the Lahore Municipality and the tax is levied only on bicycles imported into the municipality for sale.

(b) Under item (c) of the list of exemptions from the tax published with Punjab Government Notification No. 39888, dated the 16th November 1926, repairable and partially manufactured articles which are temporarily imported into the municipality for repairs and completion for a period not exceeding three months are exempt from the payment of the tax.

(c) and (d) Do not arise.

**PROHIBITION OF GOVERNMENT SERVANTS FROM SUBSCRIBING
TO "KIRTI."**

***2725. Sardar Hira Singh, Narli :** Will the Honourable Finance Member please state—

- (a) whether Government have issued any orders prohibiting Government servants from subscribing to the weekly Journal *Kirti*, Amritsar ;
- (b) if so, what are the reasons ?

The Honourable Mr. A. M. Stow : (a) No.

(b) Does not arise.

EXEMPTION OF SWORD FROM THE OPERATION OF THE INDIAN ARMS ACT.

***2726. Sardar Hira Singh, Narli :** Will the Honourable Revenue Member please state—

- (a) whether he is aware of the fact that in Sheikhpura district sword is exempted from the operation of the Indian Arms Act, while in the Lahore district it is not so exempted ;
- (b) if so, will Government kindly state the reasons for making such a distinction ?

The Honourable Mian Sir Fazl-i-Husain : (a) Swords are not exempted from the operation of the Arms Act in either Sheikhpura or Lahore district.

(b) The question does not arise.

BEGGARY.

***2727. Sardar Hira Singh, Narli :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether Government is aware of the fact that many stout and strong young men have taken to begging ;
- (b) whether it is a fact that there is a strong public feeling that Government should take immediate steps to deal with the evil of beggary ;
- (c) if so, what steps has Government taken so far in this direction ?

The Honourable Malik Firoz Khan, Noon : (a), (b) and (c) A special committee was appointed by Government to discuss the matter in all its bearings and to submit a report. The committee's report has since been received and considered by Government as a result of which the attention of local bodies has been drawn to the existence of the problem and to the facts elicited during the discussions held by the committee and their considered opinions on the problem as a whole have been invited. A copy of the committee's report is laid on the table.

VILLAGE PATROL ACT.

***2728. Sardar Hira Singh, Narli :** Will the Honourable Member for Finance please state what action the Government has taken on the resolution passed by the Council in the budget session that the Village Patrol Act should either be amended or repealed ?

The Honourable Mr. A. M. Stow : The attention of the honourable member is invited to the answer given to council question no. 2419¹ at the August session of the Council.

CORRUPTION IN POLICE DEPARTMENT.

***2729. Sardar Hira Singh, Narli :** Will the Honourable Member for Finance please state—

- (a) whether it is a fact that corruption is on the increase in the Police department ;
- (b) if so, what steps has Government taken to appoint a special Criminal Investigation Department staff to detect cases of corruption ?

The Honourable Mr. A. M. Stow : (a) The reverse is believed to be the case.

(b) The honourable member is referred to the answer given by the Honourable Sir Geoffrey deMontmorency to question no. 878², in the November 1927 session of the Punjab Legislative Council.

POLICE BEHAVIOUR.

***2730. Sardar Hira Singh, Narli :** Will the Honourable Member for Finance be pleased to state—

- (i) whether Government is aware that there is a general complaint in the province that the treatment of police officials towards the public is harsh and impolite ;
- (ii) if so, what steps has Government taken so far or intend taking in the future to ensure a better treatment on their part towards the public ?

The Honourable Mr. A. M. Stow : (i) Government has no information regarding the existence of a general complaint of this nature and as a general proposition believes it to be without basis.

(ii) Any complaint regarding a specific instance brought to the notice of Government is promptly and carefully investigated.

THE PUNJAB PURE FOOD BILL.

Mr. President : The Council will now resume consideration of clause 13 of the Punjab Pure Food Bill.

¹Vol. XIII, pages 302-03.

²Vol. X-B, pages 1130-1133.

Clause 13.**SUB-CLAUSE (1), PARTS (a) TO (f).**

Lala Mukand Lal, Puri : Sir, I rise to move—

“That in Clause 13, sub-clause (1) (a), the following be added :

‘after being placed before the Council and after they have been passed by the Council.’”

Mr. President : It is not clear what the honourable mover of the amendment means by saying “after they have been passed by the Council.” Rules made by Government constitute what is called delegated or subordinate legislation. If the honourable member means that by one provision of the Act the Council should give the rule-making power to the executive, but after giving, it should keep it to itself by another provision of the Act, I consider the amendment out of order. If the object of the amendment is that the rules should be placed before the Council for being considered and passed like a Bill, that would mean that the power of subsidiary law-making would be entrusted to the executive in name, but that in fact it would be retained by the Council itself. In that case, I think, the power should not be delegated at all and the Council should incorporate the rules in the Bill, so that they might be considered and passed by it along with the Bill. However, if the object is that the draft rules should be placed before the Council for an expression of opinion thereon, that course is in accord with parliamentary practice. The Council may retain and exercise its control over the executive in a proper manner, but the object of the amendment, as it stands, is not very clear. So, I am afraid, it is not in order in its present form.

Lala Mukand Lal, Puri : I only wanted your ruling on this point, Sir, I find that we have agreed to drop this amendment, and I do not move it.

Lala Bodh Raj : On a point of order, Sir. Have you ruled the amendment out of order?

Mr. President : Was not the honourable member attentive?

Lala Bodh Raj : I presume that the honourable member has himself withdrawn it, and I want to know if you have ruled it out of order.

Mr. President : I expressed my opinion as to the regularity of the amendment as it stands ; while the honourable mover said that he did not wish to move it.

Lala Bodh Raj : In compliance with your ruling?

Mr. President : I cannot fathom the honourable mover's motives.

Mr. President : Question is—

“That parts (a) to (f) of sub-clause (1) of clause 13 stand part of the clause.”

Motion was carried.

SUB-CLAUSE (1) (g).

Lala Mukand Lal, Puri : I beg to move—

“That in sub-clause 1 (g) of clause 13 the following be added:—

‘As food for human consumption.’”

The object of this amendment is to make clear the intention of the framers of the Act.

Shaikh Abdul Ghani : On a point of order, Sir. A chit has just now been supplied to us proposing an amendment in relation to clause 13 (5). It is rather difficult to keep such a chit and to follow the amendment. But now I find that the honourable member is moving an entirely different amendment of which we have no copy.

Mr. President : What has the honourable member to say as to the objection that the required notice was not given in time ?

Lala Mukand Lal, Puri : The object of the amendment is merely to remove a doubt that may possibly exist as to the intention of the legislature. It was clearly expressed by the Government in the discussion relating to the previous amendments that the only object was to prevent the sale of any food which is unfit for human consumption.

Mr. President : I am not concerned with the object of the amendment. The honourable member has to satisfy the Chair as to why it should exercise its discretion and suspend the Article requiring two clear days' notice.

Lala Mukand Lal, Puri : That is what I am trying to submit, Sir. The matter is not of a controversial character at all, and if on account of this technical objection it is not looked into at this stage, the Act will be defective as far as my humble opinion goes. I, therefore, ask your permission to move the amendment which, as I submitted, is intended only to remove a technical doubt. If the amendment is passed, it will surely improve the Bill, because I find that food as defined in the Act is not confined to food for human consumption, although that has been repeatedly stated on the floor of this House. The definition of food which has been passed is no definition at all. It assumes what food is and particular kinds of food which cannot possibly be included in the definition of the word as it is used in common parlance are likely to be included in it.

Mr. President : Has the honourable member in charge of the Bill any objection to the amendment being moved ? Will not this amendment, if passed, improve the Bill ?

The Honourable Malik Firoz Khan, Noon : It will certainly be so if the amendment is passed.

Shaikh Muhammad Sadiq : What is the amendment ?

Mr. President : Has it not been circulated ?

(Voices : No.).

Mr. President : As it was received at 1-30 P.M., I am afraid I cannot allow it. The office could not get it typed or printed for circulation among the members of the House.

Lala Mukand Lal, Puri : May I ask the Honourable Minister whether he wants to prohibit the sale of food which is not fit for human consumption, as food for cattle ? Food may be unfit for human consumption but still it may be good food for cattle.

Shaikh Muhammad Sadiq : On what is the honourable member speaking ?

The Honourable Mr. Manohar Lal : There is no amendment before the House, we must have some idea as to what the amendment purports to be. The Secretary has very kindly given me a copy of his own, but I had not seen the amendment before. How can we say whether it is essential or otherwise?

Sardar Hira Singh, Narli : Sir, I want to ask one question for getting information from the Honourable Minister in charge of the Bill and that is that if the clause under consideration is passed would it not apply also to grain spoiled by rain?

The Honourable Malik Firoz Khan, Noon : The honourable member seems to be labouring under some misapprehension. I assure him that the clause under consideration will not apply to any such case.

Mr. President : Has the honourable member got a copy of the amendment?

Sardar Hira Singh, Narli : I want only to ask a question.

Mr. President : What is the honourable member's question?

Sardar Hira Singh, Narli : Sir, my question is whether the clause under consideration will also apply to a case where some zamindars in the villages mix *banaspati* in ghi?

Mr. Alan Mitchell (Secretary, Transferred Departments) : Sir, may I with your permission give a few words of explanation because I may be able to satisfy the honourable member and he may not find it necessary to move this amendment. The amendment a copy of which I have just seen is that—

“In sub-clause 1 (g) of clause 13 the following be added:—

‘As food for human consumption.’”

That is to say, the honourable member wishes to make it an offence to sell as food for human consumption any food which is unfit for human consumption. Is that so? If the honourable member will look at the definition of sale in sub-clause (h) of clause (8) he will see that sale refers only to sale for human consumption. Perhaps that will satisfy him.

Mr. Mukand Lal, Puri : In view of the explanation of the Secretary to Government, I do not move my amendment.

Mr. President : Question is—

“That sub-clause (1) (g) of clause 13 stand part of the clause.”

Motion was carried.

SUB-CLAUSE (1) (h).

Mr. Owen Roberts (Nominated Non-official) : If amendment number 3 for the omission of sub-clause (1) (h) is moved and the sub-clause is omitted then both of my amendments will go out.

Mr. President : I have already explained to the honourable members of the House that the omission of a clause is not an amendment. It is a negation of the clause and anyone who desires its omission, may vote against it or oppose it when it is proposed from the Chair.

Mr. Labh Singh : Sir, this may apply to a particular clause as a whole but not to a part of a clause. The item (h) is not a clause and it is not

even a fraction of a clause really but it is only a fraction of a fraction of a clause.

Mr. President : Every clause or sub-clause of a Bill is a motion. A Bill may be regarded as an aggregate composed of a group of motions. A clause or a sub-clause, nay, even an explanation, may be treated as a motion.

Mr. Owen Roberts : Sir, I understand that it is proposed to withdraw the whole of clause (h) and if that is the case then I will not move my amendments.¹

The Honourable Malik Firoz Khan, Noon : I am prepared to withdraw it.

Mr. President : Question is—

“That part (h) of sub-clause (1) of clause 13 stand part of the clause.”

Motion was lost.

Mr. President : Question is—

“That sub-clause (1) of clause 13 as amended stand part of the clause.”

Motion was carried.

SUB-CLAUSES (2) AND (3).

Mr. President : Question is—

“That sub-clauses (2) and (3) of clause 13 stand part of the clause.”

Motion was carried.

SUB-CLAUSE (4).

Mr. V. F. Gray (Punjab Chamber of Commerce and Trades Association Commerce) : Sir, I beg to move—

“That in the proviso to clause 13, sub-clause (4), in the third line the words ‘or is being offered for sale on the open market’ be substituted for the words ‘has been on the open market prior to the 1st August 1929.’”

My intention in moving the amendment is to give Government the privilege of allowing such articles as bear trade names to be sold under such names even if they are not yet on the market. It seems to me rather unfair that the present known marks alone are so privileged.

The Honourable Malik Firoz Khan, Noon (Minister for Local Self-Government) : Before proceeding with the consideration of this amendment may I make a suggestion here. With regard to this proviso, Mr. Owen Roberts has got an amendment for its omission. If that is adopted then there will be no need for Mr. Gray's amendment.

Mr. President : But the omission of a clause or a sub-clause is only its negation and can be voted upon after the amendments, if any, are disposed of.

¹ “That in clause 13, sub-clause (1) (h), the word ‘knowingly’ be inserted before the word ‘keep’ and

“That after sub-clause (1) (h) of clause 13, the following be added :—

‘Provided that nothing in this sub-section shall apply to unopened packages imported through any custom's port as defined in the Sea Customs Act, 1878.’”

Mr. V. F. Gray : My submission is that synthetic *ghi* is being manufactured and imported in this country and in some cases this synthetic *ghi* contains nearly all the constituents which are assumed in the use of natural *ghi*. Many people even now consider that many brands of synthetic *ghi* are even now better than ordinary *ghi* as it reaches the consumer. There is no doubt that if a certain amount of constituents are now lacking in the present manufacture it will not be long before chemical research finds some substance which will be as good as *ghi* and in time synthetic *ghi* will be better than ordinary *ghi* for human consumption, and it seems to me that if any firm brings under some special trade mark synthetic *ghi* into India that is proved infinitely better than *banaspati* or even *ghi*, surely Government should have the option of allowing such produce to be sold under names other than *banaspatine*. I consider that if Government had that option it would encourage the research and manufacture of such articles in the world, it would encourage the research and manufacture of synthetic *ghi* which will be to the consumer better than *ghi* itself. This is my reason for asking the Government to amend this proviso. I do not want the omission of the proviso altogether because I still consider that we want to encourage people to sell and place on the market such an article which will be known by some special trade marks, and not be labelled *banaspatine* if it is so much superior. For these reasons I beg to propose my amendment.

Mr. President : Amendment moved is that—

“ In the proviso to clause 13, sub-clause (4) in the third line the words ‘ or is being offered for sale on the open market ’ be substituted for the words ‘ has been on the open market prior to the 1st August 1929. ”

Mr. Alan Mitchell (Secretary, Transferred Departments) : Sir, I rise to oppose this amendment on the ground that its acceptance would cut at the very root of the principles that have been embodied in this Bill taken from the law in England in regard to the substance called margarine. The section of the English Act gives no permission whatever to the Government of that country to accept as a name for a substance of the nature of margarine any name other than either ‘ margarine ’ or a name combining the word ‘ margarine ’ with a fancy or other descriptive name approved by the Minister of Agriculture and Fisheries. When margarine first made its appearance on the English market and on the market of other European countries those countries were faced with exactly the same problem as we are up against now, and every possible means of dealing with the problem was considered and finally the only means discovered of dealing effectually with the problem was the insistence that everything that was not butter should be sold under this name of ‘ margarine ’ and the word ‘ butter ’ is absolutely forbidden to be used in connection with any substance which is not pure butter. That was the principle which was attempted to be followed when this Bill was being framed and as the expression ‘ *banaspati ghi* ’ had come into common use it was considered that while we had to object strongly to the use of the word *ghi* in connection with *banaspati*, the word *banaspati* itself was a suitable one out of which to coin a word to be used for these substances. It was then realised that in addition to this substance which is called *banaspati ghi* and is brought into this country and used very largely for cheating the public by adulterating with the ordinary *ghi*, there

was on the market one substance—there may be two or three, but we happen to know of one—which is marketed under a name which does not pretend to be *ghi* or pretend to be anything like *ghi*, but under our definition it would be *banaspatine*. I refer to the substance which is known as 'cocogem.' If our Bill went through without this proviso the firm which have been marketing this product—and so far as I know have not been marketing it with any idea of its being used to adulterate *ghi*—would have to change its name, and it was for this reason that it was thought advisable to insert this proviso that anything already being sold need not be forced to change its name in future. That is the whole object of the proviso and the amendment cannot be accepted.

Mr. President : Would not the amendment, if accepted, negative the clause ?

Mr. V. F. Gray : I do not for a moment think so. I am not asking that the name *ghi* be allowed, but some other trade mark and that produce as good as *ghi*, need not necessarily be marked *banaspatine*. Take margarine as an example, under this Act margarine must be marked *banaspatine* or *charbini*. Margarine is very strictly controlled in England. Surely when that English margarine of some well known brand is imported in India it should not be necessary to make it *banaspatine* too.

Mr. President : Question is

"That the words 'has been on the open market prior to the 1st August 1929,' in the proviso to sub-clause (4) of clause 13 stand part of the clause."

Motion was carried.

Mr. Owen Roberts (Nominated non-official) : Sir, I move—

"That the proviso to sub-clause (4) of clause 13 be omitted."

The intention of sub-clause 3 appears to require that all *banaspatine* or *charbini* imported after this Bill comes into force shall be marked in a specified manner and the Karachi Chamber of Commerce evidently reads the clause in the same way as appears from a letter which I have received from it and which reads :—

3 P. M.

"The Chamber's object in asking you kindly to obtain as long notice as possible before the Act becomes operative (if passed) is that by section 13, clause (2) (a) every package of vegetable product would have to have the words *banaspatine* or *charbini* durably marked on the top, bottom and sides of the tins themselves, and time would be necessary for the necessary instructions to be written to suppliers and for the latter to make the dies and stamp the tins, which would probably have to be stamped in the sheet before making up."

The proviso would appear to have been framed with the intention of excluding from the operation of this clause, certain brands that have been imported *bona fide* prior to 1st August 1929. My reason for asking for the removal of the proviso is that it would have the effect of placing certain persons in a highly privileged position. It is a common place that in this country the greatest importance is attached to a label and once a label or mark becomes established practically anything can be sold under it. If the established labels of these commodities are further privileged by exemption from being stamped with the words *banaspatine* or *charbini* as the case may be it will give them a highly specialised value. This would be so much the case that the labels themselves would acquire a value without reference to the

[Mr. Owen Roberts.]

contents of the tins and would be saleable at very high values, and if they fell into the hands of unprincipled speculators, the consequences might be very embarrassing. It is unlikely that it can be the intention of Government to bring about any result of this kind and I therefore move the omission of the proviso.

Mr. President : Question is—

“That the proviso to sub-clause (4) of clause 13 stand part of the clause.”

Motion was lost.

Mr. President : Question is—

“That sub-clause (4) as amended stand part of the clause.”

Motion was carried.

Sub-clause (5).

Mr. Din Muhammad [East and West Central Towns] (Muhammadan, Urban) : Sir, I beg to move.....

Mr. President : According to parliamentary practice, at consideration stage the new clauses should be disposed of before the Bill is considered, but to avoid confusion I would take up each new clause immediately before the clause, for which it is proposed to be substituted or to which it is proposed to be added, is taken up. The mover of the new clause should move it with a speech stating the reasons for its adoption. Upon this I will propose the question “that the clause be taken into consideration.” If this question is agreed to, amendments to the clause, if any, may be moved, and after they are disposed of I will put the question : “that the clause (or clause as amended) be added to the Bill.”

The Honourable Malik Firoz Khan, Noon (Minister for Local Self-Government) : May I be permitted to say something on this point? If the new procedure that you have now suggested is the correct procedure, it leads us to the result that the new clause now sought to be moved by Mr. Din Muhammad can be amended and therefore amendments can be moved to it. It will be such a lengthy procedure and perhaps it will be advisable for the honourable member not to move that amendment at all but leave the clause as it is.

Mr. President : That is for the honourable mover of the motion to decide.

The Honourable Malik Firoz Khan, Noon : Then he had better not move it, I think.

Mr. Din Muhammad : I withdraw the amendment.

Mr. President : It is not yet before the House.

Mr. Din Muhammad : I do not move the amendment.

Diwan Bahadur Raja Narendra Nath : Sir, it was settled between us and the President of the Committee that the substitution of the amendment to sub-clause (5) which stands in the names of Mr. Din Muhammad and Shaikh Abdul Ghani will be accepted.

Mr. President : Does Mr. Abdul Ghani wish to move his amendment ?

Shaikh Abdul Ghani : Sir, in all fairness to the members who think that there should be some leniency shown in a certain kind of offences, I think if this very lengthy and tardy procedure is got over in any way I would be very willing to move my amendment.

Mr. President : Personally I would prefer to follow the Parliamentary practice, but if it is likely to cause confusion, I will first put the question: "that the clause stand part of the Bill" and if it is negatived, then take up the new clause.

Mr. Alan Mitchell : If the House instead of omitting the whole sub-clause omits only some words in the sub-clause, then, can we have other words brought in by way of amendments ?

Mr. President : No amendment is tabled by any member to add or delete some words in this sub-clause.

Diwan Bahadur Raja Narendra Nath : Yes, there are.

Mr. Alan Mitchell : My suggestion is this. The present sub-clause begins : "Any person who sells any food in contravention of sub-section (1) or (2)..." and so forth. Instead of deleting the whole sub-clause, will it be possible to allow the first few words to remain ?

Mr. President : In that case amendments nos. 11 and 12 shall precede amendments nos. 9 and 10.

Diwan Bahadur Raja Narendra Nath : I wish to say a few words with regard to the procedure which you have been pleased to prescribe.

Mr. President : Amendment no. 11 stands in the name of the honourable member.

Diwan Bahadur Raja Narendra Nath : I will move that amendment if amendment no. 10 is not going to be moved.

Shaikh Abdul Ghani : I never said that I was not going to move my amendment. The Chair was considering what procedure was to be adopted in this particular case.

The Honourable Mian Sir Fazl-Husain (Revenue Member) : May I for a moment intervene ? Sub-clause (4) is finished. We have voted on it. Now the only sub-clause that remains is sub-clause (5). The amendments standing in the names of Mr. Din Muhammad and Shaikh Abdul Ghani are for amending this, although they purport to be substituting a new clause for the existing clause. As a matter of fact the first three lines are identically the same and half of the fourth line up to the word "punishable" is retained and the substitution is for the words beginning with "for" in line 4 of this sub-clause (5) right up to the end, to the word "both". Therefore I do not think any rule of parliamentary practice would be interfered with if the amendment commencing with clause "(a)" and ending with the word "both" in sub-clause (c) is first moved. And as all parts of the House seem to be agreed upon it and as this is acceptable to Government as well, it might be possible to do it.

Dr. Gokul Chand, Narang : I think the procedure which you have been pleased to prescribe suits us most.

Mr. President : The reason why the honourable Mr. Ghani's amendment cannot be taken up before that of the Raja Sahib is that an amendment cannot be made in the first part of a question, after the latter part has been amended, or has been proposed to be amended, and a question has been proposed from the Chair upon such amendment. The honourable Shaikh Abdul Ghani's amendment goes farther than that of Diwan Bahadur Raja Narendra Nath. So, if his amendment is moved and proposed from the Chair, then no amendment to the part preceding the word "punishable" shall be permissible and thus the honourable Raja Narendra Nath shall not be entitled to go back to the figure "(4)," which occurs in the earlier part of the clause. That is the reason why his amendment must come before that of Shaikh Abdul Ghani.

Diwan Bahadur Raja Narendra Nath : Sir, my amendment proposes a more drastic change than the House will be prepared to accept, and if Mr. Din Muhammad's amendment or Shaikh Abdul Ghani's amendment is accepted, then I do not need to move my amendment. If they do not move their amendments, then I will move mine.

Mr. President : If the honourable members in whose names the amendments stand do not wish to move them, they are welcome to do so.

Diwan Bahadur Raja Narendra Nath : I suggest that Mr. Din Muhammad or Shaikh Abdul Ghani's amendment be taken up first. If that is carried I shall not move mine.

Mr. President : If the amendment he refers to is not carried, the honourable Raja Sahib will take the consequences.

Diwan Bahadur Raja Narendra Nath : I take the risk, Sir. But if his amendment is not moved, then I shall move mine.

Mr. President : As it appears to be the desire of the House, I proceed to put the existing sub-clause (5) to the vote of the House. Question is—

"That sub-clause (5) of clause 13 stand part of the clause."

Motion was lost.

Shaikh Abdul Ghani : Sir, I beg to move—

"That in clause 13 the following be inserted as sub-clause (5):—

"(5) Any person who sells any food in contravention of sub-section (1) or (2) or who contravenes the provisions of sub-section (3) or (4) shall be punishable—

- (a) in the case of a first offence with a fine which may extend to Rs. 250; and
- (b) in the case of second offence with a fine not exceeding Rs. 500; and
- (c) in the case of a subsequent offence with a fine not exceeding Rs. 1,000, or if in the opinion of the court the offence was committed by the personal act, default or culpable negligence of the person accused and the court is of opinion that a fine will not meet the circumstances of the case, with imprisonment of either description which may extend to six months or with both."

¶ In moving this insertion of a new sub-clause I have in view the other provisions of this very clause which though very trifling in nature should be retained in the Act. As the punishment for the different offences in the clause is one and the same, I submit it would be very hard if the punishment for the graver offence is the same as that prescribed for a trivial offence. Therefore, it is necessary that some gradation should be fixed so far as the

question of punishment is concerned. I think that the addition of this new sub-clause will be acceptable to the House. Instead of prescribing one punishment for all offences enumerated in clause 13, I think it would serve the interests of both, those who want more lenient punishment and those who think that the punishment should be severe, if the addition I have suggested is accepted. I need not dilate any further on the point. My meaning is quite clear and I think that the proposed new sub-clause will serve the end we all have in view.

Mr. President : Question is—

"That the new sub-clause be taken into consideration."

Motion was carried.

Mr. President : Question is—

"That the following new sub-clause be added to the Bill:—

"(5) Any person who sells any food in contravention of sub-section (1) or (2) or who contravenes the provisions of sub-section (3) or (4) shall be punishable—

(a) in the case of a first offence with a fine which may extend to Rs. 250; and

(b) in the case of second offence with a fine not exceeding Rs. 500; and

(c) in the case of a subsequent offence with a fine not exceeding Rs. 1,000, or if in the opinion of the court the offence was committed by the personal act, default or culpable negligence of the person accused and the court is of the opinion that a fine will not meet the circumstances of the case, with imprisonment of either description which may extend to six months or with both."

Motion was carried.

Mr. President : Question is—

"That clause 13 as amended stand part of the Bill."

Motion was carried.

Clause 14.

Sub-clauses (1) and (2).

Mr. President : Question is—

"That sub-clauses (1) and (2) of clause 14 stand part of the clause."

Motion was carried.

Sub-clause (3).

Lala Mukand Lal, Puri : I beg to move—

"That in sub-clause (3) (a) of clause 14, the words 'abets the carrying on of' be substituted for the words 'knowingly permits the carrying of'; and

"That in sub-clause (3) (b) of clause 14, the words 'abets the using of' be substituted for the words 'knowingly permits to be used.'"

I move both the amendments together in order that I may cover both the amendments in one speech. The expression "knowingly permits" is very wide and elastic and besides it has not been defined anywhere; whereas the word "abets" is defined in the Indian Penal Code. I also understand that the framers of the Bill do not want to go beyond the stage of abetment. Therefore I propose that the word "abets" be substituted for the words "knowingly permits." If the expression "knowingly permits" be allowed to remain on the statute book it might bring certain people into trouble whom the framers of the Bill have not in mind. They do not want to go beyond the stage of abetment and that is the object of my amendments, that is, to make the intentions of the framers of the Bill quite clear.

Mr. President : Amendment moved is—

"That in sub-clause (3) (a) of clause 14 for the words 'knowingly permits the carrying on of' the words 'abets the carrying on of' be substituted."

Sardar Harbakhsh Singh [Hoshiarpur and Kangra (Sikh), Rural] : Sir, I want to say something against this amendment, that is, the insertion of the words "abets the carrying on of" instead of the words "knowingly permits." The words "knowingly permits" were very well put in the Bill by the Select Committee. The word now required to be substituted, that is, "abets" is a very wide term. The intention of the Bill is only to preclude the owner of a place now allowing knowingly any person to use his premises for the prohibited purposes. If the word "abets" is used it will include servants, clerks and even neighbours who may see that these premises are being used for such purposes, which is not in the mind of the framers of this Bill. The word "abets" is a very wide term and, therefore, I suggest that the words "knowingly permits" are good enough for the circumstances of the case. Hence I do submit that the purpose of the clause will be served by the use of the existing words. I therefore oppose the amendment.

Mr. President : Question is—

"That in sub-clause (3) (a) of clause 14, in lines 1 and 2 for the words 'knowingly permits' the word 'abets' be substituted."

Motion was carried.

Mr. President : Question is—

"That in sub-clause (3) (b) of clause 14, the words 'abets the using of' be substituted for the words 'knowingly permits to be used.'"

Motion was carried.

Mr. Alan Mitchell : I think there is possibly some slight omission on the part of the gentleman who moved the amendment. The idea of the framers of the Bill has always been that the punishment clauses should be identical throughout. In this clause we have a penalty clause and I think this should be amended so as to be in conformity with the amendment we have recently carried.

Mr. Mukand Lal, Puri : Sir, I want to move an amendment on the lines suggested by Mr. Mitchell.

Mr. President : Has the honourable member given notice of his amendment?

Mr. Mukand Lal, Puri : Sir, I want to move that the last paragraph of clause 14 should be amended in order to bring it into line with the penalty clause of this Bill which has just now been passed in clause 18.

Mr. President : Has the honourable member given notice of that amendment?

Lala Mukand Lal, Puri : I have given notice of an amendment which is on the agenda paper, but I want to make a slight alteration in it.

so as to make it precisely the same as the one moved by my friend Shaikh Abdul Ghani to clause 13 and which has been accepted by the House.

The Honourable Malik Firoz Khan, Noon : Sir, I would suggest to you to permit the honourable member to move the amendment on the lines of the amendment which Shaikh Abdul Ghani moved.

Lala Mukand Lal, Puri : Sir, I beg to move—

“That the words following the word ‘punishable’ in sub-clause (3) (b) of clause 14 be omitted and the following words be inserted in their place:—

- (a) in the case of a first offence with a fine which may extend to Rs. 250; and
- (b) in the case of second offence with a fine not exceeding Rs. 500; and
- (c) in the case of a subsequent offence with a fine not exceeding Rs. 1,000, or if in the opinion of the court the offence was committed by the personal act, default or culpable negligence of the person accused and the court is of the opinion that a fine will not meet the circumstances of the case, with imprisonment of either description which may extend to six months or with both.”

You will find, Sir, that this amended penalty clause is in consonance with the Act which has been passed by the British Parliament, that is, the Food and Drugs Act of 1928. Here the penalty of six months is substituted for three months which is in the British Act.

Mr. President : Question is—

“That the last six lines after sub-clause (3) (b) of clause 14 after the word ‘punishable’ stand part of the clause.”

Motion was lost.

Mr. President : Question is—

“That in clause (3) (b) of clause 14 after the word ‘punishable’ the following be added:—

- (a) in the case of a first offence with a fine which may extend to Rs. 250; and
- (b) in the case of second offence with a fine not exceeding Rs. 500; and
- (c) in the case of a subsequent offence with a fine not exceeding Rs. 1,000, or if in the opinion of the court the offence was committed by the personal act, default or culpable negligence of the person accused and the court is of the opinion that a fine will not meet the circumstances of the case, with imprisonment of either description which may extend to six months or with both.”

Motion was carried.

Mr. President : Question is—

“That sub-clause (3) of clause 14 as amended stand part of the clause.”

Motion was carried.

Mr. President : Question is—

“That clause 14 as amended stand part of the Bill.”

Motion was carried.

Clause 15.

Sub-clause (1).

Mr. President : Question is—

“That sub-clause (1) of clause 15 stand part of the clause.”

Motion was carried.

Sub-clause (2).

Lala Mukand Lal, Puri : Sir, I beg to move—

“That in sub-clause (2) of clause 15, the word ‘wholesale’ be added before the word ‘dealer’.”

[L. Mukand Lal Puri.]

We find, Sir, that in the first sub-clause of clause 15 the word "wholesale" occurs before the word "dealer," and ordinarily, the word "such" in the next sub-clause before the word "manufacturer" would be taken to govern "dealer" also. To remove any doubt on the point, however, I propose the insertion of the word "wholesale" before the word "dealer" lest a retail dealer should also be expected to keep accounts.

Mr. President : Amendment moved is—

"That in sub-clause (2) of clause 15 the word 'wholesale' be added before the word 'dealer'."

Shaikh Abdul Ghani : Sir, the first sub-clause of this clause speaks only of a wholesale dealer and the second sub-clause refers to such dealer. I therefore do not think there could be any confusion and the addition of the word proposed looks unnecessary. If my honourable friend Mr. Puri agrees, we need not go into the amendment any more.

Sardar Harbakhsh Singh : The word "such" is there in the sub-clause and the reference is clearly to the wholesale dealer. I do not think that the amendment is necessary.

Dr. Gokul Chand, Narang : I am really surprised that this amendment should be opposed. The word is necessary and it makes the sub-clause clearer. It removes the possibility of doubt for it will be a matter for argument why if the word "wholesale" was intended to be used, as it is used in the previous clause, it has been omitted here. That might be argued by my learned friends who deal in law. It is, therefore, necessary that this ambiguity or even the possibility of a doubt should be removed.

Mr. Alan Mitchell : The honourable mover, I think, has made it perfectly clear that there is no ambiguity in his mind. And I think everybody else is agreed that the addition of the word makes no real difference. If the honourable mover wishes to add it for the benefit of those persons who may read the Bill and may possibly be under this misconception, Government have no objection and do not oppose the amendment.

Mr. President : Question is—

"That in sub-clause (2) of clause 15 the word 'wholesale' be added before the word 'dealer'."

Motion was carried.

Lala Mukand Lal, Puri : I beg to move—

"That the words occurring after the word 'punishable' in sub-clause (2) of clause 15 be omitted."

Mr. President : Amendment moved is—

"That the words occurring after the word 'punishable' in sub-clause (2) of clause 15 be omitted."

Question is that that amendment be made.

Amendment was carried.

Lala Mukand Lal, Puri : I beg to move—

"That after the word 'punishable' in sub-clause (2) of clause 15, the following be added:—

- (a) in the case of a first offence with a fine which may extend to Rs. 250; and
- (b) in the case of second offence with a fine not exceeding Rs. 500; and
- (c) in the case of a subsequent offence with a fine not exceeding Rs. 1,000 or if in the opinion of the court the offence was committed by the personal act, default or culpable negligence of the person accused and the court is of the opinion that a fine will not meet the circumstances of the case, with imprisonment of either description which may extend to six months or with both'."

Mr. President : The question is—

"That after the word 'punishable' in sub-clause (2) of clause 15, the following be added:—

- (a) in the case of a first offence with a fine which may extend to Rs. 250; and
- (b) in the case of second offence with a fine not exceeding Rs. 500; and
- (c) in the case of a subsequent offence with a fine not exceeding Rs. 1,000 or if in the opinion of the court the offence was committed by the personal act, default or culpable negligence of the person accused and the court is of the opinion that a fine will not meet the circumstances of the case, with imprisonment of either description which may extend to six months or with both'."

Motion was carried.

Mr. President : Question is—

"That sub-clause (2) of clause 15 as amended stand part of the clause."

Motion was carried.

Mr. President : Question is—

"That clause 15 as amended stand part of the Bill."

Motion was carried.

Clause 16.

Lala Mukand Lal, Puri : I beg to move—

"That the words beginning with 'and in the case of' in line 6 of clause 16 up to the end of the clause be omitted."

In order to avoid unnecessary discussion I may state that this amendment has been agreed to by Government. The idea is that innocent persons may not be dragged to court. For instance, the Spencers are running refreshment rooms throughout Northern India and if these words are allowed to stand, it is quite possible that the proprietor living far away in Madras will be held liable for the failure on the part of his local representative here to comply with the provisions of this Act. It is to avoid it that I move this amendment.

Mr. President : Question is—

"That the words beginning with 'and in the case of' in line 6 of clause 16 up to the end of the clause stand part of the clause."

Motion was lost.

Mr. President : Question is—

"That clause 16 as amended stand part of the Bill."

Motion was carried.

Clause 17.

Lala Mukand Lal, Puri : I beg to move—

"That in clause 17, after the words 'to which the conviction relates' in lines 4 and 5, the words 'and which has been found to be unfit for human consumption' be added."

[L. Mukand Lal Puri.]

This amendment has also been agreed to by Government. The intention is clear that the food which is unfit for human consumption should only be liable to confiscation and not adulterated food. It should not be possible to a magistrate who is only entitled to inflict a sentence of Rs. 250 to confiscate say margarine worth 2 lakhs. That should be permitted to be sold as adulterated food. That is the idea of the amendment.

4 P.M.

Mr. President : Question is—

"That in clause 17 after the words 'to which the conviction relates' the words 'and which has been found to be unfit for human consumption' be added."

Motion was carried.

Mr. President : Question is—

"That clause 17 as amended stand part of the Bill."

Motion was carried.

Clause 18.

Lala Mukand Lal, Puri : Shall I now move my amendment to omit clause 18 ?

Mr. President : A motion to omit a clause is not an amendment. It is a negation of the clause. But the honourable member may speak against the clause after it has been proposed by the chair.

Motion is—

"That clause 18 stand part of the Bill."

Lala Mukand Lal, Puri : Sir, as I pointed out last time on the floor of this House, this clause is really the crux of the whole trouble. When I moved my amendment to clause 18 for the addition of the word "knowingly" I meant it only as a kind of indirect attack on clause 18.

Mr. President : Then I think I cannot allow the honourable member to make any speech in the House now. He has already spoken to the question.

Lala Mukand Lal, Puri : I wished only to place before the House a few of the arguments which I could legitimately advance while discussing clause 18. You will remember that the you prevented me from discussing clause 18 in detail, and only permitted me to discuss clause 18.

Mr. President : I think the principle of the clause was discussed.

Lala Mukand Lal, Puri : The main argument which has been used on behalf of the Government that the retention of clause 18 is necessary is that it will place the onus of proving that the seller or the possessor knew that the thing was adulterated, on the prosecution. Now this argument, I submit, was a sound argument as applied to the addition of the word "knowingly" in the first sub-clause of clause 18. If the clause runs like this, "No one shall knowingly adulterate articles," the onus would undoubtedly be on the prosecution to prove that the things sold are adulterated to the knowledge

of the seller. But that argument does not apply to the deletion of clause 18. You have been now pleased to retain clause 18 as originally framed, i.e., no person shall sell adulterated articles. So that the argument which was advanced by the Honourable Minister for Local Self-Government and also by the Legal Remembrancer that when a person is caught selling adulterated milk, the prosecution shall be under the necessity of proving not only that he was selling adulterated milk but also the state of his mind, does not apply to the present clause. The present clause, you will be pleased to remember, runs as follows :—

“ In any prosecution under this Act it shall be no defence to allege that the seller was ignorant of the nature, substance or quality of the food sold or offered for sale or exposed or kept for sale or manufactured for sale by him or that the purchaser having bought only for analysis was not prejudiced by the sale. ”

So that the omission of this clause will not affect the onus at all. This clause only debars a person of a possible defence which he could plead and establish, if he is able to do so to the satisfaction of the court. The presumption of *mens rea* will be made as soon as the sale of adulterated article is proved. It will be quite possible in the absence of this clause for an accused to prove that he had absolutely no knowledge of the adulteration. The onus will be on him to satisfy the court, and to establish his innocence, and if he cannot do so the court will hold him to be guilty. That matter is perfectly well settled by not only other English authorities but by the judgments of the Privy Council. I shall read an extract from Gour's Penal Law of India, Volume I, page 258 :—

“ *Mens rea* or guilty knowledge is still essential to prove all guilt, but while in certain Statutes this is expressly provided by the insertion of words such as ‘ knowingly, wilfully, fraudulently, negligently ’ or the like, in others reference to the state of a man's mind is omitted. But *mens rea* is, nevertheless, necessary in both cases—with, however, this difference that while in the one case it must be proved by the prosecution, in the other it need not be so proved, but will be presumed, unless its absence is established by the defence. ”

That was laid down in 1895 in 1 Q. B. 921. If the word “ knowingly ” is there the onus will be on the prosecution, but if this word is not there the existence of *mens rea* will be presumed.

Mr. President : Under what section of the Indian Penal Code do these remarks occur ?

Lala Mukand Lal, Puri : It occurs in a discussion of *mens rea* which is supposed to be a necessary constituent of every criminal act and it occurs in section 26 of the Indian Penal Code in which the words “ reason to believe ” occur. A person is said to have reason to believe anything if he has sufficient cause to believe that thing but not otherwise. If different words about knowledge are put in the section a further onus is thrown on the prosecution and the argument of the Honourable Minister and the Legal Remembrancer would be perfectly correct that if the word “ knowingly ” is added to clause 18, the onus will be on the prosecution which they may in certain circumstances find it difficult to discharge, but here when the word “ knowingly ” is not there, the prosecution have done their duty when they have proved the sale of the adulterated articles. The presumption will be raised in favour of the prosecution which the accused can rebut, but what clause 18 lays down is that the poor accused should never be able to do so. It creates an absolutely irrebuttable presumption. Well, if you are going to lay down an irrebuttable presumption, then what is the use of putting a

[L. Mukend Lal, Furi.]

man on his trial? You provide that a third class magistrate will not try but that a second class magistrate shall try. Why not provide straightaway that when the Chemical Adviser has sent the report, the man shall be convicted straightaway? It will not be possible for him to plead one of the innumerable defences which I submitted last time are open to every accused person, even to persons accused of most heinous offences. The argument, therefore, put forward by the Government does not apply to the omission of this clause. The second argument which was put forward by the Honourable Minister was that a provision like clause 18 is to be found in every enactment. Well, I challenged the Honourable Minister and the Government to point out to me one enactment in which a clause like clause 18 is found enacted without the safeguards which are necessary to modify the effect of clause 18. I was waiting for my learned friend to meet that objection but instead of that he pointed out that this is to be found in the New Zealand Act. You will remember, Sir, the section which was read from the New Zealand Act. That was entirely different from our clause 18, as was pointed out by Dr. Gokul Chand Narang. (*Interruption*). After all why go to New Zealand? Why not go to Timbuctoo, as my honourable friend says? For aught we know, they may be quite as novices in the art of legislation, as we are. I have not been able to get a copy of that Act. It is not to be found in the well known libraries in Lahore. That Act is an Act of 1908 and only the Honourable Minister or his colleagues possess a copy of that. Anyhow that Act is entirely different from the thing which is to be found in clause 18 and certainly is not a matter for us to follow. Then my learned friend pointed out that there is the same provision in the Madras Prevention of Adulteration Act. Now, Sir, I beg to point out that in that case also that provision is hedged in by safeguards which are conspicuous by their absence from this enactment. Even the Madras Food Adulteration Act III of 1919 in the first instance does not provide a penalty of imprisonment. It does not at all interfere with the liberty of the subject. The penalties provided are a penalty not exceeding Rs. 100 for the first offence and a fine not exceeding Rs. 500 for subsequent offences. Again the word "sale" does not bear the same extensive meaning which you have unfortunately given to this word in the definition under the present Bill. According to the present Bill the word "sale" does not only connote what we ordinarily understand by sale. It also includes "possession for the purposes of sale." In the Madras Act, the word "sale" does not bear that extensive meaning. In spite of these restrictions there are the necessary safeguards which may possibly allow an unfortunate victim to prove his innocence if he can prove those facts. This is what section 8 of the Madras Prevention of Adulteration Act III of 1918 says. After making a provision like the one which occurs in clause 18 it has some very necessary safeguards and those safeguards are provided in section 5 of the Act. A similar provision is to be found in the Bengal Food Adulteration Act VI of 1919 which was relied upon as an authority by the Honourable Minister. You will find, Sir, that even in enactments where a provision like clause 18 occurs there are safeguards which enable a person to establish his innocence. Although the Honourable Minister was able to quote three instances of Acts of local legislatures where provision is made with those safeguards, he did not bring to the notice of the House that other provinces

in this country had food legislation of a similar character where no such provision exists at all and there is nothing to show and it has not been demonstrated that the food legislation in those provinces or in those countries had failed because this provision had not been made there. There is in the first instance the Bihar and Orissa Food Adulteration Act No. II of 1919 which does not contain any such provision. On the other hand it contains a provision in section 14 with regard to unopened things or packages about which Mr. Owen Roberts had an amendment. Again there is the Central Provinces Prevention of Adulteration Act No. II of 1919 which also does not contain any such provision like this. In section 4 of that Act there is a proviso which distinctly lays down that a person who proves that he was ignorant of the adulterated nature of the article and in fact had no reason to believe it to be adulterated would be absolved. Why does the Honourable Minister want us not to follow the examples of these provincial legislatures, if provincial legislatures are to be the models which he wants us to follow? He must have noticed that even in the Madras and the United Provinces Acts, clause 18 does not occur in the unalloyed form in which it occurs here. There is a similar provision in the Punjab also, section 137 of the Municipal Act, which contains words exactly similar to clause 18. The essential point to be remembered is that, wherever the legislature of any country has not insisted so rigorously on the presence of *mens rea* as a necessary element in the constitution of the offence, the penalty provided is purely nominal and in the Punjab Municipal Act itself, the maximum punishment provided is a fine of Rs. 100 and this principle is also observed in the two or three salutary enactments which the Honourable Minister has been able to quote in support of this unique piece of legislation. Why should you not follow these very good models—even if you want to follow them—completely? Why should you borrow one section from here and another from there and a part of the penalty section from somewhere else? If you want to follow certain Acts, why do you not follow them completely, instead of copying only a portion of sentence from one enactment and a portion of sentence from another enactment? That would have been better. I have never heard of a legislature copying a particular section from an enactment and omitting the proviso under that section without giving any reason whatever for omitting that proviso. Can you show, can the Honourable Minister meet the force of the observations made from these benches, that innocent persons are likely to be punished? He said "I will do all that is humanly possible to safeguard the innocent persons by means of rules." But is it possible to nullify or even modify the effect of a positive enactment in a statute by means of rules? Anything that he may attempt to do in this direction will be *ultra vires*. Having enacted that ignorance is no defence, can the Honourable Minister frame rules making ignorance a defence? Will any court be able to give effect to the rules? Is it possible for anyone, even a Minister, to get out of the positive enactment of legislature by framing rules? My contention is that the Honourable Minister has not been able to quote to us a single precedent for this unique piece of legislation. Why should he at all go to New Zealand or Madras for this purpose? Ordinarily the Indian Legislature follows the English enactments. Let us also try to find out if there is any such provision in the English law. I do not say that we should always slavishly copy what is found in the English law. But we know that we will be on very sure ground when in legislation of

[L. Mukand Lal, Puri.]

such a far-reaching character we do not embark on new fields but follow the wisdom and experience of persons who are in a much better position than we are. The English Parliament passed a Consolidated Companies Act and at once the Indian Legislature passed an Indian Companies Act which is almost a copy of the English Act. The English legislature passed a Copyright Act and at once the Indian legislature adopted it. Now the English law on the subject under discussion has been consistently clear and has never recognised anything like what is enacted in clause 18. The principal English enactment on the subject was the Sale of Food and Drugs Act of 1875 which was amended in 1879 and again an Act was passed in 1899. All those Acts did not recognise anything like what is enacted in clause 18. This view of English law is succinctly and briefly stated in "Halsbury's Laws of England," Volume XV. On page 17, paragraph 81, it is stated "It is a defence to proceedings in respect of the offences in regard to the sale of any article of food or of any drug mentioned in the two preceding paragraphs if the defendant shows to the satisfaction of the court that he did not know of the article of food or the drug sold by him being so mixed, coloured, stained or powdered, and that he could not with reasonable diligence have obtained that knowledge." That has been the English law since 1875 up till to-day. Have the English courts or the English Government found any difficulty in working the Act? Are the Government benches here in possession of any information that but for the enactment of principles contained in clause 18 the English Government have found great difficulties? In the absence of any information on the point why should we suppose that we will be put to difficulty without this provision and why should we be more anxious to secure the purity of food than the English people? Why should Government think that one kind of law is necessary for India which is quite different from the well-known principle of English law which is administered in England and Scotland? So my contention is that if the Government want to support their case by precedent and authority, I say here is a provision, an English law, dealing with foods and drugs and take it from me that they have been administering it for well nigh a century without finding any difficulty whatsoever. After they have enacted the Act they have not slept over it. They have been continually modifying it in order to improve it and yet they have not found it necessary to enact such a section which is now attempted to be foisted on us.

In addition to what I have read out about the accused being able to prove his innocence by proving ignorance, there are the usual provisions about other matters. The most important point is this. This question of food legislation has been very recently reconsidered by the British Parliament and I do not know if that piece of legislation has been made available to the Honourable Minister for Local Self-Government and his advisers. That Act is an Act to Consolidate the Sale of Food and Drugs Act, 1928. It is 18 and 19, Geo. V, Chapter 81. It consolidates all the provisions of the old legislation on the subject, not only the Food and Drugs Act but also the Butter and Margarin Act of 1907 and all the other relevant legislation. It is a fairly comprehensive Act. You will find, as will appear from the bulk of the book, it is about 31 pages and it deals with most of the matters which are the subject of discussion in this House. Now, Sir, I have gone

through the Act and I place it at the disposal of the Government members to find out if there is anything there corresponding to clause 18 of this Bill. (A voice: They have got it). They got it only yesterday, after being told by me. Well, if the Government before introducing clause 18 in this Bill was aware of this legislation, I should like to know the reason why in spite of the considered opinion of the Mother of Parliaments, they want to introduce a section which did not find a place in this Act which received the assent of His Majesty the King only on the 3rd August 1928; and if they have become aware of this piece of legislation only now, then in fairness they should withdraw this Bill and consider their recommendations in the light of the experience and suggestions found in this latest piece of English legislation.

Mr. Alan Mitchell: If the honourable gentleman will read the Act he is referring to he will find that half of the Punjab Pure Food Bill is taken direct from that Act.

Lala Mukand Lal, Puri: May I ask my honourable friend if there is any provision in this Act, i.e., the English Act of 1928, which prevents an accused person from proving that he did not know that the thing he was selling was adulterated or whether there is anything in that Act corresponding to clause 18 of this Bill? Will the Government tell us why if the English people did not find it necessary to have a similar provision, it is necessary for us? There is a provision in this Act of 1928, sub-section (3) of section 2 (1), which reads that in any prosecution under this section it is no defence to a prosecution to allege that the purchaser having bought only for analysis, was not prejudiced by the sale.

If you look at clause 18, you will find that it runs like this—

"In any prosecution under this Act it shall be no defence to allege that the seller was ignorant of the nature, substance or quality of the food sold or offered for sale or exposed or kept for sale or manufactured for sale by him or that the purchaser having bought only for analysis was not prejudiced by the sale."

I have no objection to the retention in clause 18 of the last three lines, and I distinctly sent an amendment to that purpose, but it was too late. I submit that the retention even of the last three lines is not necessary in our Act. It is necessary in the English Act because "sale" in that Act does not convey the extended meaning which is attributed to it in our Bill. The term "sale" in our Bill includes "being in possession" for the purpose of sale and when you are in possession it is unnecessary to show that the purchaser having bought for analysis was not prejudiced by the sale. So my contention is that some reason should be given as to why they considered it necessary to introduce a provision of law which they themselves admit to be subversive of the ordinary principles of criminal jurisprudence. The Legal Remembrancer was careful to point out by reading out from Broom's Legal Maxims on the last occasion that there is a tendency in some recent municipal legislation not to insist too much on the principles of *mens rea* as constituting the criminality of an act. That may be so, but that tendency has nowhere been applauded or admired, but even if that tendency is there, is that a reason for bringing forward this pernicious piece of legislation which is unique in the whole history of legislation? Simply because, as was pointed out by Dr. Gokal Chand,

[L. Mukand Lal, Puri.]

Narang, the penalty is not so severe as the penalty in our Municipal Act where the fine is Rs. 100, that is no reason for extending the principle that the person should be deprived of all the defence which is open even to the worst criminal of the land. Again, I ask, what is the reason for the Honourable Minister's assertion that but for this provision it would be impossible to secure pure food? Is there any *a priori* reason? I submit, Sir, that certainly they have given no *a priori* reason except the reason of onus which I submit is wrong. But I submit there could be no good reason. If they have any reasons, they must be all imaginary. Had there been any good reasons, would they not have presented themselves to the English legislators? If there is any *a priori* reason for adopting this provision in order to secure the success of the Act, or without which, the Act would be absolutely futile, certainly that reason could not have been ignored by the experienced English legislators who had had at their back experience of food legislation extending well nigh over a century. Government do not give any *a priori* reason why without this provision their Food Act would be useless, except it be that they have set their heart upon it and refuse compromise on this point and having once expressed their opinion they are obstinate, if you, Sir, will excuse me for using that word, say: "we can and we will carry the Bill through."

If they have no *a priori* reason they have no reasons of experience either. Can they point out that the Punjab Adulteration of Food Act of 1919 failed because this provision did not exist there? After all an Act to prevent the adulteration of food has been in existence as the law of the land in the province. Can they as a result of the working of the Act say that this provision is necessary? Can you say that in the absence of this provision you will not be able to secure a supply of pure food? If the experience of your own province does not support you, can you fall back upon the experience of any other province to support the necessity for the enactment of this clause? If you can give a single instance that would be some reason. After all, when Government is asking this House to pass an Act of such a unique character, they must make out a strong case. Can they point to any enactment in this province or in any other province in India where this provision finds a place? Has any court ever brought the necessity of this provision to the notice of district authorities? Has it ever been brought to the notice of Government by district authorities or by municipal boards? My contention before the House is, that this piece of legislation cannot be recommended on grounds of emergency, and is not dictated by past experience of this province nor by the experience of any other province nor even by the experience of other countries where food legislation has been in existence for a longer period. In these circumstances, I submit that this clause should be deleted, and I say in all humility that if Government agrees to my request it loses nothing. Assume for the sake of argument that this provision does not find a place in the Act. What are the difficulties caused by it to Government? I maintain that there are absolutely no difficulties; if there are any they are all imaginary. It is the executive bias of the mind which wants to deprive every individual of his possible defence. It wants the court to assume that every person who is brought before it is guilty. Is it that which induces the Honourable Minister to say that this legislation is necessary? If this legislation is necessary about food, why is it not necessary

about illicit liquor? Why is it not necessary about bombs or other explosives of which a person may be found in possession? Suppose I go to my house and find that in my office three bombs are lying on my table. Prosecution will prove that the bombs have been discovered in my possession, certainly from my house which is in my exclusive possession. But the law gives me the right to prove my innocence, and if I can show that I have not been living in the house for the last six months and for that reason I could not be aware of the existence of the bombs, no harm can come to me. I can have the right to prove my innocence in that case, but the law does not give that same right to the poor shopkeeper if he has in his possession one tin of adulterated ghi or one bag of adulterated flour.

In this country you are fully aware that people do not usually sell things that they have themselves manufactured. I think that almost 99 per cent of the shopkeepers sell things which are manufactured or produced by others. Once this piece of legislation is passed, would it be safe for anyone to sell a single thing which has been manufactured or produced by others? I stock flour prepared by the Shahdara Mills in sealed bags or let it be in open bags. An inspector comes along and finds flour which is not up to the mark and which is adulterated, perhaps contains a bit of more bran than it ought to contain. I tell him, "I know nothing about it, kindly accompany me to the Shahdara Mills and see for yourself that this is exactly the flour which half an hour ago I bought from them and that it exactly corresponds with the bulk that is lying there." Still under this clause I would be liable to be convicted. Under the Acts of Madras and the United Provinces which the honourable member quoted this morning, such a person would have a chance to prove that he had bought the flour from another shop and if he could produce a proof to that effect he would be let off. But under the present Bill that is impossible, for you deprive every person who deals in human food of any opportunity to prove his innocence.

Let us now take the imported stuff. The well known firms of Messrs. Mul Chand & Co., Delhi House or other firms, whether Indian or European, import their foodstuffs from well-known manufacturers in England, Germany or America, firms whose foodstuffs are purchased because they have acquired a reputation. Supposing by an accident on the way or by some accident in the factory one tin is found to be defective, then the person who sells it will be guilty under this Act, because if he succeeds in proving that he bought it from another firm or that he was absolutely ignorant of the existence of the bad stuff, that would be no excuse. It was pointed out, and it is perhaps contemplated also, that these imported stuffs would be somehow or other exempted from the provision of the Act. I submit, Sir, that such a thing would not be done, because if such a thing is contemplated as a kind of inducement to this House to pass this Bill in its present form I submit that this would defeat the very object which this legislation was intended to avoid, and that object was to prevent the import of adulterated ghi from abroad. So that by no rules could you exclude imported stuff or stuff which had been opened and examined by the Customs from the operation of the Punjab Food Act. Therefore I put it to the House that if this enactment in its present form is passed, no dealer of the imported provisions would be safe in dealing with these provisions, because he would know that he was liable to be convicted for selling those provisions in spite of his having

[L. Mukand Lal, Puri.]

taken the utmost precautions in complying with the provisions of this Act. My submission is this, that here is a hasty piece of legislation attempted to be hurried through this House because Government is anxious that it should be hurried through, and without understanding the consequences to which this legislation would lead to. My contention is : Do not be a party to a legislation which will make it impossible for a law-abiding person to deal in imported foodstuff or to deal in foodstuff which he has not himself manufactured. It was asked, what does it matter if these persons are convicted, for after all the sentence in the case of these innocent persons will be very small and in such cases the courts will be very lenient. Is that a reason for supporting this legislation ? There are people who mind conviction much more than the amount of fine which they may have to pay. One rupee fine to-day, one rupee fine the next day for perhaps not putting on proper label, and the third time a sentence of six months' imprisonment.

Mr. President : Was it not the honourable member himself who moved the amendment relating to punishments which he is now criticising ?

Lala Mukand Lal, Puri : No, Sir. The punishments originally proposed were of such a character that I was not able to find a similar provision in any other Acts relating to food of any other legislatures. I have examined all the Pure Food Acts that I could get hold of either from the Bar Association Library or the High Court Library and I do not find punishments provided there corresponding to the ones we find in the present Bill. I am entirely opposed to severe penalties which have been provided in this Bill.

Mr. President : What punishments are provided in the English Act ?

Lala Mukand Lal, Puri : The English Act fortunately distinguishes between the various kinds of offences and provides different kinds of punishments for different kinds of offences. But the present Bill provides the same penalty for all kinds of offences. Of course it gives discretion to courts to make the punishment to suit the gravity of the offence. Even the Acts of other legislatures in India make distinction between various kinds of offences. The present Bill does not define what pure food is and when food is to be called impure ; they have left it to be decided by rules and to be determined by the inspectors. I therefore submit that the present Bill if passed into an Act will become a dead letter. In England to deny the existence of God is felony, but nobody is prosecuted for that. Similarly, if you lay down a rule that anybody, howsoever innocent he may be, is found selling or is found in possession of an adulterated article he is guilty, that rule will certainly become a dead letter. No sensible person will care to prosecute such a person. What is the use of such a legislation ? If it does not become a dead letter, it will lead to wholesale corruption and extortion as my friend Pandit Nanak Chand pointed out. I submit that if this becomes law, innocent persons will suffer more than the guilty. I therefore submit that this clause should be deleted. I do recognise that the Honourable Minister is actuated by a desire to secure the supply of pure food in the province. He deserves to be congratulated for that. But what I ask is, whether it would

not be better under these circumstances that he should proceed with the legislation in the form which will receive universal assent. I suggest that this clause be omitted and that the law be allowed to work for sometime, say six months or one year. If after that period it is found that some such provision as the present clause is necessary, it is perfectly open to him to come before the Council with an amending clause. I think that will be a perfectly justifiable course. There is nothing to prevent him from coming to the Council with an amending Bill and asking that this clause or the clause in an amended form should be introduced in the Act. I submit again that the present Bill will not lose any of the purposes which the Honourable Minister has in view by the omission of this clause. With these words I oppose the clause.

Shah Muhammad Sadiq [Amritsar City (Muhammadan) Urban] Sir, there is no doubt that there is great force in what my learned friend has said. But it cuts both ways. My honourable and learned friend is quite wrong in comparing the Bill with the enactments in England. In England such articles are produced by big manufacturers. On the other hand, in this country you find that most of the things are manufactured in small quantities and are made by people themselves and sold in small shops. For instance let us see what happens if this clause is omitted. A man sells ghi, he is not an expert in ghi. But it is probable that what he sells may contain three-fourths *banaspati* ghi. He sells it as pure ghi and if you ask him why he sells the adulterated ghi, his answer will be as in the Punjabi proverb

میں کوئی تین وچ دیا ہے نہیں ڈال رہا مان

"I do not know what is contained in the tin. I have not seen the inside of it." The result will be that he will escape punishment and consequently the whole force of the Bill will be lost. Some other things may be packed in a tin and it may be a thing which the seller himself does not consume. If you ask him why he sells the adulterated stuff, he will say, "what do I know what the tin contains? I do not even taste the thing contained in it, because I am prohibited by my caste or religion from consuming it. I cannot be held responsible for the quality of the article in the tin." In this case also the seller will escape punishment if this clause is omitted. We have to safeguard the interests of the public as well as the interests of the seller. It is quite true that it will be a harsh thing for a poor seller who buys his articles from a wholesaler to be prosecuted for the quality of the articles he sells which after all he got from the wholesaler and of which he knows nothing. But on the other hand you cannot allow the manufacturers who manufacture these things to plead that they did not know anything about them and thus escape the penalty of the law. Thus it is really a very difficult problem.

Again if my honourable and learned friend had been careful enough to suggest the omission of the clause excepting the last two or three lines, there would have been great force in accepting his amendment. But he says that the whole clause should be omitted. The result will be that if an inspector buys some article which is adulterated, the seller may say "you are buying it only for purposes of analysis and therefore you cannot prosecute

[Sh. Muhammad Sadiq,]

me." Therefore if the whole clause is omitted, it will be possible for everybody to escape the penalty under this law. Then the whole object of the Bill will be destroyed. I know the Honourable Minister promised yesterday and I know he is going to promise to-day at a later stage that he is going to bring in an amending Bill to amend this section.

Mr. President : The honourable member would not please speak for another member.

Shaikh Muhammad Sadiq : I am only repeating what the Honourable Minister said yesterday in the open House that he intends to bring forward an amending Bill. I think there is no harm in saying what he said yesterday. If an amending Bill is brought forward then that defect will be removed. So I appeal to my friend not to press this point just now, but to leave it to Government to amend the clause later on.

Next, my friend said that a similar provision does not exist in any legislation of the world. I say he is wrong in holding that view. It was pointed out only yesterday that a similar provision existed in the Punjab unless the Punjab does not form part of his world. (*A voice :* Not in that form). It exists in the Acts of Bengal, Madras, the United Provinces and Bombay. I think in the Punjab Opium Act and the Chandoo Smoking Act similar provisions have been made, namely that ignorance of fact is no defence. No doubt this clause is very hard upon poor sellers, but I depend so much upon the words of the Honourable Minister yesterday that he intended to bring in an amending Bill. For this reason I appeal to my honourable and learned friend not to press for the omission of the clause for the present.

Dr. Gokul Chand, Narang North-West Towns, (Non-Muhammadan Urban) : Sir, I must congratulate my learned friend Mr. Mukand Lal, Puri, for the very excellent speech that he made on this clause. In fact, I may say his was the best that I have heard without meaning any disrespect to the other members of this Council. (*Hear, hear*). He has torn to shreds the clause as it exists in the proposed Bill. He has pointed out the absurdity of denying to the accused an opportunity of showing that he is innocent. He has quoted various Acts

5 P.M. bearing on the subject and has shown with great clearness that where a clause of this nature exists, there you have other clauses which weaken or mitigate the effect of such a clause. He has also referred to the positive provisions in the English Act which not only does not contain any such provision as clause 18 of the proposed Bill, but has a definite provision in the very first section of the Act, in the proviso, among the general provisions of that Act where it is clearly stated—

"Provided that a person shall not be liable to be convicted. . . ."

Here I would crave my learned friend Mr. Sadiq's particular attention—

"Provided that a person shall not be liable to be convicted under this section in respect of sale of any article of food or of any drug if he shows to the satisfaction of the court before whom he is charged that he did not know and could not with reasonable diligence have ascertained that the article of food or drug, etc., etc."

Shaikh Muhammad Sadiq : What Act is this ?

Dr. Gokul Chand, Narang : The latest English Act which consolidates all the laws bearing on the sale of food and drugs.

Shaikh Muhammad Sadiq : I would support this.

Dr. Gokul Chand, Narang : The honourable member will support all clauses of this kind, I am sure. I want to submit, Sir, that in any penal measure the door to the defence of the accused cannot be shut altogether and in such a case there could not as a rule be any defence except the proof of ignorance. Once a Chemical Examiner has examined anything and declared that it is adulterated, it is not open to the accused to say anything against it. He cannot set up his own chemical agency, nor can he adopt any other means to contradict the prosecution that certain articles on which the prosecution was launched were not adulterated. So the only defence possible in such a prosecution is ignorance and when you make an enactment that ignorance will not be a defence in any circumstances whatsoever, it means that once an inspector catches hold of a person and catches hold of an article of food which is examined by the Chemical Examiner and declared adulterated, no magistrate or court is necessary at all, a conviction may at once be registered even by the inspector himself. No magistrate is necessary for this purpose, because no possible defence is open to him except that of ignorance in such cases. I do not think that it is the intention of the framers of this Bill to deprive the accused of any defence whatsoever. Even the worst offenders are given an opportunity to defend themselves and to prove their innocence. In fact the axiom of criminal law is that every person is presumed to be innocent unless the contrary is proved. We are now being asked to be a party to a measure which presumes that a person is guilty and even an opportunity of showing that he is innocent is denied to him. I therefore submit, Sir, this clause should be entirely deleted or some radical amendment should be made in it by which it may be possible for an accused person to put in his defence and show that he is innocent. So I think the English words may be substituted in its place.

I may submit, that the honourable the Legal Remembrancer has just now put in my hands the draft of an amendment which he is prepared either to propose himself or

Mr. President : Unless the amendment is given to me in writing and seen by me, I am afraid I cannot allow a speech on it.

Dr. Gokul Chand, Narang : I am not going to move the amendment. I have only to submit that the justice of our contention has been recognized and the eloquent and forceful speech of my honourable friend, Lala Mukand Lala, Puri, has brought home the conviction to the framers of this Bill, that this clause as it is, cannot stand. If they put before the House an amendment which meets the exigencies of the case we, for ourselves, will be prepared to give our best consideration to it. That is all I want to say.

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadan) Rural] : Sir, the other day when I opposed the motion that the Select Committee's Report be taken into consideration, clause 18 was in my mind. This is a section which is likely to prove an engine of oppression in the hands of officers

[Pt. Nanauk Chand.]

who are likely to be low paid and also not of the calibre to whom a work of this kind can be and should be entrusted. Now, Sir, the honourable gentleman who has preceded me and the gentlemen on these benches have shown that so far as the principle of criminal administration is concerned the burden of proving his innocence is always on the accused. If this House passes this clause, for the first time in India we shall find that not only the burden of proving the innocence will be taken away but even the opportunity of proving that the accused is innocent, that opportunity, that right, that privilege, which is open to the person, will be taken away from him. Sir, I once more appeal to this House and I want to bring before the House the actual condition in which we in the Punjab live. Times out of number, Sir, it has been pointed out in this House that corruption and extortion prevail amongst those who are entrusted with the destinies of this province, namely, the low paid officers whether in the Police Department, low paid officers whether in the Sanitary Department or other Departments. The result of passing this clause will be not that you will get pure food, not at all, you will increase more corruption. It will be easy to leave inspectors, sanitary inspectors or food inspectors to fill their own pockets, and then it would be open to the shopkeepers and the sellers to make up for the deficiency by selling more impure food. The result that is sought to be achieved by this legislation would be defeated. You will find that so far as our experience in regard to illicit liquor goes, a number of cases come to the court which show that many innocent persons are convicted because of the enmity of their neighbours who approach officers and tell false tales about them. Anybody who has defended the accused in cases of this kind will bear me out that cases of this kind frequently occur. Now let us assume that this legislation is passed and these powers are entrusted into the hands of the sanitary inspectors, food inspectors and other low paid officers, what will be the result? The result will be that the people will be out to wreak vengeance upon their neighbours and enemies. That would be another grave objection. Then, Sir, my submission is this, that if you really want to remedy this defect, the impurity of food, you must proceed cautiously and slowly. One does admire the zeal of the framers of this Bill and their desire to see pure food supplied to the people of this province, but at the same time you should not take away from the people the right of defence which is their cherished right and which has been so long enjoyed in this country wherever the British law has prevailed. It has been a privilege of the accused to plead and show that he is not guilty.

Dr. Gokul Chand, Narang : Even in the barbarous countries.

Pandit Nanak Chand : Even in barbarous countries, as my honourable friend Dr. Narang says, this privilege is given to the accused. I would just give an illustration to the Honourable the Minister for Local Government and the House. Supposing there is a *Hakai* who sells milk as well as some other articles of food. Sanitary inspectors, or food inspectors with peons and police constables surround his shop and he is told that in his shop inside there is a certain article of food which is adulterated. He goes with the inspector inside the shop to show them the alleged adulterated article which is inside the shop. But no adulterated article is found inside the shop, and in the meantime when the shopkeeper is inside his shop, a peon pours

a lot of water in the milk which is being boiled outside the shop. Inspectors will come out and say, 'this milk of yours is adulterated'. The milk will be examined by the Chemical Examiner and will be declared adulterated. Now, according to this clause 18, the plea of ignorance is not available to the poor shopkeeper and he is at the mercy of the court, at the mercy of these petty officials, he will be at the mercy of those who can take small bribe, these petty officers. Such a state of affairs surely ought to be avoided. Therefore, I record my most emphatic protest against this clause and hope that better sense will prevail with the Honourable the Minister for Local Self-Government and he will not permit his zeal for reforms to outrun his common sense.

Diwan Bahadur Raja Narendra Nath (Punjab Landholders): Sir, to the excellent speeches that have been made to-day in this House I have little to add. My honourable friend the member for Lahore has so exhaustively dealt with the subject in moving his amendment that I have hardly any reasonable additions to make. But there is one point to which I wish to particularly invite the attention of this House and it is this, that ours is a provincial legislature. We have not to see what other previous Councils in this country have done, we have not to see what measures other cognate legislatures in other provinces have passed; we have not got to follow the example of New Zealand or any other colony. We cannot reasonably ignore the example set before us by the Mother of Parliaments, the English House of Commons. Ours is but a subordinate legislature. I do not say that it would be unconstitutional for us to ignore the example of the House of Commons, but can we with good grace ignore the example that has been set before us by the House of Commons? This law of 1928 is a consolidated law. It was passed after various other laws had been passed and had been experimented on in practical administration. The House of Commons had evidently before them the law which had been passed by the Parliament of New Zealand and certainly they must have had very good reasons for ignoring the clause contained in the New Zealand legislation. I would therefore appeal to this House that there is no question of any caste or class legislation but that we have got to follow equitable principles and in doing so we must not ignore the example that we have before us in the law of England passed in 1928.

Rana Firoz-ud-Din Khan [South-East Towns (Muhammadan) Urban] (Urdu): As you are aware, Sir, there are different kinds of offences. There are offences in which criminal knowledge is an important ingredient. There are others in which the intention of the accused has to be proved and there is yet another kind of offences in which it is not necessary to prove guilty knowledge or intention. They are technically called absolute offences. Section 363 of the Indian Penal Code is an example of the third kind of offences because to base a conviction under this section, the mere fact that a person has taken away a minor from the custody of his lawful guardian is sufficient. But so far as the present Bill, which we propose to place on the Statute Book, is concerned, knowledge and intention will play an important part in securing the conviction of those accused who are accused of offences under this Bill. I do not think, therefore, that it is advisable to deprive the accused of the right of pleading ignorance before the courts. I fully endorse the opinions of the honourable members who want that clause 18 be deleted,

[Rana Firoz-ud-Din Khan.]

that if this clause is retained as it is, it will cause hardship and will lead to the conviction of many innocent persons. It has been rightly pointed out that it is very likely that an improper use will be made of this clause. The arguments which have been adduced by the honourable mover of the amendment are undoubtedly weighty and cannot be ignored. But the difficulty is that the honourable mover and his supporters want the deletion of the whole clause to which we cannot possibly agree. So far as the words beginning from 'In any prosecution' and up to the words 'exposed or kept for sale' are concerned, I would like them to be deleted. But a manufacturer should not be given the same right of defence. He can not plead, with any show of reason, that he did not know what he was preparing for sale. Similarly the third part of this clause which begins from the words 'and that the purchaser' is necessary as the 'honourable and learned mover himself has admitted. And if we can come to an agreement that only the first part of this clause be deleted, I think no one will object to it. It is a fundamental principle of criminal jurisprudence that the accused should be given the right of pleading ignorance in cases in which mistake of fact is possible and I am, therefore, prepared to lend my hearty support to the demand for the deletion of the first part of clause 18. I am sorry that I cannot support the amendment as it stands.

Rai Bahadur Lala Rattan Chand [Non-official, Nominated] (Urdu) : Sir, the legal luminaries in the Council have placed before the House the defect in the clause from the legal point of view. I as a business man shall content myself with relating a fact which abundantly proves that this clause, if retained as it is, will be a source of great injustice to the commercial world. The tea trade in Amritsar is of great importance. A few months ago a number of small tea sample tins were sent to Amritsar from Madras as samples and on the strength of these samples, many dealers in tea ordered tea from Madras. These orders were being executed and in the course of transit, a box of tea broke and tea leaked out of it at the railway station. An expert happened to be on the spot and he examined the tea. He found; on examination, that it was not pure and he at once made this fact known to all the dealers in the market. But they had been selling it before without having any knowledge of the fact that the tea was adulterated. Now if this law had been in force with clause 18 in it as it is, all these dealers would have been convicted because it would not have been open to them to plead that they were ignorant of the nature or quality of the articles they were selling. The object of this proposed law is to punish the offenders and not the innocent and if this amendment is not carried, the object of the Bill will be surely defeated. The petty shopkeepers and in fact all the shopkeepers can not be expected to be so expert as to detect the nature or quality of the articles of food they may be dealing in. Hence it is necessary that they should be given the right of pleading ignorance in courts when they are accused of any offence under this law. With these few words I support the amendment under the consideration of the House.

Sayad Muhammad Husain [Montgomery, (Muhammadan) Rural] : Sir, I have heard with great interest the arguments adduced by my learned friends and I have to admit that there is considerable force in those arguments. Nobody should like that innocent men

should be convicted and much less myself. But the one thing to which I wish to draw the attention of the House is this. The necessity of passing this Act arose on account of the introduction of *banaspathi ghi* into this province on a large scale. Pressure was brought to bear upon the Honourable Minister to prevent the introduction of *banaspathi ghi* into this province.

There is no denying the fact that we, Punjabis, live upon ghi. Our life, our character, our physique and indeed everything is dependent upon this article of food that we consume to a very large extent in this province. There can therefore be no analogy between this province and any other part of the world. The Kashmiris notwithstanding the fact that they have been accamatised to this part of the country for over three generations still take *tel* and similar is the case in other provinces like Bihar and Orissa, and the United Provinces.

That being so, it is a regrettable fact that even to-day in the Punjab with the exception of those few people who could maintain cows or buffaloes none could get pure, unadulterated ghi. Whenever I come to this city I bring my own supply of ghi to obviate this necessity but unfortunately this time, my supply was exhausted and I could not get pure unadulterated ghi from the whole of Lahore. I daresay that the statement cannot be challenged that throughout this city there is no place where one could get pure ghi. Even that which is sold as the purest quality has at least 10 per cent mixture of the *banaspathi* kind.

It is to safeguard against this situation that this measure has been brought and we wish to pass it through this Council. With all my sympathy with the poor and the innocent, the difficulty is this, how to safeguard the situation which is facing us? It is a point for the consideration of us all. You consume ghi as well as myself and indeed all of us should see that we get pure stuff. Suppose a *bany* buys ghi say in Ghaziabad and it is *banaspathi ghi*. If it is found out to be adulterated, his plea will be and it is a natural one, that he did not know it. He will try to prove his ignorance in all cases. Are we to go and find out from where the article was purchased? He will direct us to one merchant and that merchant to another and so on. We will be going from one dealer to another, from one place to another, to find out who is guilty of adulterating the stuff. The House has to take this factor into very careful consideration that if the supply of pure ghi in the province is to be ensured, a few innocent men will run the risk of being convicted, but every possible care will be taken that the innocent people will be protected. I am sure some time after the passing of the Act every dealer in ghi will get the instruments to test the quality of the article and will satisfy himself as to its purity before purchasing it. We shall have to take some drastic measure and no safeguards should be provided, not even to give an innocent man who not knowingly sells adulterated articles, an opportunity of escaping the penalty of the law, if we are to have pure, unadulterated ghi.

I have said there can be no analogy between the food that we consume and that which others including the Englishmen consume. There can consequently be no analogy between the law enacted for the benefit of such persons and the law which we seek to enact for our benefit. England is a cold country; its outlook is materialistic; all of them take meat. We are

[Sayad Muhammad Hussain.]

spiritual people ; our forefathers have been living upon vegetables, ghi and milk. They still continue to be the mainstay of our life, and there can thus be no analogy between the English law and the law intended for our benefit. The law that we are going to enact is intended to secure the supply of pure ghi and will benefit not only this but generations to come. I may perhaps inform the House of a fact within my personal knowledge. In the researches conducted by a doctor friend of mine to find out which kind of food consumed by several sections of our countrymen contained the most nourishment, we will be glad to know that he placed first the food consumed by the people in Central Punjab. The different kinds of food were given to rats and cats and by the different plethoric changes it was noticed that the food taken by the Central Punjabis was the best. What does that food contain ? It consists of good milk, wheat, vegetables and occasionally meat. This is the food which has been suggested by scientific research to be the best food of the world. I got this information from my friend, a military doctor, he is himself a captain, with whom I had a talk in the course of which he said that it should be a matter for pride to know that we, the Central Punjabis, take the best food in the world. If, therefore, we should continue to take food so rich and pure, it is necessary that a law however drastic it may be should be enacted with a view to eliminate the *banaspathi* ghi from this province.

With these words, I would appeal to the Honourable Minister, the Honourable the Revenue Member and my other honourable friends : if you wish to do away with this crying evil, kindly put in a clause in the Act which would be sufficiently strong to prevent this adulteration in respect of ghi.

Lala Bodh Raj [West Punjab Towns (Non-Muhammadian), Urban]: Sir, I could not understand the argument advanced by my honourable friend Rana Firoz-ud-Din Khan when he said that in the commission of offences under section 353 the element of criminal intention or the guilty knowledge has no place. Does he mean to say that if a person carries away a minor girl from the lawful guardianship of her parents, he is precluded from putting up a defence that he had no criminal intention or guilty knowledge and that he should not be punished for carrying away the minor with *bonafide* intentions and in the interest of the minor ? So long as the Criminal Procedure Code exists on the Statute Book, I would like to know if there is any provision which takes away, to all intents and purposes, the right of defence from the accused. In the fact of this provision an accused, who has been charged under this Act with any one of the offences described therein, is debarred from pleading his innocence under all circumstances. If the Honourable Minister for Local Self-Government or the Legal Remembrancer or any other legal luminary on Government benches is in a position to tell us any possible defence which an accused person can put forward to save himself from the offence with which he is charged under this Act, we shall feel obliged to know that. If that is done, we shall be in a position to say whether this provision should be allowed to remain on the Statute Book or not, and if they are not in a position to point out any possible defence that can be put up by an accused in order to exculpate himself from the offence under this Act with which he is charged, then I see no reason why this clause should be allowed to remain as a part of this Bill.

I think much has been said on the merits and demerits of this clause and it has been pointed out by every member who has spoken on this clause, that it is clearly against the principles of criminal jurisprudence. I, therefore, do not see any reason why we should be a party in enacting such a provision of law which has got no justice. With these few words I would say that this clause should be deleted altogether.

Mr. Din Muhammad [East and West Central Towns (Muahmmadan) Urban] : Sir, I entirely associate myself with the honourable member from Lahore in all the general observations that he has made regarding the canons of criminal jurisprudence. This Pure Food Bill is a public health measure and is one of those pieces of legislation which are enacted in the interests of humanity at large. Its benefits are not confined to one class of people or to another. Its advantages extend to every hearth and home, to every individual who lives here irrespective of caste, creed or colour. I assure the honourable member that it was the extreme solicitude for everybody living in the province that influenced the framers of the Bill to insert this clause by which they considered they would be able to ensure pure food to everybody who lives in the province. It is no doubt true that in the extreme anxiety of theirs they have, to some extent, transgressed the clear canons of criminal jurisprudence (*Hear, hear*). But I do not agree with the honourable member from Lahore in his wholesale condemnation of this sub-clause. I have referred to the provisions of the Indian Penal Code and I see that in that Code also a mistake of fact is excepted provided it is in good faith. And the words "in good faith" mean "with proper care and caution," "with due diligence and care." Now, Sir, if any offender is in a position to prove that with due diligence or care, it was impossible for him to find out whether a certain article was adulterated or not, my respectful submission would be that it would be a travesty of justice and against all elementary principles of law to convict him. (*Hear, hear*). I do not find that it is impossible for the honourable members in charge of this Bill to so modify the provision that it might not only please the oppositionists but also bring the legislation in consonance with laws of justice, equity and good conscience. We are not here to bar the door against all canons of justice. As members of this honourable Council we should realise our responsibility and we should not sponsor an Act which might lower our credit in the eyes of the public at large. I would therefore respectfully request the Honourable Member of the Government in charge of this measure to so modify the provision as to make an effective provision against all those swindlers or cheats and dishonest traders who would take undue advantage of the credulousness on the simplicity of their rustic customers as well as not shut the door against all those provisions of a jurisprudence which have prevailed so far. After all, Sir, this offence is not more serious or more heinous than the offence of murder or the offences involving moral turpitude that are dealt with under the Indian Penal Code. When such serious offences also are subject to those general exceptions which are incorporated in the Code, we should not shut our eyes to the desirability of introducing these very safeguards in this special piece of legislation. I would therefore once more request the Honourable Member in charge of this measure to so modify the Bill as to make a provision for such exceptions and I would also appeal to the honourable mover of this amendment not to move the complete

Mr. Din Muhammad.]

deletion of this clause and not to insist on its elimination. It has already been agreed to by himself that he would not mind keeping the second part of the section in tact and it is possible to so modify the first part as to meet all cases. He would agree with me that there will arise such cases which would be cases of clear bad faith or *mala fides*. We are not here to confer immunity on such persons. It is no doubt true that in the case of an article imported from a foreign land and even in the case of some local manufactures, a trader may not be able to know that the article is adulterated unless he opens its receptacle. But there are certain manufactures both foreign and local in the case of which he can be presumed to know that the article is not pure especially if it is not sold in sealed packages. It would require serious consideration on our part therefore to make some such provision as would meet the ends of justice. We should not be unnecessarily hard on the one side and not be unnecessarily lenient on the other. With these few remarks, I would partially support the honourable mover.

Pandit Nanak Chand : May I make a suggestion, Sir ? The Government members in charge of this Bill and certain other members who spoke from this side of the House are trying to frame a draft which may meet the wishes of both sides of the House and I submit that you will kindly agree to grant time to those members to frame the clause in a calmer atmosphere and not in a hurry.

Mr. President : What does the honourable member suggest ?

Pandit Nanak Chand : My suggestion is that the House be adjourned for the time being.

The Council was adjourned till 2 P.M. on Friday, the 7th December 1929.

PUNJAB LEGISLATIVE COUNCIL.

4TH SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

Friday, the 6th December 1929.

THE Council met at the Council Chamber at 2 P.M. of the clock. Mr. President in the Chair.

STARRED QUESTIONS AND ANSWERS.

EXECUTION OF DECREES OF PANCHAYAT COURTS.

***2731. Sardar Hira Singh, Narli :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether Government is aware of the fact that decrees passed and fines imposed by the panchayats are not executed and warrants of attachment are not issued for months together owing to the indifference on the part of the local authorities ;
- (b) if the answer to the above be in the affirmative, what action Government intends to take to ensure that the realisation of fines and execution of decrees be not delayed in future ?

The Honourable Malik Firoz Khan, Noon : (a) No such complaint has reached Government.

(b) Does not arise.

ROAD FACILITIES.

***2732. Sardar Hira Singh, Narli :** Will the Honourable Minister for Agriculture kindly state whether Government is aware of the fact that there are very few good roads in each district by which the produce of the zamindars can be carried to the markets ?

The Honourable Sardar Sir Jogendra Singh : The attention of the honourable member is invited to the " Road reclassification scheme " which outlines the policy of Government with regard to the improvement of road communications in this province. The possibility of giving effect to this policy turns of course on the general financial prosperity of the Punjab, coupled with the willingness of the Legislative Council to vote funds for the purpose. The statistics contained in the Report of the Indian Road Development Committee, 1927-28, do not suggest either that the Punjab in comparison with other parts of India is specially backward in its system of roads.

HAILSTORMS IN THE KANGRA DISTRICT.

***2733. Chaudhri Ram Singh :** Will the Honourable Revenue Member kindly state—

- (a) whether it is a fact that in the months of September and October 1929 the Kangra district was subject to the fury of a number of hailstorms which has resulted in the destruction of crops—

[Ch. Ram Singh.]

over a large area of the district and in the impoverishment of the zamindars who are unable to pay land revenue ;

- (b) if so, will the honourable member kindly lay on the table a statement showing the amount of damage done by the hailstorm in each tahsil of the Kangra district ;
- (c) the measure of relief proposed to be given to the zamindars so affected ?

The Honourable Mian Sir Fazl-i-Husain : I regret the answer to this question is not yet ready. It will be communicated to the hon'ble member when ready.

ESTABLISHMENT OF A MUNICIPAL COMMITTEE IN SHEIKHPURA.

***2734. Dr. Gokul Chand, Narang :** Will the Honourable Minister for Local Self-Government be pleased to state how long more he is likely to take to decide whether a municipal committee should be established in Sheikhpura ?

The Honourable Malik Firoz Khan, Noon : On the special recommendation of local officers, Government agreed to allow the present arrangements to continue till April next when the case will again be considered.

ACCIDENTS NEAR VERKA RAILWAY PHATAK.

***2735. Chaudhri Afzal Haq :** Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether it has been brought to his notice that on the 9th of October 1929, Shaikh Muhammad Husain, hide merchant, Amritsar, met with a motor accident near Verka railway Phatak, resulting in the death of his two daughters and one son and serious injuries to himself, wife and to another son ;
- (b) whether it is a fact that there is a dangerous road curve where the said Shaikh Sahib met that fatal accident ;
- (c) whether it is a fact that several accidents took place at the very same place in 1928-29 ; and, if so, what is their number, and whether any compensation was allowed to the sufferers ;
- (d) whether it is a fact that the Public Works Department, in spite of several accidents, did not erect a caution signal at that dangerous spot ;
- (e) whether it is a fact that near the same spot there is also a dangerous pit ;
- (f) if so, why no steps have been taken to guard against such accidents, and whether the Government will be pleased to state the steps they propose to take to prevent the recurrence of such accidents in future near Verka railway Phatak ?

The Honourable Sardar Sir Jogendra Singh : I cannot say till I hear from the authority concerned who has been requested to supply the necessary information.

COURT CLERK, FINANCIAL COMMISSIONERS' OFFICE.

***2736. Dr. Gokul Chand, Narang :** Will the Honourable Revenue Member please state—

- (a) from what date the post of Clerk of Court to the Financial Commissioner is held by Muhammadans successively ;
- (b) how many Muhammadan incumbents of this post have held it from that date ;
- (c) why on each occasion, when the post in question fell vacant, the claims of Hindus or Sikhs were not considered ?

The Honourable Mian Sir Fazl-i-Husain : (a) 2nd April 1922.

(b) Seven (including two officiating incumbents).

(c) The claims of Hindu, Muhammadan and Sikh candidates were duly considered on each occasion, and the best man was selected.

DEPUTY COURT CLERK AND TRANSLATOR, FINANCIAL COMMISSIONERS' OFFICE.

***2737. Dr. Gokul Chand, Narang :** Will the Honourable Revenue Member please state—

- (a) from what date the posts of Deputy Clerk of Court and Translator in the Financial Commissioners' Office are held by Muhammadans ;
- (b) whether the claims of Hindus or Sikhs were considered at the time when these posts were last filled ;
- (c) what are the educational qualifications of the present incumbents as compared with those of their predecessors ?

The Honourable Mian Sir Fazl-i-Husain : (a) The Deputy Clerk of Court is a Hindu. The Translator is a Muhammadan, who has held the post since March 2nd, 1925.

(b) Yes.

(c) Both are Matriculates, as were their immediate predecessors.

GOVERNMENT GIRLS' HIGH SCHOOL, HISSAR.

***2738. Lala Joti Parshad :** Will the Honourable Minister for Education please state—

- (a) when the Government High School for Girls was started at Hissar ; and
- (b) what is the number of students and lady teachers communitywise in the school at present ?

The Honourable Mr. Manohar Lal : (a) 1st May, 1929.

	Hindus.	Muslims.	Sikhs.	Christians
(b) (i) No. of students ..	107	27	2	8
(ii) Lady teachers ..	2	2	..	2

KISANS OF SKINNER'S ESTATE.

***2739. Lala Joti Parshad :** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that a mass meeting of Kisans of Skinner's Estate was held at Garhi in the Hissar district on 10th November 1929 ;
- (b) whether it is a fact that they resolved not to pay taxes to their landlords till their legitimate grievances were redressed ;
- (c) what steps Government proposes to take to settle this matter ?

The Honourable Mian Sir Fazl-i-Husain : (a) Yes.

(b) The honourable member is not correctly informed.

(c) Government will be glad to see better understanding prevailing between landlords and tenants and will gladly help towards that end.

INTERMEDIATE ARTS COLLEGES.

***2740. Lala Joti Parshad :** Will the Honourable Minister for Education be pleased to state—

- (a) the places where intermediate arts colleges are proposed to be opened in 1930 ;
- (b) when is the turn of Gurgaon or Hissar or of both to come for opening of an intermediate arts college ?

The Honourable Mr. Manohar Lal : (a) Montgomery and Hissar, subject to funds being available.

(b) There is no proposal at present to open an intermediate college at Gurgaon.

VEGETABLE GHI.

***2741. Lala Joti Parshad :** Will the Honourable Minister for Local Self-Government please state the names of the municipalities which have been assisted by Government to frame bye-laws to control the sale of vegetable ghi up to now ?

The Honourable Malik Firoz Khan, Noon : A list of the municipalities and notified areas which have been assisted or are being assisted to frame such bye-laws is laid on the table.

List of municipal and notified area committees which have been assisted by Government to frame bye-laws to control the sale of ghi and hardened oils.

1. Khanewal.
2. Mianwali.
3. Dalhousie.
4. Rohtak.
5. Kamalia.
6. Shujabad.
7. Banga.
8. Dharmasala.
9. Rewari.

10. Ferozepore.
11. Sharakpur.
12. Dinanagar.
13. Jahanian.
14. Rawalpindi.
15. Gurdaspur.
16. Batala.
17. Rajanpur.
18. Abohar.

FAMINE IN KARNAL DISTRICT.

***2742. Lala Joti Parshad :** Will the Honourable Revenue Member please state—

- (a) whether Government is aware that dire famine is prevailing in the Karnal district, especially in Kaithal sub-division;
- (b) whether it is a fact that the same scarcity and famine has been raging in the above sub-division since the last four or five years;
- (c) what help Government has rendered and in what manner has come to the rescue of the people up till now;
- (d) if the answer to (a) be in the affirmative, what immediate steps Government proposes to take to alleviate the sufferings of the people there?

The Honourable Mian Sir Fazl-i-Husain : (a) and (b) No, though crops in some cases have not been good.

(c) and (d) Land revenue has been suspended and in a few cases remitted, where necessity arose. Taccavi has been liberally advanced. No other measures were called for.

IRRIGATION FACILITIES IN THE KAITHAL SUB-DIVISION.

***2743. Lala Joti Parshad :** Will the Honourable Revenue Member please state—

- (a) whether Government is aware that there are very limited means of irrigation in the Kaithal sub-division of the Karnal district;
- (b) if so, what measures do Government contemplate to adopt to provide irrigation facilities?

The Honourable Mian Sir Fazl-i-Husain : (a) Yes.

(b) The matter will be considered under the Bhakra Dam Project.

AGRICULTURAL DEMONSTRATION FARMS.

***2744. Lala Joti Parshad :** Will the Honourable Minister for Agriculture please state—

- (a) whether it is a fact that there are no agricultural demonstration farms in the Kaithal sub-division of the Karnal district;
- (b) what steps Government intends to take to make up that deficiency?

The Honourable Sardar Sir Jogendra Singh : (a) Yes.

(b) None at present.

TEST FAMINE RELIEF WORKS, HISSAR DISTRICT.

***2745. Lala Joti Parshad :** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that some test famine relief works are being started in the Hissar district;

[L. Joti Parshad.]

- (b) if so, will Government give the details of the scheme in hand for measures of relief ;
- (c) whether it is a fact that a proposal has been made for paying ten pice a day as wages to labourers ;
- (d) what is the average daily wage to an unskilled labourer in the Hissar district ?

The Honourable Mian Sir Fazl-i-Husain : (a) Yes.

(b) Test works are being started at (1) village Bawan, Tahsil Fatehabad, on Fatehabad-Bahuna-Tohana District Board unmetalled road.

(2) Ellenabad, Tahsil Sirsa, on Ellenabad-Sirsa District Board unmetalled road.

(3) Bawani Khara, Tahsil Hansi, on Bawani Khara-Tosham District Board unmetalled road.

(c) No.

(d) Six annas to nine annas a day.

THEFT OF FUEL WOOD BY CONSTABLES IN ROHTAK.

***2746. Lala Joti Parshad :** Will the Honourable Finance Member be pleased to state—

- (a) whether Government is aware that two constables of police were accused of stealing fuel wood by the Chamars of Rohtak on 10th October 1929 ;
- (b) whether the case against the constables was investigated ; if so, what was the result of the investigation by the police ;
- (c) if the answer to (b) be in the negative, what action does Government propose to take in the matter ?

The Honourable Mr. A. M. Stow : (a) Two Chamars did make a complaint that two constables stole wood.

(b) The case was investigated but nothing could be proved against the constables, and the case remained untraced.

(c) Does not arise.

SUICIDE DUE TO POLICE OPPRESSION IN ROHTAK.

***2747. Lala Joti Parshad :** Will the Honourable Finance Member please state—

- (a) whether Government is aware that one Beragi of thana Khund, tahsil Sonapat, in the district of Rohtak, threw himself into a well on account of police oppression ;
- (b) whether it is a fact that, when the above case went up to the High Court, the honourable judges gave a clear finding as to police oppression ;
- (c) in view of the above finding of the High Court, has Government taken any action against the police officers concerned ?

The Honourable Mr. A. M. Stow : (a) Yes, a Beragi who was suspected in a burglary case threw himself into a well. A magisterial enquiry held immediately after exonerated the police, and a court acquitted the Beragi of attempted suicide on the ground that he did not intend to kill himself.

(b) Four of the Beragi's friends or relations were convicted in a case under sections 382/147, Indian Penal Code, and the Hon'ble Judges who upheld the conviction passed strictures on the behaviour of the police.

(c) The Head Constable and Constable who took part in the investigation during which the Beragi jumped into the well have since been convicted and sentenced to imprisonment in another case under section 390, Indian Penal Code ; this other case has been referred to the High Court for the enhancement of sentence and orders are awaited on that reference. On the receipt of the High Court's order the question of prosecuting the Head Constable and Constables concerned in the case mentioned by the Hon'ble Member will be further considered.

SATTA GAMBLING IN ROHTAK TOWN.

***2748. Lala Joti Parshad :** Will the Honourable the Revenue Member please state whether *satta* gambling is being openly practised in Rohtak town and that no steps are being taken by the police to stop it ?

The Honourable Mian Sir Fazl-i-Husain : Government has received no complaints of *satta* gambling in Rohtak town. Enquiries instituted on the hon'ble member's question have elicited a report that there is a certain amount of such gambling in secret, and that the police have instituted a prosecution against certain persons alleged to be concerned in it. Government is making further enquiries.

INSPECTORS OF CO-OPERATIVE SOCIETIES AND INSPECTORS OF CONSOLIDATION OF HOLDINGS.

***2749. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Agriculture please state—

(a) whether there is any difference in the importance of duties performed by the Inspectors of Co-operative Societies and the Inspectors of Consolidation of Holdings ;

(b) if the answer to (a) be in the negative, will he kindly state the reasons as to why there is a difference between the rates of increments and salary drawn by the two kinds of Inspectors ?

The Honourable Sardar Sir Jogendra Singh : (a) Yes.

(b) The Inspectors of Co-operative Societies are mostly graduates on a permanent pensionable establishment. Inspectors of Consolidation of Holdings are usually selected from patwaris on a temporary basis.

MUSALMAN AS REGISTRAR OF THE EDUCATION DEPARTMENT,

***2750. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Education be pleased to state whether a Mussalman has ever been appointed to the post of Registrar of the Education Department ; if not, why ?

The Honourable Mr. Manohar Lal : No ; but a Muslim officiated as Registrar of Examination for the period from the 13th September, 1928, to the 14th November, 1928. In regulating appointments, many factors are taken into consideration. It is not in the public interest to state reasons for any particular appointment.

SLAUGHTER HOUSE AT QADIAN.

***2751. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Member for Finance please state—

- (a) whether the slaughter house at Qadian was built with the permission of the Deputy Commissioner, Gurdaspur ;
- (b) if so, whether it is a fact that the Hindus and Sikhs demolished this slaughter house in the presence of the police ;
- (c) if the answers to (a) and (b) above be in the affirmative, what action the Government have taken in the matter ; if no action has been taken, what are the reasons for it ;
- (d) whether the Government intends to uphold the orders of the Deputy Commissioner ?

The Honourable Mr. A. M. Stow : (a) Yes.

(b) and (c). The honourable member is referred to the answer to part (b) of question No. *2555.¹

(d) The honourable member is referred to the order of the Commissioner, dated 9th October 1929, a copy of which is laid on the table. The order of the Commissioner explains the present position :—

1. M. Fazal Karim for certain Muhammadans and one Christian of Qadian and the surrounding villages.

2. Pandit Amir Chand for Sikhs, Hindus and certain Muhammadans of villages, Nathpur, Rampur, Rajada Chima, Bhatewa, Kot Todar Mall.

SUPPORTING MR. MOTI SAGAR.

3. Lala Krishan Gopal for Sikhs, Hindus and Muhammadans of Qadian, Mansurke, Kotla-Musa, Thikriwala and Butar.

SUPPORTING MR. MOTI SAGAR.

4. Lala Charan Dass, for Sikhs, Hindus, and certain Mohammadans of villages Bhangwan, Salahpur, Padhori, Tughalwala, Basra, Kahlwan and Dalla, supporting Mr. Moti Sagar,

Rai Bahadur Lala Moti Sagar,

Dr. Gokul Chand, Narang.

Ch. Zafrullah Khan for Mohammadans.

B. Sheikh Mohammad, Pleader for Crown.

Special Crown counsel for this case.

ORDER.

References—Section 43 of Act IV of 1872, and Rules I—III prescribed in Punjab Government Notification No. 819 of 15th July 1890.

This is an application for revision of the order of the Deputy Commissioner, Gurdaspur, issuing a license on 30th April, 1929, to Mr Islam and Khuda Bakhsh of Qadian to perform *kine slaughter* in Bhaini Bangar. On 7th August 1929, the Deputy Commissioner decided at Qadian that this slaughter house site should not be used; but that the Muhammadans should carry on the work for the present inside Qadian, at a suitable spot, and that ultimately they should select a site for a slaughter house contiguous to New Qadian. In accordance with this decision the Deputy Commissioner issued written orders on 20th August 1929, cancelling the license until further notice. As the license has been cancelled by the Deputy Commissioner, the application for revision abates.

2. At the same time, in view of the words "until further notice" in the Deputy Commissioner's order of 20th August, the following remarks may be made:—

There is nothing on record to show that there would have been any danger of riot or affray or disturbance of the peace if a slaughter house had been built in New Qadian which is a suburb of Qadian. The first application was for a license for a beef slaughter house and shop at Qadian. If there was no danger of breach of the peace or of riot or affray, then the Deputy Commissioner had no power to grant a license. It is only in the case of a municipality or other place falling within the definition of "town" or "town lands" in notification No. 819, of 15th July 1890, that the Deputy Commissioner can grant a license without reference to the question whether there is danger of riot, affray or breach of the peace. Qadian, though it is a small town with a Small Town Committee, does not fall within the definition of "town" or "town lands." It is my considered opinion that there would have been no breach of the peace if a slaughter house had been erected in New Qadian. I base this opinion on the report of the Tahsildar, dated 12th January 1929, and the absence of evidence to the contrary. It is true that certain Muhammadans of Qadian, Bhaini Bangar and others of the small group of Muhammadan villages in this Sikh tract have from time to time objected to the proposal, but they have now closed their ranks. It is also true that "Jhatka" slaughter in Qadian has annoyed some of the Muhammadans. Relations between the communities in that neighbourhood are on the whole not unfriendly, and it was unfortunate that it was ever decided to locate the slaughter house in the open fields of Bhaini Bangar. As regards the present position, Ch. Zafrullah Khan, M.L.C. for the Ahmadiya Community of Qadian, contends that "if there is a slaughter house in New Qadian, there is not the slightest fear of the breach of the peace and therefore not the slightest use of applying 'Rule III', while Dr. Gokul Chand, Narang, representing the other side, states in court that "if there was no apprehension of breach of the peace, riot or affray on 30th April, there was no case for applying Rule III. The Crown can set aside and be neutral. Let no further action be

[Hon'ble Mr. Stow.]

taken. Let New Qadian and Old Qadian be treated as any other villages."

Counsel for the Deputy Commissioner at the same hearing stated that "there was no such danger of breach of the peace, riot or affray on or about 30th April, as would justify action under Rule III."

3. Whether there is any such danger now is for the Deputy Commissioner to decide. If he decides that such danger does exist he will doubtless consider—

- (a) that there is no established custom of kine slaughter all the year round in that neighbourhood;
- (b) that the question arises whether reasonable annoyance would be caused to the surrounding villages by the license of a slaughter house in New Qadian; and whether the phrase "reasonable annoyance" should not be interpreted with reference to the mentality and intellectual capacity of the villagers;
- (c) that the Muhammadans claim that there exist very exceptional circumstances which justify the grant of such a license. Ch. Zafullah Khan, M.L.C., urges in this connection that Qadian is historically Muslim, founded by Muslim and owned, so far as regards agricultural land, by Muslims, mainly of one family; that not a single non-Ahmadiya is an owner in all Qadian, that Ahmadiyas are increasing and that the percentage of non-Ahmadiyas goes on decreasing; that the percentage of non-Muslims was only 14 per cent. in the census of 1921. He urges that there is a real economic necessity. He points out that the unsuccessful applications for licenses in 1915 and 1928 were not pin-pricks but genuine indications of economic need: that the community did not press these applications because they balanced self-interest against reasonable regard even to the unreasonable feelings of their neighbours and were prepared to bear loss with equanimity. He contends, however, that there has been a great change in Qadian since 1926. It now has a Telegraph Office, a Small Town Committee, and a railway. It has schools, both spiritual and secular, both for boys and girls. It holds second place in the province for the issue of newspapers and periodicals. He states that cattle are always killed there on the Id, and that 200 cattle are killed either at Batala or near Qadian each year for the guests of the head of the community in Christmas week. These now number 15,000, of whom 10,000 come by rail, and this annual gathering has taken place for 30 years. The population of New Qadian consists mainly of the lower middle class, comparatively poor. Some used to beef while others have taken to it as cheaper than mutton. This population includes persons who have migrated from the United Provinces and elsewhere to New Qadian. It is a model suburb in which a large number of the houses have compounds of two kanals or more in area. It

lies in an arc with a radius of $\frac{1}{2}$ mile in which there is no non-Ahmadiya house. Finally, he urges that it is wiser to place a slaughter house in New Qadian than to risk importing beef from Batala with probable clashing on the way with non-Muslims.

4. Whether the Deputy Commissioner should or should not consider that the circumstances of New Qadian are such as now to justify the issue of an order licensing a slaughter house therein under Rule III, is a matter in which I do not desire to fetter his discretion.

5. For the above reasons, the application for revision which has abated, is hereby filed. The position is, therefore, that no license for a slaughter house exists at present, and that, until or unless the Deputy Commissioner decides to license a slaughter house in Qadian or Bhaini Bangar, no kine slaughter can take place in either Qadian or Bhaini Bangar : for the Deputy Commissioner has not cancelled his prohibitory orders issued under Rule III : he has merely cancelled a license until further notice.

POLICY OF THE MINISTER FOR EDUCATION.

***2752. Chaudhri Muhammad Abdul Rahman Khan :** Will the Chief Secretary kindly state—

- (a) whether the Government has received any complaints from the Mussalmans of the Punjab against the unjust policy pursued by the Minister for Education in the Education Department ;
- (b) whether he is prepared to lay copies of these complaints on the table ; if not, why not ?

Mr. H. M. Cowan (for Chief Secretary) : (a) Government has not been able to trace any such representation.

(b) Does not arise.

***2753. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Agriculture please state—

- (a) whether it is a fact that swarms of locusts visited different parts of the Punjab this year and did a great deal of damage to the crops ;
- (b) if so, what preventive measures were taken by the Government against this pest ;
- (c) if no preventive measures were taken by the Government, what are the reasons for the same and what steps Government proposes to take in the future to prevent a recurrence of such calamities ?

The Honourable Sardar Sir Jogendra Singh : (a) Yes.

(b) Government has adopted every practicable measure to destroy the locusts in co-operation with the people.

(c) Does not arise.

FLOOD DAMAGES.

*2754. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Revenue Member please state—

- (a) whether it is a fact that the zamindars of the Punjab have suffered heavy losses as a result of the recent floods;
- (b) if so, what action has been taken by Government to give relief to the affected zamindars;
- (c) if no action has so far been taken, what are the reasons for the same and what steps do Government propose to take in the matter now?

The Honourable Mian Sir Fazl-i-Husain : (a) Yes.

(b) Large sums of money have been placed at the disposal of the Deputy Commissioners concerned for distribution of gratuitous relief, and advances as *taccavi*. A statement showing them in detail is laid on the table. In addition relief in the way of remission of land revenue will be given where necessary.

(c) Does not arise.

AMOUNTS DISTRIBUTED IN DISTRICTS AFFECTED BY FLOODS.

I.—For gratuitous relief.

	From Government funds.	From monies granted by the Indian People's Famine Trust.
	Rs.	Rs.
Gujrat ..	10,000	9,000
Shahpur ..	20,000	40,000
Jhelum ..	20,000	25,000
Attock ..	3,500	5,000
Mianwali ..	15,000	35,000
Jhang ..	8,000	6,000
Multan ..	..	5,000
Muzaffargarh ..	35,000	22,500 + 15,000
		(balance from flood relief fund collections of 1924).
Dera Ghazi Khan ..	50,000	22,500

II.—For advances as *taaccavi*.

Act XIX of 1888. Act XII of 1894.

	Rs.	Rs.
Gujrat	30,000	64,000
Shahpur	30,000	2,75,000
Jhelum	20,000	1,80,000
Attock	1,00,000	2,00,000
Mianwali	50,000	5,40,000
Montgomery	40,000	65,000
Jhang	30,000	1,20,000
Multan	50,000	1,57,000
Muzaffargarh	45,000	4,55,000
Dera Ghazi Khan	30,000	4,60,000

FALL OF WATER LEVEL IN JULLUNDUR DISTRICT.

*2755. **Chauhdri Muhammad Abdul Rahman Khan :** Will the Honourable Member for Revenue please state—

- whether it is a fact that the water-level in the Jullundur district has gone down and that the zamindars have suffered heavy losses on account of the same;
- if so, what action the Government have taken in the matter; if no action has been taken, what are the reasons for it;
- whether the Government intend to take any steps in the matter now?

The Honourable Mian Sir Fazl-i-Husain : (a) The water level in parts of the Jullundur district has fallen.

(b) and (c) The matter is engaging the attention of Government; two senior officers of the Irrigation Department are about to examine the problem on the spot. The further action that will be taken largely depends on their report.

FAILURE OF CROPS IN JULLUNDUR DISTRICT.

*2756. **Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Member for Revenue please state—

- whether it is a fact that rains have failed continuously for three years in the Jullundur district and that crops have suffered in consequence;
- if so, what relief has been granted to the zamindars so affected;
- if no relief has been granted to them, what are the reasons for the same and do Government propose to give any relief now?

The Honourable Mian Sir Fazl-i-Husain : (a) No, though it has been below normal the average rainfall of the last three years has been 17.47 against the normal average 25.27.

(b) and (c) The average total matured area of the years in question was 753,023 against the settlement average of 760,926 on which the assessment is based.

MUSLIM REPRESENTATION IN THE ENGLISH OFFICES OF DEPUTY COMMISSIONERS, JULLUNDUR.

***2757. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Member for Revenue please state—

- (a) whether it is a fact that all the superintendents of English offices of the Deputy Commissioners in the Jullundur division are non-Muslims ;
- (b) if so, what action Government intends to take to give proper representation to the Muslims in these appointments ?

The Honourable Mian Sir Fazl-i-Husain : (a) Yes.

- (b) On a vacancy occurring the most suitable man will be appointed.

SUPERINTENDENTS OF DEPUTY COMMISSIONERS' OFFICES.

***2758. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Member for Revenue please state—

- (a) whether it is a fact that the superintendents of Deputy Commissioners' offices are not transferred at fixed intervals and that they are given extensions of service after reaching the age of superannuation ;
- (b) whether there are any rules governing the transfers of the said officers ;
- (c) if so, what are they and why are they not enforced ?

The Honourable Mian Sir Fazl-i-Husain : (a) The answer to the first part of the question is "Yes." The second part of the question is not clear. In this connection the honourable member's attention is, however, invited to Fundamental Rule 56 (b), according to which a ministerial officer may be required to retire at the age of 55, but should ordinarily be retained in service, if he continues efficient up to the age of 60 years.

(b) No.

(c) Does not arise.

SUB-REGISTRAR, NAKODAR.

***2759. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether the Government have received any complaints against the Sub-Registrar of Nakodar to the effect that he received illegal gratification and attested registration deeds at the shop of deed-writers instead of attesting them in his office ;
- (b) if so, what action has been taken against him ?

The Honourable Malik Firoz Khan, Noon : (a) Yes.

(b) The cases are being investigated with a view to seeing whether a *prima facie* case suitable for prosecution in the Courts exists.

SUB-REGISTRAR, BUNGA.

***2760. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether the sub-registrar of Bunga has been confirmed in his post; if not, why not;
- (b) whether it is a fact that in 1928 one Cursetjee, a shopkeeper, got him arrested for non-payment of a loan;
- (c) whether it is also a fact that a number of complaints regarding the corruption practised by the said official were received and enquired into by the Government;
- (d) if the answers to (a), (b) and (c) above be in the affirmative, what steps the Government have taken or proposes to take against him?

The Honourable Malik Firoz Khan, Noon : (a) The Sub-Registrar in question has not so far been confirmed as certain complaints were made against him and had to be investigated.

(b) Not so far as Government are aware.

(c) Certain complaints were received and an enquiry was held. The report of the enquiring officer is now under consideration.

(d) No decision has yet been reached.

STUDENTS AND ARMISTICE PARADE, RAWALPINDI.

***2761. Lala Bodh Raj :** Will the Honourable Finance Member please state—

- (a) if it is a fact that the local authorities at Rawalpindi had issued instructions to the authorities of local schools asking their students to attend the armistice parade and salute the Union Jack;
- (b) if he is aware of the fact that the school authorities compelled the students against their consent to attend the said parade and salute the Union Jack;
- (c) if so, what are the reasons for the Deputy Commissioner meddling with the school affairs?

The Honourable Mr. A. M. Stow : (a) No.

At the suggestion of prominent local non-officials schools were invited, if they so desired, to send boys from the upper middle classes to witness the Armistice day parade in the enclosure specially erected for those members of the civil population who wished to attend.

(b) No.

The Union Jack was not saluted.

(c) The local authorities saw no reason to refrain from adopting the suggestion made to them by members of the public that school children of the middle and upper classes should be invited to attend the parade.

PRESIDENT, MUNICIPAL COMMITTEE, KASUR.

***2762. Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government please state—

- (a) if it is a fact that Mr. Ghulam Mohay-ud-Din, President, Municipal Committee, has been the managing proprietor of the Central Flour Mills, Kasur ;
- (b) if he withdrew any amount from the funds of the Committee as octroi refund on the goods of the said mills without any verification by the members and without any sanction of the committee ;
- (c) if an objection has been taken to such illegal payment by the auditors ; if so, if the President has refunded the amount ?

The Honourable Malik Firoz Khan, Noon : The required information has been called for from local officers and a reply will be communicated to the honourable member when ready.

OCTROI REFUND, KASUR MUNICIPALITY.

***2763. Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government please state if his attention has been drawn to the fact that thousands of rupees are being refunded to the traders at Kasur from municipal funds as octroi refund without any verification of their goods by the members and without any sanction of the committee, and if it is a fact that no action has been taken against the clerks at fault ?

The Honourable Malik Firoz Khan, Noon : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member as soon as it is ready.

MISAPPROPRIATIONS, KASUR MUNICIPALITY.

***2764. Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government please state if it is a fact that certain temporary misappropriations by the Secretary, Municipal Committee, Kasur, have been brought to the notice of the Commissioner who has recommended that the official at fault be punished, and if it is a fact that no action has been taken by the Committee in the matter ?

The Honourable Malik Firoz Khan, Noon : A report has been called for from local officers and the information required by the honourable member will be furnished to him in due course.

PRESIDENT, MUNICIPAL COMMITTEE, KASUR.

***2765. Lala Bodh Raj :** Will the Honourable Minister for Local Self-Government please state if it is a fact that the President, Municipal Committee, Kasur, by his own order set aside a resolution of the committee passed in the meeting of the 12th August 1929 in the matter of reduction of posts for terminal tax inspectors, if so, why ?

The Honourable Malik Firoz Khan, Noon : The required information has been called for from local officers and a reply will be communicated to the honourable member when ready.

GRANTS-IN-AID IN THE AMBALA DIVISION.

***2766. Chaudhri Duli Chand :** Will the Honourable Minister for Education kindly state—

- the reasons for curtailing grants-in-aid in the Ambala division ;
- the names of schools belonging to the educationally backward tribes in the division ;
- whether greater or lesser reductions have proportionally been made in the aforesaid schools than in the other schools of the division ?

The Honourable Mr. Manohar Lal : The information is being collected and will be supplied to the honourable member when ready.

FALL IN THE STRENGTH OF THE HIGH SCHOOLS IN THE AMBALA DIVISION.

***2767. Chaudhri Duli Chand :** Will the Honourable Minister for Education kindly state whether it is a fact that the total number of students in High Schools in the Ambala division is on the decrease now, and, if so, what are the reasons ?

The Honourable Mr. Manohar Lal : The information is being collected and will be supplied to the honourable member as soon as ready.

TRANSFERS FROM THE INSPECTING TO THE TEACHING BRANCH AND VICE VERSA.

***2768. Chaudhri Duli Chand :** Will the Honourable Minister for Education kindly state regarding the province—

- the number of teachers in the teaching branch transferred to the inspecting branch from 1927 up to now and the number of agriculturists among them ;
- the number of teachers in the inspecting branch transferred to the teaching branch from 1927 up to now and the number of agriculturists among them ?

The Honourable Mr. Manohar Lal : A statement giving the requisite information is laid on the table :—

1	2	3	4	5
Number of persons transferred from teaching to inspecting line during the period from 1st April 1927 to 31st October 1929.	Number of persons belonging to notified agricultural tribes among those mentioned in column 1.	Number of persons transferred from the inspecting to teaching line during the period from 1st April 1927 to 31st October 1929.	Number of persons belonging to notified agricultural tribes among those mentioned in column 2.	REMARKS
53	29	86	20	

APPOINTMENT AND DISMISSAL OF TEACHERS IN DISTRICT BOARD
EMPLOY.

***2769. Chaudhri Duli Chand :** Will the Honourable Minister for Education kindly state—

- (a) whether he or the officers of the Education Department are authorised to appoint or dismiss teachers in district board employ ;
- (b) if so, under what law and whether the Minister for Local Self-Government is also consulted ?

The Honourable Mr. Manohar Lal : (a) No, the Minister exercises no such power but the Divisional Inspectors and District Inspectors of Schools exercise certain powers where these have been delegated to them under section 19-A of the Punjab District Boards Act.

(b) Does not arise.

APPOINTMENT AND DISMISSAL OF TEACHERS IN DISTRICT BOARD
EMPLOY.

***2770. Chaudhri Duli Chand :** Will the Honourable Minister for Education kindly state whether a circular letter has been circulated to the district boards advising them to delegate their powers of appointment and dismissal to Inspectors of Schools ?

The Honourable Mr. Manohar Lal : No.

LOCAL RATE.

***2771. Mian Ahmad Yar Khan Daultana :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that local rate is not charged on the permanent well revenue before the expiry of the protective lease in the Pakpattan tahsil of Montgomery district and other districts of the province ;
- (b) whether it is a fact that in Multan district local rate is charged on such wells ;
- (c) if so, what are the reasons for this difference ?

The Honourable Malik Firoz Khan Noon : The required information is being collected from local officers. It will be communicated to the honourable member in due course."

LAND REVENUE.

***2772. Mian Ahmad Yar Khan Daultana :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that land revenue is generally charged on the first crop in case two crops are sown in one season on a particular piece of land ;
- (b) whether it is a fact that land revenue is charged on both of the crops in Multan district ;
- (c) if so, why ?

The Honourable Mian Sir Fazl-i-Husain : (a) No.

(b) Yes, where the land revenue is fluctuating.

(c) In accordance with the scheme sanctioned at settlement.

LAND REVENUE.

***2773. Mian Ahmad Yar Khan Daultana :** Will the Honourable the Revenue Member be pleased to state—

- (a) whether it is a fact that maize (makki) is generally sown as a catch crop with cotton and used as a fodder ;
- (b) whether it is a fact that such mixed crops are assessed to full land revenue in case of failure of the cotton crop ;
- (c) whether it is a fact that maize sown in March and April is assessed at fodder crop rate, that is, at Re. 1-8-0 per acre, while that sown after April is assessed at Rs. 5 per acre ;
- (d) whether it is a fact that maize sown with cotton receives the same treatment as in (c) in case of failure of the cotton crop ;
- (e) if the reply to (d) is in the affirmative, will the Government be pleased to state why maize sown mixed with cotton and used as fodder is not invariably assessed at fodder rates ?

The Honourable Mian Sir Fazl-i-Husain : (a) No.

(b) Perhaps the honourable member means water rates. If so, the reply is that the rate for maize is charged. If land revenue is meant, then the reply is that no distinction is made between cotton and maize.

(c) Yes.

(d) Yes.

(e) Because maize sown mixed with cotton can be used both as a fodder and as a grain crop.

ACREAGE RATE.

***2774. Mian Ahmad Yar Khan Daultana :** Will the Honourable Revenue Member be pleased to state—

- (a) the action the Government has taken on the various representations about acreage rate made by the zamindars of the non-perennial canals in the Sutlej Valley Project ;
- (b) what was the amount of acreage rate per acre proposed in the beginning ;
- (c) whether it is a fact that the Government has reduced the acreage rate ; if so, what is the present rate ?

The Honourable Mian Sir Fazl-i-Husain : The honourable member's attention is invited to the answer to starred question No. 2698¹ given on the 8th December 1929.

MOHARRUM PROCESSION, KAITHAL.

***2775. Lala Joti Parshad :** Will the Chief Secretary please state—

- (a) whether it is a fact that Hindus of Kaithal observed a complete hartal on the occasion of last Moharrum as a protest against the action of the local authorities in insisting upon allowing the procession to pass by certain route in spite of the objection of Hindus ;
- (b) whether it is a fact that the local authorities refused to grant license for Ramlila procession except on certain conditions which were put forward by the Muhammadans ;
- (c) if so, what were the conditions imposed by the local authorities ?

Mr. H. M. Cowan (for Chief Secretary) : It is regretted that the reply to this question is not yet ready. It will be communicated to the honourable member when ready.

OPIMUM SMUGGLING.

***2776. Lala Joti Parshad :** Will the Honourable Minister for Agriculture please state—

- (a) whether it is a fact that opium is smuggled on a large scale in Hissar district from Bikaner State territory.
- (b) if so, what steps Government proposes to take to stop this smuggling ?

The Honourable Sardar Sir Jogendra Singh : (a) It is believed that opium is smuggled on a considerable scale from Bikaner State territory into Hissar District.

(b) The Excise Department is doing all it can to control the illicit traffic and Government does not think any fresh action is called for at present.

(For questions and answers Nos. 2777-2781 please see the debates for 9th December 1929.)

HEADS OF DEPARTMENTS AND UNDER-SECRETARIES.

***2782. Rai Bahadur Lala Mohan Lal :** Will the Chief Secretary to Government please state what are the reasons for styling the Inspector-General of Police and the Director of Public Instruction as Under-Secretaries when some other heads of departments are designated as Secretaries ?

Mr. H. M. Cowan (for Chief Secretary) : Because in the latter case the heads of departments are Secretaries to Governments, whereas in the former case they are not.

[R. B. Lala Mohan Lal.]

- (b) if so, whether the details regarding the composition and functions of the Commission have been settled and whether they would be laid on the table?

Mr. H. M. Cowan (for Chief Secretary) : (a) Government has reached no decision on the matter.

(b) The creation of a Public Services Commission for the province would entail legislation and the Legislative Council would therefore have full opportunity for the examination and discussion of any measure that might be proposed by Government.

ASSISTANT COMMISSIONERS, PUNJAB.

***2786. Rai Bahadur Lala Mohan Lal** : Will the Chief Secretary to Government please state—

- (a) the sanctioned number of Assistant Commissioners in the Punjab ;
(b) the number roughly ear-marked from the above for the post of sub-divisional officers ?

Mr. H. M. Cowan (for Chief Secretary) : (a) Twenty-seven excluding leave, training and deputation reserves.

(b) No number is ear-marked. The posts of Sub-Divisional Officers are inferior posts borne on the Indian Civil Service cadre and the number actually filled by Assistant Commissioners varies with the state of the Indian Civil Service cadre and the exigencies of the service.

JUNIOR SECRETARY TO FINANCIAL COMMISSIONERS FROM PROVINCIAL CIVIL SERVICE.

***2787. Rai Bahadur Lala Mohan Lal** : Will the Chief Secretary please state—

- (a) the names, emoluments and duration of appointment of the P.C.S. officers who have held the post of Junior Secretary to the Financial Commissioners since 1st January 1921 ;
(b) whether there is any proposal under consideration for reserving the appointment for the members of the P.C.S. ?

Mr. H. M. Cowan (for Chief Secretary) : (a)—

	<i>Emoluments.</i>	<i>Duration.</i>
Khan Bahadur Zaman Mehdi Khan	Pay as for a "listed" post.	4 months.
Khan Bahadur Mian Abdul Aziz ..		6 "
Mr. H. J. Pearson ..		2 "
Khan Bahadur Sheikh Khurshaid Mohammad.		2 years and 7 months.

(b) No, the post is a superior post on the Indian Civil Service cadre and is included among the listed posts on the executive side to which Provincial Civil Service officers may be appointed.

I. C. S. APPOINTMENTS.

***2783. Rai Bahadur Lala Mohan Lal :** Will the Chief Secretary to Government please state—

- (a) the total number of I. C. S. appointments sanctioned for the Punjab ;
- (b) how many of these are superior and how many inferior ;
- (c) when was this classification introduced and for what reasons ;
- (d) how many of the above superior and inferior appointments, respectively, are reserved for members of the P. C. S. ;
- (e) what is the percentage of such P. C. S. officers to the total strength (both superior and inferior) of I. C. S. officers ;
- (f) the minimum and maximum pay of an officer of the I. C. S. holding (i) a superior and (ii) an inferior post ;
- (g) the minimum and maximum pay of an officer of the P. C. S. promoted to (i) a superior listed and (ii) an inferior listed post ?

Mr. H. M. Cowan (for Chief Secretary) : (a) The total number of Indian Civil Service appointments sanctioned for the Punjab is 108. The honourable member will understand that the sanctioned cadre is in excess of this number in order to provide for deputation, leave and training reserves.

(b) Superior 81 ; Inferior 27.

(c) Information is not available regarding the date of this classification. The classification is based on the number of superior and inferior appointments.

EMPLOYMENT OF THE MEMBERS OF THE P. C. S. BY THE GOVERNMENT OF INDIA.

***2784. Rai Bahadur Lala Mohan Lal :** With reference to the reply given on the 1st March 1928 to starred Council question No. 1005¹ will the Chief Secretary to Government please state—

- (a) whether any members of the P. C. S. have ever got an opportunity of serving in the Government of India ;
- (b) if so, their names, the department in which they served and the duration of their service ?

Mr. H. M. Cowan (for Chief Secretary) : (a) and (b) If the honourable member will specify the posts under the Government of India which he has in mind, an endeavour will be made to supply the information.

A PUBLIC SERVICES COMMISSION FOR THE PUNJAB.

***2785. Rai Bahadur Lala Mohan Lal :** Will the Chief Secretary to Government please state—

- (a) whether it is a fact that Government contemplate the appointment in the near future of a Public Services Commission in the province ;

¹ Vol. XI, pages 235-236.

PROVINCIAL CIVIL SERVICE OFFICERS IN THE JAIL DEPARTMENT ON
THE EXTRA ASSISTANT COMMISSIONERS CADRE.

***2788. Rai Bahadur Lala Mohan Lal :** Will the Chief Secretary to Government please state for what specific period the names of P.C.S. officers who have elected to go over to the Jail department will be borne on the cadre of Extra Assistant Commissioners ?

Mr. H. M. Cowan (for Chief Secretary) : No specific period has been fixed.

PREFERENTIAL TREATMENT TO CERTAIN PROVINCIAL CIVIL SERVICE
OFFICERS.

***2789. Rai Bahadur Lala Mohan Lal :** Will the Chief Secretary to Government please state—

- (a) whether it is a fact that Khan Sahib Khan Ahmad Hassan Khan, P. C. S. and Khan Sahib Sheikh Nur Muhammad, P. C. S., are getting Deputy Commissioners' pay although there are many members of the P.C.S. above them who are still getting their time-scale of pay ;
- (b) if this is so, the reasons for this preferential treatment ;
- (c) the date or dates from which the Deputy Commissioner's pay is being allowed to them ?

Mr. H. M. Cowan (for Chief Secretary) : (a) and (c) Yes; Khan Sahib Khan Ahmad Hassan Khan is drawing the pay of a 'listed' post from 30th April 1929 and Khan Sahib Shaikh Nur Muhammad is drawing the minimum pay of a 'listed' post, viz., Rs. 1,275 from the 1st October 1928.

(b) Khan Sahib Khan Ahmad Hassan Khan has been placed on special duty to revise the land revenue assessments of the Attock and Gujrat districts and in this capacity his status has been sanctioned as that of a Settlement Officer. Khan Sahib Nur Muhammad is Civil Member of the Water-logging Committee the work attached to which is important and he has been protected from financial loss when any officer junior to him is appointed to officiate as Deputy Commissioner.

Government does not accept as correct the honourable member's description of these arrangements as preferential treatment.

SUPERSESSION OF MR. E. H. LINCOLN OVER HIS SENIORS.

***2790. Rai Bahadur Lala Mohan Lal :** Will the Chief Secretary to Government please state—

- (a) whether it is a fact that Mr. E. H. Lincoln, P. C. S., has been appointed as Deputy Commissioner over the heads of more than a dozen members of his service senior to him ;
- (b) whether the persons above him or any of them have been definitely superseded or been considered unfit to hold charge of a district ;
- (c) if not, the reason why preference has been given to Mr. Lincoln ?

Mr. H. M. Cowan (for Chief Secretary) : (a) It is a fact that Mr. Lincoln has been appointed officiating Deputy Commissioner of Muzaffargarh and that about twelve officers senior to him are not in charge of districts.

(b) Government does not consider that it is in the interests of the public service, or fair to the officers concerned, to discuss their merits in reply to a Council question. Government does not, however, wish to suggest either that all the officers concerned are considered to be fit or that they are all considered to be unfit to hold charge of a district.

(c) Because he was considered to be the most suitable officer available for the particular charge of the Muzaffargarh district in the then conditions of that district.

SPECIAL PAY TO MR. E. S. LEWIS.

***2791. Rai Bahadur Lala Mohan Lal :** Will the Chief Secretary to Government please state—

(a) whether it is a fact that Mr. E. S. Lewis, P. C. S., is getting a special pay of Rs. 300 per mensem as First Assistant to the Deputy Commissioner Lahore.

(b) if so, why?

Mr. H. M. Cowan (for Chief Secretary) : (a) Yes.

(b) Previous to the War it was the practice to post to Lahore a senior European Indian Civil Service officer as First Assistant to the Deputy Commissioner. Owing to the shortage of Indian Civil Service officers it was not possible to maintain this practice after the War. After the communal riots which occurred at Lahore in 1927, the position was reviewed by Government which came to the decision that the special conditions of Lahore demanded that a senior European or Anglo-Indian officer of the Provincial Civil Service should be stationed there as First Assistant to the Deputy Commissioner. Since the number of such officers is small, this decision, in the absence of any special allowance, would have involved the posting to Lahore of an officer often against his wishes and not infrequently to his prejudice. In these circumstances, and having regard to the importance and responsibilities of the post, a special pay of Rs. 200 per mensem was attached to it. A motor allowance of Rs. 100 per mensem was also sanctioned in view of the fact that the duties of the First Assistant require the extensive use of a motor-car.

NAME AND EMOLUMENTS OF UNDER-SECRETARY TO GOVERNMENT IN THE CIVIL LIST.

***2792. Rai Bahadur Lala Mohan Lal :** Will the Chief Secretary to Government please state—

(a) whether it is a fact that the post of Under-Secretary to Government is shown under Part II-E of the Civil List corrected up to 1st April 1929 which relates to listed appointments ;

(b) whether it is a fact that while the names and emoluments of other officers holding listed appointments are published in

this part, the name and emoluments of the officer holding the post of Under-Secretary to Government are not so published;

- (c) if so, the reasons for this omission;
- (d) whether his emoluments are less than those of other officers holding listed appointments;
- (e) if so, the reasons for this differentiation?

Mr. H. M. Cowan (for Chief Secretary): (a) and (b) Yes.

(c), (d) and (e) The honourable member is referred to the answer given to his question No. 1451¹ (unstarred).

CONFIDENTIAL REPORTS OF OFFICERS.

***2793. Rai Bahadur Lala Mohan Lal:** Will the Chief Secretary to Government please state—

- (a) the total number of annual confidential reports which Government require to be submitted in regard to the work of officers of the L.C.S., I.M.S., P.G.S. and the Indian Police, respectively;
- (b) the dates of submission of such reports;
- (c) the designations of officers submitting such reports;
- (d) the extent to which the contents of such reports are made known to the officers concerned?

Mr. H. M. Cowan (for Chief Secretary): A statement containing the required information is placed on the table.

¹ Page 751 *infra*.

[Mr. Cowan.]

ANNUAL CONFIDENTIAL REPORTS ON THE WORK OF OFFICERS OF THE I.C.S., P.O.S., I.M.S. AND THE INDIAN POLICE.

Serial no.	Name of Service.	Total number of annual confidential reports which Government require to be submitted annually.	Dates of submission of reports.	Designation of officers submitting these reports.	Extent to which contents of such reports are made known to the officers concerned.
1	I.C.S.	Three— 1. One on the work of revenue officers. 2. One on the work of magistrates. 3. One on the work of officiating Deputy Commissioners.	Reports nos. 1 and 3 are for the year ending 30th September and are submitted after that date. Report No. 2 is for the Calendar year and is submitted to Government early in the following year.	Reports nos. 1 and 2 emanate from Deputy Commissioners. The report on revenue officers is submitted to Government through Commissioners and the Financial Commissioners, who add their remarks. Similarly District and Sessions Judges and the High Court add their remarks on the work of magistrates. Report no. 3 is submitted to Government by Commissioners through the Financial Commissioners.	Where reports are of such a nature as to cause Government to consider the work of any officer to have been clearly unsatisfactory, the substance of these is invariably communicated to the officer concerned. When an officer has been commended for exceptionally good work, a commendation is communicated to him.
2	P.O.S.	Ditto	Ditto	Ditto.	The entire report is communicated to the officers concerned.
3	I.M.S.	One	After 1st April each year so as to reach the Director-General, I.M.S. by 1st of July.	Heads of Departments, i.e., Inspector-General of Civil Hospitals, Director of Public Health or Inspector-General of Prisons as the case may be	The substance of adverse remarks, except as regards temperamental defects, which are irreparable is communicated to the officers concerned.
4	Indian Police	One	January each year	Deputy Inspectors-General of Police and Assistant Inspector-General of the Railway Police.	

APPOINTMENT OF RETIRED MEMBERS OF THE PROVINCIAL CIVIL SERVICE AS SUPERINTENDENTS OF JAILS.

***2794. Rai Bahadur Lala Mohan Lal :** Will the Honourable Finance Member please state—

- (a) whether it is a fact that there are at present at least three retired members of the Provincial Civil Service who are working as Superintendents of Jails ;
- (b) if so, the reasons why retired members of a service who have passed the normal age of efficiency have been selected for these appointments ;
- (c) the number of members of the Provincial Civil Service in active service who applied for those appointments but were not taken ;
- (d) the reasons for passing them over in favour of retired members of the service ;
- (e) whether it is the policy of Government to re-employ generally retired members of a service ?

The Honourable Mr. A. M. Stow : (a) There are three retired members of the Provincial Civil Service who are working as Superintendents of Jails.

(b) and (d) It was not in the interests of the public service to depute too many serving members of the Provincial Civil Service to the Jail Department, since the demands on the Provincial Civil Service are very heavy. The retired members of the Provincial Civil Service selected as Superintendents of Jails are fully capable of performing their duties efficiently.

(c) Fifty members of the Provincial Civil Service in active service applied for appointment to the post of Superintendent of Jail of whom three were appointed. The honourable member will, of course, understand that in this, as in all cases of deputation from one department to another, a primary consideration is whether the services of the officer concerned can be spared by the department to which he belongs.

(e) The general policy of Government, subject to occasional exceptions made in the public interest, is not to re-employ retired members of a service in appointments reserved for that service. In the case now under consideration the appointments were not reserved for the Provincial Civil Service and, as explained above, it was in the interests of the public service as a whole to employ three retired members of the Provincial Civil Service.

SPECIAL ASSISTANT COMMISSIONERS, ARMY REMOUNT DEPOT.

***2795. Rai Bahadur Lala Mohan Lal :** Will the Honourable the Revenue Member please state—

- (a) the year since which the system of appointing Special Assistant Commissioners (officers of the Army Remount Depot) is in force ;
- (b) the reasons why they are designated as Special Assistant Commissioners and the privileges, if any, attaching to such designation ;

[R. B. L. Mohan Lal.]

(c) the reasons why of all departments under the control of Government, officers of the Army Remount Department should have been singled out for such a distinction?

The Honourable Mian Sir Fazl-i-Husain : (a) 1908.

(b) The reasons were that it was desired to give Circle Officers, *i.e.*, District Remount Officers, a recognised position in the eyes of horsebreeders. No privileges are attached to this designation, except that in certain cases the powers of a Collector under section 24 (a) of the Colonization of Government Lands (Punjab) Act of 1912 have been conferred on such Special Assistant Commissioners.

(c) The Army Remount Department is the only department of the Government of India in which officers have to exercise executive powers under the control of civil executive officers, and with the assistance of the subordinate executive staff.

RECRUITMENT OF DISTRICT AND SESSIONS JUDGES.

***2796. Rai Bahadur Lala Mohan Lal :** With reference to the reply given on the 1st March 1928 to starred question no. 1012¹ regarding recruitment of District and Sessions Judges, will the Chief Secretary to Government please state—

- (a) the number of senior Sub-Judges who have since been appointed substantively or acting Sessions Judges or Additional Sessions Judges ;
- (b) how many of them prior to their appointment as such were given special training in criminal work for one year ;
- (c) if all of them were not given such special training, the reasons why this was not done ?

Mr. H. M. Cowan (for Chief Secretary) : (a) Sixteen, of whom two have been made permanent. All except three were officiating as District and Sessions Judges at the time question no. 1012¹ was answered.

(b) and (c). All these officers were formerly Extra Assistant Commissioners and exercised 1st class criminal and section 80 powers for many years prior to their appointment as officiating or temporary Additional Sessions Judges.

LISTED POSTS IN THE JUDICIAL AND EXECUTIVE SIDES OF THE PROVINCIAL CIVIL SERVICE.

***2797. Rai Bahadur Lala Mohan Lal :** With reference to the reply given on the 1st March 1928 to starred question no. 1011², will the Chief Secretary to Government please state—

- (a) whether it is the intention of Government to remove the disparity in the number of listed posts on the judicial and executive side of the Provincial Civil Service.
- (b) if not, why not ?

¹Vol. XI, page 238.

²Vol. XI, pages 237-238.

Mr. H. M. Cowan (for Chief Secretary) : (a) and (b) There are at present seven listed posts on the judicial side (including two reserved for members of the Bar) and eight on the executive side. In accordance with the orders of the Government of India and Secretary of State these numbers have to be increased to eight and ten respectively by 1939.

Government do not consider that there is any disparity of listed posts between the two branches having regard to the strength of the two cadres and the number of superior judicial and executive posts respectively.

SCARCITY CONDITIONS IN AMBALA DIVISION.

***2797-A. Mir Maqbool Mahmood** : Will the Honourable the Revenue Member please lay on the Council table a statement on the recent and present day scarcity conditions in the Ambala division ?

The Honourable Mian Sir Fazl-i-Husain : A statement on the recent and present day scarcity conditions in the Ambala division is laid on the table.

In the *Press Communiqué* issued by Government in June last summing up the situation as regards scarcity and famine in the Punjab generally, a reference was made to the scarcity conditions then prevailing in the Hissar, Rohtak and Gurgaon districts due to failure of the last *kharrif* and *rabi* crops as a result of the unsatisfactory nature of the monsoon. The measures taken by Government to relieve the economic distress in these districts consisted of liberal grants to the district boards of these districts by the Communications Board to provide labour on roads ; an allotment of over Rs. 17,000 to Commissioner, Ambala division, for the construction of three bunds in the Gurgaon district which, besides providing labour will add to the permanent prosperity of the district by holding up, and thus securing for agricultural purposes, water which at present generally runs to waste ; a loan of Rs. 5,000 without interest to the Municipal Committee of Bhiwani in Hissar district to provide labour ; introduction of concession rates for the carriage of fodder by rail ; the appointment of a Fodder Adviser for the supply and distribution of fodder as *taacavi* in the areas affected by shortage of fodder ; and suspension and remission of land revenue where necessary. It will have been noticed from the *Press Communiqué* issued a few days ago that the monsoon in these districts was again seriously in defect, particularly in September. In that month rain is very necessary as it serves not only to ripen the autumn crops but also enables large areas to be put under winter crops. It is true that some portions of these districts, e.g., the greater part of the Jhajjar tahsil of Rohtak, did not fare badly, and the same remark applies to other villages in them, in which rain fell more abundantly than elsewhere. But on the whole the monsoon in these districts was unsatisfactory to a degree. The situation in the unirrigated portions of them is being most carefully watched by Government. Crop inspections have only recently been finished and it is therefore as yet not possible to say accurately what suspensions and remissions of this harvest's land revenue demand will be made, but the particular attention of the Commissioner of Ambala has been directed to this important matter, and, in coming to a decision, the fact that the present disappointing harvest has followed two very poor seasons

[Hon'ble Mian Sir Fazl-i-Husain.]

will be duly borne in mind. Government has recently made the old rule that fixed land revenue which had been under suspension for three years should generally be remitted, if it has been found impossible to collect it in the interval, more lenient, in that under a new rule now in force the question of how much suspended land revenue can prudently be collected and how much should be remitted is taken into consideration in each village where the collection of land revenue has been suspended for three harvests. The figures of land revenue suspended and remitted in these districts since *rabi* 1928 are :—

		<i>Suspended.</i>		<i>Remitted.</i>	
		Rs.		Rs.	
Hissar	.. ..	8,87,659	..	2,150	
Rohtak	.. ..	2,73,186	..	52,833	
Gurgaon	.. ..	9,80,819	..	1,14,705	

In addition to the suspension and remission of land revenue relief has been afforded by liberal advances of *taccavi* loans for the sinking of wells and for purchase of seed-grain, bullocks and fodder. The amounts advanced on these accounts since April, 1928 are :—

		Rs.	
Hissar	.. ..	9,72,000	
Rohtak	.. ..	4,65,000	
Gurgaon	.. ..	11,60,000	

The Fodder Adviser who was appointed to organise supplies in the distressed portions of the Ambala division, provided over two lakhs of maunds of fodder in the Hissar and Gurgaon districts up to the end of August. Concession rates for the import by rail of fodder into the affected areas are still in force and will be extended as necessary. They involve Government in considerable expenditure.

Test works were opened last summer in the Gurgaon district, but rain fell shortly after their opening, and they were closed. A considerable amount of labour was however employed on the construction of bunds in that district. The situation in the other two districts was not such as to necessitate test works, but the Public Works Department opened *kankar* quarries in the Hissar district : Rs. 15,350 was disbursed on them in payment to labourers. The Communications Board has also, since the beginning of April, devoted half a lakh of rupees to the maintenance and development of roads in these three districts, which has provided considerable scope for local labour. A sum of about Rs. 30,000 more has been sanctioned for the construction of three other bunds in the Gurgaon district. A meeting of the heads of the Revenue and Public Works Departments was held on November 9, 1929, to discuss the economic situation in the Ambala division generally and particularly test relief works. The Commissioner of Ambala said that no action was required to relieve distress in the Ambala district. Nor, for the present at any rate can Karnal district be considered as gravely distressed ; the weakest tahsil Kaithal, indeed fared better in the matter of rainfall than other tahsils. Gurgaon, Hissar and Rohtak give, however, cause of anxiety. It has been decided to open four test works in Gurgaon and three in Hissar. As the district boards of both these districts are not

in a sound financial position, a sum of Rs. 20,000 each has been placed at the disposal of the Deputy Commissioners for the purpose. The Rural Sanitary and Improvement Board is constructing three more bunds in the Gurgaon district and it is also proposed to construct six other bunds in that district at an estimated cost of Rs. 79,000. The programme of famine relief works was discussed, and a provisional list of such works was approved. It was considered that, if famine works on a large scale have to be started in Gurgaon, the construction of bunds should be given preference over any other work. In other districts the question whether test or famine works should take the form of tanks or kutchra roads should be decided according to the circumstances of each case.

UNSTARRED QUESTIONS AND ANSWERS.

PUNJAB HEALTH SCHOOL, LAHORE.

1431. Chaudhri Yasin Khan : Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that the instruction imparted at the Punjab Health School, Lahore, is done in English and the students who are generally Matriculates find it difficult to follow the lectures ;
- (b) if the answer to part (a) is in the affirmative, will Government kindly state the reasons for making English as the medium of teaching in this elementary school ?

The Honourable Malik Firoz Khan, Noon : (a) Yes.

(b) Government will place the question before the Standing Committee of the Punjab Legislative Council on Public Health for consideration.

ENCROACHMENTS ON VILLAGE ROADS.

1432. Mr. E. Maya Das : With reference to the answer given to question no. 912,¹ that villagers themselves are responsible for the welfare of village roads, will the Honourable Member for Revenue be pleased to state if this has been successful in giving the necessary protection to village roads from encroachment and otherwise; if not, what action does Government propose to take ?

The Honourable Mian Sir Fazl-i-Husain : Not quite and therefore enquiries have already been instituted into the matter to see to what extent the evil exists and in which parts of the province. As soon as these enquiries are completed, the matter will be brought under careful consideration of Government.

RECRUITMENT OF POLICE INSPECTORS.

1433. Rai Sahib Chaudhri Chhotu Ram : With reference to question no. 77 of 1916 asked by Chaudhri Lal Chand and the answer thereto appearing at page 285 of the book relating to the Council proceedings of 1916, will the Honourable Member for Finance kindly state—

- (a) the number of Inspectors of Police appointed by direct recruitment since the date on which that question was asked ;

[R. S. Ch. Chhotu Ram.]

- (b) the number of Inspectors of Police appointed by promotion since the date referred to in (a) ;
- (c) the number of Hindu Jats appointed Inspectors of Police, either by direct recruitment or by promotion (separately) since the date referred to in (a) ?

The Honourable Mr. A. M. Stow : (a) 11.

(b) 120.

(c) None.

GRANTS TO LOCAL BODIES.

1434. Rai Sahib Chaudhri Chhotu Ram : Will the Honourable Minister for Local Self-Government kindly state—

- (a) the total average annual grant made by Government to district boards ;
- (b) the total average annual grant made by Government to municipalities in the province ;
- (c) average annual grant made to each of the municipalities of Lahore, Simla, Amritsar, Rawalpindi, Multan and Sialkot ;
- (d) the total grant made to municipalities for the construction of water-works during the last five years ;
- (e) the total amount of money spent by Government from provincial funds on the supply of drinking-water in rural areas during the last five years ?

The Honourable Malik Firoz Khan, Noon : (a) Rs. 12,28,100.

(b) and (c). The attention of the honourable member is invited to the statement in form II appended to the annual Municipal Report, copies of which are placed in the Council Library.

(d) Rs. 18,28,318.

(e) Rs. 5,00,498-12-0.

CATTLE FAIRS AT JAHAZGARH.

1435. Rai Sahib Chaudhri Chhotu Ram : Will the Honourable Minister for Local Self-Government kindly state—

- (a) whether six-monthly cattle fairs are held, once in spring and once in autumn, at Jahazgarh in the Rohtak district ;
- (b) whether the district board of Rohtak derives any revenue from these fairs ;
- (c) if the answer to (b) above is in the affirmative, what was the revenue derived in the autumn fairs of 1926, 1927, 1928 and 1929 ;
- (d) what was the number of cattle sold in the autumn fairs of 1926, 1927, 1928 and 1929, respectively ;
- (e) what was the average price per head of cattle sold in the autumn fairs of 1926, 1927, 1928 and 1929, respectively ?

The Honourable Malik Firoz Khan, Noon : Yes.

(b) Yes.

(c), (d) and (e).

Year.	Amount of revenue derived.	No. of cattle sold at the fair.	AVERAGE PRICE PER PER HEAD OF CATTLE SOLD.			
			Bullocks.	Cows.	Buffaloes.	Camels.
	Rs.		Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
1926 ..	22,045	15,878	82 14 3	30 7 1	72 9 9	92 0 0
1927 ..	22,875	17,977	71 5 4	31 8 10	62 11 1	77 8 0
1928 ..	25,299	21,396	73 5 1	22 2 0	52 1 0	109 15 1
1929 ..	24,427	24,176	64 6 4	30 0 8	41 1 4	68 8 0

DEATH OF AN UNDER-TRIAL PRISONER IN THE KARNAL JAIL.

1436. Chaudhri Afzal Haq : Will the Honourable the Finance Member be pleased to state—

(a) whether it is a fact that some magistrate made an enquiry into the death of an under-trial prisoner in the Karnal jail in 1929 and found that death took place under suspicious circumstances ;

(b) if so, whether a copy of his report will be laid on the table ;

(c) what further steps the Government has been pleased to take on the report of the magistrate ?

The Honourable Mr. A. M. Stow : (a) Yes.

(b) It is laid on the table.

(c) Further investigations are being made, as the findings of the Chemical Examiner are at variance with those of the Civil Surgeon and Magistrate.

REPORT OF SHAIKH MUHAMMAD SAID, SECTION 80 MAGISTRATE KARNAL.

One Dasandhi, an under-trial prisoner in the Karnal Sub-Jail, died at 1 A.M. on 6th August 1929, and under the orders of the District Magistrate, I held an inquest into the case.

Briefly the facts are :—The deceased, his two brothers Kartara and Mahma, Rashid and Nathi were arrested on 15th June 1929, for an attempt to murder Des Raj, a Mahajan, on 8th June 1929. They were challaned and the trying Magistrate after recording the evidence of some witnesses at the headquarters fixed the case at Shahbad for 2nd August 1929. The accused

[Hon. Mr. Stow.]

were taken on 1st August 1929 in police custody from Karnal to Shahbad and produced there before the Magistrate on 2nd August 1929 when they were charged and the case was adjourned to 3rd August 1929 for further cross-examination. But on 3rd August 1929 the accused applied to the Magistrate to stay the proceedings because they wanted to move for the transfer of the case. The court adjourned the case and the accused returned to the Karnal Sub-Jail in the afternoon on 3rd August 1929 in police custody. Nothing happened of note on the 3rd or 4th August but on the 5th August Dasandhi, deceased, fell ill in the morning and he was taken into the jail hospital where he was treated by the compounder. In the evening his condition became worse and the Civil Surgeon had him removed to the Civil Hospital where he died at 1 A.M.

On receipt of the District Magistrate's orders I went to the jail and examined the Jailor (W.1) and Kartara (W. 2), a brother of the accused. Their evidence and Exh. P. A. produced by the Jailor showed that on 3rd August 1929 at Shahbad the accused had been served by their relatives with sweets and *phenis* and that the deceased had been taken ill after taking them. Taking the case to be one of dysentery or indigestion the Superintendent of Jail and I went to the mortuary but a careful examination of the dead body did not disclose any sign or mark of injury or beating externally and the Civil Surgeon performed the *post-mortem*.

When the *post-mortem* report was received, I examined the Civil Surgeon who stated the right and left lungs weighed 17 and 14 ounces respectively and had pneumonic patches present behind. The right side of the heart was full and the left side empty with a white clob in the right ventricle. The stomach was slightly congested and half full of greenish liquid mixed with some curds. The larger intestines were congested and were congested at the sigmoid flexure and lower down. The liver was very much enlarged and weighed 78 ounces. The spleen was enlarged and weighed 39 ounces. The kidneys were slightly congested and each weighed four ounces. Up till then the death in his opinion was due to acute dysentery complicated with pneumonia. The colour of the contents being suspicious he sent the visseral to the Chemical Examiner. On 8th August 1929, I examined Mahma, the other brother of the deceased and Rashid who were also co-accused in the presence of the Jailor and they corroborated the sweets story. Then I examined Sharfiduddin (W. 6), the compounder who stated that on finding the deceased in the Jail Hospital and complaining of dysentery he served him only with castor oil, and that in the evening the accused was removed by the Civil Surgeon to the Civil Hospital where he died at night. As the deceased's own brother and co-accused Rashid had not complained of any thing wrong, I kept the record simply pending the receipt of the Chemical Examiner's report but against the sweets story there lurked suspicion in my mind that had the sweets been served at Shahbad why did not the other four co-accused complain of illness?

On 18th August 1929 the Jailor went out on two months' leave and the result of the chemical analysis was received to the effect that metallic mercury was found in the stomach and traces of mercury in the intestines, liver and kidneys. This opened a new chapter in the inquiry. The Magistrate in whose court the case was pending returned from casual leave on

21st August 1929 and when I examined him he definitely denied having allowed the accused's relatives to serve them with sweets. I, therefore, examined head constable Abdul Aziz and constable Manzur Hussain who had escorted the accused to Shahbad and back. They also emphatically denied having allowed the accused's relatives to serve them with any medicine or sweets at Shahbad. They stated that the accused were all hale and hearty when they were made over on 3rd August 1929 to the Jailor who would have at once refused to admit any prisoner had any been ill. Upon this I sent for the prisoners Nathi, Kartara and Rashid and on recording their supplementary statements they totally denied having been served with sweets by their relatives and ascribed their first statements to the pressure of the Jailor who on the morning of the 6th August had had their thumb-impressions affixed on Exh. P.A., and when questioned about it informed them that the accused had fallen ill because relatives had served them with sweets at Shahbad. They represented(?) but they state that the Jailor ordered them not to make any other statements contrary to the one in Exh. P. A. They also state that when their mother came to Karnal to collect the deceased's bones the Jailor asked her to state before the Magistrate that she had herself served the accused with sweets at Shahbad. When questioned about their suspicion they stated that when at Shahbad on 3rd August 1929, they applied for an adjournment, Basheshar, the brother of the complainant, and others were so much annoyed that they threatened to meet the accused in which court their case was transferred; and that on their arrival outside the Jail they saw Basheshar, the brother, and Munshi, the uncle, of the complainant Des Raj talking with the Jailor and guessed that their enemies were requesting the Jailor to starve out or ill-treat them.

Mahma had been on bail let off by the learned District Magistrate on grounds of ill health. I summoned him and his mother. He also corroborated the other accused and stated that his previous statement was due to the pressure of the *darogha* (jailor). The Civil Surgeon was examined again in the light of the result received from the Chemical Examiner. He now states that "the death in his opinion was due to mercurial poisoning because symptoms produced by corrosive sublimate in the first instance resemble those of cholera but if the victim survives for several days they are more like those of dysentery. If calomel, that is *raskapur*, is given in big doses it may cause symptoms of an irritant poison and if given with certain other drugs, for instance, potassium and sodium chloride and solutions of ammonia salts it is liable at body temperature to get converted into poisonous salt, the corrosive sublimate."

In this connection he also adds that "the bazaar *raskapur* contains considerable but varying quantities of corrosive sublimate. In his opinion, "it is probable and sometimes happens that after the administration of poisonous mercury salts only mercury or its traces may be found in the visceral." He cannot say definitely but states that obviously the deceased was not suffering from acute syphilis and that mercury would not have been left in his stomach or visceral if he had taken it as a medicine about a couple of months. He also stated that it was only at 5 P.M., on 5th August 1929 when Sharfi din (?) compounder, informed him of this case and that he immediately went to attend to the accused who was found in a semi-collapsed condition.

[Hon. Mr. Stow.]

After this I examined *Mst. Narahi, alias Mst. Telam* (W. 11), the mother of the accused. She states that she did not go to Shahbad but sent her brother Kishna but not with any medicine or sweets, and that after the deceased's death she came to Karnal to collect his bones when the Jailor asked her to state before the Magistrate that she had herself given sweets to the accused at Shahbad but she refused to tell a lie. Then Kishna, her brother, was examined and he totally denied having served the accused at Shahbad with any medicine or sweets. He states that all the accused were perfectly healthy when they returned to Karnal by train, that he was present at Shahbad when the banias, namely, Basheshar, Munshi and Lija, felt annoyed over the application for transfer of the case and threatened the accused that they would not let them go home, but these banias also got into the same train and went to Karnal on 3rd August 1929, that he came to Karnal on 4th August 1929 and had an interview granted with the accused on 5th August 1929, when they all, except the deceased, appeared and said that the deceased was very ill and about to die; that on that day he saw the Jailor talking to the above mentioned three banias outside the jail, and that the Jailor called him inside after the accused's death and asked him to state before the Magistrate that the deceased's mother had served the accused with sweets at Shahbad. It is also in the evidence of those witnesses that the deceased was a wrestler and that he had not taken ill in the village. I also examined Dr. Muhammad Rafiq, Assistant Surgeon, who had come to the Jail Hospital in the presence of the Civil Surgeon. He prepared Bed Head Ticket, Exh. P. C., of the deceased in the jail and stated there all about the sweets story at Shahbad. He states that he did so at the instance of the Jailor and a relative of the deceased who was also an under-trial prisoner. In my opinion he did so at the instance of the Jailor who in his over-zeal to round off the blame had started a story or *peshbandi* which was altogether groundless. The deceased was not cared for till the poison had completely been absorbed into his system and when he was half conscious. Effort has been made to blame the Civil Surgeon for the delay but the compounder has stated that he informed the Civil Surgeon only at 5 P.M., and not before. I reject the sweets story altogether.

I hold that the deceased Dasandhi, an under-trial prisoner in the Karnal Sub-Jail, died of mercurial poisoning and that there is a reasonably strong suspicion of foul play.

STENOGRAPHERS IN THE FINANCIAL COMMISSIONER'S OFFICE.

1437. **Dr. Gokul Chand. Narang:** Will the Honourable Member for Revenue please state—

- (a) if it is a fact that there are four posts of stenographers in the Financial Commissioner's office;
- (b) if it is a fact that all the present incumbents of these posts are Muhammadans;
- (c) if the reply to the above parts is in the affirmative—
 - (i) why two out of the four posts were not given to Hindu or Sikh candidates, and
 - (ii) what action, if any, is Government prepared to take now?

The Honourable Mian Sir Fazl-i-Husain : (a) Yes.

(b) No.

(c) Does not arise, but if the honourable member studies the census of Government servants issued annually, he will see that more than 50 per cent. posts are held by the communities he mentions.

COMMITTEES AND COMMISSIONS.

1438. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Finance Member please state the number of committees and commissions appointed by the Government of India, the Secretary of State for India and His Majesty's Government during the period the reforms have been in force in the Punjab and the expenses incurred by the Punjab Government in connection with the same ?

The Honourable Mr. A. M. Stow : The information asked for by the honourable member in so far as it relates to commissions and committees on which the Punjab Government have incurred expenditure is being collected and will be communicated to him in due course.

PRIMARY SCHOOLS IN THE BEIT AREA OF THE JULLUNDUR DISTRICT.

1439. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Minister for Education please state—

(a) the number of primary schools started during the last two years in the Beit area of the Jullundur district ;

(b) if the answer to the above be in the negative, how many schools the Government propose to open in the said area in the near future ?

The Honourable Mr. Manohar Lal : The information is being collected and will be supplied to the honourable member when ready.

MUSLIM INSPECTORS OF SCHOOLS IN THE JULLUNDUR-DISTRICT.

1440. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Minister for Education please state—

(a) the names and respective communities of the various district inspectors of schools appointed in the Jullundur district during the last fifteen years ;

(b) if no Muslim has been appointed to the said post during this period, what are the reasons for the same ?

The Honourable Mr. Manohar Lal : (a) A statement is laid on the table.

(b) In regulating appointments and promotions, many factors are taken into consideration. It is not in the public interest to state reasons for any particular appointment.

[Hon'ble Mr. Manohar Lal.]

LIST SHOWING THE NAMES OF PERMANENT DISTRICT INSPECTORS OF SCHOOLS APPOINTED IN THE JULLUNDUR DISTRICT, DURING THE LAST FIFTEEN YEARS.

Name.	PERIOD.		REMARKS.
	From	To	
Lala Nihal Chand ..	25th May 1915	*17th March 1916	*M. Muhammad Abdullah officiated as District Inspector of Schools, Jullundur, from 24th November 1915 to 17th March 1916, subject to the lien of Lala Nihal Chand, appointed to officiate as Assistant Inspector of Schools, Rawalpindi Division.
Pandit Hem Raj ..	18th March 1916	9th March 1918	
Chaudhri Hukam Chand ..	4th September 1918.	8th August 1919	
Lala Amir Chand ..	9th August 1919	27th October 1920.	
Lala Ram Nath ..	28th October 1920.	15th October 1928.	
Bhai Jogindra Singh ..	16th October 1928.	To the end of November 1929.	Exact date not communicated as yet.
Lala Murli Dhar ..	End of November 1929.	Up to present.	

CONFIRMATION OF CERTAIN TEACHERS OF GOVERNMENT SCHOOL, CAMPBELLPORE.

1441. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Minister for Education please state—

- whether it is a fact that Messrs. Ghulam Gilani and Ghulam Rabbani, Oriental teachers of Government School, Campbellpur, have been in service for the last six years ;
- whether they have been confirmed in their respective posts : if not, why not ?

The Honourable Mr. Manohar Lal : (a) No.

(b) No. But M. Ghulam Rabbani was appointed on probation only in September 1928, and the Department has reached no conclusion as regards his confirmation.

VERNACULAR BRANCH OF THE FINANCIAL COMMISSIONERS' OFFICE.

1442. Dr. Gokul Chand, Narang : Will the Honourable Revenue Member be pleased to lay on the table a statement showing the names of all clerks (including Clerks of Court) employed in the vernacular branch of the Financial Commissioners' office, with scales of pay drawn by them ?

The Honourable Mian Sir Fazl-i-Husain : A statement is laid on the table.

In the case the honourable member has misgivings as to the representations of various communities in the office of the Financial Commissioners, his attention is invited to the Consolidated Statement showing the proportionate representation of the various communities serving in different departments of the Punjab as it stood on the 1st January 1929, page 10, item (14), Office of the Financial Commissioners. He will notice that the representation of Muslims is nearly 48 ; of Hindus 35 and of Sikhs 14.

STATEMENT SHOWING THE NAMES AND DESIGNATION OF CLERKS EMPLOYED IN THE VERNACULAR BRANCH OF THE FINANCIAL COMMISSIONERS' OFFICE, PUNJAB.

Serial No.	Names.	Designation.	Scale.
1	Chaudhri Said Muhammad, B.A., Tahsildar.	Clerk of Court ..	Rs. 310—15—410
2	Shaikh Muhammad Hayat, Assistant.	Deputy Clerk of Court.	100—10—300
3	Shaikh Sadiq Ali, Assistant.	Translator ..	100—10—300
4	M. Sardar Singh ..	Vernacular Record-keeper.	45—3—105
5	M. Sardar Muhammad ..	Muharrir, I ..	45—3—105
6	M. Zia Ullah ..	Muharrir, II ..	30

TERMINAL TAX ON PACKING MATERIALS.

1443. Lala Bodh Raj : Will the Honourable Minister for Local Self-Government please state whether the President, Municipal Committee, Kasur, on his own authority has issued orders to exempt from payment of terminal tax packing materials in which goods are covered ?

If so, how much loss has the Committee suffered in consequence ?

The Honourable Malik Firoz Khan, Noon : It is regretted that the answer to this question is not yet ready. The information asked for will be communicated to the Secretary of the Legislative Council for the information of the honourable member as soon as it is ready.

COMMUNAL REPRESENTATION AMONG ASSISTANT DISTRICT INSPECTORS OF SCHOOLS IN THE AMBALA DIVISION.

1444. Chaudhri Duli Chand : Will the Honourable Minister for Education kindly state the number of Assistant District Inspectors of Schools appointed from 1927 up to now on the recommendation of the Inspector of Schools, Ambala Division, and the number of agriculturists among them communitywise ?

The Honourable Mr. Manohar Lal: The recommendations of the Inspector are confidential but the number of appointments made by Government is laid on the table.

STATEMENT SHOWING THE NUMBER OF ASSISTANT DISTRICT INSPECTORS OF SCHOOLS EITHER RECRUITED AS SUCH OR TRANSFERRED FROM TEACHING LINE DURING THE PERIOD FROM 1st APRIL 1927 TO 31st OCTOBER 1929 IN THE AMBALA DIVISION AND THE NUMBER OF AGRICULTURISTS AMONG THEM COMMUNITYWISE.

Community.	Number of Assistant District Inspectors of Schools.	Number of Assistant District Inspectors of Schools belonging to notified agricultural tribes.	REMARKS.
Hindu	6	3	
Muslims	7	6	
Sikhs	1	..	
Christian	1	..	

(For Questions nos. 1445, 1446 and 1447, vide the debates of 9th December 1929).

SPECIAL PAY AND ALLOWANCES OF MEMBERS OF THE INDIAN CIVIL SERVICE AND THE PUNJAB CIVIL SERVICE.

1448. Rai Bahadur Lala Mohan Lal: Will the Chief Secretary to Government please lay on the table a statement showing the special pay or allowances drawn by any member of (i) the Indian Civil Service and (ii) the Punjab Civil Service in the form given below :—

Amount of special pay or allowance.	Why paid.	Date from which sanctioned.

Mr. H. M. Cowan (for Chief Secretary): A statement is laid on the table.

STATEMENT SHOWING THE POSTS ON THE I.C.S. AND P.C.S. CADRES TO WHICH SPECIAL PAY AND COMPENSATORY ALLOWANCES ARE ATTACHED.

Serial No.	Name of Post.	Special pay.	Compensatory allowance.	Date from which sanctioned.	Why paid.	REMARKS
1.	2	3	4	5	6	7
1	4 Secretaries to Government (other than Chief Secretary).	Ra. 250 each	I. C. S. CADRE. Ra. ..			
2	4 Under-Secretaries (2 held at present by members of the P.C.S. and 2 by members of the I.C.S.)	200 each	..			
3	Registrar, Co-operative Societies ..	150	..			
4	Deputy Registrar, Co-operative Societies (at present held by a Member of the Provincial Service).	150	..			
5	Director of Land Records (at present held by a P.C.S. Officer).	50	..			
6	6 Settlement and Colonisation Officers (2 held at present by members of I.C.S. and 2 by members of P.C.S. and 2 vacant).	150 each	..			
7	Sub-Divisional Officer, Kasur (at present held by a P.C.S. Officer).	200—50—300	..			
8	Sub-Divisional Officer, Kulu (at present held by a P.C.S.)	100	..			
9	Sub-Divisional Officer, Rajanpur (at present held by a P.C.S. Officer).	75	..			
10	16 Sub-Divisional Officers (3 held at present by members of the I.C.S. and 12 by P.C.S. Officers.)	50 each	..			
11	Political Assistant and Commandant, Border Military Police, Dera Ghazi Khan.	100	..			
				This information is not readily available as in most cases the special pay has been in existence for the past 30 years or more.	See Fundamental Rule 9 (25). The special pay in all these cases was sanctioned by the Secretary of State either on account of the arduous nature of the duties performed or on account of a specific addition to the work and responsibility of the officer.	

STATEMENT SHOWING THE POSTS ON THE I.C.S. AND P.C.S. CADRES TO WHICH SPECIAL PAY AND COMPENSATORY ALLOWANCES ARE ATTACHED—CONTINUED.

Serial No.	Name of Post.	Special pay.	Compensatory allowance.	Date from which sanctioned.	Why paid.	REMARKS
1	2	3	4	5	6	7
12	Legal Remembrancer and Secretary to Government, Legislative Department.	Rs. 250 (inclusive of Judicial allowance of Rs. 150).	I.C.S. Cadre— extra. Rs. ..	15th December 1925	See Fundamental Rule 9 (25). The special pay in all these cases was sanctioned by the Secretary of State either on account of the arduous nature of the duties performed or on account of a specific addition to the work and responsibility of the officer. These duties are performed by the Senior and Junior Secretaries to the Financial Commissioners and constitute specific addition to their work.	
13	Registrar, High Court	150	..	10th March 1927	..	
14	Deputy Secretary to Government, Development Department.	150	..	1st April 1929	..	
15	Deputy Secretary to Government, Revenue Department.	150	..	..	..
16	Deputy Commissioner, Lahore	150 (a)	100 (b)	13th June 1923 (special pay).	(a) The special pay of Rs. 150 is granted under Fundamental Rule 9(25) on account of the arduous nature of the duties of the post. (b) The compensatory allowance of Rs. 100 is a car allowance owing to the duties of the post requiring the extensive use of a motor car.	
				1924 (compensatory allowance.)		

17	Deputy Commissioner, Amritsar	..	100	1924	See remarks against item 16 regarding compensatory allowance for Deputy Commissioner, Lahore.
18	Deputy Commissioner, Rawalpindi	..	150	1st October 1922	This is in the nature of a local allowance sanctioned on account of high cost of living.
1	First Assistant to the Deputy Commissioner, Lahore.	200	P. O. S. CADRE 100	13th July 1927	See reply to Question No. 2781.
2	Excise Assistant to Financial Commissioner	150	..	October 1925	
3	Extra Assistant Settlement Officer	100	..		
4	Extra Assistant Colonization Officer, Nili Bar.	100	..		This information is not available.
5	Superintendent, Reformatory Settlement, Amritsar.	100	..		The special pay in these cases was sanctioned under Fundamental Rule 9 (26) either on account of the arduous nature of the duties performed or on account of a specific addition to the work and responsibility of the officer.
6	10 Superintendents of District Jails	100 each	60 (provided residential accommodation is not available).	1926	

STATEMENT SHOWING THE POSTS ON THE L.C.S. AND P.C.S. CADRES TO WHICH SPECIAL PAY AND COMPENSATORY ALLOWANCES ARE ATTACHED—CONCLUDED.

Serial No.	Name of Post.	Special pay.	Compensatory allowance.	Date from which sanctioned.	Why paid.	REMARKS.
1	2	3	4	5	6	7
7	Personal Assistant to the Director of Agriculture.	100	P. O. S. Cadre— exceeds Rs.	25th July 1928.		
8	Personal Assistant to Registrar, Co-operative Societies.	100	..	1st April 1928.		
9	Personal Assistant to Deputy Commissioner, Criminal Tribes.	50	..	10th October 1929.		
10	City Magistrate, Lahore	75	25	1st October 1929	See note (a) below.	
11	Extra Assistant Commissioners posted to Simla whose pay does not exceed Rs. 500.	..	50.	1st July 1929	See note (b) below.	
12	Extra Assistant Commissioners posted to Murree whose pay does not exceed Rs. 500.	..	10 per cent. of the pay.	1st July 1929		
13	Officer-in-Charge of the revenue training School, Gurdaspur.	200	..	1st November 1929 (for 5 months only).		

(a) The compensatory allowance granted to the City Magistrate, Lahore, is in the nature of a compensatory allowance as this officer has many journeys to make within the 5 miles radius.

(b) The compensatory allowances granted to Extra Assistant Commissioners posted to Simla and Murree whose pay does not exceed Rs. 500 per mensem were sanctioned on the ground of dearness of living at these stations.

INDIAN CIVIL SERVICE OFFICERS TRANSFERRED TO FOREIGN AND
POLITICAL DEPARTMENT.

1449. Rai Bahadur Lala Mohan Lal : Will the Chief Secretary to Government please state why the names of the Indian Civil Service officers who have been permanently transferred to the Foreign and Political Department of the Government of India are still shown in the Indian Civil Service cadre of the province and are not removed from the list ?

Mr. H. M. Cowan (for Chief Secretary) : The reason is that the Political Department is not a separate service but is manned by officers recruited from the Indian Civil Service, the Indian Army and the Provincial Civil Service.

INDIAN SECRETARIES, ETC., TO GOVERNMENT.

1450. Rai Bahadur Lala Mohan Lal : Will the Chief Secretary to Government please lay on the table a statement showing the names of Indian (i) Secretaries, (ii) Deputy Secretaries, (iii) Under-Secretaries and (iv) Assistant Secretaries appointed in the Civil Secretariat since 1st January 1921 with the dates of the commencement and termination of their appointment, their emoluments and the service (Indian Civil Service, Provincial Civil Service, etc.) to which they belonged ?

Mr. H. M. Cowan (for Chief Secretary) : A statement is laid on the table.

Mr. Cowan]

STATEMENT SHOWING THE NAMES OF INDIANS WHO HAVE HELD THE POSTS OF SECRETARIES, UNDER-SECRETARIES, ETC., IN THE CIVIL SECRETARIAT SINCE 1ST JANUARY 1921.

Names of Officers.	Rank	Period	Emoluments per month.	Service.
Sh. Asghar Ali, C. B. E.	Home Secretary ..	1-1-21 to 16-4-21	2,250 250 O. S. P. 250 Sectt. all.	.. I.C.S.
Mr. A. Latiff, O. B. E.	Secretary, Transferred Departments	19-4-21 to 31-10-24	2,100 250 O. S. P. 250 Sectt. all.	.. I.C.S.
Mr. M. V. Bhilde	Secretary, Legislative Department	13-5-25 to 29-7-25 8-4-26 to 4-6-27	2,050 300 O. S. P. 250 Sectt. all.	.. I.C.S.
Mr. Ram Chandre, M. B. E.	Under-Secretary (Revenue) ..	1-1-21 to 12-10-21	1,000 200 Sectt. all.	.. I.C.S.
Iditto ..	Secretary, Transferred Departments	17-1-26 to 21-1-27	1,600 300 O. S. P. 250 Sectt. all.	.. I.C.S.
K. B. Nawab Muzaffar Khan	Joint Secretary, Transferred Departments.	3-11-25 to 21-12-25	1,350	.. P. C. S.
Pt. Avatar Kishan Kaul	Under-Secretary ..	13-8-26 to date 2-12-24 to 24-11-27	500 special pay for dual duties. 740	.. P. C. S.
L. Ram Lal, M. B. E.	Under-Secretary, Revenue ..	3-1-28 to 4-6-29 21-1-27 to date	200 Sectt. all. 740	.. P. C. S.
L. Raj Kanwar	Under-Secretary, Local Self-Government.	4-6-29 to date	200 Sectt. all. 660	.. P. C. S.
Khan Mohd. Afzal Khan	Under-Secretary, Home ..	1-5-29 to 12-11-29	200 Sectt. all. 540	.. P. C. S.
Mr. N. C. Bakhle	Under-Secretary ..	24-10-29 to date	200 Sectt. all. 500	.. I.C.S.
L. Lal Chand	Assistant Secretary ..	3-3-28 to 9-11-26	200 Sectt. all. 800	.. Punjab Civil Secretariat.

LISTED POSTS IN GOVERNMENT SERVICE.

1451. Rai Bahadur Lala Mohan Lal : With reference to the reply given in the November 1927 session of the Council to unstarred question No. 508¹ will the Chief Secretary to Government kindly state—

- (a) the number of inferior listed posts in the province ;
- (b) the emoluments attaching to such posts ;
- (c) the rules governing such appointments ;
- (d) if any of these posts were ever included in the category of superior listed posts ; and
- (e) if so, the reasons why they are no longer included in that category.

Mr. H. M. Cowan (for Chief Secretary): (a) and (c) There are 27 inferior Indian Civil Service posts in this province and Provincial Civil Service officers may be appointed to hold any of them in accordance with the exigencies of the service. This number includes 18 posts of Sub-Divisional Officers and 4 posts of Under-Secretaries to which "special pay" is attached. Formerly only 1 post of Under-Secretary used to be listed. The Government of India have since informed this Government that inferior posts borne on the Indian Civil Service cadre in this province are not listed posts. The rules regarding the latter are contained in Government of India, Home Department, notification No. F-488, dated the 30th March 1922, which is published as rule 16·2 of the Book of Financial Powers, a copy of which is in the Council Library.

(b) The pay of Provincial Service officers holding inferior posts borne on the Indian Civil Service cadre is governed by the rules published on page 206 of the Fundamental Rules (Punjab Financial Hand Book No. 2, Volume 1).

(d) No.

(e) Does not arise.

GOVERNMENT SERVANTS UNDER PUNJAB GOVERNMENT.

1452. Rai Bahadur Lala Mohan Lal : Will the Chief Secretary please lay on the table a statement showing the number community-wise of Government servants under the control of the Punjab Government drawing a pay of—

- (a) Rs. 1,000 per mensem or over ;
- (b) between Rs. 500 per mensem and Rs. 999 per mensem ;
- (c) between Rs. 100 per mensem and Rs. 499 per mensem ?

Mr. H. M. Cowan (for Chief Secretary): The statistics are not available and their collection would involve an amount of time and labour which in the opinion of Government would be incommensurate with their value.

PROVINCIAL AND IMPERIAL SERVICES.

1453. Rai Bahadur Lala Mohan Lal : Will the Chief Secretary to Government please lay on the table a statement showing—

- (a) the names of the various provincial services in the province, the members of which can rise to imperial services in their own line ;
- (b) the percentage of such imperial service appointments which are open to members of each of these provincial services ?

Mr. H. M. Cowan (for Chief Secretary): The information is being collected and will be supplied to the honourable member in due course.

APPOINTMENT OF SECRETARIES AND OTHER OFFICERS IN THE CIVIL AND
PUBLIC WORKS DEPARTMENT SECRETARIAT.

1454. Rai Bahadur Lala Mohan Lal: Will the Chief Secretary to Government please state—

- (a) what the tenure of appointment of Secretaries, Deputy Secretaries, Under-Secretaries and Assistant Secretaries in the Civil and Public Works Department Secretariats is;
- (b) the sanctioned number of Secretaries, Deputy Secretaries, Under-Secretaries and Assistant Secretaries in the Civil and Public Works Department Secretariats;
- (c) whether there is any bar to a member of the office establishment rising to all or any of these posts in the Civil and Public Works Department Secretariats?

Mr. H. M. Cowan (for Chief Secretary): (a) and (b) A statement containing the information is laid on the table.

(c) A member of the office establishment can rise to the post of Assistant Secretary only.

Name of Office.	SECRETARIES.		DEPUTY SECRETARIES.		UNDER-SECRETARIES.		ASSISTANT SECRETARIES.	
	Sanctioned number of posts.	Tenure of appointments.	Sanctioned number of posts.	Tenure of appointments.	Sanctioned number of posts.	Tenure of appointments.	Sanctioned number of posts.	Tenure of appointments.
1. Civil Secretariat ...	(i) 6	4 years	(ii) 1	Not fixed	(iii) 4	2½ years	2	Not fixed as the posts are not tenure appointments.
2. P. W. D. Secretariat B. & R. Branch.	1	5 years	1	Do.	1	2 years	1	Do.
3. P. W. D. Secretariat, Irrigation Branch.	3	5 years	—	..	5	3 years	1	Do.

REMARKS.—The tenure of appointment in all these cases can be extended by the Local Government in individual cases in the interest of the public service.

(i) This number excludes the posts of Legal Remembrancer, Financial Adviser, and Director of Information Bureau who are also *ex-officio* Secretaries.

(ii) This number excludes the posts of Senior and Junior Secretaries to the Financial Commissioners who are also *ex-officio* Deputy Secretaries.

(iii) This number excludes the posts of the Director of Public Instruction and Inspector-General of Police who are also *ex-officio* Under-Secretaries.

VACATION DEPARTMENTS OF GOVERNMENT.

1455. Rai Bahadur Lala Mohan Lal : Will the Chief Secretary be pleased—

- (a) to lay on the table a complete list classified by departments of officials of the Government serving in the vacation departments with the amount of vacation granted to each ;
- (b) to state—
 - (i) on what principle is the grant of vacation regulated ;
 - (ii) since when the system is in force ;
 - (iii) why some of the officials get longer vacations than others ;
 - (iv) the total annual expenditure of vacation departments during the period of vacation, and
 - (v) whether it is a fact that the employees of vacation department get longer respite from official duties than those employed in non-vacation departments ?

Mr. H. M. Cowan (for Chief Secretary) : (a) The honourable member is referred to the list of Government servants serving in vacation departments given in Appendix D, Subsidiary Rules.

(b) (i) If the honourable member will study the list abovementioned, he will see that the officers concerned may be divided into the two following classes ;—

(a) Sub-Judges and their establishment.

(b) The officers and staff of educational institutions.

A vacation is granted to Sub-Judges partly in the interests of efficiency and partly for the convenience of the Bar. The vacation granted to the officers and staff of educational institutions is partly in accordance with the principle recognized in all countries that "all work and no play makes Jack a dull boy", and partly because the system prevails in all educational organizations both in this country and in England. The vacation time is to some extent used in preparing lectures set for the ensuing term.

(ii) The information required is not available.

(iii) Because the conditions of the services and institutions to which they belong are not uniform.

(iv) No avoidable expenditure is incurred.

(v) Yes.

PUNJAB COMMISSION.

1456. Rai Bahadur Lala Mohan Lal : Will the Chief Secretary to Government please state—

- (a) the sanctioned number of members of the Punjab Commission as composed of (i) officers of the Indian Civil Service, (ii) Military officers, (iii) uncovenanted officers ;
- (b) the existing number of officers in each of the categories mentioned under (a) ;
- (c) the detail of normal distribution of the sanctioned number ;
- (d) the percentage of leave reserve to the sanctioned number ;

- (e) the percentage of deputation reserve to the sanctioned number ;
 (f) the details of various appointments which have been reserved for members of the Punjab Commission ?

Mr. H. M. Cowan (for Chief Secretary) : (a) The sanctioned strength of the Punjab Commission is 160 which includes 18 "listed" posts. The number of military officers is not fixed as recruitment from that source had been stopped.

(b) 118 Indian Civil Service Officers, (i) 2 Military Officers, (ii) 15 Provincial Service Officers.

(c), (d) and (e) The following table gives the information required :—

1. Number of superior posts (i.e., posts of independent responsibility and control).	81
2. Add superior posts under the Government of India	.. 7
3. Deduct listed posts and posts ultimately to be listed	.. 18
4. Total number of superior posts for direct recruitment	.. 70
5. Inferior appointments at 88·7% of line 4	.. 27
6. Total number of appointments, superior and inferior	.. 97
7. Ultimate total strength of service (including deputation reserve of 7% of line 4, leave reserve of 41·96% of line 4 and training reserve of 15·18% of line 4) at 202·79% of line 4.	142

(f) List of various appointments reserved for members of the Punjab Commission.

SUPERIOR POSTS IN THE PUNJAB.

- 1 Member of Council.
- 3 High Court Judges.
- 2 Financial Commissioners.
- 1 Chief Secretary.
- 5 Commissioners.
- 2 District and Sessions Judges, Selection grade.
- 4 Secretaries to Government.
- 1 Legal Remembrancer and Secretary, Legislative Department.
- 1 Registrar, Co-operative Societies.
- 1 Deputy Registrar, Co-operative Societies.
- 1 Director of Land Records.
- 1 Registrar, High Court.
- 2 Secretaries to Financial Commissioners.
- 1 Judge, Small Cause Court, Simla.
- 35 Deputy Commissioners.
- 20 District and Sessions Judges, time-scale.

81

INFERIOR APPOINTMENTS IN THE PUNJAB.

- 24 Assistant Commissioners.
- 3 Under-Secretaries to Government.

27

INDIAN CIVIL SERVICE OFFICERS IN PUNJAB.

1457. Rai Bahadur Lala Mohan Lal : Will the Chief Secretary to Government please state the number of Indian Civil Service officers appointed to the Punjab in each of the years since 1921 with details showing (i) their nationality (European, Anglo-Indian, Indian Christian, Sikh, Muhammadan and Hindu); (ii) how many of the officers in each year were appointed as a result of open competition in England, how many as a result of open competition in India and how many by nomination, the last-mentioned figures being given communitywise?

Mr. H. M. Cowan (for Chief Secretary) : The required information is laid on the table.

(I) STATEMENT SHOWING THE NUMBER OF I.C.S. OFFICERS APPOINTED TO THE PUNJAB.

Year.	European.	Anglo-Indian.	Indian Christian.	Sikh.	Muslim.	Hindu.	Total.
1921	1	..	1	2	2	1	7
1922	..	..	..	..	..	2	2
1923	3	..	..	..	1	1	5
1924	..	..	..	..	..	1	1
1925	1	..	..	..	1	..	2
1926	3	1	..	..	1	1	6
1927	5	..	..	..	1	3	10
1928	6	..	..	1	1	2	9
1929	6	..	..	1	..	..	7

(II) STATEMENT SHOWING SOURCE OF RECRUITMENT OF OFFICERS REFERRED TO IN THE STATEMENT (I).

Year.	1	2	3	NUMBER RECRUITED BY NOMINATION.					Total of column 4.
				Muslims.	Hindus.	Sikhs.	Christians.	Europeans.	
1921	..	1	..	2	..	2	1	1	6
1922	..	1	..	..	1	..	..	..	1
1923	..	1	..	1	..	..	..	3	4
1924	1	..	..	..	1
1925	..	1	..	1	..	..	..	..	1
1926	..	4	..	1	..	..	1	..	2
1927	..	8	1	1	..	..	..	..	1
1928	..	7	1	..	..	1	..	..	1
1929	..	7	..	..	..	..	..	..	..

DEPUTY COMMISSIONER, CRIMINAL TRIBES.

1458. Rai Bahadur Lala Mohan Lal : Will the Chief Secretary to Government please state—

- (a) whether it is a fact that the present Deputy Commissioner, Criminal Tribes, has been holding his present appointment or been otherwise connected with the department of Criminal Tribes for the past twelve years ;
- (b) whether it is a fact that his emoluments as Deputy Commissioner, Criminal Tribes, are greatly in excess of his time-scale of pay ;
- (c) if so, what are the reasons for continuing only the present incumbent in his position for an indefinite period ?

Mr. H. M. Cowan (for Chief Secretary) : (a) The present Deputy Commissioner, Criminal Tribes, has been connected with the department since 1917 and has been Deputy Commissioner since 1923.

(b) Yes, but the emoluments are in accordance with his duties and responsibilities.

(c) Government do not consider that he has held the appointment for an indefinite period.

ADJOURNMENT OF THE COUNCIL.

Rai Bahadur Pandit Daulat Ram Kalia : Sir, may I bring to your notice that a very important tennis match is going to take place this evening, and request that you will kindly adjourn the House to enable the members to witness the match ?

Rai Bahadur Lala Mohan Lal : Sir, the Council may be adjourned provided it is going to sit to-morrow. Otherwise it will not be convenient to some of us.

Mr. President : Those who are anxious to see the tennis match have my sympathy. But the gentlemen who have asked me to adjourn the Council on account of a tennis match do not appear to realise the dignity and responsibility of the Council. A Parliament adjourning for a tennis match ! Unthinkable ! Inconceivable ! Unheard of ! So long as I am in this chair I shall jealously guard and scrupulously protect the dignity of the Council. I wish such a preposterous request had not been made on the floor of this House. The Council cannot and should not be adjourned for a tennis match or for any other private function, however important it may be. If it is adjourned for a tennis match to-day there is no reason why it should not be adjourned to-morrow for a cricket match, for races or for a polo match, nay, even for a garden party or a marriage ceremony. I regret to say that I cannot even consider such an unreasonable request, as in my opinion it is beneath consideration.

THE PUNJAB PURE FOOD BILL.

Clause 18—(concluded.)

Mr. President : The Council will now resume discussion on clause 18.

The Honourable Malik Firoz Khan, Noon [Minister for Local Self-Government]: Sir, yesterday on the floor of this House a theory was advanced by certain members that this legislation contravened the primary principles of the law of intention as far as criminal jurisprudence was concerned. It was suggested by more than one member that it is not right to convict a man without proving that he had the criminal intention of doing that act, and they said that that principle of criminal jurisprudence was so wide that if any law were enacted contravening that principle that law was unjustifiable. I wish, to contest that theory of criminal jurisprudence and lay before the House that the piece of legislation which the House is enacting is in accordance with the principles of criminal jurisprudence, and it has been enacted in several cases before. There is no doubt that in the case of heinous crimes the statutory law of India and the law of other lands imposes a duty on the prosecution to prove that the accused person had the criminal intention of committing that crime. But even in the case of serious offences there is such a thing as a law which does not allow the accused to plead *mens rea*. For instance, the honourable member coming from Lyallpur referred to the law of abduction. Under section 363 of the Indian Penal Code a man who abducts another person, whether a boy under 14 years or a girl under 16, gets convicted, and if he pleads in the court that he did not know the age of the boy or the girl, it is absolutely no defence at all. (A voice: Question.) That is the law and there is no question at all. I can even quote a case where a girl was actually 16 years old and she said she was 18 and the man who abducted her believed her to be 18 years old. But when the case went to court it was proved that she was 16 years old and the man who abducted her was convicted. Be it remembered that it is not a *quasi-crime* but a serious crime, the punishment for it being seven years' rigorous imprisonment.

Now, to proceed further. In all countries besides serious crimes, they have created what are called *quasi-crimes*. In regard to these *quasi-crimes* there are two kinds of legislation. One kind of legislation allows the accused person to rebut the presumption of his guilt. The law court presumes that the accused is guilty till he proves his innocence. That is one kind of legislation. The second kind of legislation is that the law does not even permit a man to put up the plea of innocence, and by the very fact that he has committed the offence he is convicted. I shall give later instances of the two kinds of *quasi-offences*. There is one fact to be remembered that in the case of *quasi-crimes* the punishment is lenient. The punishment is not so serious as in the case of serious crimes. Especially with regard to legislation on food all countries have created *quasi-crimes* for which punishments are fine and imprisonment. We also have provided the same punishments as have been provided in England. What are those punishments? On first conviction only a sentence of fine, on second conviction also only a sentence of fine and, even on the third conviction, only a sentence of fine and, if the accused person cannot prove that he is not really guilty then he is imprisoned. In all cases he is given a chance of proving that he is innocent. Here I shall quote some authorities on the subject. For instance, here is a book by a learned author called 'Stroud on *Mens Rea*'. At page 13 he says—

"But an Act of Parliament can require all courts and all persons to treat such an individual in all respects as if he were guilty....."

Lala Mukand Lal, Puri : Is the Honourable Minister supporting or opposing the amendment ?

Mr. President : Whether he is supporting or opposing it, has he not a right to speak ?

The Honourable Malik Firoz Khan, Noon : At page 13 the learned author says—

"But an Act of Parliament can require all courts and all persons to treat such an individual in all respects as if he were guilty, however innocent he may be in reality. This is precisely what certain modern statutes have done, with the result that, in connection with certain prohibitions, as to adulteration of food, sale of liquors and a few other matters, innocent people are occasionally 'convicted' in a criminal court in the same manner, and with the like consequences, as if they were guilty of the specified crimes charged against them.

"In all such cases the justification of the arbitrary interference with liberty is precisely similar to the justification of all the commonlaw presumptions above referred to, viz., the difficulty which would ensue, or which it has been thought would ensue, in enforcing the statutory provisions in question, if the existence or absence of culpable intentionality were inquired into."

Again at page 227, the same author says—

"Secondly, the various provisions of statutes relative to the adulteration of food and regulation of the sale of goods, which have been seen to create *quasi*-crimes, in derogation from the principle of intentionality, have the effect also of making a master liable *quasi*-criminally in respect of the acts or defaults of his servants, without any degree or privity on his part.

"Thus in *Brown v. Foot*, it was held that a master milk-seller may be convicted of selling adulterated milk, although it was adulterated by his servant without his knowledge or connivance, and was quite pure when entrusted to the servant for sale.

"There was a positive prohibition to sell adulterated milk, and that implied that the master-seller shall take care not only not himself to sell it, but also that it is not sold by any one whom he employs. In this case the servant was employed generally to sell milk for his master, and there would be no reason to relieve the master from liability under the Act merely because he does not personally sell the milk. He is also to take care that the persons he employs do not sell it adulterated, and, if they do, then, he breaks the Act, and is liable."

"In *Parker v. Alder*, where the respondent contracted to supply pure milk at Paddington, and duly delivered the milk in a pure condition to the servants of the railway company at Challow Station, but without his knowledge or consent it was adulterated during the transit by railway to Paddington, he was held by Lord Russell, C. J., and Wills, J., to have been properly convicted."

"In *Farley v. Higginbotham* a master was held to have been rightly convicted in respect of the unlawful conduct of his manager, in his absence, in refusing to sell to a police constable some coffee required for analysis, and Wright, J., said:—

"An employer is liable for the act of his servant in such a case as this, upon the well-known principle that where the gist of the offence is not in reality criminal then the master may be held liable. It seems to me that these Food Adulteration Acts could not be worked, if persons who keep shops were not to be held liable for acts done by their servants in carrying on the ordinary course of the business."

Now, Sir, the English law has gone so far as to make the master liable for the act of his servant. The master does not do the act nor even knows what is being done by his servant, still he is liable. It will be seen, however, from clause 16 of our Bill that we also had made the employer liable. But owing to certain circumstances of the country and in order to concede to the wishes of the honourable members on the opposite side of the House, we

have for the present made the seller liable and not the employer. I wished to quote to the honourable member yesterday who said that the present Bill is more stringent than the English law, that the English law even as it stands at present, that is, the Act of 1928, makes the employers liable for the acts of his agents, whereas our Bill does not go so far. Section 9 of the English Act of 1928 makes an employer liable for certain offences which are committed by his servants. (*Interruption*) Yesterday it was stated that the present Bill transgresses all laws of jurisprudence, and the honourable member quoted an Act of the Mother of Parliaments and said that we have been following that law. I am saying that the Bill has been modified to suit the wishes of honourable members and has gone below the standard of the Mother of Parliaments. Yet it is alleged that the Bill is a very harsh one. In the Act of the Mother of Parliaments, in section 27, sub-section 6, it is laid down that where an employer is charged with an offence he is convicted unless in that very case he pleads that somebody else is the real accused person and that real accused person is brought up and convicted. Then alone is the employer let off. Thus it will be seen that the Bill which is now before the House does not transgress the laws of jurisprudence nor is it as stringent as it is alleged to be, nor even as stringent as the law of England. Here again, I may quote from a famous authority. I now quote from Halsbury's Laws of England, paragraph 506 :—

"There are certain offences in the prosecution of which proof of a particular intent or state of mind is not incumbent on the prosecution. In some of these cases the defendant may excuse himself by proving that his intent or state of mind was innocent. But in others no such excuse is available."

Thus it will be observed that the law recognises that there are certain offences in which no excuse of this kind can be allowed to be pleaded. Perhaps my honourable friends will not object if I quote again a book which he quoted himself yesterday on the question of *mens rea*. It is Dr. Hari Singh Gour's Indian Penal Code. That learned author in his commentary on section 361 says this :—

"But when proved it is sufficient, and the accused cannot be heard to say that he did not know her to be under the age of consent, or might suppose from her appearance that she was older, or that there were reasonable grounds for believing her to be so, and that the accused was honestly misled. Nor does the fact that the girl had herself volunteered to go with the prisoner alter his liability, for, if it did, it would be giving effect to her consent which law has declared to be wholly inoperative. So Maule, J., said : 'The law throws a protection about young persons of the sex and within the age specified by the Statute. It has been determined by the Legislature, that at age young females are not able to protect themselves ; or give any binding consent to a matter of this description. It is, therefore, quite immaterial whether the girl abducted consents or not ; if her family, that is to say, those who under the Statute may lawfully have the possession and control over her, do not consent to her departure, the offence is committed.' Even the fact that the girl had deceived the accused by overstating her age would be no defence for as Erie, C. J., said : 'The Statute was passed for the protection of parents, and for preventing unmarried girls from being taken out of the possession of their parents against their will ; and it is clear that no deception or forwardness on the part of the girl in such cases can prevent the person taking her away from being guilty of the offence created by this section.'"

I am quoting these merely to show that no offence is much more heinous than the ones that have been created.

Now, let us proceed to see if there is any other Act or legislation similar to the one we have now before us. The English law recognises certain

[Hon'ble Malik Firoz Khan, Noon.]

Indictable offences in which the plea of want of knowledge is not allowed. For instance, in the case of *Reg. v. Stephens*, 1 Queen's Bench Division, page 702, and in another case *Gudy v. Lewey*, 13 Queen's Bench Division, page 207, it was held that if a person is found drunk on a licensed premises, then the license-holder cannot go and plead in the Court that he did not know that the man was drunk. It is presumed that he knew it and he is not allowed to put forward that plea of want of knowledge, but by the mere fact that the person was found there drunk he is then and there convicted. Again under the English law, if a person in pursuit of a game trespasses into another person's field, he is not allowed by law to plead in the court that he did not know that it was somebody else's field. By the mere fact that he is in somebody else's field he is convicted then and there and he is not allowed to put forward the plea of lack of knowledge. This was the case *Modern v. Porter*, 7 C. B., page 641.

Similarly, Sir, in another case *Reg. v. Maxwell*, J. P., page 176, the accused person was not allowed to put forward the plea that when attacking a constable he did not know that the man was a constable. The law absolutely forbids the plea being put forward. The question of the lack of knowledge about the position of a person that is being attacked by the accused person does not at all arise.

Similarly, Sir, in England, under the Debtors Act, 1869, similar provision are created under which an accused person is debarred from pleading his ignorance and the absence of fraudulent intention is cast expressly on the defendant.

Under the Merchandise Marks Act of 1887, in *Christie, Manson and Woods v. Cooper*, 2 Q. B. D., similarly it was held that lack of knowledge cannot be pleaded.

Now, Sir, I should like to place a few facts before this House with regard to this particular piece of legislation, that is, the Adulteration of Food Bill. We have seen already that so far as this legislation is concerned it is a sort of quasi-criminal legislation. On the first offence it is only a fine, on the second offence it is only a fine and on the third conviction a fine or a mild sentence of imprisonment. The English Act goes farther. Here is a case. *Blaker v. Tillstone*, 1 Q. B. D., page 845, in which it was held that a mere possession of unsound meat for the purpose of sale was enough to convict the man, proof of knowledge by the accused of the condition of the meat is unnecessary. Now here again, Sir, on this point I would like to read to you certain cases from this book on *mens rea* :—

At page 40 it is stated for the prevention of sale of adulterated food and other articles :—

"In *Fitzpatrick v. Kelly* the defendant was charged, under the Adulteration of Food Act then in force, with selling as unadulterated some butter which had been largely adulterated with lard and other substances. There was no evidence of scienter, but Blackburn and Archibald, J.J., held this to be immaterial, and decided that an offence was committed whenever an adulterated article was sold as unadulterated, 'whether the seller knew it or not.'"

Then again:—

"In *Betts v. Armistead*, the respondent who had sold some bread containing alum although in ignorance thereof, was held rightly convicted under section 6 of the Sale of Food and Drugs Act, 1875, which provides that 'no persons shall sell to the prejudice of the purchaser any article of food or any drug which is not of the nature, substance and quality demanded by such purchaser.'"

Then again, Sir:—

"*Pain v. Boughtwood*, arose under the latter part of section 9 of the same Act: 'No person shall, with intent that the same may be sold in its altered state without notice, abstract from any article of food, any part of it so as to affect injuriously its quality, substance or nature, and no person shall sell any article, so altered without making disclosure of the alteration,' under a penalty in each case not exceeding £20. The consideration guiding the judges in *Betts v. Armistead*, as to section 6, being held applicable also to section 9, it was held that a person selling an altered article could properly be convicted, although he did not know of the alteration."

Here is another interesting case which I will read out to the Council:—

"A milk-seller had milk sent up to her from the country in comparatively large quantities; she poured it into a pail, and sold it in small quantities to her customers, for that purpose dipping it from time to time out of the pail with a measure. It is a matter of common knowledge that, unless milk is frequently stirred, there is a tendency on the part of the cream or fatty matter of the milk to rise to the top, leaving the lower portion of the milk denuded of the fat which it originally contained. The milk-seller sold the milk in that condition..... I will assume that she did not gain by it, that is to say, that she sold the upper portion of the milk, which contained an excess of fat, at the same price as that at which she afterwards sold the lower portion, which was deficient in fat. But this Act was passed with the object, not of punishing the seller, but of protecting the buyer....."

This is what this Bill aims at. The primary aim of this Bill is not to punish the seller, but its object is to provide pure food to the public.

"There had been, unconsciously perhaps, abstracted from the milk its fatty matter, to an extent which injuriously affected its quality..... The earlier branch of the section prohibits a person from abstracting part of an article of food with intent that the same may be sold in its altered state without notice, and it is said that the offence of selling aimed at by the latter part of the section is limited to the sale of an article so altered, that is to say, altered with such intent..... To my mind, so to construe the section would be to make nonsense of it, and to deprive the public of the greater part of the protection which the section was intended to afford..... the injury to the purchaser being just the same, whether there was a wrongful intent or not."

Again, Sir, Wright J., referred to *Fitzpartick v. Kelly*, and said:—

"Knowing of that decision, Parliament in 1875 drafted the present Act in the form in which they did, and it is only reasonable to suppose that from their knowledge of the construction which the judges had put upon the section in the earlier Act, they could tell what construction the judges would be likely to put upon a similar section in the Act they were passing, and would know that it would be construed without any reference to guilty intent."

You would see, Sir, that here I have quoted to you certain cases from the English Law showing and justifying the provisions of our own law and also showing how our law is much milder than the English Law.

Here again, Sir, I will draw your attention to the Sale of Intoxicant Act. In this Act in England it is provided that a licensed seller shall not sell to a child under 14 years of age liquor without a bottle being corked and sealed, and if the bottle is not found to be corked and sealed it is presumed that the seller knew that it was uncorked and unsealed, and that he cannot put forward a plea of ignorance. This is another kind of legislation on similar lines.

[Hon'ble Malik Firoz Khan, Noon.]

Similarly there is another English law on the subject that a mere possession of a thing which is prohibited by law is sufficient to establish the guilt. A game keeper is found in possession of game, for that he is convicted and punished, the question whether the game was stolen or otherwise does not arise. Similarly the English law in regard to the possession of adulterated tobacco is the same. The mere possession of adulterated tobacco is sufficient to convict a seller.

It remains for me, Sir, to mention only one point, and that is that yesterday it was mentioned that the English Act of 1928 is much milder than the Bill now before the House. I do not agree with this at all. Supposing, Sir, the English law was milder now than it was 50 years ago, what does it show? To my mind, Sir, what it shows is this, that at an early stage of legislation about the adulteration of food in England the English Parliament discovered that stringent measures were necessary to enforce on people the desirability of selling pure food. Sir, there was a time in England when stealing of sheep was a capital offence and the man was hanged for it. The condition of society in England in those days was such that a severe penalty was called for in order to stop stealing of sheep. If you will introduce such a law in England to-day, you will probably not consider it very sound. Why? because that country has been educated and advanced and the people can protect themselves. Similarly, the English law about adulteration of food was very stringent to begin with, but it is modified to-day because English Parliament feels that the people are educated and are able to defend themselves against persons who are likely to sell adulterated food. Similarly, we are at present at the same stage where England was a hundred years ago. However, it is for us to see whether our law to-day should be on the lines of the English law of the present time or on the lines of the English law of hundred years ago. Sir, we must not ignore the condition of the public that exists in this country to-day. Now, Sir, let us see if the English law is much different from our own law in essentials. Here is section 2 of the English Act of 1928 which reads thus :

"No person shall sell to the prejudice of the purchaser any article of food or any drug which is not of the nature, or not of the substance, or not of the quality, of the article demanded by the purchaser."

So far as the sale of this kind of articles is concerned, it is defined in sections 3 and 4 of our Adulteration of Food Act. The law in England is exactly the same as it was many years ago. If a person sells milk to another person who expects that there should be 9 per cent. of fat in it, but it is found that there is only 8 per cent. fat, the person who is selling the milk which is deficient in fat will be convicted to-day just as he would have been convicted twenty years ago. Our law is not much different from the English law. The penalty under clause 2 of the English law is provided for in sub-section (3) of section 27 of the English Act, and we have copied it *verbatim* from that Act, so you cannot say that our law is different from the English law. So you will see, Sir, that our punishment clause is the same as that of the English law on the subject. Some honourable members have

suggested that our law is much more stringent than the English law. That is not correct. What has actually happened is this that this law has been much more modified than the English law. As I have suggested to the House before it was right for us to make a law much more stringent than the English law on the lines of the English law of fifty years ago. But we have not done so. We have drafted our Bill on the lines of the modern English law. We have gone further than the English law. We have lowered the effectiveness of our Act by providing under certain circumstances that the employer shall not be liable. Under the English law of to-day, that is, the Act of 1923, an employer is liable to be punished for the act of his agent. Here we have exempted the employer.

Shaikh Abdul Ghani : Why have you exempted the employer?

The Honourable Malik Firoz Khan, Noon : We have agreed to the exemption of the employer. The reason why we have done so is this. The main object of the Act

3 P. M.
is to try and ensure that the person who is actually selling food sells pure food, and if we can get hold of the actual seller it would be enough for the present. My honourable friends who are fighting tooth and nail every clause of the Bill are trying to make it a sort of communal measure, a sort of class measure, whereas I have brought it forward for the benefit of the province as a whole. The Hindus, Sikhs as well as the Muhammadans stand to get the benefit of it. If any article of food is injurious to health, it is injurious to all persons equally. It is as bad for the honourable member from Jaranwala as it is bad for the honourable member from Sargodha. As far as the purity of food is concerned, it is the same for all classes, and I should have liked the honourable members to have taken the measure in the spirit in which it is brought forward. It was said that the Honourable Minister or the Government had some sinister motive behind their minds and wanted to interfere with the course of trade and ruin the trader, and also that it would prove an engine of oppression. All sorts of arguments of that kind were put forward. Let it be remembered that it is the representatives of the public opposite who do not realise their duty and protect the public by enacting a strong measure. It cannot be said of me that I have been unwilling to agree to the wishes of the Council. If this Act, therefore, in any way proves ineffective, or errs on the side of leniency let the blame be laid at the door of those honourable members here who have sought to modify it. For my part I hope to make it effective as far as possible.

In the end I only wish to say that as far as this clause is concerned I am advised by the Legal Remembrancer that its deletion would make no difference, and the Bill would remain as effective with this clause as without it. I have, therefore, no objection to the deletion of this clause altogether. Clause 13 as now agreed to by the House is enough to bar a plea of ignorance.

Mr. President : Question is—

"That clause 13 stand part of the Bill."

Motion was lost.

Clause 19.**Mr. President :** Question is—

"That clause 19 stand part of the Bill."

Motion was carried.

Clause 20.**Mr. President :** Question is—

"That clause 20 stand part of the Bill."

Motion was carried.

Clause 21.**Mr. President :** Question is—

"That clause 21 stand part of the Bill."

Motion was carried.

Clause 22.**Mr. President :** Question is—

"That clause 22 stand part of the Bill."

Lala Mukand Lal, Puri : Sir, I beg to move—

"That this clause be omitted."

Mr. President : Order, order. I have ruled more than once that the omission of a clause is not an amendment: nor is it a motion. It is a negation of the clause which the honourable member may oppose first by his speech and at the end by his vote.

Lala Mukand Lal, Puri : Sir, as a result of the discussion which has taken place, it has been agreed between the Honourable Minister and honourable members on this side that this clause need not form part of the Bill, and that a clause enacting the provisions of section 49 of the Municipal Act be substituted in its place. The principle underlying the deletion of this clause is that the rule of law forms part of the Indian law as much as it does of the English law, and ordinarily Indian law does not recognise any particular privileges in favour of officials. It does not recognise any administrative law (*loi administrative*) as it is recognised in France and other continental countries. An official is just as much subject to the penalties or privileges of law as an ordinary citizen. And there is no reason why an Inspector although he be a food inspector should be entitled to be treated differently from an ordinary citizen or official. That is the reason why I oppose the clause.

Mr. President : Question is—

"That clause 22 stand part of the Bill."

Motion was lost.

New clause.**Lala Mukand Lal, Puri :** I move—

"That the following be added to the Bill:—

"No suit shall be instituted against an Inspector in respect of any act purporting to be done in his official capacity until the expiration of one month next after notice in writing has been delivered to him, or left at his office or place of abode stating the cause of action, name and place of abode of the intending plaintiff and plaint must contain a statement that such notice has been so delivered or left, provided that nothing in this section shall apply to any suit instituted under section 54 of the Specific Relief Act, 1877."

This is an exact reproduction of section 49 of the Punjab Municipal Act, and it is felt that such a provision will meet the necessities of the case, and that no further protection is necessary for the Inspectors. I move the amendment for the acceptance of the House.

Mr. President : Question is—

“That the following new clause be taken into consideration :—

“No suit shall be instituted against an Inspector in respect of any act purporting to be done in his official capacity until the expiration of one month next after notice in writing has been delivered to him or left at his office or place of abode stating the cause of action, name and place of abode of the intending plaintiff, and plaint must contain a statement that such notice has been so delivered or left, provided that nothing in this section shall apply to any suit instituted under section 54 of the Specific Relief Act, 1877.”

Motion was carried.

Rana Firoz-ud-Din Khan [South-East Towns, (Muhammadian), Urban] (Urdu) : Sir, the object of the proposed clause seems to be simply this that no suit should be instituted against an Inspector in respect of any act purporting to be done in his official capacity until the expiration of one month next after notice in writing has been delivered to him. In my opinion this clause would afford the Inspector no protection at all. He would be harassed by such notices every now and then. Besides, this clause debars civil proceedings only, and the inspector will always be liable to criminal proceedings on the ground of unlawful trespass. It has also been said that this clause has been taken from the Municipal Act. But this is no reason why this clause should be acceptable to the House.

Mr. President : It does not touch criminal proceedings at all.

Rana Firoz-ud-Din Khan : Yes, that is the reason why I say that this provision would give no protection to the inspector. To me this clause seems to be ridiculous and unnecessary. I therefore strongly oppose it.

The Honourable Malik Firoz Khar, Noon : I wanted to say that as far as the criminal liability is concerned he is protected under the Indian Penal Code, section 79, which says, “Nothing is an offence which is done by any person who is justified by law, or who by reason of a mistake of fact and not by reason of a mistake of law in good faith, believes himself to be justified by law, in doing it.” So, we agreed to the omission of the criminal portion from the clause. He is protected in any case.

Shaikh Abdul Ghani [West Punjab Towns (Muhammaadan) Urban] : Suppose you want to enforce this Act in a place like Lahore. The inspector takes some drastic action. Several people join together and say, “we know that the only method of hauling up the inspector is to serve notice,” and after a month they institute proceedings against him. Is it considered that the inspector under the circumstances will have the audacity to go on and do his duties in the way you want? It will be impossible for a man when there is a shower of notices against him to go on with his duties. I think this is quite unnecessary. After all, this is a new legislation, and all of us have been saying that the Municipal Act and the Punjab Food Act of 1919 and others have all been ineffectual. Now the House is summoning up courage, and it wants to tackle the problem,—a problem which is eating into the very vitals of the nation. Under these circumstances you put forward a legislation half-heartedly simply because you are afraid that certain sections of the population whom it might hit resent it.

Mr. President : May I know what the honourable member is driving at ?

Shaikh Abdul Ghani : I am showing that if you retain this legislation on the statute book and you do not want it to be treated as a dead letter, then at least give your inspector opportunities to launch proceedings against the persons concerned free and unrestricted. If you cannot protect him and if you cannot make him free, then your Act is doomed.

Mr. President : All this might have been relevant when clause 22 was under discussion. The House has decided that that clause should not stand part of the Bill. So, its discussion is rather late.

Shaikh Abdul Ghani : We know that it is a cry in the wilderness, especially when it was stated that the Government had agreed to this new clause. We think it is our duty to show that we are not a party to this. We know we are helpless, and we cannot do anything in the matter. That is all I can say.

Shaikh Muhammad Sadiq [Amritsar City (Muhammadan) Urban] Of course I know that clause 22 has been omitted. But I do not understand the object of adding this new clause. There may be no harm without this clause ; but when lawyers see this clause they may at once think of sending notice to the inspector and creating trouble for the inspector. What is the use of creating trouble to this poor inspector ? We know how most of these things are run in municipalities. If fifty or sixty notices are served against him the municipality will say he is a bad man. It is much better not to give such sort of protection to this man. He may well say "God save me from my friends." If the object is to give him protection, then this is hardly giving protection. Since the Government have taken away the criminal protection, let this civil protection also go. If this clause is added then any number of petitions might come in. They have to spend only 8½ annas on a notice. It only gives him one month's time and nothing else.

Mr. President : When clause 22 was under discussion, the honourable member did not even rise to speak.

Shaikh Muhammad Sadiq : We knew the hopelessness of the position. Government had told us that they agreed to the omission of that clause. But now I am not sure whether they have also agreed to this new proposal. I think that the mover himself is willing to withdraw this amendment, and we on this side are of the same opinion and the benches to my left are almost vacant. Why should the Government thrust this clause on us now ? I hope the Honourable Minister will not accept this amendment because it is adding more trouble to the inspector, and it is only showing a way to the thousands of shopkeepers to give trouble to the poor inspector.

The Honourable Malik Firoz Khan, Noon (Minister for Local Self-Government) : Sir, I have no doubt that this section does not prevent a civil suit being lodged against an inspector ; but the object of having this clause is this. It at least gives the inspector the chance to know what sort of a suit is going to be filed against him, and in many cases it happens that the necessary notice has not been given and the suit for this reason will be dismissed. To start with, I think there will be very few cases in which people will be prepared to come and pay court-fees and engage counsel and lodge civil

suits against an inspector. You might have expected that some people may prosecute him for persecution or for taking away things from the shop and for things like that. In such cases he is already protected under the Indian Penal Code. As far as civil liability is concerned, the question of a notice is of great value. I know it for a fact that under the Civil Procedure Code all suits which are to be lodged against the Secretary of State require at least two months' notice under section 80 or 82 of the Civil Procedure Code. There are many cases in which suits filed against the Secretary of State are on the very first objection rejected either because the cause of action has not been stated or because it has not been properly stated or because there is a fight between the lawyers as to the jurisdiction. These are all preliminary objections without going into the details. So this fact of giving one month's notice and stating the whole case is very important, so that the inspector knows and he has time to prepare his case if a case is filed against him. So it is in a way advantageous to have this new clause.

Mr. President : Question is that the following new clause be added to the Bill :—

"No suit shall be instituted against an Inspector in respect of any act purporting to be done in his official capacity until the expiration of one month next after notice in writing has been delivered to him, or left at his office or place of abode stating the cause of action, name and place of abode of the intending plaintiff and plaint must contain a statement that such notice has been so delivered or left, provided that nothing in this section shall apply to any suit instituted under section 54 of the Specific Relief Act, 1877."

The Council divided : Ayes 42 ; Noes 16.

AYES 42.

Col. C. A. Gill.
Mr. H. Calvert.
Mr. C. A. H. Townsend.
The Hon'ble Malik Firoz Khan,
Noon.
Khan Bahadur Nawab Muzaffar
Khan.
Mr. W. R. Wilson.
Sir George Anderson.
Mr. A. R. Astbury.
Mr. J. B. G. Smith.
The Hon'ble Mr. Manohar Lal.
The Hon'ble Sardar Sir Jogendra
Singh.
The Hon'ble Mr. A. M. Stow.
The Hon'ble Mian Sir Fazl-i-
Husain.
Mr. Alan Mitchell.
Mr. J. D. Penny.
Mr. C. M. G. Ogilvie.
Mr. H. M. Cowan.
Dr. Mrs. M. C. Shave.
Khan Bahadur Maulvi Abdul Ghani.
Mr. S. L. Sale.
Diwan Bahadur Raja Narendra Nath.

Rai Bahadur Lala Sewak Ram.
Khan Bahadur Captain Sardar
Sikandar Hyat Khan.
Rai Bahadur Lala Mohan Lal
Pandit Nanak Chand.
Chaudhri Baldev Singh.
Lala Mukand Lal Puri.
Mian Ahmad Yar Khan, Daultana.
Mr. Owen Roberts.
Rai Bahadur Pandit Daulat Ram,
Kalia.
Rai Sahib Lala Ganga Ram.
Lala Gopal Das.
Rai Bahadur Lala Rattan Chand.
Pandit Mehar Chand.
Sayad Mubarik Ali Shah.
Khan Sahib Khan Muhammad
Saifullah Khan.
Risaldar Bahadur Nur Khan.
Rai Bahadur Lala Dhanpat Rai.
Sardar Bahadur Capt. Dalpat Singh.
Sardar Bahadur Sardar Sheo Narain
Singh.
Sardar Sahib Sardar Fateh Singh.
Sardar Mohindar Singh.

NOTES 16.

Malik Nawab Major Talib Mehdi Khan.
 Shaikh Faiz Muhammad.
 Chaudhri Duli Chand.
 Chaudhri Yasin Khan.
 Khan Bahadur Malik Muhammad Amin Khan.
 Khan Bahadur Mian Muhammad Hayat, Qureshi.
 Rana Firoz-ud-Din Khan.

Shaikh Abdul Ghani.
 Chaudhri Muhammad Abdul Rahman Khan.
 Chaudhri Afzal Haq.
 Shaikh Muhammad Sadiq.
 Sardar Hira Singh, Narli.
 Sardar Hari Singh.
 Sardar Partap Singh.
 Sardar Harbakhsh Singh.
 Mr. E. Maya Das.

Clause 23.

Sub-clauses (1) and (2).

Mr. President : Question is :

"That sub-clauses 1 and 2 of clause 23 stand part of the clause."

Motion was carried.

Sub-clause (3).

Lala Mukand Lal, Puri [Lahore City (Non-Muhammadan), (Urban)] : Sir, sub-clause (3) requires amendment in the light of what we have already done. This imposes a penalty contrary to the view of the House as expressed in the previous clause.

Mr. President : There is no amendment now before the House. What is the honourable member speaking to ?

Lala Mukand Lal, Puri : I am merely putting forward a suggestion,

Mr. President : If by suggestion is meant an amendment, no amendment has been tabled.

Mr. President : Question is ;

"That sub-clause (3) of clause 23 stand part of the clause."

Motion was carried.

Sub-clause (4).

Mr. President : Question is :

"That sub-clause (4) of clause 23 stand part of the clause."

Motion was carried.

Mr. President : Question is :

"That clause 23 stand part of the Bill."

Motion was carried.

Proviso.

Diwan Bahadur Raja Narendra Nath [Punjab Land-holders (General)] : Sir, I beg to move :

"That the following be added after sub-clause (4) of clause 23 :—

Provided that before making any rules under the provisions of this section, the Local Government shall, in addition to observing the procedure laid down

in section 21 of the Punjab General Clauses Act, 1898, publish by notification a draft of the proposed rules for the information of persons likely to be affected thereby at least thirty days before a meeting of the Punjab Legislative Council. The Local Government shall defer consideration of such rules until after the meeting of the Punjab Legislative Council next following the publication of the draft, in order to give any member of the Council an opportunity to introduce a motion for discussing the draft."

You see, Sir, that this Bill has been under the discussion of the Council for the last three or four days and that is a sufficient indication of the fact how deeply interested the members are in this measure. Yet a reference to sub-clause (2) will show that very important matters have to be regulated by rules. There are the qualifications of persons who are to be appointed as inspectors, there are the qualifications of persons who are to be appointed as analysts, there is the nature of adulteration to be defined, the standardization of food, etc. If the Council continues its interest in the Bill which it has been discussing for so many days, I am sure the Council will want that the rules are also brought up before the Council for discussion.

Mr. President : For discussion only ?

Diwan Bahadur Raja Narendra Nath : For discussing the draft and for suggesting any changes that Government might afterwards adopt.

Mr. President : That is what the honourable member means by discussion.

Diwan Bahadur Raja Narendra Nath : Yes, the object is that Government should give the Council an opportunity of discussing the draft. I have not undertaken the responsibility of suggesting that the Council should itself change the rules because I thought that would be introducing a controversy with regard to the powers of the Council to which there may be no end. I will not touch on that point.

There is nothing more to be said and I hope that the House will accept this amendment of mine and the Honourable Minister will have no objection to it.

Mr. President : Question is—

"That the following new proviso be taken into consideration :—

'Provided that before making any rules under the provisions of this section the Local Government shall, in addition to observing the procedure laid down in section 21 of the Punjab General Clauses Act, 1898, publish by notification a draft of the proposed rules for the information of persons likely to be affected thereby, at least thirty days before a meeting of the Punjab Legislative Council. The Local Government shall defer consideration of such rules until after the meeting of the Punjab Legislative Council next following the publication of the draft, in order to give any member of the Council an opportunity to introduce a motion for discussing the draft.'"

Motion was carried.

Mr. President : Question is—

"That the following proviso be added to clause 23 :—

'Provided that before making any rules under the provisions of this section the Local Government shall, in addition to observing the procedure laid down in section 21 of the Punjab General Clauses Act, 1898, publish by notification a draft of the proposed rules for the information of persons likely to be affected thereby, at least thirty days before a meeting of the Punjab Legislative Council. The Local Government shall defer consideration of such rules until after the meeting of the Punjab Legislative Council next following the publication of the draft, in order to give any member of the Council an opportunity to introduce a motion for discussing the draft.'"

Motion was carried.

Mr. President : Question is—

“That clause 23 as amended stand part of the Bill.”

Motion was carried.

Schedule

Mr. President : Question is—

“That the schedule stand part of the Bill.”

Motion was carried.

Preamble.

Mr. President : Question is—

“That this be the preamble of the Bill.”

Motion was carried.

Clause 1.

Sub-clause (1).

Mr. President : Question is—

“That sub-clause (1) of clause 1 stand part of the Bill.”

The Honourable Malik Firoz Khan, Noon : I think, Sir, I drew your attention to the fact that only two figures are given there. This was objected to by the Government of India. They said that it should read: “Pure Food Act of 1929”.

Mr. President : The Bill may not receive the assent of the Governor-General by the end of the current year. When does it become law?

The Honourable Malik Firoz Khan, Noon : It becomes law after it has received the assent of the Governor-General.

Mr. S. L. Sale (Legal Remembrancer) : Sir, the Bill becomes an Act when it has received the assent of the Governor in Council, but it does not become law until it has received the assent of the Governor-General in Council.

Mr. President : The point is what two figures are to be put in?

Dr. Gokul Chand, Narang : There is no harm in leaving it as it is.

The Honourable Malik Firoz Khan, Noon : The Government of India object to it. They say we must put 1929.

Mr. S. L. Sale : May I explain, Sir? In one Bill recently passed by this Council, I think it was the Sind Sagar Colonization Act—the last digit in the short title was left blank, and when it went up for the assent of the Governor-General in Council an objection was made in the Legislative Department of the Government of India that nobody had any power to enter any digit under any Act once it has been passed by a Council. They also said that an amending Act would have to be brought into the Council to enter the digit.

The Honourable Mian Sir Fazl-i-Husain : I suggest that 1929 be added in the blank space. Would it be necessary so far as 1929 is concerned to support it with any ruling?

Mr. President : I have no objection, but there is one thing which may be borne in mind. Section 81 (2) of the Government of India Act says: “If

the Governor withholds his assent from any such Bill, the Bill shall not become an Act". It follows from this that as soon as he gives assent a Bill becomes an Act. Therefore, no figures need be inserted now and the year may be inserted as soon as the Governor gives his assent. The year might be 1929 or 1930.

The Honourable Mian Sir Fazl-i-Husain : It is hardly necessary to enter into an argument with the Government of India.

Mr. President : I leave it to Government.

The Honourable Malik Firoz Khan, Noon : I beg to move—

"That in sub-clause (1) of clause 1, the figures '29' be inserted after the figures '19'.

Motion was carried.

Mr. President : Question is—

"That sub-clause (1) of clause 1 as amended stand part of the Bill."

Motion was carried.

Mr. President : Under Article 92 of the Business Manual, I appoint

4 P.M.

a committee consisting of the member of the Government to whose department the Bill relates, the member who introduced the Bill (of course both of these happen to be one and the same person in the present case), the Secretary to Government in the Legislative Department and the Deputy President, to examine the Bill and report to the Council what amendments of a formal or consequential character should be made in the Bill as a matter of drafting.

Dr. Gokul Chand, Narang : May I suggest the inclusion of Mr. Mukand Lal, Puri, in that committee?

Mr. President : If the honourable member will please refer to the article he will observe that only the gentlemen mentioned by me are entitled to constitute the committee. It is not in my power to include anybody else.

There is one more point the Council has to decide, that is to say, when the committee should present its report to the Council.

The Honourable Mian Sir Fazl-i-Husain : On Monday.

Mr. President : In view of the fact that a very large number of amendments have been made, I would request the Committee, if the House agrees, that they should not only report to the Council a list of the formal or consequential amendments which may be necessary in their opinion, but that they should also incorporate those amendments in the Bill and get it printed with their amendments. I think this will enable the members to see how the Bill would read if the proposed amendments were accepted. There is no hurry, so the report can be made by Tuesday next.

The Honourable Mian Sir Fazl-i-Husain : Later on, the other Bill will be ready to go to a similar select committee and, therefore, if the report of the Committee on the present Bill is not ready by two o'clock on Monday, then it cannot be ready by Tuesday either.

Mr. President : I have no objection to the report being presented on Monday.

Lala Mukand Lal, Puri : May I suggest that the committee that you have appointed may commence work just now so that it may be able to present its report on Monday. Meanwhile the Council may be adjourned for the day.

Mr. President : Had I not been asked at the commencement of to-day's proceedings that the House should be adjourned to enable some of the members to see a tennis match, I should have been inclined to consider the honourable member's suggestion favourably.

Lala Mukand Lal, Puri : That reason does not hold good at present as there is no time now to go to the match.

Mr. President : I think the Council should continue to sit, even if three of its members are going to be absent in connection with the work of the Committee. I do not propose to adjourn the House on that ground.

May I take it that the Council agrees that the committee just appointed by me should present its printed report to the Council on Monday next? Is that the pleasure of the Council? (voices : Yes).

THE PUNJAB REGULATION OF ACCOUNTS BILL.

The Honourable Mr. A. M. Stow (Finance Member) : Sir, I beg to move—

"That the Punjab Regulation of Accounts Bill as reported by the Select Committee be taken into consideration."

In introducing this Bill as it emerges from the Select Committee I shall confine myself to pointing out the particular modifications which that committee have proposed.

The House will observe that in clause 2, sub-clause (7), exemption (vi) of the Bill originally introduced, namely—

"A loan advanced by a landlord to his tenant, lessee, partner in cultivation, or co-sharer for the purpose of carrying on agriculture"

disappears altogether.

The important exemptions (v) and (vi), which deal with certain classes of trade have been modified by the omission of exemption (v) and clarified by the new definition of 'trader' in what is now sub-clause (9). In any discussion on this point it is important to remember that the type of loan which it is proposed to exempt is the loan to the trader and not by the trader.

The omission of exemption (v) has been found necessary in order to prevent possible evasions of the intentions of the Bill.

The addition in exemption (ii) is intended to provide for the case of charitable and other institutions of the type frequently registered under the Societies Registration Act, 1860, or under similar enactment.

Exemption (iii) is now limited to Government and local bodies.

Exemption (iv) has been modified in order to guard against possible evasions of the intentions of the Bill by persons forming themselves into private companies.

I now turn to clause 3. The modifications of clause 3 give certain facilities to both the creditor and the debtor which did not find a place in the Bill as originally introduced in this House. For instance, the creditor is allowed two months instead of one month as the period within which the six-monthly statement of account is to be sent. Provisos (iii) and (iv) are intended to meet the cases where the creditor's loan passes by succession or inheritance to a widow or a minor or where the succession to the estate is *sub-judice*. I would refer especially to proviso (i) which is intended to give the local Government power to prescribe the language and script both in the accounts to be maintained by the creditor and in the account to be furnished to the debtor. Attention is also drawn to proviso (ii) which is intended to ensure that the debtor when he receives his six-monthly account has full information as to what part of the account refers to the principal and what part to interest.

The penalty clause 4 representing as it does the views of Government on this very important issue remains as it was in the Bill as originally introduced. (*Hear, hear*).

The proviso to clause 5 has been added to clear the ambiguity which might arise with reference to the main clause.

In clause 6, the proviso must be read with the proviso to clause 1, both of which are most necessary additions.

That is all I need say about the Bill itself at the present moment. The minutes of dissent disclose the fact that the Bill is unpalatable to some and considered inadequate by others. But these minutes of dissent are not animated by rancour but by a businesslike and reasonable determination to make the Bill as workable as possible. This spirit may well claim to have achieved already a considerable measure of success. The Bill as modified by the Select Committee's deliberations will, I trust, strike the House as a marked improvement on the Bill as originally presented. I feel sure that I can appeal to honourable members to continue the discussion of this difficult and complicated problem in the same spirit of reasonableness and businesslike determination. (*Hear, hear*).

Mr. President : Motion moved is—

"That the Punjab Regulation of Accounts Bill as reported by the Select Committee be taken into consideration."

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadan), Rural : Sir, I rise to oppose the motion which has just now been made by the Honourable Finance Member. I wish that I could give my support to the report of the Select Committee; but after having carefully gone through the report of the Select Committee I am constrained to say that this Bill approaches a good deal nearer the older Bill which was rejected by His Excellency the Governor sometime ago. I consider that no case has been made out that a Bill of this nature should be introduced in the Punjab Legislative Council and should be passed into law. I regard this Bill as I regarded the former Bill as a sort of class measure which is meant not for the protection but the destruction of the trading class in the name of protecting certain other classes, namely, the class of borrowers. I say that no need has been made out for a Bill of this nature to be introduced into this Council and passed into law. So far as the indebtedness of the peasantry is concerned, that is a problem which is common to all the provinces in India. The Punjab

[Pt. Nanak Chand.]

is not the only province where peasants or the labourers or other classes are in debt to certain other classes of people. The Honourable the Finance Member has described this Bill as tackling a very difficult and intricate problem. It is indeed a most difficult and intricate problem which cannot be solved by the Bill which has been presented in an amended form by the Select Committee and which has been placed for the acceptance of the Council. I wish to remind the honourable members of this Council that a similar Bill was brought forward in 1923 in the Legislative Assembly by Mr. Muhammad Yamin Khan. There the Bill was opposed by the Government. The Government regarded the problem as a very difficult and very intricate one and thought that the kind of Bill which had been brought forward would not solve the problem, but would only make matters worse.

With your permission, I wish to draw your attention to the problem which was sought to be tackled by Mr. Muhammad Yamin Khan to which a reply was given by the Government in the Legislative Assembly. I am reading, Sir, from the Legislative Assembly Debates, Volume III, Part III of 1923, when Mr. Muhammad Yamin Khan sought leave to introduce his Moneylenders Bill. This Bill, also should have been called the Moneylenders Bill, in reality the name of the Regulation of Accounts Bill, has been adopted to throw dust into the eyes of the people. It is really the old Moneylenders Bill, though the words here are different.

Mr. Muhammad Yamin Khan said—

"Another practice prevalent is this, that these *bahi khata*s which are used by these moneylenders are not properly bound. I do not know what happens in other provinces, but in my province, in the United Provinces, generally this *bahi khata* is a heap of papers tied together with a string and any leaf can be taken out or inserted in at any time; and suits are filed on the basis of these *bahi khata*s. I want to remedy this defect by providing that when a suit is brought on the basis of such a *bahi khata* that *bahi khata* should have been produced before the income-tax officer, or that he can bring a suit on other properly kept account books, as provided in the Indian Evidence Act."

Here, Sir, you will see that in the present Bill an attempt has been made to regulate accounts and to force a moneylender or those persons whose business it is to lend money that they should keep their accounts in a particular prescribed form. Now, a reply to this was given by Mr. Haig, who quoted the opinions of various Governments on this point. I will read out the opinion of the Madras Government which is quoted at page 2590 :—

"The registration of moneylenders would be a formidable and almost impossible undertaking and would be so far from complete as to be useless. Nor does the Governor in Council consider that any useful results would be produced by compelling moneylenders to keep accounts or give receipts from counterfoil receipt books."

The Government of Bombay said :—

"The problem of dealing with moneylenders in England is totally different from that of dealing with them in this Presidency, and arguments from the success of Moneylenders Act in England are in the view of the Governor in Council full of danger. In England a small and fairly well-defined class of professional lenders catering for a comparatively small class of borrowers has been taken under control without difficulty and without interfering with or unsettling the whole of the credit system of the country. In India practically everyone with a little money in hand lends it out, and the agriculturist who has saved a few rupees is often quite as rapacious as any *sahukar*. Registration of moneylenders would represent enormous difficulties in India"—mark these words "and in fact may be said at once to be impracticable even to arrive at a satisfactory definition of 'moneylender' would be a hopeless task."

The Burma Government and the Central Provinces Government were of the same opinion. The Lieutenant-Governor of the United Provinces thought that "all ideas of registering moneylenders insisting on their keeping books and the like are quite out of the question".

This was the question and these were the replies made by various Governments whether the money-lenders should be registered and keep their accounts in a particular prescribed form. This opposition to that Bill did not come only from the non-official benches, but also from the official benches. The Honourable Mr. Haig, who spoke on behalf of the Government opposed the introduction of that Bill and the leave to introduce was not given.

I submit, Sir, that up to this time no case has been made out by the Punjab Government as to how this problem in the Punjab is different from the problem in Bombay and other provinces, as a matter of fact from the one existing in the whole of India. No case has so far been made out. On the other hand it has been recognized by more authorities than one that under the present circumstances in which this country is, these money-lenders perform a very useful function and it would be destroying trade, commerce and agriculture if any restrictions were to be placed on these money-lenders. Again, I will quote, Sir, from this very speech of Mr. Haig from page 2591:—

"The whole result would be to interfere to a very great extent with the moneylending system of the country, and I would ask honourable members to remember, as no doubt they will remember, that, whatever hard things may be said against moneylenders as a class or individuals in particular, the fact remains that the moneylender is one of the most useful members of society in this country. The honourable member says: 'Question'! But how is a vast agricultural country especially in those tracts where the ryotwari system is prevalent, how is it to be carried on at all if money is not available for agriculturists? Agriculture cannot be carried on without borrowed capital. The honourable member says: 'Co-operative Societies.' How many Co-operative Societies are there as yet in this country? Does he not realize that co-operative moneylending, in spite of the great strides that it has made, is still in its infancy, and that, if we are to strike a blow at the common system of lending money in this country, the result would be disastrous?"

Sir, these are the words which should have been used by the honourable members sitting on this side of the House (Official Members) to oppose the motion which is just now before the House. It may be that it is what a gentleman from Bombay says. We want to have authorities from the Punjab. Now, here is what Mr. Darling says. Nobody can accuse Mr. Darling of being in sympathy with these moneylenders.

Chaudhri Duli Chand: What does Mr. Calvert say?

Pandit Nanak Chand: Mr. Calvert is here. He will make his own statement. At pages 199-200 of his book, "The Punjab Peasant in Prosperity and Debt" 2nd Edition, Mr. Darling says:—

"In an agricultural country like India, which is subject in a singular degree to pestilence and famine, the moneylender could always command a certain tolerance, and the guess may be hazarded that, had Islam arisen in the fertile plains of Hindustan instead of in the deserts of Arabia, its attitude towards the taking of interest would have been different. Financing the village, marketing its produce and supplying its necessities, the moneylender in India frequently stood between the cultivator and death; and, as Sir William Hunter remarks, he represents the one thrifty person among an improvident population, without whose help the cultivator would have had nothing to depend upon but

[Pt. Nanak Chand.]

the harvest of a single year.' Whenever, therefore, we are tempted to revile him, we should remember that by his assistance to agriculture for 2,500 years he has made life possible for millions who must otherwise have perished or never been born."

These are, Sir, the words of a gentleman, who is now at the head of the Co-operative Societies and who has got every possible sympathy for the peasants. Now, Sir, if you look at the condition of the society to-day, you will find that whether in villages or towns where the men are always in need of money, fortunately or unfortunately the peasants and labourers and even those who are better placed than the peasants and labourers are in need of money on various occasions. When an urgent necessity arises, is it possible for a villager to go to the Punjab National Bank or even to the Co-operative Societies? It is at that time that the moneylender comes to his help. These are the things for which a village moneylender is blessed by these people who seek his protection at the time of need. Can you prevent disease, can you prevent famine, can you prevent various necessities which a borrower has to face? Under these circumstances it becomes necessary for him to go and seek the help of a moneylender, and after having got that help it becomes possible for him to face the difficulties for the time being.

Lastly, the passing of this Bill into law would destroy the facilities for credit and would destroy a large number of Sahukars, not only belonging to Bania, Arora and Khatri communities but belonging to other agricultural classes as well.

Sir, as I stated the Bill in its present form is no better than the Bill which was presented by my friend from Amritsar (Mir Maqbool Mahmood). It was in November 1924 that a Bill was put forward before this Council. It was called the Registration of Moneylenders Bill or Moneylenders Bill. One provision of that Bill was that moneylenders should be registered and the second provision was that the moneylenders should keep regular accounts on prescribed forms. There was a storm of opposition raised against that Bill. That Bill was withdrawn and a new Bill was brought forward by the honourable member. It was difficult for the honourable member and his advisers—at that time Government Members were his advisers—to give it a proper name. They started calling it Borrowers Protection Bill. At the end of the session when that Bill was being debated upon, they gave it another name, namely the Regulation of Accounts Bill. Thus you will see, Sir, that the Bill in form and substance is the same but different names have been given to it so that it may not appear to be an unjust Bill. When it was called Borrowers Protection Bill naturally people asked, when you protect borrowers, why don't you protect lenders as well? Why only borrowers should be protected? So another name was given to it, that is, the Regulation of Accounts Bill. The provisions in this Bill are the same as they were in the old Bill. The provisions of this Bill are really the same and the object of this Bill is to protect a particular class of people, namely, the borrowers and to destroy another class of people, namely, the lenders or the creditors.

So far as this Bill is concerned, the object underlying it could be gathered from the minute of dissent appended to it by Rai Sahib Chaudhri Chhotu

Ram and others. At page 4 in their minute of dissent they say :—

"The main object of this legislation would be the 'protection of the ignorant borrower without undue interference in trade and credit.' The aim will be to 'secure as between certain classes of creditors and debtors an improved system of keeping accounts which will give to the latter a means of ascertaining periodically how their accounts stand and how they are composed'. The need for some legislation for the 'protection of the ignorant borrower' having been admitted by Government, no apology is needed for the present Bill."

The real object as disclosed in this quotation from the speech of His Excellency Sir Malcolm Hailey is that the ignorant borrower should be protected. And I want most earnestly to place before this House the various efforts made by the legislature in the past to protect the ignorant borrower. This Bill not only protects the ignorant borrower but puts the greatest premium on fraud and dishonesty and dishonest borrowers are sought to be protected.

Genuine attempts have been made in times past by the various legislatures to protect the ignorant borrower. With your permission, Sir, I would here refer to the Act called the Usurious Loans Act passed some time ago by the Indian Legislative Assembly. The object of this Act is stated as follows :—

"The remedy proposed by this Bill is to empower the courts on the lines of section 1 of the Moneylenders' Act, English Act, (1) to re-open transactions by way of money or grain loans in cases where the court is satisfied that, etc.;

(2) when the transaction is substantially unfair and after investigation of the circumstances both attendant and antecedent to revise the transaction between the parties."

This is stated by Sir William Vincent and Sir Alexander Muddiman. A commentator on this Bill states :—

"This Act is much wider in its scope than the Moneylenders' Act of England. The transaction by a firm *bona fide* carrying on any business not having for its primary object the lending of money but in the course of which money is lent is excluded from the definition of moneylenders. There is nothing in the Usurious Loans Act which would exempt such a loan from coming within the purview of the Act."

It will be found that even such transactions as are sought to be given a different colouring could be brought within the operation of the Usurious Loans Act. In the face of this Act, I ask whether we could do anything more to protect the ignorant borrower. With your permission, I shall read one or two sections of this Act. Section 3 reads :—

"Notwithstanding anything in the Usury Laws Repeal Act of 1855, where in any suit to which this Act applies, whether heard *ex-parte*, or otherwise, the court has reason to believe—

(a) that the interest is excessive ; and

(b) that the transaction was as between the parties thereto, substantially unfair,

the court may exercise all or any of the following powers, namely, may—

(i) re-open the transaction, take an account between the parties, and relieve the debtor of all liability in respect of any excessive interest,

(ii) notwithstanding any agreement, purporting to close previous dealings and to create a new obligation, re-open any account already taken between them and relieve the debtor of all liability in respect of any excessive interest, and if nothing has been paid or allowed in account in respect of such liability order the creditor to repay any sum which it considers to be repayable in respect thereof ;

[Pt. Nanak Chand.]

(iii) set aside either wholly or in part or revise or alter any security given or agreement made in respect of any loan, and if the creditor has parted with the security, order him to indemnify the debtor in such manner and to such extent as it may deem just."

You will see, Sir, how wide the provisions of this Act are. The courts are already armed with these wide powers to relieve ignorant persons if they have suffered any harm through the machinations or evil designs of the creditor. They can reopen even the most solemn transaction and that, I submit, is a very great protection afforded by the existing law to an ignorant borrower. Then you will find that in the Contract Act, in section 16, an illustration is added to it where the court has got a right to interfere and lay the burden of proof on the moneylender of the fact that the transaction was a just and equitable one. Again, under the Evidence Act it has been enacted that the evidence of mere book entries will not be sufficient and the man has either to go into the witness box and subject himself to cross-examination or his transaction will fall through.

These, I submit, are the various provisions of law which are enacted already for the protection of the ignorant, the illiterate borrower, who happens to suffer at the hands of the money-lender. I would ask the Honourable Finance Member to lay his finger on a provision in this Act which protects the *ignorant* borrower and makes any distinction between the ignorant borrower on the one side and a borrower who is literate and who can take care of himself on the other. It may be the case of a person saying: I do not want your protection; but these gentlemen want to say to him: No, no, we are going to protect all borrowers. If there is a merchant, if there is a pleader or a lawyer, if there is an Indian civilian officer, all these come under the protection of this Act. And I ask in all seriousness whether you are going to protect all these people and to give them the chance of being dishonest. Or, is it your desire merely to protect the illiterate, the ignorant borrower who cannot take care of himself? I wish to know whether the distinction is made in any provision in the Bill.

As I stated in the beginning, this is really a class measure. It divides the people into two classes, the borrowers on the one side and the creditors on the other. To the creditors it says: We are going to destroy you, we are going to do our utmost to place difficulties in your way. And to the borrowers, it says: You may be dishonest as you like. After having taken the money, you need not pay it. I would ask, is that fair, is that just, is that reasonable on the part of Government to do?

Let us look at the provisions of this Act itself. There are three of them which show clearly that it is a class measure. They make it clear beyond all doubt that the aim and object of this measure is to satisfy a particular class of people, the dominant party in the Punjab Legislative Council, which has times out of number insisted upon the destruction of the wretched Sahukars, and whose desire is to see the province freed from the money-lenders. Look at the explanation to sub-clause (2) of clause 3. It reads:—

'A person to whom a statement of account has been sent under clause (b) of sub-section (1) shall not be bound to acknowledge or deny its correctness and his failure to protest shall not, by itself, be deemed to be an admission of correctness of the account.'

This Bill requires that the creditor shall keep accounts in a prescribed form, in a particular kind of language and with a certain kind of numerals and then notices are to be sent every six months with regard to those accounts. No obligation is laid on the debtor to reply to these notices, none whatever. After these notices have been sent, these six-monthly accounts have been rendered, after these accounts have been kept in a prescribed manner, what would one expect in the ordinary course of circumstances? One would expect that if there is no reply to the notices, there must be a presumption of correctness with regard to the accounts. There must be that presumption and one cannot escape that inference. You prescribe the severest penalties, the strictest form in which the accounts are to be maintained and to be rendered every six months and these should satisfy you that they are correct. But still you lay down not only that there shall be no presumption of their accuracy but any failure to question their accuracy shall not be deemed to be an admission of their correctness. Sir, what further proof is needed of the mentality that is at the basis of the Bill? The mentality is clearly this, not to give the creditor in spite of the severest penalties and conditions imposed upon him, the benefit of a presumption in his favour. I ask, is it not grossly unfair, absolutely unjust and extremely hard on the creditor? One would have conceded that at least if the conditions imposed upon the creditor were not satisfied, there need be no presumption in his favour but to have the conditions imposed and to add an explanation of this kind is nothing short of vindictive. Why should not the courts be left to draw their own conclusion one way or the other? The Government want to give them this direction that even when the creditor has complied with all the conditions, the courts shall not draw any hostile conclusion. By enacting a clause of this kind, I have no doubt that the Government are giving way to the dominant section in this House which has been clamouring for the last four or five years for the blood of these moneylenders. There is no other inference possible and you cannot but assume that the Government is really attempting to give way before those dominant sections of the House whose main object, not hidden object but expressly stated in this open House, has been to restrict these moneylenders in their lawful operations (*A voice*: Lawful profession.) If they are illegal, if this profession is unlawful, well there is the Indian Penal Code and I would challenge my friend Sikandar Hyat Khan who has been interrupting me after every sentence, I challenge him and I can quote any number of instances from the Co-operative Societies where men have been guilty, men who have been entrusted with the duties of keeping accounts, have been guilty of malpractices, have been guilty of deceit, of cheating, but I ask my friend to bring forward a case where a moneylender has been convicted of these malpractices (*A voice*: They are too clever to be caught). They would be always too clever to be caught. Brain will always rule. Now another instance of this clause measure is

Mr. President: I think the honourable member who commenced his speech with the object of opposing the motion for the consideration of the Bill is not in order in discussing the clauses of the Bill. He has already discussed sub-clause (2) of clause 3. I did not object to it, but I will not allow him to discuss any more clauses or sub-clauses of the Bill.

Pandit Nanak Chand : Sir, with your permission, I shall submit that I started by saying that it is a class measure and I can under the rules refer to the provisions of the Bill.

Mr. President : My ruling is that the provisions of the Bill cannot be referred to clause by clause. He has already referred to one of them and I did not object to it, because I thought he had done so only by way of illustration. But if he proposes to discuss the provisions of the Bill one by one, in opposing the motion for the consideration of the Bill, he will not be in order.

Pandit Nanak Chand : I submit to that ruling. I am not going to discuss the Bill clause by clause. I wanted to show the mentality that lies at the root of the Bill, namely, that it is aimed at a particular class of people, namely, the moneylenders. They must not be dealt with fairly and justly, this is really the underlying object of the Bill. Sir, I shall, without referring to some of the clauses which appeal to you say that though you cannot express your opinion, in your heart of hearts you would be feeling that the various provisions to which I make a reference show that the mentality is the one which I have just described.

Mr. President : The honourable member may discuss and criticise the principles of the Bill and in doing so he may also refer to the relevant provisions of the Bill, but he should not refer to and criticise any of its particular clauses or sub-clauses.

Pandit Nanak Chand : I will not refer to these particular clauses. I will not name them. Well, Sir, you will find that in this Bill, I will not name the clauses, I will not name any sub-clause either, but you will find that a particular protection has been given to the co-operative societies. Now, I want to ask if you are insisting upon regularising accounts and insisting upon the protection of the ignorant borrower, why are you not insisting that co-operative societies should also come under the provisions of this Bill? (*Interruption.*) The honourable member will have his chance to speak, but I submit that when I was saying something about the co-operative societies, my honourable friend Mr. Calvert was not there. I say, Sir, and I repeat that in the co-operative societies a large number of cases have been hauled up where people have been convicted of malpractices, of cheating, of deceit and so on and so forth. It is in the Government report and not in my report and a reference was made to it by Rai Bahadur Lala Dhanpat Rai some time ago and by Mr. Owen Roberts and some other gentlemen. I entirely fail to see why these people should not come under this Bill, why their accounts should not be scrutinized and should not be kept in the same way, why they should not be made to send those notices or the letters stating six-monthly accounts or whatever their name is in the Bill. Why should not those impositions and restrictions be levied upon them? The inference is clear. The Government here wishes to give an impetus to the co-operative societies, however corrupt, however bad and defective they may be, and therefore they desire to crush these moneylenders who have been carrying on their honourable profession for the last 2,500 years, as Mr. Darling says. It is unfortunate that this mentality is exhibited by the Government members to-day. But this mentality is there and it has been shown on various occasions. It has no sympathy with these classes

of people who have been carrying on their profession of moneylending, mitigating hardships, lessening troubles at times of need of the people, and now when we are living in the 20th century under a more civilised order of Government, the Government is going to give way to this class distinction and tries to put up one class against another. I expect a definite answer. But the fact remains that these Co-operative Societies are started only in order to put down the moneylenders. Sir, I submit that this is entirely a class measure and this provision to which I have made reference, without naming the provision shows the mentality of the Government. Then I submit the result of this Bill would be, if it is passed into law, to restrict trade, to restrict credit and even to disturb trade agriculture and commerce. I am positive that if this Bill is enacted into law as to who would go out of the market. Now the bania moneylender would not go out, because he would be able to keep his accounts in the prescribed form, not the Arora moneylender, nor the Khatri moneylender, but the agriculturist moneylender who does not know how to keep his accounts. He would be driven out of the market. I shall just read from Mr. Darling's book. Some friends doubted my statement that there are agriculturists in the moneylending trade. But I want to point out that moneylenders belonging to agriculturist caste do exist. Well, that is what Mr. Darling states, with regard to these new moneylenders which have now come into existence and who are learning the trade of moneylending. Here is what he says :—

"The most important type is the Sikh Jat of the Central Punjab who has some of the canny business flair of the Lowland Scot. Round Jullundur he has already ousted the Sahukar, and in Amritsar, Ludhiana and Hoshiarpur he meets him on almost equal terms. In the south, the Hindu Jat of Rohtak, a district full of ex-officers, runs him close, and here and there even the Muhammadan Jat is finding ways of squaring the precepts of religion with the claims of business."

(*Chaudhri Duli Chand*) : These remarks are quite wrong. Further on Mr. Darling says :—

"There is truth in the old saying 'The cock and the crow nourish their families, the Jat and the crocodile destroy them.' The Sahukar will occasionally knock off part of his interest, but as a villager in Ludhiana remarked, a Jat foregoes nothing not even a pebble.' The Jat too, being an agriculturist, knows how the cow can be milked and is able to squeeze the last drop out of his client."

Now, Sir, I know from personal experience and those people who know anything about the condition in Hissar, Rohtak, Karnal and Hoshiarpur, they would bear me out that in these districts moneylending on an extensive scale is being carried on. Moneylending is being carried on by butchers, by Rajputs, by Jats, by Chamars and by Tarkhans and various other classes of people. Here is a kind of profession, the profession of moneylending which was at one time the absolute monopoly of the Banias, the Khatri and the Arora. With the growth of education, with the passing of time these people have also taken to this business and are doing good business in various villages. Here comes this Act and the result of this Act would be to knock out a very large number of these people and credit would be restricted. The rate of interest will go high. People's needs will not be satisfied and they always will have recourse to moneylenders. Naturally they will go to the few moneylenders that will be left and they will naturally belong to the community which I have already mentioned. What is there I ask that would prevent these men on whom you are imposing

[Pt. Nanak Chand.]

all these conditions from asking the man who goes to them and says that his daughter is dying and that he wants to bring the doctor from the town, to put down Rs. 500 instead of Rs. 200 advanced to him? What would be the result? Who is there to prevent him? I, therefore, submit that these people who talk in the name of the agriculturists and the peasants and who put themselves forward as their protectors, are they not guilty of disturbing the peace and happiness of these people? Instead of giving a wide scope to the profession of money-lending and permitting various people to resort to this profession, will they not, I submit, really be restricting credit and thus injuring agriculture? Sir, you will find that not only these people will be driven out of the market and the credit would be restricted in the rural areas but the result of this would be to restrict all credit even in urban areas. I ask the Government benches, well, you are out to protect the ignorant borrower, yes do protect them. If this Bill can protect them, do try to do so. But why do you protect those who do not want your protection? Has any demand been made by the traders for such a protection? On the other hand there has been a very persistent and a very violent agitation against the provisions of this Bill in the trading classes. Why do you want to disturb the commerce of this province? Why do you want to protect those people like lawyers, doctors and business men and Government servants who do not want your protection?

I submit that this Bill, the Bill as it has emerged from the Select Committee, is a most obnoxious Bill.

5 P. M.

It has become more stringent and its provisions are such that instead of destroying the unscrupulous moneylenders it would really help to strengthen the hands of the unscrupulous moneylenders. That is bound to be the result of this Bill if it is passed into law and I ask you in all humility, are you wiser than the Government of India? The Government of India itself says that this problem is so difficult and so intricate that it cannot be tackled by insisting on the keeping of accounts in a certain form. Is the Punjab Government now going to tackle this problem? It tried to tackle it in 1926 and the Governor had to intervene at the last moment. It was said that the trade and commerce of this province would be disturbed and other provinces would have nothing to do with the traders and commercial men of this province. Perhaps the agriculturists will say, "all right; if they are destroyed it would be a very good thing." But the Government is a Government for all; it is not Government for one particular community. It has to bear in mind that it rules over people who are not all agriculturists, who are not all peasants. It must remember and it has to keep in view the good of every section of the population. (Hear, hear) I ask if there is any demand by the urban population for this Bill. There is no demand from the non-agricultural population and there is no demand from a part of the agricultural population which I and my friends on this side have the honour to represent. If there is no demand from all these classes, why is the Government rushing through this Bill whose results are most doubtful and which may plunge the whole province into a hopeless condition? I therefore ask you in all sincerity not to go on with the provisions of this Bill. I must frankly say that the people are impeaching the good faith of the Go-

vernment. They think that when the Viceroy and the Secretary of State are bent upon giving reforms to this country, the Punjab Government has thrown again a class bomb in the peaceful atmosphere which is prevailing at the present time in the province. This is a charge which is being brought against the Government and I do not think it will be proper on my part if I were to keep back these fears which have been expressed by the public outside this Council. Why was the Government sleeping in 1927 and 1928 and just now when these announcements are made and people are asking that India must be placed on the path to self-Government, why should the Punjab Government come in with this Bill fully knowing that it will create disturbance and commotion in this province?

Rai Bahadur Lala Mohan Lal [North-East Towns (Non-Muhamadan) Urban]: Sir, I beg to move—

“That the Punjab Regulation of Accounts Bill be re-circulated for the purpose of eliciting public opinion thereon.”

Sir, when this Bill was originally introduced in the Simla session I opposed the motion for the introduction. The Bill was committed to a Select Committee which bestowed its best attention. But I submit that the majority party of the Select Committee has made such drastic changes which to my mind seem to be so important that this Bill should be re-circulated for eliciting public opinion. I would give a few instances and the circumstances under which the changes have been made.

Mr. President: The word “public” is not used in Articles 79, 82 and 87 before the word “opinion.”

Rai Bahadur Lala Mohan Lal: Then I withdraw the word “public” and simply say for ‘eliciting opinion thereon’. I was submitting to the House the changes that have been made. When the Bill was passed in July 1926 there was a clause wherein it was provided that “a loan advanced by any person, *bona fide* carrying on any business, not having for its primary object the lending of money, if such loan is advanced in the regular course of such business,” was not loan under that Bill. When the Government introduced this present Bill in the July session at Simla this clause was also there.

Mr. President: The honourable mover of an amendment for the re-circulation of a Bill should confine his speech to the purpose for which he seeks re-circulation.

Mr. Labh Singh: In addition to the purpose for which the motion is being made, the honourable member is entitled to lay before the House the grounds on which this motion is being made.

Mr. President: The honourable member is entitled to state the object or purpose of re-circulation. He is not entitled to go beyond this.

Rai Bahadur Lala Mohan Lal: The reason why I want the Bill to be re-circulated is that drastic changes have been made in the Select Committee. With your permission I will draw the attention of the House to these changes so that the members may know what prompted me to make this motion.

[R. B. L. Mohan Lal.]

Some members might not have read the report. I do not mean to cast any reflection on any member, but it sometimes happens that some members may not have gone through the whole of the report.

Mr. President : I do not think a detailed reference to all the changes that have been made is necessary.

Rai Bahadur Lala Mohan Lal : I will not refer to all the changes, but I will draw the attention of the House to the most important ones. I was referring that under that clause the ordinary retail traders in the city were excluded from the Act. For the sake of illustration there are Raja Brother or the Rankin & Co. and other European and Indian traders in Anarkali. Now if their primary object is not moneylending then they were excluded from the provisions of the previous Act and they were not required to maintain the accounts in the form prescribed by the Government. I submit also that in the Select Committee of which I was a member, this provision was retained till the last moment when the Bill as a whole was discussed and all the provisions passed. At the very last meeting, that is, on the 10th November, it was thought that only certain minor changes as regards the phraseology, &c., would be discussed. At any rate it was how I and some other members understood and we did not attend that meeting. But it was in that meeting that the majority party asked the Select Committee to delete this particular clause and in the absence of some of us it was deleted. This is not fair on the part of either the Government or the majority party, to take advantage of the absence of some of the members.

Another drastic provision to which I want to refer is with regard to the proviso to clause 5. The Government had given a definite understanding.....

Mr. President : I understand that the honourable member was a member of the Select Committee. Did he move there that the Bill be republished ?

Rai Bahadur Lala Mohan Lal : I said so in my note of dissent.

Mr. President : Did he make that motion in the Select Committee itself ? His minute of dissent was probably written after the committee had drawn up its report on the Bill.

Rai Bahadur Lala Mohan Lal : I have already submitted that some of these changes were made in a meeting at which I was not present and the reason for my absence was that in the previous meeting all the main points were decided upon and it was understood that at the last meeting only some minor points would be discussed. If I had been present at this meeting I would certainly have made this motion.

Mr. President : Was not the honourable member present at the last meeting ?

Rai Bahadur Lala Mohan Lal : Yes. On the 10th November when the last meeting was held I and some other members understood that only the phraseology of the Bill would be gone into and there would be no changes in the main provisions of the Bill. This was clearly understood.

Then, Sir, I submit that a proviso has been added to clause 5, and under that proviso old transactions will be operated upon by this Bill, while in the

Bill that was passed in this House in July 1926 it was definitely provided under section 5 that the Act would not affect the old transactions. By the addition of this proviso which has been done at the instance of the majority party the old accounts which were excepted under the old Act have now become operative by the present Bill. Proviso to clause 5 reads :

"Provided that, if any fresh transaction relating to a loan advanced before the commencement of this Act, is made after the commencement of this Act, such transaction shall be subject to the provisions of this Act."

Sir, I have been a member of the Select Committee since the introduction of the Bill and whenever discussions have taken place in the Select Committee it was distinctly understood that the new Act whenever it comes into force will not have a retrospective effect, but a drastic change has been made under this proviso and the Bill does not confine itself to future loans but it gives retrospective effect to transactions made before the commencement of the Act, so that all the transactions that now exist between various parties will be affected by this Act. I submit, Sir, that we have been greatly disappointed with Government on whom we have been relying so much for help and we accuse Government of a serious breach of faith with us, because it had given a definite undertaking that the Act will have no effect on past transactions. This is not a measure brought by a private individual, it has been introduced by Government and it is very disappointing that after giving that undertaking it should now agree to the addition of this proviso.

Then, Sir, another important change to which I would like to draw the attention of the House is the question of script. The Act that was passed in 1926 on the 7th of July distinctly provided that one set of Mahajani, along with Gurmukhi, English and Urdu would be used on the registers. That provision has now been deleted. The matter has been left to the discretion of Government and has to be dealt with by the rules that will be framed by Government. I regret that my friend Mir Maqbool Mahmood is not present in this House to-day. Government gave us a definite undertaking in the Committee that was formed to deal with the first Bill as well as in the Committee to deal with the present Bill that the script in no circumstances would be touched under this Act, but the majority party, so far as I have been able to gather, now want that the script should be left to Government, and they want to insist that the set of Mahajani of which they are afraid, should not be allowed under the rules. But we feel very keenly on this point. We who sit on these benches are most keen about it and expect Government to stick to the undertaking. The honourable member in charge of the Bill gave us an assurance that the script in which the accounts are to be kept will not be touched. It was understood that the numerals will be in Gurmukhi, English, Hindi and one set of Mahajani, but the script was to be left to those who were going to deal with books. There are different sets of Mahajani characters.....

Mr. President : I think the honourable member is going beyond his amendment.

Rai Bahadur Lala Mohan Lal : Sir, I will draw the attention of the House to the proceedings of the Select Committee which were given to us from time to time as we were proceeding with the Bill. I was touching the question of the script and in the copy of the proceedings which was supplied to us it was distinctly provided.....

Mr. President : Is the honourable member in order in referring to the proceedings of the Select Committee ?

Rai Bahadur Lala Mohan Lal : I would certainly ask permission if necessary, but what I wanted to say by referring to the proceedings was that this provision actually existed there and that Government afterwards agreed to the deletion of the provision.

Mr. President : As the report of the Select Committee has been presented to the Council, the honourable member is at liberty to refer to its proceedings.

Rai Bahadur Lala Mohan Lal : I was submitting, Sir, that very specific changes have been made in this Bill by the Select Committee, and the changes to which I have drawn attention of the House are such that would require republication with a view to eliciting public opinion thereon. I may say, Sir, that the proviso to clause 5 was there on the last but one day when my friend Mr. Gray and I attended the meeting, but it appears that at the instance of the majority party it was removed at the last meeting of the Select Committee in our absence from it. In these circumstances I humbly submit that it is most desirable that this Bill should be recirculated for eliciting public opinion thereon, because substantial changes have been made in it by the Select Committee.

Mr. President : Amendment moved is—

“That the report of the Select Committee on the Punjab Regulation of Accounts Bill be recirculated for eliciting opinion thereon.”

Chaudhri Afzal Haq [Hoshiarpur-cum-Ludhiana (Muhammadan), Rural] : Sir, I want to ask something. A Bill is first introduced in the Council and then a motion is made that it should be taken into consideration. At this stage no doubt the principle of that Bill is discussed. But when the Bill is again taken up after it has been considered by the Select Committee, I do not think that under the procedure the general principle of the Bill can be again discussed. When the Council has once discussed the principle of the Bill, it cannot discuss it again. And so I am at a loss to understand whether we have to discuss the general principle of the Bill or the other motion that the Bill may be circulated for eliciting public opinion thereon.

Mr. President : I have not understood the last part of what the honourable member has said.

Chaudhri Afzal Haq : Sir, the honourable member has just opposed the Bill. I think that that opposition to the Bill was irrelevant and he need not have opposed the Bill for, in my opinion, he cannot discuss the principle inasmuch as the Council has already discussed the principle of the Bill and accepted it. My submission is that once the principle of the Bill has been considered before it was committed to the Select Committee, the principle cannot be again discussed. That is my first objection.

Again, Sir, I do not know if once you allow the discussion of the Bill the other members can also discuss the principle of the Bill. There were so many members standing and no one was given an opportunity to discuss further the principle of the Bill.

Mr. President : The motion moved was that the Regulation of Accounts Bill be taken into consideration. Pandit Nanak Chand spoke on the motion. Then Rai Bahadur Lala Mohan Lal moved that the Bill be recirculated for obtaining opinion thereon. Now that amendment alone is before the House and will be discussed and disposed of. After it is disposed of, the original motion may again be discussed. The Honourable member may then support or oppose it and in doing so may discuss the principles of the Bill.

Chaudhri Afzal Haq : May I draw your attention to Art. 81 of the Council Procedure? The general principle of the Bill can be discussed only when there is a motion that it be referred to the select committee. After the Bill emerges from the select committee if the motion is moved that it be taken into consideration, there is no provision in the Manual of Procedure which permits the discussion of the general principles.

Mr. President : Three possible courses are open when a Bill is moved for being taken into consideration. The first is to accept or reject the motion ; the second is to move an amendment that it be recommitted to the select committee ; and the third is to move an amendment for its recirculation with the object of eliciting opinion thereon.

Shaikh Faiz Muhammad : When the House once agrees to refer a Bill to a select committee, then if the motion that the Bill be taken into consideration is moved, the House is bound to accept that motion.

Mr. President : No. After a Bill emerges from a select committee, if it is moved that the Bill as reported by that committee be taken into consideration, the Council is at perfect liberty to throw out the motion. It is the constitutional right of the Council to reject any motion that may be placed before it.

Chaudhri Afzal Haq : I submit that my point of order has not been decided. What I mean to say is that there is a specific provision that when a motion is moved that a Bill be referred to a select committee then only the principles of the Bill can be discussed. But when the motion is moved that the Bill be taken into consideration there is no such provision. My question is whether the absence of such a provision would justify the honourable members touching the principles of the Bill or not.

Again, it is stated that when a member moves that the Bill be taken into consideration, any member may move as an amendment that the Bill be recommitted or recirculated for the purpose of obtaining opinion thereon. There is absolutely no provision in the Standing Orders for an opposing motion to the Bill.

Mr. President : The motion is that the Bill be taken into consideration. Is it not open to the House to pass or reject it ?

Mr. V. F. Gray (Punjab Chamber of Commerce and Trades Association, Commerce) : Sir, I am reluctant to give my support to the motion now before the House because the Bill has been pending for such a long time, but representing as I do commerce and trade, I want the House to thoroughly understand that this Bill as it now stands is being presented without the opinion of trade or commerce. (*Hear, hear.*) We were promised when the original Bill was brought before this House that it will not interfere with

[Mr. Gray.]

commerce or trade. In the last Bill and again in this Bill there was a clause exempting loans by traders. That clause has now been omitted by the select committee. Therefore, all the opinions from trade and commerce on this Bill were obtained under what might be termed false pretences. When circulated for opinion there was no opposition from the Chambers of Commerce, because they were given to understand that all loans made by genuine commercial concerns were exempt, that exemption is not to be found in the Bill now. I also understand that the books that commercial houses use are not going to be accepted either. Therefore if this Bill is passed, it will amount to passing it without consulting the views of commerce. I am, therefore, constrained to support the amending motion.

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muhammadan) Rural] (Urdu): Sir, I rise to support the amendment before the House. When this Bill was brought up before the Council in its Simla session, only one or two leading members were given an opportunity to express their views on it. In that session also an amendment was moved to the effect that the Bill be circulated for eliciting public opinion thereon. But that amendment was not accepted. It was, however, agreed to by the House that the Bill would be considered by the Select Committee, to which it was referred, after two months so that the public at large might be in a position to send in their opinions. It might be noted that the Bill, as it was referred to the Select Committee, was quite different from what it is after it has emerged from that Committee. The public have not been given an opportunity to express their opinion on the Bill in its present form. It is, therefore, necessary that the Bill be circulated for obtaining public opinion thereon. The circulation of the Bill is also necessary because a large number of the members of the Select Committee have dissented from one another. I have never seen such a Bill before relating to which so many members have differed as in the present case. A very large number of minutes of dissent have been appended to the report of the Select Committee. There is a minute of dissent by the representative of the Chambers of Commerce appended to the report. Then the zamindar members of that Committee have also appended a note of dissent. Even Mr. Maqbool Mahmud has not been able to agree with the majority of that Committee who is so to say the founder of the Bill (*A voice*: Founder of the Bill?). Besides, the Hindu members of that Committee have expressed their disagreement with the majority report as is apparent from their minute of dissent. For these and other reasons I insist that the Bill be not considered unless and until the public have been given full opportunity to send in their opinions on it. Many important changes have been made in the Bill by the Select Committee and the Bill, as it stands, will do more harm to commercial interests than it could have done if the Select Committee had introduced no changes in it.

Mr. President: The honourable member is repeating the argument of the honourable mover.

Rai Bahadur Lala Sewak Ram: Sir, I want to emphasise the importance of the three points which have been put forward, with your permission, Sir.

Mr. President: Repetition cannot be allowed.

Rai Bahadur Lala Sewak Ram : This Bill with the changes that have been introduced by the Select Committee is not acceptable to us and it must be circulated again before it is taken up for consideration. I cannot but oppose its consideration till such time as public opinion is received thereon.

Mr. President : The motion that the Bill be taken into consideration is not before the House at this moment. Only the amendment is before the House.

Mr. Labh Singh : May I just ask, Sir, whether a member can speak twice, once to the amendment and then to the original motion ?

Mr. President : A member who moves an amendment speaks when the main or the original question is before the House. Therefore, he cannot speak to the question *after* he has moved his amendment and resumed his seat. But *after* an amendment is proposed from the Chair, the original or main question is laid aside for the time being and discussion is restricted to the amendment which alone is then before the House. Therefore, a member who speaks to the amendment when the main question is not before the House can speak to the latter, *after* the amendment or amendments have been disposed of, as then the main question is again before the House.

Rai Bahadur Lala Sewak Ram : I should also make it clear that it is not a measure between the zamindars and the non-zamindars. It is purely a Hindu-Muslim measure and I can prove that it is so.

Mr. President : Is it for this reason that the Bill should be recirculated ?

Rai Bahadur Lala Sewak Ram : If you will allow me to speak, Sir. . .

Dr. Gokul Chand Narang : He is developing a new argument.

Rai Bahadur Lala Sewak Ram : I can prove it to the hilt that it is a communal measure. If it had been a measure between the zamindars and the non-zamindars, four non-zamindar Muslim members of the Council would not have given their support to this Bill, but they do so.

Mr. President : Order, order. Please do not bring in communal matters.

Rai Bahadur Lala Sewak Ram : It is a communal Bill, Sir, entirely. The commission agents in the business markets, who are to be materially affected by this Bill, are against it. They do not want it at all. There are Muhammadan commission agents in these markets also and they are equally opposed to this Bill at least in the present form and I request that until their opinions are received, the consideration of the Bill should be postponed.

Mr. President : It is very ingenious on the part of the honourable member but yet he is not speaking to the amendment.

Rai Bahadur Lala Sewak Ram : I have given expression to what was uppermost in my mind. I shall oppose the consideration of the Bill when it is time to do so.

Sardar Narain Singh [Rawalpindi Division and Gujranwala (Sikh), Rural] : Sir, I rise to oppose the motion that the Bill be recirculated for eliciting opinion. The Bill has been sufficiently circulated and it will not serve any useful purpose if it is circulated again. It may go from bad to worse, hence I oppose its circulation.

Sardar Harbakhsh Singh [Hoshiarpur and Kangra (Sikh), Rural], (Urdu) : Sir, the honourable member, Lala Mohan Lal, has been pleased to suggest that the Bill be recirculated for obtaining public opinion thereon. You have ruled, Sir, that one cannot speak to the motion purporting to oppose the consideration of the Bill for the present.

Mr. President : There can be no motion to oppose the Bill. The opposition to a motion is not a motion, but a negation of the original motion. The honourable member may oppose the motion for the re-circulation of the Bill.

Sardar Harbakhsh Singh : Sir, one can easily see that the object of this amendment which has been moved by Lala Mohan Lal, as well as the opposition to the motion for consideration of the Bill as lead by Pandit Nanak Chand, is to defer the matter, and everything is being done in a spirit of procrastination as it were. There is no other object in the view of those who insist on this amendment or support the opposition to the motion for consideration of the Bill.

Mr. President : The honourable member should not attribute motives to another honourable member.

Sardar Harbakhsh Singh : It is a patent fact and can be seen on the surface, and I do not mean to attribute any motives to any one.

Pandit Nanak Chand : The honourable member ought to withdraw his words.

Sardar Harbakhsh Singh : Sir, I never attributed any motives to any honourable member. My point is this, that honourable members opposite want that the matter should be somehow or other postponed and nothing else.

Pandit Nanak Chand : Withdraw.

Sardar Harbakhsh Singh : It is not an easy job to ask me to withdraw what I think quite innocent. The honourable member Pandit Nanak Chand should withdraw the whole of his speech which he made the other day in opposition to the motion for consideration of the Bill.

Then I was about to say that although the Bill is so very important, it is with great difficulty that it has reached this stage. We already know the views of the Council in this matter. Sometime ago it passed a Bill of somewhat stronger nature on the subject, which was vetoed by His Excellency the Governor perhaps for reasons of expediency. The present Bill was introduced by Government after a good deal of consideration and delay of two years and after it had been pressed hard to fulfil its promise to do so. It was then referred to a Select Committee the report of which is now before us. I should say that the Bill has taken a considerably long time to reach the present stage and to demand now that the Bill be recirculated and thus be delayed further apparently seems quite unreasonable. Our life is about to come to an end and in fact ends with this session (*Mr. Gokul Chand Narang* : Oh ! our life ?). The honourable member cannot be so ignorant as not to understand what I mean by our life. He knows it very well that I mean that the life of this Council as constituted at present is about to come to an end unless,

of course, Government were to make an announcement on or after the 4th January 1930, that the term of the Council has been extended to a definite period. To ask at this stage that the Bill be recirculated is nothing but dilatory tactics. If we postpone the consideration of the Bill, it means that it may remain pending till the new Council comes into existence. Then again, Sir, the reasons which have been advanced in favour of this amendment are not convincing at all. One of the honourable members said that he was not present in the last meeting of the Select Committee when some changes were made and therefore insists on recirculation. May I ask him, Sir, whether it was the fault of that Committee that he did not attend the last meeting of the Committee, or his own fault? If he was afraid of some changes being introduced in his absence which he did not like, he ought to have made it a point to attend the meeting. I am sure that no such undertaking was given to any member of that Committee, that no change would be introduced in his absence in the Bill, and I hope the Government Member in charge of the Bill will make this point clear.

Dr. Gokul Chand Narang : No, no. It was clearly understood that no material changes would be made in the Bill and only clerical corrections would be made.

Mr. President : No reference should be made to a verbal understanding.

Dr. Gokul Chand Narang : Then he ought not to have referred to it.

Sardar Harbakhsh Singh : Who did so? I am not aware of any verbal undertaking being given and if any undertaking was given, it must have been given in my absence. That undertaking cannot be considered valid because it was given without my knowledge and no one could take away my right as a member of the Select Committee to press my views before it even at the last meeting.

Mr. President : This is not relevant.

Sardar Harbakhsh Singh : The honourable member Mr. Gray complained that trade and commercial interests have not been completely safeguarded in the Bill in its present form and therefore, there should be recirculation. He ought to have known that the Select Committee has made the definition of a trader more clear and also added clause 9 to the Bill with that end in view. This should have satisfied him and those interested in commerce and trade. But if they pretend to be dissatisfied even now, it should be taken, that they too would like to prolong the matter unnecessarily to which we cannot agree. Hence I strongly oppose the amendment.

Lala Bodh Raj [West Punjab Towns (Non-Muhammedan), Urban] :

6 P.M.

Sir, if I remember rightly, the Honourable Member for Finance when he made the motion for the consideration of the Report of the Select Committee on this Bill, had to admit that there were certain difficult questions involved in the consideration of this Bill and that it was necessary that we should discuss it in a dispassionate mood. But we see that the motion has created heat in the atmosphere of this Council. In July last when the motion was made that the Bill be referred to the Select Committee, all the principles underlying the Bill were not discussed and only two honourable members had the opportunity to give expression to their views on the motion. Even at that time, the honour-

[L. Bodh Raj.]

able member from Amritsar who was responsible for this Bill, had to state in his speech as follows. With your permission, Sir, I would just draw the attention of the House to these lines. This is what he says :

"I would appeal to every member of the House whether he supports the Bill or opposes it, that in the present circumstances, the present atmosphere of the Province and the country and in view of the responsibilities of the legislatures, he should look on this question in no partisan or parochial spirit in the general interest of the country, and I would appeal to those who speak after me to import no undesirable atmosphere in the discussion but to lend their quota to the discussion in a dispassionate manner."

So, Sir, the committal to the Select Committee was made to decide the matter in a cool and dispassionate manner. From the minutes of dissent that have been appended to the report of the Select Committee it appears clear with what spirit the provisions were discussed in the Select Committee. The mere fact that there is no unanimous report before us and that there are several minutes of dissent shows that the report is not such that it should be commended to us for consideration. As has been pointed out, various drastic changes have been made in the Bill itself and there are certain sections of population that are to be affected by those changes. It has also been stated that some members have not been given the opportunity to give expression to their views and record their protest against the provisions introduced into the Bill at the Committee stage. You see, Sir, at the time of its committal it was expected that the Committee would sit together to settle the knotty problems and reach at an agreement and present to us a united report. This is what the honourable member whom I just quoted proceeds to say at the time of the committal to the Select Committee :—

"All that we desire is that the Bill that emerges out of the Select Committee is a constructive measure which will be not only in the interest of the borrower or agricultural class, but also in the interests of the reasonable claims, reasonable interests and demands of the moneylending class, because it is the duty of the Government as well as of the members of this House to meet the question fairly and not to take a parochial view."

The report that has been presented to us although protects the interests of the borrower or the agricultural classes, the reasonable demands of the moneylender classes have been ignored altogether. I, therefore, think that there is justification in the amendment now moved by my honourable friend from Simla that the Bill be recirculated so that a further opportunity may be given to those people who are affected by this Bill to give expression to their opinions. Time is a great healer, and I am sure the time will come when the heat that appears in the atmosphere of this Council to-day will be cooled down. Such knotty questions are involved in the measure that in spite of the fact that it was passed in this Council in 1926, the Government had to wait for these three years to bring it up again. And even when the Government last July brought the Bill up, it was not on account of its utility but because of the pressure of certain Muslim members or the rural members of this House that was brought to bear upon the Government. In the dissenting note of the zamindar members we see it stated:

"Violent agitation which had preceded the passage of that Bill, vehement opposition in the Council itself and threats of still more violent agitation in case the Bill became law induced in Sir Malcolm Hailey's mind a doubt as to the wisdom of the previous view and action of his own Government, and eventually led to the Bill being vetoed."

If that is a fact, that the Governor was then compelled to withhold his assent to the Bill on account of the violent agitation which then existed, that agitation has not yet subsided but is now more acute and that is another reason why this Bill should not be taken into consideration now.

Mr. President : The honourable member is speaking now to the main motion and not to the amendment.

Lala Bodh Raj : That is the reason which I am going to advance. Let this agitation subside. We shall gain some time. We shall have further opinions in the meanwhile, and we shall be in a better spirit to consider the Bill dispassionately. That is the reason why I support the amendment.

Mian Ahmad Yar Khan Daultana : I move—

“That the question be now put.”

Motion was carried.

Mr. President : Original motion was—

“That the Punjab Regulation of Accounts Bill as reported by the Select Committee be taken into consideration.”

since which, an amendment has been moved—

“That the Bill be re-circulated for obtaining opinion thereon.”

Question is—

“That the Bill be re-circulated for obtaining opinion thereon.”

Motion was lost.

The Council then adjourned till 2 P.M. on Monday, the 9th December, 1929.

PRINTED BY
THE SUPERINTENDENT, GOVERNMENT PRINTING, PUNJAB.

274 PLC-300-2-1-30-SGPP Lahore.

PUNJAB LEGISLATIVE COUNCIL.

4TH SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

Monday, the 9th December 1929.

THE Council met at the Council Chamber at 2 P. M. of the clock. Mr. President in the Chair.

OATH OF OFFICE.

The following members were sworn in :—

- ✓ Macnabb, Mr. A. C. (Official, nominated).
- ✓ Macfarlane, Mr. D. (official, nominated).
- ✓ Khawaja Abdul Rahman, Khan Bahadur (official, nominated).
- ✓ Sayad Maqbul Shah, Khan, Bahadur (official, nominated).
- ✓ Muhammad Fakhr-ud-Din, Mian (official, nominated).
- ✓ Ram Lal, Lala (official, nominated).

STARRED QUESTIONS AND ANSWERS.

APPOINTMENTS TO THE SELECTION GRADE OF P.E.S.

*2777. **Mr. Din Muhammad :** Will the Honourable Minister for Education kindly state—

- (a) whether Government follows any definite principle in the matter of filling vacancies in the selection grade of the P. E. S.; if so, what?
- (b) whether good work and length of meritorious service in the Department are still considered as relevant factors in making appointments to the selection grade of the P.E.S.;
- (c) the length and quality of services rendered by—
 - (1) Raja Fazil Muhammad Khan, B.A., S.A.V., P.E.S.;
 - (2) Mr. S. L. Ghose, Government College, Lahore;
 - (3) Sheikh Abdul Hamid, officiating Inspector of Schools, Multan;
 - (4) Mr. Sri Krishan, Principal, Intermediate College, Gujrat;
 - (5) S. Prem Singh, Principal, Intermediate College, Pasrur;
- (d) the reasons, if any, why the last named four have been promoted to the selection grade of the P. E. S. in preference to Raja Fazil Muhammad Khan;
- (e) the reasons why Chaudhri Abdul Hamid, M.A., Principal, Intermediate College, Shahpur, No. 15 on the P. E. S. list, has been superseded by Mr. Sri Krishan, No. 20, and S. Prem Singh, No. 17;
- (f) the period for which S. Prem Singh acted as a subordinate to Chaudhri Abdul Hamid, M.A.;

[Mr. Din Muhammad.]

(g) in what way S. Prem Singh's record of service is better than that of Chaudhri Abdul Hamid, M.A. ?

The Honourable Mr. Manohar Lal : (a) and (b). Many factors are taken into consideration at the time of filling vacancies in the selection grade of the P. E. S.

(c), (d), (e), and (g). Length of service of each of the following officers is noted against their names —:

Y. M. D.

- | | | | | |
|----------------------------|----|----|------|--|
| 1. Khan Sahib Fazal Muh- | 28 | 7 | 5 | of which 14 years were passed in the Subordinate Educational Service. |
| ammad Khan. | | | | |
| 2. Mr. S. L. Ghose | .. | 16 | 1 17 | of which 2 years were passed in the Subordinate Educational Service. |
| 3. Shaikh Abdul Hamid | .. | 21 | 8 8 | of which about 19½ years were passed in the Subordinate Educational Service. |
| 4. Lala Sri Krishan, Kapur | | 10 | 6 15 | |
| 5. S. Prem Singh | .. | 11 | 6 27 | |

The personal records of officers are confidential documents which it is not in the public interest to disclose, nor is it advisable to give reasons for appointments to the selection grade which are made on a consideration of a number of factors.

(f) When Chaudhri Abdul Hamid held the post of Principal, Government Intermediate College, Gujrat, Sardar Prem Singh worked there for the period from 27th November 1924 to 26th October 1925.

Chaudhri Baldeo Singh : Will the Honourable Minister kindly state what the position of Raja Fazal Muhammad is as regards seniority, etc., in the cadre of the P. E. S. as compared with other gentlemen named in the question ?

The Honourable Mr. Manohar Lal : The honourable member is referred to the Quarterly Civil List for October 1929 at pages 193, 194 and 195. Dr. Ghose is No. 12 on the list, Mr. Abdul Hamid is No. 16, S. Prem Singh is No. 17, Mr. Sri Krishen is No. 19 and Raja Fazil Muhammad is No. 33.

Rai Bahadur Lala Mohan Lal : Are there any other officers above Raja Fazil Muhammad in the P. E. S. whose length of Government service is longer than that of Raja Fazil Muhammad ?

The Honourable Mr. Manohar Lal : I have already referred to the Quarterly Civil List. Page 194 will give the information. There are several such officers. Rai Sahib Lala Madan Gopal has about 30 years service, Lala Rang Bihari Lal has 26 years of service, Pandit Hari Kishen Kaul has about 25 years service, Lala Sham Chand has over 26 years of service. As a matter of fact there are many officers even below Raja Fazil Muhammad who have a longer period of service to their credit.

APPOINTMENT OF INSPECTOR OF SCHOOLS, RAWALPINDI.

***2778. Mr. Din Muhammad :** Will the Honourable Minister for Education kindly state—

- (a) whether it is a fact that Raja Fazil Muhammad Khan, B.A., S.A.V., P.E.S., is the senior-most deputy inspector of schools in the province;
- (b) the length of service that Raja Fazil Muhammad Khan has put in the inspection line;
- (c) the kind of record which Raja Fazil Muhammad Khan has had as headmaster, district inspector and deputy inspector of schools;
- (d) the length of experience of Rai Sahib Lala Ratan Lal, M.A., P.E.S., in the inspection line;
- (e) the record of Rai Sahib Lala Ratan Lal, M.A., as an inspecting officer;
- (f) the special reasons, if any, why Lala Ratan Lal has been appointed as officiating Inspector of Schools, Rawalpindi, in preference to Raja Fazil Muhammad Khan?

The Honourable Mr. Manohar Lal : (a) No.

(b) Sixteen years, nine months and twenty-four days.

(c) and (e) It is not in the public interest to supply information of this nature.

(d) Nine years, six months and one day.

(f) Appointments to these posts is a matter of selection. Many factors are taken into consideration when making appointments and promotions. It is not in the public interest to give reasons for any particular appointment.

Chaudhri Baldeo Singh : What exactly is the position of Rai Sahib Lala Rattan Lal in the Punjab Educational Service?

The Honourable Mr. Manohar Lal : On reference to page 198 of the Civil List, he will find that Rai Sahib Lala Rattan Lal is the senior most officer in the Punjab Educational Service at the present time, and at the top of the Selection Grade.

PROMOTIONS TO P.E.S. AND S.E.S

***2779. Mr. Din Muhammad :** Will the Honourable Minister for Education please state—

- (a) the authority by whom and the procedure according to which promotions are made to the P. E. S. and the various grades of the S.E.S.;
- (b) whether the Honourable Minister ever interferes in the promotions made in the S.E.S. and if so, why?

The Honourable Mr. Manohar Lal : It is not in the public interest to disclose the procedure followed by the Department and Government in regard to promotions. Such procedure is confidential.

APPOINTMENT OF A DISTRICT INSPECTOR OF SCHOOLS.

***2780. Mr. Din Muhammad:** Will the Honourable Minister for Education kindly state—

- (a) whether it is a fact that the Director of Public Instruction issued any circular letter to the Divisional Inspectors asking them to nominate a Hindu candidate for the vacancy of a district inspector of schools;
- (b) whether this circular letter was issued with the knowledge or at the direction of the Honourable Minister himself;
- (c) the number of districts in the province where Hindu population is above 50 per cent.;
- (d) the number of Hindu district inspectors;
- (e) the number of districts where Muslim population is above 50 per cent.;
- (f) the number of Muslim district inspectors;
- (g) the reasons, if any, for issuing the circular letter referred to in (a)?

The Honourable Mr. Manohar Lal: (a) No.

(b) Does not arise.

(c) The honourable member is referred to Table VI of Volume XV, Census of India, 1921, Punjab and Delhi.

(d) The honourable member is referred to answer to part (a) of Council Question no. 2824¹ asked by Sardar Ujjal Singh with the exception that S. Jogander Singh is now District Inspector of Schools, Ferozepore and Pandit Murli Dhar, District Inspector of Schools at Jullundur.

(e) As in (c) above.

(f) As in (d) above.

(g) Does not arise.

PROMOTION OF LALA HARISH CHAND, KATHPALIA, TO THE
PROVINCIAL EDUCATIONAL SERVICE.

***2781. Mr. Din Muhammad:** Will the Honourable Minister for Education kindly state—

- (a) the qualifications of Lala Harish Chand, Kathpalia, Lecturer, Intermediate College, Lyallpur;
- (b) the number of years that Lala Harish Chand, Kathpalia, took to pass his B.A. and the division and the class in which he passed his M.A.;
- (c) the length of his service as a teacher in the Education Department, when he was promoted to the Provincial Educational Service;

- (d) the qualifications of Shaikh Abdul Hamid, Teacher, Intermediate College, Lyallpur, recently appointed as officiating Teacher of Mathematics, Government College, Lahore, in place of Professor G. S. Chawla ;
- (e) the actual work assigned to Sheikh Abdul Hamid, as Teacher, Government College, Lahore ;
- (f) the Principal's opinion about Shaikh Abdul Hamid's work ;
- (g) special reasons, if any, why Shaikh Abdul Hamid has not been considered good enough for promotion to the P. E. S. ?

The Honourable Mr. Manohar Lal : It is not in the public interest to make comparisons between the qualifications of individuals in the service of Government.

CO-OPERATIVE SOCIETIES, SIALKOT DISTRICT.

***2798. Mr. Din Muhammad :** (a) Will the Honourable Minister for Agriculture please state whether it is a fact that S. Lachman Singh and Chaudhri Niaz Ali, Circle Registrars, were appointed to enquire into the working of the co-operative societies in Sialkot district on S. Iqbal Singh's transfer ?

(b) If so, will the Honourable Minister please lay on the table the reports submitted by the above named officials ?

(c) What action was taken on the above reports ?

The Honourable Sardar Sir Jogendra Singh : (a) Yes, in connection with an experiment tried in the district as to the regulation of relations between primary credit societies and their financing institutions.

(b) The report is very lengthy and technical and no useful purpose would be served by placing a copy of it on the table.

(c) The experiment was discontinued.

S. IQBAL SINGH, ASSISTANT REGISTRAR, CO-OPERATIVE DEPARTMENT.

***2799. Mr. Din Muhammad :** Will the Honourable Minister for Agriculture please state—

(a) whether S. Iqbal Singh, Assistant Registrar, Co-operative Department, was sent to Europe for further training at Government expense ;

(b) whether Mr. Darling, Registrar, Co-operative Societies, had opposed his selection for this purpose ;

(c) if so, the reasons why the opinion of the Registrar and the claims of several other senior officers serving in the Co-operative Department were ignored in this matter ?

The Honourable Sardar Sir Jogendra Singh : (a) Yes.

(b) The selection was made before Mr. Darling assumed charge.

(c) Mr. Strickland considered the fitness of all the officers before making his recommendation.

S. IQBAL SINGH, ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES.

***2800. Mr. Din Muhammad :** Will the Honourable Minister for Agriculture please state—

- (a) whether S. Iqbal Singh, Assistant Registrar, Co-operative Societies, was suspended on his return from Europe ;
- (b) if so, for what offence ?

The Honourable Sardar Sir Jogendra Singh : (a) Yes.

(b) Charges of making up an embezzlement by his clerk from his own pocket.

S. IQBAL SINGH, ASSISTANT REGISTRAR, CO-OPERATIVE SOCIETIES.

***2801. Mr. Din Muhammad :** Will the Honourable Minister for Agriculture please state—

- (a) whether any charges laid against S. Iqbal Singh, Assistant Registrar, Co-operative Societies, were enquired into by Mr. Dodd ;
- (b) if so, whether Government is prepared to lay his report on the table ?

The Honourable Sardar Sir Jogendra Singh : (a) Yes.

(b) No.

DISTRICT INSPECTOR OF SCHOOLS, GUJRANWALA.

***2802. Mr. Din Muhammad :** Will the Honourable Minister for Education kindly state—

- (a) whether it is a fact that for the last fifty years the post of District Inspector of Schools at Gujranwala has always been occupied by non-Muslim incumbents except for a brief interval ;
- (b) if so, will he kindly state the reasons for not appointing a Muslim District Inspector of Schools at Gujranwala ?

The Honourable Mr. Manohar Lal : The honourable member is referred to the answers to Council questions no. 526¹ asked in November 1927 and no. 712² asked in May 1928.

SUPERINTENDENTS OF DEPUTY COMMISSIONER'S OFFICES IN THE AMBALA DIVISION.

***2803. Chaud'ari Yasin Khan :** Will the Chief Secretary please state—

- (a) the number of superintendents of Deputy Commissioners' offices in the Ambala Division ;
- (b) the number of Muslims and non-Muslims out of them ;

¹Vol. X-B., page 1426.

²Vol. XI, page 712.

(c) what are the qualifications required for the post of superintendent?

Mr. H. M. Cowan (for Chief Secretary) : (a) 6.

(b) Muslims 2.

Non-Muslims 4.

(c) No special qualifications are prescribed—previous experience and ability.

APPOINTMENT OF ASSISTANTS IN THE CIVIL SECRETARIAT.

***2804. Chaudhri Yasin Khan :** Will the Chief Secretary to the Punjab Government please state—

(a) whether it is a fact that a clerk of the Forest Department drawing Rs. 54 per mensem has been appointed to the post of Assistant in the Civil Secretariat in the grade of Rs. 120—10—800 ;

(b) whether it is a fact that clerks with better educational qualifications are already working in the Secretariat in lower grades ;

(c) if so, what were the reasons for a clerk being imported from the Forest Office ;

(d) whether it is a fact that the clerks in the Secretariat are not confirmed after the expiry of the period of their probation for years to come ;

(e) if the reply to (d) above be in the affirmative, what is the justification for this practice ?

Mr. H. M. Cowan (for Chief Secretary) : (a) Yes.

(b) and (c) There may be a few with better educational qualifications but these were not the sole tests for the appointment, and the person appointed, who was a graduate, was better qualified by his office experience and knowledge of accounts.

(d) and (e). The attention of the honourable member is invited to the answer given to question no. 1021¹ put by Chaudhri Afzal Haq in March 1929.

CONSUMPTION OF OPIUM.

***2805. Lala Joti Parshad :** Will the Honourable Minister for Agriculture please state as to what steps Government proposes to take in order to carry out the recommendations of the League of Nations in respect of consumption of opium in the province ?

The Honourable Sardar Sir Jogendra Singh : The Punjab Government is in sympathy with the policy of the League of Nations, so far as eventual suppressing of opium smoking is concerned. Opium eating is at present outside the scope of the policy of the League.

The question of legislation to combat opium smoking is under examination. It is a question whether such legislation should be central or local.

¹ Vol. XII, page 927.

UNSTARRED QUESTIONS AND ANSWERS.

LADY HEALTH VISITORS.

1445. Mr. E. Maya Das : (a) Will the Honourable Minister for Local Self-Government be pleased to state how many lady health visitors were employed in the Punjab in 1928-29?

(b) In what districts and under what local bodies?

(c) What was the salary paid in each case?

(d) From what source and to what extent were these salaries met?

(e) Were there any cases in which the salaries were paid with great delay? If so, what was the cause of this delay?

The Honourable Malik Firoz Khan, Noon : (a) 26.

(b), (c) and (d). A statement showing the names of the districts and the local bodies under which each is employed, the salary paid to each and the source from which it was met is attached.

The grants given by Government to various health centres have in the past been sufficient to meet the whole salary of the lady health visitor in each case leaving the local body or local committee concerned to bear the rest of the expenditure.

(e) Yes, in some cases owing to the temporary absence of the counter-signing authority, and in others to the temporary exhaustion of funds of some of the voluntary committees.

STATEMENT SHOWING THE NAMES OF THE DISTRICTS AND THE LOCAL BODIES EMPLOYING LADY HEALTH VISITORS.

Name of the Health Visitor.	Location of Centre.	Name of organisation.	Pay.	Sources of income.
1. Mrs. Deane ..	Robtak Suman, Bohara and Dohi villages.	Robtak district, Health and Child Welfare Association.	Rs. 75 0 0	District Board Funds and Voluntary subscription
2. Mrs. Jacob ..	Moga (Ferozepore)	Municipal Committee with Voluntary Advisory Committee.	75 0 0	Municipal Fund.
3. Mrs. Rawani ..	Multan	Multan Health Week Committee.	Rs. 75 for 6 months, Rs. 82.8 for 6 months.	District Board Funds and Voluntary Subscriptions and Government grant.
4. Sh. Bishan Devi ..	Gujrat	Red Cross Committee	120 0 0	Red Cross Fund District Board Grant and Government Grant.
5. Mrs. Mathias ..	Kharian (Gujrat)	Ditto	80 0 0	Ditto.
6. Miss Graham ..	Bhikhi	Ditto	150 0 0	Ditto.
7. Dr. Miss Bose ..	Ferozepore City	Ferozepore Maternity and Child Welfare Committee.	82 8 0	Municipal Fund and Red Cross Society and Voluntary Subscription and Government Grant.
8. Mrs. George ..	Ferozepore City	Attock Health Association	100 0 0	(a) Donations, (b) Municipal contributions, (c) Government grant.
9. Miss Ditte ..	Campbellpore	Municipal Committee	90 0 0	Municipal Committee contributions.
10. Miss Jamal-ud-Din ..	Jullundur	District Red Cross Society and Lady Chelmsford League.	75 0 0	A. P. Mission Hospital, Lady Chelmsford League Committee and Red Cross Society.
11. Miss Jacob ..	Sialkot (Mission Centre)	Lady Chelmsford League	82 8 0	Grants-in-aid from Municipal Committee and Government voluntary subscription.
12. Miss Waghehaur ..	Sialkot City			
13. Miss Sen ..	Rewari	Rewari Health Association	115 0 0	Municipal Committee, Rewari and Government grant.
13(a). Miss Khuda Bux ..			75 0 0	

[Hon'ble Malik Firoz Khan, Noon.]

Name of the Health Visitor.	Location of Centre.	Name of organisation.	Pay.	Sources of income.
14. Miss Karam Chand 14(a). Miss Fazal Din	Ludhiana ..	Ludhiana Health Week Committee.	Rs. A. P. 82 8 0 each.	Memorial Hospital and Health Week Funds.
15. Mrs. Dales ..	Alawalpur (Jullundur) District Board.	District Board ..	180 0 0	District Board Victoria Memorial Scholarship Fund and Government grant.
16. Mrs. Mack ..	Fatehabad (Amritsar) ..	District Board and Voluntary Committee.	97 8 0	District Board's Funds and Government grants.
17. Miss Mall Gu ..	Gurgaon ..	District Board and Gurgaon Health Association.	115 0 0	(a) District Board, (b) Gurgaon District Health Association and Government grant.
18. Miss Penn Singh ..	Palwal ..	Rahmatpur Zensana Hospital ..	75 0 0	Rahmatpur Hospital and Gurgaon District Health Association.
19. Miss Garanditis ..	Ambala City ..	Ambala District Health Association.	75 0 0	Health League Municipality and Government grant.
20. Mrs. Thomson ..	Kharar (Ambala) ..	Ditto ..	75 0 0	District Board.
21. Miss Roshan K. Khan ..	Daska (Sialkot) ..	Voluntary Committee (Advisory only).	75 0 0	District Board, Sialkot.
22. Dr. Lala Vati ..	Rawalpindi ..	Municipal Committee ..	230 0 0	Municipal Committee.
23. Miss Walker ..	Simla ..	Ditto ..	180 0 0	Municipal Committee and All-India Lady Chelmsford League.
24. Mrs. Isaacs ..	Jogindarnagar ..	Jogindarnagar Welfare Committee.	100 0 0	All-India Lady Chelmsford League Welfare Committee and Patients Payments.
25. Mrs. Ricketts .. 25(a). Mrs. Gnanamoni 26. Miss Mehra ..	Mozang Health Centres .. Amritsar City ..	Municipal Committee .. Ditto ..	250 0 0 180 0 0 100 0 0	Municipal Committee. Ditto.

DRINKING WATER SUPPLY.

1446. Mr. E. Maya Das : Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) how many municipalities have got drinking water supply arrangements and what are their names ;
 (b) which of these municipalities are self-supporting and which are not ?

The Honourable Malik Firoz Khan Noon : (a) A statement giving the required information is attached.

(b) The meaning of this part of the question is not quite clear. If the intention of the honourable member is to ascertain which of the committees in question have placed their water-works on a self-supporting basis by the proper adjustment of water rates and taxes the information could be compiled but its collection would take sometime. The honourable member may, however, rest assured that no pains are spared by Government to prevail on all committees to conduct their water-works on sound financial lines, and the Urban Sanitary Board now insists on the metering of private connections as an essential condition of any grant-in-aid.

List of municipal committees in the Punjab which have their own water-works.

Ambala division ..	.. {	1. Rewari. 2. Ambala. 3. Simla.
Jullundur division ..	.. {	4. Dharamsala. 5. Ludhiana. 6. Abohar. 7. Muktsar.
Lahore division ..	.. {	8. Lahore. 9. Amritsar. 10. Dalhousie. 11. Pathankot. 12. Sialkot.
Rawalpindi division ..	.. {	13. Khushab. 14. Sargodha. 15. Pind Dadan Khan. 16. Rawalpindi. 17. Murree. 18. Campbellpur.
Multan division ..	.. {	19. Lyallpur. 20. Gojra. 21. Multan. 22. Dera Ghazi Khan.

DRINKING WATER SUPPLY.

1447. Mr. E. Maya Das : (a) Will the Honourable Minister for Local Self-Government be pleased to state the names of municipalities that have got drinking water supply arrangements?

(b) What is the total capacity of supply in each case?

(c) What is the extent of the population served?

(d) What are the total receipts?

(e) What is the amount of receipt per head?

(f) What is the total expenditure in each case?

(g) What is the expenditure per head in each case?

The Honourable Malik Firoz Khan Noon : (a) A list of municipalities that have established drinking water supply arrangements has been supplied in answer to question no. 1446.¹

(b) to (g). The compilation of these statistics would involve very considerable labour and it is not understood precisely what the honourable member wishes to ascertain. If the honourable member will kindly explain further the object of his question it may be possible to give an adequate reply without calling for the compilation of these statistics.

DEPUTY REGISTRARS ETC., OF THE CO-OPERATIVE DEPARTMENT.

1459. Mr. Din Muhammad : Will the Honourable Minister for Agriculture please state—

(a) the number of permanent deputy registrars, assistant registrars and inspectors of Co-operative Department communitywise;

(b) the names of persons appointed to these posts during the years 1927, 1928 and 1929?

The Honourable Sardar Sir Jogendra Singh : The question has necessitated certain enquiries from the local officers, whose reply is awaited. The answer will be communicated to the honourable member when ready.

GAZETTED OFFICERS IN THE CO-OPERATIVE DEPARTMENT.

1460. Mr. Din Muhammad : Will the Honourable Minister for Agriculture please state—

(a) the number of gazetted officers employed in the Co-operative Department communitywise;

(b) the number of gazetted officers so employed communitywise in 1925?

The Honourable Sardar Sir Jogendra Singh : (a) The number of confirmed gazetted officers employed in the Co-operative Department excluding Indian Civil Service European officers communitywise, is as under :—

Muslims 12, Hindus 3 and Sikhs 5.

The number of those who are officiating as gazetted officers, is :—

Muslims 3, Hindus 3 and Sikhs 3.

(b) The number of confirmed gazetted officers excluding Indian Civil Service European officers employed in the Co-operative Department in 1925 communitywise is :—

Muslims 6, Hindus 2 and Sikhs 4.

The number of those who were officiating as gazetted officers in 1925 is :—

Muslims 4, Hindus Nil and Sikh 1.

GRANT OF *Muafi* IN THE GURGAON DISTRICT.

1461. Chaudhri Yasin Khan : Will the Honourable Revenue Member please state—

- whether it is a fact that some villages in the Gurgaon district have been granted some annual *muafi* in lieu of their giving parts of hilly areas to Government for afforestation;
- if so, what are those villages and how much is the *muafi* granted and from what date;
- has the payment been made to the villages up to date;
- if not, what are the reasons for non-payment?

The Honourable Mian Sir Fazal-i-Husain : (a) Yes.

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

(c) Yes.

(d) Does not arise.

Name of village.	Amount of annual remission.	Date from which remission granted.
	Rs.	
1. Bhondsi ..	570	Kharif 1925.
2. Sanpkinagli ..	64	Ditto.
3. Sohna ..	785	Ditto.
4. Raipur ..	117	Ditto.
5. Haryahera ..	342	Rabi 1926.
6. Raisina ..	395+359	Rabi 1926 and Kharif 1928.
7. Khal ..	145+306	Kharif 1925 and Rabi 1927.
8. Tankri ..	396	Kharif 1925.
9. Khari ..	311	Rabi 1926.
10. Kalhar ..	157	Ditto.
11. Ferozepore ..	149	Kharif 1925.
12. Rithanj ..	124	Do. 1927.
13. Khaleta ..	129	Rabi 1927.
14. Nandha ..	175	Ditto.
15. Indri ..	714	Rabi 1926.
16. Rehna ..	397	Rabi 1927.
17. Tapkan ..	410	Ditto.
18. Neola Maharaipur ..	50	This area has been left since Kharif 1928 and no remission is now given.

COMMUNAL REPRESENTATION AMONG ASSISTANT DISTRICT INSPECTORS
OF SCHOOLS, AMBALA DIVISION.

1462. Chaudhri Yasin Khan : Will the Honourable Minister for Education please state—

- (a) the proportion of Muslim assistant district inspectors of schools in each district of the Ambala division as compared with non-Muslims giving the total in each case;
- (b) the number of Muslim assistant district inspectors of schools in the Ambala division at the time the present inspector of schools, Ambala division, took charge of the division and their number on 31st October, 1929;
- (c) whether there has been any decrease and if so, what steps are being taken to restore the position?

The Honourable Mr. Manohar Lal : The requisite information is being collected and will be supplied to the honourable member when ready.

ANGLO-VERNACULAR TEACHERS IN AMBALA DIVISION.

1463. Chaudhri Yasin Khan : Will the Honourable Minister for Education please state—

- (a) the number of Muslim and non-Muslim A.-V. teachers separately employed in board schools (both M. B. and D. B.) in each district of the Ambala division;
- (b) what steps Government propose to take to remove the inequality between the number of Muslim and non-Muslim A.-V. teachers;
- (c) what is the percentage of A.-V. Muslim teachers in Government institutions of (i) Rawalpindi and (ii) Multan divisions?

The Honourable Mr. Manohar Lal : (a) and (c). In view of the disproportionate amount of time and trouble likely to be involved in collecting this information, it is not proposed to undertake the requisite inquiry.

(b) Does not arise.

The Department of Education has no control over these appointments made by local bodies unless power has been so delegated.

FILLING UP VACANCIES IN THE SUBORDINATE EDUCATIONAL SERVICE.

1464. Chaudhri Yasin Khan : Will the Honourable Minister for Education kindly state—

- (a) the number of vacancies in the Subordinate Education Service (Anglo-vernacular Section and Classical and Vernacular Sections separately), which occurred in the Ambala division after the present inspector of schools took over charge of the division up to the end of October 1929;
- (b) the number of vacancies as in (a) above filled up by the appointments of persons of various communities in each section of the Subordinate Education Section;

(c) whether the appointments in (b) above were made on the recommendations of the Inspector of Schools, Ambala division, or independently by the Director of Public Instruction ?

The Honourable Mr. Manohar Lal : (a) and (b). The necessary statement is laid on the table.

(c) It is not in the public interest to give such information, as it is confidential.

1	2	3				4
Section of the S. E. S.	No. of vacancies which occurred in Ambala division during the period from 10-10-28 to 31-10-29.	No. OF VACANCIES AS IN COLUMN 2 FILLED BY :—				Remarks.
		Hindu.	Muslim.	Sikh.	Christian.	
A. V. Section ..	6	2	..	..	..	4 posts vacant.
CL and Ver. Section ..	18	4	9	..	..	5 posts vacant.

FILLING UP OF VACANCIES BY THE INSPECTOR OF SCHOOLS, AMBALA DIVISION.

1465. Chaudhri Yasin Khan : Will the Honourable Minister for Education kindly state—

- the number of Muslims appointed by the present inspector of schools, Ambala division, in board secondary schools from the date of his joining the division up to the end of October, 1929, as compared with the number of non-Muslims ;
- what are the reasons for the shortage in the number of Muslim teachers, and if so, whether Government propose to take any steps to increase it ?

The Honourable Mr. Manohar Lal : (a) The Divisional Inspector of Schools is not empowered to appoint teachers in all board secondary schools in the Ambala division.

(b) Does not arise.

MUSLIM DISTRICT INSPECTORS OF SCHOOLS.

1466. Chaudhri Yasin Khan : Will the Honourable Minister for Education kindly state—

- the number of permanent Punjab Educational Service posts or special posts carrying a pay of Rs. 250 per mensem or more which have fallen vacant or have been newly created in the province from 1st January, 1927 up to 31st October, 1929, and
- how many of them have been filled up by Muslims and non-Muslims ?

The Honourable Mr. Manohar Lal : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

MUSLIM DISTRICT INSPECTORS OF SCHOOLS.

1467. Chaudhri Yasin Khan : Will the Honourable Minister for Education please state (a) the number of Muslim district inspectors of schools in the province on the 1st January, 1927 and their number on 31st October, 1929, and

(b) whether there is any decrease in their number and if so, what steps Government propose to take to increase it?

The Honourable Mr. Manohar Lal : (a) 16 and 15 respectively.

(b) Does not really arise. In making appointments to district inspectorships, many factors have to be taken into consideration.

THE PUNJAB PURE FOOD BILL.

REPORT OF THE DRAFTING COMMITTEE.

The Honourable Malik-Firoz Khan, Noon : Sir, I beg to present the Report of the Drafting Committee appointed by you under Standing Order 150 on the Punjab Pure Food Bill.

THE PUNJAB REGULATION OF ACCOUNTS BILL.

Mr. President : The House will now resume discussion on the Honourable Finance Member's motion that the Punjab Regulation of Accounts Bill, as reported by the Select Committee, be taken into consideration.

Rai Bahadur Lala Danpat Rai (Punjab Industries) : Sir, When this Bill was committed to the Select Committee we did not discuss the principles underlying the Bill in the hope that the Select Committee would fully consider the provisions of the Bill and by the time the Select Committee met it would have the opinion of the public also before it. But now we see that the Report of the Select Committee, as it has emerged out of it, does not meet with the views of all the parties concerned. In the first instance, we see that in this report of the Select Committee there are 4 dissentient notes appended. Out of the nine non-official members, there are eight who have practically differed from each other on several questions. The question is whether the report of such a Committee is entitled to be considered by this House or not. Now, Sir, we have not had the privilege of seeing the opinions which were before the Select Committee but from the report of the dissentient members it appears that Judges and others were not in favour of this Bill at all, and the opinion of the Judiciary which is entitled to our highest respect has been brushed aside in the Select Committee without any rhyme or reason.

The Judiciary which on account of its experience and learning should have had the first say has been relegated to the lumber room. Now let us see how they treat the Judiciary of the province. It is found in the dissenting minute of Rai Sahib Chaudhri Chhotu Ram and others that "courts should

be allowed little or no discretion under this Bill. If such discretion is allowed, that discretion will almost invariably be used in favour of the creditor. The present complexion of the Judiciary in this province as well as in others is not calculated to inspire confidence in the debtor classes." Could there be a more glaring impeachment of the Judiciary of the province? They not only say that it is incompetent but they charge it with a bias against the agricultural classes. Then they say, "It is a notorious fact that the sympathies of the Judiciary are with the creditors. I do not know how they have arrived at this conclusion that the sympathies of the Judiciary are with the money-lenders. The Judiciary decides each case as it comes to it on its merits and it is presumed that it does it conscientiously and honestly and with the experience and ability at its disposal. But when they said that the Judiciary has sympathies with the money-lenders the members of the Select Committee did not consider the provisions of this Bill dispassionately. They have cited Mr. Calvert as a support for them. They say, "As observed by Mr. Calvert, this indictment of the judiciary is fully borne out by the complete failure of the Usurious Loans Act." I think I can boldly say that the indictment which these members of the Select Committee have made against the Judiciary is not justified as it is not of one class only but of all classes, namely, Hindus, Muhammadans, agriculturists, non-agriculturists, Europeans and others. One can say that the Judiciary has erred here and there but I do not think anybody can say that no weight should be given to the Judiciary as a whole and I do not think that Mr. Calvert holds that opinion. But if that is the opinion of Mr. Calvert and if that is also the opinion of the Government, then the judiciary is incompetent and I think the Government should ask them to vacate their seats. Under these circumstances, Sir, I submit that this report of the Select Committee should not be considered at all and the Bill should be dropped. The members of the Select Committee are hopelessly at variance with each other, and such a report cannot command our respect.

Another reason I would urge for the rejection of the Bill is that it does not confine itself to the principle which, it is said, underlies this legislation. The same members of the Select Committee as mentioned above say on page four of their report that "Government is, in the words of Sir Malcolm Hailey, 'convinced that legislation would be beneficial for the regulation of certain classes of accounts.' The main object of this legislation would be the 'protection of the ignorant borrower without undue interference in trade and credit'". Now we will have to see whether there is this interference in trade and credit or not. "The aim will be 'to secure as between certain classes of creditors and debtors an improved system of keeping accounts which will give to the latter a means of ascertaining periodically how their accounts stand and how they are composed'". They might have said that as between the money-lender and the village agriculturist such and such an account should be kept; but why bring in all these city people also, the traders, the bankers and others?

Thus the main purpose of the Bill is to give protection to the agriculturists who are ignorant and who are said to be at the mercy of the money-lender. But is there anything in the Bill which will effect this? As to why the agriculturist should be protected, the only two arguments advanced

[Rai Bahadur Lala Dhanpat Rai.]

are his illiteracy and ignorance. Now, does the Bill do away with his illiteracy or ignorance? The agriculturist borrows money when he feels the necessity for it and necessity knows no law and therefore he may at times agree to any terms imposed by the money-lender but surely this Bill is no remedy for it. If there had been a measure for doing away with the illiteracy of the agriculturist or with his ignorance, it would have had my full support. But that is not the case with this Bill. This is a case where although the debtor does not want that a copy of the account should be sent to him, a statutory obligation is cast upon the creditor to send him a copy of his account six monthly; it does not matter whether he is ignorant or illiterate. Even though the agriculturist may say 'please do not bother me with these half-yearly accounts,' yet the Bill says, 'you must send the account.' Now if you go through the provisions of this Bill you will see that it is not only meant for agriculturists but also for others. If I lend to the Honourable Finance Member, I am bound under this Bill to send him six-monthly accounts and perhaps as soon as I send one he will consign it to his waste paper basket. He may not go through it at all. If the provisions of the Bill had been confined merely to the agriculturists and the village money-lenders I could have understood it. But all sorts of persons come under this measure. If I give a loan to a Bank I must give a six monthly notice to it. I give a loan to the Government and then I have to give them six monthly notice. But under clause 2 (7) (iii) "A loan advanced by Government or by any local body authorised by Government" is exempted from this Bill, whereas a loan advanced to Government or to a bank or to a local authority is not exempted but accounts are to be submitted to them. Some people may say that Government does not require a loan. But Government is raising loans in the open market every day. They are issuing treasury bills and bonds. Then, are we to serve the Government also with notices? It is true that if a bank advances a loan to individuals that does not come within the definition of loan. But when a loan is advanced to them the provisions of the Bill apply.

As I said in the beginning, we expected that the Select Committee would make such changes as would suit all parties. Although the Bill as it has emerged from the Select Committee has undergone certain changes which are for the better, still there are certain changes which are for the worse. Take for instance clause 2 (7) (ii), "A loan to or by or a deposit with any society or association registered under the Societies Registration Act, 1860 or under any other enactment." This is the clause as recommended by the Select Committee, whereas the old clause was, "A loan to or by or a deposit with a person belonging to any class of persons specified for the purpose of this section by the Local Government by notification." So that previously power was given to the local Government to exempt, if they so wanted, any person or body from the provisions of this Bill. But now only certain bodies are specially exempted. I do not know what is the reason for this change which is for the worse. Again the old clause was, "A loan advanced by any person *bona fide* carrying on any business, not having for its primary object the lending of money, if such loan is advanced in the regular course of such business." This was a very sensible and salutary provision. Your idea is only to protect the ignorant agriculturist. But the Select Committee

in its wisdom has taken away this provision also. Therefore I say that in these respects the Bill has changed for the worse. I have already mentioned that the scope of the Bill is not confined merely to the agriculturist class or to the village money-lender but to all classes.

I may also mention that the provisions of this Bill are altogether unworkable. Under clause 3 (1) (b) notice is to be sent to the debtor. Suppose the debtor has died, to whom is the creditor to send the notice? No provision is made to the effect that if a debtor has died the notice should be served on his legal representatives. But even supposing that it is to be served on his legal representatives, it is not an easy task to find out who the legal representatives are especially in a province like the Punjab where there are so many laws of succession like Customary Law, Hindu Law, Muhammadan Law, the Indian Succession Act and so on? The poor money-lender will be put to much difficulty. Even a lawyer will not be able to say immediately who the real legal heir is. Thus this is a very stringent Bill. Again it is not stated that notice is to be served at his last place of abode or his registered address. How is the creditor to find him out? Suppose he has left for England or America, is he to hunt for his address and then serve him with a notice? Then you will say that notice has not been served in the prescribed time. Such are the provisions of this Bill which we are asked by the honourable mover to consider. I submit that this is not the kind of Bill which should be considered at all.

We know that a Banking Enquiry Committee is sitting and they are exploring every avenue in order to find out how best to help the agriculturist and the rural classes and so on and so forth. So this is the most inopportune time for this Bill to be introduced. Let us wait for the report of that Committee and see what they report. If there are any good recommendations we can adopt them.

Another glaring instance which I may point out is that the private companies are not excepted. The clause about them says, "A loan advanced by a bank, a co-operative society or a company whose accounts are subject to audit by a certificated auditor under the Companies Act."

Every body knows that these private companies are not subject to audit under the Indian Companies Act. They may have their accounts audited by a certificated auditor or they may not. And now an amendment has been sent in by Government under which a bank, a co-operative society or a company whose accounts are audited annually by an auditor under the provisions of section 144 of the Indian Companies Act, 1918, is to be exempted. I think, I am right in saying that section 144 does not apply to private companies whose accounts may or may not be audited by a certificated auditor. Therefore I say you at once take out these private companies and make them subject to the Regulation of Accounts Act. There are several European private companies here which get their accounts audited by certificated accountants but they are not required to have their accounts audited under the Indian Companies Act. Here are my friends Mr. Owen Roberts and Sardar Sikandar Hayat Khan. They are the owners of private limited companies. They will now come under the operation of this Act. Thus you see you narrow down the exemptions made under the Act. I think that perhaps the members of the Select Committee were under a

[Rai Bahadur Lala Dhanpat Rai.]

misapprehension that there are certain private companies which are subject to audit by a certificated auditor, but that is not so. There are Messrs. Owen Roberts & Co. and there are so many limited companies here. If you go to the Mall you will find that there are several European limited companies here which are not subject to audit by auditors, but the accounts are always audited by certificated auditors. Are you going to bring them all within the scope of this Bill?

Then, Sir, admitting that there is a necessity that the debtor should be supplied with a copy of the accounts of the money-lender, would it not be better if the debtors should be supplied with one if he wants to be supplied. Why should I send a copy to each and every one of my debtors if they do not want one? If any provision had to be made there would have been sense in saying that if any debtor wanted it he should be supplied with a copy. There might have been a provision making a money-lender who did not comply with the debtors' request liable for a penalty of say Rs. 50 for each default but to say that he must keep such and such accounts and supply them to each and every debtor is absolutely unnecessary.

The second thing is that every body wants to keep his financial matters secret. Nobody wants that his liabilities should be known even to his friends. So that if a copy of the debtor's account is sent to him and he is illiterate he will have to go to another man or neighbour to read out the accounts whom he would not like to know that he was indebted to such and such a person. Therefore I say it will serve no useful purpose. In the first place there might be disputes as to whether the accounts were sent. The money lender would say that he did send the accounts and the debtor would deny having received any. And the second thing is that it would serve no useful purpose on the ground that the debtor would not like to go to any one else to read out the accounts to him because he would not like his financial affairs to be known to anybody else.

So on these grounds I would submit, Sir, that this Bill should not be taken into consideration.

Chaudhri Duli Chand [Karnal (Non-Muhammadan), Rural] (Urdu): Sir, it would be within your recollection that on the 6th instant the honourable member representing Hoshiarpur stated that by passing this measure the liabilities of the zamindars were not likely to decrease in the least. I do not say that this statement which he made on that day is wholly devoid of truth but it is obvious that he has presented it in a very exaggerated form. For instance look at the Usurious Loans Act. The money-lenders have escaped the provisions of this Act by resorting to another scheme. They annually renew their debts by getting the thumb impressions of the illiterate zamindars fixed to new documents in which they enter the real sum advanced together with the interest on it as principal. For example, a zamindar borrows Rs. 200 at 25 per cent. annual interest, the next year the money-lender will enter the interest of Rs. 200 together with the principal and will show the real sum advanced as Rs. 250 and will get it signed by the debtor and no court can find fault with such a document in which the borrower has clearly admitted that so much sum was advanced to him by the creditor. But in spite of all such frauds as practised

on the zamindars, we cannot for a moment deny that this Act has done any good. At least it has proved beneficial inasmuch as the courts are empowered to disallow certain portion of the rate of interest that may appear to them very high or unreasonable. If the money-lenders are required to send the statements of the accounts to their borrowers, then the borrowers will be able to produce these statements in the courts to prove that the real sum was so much and that by interest on it, it has multiplied tenfold, etc. In this way the chances of practising fraud on the poor zamindars will decrease and the courts will also have their powers increased to enforce the provisions of the Usurious Loans Act in accordance with their spirit.

Then, Sir, the honourable Pandit Nanak Chand said that such a Bill had also been presented in the Assembly where it was considered of no use and was rejected. My answer to this is that had there been in the Assembly members from rural areas the Assembly would have found it rather difficult to reject it. Had that legislature also included in itself 91 per cent. representation of the rural areas, the Bill would have met absolutely different fate. But through the curse of the mixed electorates of rural and urban areas our representation was scarce in the Assembly and consequently the opponents easily won the field and rejected the Bill mentioned by the honourable member. It was nothing strange if the Home Member also opposed it for the Government officials often follow the trend of non-official members. The officials, considering the members of the Assembly as true representatives of the people, did as they were asked to do. Is it not the same with the officials of the Punjab Government? Don't they regard us as the true representatives of the people and carry out our decisions. So, Sir, it was natural on the part of official members of the Assembly to vote on the side of the urban majority.

Then again, Sir, the decisions of the various local governments were quoted and it was urged that those local governments did not feel the necessity of any such measure. But I say, Sir, that as regards the circumstances obtainable here, the Punjab differs greatly from other provinces. In other provinces large areas belong to one landlord under whom there are tenants who till the land for him and share the produce with him. Here the case is different. We have got small peasant proprietors who are to be saved from the money-lenders, for small holdings, as theirs, can very easily pass out of their possession to that of the money-lenders. Moreover, the money-lenders abound here in the Punjab very much. In view of the area over which our province extends we find that the percentage of the money-lenders here far exceeds that found in other provinces. The money-lenders advance loans to the zamindars in all safety, for their land form sufficient security for the return of their debts. They never lend such big sums to those classes which do not own land. - For example they will never deal with sweepers so extensively.

Then Sir, the honourable member representing Simla raised an objection with regard to the script of the statements of accounts required to be submitted to the borrowers, and proposed "Lundas" to be the proper and convenient script, for this purpose. Now Sir, in "lunda" script there

[Ch. Duli Chand..]

are no vowels, and therefore the script is imperfect and is often read wrongly. Here is an example to illustrate my point. Some one wrote a letter :—

” ڏانه جي اجمبر کي پري ڏي ڪر ٻڌج ڌر “

but the addressee read it as follows :—

” ڏانه جي آڇ ڌر ڪر پري ڏي ڪر ٻڌج ڌر “

Similarly we can confuse the words “*Til*” “*Tel*” and “*Tul*”. The lunda script will cause a great confusion and inconvenience to the courts and therefore the honourable member's proposal is not a sound one.

Now I come to the question as to whether the present Bill can solve our difficulties or not. I am constrained to observe Sir, that had the Government consented to the Bill which was passed by this House in 1926, it would have been more in keeping with our purpose, but the present Bill falls far short of the requirements of the present time.

Mr. President : I cannot allow any speech to go beyond the principles of the Bill.

Chaudhri Duli Chand : Sir, I was saying that this Bill cannot efficiently cope with the difficulties of the present case. It cannot effectively check the forgeries committed by money-lenders. Not to speak of the simple illiterate zamindars these money-lenders can even deceive us who are educated. They, on the plea that hand-writing often changes, ask us to fix our thumb impressions to their *bahis*, and we credulously do so. After some time when we again go to pay back the loan they bring out a similar *bahi* with a forged thumb-impression similar to ours. We pay the loan and see it entered on that *bahi* and go away well satisfied that we are freed from the liability. But to our great amazement after two or three years we receive a notice asking us to clear our accounts. We object and the money-lender brings a civil suit against us and produces the true *bahi*, whereupon we are forced by the decree of the court to repay the loan a second time. In view of such difficulties as this, if the money-lenders are required to submit the statements of the accounts to their borrowers they will not be able to practise such frauds.

I hope, Sir, that in consideration of these facts which I have mentioned the House will consent to the consideration of the Bill.

Sardar Harbakhsh Singh (Hoshiarpur and Kangra (Sikh), Rural) (Urdu) : Sir, I rise to support the motion under consideration. Much has been said in favour of and against this motion, but if we just look back at the past history of our province, we will find, rather we will be convinced of the fact that the present demand for such a legislation as Money Lenders Regulation of Accounts Bill is not only urgent and necessary but also in due accordance with the needs of the time. Before the English came into India, people were not so interested in agriculture as they are now interested and the lands had not acquired importance as they have now acquired. Before the British Government established its supremacy in India and law and order prevailed on its advent, tenants were required to till the lands and to give as much produce to the land-lord as suited their convenience. But with the advent of the British Government a good deal of attention began to be

paid to the development of agriculture. The construction of canals and consequent regular and sure supply of water for irrigation, gave further impetus in this direction. The people worked hard to make the lands yield good income. They ceased to look at land-revenue and *abiana* as mere burdens and the tendency to sell land for nominal prices received a set back. The value of land increased and consequently their prices also went up. The money-lender who hesitated before to advance loans to agriculturists now began to advance loans willingly on the security of their lands. Cunning and clever by nature these money-lenders saw that it was a good opportunity for them to acquire the lands which were in the possession of agriculturists. With that end in view they began to advance large sums as loans to zamindars. In course of time these sums accumulated tenfold by the addition of interest at a heavy rate and when the zamindars failed to pay back their debts the land of the latter began to be attached and sold in liquidation of these debts. This process continued for some time at a rapid pace until at last it was feared that the whole land would pass out of the hands of zamindars. It was at this critical juncture that the Government came to the rescue of the zamindars and enacted the Land Alienation Act. Thanks to this Act we still exist otherwise our disappearance was a matter of certainty. Government did not stop here but it went further to help us and started the co-operative movement. It has established co-operative societies in rural areas so as to enable zamindars to borrow money from these societies on easy terms. But since these societies have not so far succeeded in completely replacing the curse of private money-lending, therefore, it is necessary that a protecting measure against the evils of private money-lending be enacted. It was in response to this demand of the times that the Government took in hand the work of framing the present Bill which has been now moved for the consideration of the House. In addition to the co-operative movement Government also passed the Usurious Loans Act. But this Act has failed to fully cope with the emergencies of the present times. Zamindars are still being dispossessed of their lands by *benami* transactions, etc. The failure of the Usurious Loans Act is another reason for which the present Bill should be placed on the statute book. The present Bill which has been moved for consideration is not such an abominable measure that we should put impediments in the way of its consideration and passage. In 1926 this Council after a lengthy debate passed the Money-Lenders Bill, but His Excellency the Governor did not give his assent to it on the ground that it would harmfully affect trade and commercial interests of the province. But at the same time Government promised to bring such a Bill at an opportune moment. Now to redeem that promise Government has moved the present Bill for the consideration of the House and we should not refuse to consider it simply because it appears to its antagonists as identical with the previous Bill. This Bill includes in itself provisions by which minors and widows are exempted from keeping accounts of the loans which will pass to them by inheritance or assignment for a reasonable time during which they can very well make themselves conversant with such accounts, etc. The penalty clause of the present Bill is also very reasonable and in no way can be called severe or harsh. Therefore, Sir, I request the House that in view of the troubles and miseries of the poverty-stricken zamindars it

[S. Harbakhsh Singh.]

should not withhold its consent to consider the Bill, which is in no way identical with the Money-Lenders Bill.

Now I come to the arguments that the various honourable members have advanced in opposition to the present Bill. Honourable Pandit Nanak Chand urged upon the House not to consider the Bill and the arguments that he advanced in support of his contention were very unsound and fallacious. No sane person with the least intelligence can for a moment doubt their inconsistency. In 1926 at the time when the Money-Lenders Bill was moved such an argument that the communal atmosphere was cloudy and that the time was not opportune for the measure could hold water but now such an argument is incoherent and inconsistent with the demands of the present time.

Then Sir, the honourable member said that in other provinces such measures are not necessary and that there is no reason why they should be specially undertaken for the Punjab. To this my reply is that the circumstances obtaining here in this province are different from those of the other provinces. In other provinces the whole land belongs to a few landlords who give it to their tenants for agricultural purposes but here in the Punjab we have got small peasants who are proprietors as well as tenants. It is difficult to dispossess a big landlord of his landed property but a petty zaminder with a very small holding falls an easy prey to the wiles of a clever money-lender. Therefore it is to save these small peasants that we require the protection of some such measure as the present one. Then Sir, the application of this measure will be general. It will apply to towns in the same manner as it will apply to villages and no class will be exempted from the application of its provisions—zamindars who lend money will also come under its provisions, and their case will not be made an exception if they happened to be dishonest in their dealings.

Further Sir, my honourable friend Pandit Nanak Chand remarked that this Bill was in every aspect identical with the Money-Lenders Bill and that the Government has tried to hoodwink them by presenting the same Bill to the House under a different name. I would submit, Sir, that this remark is utterly unfounded and that the Government has not tried to befool them, but on the other hand it has brought them face to face with reality so that they may feel it and recede on their own account from the atrocious course on which they have launched.

Again Sir, it was said that banks and co-operative societies are not brought under the provisions of this Bill. On this point I submit that banks and co-operative societies submit six-monthly reports of accounts to their borrowers and therefore there is no reason why the provisions of the present Bill should be applied to them. On the other hand the money-lenders do not care to invite the attention of the borrowers to their accounts, they rather for years try to lull them to sleep over their dues in order that they may demand them back when the interest on them has increased ten fold and the ruin of the debtors is sure. Even if the borrowers do not require the statements of their accounts, still it is the Government's duty to save the people if they are running to their ruin.

Now, Sir, I take up the objection as to the script in which the statements of accounts are to be submitted. I think any language that is clear and comprehensible to all will do. A script that can convey any sense to the sahukar alone and to none else is of no use.

Then again, Sir, it is said that the borrowers do not need such statements and do not demand them and therefore there is no necessity of furnishing them with such statements. But I say we want them to be furnished with these statements in order that they may be reminded of the sum which is due from them and moreover we insist upon it because we want to enable zamindars to produce those statements of accounts before courts in cases where they suspect the money lenders of dishonesty.

Then Sir, much stress has been laid on the fact that money lenders should not be absolutely debarred from the right of suing in cases where they have failed to comply with the provisions of the Bill and that the penalty clause of the Bill should be enforced gradually and mildly. Sir, the Select Committee has agreed on this point in the manner in which they have put it in the Bill and there is no need of further discussing it therefore; and I request the honourable members not to insist on this point so earnestly.

My honourable friend Pandit Nanak Chand was pleased to remark that in the case of banks and co-operative societies a good many convictions have taken place on account of embezzlement and other such criminal breaches of trust but no ordinary money-lender has ever been convicted for such crimes. I am free to admit, Sir, that this is very true. But the reason for that is by no means in favour of the contention of the honourable member. This is because the accounts in the banks are maintained in a prescribed form and manner and so it is very easy to audit them and, thereby, detect any case of embezzlement. While on the other hand, the ordinary money-lenders keep their accounts in a language and form familiar to none but themselves. Moreover, they employ a good many devices to escape income tax and thus it is very difficult, or shall I say impossible to check their accounts properly. I beg to submit, Sir, that it is not wise to be over-sympathetic to crooked people. However, when they begin to maintain their accounts properly an opportunity may be taken to consider the matter in the light of the conditions prevalent at the time.

Another objection raised by the same honourable member was that it may be necessary to send a statement of accounts to an unlettered borrower but there was no necessity of sending such a statement when the debtor happens to be a learned barrister or doctor who may be able to understand his liabilities even better than the creditor himself. That again appears to be quite sound. But Sir, a law is after all a law and you cannot make in it such provisions and exceptions if it is to retain a universal character at all. And then, there is another situation to be taken into account. Supposing that a learned debtor dies leaving behind him an illiterate heir. In that case the money-lender will be bound to supply such statements to the heir. Then why seek to make such a useless exception which can have a temporary effect only? Of course the demand for some latitude to the widows and minor children of the creditors was considered a legitimate one and we accepted that without any hesitation in the Select Committee. Thus, Sir, it is not a class or communal measure because it gives necessary protection to all concerned.

[S. Harbakhsh Singh.]

Then it was urged that if a creditor happens to have advanced loans to a thousand persons it will be extremely difficult and troublesome to send such statements to all of them. I submit, Sir, that it is by no means a misfortune to have so many debtors. On the other hand such a creditor has the best of causes to be thankful to God. I am not sure whether the honourable member really wants us to believe that such a wealthy money-lender cannot afford to employ a clerk to do the work for him. In fact such a complaint should come, if at all, from petty money-lenders. But even they cannot advance such an argument with any advantage because education has now reached almost every village in the province and, therefore, if a petty money-lender happens to be illiterate or not conversant with the prescribed language he can ask any educated boy to do the work for him and, if need be, he can pay a few annas for that work. A man earning interest from his debtors can very well afford to part with a few annas moreover, this practice will help to solve the question of unemployment even if to a very small extent.

Another honourable member asked as to whom the statement was to be sent in case the debtor died. The answer to that is not very far to seek. At the death of a debtor the money-lender loses no time in finding out as to who is going to inherit his property and, consequently his liabilities. He has to recover his money from some person and he at once finds him out. Therefore, Sir, the money-lender has to make no extra exertions to find out the person to whom the statement should be addressed. He has to send the statement to none else than the person from whom he hopes to realise his money.

It was also urged that some people do not want their indebtedness to be talked about and that, therefore, such statements will offend their susceptibilities. I beg to submit, Sir, that such susceptibilities and notions have now become a thing of the past. Now-a-days well-known and respectable persons often receive such statements from their banks and do not feel any irritation on account of their appearance. Really it is the village people who can be said to entertain such notions and to attach some importance to them. But I submit that in villages the indebtedness of a person cannot remain a secret. Moreover, Sir, it is not wise to make any allowance for such false notions. We should rather discourage them if they really exist anywhere.

Now I come to the remarks made by an honourable member with regard to the mentality of the Government. I beg to submit, Sir, that it is neither wise nor safe to make such remarks because in reply to them the mentality of the honourable member as well as of the party to which he has the honour to belong may be attacked in the same manner and it may be said that these honourable gentlemen want to help the blood-suckers and parasites. Therefore, I would request my honourable and learned friends not to waste time in such useless talks which can do no good to any person or party. Let the Bill be taken into consideration and if it really needs some improvements they can be effected by so many amendments to be moved by various honourable members. Let us consider them and see which of them are early useful. In this way much time will be saved and we will be able to

finish the matter within the two days that we have at our disposal. This, Sir, is the only way in which some amicable settlement can be reached. If we discuss the subject in that spirit it will do us more credit and the Government too will feel thankful. With these remarks I resume my seat.

Mr. Labh Singh [Rawalpindi Division and Lahore Division North (Non-Muhammadan), Rural]: I beg to oppose, Sir, the consideration of the Bill and my primary reason for doing so is that the report of the Select Committee which is being placed before the House is only a minority report. This fact has already been brought to the notice of the House but not in this exact form. It has been said that there are as many as four dissentient notes. It has also been said that as many as eight out of the nine non-official members have appended dissentient minutes. But the more correct and methodical way of looking at the matter is that out of twelve members eight have appended dissentient notes, which means that the report of the Select Committee as presented to the House is in essence and virtually a minority report. The Bill, Sir, was committed to the Select Committee so that detailed discussion on the provisions of the Bill might take place there, arguments may be exchanged and a certain measure of unanimity attained so that the Bill when it comes before the whole House, there should not be much need for tabling numerous amendments. The Bill, however, which has now come before the House, does not come with the prestige of the report of the Select Committee, in the ordinary sense of that term, and, therefore, I would submit that this House really is not prepared and should not agree to consider the Bill in the form in which it is now presented. With this premise, Sir, I have just to say only a few words more and I should only begin by saying that the learned member for Industries has given us an edifying and detailed analysis of some of the provisions of the Bill. He has very clearly pointed out to the House that the measure before it is a crude one and that it bristles with great difficulties and that considerable inconveniences must result from the enforcement of such a piece of legislation, in case it is enacted at all. I do not want to repeat what has been said before. I desire only to confine my remarks to certain general aspects of the question before us. The first remark that I would like to make is, that the reason that has been assigned for bringing this Bill up again before the House is that a certain promise to that effect had been held out by His Excellency the Governor when he refused to give his assent to the Act on the subject which was last passed by the Council.

I would submit that that is not a sufficient ground for bringing up this Bill again. And certainly the anxiety to redeem a promise of this kind cannot be a very good ground of action either with this Government or with the Government of which this is only a subordinate branch. Government here have never been notorious for redeeming their promises. The real reason, therefore, is to be sought elsewhere. The presentation of this Bill is not an attempt to redeem a promise only but something more than that. To my mind it appears that the real reason is that in this particular case the promise was given to a section of the House, to a community and to a class which is in a position to enforce the promise. Whether even the enforcement of the promise would be good or bad for them, they do not stop to consider. The only reason why this Bill is being brought up, therefore, is that in this particular case the promise has been given to a party, to a section

[Mr. Labh Singh.]

or to a class which is in a position to dictate terms to Government. The reasons underlying this Bill are not purely or mostly economic; the real reasons are not apparent on the surface. The measure itself is not the simple thing that it appears at first sight. It is to my mind clearly not an economic measure. Arguments have been addressed to the House to show that it is a purely economic measure and on that assumption reasons have been assigned for or against the policy and expediency of enacting a measure of this kind. My submission on the contrary is that properly analysed this Bill is really a political Bill. It is intended really to bring home to us what would happen if those benches are occupied not by the officials but by a certain other class, what would happen if the official block disappears. It is really intended to convince us here of the indispensability of the official block in this province, of the imperative necessity of the presence in our midst (*Interruption*) I have been forced to have recourse to this argument, because I can see that you are being made a cat's paw of.

Mr. President : Is not the honourable member attributing motives ?

Mr. Labh Singh : It is not a question, Sir, of attributing motives at all. I am analysing the situation as I see it and presenting it to the House so that the House may make up its mind as to the correctness or otherwise of my remarks. My submission is that this measure is certainly not an economic measure for the very simple reason that nobody has dispassionately considered it in the light of an economic measure. Neither the Government of India, nor the Government of any other province in this country have so far considered it necessary that a Bill of this kind should be enacted into law. The conditions of this province must be very peculiar, very strange and hopeless, as my honourable friend suggests, that a measure of this kind should have been brought up at all. No case having been made out for the Bill on economic grounds, there remains then the sole question of redeeming a promise which is really very immaterial and is not a sufficient reason at all why this Bill should have been put up.

My second ground for opposing the consideration of the Bill is that the measure is supremely unnecessary. There was a time when some people vied with each other in painting black the old type of sahukars. I should have thought the fashion had disappeared but it has not. If, however, we are to take our stand on ascertained facts, I would in all seriousness enquire whether there are any cases of malpractices by sahukars now cropping up, or coming to light which cry for a legislation of this kind. Are any appreciable number of sahukars found to be indulging in any form of sharp practice and have cases of such charge come before the courts against them ? Are the courts reporting, for instance, that interest is being charged at very high rates ? Are there cases brought to light in which illiterate borrowers are found to suffer because of such exactions by the sahukars ? I would very respectfully submit that no case has been made out. All those exaggerations of the old type of money-lender which were a sort of fashion with some people some time ago are being repeated parrot-like whereas there is no real necessity for enacting a measure of this kind. We are only giving the dog a bad name in order to hang him. The measure before us, is unnecessary

further because there are ample protective provisions already on the statute book of this province for safeguarding the interests of needy borrowers.

My next reason for opposing this measure is that as it is before us now it goes far beyond its professed purpose. Its professed purpose is to protect illiterate borrowers. If that is so, why not protect them and exempt the literate borrowers from the operation of the Bill. Although it is said that it is intended for the purpose of protecting the illiterate, that is not what is aimed at in the practical provisions of the measure. I call this measure in its present form, a piece of class legislation for indeed it is one such if it is not also what one might call a piece of communal legislation, for the very simple reason that the provisions which it embodies are not fair, they are all one-sided which means that it is a measure intended to favour one class as against another, and at the expense of another. And I must submit further that if measures of this kind are once put on the statute book, it is very difficult to modify them subsequently or to undo the mischief that they create. For look at the Land Alienation Act which I might mention by way of illustration as a similar measure. It is well known that even some of the officials are now convinced that that was a bad measure or at any rate that it was good at the time when it was enacted but has now ceased to be of much use and more than that, is working mischief now. It is now an open secret that some of the officials and some of the very classes whom it was originally designed to protect are of this opinion; yet how hard is it for any one to even suggest that the Act may be modified in any respect or in any particular, that that Act should be rationalised or brought into accord with the present day economic conditions of the province? My submission therefore is that it is true of all class legislation, that when once it is brought into being it is very difficult to undo it at a later stage. Vested interests gather round such legislation which it is extremely difficult to overcome. The evil effects of such legislation tend to become permanent.

Further, the enactment of this measure will restrain agricultural credit, and that would be an unmitigated evil for the province. Agricultural operations in this province as elsewhere require to be financed and the economic system that has obtained in the province for the last several centuries has created certain institutions and certain modes of financing agricultural operations which we cannot and should not lightly subvert. And a crude attempt of this description would really cause a serious shock to the entire economic structure of our agricultural system, as also to the entire structure of our village economy. This measure will eventually prove an ill turn to the agriculturist. I would therefore submit on these grounds if on no other that we should pause, consider and think before we rush through a legislation of this kind.

It has also been pointed out to the House that this Bill would seriously interfere with trade. The authors of this Bill have been protesting that they are anxious that only the illiterate agricultural classes should be protected. By all means give them protection but let the protection be confined to them alone. Let there be a qualification attached to the measure that it shall apply only to the illiterate and uneducated class of agriculturists.

[Mr. Labh Singh.]

Then, Sir, I have got another very strong argument which though it may seem strange and novel to some appeals to me to be a very important one. And that is this. All competent observers, all official observers have from time to time remarked that the peasantry of this province has certain peculiar mental characteristics. And some of them in a detailed and some in a general way have said that there is very little pause between thought and action so far as these people are concerned. The moment they entertain a thought, it issues forthwith into action. This is a mental characteristic peculiar to the peasantry of this province which has struck more than one shrewd observer. And we all know that barring the disturbances of 1919 which were confined to urban areas, the disturbances of 1907 and those of a later date which my friend on the right designates as economic in origin—and that view is shared by all competent observers—were confined more or less to the rural areas. And what do we find there? If there is one fact which ought to impress any close observer of these happenings in this section of the population it is this, that the entire mass in the country side is easily and highly inflammable and it does not take long, it does not need much effort to set it ablaze.

But how is it one may ask that that mass is not constantly burning? Why is it not always in flames? The reason is obvious. It is not that there is nobody to stir that mass up. There might be and are hundreds of persons, leaders capable of and anxious to do so. But the mass is on the whole generally quiescent. The primary reason is that you will find strewn all over the countryside some elements of population which are highly conservative and non-combustible. All the sahuks and all the people of that class who live in the villages, are people of the non-combustible variety. The result of the passage of this Bill would be that all these people would migrate to the towns leaving the countryside in the tense and inflammable condition which I have just described and then the real trouble will begin. From the point of view of people who want provincial autonomy of the communal type and even from the point of view of some of us who want Swaraj, perhaps it might be an improvement in the existing state of things inasmuch as it will spell a step in the preparation for the upheaval. But apart from that what would happen if some agitation is set up; and as had been hinted in one of the dissentient notes the methods of agitation are now no longer the monopoly of a particular class but are well-known now to every class of people and each and every class can now take full advantage of it, if, therefore, I repeat, an agitation is started, these gentlemen, the country squires, the new leaders, would be able to set the entire countryside in a conflagration without the least difficulty and with what result? The entire political and social stability of the province would be threatened, which would submerge not only this Government but also would enable this Government to leave a legacy of woe for such governments as might come in its wake at a later period. I would, therefore, submit that this Bill would have the inevitable effect of destroying the conservative element in the rural areas and rural populations. With these elements eliminated it is only a question of touch and go. If you remove this element of conservatism from the villages, you destroy the equilibrium of the countryside as it has obtained

during the ages and none knows better than the honourable occupant of the chair that a single song like "*Pagri Sambhal Jatta*" would set the whole country ablaze. This would happen if you pass a legislation of this kind. You would destroy the very structure of our rural life, of our village economy. I will not press this argument further because its implications are pretty apparent.

I have only to make now a few remarks regarding some of the speeches that have just been made before me. My friend Chaudhri Duli Chand representing Karnal, Non-Muhammadian, Rural Constituency, told us that there would be some difficulty so far as Landa characters are concerned. Apparently he is an advocate of Urdu. I do not want to pursue his argument in detail but only want to point out that most of the observations made by the honourable member proceeded from his apparent ignorance of the Landa script. Landa characters are no more devoid of vowels than any other script is and if in Landa one can read Ajmer into *Aj Mara* the same difficulty appears in Urdu. His own name when written in Urdu may be read as *Duly Chand*, or even *Dully Chand* or *Dolly Chand*. So that is a difficulty based on ignorance of the script or on an intention of misreading it. It is not a difficulty which is inherent in the script itself. These Landa characters have been the commercial script throughout the ages in this country and the script has survived the test of ages and there seems to be no reason now why this should be tabooed, because it is distasteful to our friend from Karnal. Moreover, I really fail to understand if the Government is really serious in thinking that apart from the courts and apart from the question of school curriculum they can now force any particular community to adopt a script which they do not want to adopt. I honestly believe that a Government would not seriously attempt to do so and that the Government does not seriously intend to do so. How can I, for instance, instead of writing my accounts in Hindi or Landas be made under compulsion to take up another script because the law has so laid it down? No Government can reasonably expect compliance with such a law. It would really be an unwarrantable interference with liberty of procedure in these matters if the Government were to lay down any such thing. This Bill, Sir, is in more than one sense more retrograde than the original measure which was placed before us some years back. You will be pleased to remember, Sir, that there was no such provision in which it was laid down that it would be competent for the Government to prescribe the language or the script or the numerals, under the Act, whereas in the measure that has been placed before us in the form of the present Bill it has been provided that the Government will have the power to do so. Apparently therefore looked at even from this point of view, this Bill that is before us is a retrograde measure apart altogether from the question that it bristles with absurdities and impracticabilities.

The last thing that I would like to invite your attention to is this, that there is no parallel for this attempted legislation. Why is it that we in this province find that the conditions here are so bad that we need a Bill of this kind more especially when it has been pointed out to us that here we are face to face with a very large class which we might call the middle class and that the so-called depressed class is really very limited in numbers? When we have such an intelligent middle class in our midst a class of peasant proprietors then it stands to reason, if we take a dispassionate view of things, that

[Mr. Labh Singh.]

a measure of this kind is really not needed for their protection because they need no protection and are well able to look after themselves. As to the natural shrewdness of the agricultural classes, none would be in a better position to illustrate than the honourable occupant of the Chair. He can give us more than one adage which would remind us that, speaking really, the jats, the agricultural classes of this country, are much more shrewd than the classes with which they are confronted in their dealings. With these remarks, Sir, I beg to oppose the consideration of the Bill.

Rana Firoz-ud-Din Khan [South East Towns (Muhammadan) Urban], (Urdu) : Sir, this Bill has been the subject of discussion not only in this House but in the whole province for the last 5 years or so. I therefore do not think it necessary to enter into the details of this Bill. Nor would I like to repeat the arguments advanced in support of it by the honourable members from Jullundur and Karnal. I would rather confine myself to replying to the arguments advanced against it by the honourable members on the other side. My honourable friend from Hoshiarpur after having described the history of this Bill, stated that the moneylender was indispensable for the sake of rural economy. That is true. But what the present Bill aims at is simply this, that the moneylender should discharge his duties towards the borrower in a manner which may not be open to objection and that the borrower should be able to know how his accounts stand. That is the object for which the present Bill is introduced. It never aims at crushing the moneylender. It has been said by my honourable friends from Gujranwala and Hoshiarpur that this Bill is unnecessary for there are already certain other enactments in force which afford sufficient protection to the ignorant borrower. For instance, they referred to the Usurious Loans Act. I hope that both these gentlemen being lawyers themselves would be well aware of the fact that this Act applies only to a case where exorbitant rates of interest have been charged or where the whole transaction appears to be unconscionable. This Act has been in force since 1918. But during the past eleven years not a single case is reported in which this Act has been resorted to by the subordinate courts. The reason for this is obvious and that is this, that the High Court has not held even 75 per cent. to be an exorbitant rate of interest.

Dr. Gokul Chand. Narang : Can you quote the ruling ? I am not aware of any such ruling.

Rana Firoz-ud-Din Khan : If I had known that my statement would be questioned, I would have come prepared. Anyhow I will quote the ruling later on. Sir, another difficulty has also arisen. Previously the courts of law could also go into the prior transactions, but now the High Court has held that if once a balance is struck and signed by the party concerned the courts of law need not go into the previous transactions.

Mr. Labh Singh : It only saves limitation.

Rana Firoz-ud-Din Khan : No, it is considered to be a novation of contract. Well, Sir, under these circumstances how is it possible to make use of this Act? Both these honourable members have also said that if this Bill is passed into law, the village society will be ruined and the credit of the zamindars will become limited. I wish that their credit should be limited. The unlimited and unrestricted credit of theirs has brought about their ruin. If their credit becomes limited, it will be good both for the Government and the country.

Another objection raised against this Bill is that it is a class measure.

4 P. M.

I do not see any force in it. I do not find any civilised country in the world where such class measures have not been adopted. Even the Mother of Parliaments is no exception because various class measures have from time to time been discussed and passed by it. After all, what is there in this Bill? It confers no rights on the borrower. It only requires the creditor to send six-monthly statements of accounts to the borrower. It gives no protection to the borrower at all. In England also there is some such law in force.

Mr. Labh Singh : You may have the English Act.

Rana Firoz-ud-Din Khan : But the conditions are not the same. I wish that the same conditions prevail here. Then this Bill may not be required at all. But as matters stand, is it not the duty of the Government to save a prominent section of its subjects from destruction? Still another argument is advanced against this Bill by these honourable members. Though they have put their argument in different forms, yet the object is one and the same. They say that in spite of the fact that Government is not satisfied as to the justification of this Bill, it is brought forward simply in fulfilment of the promise held out by Sir Malcolm Hailey. But, Sir, if Government had not introduced this Bill, we would have questioned their *bond fides*. They have satisfied themselves as to the necessity of this bill. They have come forward with this Bill after they have consulted the local authorities and ascertained the wish of this House on this point. My honourable friends on the other side seem to attach some political importance to this affair. They say that this is being done only with a view to please the dominant party. They are afraid lest the members of this party should occupy one day the official benches. They know that the time is fast approaching when provincial autonomy will be granted to this province. They wish that this Bill should be moved at that time so that they might be able to agitate against the party in power. Sir, as has been said, if this Bill is political in its nature I am constrained to remark that the speeches delivered and objections raised by these honourable members are far more political in their nature than this Bill. It has also been asked why, when no such measure has been adopted by any other provincial legislature in India and when the Legislative Assembly has already refused to pass some such measure, the Punjab Government is so anxious to pass this Bill. The reason for this is not far to seek. The conditions obtaining in other provinces such as Bengal, Madras and the United Provinces are not similar to those obtaining in the Punjab. The Punjab is a province of peasant proprietors. Their indebtedness has assumed a very serious form. They therefore require some sort of protection. The honourable member

[Rana Firoz-ud-Din Khan.]

representing Industries while speaking on the motion now before the House, stated that the judiciary of this province is not in favour of this Bill. That is not a fact. If we leave aside the opinions of the district judges and divert our attention only to the opinions expressed by the Honourable Judges of the High Court, we will find that some Honourable Judges have refused to express their views regarding this Bill while one Honourable Judge has expressed his opinion in favour of it. Therefore, we cannot say that the judiciary as a whole is not in favour of this Bill.

Dr. Gokul Chand, Narang : Is it not a fact that only one Judge of the High Court has not given the opinion ?

Rana Firoz-ud-Din Khan : More than one Judge have not given their opinion. Besides, the judiciary have to administer the law as it is enacted. They have nothing to do with matters of policy which are exclusively the concern of the Government or the nation as the case may be. The judiciary have absolutely no right to pronounce upon matters of policy. They may have some such difficulties in administering this law as they have already experienced in the application of some other laws. But this should not prevent us from making a law which the majority of the population of this province badly needs. The honourable member for Industries has further remarked that this Bill is also defective in so far as it does not exempt the private firms. With regard to this, I would submit that the firms whose accounts are subject to audit by a certificated auditor are already exempt from the operation of this Bill. If, on the other hand, all private firms whether their accounts are subject to such audit or not are exempted, one would be in a position to evade the provisions of this Bill. In that case A, with his two sons B and C, would form one firm and have it registered and thus would defeat the object of this Bill.

In the end the honourable member from Gujranwala advanced a very funny argument against the Bill. He said that there was any amount of explosive material in the country side which is likely to explode any moment and but for the existence of the moneylender that explosive material would have already exploded. Perhaps the honourable member means to say that the money lenders who form only two per cent. of the village population are the sole guardians of the village peace. One of my friends on the back benches has just remarked that the sufferings of the zamindars are mostly due to the presence of these moneylenders. That is perfectly true. The honourable members on the other side have also stated that if this Bill is passed into law, the village moneylenders will give up their business and come down to settle in towns. With regard to this I would submit that this fear of theirs is imaginary. The moneylenders would not leave the villages. They cannot carry their business in towns for they have not the sufficient money. My honourable friend from Gujranwala has also referred to the disturbances of 1915. I assure him that these disturbances were due to the economic troubles of the zamindars. From my own personal experience I can say that the disturbances which occurred in the districts of Jhang, Multan and Muzaffargarh in 1915 were due to the economic slavery of the zamindars. In some cases the courts of law held those disturbances to be grain dacoities.

Dr. Gokul Chand, Narang : These disturbances were due to the rumours that the Germans were coming.

Rana Firoz-ud-Din Khan : Certainly not. They were called "grain dacoities" by judges. Sir, these disturbances have many lessons to teach. The village borrower is generally ignorant and illiterate. After those disturbances the economic condition of the agriculturists has not improved. It has rather gone from bad to worse. They are about to fall in the abyss of degradation and destruction. Their plight is miserable and if in these circumstances they come to realise that all proposals conducive to their welfare and purporting to protect their interests are not only not supported but are opposed, I am sure the consequences will be very serious and unpleasant which no one in the Council and outside would like to see. In order that such unpleasant disturbances should not recur, the Council and the Government should take courage in both hands and improve the lot of the agriculturists. We should realise that in their happiness lies our happiness and in their sufferings we suffer. If we want to live a peaceful life, we must first afford relief to them. The disturbances of 1907 and 1915 clearly point out to what I have stated.

I shall reply to one more argument and then I shall have done. The honourable member for Hoshiarpur, was pleased to suggest the other day that we should not insist on the present Bill being taken into consideration at this moment. He argued that the announcement recently made by His Excellency the Viceroy was tending to create a good atmosphere in the country and that if we insisted on this Bill, the effect of that announcement was likely to be nullified. But he ought to have known that this question has been agitating the minds of the public in this province since 1926. It was in 1926 that the Moneylenders Bill was first introduced. No doubt that Bill was vetoed by His Excellency Sir Malcolm Hailey, but at the same time he admitted the principle of that Bill and promised that the Government would take early steps to introduce another Bill of that kind in the Council. Since then no session of the Council has passed in which this question has not been raised either by means of resolutions or by means of interpellations. If this question had been raised now for the first time, there would have been some force in the argument advanced by the honourable member for Hoshiarpur, but in the circumstances I have described, it cannot be given any weight. It is not for the first time that this argument has been advanced. It has been trotted out on every occasion. In 1926 also we were advised to postpone the consideration of the Moneylenders Bill on this very ground. Then when the atmosphere cleared later on, we were asked not to touch this question lest the relations of the two communities should again become strained. If this is the mentality of the honourable members opposite, I wonder when we should bring forward such an important Bill. The Government and the majority of the members in this Council are at one so far as the importance and urgency of the Bill is concerned and I think no more time should be lost in considering and passing this wholesome measure.

The Honourable Sardar Sir Jogendra Singh [Minister for Agriculture]: Sir, I had no desire to join in this discussion, but my friend from

[Hon. Sardar Sir Jogendra Singh.]

Gujranwala raised the economic question and so I feel I must say a word or two. I am one of those who believe that the prosperity of the country rests on the active co-operation between the urban and the rural interests. I also believe that if you penalise money lending, the penalty ultimately descends on the borrower. I also believe that it is in the promotion of co-operation between the two interests that the prosperity of the country can be secured. You have only to look round to realise how development of industries has raised the general standard of living in other countries. In England, for instance, the rural population is less than ten per cent. of the whole population. Take the United States of America; there the agricultural population is about 22 per cent. which means that urban population has grown and that capital gathered in the hands of intelligent people has been employed in manufacturing raw agricultural produce thus adding to the profits of agriculture. Holding these views, I have listened to this debate with some misgivings. I cannot understand how the keeping of accounts is going to be detrimental to agricultural credit. I cannot see how it is going to penalise moneylending. I was wondering when the honourable members who opposed this Bill dilated upon the dangers of regulating accounts. Indeed I feel that this measure should reconcile the two interests of the moneylenders and the borrowers. The moneylender will feel safe by keeping clear accounts, his investments will be safe and he would be able to lend money with greater confidence and the borrower will periodically know where he stands, and seeing that his debt is increasing he would do something towards reducing it. Therefore, a Bill of this kind ought to have been welcomed by all sides of this House. The honourable member from Lahore said that the Banking Enquiry Committee are about to investigate the whole problem and that it would be much better if the Government waited before passing this Bill. May I draw his attention to the evidence of the Registrar of Co-operative Societies given in Bihar and Orissa? Here is what he said :

"Witness thought that the dealings of indigenous banks should be regulated by the enactment of an Act like the Punjab Accounts Regulation Act." B. B. B. B.

He was not aware that the Punjab Regulation of Accounts Bill was still in a Bill stage and had not passed into the realms of law. However, that is the view held by one of the Registrars of another province.

I have observed with sorrow a growing tendency in this House as if the Hindu and Muslim interests are diametrically opposed even in the economic field. I would very earnestly appeal to this House to realise that our economic interests are identical, and that in perpetuating this feeling we are not promoting the interests either of the country or of the popular Government. We have been feeding the fires of communal differences and hate and I beg you to stay the hand. Let us examine the measure on its merits. This Bill after all only aims that accounts should be kept and that accounts should be furnished to the borrower, thus safeguarding the interests of both the lender and the borrower. I would appeal to the House to consider this Bill on its merits without any pre-conceived notions whatsoever. (Cheers.)

Chaudhri Dali Chand : I move—

“That the question be now put.”

The motion was carried.

Mr. President : Question is—

“That the Punjab Regulation of Accounts Bill as reported by the Select Committee be taken into consideration.”

The motion was carried.

Mr. President : The Council will now proceed to consider the Bill clause by clause.

Clause 1.

Sub-clause (2).

Rai Bahadur Lala Mohan Lal [North-East Towns, (Non-Muham-madan,) Urban] : Sir, I beg to move—

“That in sub-clause (2) of clause 1, after the word ‘Punjab’ the words ‘but shall apply to such districts or group of districts to which the Government may by notification apply’ be added.”

The reason why I want these words to be added is that this measure is a special measure which is a novel one. The main idea is that it should be made applicable to the village accounts only. By the amendment the Government will have the power to apply it to such districts or groups of districts where they find that the evil complained of exists and where they are of opinion that the accounts are not being kept by the persons or creditors who advance loans in the form in which Government want them to be kept. By this means Government will get an opportunity of judging the result of this measure. I think that there will be no difficulty in the way of Government accepting the amendment. I do not mean to say that the Bill should not be applied to the whole of the Punjab, but my point is that it should be tried in some districts or group of districts where the evil is very prevalent and if the Act is found to work successfully in those districts, then it should be extended to other districts also.

I have purposely added the words ‘group of districts’ because, it may be said that a creditor may issue a loan from one district and in order to evade the law he may migrate to another district where the law is not applicable. For this reason I have put down a group of districts adjacent to each other for the applicability of this Act. I submit that the amendment is most reasonable and I hope that Government will accept it.

Mr. President : Amendment moved is—

“That after the word ‘Punjab’ the words ‘but shall apply to such districts or group of districts to which the Government may by notification apply’ be added.”

Amendments 3 and 4 to sub-clause (2) are identical to a letter; while amendments 2 and 3 raise practically the same question as amendment No. 1 now before the House. It would save time and avoid unnecessary repetition if debate on amendment under consideration is allowed to range over amendments 2 to 4 to sub-clause 2. When amendments 2 and 3 or 4 are called they will be voted upon but not discussed. So, the honourable members who participate in debate will please discuss all the four amendments.

Khan Bahadur Captain Sardar Sikander Hyat Khan (Muhammadan, Land-holders): Sir, it is not necessary to make a very lengthy speech to oppose this motion, because I do not think that the honourable member who moved it has given cogent reasons why this invidious distinction should be made between one district and another in this province. Unfortunately he seems still to be labouring under the misconception that this Bill is a communal or class measure. As a matter of fact it is nothing of the sort. This Bill merely wants moneylenders to keep clear and legible accounts, and so far as honest moneylenders are concerned they should welcome it. As for dishonest moneylenders, naturally it should be the desire of everybody in this House to check their illegal and dishonest practices. Therefore I do not see the wisdom of benefiting certain parts of the province by this enactment and denying the same benefits to other parts. I therefore oppose the amendment and hope the House will not allow its time to be wasted by allowing such spurious amendments to be discussed at length as they are merely put forward for the purpose of obstruction.

Chaudhri Baldev Singh: [North-West Rohtak (Non-Muhammadan) Rural]: Sir, this clause defines the application of this Bill. This Bill is intended to be an economic measure and therefore requires our serious consideration. As far as my district is concerned, I would like to put before the Government the economic condition of the villagers. In 1901 the Land Alienation Act was passed and the credit of the zamindars was reduced to some extent. The result was that they began to reduce their expenses. First of all marriage and dowry expenses were reduced. Among these the share of *nayis*, and Brahmins figured very prominently. The *nayis* were against the reduction of the expenses at betrothels and marriages. The result was this, that the economic disturbances rose to such an extent that in 1908 or 1909 the Seditious Meetings Act had to be declared to keep down these disturbances. After this the economic condition of the zamindars continued to be acute; and war came along with famine. But by this time the Government had come to the rescue of the zamindars and had started zamindari banks. With the help of these banks the zamindars were able to run on their ordinary agricultural work as usual. Now, if this Bill is passed all at once in our district, I think the poorest zamindars will suffer most. The reason is this. Naturally the moneylenders are afraid of this Bill. Rightly or wrongly the lenders will not be willing to advance money to the poorest section of the zamindars, because they already know that they cannot have the lands of these zamindars attached to recover the loans and that therefore they do not stand a good chance of realising their money and the penalties provided in the Bill are such that it will not be worth while for the lenders to advance loans to the zamindars.

Khan Bahadur Captain Sardar Sikander Hyat Khan: May I ask whether the honourable member is referring to any particular district or to the whole province?

Chandhri Baldev Singh: I am referring to my own district. Now if this Bill is applied to my district, the result will be that the poorer section of the zamindars will not be able to get money on loan. If Government takes upon itself the responsibility of supplying money either through the agricultural department or through some other agency, then it will be doing some good to the zamindars. Instead of that, if the Government passes

this Bill then the zamindar owing to his inability to borrow, because he cannot offer good security, will have to sell his lands in order to get money. I do not think that it is desirable that we should create opportunities for rich zamindars to buy lands from the poorer ones, owing to the latter's distress at cheaper price. In order to avoid such a contingency, I think it is proper that this Bill should not be applied all at once. The conditions of each district should be studied before this Act is applied.

Mr. S. L. Sale (Legal Remembrancer): Sir, I may point out that if this amendment is accepted it will become extremely difficult to enforce this Act. Under the Civil Procedure Code a suit can be brought before a Court in whose jurisdiction the cause of action wholly or in part arose. I think, Sir, creditors will have no difficulty, if this amendment were accepted, in arranging that the cause of action should arise in a district in which the Act does not apply. Consequently it will be very easy to evade the provisions of this Act. For this reason, I think we must oppose this amendment.

Dr. Gokul Chand, Narang [North-West Towns (Non-Muhammadan) Urban]: Sir, I might have allowed this amendment to take its own turn if the learned Legal Remembrancer had not got up to oppose the amendment. I also want to make a remark that in view of the spirit which the honourable member from Wah is displaying we had better go out of this House. This done, they will pass the Bill easily, there will be nobody to oppose and there will be so much saving of time. We know this will one day happen, but unfortunately we have still another year or two during which we must give expression to our views whether they are listened to or not. I know the passing of this Bill is a foregone conclusion. They convey it in the hollow of their hands. They can pass it without any difficulty at all, yet he must at least show courtesy and not make us feel that we are absolutely helpless. I did not get up to oppose the motion of the honourable mover of this Bill *inter alia* for one reason that it is better to have the lesser of the two evils. The Bill that we are passing is bad, but it may not be so bad as we may have it after some time, say a year or two. With respect to this amendment I would submit, Sir, that this is an entirely new measure. As you know there is no such law in any part of the country, there is no such law, as is proposed, in any part of the world. Sir, what I want to submit is this, that it is absolutely a new measure. Neither the creditors are familiar with it, nor the borrowers, and it would be a long time before the two parties familiarise themselves with the provisions of this law; nor is Government, I speak with all deference, certain as to the results of the working of this Bill. I entirely agree with one of the European district judges, who while giving his opinion on this point has said that it is impossible to give a full criticism on this measure unless the rules have also been circulated. No rules have yet been framed. We do not know what these rules would be. I am sure it will not be an easy task for the Government to frame rules which will be required to carry out this measure. If I mistake not, at one time, the Honourable the Finance Member, the Mover of this Bill, was of the opinion that perhaps it would be better—at least I understood him to be of that opinion

[Dr. Gokul Chand, Narang.]

—that perhaps it would be better to wait until the Rules have also been framed so that the clauses of the Bill and the rules may be considered together.

Now, one reason has been advanced by the honourable and learned Legal Remembrancer. He has referred to the provision of the Civil Procedure Code. He says that if this amendment is passed, it will be open to a creditor to create a cause of action in a district in which the borrower does not live. I hope I understood him rightly. In the first place, Sir, if there is a dishonest moneylender and he wants to cheat a borrower and wants to avoid the provisions of this Bill, he can certainly adopt many other means. Simply to avoid keeping accounts and certain other provisions of the Bill, when it is passed into law, no creditor will, I think, consider it worthwhile to move to a district where the law will not be in force and take the debtor to some other district simply to evade the provisions of this law. My honourable friend forgets that the cause of action does not arise only where a security for loan has been executed, but also where the defendant resides. There will be no bar to the plaintiff to bring a suit where the defendant resides. If he goes to another district, it will create suspicion against him. There are transfer applications to which a court in all reasonable cases would listen with attention.

The reasons given by my honourable friend, Lala Mohan Lal, while moving this amendment were cogent, and my learned friend, the representative of Muhammadan Land-holders, was not right in saying that the reasons were not cogent. It may be that the rules which are quite suitable to one district may not be suitable to another district. It may be that the borrowers of some districts may approach Government and say "for Heaven's sake, save us from the Regulation of Accounts Act, save us from our friends, we do not want this Bill." Just as has been said by my honourable friend Chaudhri Baldeo Singh, these poor cultivators and petty zamindars will be ruined. Their lands will be sold cheap, very cheap, to these big zamindars and landholders. The very persons who are said to be protected by this Bill will be utterly ruined. It is better to have an experiment tried either in one district or a group of districts. When it proves a success apply it by all means to other districts also. I want to make it clear, perfectly clear, as clear as possible, that we on this side of the House have no sympathy and are not in favour of the dishonest moneylenders. (*Hear, hear*). Cut the dishonest moneylenders to pieces, throw those pieces to dogs. But while trying to punish dishonest and unfair moneylenders, for Heaven's sake, do not throw obstacles in the way of honest moneylenders. While you may not be able to stop the dishonest moneylenders from committing dishonesty, you may ruin the business of the honest moneylenders and also create unnecessary trouble for the very class that you want to protect. With these words, Sir, I heartily support the amendment which has been moved.

Chaudhri Afzal Haq [Hoshiarpur-cum-Ludhiana (Muhammadan Rural) (Urdu)]: Sir, as usual the honourable Dr. Gokul Chand got up and remarked that he had no intention to speak on this motion, but that he was obliged to do so on account of the speeches made by such and such honourable members.

Dr. Gokul Chand, Narang : Yes, it is usual with me because the circumstances are the same.

Chaudhri Afzal Haq : Well, Sir, this was only by the way. The real thing that I want to bring to the notice of the House is that the main point on which the honourable members opposing the motion lay too much stress is that the consideration of the Bill should not be taken up at this time. They are trying that the consideration of the Bill should be postponed and they hope that some constitutional changes might intervene to save them from the provisions of this Bill. Sir, they are perhaps expecting a revolution or change of Government or any such circumstance that may avoid the present Bill from becoming an Act. Similarly in 1914, when the Great War broke out, the zamindars borrowed money from the moneylenders at a high rate of interest for they thought that the British Government might be overthrown by Germany and if it did happen, there would be no one to realise the loans. But, Sir, no such thing happened and the dreams of the zamindars did not materialise. Similarly I think the hopes entertained by these gentlemen will also frustrate.

Then Sir, they have proposed that first by way of experiment the provisions of the present Bill should be applied to certain areas and if they succeed there then this Bill may gradually be extended to other parts of the province. This suggestion is a sound one but I would say that the application of an Act is always universal and in no case restricted to one part of the country to the exclusion of the others. The honourable members who are opposing this Bill are trying to overawe the Government with threats of riots and bloodshed, but I enquire from them whether they really feel the dire necessity of having recourse to such disastrous measures when they can very easily appeal to the reason and good sense of the Government as well as the House.

Further, it was stated that even the borrowers would feel the difficulties that they will have to face on account of this Bill if enacted into law and will approach the Government with requests to nullify it. If it is their sincere conviction, then let them not oppose this measure, for at the proper time those for whose benefit it is being framed will on their own account come forward and get it cancelled by the Government. If my honourable friends are sincere in what they have said they should better try to influence the Government by reasonable means. Let them bring in the borrowers to confirm what the honourable Dr. Gokul Chand Narang has said.

Dr. Gokul Chand, Narang : Have a referendum.

Chaudhri Afzal Haq : This principle of referendum is applicable only in the United States of America and not here. Our present constitution of India does not admit of the principle of referendum and therefore we are at a loss to put this matter to the vote of the people.

In short, through you, Sir, I ask my friends on the opposite benches to be frank. If they are against the Bill let them oppose it openly and if they are convinced of its reasonableness then let them support it. What is the harm? Sometimes they say the borrowers will be ruined and at other times they say that the moneylenders will become paupers.

Dr. Gokul Chand Narang : Both will be ruined.

Chaudhri Afzal Haq : Let it be quick, then. Let us pass the present measure and see whom it ruins.

Mr. E. Maya Das [(Non-official Nominated), (Urdu)] : Sir, I have attentively listened to the speeches delivered by the various honourable members in connection with the motion now before the House. A similar measure was passed by the Council in 1926.

Mr. President : The honourable member will please speak to the amendment before the House.

Mr. E. Maya Das : Very well, Sir. By the speeches made in support of the motion one understands that the honourable members sitting on the opposite benches want that the consideration of the Bill should be postponed. But if we look at the wording of the motion we find no such trace therein. Moreover, I hope, Sir, those honourable members who in all sincerity regard the present measure necessary and appropriate may see their way to lend their support to this motion but let not their zeal for the original Bill outrun their sense of propriety. Further it was contended that if accepted this amendment will adversely affect the powers of the Government. On the other hand it will rather make an extra weapon available for use by Government in case at any time the need arises. If the amendment is accepted, it will be open to the Government to extend and enforce the provisions of the present measure in all parts of the province any time they like. If, by the addition of a few words we can win over and please some honourable members, then where is the necessity of losing their sympathies by refusing them such a simple courtesy as this? This amendment cannot be said to have any serious and adverse effect over the main provisions of the present Bill; therefore I request the House to accept this amendment.

Mr. President : Question is—

“That in sub-clause (2) of clause 1, after the word ‘Punjab’ the words : ‘but shall apply to such district or group of districts to which the Government may by notification apply’ be added.”

Motion was lost.

Mr. President : As amendments 1 and 2 are almost identical, amendment 2 need not be moved or voted upon, when amendment No. 1 is lost.

Dr. Gokul Chand, Narang : Will you please allow me to say just a few words on amendment No. 2?

Mr. President : I informed the House at the outset that debate on amendment No. 1, shall cover debate on amendments Nos. 2 and 3 or 4, but that the amendments shall be called and put separately to the vote of the Council.

Mr. Labh Singh : Every one of them should then be allowed to be moved.

Mr. President : Certainly, except when they are identical or cover the same ground. Amendment No. 2 which stands in the name of the honourable member covers the same ground as amendment No. 1 which has been negatived by the House. So, I cannot allow him to move his amendment.

Dr. Gokul Chand Narang : Sir, I beg to move—

“That in place of sub-clause (2) of clause 1, the following be substituted:

‘It shall extend to such parts of the Punjab as the Government may notify in this behalf’.

Mr. President : Question is that—

“In place of sub-clause (2) of clause 1, the following be substituted:—

‘It shall extend to such parts of the Punjab as the Government may notify in this behalf’.

Motion was lost.

Mr. President : Question is that—

“Sub-clause (2) of clause 1, stand part of the Bill”.

Motion was carried.

Sub-Clause (3).

Mr. President : Question is—

“That sub-clause (3) of clause 1, stand part of the Bill.”

5 P. M.

Motion was carried.

Sub-Clause (3), proviso.

Mr. S. L. Sale (Legal Remembrancer): May I draw your attention to amendment No. 18 on the 2nd page of this 3rd Revised List of Amendments?

Mr. President : But there are amendments to the earlier parts of the proviso. They should be taken up first.

Mr. S. L. Sale : This amendment by a Member of the Government deals with the same point. It is in the nature of a compromise.

Mr. President : All amendments to the proviso are not identical. The honourable member's amendment (No. 18) is the last and cannot be taken up before amendments 5 to 17 are disposed of.

Mr. S. L. Sale : It is possible that if amendment No. 18 were accepted some of these amendments will not be moved.

Mr. President : But I must call the honourable members in whose names they stand. The difficulty is that if an amendment is moved to the latter part of the proviso then an amendment to its earlier part shall become irregular. If the gentlemen in whose names the prior amendments stand do not wish to move them, then I shall gladly allow the honourable member to move amendment No. 18.

Dr. Gokul Chand Narang [North-West Towns (Non-Muhammadan) Urban]: Sir, I beg to move—

“That in the proviso to sub-clause (3) of clause 1 the words ‘two years’ be substituted for the words ‘six months’.”

[Dr. Gokul Chand, Narang.]

My reasons are practically the same as I submitted while speaking on Rai Bahadur Lala Mohan Lal's amendment. The Bill is a new one and it will take a long time before people can be familiar with it. It is not like England or any other European country where people are educated. In this country, as we find from the opinions of European officers which had been circulated, the lenders are very often as illiterate as the borrowers. Thus it will not be possible for them to understand the provisions of the law in six months, or even a year. The Punjab is a fairly big province and the rural population, as has been said times out of number in this House, is proportionately very large. Therefore it takes a long time before light can travel from the centre to the circumference and I feel that the ordinary moneylenders who carry on business only as a side line and, as I have submitted, are very often as illiterate as their borrowers, will not find it possible to understand the rules that are to be made and the provisions of the Bill, and, therefore, it would be only fair that sufficient time should be given to them. As this House is aware, when the law of limitation was changed about two years' time was given so that people might come to know that the law had been changed and their suits should not become time-barred while they were still sleeping in security under the impression that the old law of limitation gave them six years. Some of these provisions are such as are not very easy to comply with by illiterate people. They will have to employ clerks or munshis, and as has been pointed out by a European Assistant Commissioner whose opinion was invited, they are too poor to employ clerks to carry out the provisions of this Bill. Therefore I would propose that two years' time may be given and my amendment to that effect may be accepted. I know that the Government has tabled an amendment in which it says that in the proviso to sub-clause (3) of clause 1, line 2, between the word "months" and the word "after" the words "or later than one year" be inserted, meaning thereby that they want to give at the most one year's time. It is very good of them to have seen partially the reasonableness of my amendment, but still, I think one year's time will be too short and I still hope that they would agree to two years.

Mr. President :—Amendment moved is—

"That for the words 'six months' in line 2, the words 'two years' be substituted".

As all amendments to the proviso raise different aspects of the question raised by the amendment now proposed from the chair, it will be convenient if debate ranges over all amendments on the understanding that the later amendments will be called and, if desired, put separately to the vote of the Council.

Mr. Din Muhammad [East and West Central Towns (Muhammadan), Urban], : Sir, this is the second time that the honourable member for Rawalpindi has called this legislation a new legislation and on that ground has claimed that its application be postponed for two years at least from the date when the rules come into force. Now so far as its coming into existence or its advent into the legislative world is concerned, I believe nobody will deny that it is a new legislation, but so far as the principles which it lays down are concerned, I believe, it is as old as Noah's Ark. Does the honourable member wish to say that honesty is a very strange phenomenon to an Indian

creditor and he will require two years at least to learn what honesty is? If he has not learnt it so far, I believe, he would not learn it even in the next two centuries. From the day that the relationship of borrower and creditor began it was the incumbent duty of the creditor to maintain an account.

Mr. President : The honourable member will please speak to the amendment.

Mr. Din Muhammad : This is what I am speaking about. One of the arguments advanced was that the Bill is a new one and it would take some years for the creditors to learn the principles of the Bill. My respectful submission before the House is that the Bill is not a new one and that maintaining a true account is a rule and not maintaining it is an exception. Therefore it would not require two years for a creditor to know how to maintain an account and why to keep it. This is what I was submitting before the House.

It is a recognised rule to maintain a correct account and when creditors come to know when the Bill becomes a statute that accounts have to be kept in a regular way, it will not require two years to learn to maintain or keep an account. An analogy was quoted from the law of limitation. But honourable members would see that that analogy was altogether inapplicable. There something substantial was to be done, accounts were to be settled and suits to be brought and this was the reason why Government, in order to afford facilities to the creditors and not to hamper them in the bringing of suits, allowed two years. Here the only thing that is required to be done by this new legislation is that the creditor should keep an account of the dues from the date when the regulations come into force. It would be absolutely useless therefore to delay the application of the Bill to another two years. What is most proper on our part is to accept the compromise which has been suggested by the honourable member for Government, i.e., to substitute one year for six months. This would give ample time to learn the provisions of the statute.

Lala Mukand Lal, Puri [Lahore City (Non-Muhammdan), Urban] : Sir, I just want to say one word in support of the amendment which has been moved by Dr. Gokul Chand, Narang. It is not only necessary that those persons who want to carry on the business of moneylending should familiarise themselves with the system of keeping accounts which would be set up by Government, but time is necessary in order to enable those persons who under the new conditions cannot carry on their business to liquidate their business. The one effect of this Act will, as I foresee, be that the work of moneylending will be concentrated in the hands of big moneylenders and the smaller ones would go out of the field. If a person cannot economically carry on the business of moneylending under the new conditions, under the pressure of economic circumstances he will have to go out of the field and very likely some of the wiser amongst them may decide to go out. It is, therefore, necessary that time should be given to them to liquidate their business and I think one year is hardly sufficient especially when you have got a provision in the Act which lays down that this will apply not only to transactions which commenced after coming into force of the Act but will also apply to transactions which had commenced before the coming into force of the Act. Very often an advance is necessary to enable the debtor to liquidate his debt. Therefore I support the amendment of Dr. Gokul Chand.

[Lala Mukand Lal Puri.]

Narang. After all, the Act is going to come into force and no great harm will be done if it is delayed by another year or so.

Shaikh Muhammad Sadiq [Amritsar City (Muhammadan), Urban] : The speeches made with regard to these amendments do not seem to be very convincing. First of all my honourable friend from Lahore wants two years to be substituted for six months and then in another amendment he suggests that one year should be substituted. Perhaps he is not himself very sure of his ground. He thinks that either one or two years will be sufficient. It means that if we are not willing to have two years he is prepared to accept one year. So we say let us have one year. He cannot then accuse us for not giving due weight to his opinion. The arguments adduced by the Government are convincing in this respect. If my friend wants two years he must convince us by his arguments. It will take about one year even to make the rules. My friends want to throw obstacles in the way of this Bill. On the one hand that party wants self-Government tomorrow or to-day. No doubt fair latitude should be given as regards the time. It will take one year to frame the rules and one more is given for applying these rules, and I think this is fair enough. Again you say that the moneylender keeps accounts already. An honest moneylender who keeps his accounts regularly need not be afraid of the time. What is there to learn for him? It is merely sending a copy of the account. It is not very difficult. The difficulties that my friends foresee are more imaginary than real and their object is merely to prolong the discussion and thus tire us and nothing else.

Shaikh Abdul Ghani [West Punjab Towns (Muhammadan), Urban] : If it was really to be the effect of this legislation that the small moneylender would cease or vanish, then I could have understood these amendments. But the object is simply to create difficulties. That is something quite different. Here we have before us a Bill consisting of six clauses in all. Now if we go carefully through it there are only two things to be noted. In the first place one has to keep accounts in a prescribed form. In the second place all that the moneylender has to do is to supply copies of those accounts to the debtors periodically. If the moneylenders of this province are so simple that this cannot be learnt by them within one year, I am sure that even if you give them five years they would not learn at all how to keep the accounts in the prescribed form or to send copies of those accounts every six months which is the underlying principle of this measure. I fail to understand why this additional one year is wanted if all that is to be done under the legislation now before us is simply the keeping of accounts by the moneylender and the supply of copies of them to the debtor. After all what is there that you want to teach these moneylenders? Would you open schools for them? Would you take them to the colleges? Would there be any night schools where they would be taught how to keep accounts and how to copy them out and how to send them, how to post them and so on? I think there is absolutely no sense in the proposal that instead of one year the time should be two years. Moreover, you are legislating just now and you say that the Act should come into operation after two years, that is after your life. I mean the life of this Council. That means an encroachment on the legislature that is to succeed you and that is most

unfair. Either there is a necessity for this measure just now or there is none. If there is, then put it into action immediately; if there is not, abandon it altogether.

Dr. Gokul Chand, Narang: Do you hope that this Council will live for one year?

Shaikh Abdul Ghani: It may be only a few months. I, therefore, oppose this amendment.

Rai Bahadur Lala Rattan Chand (Non-official, nominated), (Urdu): Sir, the vehement opposition offered to this amendment reminds me of a Punjabi saying which runs as follows:—

باران دے مہینہ نہ رہی
چونکہ ۱۲ مہینے آدھل گئی

Now that this Bill is going to be passed into law I fail to understand the propriety of creating such a great fuss with regard to this harmless amendment. After all, one year's delay cannot possibly detract anything from the merits of the Bill. On the other hand, it is but fair that people may be given some time to become familiar and conversant with the provisions of the law that they have to follow and satisfy.

In my opinion, those who have succeeded in securing their favourite piece of legislation should not object to this necessary amendment being made in the Bill. A period of 12 months cannot make any difference so far as they or their constituents are concerned, but the improvement which is sought to be made by means of this amendment will surely go a long way to allay the agitation going on in the province in this connection. With these few remarks I strongly support the amendment moved by my honourable friend Dr. Gokul Chand, Narang.

Mr. S. L. Sale (Legal Remembrancer): I rise to speak in favour of the amendment No. 18 to the effect:—

“That in the proviso to sub-clause (3) of clause 1, line 2, between the word ‘months’ and the word ‘after’ the words ‘or later than one year’ be inserted.”

This amendment is, as one honourable member has pointed out, in the nature of a compromise between the two conflicting view points. In the Bill as originally drafted by the Government this proviso did not appear at all. But the Select Committee has inserted this proviso to the effect that “provided that this date shall not be earlier than six months after the date of final publication.” I quite admit that as the clause stands it leaves it very vague as to when the date of its coming into force is exactly to be. It shall not be earlier than six months; but might be 50 years. So the object of this amendments is to ensure that the Bill shall come into force not later than a year after the rules have been approved by the House. I think the maximum period of one year will give the creditors sufficient opportunities to familiarise themselves with the provisions of the Bill which is the point that my friend, Dr. Gokul Chand, Narang, made in his speech. My friend, Mr. Mukand Lal, Puri, was rather pessimistic about the effects of this Bill. He thought that the time was required to enable the small moneylenders to liquidate their business. I do not think that is the view of most of us. I at any rate do not feel quite so pessimistic about the results. The time is required for the moneylenders to familiarise themselves

[Mr. Sale.]

with the provisions of this Bill in order that their business may be conducted on the lines mentioned in this Bill, not in order that the business should be liquidated. I do not think it is necessary for me to say anything more in support of this compromise amendment.

Sardar Harbakhsh Singh [Hoshiarpur and Kangra (Sikh), Rural]: Sir, out of sympathy with the spirit of my honourable friend Dr. Gokul Chand, Narang's amendment, I support the amendment moved by Mr. Sale as the only *via media* possible. I think two years is a very long period of suspense after the rules are framed and passed. The memory of the people is very short. They are, therefore, likely to become lethargic during a long period of sleep of two years that is proposed to follow after the passing of the rules. At present people are looking for the passing of this enactment. Then they will be looking forward for the rules and after the rules are made they will make haste to apply them or comply with them. But if there is a long period in the interval they will forget everything about it and waste the whole time. So it is harmful to have any longer period than one year, which affords a reasonable solution.

Mr. E. Maya Das (Non-official, nominated): Sir, I beg to support this amendment. I think that sufficient weight has not been attached to the fact that the illiterate moneylender is bound to go out of the field sooner or later and it will be only fair to give him as much time as we possibly can to wind up his affairs. After all the amendment asks for only one year more than what has been suggested by Government. What is one year in the life of a nation? What is one year in connection with legislation of this kind? I would therefore request all members to support this amendment.

Mr. Labh Singh [Rawalpindi Division and Lahore Division North (Non-Muhammadan), Rural]: I have only one word to add. It has been pointed out to the House that in the case of the Punjab Limitation of Loans Act when the period for limitation was changed from six years to three years the time given was two years for the Act to come into operation. In that particular measure all that the people were concerned to know was that the period of limitation had been abridged from six years to three years. A very simple matter. While in the case of this Bill we have to tell people that some sort of complicated regulation has been proposed for the keeping of accounts. At present we are absolutely in the dark as to what the real law on the subject would be. That we shall know only when these schematic sections have been supplemented by the real piece of legislation which would consist of the rules, because after all they would be the real thing. Now the rules under the Act may or may not be framed for another year or so and they are bound to be complicated in the very nature of things and people may not really get the necessary time to familiarise themselves with the real law as it is going to touch them. Therefore, I submit, that it is very reasonable that at least two years be given from the time that the rules are finally enacted and published for general information.

One word more. My friend the member for Gujranwala Muhammadan Constituency told us that an argument had been advanced by this side of the House that this was a new piece of legislation and as every Bill when passed constituted a new piece of legislation, there was no force-

in the argument that had been urged. That was not the point. What was said was not that this was a new piece of legislation but that it was a novel piece of legislation to which there was no parallel. It was pointed out that in no part of the world can you point to any such law. It was on that account that it was termed a novel piece of legislation, and therefore, for that reason, it was urged that we should hesitate to apply it without giving people sufficient time to familiarise themselves with its provisions. This is a measure on which there is a very sharp difference of opinion and that is an additional reason why the amplest time should be given to people who are going to be affected by the new law. I need not repeat that there is not the slightest doubt that after this Act has been in force for a year or so you will discover that the figures in the Census reports for the class termed as *sahukar* whose principal business is moneylending will have gone down considerably, and the money-lender will disappear in the present form in which we know him.

Mr. President : Question is—

“That in the proviso to sub-clause (3) of clause 1, the words ‘two years’ be substituted for the words ‘six months’.”

Motion was lost.

Rai Bahadur Lala Mohan Lal : I beg to move.

“That in the proviso to sub-clause (3) of clause 1, line 2, for the words “six months” the words ‘one year’ be substituted.”

Mr. President : Question is—

“That in the proviso to sub-clause (3) of clause 1, line 2, for the words ‘six months’ the words ‘one year’ be substituted.”

Motion was lost.

Mr. S. L. Sale : I beg to move.

“That in line 2 of proviso to sub-clause (3) of clause 1, between the words ‘months’ and ‘after’ the words “or later than one year” be inserted.”

Mr. President : Question is—

“That in line 2 of proviso to sub-clause (3) of clause 1, between the words ‘months’ and ‘after’ the words ‘or later than one year’ be inserted.”

Motion was carried.

Mr. President : Question is :—

“That the proviso to sub-clause (3) of clause 1, as amended stand part of the Bill.”

Motion was carried.

Clause 2.

Sub-clause (1).

Mr. President : The question is that sub-clause (1) of clause 2 stand part of the Bill.

Mr. S. L. Sale : Government has an amendment to move to sub-clause (1) of clause 2.

Mr. President : No amendment has been received up till now.

(At this stage a copy of the amendment was handed over to the President).

Dr. Gokul Chand, Narang : Before the honourable member moves it formally we should like to know the wording of it, so that if we do not like it we may raise an objection on the ground of want of sufficient notice.

Mr. S. L. Sale : I think it is something on the lines of the amendment that the honourable members are themselves moving in clause 2.

Mr. Labh Singh : I object to it, Sir, on the ground that notice was not given in time. We have not received a copy of the amendment even up till now.

Mr. President : I might just read the amendment for the information of the House, but it should not be taken as proposed from the chair. The amendment runs :—

“That at the end of sub-clause (1) of clause 2, the following words be added, namely :—

‘and shall include a bank incorporated outside British India which has complied with the provisions of section 277 of the Indian Companies Act, 1913’.”

Mr. Labh Singh : Let it be disallowed.

Dr. Gokul Chand, Narang : I object to it.

Mr. President : In view of the fact that I have allowed amendments without notice I see no reason why in this case I should not allow the amendment to be moved.

Mr. Labh Singh : But in those cases the amendments were circulated to members of the House and there was only a shortage of a few hours.

Dr. Gokul Chand, Narang : There has not been a single case in this House where the whole House has been totally ignorant of any amendment which has been suddenly brought before the House by an honourable member which was allowed to be moved.

The Honourable Mr. A. M. Stow : Sir, I think the origin of this amendment which you have read out from the Chair may be traced to the original amendments of Mr. Gray, Mr. Mukand Lal, Puri, and Rai Bahadur Lala Dhanpat Rai, which, I understand, they have not moved. This amendment is meant to meet those amendments. It was with a view to meet those amendments that Mr. Sale endeavoured to frame an amendment which would suit the views of the honourable members. But if they do not wish to have that change made, we may leave the matter at that.

Mr. President : I disallow the amendment. Question is—

“That sub-clause (1) of clause 2 stand part of the Bill”.

Motion was carried.

Sub-clause (2).

Mr. President : Question is—

“That sub-clause (2) of clause 2 stand part of the Bill”.

Motion was carried.

Sub-clause (3).

Mr. President : Question is—

“That sub-clause (3) of clause 2 stand part of the Bill”.

Motion was carried.

Sub-clause (4).

Mr. Labh Singh [Rawalpindi Division and Lahore Division North (Non-Muhammadan) Rural]: Sir, I beg to move—

“That in sub-clause (4) of clause 2, the words ‘does not include’ be substituted for the word ‘includes’.”

Mr. President: Is the honourable member’s amendment in order?

Mr. Labh Singh: It is for you to give a ruling.

Mr. President: I think the amendment is out of order.

Mr. Labh Singh: Will you please give me a hearing before you give your final ruling? My amendment, if accepted, will make the clause read as follows:—

“Court does not include a court acting in the exercise of insolvency jurisdiction.”

For a pure negation of the clause, the amendment should have read “omit the sub-clause”, or in other words the meaning of the word ‘court’ will remain undefined so far as this particular Act is concerned.

Mr. President: Question is whether the honourable member’s amendment is not a direct negation of the sub-clause as it stands.

Mr. Labh Singh: That is exactly what I was about to point out. My amendment is not a direct negation for the reason that I am going to place before you presently. If it were a pure negation then this clause should stand omitted, when the word “court” will remain undefined so far as this particular Bill goes.

Mr. President: According to the sub-clause the word “court” includes a court acting in the exercise of insolvency jurisdiction. The honourable member’s amendment proposes exclusion in place of inclusion. Does it not go beyond the clause, besides being a negation?

Mr. Labh Singh: It is more than a mere negation. It is something very positive. I will explain it. The sub-clause as it stands reads that the court includes courts exercising insolvency jurisdiction. In other words...

Mr. President: What has the honourable Legal Remembrancer to say? I think the amendment is open to one or both objections, namely, it is a pure negation of the sub-clause, or it goes beyond the scope of the sub-clause.

Mr. S. L. Sale: In my view this amendment is brought forward with the same object as the amendment of Dr. Gokul Chand, Narang, and Raja Narendra Nath which is to omit the sub-clause. It is curiously worded, but I think that is the intention of the mover.

Mr. President: I agree that while amendments 7 to 9 expressly propose the sub-clause to be omitted, the present amendment proposes to change an affirmative provision into a negative one.

Mr. S. L. Sale: It comes to the same thing.

Mr. H. Calvert: May I ask this question? Suppose this clause did no

[Mr. Calvert.]

exist. This is only a definition and brings in one particular kind of court which, it must have been contemplated, would not otherwise be included in the definition of the court. Suppose this clause did not exist. Would it mean that the court with insolvency jurisdiction will not be a court for the purpose of this Act? That, I think, is a relevant question which the Legal Remembrancer should be in a position to answer.

Mr. President : The question is whether without this sub-clause the word "court" as understood in common parlance, will include an insolvency court.

Mr. S. L. Sale : My view is that it certainly would not. The intention of the Select Committee in having this sub-clause was that insolvency proceedings should be covered. If this amendment is accepted, it would mean that insolvency proceedings would be outside the scope of this Act.

Mr. Labh Singh : I believe I am in order.

Mr. President : In my opinion the honourable member's amendment is not in order. I think the Legal Remembrancer has rightly said, that but for this definition, an insolvency court will not be considered a "court" for the purposes of this Act. The honourable member's amendment proposes to exclude an insolvency court. Therefore it is a direct negation of the object of the sub-clause and is clearly out of order.

Mr. Labh Singh : I am sorry that I have not been heard upon the point.

Mr. President : I have given full opportunity to the honourable member. The question is—

"That sub-clause (4) of clause 2 stand part of the Bill"

Dr. Gokul Chand, Narang [North-West Towns (Non-Muhammadan), Urban]: Sir, I oppose the inclusion of this sub-clause in the Bill. My reasons are that insolvency proceedings as they are, are very lengthy. Already people who go to insolvency courts are in the habit of raising all sorts of objections and then fraudulent creditors come in and so on. There are so many clogs in the wheel of the administration of justice so far as insolvency courts are concerned. If the provisions of this law were to be applied to insolvency courts, it would mean that insolvency proceedings will practically never come to an end and the very object of the law of insolvency would be defeated, because insolvency, as I understand it, is calculated to expedite proceedings and to give ready relief to creditors and to insolvents themselves if possible. If insolvency courts are brought within the purview of this Bill, they will suffer from the same dilatory proceedings as the ordinary courts will to whom this law will be applied. In the ordinary courts only a few parties are involved whereas in insolvency courts many people are involved. There may be several creditors, big creditors and petty creditors. These are my reasons and I therefore propose that this sub-clause should be omitted. In fact, if I am permitted to say so, the amendment proposed by Mr. Labh Singh was far better.

879 ?

Shaikh Abdul Ghani [West Punjab Towns (Muhammadan), Urban] : Sir, it is rather very difficult to follow the arguments of the honourable member who has just sat down. Supposing the creditor has been keeping accounts and advancing money to the debtor. Of course, at the outset the creditor would never have foreseen that his debtor would run to insolvency. Otherwise he would not have advanced the money to him. If the debtor goes to insolvency court, then the court will go into the accounts to find out what are the assets and liabilities of the debtor. The court will find that the accounts have been properly kept and that periodical returns have been sent to the debtor regularly. I do not see that the mere fact that the debtor goes to insolvency court changes the whole situation. The creditor keeps regular accounts in the form prescribed by this law and he has been regularly sending copies of these accounts to the debtor. The debtor has got the copies. The mere fact that an insolvency court is investigating the fact would bring about a change in the situation and all the documents would become irrelevant.

G. P. M.

And then, Sir, nowadays throughout the province receivers are appointed to go into the accounts of such creditors. Lawyers of any standing would not like to appear before them because they are mostly juniors and the enquiry there held, I might at once submit, is very perfunctory, as it must be from the very nature of the case because there are no lawyers. In these circumstances I put it to honourable members, would it be good to omit this clause from the Act or make it ineffective?

Moreover, the new ruling that the land of agriculturists could be auctioned out and purchased by other notified agriculturists has given rise to a new situation. The result of this new ruling would be that if creditors are allowed without any check to swell their debts and now that they have got the option to apply for the insolvency of their debtor at any moment even if a man makes a gift to his daughter or gives a dowry to his wife, the creditor has got a right according to this new ruling to move the district judge to declare that the man has committed an act of insolvency and should therefore be declared an insolvent. The result would be that if you exempt all such moneylending, the Act, I mean the present Bill which has engaged us so long, would be absolutely useless for this reason, that if a man merely makes a small gift or alienates some property, the creditor could at once turn round and apply to the court for a declaration that he has committed an act of insolvency and that he has become an insolvent. All these rules will not then apply and it will only amount to this that the Act should only apply to cases where the creditor has to go to court and obtain a regular decree.

Shaikh Muhammad Sadiq : I move closure.

Motion was carried.

Mr. President : Question is—

“That sub-clause (4) of clause 2 stand part of the Bill”.

Motion was carried.

The Council then adjourned till 2 p. m. on Tuesday, the 10th December 1929.

PRINTED BY
THE SUPERINTENDENT, GOVERNMENT PRINTING, PUNJAB.
276 PLC-600 -4-1-30--SGPP Lahore.

PUNJAB LEGISLATIVE COUNCIL.

1TH SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

Tuesday, the 10th December 1929.

The Council met at the Council Chamber at 2 P.M. of the clock. Mr. President in the Chair.

THE PUNJAB REGULATION OF ACCOUNTS BILL.

Clause 2—(continued).

Sub-clause (5).

Mr. President: The Council will now resume consideration of the further sub-clauses of clause 2 of the Punjab Regulation of Accounts Bill.

Question is—

“That sub-clause (5) of clause 2 stand part of the Bill.

Motion was carried.

Sub-clause (6).

Mr. President: Question is—

“That sub-clause (6) of clause 2 stand part of the Bill.

Motion was carried.

Sub-clause (7).

Dr. Gokul Chand, Narang: Sir, I beg to move—

“That in sub-clause (7) of clause 2 the following words be omitted:
'and shall include any transaction which the court finds to be in substance a loan.'”

My reasons are that as has been suggested by some people who have criticised the Bill, it will be very difficult in complicated cases for the court to determine what a loan is unless it comes within the four corners of the definition which is given in this clause. A loan has been defined as an advance whether of money or in kind at interest. That is quite sufficient and it is not necessary at all to create complications by opening up an avenue for contentious discussion as it were, for the courts, and imposing a very difficult task on them. These words may therefore be omitted.

Mr. President: Amendment moved is—

“That in sub-clause (7) of clause 2 the following words be omitted:
'and shall include any transaction which the court finds to be in substance a loan.'”

Khan Bahadur Captain Sardar Sikander Hyat Khan: Sir, I rise to oppose the amendment because these words, I understand, have been put in specifically to avoid any doubt with regard to transactions about which the courts come to a conclusion that they are in substance a loan, and they should be treated as such. For instance, a *baniya* may give somebody grain for seed purposes which is not at the time a loan but as is often the case in villages, given on the condition that it will be returned say, after six months, in kind. But later on when the balance is struck it is entered

[K. B. Capt. Sardar Sikander Hyat Khan.]

as a loan and is added on to the debtor's account as such. And if there is a dispute in a court and a transaction like this is found to be of an interim nature not yet carried into the regular account, the courts should certainly have the discretion to treat it as a loan. I therefore oppose this amendment. //

Mr. S. L. Sale : It seems to me that the courts should be entitled to go behind a transaction in order to see whether it is in fact a sale or a loan. The section itself defining the term loan is copied from the Usurious Loans Act which is in this respect based on the English Moneylenders Act and has been found necessary as a result of experience. This Bill is not intended in any sense of the word to affect sales, even sales on credit. But in practice, it has been found that very often transactions which are in effect loans are brought before the courts in a form which looks as if they were sales on credit. The distinction between a sale and a loan is very clear in law. The idea of a loan is that another person is allowed a temporary possession of an article with the idea that he should subsequently return that article itself and not its equivalent. In the case of a sale, when the article is conveyed from one person to another the ownership of the article passes. The framers of this Bill thought it very necessary that the courts should be able to go behind a transaction to see whether the ownership in the article is passed or not or whether, whatever may be the form, the intention of the parties was that the thing itself, as conveyed, should eventually be returned to its original owner. And by putting in these words, the court will be able to go behind the form of the transaction and see what the intention of the contracting parties is. It is felt that if these words were not put in the Act, the courts would possibly be bound by the form of the transaction and may hold that the transaction which is in fact a loan is not covered by this Act because it appears to be a sale. It is for this reason that we put in these words following the experience of the courts both in England and in this country which have had to deal with transactions between the moneylender and his borrower.

Rai Bahadur Lala Mohan Lal : I had no intention to speak on this amendment, for any speaking on this side would be of no use if amendments proposed from here are not going to be accepted. However, I shall submit, that I regret I have not been able to follow the honourable the Legal Remembrancer, who tried to explain the reason for this clause. Personally I think that in all loans the ownership also passes to the other person, whether they are of grain or of money. A man may give a loan in currency notes but the money may be returned in cash. Moreover, a loan is being defined in the Act and a creditor has also been defined, and it is absolutely essential that the provisions of this Act should be made applicable to the loans as defined in the Act. And the courts should not be empowered to go beyond the provisions of the Act.

With these remarks I support the amendment moved by Dr. Narang.

Dr. Gokul Chand, Narang : Sir, the illustration that has been given by my honourable friend shows, with due deference, that he is entirely ignorant of the method of keeping accounts. He thinks as if seed grains given would remain in the air and that no entry would be made in respect

of them anywhere, and that therefore when six months are over, it will be open to the court when a suit is brought on certain accounts neglecting that item relating to the seeds to go behind the entries and see whether the grain was given to be returned with some accretion to it at the harvest time or it was only a simple advance. The illustration on the face of it does not touch the point at issue at all.

And then, my learned friend, the Legal Remembrancer says it has been taken from the Usurious Loans Act. It may be so. Still, it does not mean that where a suit is brought, to which the provisions of this measure apply, the procedure should be moulded upon the provision of the Usurious Loans Act. We have to see whether we are not adding unnecessarily to the task of the courts and to the difficulties of the courts without bringing any benefit at all to any party concerned. As it is, it will be sufficiently onerous and will take the court's time unnecessarily going into issues which parties may not raise at all, and it is no use piling up work for the courts and opening up an avenue, as I said, for further dissensions and contentions.

Mr. President : Question is—

“That in sub-clause (7) of clause 2 the following words be omitted :

‘and shall include any transaction which the court finds to be in substance a loan.’”

Motion was lost.

Mr. President : Question is—

“That parts (i), (ii) and (iii) of sub-clause (7) of clause 2 stand part of the Bill.”

Motion was carried.

Dr. Gokul Chand, Narang [North-West Towns (Non-Muhammadan), Urban] : Sir, I beg to move—

“That in sub-clause (7) (iv) of clause 2 the words after the word ‘Company’ be omitted.”

This word “company” stood in the Bill which was passed by this Council in 1926 and it was only when the Bill came up for discussion that an apprehension was raised that some people in order to evade the Act might form bogus companies and might carry on moneylending business in the name of private companies. In the first place, I would submit that this apprehension is a far-fetched one and in the villages where particularly the need of such a measure is felt, the moneylenders themselves are, as I submitted, almost as ignorant and illiterate as most of the borrowers. Now, Sir, I may submit that many times in this House it has been urged that a Bill of this nature has been called for by the circumstances that exist in this country and England has been quoted as a model. But the English Moneylenders Act does not include the word ‘companies,’ whether public or private, within the definition of moneylenders and therefore those provisions are not made applicable to companies. (Mr. Calvert : Question). Question ? I shall point out just now. In section 15 of the latest Moneylenders Act of 1927 my honourable friend would find—

“In this Act unless the text otherwise requires the following expressions have the meaning hereby respectively assigned to them..... company means any body corporate being a moneylender.”

Now, it does not make any distinction between public company or a private company. That is what I intended to submit. There is no need why any such distinction should be made in this province. A company is

[Dr. Gokul Chand, Narang.]

a company whether there are two members in it and it is registered under the Indian Companies Act or whether it consists of more than seven persons and is registered under the Indian Companies Act. I was submitting that if in such enlightened and advanced countries, private companies are allowed to exist where company making has become very well known and is very largely practised, there is no reason why this sort of financial organisations should not be allowed to develop in this country. It is a far more elaborate business to have a public company than a private company and for a country like ours which is as yet at the lowest stage of financial evolution it is necessary that company making, of the right sort, of course, should be encouraged instead of throwing any obstacle in the way of financial organisation by discouraging the formation of companies. Then, on the other hand, I submit there is no danger that moneylenders will form themselves into private companies simply in order to defeat the provisions of this Act. That is an unfounded apprehension and, therefore, we should revert to the Bill as it stood in this respect. There was, as you would find in the old Bill, only this: "a loan advanced by a bank, company or a co-operative society" without any restrictions. That is all I have to submit.

Mr. President : Amendment moved is—

"That in sub-clause 7 (iv) of clause 2 the words after the word 'company' be omitted."

Amendments 17 to 22 raise only different aspects of the question raised by the learned Doctor's amendment. Therefore debate on the latter amendment will range over amendments 17 to 22 as well.

Dr. Gokul Chand, Narang : There is another amendment. I have not spoken on it because I thought I would get an opportunity to speak on it separately, because it is different from the amendment which I have moved.

Mr. President : Certainly.

Mr. S. L. Sale (Legal Remembrancer) : Sir, I rise to move that in the clause now under discussion certain words should be omitted and in substitution thereof the words "audited annually by an auditor under the provisions of section 144 of the Indian Companies Act, 1913" be added. I do not share Dr. Gokul Chand's view that there is no apprehension that village creditors in order to evade the provisions of this Act will not take advantage of the provisions of the Indian Companies Act. By the provisions of this Act it is an easy matter for any creditor to join together with another person,—his son or his servant—and to form themselves into a company provided only that there are two persons in this association. All that the Act requires is that any two persons may join together in order to form a private company. There is no obligation in the Act for a private company to have its accounts audited by an auditor of any particular standing. He might go to any person in the village, a patwari or his own son, in order to get his accounts audited, and unless we have some provision in the Act to avoid that possibility, we might have all creditors evading the provisions of the Bill by forming into private companies. What the framers of the Act desire is that while not interfering with trade and commerce they do wish to ensure that any company that is going to get the advantage of exemption from the provisions of this Act should at least have its accounts audited by

a certificated auditor within the contemplation of section 144 of the Companies Act which lays down the qualifications for appointment of such an auditor. I do not think that there would be any objection to exempting a private company provided that it has its accounts audited in the same way as any public company, because the accounts would then be open to inspection and check by a properly qualified auditor. In order to make sure that the company which has obtained exemption from the provisions of that Act is a company of the sort we have in mind, we suggest that the following amendment be made in this section :—

“That in clause 2 (7), exemption (iv) for the words ‘subject to audit by a certificated auditor under the Companies Act’ the following be substituted, namely :—

‘Audited annually by an auditor under the provisions of section 144 of the Indian Companies Act, 1913.’”

Diwan Bahadur Raja Narendra Nath : Is not that object served by the existing clause ?

Mr. S. L. Sale : In the sub-clause, as it stands, the words are “subject to audit by a certificated auditor under the Companies Act”. I may say that I was responsible for the drafting of the clause and I intended it to mean exactly what this amendment says. But some think it not clear and in order to make it absolutely certain it is thought desirable to substitute the ‘words whose accounts are audited.’ It is considered an improvement in the drafting designed to attain the object of the framers of the Act. I therefore move that this amendment be carried and these words be inserted in the clause.

Shaikh Abdul Ghani [West Punjab Towns (Muhammadan), Urban] : Sir, before we are in a position to discuss the amendments which will be put I refer to the definition of a company as given in this Act, because when we refer in any further section or clause to the word ‘company’ of course we mean the company as defined by this Act. I will specially commend this to the notice of the Legal Remembrancer and will request him to kindly hear what I have to say on the point. When we clearly say that ‘company’ means a company registered under any of the enactments relating to companies for the time being in force in the United Kingdom or in British India and when we further refer to the word ‘company’ in the Act, I think we clearly mean company as defined by or under this Act. So according to this definition of the word ‘company’ all the companies would be registered because we say, as a matter of fact, we recognise only those companies that are registered under the Companies Act. When we say a loan advanced by a bank or a co-operative society or a company we clearly mean the company as defined under this Act. It would be quite unnecessary when we further say whose accounts are audited by a certificated auditor, for a company is a registered company as defined by the Companies Act, because ‘company’ under the Companies Act means a company registered under the Companies Act. That is a company in the legal sense of the word. Then this must of necessity be audited by a certificated auditor under section 144.

Mr. H. Calvert : No, a public company.

Shaikh Abdul Ghani : There is nothing like a public company in the Act. A ‘company’ wherever that word occurs in the Companies Act means a company registered and formed under the Companies Act.

Mr. H. Calvert : There are two classes. Please read section 144.

Shaikh Abdul Ghani : Section 144 says, " No person shall be appointed or kept as an auditor of any company other than a private company unless he holds a certificate from the Local Government " and so on.

Mr. H. Calvert : Except a private company.

Shaikh Abdul Ghani : But the company means company registered under the Act. There are two companies, private and public. Taking an illustration you may say there are twenty companies ; but so far as the Act goes it is either a private company or a company registered under the Act. In the case of a company as registered under this Act, registration is necessary and if it is a registered company according to the definition as given in the Companies Act, then it follows that its accounts will be audited by a certificated auditor.

Mr. H. Calvert : Other than a private company.

Shaikh Abdul Ghani : A private company is defined here. My interpretation may not be tenable, but I was thinking that, when we use the word ' company ' in this Bill, and we have defined it as a company registered under the Act, any company that is registered under the Act has as a matter of course its accounts audited by a certificated auditor and in that case there will be no harm in accepting the argument of my friend Dr. Gokul Chand Narang.

But the amendment is open to another objection. Under section 4 of the Companies Act, ten or less persons might form a sort of company which is not recognised by the Companies Act, say for the purpose of lending money. In that case seven or eight members of a joint Hindu family may constitute into a sort of company and they may appoint an auditor among themselves.

Mr. H. Calvert : Section 4 covers it.

Shaikh Abdul Ghani : No. The section says " A partnership consisting of less than ten persons shall be formed for the purpose of carrying on business " and so on. Ten or less than ten members might constitute a company.

Mr. H. Calvert : No.

Shaikh Abdul Ghani : Any ten members of a joint Hindu family or even less might form into a partnership or a company as loosely used—as the term is ordinarily understood. If that is formed for the purpose of banking or for the purpose of moneylending, there is nothing in the Companies Act to control it, and the result would be that its accounts would not be subject to audit by any certificated auditor and one of them would audit the accounts which is only a sham. Therefore my submission is that if this amendment of Dr. Gokul Chand Narang is to prevail and if the House is not prepared to agree with me in the interpretation of the word ' company,' then it will be very detrimental to the interests of all who have to transact with this sort of company. From that point of view, I oppose this amendment.

Rai Bahadur Lala Dhanpat Rai [Punjab Industries] : There has been some misapprehension about the words ' company ' and ' private company.' Under the Indian Companies Act two sorts of companies might be

registered, one private company and the other public company. The public company is required under the Act to have its accounts audited every year by a certificated auditor. But so far as the private company is concerned, it is not obligatory on it to have its accounts audited by a certificated accountant. Then the question is that there are certain private companies—a great many of them—who get their accounts audited by a certificated accountant. Therefore a distinction has to be made and the point is whether those companies which get their accounts audited by certificated auditors irrespective of any legal obligation on them should also be excepted or not. Now there is also another misapprehension on the part of my honourable friends. They think it is very easy to form a private company. Any two persons may join and form a private company and get it registered under the Indian Companies Act; but it is incumbent on a private company to have regular accounts, to have a manager, to draw up a balance sheet every year and so on. They have to observe all these things before they can be called a private company. It is not an easy matter that a money-lender may form into a private company and thus escape the sending of accounts as my honourable friends think. When a private company is keeping regular accounts, why should you insist that it should have them in the form prescribed by the Government? The company has to hold meetings every year, has to send a summary of its capital to the Registrar and so on and so forth. If the only obligation on the private company had been to get it registered, then nobody would have asked that it should be excepted. I think that the Select Committee, although they wanted to except such companies which get their accounts audited by a certificated accountant, have not been able to express themselves properly. The provision as it stands reads: "A loan advanced by a bank, a co-operative society or a company whose accounts are subject to audit by a certificated auditor under the Companies Act". There was a misapprehension in the minds of the members of the Select Committee that every private company's accounts are subject to be audited by a certificated accountant. It is not a fact. Looking at the dissenting minute of Rai Sahib Chaudhri Chhotu Ram and others, we find on page 5: "We are not at all sure of the effect of private companies being exempted, under item (iii) in spite of the safeguard which has been added in the shape of a system of audits". As the clause stands they are not exempted because private companies are not subject to audit by a certificated accountant. As I have explained I support the amendment of Dr. Gokul Chand Narang on the ground that a private company has to keep regular accounts, has to keep a manager, has to hold meetings and has to prepare a balance sheet every year. So in the first place I am in favour of that amendment. But if the members want that only such companies should be exempted which get their accounts audited by certificated auditors, then my amendment may be accepted. But so far as the amendment of the Legal Remembrancer is concerned, that is also made under a misapprehension. Section 144 of the Companies Act does not apply to private companies and the amendment of the Legal Remembrancer says: "audited annually by an auditor under the provisions of section 144 of the Indian Companies Act, 1913". If private companies get their accounts audited by a certificated accountant it is not under section 144 of the Companies Act, but independently of it. So if the House adopts my amendment, the object in view can be carried out.

[R. B. Lala Dhanpat Rai.]

But I would support in the first instance the amendment of my friend, Dr. Gokul Chand, Narang.

Dr. Gokul Chand Narang : Sir, the Government amendment is no. 20 and there is another amendment of mine, no. 22. If amendment no. 20 is passed, there would be no room for no. 22. Therefore I consider it very necessary to get up now and say a few words on the Legal Remembrancer's amendment. The honourable Legal Remembrancer in tabling this amendment has entirely overlooked the result of it, which is that the word 'company' might as well be deleted from this sub-clause, because if this amendment is accepted it would mean only a public company which lends out money, because under section 144 private companies are not required by law to be audited by a certificated auditor. That would mean that only public companies are required. If that is the intention that only public companies are to be included, then why put 'company' at all, because the word 'bank' is already there? My honourable friend says that some companies might be started or there may be some companies which do not do all sorts of banking but only money-lending. I have been dabbling in banking and allied subjects for the last 18 or 19 years and I am not aware of a single company, in the Punjab at any rate, which has for its object only the lending out of money as distinguished from the general business of a bank, and you have co-operative societies whose business, it may be said, is purely lending out money and realising it; but they have been expressly included. What class of institutions then is this amendment intended to cover?

Mr. H. Calvert : Insurance companies.

Dr. Gokul Chand, Narang : Insurance companies do not lend out money as their primary object. They may invest their surplus funds. But is there any private insurance company—I would ask the learned Financial-Commissioner of our province—is he aware of any insurance company in this province or anywhere else which is not a public incorporated company? I am sure he will not be able to point out any instance of an insurance company carrying on its business as a private company. That being so, what class of cases is this amendment intended to cover? The honourable Legal Remembrancer was not pleased to throw any light on this aspect of the case. That means that this facility is to be given or the exemption from the provisions of this measure is to be given only to banks, because we are not aware of any companies independently of banks which carry on moneylending business. If that is the object, if the apprehension is well founded that private companies might be established, we can meet it in another way. In the first place, as has been pointed out very tersely by the honourable member for Industries, it is not a joke to start a company, whether a private or a public company. Some honourable members of this House, including, I regret, some honourable members on this side of the House, seem to be under the impression that a father and his son or a master and his servant, as the Legal Remembrancer was pleased to put it, have only to join and send a letter to the Registrar of the Joint Stock Companies saying that they have formed into a company and that it might be registered and thenceforth they would become absolved from all obligations and their work would be as smooth as in fact almost child's play. That is not the case.

The man who wants to evade the provisions of this Act will never dream of starting a company. That would be going from the frying pan into the fire. It will be much worse. He will be imposing upon himself far more arduous duties than this measure can ever impose upon the moneylender. It is therefore absolutely out of the question that people will form companies simply to evade the provisions of this measure. My honourable friends should not for a moment think that that is an easier thing than compliance with this measure and if they had any experience of the companies they would have welcomed this because a company will be bound to keep regular accounts. If regular accounts is the desideratum as it is made out you cannot achieve it in a more efficacious manner than by having private companies. The poor moneylender, the incompetent moneylender, will be in fact out and you will have moneylenders' organisations which keep absolutely regular accounts and accounts which are always open to inspection. But let us assume that it is a child's play, that it is only a joke to form a private company and it is easier and safer to carry on moneylending business as a private company than the compliance with the provisions of this Act; even if we assume this, then I have tabled another amendment, amendment no. 22. Kindly apply your minds for the sake of enacting good legislation and try to understand our point of view. We are not dishonest people, we are not here to help dishonest people. All that we want is that this Bill should be a good and sane one, and with your intelligent co-operation we may be able to achieve that object. That is my prayer to you.

This is my amendment no. 22—

"That in sub-clause (7) (iv) of clause 2, the word 'audit' be changed into 'audited' and the words 'subject to' and the words 'under the Companies Act' be omitted."

This is what the clause will then read like:—

"... a company whose accounts are audited by a certificated auditor."

And this is all that you want. The amendment of Government is open to technical objection because with the greatest respect to the drafter of that amendment, it looks absurd from a purely legal and even from a drafting point of view. That amendment reads: "audited annually by an auditor under the provisions of section 144 of the Indian Companies Act, 1913." If you imagine for a moment that it is intended to apply to private companies as a whole it becomes an absurdity because by the substantive law as embodied in the Indian Companies Act this provision would not apply to private companies. Therefore, if the object is that the accounts of only those companies should be absolved from the provisions of this Act whose accounts are audited by certificated auditors, then do not bring in the Companies Act at all, because it makes the thing absurd. I do not see why there should be an objection to my amendment. I am only asking you to add: "whose accounts are audited by a certificated auditor." I hope the Legal Remembrancer will see his way to the acceptance of my second amendment.

Mr. S. L. Sale [Legal Remembrancer]: Sir, one or two points have been raised in this debate to which, I think, some reply is necessary. It was suggested at one time that there is no need to use the word "company" at all because a bank is a company, and if you are excluding banks you are excluding companies. I am fully prepared to agree with this proposition.

[Mr. Sale.]

that a bank is a company, but, Sir, a company is not necessarily a bank. Let us look at one Act in which there is a definition of "bank" and that is in the Bankers Book Evidence Act. There "bank" is defined as a particular kind of company, that is to say, "a company which carries on the business of banking." I believe that in the old Act of 1926 the definition of the word "company" was superfluous, but in the present Act as we are distinguishing here between a public and a private company, it is necessary to have the definitions both of "bank" and of "company."

Now I come to this amendment. The object of this amendment may be shortly stated in this way. It is a question of fact as to whether a company's accounts are or are not audited by a certificated auditor, of the kind qualified under section 144 of the Companies Act. If the answer is in the affirmative, that is to say, if a company's accounts are audited by a certificated auditor that company is to be exempt from the provisions of this Act. If the accounts, however, are not audited by a certificated auditor, the provisions of this Act will apply to that company as for any other ordinary creditor and that is the meaning of the provision which we are now discussing:—"audited annually by an auditor under the provisions of section 144 of the Indian Companies Act, 1913." Provided we can agree on some form which establishes that meaning beyond any possible shadow of doubt, I personally would have no objection to any other form of words, although I do not think Dr. Gokul Chand Narang's amendment meets the case, as I understand from his amendment, that he wishes to exclude from the provisions of this Act every company, private as well as public, not only a company whose accounts are audited under section 144 but any other sort of company as well.

Dr. Gokul Chand, Narang : That is amendment no. 16, but what about my amendment no. 22?

Mr. S. L. Sale : But you have not put in the words "by a certificated auditor."

Dr. Gokul Chand, Narang : My amendment changes the word "audit" to "audited" and omits the words "under the Companies Act."

Mr. S. L. Sale : The difficulty that I feel about that is this that there might be some doubt as to what a certificated auditor is. I would have no objection to this amendment if the words "certificated auditor" be defined, for example, "a certificated auditor means an auditor qualified under section 144 of the Companies Act." But merely to put in "certificated auditor" would, I think, be obscure because one would not know what the word "certificated" means. I want the term auditor to mean an auditor qualified under section 144 of the Companies Act, which says that no person shall be appointed as an auditor of any company other than a private company unless he holds a certificate from the local Government. The meaning of that is that a public company has to have its accounts audited by a certified auditor while a private company need not have its accounts audited by a certificated auditor, it can have them audited by one who is not certified.

I think there would be no objection to Dr. Gokul Chand's amendment no. 22, provided "certificated auditor" is defined.

Mr. Labh Singh : May I suggest that we should have the clause read like this: "....are audited by an auditor certificated under the Companies Act."

Mr. S. L. Sale : I think the simplest way will be to put in: "whose accounts are audited annually by a certificated auditor. 'Certificated auditor' shall for the purpose of this Act mean an auditor qualified under section 144 of the Companies Act."

Mr. President : The honourable members may draft a new amendment.

Mr. S. L. Sale : My point is that the expression "certificated auditor" is not, I think, one likely to be understood by the courts who will have to administer the Act, but we must actually, for the benefit of sub-judges and other people who are to work this Act, define "certificated auditor" as an auditor qualified under section 144 of the Companies Act, and provided that point is made clear in the Bill, I think there is no objection to Dr. Narang's amendment no. 22.

The Honourable Malik Firoz Khan, Noon (Minister for Local Self-Government): Sir, I rise to support the amendment that has been put forward by the Legal Remembrancer and while doing it I wish to make a few remarks as to the strength of the Bill after this sub-clause is passed. As a matter of fact the honourable members should not have brought a clause like this under discussion at all, because having brought it under discussion it has enabled the honourable members who had probably not studied the Bill to find out how the whole Act can be evaded by private companies. This clause reads thus—

"A loan advanced by a bank, a co-operative society or a company whose accounts are subject to audit by a certificated auditor under the Companies Act."

What this sub-clause means is this, that a private company consisting of two or three upto fifty members have themselves registered under the Companies Act and carry on moneylending in the villages, then all loans advanced by that private company become exempt from the operations of this Act. In order to evade the provisions of this Act all that the village money-lender has to do is to form a private company of two or three persons, get it registered and from that moment they become exempt from the operations of this Act. All these persons are liable to be exempted if they form into private companies, and the honourable members on the right should have kept quiet about this clause and let it slip through, and not brought forward this amendment:

3 P.M.

Dr. Gokul Chand. Narang : We do not want to take advantage of your ignorance.

The Honourable Malik Firoz Khan, Noon : Thank you, sir, it is so very kind of you.

Now, let us find out the difference between a private company and a public company. If a loan is made by a public company and if you exempt such a company from sending accounts, you have at least this guarantee behind it that the accounts of a public company are audited every year by force of law under the Companies Act; and those accounts and the report of

[Hon'ble Malik Firoz Khan, Noon.]

the auditors are placed before the public or general meeting of that company and then published, and everybody knows how the accounts stand. If the public companies also were to come under the operation of this Bill there would be no objection, but in order to meet the wishes of the honourable members on the right, Government has gone so far and are prepared to exempt even private companies from sending all their accounts every six months provided they are registered. What will happen otherwise is that two or three moneylenders will join together and form a company and have their accounts audited not by a certified auditor—because they are not bound by law to employ a certificated auditor—but by some servant of their own....

Dr. Gokul Chand, Narang : On a point of order. Will the Honourable Minister make it clear as to what amendment he is now discussing, so that we may be able to follow his arguments and soundness or otherwise of his arguments?

Mr. President : He is discussing I think, all amendments from nos. 16 to 22, both inclusive.

Dr. Gokul Chand, Narang : But his argument is so confusing.

The Honourable Malik Firoz Khan, Noon : What I was saying was this—if the honourable member listens more sympathetically he will be able to follow what I was saying—that as far as private companies are concerned, all that they have to do is to have their accounts audited—not necessarily by a certificated auditor—with the result that a private company registered under the Companies Act carrying on its business in a village gets hold of A, B or C or any relative of theirs to audit the accounts. What happens next is that the audited accounts of this private company will be kept within that family. That is, those accounts and reports of the auditor will not be made public and consequently the debtor will not be in a position to know how his accounts stand.

Mr. President : Amendment suggested by the honourable member is—

“Whose accounts are audited by a certificated auditor.”

The Honourable Malik Firoz Khan, Noon : My point was that if a family of moneylenders forming a private company and having their accounts audited keep those accounts with the auditor's report within the family, what is the use of that to the public? First of all private companies are not at all bound by laws to have their accounts audited, and even if their accounts are audited, they are not bound to publish them.

Shaikh Muhammad Sadiq : What is the effect of section 144?

The Honourable Malik Firoz Khan, Noon : As far as section 144 is concerned, I shall read it to the House. Section 144, sub-section (8) reads as follows—

“In the case of a company other than a private company, any person in the employment of such director or officer....”

This is as to what kind of auditors may be employed. In the case of a public company, the auditor, if he happens to be a member in the employment of the company, cannot be employed as auditor. (*Interruption*). As far as private companies are concerned, this law gives you exemption

which ought to satisfy to the fullest extent. (*Interruption*). The ordinary law does not require him to be certified auditor.

Dr. Gokul Chand, Narang : May I ask the Honourable Minister for Local Self-Government whether he has ever seen an audited report?

The Honourable Malik Firoz Khan, Noon : Perhaps the honourable member will be pleased to know that I have been the managing director of a limited company for five years.

Dr. Gokul Chand, Narang : Has there been anything of the nature of accounts in the auditor's report?

The Honourable Malik Firoz Khan, Noon : I do not think the honourable member is the only person who is the repository of all knowledge. (*Laughter*). The honourable member must allow every other member to express his views, however unpalatable they may be. I have practically finished my speech. What I wish to suggest is this. The law as it stands is perfectly good, but if it can be improved, it can be improved only by agreeing to Mr. Sale's amendment though it does not go far enough.

Mr. V. F. Gray (Punjab Chamber of Commerce and Trades Association, Commerce) : The question of the publication of accounts of a private as against a public company does not arise; because whether it is a public company or a private company, the auditor in both cases sees that the accounts are regularly kept but only certifies the balance sheet and submits a report and the public do not know anything as to the details of the accounts. The debtor is therefore not in any position to know the details of his accounts as they do not appear in the balance sheet. The auditor only certifies that the accounts are correct and that the balance sheet shows the correct position of the company.

Sardar Harbakhsh Singh [Hoshiarpur and Kangra (Sikh) Rural] : Sir, to tell the truth we feel very suspicious of private companies in whatever form and with whatever limitations they are desired to be defined. I, therefore, consider that it is desirable that private companies should be included in the operation of the Bill in whatever form they may be constituted, whether of private families or otherwise. Since the sense of the House clearly is that private companies should be included in the operation of the Bill in whatever form they may be constituted, we need not waste the time of the House any further over this matter. The sub-clause as it stands does not give any exemption to private companies howsoever interpreted and I think it should be allowed to stand as it is.

Mr. S. L. Sale : Here is a form of amendment which I think will be agreeable to the opposition. I accordingly move—

"That for the existing sub-clause (7) (*iv*) substitute the following:—

'a loan advanced by a bank, a co-operative society or a company whose accounts are audited annually by a certificated auditor:

Explanation : A certificated auditor means an auditor qualified under the provisions of section 144 of the Companies Act."

Dr. Gokul Chand, Narang : I agree to that amendment without making any remarks.

Shaikh Muhammad Sadiq : What is the difference between this amendment and the previous one?

Mr. President : I think the House should adjourn for fifteen minutes so that the honourable members may be able to discuss the matter informally and bring forward a carefully drafted amendment which may be acceptable to all sections of the House. The Council is adjourned for fifteen minutes.

The Council re-assembled at 3-30 p. m.

Mr. President : May I know the decision the honourable members have come to ?

Mr. S. L. Sale : Sir, the discussion during the adjournment has disclosed two schools of thought, which are so far as I can see irreconcilable. The first amendment which has the support of certain section of this House was the one which I read out before the House adjourned ; this was—

“whose accounts are audited annually by certified auditors.

Explanation.—A certified Auditor means an Auditor qualified under the provisions of section 144 of the Companies Act.”

The discussion on that amendment pointed out that although private companies may have their accounts audited by a certified auditor....

Mr. President : The House has already heard reasons for and against the amendment. Is there unanimity on it now ?

Mr. S. L. Sale : There is no unanimity at all. The other amendment reads—

“Loans advanced by a bank, a co-operative society or a company, other than a private company.”

The majority of this House feel that all private companies should be excluded from the operation of this Act because there is no obligation under the law on private companies to have their accounts published or open to any sort of check by properly qualified auditors ; and as the object of this Bill is to impose upon creditors the duty of furnishing periodical statements of accounts to debtors, it is felt that no private companies should have any exemption, otherwise the debtors of a private company will not be in a position to ascertain exactly how their accounts stand. Therefore I move my amendment to the effect that after the word “company” all those words following the word “company” should be deleted and in their place the words “other than a private company,” be substituted.

Dr. Gokul Chand Narang [North-West Towns (Non-Muhammdan) Urban] : I object to it, Sir. If there was a reasonable term of compromise there might have been something, but now that the chances of a compromise have disappeared and all efforts to come at a reasonable understanding have failed, I would object to any new amendment being brought before the House, and I would ask you, Sir, to proceed with the amendments as they have been tabled and of which due notice has been given. I would ask you to put my amendment first, that is, no. 16, and if it is passed well and good, otherwise, other amendments that follow may be put.

Mr. President : If an amendment is given to me in writing, I will allow it without any previous notice, that is to say, I will receive an amendment any time before the clause or sub-clause to which it relates is disposed of.

The Honourable Mr. A. M. Stow (Finance Member) : Sir, I may make matters clear if I state that the position of the Government is that they adhere to item (iv) of the Bill as presented to the House under clause 2 (7). They wish that the exemption should run as follows :—

“A loan advanced by a bank, a co-operative society or a company whose accounts are subject to audit by a certificated auditor under the Companies Act.”

With regard to other amendments, which you may allow, Sir, or which have already been discussed, they must be left to the House to decide.

Mr. President : I have received no amendment yet. (At this stage an amendment was put into the hands of Mr. President.) The amendment now handed over to me runs thus—

“Delete the words beginning with the word ‘whose’ in the 3rd line in the end and substitute the words ‘other than a private company.’”

The Honourable Mr. Manohar Lal : Whose amendment is that, Sir ?

Mr. President : Captain Sikander Hyat Khan's.

Dr. Gokul Chand, Narang : Sir, it is extremely regrettable that the members of this House, or rather some honourable members of this House, are adopting an unreasonable attitude. You know, Sir, that this Bill, or a measure of this kind, has been before this House now for about five years, in fact more, because the Bill, if I mistake not, was introduced in this House in November 1924 and now we are in December 1929, a little more than five years. The first Bill was looked upon as unworkable and it was scratched. Then a another Bill of similar type was brought forward, that also did not appeal to the House, nor even to the Government. That was the Borrowers' Protection Bill. Then another Bill under the name of the Regulation of Accounts Bill was brought forward and it was ultimately passed in 1926. You would remember, Sir, that even with respect to that Bill, there were so many objections and when it came up before the House there were so many amendments that practically the mover of that Bill, who was a nominal mover, not to use any other expression, was also obliged to send a number of amendments. The Government that originally sponsored the Bill practically took it in its hand, and was sending amendments right up to the last moment. When that Bill was passed by the Council, His Excellency the Governor refused to give his assent to it, and afterwards he promised to this House that some sort of a Bill of this kind, but simpler than the one he had refused to give assent to, would be brought forward and placed before this House. Now, we expected that a much simpler Bill, as promised by the Governor, would be brought forward. But what do we find ?

Amendments after amendments were sent in even at the eleventh hour. At every step the Bill became worse and worse, and not simpler in accordance with the promise made by His Excellency Sir Malcolm Hailey. The amendments which have now been sent to you will make the Bill still worse. When it was sent to the Select Committee, there were no qualifying words after the word “company.” The clause ran as follows :—

“A loan advanced by a bank, a company or a co-operative society.”

[Dr. Gokal Chand, Narang.]

Then it was made worse, inasmuch as something was added in the Select Committee, and that is now in sub-clause (iv) ; that is—

“ a loan advanced by a bank, co-operative society, or a company whose accounts are subject to audit by a certificated auditor under the Companies Act. ”

Certain other amendments were proposed and even the drafters of this Bill themselves sent in a number of amendments.

Mr. President : The honourable member is again discussing why amendments are sent in late.

Dr. Gokul Chand, Narang : You have ruled, Sir, that you would be prepared to receive amendments even up to the last moment. I am not now going behind your ruling. All that I am pointing out is that the Bill is becoming worse and worse and the amendment which has now been proposed makes it very stiff indeed. I was prepared and my honourable friends on this side of the House were equally prepared to accept the amendment which was proposed by the Honourable the Legal Remembrancer by way of a compromise. But that has not appealed to honourable members on the other side of the House. What they want is really not anything calculated merely to protect the borrowers but to lay the axe at the very root of the financial organisation by not exempting private companies even with the safeguards which have been proposed by myself, the honourable member for Industries and by the Honourable the Legal Remembrancer. This is not the spirit which was expected to be shown in connection with this Bill. If that is so I may inform you that I have already been told by many members on this side of the House that it is absolutely useless for us to sit here and take part in the discussion. I know my honourable friend yesterday said : “ Oh ! So much the better.” (*Khan Bahadur Captain Sardar Sikander Hyat Khan* : Who said so ?) I know, you said so, and I am surprised that an ex-member of the Government should have said so. No doubt, we know that all these honourable gentlemen who are here can intimidate the Government and can get anything that they want from the Government, even with encouragement from some members of the Government itself.

Sardar Harbakhsh Singh : On point of order, Sir. Is the honourable member in order in attributing motives to the Honourable Members of Government ?

Mr. President : He may not be attributing motives, but I have no doubt that he is wandering away from the amendment actually before the House. He is giving reasons why the amendment is objectionable, he is not discussing it.

Dr. Gokul Chand, Narang : I have said that the amendment has made the Bill worse. Is not that a remark on the merits of the amendment, Sir ? Without repeating myself, I wish only to point out that the spirit which has prompted this amendment is not a very commendable one for, although we know that our presence here will not make any difference, we are here to do our duty and if possible to see that the Bill is not so bad as to become absolutely unworkable without bringing in any gain to the classes for whose benefit it was originally intended but bringing unnecessary harm on the classes which would be affected by this Bill.

The amendment itself is to exclude all private companies. Why? When a private company itself is a financial organisation, as was pointed out, the apprehension that exists that a father and son or a master and servant may combine and form companies and thereby avoid the provisions of this Bill is wholly far-fetched and entirely unfounded, because to form a company would be far more onerous and far more difficult than compliance with the provisions of this Bill. And therefore there can be no apprehension that people will form private companies merely to evade the provisions of this Bill. I still expect that the honourable mover of this amendment Captain Sardar Sikander Hyat Khan, the representative of Muslim land-holders—he is himself connected with so many companies—would see his way to withdraw his amendment, for he should know that companies, even private companies, are an important factor in the financial development of the country, and if he at all cares to encourage financial organisations by means of private companies, he should not insist upon this amendment but should withdraw it. We are prepared to accept the amendment which was placed before the House by the honourable the Legal Remembrancer. And I would further submit that no new amendments should be placed before this House, that we should revert to the agenda as it is before us and votes should be taken on the amendments which are already in print before us and supplied to all members of the House.

Khan Bahadur Captain Sardar Sikander Hyat Khan : I just want to say a few words and then perhaps I may withdraw my amendment. I am sorry to notice that a certain amount of heat has been introduced in his speech by the honourable member who has just sat down, and he has even gone to the length of quoting a private conversation meant by way of a joke, in his speech by saying that I asked him and his colleagues on these benches to withdraw from the House. He knew perfectly well that it was, and I only meant it as, a joke.

Mr. President : Humour is not precluded but joking is.

Khan Bahadur Captain Sardar Sikander Hyat Khan : As a matter of fact, it was not made in the course of any speech in the House.

Dr. Gokul Chand, Narang : If I remember right, I was on my legs when that remark was made.

Mr. President : I presume the honourable member is now making a personal explanation.

Khan Bahadur Captain Sardar Sikander Hyat Khan : Not only that. I wanted to point out that the amendment which the honourable gentleman proposed or the one which was drafted by the Honourable the Legal Remembrancer and accepted by the honourable member who spoke last was quite in order from his point of view, but as soon as my amendment was mentioned he started imputing motives. My object in moving my amendment was to avoid ambiguity in the clause and make it clear. If the honourable member had seen the amendments carefully he would have found that there is another amendment to another clause coming later, which would have allayed his fears, if there be any legitimate fears with regard to this clause. In that amendment, Sir, it will be seen that a provision is sought to be made for exempting all persons who keep regular accounts. And

[K. B. Capt. Sardar Sikander Hyat Khan.]

this amendment read with it would not be in any way detrimental to the class whom the honourable gentleman is supposed to represent in this House. But in any case if my honourable friend thinks that the original clause as amended by the Select Committee is more acceptable to him, I am prepared to withdraw my amendment and will let the wording as drafted by the Select Committee remain as it stands.

Mr. President : The honourable member did not formally move his amendment, nor was it proposed from the Chair. Therefore, there is no question of its withdrawal. It was never before the House. Amendments Nos. 16, 17 and 18 propose that the last 14 words " whose accounts are subject to audit by a certificated auditor under the Companies Act" of sub-clause (7) (iv) of clause 2, be omitted; while amendments Nos. 19, 21 and

22 propose that the last 11 words be omitted and some other words be inserted in their place. Now, if I obtain the vote of the House on the question whether the last 14 words should stand part of the sub-clause, and the decision of the House is in the affirmative, thereafter no amendment to any part of the sub-clause shall be permissible and thus amendments Nos. 19, 21 and 22 shall be excluded. Besides, an amendment to leave out words in order to insert other words takes precedence of an amendment merely to leave out the words. Therefore, I propose to divide Dr. Gokul Chand, Narang's amendment (No. 16) into two parts; namely, Part I, which will comprise the three words "*whose accounts are*"; and Part 2 which will comprise the last eleven words "*subject to audit by a certificated auditor under the Companies' Act.*" These two parts will be put to the vote of the House separately.

The Honourable Mr. A. M. Stow : Would it not make it clearer if Government were to withdraw amendment No. 20 ?

Mr. President : The honourable member is at liberty to withdraw it.

The Honourable Mr. Manohar Lal : Has No. 20 been withdrawn ?

The Honourable Mr. A. M. Stow : Sir, I put the point of view of the Government before the House.

Mr. President : Is the honourable member prepared to withdraw the amendment ?

(The Honourable Mr. A. M. Stow signifying his willingness, the sense of the House was taken and it was found that some members objected to the amendment being withdrawn).

Mr. President : As the House has not allowed amendment No. 20 to be withdrawn, I will now put it to the vote of the Council.

Lala Mukand Lal, Puri : May I ask Government why they intend to withdraw the amendment ?

The Honourable Mr. A. M. Stow : To remove any doubts about my request that amendment No. 20 may be withdrawn I may point out that an attempt was made to arrive at some unanimity which has not been arrived at. The Government, therefore, as I said before, prefers to stand by the sub-clause as it emerged from the Select Committee. May I know whether No. 20 stands or has been allowed to be withdrawn ?

Mr. President : Withdrawal is disallowed, so the amendment is going to be put to the vote of the House.

Question is—

“That the last 11 words of sub-clause (7) (iv) of clause 2 be deleted and in their place the words ‘audited annually by an auditor under the provisions of section 144 of the Indian Companies Act 1913’ be substituted.”

The Council divided.

Pandit Nanak Chand : Is it in order to canvass votes during a division? I saw Chaudhri Afzal Haq asking another honourable member to get up.

Mr. President : I will give my decision after the division is completed.

The Council divided ; Ayes 13 ; Noes 28.

AYES 13.

Diwan Bahadur Raja Narendra Nath.	Pandit Nanak Chand.
Dr. Gokul Chand, Narang.	Lala Mukand Lal, Puri.
Mr. Labh Singh.	Lala Gopal Das.
Rai Bahadur Lala Sewak Ram.	Rai Bahadur Lala Rattan Chand.
Rai Bahadur Lala Mohan Lal.	Pandit Mehar Chand.
Chaudhri Ram Singh	Rai Bahadur Lala Dhanpat Rai.
	Mr. V. F. Gray.

NOES 28.

Khan Bahadur Captain Sardar Sikandar Hyat Khan.	Khan Bahadur Chaudhri Fazl Ali.
Mian Ahmad Yar Khan; Daultana.	Khan Bahadur Mian Muhammad Hayat, Qureshi.
Sayad Mubarik Ali Shah.	Chaudhri Umar Hayat.
Khan Sahib Khan Muhammad Saifullah Khan.	Makhdumzada Sayad Muhammad Raza Shah, Gilani.
Mr. Din Muhammad.	Shaikh Abdul Ghani.
Chaudhri Zafarullah Khan.	Chaudhri Muhammad Abdul Rahman Khan.
Maulvi Sir Rahim Bakhsh.	Chaudhri Afzal Haq.
Malik Nawab Major Talib Mehdi Khan.	Shaikh Muhammad Sadiq.
Dr. Sir Muhammad Iqbal.	Sardar Hira Singh, Narli.
Chaudhri Duli Chand.	Sardar Hari Singh.
Chaudhri Ali Ahmad.	Sardar Harbakhsh Singh.
Sayad Muhammad Husain.	Sardar Bahadur Captain Dalpat Singh.
Chaudhri Yasin Khan.	Sardar Bahadur Sardar Sheo Narain Singh.
Khan Bahadur Malik Muhammad Amin Khan.	
Risaldar Bahadur Nur Khan.	

Mr. President : As to the point of order raised by Pandit Nanak Chand, I think canvassing is not objectionable if no force or unfair means are used.

Pandit Nanak Chand : Even when the votes are being counted ?

Mr. President : Canvassing may be done even when votes are being taken, but no force or unfair means should be used.

I have already explained why the honourable Dr. Gokul Chand's amendment should be split up into two parts and each part put to the House separately. Now, I propose to proceed accordingly.

Dr. Gokul Chand Narang : That would preclude my amendment.

Mr. President : It may or may not.

Dr. Gokul Chand Narang : What I submitted was this, that if it is passed that the words "whose accounts are" stand part of the sub-clause, then my amendment goes out.

Mr. President : Of course.

Dr. Gokul Chand Narang : That is my point and that is why I say that my amendment should be put to the House as it stands first in order of precedence. I do not want to repeat that adage about the sauce but if my amendment stands to suffer why should others have a chance ?

Mr. President : Question is—

"That the words 'whose accounts are' in line 3 of sub-clause (7) (iv) of clause 2 stand part of the sub-clause."

Motion was carried.

Dr. Gokul Chand Narang : Sir, I beg to move—

"That for the words 'subject to audit by a certificated auditor under the Companies Act,' the words 'audited by a certificated auditor' be substituted."

Mr. President : The question is—

"That for the words 'subject to audit by a certificated auditor under the Companies Act,' the words 'audited by a certificated auditor' be substituted."

Motion was lost.

Mr. President : Question is—

"That sub-clause (7) (iv) of clause 2 stand part of the Bill."

Motion was carried.

Mr. Labh Singh [Rawalpindi Division and Lahore Division North (Non-Muhammadan), Rural] : Sir I, beg to move—

"That after sub-clause (7) (iv) of clause 2, the following new clause be added :—

(v) 'A loan advanced by any person *bona fide* carrying on any business not having for its primary object the lending of money, if such loan is advanced in the regular course of such business,' and the subsequent sub-clauses (v), (vi) and (vii) be re-numbered (vi), (vii) and (viii), respectively.'

In order to commend this amendment to the acceptance of the House I have only to draw attention to two obvious facts. The first is that when this Bill was committed to the Select Committee this sub-clause was there and figured as sub-clause (v) to clause 2 (7). Now no reason whatsoever—at any rate no good reason whatsoever—has been assigned why this particular exception should be deleted. The reason for keeping it there is perfectly obvious on the face of it. The Bill as originally drafted and as has been presented to us from time to time during the last five years had this sub-clause in it for the simple reason that what was being aimed at was to have some

sort of regulation in force over the professional moneylender and that all other trade and business should in no way be hampered with. If we delete this clause now we shall be doing exactly the thing which we did not intend to do and for which the Bill was not originally designed, namely, the interfering with the ordinary trade and business apart from regulating the accounts of the professional moneylenders. For these reasons I commend this amendment of mine to the acceptance of the House.

Mr. President : The following new clause is proposed to be adopted :—

“A loan advanced by any person *bona fide* carrying on any business not having for its primary object the lending of money, if such loan is advanced in the regular course of such business.”

Question is that this clause be taken into consideration.

Motion was lost.

Dr. Gokul Chand, Narang : To me the procedure is very novel. Does it mean that the procedure applicable to a Bill is applicable to every amendment which is by way of addition?

Mr. President : This was a new clause. The proper procedure is to first ask the House whether it is prepared to take such a clause into consideration. If the question is agreed to, then the clause may be amended and after the amendments are disposed of, the question will be put “That the clause (or clause as amended) be added to the Bill.”

Dr. Gokul Chand, Narang : It was before the House. The select committee had cut it out.

Mr. President : In any case the Select Committee has omitted the clause. So it is a new clause.

Dr. Gokul Chand, Narang : I may just submit, Sir, that you were pleased to say that it is entirely a new clause. There was sub-clause (v) “a loan advanced to a trader not having for its primary object the lending of money.” If such a loan is advanced. . . .

Mr. President : The Select Committee has omitted the sub-clause. It had the right to do so and has exercised that right. The sub-clause has not found place in the Bill as reported by the Select Committee. So if the sub-clause is moved at this stage it must be treated as a new clause and the first question I will put about it to the House is whether it is prepared to take it into consideration. If the House agrees, then it may be discussed and amended and finally put to the House for adoption.

Dr. Gokul Chand, Narang : Of course that is your ruling.

Mr. President : Yes. Question is—

“That sub-clause (7) (iv) of clause 2 stand part of the Bill.”

Motion was carried.

Sub-clause (7) (v).

Rai Bahadur Lala Mohan Lal : Sir, I beg to move—

“That in sub-clause (7) (v) of clause 2, after the words ‘a loan advanced to’ the words ‘or by’ be added.”

Mr. President : Is not the honourable member's amendment covered by the decision of the House given on the last amendment ?

Rai Bahadur Lala Mohan Lal : No, Sir. It is not covered, because sub-clause (v) as proposed says : " a loan advanced by any person ". Here in this case it will be " a loan advanced by any trader ".

Lala Mukand Lal, Puri : A person is not a trader, but ' person ' is a general term. The term ' trader ' has been defined and it has been restricted.

Mr. President : I think the amendment just disposed of by the House was much wider. Does not " a loan by any person " cover " a loan by a trader ? "

Rai Bahadur Lala Mohan Lal : The honourable member from Gujranwala proposed that a new clause of the old Bill was to be substituted and the House has rejected his motion for consideration of the substitution of this clause. . . .

Mr. President : The question is whether " a loan by any person " covers " a loan by a trader. " If it does, then the House has already given its decision.

Mr. Labh Singh : There is a complete misunderstanding as to the effects arising from the rejection of the last clause. I proposed an absolutely new clause and you were pleased to put it to the House with a view to ascertain whether it wanted to consider it or not.

Mr. President : And the decision of the House was that it should not even be considered.

Mr. Labh Singh : The amendment moved by Rai Bahadur Lala Mohan Lal relates to sub-clause (v) as it is before you.

Mr. President : Yes, but is it not covered by the other ?

Mr. Labh Singh : The one may not have anything to do with the other, but the question is whether it is the sense of the House that the amendment " a loan by any person " is not to be considered.

Mr. President : Of course.

Mr. V. F. Gray : Sir, the present amendment is not a new clause. It is an amendment to sub-clause (v) of clause 2, and it has nothing to do with the decision of the House arrived at in regard to the consideration of a new clause being added.

Mr. President : Does it not go beyond the scope of the sub-clause itself ? Sub-clause (7) (v) deals with a loan to a trader. The honourable mover of the amendment desires to include a " a loan by a trader ".

Mr. Labh Singh : This sub-clause relates to a trader.

Lala Mukand Lal, Puri : Sir, the object of this clause is to ensure that this Act does not hamper trade. Government by proposing its amendment has only given half the protection to the trader, and this amendment seeks to give the other half.

Mr. President : Then the honourable member admits that the amendment goes beyond the scope of the sub-clause. In that case it should be moved as a new clause, and not as an amendment.

Dr. Gokul Chand, Narang : Sir, you will see that in the list of exemptions there are certain loans which are to be exempted when they are advanced to certain persons and certain loans which are advanced by certain persons. Now "trader" is defined lower down but from the very professed object of the Bill itself, as was pointed out, it is clear that trade is not to be hampered, and in clause (v) as it stands in the printed form the scope of this clause was to protect the trader, not to protect the loans advanced to a trader, but to protect the trader, so that his business may not be hampered. And therefore in order to complete the protection of the trader, loans to and by him should be protected and that is why this amendment has been brought forward.

Mr. Labh Singh : Sir, your objection was that the House having refused to consider sub-clause (v) as it originally stood on the left hand side of the . . .

Mr. President : My objection is two-fold : (1) that the amendment goes beyond the scope of sub-clause (7) (v) ; and (2) that it is inconsistent with the spirit of the decision already given by the House.

Dr. Gokul Chand, Narang : Sir, I shall try to answer both these objections. With respect to the first that it goes beyond the scope of the sub-clause. This sub-clause consists only of a few words, and there is no indication as to what the scope or the extent of the sub-clause is. It cannot be said that by the addition of any word that scope is either widened or limited because no scope has been defined or prescribed or in any way mentioned in this sub-clause. Only it is stated "a loan to a trader". The amendment is that the words "by a trader" or rather the word "by" should be added. It does not interfere with the scope of the Bill.

As regards the second objection, it has been said that clause (v) as it originally stood has been overruled by this House which has refused to even consider it and therefore this amendment cannot be considered. It is contended that this amendment was sought to be made in such a way as to bring back the sub-clause which has been overruled by the House. That it in no way does. I therefore do not see how this amendment offends against any ruling of the chair.

Mr. President : I am unable to agree with the learned Doctor.

Lala Mukand Lal Puri : Sir, this is one of the most contentious matters of the whole Bill.

Mr. President : Amendments Nos. 26 to 31 are out of order, inasmuch as they go beyond the scope of sub-clause (7) (v). But I have no objection to their being moved as new clauses subject to such other objections as may be raised.

Rai Bahadur Lala Mohan Lal [North-East Towns (Non-Muhammaddan), Urban] : Sir, I beg to move—

"That after sub-clause (7) (v) the following new sub-clause be added :—
'a loan advanced by a trader' "

In moving this amendment my idea is to save the trader who is defined in sub-clause (9) of clause 2, which is yet to come. I mean to suggest the exemption of a loan advanced by a trader in the course of his business. The aim of this Act is to bring into its operation people whose primary object

[R. B. Lala Mohan Lal].

is to advance loans, that is, whose primary business is moneylending. My amendment will exempt the trader who advances loans casually in the course of his business and I think honourable members will agree with me that it is not the intention of this Bill that the traders, loans to whom are exempted under this Bill, should not be exempted in case he lends money in the course of his business. If a man does not primarily do lending business but only casually advances money he should not come under the provisions of this Act.

Mr. President : The new clause proposed for adoption is—

“ That the following be added after sub-clause (7) (v) :—

‘ A loan advanced by a trader.’ ”

Question is that this clause be taken into consideration.

Motion was lost.

Dr. Gokul Chand, Narang : Sir, I beg to move—

“ That the following sub-clause may be added after sub-clause (7) (v) of clause 2 :—

‘ A loan advanced to a member of the legal profession, a member of any of the Indian or Provincial Services, a person who has passed any University examination or an income-tax payer.’

and the subsequent sub-clauses be renumbered accordingly.”

Rana Firoz-ud-Din Khan : Does not this amendment go beyond the scope of the sub-clause, that is, loan advanced to a trader? The honourable member simply wants to add certain other classes of persons to traders.

Mr. President : It is moved as a new sub-clause.

Dr. Gokul Chand, Narang [Urdu]: Though I possess only imperfect knowledge of Urdu language, I shall attempt to express myself in that language (*A voice: Imperfect knowledge?*) Quite so. It is not a language in which we talk or speak every day. I want to ascertain whether the protagonists of this Bill are opposing our very reasonable demands intelligently or without understanding their meaning. I do not mean thereby any disrespect to them. Even the best of lawyers, who have to deal with very difficult point of law every day, sometimes fail to understand some knotty legal points. I would also like to find out whether; while opposing these amendments, they are actuated by any other motive than their love of justice. And, in the third place, I am anxious to know whether these protagonists of the Bill are hurrying through it with a view to protect their interests and the interests of their brethren or whether they want it as a sort of standing nuisance in the province. At the same time I would like to see whether the Government members are prepared to agree to our reasonable demands. They are undoubtedly very intelligent. They occupy these benches after having passed competitive examinations and other hard tests. It will be, I should say, a sin to doubt their capabilities. All the same I would like to know whether reason prevails with them or not. Their attitude with regard to the amendment which was moved by the honourable Legal Rememberancer and which was subsequently withdrawn from fear of incurring the displeasure of the so-called zaminder members of the Council, points to something else.

Mr. President : What has made the honourable member, change his opinion?

Dr. Gokul Chand Narang : Let us see how they act. Then I shall change my opinion. I have not yet formed it. I am collecting data. My proposal which I have already placed before the House is, that just as the provisions of this Bill have been not made applicable to a deposit in a Government Post Office Bank or any other Bank or in a company or with a co-operative society, to a loan by Government or by any local body authorised by Government, to a loan advanced by a Bank, co-operative society or a particular company, to a loan advanced to a trader and to a loan advanced to any religious or charitable society, similiary loans advanced to a Barrister or to a Member of Indian Civil Service or to a Deputy or to a Chief Engineer or to a person who has passed any University Examination, should be declared exempt from the operation of this Bill. Supposing an honourable and learned member of this Council, say the learned Dr. Sir Muhammad Iqbal, were compelled by circumstances to borrow money from a moneylender—God forbid that he should be so compelled — (*A voice :* He is not likely to borrow) or supposing a graduate of the University or an income-tax payer, whose income exceeds Rs. 2,000 a year besides his income from lands, were compelled by circumstances to require a loan, would it be wise to compel his creditor to send six-monthly statements of accounts to the former? Such men know how their accounts stand and how they are composed. In fact they keep their accounts themselves of such and other transactions. They are very clever and intelligent people and it is no use sending them six-monthly notices.

Sayad Muhammad Husain : But all the banks do send such statements of accounts to their debtors.

Dr. Gokul Chand, Narang : In the first place it is not true that all banks send such statements of accounts to their debtors or depositors and even if I were to take Pir Sahib at his word, he should know that the banks are not bound by law to do so. He should further know that the banks send such notices or statements, if they send at all, because rich men like Pir Sahib are very forgetful. They are apt to forget that they have drawn some money out of the deposit in the bank and it is to remind them of such withdrawals that these notices are sent to them. I am sure our Pir Sahib must have his money deposited in some bank and if so and if he has ever received such a notice, he must have noticed that there is always a slip loosely attached to that notice which the depositor is required to return with his objections, if any, and if he fails to do so within the prescribed period, it is considered that he admits the correctness of the statement. So the Pir Sahib cannot refer to banks with any advantage. I shall have to say much more with regard to banks when the relevant explanation is reached. At this stage I wish only to point out that it appears very unreasonable to compel a creditor to send six-monthly notices to such debtors who are not ignorant or illiterate and who will very probably resent receiving such notices from their creditors. They are all respectable men and they would not like anything to be done which might in the least give publicity to the fact of their having borrowed money. Such transactions, therefore, should not come within the purview of this Bill. I hope that the force of this argument will be recognised, if not for any other reason, to show that the protagonists of the Bill love justice and fair play, that their consciences are

[Dr. Gokul Chand, Narang.]

clear and that they are endowed with understanding. I would also request these big bosses on my left to consider this proposal dispassionately and with a clear brain. I have put it as a test case and shall see what fate it meets.

Mr. President : The new clause proposed to be adopted is—

“A loan advanced to a member of the legal profession, a member of any of the Indian or Provincial Service, a person who has passed University Examination or an Income tax-payer.”

Question is that this clause be taken into consideration.

Motion was lost.

Mr. President : The question is—

“That sub-clause (7) (v) stand part of the Bill.”

The motion was carried.

Sub-clause (7) (vi).

Mr. President : Question is—

“That sub-clause (7) (vi) of clause 2, stand part of the Bill.”

Motion was carried.

Sub-clause (7) (vii).

Mr. Labh Singh [Rawalpindi Division and Lahore Division, North, (Non-Muhammadan), Rural] :—

Sir, I beg to move—

“That in sub-clause (7) (vii) of clause 2 the words ‘or a sale’ be omitted from their present place and inserted after the words ‘immovable property.’”

Sir, I am in fact advocating the restoration of the original sub-clause which if my amendment is accepted will read as before, namely, “a transaction which is, in substance, a mortgage of immovable property or a sale”.

Again, Sir, I have to draw the attention of the House to the fact that the report of the Select Committee does not assign any reason why this modification has been brought about at all. There were good reasons why the sub-clause as it originally stood was incorporated in the Bill. Although mortgages are made to secure advances of loans, sales cannot be made for that purpose. Sales therefore were rightly excluded. There is no good reason why they should be included in the way in which they are now being included. Therefore I move this amendment.

Mr. President : Amendment moved is—

“That the words ‘or a sale’ which now stand in line 2 of the sub-clause be omitted from there and be inserted at the end of the sub-clause after the words ‘immovable property.’”

Question is that the proposed amendment be made.

Motion was lost.

Dr. Gokul Chand, Narang : I beg to move—

“That in sub-clause (7) (vii) of clause 2 the following words be added at the end :
‘or any transaction witnessed by a deed registered under the Indian Registration Act.’”

In moving this amendment, I want to draw the attention of honourable members to the opinion of the High Court on this matter.

Mr. President : When did the High Court express its opinion and in what connexion?

Dr. Gokul Chand, Narang : It was given in connexion with this Bill.

Mr. President : Are members of the House in possession of the opinions expressed by the High Court Judges on the Bill? (*Voices : No, no.*) May I ask the honourable Finance Member whether the opinions of officials and non-officials on the Bill were circulated among the members of the House?

The Honourable Mr. A. M. Stow : I believe not. They were before the Select Committee. They have not been circulated to the members of the House, so far as I am aware.

Mr. President : As these opinions were before and were considered by the members of the Select Committee, I request the honourable the Finance Member to get copies for circulation among the members?

The Honourable Mr. A. M. Stow : Certainly, Sir, if you wish it to be circulated. It will of course take some time to get sufficient number of copies printed.

Mr. President : As many copies as are available may be distributed now and steps may be taken to get more copies printed before the next meeting of the Council day after to-morrow.

The Honourable Mr. A. M. Stow : Another point. It is rather an important point. One of the opinions is by the Honourable Judges and I presume there is no objection to its circulation. I propose to ask if they have any objection to its publication.

Mr. President : This is not a very weighty objection. It is the right of every honourable member of this House to receive a copy. Every document, consulted by the Select Committee, however high its source may be, is a part, nay an inseparable part, of the report of that committee and should have come before the House along with the report.

The Honourable Mr. A. M. Stow : I had no intention of withholding it from the House.

Pandit Nanak Chand : As you have said, Sir, it is our privilege to have all the evidence before us and I submit that so long as that evidence is not before us, because it is likely to influence our decisions on the Bill, I move that the House do not proceed with the discussion any further.

Mr. President : The Hon'ble the Finance Member will kindly get copies for distribution day after to-morrow. In the meantime the House will proceed with the Bill.

Pandit Nanak Chand : I want your ruling, Sir, whether the House should now proceed especially as you have held that it is our privilege as members of the House to have the opinions before us.

Mr. President : Reference was made to the opinions of the High Court Judges at an earlier stage of the discussion. Probably it was yesterday. No honourable member expressed a desire that the House should have those

[Mr. President.]

opinions before it. It is not fair that the honourable members should take undue advantage of the position that has been created to-day and obstruct the business of the House. There will be no harm if reference to opinions is made to-day as it was made yesterday. The honourable members will, I am sure, get their copies by the day after to-morrow.

Pandit Nanak Chand : I respectfully protest against the word used by you that it is my intention to "obstruct the business of the House." I was not present here yesterday.

Mr. President : I did not use that word for any individual member.

Pandit Nanak Chand : Sir, I only wanted to remove an impression which has been created in your mind that every one in the House was aware of the fact that a reference has already been made to it in the Council. But speaking for myself....

Mr. President : If the honourable member is not aware of what happened in his absence, it is not the fault of the Chair. I am sorry that he should have misunderstood the word "obstruction" used by me. After my suggestion that the Council should proceed with its business for the day, if an honourable member gets up and proposes that the business should not be proceeded with, I would not be unjustified, I think, to call it obstruction. But if the word is taken in an objectionable sense or has created an unpleasant impression, I have no hesitation to withdraw it.

Pandit Nanak Chand : I had not the least doubt that you did not want to cast any reflection on any member. I only wanted to explain my attitude.

Mr. President : No explanation is called for. I take it that the object of the honourable member was not to obstruct. So we shall proceed with the amendment.

Dr. Gokul Chand, Narang : To resume the discussion on the amendment. What I want by this amendment is this, that this Bill shall not apply to a loan advanced on a registered bond and my reasons are these.

Mr. President : Whatever may be the honourable member's reasons, may I ask him whether if this amendment were carried, it would not destroy the Bill by taking away from its scope the registered bonds?

Dr. Gokul Chand, Narang : This Bill is intended only to regulate the accounts of certain transactions, if I am not mistaken.

Mr. President : True. If all those transactions which this Bill intends to regulate were effected by registered deeds, they shall be at once placed beyond the purview of the Bill. In other words, what the honourable member proposes is that no transaction effected by registered deeds should be touched by the Bill. Therefore, unless the honourable member satisfies me that his amendment is not inconsistent with the principles of the Bill, I am inclined to rule it out of order.

Dr. Gokul Chand, Narang : With due deference, I would submit that this amendment does nothing of that kind. It may seem rather rude. I should say, to differ from the opinion which you feel inclined to hold. But

I must submit, Sir, that so far as I am aware there is no amendment tabled by any honourable member that all moneylenders are hereafter ordered to stop all transactions unless those transactions are witnessed by registered deeds. So that it does not stand to reason that in the absence of any law making it obligatory on the creditors to advance money only on registered bonds, registered bonds would become universal and would supplant all other sorts of transactions. I would therefore submit that a thing which is not likely to happen, which the Bill does not provide for and which in many cases would be impossible to effect, will not go to the root of the Bill, will in no case do anything which is inconsistent with the principles of the Bill. We have already passed sub-clause (6) saying—

‘An advance made on the basis of a negotiable instrument as defined in the Negotiable Instruments Act, 1881, other than a promissory note.’

If you look at it, you will find that loans advanced on negotiable instruments other than promissory notes have been exempted. That means that loans advanced on a *hundi* will not be affected by the provisions of this Bill.

Mr. President : What similarity is there between a negotiable instrument other than a promissory note and a registered deed? One is negotiable, and the other is not.

Dr. Gokul Chand, Narang : Sir, that is what I am going to tell you if you would permit me. There are various kinds of negotiable instruments. You have excepted one kind of these instruments out of the exemption, namely, promissory notes. It means that if loans are advanced on negotiable instruments other than promissory notes then this Bill would not be applied to those loans. The loan will not be a loan for the purposes of this Bill.

Mr. President : What are these negotiable instruments other than a promissory note?

Dr. Gokul Chand, Narang : A *hundi* or other bills of exchange. A *hundi* is a very common instrument executed by debtors in favour of creditors. Now, does not your argument apply to *hundis* as well that people may stop advancing loans on any other kind of security except on *hundis*? This would make the Bill if it is passed an absolute waste paper.

Mr. President : My inclination is yet against the regularity of the amendment, but I allow the honourable member to move it.

Dr. Gokul Chand, Narang : Thank you, Sir. Now a registered bond, as I would submit, is the most important, the least suspicious, and a well recognised method of advancing loans or raising loans. If a *pronote* is executed in a village or even in a town, it is not witnessed, there is no attestation on it. If there were an attestation it would become a bond and legal objections might be taken to it. Then there is room for suspicion, room for doubt as to the genuineness of the transaction, room for doubting the honesty of the creditor, room for imagining the gullibility of the debtor, but when a transaction is witnessed by a bond, it is registered before a sub-registrar or a registrar and the debtor has many safeguards. The sub-registrar under the rules, provided under the Registration Act, has to call upon the obligor to admit the execution of the deed. He is also required to ask the person presenting a document for registration whether he has received full consideration and if the slightest doubt arises it is the duty of the registrar, as laid down under the rules to refuse to

[Dr. Gokul Chand, Narang.]

register the deed and when a registrar registers a deed he makes an endorsement on it that the contents of the deed were explained to the person presenting it and that he admits the execution of the deed and its consideration whatever it may be. There is, therefore, no room absolutely no room or almost absolutely no room for any sharp practice on the part of dishonest moneylenders even if they were inclined to overreach their poor victims, and if we exempt *hundis* there is no reason why a document which is more important, which is witnessed by witnesses, which is endorsed by the registrar or the sub-registrar, why such a solemnly executed document, should suffer under this Act. I just refer to an opinion expressed by the Honourable Judges of the High Court and my object is to show that the thing seemed to be so preposterous to them that they selected this as an illustration to point out the unreasonableness of the provisions of the Bill. This is what the learned Judges say. I may also submit before reading a passage out of it that this is the opinion of a large majority of the Judges of the High Court including the Honourable Mr. Justice Zafar Ali and a number of European Judges. Taking a case in which both the creditor and the debtor are illiterate and the debt consists of a single transaction evidenced by a registered deed in which the amount is paid in the presence of the registrar and the interest is payable at 6 per cent. per annum, and there has been no subsequent transaction between the parties and no real necessity of keeping the accounts in the prescribed or in any other form, because there is only one transaction and no other transaction at all either to credit or to debit, the Judges say, "the creditor sues the debtor after 2½ years claiming payment of the principal and simple interest at 6 per cent. per annum. The debtor admits the execution of the bond and receipt of consideration and does not object to the rate of interest, being very low already, his only plea is one of repayment supported by a receipt which the plaintiff states is a forgery. On this plea a lot of evidence is led by both the parties and the court finds it is necessary to examine the Government of India expert on the question of the document. Eventually the court holds the receipt to be a forgery and decrees the suit. It is inconceivable on what principle the plaintiff in such cases should be deprived of this or that."

The rest relates to some other clauses to which we shall presently come. I refer to this in order to show that the Honourable Judges of the High Court took this illustration because they thought that a registered bond in which the receipt of the consideration is admitted not only in the body of the bond but is also admitted before the sub-registrar and the sub-registrar's endorsement is there and there are also attestations of witnesses.....

Mr. President : The honourable member has said these things now for the third time. He has used the words 'witness,' 'attestation' and 'sub-registrar' for the third time.

Dr. Gokul Chand, Narang : I am sorry. This, therefore, seems to be an extremely hard case and a case to which the provisions of this Bill should not apply and on principle there seems to be no difference and in fact the advantage lies in favour of the registered bond and all the protection that is necessary for an ignorant debtor for whose interests this Bill is primarily devised at least ostensibly, will be afforded.

Mr. President : Amendment moved is—

“That the following words be added at the end of sub-clause (7) (vi) of clause 2—

“or any transaction witnessed by a deed registered under the Indian Registration Act.”

Mr. Din Muhammad [East and West Central Towns, (Muhammadan), Urban] : Sir, the arguments advanced by the honourable member from Rawalpindi are least convincing. The reasons that he has quoted for excluding registered bonds are the reasons that are most cogent arguments in favour of the insertion of the clause. The Bill does not confine itself to the inception of a transaction. It is the subsequent transactions that are to be controlled and watched. Now the more sacred a transaction is at its inception, the more it is necessary that all its subsequent stages be watched most carefully and scrupulously. The debtor cannot get out of it, and the presumption is strong against him that the sum covered by it was advanced to him on such and such a date. With all respect to the Honourable Judges of the High Court whose opinion has been quoted before this House, my respectful submission is that that proceeds on a wrong assumption. The Honourable Judge whose opinion was read before the House seems himself aware of the difficulty that repayments would be urged and that in order to determine whether repayments had been made or not, expert opinion would have to be requisitioned. Supposing this Bill is enacted into law, then undoubtedly there would not be any necessity left for requisitioning an expert to determine the repayments because these repayments would be entered in the prescribed form or register, and there would be no need at all to go into the matter.

Sayad Muhammad Husain [Montgomery (Muhammadan) Rural] (Urdu) : I beg to submit, Sir, that I do not find any real difference between a registered deed and a bond properly attested by two or three witnesses. The latter is as good and legal a document as the former. But if the amendment moved by my honourable friend Dr. Gokul Chand, Narang is accepted, the Bill, though fully applicable to the properly witnessed bond, will have no effect so far as the registered deed is concerned. I quite fail to understand why the learned doctor should try to attach so much sanctity to the registered deed.

In fact, Sir, if this amendment is adopted the poor borrowers will get no protection from this measure. On the other hand they will stand to lose much because the expenses of registration will also fall upon them. It appears to me that the amendment aims at nothing else than that a loophole may be created for the benefit of the moneylenders. At present a good many loans are advanced without any registered deeds and when this Bill is passed into law the moneylenders will have to send the required statements to their debtors. But if this amendment is accepted they will surely try to defeat the object of the measure. For instance, famous moneylenders like Lala Bulaki Shah of Lahore. (*A voice* : No names, please). Very well, Sir, what I wanted to say is that the moneylenders will take each and every borrower to the Registry Office and get the transactions witnessed by registered deeds in order to escape the provisions of this Act. Moreover the expenses of the registration will have to be paid by the borrowers. Thus the amendment will not only nullify the Bill, but it is also sure to throw an extra burden upon the shoulders of poor borrowers. Therefore, Sir, I strongly oppose the amendment.

Mr. President : Question is—

“That at the end of sub-clause 7 (vii) of clause 2 the following words be added :
‘or any transaction witnessed by a deed registered under the Indian Registration Act’.”

Motion was lost.

Mr. President : Question is—

“That sub-clause (7) (vii) of clause 2 stand part of the Bill.”

Motion was carried.

Sardar Hira Singh Narli [Lahore, (Sikh) Rural] (Urdu) : Sir, I beg to move—

“That the following be added after sub-clause 7 (vii) of clause 2 —
‘(viii) a loan advanced by a landlord to his partner in cultivation or co-sharer’.”

It is well known, Sir, that 90 per cent. of the population of this province lives upon agriculture and also that almost every zamindar has to help his partners in cultivation or co-sharers by way of petty loans to carry on their work. Now these zamindars, as every one of us knows, are very simple and straightforward people. They are not conversant with any of the devices usually employed by the professional moneylenders. Therefore I beg to submit that it is useless to impose any restrictions upon such transactions which are so useful for the agricultural development of the province. It is a well known saying that by making the religious law too strict you simply increase the number of infidels. Now if you compel these simple folk to send such statements to their partners and co-sharers they will cease to help those poor people because they are not regular moneylenders and, consequently, it is not possible for them to keep such accounts. Thus, Sir, this amendment is very important and at the same time absolutely harmless. I wish to make it absolutely clear that it has nothing to do with the agriculturists *versus* non-agriculturists controversy and that I have moved it simply in the interest of the agricultural development of the province as a whole. With these few remarks I commend my motion to the House and hope that it will be accepted without any hesitation.

Mr. President : Question is that the following new clause be taken into consideration—

“A loan advanced by landlord to his partner in cultivation or co-sharer.”

The Council divided : Ayes 21 ; Noes 34.

AYES 21.

Khan Bahadur Captain Sardar Sikan-	Chaudhri Umar Hayat.
der Hyat Khan.	Makhdumzada Sayad Muhammad
Sayad Mubarik Ali Shah.	Raza Shah, Gilani.
Khan Sahib Khan Muhammad Saif-	Shaikh Abdul Ghani.
Ullah Khan.	Shaikh Muhammad Sadiq.
Mr. Din Muhammad.	Sardar Hira Singh, Narli.
Chaudhri Zafrullah Khan.	Sardar Hari Singh.
Malik Nawab Major Talib Mehdi	Lt. Sardar Raghbir Singh.
Khan.	Sardar Bahadur Captain Dalpat
Dr. Sir Muhammad Iqbal.	Singh.
Chaudhri Duli Chand.	Sardar Bahadur Sardar Sheo Narain
Chaudhri Yasin Khan.	Singh.
Khan Bahadur Malik Muhammad	Sardar Bishen Singh.
Amin Khan.	Mr. E. Maya Das.

NOES 34.

Khan Bahadur Khawaja Abdul Rahman.
 Mr. H. Calvert.
 Mr. C. A. H. Townsend.
 The Honourable Malik Firoz Khan, Noon.
 Khan Bahadur Nawab Muzaffar Khan.
 Mr. W. R. Wilson.
 Khan Bahadur Sayad Maqbul Shah.
 Mr. D. Macfarlane.
 Mr. M. A. Ghani.
 Mian Muhammad Fakhr-ud-Din.
 The Honourable Mr. Manohar Lal.
 The Honourable Sardar Sir Jogendra Singh.
 The Honourable Mr. A. M. Stow.
 Mr. Alan Mitchell.
 Lala Ram Lal.
 Mr. A. C. Macnabb.

Mr. H. M. Cowan.
 Dr. (Mrs.) M. C. Shave.
 Mr. S. L. Sale.
 Diwan Bahadur Raja Narendra Nath.
 Dr. Gokul Chand, Narang.
 Mr. Labh Singh.
 Rai Bahadur Lala Sewak Ram.
 Rai Bahadur Lala Mohan Lal.
 Chaudhri Ram Singh.
 Pandit Nanak Chand.
 Lala Mukand Lal, Puri.
 Lala Gopal Das.
 Sayad Muhammad Husain.
 Rana Firoz-ud-Din Khan.
 Chaudhri Muhammad Abdul Rahman Khan.
 Chaudhri Aizal Haq.
 Sardar Partap Singh.
 Mr. V. F. Gray.

Lala Mukand Lal, Puri [Lahore City (Non-Muhammadian) Urban]:
 Sir, I beg to move that a new clause be added after sub-clause (7) (vi) of clause 2. The five items I have given in my amendment, I will take up one by one.

The first addition is—

“a loan advanced to a bank or a company.”

I submit that this loan should be excluded from the operation of this Bill. I take it, Sir, that this should be a non-contentious matter because it is in keeping with the framework of the Bill. The object of this legislation, I take it, as has been put by the framers of the Bill themselves, is “to protect the ignorant borrower.” But if a bank wants to borrow money then why should it be necessary that the loan to the bank should be evidenced by a particular form of account or should be kept in a particular form? Those who have been connected with banks or those who are engaged in trade know very well that there are occasions when banks have to borrow money, and they borrow not only from other joint stock banks but also from individuals. Again companies which are coming into existence for starting new industries have to borrow money and they not only go to banks but also to private individuals. I say, therefore, that this matter should be treated as a non-contentious one and protection should be given to a loan to a bank or a company by excluding it from the operation of this Bill. By this, you are not in any way injuring any agriculturists or non-agriculturists or any ignorant borrower whom the framers of this Bill wanted to protect. It was remarked from the Government benches the other day that the penalties of this Bill, whatever they be whether in the form of the increased rate of interests or in the form of restriction of credit, would ultimately always fall upon the borrower.

[Lala Mukand Lal, Puri.]

Is it the intention of this House that the banks or companies which are coming into being for the sake of new industries should not have as great facilities for credit as are possible? My request to the House is not to do anything which would unnecessarily restrict the facilities for credit of these companies which are coming into being to foster your trade and industry.

At this stage the Council adjourned till 2 P.M., on Thursday, the 12th December, 1929.

PUNJAB LEGISLATIVE COUNCIL.

4TH SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

Thursday, the 12th December 1929.

THE Council met at the Council Chamber at 2 P.M. of the clock. Mr. President in the chair.

OATH OF OFFICE.

The following member was sworn in :—

✓Ogilvie, Mr. C. M. G. (Official, nominated).

STARRED QUESTIONS AND ANSWERS.

FOREST ADVISORY COMMITTEES.

***No. 2806. Mian Ahmad Yar Khan Daultana :** Will the Honourable Member for Revenue please refer to his speech on the 5th March 1928 in the discussion on the Forest Grant, and state what progress, if any, has been made in the matter of forming Forest Advisory Committees consisting of forest officers and the people of the *ilaga* concerned ?

Mr. W. R. Wilson (on behalf of Revenue Member) : The question of forming Forest Advisory Committees on the lines of the Canal Advisory Committees has been engaging the attention of Government since the speech to which the honourable member refers. The matter has also engaged the attention of the Forest Board in all its meetings since that date. The rules, as now framed, governing the constitution and procedure of the eight Forest Advisory Committees which are now being set up are laid on the table.

Rules for the constitution and proceedings of the proposed Forest Advisory Committees.

Forest Advisory Committees will be constituted as follows :—

1	2	3
Name of Forest Advisory Committee.	Constitution.	Electorate.
Kulu Forest Advisory Committee.	<i>Officials—</i> D. F. O., Kulu (Chairman). D. F. O., Seraj. S. D. O., Kulu. <i>Non-officials.—</i> Two elected members from each of Kulu and Seraj Divisions.	Non-official members of District Board.

[Mr. Wilson.]

1	2	3
Name of Forest Advisory Committee.	Constitution.	Electorate.
Kangra Forest Advisory Committee.	<i>Officials—</i> D. F. O., Kangra (Chairman). Revenue Assistant of Kangra. and D. F. O., Hoshiarpur. <i>Non-officials—</i> Three elected members from Kangra district.	Non-official members of District Board.
Hoshiarpur Forest Advisory Committee.	<i>Officials—</i> D. F. O., Hoshiarpur. Revenue Assistant, Hoshiarpur. <i>Non-officials—</i> One elected member each from Kangra and Hoshiarpur Districts.	Non-official members of District Board.
Attock Forest Advisory Committee.	<i>Officials—</i> D. F. O., Rawalpindi West (Chairman). Revenue Assistant, Attock. <i>Non-officials—</i> Two elected members from Attock district and One from Rawalpindi district.	Non-official members of District Board.
Rawalpindi Forest Advisory Committee.	<i>Officials—</i> D. F. O., Rawalpindi, East (Chairman). D. F. O., Rawalpindi West. Revenue Assistant, Rawalpindi. <i>Non-officials—</i> Three elected members from Rawalpindi district.	Non-official members of District Board.
Jhelum Forest Advisory Committee.	<i>Officials—</i> D. F. O., Jhelum (Chairman). Three Revenue Assistants, i.e., from Jhelum, Shahpur and Mianwali districts. <i>Non-officials—</i> Four elected members—one each from Jhelum, Shahpur, Attock and Mianwali districts.	Non-official members of the District Boards.
Lahore Forest Advisory Committee.	<i>Officials—</i> D. F. O., Lahore (Chairman). Revenue Assistant, Lahore. Revenue Assistant, Sheikhupura. <i>Non-officials—</i> Four elected members—two each from Lahore and Sheikhupura districts.	Non-official members of the District Boards.
Muzaffargarh Forest Advisory Committee.	<i>Officials—</i> D. F. O., Multan (Chairman). Revenue Assistant, Muzaffargarh. <i>Non-officials—</i> Two elected members from Muzaffargarh district.	Non-official members of the District Board.

(2) The term of office of non-official members shall be three years.

(3) Meetings shall be convened under the orders of the Chairman, and ordinarily at least two meetings shall be held in a year— one in February and the other in October. It will be optional with the Chairman to hold meetings at more frequent intervals in accordance with the amount of business to be transacted.

(4) All members must be notified not less than one month beforehand of the date of the meeting and requested to submit subjects for discussion at least 15 days prior thereto. An agenda embodying such items as are in the opinion of the Chairman suitable for discussion will be issued to all members at least 10 days before the date of the meeting. Subsequent to the issue of the agenda members may introduce subjects not appearing thereon, with the approval of the Chairman. Should the Chairman not approve of any subject which a member desires to have discussed, the fact must be recorded in the proceedings together with the reasons for the Chairman's action.

(5) Non-official opinions on matters discussed will be recorded in the proceedings but not the views of individual members.

(6) Members of the Forest Advisory Committees shall be paid travelling allowance as follows :—

- | | |
|--------------------------|---|
| (a) Non-official members | .. Same travelling allowance as is admissible to such members of District Boards. |
| (b) Official Members | .. Travelling Allowance to which they are entitled in their official capacity. |

THE PUNJAB REGULATION OF ACCOUNTS BILL.

Mr. President : Mr. Mukand Lal Puri will proceed to move the new clause standing in his name.

Lala Mukand Lal, Puri : I pointed out the other day that this clause was in consonance with the scheme of the Act as framed by Government. Certain exceptions had already been drafted, one of them was that loans to traders should be excluded, another was that loans to co-operative societies should be excluded, and so on. There is no reason why loans advanced to banks or companies should not be excluded.

Mr. President : Does not the honourable member intend to move and discuss all parts of his motion ?

Lala Mukand Lal, Puri : I suggest that this motion be divided into two parts, the first relating to loans advanced to banks or companies, and the second covering all the remaining amendments of the group. Speeches on these two parts may be delivered separately.

Mr. President : I have no objection.

Lala Mukand Lal, Puri : I think that the first amendment may perhaps be covered by what we have already discussed and passed, that is, sub-clause (7) (ii), that is, a loan to any society or association registered under the Societies Registration Act, 1890, or under any other enactment. I do not, therefore, wish to move that amendment. But I should like to

[L. Mukand Lal Puri.]

know from the Legal Remembrancer whether I am correct in thinking that the present amendment is covered by sub-clause (7) (vi).

Mr. President : Opinions cannot be allowed to be asked.

Lala Mukand Lal, Puri : The Legal Remembrancer need not give his opinion if he does not like to do so. But if he is agreeable he may give.

Mr. President : It is not permissible to seek an expression of opinion.

Lala Mukand Lal, Puri : I am not asking you to compel him to give an expression of opinion.

Mr. President : I cannot allow the question.

Lala Mukand Lal, Puri : Very well, Sir, I do not propose to move the first of the group of amendments. I propose to move the second part. My proposal is—

“That after sub-clause (7) (vii) of clause 2, the following be added :—

‘a loan advanced to a person who is not a member of a statutory agricultural tribe ;’

‘a loan advanced to a non-Muhammadan who is not a member of an agricultural tribe ;’

‘a loan advanced to a Hindu who is not a member of an agricultural tribe ;’ and

‘a loan advanced to a non-Muhammadan.’”

I have put in these various proposals so that the House may accept them. My reason for moving these additions is that this Act has been attacked as a communal measure, as a measure intended not to protect ignorant borrowers, but to attack a community which particularly carries on the profession of money-lending, and are traders of this province. It is said that the Land Alienation Act has deprived this class of any possibility of acquiring land ; and whatever land is in their possession will go out of their possession if once they happen to alienate it. Therefore the profession of agriculture has been considerably restricted if not totally prohibited for the class of non-agriculturists. Again, it is said that the distinction which the Government observes between agriculturists and non-agriculturists in the recruitment to services is gradually driving out this class from Government service. It has been suggested on the floor of this House as well as in the Press and outside on the platform that this Regulation of Accounts Bill is one out of many pieces of legislation which may be called anti-shop-keeper legislation, which are intended to affect the trade and profession of the class who are represented by members on this bench. Those allegations may be true or may not be true, but there is no denying the fact that they are believed to be true by a very large class of Hindus. The proposals which I have put before the House are calculated to give the agriculturist community and the Government, if they so desire, to dispel that impression and to prove that this measure is really a protective measure and not an offensive measure, that it is a measure calculated to protect honest borrower from dishonest money-lender and not an attack against a class whom they do not want to see thriving in this province. My proposals are really calculated to test the *bona fides* of the majority of the members of this House as to whether they really want this Bill as a protective measure or whether they aim at destroying the trade and industry of another class.

Now, the first necessity for this measure is felt by the agricultural tribes or persons who live under the benefit of the Land Alienation Act and who are known as statutory agriculturists.

Now, the statutory agriculturalists say that they want to protect themselves from the wiles of cunning *banias* and, therefore, the Regulation of Accounts Bill is necessary, in order that the members of the statutory agricultural tribes may be safeguarded. Now, these members of the statutory agricultural tribes may be either Muhammadans, Sikhs, Hindus or Christians. I say, all right, you clamour for this protection, have it by all means. Let the Regulation of Accounts Bill be confined to statutory agricultural tribes only. While on the other hand my friend Mr. Din Muhammad may get up and say, we Muhammadans also want the protection of this kind. I say, have it by all means. I cannot claim to speak on behalf of Muhammadans, because there are separate electorates in this country and there are no joint electorates. We the members of this House, therefore, cannot express with confidence the views of the other communities.

Dr. Gokul Chand, Narang : Shame.

Lala Mukand Lal, Puri : Situated as we are, let Mr. Din Muhammad and his constituents, whom he represents, clamour for this Bill if this Bill confers any benefit upon them. I say let this Bill be confined to the statutory agricultural tribes, whether they are Sikhs, Muhammadans, Hindus or Christians and also let it be extended to non-agricultural Muhammadans.

Shaikh Muhammad Sadiq : There is no question of Muhammadans here.

Lala Mukand Lal, Puri : There is. Let it be extended to Muhammadans. Now, Sir, with respect to Sikhs who belong to non-agricultural tribes I can say with confidence, that no Sikh belonging to non-agricultural tribe has ever supported this Bill. My honourable friend Sardar Ujjal Singh, who is not here at this moment, has no sympathy with this Bill. He is not a supporter of this Bill. I have met a large number of Sikhs, belonging to non-agricultural tribes of various districts and of various shades of political opinion, but I have not come across any Sikh belonging to non-agricultural tribe, who supports this Bill. I have just now been told that Sardar Jodh Singh (a leading representative of non-agriculturist Sikhs), a late member of this House, opposed this Bill when it was placed before this House last time. In my profession I have never come across a single non-agriculturist Sikh who supports this measure. As for the Christians and Europeans, they are not enamoured of it. Mr. Gray has definitely appended a note of dissent. What I want to submit to this House is this, that non-agriculturists, whether they are Sikhs, whether they are Hindus, whether they are Christians whether they are Europeans, they do not want this Bill to be extended to any dealings which might take place among them, i.e., among non-Muhammadans belonging to non-agricultural tribes. Now, Sir, I assume for the sake of argument that some Sikhs want it to be extended to them, or that some Europeans or Christians also want it to be extended to them (although there is no reason to think so). I can speak with confidence on behalf of the Hindus belonging to non-agricultural tribes that none of them want this Bill.

Now, Sir, I have been recently elected to this House, from what I consider to be a very important constituency, the constituency of Lahore City.

[L. Mukand Lal Puri.]

Well, Sir, during my election campaign I have gone from shop to shop, from door to door, from house to house, and have not come across a single Hindu who has asked me to support this Bill. Before standing from this constituency, I asked for the support of another constituency, which extended throughout the whole of the Western Punjab, and I can assure you, Sir, that not a single Hindu asked me to support this Bill. Now, Sir, you may take it that in the Lahore town there are not only Hindu moneylenders but also Hindu borrowers who form the majority of my constituents. They do not want this Bill to be extended to them, not because they have any sympathy with the dishonest moneylenders, but because they as borrowers feel that it does not afford any protection to them but it creates useless restriction upon borrowers themselves, as was pointed out by Honourable Sardar Sir Jogendra Singh. Hindus say that this Bill instead of affording any protection to them will impose unnecessary restrictions upon them. Therefore, whatever justification there may be for this Council to extend the Bill to the members of the agricultural tribes or to Muhammadans, no case has been made out for its extension to non-Muhammadans who are not members of agricultural tribes. Well, I will put to my honourable friend Captain Sikander Hyat Khan. Whom does he want to protect? Does he want to protect himself? Let him do so by all means. If he wants to protect the members of his community or his tribe, let him protect them by all means. If Rai Sahib Chaudhri Chhotu Ram wants to protect the members of his community, let him protect the members of the agricultural tribes by all means, but what right have these people to inflict upon us a legislation which we consider to be absolutely detrimental to our interests. We do not represent here the dishonest money-lenders. I agree with Dr. Narang that dishonest moneylenders should be thrown overboard, but we here represent the non-agriculturists, non-Muhammadan borrowers as well and we consider this legislation to be absolutely detrimental to our interests. It has been pointed out in very high quarters that unrestricted credit is not necessarily good, but I say, we do not want credit to be restricted for our community. Unrestricted credit may not be good for certain classes but for people who carry on trade and industry, and whose ambition is to develop their cottage and other industries, restriction of credit is an evil, and for our community, especially the Hindus who are engaged in trade and hope to develop the industries of this province, unnecessary restriction of credit is not necessary. If the honourable members of this House believe agriculture to be the sole occupation of the people of this province, I can very well imagine them to say all this. But I have no such ideal for my province. What I submit is that the Punjab should take its proper place in the industrial development of this country.

What I say, Sir, is, that there is no justification for extending this Act to non-Muhammadans of non-agricultural tribes. I would appeal to Captain Sikander Hyat Khan and other Muhammadan leaders who want to safeguard in the Imperial legislature the rights of minorities, by insisting upon a communal measure being only passed by a particular majority of that community, say, two-thirds majority or three-fourths majority. I say, here is this piece of legislation which, rightly or wrongly, is believed to be by a vast majority of Hindus a communal piece of legislation. Do

you wish to inflict this legislation upon us against the will of all of us? I say, if you want to help in your way the agriculturists, do it by all means, but do not do anything which may even wrongly be considered an attack on the other community. Therefore, I earnestly appeal to Muhammadan members, and other members of this House, and agricultural members, and say to them if you want to protect the agriculturists protect them by all means, you are quite welcome to protect them, but do not inflict upon us a thing which we do not want. After all the interests of Hindu borrowers or Hindu artisans cannot be dearer to Muhammadan members, or even to official members than to members sitting on these benches, members like Dr. Gokul Chand Narang, or Raja Narendra Nath or to any other member who has come to this Council by the votes of these people. Now, Sir, no one is more aware than the Government itself that innumerable meetings have been held throughout this province to protest against this measure. Hindu Sabhas, Khatri Sabhas, Mahajan Sabhas and every Hindu organization throughout the province protested against this Bill. I want to ask Government whether any Hindu organization consisting of non-agricultural tribes ever supported this measure.

Mr. President : The honourable member is speaking to and directing his speech against the Bill as a whole. He is not speaking to the new clause which he has risen to move.

Lala Mukand Lal, Puri : I am simply stating, Sir, that this Bill should not be extended to non-Muhammadan non-agriculturists or to Hindus and the word "loan" should not include a loan advanced to a non-Muhammadan of non-agricultural tribe, that is my point.

Mr. President : The honourable member will please speak to the new clause. He is speaking to the Bill, as a whole.

Lala Mukand Lal, Puri : Sir, I will confine my remarks entirely to the matter under discussion. What I am submitting, Sir, is this, that we non-Muhammadan non-agriculturist borrowers believe that this Bill affords no protection to us.

Mr. President : I will not allow the honourable member to discuss the Bill as a whole. He will please confine his speech to the new clause which he wishes to be adopted.

Lala Mukand Lal, Puri : Kindly see the proposal which I have made, namely—

"a loan advanced to a person who is not a member of a statutory agricultural tribe; and

"a loan advanced to a Hindu who is not a member of an agricultural tribe."

I wish to ask the Government whether any meetings have been held of Hindus in any part of the province, of Hindus who are not members of agricultural tribes, in support of this Bill. Why is it, that all non-agriculturist non-Muhammadans have raised their voice in this Council and outside and why is it that an outcry has been raised which has never been raised against any piece of legislation, from every nook and corner of this province? It has been assailed in the Press as well as on the public platform that this measure is not intended to protect the ignorant borrowers, but is an attack on the trade and industry of a rival community and that is the reason why it should not be extended to non-agricultural tribes. Government and the

[L. Mukand Lal, Puri.]

agriculturist majority of this House should confine it only to agriculturists. I was pointing out that this Act affords no protection to a borrower against a money-lender but merely imposes, unnecessary and irksome restrictions upon the legitimate businessman, and that is the reason why we do not want the measure to be extended to our community. I appeal to my honourable friends to the right that they should act in a neighbourly spirit, especially when the accusation has been made that they are acting with a view to injure this section of the population. After all, what is wanted by them is protection against money-lenders. If that is assured, in fairness they should be content and not proceed further. We on this side assure them all assistance in making the Act a perfect one in assuring all protection to the people whom it is intended to benefit.

Another reason why I suggest this amendment is that if this exception is now provided, time may come when the agricultural tribes and the Muhammadans will feel that the Act is, instead of being useful, an unnecessary burden on them and will ask for its repeal. If that does not happen, and the Act is found useful, the Hindu community may after watching its results ask for its being extended to them. The Legislative Council meets every year and where is the harm in trying this experiment? If the Act proves a panacea for all the ills which debtors suffer from, which it is claimed to be, surely the Hindus will also ask for its extension some time hence. But if, as we contend, it is not going to afford any protection to the debtors, then it may be that the other section will move for its repeal. We shall see the working of the Act on parallel lines and much good will ensue by such a procedure.

Again, Sir, as I pointed out one effect of this legislation will be to concentrate the business of money-lending in the hands of big money-lenders and drive away the petty ones by sheer economic necessity. Those who are familiar with the conditions of money-lending in this province know very well that even persons having a small amount only, say one, two or three hundred, lend it. I do not think I would be contradicted when I give this instance for the consideration of the House. Suppose a poor shop-keeper dies and leaves Rs. 300 or leaves goods which are worth that amount. It is a common practice known to persons living inside the city of Lahore that this amount is realised for the poor widow by the neighbours and then advanced as a loan to another person at interest by which the poor widow ekes out her livelihood. If this Bill passes into law in its present shape, would it be possible for that to be done? With the amendment that I now suggest, it will be possible for her to carry on her petty money-lending to Hindu non-agriculturist borrowers. Why should such petty money-lenders be affected in this way?

I therefore suggest that if this amendment is accepted it will not only remove the feeling from a large majority of the Hindu population that Muhammadans are actuated by communal feelings but will also relieve the great distress which otherwise would be caused by extending the measure to all classes of borrowers.

My amendments, as will be seen, are alternative proposals. Supposed a person like my honourable friend there, Mr. Gray, wants Rs. 500. Should

it be necessary for a money-lender to send six-monthly accounts to him and for him to receive it, if he does not want it? If my honourable friend borrows money from another European money-lender, why should it be necessary for six-monthly accounts to be sent to him? If, however, the Europeans, Sikhs and Christians wish to have the benefits of the Bill, let them have them. But speaking on behalf of the Hindus from these benches representing the Hindu borrowers and creditors, I wish to urge the necessity for not applying the Act to 'a loan advanced to a Hindu who is not a member of an agricultural tribe'. On that point there is absolute unanimity at any rate amongst those who claim to represent the Hindus and to whom the interests of the Hindus are dearer than to those members sitting on either side of these benches.

It has been pointed out that this Bill imposes restrictions on the debtors also. I say it does, on those who want to maintain their credit. Imagine the instance of a respectable Hindu who on the 30th June or any date which the Honourable Finance Member may prescribe, is inundated with thirty registered letters, and also imagine that a street urchin happens to see all these registered letters—if he is wise, of course, he will wait at the post office and take delivery of all these letters, but assume that he is not so wise—what will be the situation of that unfortunate man? Assuming for the sake of argument that I happen to be the unfortunate victim, I get thirty registered letters handed over to me in the bar room or while I am arguing in any court, imagine what situation I shall find myself in. Consider the plight of a respectable barrister in such circumstances. Would it not affect his credit, would it not give an opportunity for his competitors in the profession who are by no means all well-disposed towards him to take undue advantage of the situation? It is because of these irksome restrictions that we Hindus do not want the provisions of the Act to be extended to us, not because we have got any tender feeling for any dishonest moneylender but because it is not good for *respectable* borrowers. Unfortunately the argument of those who support this Bill is to vilify a dishonest moneylender. We only urge: Do as you like with him, but kindly do not compel the honest Hindu borrower to be reduced to a condition in which he would not like to find himself. Consider again, the case of a Minister or an Executive Councillor being inundated with thirty registered letters on a particular day sent to him through his *chaprasi*. If the accounts are to be sent only when the debtor demands them, it is quite possible that much of the ignominy would be saved. But, no, the agricultural tribes, I feel bound to say, who do not share those feelings regarding their credit, would not agree to it. Therefore, if the Bill contains these restrictions, we should be pardoned for asking this House not to extend its provisions to us. Let us suffer without them for another six months or a year. Let us be allowed to see how the Act works and if the expectations are justified we shall come before the House and ask for the blessings of the Act to be extended to the non-Muhammadan non-agriculturist borrowers as well. But until that time comes, I make this earnest appeal to my Muhammadan friends in the name of communal amity to accept this suggestion of mine.

Mr. President : The new clause proposed to be adopted is—

"a loan advanced to a non-Muhammadan who is not a member of an agricultural tribe."

[Mr. President.]

Question is—

“That the clause be taken into consideration.”

The council divided : Ayes 20 ; Noes 8.

AYES 20.

Diwan Bahadur Raja Narendra
Nath.
Dr. Gokul Chand, Narang.
Mr. Labh Singh.
Rai Bahadur Lala Sewak Ram.
Chaudhri Kesar Singh.
Pandit Nanak Chand.
Chaudhri Baldev Singh.
Lala Mukand Lal, Puri.
Lala Gopal Das.
Lala Joti Parshad.

Rai Bahadur Lala Battan Chand.
Lala Kesho Ram, Sekhri.
Lala Bodh Raj.
Sardar Hira Singh, Narli.
Sardar Hari Singh.
Rai Bahadur Lala Dhanpat Rai.
Mr. V. F. Gray.
Sardar Bishan Singh.
Sardar Mohindar Singh.
Mr. E. Maya Das.

NOES 8.

Sayad Mubarik Ali Shah.
Khan Sahib Khan Muhammad
Saifullah Khan.
Maulvi Sir Rahim Bakhsh.
Malik Nawab Major Talib Mehdi
Khan.

Sayad Muhammad Husain.
Shaikh Abdul Ghani.
Chaudhri Muhammad Abdul
Rahman Khan.
Shaikh Muhammad Sadiq.

Sayad Muhammad Husain [Montgomery, (Muhammadan,) Rural]: Sir, I have heard the appeal made by my honourable friend from Lahore with an open mind but unfortunately the arguments adduced by the learned member from Lahore were not at all convincing. I think he does not wish to press parts, 1, 2 and 8 for he fully knows that the Sikhs require the protection, he fully knows that zamindars and Hindus inhabiting the districts of Rohtak, Karnal and Gurgaon, etc., do want the Act and I am sure the honourable members representing those districts would have supported me if they had been in their seats (*Pandit Nanak Chand*: Question). The honourable member fully knows that the zamindars of the whole of the Punjab require the protection afforded by this Act. After all it is a very harmless measure. What does it require? It requires that illiterate borrowers should get their six-monthly accounts presented to them in due course so that they might know where they stand, how much money they owe, how much interest has been added to their loan, whether the articles they have given to the lender have been accounted for or not. These are the things which the Act requires and I think all the agriculturists which include non-Muhammadans, and Hindus of Ambala Division require the protection afforded by it. So he is right in saying that they should not be included in the provision he suggests. Now I come to the third part of the amendment in which he suggests that a loan advanced to a non-Muhammadan who is not a member of an agricultural tribe should not be included under the provisions of this Act. Now, Sir,

I will state something from my personal experience. Has he no regard I ask for the untouchables for whose welfare they are so loud and for whose sake they speak from every platform and pulpit? It has been so often stated by Mr. Gandhi how dear their cause is to him and that unless and until untouchability is removed, there can be no hope for Swaraj. But here are the followers of Mahatma Gandhi who say that they do not require any help to be given to these untouchables (*Official Cheers*). You call them your brethren, and you always say so whenever the census is taken to include them in the category of Hindus to add to your strength and call them your brethren. Rai Bahadur Lala Mohan Lal (he is not here now) said the other day that they were their brethren in faith and that every man who obeys Rama is a Hindu and his brother. But you do not want these poor untouchables to be included in the Act. I shall give you an example. I live with these men. They are my servants, untouchables, sweepers, Christians all of them and I know what sort of dealings these moneylenders have with these people. They take their service, they make them work from morning till evening as scavengers and sometimes they advance them loan. The interest is added to the principal and these people cannot ever venture to ask how much they owe and how much they have paid back in cash, kind or in the form of service. The result is that these poor untouchables among whom are included sweepers, scavengers and Christians who have been converted from sweepers, find that they are to remain slaves in perpetuity. Is this the method of the salvation of the country? Is this the way of getting dominion status? Is this the way that you will deal with these poor people who form a majority of the population, when you attain it? Now, I shall give you an example of how these men are treated. In my own village and from my personal experience I say, that there is a poor sweeper who to all intents, in the constitution, is regarded as a Hindu and who is the real old inhabitant of the country, whereas we all Hindus, Muhammadans, Europeans came as conquerors. He owed some money to the big *sahukar* of our village. He came to me and told me that he had borrowed some time back about 20 rupees and that he had been paying back something or other every now and then. But ultimately a stamp deed was signed by him in which he agreed to pay about Rs. 20, after every six months. The poor untouchable Hindu whom you may call sweeper, but still he belongs to your community and is a Hindu to all intents and purposes, has still to pay Rs. 20 every six months and if instead of paying in *Maghar* he paid in *Poh* the penalty of it was that he was charged 24 per cent. interest from the date of the signing of the deed. The result was that he was still involved to the extent of 100 rupees. He asked me to speak to the moneylender. I saw the big millionaire of our village and told him that the sweeper had been paying him all that time, what was the harm if the instalment was late by a few days, he should give him up. He gave me blank refusal and sued him and I think a decree of Rs. 200 was obtained and, I think, he is still under the serfdom of the *sahukar* and is working as a scavenger.

Dr. Gokul Chand, Narang : What provision of this Act is calculated to prevent that?

Sayad Muhammad Husain : If the poor man had known what he owed if he had known that the moneylender was not crediting all that money on the proper date, if he had known that the date of the payment of the in. al-

[Sayad Muhammad Husain.]

ment fell on such and such a date and had received intimation to that effect, surely he would have made arrangements to pay the money off and the interest to that extent. He was kept intentionally in the dark. Such examples can be quoted in thousands. They abound everywhere. You can go and see such things happening in the district of Sialkot and in other districts where Chamars, Meghs, Balwals and many other people, constituting about 20 per cent. of the population, are all under the clutches of these money-lenders. Why should not this protection be extended to them? You are claiming universal suffrage, you ask dominion status, the necessary concomitant of which is universal suffrage. But you do not take into consideration the claims of the millions of those people who have no representation and who have no voice. How can you ignore them? Now take the condition of the poor clerks.

Lala Mukand Lal, Puri : Do you represent them?

Sayad Muhammad Husain : I represent everybody. As a human being I represent everybody. I represent even those who have no representation. I am speaking here on their behalf. I am not speaking only for 1 per cent. of the population. I am for 90 per cent. of the population. I am speaking on behalf of the dumb millions. (*Dr. Gokul Chand, Narang:* Hail, all hail.)—Look at the clerks. If my honourable friend who represents Lahore were to go to the town he will find that well-known banker of this place. He will know how many of these people are under the clutches of this well known banker Bulaki Shah. After giving something like Rs. 20.

Lala Mukand Lal, Puri : On a point of order, Sir. Lala Bulakⁱ Shah is a most respectable banker of this town and I certainly question hi^s right to say anything defamatory about a gentleman who is a most res^{pe}ctable banker of this town.

Mr. President : The honourable member should not slander any one.

Sayad Muhammad Husain : In my humble opinion a poor clerk, a poor untouchable, is much more worthy of respect than any millionaire. However, I do not take the name of any gentleman and I hope the honourable gentleman will not take the name of Mr. Gray or anybody else. I ask whether these clerks, most of whom in all probability are Hindus, do not require protection from Hindu moneylenders, from the Pathans who take such high rate of interest. Go to the small cause court. I think the honourable member from Lahore has not gone to the small cause court. There he will find that the Pathans only give one rupee as loan and for every such rupee they take another rupee as interest. I repeat again that this is a very harmless Bill. It only asks the creditors to give certain accounts to the debtors whether they be literate or illiterate. I am also dealing with banks and whenever I take a loan from any bank they always send me six-monthly statements showing the interest, the principal, and so on. The provisions of this Bill do not harm anybody. It only requires that the accounts should be kept as clearly as possible and that

they should be sent to the debtor regularly. The Bill has been fully considered by the Government. This is an advantage to the poor untouchables and other people. I, therefore, oppose the amendment.

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadan) Rural]: Sir, I have listened with very great interest to the very heated speech delivered by my honourable friend who has just sat down. When he spoke about the untouchables he received cheers from the official benches as well and I thought that the honourable member had made a very strong point which appealed to the official members as well. But, I think, Sir, that the past history of this Council shows that if there is any enemy of the untouchables in this House, it is either those benches or the official benches. (*Hear, hear*). (*A voice: Question*). Some time ago in this Council the Hindus and the Sikhs unanimously supported a resolution that the public wells should be thrown open to all the untouchables of this province. The Hindus, whether orthodox or unorthodox, and the Sikhs whether orthodox or unorthodox, unanimously supported that resolution, whereas all the Muhammadan members (*A voice: Not all*) (*Another voice: Question*), including my friend Sayad Muhammad Husain, and the official benches opposed that resolution and, therefore, it was thrown out. If to-day my friend Pir Muhammad Husain and his friends and their helpers, the Government benches, want to extend the operations of this Bill to these untouchables, there is one simple remedy open to them and that is to declare them as members of the agricultural tribes. That would be giving a practical proof of their sympathy for these untouchables, Chamars, Doms, Meghs and others, who carry on agricultural profession but who are not permitted to buy an inch of land under the provisions of the Land Alienation Act, simply because they are born in classes that are not notified by Government as agriculturists. If they have got that large-hearted sympathy of which an exhibition in words has been made by my honourable friend and for which he was clapped by the official benches, it is open to him to bring forward a resolution of this kind asking the Government to declare these untouchables as members of agricultural tribes. Then the problem will be solved. But they will never do that. They say they do not believe in caste; but they are the greatest believers in caste. When it touches their own interests they are not prepared to show any sympathy to these untouchables. (*A voice: Who are they?*) The Muhammadans.

Shaikh Muhammad Sadiq: All?

Pandit Nanak Chand: Yes. I am giving a positive instance of all Muhammadans unanimously opposing a resolution brought forward in this Council. Then, Sir, I want to tell Pir Muhammad Husain that it is the Hindus in the Punjab who are doing their utmost to bring these untouchables to the level of human beings. I am a member of at least four societies which have got thousands of rupees and which are doing great work amongst these untouchables. There is not the least desire or intention on the part of the supporters of the present amendment not to show any concession to these untouchables. Whenever any motion for the grant of any concession to these people has been brought forward before this House, it has always been opposed by Government benches. So, for Pir Muhammad Husain to make an assertion of the kind he has made and for

[Pt. Nanak Chand.]

the official benches to clap at that, is nothing but a sheer piece of hypocrisy and they merely want to throw dust in the eyes of the people when they pose as their representatives. (Interruption).

Mr. President : "Hypocrisy" is an unparliamentary expression.

Pandit Nanak Chand : I will say it looks like it, Sir. If the word hypocrisy is unparliamentary I would substitute the word diplomacy; it is diplomacy to try to defeat a provision of this nature by bringing in these untouchables whom Pir Muhammad Husain does not in the least represent. If there is anybody who has come here with the support of these people it is the members sitting on these benches and not my honourable friend and his supporters. Now I would ask my friend who has shed crocodile tears to read what Mr. Darling has written with regard to these landlords and other people who are sucking the blood of these unfortunate and innocent people. He should remember that it is not open to men of his profession to come forward and make accusations of the kind he has made against the Hindus.

Mr. President : The honourable member should not be personal.

Pandit Nanak Chand : I am sorry, Sir, if these remarks are taken to be personal. I was talking of the class as such. It is these people about whom Mr. Darling has written in his book. I will bring it tomorrow for the benefit of my honourable friend.

My honourable friend forgets one other thing. So far as the Hindus are concerned, there is a movement amongst them to bring in a Bill before the Legislative Assembly in order to, remove untouchability. Mr. Jayakar has drafted a Bill which is going to be presented before the Legislative Assembly for knocking down untouchability for ever and I hope and trust that the Muhammadan members of the Legislative Assembly will behave better than the Muhammadans of this Council and there they with their Hindu friends, Mr. Jayakar and others, will try to remove this curse of untouchability for ever (*Hear, hear*) which is hanging like a pall on this country and it is a Brahmin, Mr. Jayakar, who is going to attempt a change of this kind. Therefore, I submit that on no possible ground can an opposition on behalf of the untouchables be raised by my friend Pir Muhammad Husain. I submit it is open to him and the Government to declare these untouchables as members of agricultural tribes. We will not raise the slightest objection to that. We will all hail it.

Mr. President : How many times is the honourable member going to repeat the same point?

Pandit Nanak Chand : It is a very important point, Sir, and therefore it has to be driven home.

Mr. President : Repetition cannot be permitted on that ground.

Pandit Nanak Chand : Sometimes such things are not driven home and they have to be repeated. Then I submit, Sir, he shed crocodile tears on behalf of the Hindu agriculturists and whom did he name? Two gentlemen who represent $1\frac{1}{2}$ districts of the Punjab so far as the Hindu agriculturists are concerned. Chaudhri Duli Chand and Rai Sahib Chaudhri Chhotu Ram represent but $1\frac{1}{2}$ districts out of the 29 districts of the Punjab.

Mr. President : But every honourable member of this Council represents the Punjab.

Pandit Nanak Chand : We are talking of practical things, Sir, not what are hypothetical or imaginary. The fact is this, Pir Muhammad Husain is not returned to this Council by a single Hindu vote. I am not returned to this Council by a single Muhammadan vote. Therefore, if I come and pose here, perhaps by some theory of law or something else, that I am a representative of the Mussalmans and therefore all that I say must be taken as that which the Mussalmans of the Punjab express, I will be talking something which is beyond practical politics.

Mr. President : A Hindu, though returned by a particular constituency, represents in this Council at least the whole of the Hindu Punjab.

Pandit Nanak Chand : It may be correct in theory, Sir. But here there is a solid block on one side and another solid block on the other. We can talk as a community because we know that there is a solid block of Hindus on the one side and a solid block of Muhammadans on the other. (A voice : Question). Therefore, I submit that it is not open to my honourable friend, Pir Muhammad Husain, to talk in the name of the Hindu agriculturists of the Punjab. I, submit that whatever my friend Pir Muhammad Husain and my friend Sardar Sikander Hyat Khan may say, twice have I stood for the rural Hindus of the Hoshiarpur district opposing an agriculturist Hindu of that district and I was returned by the agriculturists of that district (*Interruption*).

Captain Sardar Sikander Hyat Khan : With the help of the money-lenders.

Pandit Nanak Chand : I will give you a reply to that also. Therefore I may submit that here are the representatives of the agriculturist Hindus as well sitting on these benches. I need not name them. They are here on my right, on my left, to my front. Therefore, you will see that the argument advanced by the other side is not convincing at all. It may be convincing because a very loud voice has supported it, but it is not based on reason. Reason is on the side of those who have been returned by the agriculturists. But there is no question of agriculturists here. The amendment merely refers to non-Muhammadan non-agriculturists.

Now, Sir, after having replied to these two very weighty arguments—weighty because advanced by the Pir Sahib—I would submit that in fairness and in justice Government ought to see that so far as a very large section of non-Muhammadan non-agriculturist population is concerned, as was very ably pointed out by my learned friend Mr. Pari, no demand for a legislation of this kind has been made. I had the honour to attend a very important conference which was convened some time ago in the district of Sargodha. Representatives from all over the province attended that conference. It was a conference attended by shopkeepers, it was a conference attended by traders, in fact it was a conference which was attended by members of all non-agricultural tribes; lawyers and doctors were represented there. This conference very strongly entered its protest against the present moneylenders' Bill which is euphemistically called the Regulation of Accounts Bill. They said that this Bill would interfere with trade, that it would interfere with commerce and that it would interfere with

[Pt. Nanak Chand.]

industry. Sir, the first essential of trade, commerce and industry is that there should be a free circulation of money, that there should be no restriction on credit at all. I might appeal to the officers and heads of co-operative societies who do not want this free circulation of money. Such a thing would be unheard of in England, such a thing would not be tolerated. As a matter of fact the *bona fides* of those official members are being challenged because they know that if commercialism advances in India it will be a serious blow to the trade of England. Therefore, some officials in this country are anxious that the Punjab should not have the facilities of having the same free circulation of money as in Western countries, otherwise it will come in competition with the stronger England which at this time sends all its products into India. Only the other day a speech was made, I think, by Mr. Winston Churchill who was reported to have said that India is the richest market for the manufacture of British goods. Now that the Punjab and the whole of India is awakening and trying. (*A voice*: It was Lord Lloyd). Yes, thank you. It was Lord Lloyd who had been in India as Governor of Bombay and who had been in Egypt and was recently called back by the Labour Government from his office on the ground that he had no sympathy with the Egyptians. It was Lord Lloyd who said that. This doubt as regards the *bona fides* of certain Government servants should not be allowed to remain. They should not lend themselves to such a measure which may throw any doubt on their good faith. There is absolutely no reason why the Punjab industrialists, commercialists and tradesmen should not be allowed to have the same facilities for getting credit and for getting loans as exist at present. As it is, the interest charged is very high, and if you pass this Bill the rate of interest is bound to go up still higher, with the result that industry, commerce and trade will all suffer. Therefore, I would appeal to Government benches that they should not look to the interests of the peasants or the interests of the Hindus or Sikhs or Musalmans, but that they should look to the interests of everybody. Therefore, I would appeal to them in all earnestness not to allow such arguments to prevail as have been presented by my friend who has preceded me.

Mr. M. A. Ghani (Nominated non-official): Sir, my honourable friend, Pandit Nanak Chand, referred to the resolution which was moved in this Council some time ago, asking for permission to be given to the depressed classes to use public wells. I was not present when that resolution was moved in this House, so I do not know which party supported that resolution and which party opposed it. However, I am very glad to learn this afternoon that it was the Hindu party who supported that resolution. (*A voice*: And the Sikhs too). But it is a matter of great surprise for me to see that the same party is opposed to this Bill which is calculated to be of some benefit to the depressed classes. My learned friend said that it was sheer hypocrisy on the part of Mussalmans to come here and say that they represented poor people and still opposed the resolution which was meant for the good of the depressed classes. But I think, Sir, it is all the more hypocrisy on the part of the Hindu members who supported that resolution but who are opposed to this Bill which is now before this House. My learned friend, I think, Sir, has no knowledge of the grievances of the depressed

classes, those poor scavengers and *chuhars* and *chamars*, whom the Hindus have placed at the lowest wrung of our society. I would appeal to the members of the Hindu party to go to the Lahore Municipal office which is not very far from this House and find out things for themselves. They will see that the sweepers there are heavily in debt. They will see how the Pathan moneylender takes away a great part of the sweeper's salary the day he gets it. I have got a personal knowledge and experience of these people, and I know how these moneylenders are simply sucking the blood of these poor people. I would, therefore, appeal to this House that if any non-Hindu is entitled to the benefit of the present Bill, it is the poor scavengers and the poor sweepers of this province. I am connected with the Scavengers' Union of Hoshiarpur. I am also connected with the Scavengers' Union of Amritsar and I am also connected with the Scavengers' Union of Lahore. All these are in favour of the Bill and therefore I must support this Bill most strongly on behalf of these poor people. It does not lie in the mouth of the Hindu members to come and say that the depressed classes should be kept out of the benefit of this Bill. For these reasons I very strongly oppose this motion.

Shaikh Muhammad Sadiq [Amritsar City (Muhammadan), Urban]: Sir, the other day my friend opposite indulged in a sort of criticism of the Honourable Judges, but to-day, Sir, he has called all the Muhammadans hypocrites.

Mr. President: Please do not follow his example.

Pandit Nanak Chand: I did not call the Muhammadans hypocrites.

Shaikh Muhammad Sadiq: I am not going to follow his example. I am not going to be personal.

Mr. President: Thanks. Impersonality is the fundamental principle of parliamentary debating. So please be impersonal.

Shaikh Muhammad Sadiq: I was not going to be personal. I was only going to say this much. My friend said that the Pir of Garshankar is a blood sucker. And that Pir has told us all about the blood suckers. Why do you not accept this statement as correct? They say: *Wali ra wali me shanasad*. If that is so, should not the Pir be the best person to be able to say about his own class of blood suckers (*Laughter*). And for that reason I think that Pir Sahib is the best person to represent these people. If he knows about that class we should give weight to his opinion in this case.

I can say in all sincerity that if I knew it to be a communal measure, I would never give my vote for any one single item. I have not come to this Council to injure the Hindus. I may certainly be here to protect Mussalman interests, but that does not mean that I have come here to injure the Hindus. I would never do that, and I believe no member of this House would do so. This is not a class measure (*A voice: Question*). Well, if it is a class measure it is a class measure against the whole nation. It is the question of the whole moneylending class *versus* the whole nation. If it is a class measure we welcome it because it does not affect certain limited members of a class; it affects a class which is nation wide. If that is so, why not support it whole-heartedly? Then my honourable friend said something about the Hindu non-agriculturists. Now let us see who is a Hindu?

Dr. Gokul Chand, Narang : Sir, the honourable member is going to tread on delicate ground and I would request you to warn him.

Shaikh Muhammad Sadiq : The honourable member has no right to request you to warn me.

Mr. President : I hope the honourable member will avoid controversial matters.

Shaikh Muhammad Sadiq : Is this the way we should be treated? All sorts of things are said to us. We are called blood suckers and hypocrites, and even though I have said nothing I am not allowed to proceed.

Mr. President : Assuming the other honourable member's position to be correct, it does not follow that I should allow him to pay a tit for tat.

Shaikh Muhammad Sadiq : Let us take up the question of Hindu non-agriculturists.

Mr. President : The question before the House relates to a non-Muhammadan who is not a member of an agricultural tribe.

Shaikh Muhammad Sadiq : Of course as soon as it touched them on the raw they have stood up to protest against these things. My friend says that none of the Muhammadans sitting here represents the Hindus at all. In point of law as soon as I come to this House I have the right to speak for the whole of the Punjab even though I am a representative of the Muhammadans. If that were not so, how could the Hindus who supported the Sarda Act represent the Muhammadans?

Mr. President : The honourable member will please speak to the motion under discussion. I hope he will be generous to his critics.

Shaikh Muhammad Sadiq : Sir, though I have said nothing objectionable, yet I have had nothing but interruptions from these members ever since I began to speak. If I do not say a word now, it will be understood that the Muhammadans stood against the untouchables. People will begin to think that the Muhammadans are not the friends of untouchables.

Mr. President : The honourable member is not wrong in bringing in this subject, but I would request him to avoid it if possible.

Shaikh Muhammad Sadiq : I strongly object to anybody trying to prevent me from mentioning the word Hindu. The moment I utter a word another honourable member gets up and asks you to warn me against the use of that word. Some time back it was said that the Muhammadans voted against the resolution for throwing open public wells to untouchables. That is wrong. What the Government at that time said was that since the public wells were not under the control of the Ministry of Local Self-Government, as they were not under the control of municipalities or district boards, Government could not interfere with such public wells. I am sorry my friend intentionally misled the House then. Suppose there is a public well used by a Hindu and suppose a Muhammadan goes to that well. What will happen? There will be a riot.

Mr. President : I would request the honourable member not to proceed in that strain.

Shaikh Muhammad Sadiq : I am only explaining our attitude in throwing out that resolution.

Mr. President : Is the honourable member on his defence now ?

Shaikh Muhammad Sadiq : Yes, I have been accused.

Mr. President : The honourable member may refute all allegations by simply denying them and speak to the question before the House.

Shaikh Muhammad Sadiq : I must give examples to show that their allegations are not facts.

Mr. President : Assuming that one gentleman has exceeded the limits of propriety, another honourable member should not expect the chair to allow him to do the same.

Shaikh Muhammad Sadiq : Now, Sir, it is said that this Bill should not be extended to non-Muhammadan non-agriculturists. As was pointed out, this expression will include sweepers. It will include other depressed classes. Are we here to represent only Muhammadan interests ?

Mr. President : The honourable member has already touched that point.

Shaikh Muhammad Sadiq : I have had so many interruptions that I forget what I said and what I did not say.

Mr. President : I am in full sympathy with the honourable member but I hope he will accede to my request and speak to the motion.

Shaikh Muhammad Sadiq : I am speaking to the motion. I only wanted to show that the Muhammadans as a class....

Mr. President : I have already told the honourable member that if one gentleman exceeds the proper limits, that is no reason why another member should do the same.

Shaikh Muhammad Sadiq : I have not even touched the proper limits. *(Laughter).*

Mr. President : I would request the honourable member to observe tolerance and patience.

Shaikh Muhammad Sadiq : The proposal says, 'a loan advanced to a non-Muhammadan who is not a member of the agricultural tribe.' For this purpose I will have to speak about all the depressed classes such as sweepers, *ahirs*, etc.

Mr. President : Other honourable members have already traversed that ground.

Shaikh Muhammad Sadiq : If one honourable member has spoken about them, cannot any other member defend them ?

Mr. President : Why not ? But repetition should be avoided.

Shaikh Muhammad Sadiq : Is it repetition of sentences or repetition of ideas ? Because the word "sweepers" has already been mentioned by one honourable member, is that a reason why I should not refer to them ? Because the word "Hindu" has been already used by one honourable member, is that a reason why I should not mention the word "Hindu" ?

Mr. President : The honourable member would please avoid repetition.

Shaikh Muhammad Sadiq : I am not repeating any argument. I know that there are sweepers in Amritsar whose business is to collect bones. Their forefathers three hundred years back had borrowed Rs. 200. That loan is still going on. Why should that class be excluded from the benefits of this Bill? I see no reason. Why should the agriculturists alone be benefited by this Bill and not the non-agriculturists also be protected by this measure, even though he may be a Hindu or a Christian or a Sikh or he may belong to no religion? It may be that the Hindus have a right to speak for the Hindus. But what right have they to speak for all Hindus or for the matter of that, for the people of other religions other than Muhammadans? (*Pandit Nanak Chand :* Because we represent non-Muslim constituencies). My friend might have got only one or two votes from such other religionists.

Mr. President : Order, order. The honourable member should not make personal remarks.

Shaikh Muhammad Sadiq : I am not speaking personally of Pandit Nanak Chand. What I mean to say is that a Hindu member who comes to this House need not have had the votes of other religionists at all.

Mr. President : The honourable member should speak to the motion before the House, otherwise I shall have to ask him to resume his seat.

Shaikh Muhammad Sadiq : I do not want the case of these people to go unrepresented. Because a Hindu is returned from a non-Muslim constituency, it does not follow that all non-Muslims voted for him.

Mr. E. Maya Das : The honourable member speaks so loudly that we are not able to hear him. Will you please ask him to speak less loudly? (*Laughter*).

Shaikh Muhammad Sadiq : I am sorry I am interrupted again. I can only say this that I have been subject to so many interruptions.....

Mr. President : The honourable member is right, but he will not mind interruptions. I would request the honourable members not to interrupt the speaker.

Shaikh Muhammad Sadiq : Very well, Sir. People having weak cases always try to put obstacles in the way of others. People who know that their case is strong are always generous. (*Interruption*). I do not know why an agriculturist member should turn against his own brethren. Now, coming to the subject before the House, what will be the effect of the Bill if the proposal of my learned friend is accepted? Suppose there is a Pathan from Afghanistan.

Pandit Nanak Chand : The honourable member is repeating the arguments of a previous speaker.

Khan Bahadur Captain Sardar Sikander Hyat Khan : The previous speaker has not mentioned the Afghan Pathan.

Shaikh Muhammad Sadiq : Simply because a word has been mentioned, is that a reason why I should not utter that word again? In the course of the debate on the last occasion there was a pact that I should not be interrupted. Proceeding to the subject under discussion, I understand the mentality of the people who are on the opposite benches is to prevent the passing

of the Bill or at any rate to make the Bill ridiculous and thus show that it is a communal measure. (*Hear, hear*)? It is only with that object that they are bringing forward such proposals. They have been bringing forward either dilatory motions or obstructive motions in favour of the moneylenders. They seek to protect nobody but the moneylender. But after all, the moneylender is not the only person that requires protection. There are other people too, whose rights have to be protected. Simply because one class of persons have not asked for such protection, is that a reason why protection should be denied to that class? Because a colonel does not require protection from a *badmash*, is that a reason why the law should deny protection to him? Is that the principle that this Council should follow? or should we pass a law which we consider to be the right thing or the best for the country? If it is a bad measure, reject it by all means. If it is a good measure, pass it irrespective of whether some people like it or not. Whenever in England a Bill is under consideration, are they making a referendum in each district or county? If they were doing so, the whole legislature would come to a stop. I ask, whether this subject was an election issue at last general election. (*A voice: Did you give any chance*)?

Dr. Gokul Chand, Narang: I may say that the Moneylenders' Bill was the subject of topic during canvassing at the time of the last general election.

Shaikh Muhammad Sadiq: At the time of election, the issue is this "I will do such and such a thing for the Hindus" or "I will do such and such a thing for the Muhammadans." The poor voters at that time have a difficulty as to whom they should vote for.

Mr. President: The honourable member is again wandering away from the question before the House.

Shaikh Muhammad Sadiq: I, therefore, submit that if this proposal is accepted and made part of the Bill it will be a blow to the whole Bill.

Shaikh Abdul Ghani [West Punjab Towns (Muhammadan) Urban]: Sir, if you retain or substitute this in your Act, I may submit that you at once dub this measure as a communal measure. Therefore, I commend it to the good sense of the House to give their fullest consideration to the amendment that is before them. Once you incorporate it into the Act you give an impression that by introducing the question of Muhammadans and non-Muhammadans into the Act and exempting certain sections of the Punjabis on this particular basis, you are by implication styling this Act as a Hindu-Muhammadan measure, and I think that many of us here would deplore that attitude, as truly it is a deplorable attitude. The legislature has in view to pass an Act that may apply equally to all classes irrespective of their creed or religion and to afford protection to all sections of the population who need it. But after all the labours are spent and everything is done to effect the above object, by inserting one single clause we are making the Bill a Muhammadan and non-Muhammadan measure. I think it would not be worthy of this House and we would not be worthy of our place here if we were to be occupied in passing measures of this sort. Leaving that aside, after all what is the object of this legislation for which you have been spending so much labour, so much time, so much energy, and so much thought. (*Interruption*). I beg honourable members

[Shaikh Abdul Ghani.

not to interrupt. Well, Sir, so far as I have been able to see, the object is only two-fold. In the first instance, and in my humble mind that is the preliminary object of the Act that as we Indians, sepecially the Punjabis, now claim that we have become sufficiently civilised, and we should be regarded as one of the civilised nations of the world, the stigma of money-lending, which has been brandished, I would submit, Sir, on the fair face of India or the Punjab, should be removed. We should at once standardize our accounts. We should keep them in such a way and our accounts should be so clear, authentic, at least in form, that we should be able to tell the civilized world—here we are, though we have been for a very considerable time indulging in things which if divulged in would not be very honourable. But now, that we claim to be civilised, we want reforms, we want self-government, we want to rule ourselves, and we want to show that we are competent to do all that. Therefore, now look here, we have ceased praying upon the blood of others, we are all brethren and here we are now keeping accounts in a form which is beyond suspicion and that we are doing all that is humanly possible, to show our *bona fides*. You give us a particular form and we will keep accounts in that form.....

Mr. President : The honourable member will please speak to the motion now before the House.

Shaikh Abdul Ghani : Well, Sir, I am saying all this in support of the motion. Sir, our accounts should be above suspicion, because we are civilised as they are being kept by other civilised countries. The second object which appears to me is that we should protect those who need protection and I think this is one of the primary duties of the Government and of the legislature. Government, Sir, is in a way, being accused and especially by the honourable the proposer of this amendment of a tendency in favour of the debtor.

Mr. President : Order, order, the mover of the motion did not say a word to that effect.

Shaikh Abdul Ghani : On several occasions we found that the Government officials and Government itself came in and it was said that.....

Mr. President : Does the honourable member intend to reproduce what was said by Government officials ?

Shaikh Abdul Ghani : I am replying to the arguments of the proposer. With respect to that I would submit that if the borrowers.....

Mr. President : Members of Government can defend themselves.

Shaikh Abdul Ghani : Sir, I was submitting that if the borrowers had a voice in this country in this legislature, of course, they would have been in a position to remind Government that you have been in this country for well nigh a century, you have seen with your own eyes that people have been sucking our blood, our very life, what have you done by this time for us ? What measures have you taken to defend us from these blood suckers, the Shylocks. You have been passing the Land Alienation Act to defend....

Mr. President : Why discuss the Alienation of Land Act ?

Shaikh Abdul Ghani : Kindly give me time to complete the sentence and then you will realize the sense of what I am saying. You have been helping the small land-holders by passing the Land Alienation Act, and you have been doing all that for them. What have you done for the *Chamars*, the *Bhangies*, the *Kanjars*, the tenants, the artisans and other menial classes? These people never received the slightest attention at the hands of Government. I ask, is it fair for any gentleman of this House to say that the Government has proved humane to these classes that are enumerated above? Was it not the duty of Government from the very early times to adopt any such measure? What did they do? In 1926, it was only a non-official member of this Council who, for the first time, thought of these helpless classes. He thought that these wretched people should be protected, defended from the tyranny of the moneylenders, and he proposed a measure which was passed by this House, but withheld by the Governor of this Province. For what reasons? Because the moneylenders, their supporters, their relations, and all those who have any sympathy with them would cry hoarse. The result was that the Act was vetoed and the Governor promised to bring forward another measure before long. In order to redeem that promise of His Excellency the Governor, this measure has been brought before you. After all what is there in this measure and how does it protect the ignorant poor people? (*Interruption.*) Sir, I was asking what Government has done for these poor people and what is there in the action of the Government that calls for its censure? I think the Government does not deserve the blame, I should use the word "deserve" purposely. The Government has all along been showing an attitude of absolute disinterestedness in this matter and has adopted an attitude of benevolent inaction between the borrower and the lender. Of course I am sensible to the fact that many brilliant judges from England, men like Sir M. Plowden and others about 1888, gave certain decisions which in a way helped the debtor by enabling him to raise the plea that he did not receive the consideration. But, now, we all who belong to the legal profession know that after the Full Bench Ruling of 1925 the position is altogether changed. I will specially request the learned lawyer members of this House to very kindly consider whether under the present circumstances it is possible for any debtor ever to be able to meet the claim put forth against him. Once it is found, and it is very easy to find by giving two witnesses who subscribe to the entry, that the thumb impression is that of the debtor and that the entry was made there at the instance or with the will of the debtor, then the whole onus is thrown on the debtor to show that he never received any consideration.

Lala Kesho Ram Sekhri : May I know to what part he refers to in the speech?

Shaikh Abdul Ghani : I am just speaking on the motion and my next sentence would enlighten the honourable and learned member. (*Interruption.*)

Mr. President : Please do not interrupt the honourable member.

Shaikh Abdul Ghani : Sir, if this is the position of law in the country that by merely putting in a *bahi* account and by merely putting in two wit-

[Shaikh Ahdui Ghani.]

nesses the onus of proving the consideration is thrown on the ignorant debtor, is it not the duty of the Government to see that there is some effective method of keeping accounts? If the Government were now to step in to his aid....

Mr. President : What has that got to do with the question now before the House?

Shaikh Abdul Ghani : Well, Sir, this is the state of the law. I think if the Government has fulfilled its promise by bringing in such a defective Act, almost an insignificant measure to help the poor debtor, I do not think the Government has absolved itself of its promise or it has done anything to deserve all the censure it has been subjected to by the opposition.

With respect to the argument advanced for the adoption of the amendment, I would submit, Sir, that if the honourable proposer had been through the districts of Ambala, Rohtak, Karnal, Hissar, and Delhi, he would have seen the conditions prevailing there with his own eyes and would not have confined his observations to Lahore city alone, the city he represents. I think he would not have put in this amendment, and he would have contented himself with the clause as it originally stood in the Bill. Take, for instance, the *Biradri* of *Chamars*, they live in all these districts, they might at the present moment be labouring under the *Bojha* or the load that they put on their heads. They take this load from one place to another, from one village to another and so on. It is just possible that at the present moment they might be labouring under this load and they might not be knowing that their fate is being decided in this hall, and my friends who perhaps may not have ever seen them, cannot realize what their economic condition is. To say in this House for any honourable member that he represents all those classes, that he is their spokesman, and that he knows that they do not want any such law, without even knowing what their condition is, I would submit, Sir, would be saying too much. Can we ever think that these *Chamars* or other menials or other people of similar classes scattered all over in those districts, in which Hindus are the landlords, do not stand in need of any such law? I think, Sir, their condition is wellknown to the officials, who have worked in those districts as executive officers. They know that they stand in as much need of this protection as any of the Muhammadan districts in the Southern and Western Punjab.

Again, are not Eurasians, Indian Christians, clerks living in towns and big cities in need of this Act? Do they not incur debts and do they not wish that six-monthly returns of their accounts be sent to them? For, after all, that is what the Act demands from the creditors. Why should we deprive all these classes of the just rights which they could claim under this Act? My submission is that there is absolutely nothing in the arguments advanced, no case made out, for substituting any such clause as is contained in the amendment.

It was then said : We are here to represent the *achhuts* and what right has a Muhammadan to speak on their behalf? May I ask, who is responsible

for reducing these *achhuts* to the condition of life in which they find themselves? If my learned friend or his community had the privilege or had the occasion of just doing a bit for them, he will not feel justified in coming forward to oppose this measure now, which is in itself devised to help those persons. If they need help now, it is because it is the honourable member's civilisation that has reduced them to that level and he should not claim any credit for the little he might have done for the *achhuts* at the hands of this House.

It is equally unjust to say that the Government has not done anything for the untouchables. Who is trying to reclaim the criminal tribes? Who is trying to settle them on various settlements, and who is setting about educating them, civilising them and elevating them to the level they are now in? They have been granted squares of land by Government and, in fact, every effort is made by Government to raise them socially, economically, morally and in every possible way. I think therefore that the acceptance of this amendment would mean that we give the impression abroad that the Bill was conceived, discussed and passed in a Hindu-Muslim spirit, while as a matter of fact the atmosphere here has been calm for the last three or four days. It is only to-day that certain personal remarks are made importing heat into the discussion. But after all this is over, it will be realised that there was nothing like the Hindu-Muslim question previously and the spirit that pervaded the whole discussion was one of give and take.

The Honourable Malik Firoz Khan, Noon (Minister for Local Self-Government): Sir, I shall be failing in my duty if I were not this afternoon to bring to the mind of the Council the actual facts with regard to the resolution about the depressed classes.

Dr. Gokul Chand, Narang: On a point of order, Sir. The honourable Member for Government, Mr. Beazley, had already pointed out to the House all the facts regarding that resolution and there appears to be no need for any refutation from the Honourable Minister who could as well spare himself the trouble.

The Honourable Malik Firoz Khan, Noon: I believe I am quite right in refuting the arguments brought forward by referring to what happened in regard to that resolution in the House. It was said that the Government did not sympathise with the depressed classes and that the Government opposed the resolution.

(*Pandit Nanak Chand in the Chair.*)

I wish to read to the House the wording of the resolution. It reads thus:—

"This Council recommends to the Government to issue instructions to all local bodies having charge of public wells to cancel all rules or orders prohibiting untouchables from drawing water from public wells and to take necessary steps to ensure that people of the untouchable classes are not prevented from drawing water from such wells."

The first part of the resolution was that Government should cancel all rules or orders which the local bodies had on the subject of the use of public wells by the depressed classes. The position of the Government was that they were aware of no rules on the subject and that therefore there was

[Hon'ble Malik Firoz Khan, Noon.]

nothing to cancel. It was also said on behalf of the Government that the first part of the resolution could not be adopted as the honourable mover was not able to point to any rule of any local body dealing with the subject. The result was that the honourable mover himself withdrew the first part of the resolution. Then the discussion proceeded on the second part which reads as follows :—

"This Council recommends to the Government to take necessary steps to ensure that people of the untouchable classes are not prevented from drawing water from public wells in charge of local bodies."

With this part of the resolution the Government said that they were in sympathy, but wished to know what action they were expected to take. I shall just read a few words more from the reply of the member of Government on the subject. Mr. Dunnett said—

"If the House passes this resolution, I do not imagine the Government has any objection to the object underlying this resolution. But do tell us what we are expected to do that we are not doing now. What are we not doing that we ought to do? What are we doing now that we ought not to have done? Pray tell us clearly. If this resolution is passed, what do you want us to do? But if on this discussion, without disclosing any grounds of complaint, or any wrong action on the part of the Government or any neglect on their part, this resolution is passed, I really do not see what action Government can take at all."

So it was on account of the fact that the resolution as it stood then was meaningless and that the mover and other members were not able to advance any argument on which the Government could take any action, to point out any lines on which the Government may act, that it was not possible to accept the resolution. The matter was entirely in the hands of local bodies and municipalities where there were elected representatives, and if they wished that anything should be done, they could have very well approached the local bodies direct and then come to Government. The honourable member from Hoshiarpur in the course of the debate suggested that the Government might issue instructions that the police should accompany every member of the depressed classes going to and coming from a well so that nobody could prevent him from taking water. How can any Government agree to carry out such a duty? It was thus on account of the absurdity of the resolution that the Government was not able to accept it, not on account of any lack of sympathy with the depressed classes.

(Mr. President resumes the Chair.)

Mr. M. A. Ghani : I move—

"That the question be now put."

The motion was carried.

Mr. President : Question is—

"That the following be added after sub-clause (7) (vii) :

"a loan advanced to a non-Muhammadan who is not a member of an agricultural tribe."

The Council divided : Ayes : 13 ; Noes : 40.

AYES : 18.

Diwan Bahadur Raja Narendra Nath.
 Dr. Gokul Chand, Narang.
 Mr. Labh Singh.
 Rai Bahadur Lala Sewak Ram.
 Pandit Nanak Chand.
 Lala Mukand Lal Puri.

Lala Gopal Das.
 Lala Joti Parshad.
 Rai Bahadur Lala Rattan Chand.
 Lala Kesho Ram, Sekhri.
 Lala Bodh Raj.
 Rai Bahadur Lala Dhanpat Rai.
 Mr. V. F. Gray.

NOES : 40.

Khan Bahadur Khwaja Abdur Rahman.
 Mr. C. A. H. Townsend.
 The Honourable Malik Firoz Khan, Noon.
 Khan Bahadur Nawab Muzaffar Khan.
 Mr. W. R. Wilson.
 Khan Bahadur Sayad Maqbul Shah.
 Mr. D. Macfarlane.
 Mr. M. A. Ghani.
 Mian Muhammad Fakhar-ud-Din.
 The Honourable Mr. Manohar Lal.
 The Honourable Sardar Sir Jogendra Singh.
 The Honourable Mr. A. M. Stow.
 Mr. Alan Mitchell.
 Lala Ram Lal.
 Mr. C. M. G. Ogilvie.
 Mr. H. M. Cowan.
 Dr. (Mrs.) M. C. Shave.
 Mr. S. L. Sale.
 Khan Bahadur Captain Sardar Sikander Hyat Khan.
 Mian Ahmad Yar Khan, Daultana.

Sayad Mubarik Ali Shah.
 Khan Sahib Khan Muhammad Saifullah Khan.
 Mr. Din Muhammad.
 Maulvi Sir Rahim Bakhsh.
 Malik Nawab Major Talib Mehdi Khan.
 Sayad Muhammad Husain.
 Khan Bahadur Malik Muhammad Amin Khan.
 Khan Bahadur Chaudhri Fazl Ali.
 Khan Bahadur Mian Muhammad Hayat, Qureshi.
 Shaikh Abdul Ghani.
 Sardar Buta Singh.
 Chaudhri Muhammad Abdul Rahman Khan.
 Chaudhri Afzal Haq.
 Shaikh Muhammad Sadiq.
 Sardar Hira Singh, Narli.
 Sardar Hari Singh.
 Lt. Sardar Raghubir Singh.
 Sardar Bahadur Captain Dalpat Singh.
 Sardar Bahadur Sardar Sheo Narain Singh.
 Sardar Mohindar Singh.

Mr. Labh Singh [Rawalpindi Division and Lahore Division, North (Non-Muhammdan), Rural] : Sir, I beg to move—

“That after sub-clause (7) (vi) of clause 2 the following new sub-clause be added :—
 ‘(viii) a casual loan.’”

I do not think, Sir, any very lengthy reasoning is necessary to commend this very simple, obvious and almost truistic proposition to the House. Nor do I think in the present temper of the House it will serve any useful purpose if I were to dilate even on an obvious thing like this. All that this amendment seeks to do is that casual loans advanced by one friend to another

[Mr. Labh Singh.]

should not be brought within the operation of this Bill. Supposing I am here at Lahore and just need a thousand rupees, I ask any of my friends for a loan of the amount and the friend gives me a cheque as requested. Now supposing that the date which has been prescribed here comes up in a day or two and I do not happen to go back to my place and the money is not returned, what would happen? There will be served on me a notice in the prescribed form and that prescribed form is going to be, as it was insisted last time when we considered this Bill, not in the form of a letter in an envelope addressed to the borrower, but a post card so that anybody who sees the prescribed form even from a mile would at once come to know that it is the notice which, under this peculiar law is going to be fashioned for us, creditors serve on their borrowers and debtors. It is just to avoid the disgrace and inconvenience resulting from this provision of the Bill in the case of such casual loans and transactions that I submit that casual loans should be excepted from the operation of this Bill. I do not want to dilate upon it any further except to make the remark that the discussion that has taken place in the Council to-day and the discussion as it took place yesterday and the day before have revealed to us two or three certain very untanny things and one of these is that the notions of financial credit that ought to be entertained and which are entertained the world over are not the notions which commend themselves to certain gentlemen of this House who claim that they represent the borrowing classes. So there is a fundamental difference of opinion, a conflict of interests perhaps, on this particular point, and the two notions appear to me to be irreconcilable. Credit, as we phrase it in Punjabi, is something very aerial which the very breath of suspicion would destroy, something which is very delicate and therefore has got to be preserved in a way which would not be very public. If an individual were to make public every one of his own monetary transactions, I do not think he will be said to command much credit ere long. But from the view-point of the people who claim that they represent the borrowing classes in this Council, this notion of credit does not carry any meaning. Apart from that, one thing more I have to remark and that is that we have been treated to the strange dogma that there is a stigma in moneylending. The view has been propounded before us that there is necessarily a stigma attaching to the profession of moneylending.

Mr. President : May I ask the honourable member to speak to the new clause that a casual loan should be made an exception? That is the point which he has to speak to.

Mr. Labh Singh : I am speaking to the proposition which is before the House, namely, that a casual loan should be excepted, and I have made my meaning sufficiently clear and I want only to reinforce my argument by adding that if you are to entertain the view that moneylending is subject to a certain stigma which is evidently the view which is not only casually propounded by them, but is shared by them on that side of the House, I would submit that at any rate a casual loan should be excepted from that stigma.

Mr. President : It is proposed—

“That the following new sub-clause be adopted after sub-clause (7) (vi) of clause 2:
(viii) ‘a casual loan.’”

Question is that the proposed new sub-clause be taken into consideration.

Motion was lost.

Sub-clause (8).

Mr. President : Question is—

“That sub-clause (8) of clause 2 stand part of the Bill.”

Motion was carried.

Sub-clause (9).

Mr. V. F. Gray (Punjab Chamber of Commerce and Trades Association, Commerce) : Sir, I beg to move—

“That in sub-clause (9) of clause 2, line 4, all the words occurring after the word ‘immovable’ be deleted.”

It seems to me that we are running a great danger in naming a certain number of types of traders. You say “and shall include.” Does not that rather imply that it shall not include other types of traders? The very amendment that is coming next points to that. Does it not rather imply that by naming the wholesale merchant we are precluding the retail merchant? We have been given to understand that this Bill is for the illiterate and ignorant borrower and is not to interfere in any way with trade or commerce. Are we to assume that the wholesale merchant is the only type of merchant allowed? Are we to assume that the large wine and spirit merchants on the Mall who are retail merchants are not among the exemptions? How are we to understand that the large motor concerns in Lahore who are retail traders will not come under the penalties of this Act? Are we to understand that theatres, hotels, cinemas, drapers, etc., are not to come under this exemption because we have nominated only six classes of persons who are to be considered as traders? Would it not be much wiser to define the word trader, and not specify some traders? I want to emphasise to the House that this is a question of a loan to a trader. I am not asking for exemption for loans by a trader. This only refers to loans to a trader. Surely a trader is not an ignorant man who cannot protect his own interests. The inclusions you are adding here imply that other traders whom you have not specially mentioned will become subject to this Bill. I therefore ask the House to accept the deletion I have proposed.

Mr. President : The amendment moved is —

“That the words ‘and shall include’ a wholesale merchant, a commission agent, a broker; a manufacturer; a contractor, a factory owner,’ be omitted.”

Rai Bahadur Lala Dhanpat Rai (Punjab Industries) : I would have agreed with my honourable friend who has just now moved his amendment if a broker or a contractor had been included in the definition of a trader. As it is, “Trader means a person who in the regular course of business buys

[Rai Bahadur Lala Dhanpat Rai.]

and sells goods or other property, whether movable or immovable, and shall include a wholesale merchant," and so on. A broker and a contractor are included there. If you include a broker and a contractor in this definition, then I will have no objection to this amendment. But as it stands I am against it because it will leave out two very important classes of persons.

Dr. Gokul Chand, Narang : I am extremely sorry to have to oppose an amendment, perhaps the only one, that Mr. Gray has been pleased to table so far. The effect of his amendment would be that all these people who are included here would go out—the wholesale merchant, the commission agent, the broker, the manufacturer, the contractor, the factory owner. My honourable friend probably thinks that a trader cannot mean all these. He forgets for the moment that we are not writing a dictionary. A trader, strictly speaking, in the dictionary sense, may not mean or include a factory owner or a contractor, and so on. That is the very reason why for the purposes of law the definition of a trader has been expressly extended so as to include all these people. Another point which my friend has made is that there is no sense in including a wholesale merchant and excluding a retail merchant who is *par excellence* a trader. He is perfectly right there. In the select committee we thought the word trader would primarily refer to a retail merchant, but thinking that it might be open to doubt—and this is an instance where it may be open to doubt as Mr. Gray himself seems to be in doubt—I have tabled an amendment which asks for the inclusion within this definition of trader a moneylender and a retail vendor.

Mr. President : The honourable member may move his amendment now and speak on it. He may not be allowed to move it later.

Dr. Gokul Chand, Narang : I move my amendment which runs as follows :—

"That in sub-clause (9) of clause 2 the words 'a moneylender and a retail vendor' be added."

I hope on this point at least the honourable members on the Government benches would agree with me that it was never the intention either of the framers of this Bill or of any member of the select committee to omit a moneylender from the exemption. If a loan to a trader is exempted, a loan to a moneylender, *a fortiori*, should also be omitted, and if I am not mistaken, a loan to a money lender was omitted in the original Bill. I think it was the merest slip on our part that the word moneylender was not included and therefore I have tabled this amendment. (*Interruption.*) A loan not by a moneylender, but to a moneylender. I am surprised—I would not use a stronger word—at the mentality shown even towards this simple, harmless amendment. To me it seems absolutely on a par with the clause as it stands. I do not think there will be any objection for the exemption of a loan by one moneylender to another moneylender. If this amendment is not accepted, then that shows that really the object of the Bill must be entirely different from the one which is professed. It may be said that moneylending is not defined; but who requires the definition of moneylending? Is there any member of this House so simple as not to understand the term moneylending. If you are afraid of the word moneylender, then say creditor. I do not mind if that

suits the honourable Legal Remembrancer because "creditor" has been defined here. "Creditor" means a person who in the regular course of business advances a loan as defined in this Act and shall include subject to the provisions of section 3 the legal representatives and the successor in interest, whether by inheritance, assignment or otherwise, of the person who advanced the loan. I should like to know if there is any objection to my amendment at all. I used the word moneylender in the same sense in which the word creditor is used. I therefore do not see any reason why my amendment may not be accepted.

Mr. President : Amendment moved is—

"That in sub-clause (9) of clause 2 the words 'A money-lender and a retail vendor' be added."

Mr. S. L. Sale : May I suggest that as regards this amendment it be taken in two parts and put to the House separately? There are many observations which Dr. Gokul Chand, Narang, made in his speech which I quite endorse. It is a fact that in the select committee, when this definition of trader was put in, it was thought that as certain persons, such as commission agents and brokers and so forth, might not come in the definition of the trader, it would be desirable specifically to mention those in the definition. Otherwise the definition is not intended to be exhaustive; it is, rather, illustrative; and the reason why the retail merchant is not mentioned is because it was considered that a retail merchant would obviously be covered by the definition. A trader means a person who in the regular course of business buys and sells goods. That must obviously cover a retail merchant and because it was so obvious we did not mention it specifically. But I can assure Mr. Gray that it is the intention of the framers of the Act that a retail merchant should be given the same consideration as a wholesale merchant. I think there is no objection to accepting that portion of Dr. Gokul Chand, Narang's, amendment which would insert the words "retail vendor." I should have preferred the wording of the amendment of Rai Bahadur Lala Sewak Ram had it been moved, to the effect that between the words "wholesale" and "merchant" the words "or a retail" be inserted. That is an amendment which Government would have accepted. But Government cannot accept that part of Dr. Gokul Chand, Narang's, amendment which would insert the word "moneylender." In the first place this Bill is very careful not to mention the word "moneylender" anywhere.

Mr. Labh Singh : I have got an amendment asking for the insertion of the word "creditor."

Mr. S. L. Sale : We must oppose the insertion of the word "creditor" just as much as the word "moneylender." The House has already, I think, showed its opposition to the idea that certain classes of debtors should be protected by this Bill. They had opposed, for example, the idea of a loan advanced to a non-Muhammadan who is not a member of an agricultural tribe. On the same principle we do not want to admit in this portion of the definition of trader what is in effect a provision that certain classes should be exempted from the provisions of this Bill. Whether the word used is creditor or moneylender, it comes very much to the same thing. The intention of this clause is merely to exempt a loan to a trader. The trader is one who

[Mr. Sale.]

deals in a certain class of goods and I think it is not in accordance with the ordinary usage of the word to suppose that the person.....

Mr. President : If the honourable member proposes to move an amendment, he would please give it to me in writing?

Mr. S. L. Sale : I wish to move the amendment standing in the name of.....

Mr. President : That cannot be allowed. A substantive motion requires notice, it may be only a moment's notice. But a member cannot be allowed to move an amendment standing in the name of another member.

Mr. S. L. Sale : If I cannot be allowed to move the amendment, then I would like my assurance to come down on the records of this House that I agree that the word "trader" covers a retail trader.

Mr. President : I may point out that the assurance of the Legal Remembrancer is absolutely of no value, as it cannot form part of the Act and a reference to debates is not allowed by courts.

Mr. S. L. Sale : Then I will put in the amendment.

Mr. President : Another amendment just sent to me by Mr. Labh Singh runs thus : "that in sub-clause (9) of clause 2 the words 'a creditor' be added." Will the honourable member move it?

Mr. Labh Singh [Rawalpindi Division and Lahore Division, North (Non-Muhammadan) Rural] : Sir, I beg to move—

"That in sub-clause (9) of clause 2 the words 'a creditor' be added."

The object of this amendment is that in this string of words a wholesale merchant, a commission agent, a broker, a manufacturer, etc., the words "a creditor" should also appear somewhere, either at the end or at the top or anywhere in the middle. The object is perfectly obvious. The amendment which was tabled by my friend Dr. Narang used the word "money-lender." An objection has been raised that the word is not anywhere defined in this Bill or elsewhere and the use of it would create difficulties. Therefore I propose that the phrase "a creditor" be inserted because the word creditor has been defined in clause 2, sub-clause (5) of this Bill. The reason for this amendment is that we have been told that this Bill is designed primarily for the protection of ignorant borrowers. Moneylenders or traders certainly do not *ex hypothesi* belong to that class, and the clause under discussion itself expressly lays down that traders, brokers, manufacturers and the rest of them as enumerated there do not belong to that class of ignorant borrowers. Therefore this class of people and the monies lent to them need no special protection which is sought to be provided by this Bill. I would submit, Sir, if the Bill is designed to protect the ignorant borrowers only, then a person who lends money needs no protection. It is also notorious that there are a large number of people who carry on the business of moneylending not with their own capital, but with capital borrowed from others, usually borrowed from banks or even private individuals. This amendment, Sir, is a perfectly harmless thing on its merits, but if we are not inclined to consider amendments on their merits, it is a separate matter. I would therefore respectfully submit that this perfectly harmless amendment may be accepted.

Mr. President : Amendment moved is—

"That the words 'a creditor' be added in sub-clause (9) of clause 2."

Diwan Bahadur Raja Narendra Nath Punjab (Land-holders, General) : I should like to say a few words, Sir. The policy of exempting certain classes has been recognised by the Bill. The sort of exemption which is now proposed is quite different from the sort of exemption which has already been negatived by this Council. Some of my friends wanted men who are literate, men who belong to non-agricultural tribes, men who are non-Muhammadans, to be exempted. But the exemption now asked for is quite on a different basis. The word creditor has been considered by this Council to be somewhat identical with moneylender. When an amendment was proposed that loans by a trader should be exempted, it was pointed out to the mover of the amendment that to insert such an amendment would frustrate the objects of the Bill. If "trader" and "moneylender" are for all practical purposes identical terms or are terms that one can take the place of the other, then I do not see if loans to traders are exempt why should loans to a moneylender not be exempted. There ought to be some consistency in the policy which this Bill follows, and I dare say that, by rejecting the amendment now proposed by my learned friend the member from Gujranwala, the Council would be following an example which it would be difficult to reconcile with the action which it has already taken with regard to the exemption which it has allowed. So for the sake of consistency throughout the Bill, I would insist that the amendment moved by my friend from Gujranwala should be accepted.

Mr. S. L. Sale : I beg to move—

"That in sub-clause (9) of clause 2 between the words 'wholesale' and 'merchant' the words 'or a retail' be added."

I do not wish to add anything. The object of the amendment is to meet the difficulties of Dr. Gokul Chand, Narang.

Mr. President : Amendment moved is—

"That in sub-clause (9) of clause 2 between the words 'wholesale' and 'merchant' the words 'or a retail' be added."

Mr. V. F. Gray : Sir, I am very glad to see this amendment having been moved. I only moved my amendment because I understood Government would not accept the one they have now moved, but I did not know it was because they thought it unnecessary. As in the face of this amendment I do not consider mine necessary, I ask for leave to withdraw it.

Amendment was by leave withdrawn.

Mr. President : Now I shall put the amendments which have been moved one by one. Question is—

"That in sub-clause (9) of clause 2 the word 'moneylenders' be added."

Motion was lost.

Mr. President : Question is—

"That in sub-clause (9) of clause 2 the words 'a creditor' be added."

The Council divided : Ayes 18, Noes 38.

Ayes : 18.

Diwan Bahadur Raja Narendra
Nath.
Dr. Gokul Chand, Narang.
Mr. Labh Singh.
Chaudhri Kesar Singh.
Pandit Nanak Chand.
Lala Mukand Lal Puri.

Noes : 38.

Khan Bahadur Khwaja Abdur
Rahman.
Mr. H. Calvert.
Mr. C. A. H. Townsend.
The Honourable Malik Firoz
Khan, Noon.
Khan Bahadur Nawab Muzaffar
Khan.
Mr. W. R. Wilson.
Khan Bahadur Sayad Maqbul
Shah.
Mr. D. Macfarlane.
Mr. M. A. Ghani.
Mian Muhammad Fakhar-ud-
Din.
The Honourable Mr. Manohar
Lal.
The Honourable Sardar Sir
Jogendra Singh.
The Honourable Mr. A. M. Stow.
Mr. Alan Mitchell.
Lala Ram Lal.
Mr. C. M. G. Ogilvie.
Mr. H. M. Cowan.
Mr. S. L. Sale.
Khan Bahadur Captain Sardar
Sikander Hyat Khan.
Mian Ahmad Yar Khan, Daul-
tana.

Lala Gopal Das.
Lala Joti Parshad.
Rai Bahadur Lala Rattan Chand.
Lala Kesho Ram, Sekhri.
Sardar Narain Singh.
Lala Bodh Raj.
Rai Bahadur Lala Dhanpat Rai.

Sayad Mubarik Ali Shah.
Khan Sahib Khan Muhammad
Saifullah Khan.
Mr. Din Muhammad.
Chaudhri Zafrullah Khan.
Maulvi Sir Rahim Bakhsh.
Malik Nawab Major Talib Mehdī
Khan.
Sayad Muhammad Husain.
Khan Bahadur Malik Muham-
mad Amin Khan.
Khan Bahadur Chaudhri Fazl
Ali.
Khan Bahadur Mian Muhammad
Hayat, Qureshi.
Makhdumzada Sayad Muhammad
Raza Shah, Gilani.
Shaikh Abdul Ghani.
Sardar Buta Singh.
Chaudhri Muhammad Abdul
Rahman Khan.
Chaudhri Afzal Haq.
Sardar Harbakhsh Singh.
Sardar Bahadur Captain Dalpat
Singh.
Sardar Bahadur Sardar Sheo-
Narain Singh.

Motion was lost.

Mr. President : Question is—

"That in sub-clause (9) of clause 2 between the words 'wholesale' and 'merchant' the words 'or retail' be added."

Motion was carried.

Khan Bahadur Mian Muhammad Hayat, Qureshi [Shahpur West (Muhammadan) Rural] (Urdu) : Sir, I beg to move—

That after sub-clause (9) of clause 2 the following be added :—

"but it shall not include a person who sells his own agricultural produce or cattle or buys agricultural produce or cattle for his own use."

Sir, this is an amendment to which no member ought to object and I am sure that no one would object to it. My object in moving this amendment is that in the definition of 'trader' such zamindars may not be included who sell or buy their agricultural produce or cattle for their own use. Often these zamindars have to sell and buy agricultural produce and also cattle not because they regularly deal in such things, but because the exigencies of their calling as zamindars require them to have occasional recourse to it and it is very likely that the courts might interpret the word 'trader' to include such zamindars. It is to avoid such interpretation being put that I have moved this amendment. If this amendment is not incorporated in the Bill and the courts happen to put such an interpretation on the word 'trader,' the whole object of the Bill will be defeated. It is therefore necessary to incorporate these words and I hope that this amendment will be accepted. With these words I commend it to the House for its acceptance.

Mr. President : Amendment moved is—

"That the following new clause be adopted after sub-clause (9) of clause 2 :

'but it shall not include a person who sells his own agricultural produce or buys agricultural produce or cattle for his own use.'

Question is that the new clause be taken into consideration.

Motion was carried.

The Honourable Sardar Sir Jogendra Singh : Sir, I think it would be better if some honourable member will explain the meaning of this amendment. Personally I have not been able to follow the point as to how this amendment will benefit the agriculturists.

Shaikh Abdul Ghani : I think confusion has arisen out of the words 'in the regular course of business buys or sells.' I think the expression as it is is quite clear. An agriculturist who buys or sells his articles will not be deemed to be a trader in the ordinary sense of the definition because he does it periodically and occasionally. He will buy only when he has not got enough stock of agricultural produce or cattle or he will sell only if he has a surplus of these and so he will not be understood to be a trader in the regular sense of the expression. But in order that there may be no misgiving on the point the honourable mover wants to make it clear by the addition of the words he has suggested. There is no harm in allowing the definition to remain as it is. But there is some slight fear that the court may not be misled by the definition given in the Bill. Anyhow, if the court interprets the words in the definition in the way the honourable mover fears it may be interpreted, it will really be an absurd interpretation of the expression 'in the regular course of business.'

Honourary Lieutenant Sardar Raghubir Singh [Amritsar (Sikh), Rural] (Urdu) : Sir, I think that the honourable mover fears that the zamindars who give wheat, gram and other grains and cattle to their tenants as loans and who charge interest thereon may not be included in the definition

[Honorary Lieutenant S. Raghubir Singh.]

of the word 'trader' and that is why he has moved this amendment. I think his fears are well founded and it is but reasonable that this amendment should be accepted.

Lala Kesho Ram, Sekhri : Sir, I am sorry I do not understand what this amendment means.

Mr. President : The honourable member may resume his seat and try to understand the motion before speaking on it. Meanwhile, I call Sayad Muhammad Husain.

Lala Kesho Ram, Sekhri : I do understand the motion, though I am not sure whether I understand it correctly. However, I shall speak on the motion in the light of what I understand by it.

This amendment makes the whole thing absurd, (*Hear, hear*) because the amendment runs like this: 'but it does not include a person who sells his own agricultural produce or cattle.' Supposing he sells once in a year, it means that he becomes a trader thereby. That is the definition of trader. Trader as defined in the Bill means a person who in the regular course of business buys and sells goods or other property. I have been hearing all these days that this Bill is intended to protect the honest borrower against the dishonest moneylender. But in the motion the honourable mover wants to protect the agriculturist trader by exempting him from this Bill. Possibly my friend is under the impression that a trader need not prepare books of accounts. Is he expected to be above all these returns which are prescribed in the Bill? If you are dealing with an agriculturist who is a trader, even though he may sell his agricultural produce or cattle even once a year, he should not be entitled to any exemption.

Khan Bahadur Captain Sardar Sikander Hyat Khan : Sir, I think the honourable member must first be asked to really understand the question before the House before he makes any speech on it.

Lala Kesho Ram, Sekhri : I shall explain myself according to my own lights. If you include this man who sells his own agricultural produce or cattle, Sir, whether he sells it once, twice or thrice, or his business is to sell cattle or his business is to sell agricultural produce, how does he become a trader? This is of course beyond me to understand.

Sayad Muhammad Husain [Montgomery (Muhammadan) Rural] : Sir, the amendment moved by my honourable friend from Shahpur really is to safeguard against the interpretation of this Act.

Dr. Gokul Chand, Narang : Kindly explain to us the amendment.

Sayad Muhammad Husain : For the enlightenment of my honourable friend I may say, lest the word 'trader' may also include a zamindar, the words proposed should be added. This is the crux of it. (*Interruption.*) Our fears and apprehensions, laymen as we are, are based upon the interpretation of learned judges who may put any interpretation

on it. We want to make it as clear as possible that the word zamindar may not be interpreted by them to come within the category of traders. These are our fears. A clear law like the Land Alienation Act has been nullified practically by the interpretation of the learned judges of the High Court. In order to safeguard that, we want to make it clear, as clear as possible, that the agriculturists may not be included in the word trader, lest some learned judges may come up and say, the zamindar sells his agricultural produce periodically, he sells his cattle, and so he is a trader. It is, Sir, to safeguard against the pro-moneylending judiciary that we want to introduce this clause. If the Government really wants that this Act should not be a dead letter, but a living law, they should adopt this amendment.

Sardar Harbakhsh Singh [Hoshiarpur and Kangra (Sikh), Rural] : (Urdu) : Sir, if my opinion were asked in this matter, I would like that the scope of this amendment be further extended. Sir, in the definition of the word 'trader' besides wholesale merchant, commission agent, broker, contractor and factory owner, manufacturer is also included, and because the zamindars manufacture *gur* and *shakkar* which they sell it is feared that they may not be included in the definition of the word 'trader.' They also sell and buy agricultural produce and cattle and give these things on loan as well, as has been pointed out. It is therefore necessary that this new clause be added in the Bill so that no room may be left for doubt. With these words I support this amendment.

Dr. Gokul Chand, Narang [North-West Towns (Non-Muhammadian), Urban] : I just want to say, Sir, one word. I think the amendment as it stands, or the clause as it stands, goes much too far, and in fact beyond the object the mover has in view. The amendment reads :

"it shall not include a person who sells his own agricultural produce."

The amendment as it stands above shall not include a person who sells cattle. I do not suppose this is the object of the honourable mover of the amendment. Are dealers in cattle to be treated as traders or not ? (Interruption.) I am taking what is printed here. "Who sells his own cattle?" I do not believe that this is to apply to cattle-lifters, who sell other people's cattle. I think every one sells his own cattle, otherwise he would be only a commission agent or one who steals cattle and sells them. He steals them in Lahore and sells them in Montgomery. I think the amendment is rather loosely worded and absurd. I think it should not find a place in this clause at all.

Mr. President : Question is—

"That after sub-clause (9) of clause 2 the following be added :

"but it shall not include a person who sells his own agricultural produce or cattle or buys agricultural produce or cattle for his own use."

The Council divided : Ayes : 37 ; Noes : 13.

AYES : 37.

Khan Bahadur Khwaja Abdur Rahman.
 Mr. H. Calvert.
 Mr. C. A. H. Townsend.
 The Honourable Malik Firoz Khan, Noon.
 Khan Bahadur Nawab Muzaffar Khan.
 Mr. W. R. Wilson.
 Khan Bahadur Sayad Maqbul Shah.
 Mr. D. Macfarlane.
 Mian Muhammad Fakhar-ud-Din.
 The Honourable Mr. Manohar Lal.
 The Honourable Sardar Sir Jogendra Singh.
 The Honourable Mr. A. M. Stow.
 Mr. Alan Mitchell.
 Lala Ram Lal.
 Mr. H. M. Cowan.
 Mr. S. L. Sale.
 Khan Bahadur Captain Sardar Sikander Hyat Khan.
 Mian Ahmad Yar Khan, Daultana.
 Sayad Mubarik Ali Shah.

Khan Sahib Khan Muhammad Saifullah Khan.
 Mr. Din Muhammad.
 Chaudhri Zafarullah Khan.
 Maulvi Sir Rahim Bakhsh.
 Malik Nawab Major Talib Mehdi Khan.
 Sayad Muhammad Husain.
 Khan Bahadur Malik Muhammad Amin Khan.
 Khan Bahadur Chaudhri Fazl Ali.
 Khan Bahadur Mian Muhammad Hayat, Qureshi.
 Makhdumzada Sayad Muhammad Raza Shah, Gilani.
 Shaikh Abdul Ghani.
 Chaudhri Muhammad Abdul Rahman Khan.
 Chaudhri Afzal Haq.
 Sardar Hari Singh.
 Sardar Harbakhsh Singh.
 Sardar Bahadur Captain Dalpat Singh.
 Sardar Bahadur Sardar Sheo-Narain Singh.
 Mr. E. Maya Das.

NOES : 13.

Diwan Bahadur Raja Narendra Nath.
 Dr. Gokul Chand, Narang.
 Mr. Lakh Singh.
 Rai Bahadur Lala Sewak Ram.
 Chaudhri Kesar Singh.
 Pandit Nanak Chand.

Lala Mukand Lal Puri.
 Lala Gopal Das.
 Lala Joti Parshad.
 Lala Kesho Ram, Sekhri.
 Sardar Narain Singh.
 Lala Bodh Raj.
 Rai Bahadur Lala Dhanpat Rai.

Mr. President : Question is—

“That sub-clause (9) of clause 2 as amended stand part of the Bill.”

Motion was carried.

Clause 3.

Sub-clause (1) (a).

Mr. Labh Singh : Sir, I beg to move—

"That in sub-clause (1) (a) of clause 3 the words 'in addition to such accounts as he may ordinarily maintain' be omitted."

Sir, if you will please look at the clause, you will find that these words as they occur in the clause are, on my reading of the text, either certainly superfluous, or possibly mischievous. In the first case, it will mean no harm if they are omitted. In the second case, that is, if they are mischievous, or possibly mischievous, their omission will do good. In either case we stand to gain by making this amendment. I therefore move the amendment for the acceptance of the House.

Mr. President : Amendment moved is—

"That in sub-clause (1) (a) of clause 3 the words 'in addition to such accounts as he may ordinarily maintain' be omitted."

Mr. President : Question is—

That the words proposed to be left out be omitted.

Motion was carried.

Lala Mukand Lal Puri : I beg to move—

"That the following proviso be added to sub-clause 1(a) of clause 3 :—

'Provided that the creditor shall not be compelled to keep account in a script which he cannot read or write.'

The object of this legislation is, I take it, to compel the creditors as defined in the Act to keep accounts in a particular form and to insist upon their sending a copy of these accounts to their debtors. It is not intended, I take it, by this legislation indirectly to place a particular script or language in a position of preference over others. Nor could it be the desire that the creditors should be compelled to keep accounts in a language which they cannot read or write. I submit that the House could have no objection to this proposal that a creditor should not be compelled to keep accounts in a language which he does not understand and which he does not know. With these words I move my amendment.

Mr. President : Question is—

"That the following new proviso to sub-clause 1 (a) of clause 3 be taken into consideration :—

'Provided that the creditor shall not be compelled to keep accounts in a script which he cannot read or write.'

Motion was lost.

Mr. V. E. Gray : Sir, I beg to move—

That to sub-clause (1) (a) of clause 3 the following proviso be added :—

"Provided that nothing in this sub-clause shall apply to a creditor who regularly keeps his accounts according to the recognised English system of accountancy by double entry, maintaining at least a day book (or a cash book) and a ledger, who otherwise complies with the provisions of this section."

My main reason in moving this amendment is to protect the interests of commerce and trade. They might easily overlap in this Act, especially as the loans by a trader have been cut out. Apart from that, I consider that this provision would be of much educational value. The real object of a measure like this in the Punjab is to see that accounts are kept regularly.

[Mr. Gray.]

according to method. Primitive people cannot but follow primitive methods, but educated people surely should be encouraged to keep a better system of accounts. Accounts have to be maintained in a form perfectly understandable in any court of law and to prohibit the keeping of accounts in the style recognised throughout the world would be a retrograde step. There is no doubt that accounts kept according to double entry accountancy are impossible of fraudulent manipulation in later years. I therefore move this amendment.

Mr. President : New clause moved for adoption is—

“That to sub-clause (1) (a) of clause 3 the following proviso be added :—

“Provided that nothing in this sub-clause shall apply to a creditor who regularly keeps his accounts according to the recognised English system of accountancy by double entry, maintaining at least a day book (or a cash book) and a ledger, who otherwise complies with the provisions of this section.”

The next proviso which is *pari materia* with the one I have just put to the House might be moved so that both of them might be discussed together.

Khan Bahadur Captain Sardar Sikander Hyat Khan (Muhammadan Land-holders) : Sir, I want with your permission to move a slightly altered proviso to what has been printed in the list.

Mr. President : Yes, the honourable member may move a new proviso if he does not wish to move the one of which he has already given notice.

Khan Bahadur Captain Sardar Sikander Hyat Khan : Sir, I beg to move—

“That the following proviso be added to sub-clause (1) (a) of clause 3 :—

‘Provided that any creditor who regularly keeps his accounts according to a system of accountancy by double entry, maintaining at least a cash book, a day book and ledger in which is recorded a separate account for each debtor, and who otherwise complies with the provisions of this section, shall not be required to record and maintain the additional account prescribed by this sub-clause.’

‘*Explanation.*—Accountancy by double entry means a mode of bookkeeping in which two entries of every transaction are posted to the ledger, one to the debit side of one account and the other to the credit side of another account, thereby keeping the ledger in perfect balance.’”

I hope, Sir, that Mr. Gray will probably approve of this proviso and not press his own and will support mine.

Mr. V. F. Gray : I withdraw my amendment in favour of the one proposed by Captain Sikander Hyat Khan.

The amendment (of Mr. Gray) was by leave withdrawn.

Mr. President : New proviso moved to be adopted is—

“That to sub-clause (1) (a) of clause 3 the following proviso be added :—

‘Provided that any creditor who regularly keeps his accounts according to a system of accountancy by double entry, maintaining at least a cash book, a day book and ledger in which is recorded a separate account for each debtor, and who otherwise complies with the provisions of this section, shall not be required to record and maintain the additional account prescribed by this sub-clause.’

‘*Explanation.*—Accountancy by double entry means a mode of bookkeeping in which two entries of every transaction are posted to the ledger, one to the debit side of an account and the other to the credit side of another account, thereby keeping the ledger in perfect balance.’”

Question is, that this proviso be taken into consideration.

Motion was carried.

Lala Kesho Ram, Sekhri : What does this explanation mean? Will the honourable mover kindly explain?

Lala Mukand Lal, Puri : We want that the proposer of this amendment should kindly explain what he means. The words are "who otherwise complies with the provisions of this section." Now the provisions of this section include sub-clause (1) also and the rules under this sub-clause may require a creditor to keep his accounts in Urdu only, and therefore even if the creditor keeps his accounts according to the double entry system in English if he does not comply with the provisions of this sub-clause which require him to keep his accounts in Urdu, does my honourable friend mean that he would have to comply with that rule also or will he be absolved from complying with the provisions of that rule?

Mr. President : Will the honourable member for Muhammadan Landholders' constituency please explain the meaning of the new clause he wished to be added to the Bill?

Khan Bahadur Captain Sardar Sikander Hyat Khan (Urdu) : Sir, as is clear from my amendment, I mean that double entries of every transaction should be made in the ledger book, one to the credit side and the other to the debit side, and thus the ledger book may be kept in perfect balance.

Lala Kesho Ram, Sekhri : Sir, I want to ask a question.

Mr. President : Please allow the honourable speaker to proceed uninterrupted and criticise him later.

Khan Bahadur Captain Sardar Sikander Hyat Khan : Well, Sir, coming to the point, I submit that, unlike Mr. Gray, I do not insist on the keeping of accounts in the English system alone as I do not like to see the *desi* system of keeping accounts replaced altogether. I think therefore that there should be no objection to my amendment being accepted, which aims at avoiding confusion, in the matter.

Lala Kesho Ram, Sekhri : Will he explain by taking a concrete example? Suppose a man has taken a loan. Will you explain how you are going to make an entry? Suppose the man has taken a loan of Rs. 500 and this entry goes into the cash book. Then does this entry also go into the ledger? How are you going to keep it in perfect balance?

Rai Bahadur Lala Rattan Chand (Nominated, Non-official) (Urdu) : Sir, the Indian and the English systems of maintaining accounts are not wholly identical. There is some difference between the two. For instance, we make credit entries on one side of the accounts book and debit entries on the other and we strike the balance after totalling all the entries on both sides. But in the English system of bookkeeping the balance is struck at the end of every page of the accounts book. I therefore request that we may be permitted to keep accounts according to the system to which we are accustomed. Otherwise it is very probable that most people will make a muddle of their accounts.

It is a pity, Sir, that, with the exception of Mr. Gray, there was no one in the select committee who could be said to possess a sufficient knowledge of these systems. No doubt there were some lawyers in the committee, but

[Rai Bahadur Lala Rattan Chand.]

they are not fully conversant with our system, and therefore could not be expected to do full justice to our point of view. That is why the select committee has not been able to pay due attention to this matter. I beg to submit, Sir, that if the new system of keeping accounts is thrust upon us, I fear that it will greatly hamper the trade and commerce of the province.

Similarly the introduction of a new language for keeping accounts will prove detrimental to commercial interests. Just now an amendment was moved to ventilate this grievance, but I am sorry that it has been rejected. Sir, the ordinary traders cannot afford to employ accountants on a monthly salary of Rs. 100 or so, and for this reason I request the House not to insist upon a wholesale reversal of the old system of keeping accounts. In the end I wish to make an appeal to the official members. They have always been supporters of just and true causes, but now it is thought that they are yielding to every demand of the majority, no matter whether it is just or unjust. I am a true well-wisher of the Government and in that capacity I request the Government in its own interests not to insist upon this amendment and maintain their tradition of justice and impartiality because otherwise the impression will gain ground that the Government is showing undue favour to the majority.

The Honourable Sardar Sir Jogendra Singh : I think the honourable member who has just spoken misunderstood the whole drift of this amendment. This amendment provides that anyone who keeps the double system of accounts gets an exemption and the members on the other side have been asking for an exemption.

Mr. S. L. Sale : I was also on the point of explaining that there has been some misunderstanding as to the exact meaning of this amendment. I wish to associate myself with the arguments advanced by the Honourable Sardar Sir Jogendra Singh as to the misunderstanding that exists. There is no compulsion to keep accounts in this form. The meaning is that if you ordinarily keep the accounts in this form, then you are exempt from the duty of maintaining any additional account for the purposes of this Act. But at the same time you will not be exempt from the duty of furnishing the accounts. I think that point must be made clear because the clause says "who otherwise complies with the provisions of this section." That means that the man who keeps the accounts on the double entry system is exempt from maintaining and recording the accounts, but he will still be under an obligation to send to the debtor a statement of the accounts in the form prescribed by the Government.

Shaikh Abdul Ghani : May I ask the proposer of this amendment whether he prescribes any language or script in which these accounts are to be kept? If this amendment is accepted, then the result would be that proviso (d) to clause 3 (1) (b) would not come. Now it is optional for him to keep the accounts in any script and, if you have the amendment in this indefinite way, you would be opening the door to many evasions of the Act. So I would have no objection, if the honourable Legal Remembrancer agrees, to insert the words "in any continental language."

Dr. Gokul Chand, Narang : On a point of order. We are not discussing the question of language.

Shaikh Abdul Ghani : I am making a suggestion that if no language or script is prescribed, then the proviso to clause (b) would have no effect.

Dr. Gokul Chand, Narang : I just want to say that the amendment moved by my friend Sardar Sikander Hyat Khan is a harmless one. There is no danger involved in this amendment. But I want to suggest the addition of just a word, the smallest perhaps in the English language, barring the indefinite article. There are many people who keep only one book which serves the purpose of a cash book and also of a day book. I would therefore suggest that after the words "cash book" a bracket may be placed and the word "or" may be added and the bracket closed. That is "cash book (or day book)." Those two books should be essential, a cash book and a ledger or a ledger and combined cash book and day book.

Mr. President : Will the honourable member give his amendment in writing ?

I do not know what will be the position of the House as to the following proviso which is already in the Bill—

"The Local Government shall prescribe the forms, language, script and numerals in which the accounts required by the provisions of this sub-section are to be maintained and furnished."

May I understand that if the accounts are kept in the form given in the proviso now moved, they might be kept in any script ?

Mr. S. L. Sale : No, no.

Mr. President : But if the new proviso is accepted, it shall certainly govern the proviso which is already in the Bill.

Mr. S. L. Sale : It is intended that this first proviso should in any case apply so far as the language, script and numerals are concerned.

Mr. President : I am afraid that object will not be achieved if the proviso already in the Bill remains as it is.

Mr. S. L. Sale : May I draw your attention to the words 'who otherwise complies with the provisions of this section' ?

Dr. Gokul Chand, Narang : I submit that we do not hear a single word of the debate that is now going on because it is raining. I suggest that the House may now adjourn. It is very difficult to follow the speeches of other members owing to the heavy downpour of rain.

Mr. H. M. Cowan : May I make a suggestion ? If honourable members refrain from conducting private conversations while the speeches are going on, they would be better able to hear.

Mr. President : I have not been able to follow the honourable member.

Dr. Gokul Chand, Narang : This is proof positive of my contention.

Mr. President : My power of hearing is perfect, but I cannot hear the honourable member.

Mr. H. M. Cowan : I suggest that if members cease to hold private conversations in the Chamber they will be better able to hear the speeches.

Mr. President : If there is no whispering, it is possible that the speeches might be heard.

Dr. Gokul Chand, Narang : Sir, I beg to move that the words ' a cash book and ledger ' in Captain Sikander Hyat Khan's amendment may be recast so as to read as follows : ' a ledger, a cash book or a day book.' This is only to improve as far as possible one part of the amendment. I am sending in another amendment so far as the explanation is concerned.

Mr. President : I have got in writing the amendments of Dr. Gokul Chand, Narang and Shaikh Abdul Ghani, but the other members of the House have not got them. Clause 3 is one of the most important clauses in the Bill, so it is very necessary that every member should have a copy of the amendments before they are discussed. I therefore propose to adjourn the House so that the amendments may be printed and distributed to the honourable members before the Council meets to-morrow.

The Council accordingly adjourned till 2 p. m. on Friday, the 13th December 1929.

PUNJAB LEGISLATIVE COUNCIL.

4TH SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

Friday, the 13th December 1929.

THE Council met at the Council Chamber at 2 P.M. of the clock. Mr. President in the Chair.

THE PUNJAB REGULATION OF ACCOUNTS BILL.

Clause 3.

Sub-clause (1) (a).

Mr. President : The new clause, moved by Captain Sikander Hyat Khan, was under consideration when the business of the Council was interrupted last evening. The Council will now resume discussion of the clause.

Khan Bahadur Captain Sardar Sikander Hyat Khan : Sir, as there seems to be certain amount of confusion and misapprehension about this proviso, I had a talk with my honourable friend Mr. Gray this morning. He suggested that it would meet his requirements and of other business men if something similar to this proviso was included in the rules; instead of moving these new clauses, he and I both agreed to withdraw them.

Mr. President : Mr. Gray has already withdrawn the new clause he had moved. Does the honourable member wish to withdraw his?

Khan Bahadur Captain Sardar Sikander Hyat Khan : Yes, if Government is prepared to give an assurance on that point.

Mr. President : A conditional withdrawal is no withdrawal.

The Honourable Mr. A. M. Stow (Finance Member) : Sir, I would like to say on behalf of Government that every consideration will be given in the framing of rules to the principle which underlies Mr. Gray's and Captain Sikander Hyat Khan's amendments to introduce a new clause.

The motion was by leave withdrawn.

Sub-clause (1) (b).

Dr. Gokul Chand, Narang [North-West Towns (Non-Muhammdan) Urban] : Sir, on sub-clause (1) (b) of clause 3 I have an amendment of my own and that is—

"That for sub-clause (1) (b) of clause 3 the following be substituted :—

"shall once in six months supply a copy of the account giving all the items advanced and received on a requisition to that effect being received by registered post from a borrower and may debit the borrower with such amount for copying and other charges as may be prescribed in this behalf."

[Dr. Gokul Chand Narang.]

Sir, this is what I consider to be one of the fundamental points in the whole Bill. We have no idea, no wish at all of concealing from the borrower what he owes to the creditor, nor what he has paid to the creditor, since the first advance or advances. That purpose, however, may be served in two ways. Either by imposing a duty on the creditor that every six months he should send an account, a copy of the account to the borrower, or that if a borrower is desirous of knowing the statement of account with a certain creditor, he should approach the creditor and ask him to give him a copy of the account. Now, as I take it, there is a great deal of difference between the two things. Even if we concede that a creditor having been foolish to begin with in having parted with his hard earned money in the form of a loan, should pay the penalty by bearing the burden of supplying the borrower with a detailed account of all the transactions that have occurred during the six months, even then I would submit that the method that has been suggested in the new clause as it stands in the Bill is really uncalled for. It is an unworkable method. If the clause as printed in the Bill stands, do you mean that twice in the year every creditor will have to make a copy of the whole of his ledger and send it to the borrower? (*Voices*: No, no). With greatest respect to the honourable the Financial Commissioner I would submit that it seems to be a very simple and obvious matter. In the first six months, from 1st of January to the end of June, he has to copy out the whole of his ledger in two months following the 30th June, which is the period allowed under the Bill. Then, again, he has to copy out the whole of his ledger from the 1st of July up to the 31st December and send the copies to the various borrowers within the next two months. The shaking of head will not convince me, unless the learned Financial Commissioner throws some light on the matter in a speech which I would request him to make. The Bill as it stands says that at the end of every six months he is to send to each borrower a detailed statement of account copying out every item from his ledger of the transactions which have taken place during the course of six months. Then, again, he has to do the same thing. It is not as if when he has sent it during the first he need not send it during the next six months. He has to repeat the process every six months. Either the Financial Commissioner has not understood the provision or I have not, and I shall be very grateful if he could throw light on the matter and remove my misunderstanding or wrong impression if any. But to me, as the Bill stands it does not mean anything else. Twice a year he has to send a copy, a detailed copy of all the items. I repeat it to each of his borrowers. Now, take the case of a man who happens to be a money-lender in a village. He is a money-lender in a small way lending Rs. 10 to a water-carrier, Rs. 5 to a barber, Rs. 5 to a Cobbler, and so on. His borrowers number a hundred or two hundred in the village though the total of his investments does not exceed Rs 1,000, let us say. He has to copy out 200 accounts every six months and it is not that he has only to intimate his borrower that the latter owes him Rs. 10 or so, but he has to say: on such and such a day you borrowed from me 2 annas in the form of tobacco, on such and such a day 3 annas on account of salt, on such and such a day 4 annas on account of sugar. The sum total of the borrowings may be Rs. 10 but the items may be 40. Even if you take

the average at 20 or 30, taking it at 20, if he has 200 borrowers in the village, the items that he has to copy out every six months come to 4,000. And this has to be done twice a year. Why, I ask the framers of the Bill? Do they suppose that every borrower looks upon his creditor as a cheat and as a liar or a forger, or is every borrower so ignorant that he is not able to see whether the ten rupees that is owed by him to a creditor is rightly owed or not or whether there has been any fraud in the transactions of 2, 3, or 4 annas amounting in all to Rs. 10? Why is it supposed that every creditor is a knave and every borrower a fool? As I pointed out in my minute of dissent, as long ago as 1906 two Honourable Judges of the Chief Court, Johnstone and Rattigan, were pleased to point out in the course of a judgment which is reported in 40 P. R. of 1906—with your permission, I shall read what they say—

"It has become fashionable with a certain class of people to talk about 'simple-minded zamindars and cunning *bansis*' but now-a-days. . . ."

—these are the learned Judges' words—

"the ignorant, credulous rustic is met with far more frequently in the arguments of learned counsel than in the realities of life."

These are the words from a judgment of Johnstone and Rattigan, JJ., reported in 40 P. R. of 1906. I submit that if that was so in 1906, it should *a fortiori* be so in the year of grace 1929. A quarter of a century has surely added something to the knowledge and experience and intelligence of the people of this province, even of those living in the villages, and yet, this Bill presupposes, it assumes, it takes it for granted that every creditor is a fraud and a cheat and every borrower is a simpleton who is to be told twice a year how much he owes and so much on account of tobacco and so much on account of sugar and so on. Why make this supposition?

Then, if there are people say 5 or 10 per cent. who are so suspicious and want to know whether their accounts are in order, they can ask for a copy of their accounts from the *sahukar*, from their creditor. Make it a crime if the latter refuses a copy when it is asked for in the proper manner as prescribed in the rules. Impose in such a case a penalty on the *sahukar* and the object which the originators of this Bill have in view will be fulfilled.

I will then submit that I am not the only individual who takes such a view. There are many people in this province who have held this view. In fact one of the honourable members of this House who is not present here, I mean Dr. Sir Muhammad Iqbal, when I broached this subject to him at Simla when this Bill was introduced said that that view seemed to be perfectly reasonable.

Mr. President : The honourable member will do well not to quote or refer to any verbal opinions, as they might be denied or contradicted.

Dr. Gokul Chand, Narang : Very well, Sir. In any case, I would refer to the opinion once held by the honourable member who is present here Sardar Harbakhsh Singh. He said that nobody would care for these copies; if the borrowers were ignorant they would serve no useful purpose and that therefore anyone who wanted to know the state of his accounts could ask for a copy and that it should be provided that a copy should be given to him. That was the opinion that the honourable member expressed to me one day

[Dr. Gokul Chand. Narang.]

just before we met at a meeting of the Select Committee on the Bill. I do not know whether the honourable member has since changed his mind. (Sardar Harbakhsh Singh : I changed my opinion then and there.) Not then and there, I should think. Well, everyone has got the right to change his opinion and the honourable member might have changed his opinion. That does not matter. We are all liable to change our opinions in the light of better experience. But, Sir, I have an example in another Act, the framers of which are not likely to change their opinions very soon like some of my honourable friends here. The example that we have been following in this legislation is that of the English Moneylenders Act. And I may submit, Sir, that I had not read this Act, I had not been aware though it was an Act of 1927, I had not read it, when I sent this amendment. I sent my amendment because that seemed to me to be the most reasonable and I was delighted when I found that an exactly similar provision but in more detail had been embodied in the English Moneylenders Act. For the information of this honourable House, with your permission, I shall read section 8 of that Act. It reads :

" In respect of every contract for the repayment of money lent by a moneylender whether made before or after the commencement of this Act, the moneylender shall..... "

do certain things. Later on it says—

" A moneylender shall on any reasonable demand in writing by the borrower, and on tender of a reasonable sum for expenses, supply a copy of any document relating to a loan made by him or any security therefor to the borrower or, if the borrower so requires, to any person specified in that behalf in the demand.

" If a moneylender to whom a demand has been made under this section fails without reasonable excuse to comply therewith within one month after the demand has been made, he shall not, so long as the default continues, be entitled to sue for or recover any sum due under the contract on account either of principal or interest, and interest shall not be chargeable in respect of the period of the default, and if such default is made or continued after proceedings have ceased to lie in respect of the loan, the moneylender shall be liable on summary conviction to a fine not exceeding £ 5 for every day on which the default continues."

A heavy penalty has been imposed, but the principle which I am submitting has been embodied in this Act. Provision is made to give detailed information with respect to—

" the date upon which the loan was advanced, the amount of the principal sum, the rate per cent per annum of the interest charged ; and the amount of any payment already received by the moneylender in respect of the loan and the date on which it was made ; and the amount of every sum due to the moneylender and the date upon which it became due, and the amount of interest accrued due and unpaid in respect of every such sum ; and the amount of every sum not yet due which remains outstanding, and the date upon which it will become due."

There is thus a double provision : a copy of the accounts and a copy of the document of security deed ; if it is a mortgage deed, the debtor is entitled to have a copy and if a copy of the security is not supplied, the penalty which I have read out would apply. If people who are *ex-hypothesi* wiser than ourselves and have far more experience considered this to be an appropriate provision there is no reason why this cumbersome method should be adopted here. I am fully conscious that this method does not imply illegality. I do not require any argument in reply on this point. But it makes

the business of the creditor far more difficult. And here I may just refer to a remark which I was surprised to find in the opinion of the Honourable the Financial Commissioner, I mean Mr. Calvert, which has been circulated for the information of honourable members. He has advanced a very curious proposition. I speak with all respect. He has stated that credit should be restricted and should not be allowed to expand, an opinion which runs counter to the opinion of almost everybody whose opinion has been circulated for our information. Everybody has been crying that credit should not be restricted. We do not mean that people should be invited, as some Jews in London do by handbills to entangle raw youths, and money lent to them at exorbitant rates of interest. I do not mean that we should encourage that. But ordinarily speaking, for the advancement of a country restriction of credit is fatal, and the suggestion could only come from a person who wants that this country should always remain an agricultural country and should never develop, so that India should be the farmyard or the grain-producing country for England while England should continue to be an industrial country and should get her flour cheap. These zamindars if they had the sense enough to understand, would realise that nothing could be more fatal to the country in which they want 56 per cent. of their rights. But unfortunately they are not sufficiently advanced in these matters to see through these things.

Chaudhri Zafrullah Khan : May I rise to submit that the expression 'if they had the sense enough to understand' is very objectionable. I object to it and whether you ask the honourable member to withdraw it or not is a different matter.

Mr. President : Order, order. The honourable Dr. Narang should not only discontinue speaking but should resume his seat so that the other honourable member may finish his say.

Dr. Gokul Chand, Narang : I did not mean to give way, Sir. I only wanted to hear what the honourable member was going to say.

Mr. President : That amounted to giving way, and I cannot allow two honourable members to stand at the same time.

Chaudhri Zafrullah Khan : My submission was that the expression that certain honourable gentlemen had not the sense enough to see a particular point is an objectionable expression and the honourable member should not have used it, particularly in view of the fact that you have on various occasions made an appeal to the House that expressions which are likely to cause irritation to any section of the House should not be employed.

Mr. President : I hope the honourable and learned doctor will bear this in mind.

Dr. Gokul Chand, Narang : Sir, I was not referring to the class of people to which my honourable friend belongs, I was referring to those who sow, dig and delve and plough and who are sought to be kept in that condition. I was referring to that class only. My friend has not ploughed for half-an-hour, he is not growing seed-grains. I do not mean any disrespect to anyone. I would apologise twenty times and I want to say that if I have offended anyone in this House or anybody outside this House then I am prepared to apologise a hundred times because it is not my nature to

[Dr. Gokul Chand Narang.]

offend anyone consciously. I was discussing the remarks made in the opinions that have been circulated for our benefit by the Honourable the Financial Commissioner. One thing that he said was about restricting credit and the other is.....

Mr. H. Calvert : Where did I say so ?

Dr. Gokul Chand, Narang : Oh, the honourable member wants me to point out the place where he said that. At page 8, last paragraph, he says :

"What must be understood is that credit is an evil, that in India indebtedness is to a very large extent a matter of the credit available."

What else can it mean; English is not my mother tongue of course, but what little I have learned at school enables me to say that this is what it means. Credit is an evil. Now, Sir, the other thing that I was submitting is that he said that the State is not bound to help people.

Mr. President : Will the honourable member please speak to the new clause he has risen to move ?

Dr. Gokul Chand, Narang : I only wanted to say that what I am discussing has a bearing, an important bearing, on my amendment. The opinions that have been expressed are that creditors should not be helped if they do not comply with the law made by the State. No doubt so far as the technical aspect of this proposition is concerned it is all right that anybody who wants State help must comply with the rules and regulations made by the State, but a member of the State has a right to discuss this provision and it is for that reason that I have moved this amendment. The clause as it stands or the amendment that Captain Sikanjer Hyat Khan has moved imposes an unduly hard duty on a creditor and in order to avoid too hard a duty being imposed on a creditor my amendment should be accepted and this clause should be substituted for that. That is what I am submitting and it was in connection with that that I was referring to the opinion of the Financial Commissioner. My submission is that the amendment that I have proposed would meet the requirements of the case. Up to this time there is no doubt there is this practice that whenever a borrower wants a copy of his account from his creditor he is as a rule supplied with that copy, but there is no law which lays down expressly that such a duty is imposed upon the creditor. He may refuse it without incurring any penalty. Therefore I want that a law should be made so that this duty should be imposed by a statute on a creditor to supply a copy to his borrower whenever he wants one once in six months, at least once in six months, and if he fails to comply with it then impose a penalty on him, but do not impose an unnecessarily hard duty upon him. Hundreds of borrowers require no copies of accounts and therefore a creditor should not be forced to supply copies to anyone who does not require, any copy, and the provision of the English law should be followed. Yesterday my honourable friend Pir Sahib, for whom I have genuine respect was pleased to say that the banks supply memoranda free of cost. But Pir Sahib for the moment forgot that the banks never send a copy of the accounts unless a copy of the accounts is asked for and then they charge. They only send the balance, that so much is due from you and so much is due to you, credit balance of such

and such a date is so much, on 30th June it was so much debit balance or so much credit balance, and on 31st December so much was credit balance or so much debit balance. Will Pir Sahib be content with this? I might not have moved my amendment if that were the provision but what the Pir Sahib wants is this: that every item about *gur*, sugar and salt should be included in that list. That is certainly enormous and it is not necessary that this obligation should be imposed upon the creditor. With these remarks, Sir, I would commend this amendment of mine to the sober and unbiased consideration of this House.

Mr. President: The new clause moved is—

“shall once in six months supply a copy of the account giving all the items advanced and received on a requisition to that effect being received by registered post from a borrower and may debit the borrower with such amount for copying and other charges as may be prescribed in this behalf.”

Question is that this new clause be taken into consideration.

The Council divided: Ayes 15, Noes 18.

AYES: 15.

Diwan Bahadur Raja Narendra
Nath.
Dr. Gokul Chand, Narang.
Mr. Labh Singh.
Rai Bahadur Lala Sewak Ram.
Pandit Nanak Chand.
Lala Mukand Lal, Puri.
Lala Gopal Das.

Lala Joti Parshad.
Lala Kesho Ram, Sekhri.
Lala Bodh Raj.
Rai Bahadur Lala Dhanpat Rai.
Mr. V. F. Gray.
Sardar Bishan Singh.
Sardar Mohindar Singh.
Mr. E. Maya Das.

NOES: 18.

Khan Bahadur Captain Sardar
Sikander Hyat Khan.
Mian Ahmad Yar Khan, Daul-
tana.
Sayad Mubarik Ali Shah.
Khan Sahib Khan Muhammad
Saifullah Khan.
Maulvi Sir Rahim Bakhsh.
Malik Nawab Major Talib Mehdi
Khan.
Chaudhri Duli Chand.
Pir Akbar Ali.
Chaudhri Ali Ahmad.

Sayad Muhammad Hussain.
Khan Bahadur Malik Muham-
mad Amin Khan.
Khan Bahadur Chaudhri Fazl
Ali.
Khan Bahadur Mian Muhammad
Hayat, Qureshi.
Shaikh Abdul Ghani.
Chaudhri Muhammad Abdul Rah-
man Khan.
Chaudhri Afzal Haq.
Shaikh Muhammad Sadiq.
Sardar Harbakhsh Singh.

Khan Bahadur Captain Sardar Sikander Hyat Khan: Sir, I
beg to move—

3 P.M.

“That for clause 3 (1) (b) the following be substituted, namely:—

“(b) furnish each debtor every six months with a legible statement of account signed by the creditor of any balance or amount that may be outstanding against such debtor on the 30th day of June or 15th *Har* and the 31st day of December or 15th *Pot* in each year. This statement of account shall

[K. B. Capt. Sardar Sikander Hyat Khan.]

include all transactions relating to the loan entered into during the six months to which the statement relates, and shall be sent in such manner and in such form and containing such details as the local Government may prescribe on or before the 31st day of August or 15th *Bhadon* in the case of any balance outstanding on the 30th day of June or 15th *Har* and on or before the 28th day of February or 15th *Phagan* in the case of any balance outstanding on the 31st day of December or 15th *Poh*."

Mr. President : Question is that the following new sub-clause be taken into consideration :—

"(b) furnish each debtor every six months with a legible statement of account signed by the creditor of any balance or amount that may be outstanding against such debtor on the 30th day of June or 15th *Har* and the 31st day of December or 15th *Poh* in each year. This statement of account shall include all transactions relating to the loan entered into during the six months to which the statement relates, and shall be sent in such manner and in such form and containing such details as the local Government may prescribe on or before the 31st day of August or 15th *Bhadon* in the case of any balance outstanding on the 30th day of June or 15th *Har* and on or before the 28th day of February or 15th *Phagan* in the case of any balance outstanding on the 31st day of December or 15th *Poh*."

Motion was carried.

Mr. E. Maya Das : Sir, I beg to say a few words in connection with this new sub-clause. This new sub-clause makes it obligatory on the part of a debtor to receive a statement of account which he would probably receive under a registered cover. But it is conceivable that the circumstances of a debtor may be such that he may not like his transactions to be made public.

Mr. President : That point has been discussed already by several members of this House.

Mr. E. Maya Das : I want to say that it should not be obligatory on the part of a debtor to receive such a statement of account if he does not so wish it. There must be some provision by which it must be possible for him to say that he does not wish a statement of his account to be sent to him every six months.

Mr. President : The honourable member will not please repeat the arguments which were advanced more than once by some other honourable members.

Mr. E. Maya Das : For this reason I oppose the new sub-clause.

Mr. Labh Singh : Sir, I have got two amendments and I should like to move them now if you will permit me to do so. The first amendment is "that in sub-clause (1) (b) of clause 3, first line, after the word 'debtor' the words 'at his cost' be added." The second amendment is "that after the word 'debtor' the words 'on his requisition in writing' be added."

Mr. President : The principle underlying the honourable member's two amendments has already been discussed and rejected by the House on consideration of Dr. Gokul Chand's amendment. I therefore rule the amendments out of order.

Mr. Labh Singh : I shall explain that my amendments are in order if you will permit me to do so.

Mr. President : I have ruled that these amendments are out of order.

Mr. Labh Singh : You have given a ruling without hearing me.

Mr. President : I was not bound to hear the honourable member. Having given my decision that the amendments are out of order I am not going back upon it.

Pandit Nanak Chand : Sir, the new clause which has just been proposed to be added by Captain Sikander Hyat Khan puts the greatest hardship on the creditor. He must understand that according to this clause a creditor has to send every six months an account to the borrower, whether he asks for it or not. Dr. Gokul Chand in great detail explained the hardship. I want to place before the House one fact and that is, that it must be realised that the original father of this Bill, Mir Maqbool Mahmood, when he first brought this Bill in 1924 had a clause similar to the one which was proposed by Dr. Gokul Chand, Narang, in the present case though that proposal has been ruled out of order by you. The clause I refer to was as follows :—

"A moneylender, as defined by this Act shall on reasonable request and on tender of a reasonable sum as fixed by the local Government for expenses, furnish the borrower with a copy of any document relating to the loan or to any security therefor." (Punjab Debates, Volume IX-B, page 1263.)

This is the passage which was quoted by Mr. Owen Roberts at that time in his speech. That, I submit, was a very reasonable provision. It would not have been so harsh or hard as the provision which has just now been moved by my gallant friend Captain Sikander Hyat Khan. Besides, while it will create hardship in the case of the creditors, it will not create corresponding benefit to the borrowers, because an illiterate borrower will not understand the statement of account and he may probably throw it into the waste paper basket. It may be asked, what should the borrower do? I say that it is open to a borrower at all times to ask a creditor to send him a copy of his account. If a request is made and if it is not complied with by the creditor, the court will always draw an inference hostile to the creditor. I therefore submit that the House should not accept the new clause moved by the gallant Captain.

Lala Mukand Lal, Puri [Lahore City, Non-Muhammadan (Urban)] : Sir, in the list of amendments to the bill there is an amendment intended to be moved by a member of the Government that for clause 3 (1) (b) the following be substituted, namely—

"(b) furnish each debtor every six months with a legible statement of account of any balance or amount that may be outstanding against such debtor on the 30th day of June or 15th *Har* and the 31st day of December or 15th *Poh* in each year. This statement of account shall include all transactions relating to the loan entered into during the six months to which the statement relates, and shall be furnished in such manner and in such form and containing such details as the local Government may prescribe so as to reach the debtor on or before the 31st day of August or 15th *Bhadon* in the case of any balance outstanding on the 30th day of June or 15th *Har* and on or before the 28th day of February or 15th *Phagan* in the case of any balance outstanding on the 31st day of December or 15th *Poh*."

I do not know what has been the fate of that amendment, whether the Government intends to move that amendment or not.

Mr. President : It was called, but the Honourable Legal Remembrancer did not move it.

Lala Mukand Lal Puri : Now, Sir, the amendment moved by my honourable friend Captain Sikander Hyat Khan is worse than the amendment which was proposed to be moved by a Government member. I fail to see why

[L. Mukand Lal Puri.]

Government accepted or intend to accept the amendment which Captain Sikander Hyat Khan has moved. The amendment of Captain Sikander Hyat Khan creates unnecessary difficulties for the creditors, and it does not serve any useful purpose to the debtors. The four words which have been added at one place in the amendment of Captain Sikander Hyat Khan are "signed by the creditor." Is it necessary that an illiterate creditor should sign it himself or would not the signature of his clerk do, would not the signature of his brother do, would not the signature of his *munim* do, or is it necessary that in each and every case it should be signed by the creditor himself? Supposing there are more creditors than one, should it be signed by all the creditors? Well, I fail to see what object the proposer of this amendment has in mind in creating this unnecessary hardship and trouble, except to find a loophole for a cunning debtor, who may put forward a plea that he never received a copy of the statement of account signed by the creditor but by his *munim* and that the court should not allow him any interest. The signature by the creditor is not at all necessary if the statement of account is sent to him under a registered cover in a regular and prescribed form and in a manner which is prescribed by legislation. All the attempts that are now being made by the party which is represented by Captain Sikander Hyat Khan are no attempts to improve the Bill, but to make it worse, not in the interest of the debtors, but to create difficulties in the way of honest creditors. We on this side of the House are surprised to see why the Government have not moved that amendment which might have been acceptable to a large section of this House. The existing amendment instead of improving the Bill is designed to create unnecessary restrictions.

The Honourable Malik Firoz Khan, Noon (Minister for Local Self-Government): Sir, I just wish to point out to my honourable friend from Lahore that very likely he is coming after putting forward very lengthy arguments in some very intricate case, and probably he has not had time to see and study the amendments carefully. The amendment of my honourable friend Captain Sikander Hyat Khan has been drafted to meet the wishes of most of those honourable members who are sitting on those benches. I will just point out to him how the new amendment is an improvement on the old draft amendment by Mr. Sale. If the honourable member will very kindly read Mr. Sale's amendment, he will see that that amendment said:

"shall be furnished in such manner and in such form and containing such details as the local Government may prescribe so as to reach the debtor on or before the 31st day of August....."

"So as to reach the debtor" this was the difficulty which the honourable members of this House felt. It was no doubt a difficulty, because how can a creditor ensure that the accounts will reach the debtor on or before that date? With a view to meet the wishes of some of the honourable members of this House this draft, this new draft, was brought forward in order to have a clause which will be acceptable to all honourable members of the House and will give sufficient protection to the debtor.

Now, Sir, there was an objection raised by Dr. Narang to the effect that under this law the creditor will be bound to supply copies of the whole ledger to the debtors. You will see that in the clause as it emerged from

the Select Committee, that point, which Dr. Narang has had in his mind, had not cleared up. If you will kindly read the amendment now put in by Captain Sikander Hyat Khan, it reads thus :

"shall include all transactions relating to the loan entered into during the six months to which the statement relates."

with the result that this new clause that Captain Sikander Hyat Khan has put in pins the creditor down to send copies of the account as it has been brought into existence during the six months for which the account is sent. Now the clause as it emerged from the Select Committee did not have this provision which now Captain Sikander Hyat Khan has put in in order to meet the wishes of the honourable members. The clause as it emerged from the Select Committee reads :

"if on the thirtieth day of June or on the thirty-first day of December in any year, any balance or amount is due to him from a person on account of a loan, send to such person before the thirty-first day of August or the twenty-eighth day of February next following a legible statement of account including an account of all transactions, if any, relating to the loan during the next preceding six months in such manner and in such form and containing such details as the local Government may prescribe."

I mean to say that the words of the original clause as it emerged from the Select Committee are more or less the same and the amendment of Captain Sikander Hyat Khan is an improvement on the original draft and should be acceptable.

Now, Sir, there is one point further, which my honourable friend from Lahore has touched. He says, "why should we force the man to sign the account himself and why not his agent be allowed to do it?" I do not think this point really requires much clearing up, because if a man can authorise his agent to sell his property, his motorcar, his horse, certainly he can authorise him to sign every account on his behalf. He will be his duly authorised agent. There will be no difficulty in doing so on behalf of his principal.

Lala Mukand Lal, Puri : Can a *muntim* also sign the accounts and will his signature be considered enough?

The Honourable Malik Firoz Khan, Noon : If the honourable member will very kindly refer to the definition of the word "creditor" it reads as follows :

"'Creditor' means a person who in the regular course of business advances a loan as defined in this Act and shall include, subject to the provisions of section 3, the legal representatives and the successor-in-interest whether by inheritance, assignment or otherwise of the person who advanced the loan."

Lala Kesho Ram, Sekhri : There is already an exception in the case of minors and widows.

Mr. President : The creditor may be old, blind, illiterate, or minor, so there ought to be a provision to the effect that an account may be signed either by the creditor or by someone duly authorised on his behalf; otherwise, I am afraid, the law shall remain defective.

The Honourable Malik Firoz Khan, Noon : So far as I can see, Sir, the suggestion that you have so kindly

Mr. President : I have made no suggestion. That is not my business. I have only pointed out a defect in the clause as it stands.

The Honourable Malik Firoz Khan, Noon : There seems no objection to putting in the words "duly authorised."

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadan) Rural] : I want to submit one word, Sir, with regard to the words "duly authorised." "Duly authorised" means that there should be a power of attorney for each and every statement of account. One should go to the Registrar or to some competent authority to get the power of attorney executed. The honourable and learned Legal Remembrancer did not realise how difficult it is to get power of attorney for each and every statement. There should be a power of attorney put in a regular manner as prescribed in the Civil Procedure Code. Therefore one will have to go to a Registrar or a Notary Public. Why do you not put the word *munim* or clerk or any other person on his behalf? That would be quite sufficient.

Sayad Muhammad Husain : I beg to move—

"That in the new sub-clause under consideration after the word 'creditor' in line 2, the words 'or his duly authorised agent' be added."

Lala Kesho Ram, Sekhri : May I ask the honourable member what significance he attaches to the two words "duly" and "authorised"? Will not the word "agent" alone do, leaving it for the court to decide whether the man who sends the account was the agent or not? In this country a considerable amount of business is transacted by persons as agents who have never been appointed as such in writing. Therefore it is wholly unnecessary to expect that for this simple matter some kind of writing should come into existence before a person would be entitled to send a copy of the six-monthly accounts. I therefore think that the word "agent" will be enough.

Shaikh Abdul Ghani : Sir, the words "duly authorised agent" form a legal term and the learned member who comes from Amritsar knows fully well its meaning and significance. I do not think he stands in need of any explanation. (*Interruption.*) Sir, the spirit in which these objections are raised is just an index of what we observe whenever a member on this side of the House tries either to give a reply to the objections raised or tries to meet the arguments advanced. I should say, Sir, that it is becoming a real grievance on this side of the House that there is too much unjustified interruption.

Mr. President : The honourable member should not be interrupted.

Shaikh Abdul Ghani : Personally I would not mind, but for the dignity of the House there is a way in which the debates should be conducted. (*A voice : Leave it to the Chair.*) I am not casting any reflexion, Sir, but merely making a statement to you.

I was saying that the three words "duly authorised agent" constitute a legal expression which we fully understand. We know the meaning given to the term in law and in ordinary parlance. "Duly" we understand to mean according to the law of the country. "Authorised" implies the giving of authority and that authority must be under the law. All the three words are quite clear and definite to anyone, to any lawyer who has got anything to do with things technical. So the term duly authorised agent means an agent who has been authorised by the principal to act for him in one of the

forms that are recognised legally, that are permissible in law. This might put the creditor to a certain amount of trouble, but after all, he has to thank his supporters and sympathisers on the point because it is at the suggestion on the other side that we are forced to introduce these technicalities to overcome the technical objection. The provision as it originally stood was perfectly right, but when this objection has come before the House in a technical form, if you really want to be definite and thorough on the point you cannot but have the expression "duly authorised agent." If that causes trouble and expense to the creditor, he should thank his supporters occupying the benches opposite in this Council.

Mr. Labh Singh : I wish to move, Sir, that after the word "creditor" the words 'or by someone on his behalf' be added. That seems to me the simplest way which would cover the needs of the case. If the words "recognised or authorised agent" or some other legal phraseology is introduced it would make the provision very cumbersome and would create difficulties in addition to the fact that the process would be very expensive and all the expenses will have to be borne ultimately by the debtor. Are we to understand that in each particular case of an account being sent to the debtor a particular power of attorney is to be executed and will that power be operative in one district or throughout the province? Will the power, again, have to be executed every time that the debtor has to be furnished an account? In order to overcome all these difficulties I would suggest that the simple formula which I have proposed be adopted which means that a copy of an account may be sent either by the creditor or by some one else on his behalf, which means, on requisition. That will create no difficulty and will be perfectly adequate. The word "agent" provided it is unqualified would serve the same purpose.

Mr. V. F. Gray : Sir, I would like to propose the words "or his agent" be inserted after the word "creditor." I listened to the speech made by the honourable member, Shaikh Abdul Ghani, and his speech definitely causes me to think that if you use the word "recognised" you are imposing a great deal of hardship on the creditor. The honourable member has said that that has been brought about by gentlemen on the other side of the House. His speech to my mind emphasises the great danger of inserting the words "duly authorised." It is very unfair that we should impose such an additional burden on the poor village moneylenders. The illiterate moneylenders in addition to getting their accounts copied out must procure a power of attorney with all its attendant troubles. And coming to the case of big firms, we cannot expect the principal to be signing all the copies personally. These statements or invoices are generally stamped with the stamp of the firm and the agent of the firm must be allowed to sign them. The statements themselves, after all, are not going to be accepted as conclusive proof. It is provided in the Bill that because a statement was sent it should not necessarily be presumed to be correct. In these circumstances, I think it would be extremely unfair if we are to make a power of attorney necessary; the plain signature by the moneylender or his agent should suffice. With these words, I move my amendment.

Mr. President : The amendment of Mr. Labh Singh is—

"That after the word 'creditor' the words 'or by someone on his behalf' be inserted."

[Mr. President.]

The amendment of Mr. Gray is—

“That after the word ‘creditor’ the words ‘or his agent’ be inserted.”

Both these amendments may be discussed together.

Rai Bahadur Lala Rattan Chand (Non-official, Nominated) (Urdu) : Sir, it is a point on which commercial men can express definite and sound opinion and the amendment of Mr. Gray, who is a leading commercial man, will meet the situation. Sir, you know that banks and other firms send statements of accounts almost every day and those to whom such statements are sent have never cared to enquire who has signed those statements. As far as I am aware in almost all cases agents sign for their principals and it would be unwise to make it obligatory for the principals to sign every statement themselves. This is a very simple matter and it should not be made complicated by providing too many legal restrictions. As I have said the amendment of Mr. Gray will meet the case all right and it should be accepted.

Mr. S. L. Sale : I think there is a good deal of misconception in the minds of many honourable members as to the implications of the word “agent” in respect of his principal. The law of principal and agent is contained in the Contract Act. It is there laid down that an agent may do anything for his principal for which he is duly authorised. There is no need for the purpose of this Act to have the words ‘duly authorised’ at all. In fact, I would go further. I am prepared to say that there is no need for the purpose of this Act to have the words ‘or any agent’ at all. If the Act requires that accounts are to be sent by the creditor, that would include the competency of an agent to sign on the principal’s behalf under the ordinary law of agency as contained in the Contract Act. But as there seems to be some doubt in the minds of many honourable members about the relation of an agent to his principal in that respect, there is no objection whatsoever from the legal point of view to putting in the words ‘or his agent.’ I consider that Mr. Gray’s amendment is one that should be accepted by the House ; in other words, “that there should be added after “the creditor” the words “or by his agent.”

Dr. Gokul Chand, Narang : How then do you meet the case of a minor ? He cannot appoint an agent.

Pir Akbar Ali : How can anybody sign on behalf of a minor ?

Mr. S. L. Sale : It is correct that the appointment of an agent does not require any authority in writing. An agent may be appointed verbally. I read from the Contract Act, section 187. “An authority is said to be expressed when it is given by words spoken or written.” It is perfectly correct that a minor may not employ an agent. The law says that any person who is above the age of minority and is of sound mind may employ an agent, but it should be remembered that a minor cannot enter into a contract at all. I think the definition that we have given to the word “creditor” impliedly excludes the case of a minor altogether. In order to come under the provisions of this Act, a minor if he becomes a “creditor” must have a guardian. Here is the definition of the word “creditor.” “Creditor” means a person who in the regular course of business advances a loan as defined in this Act. A

minor being under a legal disability cannot in the regular course of his business advance a loan at all. If a creditor is a minor he cannot enter into a contract and he cannot advance a loan at all. I think therefore the amendment as suggested by Mr. Gray would cover all possible cases under this Act that may conceivably arise. I therefore do not think that it is necessary to have these words but there is no legal objection.

Khan Bahadur Captain Sardar Sikander Hyat Khan : My object will be served if I am assured that when the statement comes into the court the minor will not deny it. My object is to bind the creditor down and not to allow him to say that it was not his statement.

Dr. Gokul Chand, Narang : I just wanted to say a few words. I think that this provision bristles with difficulties. The honourable Legal Remembrancer, with due deference to him, has not been able to clear up the difficulties at all. Take the case of a minor. A minor cannot appoint an agent and he, let us suppose, cannot sign at all.....

Pir Akbar Ali : He cannot enter into any contract.

Dr. Gokul Chand, Narang : Very well. Let us say that he cannot enter into any contract. Let us accept this proposition for the sake of argument, as it comes from a practising lawyer, for the moment. A creditor dies and leaves a son, a minor, and when the time comes he has to sign accounts under this clause. Now what is to happen? Is the account to go unsigned? This amendment does not say it is to go unsigned. It is to be signed by him. He is a child of 4 or 5 years, he cannot sign, and an authorised agent cannot sign because there can be no authorised agent, for, a minor cannot give power of attorney. He cannot have any agent at all. These points have not been made clear by the Legal Remembrancer. He thought that as a minor cannot enter into a contract it would suffice to meet the case, which it does not in the illustration that I have quoted. What is then to happen? Some gentleman suggested the appointment of a guardian. What will happen? The law does not make it obligatory for every minor to have a guardian. Even when the matter comes to the court of the District Judge, or to any court of a Senior Sub-Judge exercising the power of the District Judge, the court is not bound to appoint a guardian for every minor even if an application has been made. It is a matter of discretion. The court is to see whether a guardian should or should not be appointed. And is anybody under the obligation to put in an application? There are thousands of minors who have no guardians. But as a matter of fact up to the age of 15, long before they reach the age of 15, between 12 and 15, they are carrying on some business which their fathers have left them. That business goes on, where honest people exist, satisfactorily. When this application is allowed I do not find how this amendment provides any solution. If you say it will authorise an agent to sign it does not meet the case of a minor, illiterate minor or an illiterate widow. If you say by his or her authorised agent, well, a minor whether it is a boy or a girl can have any duly authorised agent. If you say an agent, even this implies that there is an appointment. The learned Legal Remembrancer said, whether it is done by spoken word or in writing. But this is not the question. In this case, can there be any appointment at all whether in spoken word or in writing? Even when the minor is literate it cannot be said that a minor by a spoken word can appoint an

[Dr. Gokul Chand Narang.]

agent. So that there cannot be an appointment of an agent by a minor. He cannot sign it himself. There cannot be any duly authorised or any agent at all. Then the question remains whether the words 'on his behalf' should be introduced. I think these words present the least difficulty. When the matter comes to court and a minor brings a suit, a paper, or a letter or a card, heaven knows what it is going to be, is produced by the defendant the minor may say that he does not know who signed the letter on his behalf. This difficulty will be there. The onus of proving that the letter was signed on behalf of the minor will be on the defendant and he had a right to do so. Either the minor should be totally exempted under this amendment or I think this amendment will not meet every case.

Mr. S. L. Sale : We have under sub-clause (iii) of this clause certain exemptions in the case of minors. We have given him six months to get a guardian. As regards this question, I may say that if my friend,

4 P. M.

Dr. Gokul Chand, Narang, looks at section 7 of the Guardian and Wards Act, he will realise that the court is bound to appoint a guardian if it is for the welfare of the minor to do so. "Where the Court is satisfied" and so on. The suggestion I make is this, that on the analogy of order 32 of the Civil Procedure Code, in the case of a minor the accounts may be signed by the next friend. Under section 32 it is provided that every suit by a minor shall be instituted in his name by a person who in such a suit shall be called the next friend of the minor. The difficulty which my friend Dr. Narang foresees will thus disappear.

Dr. Gokul Chand, Narang : No Sir. The next friend does not come on the scene until the suit is brought, and the accounts will have to be sent three or four times meanwhile before the suit is brought. Supposing somebody else signs the accounts, then the question will arise that they are not signed by the next friend. "Next friend" is only a technical expression which comes into vogue only when a suit is brought.

Lala Kesho Ram, Sekhri : Moreover the action of the next friend does not bind the minor.

Mr. S. L. Sale : I still am not convinced as to what the difficulties are. In order to enable a minor to get a guardian under the Guardian and Wards Act we have given 6 months' grace. He must apply to the court through his relations and if the court is satisfied that it is in the welfare of the minor to appoint a guardian it will appoint one.

Lala Mukand Lal, Puri : It is not necessary that in every case the guardian should be appointed by the court. It will be quite competent to a guardian to appoint an agent. I do not think there will be any necessity for a minor to come to court for a guardianship certificate in each and every case. I think the whole problem will be solved if the proposal of Mr. Gray as endorsed by the Legal Remembrancer is accepted and the words 'or agent' are added.

Shaikh Abdul Ghani : If we take a case under this Bill leaving aside all sorts of suppositions, I think the position will not be intricate. Supposing a man dies. He is a moneylender; he has got a large amount of debts

outstanding. He leaves a son who is a minor. After his death other relations or those who are interested in him take proceedings to have a guardian appointed or they do not. Supposing they do—because after all money-lending was the profession of the father and he must have naturally left some debts outstanding and those debts must be realised—then the guardian will be appointed and the whole thing is solved. Take the other case and suppose the man dies leaving his son and his relations do not take any steps to have a guardian appointed by the court. There are two kinds of guardians: *de jure* and *de facto*. Now we are talking of a *de facto* guardian. It might be his mother or any other relation. In that case there is absolutely no need of going to any court at all. So the position is any man would begin acting on behalf of the minor who is interested in his welfare, and he would begin realising the debts. If they are realised, all right. But if there is necessity to go to court the man interested in the minor will go and realise the debts.

Lala Kesho Ram, Sekhri : Just one simple question, Sir. If the man, as the honourable member says, is acting on behalf of the minor and as a matter of fact he is not the person who is entitled to act or is not acting in the benefit of the minor but all the same he is realising the debts from the debtors, then the question arises whether the debtor has paid off his liabilities or not.

Shaikh Abdul Ghani : If the honourable member had shown patience, he would have understood me. I was talking of the case of a relation of the minor who was acting without taking any legal authority from the courts. If he realises the debts and they are not repudiated by the minor, everything will be all right. But supposing under this Act he begins to realise the debts on behalf of the minor, then where is the harm? If he realises the debts on behalf of the minor and sends the accounts, then where is the difficulty? So I think in this case if we add the word 'agent,' as Mr. Gray has suggested and as the Legal Remembrancer has supported, then there will be absolutely no harm. But I go further and say 'the creditor, his agent or any other person acting on his behalf as the case may be.' Of course the difficulty may be to decide whether in a given set of circumstances the man has been *bona fide* acting on behalf of the minor. But if he shows the periodical accounts that should satisfy anyone. I think the question is very simple and should not detain us very long.

Mr. President : Question is—

"That in line 2 of the proposed new sub-clause, between the word 'creditor' and 'of' the words 'or his agent' be inserted."

Motion was carried.

Mr. President : Question is—

"That the new sub-clause as amended stand part of the Bill."

Motion was carried.

Mr. President : Question is—

"That the existing part (b) of clause 3 (1) stand part of the Bill."

Motion was negatived.

Proviso (i).

Dr. Gokul Chand, Narang : Sir, I beg to move—

"That in proviso (i) of sub-clause (1) (b) of clause 3, the words 'language, script' be omitted."

I may at once submit that this is the most crucial point in the Bill. I do not mean to say that the amendments which have been moved before were unimportant. They were important; but this is the most important so far as the creditors are concerned, and so far as we are concerned, we are really staking the whole thing on this. Because in the proviso as it stands we clearly apprehend an attack on some characters or on some language which is in vogue at present in this province. I may submit, and I hope honourable members will listen to me.....

Mr. President : It is the honourable member's right to speak but the other honourable members may or may not listen to him.

Dr. Gokul Chand, Narang : Very well. Their inattention will not prevent me from having my say. The first thing I want to point out in this connection is, that in the old Bills no provision was made giving any power to Government to prescribe the language or script. The provision was neither in the Bill of 1924 as moved by Mir Maqbool Mahmood, nor was it in the Borrowers' Protection Bill, nor in the old Regulation of Accounts Bill which was ultimately passed in 1926. Furthermore, I may submit that this was not simply an oversight but a deliberate decision that the language and script of the creditor should not be interfered with. No power should be given to Government to prescribe the language or script. I should like to draw your attention in this connection to the opinions of two very important members of this Council, in writing, not mere verbal expressions of opinion. It may come as a surprise to some honourable members of this House that no less an important member than the honourable representative of Karnal, Chaudhri Duli Chand himself, and the honourable mover of the original Bill, Mir Maqbool Mahmood, who both joined in a note of dissent to the old Bill, were pleased to say :

"The committee leave the prescription of the form, details, and books of accounts to be maintained under sub-clause (1) of clause 3 to the local Government, but provide that the language or the script of the accounts including numerals shall not be prescribed. We have no desire to interfere with the freedom of choice of language or script, but in order to make the account books intelligible we would prescribe that a moneylender shall continue throughout his account books whichever language or script or numerals he adopts, and that he shall give an index of the numerals which he intends using in his account on the first page of each account book".

This was the opinion of two of the greatest protagonists of a measure like the present one and they did not recommend that the Government should have the power to prescribe the language or script either so far as the keeping of accounts is concerned or so far as the furnishing of accounts is concerned. This I consider to be an extremely important suggestion because in neither of the three Bills was this suggestion made by anyone. I would be excused if I refer to another matter in connection with this point and that is this : this was probably due to a misapprehension as to the provisions of the old Bill—and I would like the Honourable Legal Remembrancer to pay some attention to this—it was probably due to some misapprehension as to the provisions of the old Bill that these words were introduced

in the present Bill. It was probably thought that the old Bill left it to the Government to prescribe not only the form and manner, but also the language and script. As a matter of fact there was no such provision in the old Bills. Again, we were given to understand by no less a personage than Sir Malcolm Hailey himself, the predecessor of our present Governor, when he addressed this Council, that a Bill simpler in its character would be brought forward, that is, that it would not only be simpler in its language but also simpler and less stiff in its application and in the obligations that it will prescribe. If an attack is contemplated on any of the scripts or languages in vogue in this province, I would submit this Government will not be carrying out the spirit nor even the letter of the promise which was made by His Excellency Sir Malcolm Hailey and in fulfilment of which this bill is said to have been brought before this House. This attack would certainly make the Bill far more obnoxious than the penalty for non-compliance with any one of these provisions.

Then again, as I have said in my note of dissent, it had been unanimously agreed by the Select Committee up to the last moment, after two days' discussion, that the Government would not prescribe the language or script. I am sure the Honourable Finance Member in charge of this Bill and the Honourable Legal Remembrancer will find somewhere in their notes that there was actually a proviso added to the effect 'provided that the Government shall not prescribe the language or script.' It was only at the eleventh hour when we were about to get up after the day's work, when we had actually concluded our labours, that one honourable member made a suggestion and that suggestion was readily adopted and the decision arrived at after two days' discussion was set aside. I am referring to this not to disclose what happened in the Select Committee.

Mr. President : The honourable member is quite in order; after the report of the Select Committee is presented to the Council there is no objection to its proceedings being referred to.

Dr. Gokul Chand, Narang : I would submit that it was then that the Honourable Finance Member put it to the members of the Select Committee whether any language or script should be prescribed. On the first occasion when this question came before the meeting of the Select Committee which was attended by twelve members, the committee unanimously decided that the Government should not interfere with the language or script, but only a certain set of numerals should be prescribed. On the second occasion again when this subject again came up for discussion, the Select Committee unanimously decided that there would be no talk of any language or script and that the Government shall not prescribe the language or script. It is still, I am sure, in the notes of the Honourable the Legal Remembrancer who was taking down the decision of the Select Committee, that Government should not prescribe any language or script. Unfortunately, Sardar Harbakhsh Singh turned up at the moment, and he said, no, the Government must prescribe the language and script and almost every honourable member, who for two days did not and rightly had not made any suggestion of this kind, said, yes. We said, "The thing is settled. Why do you go back? You have already decided." They said, "No, no, we were mistaken; we were doubtful," this and that and so on. I was the only person

[Dr. Gokul Chand Narang,]†

then present who could protest. If I mistake not, Mr. Gray was not present and Lala Mohan Lal also was not present. In fact there was nobody else to protest and the result was that the unanimous decision arrived at by the Select Committee was gone back two days later and the words "language and script" were again introduced. This is what happened, Sir, in the Select Committee. The members of the Select Committee changed their opinion again; everybody can change his opinion, but the question is why they have changed their opinion at once. Let us assume that they did properly, rightly I mean, so far as the right of changing opinion is concerned, but I must point out that even they recognised the necessity of the omission of these words until this suggestion was made by one honourable member. Sir, this interference on the part of Government is laying the axe on the business of the people who have been conducting their business in a certain language or script for centuries past. When some honourable gentleman said that Mahajani characters were not legible and you could not read them, I demurred to it. I said to Honourable Mr. Stow, you go to Amritsar and at random pick out account books of 20 people who keep their accounts in Mahajani characters, and then at random pick out 20 men, 20 shopkeepers or traders in Amritsar, and ask them to read those books. If they cannot read them I would admit the force of the argument that Mahajani characters are illegible. Rai Sahib Chaudhri Chhotu Ram said, what about Multan? I said all right, I am prepared to undertake the expenses of this experiment. You may go to Multan, pick out 20 books at random from 20 shopkeepers or traders, and then pick out 20 people from amongst the traders, not loafers and illiterates who are incompetent to read and write, but traders who do business, and let them read those books. If they cannot read, I would admit that there is some force in the argument that Mahajani characters are illegible. There are hundreds and hundreds of thousands of people in the province who know only these Mahajani characters. They do not know any other vernacular, and they are conducting their business only in this script. Why do you attack that script? Sir, it may be said that this does not mean that Mahajani characters would be scratched or any other characters would be scratched. I am not prepared to admit this; there is no force in this argument whatsoever. When you know that there are a certain number of scripts in this province and a certain number of languages in vogue in the province, what does it mean to reserve the power to prescribe the language and script to yourself? It means that the Government wants this power to abolish one or more scripts or language in vogue in this province, otherwise it means nothing. If the Government does not want to exercise this power why does it want the power to prescribe the language or the script. The very idea of their claiming this power or asking for this power under the rules and under the statute under this clause shows that they may prescribe one, they may not prescribe another, and in this way the one script or the two scripts or the three scripts may fall victims to this rule-making power. If the Government does not intend to interfere with any script, either Mahajani, Gur-mukhi, Deo Nagri, then why should they ask for this power? Why do they not allow these five or six scripts whatsoever they are to be there? There was some sense in the old Bill where no numerals or scripts were restricted.

It was for this reason, that I have not included the numerals in my amendment.

Mr. President : Are not numerals an integral part of a language or script ?

Dr. Gokul Chand, Narang : I do not mean to say that the Government should have power even to prescribe numerals, but I have a practical reason for that. Up to this time I have not moved any amendment for the mere fun of moving it. I can assure you, Sir, that this has not been a light task for me. I got up at 2 A.M. last night and was looking up what I had to say here to-day and prepare myself for this amendment. It is not in a light-hearted spirit that we have addressed ourselves to this Bill, because we know that this Bill may prove the ruin of thousands of people in this province. We are here not to protect dishonest moneylenders as I have already stated, but we are here to see that no injustice is done to honest people. So far as this amendment is concerned, we are here to see that no attack is made on any script or language which is in vogue in this province. I believe, Sir, that you were then in this Chair when the question of language to be used within a certain specified very narrow circle was brought up in the Council in connection with the Sikh Gurdwara Act. Under the Gurdwara Act a certain judicial commission has been appointed which has for its function the decision of the internal affairs of the Sikhs. No Hindu and no Muslim is concerned with the internal affairs of that commission. That commission was created under the Sikh Gurdwara Act to decide the internal questions between the Sikhs. Then arose the question of language to be used in connection with the cases which might come up before that commission. You know, Sir, what a tremendous row was raised, I would not say kicked up, by the honourable members on this side of the House. If I remember aright, my honourable friends, Mian Shah Nawaz, Mian Abdul Aziz and Mr. Mazhar Ali, Azhar, raised a storm against this. They said—

عاشق کا جنازہ ہے ذرا دھوم سے نکالے

They thought that if Gurmukhi will receive statutory recognition it will be an indirect attack on Urdu. They said—

عاشق کا جنازہ ہے ذرا دھوم سے نکالے

as if Urdu was going to be killed and buried. Why ? Because they considered it an indirect attack on Urdu, because no other script was receiving statutory recognition. They thought that if the word Gurmukhi or Punjabi was mentioned in the statute it would mean that statutory recognition will be given to the existence of that script or language in the province, otherwise what was their fear ? Can you not imagine the attitude of these people who have been using certain scripts for ages, for centuries, in the course of their business and on which their sustenance depends ? Why does Government want this power ? It is said this is a matter of rules and not a matter of statute. This is a matter of rules; I particularly want the Honourable Finance Member to attend to this part of my argument. Why should it be in the rules ? Why should Government have this power ? We must oppose this tooth and nail with all the power, though very little, at our command.

Mr. President : What was done in the case of the Gurdwara Act ?

Dr. Gokul Chand, Narang : I will just submit, Sir, what happened there. I thought that this was irrelevant, but as you yourself raised the point, I will tell you what happened. The opposition raised by the honourable Muhammadan members was so strong that the Sikhs who were in a minority and wanted their Bill to go through, dropped the word "Gurmukhi" and added "in such language as may be deemed proper." I don't remember the exact words of the Act. I remember that the word "Gurmukhi" was scratched out. The discretion of using any vernacular was given to them. They were free to use any language but "Gurmukhi," the word "Gurmukhi" was scratched, because the Muhammadan members thought that it will give to one language statutory recognition. Can it be said with justice, equity and fairness that you should force the people to leave a script or a language which they have been using for centuries? Let them keep their accounts in any language in which they have been keeping them for ages. Not only that, but you have also to take into consideration the fact that this is the only script which is known to a vast majority of them, and if you make it a rule even under the rules to be made making it obligatory on a creditor to keep his accounts in any script other than the Mahajani or to furnish his accounts in any script other than the Mahajani which alone is known to the creditor, what will be the effect? It will mean the ruination of thousands of people, honest people who are helpless and who, even if they were going to be hanged for it, could not sign their name in any script other than the Mahajani. You cannot ignore the results that would follow from this. Either the Government should make it clear by some amendment that they have no intention whatever of scratching away any script or language or they should agree to the amendment that I have proposed.

I may also submit that in this House in one of its sessions we discussed the constitutional position of our province. If the world's constitutions were studied, we will find that one of the fundamental principles is that no interference shall be made with the language or script of a minority community. This you will find in every constitution and this you will find also in the majority report of the Provincial Reforms Committee. They feel that in India taken as a whole the Muslim community is in a minority and therefore they take particular care to see that there should be a fundamental rule in the constitution that no interference shall be made with the language or script used by the minority community. And, Sir, if a community which is in a minority in the whole country is particular and anxious, and rightly anxious, in seeing that there should be no loophole for such interference in any constitution, are not we, the representatives of a minority community in this House, justified in asking that the Government should not be given this power from a fundamental constitutional point of view? It will be laying the axe at the root of the fundamental laws of a constitution. You understand, Sir, fully well that when interference is made with the Landa script, it is an indirect, nay, a direct, attack on Punjabi itself because in the Landa characters, the Mahajani characters, it is the Punjabi language that is used, and you will be compelling people not to use their own language, not to use the script to which they are accustomed.

I have pointed out, as far as I could, that such interference would be in contravention of the fundamental rules of the constitution of any country, as has been claimed by the Muhammadans themselves in the majority report of the Simon Committee. The next question is, is it consonant with the principles of this Bill itself? If it is not consistent with the principles of the Bill, how could it be here? What does the Bill profess to do? The Bill is called the Regulation of Accounts Bill. It means to regulate the accounts.

Mr. President : I do not wish to interrupt the honourable member, but I wish to invite his attention to the proviso, which was present in the Bill which gave the local Government power to prescribe the form and language in which the accounts should be maintained. Rightly or wrongly, the principle of the Bill being accepted by the House at its first reading, the language and script are within the purview of the Bill.

Dr. Gokul Chand, Narang : The principle of the Bill was accepted but it was not accepted that every clause of the Bill was consistent with the principle of the whole Bill. The principle of the Bill was the regulation of accounts and my point is that accounts could be regulated without any reference to any language or script. If you interfere with any script or language it would mean a script-reforming Bill or language-reforming Bill and not a Bill merely for the regulation of accounts. For can anybody say that if accounts are kept in a particular language they are regular, and that if they are not kept in that language they are not regular? When there were no Englishmen here, accounts were kept in the vernacular languages and no one can say that they were irregular. When there were no Muhammadans in this country, accounts were kept in the then existing vernacular and no one could say that they were not regular. So that language or script has nothing to do with the regularity of the accounts. In the days of Sanskrit, when Prakrit was not developed and even when Hindi was not developed, people were keeping their accounts in the Sanskrit script. And when Prakrit languages developed, accounts came to be kept in Prakrit. Nobody ever dreamt for a moment that those accounts were not regular because of the languages in which they had been kept. People could keep their accounts in Arabic. In Egypt the balance sheets are issued in Arabic; they call the balance-sheet *arz-i-hal*, and they are rightly so issued. You cannot impose any other script or language upon them.

And then, Sir, an attack on the script or the language of a community is an attack on the honour of that community. That is how I feel about it. That is one step towards the annihilation of that community. This is not merely a flourish of rhetoric of which I am not capable. It is evidenced by history. Where are the ancient Egyptians? Where is that ancient Egyptian civilisation gone? Where is the old Egyptian language gone? When Egypt was conquered by the Arabs they imposed the Arabic language on Egypt and now you cannot recognise in the present Egypt anything of the Egypt of the Pharaohs. That old civilisation is gone, absolutely effaced. This therefore would be a direct attack on our social existence, our existence as a community, an attack on our honour and self-respect as a community which we will not allow. We will protest against this with all the power that is at our command. No doubt, we are few here but we know that reason is on our side, justice is on our side. Force is not on our side. During the past four or five days we have seen reason has not prevailed. Otherwise I

[Dr. Gokul Chand, Narang.]

could not account for the rejection of every amendment which has been proposed on this side. I know the private opinions of members; I will not refer to them. Nobody need feel nervous. But here we have a solid phalanx of official members and under official discipline they have to stand up or sit down like one man. As one of them once remarked, they are so many gramophones and if any one speaks on any subject, he must speak with the same voice. On the other side we have another disciplined row—I do not mean any disrespect to any member at all—but it is very doubtful if the many members who have been voting this way or that and opposing our amendments have realised fully the import of those amendments. So that we may not succeed. Every amendment of ours may be defeated, but we will certainly make our protest in every way that is open to us, and I am submitting that it will not be an unjustified protest. I shall refer you to the opinions which have been circulated, the opinions of competent people who are in a position to judge on this point. We have among those opinions the opinions of a number of income-tax officers. At page 10 of one volume of these printed opinions you will find letter from Mr. W. R. Pearce, officiating Commissioner of Income-tax, to the Home Secretary to the Punjab Government, dated 9th September 1929. In this correspondence are collected the opinions of a number of experts, and I should like to draw the attention of this House to some of the opinions expressed here. We find the following opinions:

"It seems most necessary to impose forms of account which should be as simple as possible as the majority of borrowers and creditors concerned are illiterate especially in the rural areas where the relief seems most essential."

Further on, about Landa characters:

"In the suggestion sent up, the Landa script should also be among the others mentioned in the demi-official."

Then there is the opinion of the Assistant Commissioner of Income-tax, West Punjab Division, I believe he was, if he is not even now there, Mr. G. F. C. Norris. This is what he says:

"With reference to the above."

(He is referring to a letter of the Government.)

"I have the honour to state that I have consulted certain select Income-tax Officers in my division and I find that the consensus of opinion is against prescribing any definite form of accounts for the following reasons."

Those reasons are given. I shall only read out a passage from them:

"They are as a class illiterate and generally keep accounts in Landa characters..... To prescribe any other script than the Landa will be to compel moneylenders to have their accounts maintained by *munshis* and *munims*, which the average rural moneylender with his scanty income will perhaps not be able to employ."

Further on,

"The creditors should be given the option of maintaining such forms in any language convenient to them".

Further down, in the opinion of another officer,

"The language, the script and the numerals in which these accounts are kept are always characteristic of the locality in which the creditor resides and of his education. These things should be allowed to remain unchanged."

Further still, in the opinion of another officer :

"Rural moneylenders generally keep their accounts in 'Landa' characters. They are as a class illiterate as they do not even know Urdu, and it would be very difficult for them to keep accounts other than those which they usually keep, and especially in a language which they do not know. I think it should be sufficient to make them send copies of their accounts with their debtors in the same form and in the same language in which they keep their accounts."

Later on, in the course of the same letter :

"I would advise that the new forms should be very simple showing merely the amounts advanced and recoveries made from the debtors and the creditors be given the option of keeping them in any language convenient to them."

Another officer says :

5 P. M.

"Next comes the difficulty of prescribing a script in which the accounts are to be kept. The script in which they are at present kept is 'Landa' characters. To prescribe any other script than the 'Landa' characters is to compel them to have their accounts maintained by *munshis* and *munims*. As the average income of the rural moneylender is small, it would be very hard for him to keep a *munim* for accounts..... The Bill is likely to apply to petty shop-keepers in the village who sell grain, cloth or provisions on credit to the zamindars and then get written from them a balance of a few odd rupees as a loan. Their sales at a time are of a few annas and would hardly aggregate to a few rupees, and yet if they are required to send an account thereof half-yearly it would be very troublesome for them. If the Bill is to be at all enacted, it should lay down a limit (of Rs. 100) that the creditor who has advanced in aggregate Rs. 100 or more to each debtor should send an account to that debtor."

This was to point out how the Bill would affect the pettiest creditors. These people cannot afford to have *munshis* and *munims* or clerks. Then, Sir, here is the opinion of another officer :

"The vast majority of rural moneylenders is, as you know, hardly little more literate than their debtors; their knowledge of the art of writing does not extend beyond scribbling a few words in their vowelless 'Landa' script which varies from division to division. To expect them to keep even the most elementary accounts in Urdu or any other standard script would therefore naturally cause them a great hardship, particularly when so few of even the nominally educated members of their families stick to this profession. Moreover, very few of them carry on their business on a substantial scale. They cannot therefore afford the pay of even a part-time clerk for this purpose, especially when such clerks are so rare in rural areas. The same remarks apply to the sending of six-monthly statements to the debtors, because most of the creditors are incapable of compiling such statements, and at best they will be able to compile them in their own script....."

Then there is another line about co-operative societies :

"As you are well aware the main reason why the co-operative banks have not been very successful in ousting the rural moneylender, in spite of his alleged notorious extortions, is the grant of comparatively greater facilities by him."

I may point out, Sir, before I close this part of my speech that among those officers whose names have been given in the margin, there is one Christian gentleman, an Assistant Commissioner of Income-tax, one is a European officiating as Assistant Commissioner of Income-tax, one is a Sikh and one is a Muhammadan. Out of 8, 4 are non-Hindus and some of the other names may be, I do not know, their names are Hindus, but they may be Christians. Rai Bahadur Manga Rai is a Christian. Sir, from these opinions, and these gentlemen are competent to speak on the matter, it would appear that it would be impossible for an ordinary moneylender,

[Dr. Gokul Chand Narang.]

particularly in the rural areas, to keep accounts or send their accounts in any script other than the Mahajani characters and in laying the axe at the root of the Mahajani characters you will be deliberately taking the bread out of their mouths. There was in the old Bill a clause which recognised all these five characters and definitely stated "one set of Mahajani numerals".

I need not go any further. Perhaps I have already taken up too much time of this House, but as I pointed out this is the most vital part of the Bill; the rest is only a matter of convenience or inconvenience, of the hardship one is to undergo in copying the whole ledger twice a year. But this is still tolerable. One may put up with it for the sake of his business. But to be deprived of the right to use his own language or script is to ruin him and it is no less than that. I therefore consider and all my honourable colleagues on this side consider that this is the most vital part of this Bill and we have decided—I have got signatures of these gentlemen on a resolution passed to the effect—that unless the question of the script or language is settled satisfactorily in a way which would not impose a ruinous obligation or ruinous hardship on the people who are using it, we shall find it absolutely impossible to take any further part in the debate on this Bill. I do not say this by way of bluff or by way of threat in any way. There is no bluff because we are sincere and we mean it. There is no threat because we know our threats can have no effect. That is the only way open to us to make a protest and that we are prepared to make. It will be for us to consider afterwards what our position in the Council would be, but for the present we have decided upon this. We are all open to some satisfactory compromise and I believe my honourable friend opposite (Mr. Sadiq) is trying to propose some sort of compromise. If a compromise is proposed well and good. I can say that we are prepared to pass this Bill, we are prepared to give you all the safeguards that you want against dishonest moneylenders, but live and let live. Do not destroy others for a doubtful blessing to which you may be looking forward. This is my submission to both sides of the House and I trust that my remarks will not fall on deaf ears. (Cheers.)

Mr. President : The amendment moved is :

"That the words 'language, script' in proviso (1) to sub-clause (1) (b) of clause 3 be omitted."

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural] : Sir, I have carefully heard the arguments advanced by my learned friend Dr. Gokul Chand, Narang, and I must say that if the amendment proposed by Dr. Sahib is accepted it will cut at the very root of the Bill. Sir, this Bill was proposed by Government to protect the debtors and the borrowers, the illiterate people, and if we find that no protection lies there, I think there is no use of the Bill. I am not going to bluff, we zamindars are not accustomed to bluff. Threats and bluffs have already been given by the Government about the non-giving of the assent by His Excellency the Governor.....

Pandit Nanak Chand : That is reflecting on the Governor.

Mr. President : I would request all the honourable members not to interrupt. No one interrupted Dr. Gokul Chand.

Sayad Muhammad Husain : The gist of the Bill, the object for which it has been introduced is to protect the illiterate, helpless, resourceless borrower against a rapacious moneylender and what do we find ? Suppose Landa accounts are kept which in many cases they will be kept where the people can understand and read them, as they will be kept in Gurmukhi. Now what are Landa characters ? Even we people who are educated cannot understand what is written there. We cannot read the numerals, we can read nothing. The moneylender puts down the whole thing when the six-monthly accounts are submitted. What will the poor illiterate zamindar say ? Nobody can find out what is there in it. The Landa script, for which my honourable friend went even so far as to say that it will degrade our national character, is, excuse me, I say with all due deference to those characters, not intelligible even to sahukars themselves. In my own village there are 4 or 5 scripts of Landas. The script written by Bazaz is unintelligible to others and that written by Aroras is unintelligible to Bazaz and when we want that a script may be read we have to call a member of the community who wrote it. (*Dr. Gokul Chand, Narang : Question.*) My honourable friend said, "go to Amritsar and find out any script of Multan or any other place and they will read it." They may be able to read it. But then they are experts. Those are the people who deal with all these scripts because they have their dealings in this script with all those people. But will a poor borrower, a poor debtor, go to Amritsar to have his account read ? And when we leave it in the hands of Government to determine the script and language do we say that Landa script should be abolished altogether ? It will be for the Government to decide. If they think that the business of regulation of accounts is carried out thoroughly and without any trouble in Landa characters they will certainly allow this script to remain. If they think that it is necessary for the Sikhs that the script should be Gurmukhi and that the abolition of it will cause hardship, they will certainly have it. If they think that in certain areas Urdu is necessary in the interest of the debtors and the borrowers for whose protection this Bill primarily has been proposed, they will introduced Urdu script. I was travelling in a train the other day when I actually heard an Englishman saying he was also a debtor like so many other people, that it was quite impossible to understand what was written there. Even among the official benches few might know, unless they have held judicial posts, how to understand Landa characters. There is no injustice, there is no harm, if the Landa characters are abolished. Is it right on the part of the Government that for the interests of moneylenders, a few rapacious moneylenders, to do away with the 90 per cent. of the population and to be led away by their threats ? I warn the Government, through you, Sir, we are not giving any bluff, but if the Government is amenable to bluffs, we are not going to walk out, but I am warning the Government that if they are amenable to bluffs only and threats only, it will be difficult with 90 per cent. of the population who seek protection from the moneylenders at the hands of the Government. They will not only give bluff but will put the whole thing into practice.

I leave the whole matter in the hands of the Government to determine in what script or language the accounts are to be kept. All that we want is that this matter should be left in the hands of the Government. MY

[Sayad Muhammad Husain.]

friend may not trust the Government, but we trust the Government. The Government is for the whole country and the Government will have to safeguard the rights of the moneylenders also. The honourable member, Dr. Gokul Chand, Narang, thinks that this right should be denied to the Government and that Government should not interfere in this matter. I strongly protest against this on behalf of the poor, ignorant people, who have been long looking for a Bill of this kind. If the Government is not going to pay any heed, I do not think it will be a wise action on their part.

The Honourable Mr. A. M. Stow (Finance Member): Sir, I think you yourself were anxious that some conversations at any rate should take place regarding this very important part of the Bill. It is perfectly true, as you yourself have already pointed out, that the matter is left to the rules. I admit that I have heard a great deal about this matter to-day, and also previously from Dr. Gokul Chand, Narang. I have always listened to him with the greatest interest and I have done so to-day. I can only point out that his complaints and apprehensions are, to say the least of it, premature. The matter is left to the rules. As an instance of the difficulty which would arise in regard to the questions of numerals or script I have made just now some enquiries from a very high authority on the subject of Landa (which I understand is the village form of Mahajani), and I find there are at least three forms in which the officers who have to deal with accounts are required to pass some examination. These three forms of Landa apply to different parts of the province. I give this as an instance of the difficulties which the framers of the rules will have to consider. Government have up to now deliberately kept this very difficult and very important matter for consideration under the rules and it will be very difficult to place it in the Bill, and to have it as part of the Act. The only reason why it appears in the Act of 1926, the Act to which assent was not given, is, I believe, that it was the result of a compromise, and I think Dr. Gokul Chand, Narang, will bear me out when I say that when that particular section came up before the Select Committee this time it was found to be not satisfactorily drafted, that the meaning was, to say the least of it, obscure. I think that was the fact and it was due to these difficulties which we found in the Select Committee when we considered this part of the Bill that the incident occurred which you have heard from Dr. Gokul Chand, Narang, himself. But this does not mean that Government are not going to consider the difference in script, numerals, characters, or whatever you may like to call them, which are in vogue in the province, or to consider how they are to be used with regard to the forms and accounts which are to be furnished according to the provisions of the Bill. I do not know whether it will be possible for you to adjourn the House at this stage and allow us to meet again either later this evening or to-morrow to consider whether there is anything possible to be done in this matter. I see some members are trying to frame amendments for discussion. If it is possible to adjourn the House at this stage, I think we may find a solution for the difficulty.

Dr. Gokul Chand, Narang: I strongly support that suggestion, Sir.

Mr. President : I adjourn the Council for one hour.

(The Council reassembled at 6 P. M.)

Mr. President : Has any compromise been effected ?

Mr. S. L. Sale : A draft amendment has been prepared which meets with the approval of the larger majority of the members of the House though it does not command the approval of the whole House. I shall move it for the consideration of the House. I beg to move—

“That in place of the words ‘provided that’ down to ‘are to be maintained and furnished’ in the first proviso to sub-clause (1) (b) of clause 3, the following be substituted:—

“Explanation (i).—The local Government shall prescribe the forms and numerals in which the accounts required by the provisions of this section are to be maintained and furnished and the creditor shall at his option use one of the following scripts and languages, viz., English, Urdu, Gurmukhi, Nagri and Mahajani, provided that if the debtor in writing demands that the account be furnished in any one of the above scripts it shall be supplied to him in that script at his cost according to the scale prescribed.”

Mr. President : Question is—

“That proviso (i) to sub-clause (1) (b) of clause 3 stand part of the clause.”

Motion was lost.

Mr. President : Question is—

“That the following new explanation be taken into consideration:—

“Explanation (i).—The local Government shall prescribe the forms and numerals in which the accounts required by the provisions of this section are to be maintained and furnished and the creditor shall at his option use one of the following scripts and languages, viz., English, Urdu, Gurmukhi, Nagri and Mahajani, provided that if the debtor in writing demands that the account be furnished in any one of the above scripts it shall be supplied to him in that script at his cost according to the scale prescribed.”

Motion was carried.

Mr. President : Question is—

“That the following be added as explanation (i) to sub-clause (1) (b) of the Bill:—

“Explanation (i).—The local Government shall prescribe the forms and numerals in which the accounts required by the provisions of this section are to be maintained and furnished and the creditor shall at his option use one of the following scripts and languages, viz., English, Urdu, Gurmukhi, Nagri and Mahajani provided that if the debtor in writing demands that the account be furnished in any one of the above scripts it shall be supplied to him in that script at his cost according to the scale prescribed.”

Motion was carried.

Mr. President : Question is—

“That proviso (ii) stand part of the Bill.”

Motion was carried.

Proviso (iii).

Dr. Gokul Chand, Narang : Sir, I beg to move—

“That in proviso (iii) to sub-clause (1) (b) of clause 3, the words after the word ‘section’ be omitted.”

Now, I may at once say, Sir, probably some honourable members may find it difficult to follow. I must say I had some difficulty in following my own amendment after all this confusion and agitation. It simply means that the exemption given for six months will be extended, openly, clearly and fairly, that is what it means. A minor and a widow would be excluded from the operation of this Bill so long as they are minors and widows.

[Dr. Gokul Chand, Narang.]

Now, my submission in connection with this is that this class of creditors, minors and widows, will find it very difficult to comply with the provisions of this section. A widow, an Indian widow, as honourable members of this House are aware, is practically at a disadvantage for various reasons. Most of them are uneducated, a vast majority of them are uneducated. Widows suffer from other disadvantages on account of the peculiar social system of this country. Therefore the obligation would be too much and too harsh for a widow. With respect to the minor, we have seen the various difficulties that arise. Take the case of a minor who is an orphan. He has neither mother, nor father, nor uncle. There are many such cases where orphans are left without anybody to look after them. For them the exemption of six months is merely nothing. Suppose a boy or a girl has become an orphan at the age of one and has nobody to look after him or her. The father used to do a certain amount of moneylending business. It was not very large, say a few hundred rupees, say one thousand or fifteen hundred, the income of which even at the rate of 1 per cent. would not be more than ten or fifteen rupees a month. They have got no other property and have no means for employing a *munim* or *munshi*. What would you expect from them? What should they do? How should they send the accounts? You may do anything to protect your ignorant borrowers, but at the same time you ought to be just and fair to the people who suffer from disadvantages. Up to this time the impression created by the speeches of Pir Muhammad Husain and Shaikh Abdul Ghani is that they want to protect the illiterate people, while I submit, Sir, that illiterate and helpless creditors should also be protected. I therefore submit, Sir, that orphans and widows as such may be excluded from the operation of this Bill so long as they are minors and a widow is a widow.

Mr. President : Question is—

"That in proviso (iii) to sub-clause (1) (b) of clause 3 the words after the word 'section' be omitted."

Motion was lost.

Khan Bahadur Captain Sardar Sikander Hyat Khan [Muhammadan, Landholders] : Sir, I beg to move—

"That following be substituted for proviso (iii) to sub-clause (1) (b) of clause 3:—

"If the loan has since it was originally advanced passed by inheritance or assignment to a widow or minor, such widow or minor shall not be bound to maintain the account prescribed by this section for a period of six months from the date of such passing, nor shall they be bound for this period of six months to furnish an account of the transaction relating to this period of six months, but nothing herein stated shall exempt them from the obligations imposed by law up to the date of such passing."

Mr. President : Question is—

"That the new clause which the Honourable Captain Sardar Sikander Hyat Khan wishes to be adopted be taken into consideration."

The Council divided : Ayes 19 ; Noes 18.

AYES 19.

Mr. M. A. Ghani.
 Khan Bahadur [Captain Sardar
 Sikander Hyat Khan.
 Mian Ahmad Yar Khan, Daul-
 tana.
 Syad Mubarik Ali Shah.
 Khan Sahib Khan Muhammad
 Saifullah Khan.
 Malik Nawab Major Talib Mehdi
 Khan.
 Chaudhri Duli Chand.
 Chaudhri Ali Ahmad.
 Sayad Muhammad Husain.

Khan Bahadur Malik Muham-
 mad Amin Khan.
 Khan Bahadur Chaudhri Fazl Ali.
 Chaudhri Umar Hayat.
 Makhdumzada Sayad Muham-
 mad Raza Shah, Gilani.
 Shaikh Abdul Ghani.
 Chaudhri Muhammad Abdul
 Rahman Khan.
 Chaudhri Afzal Haq.
 Shaikh Muhammad Sadiq.
 Sardar Bahadur Captain.
 Dalpat Singh.
 Mr. E. Maya Das.

NOES 18.

Diwan Bahadur Raja Narendra
 Nath.
 Dr. Gokul Chand, Narang.
 Mr. Labh Singh.
 Rai Bahadur Lala Sewak Ram.
 Pandit Nanak Chand.
 Lala Mukand Lal, Puri.

Lala Gopal Das.
 Lala Joti Parshad.
 Rai Bahadur Lala Rattan Chand.
 Lala Kesho Ram, Sekhri.
 Lala Bodh Raj.
 Sardar Hira Singh, Narli.
 Rai Bahadur Lala Dhanpat Rai.

Diwan Bahadur Raja Narendra Nath: The amendment which has been moved by my honourable friend, Captain Sikander Hyat Khan stultifies the provision contained in the clause as it stands. The Bill proposes to protect widows and minors for six months during which the framers of the Bill suppose that the widow or the minor will make some arrangements for keeping and sending of the accounts. The amendment takes away the protection given. Suppose a moneylender sent his account on the 1st of January and he died five and a half months after that date. The submission of accounts next time becomes due 15 days after his death. What is the protection given to the widow? The protection has been given on the ground that the widow would be helpless and illiterate, as she generally is; she will take some time for arranging her household. By this amendment, if after 15 days of her becoming a widow the clause providing for the sending of accounts makes it obligatory for her to send them, the protection given to her is taken away. I think my honourable friend has not quite realised the effect of the amendment. I therefore oppose it.

Khan Bahadur Captain Sardar Sikander Hyat Khan: The honourable the Raja Sahib was quite right in saying that the original Bill contemplated giving the widow and the minor six months' time during which they shall not be bound to supply accounts in accordance with this Act. As the word 'assignment' also occurs in the clause we thought there might be the risk of their evading this Act by assignment of the loans by the widow or the minor. They would then escape the provisions of this law altogether. It is to make that clear that I propose my amendment.

Shaikh Abdul Ghani : I think, Sir, there is no ambiguity or hardship if we adopt the new clause. After all, we have to take into consideration the case of the widow who from the very start indulges in the profession of moneylending. If she is a moneylender, then there is absolutely no reason why she should not furnish accounts. Similarly in the case of the minor. If the minor has been lending money either through a properly constituted guardian or some other relative of his who is a *de facto* guardian there is absolutely no reason that the simple fact that he is under age though he could enjoy interest like any other moneylender should give him any protection from the liability to send accounts. That would be quite unfair to the borrower, and would be beyond the scope of the Act. Take the case cited by the honourable member on the other side. Suppose, he said, a man dies and the submission of the account becomes due within 15 days of his death. In such a case, the debt along with the other assets passes on to the minor son or the widow. The clause is not sought to be amended so as to make that son or the widow send the account within a fortnight thereof. The minor or the widow will in such a case have six and a half months from that date. The words of the amendment are clear and unambiguous. If the loan as soon as it was originally advanced passes by inheritance or assignment to a widow or a minor, such widow or minor is not bound to maintain an account for a period of six months from the date of such *passing*. What does the word 'passing' signify? It denotes the date on which the minor or the widow enters on the inheritance. The thing is so clear and unambiguous that there can be no two opinions about it. Clearly it is not as if within 15 days of the passing of the inheritance the minor or the widow were to submit accounts. Rather we are safeguarding against that contingency. We seek to give the widow or the minor six clear months from the date of the passing of the inheritance or the assignment. The clause safeguards against the fears of my learned friend. If there is the slightest doubt on the point, there are the masters of language, English is their mother-tongue, they might clear it and put it in better words. I submit that, so far as this clause is concerned, there can be no other reading possible. If the clause does not mean that, it is then out of place here in the Act.

The argument was then advanced that after these six months to call upon the minors and widows to be sending regular accounts would be hard. That argument is very fallacious on the face of it. If the minor has nothing to do with the advancing of the loans, if he comes into the possession of the assets of his father, the whole thing stops *ipso facto*. There would be no necessity of submitting periodical accounts. If the minor, however, succeeds his father but does not advance any further loan, he will have only to submit one single statement which is overdue and that too after six months of the death of his father. If after that he lends money, that is, he becomes a creditor and people are his debtors, then can there be any sense in arguing that he should be shown any indulgence, that he should be absolved from the liability of sending the accounts? Similarly, in the case of a widow, if she comes into the inheritance and does not lend money thereafter, only one statement would be due from her and that too six months after her coming upon the inheritance. If, on the other hand, she continues the moneylending, why should she be absolved from the duty of sending the accounts merely because she is a widow? If she is mixing

with people, transacting moneylending business with them, why should she not keep accounts and furnish them periodically? If she does this through an agent, surely that agent must take upon himself this responsibility as well. I do not think there is any hardship in that. The clause as it stands is a very fair and necessary clause.

Mr. E. Maya Das : From the speech just made it would appear that the experience of the honourable member has been that on the death of a man his affairs are put in order within a period of six months. From my experience, I should say that sometimes it takes several years before affairs are settled and the household and the accounts are put in order. To allow only six months for a widow would in a great many cases cause real hardship. Firstly, the loss of her husband is a great misfortune. Secondly, before she can come into possession of her husband's assets, there would be many relatives of the deceased creating trouble in her way. To expect her to be able to render accounts immediately after six months would, in my opinion, prove a great hardship in a good many cases.

Lala Kesho Ram, Sekhri (Amritsar City, Non-Muhammadian Urban) : Sir, let us see whether the proposed clause leads us to any absurdity or not. This clause runs like this :

"if the loan has since it was originally advanced passed by inheritance or assignment to a widow or minor, such widow or minor shall not be bound to maintain the account prescribed by this section for a period of six months from the date of such passing, nor shall they be bound for this period of six months to furnish an account of the transaction relating to this period of six months."

But nothing herein stated shall exempt them from the obligation imposed by law up to the date of such passing. What do the words "up to the date of such passing" mean? The widow does not come into existence until after the passing, the minor does not come into existence, and what is the obligation on them? It is not known in this clause. But nothing herein stated shall exempt them from the obligation imposed by law up to the date of such passing. What does it actually mean? I have not been able to understand. Possibly there have been certain explanations which have not been inserted here. The last portion is redundant. You are of course fully entitled in this Council to set at naught all the laws that have already been passed. The Contract Act can be nullified, the Law of Evidence can be ignored by us, even the Law of Limitation can be ignored because so far as the disability about minors is concerned it is now going to be removed. The law is going to run even against a minor. I understood that as long as a person is under a disability the statute does not run against him. But under this clause I submit that the minor is now bound to furnish accounts after six months. According to this law he is going to be considered as a major because he will be called upon after six months to render accounts.

Suppose, for argument's sake, somebody on behalf of the minor, say,

7 P. M. his uncle or a distant relation, were to send an account to the debtor and the debtor as he is an ignorant debtor were to pay to that uncle or the distant relative the whole amount of his debt, the question arises whether his liability is to be absolved. My friend, Shaikh Abdul Ghani, did not answer that question, whether a debtor when he pays to the so-called relation of the minor is absolved from his liability or not. Of course contracts entered into by a minor are void.

[Lala Kesho Ram, Sekhri.]

and are not voidable. But if a minor goes on doing moneylending business then of course he is liable. Of course the Contract Act is not within the jurisdiction of this House to be repealed. I find that all these Acts passed by this Council somehow or other seldom come into operation and when they come into operation at all they come with a vengeance. The Sikh Gurdwara Act.

Mr. President : Order, order.

Lala Kesho Ram, Sekhri : I was submitting that the Laws of Eviden^{ce} have also to be taken into consideration. In fact the Sikh Gurdwara Act....

Mr. President : Order, order, please.

Lala Kesho Ram, Sekhri : I am taking an illustration as to what is going to be done.

Mr. President : The honourable member will please speak to the question now under consideration.

Lala Kesho Ram, Sekhri : The question under consideration is that the minor shall not be bound to maintain accounts and after six months he will be called upon to maintain and furnish accounts. I was submitting that a minor when he is under a disability on account of his minority cannot be called upon to furnish an account. I never expected the Government to come forward with a provision of this nature. I can understand this from a person who is innocent of law. But when it comes from the Government, with all its legal advisers at its beck and call, I am rather surprised, especially when they know that a minor within three years of his attaining majority can bring in a suit to set aside what has been done even by his guardian. Under this Bill the Government is asking us to set aside all Acts, all enactments that have been passed by the Legislative Assembly. They are calling upon the minor to submit accounts and furthermore that he should sign those accounts and further still that if he cannot sign them they must be signed by a duly authorised agent. I am at a loss to understand the meaning of all this. If such enactments are to be placed on the Statute Book, I do not know how the judges can carry them out. Those who are responsible for such an Act as this will have to depute officers for going and explaining to the judges what the actual intentions of the Act are. Yesterday there was one clause.....

Mr. President : The honourable member will please speak to the clause now before the House. If he persists in irrelevance I shall have to request him to resume his seat.

Lala Kesho Ram, Sekhri : I am very sorry that I got an opportunity to speak at a time when I think the whole House is anxious to leave. I do not know whether my honourable friend is very keen on pressing this clause. It is so unworkable. But they can pass it because they happen to be in the majority at the present moment. I cannot very well understand the attitude of the Government. I do not know why they did not press for the clause which was first proposed. The proposed clause says, "If the loan has since it was originally advanced passed by inheritance or assignment to a widow or minor, such widow or minor shall not be bound to maintain the account prescribed by this section for a period of six months from the

day of such passing, nor shall they be bound for this period of six months to furnish an account of the transaction relating to this period of six months....."

Mr. President : I have tried to help all parties in this House. My duty is to protect the minority against the oppression of the majority and to protect the majority against the obstruction of the minority. The honourable member is persistent in irrelevance. So, I am constrained to request him to resume his seat.

Khan Bahadur Captain Sirdar Sikander Hyat Khan : I understand the honourable member from Amritsar objects to my amendment and not to the original one. I therefore beg leave to withdraw my amendment.

The motion was by leave withdrawn.

Mr. President : Question is—

"That proviso (iii) to clause 3 (I) (b) stand part of the Bill."

Motion was carried.

The Council then adjourned till 10 A.M. on Saturday, the 14th December 1929.

PRINTED BY
THE SUPERINTENDENT, GOVERNMENT PRINTING, PUNJAB.

284 PLC-300-11-1-30-SGPP Lahore.

2160
965

PUNJAB LEGISLATIVE COUNCIL.

4TH SESSION OF THE 3RD PUNJAB LEGISLATIVE COUNCIL.

Saturday, the 14th December 1929.

The Council met at the Council Chamber at 10 A.M. of the clock. Mr. President in the Chair.

OATH OF OFFICE.

The following member was sworn in :—

✓ Macnabb, Mr. A. C. (Official, nominated).

THE PUNJAB REGULATION OF ACCOUNTS BILL.

Clause 8.

Sub-clause (1) (b), proviso (iv).

Mr. President : The Council will now consider proviso (iv) to sub-clause (1) (b) of clause 8.

Shaikh Abdul Ghani : Sir, I beg to move—

“That in proviso (iv) to sub-clause (1) (b) of clause 8, line 6, between the word ‘*justice*’ and the word ‘*unless*’ the following words be inserted :—

‘between one or more creditors claiming adversely to each other.’”

The proviso, as it is, is quite appropriate, but the object of this amendment is to make it more clear. The expression ‘the title to recover.....’ in certain cases is likely to create confusion and difficulty. In order to avoid that and to make the meaning of the legislators very explicit and clear, the words now proposed are intended to be inserted in the proviso. The object of this amendment is to exclude from the operation of this Bill *bona fide* litigants in a court of competent jurisdiction.

Mr. President : Amendment moved is—

“That in part (iv) of sub-clause (1), (b) of clause 8, after the word ‘*justice*’ and before the word ‘*unless*’ in line 6, the following words be inserted :—

‘between one or more creditors claiming adversely to each other.’”

Mr. S. L. Sale : Sir, under the section as has been passed by the select committee, it is possible, I do not say that it is right, still it is possible that some courts may interpret the words ‘title to recover’ as covering the case in which creditor sues his debtor or *vice versa*. It is not intended that where a dispute between the creditor and the debtor is in court there should be any hiatus in the obligations prescribed in this Bill. But it is intended that if there be a dispute between two creditors with the possible result that one creditor may not be in possession of the account books, he should be absolved from the duty of maintaining and furnishing the accounts so long as the case is *sub-judice*. We want to make it clear that

[Mr. S. L. Sale.]

this exemption is only to apply when there is a dispute between two creditors and not between a creditor and a debtor. For that reason, I think it is important that we should use the word 'creditor' and not the word 'person.' I would suggest that the amendment should read 'between two or more persons claiming adversely as creditors.'

Dr. Gokul Chand, Narang : Sir, I would submit that the amendment is still defective. As the original amendment stands it is absurd, as has been admitted by the honourable Legal Remembrancer. The further amendment suggested by the Legal Remembrancer also is defective. The introduction of the word creditor creates confusion, because the word creditor has been defined in this Bill to mean a person who advances loans in the ordinary course of business. It is possible that there may be two claimants none of whom may be a creditor in the sense that he lends money in the ordinary course of his business. I will give one instance. A father dies leaving two sons, but one of the sons has already left the family after taking his share. But after the father's death that son may also lay claim to the outstanding loan. Here neither of the two sons may be a money-lender. Both of them may be Government servants. So after the father's death neither of them would be creditors in the sense that their ordinary business is money-lending. I would suggest that the correct expression should be 'between two or more claimants to the loan.' That would be more satisfactory.

Again, there may be a legal representative who may be in Government service. His business is not money-lending and so he would not be a creditor according to the definition of this Bill. Therefore if the amendment, as originally suggested or modified by the Legal Remembrancer, is adopted it will go adversely against this legal representative. I personally consider that the amendment is absolutely unnecessary. I do not, however, want to be understood that I am opposing a harmless amendment. I have no objection to the amendment being adopted, but I consider it is redundant and unnecessary. That is my conviction.

The Honourable Malik Firoz Khan, Noon (Minister for Local Self-Government): Sir, I don't think that the clause as it stands does really express the wish of the House, and when the honourable member says that the amendment is redundant, I am afraid I cannot agree with him. He uses the word "succession" with reference to this clause, but the clause as it stands in the Bill only says "the title to recover," it does not say "title to recover" from whom, with the result that in order to avoid the operation of this Act two persons might conspire and one might file a case against the other, and as long as the case continues they need not send accounts. The difference between "right" and "title" is not likely to be understood easily, therefore, with a view to avoid the possibility of cases of doubt that amendment is quite necessary.

The honourable member pointed out two cases. One is the case in which a man succeeds to the property and is the heir to a certain creditor. That certainly would be covered by the word "creditor," because the word "creditor" as defined in this Bill not only includes the person who advances a loan, but also his successor-in-interest. Then he puts the case of a person,

who may have left a joint family and gone away somewhere and then come back and claimed it. If he comes back and claims he must come back and claim as something, either as successor or heir-in-interest; if he puts his claim certainly it will be covered by the definition that is suggested by the amendment that is now before the House.

Mr. President : The amendment as it stands is meaningless. Therefore, I disallow it.

Mr. S. L. Sale : Sir, I beg to move—

"That in proviso (iv) between the words '*sub-judice*' and the word '*unless*' the following words be inserted :—

'between two or more persons claiming as creditors adversely to each other'."

Mr. President : Amendment moved is—

"That in line 6 of proviso (iv) between the words '*sub-judice*' and the word '*unless*' the following words be added :—

'between two or more persons claiming as creditors adversely to each other'."

Dr. Gokul Chand, Narang [North-West Towns, (Non-Muhammadans) Urban]: I have already explained, Sir, that the word creditor would be entirely out of place here. The honourable and learned Legal Remembrancer has used the word "creditors" again. They may not claim as creditors, but they may claim as heirs. I have pointed out two cases. Both of the men may be in the Indian Civil Service, both of them may abhor money-lending. They may be assignees and may have absolutely no concern with money-lending. There may be a dispute between them. Why is the honourable and learned Legal Remembrancer or the honourable member now in charge of the Bill so anxious or particular about the word "creditor," which will simply create confusion. If they want to make an absurd amendment, I speak with all due respect, let them, but certainly they will make the clause objectionable.

Sheikh Abdul Ghani [West Punjab Towns (Muhammadan) Urban]: The Honourable Minister for Local Self-Government, Sir, very clearly set at rest all the objections that could possibly be levelled against the amendment, and he had pointed out that we have defined the word "creditor" and that it includes assignees, successors-in-interest and everybody. So my honourable friend's fear is quite unfounded. We are going beyond the definition of the word "creditor." We are making it a bit clear. The assignee would be creditor under the Act if we use the word creditor. Sir, I don't think we are putting embarrassment on anybody or creating confusion. Our object is simply to make it more definite. The amendment is in no way against the spirit of the clause.

Mr. President : Question is—

"That in proviso (iv) of sub-clause (1), (b) of clause 3, in line 6, between the words '*sub-judice*' and the word '*unless*' the following words be inserted :—

'between two or more persons claiming as creditors adversely to each other.'"

Motion was carried.

Mr. President : Question is—

"That proviso (iv) of sub-clause (1) (b) of clause 3 as amended stand part of the Bill.

Motion was carried.

Sub-clause (2).

Shaikh Abdul Ghani : I would like to add the word "alone" after "shall" and before "be deemed" in the sub-clause which I propose to substitute for the existing sub-clause (2). So the amendment as now proposed by me will stand—

"That for sub-clause (2) of clause 3 the following be substituted:—

"Notwithstanding anything contained in the Indian Evidence Act, 1872, entries in books of account prescribed under clause (a) of sub-section (1) shall alone be deemed to be relevant for proving any transaction to which they relate, and copies of such entries certified in such manner as may be prescribed shall be admissible in evidence for any purpose in the same manner and to the same extent as the original entries."

This means that I am reverting to sub-clause (2) as put in the original Bill and which stands now substituted by the new sub-clause by the Select Committee with this difference only that I have inserted the word 'alone.'

The Honourable Malik Firoz Khan, Noon : I think the best thing would be to put the amendment as printed and move this further amendment afterwards.

Shaikh Abdul Ghani : Sir, not because I think that the amendment as now put by me is necessary or that it was in any way different but because the sense of the House would not be in favour of the word 'alone' that I stick to my original amendment. It runs as follows:—

"That for sub-clause (2) of clause 3, the following be substituted:—

"Notwithstanding anything contained in the Indian Evidence Act, 1872, entries in books of accounts prescribed under clause (a) of sub-section (1) shall be deemed to be relevant for proving any transaction to which they relate, and copies of such entries certified in such manner as may be prescribed shall be admissible in evidence for any purpose in the same manner and to the same extent as the original entries."

As you will see, section 34 of the Indian Evidence Act, which I will read with your permission, lays down: "Entries in books of accounts regularly kept in the course of business are relevant whenever they refer to a matter into which the court is to enquire, but such statements shall not be alone sufficient evidence to charge any person with liability." Now, Sir, comparing this with the original draft in this Regulation of Accounts Bill, we find that the framers of this Bill in the Select Committee have gone far ahead, and they have rather gone too far. They have even transgressed the ordinary principles of law as embodied in the Evidence Act, and they have rather substituted in its place a standard of proof which I would submit is not warranted by any of the laws of this country. All that section 34 requires is that entries in books of accounts regularly kept in the course of business are relevant whenever they refer to a matter into which the court is to enquire. All that the law says is that in certain cases we make exception according to general principles of Evidence Act in favour of certain persons who got certain facts in their own favour under the ordinary law. If section 34 were not there in the Evidence Act the result would have been that if a creditor makes certain entries in his own account books, and in the litigation he wants to put in those entries to support his own case they will be ruled out under every other provision of the Evidence Act because those are admissions by the man in his own favour and in support of himself in order that it should not work very hard on him. The framers of the Evidence Act made rather a very salutary exception.

on the point and said that if it is proved that the account books are regularly kept and there is sufficient proof forthcoming on this point then entries in these account books would be considered to be relevant. They would be admissible in evidence. They would not be ruled out on the ground that because the *bahis* have been kept by the creditor and the statements are as a matter of fact of his own making, therefore, we cannot attach any importance to these and we would not even consider them. All that the section says on the point is that, in these exceptional cases by the very nature of the thing certain entries in account books should be considered to be relevant, and unless further proof were adduced on the point and the court were satisfied, their evidential value would not by itself be very strong. They are relevant, they are admissible in evidence. The court will, while considering what particular proof is there with respect to a particular point, take these *bahis* into consideration, but before taking these *bahis* into consideration the court will see that they have been regularly kept. Of course the standard which is necessary in cases like this to determine whether a particular document is regularly kept or not is a different thing into which we need not go at present. After all these formalities have been gone into, and after sufficient proof has been adduced that the *bahis* are regularly kept, the entries will be presumed to be relevant. Now, Sir, consider the effect of the sub-section as now proposed by the Select Committee. This means entries in the account prescribed in clause (a) of sub-clause 1 shall be deemed to be regularly kept. In the first instance, I submit that it is altogether a new phrase. You rule that entries will be deemed to be regularly kept without any further proof, without any further formality being gone into, and once the account prescribed by this Act is put in the court each item that occurs therein will be considered to be regularly kept because you do not say the books of accounts will be deemed to be regularly kept. I take exception to that expression too. The mere production of the account books prescribed under this Act will carry with it this conclusive presumption that each entry in that account is deemed to be regularly kept. Now take this position and then think over it from a lawyer's point of view. When each entry in an account is to be deemed to be regularly kept what is the poor debtor now left to disprove. How can he possibly rebut it with this extraordinary presumption of law in favour of the creditor which is almost conclusive. What is there that you leave to the debtor to disprove these entries? Each entry that is there carries with it individually the presumption, not only the presumption but rather this conclusive weight, that it is individually to be deemed to be regularly kept. When a thing is deemed to be regularly kept, what is there to show that this is false? You obviate any possibility of contradicting any of the entries occurring in that account and thus going against all principles of jurisprudence, against all principles of proof or disproof on the point. I think the money-lenders, if they had time to think, they would never oppose this Act at all. Rather they would welcome it. Leave this provision in the Act and you seal the doom of the debtor in every possible thing. The money-lender would welcome this Act. He would welcome the form prescribed in it. He will put down the items in a book which you prescribe regularly, and all that he will do is when there is the time when he lodges the suit and goes to the court and seeks the court's assistance he will say

[Shaikh Abdul Ghani.]

'here you are, I have put in my account, I have got them in the prescribed form and the presumption is in my favour. You yourself say that each entry that occurs in my account is deemed to be correct. Give me the decree.' What possible way has the poor debtor to refute or to contradict him on that point? What possibly can be done in any way to refute or to assert or to show the falsity of the entries which carry with them the presumption that each one of them is to be

11 A.M.
deemed to be regularly kept? I would go so far as to say that if you retain the word 'deemed' it means that the other side cannot let in any evidence, because they are deemed to be regularly kept and the court has to accept it as such. How can you possibly persuade the court to accept any evidence or defence to the contrary, once you say you have to deem it to be correct or regularly kept? The whole thing ends there and no more letting in of proof, no more rebutting and no attempt to try to falsify the accounts as they stand. So I submit that this provision has not been thought out well and there is some mistake somewhere. Of course the framers of the Bill are those gentlemen on the opposition side who took part in the discussions of the Select Committee. Perhaps they never thought that they were going to enact such a provision as this which can find no place in any statute-book of any civilised world.

(Urdu): Sir, this is a very important legal point and, therefore, with your permission, I wish to explain it at some length in Urdu so that my honourable friends of the unionist or zamindar party may be able to appreciate its full significance. There may be some repetition in the course of my speech, but the matter is of so great importance that, in my humble opinion, a little repetition may be excused. Sir, it is laid down in the Indian Evidence Act (section 84) that entries in the account books kept regularly in the course of business shall be considered relevant and, therefore, the usual procedure is that when a money-lender sues a debtor for the recovery of his money he attaches a copy of the entries in the books of account to the plaint, and after the debtor has put in his answer, the court frames the issues as to what each party has to prove or disprove. Now usually, the money-lender declares on oath that he has kept his books, his day-book, cash-book, ledger and all, in a proper and regular form and manner. This concession is allowed to him by section 84 of the Evidence Act, otherwise according to law no person should be given any benefit on the score of an affidavit in connection with his own books or records. However, in this case too, the onus of proving the regularity of his accounts is on the creditor. He has to prove that he has been regularly making all entries in the day or cash-book and then transferring them to the ledger.

Now look at the difference between section 84 of the Evidence Act and clause 3 (2) of the present Bill. The former leaves the onus of proof on the money-lender while the latter says that the entries in the account books shall be deemed to be regularly kept for the purposes of that section.

How can you reconcile the two? Section 84 of the Indian Evidence Act runs as follows:—

“Entries in books of account, regularly kept in the course of business are relevant whenever they refer to a matter into which the Court has to inquire, but such statements shall not alone be sufficient evidence to charge any person with liability.”

From this it is evident that even if a creditor shows by means of an affidavit or in some other manner that the accounts have been kept regularly the statement will be only relevant and admissible for the purposes of evidence but not a sufficient or conclusive proof of the liability of the debtor to the amount mentioned therein. In the present Bill it is laid down that the creditor shall regularly record and maintain an account for each debtor separately, of all transactions relating to any loan advanced to the debtor, and then if he lodges a suit for the recovery of his loan he will have to submit to the court a copy of the account along with his plaint. So far this is all right and I have no quarrel with it. But then you lay down in sub-clause (2) of clause 8 that all entries in the account prescribed under clause (a) to sub-clause (1) shall be deemed to be regularly kept for the purposes of section 84, Indian Evidence Act. I beg to submit Sir, that this sub-clause is much more detrimental to the interest of the debtor than section 84 of the Evidence Act. Now let us compare the two. The ordinary law of evidence makes the entries in the account books and statements only relevant and admissible, and thus it is the duty of the plaintiff to prove that they have been kept regularly and that the signatures and finger-impressions are genuine. Therefore, there is a chance for the debtor to rebut or disprove the correctness or regularity of the accounts. But in the present Bill you leave no such loophole for the debtor. There may be a little chance for him to rebut the correctness of the accounts, but it is very little, or shall I say too little. It is said that the Bill under consideration is designed to protect the poor and ignorant debtor from crooked and dishonest money-lenders. But I submit, Sir, that if you let this sub-clause remain as it is this Act will become a dead letter in no time. The courts will simply admit the account books as regularly kept and correct and award decrees to the creditors. The honourable Financial Commissioner (Mr. Calvert) has, in the course of his opinion about the Bill, very rightly remarked that this sub-clause will prove much more harmful to the poor debtor than even section 84 of the Indian Evidence Act. My submission is that if this sub-clause is left as it is you will make this province too hot for poor debtors to live in. I would, therefore, request the honourable members who agree with me not to allow this injustice to be done to poor people. And if they find themselves absolutely helpless, they should wash their hands off this bloody deed and walk out of the Chamber when this sub-clause is being passed.

Mr. President : Question is—

“That the following new sub-clause be taken into consideration:—

“Notwithstanding anything contained in the Indian Evidence Act, 1872, entries in books of account prescribed under clause (a) of sub-clause (1) shall be deemed to be relevant for proving any transaction to which they relate, and copies of such entries certified in such manner as may be prescribed shall be admissible in evidence for any purpose in the same manner and to the same extent as the original entries.”

Council divided: Ayes 15, Noes 28.

AYES 15.

Mr. M. A. Ghani.
 Khan Bahadur Captain Sardar
 Sikander Hyat Khan.
 Mian Ahmad Yar Khan, Daultana.
 Sayad Mubarik Ali Shah.
 Khan Sahib Khan Muhammad
 Saifullah Khan.
 Malik Nawab Major Talib Mehdi
 Khan.
 Chaudhri Duli Chand.
 Chaudhri Ali Ahmad.

Sayad Muhammad Husain.
 Khan Bahadur Malik Muhammad
 Amin Khan.
 Khan Bahadur Chaudhri Fazl
 Ali.
 Khan Bahadur Mian Muhammad
 Hayat, Qureshi.
 Chaudhri Umar Hayat.
 Shaikh Abdul Ghani.
 Chaudhri Muhammad Abdul Rah-
 man Khan.

NOES 28.

Khan Bahadur Khwaja Abdur
 Rahman.
 Mr. H. Calvert.
 Mr. C. A. H. Townsend.
 The Honourable Malik Firoz Khan,
 Noon.
 Khan Bahadur Nawab Muzaffar
 Khan.
 Mr. W. R. Wilson.
 Khan Bahadur Sayad Maqbul
 Shah.
 Mr. D. Macfarlane.
 Mian Muhammad Fakhar-ud-
 Din.
 The Honourable Mr. Manohar
 Lal.
 The Honourable Sardar Sir
 Jogendra Singh.
 The Honourable Mr. A. M. Stow.

Mr. Alan Mitchell.
 Lala Ram Lal.
 Mr. C. M. G. Ogilvie.
 Mr. A. C. Macnabb.
 Mr. S. L. Sale.
 Diwan Bahadur Raja Narendra
 Nath.
 Dr. Gokul Chand, Narang.
 Rai Bahadur Lala Sewak Ram.
 Pandit Nanak Chand.
 Lala Mukand Lal, Puri.
 Lala Gopal Das.
 Rai Bahadur Lala Rattan Chand.
 Lala Bodh Raj.
 Rai Bahadur Lala Dhanpat Rai.
 Sardar Bahadur Captain Dalpat
 Singh.
 Sardar Bahadur Sardar Sheo
 Narain Singh.

Mr. President : Question is—

“That sub-clause (2) of clause 3 stand part of the Bill.”

Motion was carried.

Explanation to sub-clause (2).

Mr. President : Question is—

“That the explanation to sub-clause (2) stand part of the Bill.”

Dr. Gokul Chand, Narang : Sir, I beg to oppose this motion. My reasons are these. The explanation is to this effect :

“A person to whom a statement of account has been sent under clause (b) of sub-section (1) shall not be bound to acknowledge or deny its correctness, and his failure to protest shall not, by itself, be deemed to be an admission of correctness of the account.”

I would submit, in the first place, that this explanation is redundant.

Mr. President : Is it quite consistent with sub-clause (2) which the Council has just passed. If every entry is presumed to be kept regularly what will be the effect of non-acknowledgment or non-denial?

Dr. Gokul Chand, Narang : Quite so, Sir. I thank you for drawing my attention to that at this early stage. In the first place, it is inconsistent with sub-clause (2) of clause 8. In the second place, I would submit that it is redundant. In the third place, it is unjust and unfair and absolutely one-sided and partial. Whereas the Bill places so many obligations on the lenders, it places no obligation whatsoever on the borrower. This is not a borrowers' protection Bill in the sense that the borrower is to be protected in every possible way, fair or unfair. Nor is it a Bill which is intended to put disabilities only on the lenders. The object of the Bill is to regulate the accounts maintained by the lenders so that it may be possible for the borrowers to know how their accounts stand with the lenders, so that the borrowers may have as little chance as possible of being deceived. A perfectly laudable object. But this explanation as it stands means that twice a year the creditors must send their accounts covering many pages, because every small entry has to be put in according to the clause which we have already passed. The accounts go to the borrowers. There may be some inaccuracy in the statement of accounts. The borrower knows it, still he keeps quiet. The creditor does not note the inaccuracy and continues the mistake in every six-monthly statement he is sending to the debtor. When the creditor goes to court the debtor will perhaps plead inaccuracy in the accounts. Because of this explanation, the court will presume against the creditor. Is that fair to the creditor? What is sauce for the gander must be sauce for the goose. If there are obligations on the lender there must be corresponding obligations on the borrower too.

Then, there is another reason why this explanation should be omitted from the Bill. That reason was suggested by the opinions which have been circulated for our information. A very experienced district judge has pointed out that it would be absolutely useless to send these accounts unless there is some incentive to the borrowers to look at these accounts. Why should he go into these accounts so long as the presumption for mistakes is to be against the lender? So, the borrower will not care to look into the accounts. But if the presumption is going to be against the borrower, that is, if the borrower does not protest against the accuracy of the statement of accounts, if the court presumes that the borrower accepts the correctness of the account, then there will be an incentive on the part of the borrower to look into the accounts. Otherwise he will have no motive to look into the accounts. Frequently the example of banks has been quoted in this House. I have just got in my hand a form used by banks with counterfoils. The bank expects the clients to sign and return the counterfoil so that the bank may know that the accounts of that particular client are correct, and if he says they are wrong where to locate the mistake. It is my personal experience that many times the amount of money sent for the credit of one account is by mistake of the clerk at the counter credited to another person. Several mistakes are made during the course of these transactions. These poor money-lenders cannot be expected to be greater experts than the clerks of banks, and if the latter can make mistakes, sure-

[Dr. Gokul Chand, Narang.]

ly the poor money-lenders who carry on their business in villages are also liable to make mistakes. Not to point out such mistakes, then and there will be very unjust and cruel to the lenders, because it is deliberately misleading the creditor and keeping him in the dark so far as the accuracy of his statement of accounts is concerned, and thus bringing trouble on him. Does the Government propose to be a party to that act of fraud, this acting of a lie to use the expression used by Prof. Blackie in a book which we used to read 80 or 40 years ago? Can such a provision be incorporated in an Act like this? I trust the honourable members of Government will see for themselves that such an explanation is entirely uncalled for. Leave things as they are. Leave it to the discretion of courts. Every case has to be decided on its own merits. If the accounts are sent to an illiterate borrower the court may make the presumption that he was absolutely incapable of judging for himself or that he was in a village where there is no educated person, and so he could not see the accounts and find out the mistakes, and so on.

When a copy of the account is sent to the borrower, it becomes a question of fact whether the money was lent or not. When the court finds that there is no room for a presumption, the finding will be in favour of the borrower. In other cases where the borrower is a member of the Indian Civil Service, a barrister or an engineer and accounts are sent to him—in spite of my amendment, the House has not exempted loans given to such literate people—if accounts are sent to such a person and if he does not protest, the presumption would be made against him. If it were intended that there should be no such presumption in the case of a rustic borrower, a zamindar or an illiterate man, there would be some sense in it. But this Bill is going to apply to the most literate, the most astute people, even to money-lenders themselves. If I send a copy to a money-lender and he does not protest, no presumption would lie against him. The whole thing looks to me, I speak earnestly, not for the sake of argument merely, so meaningless. The framers of the Bill seem to have had only one class in view and that class is the helpless, illiterate borrowers in the village. If that was so, one might have passed over this provision. But they have made this Bill applicable to every one except of course those expressly exempted in the clause of definitions. What justification is there for not making a presumption against, say, my honourable friend there Rai Bahadur Dhanpat Rai if he borrows money from me, or against you—God forbid that you should stand in need of money—or even against the honourable the Finance Member—God forbid that as well—should no presumption be made against such people? It is the height of absurdity that these people should compel me, a money-lender, to send them accounts twice a year and should have no obligation on their part in return, not even to acknowledge, for the explanation says: 'shall not be bound to acknowledge'. Either make a distinction between borrowers and borrowers or do not make this universally applicable. As it is, to me it seems, as I submitted, in the first place, it is inconsistent with clause 2 which we have passed and in the next, absolutely redundant and, in the third place, wholly unjust, unfair and partial. Leave things as they are; leave it to the discretion of the court where to make a presumption and where not to make it.

Mr. S. L. Sale : Sir, I have listened with close attention to what my learned friend, Dr. Narang said, and in reply I only propose to tell the House what I would do, if I were the judge and had this section before me in a case where I had to administer this law. It has been rightly stated that the intention of the framers of this Act is to help as far as possible the ignorant and illiterate borrower, and I think the court will, in administering the law naturally bear in mind the distinction between the illiterate, ignorant borrower and the case of the borrower that Dr. Narang has been talking about. Supposing I have before me an ignorant borrower, this explanation says that the mere fact that the ignorant borrower has not protested shall not *by itself* be sufficient to create an estoppel against the borrower. The important words are 'by itself'. It means that it is open to the creditor to show reasons why estoppel should operate against the borrower. If there are no such reasons and if the court finds that there has been an ignorant debtor who has not protested probably because he could not read or write or could not have the accounts read out to him, there is no reason to presume as against such a borrower that the accounts are correct. That is so far as the ignorant borrower is concerned. But take the case of a different class of debtors. Take the case of a member of the Indian Civil Service to whom Dr. Narang has referred. The court will say : This borrower could have read the account if he had seen them : even if the accounts were in the *Mahajani* characters, he could have taken the trouble to have them read out to him by a *Munshi* or some one else and, in the absence of other reasons, failure to protest by such a borrower should estop him from denying the accuracy of the accounts. The words 'by itself' which are the important words in this explanation give the court the opportunity to weigh the particular circumstances of each case as it comes before it. It can look at the condition of the debtor and decide for itself as to whether the mere fact that there has been no protest should or should not create an estoppel. For this reason, I do not think there is any injustice in this explanation as it stands.

Mr. E. Maya Das : Sir, in my opinion this would give a fine weapon in the hands of the borrower to defend himself. Borrowers are of two kinds, those that are literate and clever and those that are illiterate. If the illiterate borrower will just learn to get his accounts read it will be of great use to him even if the accounts are sent to him in characters with which there is nobody acquainted in the neighbourhood, then it is open to him to obtain a copy of the same in Urdu or any other script which he can arrange to get read. I therefore strongly urge that the borrower should be taught the habit of getting his accounts examined, and what is needed is that extensive publicity should be given to this matter so that all borrowers as soon as they get their accounts should get them read and examined. If this were done then this Bill would be in the best interests of the borrowers. I therefore support the amendment.

Rai Bahadur Lala Dhanpat Rai : Sir, whatever justification there may have been at the time when this Bill was introduced to have this explanation, but after we have passed the proviso that if a debtor wants that the copy of his accounts should be sent to him transliterated in the script which he understands, and the creditor is under an obligation to do so, I do not think now there is any necessity for this explanation. At the time when this Bill was framed perhaps the suspicion was lurking in the minds

[Rai Bahadur Lala Dhanpat Rai.]

of some honourable members; that when the account is furnished to a debtor, it may be that he will not be able to follow or read it; and in such a case to saddle him with the responsibility of verifying the account and questioning its accuracy, if necessary, and in its absence to presume an admission of the account on his part is unfair. Suppose, for argument's sake, that I am the money-lender and my honourable friend, the Minister for local Self-Government, is the debtor. I send him an account which I keep in the *Mahajani* characters and he writes to me saying that he cannot follow the script and asks for a copy of the same in English. I accede to his wishes. After six months the same thing happens again, and for three years this process goes on. Then I put him to court. I ask, can he contend that no presumption should be drawn against him in favour of the accuracy of the accounts. Whatever law you may enact you cannot prevent the court's mind being influenced by this conduct of the debtor. Even if you provide in this Act that an admission should not be presumed from the circumstances mentioned in the proviso they will have their influence on the mind of the court. It has already been said that the mere fact that you do not deny the correctness of an account sent to you cannot be construed into an admission that it is correct, where is then the use of having the section at all? If the ordinary law of the land is that you cannot construe it into an admission, why have this explanation? Is it the intention of this House to put a premium on dishonesty? On these two grounds I would strongly urge the deletion of this clause. In the first place, there is no necessity for it. Let the ordinary law of the land take its course. If an account is sent to a debtor and he does not deny its correctness it will along with other circumstances be construed into an admission, say what you like. In the second place, as the right has been given to the debtor to claim the account transliterated in his own script, I do not think there is any necessity for having this explanation at all.

Lala Mukand Lal, Puri : I rise to support what my learned friend, Dr. Narang, said that the presumption which has
12 NOON. to be drawn from the circumstances of each case should be left to the courts. On this point I wish to bring to the notice of the House the decided opinions which have been expressed by the judiciary of this province on this explanation to section 3. The High Court points out :—

"That the explanation is one-sided and unjust. If it is to be made obligatory on the creditor to keep the account in the prescribed form and to send copies thereof at stated intervals to the debtor, it is but fair that the failure of the debtor to deny its correctness within a reasonable time should raise a presumption in favour of the correctness of the account."

This is what Mr. Blacker, I.C.S., District and Sessions Judge, Montgomery, says :—

"The only criticism lies in the explanation to clause 3, which seems too much against the money-lender, who after all serves an economic purpose. Some machinery must be devised for the debtor to register a protest in such a way that the creditor should not be able to deny its having been made, and failure, etc., to register a protest within a fixed time should at least shift on to the debtor the burden of proving the incorrectness of the account."

A large number of other district judges have recorded the same opinion. Therefore in view of the opinions which have been received from the judiciary and in view of the very clear statement made by the honourable the

Legal Remembrancer that the court would be justified in drawing a presumption against persons who understood the account while they would be reluctant to draw the same presumption against illiterate persons, I think the best solution would be to drop the explanation.

Pandit Nanak Chand : I listened very carefully to the arguments which were advanced by the honourable the Legal Remembrancer in regard to this explanation. It is no doubt true that the court will draw different presumptions in regard to the literate and the illiterate borrowers. The courts do adopt different standards in these different cases. But my submission is that when this explanation is there, it does not make that distinction. It is going to apply to all classes of debtors. Whatever may be in the minds of the framers of this clause, this clause does not make any such distinction. The addition of the words 'by itself' does not help to draw any such distinction either. The words apply to both the ignorant borrower and to the highly educated one. The plain and ordinary meaning of the explanation is to make any presumption impossible. Whether the borrower is a member of the Indian Civil Service, belongs to the legal profession, is a big merchant dealing in millions of rupees, makes not the slightest difference. I would respectfully submit to the honourable the Legal Remembrancer or any one sitting on the Government benches to show how this clause makes a distinction between the literate and the illiterate borrower. The honourable the Legal Remembrancer said that it was covered by the wording of the clause. To me it does not appear so. The words 'by itself' definitely show that the sending of the accounts on the part of the borrower by itself will not be taken to be a presumption as to its correctness. On the other hand, the words strengthen the mind of the court against any such presumption.

One other point. From the speeches that have been made an impression was left on my mind at least that the deletion of this clause in the minds of some honourable members will mean that the courts in the absence of a denial will presume that the accounts are correct. It does not follow and there does not seem to be any force in that argument. In the absence of a denial, if the explanation were not there, the courts will be left to judge for themselves whether there should be this presumption or not. It will be left to the court to decide according to the circumstances of each case. But by this explanation you bind the hands of the courts not to raise the presumption in any case, whether the borrower is literate or illiterate. That is the plain meaning of the explanation. It does not cover the meaning put upon it by the honourable the Legal Remembrancer. As it goes contrary to the intentions of the framers, I support the deletion of this explanation.

Sayad Muhammad Husain (Urdu) : Sir, in connection with this amendment I want to say only this much that the attitude of the Government during the last two days.

Mr. President : To which amendment is the honourable member referring.

Sayad Muhammad Husain : Sir, I wish to make this statement on behalf of the zamindars.

Mr. President : Does the honourable member know which amendment is under discussion ?

Sayad Muhammad Husain : I do not know which amendment is under discussion (*laughter*). I was not here when the present discussion commenced. However, I hope you will very kindly let me proceed. I want to make it clear that this Bill with the amendments which Government have allowed to be made in it during the last two days, has become utterly useless from the point of view of zamindars. The weakness which the Government has exhibited in submitting to the demands of the antagonists of the Bill, has made a mess of the whole thing, and now we will not care whether this Bill is passed or is rejected. I repeat again that this Bill is now quite useless for us, and we will have nothing to do with it. Let the Government and its *chelas* (disciples) do whatever pleases their fancy.

Dr. Gokul Chand, Narang : I protest against this remark.

Sayad Muhammad Husain : If this measure is harmful to one community or the other, Government is only to blame. We are now not concerned with it. The opinions of the experts in this matter is that with the changes that have now been introduced, the zamindars will not benefit by it for whose good it was originally intended. We are very much sorry, and I should say we are shocked to see the weakness which Government has shown in this matter. We are very loyal people, and it is very seldom that we make any complaints. But we are very much vexed over this matter, and we cannot do anything else but to cease taking part in the further discussion of the Bill.

Diwan Bahadur Raja Narendra Nath : What has happened that has aggrieved the honourable member so much ?

Mr. President : Question is :—

“That the explanation to sub-clause (2) of clause 3 stand part of the Bill.”

Council divided : Ayes : 24 ; Noes 9.

AYES : 24.

Khan Bahadur Khwaja Abdur Rahman.

Mr. H. Calvert.

Mr. C. A. H. Townsend

The Honourable Malik Firoz Khan, Noon.

Khan Bahadur Nawab Muzaffar Khan.

Mr. W. R. Wilson.

Khan Bahadur Sayad Maqbul Shah.

Mr. D. Macfarlane.

Mr. M. A. Ghani.

Mian Muhammad Fakhar-ud-Din.

The Honourable Mr. Manohar Lal.

The Honourable Sardar Sir Jogendra Singh.

The Honourable Mr. A. M. Stow.

Mr. Alan Mitchell.

Lala Ram Lal.

Mr. C. M. G. Ogilvie.

Mr. A. C. Macnabb.

Mr. S. L. Sale.

Khan Bahadur Captain Sardar Sikander Hyat Khan.

Sardar Hira Singh, Narli.

Sardar Bahadur Captain Dalpat Singh.

Sardar Bahadur Sardar Sheo Narain Singh.

Sardar Bishan Singh.

Sardar Mohindar Singh.

NOES : 9.

Diwan Bahadur Raja Narendra
Nath.
Dr. Gokul Chand, Narang.
Rai Bahadur Lala Sewak Ram.
Pandit Nanak Chand.

Lala Mukand Lal, Puri.
Lala Gopal Das.
Rai Bahadur Lala Rattan Chand.
Lala Bodh Raj.
Mr. E. Maya Das.

Clause 4.

Sub-clause (a).

Lala Mukand Lal Puri [Lahore City (Non-Muhammadian), Urban]:
Sir, I propose :—

"That in sub-clause (a) of clause (4) the words 'if necessary' be added after the word 'shall'."

If this amendment is carried the result will be the restoration of the sub-clause as it stood before it was sent to the Select Committee and as it was originally proposed by Government, and the sub-clause as amended will read as follows :—

"Notwithstanding anything contained in any other enactment in force for the time being in any suit or proceeding relating to a loan, the court shall, if necessary, before deciding the claim on the merits, frame and decide the issue, whether the creditor has complied with the provisions of clauses (a) and (b) of sub-section (1) of section 3."

Now, Sir, the object of this amendment is not to seek any benefit for the creditor but simply to bring to the notice of the Government the results of this possible omission which seems in my opinion to have been made without due consideration of the possible results of this omission on the volume of litigation in the province. Ordinarily when a suit is brought, for instance on a bond, it is open to the defendant to raise any defence that he likes. He might plead that at the time of the execution of the bond, he was incapable of entering into transaction, being an infant or of unsound mind or suffering from any other disability. He may plead, that he did not execute the bond at all or his signature was taken by fraud, undue influence or coercion or he might not plead any of these things, he might say that he executed the bond but did not receive any consideration, or he might raise innumerable other pleas which are open to a litigant. But the courts only adjudicate upon the points on which the parties are at conflict. The courts adjudicate upon the disputes which exist between the parties and are not expected and do not create points of disputes between them. The result of the omission of the words "if necessary" which were originally proposed by the Government would be, that the courts would be called upon to decide two issues upon which the parties may not be at all at variance and the result will be an enormous increase in the amount of work of our courts, an increase which the existing judiciary might not be able to cope with. Now, Sir, referring to the report or rather the note on the Administration of Civil Justice in the Punjab, for 1928, the total number of suits which were disposed of by the courts are given at page 2. They were 314,159 regular suits out of which 242,689 were disposed of by them. So that 242,689 suits were disposed of in the course of one year. Now, how was it possible that our courts

[Lala Mukand Lal Puri.]

were able to cope with such a large number of cases? This is made clear from the information which is given. That is to be found in the paragraph which follows. The following table shows the manner in which these suits were disposed of: 14.3 per cent *ex-parte*; 59.1 per cent without contest; so that the total number of suits which were disposed of without contest or without trial was 73.4 of the total number of cases which came up before the courts. Again, the proportion of money suits and suits relating to moveable property, which came up before the courts was 82 per cent. So that in 1928 suits which came up before courts relating to money and moveable property were 245,251, and one may safely take it that out of this the suits relating to money transactions will be well nigh about 2 lakhs. Of these suits relating to money matters, suits of the value of Rs. 10 or under were 10,787, between 11 and 15 were 57,416, between 51 and 100 were 57,309, so that the total number of suits of the value of hundred rupees or under which came up before courts were 125,512. I have just pointed out that out of these suits which came up before courts, about 75 per cent were uncontested and this is the reason why our Small Cause Courts in Lahore and Amritsar and other places, with Small Cause Courts and Sub-Judges, are able to cope with the amount of litigation which exists in this province. Now, Sir, if these words which, out of their wisdom were put by Government in the original draft and which I submit, with due respect, appear to have been omitted without conferring any benefit on the debtor or any possible disadvantage on the creditor, were now to form part of the Bill, then in every such suit the court will have to decide two issues as to whether the accounts were kept in a particular form and second, whether the accounts were regularly sent. And this will have to be done not only in contested suits but in all suits whether they are decided *ex-parte* or whether they are, as very often happen, decided on confession of judgment. Kindly realise what an amount of work you are putting on courts. Has the Government contemplated the possibility of doubling the judiciary or increasing the number of Sub-Judges which the enactment of this provision will probably entail? Now ordinarily a case coming up before a Small Cause Court Judge which is decided *ex-parte* or on confession of judgment does not take more than a few minutes, but if he has to decide two more issues then it will certainly take some time. After all the finding by the Sub-Judge on these two issues can only be given on evidence, and I submit that the recording of evidence (and the evidence in this case in addition to oral evidence will necessarily consist of documents which will have to be exhibited in accordance with provisions of Civil Procedure Code), will take an amount of time of which the Honourable Finance Member should certainly take note before he consents to the enactment of this provision and to the omission of the words "if necessary" from the provision of sub-clause (a) of clause (1) as originally drafted. Sir, the amount of work which the courts will have to do in this matter will be still larger from the fact that the word "court" as defined in the Act includes the insolvency courts also. This note on the Administration of Civil Justice in the Punjab points to a large increase in the number of insolvency petitions. Everybody who has anything to do with the courts knows that one insolvency petition practically means 50, 60 or even 100 cases, the claims of so many creditors have to be taken into consideration; fraudulent preferences

have to be dealt with and so on. With respect to each creditor the insolvency court will have to frame two issues and take evidence on each issue whether any one raises any objection or not. The creditor naturally to safeguard his interests will give evidence. So that there will be an increase in the volume of litigation in this province which is entirely uncalled for, in fact absolutely unnecessary. Now, Sir, if the enactment of this proposed provision conferred any benefit on the debtor, then the Government may possibly feel justified in enacting this provision and incurring increased expenditure. But let us see if this confers any the least benefit on the debtor. When the parties have gone to court and when the creditor has put all his evidence in court, as he is required by law to file with the plaint all the documents in his possession and on which he relies, the defendant, if he finds that the creditor has not complied with any of these provisions, will certainly raise an objection, and if the creditor has to lose on any of these two points then evidence will be adduced. But as I pointed out that 75 per cent of the cases are decided without a contest, the result will only be that the debtor will be burdened with cost. Now kindly see what will happen. Let us assume that a suit for 25 is brought and the defendant does not deny the claim. A decree for 25 is given perhaps about Rs. 2 will be added for court fee and another Re. 1 for lawyer's fee and 8 annas for another something. This will be the entire cost of the case under the present law because it has been decided on confession of judgment. But even if the debtor does not raise any objection, this new legislation places an obligation on the courts to decide two issues. Thus the creditor will have to give evidence on these two issues which may be quite considerable if he does not admit being a "creditor" within the meaning of the Act. He may summon witnesses which may cost him Rs. 10 or 15 or more in the way of diet money for a suit to recover Rs. 25. That will, under this legislation ultimately fall on the debtor, even though the poor debtor wanted to confess judgment for the amount. Are you thus conferring any benefit by omitting these words on the poor debtor? My submission to the House is, that if the Government thinks that it is conferring any advantage on the poor debtor or even if it is conferring an advantage which is even remotely proportionate to the enormous cost and the enormous expenditure which will have to be incurred in providing courts and establishment for the disposal of that litigation, it may certainly consent to the omission of these words. Otherwise there is absolutely no reason why these words which were originally intended by the Government to be included should be omitted, and why the Government should not stick to its original draft?

Mr. President : Question is :—

"That in line 2, sub-clause (a) of clause 4, the words "if necessary" be inserted between the words "shall" and before."

Council divided : Ayes 8 ; Noes 28.

AYES : 8.

Diwan Bahadur Raja Narendra
Nath.
Dr. Gokul Chand, Narang.
Rai Bahadur Lala Sewak Ram.
Pandit Nanak Chand.

Lala Mukand Lal, Puri.
Lala Gopal Das.
Lala Bodh Raj.
Rai Bahadur Lala Dhanpat Rai.

NOES : 28.

Khan Bahadur Khawaja Abdur Rahman.

Mr. H. Calvert.

Mr. C. A. H. Townsend.

The Honourable Malik Firoz Khan, Noon.

Khan Bahadur Nawab Muzaffar Khan.

Mr. W. R. Wilson.

Khan Bahadur Sayad Maqbul Shah.

Mr. D. Macfarlane.

Mian Muhammad Fakhar-ud-Din.

The Honourable Mr. Manohar Lal.

The Honourable Sardar Sir Jogendra Singh.

The Honourable Mr. A. M. Stow.

Mr. Alan Mitchell.

Lala Ram Lal.

Mr. C. M. G. Ogilvie.

Mr. A. C. Macnabb.

Mr. S. I. Sale.

Khan Bahadur Captain Sardar Sikander Hyat Khan.

Mian Ahmad Yar Khan, Daultana.

Khan Sahib Khan Muhammad Saifullah Khan.

Malik Nawab Major Talib Mehdi Khan.

Chaudhri Duli Chand.

Khan Bahadur Malik Muhammad Amin Khan.

Khan Bahadur Chaudhri Fazl Ali.

Mian Saadullah Khan.

Sardar Bahadur Captain Dalpat Singh.

Sardar Bahadur Sardar Sheo Narain Singh.

Sardar Mohindar Singh.

Mr. E. Maya Das.

Mr. President : Question is—

“That sub-clause (a) of clause 4 stand part of the Bill.”

Motion was carried.

Sub-clause (b).

Shaikh Abdul Ghani [West Punjab Towns (Muhammadan), Urban], (Urdu) : Sir, I beg to move

“That for sub-clause (b) of clause 4 the following be substituted :—

“If the court finds that the provisions of sub-clause (1) (b) of clause 3 have not been complied with by the creditor, and the amount of the subject matter of the suit exclusive of interest is Rs. 500 or less, the court shall, if the plaintiff's claim is established in whole or in part, disallow the whole of the interest found due as well as the costs. In all other cases the court shall disallow the whole or portion of the interest found due, as the court in the circumstances of the case may deem reasonable and shall disallow costs provided further that the amount of the interest so disallowed shall in no case be less than one-half of the amount of interest found due.”

My object in bringing forward this amendment is to make the present Bill as useful and as beneficial for the debtors as is really desired by the House. If we are sincere in desiring to put an end to the evils from which the poor classes are suffering then it is incumbent upon us to try to leave no loopholes in the Bill so that the money-lenders may not be able to evade its provisions. Cunning people always try to escape the rigidity of the law and therefore it is necessary that we should leave no scope for them to do so. It is quite possible that in suits of small valuation the money-

lenders may rather prefer to contravene the provisions of this Bill than undergo the inconvenience and trouble of keeping up-to-date accounts and sending six-monthly statements to the borrowers, etc. Therefore to put a check on such tendencies I have proposed in my amendment that in cases wherein the amount of debt does not exceed Rs. 500 the courts may be given power to disallow the whole of the interest if they find that the creditor has failed to comply with the provisions of this Bill. I am sure, Sir, that in cases where the amount of loan is small no money-lender would deem it worth the trouble to keep accounts and to submit six-monthly statements. They would rather prefer a loss of Rs. 2 or Rs. 3, than to adopt such a tedious procedure as of keeping accounts, etc.

Further, Sir, it will save a lot of trouble to the small cause courts which are already overworked. In small cause courts three or four hundred cases daily come up for hearing and it is expected that the passage of the present Bill will further increase their already heavy duties. Therefore by accepting this amendment we would be making their work lighter, for under the Bill as amended by my proposal the law courts would be empowered to decide such petty cases in summary manner.

Sir, I appeal through you on behalf of these wretches whom we call our fellow-beings and whom God gave human forms but whom the atrocities of man left little better than dumb driven cattle, and request the Government, in whose hands their destinies lie, that it should let its kindlier feelings of charity and benevolence flow towards those who have suffered long and awfully at the hands of a few wily people who happened to be their superior as regards wealth and whom age-long habits of practising such cruelties on others have made hardened sinners towards God and His men. These poor, simple, credulous, humble creatures of the Almighty, humiliated in our sight by their poverty have a right to ask the Government to protect them against the highhandedness of their persecutors, the creditors, and it behoves all men who are not devoid of fellow-feeling and other finer emotions to at least sympathise with this demand. Sir, imagine the case of a man whose wife, quick with child, is in her confinement and who has not got any money with him to buy even the commonest of medicines and tonic foods usually administered in such cases. This man, this husband, accursed for no fault of his own, absolutely distracted and cast down, bewildered and agonised, hopeless of help from any quarter, thinking even the doors of his God shut against him, seeks the door of a small shop situated in the dirty corner of a dirty village which is his abode and where many such other wretches as he also pass their days of earthly hell. There is no reason why under such distressing circumstances one should not feel himself forced to borrow. Therefore I urge him on until he arrives at the shop. A figure, greedy, almost ravenous in expression, confronts him; he most servilely requests a loan of annas 8, and is refused point blank. To stir pity in the other's heart he relates his story, the sahukar is moved and condescends to advance him this loan of annas 8, but on the condition that he should return it fourfold. The poor fellow regardless of any thing else but his wife in the labours of delivery agrees to it and willingly takes over himself this burden of life long damnation. Well, Sir, it is like this that poor people fall into the deep fathomless pit of debt and it is on behalf of these that I appeal to the Government to save them from their eternal mire of indebtedness. Sir, I repeat this request and lay stress on it again and again in the hope that perhaps my solicitations may kindle benevolent feelings in those in whose hands the destinies of

[Shaikh Abdul Ghani.]

this lower strata of society rest. Sir, they are miserable, life which God granted them as a gift bears hard upon them and they regard it no better than drudgery to which they are condemned for some unknown reason by an unknown malicious deity. Sir, I don't talk of the zamindars, towards whom I admit Government is kindly disposed and to whom it has often shown favours by granting them lands and other concessions. I am talking of those house-hold menials whom we call our *kamin*, who day and night serve us, help us, and linger about our feet like tamed cattle, in whose welfare we are not interested in the least—not even as much as we are interested in the well being of our domestic animals. Here, Sir, I may refer to the slight improvement in the condition of the christian sweepers, but I tell you, Sir, that Christianity has only succeeded in purging them of their bad and nasty habits. It has in no way attained success in relieving them from the grip of poverty. Economically they are as they were, miserable, famished, groaning under the heavy burdens of debt. Zamindars also suffer from debt but the suffering of these whom we number amongst the artisans and labourers surpass theirs and are more heart-rending. Sir, in the name of humanity I implore and request the opposite benches to come to their aid. It is high time for it. On behalf of these whom their fidelity to the Government—I admit their poverty had also to do with it—led them to the front in the Great War and upon whom for all such future occasions the Government can very well rely, I request the Government that it should not fail them in their need. They are faithful, they should not be ignored. If the Government does not wish the present Bill to become a dead letter like the similarly designed previous enactments, then there should be no hesitation in the way of my amendment being accepted, for it aims at making the present Bill perfectly effective by maintaining its spirit. First it is the Government's duty and then it is the zamindars duty to save them. It lies upon us also who are pleaders and barristers to extend a helping hand towards them, for we also take undue advantage from their litigation which is responsible for our wealth and prosperity. We unfairly and dishonestly squeeze out their money and therefore we should also make a sincere effort to.....

Dr. Gokul Chand, Narang : We earn our livelihood by fair and honest means. You should not vilify the profession as a whole.

Shaikh Abdul Ghani : I know, Sir, how I earn my livelihood and how others of my profession earn their livelihood. We pleaders, lawyers and advocates are licensed robbers, let loose amongst a simple hearted illiterate people. It is the Government's duty to help them by such legislation as the present one. Sir, all our sympathies should be with these wretches amongst whom are included our carpenters, blacksmiths, cobblers and grass cutters. These poor people even at present have to submit to *bigar* in some districts such as Hissar. What a pity that they should be made to suffer intolerable hardships on account of their poverty and we, their representatives, ignoring our duties should indulge in quarrelling over matters not even remotely connected with their welfare.

Mr. President : Order, order. The honourable member is not speaking to the new clause he has moved.

Shaikh Abdul Ghani : I ask for the indulgence of the Chair to give me sufficient time to explain my meaning. Unless I fully explain it to the House that this Act as it stands is absolutely nothing and cannot in any way be in the interest of those for whom it is intended. . .

Mr. President : The honourable member will please confine his remarks to the clause he has moved.

Shaikh Abdul Ghani : I began by addressing Government and now I am going to address the zamindar members of this House, and thirdly all the members of this House and with all the force at my command point out to the House that the Act as it stands is absolutely nothing and will do no good to those who want protection and if I can possibly persuade the House to accept the amendment I will have gained my object.

1 P. M.

The Council adjourned for lunch.

The Council re-assembled at 2 p.m.

Shaikh Abdul Ghani : (Urdu): Sir, when the Council adjourned I was submitting that the first and foremost duty of the Government was to make this Bill so useful and effective as to give the fullest amount of protection which the poor debtor needs so badly. Now the present penal clause affords him no such protection.

Mr. President : I would request the honourable member to avoid repetition.

Shaikh Abdul Ghani : Then we come to the zamindars. It has been said over and over again on the floor of this House that this Bill is a class measure and that Musalmans and zamindars want to thrust this piece of legislation on the Hindu money-lenders. I wish to point out that the zamindars have no real sympathy with the poor debtors. In fact, they actually brought forward an amendment to the effect that they may be exempted from sending the required statements to their partners in cultivation or co-sharers. This shows how much sympathy they have with poor people. Then as regards other classes, I fail to understand why any one of them should have any objection to giving some protection to poor people and thus trying to make their lot a little better. For instance, take the case of lawyers. What will they lose if these people become prosperous? Of course there may be a decrease in litigation but then, if these people are prosperous they will compensate us by paying better fees. The same may be said with regard to other classes. Therefore, it is not right to say that it is a class or communal measure with Musalmans or zamindars on one side and Hindus or money-lenders on the other. The reality is nothing more than that it is sought to afford some relief or protection to the ignorant people living in remote parts of the province who are compelled to acquire loans from petty money-lenders in the villages. Therefore, this measure is by no means harmful to the interests of Hindus or any other class or community. Now the question is whether you want to make this harmless piece of legislation absolutely ineffective. You have spent so much time in preparing and discussing the measure. Do you want to render all this labour fruitless. I beg to submit, Sir, that my amendment is an absolutely harmless one. Now there is no right of appeal against the order of a small cause court. You

[Shaikh Abdul Ghani.]

can only apply for revision and nothing more. I ask, Sir, is it unwise or undesirable to save the parties in such cases a good deal of time and money? If you feel that my amendment will in any way spoil the measure, oppose it by all means. But if it gives some protection to the poor people without doing any injustice to any class or party, then it should be the duty of every honourable member to support it whole-heartedly.

Then I come to the second part of the amendment. You say that if the provisions of clause (a) of sub-clause (1) of section 3 are not complied with the court should not allow the whole interest but some of it should be disallowed. You are quite right there. But I request you to be a little more definite and require the court to disallow at least one-half of the interest found due. Most of the official members know it fully well that a debtor has very often to pay Rs. 5,000 for a loan of Rs. 100 only. Therefore, if the court, by virtue of the discretion vested in it, disallows Rs. 100 or so out of an interest amounting to Rs. 4,900 the creditor will not mind it at all. He will continue to evade the provisions of the abovementioned clause. Moreover, Sir, if in any case a decision of any lower court disallowing say the 20th part of the interest is upheld by the High Court it will serve as a precedent for ever. The money-lenders and their lawyers will quote it in lower courts and say that since the High Court disallowed only the 20th part of interest for non-compliance with the provisions of clause (a) of sub-clause (1) of section 3, the lower court should follow this precedent in all such cases.

Therefore, I request the House, and especially the learned Legal Member to consider the matter carefully and see whether he does not feel it proper and necessary that the courts may be required to disallow at least one-half of the interest. Sir, the present state and constitution of the judiciary is well-known to every one of us. It cannot be denied that most of the presiding officers in such courts belong to the class which feeds and educates its children with the interest received from debtors. I do not mean to say for a moment that they have no right to do so or that the members of such classes should not be given any post in the judiciary. But I do submit, Sir, that such gentlemen cannot be expected to have any aversion to receiving interest at a high rate just as you cannot expect any person whose family traditions are against this practice to feel or speak in favour of taking interest. Thus these gentlemen will, very naturally, have no hesitation in allowing exorbitant sums of interests to the moneylender. Therefore, Sir, it is absolutely necessary to place a little restriction upon their discretion, and that is why I have moved this amendment that when the amount of the subject matter of the suit, exclusive of interest, is more than Rs. 500 and the court finds that the creditor has not complied with the provisions of sub-clause 1 (b) of clause 3 it should disallow at least one-half of the interest. With these remarks I commend my harmless but very important amendment to the House.

Mr. President: Question is that the following new clause be taken into consideration :—

“ If the court finds that the provisions of sub-clause (1) (b) of clause 3 have not been complied with by the creditor, and the amount of the subject matter of the suit exclusive of interest is Rs. 500 or less, the court shall, if the plaintiff's claim is established in whole or in part, disallow the whole of the interest found due as well as the costs. In all other cases the court shall disallow the whole or portion of the interest found due, as the court in the circumstances of the case may

deem reasonable and shall disallow costs, provided further that the amount of the interest so disallowed shall in no case be less than one-half of the amount of interest found due." "

Council divided : Ayes 15 ; Noes 8.

AYES : 15.

Khan Bahadur Captain Sardar
Sikandar Hyat Khan.
Mian Ahmad Yar Khan, Daultana.
Sayad Mubarik Ali Shah.
Khan Sahib Khan Muhammad
Saifullah Khan.
Malik Nawab Major Talib Mehdi
Khan.
Chaudhri Duli Chand.
Chaudhri Ali Ahmad.
Sayad Muhammad Husain.

Khan Bahadur Chaudhri Fazl
Ali.
Khan Bahadur Mian Muhammad
Hayat, Qureshi.
Chaudhri Umar Hayat.
Makhdumzada Sayad Muhammad
Raza, Shah, Gilani.
Shaikh Abdul Ghani.
Chaudhri Muhammad Abdul Rah-
man Khan.
Shaikh Muhammad Sadiq.

NOES : 8.

Diwan Bahadur Raja Narendra
Nath.
Dr. Gokul Chand, Narang.
Pandit Nanak Chand.

Lala Mukand Lala, Puri.
Lala Gopal Das.
Lala Bodh Raj.
Rai Bahadur Lala Dhanpat Rai.

Mr. E. Maya Das.

Sayad Muhammad Husain: I know what the fate of the amendment moved by my honourable friend is going to be. We are in the same position now as the honourable members opposite were before. But I must say in earnest that if the amendment proposed by my learned friend is not adopted then the Bill will be for the good of nobody. The Bill will be exactly in the same position as the first Gurdwara Bill which was passed in the teeth of opposition of the Hindus and the Sikhs though the Bill was intended for the good of the Sikhs. The amendment moved by my honourable and learned friend is quite a simple one. It will make the Bill quite a reasonable measure. As my honourable and learned friend, the member for Lahore, Mr. Mukand Lal Puri, has given in his valuable statement something like two lakhs of rupees are being realised by way of interest.

Lala Mukand Lal, Puri: No, that is not quite a correct statement.

Sayad Muhammad Husain: I should feel much obliged if the honourable member can give the exact figures for the benefit of the House.

Lala Mukand Lal, Puri: The exact figures are as follows :—

Number of suits below Rs. 10	..	10,707
Number of suits between Rs. 11 and Rs. 50	..	57,416
Number of suits between Rs. 51 and Rs. 100	..	57,309

These figures relate to the year 1928. It will be seen that the number of cases for value under Rs. 100 is 125,512. The number of cases between Rs. 101 and Rs. 500 was 92,476. So the total number of suits of the value below Rs. 500 will be over two lakhs. But I may point out for the information of the members that these are details with reference to all the suits. But 82 per cent. of these suits are suits relating to money and moveable property and it may be taken as a safe calculation that out of the suits relating to money and moveable property about 80 per cent. are money suits pure and simple.

Sayad Muhammad Husain : I am much obliged to my honourable and learned friend for this piece of information. It is evident from the valuable statement that is placed in our hands by the honourable member that suits relating to sums below Rs. 500 number something like 2 lakhs. That is a very big number. In all these cases, if the amendment of my honourable friend is not adopted, the bania—I am not talking of the good bania, but the crafty bania—will not submit accounts but would remain with the full confidence that when the matter goes before the judiciary—the judiciary, of course are recruited mainly from the same class to which he has the honour to belong—the judiciary will have no power to cut down more than the interest. The maximum penalty proposed by the Government is the cutting down of the total interest. I do not think in more than 1 per cent. of the total number of cases the courts have recourse to this maximum reduction. In the majority of cases the judges only cut down a part of the interest, a negligible part of the interest, and the crafty bania will only be too glad and will not mind it; he would rather submit to this reduction than submit his accounts. The very aim of the Act will be defeated and the Act will remain a dead letter. It is to safeguard against this trouble that this amendment is brought. The Bill instead of imposing penalties upon the crafty banias has conferred privileges already on him.

For this reason, Sir, if I were in the place of the Raja Sahib seeing the course the Bill has taken I shall join with the Government in rushing the measure through for it will be a boon and a blessing in every possible way to the banias. For these very simple reasons I think that the Government should either adopt the amendment proposed by the honourable and learned member if they are really eager to confer any benefit to the class to which I have the honour to belong, or they should not move the clause.

We are now in a helpless position, especially to-day. All our leading lawyers representing the rural classes are unfortunately away and the only one, the leading lawyer on our side, the learned member who has moved this amendment to whom the country and the constituencies must be very grateful for his services, has been continuously present to press our side of the case in this House. On account of the prolonged session, most of our representatives have either become ill or been obliged to be away on account of some unforeseen causes. We are thus left in a helpless condition. But helpless as we are *en bloc* we wish to strongly protest against the attitude of the Government in not allowing the amendment of my learned friend to be moved. If the Government do not proceed to allow this, we shall have nothing to do with the Bill. If this amendment is not accepted by Government, I repeat it, Sir, the whole burden, the whole responsibility, for carrying the Act will rest upon Government and we, the rural members of the Council, will have nothing to do with it. The Bill will be purely a Government measure, neither for the good of honourable members opposite nor for our good. We come to realise what has been our fate in helping the Government all through. We requested for the Act and if the benefits of the measure were to go to the class against whom we sought protection, the responsibility will cease to be ours. Sir, when I say this, I am voicing the conviction of all honourable members on this side of the House.

With these words, I beg to support the amendment of the honourable and learned member who has done a real service to our section of the population by bringing it forward. The Government have counted upon our help as the loyal section of the population of this province and I hope that wiser counsels will prevail upon them.

Mr. President : Question is—

"That the following clause be added to the Bill.

"If the court finds that the provisions of sub-clause (1) (b) of clause 3 have not been complied with by the creditor, and the amount of the subject matter of the suit exclusive of interest is Rs. 500 or less, the court shall, if the plaintiff's claim is established in whole or in part, disallow the whole of the interest found due as well as the costs. In all other cases the court shall disallow the whole or portion of the interest found due, as the court in the circumstances of the case may deem reasonable and shall disallow costs provided further that the amount of the interest so disallowed shall in no case be less than one-half of the amount of interest found due."

Council divided : Ayes : 16 ; Noes 30.

AYES : 16.

Khan Bahadur Captain Sardar
Sikander Hyat Khan.
Mian Ahmad Yar Khan, Daultana.
Sayad Mubarik Ali Shah.
Khan Sahib Khan Muhammad
Saifullah Khan.
Malik Nawab Major Talib Mehdi
Khan.
Chaudhri Duli Chand.
Chaudhri Ali Ahmad.
Sayad Muhammad Husain.

Khan Bahadur Malik Muham-
mad Amin Khan.
Khan Bahadur Chaudhri Fazl Ali.
Khan Bahadur Mian Muham-
mad Hayat, Qureshi.
Chaudhri Umar Hayat.
Makhdumzada Sayad Muham-
mad Raza Shah, Gilani.
Shaikh Abdul Ghani.
Chaudhri Muhammad Abdul Rah-
man Khan.
Chaudhri Afzal Haq.

NOES : 30.

Khan Bahadur Khwaja Abdur
Rahman.
Mr. H. Calvert.
Mr. C. A. H. Townsend.
The Honourable Malik Firoz Khan,
Noon.
Khan Bahadur Nawab Muzaffar
Khan.
Mr. W. R. Wilson.
Khan Bahadur Sayad Maqbul
Shah.
Mr. D. Macfarlane.
Mr. M. A. Ghani.
Mian Muhammad Fakhar-ud-
Din.
The Honourable Mr. Manohar
Lal.
The Honourable Sardar Sir Jogen-
dra Singh.
The Honourable Mr. A. M. Stow.

Mr. Alan Mitchell.
Lala Ram Lal.
Mr. C. M. G. Ogilvie.
Mr. A. C. Macnabb.
Mr. S. L. Sale.
Diwan Bahadur Raja Narendra
Nath.
Dr. Gokul Chand, Narang.
Pandit Nanak Chand.
Lala Mukand Lal, Puri.
Lala Gopal Das.
Rai Bahadur Lala Rattan Chand.
Lala Bodh Raj.
Rai Bahadur Lala Dhanpat Rai.
Sardar Bahadur Captain Dalpat
Singh.
Sardar Bahadur Sardar Sheo
Narain Singh.
Sardar Mohindar Singh.
Mr. E. Maya Das.

Dr. Gokul Chand, Narang : I beg to move—

“That in sub-clause (b) of clause 4 the word ‘shall’ in line 4 be substituted by the word ‘may.’”

There is also another amendment lower down which I may move along with this, with your permission. That amendment reads—

“That in sub-clause (b) of clause 4 the word ‘shall’ in the penultimate line be changed to ‘may.’”

I do not want to make any lengthy speech, but I only want to submit that it should be left to the discretion of the court to see whether interest should be disallowed or not. Where the court sees that a creditor has behaved in a dishonest manner and his object in not furnishing accounts was to deceive or cheat the debtor, the court may disallow the whole interest and even the whole costs. But if the court finds that it was only an accident or misfortune that prevented him from complying with the provisions of this Act or where he had sufficient cause to show, the court shall take a lenient view and disallow a small portion of the interest or a large portion of it as the case may deserve or allow the interest in full. With respect to costs, I should submit that the Bill as it stands, with due deference to the framers of the measure, is in entire contravention of the recognised principle that the losing party should pay the costs. The Bill lays down that the winning party should lose its claim to costs on some technical ground. In this connection I cannot do better than refer the honourable members on this side of the House to the opinion of the Honourable Mr. Agha Haidar, a Judge of the High Court. The honourable and learned Judge says—

“As regards section 4 (b) of the Bill, the Court may be empowered to disallow the whole or a portion of interest if the account is not maintained in accordance with the provisions of section 3 (1) (a) or the copy is not supplied according to the suggested clause: but, I would not like to depart from the well-established rule that costs are in the discretion of the court and should ordinarily follow the event.”

This is the opinion of the honourable Judge. If this opinion had been expressed in any particular case actually pending in the court, it would have had a finality, subject of course to a Letters Patent Appeal. Even as an opinion which has been circulated to us for our benefit, it deserves our respect. I may, in this connection also refer to the opinion of the majority of the Judges of the High Court, there being no exception whatsoever in this case as no Honourable Judge of this High Court has said that costs should in any case be disallowed to the successful plaintiff, two Judges out of 12 or 13 only refrain from giving an opinion. The honourable Mr. Justice Fforde as it appears did not give his opinion and the honourable Mr. Justice Addison also, because they thought that it was not their bounden duty to give an opinion and they would rather remain silent on this point or for some other reason not known to us.

The Honourable Judges of the High Court including the Honourable Mr. Justice Zafar Ali and the Honourable Mr. Justice Aga Haidar have been unanimous in opposing this provision of the Bill. In fact the illustration to which I referred the other day is most apt and is absolutely applicable to this case. For instance, as the Honourable Judges have pointed out, a plaintiff sues a defendant on a registered bond and it so happens that owing to some circumstances he is not able to comply with the provisions of this clause. The defendant puts forward a plea that he has paid either the whole or a part of the amount due on the registered bond and he produces a forged receipt

in proof of this alleged payment and puts the plaintiff to proof that the receipt is a forged one. Of course ordinarily the defendant will have to prove, but the plaintiff will also have to give evidence to rebut it and the evidence of expert is produced. A lot of money is spent by the plaintiff and ultimately the court holds that the receipt was as a matter of fact a forged one and that it was a deliberately false defence put up by the defendant. Now under this Bill, if it is passed into law, the court will still be bound to disallow costs, because the word 'shall' is there. I, therefore, submit that this provision is absolutely uncalled for and is against all well-established principles of law. It puts a premium upon falsehood in this way—The defendant knows that whatever may happen the costs will not be awarded against him, once the plaintiff, however, honest he may be, has made a slip and the court is bound to raise an issue on this point. When he comes to the court he will be tempted to raise a false defence. There will be no check upon his falsehood and upon his practising fraud in his defence. In fact this will be an encouragement to him to set up a false defence and waste the time of the court thereby, knowing all the time that he will not have to pay the costs because a technical mistake has been made by the plaintiff. I, therefore, submit that this amendment of mine might be accepted. I also pray that my two amendments may be put separately.

Mr. President : Question is—

"That in the 4th line of sub-clause (b) of clause 4, for the word 'shall' the word 'may' be substituted."

Motion was lost.

Mr. President : Question is—

"That in the last but one line of sub-clause (b) of clause 4, for the word 'shall' the word 'may' be substituted."

Council divided : Ayes 9 ; Noes 21.

AYES : 9 .

Diwan Bahadur Raja Narendra
Nath.
Dr. Gokul Chand, Narang.
Rai Bahadur Lala Sewak Ram.
Pandit Nanak Chand.

Lala Mukand Lal, Puri.
Lala Gopal Das.
Rai Bahadur Lala Rattan Chand.
Lala Bodh Raj.
Rai Bahadur Lala Dhanpat Rai.

NOES : 21.

Khan Bahadur Khawaja Abdur
Rahman.
Mr. H. Calvert.
Mr. C. A. H. Townsend.
The Honourable Malik Firoz
Khan, Noon.
Khan Bahadur Nawab Muzaffar
Khan.
Mr. W. R. Wilson.
Khan Bahadur Sayad Maqbul Shah.
Mr. D. Macfarlane.
Mr. M. A. Ghani.
Mian Muhammad Fakhar-ud-Din.
The Honourable Mr. Manohar Lal.

The Honourable Sardar Sir Jogen-
dra Singh.
The Honourable Mr. A. M. Stow.
Mr. Alan Mitchell.
Lala Ram Lal.
Mr. C. M. G. Ogilvie.
Mr. A. C. Macnabb.
Mr. S. L. Sale.
Khan Bahadur Chaudhri Fazl Ali.
Sardar Bahadur Captain Dalpat
Singh.
Sardar Bahadur Sardar Sheo
Narain Singh.

Dr. Gokul Chand. Narang : Sir, I beg to move—

“That at the end of sub-clause (b) of clause 4, the following words be added:—

“unless the court finds that the defendant had set up a deliberately false defence.”

The soundness of this amendment is apparent on the face of it. If the court finds that the defendant sets up a deliberately false plea, then at least it should have discretion to allow costs to the plaintiff. Otherwise it would mean that the Government is saying to the defendant, “go and set up a false defence, you will be quite safe, we have protected you and now you are at full liberty to indulge in falsehood and perjury and all sorts of things. You can waste the time of our officers and you can drag the plaintiff from place to place to collect witnesses because we have given you amnesty against all crimes of this nature under the Indian Penal Code and you can abuse the process of the court.” I, therefore, hope that at least this amendment will be accepted.

Mr. President : Question is—

That at the end of sub-clause (b) of clause 4, the following words be added :

“ unless the court finds that the defendant had set up a false defence.”

Council divided ; Ayes 9, Noes 21.

AYES : 9.

Diwan Bahadur Raja Narendra
Nath.
Dr. Gokul Chand. Narang.
Rai Bahadur Lala Sewak Ram.
Pandit Nanak Chand.

Lala Mukand Lal, Puri.
Lala Gopal Das.
Rai Bahadur Lala Rattan Chand.
Lala Bodh Raj.
Rai Bahadur Lala Dhanpat Rai.

NOES : 21.

Khan Bahadur Khawaja Abdur
Rahman.
Mr. H. Calvert.
Mr. C. A. H. Townsend.
The Honourable Malik Firoz Khan
Noon.
Khan Bahadur Nawab Muzaffar
Khan.
Mr. W. R. Wilson.
Khan Bahadur Sayad Maqbul Shah
Mr. D. Macfarlane.
Mr. M. A. Ghani.
Mian Muhammad Fikhar-ud-Din.
The Honourable Mr. Manohar
Lal.

The Honourable Sardar Sir Jogen-
dra Singh.
The Honourable Mr. A. M. Stow.
Mr. Alan Mitchell.
Lala Ram Lal.
Mr. C. M. G. Ogilvie.
Mr. A. C. Macnabb.
Mr. S. L. Sale.
Khan Bahadur Chaudhri Fazl Ali.
Sardar Bahadur Captain Dalpat-
Singh.
Sardar Bahadur Sardar Sheo
Narain Singh.

Mr. President : Question is—

3 P.M.

“That sub-clause (b) of clause 4 stand part of the Bill.”

Motion was carried.

Sub-clause (c).

Rai Bahadur Lala Sewak Ram : Sir, I beg to move—

"That in sub-clause (c) of clause 4, line 4, for the word 'shall' the word 'may' be substituted."

Mr. President : Question is—

"That in sub-clause (c) of 4, line 4, for the word 'shall' the word 'may' be substituted."

Motion was lost.

Shaikh Abdul Ghani : Sir, I beg to move—

"That in sub-clause (c) of clause 4, line 17, after the words 'notwithstanding such omission' the words 'for reasons to be recorded' be added."

Though the amendment if adopted may not be of great value, yet I want it because we are leaving everything to the discretion of courts. This amendment will not in any way fetter the discretion of the courts, but will put the courts under the obligation of recording reasons for not taking action under this Act. I think this necessary safeguard should be provided in the Act.

Mr. President : Amendment moved is—

"That in sub-clause (c) of clause 4, line 17, after the words 'notwithstanding such omission' the words 'for reasons to be recorded' be added."

Sayad Muhammad Husain : Sir, this is one of the most harmless amendments ever brought forward in this Council. (*Diwan Bahadur Raja Narendra Nath :* And also useless). Very well, let it be useless. Let us see whether the Government are our friends in this case. The honourable member who was once a Deputy Commissioner and then a Commissioner says that this is a useless amendment. I am not sorry if the amendment is useless. Still we should like to have the amendment adopted.

Mr. President : Question is—

"That in sub-clause (c) of clause 4, line 17, after the words 'notwithstanding such omission' the words 'for reasons to be recorded' be added."

Council divided : Ayes, 15 ; Noes 80.

AYES : 15.

Khan Bahadur Captain Sardar
Sikandar Hyat Khan.

Mian Ahmad Yar Khan, Daultana.

Sayad Mubarik Ali Shah.

Khan Sahib Khan Muhammad
Saifullah Khan.

Malik Nawab Major Talib Mehdi
Khan.

Chaudhri Duli Chand.

Chaudhri Ali Ahmad.

Sayad Muhammad Husain.

Khan Bahadur Malik Muhammad
Amin Khan.

Khan Bahadur Chaudhri Fazl Ali.

Khan Bahadur Mian Muhammad
Hayat, Qureshi.

Makhdumzada Sayad Muhammad
Raza Shah, Gilani.

Shaikh Abdul Ghani.

Chaudhri Muhammad Abdul Rah-
man Khan.

Sardar Mohinder Singh.

NOES : 80.

K. B. Khwaja Adur Rahman.	Mr. C. M. G. Ogilvie.
Mr. H. Calvert.	Mr. A. C. Macnabb.
Mr. C. A. H. Townsend.	Mr. S. L. Sale.
The Honourable Malik Firoz Khan, Noon.	Diwan Bahadur Raja Narendra Nath.
Khan Bahadur Nawab Muzaffar Khan.	Dr. Gokul Chand, Narang.
Mr. R. W. Wilson.	Rai Bahadur Lala Sewak Ram.
K. B. Sayad Maqbul Shah.	Pandit Nanak Chand.
Mr. D. Macfarlane.	Lala Mukand Lal, Puri.
Mr. M. A. Ghani.	Lala Gopal Das.
Mian Muhammad Fakhar-ud-Din.	Rai Bahadur Lala Rattan Chand.
The Honourable Mr. Manohar Lal.	Lala Bodh Raj.
The Honourable Sardar Sir Jogendra Singh.	Rai Bahadur Lala Dhanpat Rai.
The Honourable Mr. A. M. Stow.	Sardar Bahadur Captain Dalpat Singh.
Mr. Alan Mitchell.	Sardar Bahadur Sardar Sheo Narain Singh.
Lala Ram Lal.	Mr. E. Maya Das.

Motion was lost.

Mr. President : Question is—

"That sub-clause (c) of clause 4 and its explanation stand part of the Bill."

Motion was carried.

Clause 5.

Mr. President : Question is—

"That clause 5 apart from its proviso stand part of the Bill."

Motion was carried.

CLAUSE 5, PROVISOR.

Dr. Gokul Chand, Narang : Sir, I beg to move for the omission of the proviso to clause 5. My reasons for this are that this proviso is to a very great extent, if not entirely, the negation of the first clause. If this proviso stands the Bill will in every case have a retrospective effect. In the clause which we have just passed we say that "the provisions of this Act shall not apply to any loan advanced before the commencement of this Act," and then we say "provided that, if any fresh transaction relating to a loan advanced before the commencement of this Act, is made after the commencement of this Act, such transaction shall be subject to the provisions of this Act."

Let us suppose that a creditor has advanced Rs. 5,000 to a borrower long before this Act comes into force, and then some payments are made after this Bill is passed. It would mean then that the exemption under the principal clause totally disappears, because then he has to keep accounts in the prescribed form and to furnish a copy in the prescribed form. No new contract has been arrived at between the parties. The old contract still subsists and the mere fact that some payment has been made towards

a loan should not destroy the protection which is given to loans which were advanced before this Act comes into force. In this way I would submit not a single loan would be safe from the retrospective effect of this Bill. I say not a single case deliberately unless the money-lender wipes out the loans which stand in his favour in his books before this Act comes into force. If any loan stands even of five rupees the total loan must be paid unless the debtor becomes a total wreck and insolvent and not a pie is realised, but even if one pie is realised it means that the whole loan comes within the purview of this new law. So that the very object of the first clause is defeated, and I claim, Sir, your special attention to the fact whether you are going to permit mutually destructive clauses to remain in the Bill. These are mutually destructive.

Chaudhri Duli Chand : No, they are not.

Dr. Gokul Chand, Narang : Thank you for the legal advice, Chaudhri Sahib. I am much obliged.

The object of the first clause is that the Bill should not have retrospective effect. It is possible that if the honourable the Legal Remembrancer will pay a little more attention to this clause something might be evolved which might not drag in transactions which took place later independently of an old loan, but I am afraid as the clause stands at present, the object of the first clause is not carried out at all because not a single loan, as I have submitted before, would be safe from the retrospective effect of the Bill. I would ask any honourable member of this House to show how a single loan advanced before the passing of this Bill would not be affected.

I am sorry, Sir, but I wanted to impress upon your mind the important fact as I take it to be that the proviso is destructive of the principle underlying the principal clause. The principal clause says: "The provisions of this Act shall not apply to any loan advanced before the commencement of this Act." But the second says that if any fresh transaction takes place relating to a loan advanced before the commencement of this Act, the Act would have a retrospective effect.

The Honourable Malik Firoz Khan, Noon : The wording is "such transaction."

Dr. Gokul Chand, Narang : The words "such transaction" have to be read in connection with the words which go before them, relating to a loan advanced before the commencement of this Act. What can be those transactions relating to the loan advanced before the commencement of the Act?

If the Legal Remembrancer were to add something like this: "Provided further that it would not apply to any payments made in connection with the loan advanced before the commencement of this Act", so that that contract stands by itself, it would make the thing clear. Otherwise can you conceive of a single case to which the Act would not apply? Then every case would be brought in and for that reason I say that you may as well omit clause 5 from the Bill altogether. I want to make myself more clear on this point. If I have a pro-note executed in my favour for Rs. 500, say to day, and the Act comes into force, say a few months later, then either I give up the amount due to me on that pro-note or if no payment is made my old pro-note is dragged into the ambit of this Bill. Obviously not a single

[Dr. Gokul Chand Narang.]

transaction therefore which has taken place before the commencement of this Act would be safe. I want a reply to that from the Legal Remembrancer or any other honourable learned member of this House. Otherwise drop out the whole thing. As I conceive it, the proviso destroys the effect of the previous clause.

Mr. S. L. Sale (Legal Remembrancer): I have listened to my friend Dr. Gokul Chand, but I am bound to say that I am not convinced by his arguments able as they are. The intention of this Act is that it should not be retrospective and I should be the first to say that if this proviso could be genuinely interpreted to make the Act retrospective it would be a wrong provision. The intention of this proviso is to ensure that debtors who contracted a loan before this Act was passed, should have the benefit of this Act in regard to transactions relating to the loan made after the commencement of the Act. Let us take a concrete example of a debt which was contracted say on the 1st of January 1929 when the Act was not in force; the Act will not apply to such a loan. Let us assume for the sake of argument that the Act comes into force on the 1st January 1931. Suppose the debtor goes to the creditor on 2nd January and says, "I want an additional loan which please add to the previous loan." That is a transaction which must be made subject to the provisions of this Act. Or let us put in another way. Two months after this Act comes into force the debtor makes a payment towards the principle or interest, it does not matter which; that would be a transaction relating to the loan and from the date on which that payment is made it will be the duty of the creditor to keep an account of that and any further transaction there may be; and send to the debtor a statement of the balance that accrues against the debtor with effect from the date of that payment, but he will not be required to send accounts of any transactions that accrued before that payment. He will only have to send accounts of that particular transaction or any further transaction that was made after the Act came into force. I still therefore do not see how it can be said that this Act could be retrospective so as to cover loans contracted before the Act in which there has been no transaction since the Act comes into force. The important words in the proviso are "*such transaction*," i.e., those made after the commencement of the Act, shall be subject to the provisions of this Act.

Dr. Gokul Chand, Narang: But do you not think that the Act would apply to such transactions even without this proviso?

Mr. S. L. Sale: Not necessarily.

Dr. Gokul Chand, Narang: I put that question in order to make the point absolutely clear.

Mr. S. L. Sale: You will notice that this proviso was not in the original Bill as presented to the House. It was put in by the Select Committee in order to set at rest any possible doubt that there might be on that point. Therefore I see no objection to this proviso standing part of the clause.

Dr. Gokul Chand, Narang: My difficulty is this: Will he be obliged to send, supposing there were 20 items before the Act and 5 after the passing of it, only the five items or all the 25?

Mr. S. L. Sale : Only five.

Mr. President : Question is—

“That the proviso to clause 5 stands part of the Bill.”

Motion was carried.

Clause 6.

Mr. President : Question is—

“That sub-clause (1) of clause 6 stand part of the Bill.”

Motion was carried.

Mr. President : Question is—

“That sub-clause (2) of clause 6 stand part of the Bill.”

Motion was carried.

Proviso.

Dr. Gokul Chand, Narang : I beg to move—

That for the second sentence of the proviso to clause 6, the following words be substituted :—

“The local Government shall lay the draft rules before the Punjab Legislative Council in its meeting next following the publication of the draft with a motion that such rules be considered by the Council.”

My object in moving this amendment is this. The sentence as it stands reads thus :

“The local Government shall defer consideration of such rules until after the meeting of the Punjab Legislative Council next following the publication of the draft, in order to give any member of the Council an opportunity to introduce a motion for discussing the draft.”

This means that the Government itself will not or may not of its own accord move a motion in this House that the rules be considered, and it may be left entirely to private members to move a resolution that the rules be considered. So far as I have been able to follow the procedure of this House, the resolutions of private members are subject to a ballot and if an honourable member sends notice of a resolution to the effect that the draft rules of the Government may be taken into consideration, that resolution may not come through the ballot. So that the Government will have done its duty in laying the rules before the Council or laying them on the table as is done with regard to several communications to the House, and there may be no opportunity at all for the discussion of those rules. Therefore by means of this amendment I want that the duty should be cast upon the Government to place the rules before the House and then move a motion saying that the rules be taken into consideration so that it may become a matter of certainty for the Council to discuss those rules. This is my reason for moving this amendment and I hope the Government will be pleased to accept it.

The Honourable Malik Firoz Khan, Noon : On a point of order, Sir. The other day in a similar case you were pleased to rule that in case rules are to be considered in the House, the House instead of delegating the rule-making power to Government might as well pass the rules themselves as part of the Bill; I refer to your ruling given in the case of a similar amendment on the Punjab Pure Food Bill.

Mr. President : I think the amendment of the honourable Dr. Gokul Chand, Narang, differs from the draft of the proviso in the Bill in two respects. First, it provides that it should be the duty of the local Government to lay the draft rules before the Council. Like the proviso, it does not leave it to any member of the Council to move a motion for that purpose. Secondly, it provides that the rules placed before the Council may be *considered*; while the proviso would have them only *discussed*. Now, if the object of the proviso is to leave it to a non-official member to give notice of a motion to lay the draft rules before the Council, the case would probably fall under Article 124 (rule 24-A), and the motion would be inadmissible except with the consent of the President and of the Member of Government to whose department it may relate. This, I think, would place an unnecessary difficulty, if not an obstacle, in the way of a non-official member. If the Government has no objection—and constitutionally it can have none—to the draft rules being placed before the Council, for *approval, discussion, consideration or passage*, it should take it upon itself to lay them before the House.

Another important aspect of the question is whether the draft rules should be *discussed* or *considered* etc., on days allotted for non-official business or on other days. I think such rules cannot be taken up on days fixed for Resolutions and Bills of non-official members; inasmuch as there is no provision in our Business Rules and Standing Orders for including such motions in the ballot for Bills and Resolutions. So, if Government accepts Dr. Gokul Chand, Narang's amendment, the aforesaid difficulties will be obviated.

As to whether the draft rules should be laid before the Council for *approval, discussion, consideration or passage*, I think *consideration* is the best. *Discussion* means a mere debate or a talk-out; and is therefore quite inconclusive, as nothing short of the opinion of the Council can serve the purpose of the Government and the only way in which the opinion of the Council can be obtained is by a vote of the House collected formally. *Consideration* means a detailed examination, clause by clause and line by line, with power to make amendments and alterations. So, if the Government desires to obtain the opinion of the Council on draft rules it should have them *considered* and not only *discussed*. If the Council makes no amendments or alterations in them, they may be taken to be approved or confirmed and the Government may ratify them without making any further changes. However, if it is provided that they should be passed by the Council, like a Bill, and when passed should have the force of law, even if they are not accepted by Government, I very much doubt if that would be constitutionally sound. A Bill which passes through so many stages before its final consideration and passage by a Council does not become law unless it is assented to by the Governor and the Governor-General. Therefore the rules passed by a Council cannot and should not have the force of law unless they are accepted and ratified by Government.

It is the constitutional right of the Council to retain, if it so desires, some measure of control over the executive to which the power of making rules is delegated by it. But the extent and nature of this control would depend upon the language of the section conferring the power. If it expressly provides that the rules made by the executive may be modified by the

Council and that the Government shall accept those modifications, in that case, I think, the modifications made by a Council shall become law only when accepted by the Government. In ordinary cases where such a comprehensive and imperative provision is not made in the Act the Government may not accept the modifications made by the Council, and then perhaps the only course open to the Council would be that one of its members should move a Resolution recommending to Government that the modifications made by the Council may be adopted. When such a Resolution is passed and communicated to the Government, in all probability it would respect the Council's wishes and its recommendation—at least when the rules relate to a transferred subject—and when accepted, it should have the force of a subsidiary law. But the best course for a Council would be not to delegate the rule-making power to the executive. It should incorporate the rules in the Bill itself, so that they may be duly considered and passed by the Council and assented to in due course by the Governor and the Governor-General. This, I think, is the best and the safest course for all concerned.

In view of the constitutional position which I have just explained, I would suggest that the Government may accept the learned Doctor's amendment and take it upon itself to lay the draft rules before the Council for consideration.

Dr. Gokul Chand, Narang : Sir, I have moved my amendment. But after the learned and exhaustive exposition of the legal aspect of the question that you have been pleased to give from the chair, I find that the word 'considered' in my amendment will have a constitutional effect different from the word 'discussed.' The only result might be that the time of the Council may be wasted if each clause of the rule is to be considered like the clauses of a Bill. I would therefore with your permission substitute the word 'discussed' in place of the word 'considered' in my amendment. I formally move—

That for the second sentence of the proviso to clause 6, the following words be substituted :—

"The local Government shall lay the draft rules before the Punjab Legislative Council in its meeting next following the publication of the draft with a motion that such rules be discussed by the Council."

Mr. President : Amendment moved is—

That for the second sentence of the proviso to clause 6, the following words be substituted :—

"The local Government shall lay the draft rules before the Punjab Legislative Council in its meeting next following the publication of the draft with a motion that such rules be discussed by the Council."

Question is—

"That the proposed amendment be made.

Motion was lost.

Mr. President : It is regrettable that Dr. Gokul Chand, Narang's, amendment has been thrown out even though he substituted the word 'discussed' for 'considered' in line 3.

The Honourable Malik Firoz Khan, Noon : I wish to explain the position to the House on behalf of the Leader of the House. I am sorry that the Chair is annoyed over nothing.

Mr. President : No, I am not annoyed, not in the least.

The Honourable Malik Firoz Khan, Noon : The Chair is annoyed because this amendment has been thrown out. (*Voices : Withdraw the word 'annoyed.'*)

Mr. President : I assure the House that I am not annoyed at all.

Pandit Nanak Chand : The Chair may not mind the expression. But the dignity of the House requires that the term should be withdrawn. (*Voices : Withdraw, withdraw.*)

The Honourable Malik Firoz Khan, Noon : I have not the slightest objection to withdraw the word, Sir.

The position of the Government, however, is this. So far as the rule-making power is concerned, the position is the same in regard to both the Bills we have discussed this session. In the case of the Pure Food Bill exactly these words were used and have been accepted by the House. Exactly the same words are used in the other Bill which is coming before the House, I mean the Land Revenue Amendment Bill. I therefore submit that this is in accordance with the wishes of the House as expressed in the case of the Pure Food Bill. We are therefore doing nothing which is not accepted by the House.

In the next place, the Chair specifically suggested to the House that it was the duty of the Government to give the House the opportunity to discuss those rules.

Mr. President : All I suggested was that the Government would be well-advised if it took upon itself the duty of laying the rules before the Council for consideration.

The Honourable Malik Firoz Khan, Noon : What I wish to submit is that the passing of this clause as it is does not exclude that possibility. It need not be presumed from this that the Government are not going to give the House the opportunity to discuss the rules if the House wishes to do so.

Mr. President : I wish the Legal Remembrancer had studied Parliamentary practice on the point. I venture to refer him to pages 626 to 628 of Sir Erskine May's work. It is true that Government is not precluded from bringing the rules before the House, but if it intended to do so it should have taken upon itself the duty of placing them before the Council. I think that would have been the best course for all concerned, but as the responsible officers of Government have not thought it proper to do so, the matter ends. My duty was to place my point of view before them and I did it.

The Honourable Mr. Manohar Lal : Sir, may I be permitted to say that as you were proceeding with your learned exposition of the subject, I looked up some references and duly placed them in the hands of the Legal Remembrancer.

Mr. S. L. Sale : May I may make a personal explanation, Sir? I must say I am acting under instructions from the Leader of the House in regard to this matter.

Mr. President : I also had a talk with the Leader of the House as to whether the rules should be 'considered' or 'discussed' by the Council and I think I am committing no breach of confidence when I say that he agreed with me and preferred '*consideration*' to '*discussion*.'

Mr. W. R. Wilson : With your permission, Sir, I may inform the House through you that it was always the intention of the Leader of the House, the Honourable the Revenue Member, that in the case of the rules made by Government under Acts like these, when a resolution is tabled by any member of the House, Government should find time for the discussion of such a motion.

Mr. President : May I say a word personally to the Honourable Dr. Gokul Chand, Narang, the mover of the amendment? I pointed out the difference between 'discussion' and 'consideration' of rules. Mere '*discussion*,' as already stated, would be inconclusive. I think the Council should be given an opportunity to express its opinion on them and this is not possible unless the vote of the House is taken in a formal manner.

Dr. Gokul Chand, Narang : As your object is to honour me by addressing your remarks particularly to me, Sir, I rise to thank you very much for the illuminating exposition of the matter. I would submit that when I tabled this amendment, I had only one main object in view that the Government should undertake the obligation. With respect to consideration, discussion and the ultimate passing of the rules in the light of the very weighty remarks which you were pleased to make, I should think there is no material difference. Now that the amendment is thrown out, there should either be an amending Bill or the provision should be left as it is.

Mr. President : Question is—

"That the proviso to clause 6 stand part of the Bill."

Motion was carried.

The Preamble.

Mr. President : Question is—

"That the preamble of the Bill be the preamble of the Bill."

Motion was carried.

SUB-CLAUSE (1) OF CLAUSE 1.

Mr. S. L. Sale : Sir, I beg to move—

4 P.M.

"That in sub-clause (1) of clause 1 for the figure '2' the figures '30' be substituted."

Mr. President : The amendment moved is—

"That in sub-clause (1) of clause 1 for the figure '2' the figures '30' be substituted."

Dr. Gokul Chand, Narang : I should like to suggest that only one figure, '3', be substituted for '2' and not two figures. The rules are yet to be framed and it is 12 months after the publication of these rules that the Bill is to become law. So if it is only '193' now, it may be changed either to '1930' or '1931' as the case may be later on. I therefore move that only one figure, namely, '3', be substituted for '2'.

Mr. President : Question is : that only one figure, namely, '3,' be substituted for the figure '2.'

Motion was lost.

Mr. President : Question is : that the figures '90' be substituted for the figure '2.'

Motion was carried.

Mr. President : Under article 92 of the Business Manual of the Council I appoint a committee consisting of the member of Government to whose department the Bill relates, the member who introduced the Bill, the Secretary to Government in the Legislative Department and the Deputy President, to examine the Bill and report to the Council what amendments of a formal or consequential character should be made in it as a matter of drafting.

I understand that the Deputy President is absent, so in his place I nominate Pandit Nanak Chand who is on the panel of Chairmen.

(The House decided that the report of the Drafting Committee should be presented the same day.)

THE PUNJAB PURE FOOD BILL.

Mr. President : The Council will now take up the report of the Drafting Committee on the Punjab Pure Food Bill.

Question "that in clause 12, (1) (b) be relettered (1) (a), and (c) be relettered (b)," put, and agreed to.

Question "that the new sub-clause added to clause 18 be placed at the end and numbered sub-clause (5)," put, and agreed to.

Question "that clause 19 be renumbered 18, that clause 20 be renumbered 19 and that clause 21 be renumbered 20," put, and agreed to.

Question "that the new clause added after the deletion of clause 22 be numbered 21," put, and agreed to.

Question "that clause 23 be renumbered 22," put, and agreed to.

Question "that, in order to regularise the drafting of the Bill, in sub-clause 3 of clause 23 as renumbered 22, for the words following the word "punishable" the following be substituted :—

- "(a) in the case of a first offence with a fine which may extend to Rs. 250 ; and
- "(b) in the case of second offence with a fine not exceeding Rs. 500 ; and
- "(c) in the case of a subsequent offence with a fine not exceeding Rs. 1,000 or if, in the opinion of the court, the offence was committed by the personal act, default or culpable negligence of the person accused and the court is of the opinion that a fine will not meet the circumstances of the case, with imprisonment of either description which may extend to six months or with both," put, and agreed to.

Question "that the proviso added to clause 23, now to be renumbered 22, be drafted as a sub-clause in the following words, viz. :—

- "(5) Before making any rules under the provisions of this section, the local Government shall, in addition to observing the procedure laid down in section 21 of the Punjab General Clauses Act, 1898, publish by notification a draft of the proposed rules for the information of persons likely to be affected thereby, at least thirty days before a meeting of the Punjab Legislative Council. The local Government shall defer consideration of such rules until after the meeting of the Punjab Legislative Council next following the publication of the draft in order to give any member of the Council an opportunity to introduce a motion for discussing the draft," put, and agreed to.

The Honourable Malik Firoz Khan, Noon (Minister for Local Self-Government): Sir, I beg to move that the Punjab Pure Food Bill be passed.

Question put and agreed to.

DRAFT RULES UNDER THE PUNJAB LAND REVENUE ACT.

The Honourable Mr. A. M. Stow (Finance Member): Sir, I beg to move—

That the draft rules framed under section 80 of the Punjab Land Revenue Act, 1887, and published, as required by section 60-A. of the Punjab Land Revenue Act, 1887, as amended by the Punjab Land Revenue (Amendment) Act, III of 1928, of the Punjab Government notifications, Revenue Department—Revenue, No. 645-R. (S.), dated the 19th June 1929, and No. 1456-R. (S.), dated the 5th August 1929, be taken into consideration."

Question put and agreed to.

Diwan Bahadur Raja Narendra Nath (Punjab Landholders, General) (Urdu): Sir, I beg to move—

"That in rule 24 (3)—

"(i) after the words 'until the expiry of' the words '20 years or' be added,

"(ii) between the word 'such' and the word 'period' the word 'longer' be inserted,

"(iii) the words 'but shall not exceed 40 years' be added at the end."

Sir, my object in moving this amendment is that the rules relating to the demand for additional or enhanced assessment in the case of lands where tube-wells may have been constructed at private expense or with the aid of a loan from Government be made clear and definite. As you are aware, Sir, in the case of ordinary wells the minimum period of exemption is 20 years, and it can be extended upto 40 years if the Financial Commissioner is satisfied that the owner has not been able to recover twice the cost of the well from the net assets in the course of that period. You also know, Sir, that a larger amount of money has to be spent on the construction of a tube-well and its maintenance expenses far exceed those of a masonry well. It is therefore in the fitness of things that the period of exemption in the case of tube-wells should be fixed. I need hardly say that it is a very important matter and its decision should not be left to the discretion of the Financial Commissioner or revenue officers. I fear, and not without reason, that if the period of exemption is left to the sweet will of these

[D. B. Raja Narendra Nath.]

officers many people will hesitate to spend money on the construction of tube-wells. If Government wishes to encourage people to construct tube-wells it should fix the period of exemption with regard to them just as it has fixed in the case of masonry wells. The Government has admitted the principle of exemption and therefore it is not too much to ask that the period of exemption in the case of tube-wells be also fixed so that the people may be sure of their ground. I admit that much profit accrues to those who irrigate their land from a tube-well, but at the same time it cannot be denied that a comparatively much larger amount is required for its construction and maintenance. I therefore see no reason why the rules relating to exemption from additional or enhanced assessment of land revenue in the case of tube-wells be not clearly defined and why the same minimum period of 20 years be not allowed to their owners. With these few remarks, I commend my motion for the acceptance of the House.

Mr. President : Rules under consideration, amendment moved—

“That in rule 24 (3)—

“(i) after the words ‘until the expiry of’ the words ‘20 years or’ be added,

“(ii) between the word ‘such’ and the word ‘period’ the word ‘longer’ be inserted,

“(iii) the words ‘but shall not exceed 40 years’ be added at the end.”

Mr. C. A. H. Townsend (Financial Commissioner) : Sir, I am not quite certain whether an amendment can actually be proposed to the rules within the law. However, leaving that point altogether.....

Mr. President : I may point out that amendments to draft rules may be proposed and passed, but Government is not bound to take them into consideration unless they are recommended for its consideration by a separate Resolution duly moved and passed. At the same time, if Government cares to take such amendments into consideration without a Resolution of the Council, it is not estopped from doing so.

Mr. C. A. H. Townsend : I bow to your ruling, Sir.

I had the pleasure of discussing with the Raja Sahib a few days ago the point which has been raised by him to-day. I admit at once that there is much to be said for his point of view and there is really very little difference on it between him and the Revenue Department. As he said, the principle that Government has adopted as regards ordinary wells is that exemption from increased land revenue should be allowed until the maker of a masonry well has recovered double the cost of making the well. As the House knows, ordinary masonry wells have been in existence for many years and their cost is more or less known, also the amount of land which they can irrigate, and therefore it has been found reasonable to lay down that the minimum period of exemption for ordinary wells should be twenty years which may be extended up to forty years. So far for ordinary wells.

Turning now to tube-wells, as the House knows, we have really very little knowledge of them. They vary a very great deal in their cost of manufacture according to the depth of water, the nature of the soil and the like. The profits that accrue to sinkers of tube-wells vary greatly. The sinker of a tube-well who lives in the neighbourhood of a large town as Lahore and is thereby enabled to grow vegetables and market garden crops in his

land makes very much larger profits than one who can only grow ordinary crops. In brief, we have not at present sufficient data before us to lay down as a definite rule that the minimum period of exemption from enhanced land-revenue shall be twenty years or the maximum forty years. So we have for the present laid down the same principle for tube-wells as for ordinary wells that the period of exemption should be sufficient to allow the sinker of the well to recover twice his expenditure. As the House knows, we hope to be on the eve of great industrial advancement in this province: we hope to have before long electric energy from the Mandi Hydro-Electric Scheme. After considering the matter for some time I am, speaking personally, ready to ask Government to agree to the following addition to rule 24 (3):—

"The minimum period of exemption for the purpose of this rule shall be twenty years for wells constructed within the five years immediately following the date on which these rules are finally confirmed. But after the expiry of five years the determination of such minimum period, if any, shall be reconsidered in the light of the experience gained during them."

I do not consider, Sir, that this is unreasonable, and I trust that in view of what I have said the Raja Sahib will see his way to ask the House to let him withdraw the amendment.

Diwan Bahadur Raja Narendra Nath: I am prepared to accept this change, and ask for leave to withdraw my amendment.

Motion, by leave, withdrawn.

THE PUNJAB LAND REVENUE (AMENDMENT) BILL.

The Honourable Mr. A. M. Stow (Finance Member): Sir, I beg for leave to introduce the Punjab Land Revenue (Amendment) Bill.

LEAVE GIVEN.

The Honourable Mr. A. M. Stow: Sir, I beg to introduce the Punjab Land Revenue (Amendment) Bill.

The Honourable Mr. A. M. Stow: Sir, I beg to move—

"That the Punjab Land Revenue (Amendment) Bill be taken into consideration."

Mr. President: Motion is—

"That the Punjab Land Revenue (Amendment) Bill taken into consideration."

Mr. W. R. Wilson (Revenue Secretary): Sir, the reason for this Bill is stated in the short statement of objects and reasons appended to the Bill. You were pleased to observe, Sir, in connection with the concluding clause of the Regulation of Accounts Bill that in the matter of rules framed under an Act a resolution should be moved in the House for consideration of those rules so that an opportunity may be given to members to discuss the rules. When the Land Revenue (Amendment) Bill was scrutinised in the Select Committee the Select Committee altered the original draft of section 60-A., and the alteration was automatically adopted by this Council without any discussion. The very object of the amendment in Select Committee was to secure this opportunity for the Council to discuss the rules framed under the authority which the Legislative Council had delegated to any department of Government. The last sentence of section 60-A. (1) as drafted by the Select Committee runs as follows:—

"The local Government shall defer consideration of such rules until the Punjab Legislative Council has had an opportunity of considering the said rules by a resolution."

[Mr. W. R. Wilson.]

The intention at that time was that an opportunity should be given to any member in the House to bring a resolution to discuss the rules. When the rules were drafted they were duly considered by the Select Committee that originally helped to scrutinise the Bill. After that Select Committee had considered and ratified the rules members were invited to send in if they cared resolutions for the July session. At the same time the draft rules were circulated to all members of this House. No resolution, however, was tabled and consequently the main portion of these draft rules was confirmed by a notification which issued in September. Subsequently the scruples of the Legal Remembrancer on the one hand, and your own jealous guardianship of the rights of this House on the other, brought home to Government that, although under the Act as passed the intention was to allow an opportunity to members to move a resolution, yet the wording was such as to lend itself to a more probable interpretation that Government itself should bring in a resolution to the effect that the draft rules framed by the Government and as ratified by the Select Committee should be considered and discussed in the Council. Therefore as soon as Raja Narendra Nath's amendment in this particular matter in the discussion on the Pure Food Bill met with the approval of the House it was decided to present this small Bill to remove any misinterpretation. The draft rules framed under the Act have been presented to obtain the opinion of the House on the said rules. That is the genesis of this Bill.

Mr. President : Is the object of the Bill to allow a member of the Council to move a motion for discussion of the draft rules ?

Mr. W. R. Wilson : No, Sir. The object is to clear a *bona fide* misconception or misunderstanding that had crept in in the Act as passed by the Council. This amending Bill is to set right the defective drafting of section 60-A. It was considered advisable that Government should bring the rules before the House and give an opportunity for discussion. The rules have accordingly been brought before the House and discussed. This Bill is only to set right the defective drafting which had led to a *bona fide* doubt as to whether the Government should bring in a motion for discussion of the rules or whether some member of the Council should bring the motion.

Question "That the Punjab Land Revenue (Amendment) Bill be taken into consideration" put, and agreed to.

Mr. President : The Council will now proceed to take the provisions of the Bill into consideration.

Question "That clause 2 stand part of the Bill" put, and agreed to.

Question "That the preamble be the preamble of the Bill" put, and agreed to.

Question "That clause 1 stand part of the Bill" put, and agreed to.

The Honourable Mr. A. M. Stow : Sir, I beg to move—

"That the Punjab Land Revenue (Amendment) Bill be passed."

Question put, and agreed to.

THE PUNJAB REGULATION OF ACCOUNTS BILL.

The Honourable Mr. A. M. Stow : Sir, it would be convenient if the House adjourns for one hour so that the Drafting Committee which you have appointed may go through the Punjab Regulation of Accounts Bill with a view to report to-day what amendments of a formal or consequential nature should be made in the Bill.

Mr. President : If the honourable member is prepared to submit the report to-day, I have no objection to adjourn the Council for one hour.

(The Council adjourned accordingly and reassembled at 6-15 P.M.)

The Honourable Mr. A. M. Stow (Finance Member) : Sir, I rise to present to the House the report of the Drafting Committee on formal and consequential amendments necessary.

Mr. President : Under paragraph 3 of article 92 the House will proceed to consider the amendments proposed by the committee.

Question "that at the end of explanation (ii) to clause (b) of sub-clause (i) of section 8 the letters '(iii)' be replaced by 'provided that (i)' " put, and agreed to.

Question " that in the next following proviso the letters (iv) be replaced by the letters (ii) " put, and agreed to.

Question " that in sub-clause (i) of clause 2 of section 6 the words 'language, script,' occurring between the word 'forms' and the word 'and' in lines 1 and 2 be deleted " put, and agreed to.

Question "that the words 'clause (a)' of 'occurring between the word 'by' and the word 'sub-section' be deleted " put, and agreed to.

Question "that at the end of sub-clause (ii) of this clause the following words be added :—

'and the scale of costs to be paid by such debtors as may demand that the account required by this clause should be furnished in one of the particular scripts mentioned in explanation (i) of this clause ' " put, and agreed to.

Question " that in the 4th line of sub-clause (ii) of this clause for the word 'submitted' the word 'furnished' be substituted " put, and agreed to.

The Honourable Mr. A. M. Stow (Finance Member) : Sir, I beg to move—

"That the Punjab Regulation of Accounts Bill as amended by the House be passed."

Mr. President : Motion moved is—

"That the Punjab Regulation of Accounts Bill as amended by the House be passed."

Rai Bahadur Lala Dhanpat Rai (Punjab Industries): Sir, even after the discussion of the provisions of this Bill for over a week I am as unconvinced about the utility or the necessity of this Bill as I was in the beginning. I am opposed to the passing of this Bill, Sir, because this is a communal measure. It is not only a communal measure, but it is a one-sided measure also and it is opposed to all principles of jurisprudence and procedure. Moreover, Sir, it is a very harsh and oppressive measure and may I say a heartless measure too. When I was a student of jurisprudence I used to read that for every right there is a corresponding duty and for every duty there is a corresponding right. Now, what do you see after reading the provisions of this Bill? The duty has been cast upon the creditor that he should keep accounts, not only keep accounts, but he should every half-year send a copy of the accounts to each and every debtor of his not only in the script in which he keeps account, but he should submit a transliteration of the accounts in the language and script in which the debtor requires. What is the corresponding right which the creditor enjoys? None. There is a provision in the Bill itself that a creditor should send a copy of the accounts regularly in the form prescribed, but there is no obligation on a debtor that he should also acknowledge the receipt of the accounts and state whether they are correct or wrong. Therefore it is quite clear that it is a one-sided Act. When I say that it is a communal measure, what further evidence do you require than the way the voting has taken place on this Bill in this House; you must have noticed that the Hindu members of this House have been voting on one side and the Muhammadan members on the other. (*Voices: no, no.*) (*A voice, Excepting Chaudhri Duli Chand and his friends.*)

Then, Sir, I will also say that this Bill will encourage litigation unnecessarily and prolong it too. When I say it will encourage litigation it is for the reason that if the debtors are given to understand that there is any flaw in the keeping and sending of accounts in that case they will be saved the liability of paying the interest and the cost. Under the circumstances they can raise any false plea they like and they may try to substantiate it by false and purged evidence because they know that if there is a flaw in the keeping of accounts or sending of it, however false his plea may be, he is not going to pay for it, and although the creditor may have to prove the falsity of the plea by the evidence which he may produce and incur any amount of expense simply for the purpose when there was absolutely no dispute on the merits. Such are the provisions which make this Bill a unique Bill.

Then, Sir, no sooner a case comes to the court it is the duty of the court to frame issues whether the accounts have been regularly kept and whether copies of accounts have been regularly sent to the debtor or not. - Now, Sir, according to the principle of procedure an issue only arises when one party alleges a fact and the other denies it. Here a debtor may come and say I admit the claim, but the court will say I will first go into the question whether the plaintiff was a creditor or not or whether the amount which was advanced was a loan or not. Now what would be the consequence? Either you should give power to the court

to spend money out of Government coffers to issue a roving commission in order to find out whether the plaintiff was a creditor or not, or whether the advance in dispute was a loan or not, or it would serve no useful purpose. If these issues are drawn and the defendant does not give any evidence, what would be the result of that? Sir, I say it will unnecessarily prolong proceedings of cases in court. There might be some dishonest money-lenders; there is an equal number of dishonest borrowers also; you may in this connection peruse the opinions of judicial officers.

Then, Sir, another fact which I wish to bring to the notice of the House is the case of minors. It has been laid down that they should maintain and furnish accounts. That is a very oppressive and harsh provision and is unworkable.

What is the corresponding benefit that you have given to the borrowing class? I do not see any tangible benefit. It has been said several times that this measure is intended for the protection of the borrower. How is he protected? Suppose the creditor advances Rs. 10 and in the form which you prescribe he enters it as Rs. 15. The form will not say how much was advanced in fact. The form cannot say to the creditor: You should enter only what you have advanced. Again when a payment is made, it is wrongly credited. What will be the case? When you keep regular accounts, then the cash book and the day book are a check on the ledger. That is a salutary check. A simple form of account will be of no avail against a mischievous creditor who wants to cheat his clients. So I think it is no benefit to the debtors either.

The only effect of this Bill will be to drive away the illiterate money-lender, one who is not so mischievous or so dishonestly inclined to take advantage over his clients. He himself will be as ignorant as his borrower. But so far as the big moneylenders are concerned, you give them the facility. They need not keep a regular account. They have only to keep the accounts which you prescribe. You cannot check the accounts of the moneylenders who do not keep them regularly.

Another result of this measure will be the increase in unemployment. Hundreds of these moneylenders will be driven from their profession and will be adding to the ranks of the unemployed. While in other countries measures are being taken to relieve unemployment, it is an irony of fate that here we are passing a measure which would intensify the unemployment situation.

As I began, so I end, by saying that this is an unnecessary piece of legislation; it will serve no useful purpose, and I hope, Sir, that its fate shall be like that of its predecessor. When His Excellency the Governor scrutinises the provisions as they have now been passed by the Council, I hope better counsels will prevail and he will withhold his assent to the measure. It is extremely harsh, cruelly oppressive and wholly one-sided.

Malik Nawab Major Talib Mehdi Khan (Jhelum, Muhammadan, Rural): Sir, it is admitted on all hands that a very large section of the money-lending class kept their accounts very unsatisfactorily and adopted

[Nawab Talib Mehdi Khan].

all sorts of methods to keep their debtors ignorant of what was due from them. A private Bill was introduced some time ago to regulate their accounts. After prolonged discussion it was passed, but it was vetoed by His Excellency the Governor, as described in the minute of dissent to the Select Committee's report on the present Bill by honourable members, Rai Sahib Chandhri Chhotu Ram, Sardar Habibullah and others. In place of that Bill what do we get now? We get this measure which lays down that the creditor should keep his accounts regularly and furnish a copy of it to the debtor once in every six months. When there is an evil it is the duty of the Government to rectify it. Accordingly the Government has introduced this Bill and there is no reason whatever to call it a communal measure. It does not mean to apply to any section of society, it covers all debtors. As I said above, what is enacted is the regulation of accounts and supply of copies of the same to the debtor. If that is not done what is the penalty? The penalty is that the court will reduce the interest and disallow all costs.

Many attempts have been made in the past to guard the interests of the poor, ignorant and trustful zamindar. The first measure was the Land Alienation Act. It was followed by the Usurious Loans Act and this is the third of its kind. If one follows the course of decisions given under the Land Alienation Act, he is drawn irresistibly to the conclusion that the hair roots which held up the measure have all been plucked out one by one and now the top root only is allowed to stand which may totter at any strong gust of wind. Next we come to the Usurious Loans Act. Discretion was therein given to the courts, but as the courts in this province are generally presided over by that section of the society which carries on the money-lending business, no use was made of it and it lies there as a dead letter. The same fate, I apprehend, awaits this Bill because everything is left to the discretion of the court. I am not of those who decri any class as a class. I have got great respect for a very large number of Hindu creditors, but this Bill is directed against those who have proved themselves to be unworthy of any protection.

I read once in Mr. Darling's book 'The Punjab Peasant in Prosperity and Debt' and, if I remember right, he says that the Muslims were indebted to the extent of 60 crores and had to pay several crores (.....18 crores, I am told) by way of interest. I ask my honourable friends whether anyone can conceive whether this debt will ever be paid. I make bold to say it will never be paid. This figure relates only to Mussalmans. If we include the Hindus, Sikhs and other classes who also owe large sums of money, we have to add another big sum and then see whether there is any way out of the difficulty. All this has been due to the unsatisfactory system of keeping accounts.

A lot has been said about the crooked methods of the moneylender. If anything further is needed, I will refer my honourable friends to search the records of the Criminal Tribes settlements. The Government kindly provided them with means of honest livelihood by giving them some squares of land. Very soon the crafty moneylender went there, settled among

them and in a short time reduced them all to utter poverty. And the authorities were alarmed at the extent of their liability and had to find means to move the creditors to some other quarters. Haphazard efforts of this nature unfortunately fail to eradicate the evil.

What will be the result of all this? The result will be that the poor debtor class composed of those sturdy tribes who have served the Government very faithfully and in every country where there was a battle will be reduced to starvation, and will lose their martial spirit, or become desperate. To all lovers of the Motherland, i.e., those who respect and love their country, I would put this question: would they like that the persons who guard their household, who guard their country, be reduced to such a position that they cannot afford to resist a foe? It is not for me, not for anyone else, but for the country's sake that we have to keep them in their spirit.

We have also to consider on the other side where their desperation will lead them. We have got the occurrences of 1915 in the Jhang district fresh in our mind. It is said that they were due to the German War. No doubt, the War provided the existing cause, but the trouble had its beginnings long before the War. Far be it from me to wish that the future has in store further exceptions, but taking the world as it is such occurrences are not impossible, and there is no lack of existing causes. Are we going to allow these people to be a prey to despair and become cut-throats and dacoits? No. It is our duty to keep them on their legs, to help them and save them from utter ruin. The difference that has been made so much of between the zamindar and the non-zamindar, the Muslim and the Hindu, is largely due to this indebtedness. If we make some final effort to remedy this, I should say that all bitterness would vanish. It is our desire to get further instalments of reforms and His Excellency the Viceroy has shown what is our goal. (*Hear, hear.*) Sir, it is our duty to make ourselves fit, without fear or favour, to follow the path pointed out to us. We have to remove all these points of friction and mostly the rapacity of the sahucar to ruin the agriculturist. We have to get further reforms, as I have already said, and we can very well reach that goal if we begin treating one another as brothers and as common factors for moulding the future. It is after that that we will be able to request the Government to treat us as a nation. The Government is alive to their duty. I am glad to say that they are prosecuting the people who are said to be preparing to upset the present Government. On behalf of those humble millions, who are the hewers of wood and drawers of water, who supply food for us all and who keep nothing for themselves, I will say keep them alive, do not allow them to be crushed under the heels of others. It is best for the country and for the Government that they are not let out of our hands. Sir, as I live in a village I know what is the condition of the people there. I appeal to my friends over there to bear in mind that this is not a question of Mussalman and non-Mussalman, a zamindar and a non-zamindar, nor a communal one. I therefore appeal to the members on the other side, I humbly beg them to make common cause with us to improve the condition of all sections of society. (*Hear, hear and applause.*) I assure them that the debtor will meet them more than half way to attain the object for which we are all working. It

[Nawab Talib Mehdi Khan.]

can be said with regard to this Bill that it is an ill wind which blows no one good. But notwithstanding all its weaknesses, notwithstanding all its defects, I will still cling to the good intentions of the Government with the hope that all the defects which experience is going to divulge in a short time will lead them to take up courage and rectify it wherever necessary. With these remarks I support the motion under consideration. (*Applause.*)

Diwan Bahadur Raja Narendra Nath [Punjab Landholders (General)]: Sir, I sat listening with very great interest to the speech that has just now been made by my honourable friend from Jhelum. I have every sympathy with the classes to whom he has alluded in the concluding portion of his speech. Unfortunately the difference between these benches and those opposite lies only in the view as to the utility of the measures brought forward for alleviating distress. We all regret that so many of the zamindari classes and so many of the agriculturists are under debt. This is not only true of the Punjab but is true of agriculturists over the whole continent of India. But it seems to me, and I say it with due deference, that no Regulation of Accounts Bill will relieve the misfortune of the debtors. Callousness and indifference of the zamindar, his colossal ignorance and his poverty are the causes of his distress and indebtedness. The Bill will touch none of them. The present condition is that if any debtor wants a copy of the accounts from his creditor he goes to him and asks for it. If the creditor evades or if the creditor refuses his requests, he keeps quiet. But if the debtor is intelligent enough and takes interest in his own affairs he will probably give the creditor a registered notice. If even then the creditor does not give him the copy of the accounts he keeps quiet and when the matter goes before the court the court is bound to listen to his story and pay careful attention to the accounts produced by the creditor on which his claim is founded. The present Bill makes it obligatory upon every creditor to furnish accounts and in consequence of failure provides some penalties. If the present ignorance and callousness of the zamindar continue, do you think that he will pay attention to the account that he receives? That small proportion of zamindars who could look after their own affairs belongs to that category to which I have already alluded. He will himself go to the creditor and ask him for the accounts. Unfortunately, owing to ignorance, owing to illiteracy, a very large number of zamindars do not fall under that category and the present Bill does not meet their case and does not improve their position.

Another point of criticism is this. Those very features on which the opposite benches are insistent and over which they are jubilant are, in my humble opinion, the features which will have very serious repercussions on the debtor himself. The harder the measure, the greater and more severe the penalty, the more serious are the repercussions on the man who borrows. Now one of the provisions of the Bill is that every court is bound to frame an issue as to accounts whether a plea is raised by the debtor or not. This will certainly prolong litigation. In a very large majority of cases probably the moneylender will be fully equipped with accounts regularly kept. The prolonged litigation will eventually have its effect on the debtor by burdening him with heavier costs.

Then it seems to me, Sir, that the provisions which do not give proper exemption to the minor and the widow will lead to some serious complications and will still further prolong litigation, the bad consequences of which will fall on the debtor. That is one aspect of the case.

Another feature of the Bill is that it makes the submission of these accounts obligatory. Now in a large majority of cases of shop-keeping classes, the money-lending classes who are in the village, the transactions are mostly in the village itself. This Bill makes it obligatory upon the creditor to send copies of accounts regularly whether asked for or not every six months to the debtor who is probably living next door. Under this state of things mutual relations of friendship and confidence between the debtor and creditor can no longer exist. The debtor will say, "I am here in this very village, why do you go to another village to get your copies of accounts registered? Why have you sent them to me at all?" The creditor says, "If I do not send them to you I will not be able to claim interest and whether we are agreed between ourselves or not the court will *suo moto* raise the issue." It seems to me that this will make it impossible for amicable relations to exist between a debtor and a creditor. Unfortunately, Sir, matters like this are apt to take a communal turn. They ought not to; but the tendency is there. We have seen in a Council consisting of so many educated and intelligent men and leaders of public opinion that this Bill has proved to be an apple of discord. Is it going to have some different effect in the villages? I do not think so. I think that what has happened in the Council is an index of what is going to follow the enforcement of this Act, whenever this Bill becomes an Act, in the rural areas. Unfortunately there is some trouble in the rural areas on other grounds owing to some other measures to which I will not allude now because I do not wish to introduce unnecessarily controversial matters. This Bill puts the screw tighter and still further aggravates the good relations that may be existing between the different sections of the village. But my chief regret is that it makes that day more distant when the departments of law and order will be administered completely in accordance with the wishes of the Council. That will be, I think, one—though a remote—consequence of this measure that we have now before us and which, I think, will be passed by this Council.

Future generations will probably say that those gentlemen who have set their approval on the Bill and on the policy underlying it have been caught in the trap which they laid with their own hands. I would not refer further, Sir, to any communal or caste aspect of the measure more than I have done in an indirect manner and I should be very glad indeed if all that I have predicted in respect of the Bill proves to be false and if the Bill is worked without disturbing amicable relations between the creditor and the borrower and if the Act works smoothly no one will be more pleased than myself.

Question put "that the Punjab Regulation of Accounts Bill be passed."

Council divided : Ayes 31 ; Noes 8.

AYES 31.

Mr. H. Calvert.
Mr. C. A. H. Townsend.
The Honourable Malik Firoz Khan, Noon.
Khan Bahadur Nawab Muzaffar Khan.
Mr. W. R. Wilson,
Mr. D. R. Macfarlane.
Mr. M. A. Ghani.
Mian Muhammad Fakhr-ud-Din,
The Honourable Mr. Manohar Lal.
The Honourable Sardar Sir Jogendra Singh.
The Honourable Mr. A. M. Stow.
Mr. Alan Mitchell.
Lala Ram Lal.
Mr. C. M. G. Ogilvie.
Mr. A. C. Macnabb.
Mr. S. L. Sale.
Khan Bahadur Captain Sardar Sikander Hyat Khan.

Mian Ahmad Yar Khan, Daultana.
Sayad Mubarik Ali Shah.
Khan Sahib Khan Muhammad Saifullah Khan.
Malik Nawab Major Talib Mehdi Khan,
Chandhri Duli Chand.
Sayad Muhammad Husain.
Khan Bahadur Mian Muhammad Hayat, Qureshi.
Chandhri Umar Hayat.
Makhdumzada Sayad Muhammad Raza Shah, Gilani.
Chandhri Muhammad Abdul Rahman Khan.
Sardar Bahadur Captain Dalpat Singh.
Sardar Bahadur Sardar Sheo Narain Singh.
Mr. E. Maya Das.

NOES 8.

Diwan Bahadur Raja Narendra Nath.
Dr. Gokul Chand, Narang.
Mr. Labh Singh.

Rai Bahadur Lala Sewak Ram.
Pandit Nanak Chand.
Lala Kesho Ram, Sekhri.
Lala Bodh Raj.

Rai Bahadur Lala Dhanpat Rai.

The Council adjourned *sine die*.

PUNJAB LEGISLATIVE COUNCIL.

APPENDIX.

Answers received after the publication of the debates of the dates on which the questions were put.

ANSWERS TO STARRED QUESTIONS.

JAWALI AIDED SCHOOL.

(Answer to Starred Question No. 1493, Page 1 ante).

The Honourable Mr. Manohar Lal : (a) Yes.

(b) The Jawali teacher brought the boys to Chandrain school of his own accord, and not on any verbal or written order of the Inspector.

(c) The attendance shown by the teacher in the attendance register of the school tallied with that recorded in the log book of the school.

GRANT OF LAND IN NILI BAR.

(Answer to Starred Question No. 1553, page 2 ante).

The Honourable Mian Sir Fazl-i-Husain : I (a) Yes.

(b) As regards Hoshiarpur District : Yes.

As regards Kangra District : No.

(c) Yes.

(d) No special representation has been traced.

II. Government has decided to allot, in the Nili Bar Colony, 250 rectangles for relief to those who have suffered from *choe nullah* or river action in the Hoshiarpur district. Of these 62 are to be allotted to inhabitants of the riverain area.

No such allotment has been made to Kangra district since the damage done there is much less serious.

MR. GHULAM HUSSAIN, TEACHER.

(Answer to Starred Question No. 1645, page 50 ante).

The Honourable Mr. Manohar Lal : (i) Yes.

(ii) Enquiries have been made and a suggestion has been made to the municipality that a fine, as originally suggested by the District Inspector, should be inflicted on the teacher.

BAND ATTACHED TO HIGH SCHOOLS.

(Answer to Starred Question No. 2232, page 54 ante).

The Honourable Mr. Manohar Lal : (a) Only about one-third the number of high schools in the Panjab have bands.

(b) There are no such rules or orders.

(c) No.

DISTRICT AND ASSISTANT DISTRICT INSPECTOR OF SCHOOLS.

(Answer to Starred Question No. 2324, Volume XIII, page 191).

The Honourable Mr. Manohar Lal : (a) The statement giving the requisite information is laid on the table.

(b) No. Many points are considered and it is not possible to give definite basis.

(c) (i) Yes.

(ii)	Hindus.	Muslims.	Sikhs.	Christians
	4	7	2	1

(d) Academic qualification is not the only factor to be considered in appointing or removing Assistant District Inspectors.

STATEMENT SHOWING NAMES, DESIGNATIONS, COMMUNITIES, QUALIFICATIONS AND DATES FROM WHICH APPOINTED AS DISTRICT AND ASSISTANT DISTRICT INSPECTORS OF SCHOOLS IN THEIR PRESENT DISTRICT IN DIFFERENT DIVISIONS IN THE PUNJAB (EXCLUDING DELHI PROVINCE).

Serial No.	Name.	Designation.	Community.	Qualifications.	Date from which appointed as D. I. or A. D. I. in a particular district.	REMARKS.
DISTRICT INSPECTORS OF SCHOOLS.						
AMBALA DIVISION.						
1	Sheikh Muhammad Zahur-ud-Din.	District Inspector of Schools, Karnal.	Muslim	B.A., S.A.-V.	..	Working as officiating Deputy Inspector of Schools, Jullundur. Ch. Prasn Nath, M.A., S.A.-V. (Hindu), working as D. I. (from 27th May 1929).
2	Lala Hardyal Chopra	District Inspector of Schools, Hissar.	Hindu	B.A., S.A.-V.	28-3-29 (afternoon).	
3	Chandhri Jhandu Mal	District Inspector of Schools, Simla.	Aryan, Ahluwalia, Zamindar.	B.A., B.T.	28-2-28	
4	Mian Abdul Latif	District Inspector of Schools, Gurgaon.	Muslim	B.A., S.A.-V. trained.	26-5-27	
5	Lala Prabhu Dyal	District Inspector of Schools, Ambala.	Hindu	B.A. (Honours) B.T., S.A.-V.	25-3-26	Working as A. D. I. of Schools, from 10th December 1920.
6	Lala Sita Ram Aggarwal	District Inspector of Schools, Rohtak.	N.B. H.	B.A., B.T.	19-10-25	

STATEMENT SHOWING NAMES, DESIGNATIONS, COMMUNITIES, QUALIFICATIONS AND DATES FROM WHICH APPOINTED AS DISTRICT AND ASSISTANT DISTRICT INSPECTORS OF SCHOOLS IN THEIR PRESENT DISTRICT IN DIFFERENT DIVISIONS IN THE PUNJAB (EXCLUDING DELHI PROVINCE)—CONTINUED.

(Serial No.)	Name.	Designation.	Community.	Qualifications.	Date from which appointed as D. I. or A. D. I. in a particular district.	REMARKS.
DISTRICT INSPECTORS OF SCHOOLS—CONTINUED.						
JULLUNDER DIVISION.						
7	S. Amar Singh	District Inspector of Schools, Kangra.	Sikh	B.A.	1-5-28	
8	S. Jogendra Singh	District Inspector of Schools, Jullundur.	Do.	B.A., B.T.	23-2-28	
9	Lala Diwan Chand	District Inspector of Schools, Hoshiarpur.	Hindu	B.A., S.A.-V.	7-10-27	
10	Lala Indar Bhan (Vacant)	District Inspector of Schools, Ferozepore.	Sikh	B.A., B.T.	5-10-28	Has since been appointed as Deputy Inspector of Schools, Multan Division.
11	Sheikh Ghulam Hussain	District Inspector of Schools, Ludhiana.	Muslim	B.A., B.T.	18-10-28	
LAHORE DIVISION.						
12	Bawa Barkat Singh	District Inspector of Schools, Lahore.	Sikh	B.A., S.A.-V.	11-10-28	
13	Sodhi Jagat Singh	District Inspector of Schools, Amritsar.	Do.	F.A., S.A.-V.	17-10-28	
14	M. Rahim Baksh	District Inspector of Schools, Gunderpur.	Muslim	B.A., S.A.-V.	3-4-28	

APPENDIX.

15	Lala Bhana Ram	..	District Inspector of Schools, Gujranwala.	Hindu	..	B.A., S.A.V.	7-10-27 (afternoon).
16	Sheikh Muhammad Khan,	Nawaz	District Inspector of Schools, Sialkot.	Muslim	..	F.A., S.A.V.	20-6-24
17	Lala Amir Chand	..	District Inspector of Schools, Sheikhpura.	Hindu	..	B.A., S.A.V.	13-10-27
RAWALPINDI DIVISION.							
18	Mr. Fran Nath	..	District Inspector of Schools, Gujrat.	Christian	..	B.A., S.A.V.	29-9-26 (afternoon).
19	M. Ghulam Rasul Shang	..	District Inspector of Schools, Shahpur.	Muslim	..	M.A.	10-8-29
20	Chaudhri Ahmad Hassen	..	District Inspector of Schools, Jhelum.	Do.	..	M.A., B.T.	15-10-27
21	S. Bikram Singh	..	District Inspector of Schools, Rawalpindi.	Sikh	..	B.A., B.T.	13-10-28
22	Mufi Ahmad Said	..	District Inspector of Schools, Attock.	Muslim	..	F.A., S.A.V.	16-4-28
23	Chaudhri Ghulam Mohy-ud-Din.	..	District Inspector of Schools, Mianwali.	Do.	..	B.A., S.A.V.	10-4-28 (afternoon).
MULTAN DIVISION.							
24	M. Muhammad Yaqub Shah	..	District Inspector of Schools, Montgomery.	Muslim	..	M.A.	30-5-29
25	Chaudhri Muhammad Hussain	..	District Inspector of Schools, Lyallpur.	Do.	..	B.A., B.T.	27-5-29
26	M. Mahmud Hasan	..	District Inspector of Schools, Jhang.	Do.	..	B.A., B.T.	3-10-28
27	Lala Ram Chand Sudwani	..	District Inspectors of Schools, Multan.	Hindu	..	B.A., S.A.V.	12-10-27

STATEMENT SHOWING NAMES, DESIGNATIONS, COMMUNITIES, QUALIFICATIONS AND DATES FROM WHICH APPOINTED AS DISTRICT AND ASSISTANT DISTRICT INSPECTORS OF SCHOOLS IN THEIR PRESENT DISTRICT IN DIFFERENT DIVISIONS IN THE PUNJAB (EXCLUDING DELHI PROVINCE)—CONTINUED.

Serial No.	Name.	Designation.	Community.	Qualifications.	Date from which appointed as D. I. or A. D. I. in a particular district.	REMARKS.
DISTRICT INSPECTORS OF SCHOOLS—CONCLUDED.						
MULTAN DIVISION—concluded.						
28	Chaudhri Sardar Alam ..	District Inspector of Schools, Muzaffargarh.	Muslim	M.A., B.T.	13-7-28	
29	Chaudhri Ghulam Hussain Bhatti.	District Inspector of Schools, Dera Ghazi Khan.	Do.	F.A., S.A.V.	1-6-29	
ASSISTANT DISTRICT INSPECTORS OF SCHOOLS.						
AMBALA DIVISION.						
1	Chaudhri Mohammed Mush- taq.	Assistant District Inspector of Schools, Karnal.	Muslim	B.A., B.T.	26-3-29	
2	M. Sardar Ahmed Hashmi..	Assistant District Inspector of Schools, Panipat.	Do.	B.A., B.T.	18-7-28	
3	Lala Gur Parshad Mathur ..	Assistant District Inspector of Schools, Thanesar.	Hindu	Matric., L. Ag.	14-9-29	
4	Pandit Karm Chand ..	Assistant District Inspector of Schools, Kathal.	Gaur Brahman	Matric., S.V.	10-6-25	
5	Pandit Ramji Lal ..	Assistant District Inspector of Schools, Hisar District.	Hindu	F.A., S.A.V.	8-4-19	
6	Sheikh Khalil-ul-Rahman ..	Ditto ditto	Muslim	B.A., B.T.	16-7-27 (afternoon).	

7	Chaudhri Ghansham Das	..	Ditto	ditto	Hindu	..	B.A. Hons., B.T.	1-4-29
8	Pandit Trilok Chand	..	Ditto	ditto	Do.	..	B.A., B.T.	16-7-27
9	Chaudhri Inder Sain	..	Ditto	ditto	Do.	..	B.A., Hons., B.T., S.A.V.	28-5-29
10	Pir Muhammad Nivaz	..	Assistant District Inspector of Schools, Gurgaon District.	..	Muslim	..	B.A., B.T. trained	5-10-28
11	B. Harman Singh	..	Ditto	ditto	Sikh	..	B.A., S.A.V. train- ed.	28-9-26
12	Chaudhri Karan Singh	..	Ditto	ditto	Hindu	..	E.E., J.A.V. train- ed.	11-4-29
13	B. Bhagat Ram Slugh	..	Ditto	ditto	Sikh	..	B.A., B.T., S.A.V.	13-8-28
14	Chaudhri Prabhu Dayal	..	Ditto	ditto	Hindu	..	B.A., S.A.V.	27-6-29
15	Chaudhri Khazan Singh	..	Assistant District Inspector of Schools, Ambala District.	..	Do.	..	B.A. (Hons.), B.T., S.A.V.	15-6-26
16	Chaudhri Abdur Sattar Khan	..	Ditto	ditto	Muslim	..	B.A., S.A.V., B.T.	14-6-26
17	Pandit Suraj Bal	..	Ditto	ditto	Hindu	..	B.A., S.A.V.	30-9-26
18	Lala Ram Kishan	..	Ditto	ditto	Do.	..	B.A., S.A.V., B.T.	12-7-27
19	M. Abdur Rashid	..	Ditto	ditto	Muslim	..	B.A., S.A.V.	1-12-27
20	S. Ujagar Singh	..	Assistant District Inspector of Schools, Rohtak District.	..	Hindu Sikh	..	M.A., S.A.V.	13-5-28
21	Chaudhri Sultan Ahmad	..	Ditto	ditto	Muslim	..	B.A., B.T.	21-9-29
22	Pandit Duli Chand	..	Ditto	ditto	Hindu, Gaur Brah- man.	..	B.A., S.A.V.	9-4-29
23	M. Muhammad Salim	..	Ditto	ditto	Muslim, Shaikh..	..	B.A., B.T.	18-4-28
24	Mr. Samuel F. Deen	..	Ditto	ditto	Indian Christian	..	B.A., S.A.V.	3-4-28
25	Chaudhri Naval Singh	..	Ditto	ditto	Hindu Jat	..	B.A., S.A.V.	9-10-28

In foreign service. Chaudhri Mohinder Singh, B.A., B.T., officiating from 15th June 1929.

STATEMENT SHOWING NAMES, DESIGNATIONS, COMMUNITIES, QUALIFICATIONS AND DATES FROM WHICH APPOINTED AS DISTRICT AND ASSISTANT DISTRICT INSPECTORS OF SCHOOLS IN THEIR PRESENT DISTRICT IN DIFFERENT DIVISIONS IN THE PUNJAB (EXCLUDING DELHI PROVINCE)—CONTINUED.

Serial No.	Name.	Designation.	Community.	Qualifications.	Date from which appointed as D. I. or A. D. I. in a particular district.	REMARKS.
ASSISTANT DISTRICT INSPECTORS OF SCHOOLS—CONTINUED.						
JULANDER DIVISION.						
26	Lala Balak Ram	Assistant District Inspector of Schools, Kangra.	Hindu	F.A., S.A.-V.	29-8-27	
27	Lala Balak Ram, Gupta	Ditto ditto.	Do.	B.A., B.T.	20-8-29	
28	Lala Bhagwan Das	Assistant District Inspector of Schools, Hamirpur.	Sikh	B.A., S.A.-V.	22-7-27	
29	S. Ujagar Singh	Assistant District Inspector of Schools, Palampur.	Do.	B.A., B.T.	13-9-28	
30	S. Gurcharan Singh	Assistant District Inspector of Schools, Nurpur.	Do.	B.A., S.A.-V.	12-7-27	
31	Chaudhri Dhan Ram	Assistant District Inspector of Schools, Kuli.	Hindu	B.A., S.A.-V.	16-9-29	
32	Bhai Gobind Singh	Assistant District Inspector of Schools, Hoshiarpur.	Sikh	M.A., B.T., S.A.-V.	16-6-29 (afternoon).	
33	Bhai Chanchal Singh	Assistant District Inspector of Schools, Jullundur.	Do.	B.A., S.A.-V.	5-2-28	
34	Bhai Sunder Singh	Assistant District Inspector of Schools, Phillaur.	Do.	F.A., S.A.-V.	21-9-23	

APPENDIX.

35	Bhai Teja Singh	..	Assistant District Inspector of Schools, Ludhiana.	Do.	..	B. Sc., B.T.	..	3-7-38
36	Bhai Ganda Singh	..	Assistant District Inspector of Schools, Fazilka.	Do.	..	B.A., B.T.	..	13-8-39
37	S. Thakar Singh	..	Assistant District Inspector of Schools, Mukhtsar.	Do.	..	B.A., B.T.	..	22-9-36
38	Chaudhri Dwarka Nath Dutt	..	Assistant District Inspector of Schools, Moga.	Hindu	..	B.A., B.T.	..	16-8-39
39	Lala Shankar Das	..	Assistant District Inspector of Schools, Garhshankar.	Do.	..	B.A., S.A.V.	..	10-7-27
40	Lala Devki Nandan	..	Assistant District Inspector of Schools, Hoshiarpur.	Do.	..	B.A., B.T., S.A.V.	..	4-10-27
41	Lala Harbhagwan Khanna	..	Assistant District Inspector of Schools, Jagraon.	Do.	..	B.A., B.T.	..	21-8-26
42	Lala Suraj Bhan	..	Assistant District Inspector of Schools, Ferozepore.	Do.	..	B.A., S.A.V.	..	18-8-26
43	Thakur Sher Singh	..	Assistant District Inspector of Schools, Una.	Do.	..	F.A., S.A.V.	..	27-5-27
44	Chaudhri Gurdas Singh	..	Assistant District Inspector of Schools, Jagraon.	Do.	..	B.Sc. Hons., B.T.	..	4-6-39
45	M. Muhammad Yusuf Ali	..	Assistant District Inspector of Schools, Desuys.	Muslim	..	B.A., B.T.	..	22-5-27
46	M. Muhammad Latif	..	Assistant District Inspector of Schools, Jullundur.	Do.	..	B.A., S.A.V.	..	21-1-39
47	M. Karam Ali Khan	..	Assistant District Inspector of Schools, Nakodar.	Do.	..	S.V.	..	18-4-25
48	M. Ali Mohammad	..	Assistant District Inspector of Schools, Samrala.	Do.	..	B.A., B.T., S.A.V.	..	10-12-26

STATEMENT SHOWING NAMES, DESIGNATIONS, COMMUNITIES QUALIFICATIONS AND DATES FROM WHICH APPOINTED AS DISTRICT AND ASSISTANT DISTRICT INSPECTORS OF SCHOOLS IN THEIR PRESENT DISTRICT IN DIFFERENT DIVISIONS IN THE PUNJAB (EXCLUDING DELHI PROVINCE)—CONTINUED.

APPENDIX.

Serial No.	Name.	Designation.	Community.	Qualifications.	Date from which appointed as D. I. or A. D. I. in a particular district.	REMARKS.
JULLYNDHUR DIVISION—continued.						
49	Chandhri Nasir Ahmad	Assistant District Inspector of Schools, Ferozepore.	Muslim	B.A., B.T.	25-5-27	
50	Chandhri Ahmad Khan	Assistant District Inspector of Schools, Zira.	Do.	B.A., B.T.	25-6-29	
51	Pandit Durga Dutt	Assistant District Inspector of Schools, Nawanshehr.	Hindu	B.A., B.T.	2-8-29	
LAHORE DIVISION.						
52	M. Muhandmad Ata Ullah	Assistant District Inspector of Schools, Lahore District.	Muslim	B.A.	25-6-29	
53	Pandit Labh Chand	Ditto ditto	Hindu	B.A., B.T., S.A.-V.	30-9-28	
54	M. Fazal Ilahi Chishti	Ditto ditto	Muslim	B.A., B.T., S.A.-V.	1-10-28	
55	M. Abdul Alim	Ditto ditto	Do.	B.A., B.T.	10-2-26	
56	Mufti Abdur Rashid	Ditto ditto	Do.	B.A., B.T.	12-5-25	
57	Sardar Hardyal Singh	Ditto ditto	Sikh	F.A., S.A.V.	19-6-25	
58	B. Labh Singh	Assistant District Inspector of Schools, Amritsar.	Do.	B.A., S.A.V., B.T.	7-10-27	

APPENDIX.

21

Under orders of transfer
to Sheikhpura District.

59	M. Muhammed Asim	..	Ditto	ditto	Muslim	..	M.A., S.A.-V.	..	6-11-28
60	M. Abdur Reshid	..	Ditto	ditto	Do.	..	B.A., S.A.-V.	..	4-6-29
61	M. Muhammed Ghani	..	Ditto	ditto.	Do.	..	F.A., S.A.-V.	..	11-10-27
62	Mr. W. Salick	..	Ditto	ditto.	Christian	..	F.A., S.A.-V.	..	17-12-27
63	Chaudhri Barkat Ali	..	Assistant District Inspector of Schools, Gurdaspur District.		Muslim	..	B.A., B.T.	..	26-9-22
64	Chaudhri Muhammed Nazir Ahmad.	..	Ditto	ditto	Do.	..	B.A., B.T., S.A.-V.	..	1-10-24
65	Pandit Maharaj Narsim	..	Ditto	ditto	Hindu	..	B.A., B.T.	..	20-10-23
66	Sufi Khair Din	..	Ditto	ditto	Muslim	..	B.A., B.T.	..	18-10-26
67	Bedi Tara Singh	..	Ditto	ditto	Sikh	..	F.A., S.A.-V.	..	6-7-27
68	B. Ram Singh	..	Ditto	ditto	Do.	..	B.A., B.T.	..	1-7-27
69	M. Abdur Rasul	..	Assistant District Inspector of Schools, Gujranwala District.		Muslim	..	B.A., S.A.-V.	..	21-9-26
70	B. Gian Singh	..	Ditto	ditto	Sikh	..	B.A., B.T., S.A.-V.	..	18-5-25
71	Chaudhri Abdul Ghanf	..	Ditto	ditto	Muslim	..	B.A., B.T.	..	8-1-24
72	Chaudhri Faqir Ahmed	..	Ditto	ditto	Do.	..	F.A., S.A.-V.	..	5-3-27
73	B. Ishar Singh	..	Assistant District Inspector of Schools, Sialkot District.		Sikh	..	F.A., S.A.-V.	..	20-8-25
74	M. Abdur Rahman	..	Ditto	ditto	Muslim	..	F.A., S.A.-V.	..	10-8-12
75	Chaudhri Muhammed Usaf Ali.	..	Ditto	ditto	Do.	..	B.A., B.T.	..	7-6-29
76	Bakhtai Sanser Chand	..	Ditto	ditto	Hindu	..	B.A., S.A.-V.	..	23-5-29
77	M. Muhammed Sharif Manzur	..	Ditto	ditto	Muslim	..	F.A., S.A.-V.	..	29-8-27

STATEMENT SHOWING NAMES, DESIGNATIONS, COMMUNITIES, QUALIFICATIONS AND DATES FROM WHICH APPOINTED AS DISTRICT AND ASSISTANT DISTRICT INSPECTORS OF SCHOOLS IN THEIR PRESENT DISTRICT IN DIFFERENT DIVISIONS IN THE PUNJAB (EXCLUDING DELHI PROVINCE)—CONTINUED.

Serial No.	Name.	Designation.	Community.	Qualifications.	Date from which appointed as D. I. or A. D. I. in a particular district.	REMARKS.
ASSISTANT DISTRICT INSPECTORS OF SCHOOLS—CONTINUED.						
Lahore Division—continued.						
78	Chandhri Behawal Khan	Assistant District Inspector of Schools, Sialkot District.	Muslim	..	22-9-26	
79	Khawaja Aziz-ud-Din Ahmad	Assistant District Inspector of Schools, Sheikhupura District.	Do.	B.A., B.T., LL.B.	11-11-27	
80	Bedi Narinjan Singh	Ditto	Sikh	..	27-2-22	Under orders of transfer to Amritsar.
81	B. Kapur Singh	Ditto	Do.	B.A., B.T.	14-9-26	Under orders of transfer to N.S. Ajnala.
82	B. Umrao Singh	Ditto	Do.	..	10-9-29	
RAWALPINDI DIVISION.						
83	B. Harnam Singh	Assistant District Inspector of Schools, Gujrat District.	Sikh	..	23-6-27	
84	Chandhri Fazal Ahmad	Assistant District Inspector of Schools, Kharian.	Muslim	..	16-3-27 (afternoon).	
85	Lala Sohan Lal	Assistant District Inspector of Schools, Dinga.	Hindu	..	15-10-28	
86	Chandhri Ali Akbar	Assistant District Inspector of School, Phalia.	Muslim	..	13-5-26 (afternoon).	

APPENDIX.

APPENDIX.

21.

87	S. Shahbair Hussain	Assistant District Inspector of Schools, Gujrat.	Do.	B.A., B.T.	6-6-27
88	B. Ganda Singh	Assistant District Inspector of Schools, Sargodha.	Sikh	B.A., S.A.-V.	29-8-27
89	S. Dabir Hussain	Assistant District Inspector of Schools, Shahpur.	Muslim	B.A., B.T.	8-11-29
90	Lala Sri Ram Soni	Ditto	Hindu	B.A., B.T.	13-1-26
91	Chandhri Nazir Ahmed	Ditto	Muslim	F.A., S.A.-V.	24-1-27
92	Chandhri Najam-ud-Din	Ditto	Do.	B.A., S.A.-V.	9-10-28
93	M. Sana Ullah Khan	Ditto	Do.	B.A., S.A.-V.	..
94	S. Ajaib Ali Shah	Ditto	Do.	B.A., B.T.	7-3-29
95	Chandhri Rahmat Khan	Assistant District Inspector of Schools, Jhelum.	Do.	B.A., B.T.	6-6-25
96	S. Rasul Shah	Ditto	Do.	B.A., B.T.	7-2-29
97	Chandhri Muhammad Sardar Khan (Ferozi).	Ditto	Do.	Metric. holding special S.A.-V. certificate.	27-9-28
98	Lala Manva Ram	Ditto	Hindu	B.A., B.T.	10-6-29
99	Chandhri Ghulam Moby-ud-Din.	Assistant District Inspector of Schools, Rawalpindi.	Muslim	B.A., B.T.	24-10-27
100	Lala Sohan Lal	Ditto	Hindu	B.A., B.T.	25-9-28
101	M. Amir Bakht	Ditto	Muslim	B.A., B.T.	25-3-27

Working as A. D. I., Amritsar, from 1st July 1929. B. Bishan Singh, Offg. from 19th August 1929.

Under orders of transfer to Rawalpindi.

Transferred to teaching line from

STATEMENT SHOWING NAMES, DESIGNATIONS, COMMUNITIES, QUALIFICATIONS AND DATES FROM WHICH APPOINTED AS DISTRICT AND ASSISTANT DISTRICT INSPECTORS OF SCHOOLS IN THEIR PRESENT DISTRICT. IN DIFFERENT DIVISIONS IN THE PUNJAB (EXCLUDING DELHI PROVINCE)—CONTINUED.

Serial No.	Name.	Designation.	Community.	Qualifications.	Date from which appointed as D. I. or A. D. I. in a particular district.	REMARKS.
<p>ASSISTANT DISTRICT INSPECTORS OF SCHOOLS—CONTINUED.</p> <p>RAWALPINDI DIVISION—concl'd.</p>						
102	M. Abdur Rahim Khan	Assistant District Inspector of Schools, Rawalpindi.	Muslims	B.A., S. A. V. ..	22-12-24	Under orders of transfer to Jhelum.
103	Sardar Harnam Singh	Ditto	Sikh	B.A., B.T. ..	2-8-28	
104	Shaikh Abdur Rashid	Assistant District Inspector of Schools, Attock.	Muslim	B.A., S. A. V. ..	11-11-27	
105	M. Sultan Mahmood	Ditto	Do.	M.A., S. A. V. ..	19-5-26	
106	M. Ghulam Nabi	Ditto	Do.	S. V. ..	24-6-25	
107	M. Muhammad Zaman Khurshid.	Ditto	Do.	B.A., S. A. V. ..	14-9-26	
108	M. Aziz-ur-Rahman	Ditto	Do.	B.A., B.T. ..	21-9-25	
109	M. Abdur Rahman	Assistant District Inspector of Schools, Mianwali.	Do.	M.A., B.T. ..	20-6-27	
110	M. Muhammad Nazir Saddiqi	Ditto	Do.	B.A., B.T. ..	6-6-28	
111	Chaudhri Wali Dad	Assistant District Inspector of Schools, Bhakkar	Do.	B.A., S. A. O. ..	12-9-26	

MULKAN DIVISION.

112	M. Hakim Ali	..	Assistant District Inspector of Schools, Montgomery.	Musalim	..	B.A., B.T.	1-11-24
113	L. Ganda Ram	..	Ditto	Hindu	..	F.A., S.A.-V.	10-3-25
114	M. Rahmat Ullah	..	Ditto	Musalim	..	B.A., S. A.-V.	29-9-26
115	M. Karam Ilahi	..	Ditto	Do.	..	B.A., S. A.-V.	15-9-26
116	M. Muhammad Sadiq Asghar	..	Ditto	Do.	..	M.A., B.T.	13-6-27
117	S. Ghulam Murtaza Shah	..	Ditto	Do.	..	B.A., S. A.-V.	8-5-29
118	M. Taj-and-Din	..	Assistant District Inspector of Schools, Lyallpur.	Do.	..	B.A., S. A.-V.	18-5-23
119	B. Asa Singh	..	Ditto	Sikh	..	B.A., S. A.-V.	8-9-26
120	Lala Jagan Nath	..	Ditto	Hindu	..	B.A., S. A.-V.	21-8-28
121	M. Sardar Nabi	..	Ditto	Musalim	..	M.A., B. T.	25-2-29
122	M. Niaz Ahmad	..	Ditto	Do.	..	B.A., S. A.-V.	27-6-29
123	S. Ali Akbar Shah	..	Ditto	Do.	..	B.A., S. A.-V.	7-8-29
124	Shah Wali Yemni	..	Ditto	Do.	..	B.A., S. A.-V.	15-10-28 (afternoon).
125	S. Iqbal Hussain	..	Assistant District Inspector of Schools, Jhang District.	Do.	..	B.A., S. A.-V.	28-5-28
126	S. Chanan Shah	..	Ditto	Do.	..	B.A., B.T.	18-9-28
127	M. Manzur Ahmad	..	Ditto	Do.	..	B.A., B.T.	19-11-28
128	M. Ali Muhammad	..	Ditto	Do.	..	B.A., B.T.	1-4-28
129	M. Shah Kuli Khan	..	Assistant District Inspector of Schools, Multan District.	Do.	..	B. A.	12-1-29
130	M. Rasul Bakhsh	..	Ditto	Do.	..	B.Sc., B.T.	16-4-27
131	M. Abdur Rahman Kashmiri	..	Ditto	Do.	..	B.A., S. A.-V.	12-11-28

STATEMENT SHOWING NAMES, DESIGNATIONS, COMMUNITIES, QUALIFICATIONS AND DATES FROM WHICH APPOINTED AS DISTRICT AND ASSISTANT DISTRICT INSPECTORS OF SCHOOLS IN THEIR PRESENT DISTRICT IN DIFFERENT DIVISIONS IN THE PUNJAB (EXCLUDING DELHI PROVINCE)—CONCLUDED.

Serial No.	Name.	Designation.	Community.	Qualifications.	Date from which appointed as D. I. or A. D. I. in a particular district.	REMARKS.
MUTTER DIVISION—concluded.						
ASSISTANT DISTRICT INSPECTORS OF SCHOOLS—CONCLUDED.						
132	Lala Chimen Lal	Assistant District Inspector of Schools, Multan.	Hindu	B.A.-S.A.-V.	24-1-28	
133	M. Fida Hussein	Ditto	Muslim	B.A., B.T.	12-12-25	
134	Mufid Muhammad Hussein	Ditto	Do.	F.A., S. A.-V.	12-8-29	
135	Lala Lekh Raj	Assistant District Inspector of Schools, Muzaffargarh.	Hindu	M.A., B.T.	10-9-26	
136	M. Dost Muhammad Khan	Ditto	Muslim	B.A., B.T.	5-9-28	
137	M. Manzur-ul-Asia Beg	Ditto	Do.	B.A., B.T.	4-7-27	
138	M. Ghulam Rashid	Ditto	Do.	F.A., S. A.-V., H.P.	12-8-29	
139	D. Dharam Chand	Assistant District Inspector of Schools, Dera Ghazi Khan.	Hindu	B.A., B.T.	23-10-26	
140	Kh. Ghulam Kadir	Ditto	Muslim	B.A., B.T.	10-1-27	
141	M. Sikander Khan	Ditto	Do.	B.A., B.T.	5-10-28	
142	Akhwand Abdulah Khan	Ditto	Do.	B.A., B.T.	15-9-28	

TEACHERS AND CLERKS OF GOVERNMENT AND BOARD SCHOOLS IN THE AMBALA DIVISION.

(Answer to Starred Question No. 2344, page 57 ante).

The Honourable Mr. Manohar Lal : (a) (1) No clerks in permanent Government Service were dismissed.

(2) No teachers in permanent Government service were dismissed.

(3) The services of 18 officiating teachers were dispensed with.

(4) One teacher on probation in a permanent post was not confirmed.

(b) Of the persons falling in (3) and (4), 12 were Hindus, 6 Muhammadans, and 1 Sikh, and in their place 8 Hindus, 5 Muhammadans and 3 Sikhs have been appointed.

EDUCATIONAL INSTITUTIONS, QADIAN.

(Answer to Starred Question No. 2519, page 175 ante).

The Honourable Malik Firoz Khan, Noon : (a) Muslim educational institutions 5

Non-Muslim educational institutions 4

(b) Muslim newspapers, periodicals and magazines .. 9

Non-Muslim periodicals, magazines and newspapers .. All.

(c) Telegraphic and railway facilities became available at Qadian on the 1st October 1926, and 20th December 1928, respectively. The town committee of Qadian began to function on the 14th December 1927.

PROPRIETORS OF AGRICULTURAL LAND IN QADIAN.

(Answer to Starred Question No. 2515, page 17 ante).

The Honourable Mian Sir Fazl-i-Husain : All the proprietors of agricultural land within the area of Qadian and of the two hamlets, Ahmadabad and Qadirabad, are Muslims.

ANSWERS TO UNSTARRED QUESTIONS.

PEASANT GRANTS.

(Answer to unstarred Question No. 753, page 63 ante).

The Honourable Mian Sir Fazl-i-Husain : The honourable member is referred to the answer given to his Council question No. 956¹ on the 27th February 1929.

MANDI HYDRO-ELECTRIC SCHEME.

(Answer to unstarred Question No. 1128, page 66 ante).

The Honourable Sardar Sir Jogendra Singh : 1. The attention of the honourable member is invited to the answer given to Council question No. *2146².

2. A statement showing the required information is attached.

¹ Volume XII, page 499.

² Volume XII, page 1145.

3. The attention of the honourable member is invited to the answer given to Council Question No. 2146¹.

4. No.

5. Four out of the eight Apprentice Engineers have British qualifications.

6. Yes, an annual increment of Rs. 12 is allowed to Head Draftsmen, Class I, on Rs. 180—12—300.

7. The future prospects of the Apprentice Engineers are uncertain as the Hydro-Electric Branch is a temporary one created solely for the construction of the Uhl River Project. There is no fixed period of Apprenticeship.

8. Three Apprentice Engineers have resigned, two for better appointments elsewhere and the third for a similar reason.

9. The attention of the honourable member is invited to the answer given to part (c) of Council question No. 2147².

10. The attention of the honourable member is invited to the answer given to parts (c) and (d) of Council question No. 2147².

¹ Volume XII, page 1145.

² Volume XII, page 1145-46.

APPENDIX.

21

Serial No.	Name.	Designation.	Qualifications.	Degree.	Diploma.	Certificate.	REMARKS.
1	2	3	4	5	6	7	8
EUROPEANS.							
1	Lt.-Col. B. C. Bat- tye, D.S.O., A.M., R. E.	Chief Engineer ..	Royal Engineer, 2 years' special training Electro-Mechanical Engineer, Associate Institute of Civil Engineers. Associate Member, Institute of Electrical Engineers.	..	R. M. Academy Woodwich S.M.E. Chatham.	Redland Hill House, Bristol, St. Lawrence College, Haws- gate, England.	
2	Mr. H. P. Thomas..	Superintending En- gineer.	Bachelor of Science in Electrical Engineering (Mc- Gill University) Montreal. Member of the Institution of Electrical Engineers of America. Member of the New Zealand Society of Civil Engineers.	Canada (McGill University).	(Melbourne Uni- versity.)	..	
3	Mr. E. S. Crump. I.S.E.	Ditto	Associate of the Royal Col- lege of Science, both in Physics and Mechanics.	..	Royal College of London (Eng- land).	Wolverhampton School, England.	Awarded Whit- world Exhibi- tion, in April 1905.
4	Mr. W. N. McLeod, I.S.E.	Ditto	Bachelor in Science ..	Glasgow Univer- sity	..	..
5	Mr. N. B. Macmillan.	Sales Engineer ..	B. Sc. (Engineering) Asso- ciate Member of the Insti- tution of Civil Engineers.	Ditto	..	..
6	Mr. G. H. Hunt, M.C., I.S.E.	Executive Engi- neer.	B. Sc. (Hons. Engineering) Manchester University.	Manchester (Uni- versity) Eng- land.	..	..

Serial No.	Name.	Designation.	Qualifications.	Degree.	Diploma.	Certificate.	REMARKS.
1	2	3	4	5	6	7	8

EUROPEANS—CONCLUDED.

NAMES		QUALIFICATIONS					
Serial No.	Name.	Designation.	Qualifications.	Degree.	Diploma.	Certificate.	REMARKS.
7	Mr. R. N. Ayward, D.S.O., M.C.	Executive Engineer.	Associate Member of Institution of Civil Engineers.	..	..	..	..
8	Mr. S. J. Bruford ..	Ditto	Fellow, Royal Geographical Society. Fellow, Royal Society of Arts. Member, Institute of Mechanical Engineers. Associate Member, Institute of Mechanical Engineers.	..	..	..	..
9	Major Alex. Sanderson, D.S.O., M.C.	Ditto	Bachelor of Science. Member of the Institution of Civil Engineers. Associate Member of Institution of Electrical Engineers. Member of the Institution of Engineers (India).	..	..	..	..
10	Mr. A. T. Arnall ..	Ditto	..	..	..	..	..
11	Mr. D. S. McPhail ..	Resident Engineer	Associate Member of the American Society of Civil Engineers. Associate Member of the Engineering Institute of Canada.	B. Sc. in Civil Engineering of McGill University, Montreal, Canada.	..	..	..

APPENDIX.

M.

12	Mr. D. P. O'Kelly ..	Assistant Executive Engineer.	Has 16 years' experience as Mechanical Engineer.	..	..	..	..
13	Major A. G. Wheeler	Ditto	Associate. Member of the Society of Engineers.	..	..	..	..
14	Capt. A. Guthrie, R. E.	Ditto	Bachelor in Science (Hons.) Associate Member of the Institution of Mechanical Engineers. Associate Member of the Institution of Electrical Engineers.	London	..	..	..
15	Capt. R. D. Kean, R. E.	Ditto	Bachelor of Arts Mechanical Science Tripos (1st Class Hons.).	Cambridge	..	S. M. E. Chatham Royal Academy, Woolwich.	..
16	Capt. H. A. Kenyon, M.C., R.E.	Ditto	Royal Engineer Officer	Trinity Hall, Cambridge.	..	Ditto	..
17	La. N. Bodington, R. E.	Ditto	Royal Engineer Officer, Associate Member of the Institution of Electrical Engineers.	..	..	R. M. A. Woolwich S. M. E. Chatham.	..
18	Mr. N. V. Dorofeeff	Tunnel Engineer	Associate Member of the Institution of Engineers (India). Technically educated at Poly Technical Institute, St. Petersburg, 1914. Military Academy St. Petersburg, 1915.	..	..	Russia	..
INDIANS							
1	Mr. N. N. Langer ..	Executive Engineer.	Bachelor of Arts	Madras (India)	..	..	..
			Bachelor of Electrical Engineering (Union University).	New York U. S. A.	..	..	..

Serial No.	Name.	Designation.	Qualifications.	Degree.	Diploma.	Certificate.	REMARKS.
1	3	3	4	5	6	7	8
INDIANS—CONTINUED.							
2	Mr. R. Paul	Transmission Line Engineer.	Bachelor of Science in Electrical Engineering, Glasgow. Certificate of Proficiency in Engineering, Glasgow. the Associate Member of the Institution of Electrical Engineers, London. Associate of the American Institution of Electrical Engineers. Member of the Institution of Engineers (India).	Glasgow			
3	Mr. E. N. Mowdsley.	Assistant Executive Engineer.	Master of Arts Bachelor of Science. Associate Member of the Institution of Electrical Engineers. Associate of the American Institute of Electrical Engineers. Associate of the Indian Institute of Science. Certificate of Proficiency, Indian Institute of Science, Bangalore.	India.			

4	Mr. R. L. Narayanan	Assistant Executive Engineer.	Bachelor of Science (First Class Hons.), Bachelor of Engineering (Mechanical Engineering) Graduate of the Institution of Electrical Engineers. Diploma with Hons. of the College of Engineering, Madras (India). Technically educated at Faraday House, London. Post-Graduate course in Imperial College of Science and Technology.	London Madras (India).	..	..
5	Mr. B. K. Sibon	Assistant Executive Engineer.	Associate Member of the Institution of Engineers. (India). Graduate Member of the Institution of the Electrical Engineers, London. Technically educated at Technical Engineering College.	..	..	Madras (India)
6	S. Kirpal Singh	Assistant Executive Engineer.	Bachelor of Science Associate Member of the Institution of Civil Engineers. Associate of the City and Guilds of London Institute. Associate Member of the American Society of Civil Engineers. Member of the Imperial College of Science and Technology, London. Associate Member of the Institute of Mechanical Engineers.	..	..	London City & Guilds College, London. Roorkee (India)

Serial No.	Name.	Designation.	Qualifications.	Degree.	Diploma.	Certificate.	Remarks.
1	2	3	4	5	6	7	8
INDIANS—continued.							
7	Mr. Sam K. Bawa ..	Assistant Engineer.	Technical Training for three years under the Bombay Electric Supply and Tramway Company, Bombay.	..	..	High School, Poona (India). London (England).	
8	Mirza Muhammad Latif.	Ditto	Practical experience of over 9 years in the Engineering Line.	..	..	..
9	Dewan Chanda Lal	Ditto	Practical experience of over 10 years in the Electrical Engineering line.	..	..	Government High School, Sialkot.	
10	S. Sundar Singh ..	Survey Officer ..	Practical experience of years in Civil Engineering line.	..	..	Burma.	
11	Mr. N. C. Gupta ..	Apprentice Engineer.	Bachelor of Science in Mechanical Engineering.	Birmingham (England).	..	..
12	Mr. T. N. Idrani ..	Ditto	Bachelor of Science .. Bachelor in Science, Technology, Manchester University. Associate, Manchester College Technology. Holder of Faraday House Diploma Graduate of the Institution of Electrical Engineers.	Bombay (India). Manchester (England).	..	..
13	Mr. K. C. Gandhi ..	Ditto		..	..	London	

14	Mr. H. S. Bedi ..	Ditto	Bachelor of Science in Electrical Engineering, Chicago University. Associate of the American Institute of Electrical Engineering.	America ..	..	..
15	Mr. B. N. Channa ..	Ditto	Graduate from the Central Technological Institute, Bombay. Obtained Diploma in Mechanical Engineering.	..	Bombay (India)	..
16	Mr. Fazal Ellahi ..	Ditto	Holder of a diploma of Macleagan Engineering College, Moghalpura.	..	Lahore (India)	..
17	Mr. P. C. Gulati ..	Ditto	Completed 4 years' course in Electrical Engineering leading to the degree of L. E. E. Honr. at C. I. Mechanical Institute, Bombay. Student of the Institution of Electrical Engineers.	..	Bombay (India)	..
18	Mr. M. A. Ghafoor	Ditto	Has studied for 3 years in Nottingham College, England.	..	England	..

GOVERNMENT INTERMEDIATE COLLEGES, PASRUR AND ROHTAK.

(Answer to unstarred Question No. 1162, Volume XIII, pages 18-19.)

The Honourable Mr. Manohar Lal : A statement giving the requisite information is put up.

STATEMENT GIVING INFORMATION CALLED-

Serial No.	Name of college.	ENROLLMENT ON 31st MARCH 1929.						Total.
		IX High.	X High.	I Year Intermediate.	II Year Intermediate.	I Year Post-matric.	II Year Post-matric.	
1	Government Intermediate College, Rohtak.	28	31	56	41	14	7	177

IN COUNCIL QUESTION NO. 1162 BY HAI SAHIB LALA GANGA RAM, M.L.C.

Subjects taught	Groups of subjects allowed.	Number of rooms with sizes.	Number of teachers including the Principal.	Amount of monthly salary.
English, Mathematics, Philosophy, History, Geography, Arabic, Persian, Sanskrit, Physics, Chemistry, Biology, Urdu, Hindi, Drawing, Typewriting, Book-keeping, Shorthand, Commercial Arithmetic, Banking and Accountancy	<p><i>Intermediate (Arts)—</i></p> <ol style="list-style-type: none"> English, Mathematics, Philosophy or History, a classical language (i.e., Arabic or Persian or Sanskrit) and Urdu or Hindi. English, Physics, Mathematics, History, a classical language and Urdu or Hindi. English, History, Philosophy, Urdu or Hindi and a classical language. <p><i>Intermediate Science—</i></p> <ol style="list-style-type: none"> English, Mathematics, Physics, Chemistry and Urdu or Hindi (non-medical group). English, Biology, Physics and Chemistry and Urdu or Hindi (medical group). <p><i>Matriculation—</i></p> <p>English, Mathematics, General Knowledge, a classical language (i.e., Arabic or Persian or Sanskrit) and Urdu, or Hindi or Drawing or Physical Science or a classical language.</p> <p><i>Post-Matric Classes—</i></p> <p><i>I Year.</i>—English, Typewriting and Shorthand or Book-keeping and Commercial Arithmetic.</p> <p><i>II Year.</i>—English, Typewriting and Accountancy or Banking or Shorthand.</p>	<p>14 rooms of the following sizes respectively:—</p> <p>25' x 35', 23' x 25', 15' x 17½', 25' x 40', 11' x 23', 33' x 25', 22' x 24', 22½' x 10', 17' x 17½', 14' x 19', 28' x 17', 33' x 24', 14' x 11½' and 17½' x 17'.</p> <p>4 rooms—25' x 24½' each. 2 rooms—25' x 24' each. 2 rooms—20' x 15½' each. 2 rooms—18' x 25' each. 4 rooms—14½' x 16'—3½' each. 3 rooms—30' x 25' each.</p> <p>31 rooms—Total.</p>	20	<p>Rs. 3,947</p>

STATEMENT GIVING INFORMATION CALLED

Serial No.	Name of College.	ENROLMENT ON 31ST MARCH 1929.						Total.
		IX High.	X High.	I Year Intermediate.	II Year Intermediate.	I Year Post-Matric.	II Year Post-Matric.	
2	Government Intermediate College, Pasrur.	88	86	52	..	..	..	226

IN COUNCIL QUESTION No. 1182 BY RAI SAHIB LALA GANGA RAM, M.L.C. —CONCLUDED.

Subjects taught.	Groups of subjects allowed.	Number of rooms with sizes.	Number of teachers including the Principal.	Amount of monthly salary.
English, Mathematics, History, Geography, Drawing, Hygiene, Philosophy, Arabic, Persian, Sanskrit, Urdu, Hindi, Gurmukhi, Physics and Chemistry.	<p><i>Intermediate (Science)—</i> English, Mathematics, Physics and Chemistry.</p> <p><i>Intermediate (Arts)—</i> English, classical language and History + Philosophy or Mathematics, + Philosophy or History, + Mathematics or Physics, + Mathematics.</p> <p><i>Matriculation—</i> (i) English, Mathematics, General Knowledge, Science and Drawing or Hygiene, Philosophy or Classics. (ii) English, Mathematics, General Knowledge, a classical language and a vernacular.</p>	<p>14 rooms of the following sizes, respectively :— 22' x 8½', 37½' x 22', 22' x 11½', 34' x 22', 40' x 25' (Hall), 20' x 22', 20' x 18', 25½' x 15', 25½' x 24' = 7½', 25' x 30', 25½' x 19½', 25½' x 20' and 36½' x 10'.</p> <p>8 rooms—23'—19' x 22' each. 4 rooms—12' x 14½' each. — 21 rooms—Total.</p>	19	Rs. 3,061

**GOVERNMENT HIGH SCHOOLS AND MATRICULATION PASS
PERCENTAGE.**

(Answer to unstarred Question No. 1169, page 68 ante).

The Honourable Mr. Manohar Lal : (a) The names of the Government High Schools where the average pass percentage in Matriculation for the last three years is 80 or above are as follows :—

Name of the school.	YEARS.		
	1927.	1928.	1929.
	Per cent.	Per cent.	Per cent.
1. Central Model School, Lahore ..	84	92	95.5
2. Government High School, Montgomery	81	89	81
3. Government High School, Sahiwal ..	87	80	84
4. Government High School, Mianwali ..	85	91	87

(b) The names of the Headmasters who held charge of these schools throughout the period are :—

1. Mr. E. Smith.
2. Lala Hari Kishan Dass.
3. Lala Hans Raj, Vohra.
4. Ch. Lal Din in 1927.
M. Muhammad Hussain, in 1928 and 1929.

COMMUNAL REPRESENTATION IN THE EDUCATION SERVICE.

(Answer to unstarred Question No. 1182, Volume XIII, page 64).

The Honourable Mr. Manohar Lal : (a) and (c) The requisite information so far as it relates to the Government High Schools in the Rohtak District is attached.

(b) The honourable member is referred to the consolidated statement showing the proportionate representation of the various communities

serving in the different departments of the Punjab Government, a copy of which has already been placed on the table.

Names of Government High Schools in the Rohtak District.	NUMBER OF TEACHERS IN THE PROVINCIAL AND VARIOUS GRADES OF THE SUBORDINATE EDUCATIONAL SERVICE, ANGLO-VERNACLULAR SECTION.						Number of teachers serving in Government High Schools in the Rohtak District who came from outside the Ambala Division.
	In P. E. S.	In Rs. 200—10—250 grade, S. E. S., A. V. Section.	In Rs. 140—10—180 grade, S. E. S., A. V. Section.	In Rs. 110—5—135 grade, S. E. S., A. V. Section.	In Rs. 80—4—100 grade, S. E. S., A. V. Section.	In Rs. 55—3—70 grade, S. E. S., A. V. Section.	
Government High School, Jhajjar.	1	2	1	2	3
Government High School, Gohana.	1	2	1	1	3
Government High School, Bahadurgarh.	..	1	..	1	2	3	5

SCHOOL FINAL EXAMINATION.

(Answer to unstarred Question No. 1194, page 68 ante).

The Honourable Mr. Manohar Lal : (a) Yes.

(b) Everything possible was done to mitigate the hardship caused by the unavoidable delay in the publication of results—all necessary instructions with that view were issued to the Inspectors of Schools.

(c) Necessary steps are being taken to avoid delays in future ; in particular, measures to secure early publication of results are under consideration.

COST PER UNIT OF POWER AT MANDI.

(Answer to unstarred Question No. 1240, page 70 ante.)

The Honourable Sardar Sir Jogendra Singh : (a) The honourable member is apparently referring to an unofficial address recently delivered by Colonel Battye to the Rotary Club in Lahore. Column 8 of Table II of the printed report of that address shows that the author refers to 7.1 pies as the gross cost of production per unit sold at any point in the transmission system, assuming that the energy available is fully utilized.

The figure of 0.948 pies per unit has been taken from an article in a technical journal but a more authoritative and more recent source for such information is the Administration Report on the Working of the Electrical Department of the Government of His Highness the Maharaja of Mysore for 1927-28.

It appears from that Report that the figure of 0.948 pies per unit corresponds to a figure of 1.094 pies per unit in 1927-28 and is the actual cost of production per unit, generated exclusive of interest on capital, depreciation and provident fund contributions. The corresponding estimated figure in the Mandi Scheme is 1.858 pies.

(b) Does not arise.

ADMINISTRATION REPORT, HYDRO-ELECTRIC BRANCH, PUBLIC
WORKS DEPARTMENT.

(Answer to unstarred Question No. 1291, Volume XIII, page 880.)

The Honourable Sardar Sir Jogendra Singh : The Administration Report of the Hydro-Electric Branch is ready and a copy has been sent to Legislative Council Office.

MANDI HYDRO-ELECTRIC SCHEME.

(Answer to unstarred Question No. 1802, page 178 ante.)

The Honourable Sardar Sir Jogendra Singh : The information sought by the honourable member in parts (1) (a), (b), (c), (3) (4-b), of his question will be found in the Report of progress for the information of the Punjab Legislative Council, a copy of which was supplied to the honourable member during the July session.

1. (d) Government is unable to say that the estimate will not again be revised.

2. The estimates applicable to the sixth year of working are as follows :—

	Lakhs of rupees.
(a) Maintenance and operation	12.65
(b) Depreciation at 1.77 per cent. on gross capital expenditure of 541.54 lakhs	9.58
(c) Interest charges at 5 per cent. on gross capital expenditure of 541.54 lakhs	27.08
(d) Royalty	0.86
	49.67
	say 50 lakhs.

4. (a) When the plant is fully loaded the gross average cost of delivery of electrical energy to high tension consumers is not expected to exceed 8 pies per unit.

5. The cheapest possible cost, inclusive of depreciation and interest on capital, of generating electrical energy in Punjab towns from larger oil engines is estimated to be approximately 20 pies per unit, provided the supply exceeds about 500 Kilowatts. For the smaller towns to be served by the Mandi scheme the cheapest possible cost of generating from oil engines works out to about 25 pies per unit.

6. It is not possible to be sure that industrial concerns will buy Mandi current until contract agreements have been signed by the parties concerned, but Government has made widespread enquiries the results of which go to show that it is likely that industrialists will buy Mandi current if they can increase their profits by so doing. The reply to part (5) of the question shows that individual industrialists are unlikely to be able to generate electrical energy cheaper by means of their own plant than they can buy Mandi current. It is not possible at present to inform the honourable member whether Mandi current can be made available to industrialists, in areas lying within licenses already granted under the Indian Electricity Act, at rates below those offered by the licensees.

7. It is estimated that by the sixth year of working the generating capacity of the first stage of the Mandi scheme will be fully employed.

8. Yes, with the exception of areas for which licenses have already been granted.

9. (i) Yes.

(ii) The calculations of probable revenue do not include any load from agriculturists since, electricity being a new factor in agriculture, its practical success could not be forecasted with reliance. The Department of Agriculture has, however, been consulted from time to time on such matters as the application of electrical energy for lifting water from wells, and the needs of the Irrigation Branch for de-watering water-logged areas are watched.

10. The machinery and plant required for the Mandi scheme is being purchased under the Rules for the Supply of Articles for the Public Service, which ensure that for all important articles of machinery and plant tenders are invited in open competition and orders are placed in the best and cheapest market.

ENCOURAGEMENT OF THE STUDY OF MIDWIFERY.

Answer to unstarred Question No. 1806, page 180 ante.)

The Honourable Malik Firoz Khan, Noon : Scholarships are granted by local bodies and the Punjab Branch of the Countess of Dufferin's Fund for the training of women as nurse dais and dais. The course of training includes elementary midwifery. Other qualifications being equal Hindu and Muslim candidates are given preference over Indian Christians. No scholarships are granted to candidates for training for the Diploma in Midwifery. The Punjab Red Cross Society has, however, decided to give two scholarships to qualified midwives who are prepared to undergo training as Lady Health Visitors. The question of revising the constitution of the Central Midwives Board is under the consideration of Government. It is proposed to provide for the inclusion in the board of two Indian ladies, if possible, possessing medical qualifications.

DISCRIMINATION BETWEEN STIPEND HOLDERS AND PRIVATE CANDIDATES AT THE MIDWIFERY EXAMINATION.

(Answer to unstarred Question No. 1807, page 180 ante.)

The Honourable Malik Firoz Khan, Noon : No.
Does not arise.

PRINTED BY

THE SUPERINTENDENT, GOVERNMENT PRINTING, PUNJAB.

298 PLC-600-8-2-30-SGPP Lahore.

INDEX

TO

DEBATES

OF THE

PUNJAB LEGISLATIVE COUNCIL.

Vol. XIV.

A.

	PAGES.
ABBAS KHAN—	
Question <i>re</i> representations against —, Sub-Inspector ..	415
ABDUL GHANI, SHAIKH—	
Bill. Pure Food Bill, the Punjab	687, 688-89, 686, 678, 680, 684, 767, 768.
Bill. Regulation of Accounts Bill, the Punjab	842-48, 849, 855-56, 905-09, 919, 940, 941, 944, 945, 960-61, 965, 967, 968- 71, 982—986, 998.
Oath of office	397
Point of order <i>re</i> amendment to clause defining extent of application of Bill (Pure Food Bill)	682
Resolution <i>re</i> compulsory primary education	548-44
Resolution <i>re</i> Viceroy's announcement about constitu- tutional reforms	457-58
ABDUL HAMID, SHAIKH—	
Question <i>re</i> —, Officiating Inspector of Schools, Multan ..	797
Question <i>re</i> promotion of — to Provincial Educational Service	800-01
ABDUL RAHMAN, GHAZI—	
Question <i>re</i> handcuffs and bar fetters on — and Mr. Ajit Singh	502
Question <i>re</i> protest of special class prisoners against de- priving — of special class concessions	551
Question <i>re</i> treatment of — as special class prisoner	550
ABDUL RAHMAN, KHAN BAHADUR KHAWAJA—	
Oath of office	797

ABIANA—

Resolution *re* reduction of — on cotton crops .. 567-96

ACCIDENT(S)—

Question *re* drowning — of a boat in the Chenab near Chiniot .. 261

Question *re* motor — near Verka railway phatak .. 706

Question *re* number of motor — in 1928-29 .. 417

ACREAGE RATES—

Question *re* — .. 612

Question *re* — on non-perennial canals in the Sutlej Valley Project .. 728

Question *re* imposition of — in Dipalpur Canal area .. 62

ACT—

Question *re* amendment or repeal of the Village Patrol— .. 671

Question *re* application of Town Improvement — to any municipality .. 555

Question *re* exemption of house sites in municipal and small town committee areas from Punjab Land Alienation— .. 662

Question *re* exemption of sword from the operation of the Indian Arms— .. 670

Question *re* object and provisions of section 48 of the Punjab Laws — .. 177

Question *re* object of the Rules under the Punjab Laws — .. 177

Question *re* prosecutions, convictions and acquittals of Mutwallis under the Mussalman Waqf— .. 51

Question *re* statements of accounts submitted by Mutwallis under the Mussalman Waqf— .. 51

ADAM WAHAN WEIR—

Question *re* discharge of water above and below — .. 358

ADDITIONAL GRANTS—

Government's demands for — .. 288-312

ADJOURNMENT—

of Council on account of tennis match. Discussion *re* .. 758

ADMINISTRATION OF JUSTICE GRANT—

Excess .. 312

ADMISSION—

Question *re* — of visitors with footwear of Indian pattern to rooms of officers of Government .. 667

Question *re* — to Lahore Museum with footwear of Indian pattern .. 667

Question *re* — to normal classes, Government Schools, Taunsa and Dera Ghazi Khan .. 512

Question *re* issue of press tickets for — to the Legislative Council .. 502

ADULTS—

Question *re* literacy certificates issued to — .. 488

ADVERTISEMENTS—

Question *re* newspapers and Government — .. 267

ADVISORY COMMITTEE—

Election to Railway — .. 520

PAGES.

AERATED WATER—	
Question <i>re</i> — sellers, Kangra Valley Railway ..	519
AERIAL SURVEY—	
Question <i>re</i> — in connection with the Bhakra Scheme ..	402
✓ AFZAL HAQ, CHAUDHRI—	
Bill, Pure Food Bill, the Punjab (Motion for recommitment)	626-27
Bill, Regulation of Accounts Bill, the Punjab (Motion for recirculation of) —	788-89, 886, 888.
Police grant, Supplementary	292-93
Resolution <i>re</i> compulsory primary education ..	526-27
Resolution <i>re</i> grant-in-aid for indigenous systems of medicine	428-29
Resolution <i>re</i> Viceroy's announcement about constitutional reforms	451-52
AGRICULTURAL COLLEGE—	
Question <i>re</i> graduates of the — finding employment ..	855
Question <i>re</i> swimming bath in the —, Lyallpur ..	855
AGRICULTURAL CONFERENCE—	
Question <i>re</i> Sub-Committee of — on Veterinary Education and Services	401
AGRICULTURAL DEPARTMENT—	
Question <i>re</i> misappropriation of Government money in the —, Lyallpur	279
AGRICULTURAL INSOLVENTS—	
Question <i>re</i> sale of land of —, Karnal	408
AGRICULTURAL LAND—	
Question <i>re</i> alienation of — to satisfy decretal debt ..	408
Question <i>re</i> proprietors of — in Qadian	176
AGRICULTURAL PRODUCE—	
Question <i>re</i> relationship of prices of — to amount of land revenue or water rates	409
AGRICULTURAL TRIBES—	
Question <i>re</i> — for competitive examination for Sub-Judges	412
Question <i>re</i> declaration of Awan, Moghal and Ghakar tribes of Lyallpur district and Pathans of Jhang district as —	262
Question <i>re</i> number of — among untrained Assistant District Inspectors and Anglo-Vernacular teachers in Ambala division	465
Question <i>re</i> number of Sub-Judge candidates belonging to —	412
Question <i>re</i> sale of land of insolvents belonging to —, Karnal	408

AGRICULTURE—

Question <i>re</i> agricultural demonstration farms in Kaithal sub-division	709
Question <i>re</i> — as an alternative subject in high classes ..	552

AGRICULTURISTS—

Question <i>re</i> — among petition-writers in Karnal and Rohtak districts	57
Question <i>re</i> appointment of statutory — as Prosecuting Inspector or Sub-Inspector	607
Question <i>re</i> concession to children of — in the matter of primary education as against children of non-agriculturists	264
Question <i>re</i> direct recruitment of Hindu — for posts of Deputy Superintendents or Inspectors of Police ..	610
Question <i>re</i> number of — among ahalkars in the Judicial Department in Jhang district	285
Question <i>re</i> number of — among Assistant District Inspectors of Schools, Ambala division	748
Question <i>re</i> recruitment of — for posts of zilladars ..	340
See Statutory Agriculturists.	

AHALKARS—

Question <i>re</i> communal representation among — in the Judicial Department in Jhang district	285
---	-----

AHIRS—

Question <i>re</i> grant-in-aid for the school of — at Rewari ..	552
Question <i>re</i> representation of — in certain services ..	508

AHMAD HASSAN KHAN, KHAN SAHIB KHAN—

Question <i>re</i> grant of Deputy Commissioner's pay to — ..	727
---	-----

AHMAD YAR KHAN, DAULTANA, MIAN—

Resolution <i>re</i> elections to the Legislative Council ..	546, 548
--	----------

AJIT SINGH, Mr.—

Question <i>re</i> handcuffs and bar fetters on Ghazi Abdur Rahman and —	502
Question <i>re</i> protest of special class prisoners against depriving — of special class concessions	551
Question <i>re</i> treatment of — as special class prisoner ..	550

AKALI AGITATION—

Question <i>re</i> persons convicted in connection with the —	252
---	-----

AKALI-TE-PARDESHI—

Question <i>re</i> Government advertisements in — ..	267
--	-----

AKBAR ALI, PIR—

Police grant, supplementary	308
Resolution <i>re</i> compulsory primary education ..	464, 520-28, 544.

Resolution <i>re</i> waste lands in the Shahpur Colony area ..	377
--	-----

ALCOHOL—

Question <i>re</i> encouragement of scientific literature for exposing the evils of drinking —	277
--	-----

PAGES.

ALIENATION—

- Question *re* — of agricultural land to satisfy decretal debt 408

ALIHAJ MINOR—

- Question *re* remodelling of outlets on — (Upper Chenab Canal) 344

ALLAH DITTA—

- Question *re* complaint of — regarding his travelling allowances 342

ALLOWANCES—

- Question *re* special pay and — to members of the Indian Civil Service and Provincial Civil Service 744
See Hill Allowance.

AMENDMENT(S)—

- for recommittal *with instructions to select committee* can only be made by member in charge of Bill (Pure Food Bill) 626
— nullifying in effect rule-making power delegated to the executive is irregular 672
— proposing addition of new clauses to Bill, procedure *re* — 678
— raising practically the same question may be dealt with in debate on one of them, but all will have to be moved except when they are identical 888
— to be consistent with *Context of Bill*, point of order *re* — 647-49
— to clause *re* extent of application of Act need not be confined to area, but may cover persons and things 632
A motion cannot be combined with an — (Punjab Pure Food Bill) 625
It is not an amendment to *omit* a clause or a sub-clause 674-75

ANDERSON, SIR GEORGE—

- Resolution *re* compulsory primary education 583-86

ANGLO-VERNACULAR TEACHERS—

- Question *re* Muslim — in Ambala, Multan and Rawalpindi divisions 810
Question *re* number of — in Ambala division who are untrained 465

APPOINTMENTS—

- Question *re* — to the selection grade of the Provincial Educational Service 797

APPROPRIATION ACCOUNTS—

- and report of the Public Accounts Committee thereon for 1927-28 laid on the table 288

AQLA HAYATA BELOCHES—

- Question *re* reclamation of — 509

ARMISTICE—

- Question *re* attendance of students at — parade and saluting of the Union Jack at Rawalpindi 719

ARMY REMOUNT DEPOT—

- Question re appointment of special Assistant Commissioners, — 731

ASLI QAUMI DARD—

- Question re Government advertisements in — .. 267

ASSISTANT—

- Question re appointment of a clerk of the Forest Department to a post of — in the Civil Secretariat .. 808
See Clerks.

ASSISTANT COMMISSIONERS—

- Question re appointment of special —, Army Remount Depot 731

- Question re number of — earmarked for post of Sub-Divisional Officers 726

- Question re sanctioned number of — in the Punjab .. 726

ASSISTANT DISTRICT INSPECTORS OF SCHOOLS—

- Question re — in Multan division 347

- Question re communal representation among —, Ambala division 743, 810

- Question re district boards employing lady — .. 80

- Question re number of —, Ambala division, who are untrained 465

ASSISTANT REGISTRARS—

- Question re — of Co-operative Department 808

ASSISTANT SECRETARIES—

- Question re Indian — to Government 749

- Question re sanctioned number and tenure of appointments of — to Government 752

ASSISTANT SUB-INSPECTORS—

- Question re recruitment of — 515

ATTENDANCE REGISTERS—

- Question re tenders for the purchase of — 520

AUCTION—

- Question re sale of colony lands by public — .. 349

AUTHORS—

- Question re differential treatment by Government to Hindu and Muslim — 469

AYURVEDIC SYSTEM—

- Question re encouragement to — of medicine .. 1

- Resolution re grant-in-aid to indigenous systems of medicine 426-45

AWANS—

- Question re declaration of — of Lyallpur district as agricultural tribes under the Punjab Land Alienation Act 262

B.**BALDEO SINGH, CHAUDHRI—**

- Bill. Regulation of Accounts Bill, the Punjab .. 834-35

- Resolution re compulsory primary education .. 523-24

BANDS—		
Question re — attached to high schools		54
BANK(S)—		
Question re co-operative — in Ferozepore district ..		417
Question re falsification of accounts of the Co-operative —, Jhang-Maghiana		611
Question re repairs to — of minors		665
BARANI LANDS—		
Question re cash rentals for — in the Punjab		273
BAR FETTERS—		
Question re — on Ghazi Abdur Rahman and Mr. Ajit Singh		502
BAR ROOM—		
Question re construction of a — at Hissar		601
Question re payment for electric charges in the — at Amritsar		556
BASHIR DIN, MR.—		
Question re grant of leave to —, clerk, Canal Office, Islam division, and permission to leave station		357
BAZAAR—		
Question re unhygienic condition of — of village Shaikha, Ludhiana district		518
BEEF—		
Question re licences for sale of —		177
BEGGARY—		
Question re stoppage of —		670
BHAKRA DAM—		
Question re —		605
Question re construction of —		415
Question re report of experts on the effect of construction of — on the water level of Indus Inundation Canals ..		466
BHAKRA DAM SCHEME—		
Question re aerial survey in connection with — ..		402
BHAL—		
Question re clearing of — by zamindars without wages ..		664
BHERRA TOWN—		
Question re insanitary condition of —		353
BIKANER CANAL—		
Question re danger of lining the sides of — ..		357
BIJI—		
Question re eliciting of public opinion on the Regulation of Accounts —		259

BILL(S)—

LAND REVENUE AMENDMENT BILL, THE PUNJAB—

Leave to introduce —	1005
Introduced	1005
Motion for taking into consideration	1005-06
Considered	1006
Passed into law	1006

PURE FOOD BILL, THE PUNJAB—

Presentation of the select committee's report	318
Taken into consideration	318, 680
Motion for circulation of —	617-25
Motion for recommitment of —	625-80
Discussed	630-58, 671-704, 758-78
Referred to drafting committee.	778-74
Report of drafting committee presented	812
Report of drafting committee considered	1002-03
Passed into law	1008

REGULATION OF ACCOUNTS BILL, THE PUNJAB—

Report of the select committee presented	288
Motion for consideration of —	774, 812-88,
Motion for recirculation of —	785-95
Discussed	838-49, 851-84, 887-928, 930-68, 965-1002.
Drafting committee on —	1002
Report of drafting committee on —	1007
Passed into law	1007-14
See Rulings.	

BOARD(S)—

Question re establishment of a — of Indian Medicine	606
See Cantonment Boards ; District Boards.	

BOAT BRIDGE—

Question re — material stored at Ghazi Ghat and washed away by floods of the Indus	347
--	-----

BODH RAJ, LALA—

Bill. Pure Food Bill, the Punjab	702-03
Bill. Regulation of Accounts Bill, the Punjab (Motion for recirculation of —)	793-95
Police grant, supplementary	289

BONES—

Question re — exported from Punjab and export duty thereon	273
--	-----

PAGES.

BOOKS—

- Question *re* — relating to evils of drink habit .. 276

BRAYNE, Mr.—

- Question *re* money collections by —, Deputy Commissioner, Gurgaon .. 563

BUILDINGS—

- Question *re* suitable — for girls' high schools .. 273

BUND—

- Question *re* breach in the — and main canal of Suleimanke .. 352

- Question *re* breach in the canal — near Suleimanke .. 467

- Question *re* construction of a — from Malakwal to Chachar .. 512

- Question *re* extension of Dantal — .. 332

BURGLARIES—

- Question *re* — and thefts in the province .. 493

C.

CALVERT, Mr. H.—

- Bill. Regulation of Accounts Bill, the Punjab .. 847-48

- Resolution *re* reduction of *abiana* on cotton crops .. 595-88

- Resolution *re* waste lands in the Shahpur Colony area .. 388

CANAL(S)—

- Question *re* breach in the bund and main — of Suleimanke .. 352

- Question *re* — cuts .. 406

- Question *re* closure of Mirka Minor and treatment by the Executive Engineer of the zamindars who went to interview him .. 499

- Question *re* closure of Pakpattan — of the Sutlej Valley Project .. 80

- Question *re* danger of lining the sides of the Bikaner — .. 357

- Question *re* distribution of — water .. 664

- Question *re* gentry grants in the Lower Bari Doab —, purchase price of land .. 554

- Question *re* headworks of the Lower Jhelum — .. 334

- Question *re* list of promotions of — clerks .. 659

- Question *re* local rate in the Sidhnai — charged on the land revenue and water rate combined .. 473

- Question *re* obstruction of the natural drainage by the Pakpattan main — .. 353

- Question *re* outlets on the Rajbah Nila, No. 1, Lower Chenab — .. 256

- Question *re* paucity of water-supply in the Lower Jhelum — .. 602

- Question *re* permission to — officials of Islam Division to leave station on Sundays or holidays .. 500

- Question *re* remodelling of outlets on Alijaj Minor (Upper Chenab —) .. 344

- Question *re* *Waris* on the Upper Bari Doab — .. 609

- Question *re* water failure on Mailsi — .. 472

CANAL BUND—

- Question *re* breach in the — near Suleimanke .. 467

CANAL WATER—

Question *re* charges for — by volume 417

Question *re* quantity of — required to raise certain crops
and amount of water rate 417

CANDIDATES—

Question *re* — for diploma in midwifery 179

Question *re* departmental — for zilladarship 345

Question *re* supersessions among zilladar — 341

CANTONMENT BOARD(S)—

Question *re* draft regulations of —, Ambala 608

Question *re* Government servants contesting seats for — 608

CART TRAFFIC—

Question *re* — on the Kalka-Simla Road 277

CASH RENTALS—

Question *re* — per acre of *barani*, *chahi* and *nahri* lands
in the Punjab 273

CATTLE FAIRS—

Question *re* — in Jahazgarh 736

CERTIFICATES—

Question *re* literacy — issued to adults 498

CESS—

Question *re* levy of a — by district boards for educational
purposes 420

CHAHÍ LANDS—

Question *re* cash rentals for — in the Punjab 273

CHAHÍ RATES—

Question *re* — 410

CHAIRMEN—

Panel of — 928

CHAKKI RIVER—

Question *re* compensation for damages by floods in the — 830-31

CHANDAR KISHOR—

Question *re* civil prisoner — 551

CHARGES—

Question *re* — for canal water by volume 417

CHENAB—

Question *re* drowning accident of a boat in the — near
Chiniot 261

Question *re* floods in the — in Jhang district and relief
to sufferers 258

Question *re* floods in the — in Multan division and relief
to sufferers 252

CHEQUES—

Question *re* inconvenience to public of Amritsar in receiv-
ing and cashing of — issued by Government 554

CHHOTU RAM, RAI SAHIB CHAUDHRI—

Discussion on the Report of the Punjab Reforms Com-
mittee 238-46

CHOWKIDARS—

Question *re* — for night watch in Bhiwani 564

CHRISTIANS—

Question *re* alienation of land by — to non- — in
Lyallpur, Montgomery and Jhang districts .. 64

Question *re* Indian — in Government departments .. 268

CHRISTMAS—

Question *re* Indian National Congress and — vacation for
Government departments 501

CIVIL AND MILITARY GAZETTE—

Question *re* payments to — for supply of forms .. 508

CIVIL LIST—

Question *re* publication in the — of the names and emolu-
ments of Under-Secretaries to Government .. 728

CIVIL SECRETARIAT—

Question *re* appointment of a clerk of the Forest Depart-
ment to a post of Assistant in the — 808

CIVIL SURGEONS—

Question *re* inspection of rural dispensaries by — .. 276

CIVIL VETERINARY DEPARTMENT—

Question *re* pay of Director of — (Mr. T. E. Quirke) .. 400

CIVIL WORKS (TRANSFERRED) GRANT—

Additional 309

CLERICAL ESTABLISHMENT—

Question *re* deputation of —, Irrigation Branch, for
redress of grievances 557

Question *re* promotions in the provincial — in the Irriga-
tion Branch 504

Question *re* revision of grade of —, Irrigation Branch .. 559

CLERKS—

Question *re* — in the vernacular branch of the office of the
Financial Commissioners 742

Question *re* — of Government and board schools, Ambala
division, dispensed with and the filling up of vacancies
thereof 57

Question *re* Court — of Financial Commissioners' office .. 707

Question *re* Deputy Court — of Financial Commissioners'
office 707

Question *re* list of promotions of Canal — 659

Question *re* objection to the use of kachbahras by Sikh — 668

Question *re* transfer of Assistant — in the Irrigation
Branch 557

CLOCKS—

Question *re* octroi duty on — when brought to Lahore for
repairs 669

CLUBS—

Question *re* mixed tennis — in Gurgaon district .. 273

COLD WEATHER—

Question *re* damages to fruit trees by — 416

	PAGES.
COLLEGE(S)—	
Question re opening of an intermediate arts — in Gurgaon or Hissar	708
Question re opening of intermediate arts —	708
Question re work done by Assistant to the Professor of Medicine, Lahore Veterinary —	399
Resolution re opening of an intermediate — in Montgomery	544-46
COLONISATION—	
Question re — of jungle Pir Mahal and grazing concessions therein	261
COLONY—	
Resolution re waste lands in the Shahpur — area	374
COLONY LANDS—	
Question re sale of — by public auction	349
COMMISSION(S)—	
Question re creation of a Public Services —	725
Question re expenses incurred by Punjab Government on —	741
Question re number of members of Punjab —	754
COMMISSIONER—	
Question re Superintendents in the office of the —, Multan division	348
COMMITTEE(S)—	
Election to Railway Advisory —	520
Question re action taken on the recommendations of the Unemployment —	477, 555
Question re appointment of a — to go into the question of rules and practices relating to horse-breeding tenancies.. .. .	549
Question re constitution of Forest Advisory —	385
Question re expenses incurred by Punjab Government on —	741
Question re report of the Provincial Jail Enquiry —	501, 551
See Municipal Committee(s).	
COMMUNAL REPRESENTATION—	
Question re — among ahalkars in the Judicial Department in Jhang district	285
Question re — among Anglo-vernacular teachers, Ambala division.. .. .	810
Question re — among Assistant District Inspectors of Schools, Ambala division	810
Question re — among external examiners of Punjab Veterinary College	282
Question re — among Gazetted officers of the Co-operative Department	308
Question re — among Indian Civil Service officers appointed in the Punjab	756
Question re — among recruits to certain services	508
Question re — among Superintendents of Deputy Commissioners' Offices, Ambala division	802

COMMUNAL REPRESENTATION—concl'd.	
Question <i>re</i> — in filling up posts in the Punjab Educational Service or special posts carrying a pay of Rs. 250 or more	811
Question <i>re</i> — of the subordinate staff under the Executive Engineer, Lyallpur	509
Question <i>re</i> Muslim representation in the English offices of Deputy Commissioners, Jullundur division	718
Question <i>re</i> statement showing — in public services	410
COMMUNICATION(S)—	
Question <i>re</i> — between Rohtak and Rewari by railway	663
Question <i>re</i> railway — between Chiniot town and the headquarters of Jhang district	260
COMPENSATION—	
Question <i>re</i> — for damage by floods in Chakki river	330
Question <i>re</i> — for damage by floods in Dek river	281
Question <i>re</i> — for lands washed away by Chakki river	331
COMPETITIVE EXAMINATION—	
<i>See Examination.</i>	
COMPLAINTS—	
Question <i>re</i> — against behaviour of police towards public	671
Question <i>re</i> — against policy of the Minister for Education	715
Question <i>re</i> — against Tahsildar, Shorkot	499
COMPULSORY EDUCATION—	
Question <i>re</i> — in Ambala district	413
COMPULSORY PRIMARY EDUCATION—	
Resolution <i>re</i> —	464, 520-44
CONCESSIONS—	
Question <i>re</i> — to children of agriculturists in the matter of primary education as against children of non-agriculturists	264
CONFERENCE—	
Question <i>re</i> — to find out ways and means to stamp out tuberculosis	555
CONGRESS—	
Question <i>re</i> Indian National — and Christmas vacation for Government departments	501
Question <i>re</i> persons convicted in connection with — activities	252
CONSPIRACY—	
<i>See Lahore Conspiracy Case.</i>	
CONSTABLES—	
Question <i>re</i> theft of fuel wood by — in Rohtak	710
CONSTITUTIONAL REFORMS—	
Resolution <i>re</i> Viceroy's announcement about —	445-64

	PAGES.
CONTINGENCIES—	
Question re scale of school and boarding house —, Ambala division	50
CO-OPERATIVE BANKS—	
Question re — in Ferozepore district	417
Question re falsification of accounts of the —, Jhang-Maghiana	611
CO-OPERATIVE DEPARTMENT—	
Question re Deputy Registrars, Assistant Registrars and Inspectors of the —	808
Question re Gazetted officers in the —	808
CO-OPERATIVE SOCIETIES—	
Question re Report on the Working of — in Sialkot district	801
CORRUPTION—	
Question re — in Police Department	671
COTTON—	
Question re average price of unginned —	851
Question re damage to — crop in Jhang district by disease known as “tela”	258
Question re fall in the price of —	609
Question re yield of <i>desi</i> — and remissions of land revenue	665
Resolution re reduction of <i>abiana</i> on — crops	567-96
COUNCIL—	
See Legislative Council.	
COURT CLERK—	
Question re —, Financial Commissioners' office	707
Question re Deputy — of Financial Commissioners' office	707
COURT OF WARDS—	
Question re Shaikh Karam Hussain, Manager, —, Choti	660
COURTS—	
Question re concentration of law — in one place	556
Question re execution of decrees of panchayat —	705
COWAN, MR. H. M.—	
Oath of office	549
COWS—	
Question re improvement of breed of milking —	421
Question re slaughter house for — at Qadian	326-30
CRIMINAL INVESTIGATION DEPARTMENT—	
Question re — to detect cases of corruption in Police Department	671
CRIMINAL TRIBES—	
Question re Deputy Commissioner, —	758
Question re members of —	325
Question re population of —, distribution among various religious communities	565
CROPS—	
Question re damage to — by hailstorms in Kangra district	705
Question re damage to — by locusts	604, 664

PAGES.

CROPS—CONCLD.

Question re damage to — by locusts and preventive measures	553, 715
Question re failure of — in Jullundur district due to failure of rains and relief measures	717
Question re failure of <i>kharif</i> — in certain districts	406
Question re water rate and land revenue on subsidiary — <i>See Cotton.</i>	472

CYCLES—

Question re octroi duty on — when brought to Lahore for repair, etc.	669
--	-----

D.

DAMAGE—

Question re compensation for — by floods in Chakki river	330
Question re — by floods and relief measures	716
Question re — to cotton crop in Jhang district by disease known as "tela"	258
Question re — to crops by locusts and preventive measures	553, 715
Question re — to villages in tahsil Dasuya by river floods	283

DAMTAL BUND—

Question re extension of —	332
------------------------------------	-----

DAULAT RAM KALIA, RAI BAHADUR PANDIT—

Adjournment of Council on account of tennis match	758
---	-----

D. A.-V. COLLEGE—

Ayurvedic classes of —	437-38
--------------------------------	--------

DAYANAND, SWAMI—

Question re book by Mr. Durrani about —	468-69
---	--------

DECREES—

Question re execution of — of panchayat courts	705
--	-----

DEK RIVER—

Question re compensation for damage to land by floods in the —	281
--	-----

DELEGATION—

Question re — of power of appointments and dismissals of teachers of district boards to Inspectors of Schools	722
---	-----

DEMANDS FOR GRANTS—

Statement re action taken on cuts of Council in — from 1928	614, 616
---	----------

DEPARTMENTS—

Question re designation of Inspector-General of Police and Director of Public Instruction as Under-Secretaries	724
--	-----

DEPRESSED CLASSES—

Question re facilities for education of children of —	50
Question re Government high schools and students of —	519
Question re literacy among —	50
Question re opening of wells in Government buildings for use of —	607

DEPUTATION—

- Question *re* — of Sardar Iqbal Singh, Assistant Registrar,
Co-operative Department, to Europe for training .. 801

DEPUTY COLLECTORS—

- Question *re* selection of candidates for posts of — in the
Irrigation Branch 267

DEPUTY COMMISSIONER(S)—

- Question *re* appointment of Mr. E. H. Lincoln as — in
supersession of his seniors 727

- Question *re* —, Criminal Tribes 758

- Question *re* extensions of service of Superintendents of
offices of — after reaching age of superannuation .. 718

- Question *re* Muslim representation in English offices
of —, Jullundur Division 718

- Question *re* Superintendent in the office of —, Dera
Ghazi Khan 848

- Question *re* Superintendents in the offices of —, Ambala
division 802

- Question *re* Superintendents in the offices of —, Multan
division 848

- Question *re* transfer of Superintendents of offices of — .. 718

DEPUTY REGISTRARS—

- Question *re* — of Co-operative Department 808

DEPUTY SECRETARIES—

- Question *re* Indian — to Government 749

- Question *re* sanctioned number and tenure of appointments
of — to Government 752

DESHBANDHU PROCESSION—

- Question *re* obstruction of the — at Jhang-Maghiana .. 660

DHANPAT RAI, RAI BAHADUR LALA—

- Bill. Regulation of Accounts Bill, the Punjab .. 812-16, 856-58,
918-14, 975-76,
1008-09.

DHARMA RAM—

- Question *re* alleged insulting language used by — of Choti-
zerin with respect to Holy Prophet 556

DIET MONEY—

- Question *re* — lapsed to Government 65

DIN MUHAMMAD, Mr.—

- Bill. Pure Food Bill, the Punjab 708-04

- Bill. Regulation of Accounts Bill, the Punjab .. 840-41, 881

- Discussion on the Report of the Punjab Reforms Com-
mittee 96-106

- Resolution *re* elections to the Legislative Council .. 547-48

- Resolution *re* grant-in-aid for indigenous systems of
medicine 480-82

- Resolution *re* Viceroy's announcement about constitu-
tional reforms 458-59

DIPALPUR CANAL—

Question re imposition of acreage rates in — area .. 62

DIRECTOR—

Question re Mr. T. E. Quirke, — Civil Veterinary Department .. 400

Question re pay of the —, Civil Veterinary Department .. 400

DIRECTOR OF PUBLIC INSTRUCTION—

Question re styling of — as Under-Secretary .. 724

DISCHARGE—

Question re — of water above and below Adam Wahan Weir 358

DISMISSAL—

Question re — of certain teachers .. 611

DISPENSARY(IES)—

Question re civil — for Shaina .. 518

Question re inspection of rural — by Civil Surgeons .. 276

Question re travelling allowance of Veterinary Assistants visiting touring veterinary — .. 398

DISTRICT BOARD(S)—

Question re election wards of Lahore — .. 325

Question re financial condition of Gurgaon — .. 504

Question re grant to Rohtak —, lapsed .. 351

Question re grants to — .. 736

Question re imposition of haisiyat tax by Jhang — .. 509

Question re increase in the elected element of Jhang — 257

Question re lists of voters of Legislative Council and — .. 354

Question re persons drawing *panchotra* from — and standing for elections to — .. 68

Question re power to open or close schools by — .. 265

Question re teachers under —, appointment and dismissal of — .. 722

Question re teachers under —, delegation of power of appointments and dismissals of — to Inspectors of Schools .. 722

Question re teachers under —, inability of certain — to grant annual increments to .. 69

Question re teachers, withdrawal of increase of pay to by —, Lyallpur .. 52

Question re vice-president of —, Multan, intermediate enquiry into a petition against the election of — .. 613

DISTRICT INSPECTOR(S) OF SCHOOLS—

Question re district boards employing lady — .. 80

Question re visit of schools by the —, Rohtak .. 465

DIVERSION—

Question re — of Ghaggar stream by Patiala State .. 282

DODD, MR.—

Question re enquiry by — into the charges against Sardar Iqbal Singh .. 802

DRAFT RULES—

—under Punjab Land Revenue Act .. 1003-05

PAGES.

DRAFT RULES (TO BILLS)—

Amendments to — may be proposed and passed in Council and Government may consider them with or without a resolution of Council recommending them..	1004
Consideration, discussion, etc., of — by Council, constitutional position <i>re</i> — ..	998-99
— can only be <i>placed before</i> , but not <i>passed</i> by Council, when rule-making is delegated to the executive ..	672

DRAIN—

Question <i>re</i> construction of a — in bazaar of village Shaina	518
--	-----

DRAINAGE—

Question <i>re</i> — in the neighbourhood of the Sikh Kanya Mahavidyalaya	419
---	-----

DRINK—

Question <i>re</i> books relating to evils of — habit ..	276
--	-----

DRINKING WATER—

Question <i>re</i> expenditure of Government on the supply of — in rural areas	786
--	-----

DULI CHAND, CHAUDHRI—

Bill. Regulation of Accounts Bill	816-18
Resolution <i>re</i> waste lands in the Shahpur Colony area ..	391

DURGIANA (TEMPLE)—

Question <i>re</i> taking possession of nazul lands in Amritsar by the authorities of—	52
--	----

DURRANI, Mr.—

Question <i>re</i> book by — about Swami Dayanand ..	468-69
--	--------

DUST NUISANCE—

Question <i>re</i> complaint against municipalities about — ..	343, 345-46
--	-------------

E.**EDUCATION—**

Question <i>re</i> compulsory free — in Ambala district ..	418
Question <i>re</i> compulsory primary —	2
Question <i>re</i> cost of primary and secondary — in Ambala district	414
Question <i>re</i> — in Ruper and Kharar	421
Question <i>re</i> facilities for — of the children of depressed classes	50
Question <i>re</i> figures of progress of — in municipal and district board schools	418
Question <i>re</i> rural and urban areas and compulsory primary —	474
Resolution <i>re</i> compulsory primary—	464, 520-44

EDUCATIONAL—

Question <i>re</i> levy of a cess by district boards for — purposes	420
---	-----

EDUCATIONAL INSTITUTIONS—

Question <i>re</i> number of — at Qadian	175
--	-----

PAGES.

EDUCATION DEPARTMENT—	
Question <i>re</i> appointment of Mussalman as Registrar of —	711
Question <i>re</i> consultation of — in the matter of appointments and dismissals of teachers in the employ of district boards	722
Question <i>re</i> representation of Muslims in the — ..	64
EDUCATION (TRANSFERRED) GRANT—	
Token	311
ELECTIONS—	
—to Railway Advisory Committee	520
Resolution <i>re</i> — to the Legislative Council ..	546-49
ELECTION PETITION—	
Question <i>re</i> — against the election of Sardar Harbel Singh to Small Town Committee, Jaranwala	357
Question <i>re</i> enquiry into a municipal — at Kamalia ..	65
ELECTION WARDS—	
Question <i>re</i> — of Lahore District Board	325
ELECTRIC CHARGES—	
Question <i>re</i> payment for — in the bar room at Amritsar ..	556
EMERSON, MR. H. W.—	
Oath of office	247
Police grant, supplementary	294-95
EMPLOYEES—	
Question <i>re</i> relationship of — of Kasur Municipality to the members of the municipal committee	270
Question <i>re</i> special increments to — of Kasur Municipality ..	269
ENCROACHMENTS—	
Question <i>re</i> — on municipal lands by Municipal Commissioners, Kasur	53, 659
Question <i>re</i> — on village roads	785
ENGINEER(S)—	
Question <i>re</i> —, Simla Municipality	2
Question <i>re</i> first class municipalities and employment of unqualified —	55, 67
Question <i>re</i> Resident —, Simla Municipality ..	67
ENGINEERING SERVICE—	
Question <i>re</i> promotion from Provincial — to Indian — ..	414
ENGLISH—	
Question <i>re</i> teaching of — in vernacular middle schools ..	55
ENGLISH TEACHERS—	
Question <i>re</i> Senior — in Government high schools, Multan division	348
ESTABLISHMENT—	
Question <i>re</i> deputation of clerical —, Irrigation Branch, for redress of grievances	557
Question <i>re</i> promotions in the provincial clerical — of the Irrigation Branch	504
Question <i>re</i> revision of grade of clerical —, Irrigation Branch	559

ESTATE—

Question re compromise between Colonel Stanley and tenants of Skinner's 559

Question re criminal and revenue cases against tenants of Skinner's 559

EXAMINATION—

Question re publication of results of competitive — for Sub-Judges 411

Question re second division LL.B.'s and — for Sub-Judgeships 411-12

EXAMINERS—

Question re — for midwifery diploma examination .. 179

Question re external — of Punjab Veterinary College .. 282

EXCESS GRANTS—

Government's demands for — for 1927-28 312-13

EXCISE INSPECTORS—

Question re recruitment for the office of — 503

EXPORTS—

Question re — of bones and export duty thereon 273

EXTRA ASSISTANT COMMISSIONERS—

Question re recruitment for the office of — 503

F.**FAIRS—**

Question re cattle — at Jahazgarh 736

FAIZ MUHAMMAD, SHAIKH—

Resolution re relief measures, Dera Ghazi Khan district .. 360, 373

FAMINE—

Question re — in Kaithal sub-division, Karnal district .. 709

FAMINE RELIEF—

Question re amount Government expects to spend on — .. 406

Question re — in Hissar 560

FAMINE RELIEF WORKS—

Question re principle of utility in starting — 409

Question re scale of wages of people engaged in — .. 407

Question re test —, Hissar district 709

FAMINE (RESERVED) GRANT

.. .. 309

FARMS—

Question re agricultural demonstration — in Kaithal sub-division 709

FAZIL MUHAMMAD KHAN, RAJA—

Question re — of the Provincial Educational Service .. 797, 799

FAZL ALI, KHAN BAHADUR CHAUDHRI—

Resolution re waste lands in the Shahpur Colony area .. 386

PAGES.

FAZL-I-HUSAIN, THE HON'BLE MIAN SIR—

Bill. Procedure <i>re</i> amendment proposing new clause to —	679
Bill. Pure Food Bill, the Punjab	772-73
Famine (Reserved) Grant, additional	309
Irrigation grant, token	310
Loans and Advances (Reserved) Grant, additional	309
Miscellaneous (Reserved) Grant, token	312
Police Grant, supplementary	302-04
Resolution <i>re</i> reduction of <i>abiana</i> on cotton crops	590-94
Resolution <i>re</i> relief measures, Dera Ghazi Khan district	370
Resolution <i>re</i> waste lands in the Shahpur Colony area	377, 393

FERRIES—

Question <i>re</i> stationing of police at —	420
--	-----

FERTILISERS—

Question <i>re</i> artificial —	421
---------------------------------------	-----

FINANCIAL COMMISSIONERS—

Question <i>re</i> post of Junior Secretary to —	726
Question <i>re</i> stenographers in the office of —	740

FINANCIAL COMMISSIONERS' OFFICE—

Question <i>re</i> clerks in the vernacular branch of —	742
Question <i>re</i> Court Clerk of —	707
Question <i>re</i> Deputy Court Clerk and Translator of —	707

FIREARMS—

Question <i>re</i> payment of the sale proceeds of — to owners	606
--	-----

FEROZ KHAN NOON, THE HON'BLE MALIK—

Bill. Pure Food Bill, The Punjab — (Discussion of)	633, 638-39, 641, 643, 646-47, 649-51, 674-75, 759-65, 767-69, 772-73.
--	--

Bill. Pure Food Bill, The Punjab — (Motion for circulation of)	619
--	-----

Bill. Pure Food Bill, The Punjab — (Motion for recommendation of)	627-28
---	--------

Bill. Pure Food Bill, The Punjab — (Presents report of drafting committee)	812
--	-----

Bill. Regulation of Accounts Bill, the Punjab	861-63, 909-10, 938-99, 966- 68, 997, 999- 1000.
---	---

D. A.-V. College, income and expenditure on Ayurvedic classes of —	437
--	-----

Discussion <i>re</i> procedure <i>re</i> amendments proposing new clauses to Bills	678
--	-----

Point of order <i>re</i> amendment going beyond the scope of Bill (Pure Food Bill)	630
--	-----

Point of order <i>re</i> amendment to clause defining extent of application of Bill (Pure Food Bill)	632
--	-----

	PAGES.
FIROZ KHAN NOON, THE HON'BLE MALIK—CONCLD.	
Public Health Grant, token	311
Resolution <i>re</i> grant-in-aid for indigenous systems of medicine	495-89
FIROZ-UD-DIN KHAN, RANA—	
Bill, Pure Food Bill, the Punjab	640, 699-700, 767
Bill. Regulation of Accounts Bill, the Punjab	828-81
Police Grant, supplementary	804-08
Resolution <i>re</i> reduction of <i>abiana</i> on cotton crops	579-81
FLOODS—	
Question <i>re</i> compensation for damage by — in Chakki river	380
Question <i>re</i> compensation for damage to land by — in Dek river	281
Question <i>re</i> damage to schools by — in Jhang district	510
Question <i>re</i> damage to villages in tahsil Dasuya by river —	283
Question <i>re</i> damage by river — in Hoshiarpur district	288
Question <i>re</i> expenditure on repairs or reconstruction of works due to —	406
Question <i>re</i> — in the Jhelum and Chenab in Jhang District and relief measures in connection therewith	258
Question <i>re</i> — in Kangra and Hoshiarpur districts, and grants of land in the Nili Bar to zamindars of the said districts	2
Question <i>re</i> grant of land to inhabitants of Kangra affected by —	513
Question <i>re</i> grants of land to zamindars affected by —	331
Question <i>re</i> losses caused by — and relief measures	716
Question <i>re</i> losses caused by — in the Jhelum, the Chenab and the Indus in Multan division and relief measures therefor	252
Question <i>re</i> washing away of Palla Head in Islam Division by — in the Sutlej	501
Statement <i>re</i> — in the Indus	181
See River Flood.	
FODDER—	
Question <i>re</i> supply of — to Bhiwani and loss to Government in the supply of — to agriculturists during famine	602
FOOTWEAR—	
Question <i>re</i> admission of visitors with — of Indian pattern to rooms of officers of Government	667
FOREST ADVISORY COMMITTEES—	
Question <i>re</i> constitution of —	385

	PAGES.
FOREST SERVICE—	
Question re Provincial —, status of and class of railway fare allowed to — officers when in charge of divisions..	607
FORMS—	
Question re payment to the <i>Civil and Military Gazette</i> for supply of —	508
FRONTIER CRIMES REGULATIONS—	
Question re application of — to Hindus of Choti in Dera Ghazi Khan	605
FRUIT TREES—	
Question re damage to — by cold weather	416
G.	
GAMBLING—	
Question re Satta — in Rohtak	711
GAZETTED OFFICERS—	
Question re — in the Co-operative Department ..	908
GENTRY GRANTS—	
Question re — in the Lower Bari Doab Canal, purchase price of land	554
GHAGGAR—	
Question re diversion of — stream by Patiala State ..	282
GHAJKARS—	
Question re declaration of — of Lyallpur District as agriculturists under the Punjab Alienation of Land Act ..	262
GHANCHAKAR—	
Question re prosecution of editor, printer and publisher of —	662
GHANI, Mr. M. A.—	
Bill. Regulation of Accounts Bill, the Punjab ..	900-01
Discussion on the report of the Punjab Reforms Committee	222-25
Police Grant, supplementary	908-09
Resolution re waste lands in the Shahpur Colony area ..	390
GHAZI GHAT—	
Question re boat bridge material stored at — and washed away by floods	347
GHI—	
Question re bye-laws to control sale of vegetable — ..	708
GHOSE, Mr. S. L.—	
Question re —, Government College, Lahore ..	797
GHULAM GILANI, Mr.—	
Question re confirmation of —, Oriental Teacher, Government School, Campbellpur	742
GHULAM HUSAIN, Mr.—	
Question re allegations against —, Head Teacher, Municipal Primary School, Kasur	50

GHULAM RABBANI—

- Question *re* confirmation of —, Oriental Teacher, Government School, Campbellpur 742

GILL, COLONEL C. A.—

- Pure Food Bill, the Punjab (Motion for circulation of —).. 623-24

GIRLS—

- Question *re* sale of — for marriage.. .. 382

GIRLS' HIGH SCHOOL—

- Question *re* number of students and teachers in Government —, Hissar 707
 Question *re* opening of Government — at Hissar .. 707

GOATS AND SHEEP—

- Resolution *re* tax on — in Kangra district 596-99

GOBIND RAM—

- Question *re* compromise of suit, — and others *versus* Sialkot Municipal Committee 255

GOKUL CHAND, NARANG, DR.—

- Bill. Pure Food Bill 634-36, 652-54, 684, 696-97, 778.

- Bill. Regulation of Accounts Bill, the Punjab .. 885-86, 889, 840, 846, 848, 851-54, 858-59, 864-67, 870, 873-76, 878-80, 914-15, 921, 927-35, 943-44, 946-54, 957-58, 966-67, 972-74, 990, 992, 994-97, 999, 1001.

- Discussion on the report of the Punjab Reforms Committee 109-26, 127-52.

- Discussion *re* speeches in Punjabi.. .. 527-28

- Point of order *re* amendment for recommittal with instructions to select committee of Bill (Punjab Pure Food Bill) 626

- Point of order *re* amendment to clause defining extent of application of Bill (Pure Food Bill) 681-82

- Resolution *re* reduction of *abiana* on cotton crops .. 573-76

PAGES.

GOVERNMENT'S DEMANDS FOR SUPPLEMENTARY, ADDITIONAL, TOKEN AND EXCESS GRANTS ..	288-318
GOVERNMENT—	
Question <i>re</i> differential treatment by — to Hindu and Mussalman authors	469
<i>See</i> Advertisements.	
GOVERNMENT HIGH SCHOOL(S)—	
Question <i>re</i> — and depressed class students	519
Question <i>re</i> — and matriculation pass percentage	68
Question <i>re</i> — for girls	278
Question <i>re</i> opening of a — for girls in Ferozepore	419
Question <i>re</i> raising of — in Gurgaon district to intermedi- ate standard	424
GOVERNMENT SCHOOL(S)—	
Question <i>re</i> admission to normal classes of —, Taunsa and Dera Ghazi Khan	511
Question <i>re</i> Anglo-Vernacular, Vernacular and Oriental teachers in —	511
Question <i>re</i> confirmation of certain teachers of —, Camp- bellpur	742
GOVERNMENT SERVANTS—	
Question <i>re</i> communal representation among —	751
Question <i>re</i> contest of — for seats in Cantonment Boards	608
Question <i>re</i> prohibition of — from subscribing to <i>Kirti</i>	670
GOVERNMENT TANNERY—	
Question <i>re</i> — at Shahdara	518
GRADUATES—	
Question <i>re</i> — of the Agricultural College finding employ- ment	355
GRANT(S)—	
Government's demands for supplementary, additional, token and excess —	288-318
Question <i>re</i> — in Nili Bar to zamindars of Kangra dis- trict	518
Question <i>re</i> — of land to flood-affected inhabitants of Kangra	518
Question <i>re</i> — of <i>muqfi</i> in certain villages of Gurgaon dis- trict	809
Question <i>re</i> — to local bodies	736
Question <i>re</i> — to Rohtak District Board, lapsed	351
Question <i>re</i> peasant — in chaks Nos. 47 and 48-L/5, district Montgomery, to persons with small holdings in Jullundur district	68
<i>See</i> Gentry Grants.	
<i>See</i> Grants-in-aid.	
<i>See</i> Land.	
GRANTS-IN-AID—	
Question <i>re</i> curtailment of — in Ambala division	721
Question <i>re</i> educational — for each division in the pro- vince	359

	PAGES.
GRANTS-IN-AID—CONCLD.	
Resolution <i>re</i> — for indigenous systems of medicine ..	426-45
Question <i>re</i> — for the school of Ahirs at Rewari ..	552
Question <i>re</i> — to aided high schools, Ambala division ..	859
Question <i>re</i> — to local bodies	59
Question <i>re</i> — to Vedic Kanya Pathshala, Shahpur ..	56
Question <i>re</i> reduction of — to high schools in Ambala division	552, 610
GRAY, Mr. V. F.—	
Bill, Pure Food Bill, the Punjab	620-21, 675-77
Bill. Regulation of Accounts Bill, the Punjab ..	789-90, 863, 872, 918, 917 923-24, 941.
Discussion on the Report of the Punjab Reforms Committee	152-54
GRAZING RIGHTS—	
Question <i>re</i> colonisation of jungle Pir Mahal and — therein	261
GREY CANAL—	
Question <i>re</i> use of rest-house of the — for residential purposes of canal officials	58
GULAB SINGH AND SONS, RAI SAHIB MUNSHI—	
Question <i>re</i> complaints against — <i>re</i> prices of text-books ..	58, 62
GURDWARA MOVEMENT—	
Question <i>re</i> persons convicted in connection with the — ..	252
H.	
HAILSTORMS—	
Question <i>re</i> damage to crops by — in Kangra district	705
HAISIYAT TAX—	
Question <i>re</i> districts in which local rate and — were levied ..	268
Question <i>re</i> imposition of — by Jhang District Board ..	509
HAKIMS—	
Question <i>re</i> — and v aids employed by local bodies ..	565
Question <i>re</i> — employed by local bodies	55
HALLA PENALTY—	
Question <i>re</i> remission of —	333
HANDCUFFING—	
Question <i>re</i> — of undertrial political prisoners ..	610
HANDCUFFS—	
Question <i>re</i> — on Ghazi Abdul Rahman and Mr. Ajit Singh	502
HARBAKHSI SINGH, SARDAR—	
Bill. Pure Food Bill, the Punjab	682
Bill. Regulation of Accounts Bill	818-23, 844, 863, 921.
Bill. Regulation of Accounts Bill, the Punjab (Motion for recirculation of —)	792-93

	PAGES.
HARBAKHSI SINGH, SARDAR—CONOLD.	
Police Grant, supplementary	298-301
Resolution re compulsory primary education ..	531-33
Resolution re grants-in-aid for indigenous systems of medicine	429-30
Resolution re Viceroy's announcement about constitutional reforms	459-61
Resolution re waste lands in the Shahpur Colony area ..	376
HARBEL SINGH, SARDAR—	
Question re election petition against the election of — to Small Town Committee, Jaranwala	357
HARGOLAL GIRLS' HIGH SCHOOL—	
Question re recognition of —, Ambala Cantonment ..	69, 519
HARISH CHAND, KATHPALIA, LALA—	
Question re promotion of — to Provincial Educational Service	800
HARNAM SINGH, SARDAR—	
Question re —, prisoner in the Lahore conspiracy case of 1914-15	358
HEADMASTERS—	
Question re — of Government high schools ..	68
Question re — of Government high schools, Multan division	348
HEADWORKS—	
Question re — of the Lower Jhelum Canal	384
HEALTH OFFICER—	
Question re complaints of vaccinators against the District —, Jhang	342
HEALTH SCHOOL—	
Question re medium of instruction in the Punjab — ..	735
HIGH CLASSES—	
Question re agriculture as an alternative subject for — ..	552
HIGH SCHOOL(S)—	
Question re band attached to —	54
Question re fall in the strength of — in Ambala division	721
Question re Government — for girls ..	278
Question re grants-in-aid to aided —, Ambala division ..	359
Question re — maintained by Government and local bodies in Rohtak and teachers employed therein ..	54
Question re provincialisation of Municipal Board —, Abohar	284
Question re recognition of Hargolal Girls' High School (Hargolal Kanya Mahavidyalaya), Ambala cantonment	69
Question re reduction of grants-in-aid to certain — of backward communities in Ambala division ..	610
Question re reduction of grants-in-aid to — in Ambala division	552

	PAGES.
HIGH SCHOOL(S)—CONCLD.	
Question re suitable buildings for girls' —	278
See Government High Schools.	
HILL ALLOWANCE—	
Question re — to staff of Hydro-Electric Branch at Brot and Jogindarnagar	279
HIRA SINGH, NARLI, SARDAR—	
Bill. Regulation of Accounts Bill, the Punjab	882
Discussion on the report of the Punjab Reforms Committee ..	210
Police grant, token	311
Resolution re compulsory primary education	525
Resolution re reduction of <i>abiana</i> on cotton crops	567-69, 594-96
Resolution re waste lands in the Shahpur Colony area ..	885
HOLIDAYS—	
Question re Indian National Congress and Christmas — for Government departments ..	501
Question re permission to canal officials of Islam division to leave station on Sundays or holidays	500
HOLLAND, MR. L. B.—	
Oath of office ..	549
HORSE-BREEDING—	
Question re rules and practices relating to — tenancies ..	549
HOUSE SITES—	
Question re exemption of — within municipal and small town committees from Punjab Land Alienation Act ..	662
HUNGER STRIKE—	
Question re — of accused in Lahore conspiracy case on account of improper treatment of political prisoners ..	248
Question re — of prisoners in jails in sympathy with the accused in the Lahore conspiracy case ..	251
HYDRO-ELECTRIC BRANCH—	
Question re article in the <i>Tribune</i> re — of the Public Works Department ..	247
Question re hill allowance to staff of the — at Brot and Jogindarnagar ..	279
HYDRO-ELECTRIC SCHEME—	
Question re progress of work and expenditure on —	466
HYDRO-ELECTRIC WORKS—	
Question re interference with the progress of—at Jogindarnagar by soft earth and rushing water ..	265

I.

ILLEGAL GRATIFICATIONS—

Question re allegations of — against Sub-Registrar, Nako- dar	718
--	-----

PAGES.

IMPERIAL SERVICES—

- Question re — to which members of provincial services
can rise 751

INCREMENTS—

- Question re inability of certain district boards to grant
annual — to teachers 69
- Question re special — to employees of Kasur Municipality 269

INDIAN ARMS ACT—

- Question re exemption of sword from the operation of —.. 670

INDIAN CIVIL SERVICE—

- Question re — appointments sanctioned for the Punjab 725
- Question re number of officers of the — appointed to the Punjab 756
- Question re reason why officers of the — transferred to the Foreign and Political Department are shown in the — cadre of the province 749
- Question re special pay and allowances to members of the — 744

INDIAN ENGINEERING SERVICE—

- Question re promotions from Provincial Engineering Service to — (Buildings and Roads Branch) 414
- Question re promotions from Provincial Engineering Service to — (Irrigation Branch) 414

INDIAN MEDICINE—

- Question re establishment of a Board of — 606

INDIAN NATIONAL CONGRESS—

- Additional police force in connection with — .. 289-309
- Question re — and Christmas vacation for Government departments 301

INDIAN PENAL CODE—

- See Penal Code ; Section 124-A.

INDIAN VETERINARY SERVICE—

- Question re appointment of members of Provincial Veterinary Service to vacancies in the — 400

INDIGENOUS SYSTEMS OF MEDICINE—

- Resolution re grants-in-aid to — 426-45

INDUS—

- Question re floods in the — in Multan division and relief to sufferers 352
- Question re report of experts on the effect of construction of Bhakra Dam on the water level of the — inundation canals 466
- Statement re floods in the — 181

INSPECTION—

- Question re — of Jawali aided school 1
- Question re — of rural dispensaries by Civil Surgeons .. 276
- Question re — of schools at Jhang-Maghiana 668

	PAGES.
INSPECTORS—	
Question re — of Co-operative Department ..	808
Question re — of Co-operative Societies and — of consolidation of holdings	711
Question re recruitment of Police —	795
See Inspectors of Schools; Police.	
INSPECTOR-GENERAL OF POLICE—	
Question re designation of — as Under-Secretary ..	724
INSPECTOR-GENERAL OF PRISONS—	
Question re communication to non-official visitors of remarks of — on their reports	68
INSPECTOR(S) OF SCHOOLS—	
Question re appointment of — in Jullundur district ..	741
Question re appointment of —, Rawalpindi ..	799
Question re appointment of Muslims in board secondary schools by the —, Ambala division	811
Question re circular to Divisional — to nominate a Hindu for a post of District —	800
Question re delegation of power of appointment and dismissals of teachers of district boards to —	722
Question re District —, Gujranwala	802
Question re — in Multan division	847
Question re Muslim District —	812
Question re notification by —, Ambala, regarding the definition of zamindars	49
INTEREST—	
Question re — on unpaid price of Government land in the Nili Bar	835
Question re penal — in default of payment of purchase price of land in the Nili Bar	836
INTERVIEW—	
Question re — with the accused in the Lahore conspiracy case	248
Question re — with undertrial prisoners, Lahore conspiracy case	889
INUNDATION CANALS—	
Question re report of experts on the effect of Bhakra Dam on the water level of the Indus —	466
IQBAL SINGH, SARDAR—	
Question re deputation of — to Europe for training ..	801
Question re enquiry into the charges against —, Assistant Registrar, Co-operative Department	802
Question re suspension of —, Assistant Registrar, Co-operative Department	802
IRRIGATION—	
Question re — facilities in Kaithal sub-division, Karnal district	709

IRRIGATION BRANCH—

Question *re* deputation of clerical establishment, —, for redress of grievances 557

Question *re* promotions in the provincial clerical establishment of the — 504

Question *re* revision of grade of clerical establishment of the — 559

Question *re* transfer of Assistant Clerks in the — from one circle to another 557

IRRIGATION CAPITAL EXPENDITURE GRANT, ADDITIONAL 289

IRRIGATION GRANT, SUPPLEMENTARY AND ADDITIONAL 288

IRRIGATION GRANT, TOKEN 310

ISLAM DIVISION—

Question *re* washing away of the Palla head in the — by the floods in the Sutlej 501

J.

JAGAT RAM, PANDIT—

Question *re* —, Lahore conspiracy case prisoner .. 512

JAGIRS—

Question *re* *malikana* charged from grantees of military — 80

Question *re* recipients of — in Hissar district .. 601

JAIL(S)—

Question *re* appointment of retired members of the Provincial Civil Service as Superintendents of — .. 781

Question *re* communication to non-official visitors of the remarks of the Inspector-General of Prisons on their reports 68

Question *re* death of an undertrial prisoner in Karnal — under suspicious circumstances 787

Question *re* Report of the Punjab — Committee .. 501, 551

JAIL DEPARTMENT—

Question *re* members of the Provincial Civil Service in the Extra Assistant Commissioner cadre in the — .. 727

JAILS AND CONVICTS SETTLEMENTS GRANTS, EXCESS 312

JATS—

Question *re* Hindu — holding the post of Deputy Superintendent or Inspector of Police or retired in either of these capacities 606

JHANG—

Question *re* separation of — from Maghiana Municipality 51

JHATKA MEAT—

Question *re* sale of — in Qadian 175

JHELUM—

Question *re* floods in the — in Jhang district and relief to sufferers 258

Question *re* floods in the — in Multan division and relief to sufferers.. .. 252

	PAGES.
JOGENDRA SINGH, THE HON'BLE SARDAR SIR—	
Bill. Regulation of Accounts Bill, the Punjab ..	831-82, 926
Civil Works (Transferred) Grant, additional ..	309
Resolution <i>re</i> reduction of <i>abiana</i> on cotton crops ..	588-84
Resolution <i>re</i> Viceroy's announcement about constitutional reforms ..	456-57
JUDGES—	
Question <i>re</i> recruitment of District and Sessions — ..	732
JUNIOR SECRETARY—	
Question <i>re</i> members of the Provincial Civil Service who have held the post of — to Financial Commissioners..	726
Question <i>re</i> reservation of the post of — to Financial Commissioners to members of the Provincial Civil Service..	726
K.	
KACHHAHRAS—	
Question <i>re</i> objection to the use of — by Sikh clerks ..	668
KALKA-SIMLA ROAD—	
Question <i>re</i> cart traffic on the — ..	277
KANGRA VALLEY RAILWAY—	
Question <i>re</i> grant of land in exchange for land acquired for the — ..	470
<i>See</i> Railways.	
KARAM HUSSAIN—	
Question <i>re</i> —, Manager, Court of Wards Choti ..	660
KESHO RAM, SEKHRI, LALA—	
Bill. Regulation of Accounts Bill, the Punjab ..	920, 925, 940, 944-45, 961-68
Discussion on the report of the Punjab Reforms Committee ..	228-33
KHARIF—	
Question <i>re</i> failure of — crops in certain districts ..	406
Question <i>re</i> loss in land revenue due to failure of — ..	406
KINE—	
Question <i>re</i> slaughter house for — at Qadian..	176
KIRAN CHANDRA DASS, SRIJUT—	
Question <i>re</i> search of — before admission to court room ..	341
KIRTI—	
Question <i>re</i> prohibition of Government servants from subscribing to the — ..	670
KISANS—	
Question <i>re</i> — of Skinner's estate ..	708
KHURSHED MUHAMMAD, KHAN BAHADUR SHAIKH—	
Oath of office ..	397

L.

LABH SINGH, Mr.—	
Bill. Regulation of Accounts Bill, the Punjab ..	823-28, 844-48, 870-71, 876, 911-12, 916, 923, 986, 941.

LABH SINGH, Mr.—CONCLD.

Point of order *re* amendment inconsistent with the *Context of Bill* 647

Point of order that omission of parts of a clause may be proposed as amendment 674

LADY HEALTH VISITORS—

Question *re* — 804

LAHORE CONSPIRACY CASE—

Question *re* concessions to prisoners of the — 610

Question *re* hunger strike of the accused in the — 248

Question *re* interview with the accused in the — 248

Question *re* interview with undertrial prisoners in the — 399

Question *re* Press reporters and the — 247

Question *re* proceedings of the—being held *in camera* or in public 248

Question *re* Sardar Harnam Singh, prisoner, in the — of 1914-15 358

LAMBARDARS—

Question *re* grant of land to — in Jhang district on mule or horse-breeding conditions 255

LAMPS—

Question *re* octroi duty on — when brought to Lahore for repair, etc. 669

LAND(S)—

Question *re* alienation of agricultural — to satisfy decretal debt 408

Question *re* alienation of — by Christians to non-Christians in Lyallpur, Montgomery and Jhang districts 64

Question *re* allotment of — in the Nili Bar to people of Jhang district 383

Question *re* cash rentals per acre for *barani*, *chahi* and *nahri* — in the Punjab 278

Question *re* compensation for damage to — by floods in the Dek river 281

Question *re* compensation for — washed away by the Chakki river 381

Question *re* default in payment of purchase price of — in the Nili Bar 386

Question *re* encroachment on municipal — by Municipal Commissioners, Kasur 58, 659

Question *re* grant of — in exchange for — acquired for the construction of the Kangra Valley Railway.. .. . 470

Question *re* grant of — in Nili Bar to zamindars of Kangra and Hoshiarpur districts 2, 513

Question *re* grant of — to "Bar" people of Lyallpur district 259

Question *re* grant of — to flood affected inhabitants of Kangra 513

	PAGES.
LAND(S)—CONOLD.	
Question <i>re</i> grant of — to lambardars in Jhang district on mule or horse-breeding conditions	255
Question <i>re</i> grant of — to zamindars affected by floods ..	381
Question <i>re</i> interest on unpaid price of Government — in the Nili Bar	335
Question <i>re</i> possession of <i>nazul</i> — in Amritsar by the Durgiana (temple) authorities	52
Question <i>re</i> proprietors of agricultural — in Qadian ..	176
Question <i>re</i> reclamation of — in the Bhiyal area ..	333
Question <i>re</i> sale of colony — by public auction ..	349
Question <i>re</i> sale of — of insolvents belonging to agricultural tribes, Karnal	403
Question <i>re</i> waste — in Pir Mahal jungle	508
Resolution <i>re</i> waste — in the Shahpur Colony area ..	374
LAND ALIENATION ACT—	
Question <i>re</i> declaration of Moghals of Lyallpur district as agricultural tribes under —	262
Question <i>re</i> exemption of sites of residential houses within municipal and small town areas from the Punjab — ..	662
Question <i>re</i> Pathans of Jhang district declared as agricultural tribes under —	262
LAND REVENUE—	
Question <i>re</i> — charged on two crops sown in one season..	722
Question <i>re</i> — on maize sown with cotton	723
Question <i>re</i> — on subsidiary crops	472
Question <i>re</i> loss in receipts from — on account of failure of <i>kharij</i>	406
Question <i>re</i> relation of price of agricultural produce to the amount of — or water rate	409
Question <i>re</i> relationship of variations in the yield of agricultural — to — revenue or water rate	410
Question <i>re</i> remission of — and water rate on account of damage to cotton crop in Jhang district by disease known as “tela”	258
Question <i>re</i> suspension or remission of —, Rohtak district	406
Question <i>re</i> yield of <i>desi</i> cotton and remissions of — ..	665
LAND REVENUE ACT, THE PUNJAB—	
Draft rules under —, considered	1003-05
LAND REVENUE AMENDMENT BILL, THE PUNJAB—	
Leave to introduce —	1005
Introduced	1005
Motion for taking into consideration	1005-06
Considered	1006
Passed into law	1006
LAW COURTS—	
Question <i>re</i> concentration of — in one place	556
LEAGUE OF NATIONS—	
Question <i>re</i> steps to carry out the recommendations of the — in respect of consumption of opium ..	803

LEAVE—

PAGES.

Question *re* grant of — to Mr. Bashir Din, Clerk, Canal office, Islam Division, and permission to leave station

357

LEGISLATIVE COUNCIL—

Adjournment of the — on account of tennis match, discussion, etc.

758

Question *re* issue of Press tickets for admission to the —

502

Question *re* lists of voters for the Punjab — and district boards

354

Resolution *re* elections to the —

546-48

Statement *re* action taken on resolutions of the — from 1928

614-16

LEWIS, Mr. E.S.—

Question *re* special pay to —

728

LICENCES—

Question *re* — for kine slaughter house and sale of beef

177

LINCOLN, Mr. E. H.—

Question *re* supersession by — over his seniors

727

LISTED POSTS—

Question *re* — in Government service

751

Question *re* — in judicial and executive sides of the Provincial Civil Service

732

Question *re* pay of Provincial Civil Service officers promoted to —

725

LITERACY—

Question *re* — among depressed classes

50

Question *re* — certificates issued to adults

498

LOANS—

See Taccavi Loans.

LOANS AND ADVANCES (RESERVED) GRANT, ADDITIONAL

309-10

LOCAL BODIES—

Question *re* grants-in-aid to —

59, 736

Question *re* non-official presidents for —

62, 422

Question *re* v aids and hakims employed by —

55, 565

LOCAL RATES—

Question *re* districts in which — and *haisiyat* tax were levied

268

Question *re* — charged on combined land revenue and water rates in the Sidhnai Canal

473

Question *re* — charged on land revenue

473

Question *re* — charged on well revenue, Multan district

722

LOCUSTS—

Question *re* damage to crops by — and preventive measures

553, 604, 715

LORRIES—

Question *re* carrying capacity of motor — on certain roads

351

Question *re* prohibition against running of — at nights on certain roads

352

LOWER BARI DOAB CANAL—

Question *re* gentry grants in the — purchase price of land

554

	PAGES—
LOWER CHENAB CANAL—	
Question re outlets on the Rajbah Nila No. 1 —	256
Question re <i>Tawan</i> on Ab-Zajai realised from zamindars of Jhang division of the —	257
LOWER JHELUM CANAL—	
Question re headworks of the —	384
Question re paucity of water supply in the —	602
M.	
MACFARLANE, Mr. D.—	
Oath of office	797
MAGNABB, Mr. A.C.—	
Oath of office	797, 965
MAGAZINES—	
Question re — issued from Qadian	175
MAGHIANA—	
Question re separation of Jhang from — Municipality ..	51
MAGISTRATE—	
Question re — with first class powers for Mian Channun and Talumba ..	335
MAILSI CANALS—	
Question re water failure on—	472
MAIZE—	
Question re land revenue on — sown with cotton ..	728
MALABIA—	
Question re deaths from — in 1928-29 ..	419
Question re — in the province in 1928-29 ..	419
Question re scheme for eradicating — ..	420
MALIKANA—	
Question re — charged from military Jagir grantees ..	80
MANDI-HYDRO-ELECTRIC PROJECT—	
Question re staff for the — ..	70
MANDI HYDRO-ELECTRIC SCHEME—	
Question re cost per unit of power under the — ..	70
Question re detailed particulars re the — ..	178
Question re gazetted staff employed on the — ..	52, 66
MANGAL SINGH, SARDAR—	
Question re trial of— and unpleasant remarks against —	284
MANKA CANAL—	
Question re water for irrigating the area commanded by the— ..	358
MANOHAR LAL, THE HON'BLE MR.—	
Discussion re context of a Bill, what it means ..	648-49
Education (Transferred) grant, token ..	311
Question re complaints against the policy of Minister for Education ..	715
Resolution re compulsory primary education.. ..	540-48
Resolution re opening of an intermediate college in Montgomery ..	546

	PAGES.
✓ MAQBOOL MAHMOOD, MIR—	
Discussion of the Report of the Punjab Reforms Committee	92-96
MAQBOOL SHAH, KHAN BAHADUR SAYAD—	
Oath of office	797
MATRICULATION—	
Question re Government high schools and — pass percentage	68
MAYA DAS, M.A. F.—	
Bill. Regulation of Accounts Bill, the Punjab	838, 844, 986, 961, 975.
Discussion on the Report of the Punjab Reforms Committee	225-28
Resolution re reduction of <i>abiana</i> on cotton crops	569
Resolution re Viceroy's announcement about constitutional reforms	452
MEDICINE—	
Question re establishment of a Board of Indian —	606
Question re Unani and Ayurvedic systems of —	1
Resolution re grants-in-aid for indigenous systems of —	426-45
MEHAR CHAND, PANDIT—	
Resolution re grants-in-aid for indigenous systems of medicine —	489-41
Resolution re waste lands in the Shahpur Colony area	976
MEMORANDUM—	
Discussion on the — of the Punjab Government to the Indian Statutory Commission	81-126-72, 184-246.
MEMORIALS—	
Question re — of members of the Provincial Veterinary Service	399
MIDDLE SCHOOLS—	
Question re abolition of optional English classes in — in Gurgaon district	424
Question re teachers of English in district board vernacular —	57
Question re teaching of English in vernacular —	55
Question re visit to vernacular — at Kanhaur by District Inspector of Schools, Rohtak	465
MIDWIFERY—	
Question re candidates for diploma in —	179
Question re discrimination between stipend holders and private candidates at the — examination	180
Question re encouragement of the study of —	180
Question re examiners for — diploma examination	179
MIDWIVES—	
Question re representation of Hindus or Muhammadans in the Punjab Central — Board	179
MILITARY JAGIR GRANTEES—	
Question re <i>malikana</i> charged from —	80

MILITARY SCHOLARSHIPS—

Question *re* — 360

MILITARY SERVICES—

Question *re* — and concession in school fees .. . 357

MINISTER FOR EDUCATION—

Question *re* complaints against the policy of — .. . 715

MINORS—

Question *re* closure of — of Rajbaha Newpal. . . . 668

MIRKA MINOR—

Question *re* closure of — and treatment by the Executive Engineer of the zamindars who went to interview him.. 499

MISAPPROPRIATIONS—

Question *re* —, Kasur Municipality .. . 720

Question *re* — of Government money in the Agricultural Department, Lyallpur .. . 279

MISBEHAVIOUR—

Question *re* allegations of — of police of Gojra towards the people .. . 500

MISCELLANEOUS (RESERVED) GRANT, EXCESS .. . 312

MISCELLANEOUS (RESERVED) GRANT, TOKEN .. . 312

MITCHELL, MR. ALAN—

Bill. Procedure *re* amendment suggesting new clauses to— 679

Bill. Pure Food Bill, the Punjab .. . 686, 674, 676, 682, 684.

MODEL TOWN—

Question *re* building of a — at Palampur .. . 269

MOGHALS—

Question *re* declaration of — of Lyallpur district as agricultural tribes under the Punjab Alienation of Land Act .. . 262

MOHAN LAL, RAI BAHADUR LALA—

Adjournment of Council on account of tennis match .. . 758

Bill. Regulation of Accounts Bill, the Punjab .. . 785-88, 883, 845, 852, 871, 873-74.

Discussion on the Report of the Punjab Reforms Committee .. . 106-09

Resolution *re* grants-in-aid for indigenous systems of medicine .. . 426-27, 441-43

Resolution *re* reduction of *abiana* on cotton crops .. . 570

Resolution *re* tax on goats and sheep in Kangra district .. . 597-98

Resolution *re* Viceroy's announcement about constitutional reforms .. . 451

MOHARRUM—

Question *re* — procession, Kaithal.. .. . 724

MONEY COLLECTIONS—

Question *re* — by Mr. Brayne, Deputy Commissioner, Gurgaon .. . 568

MOTA SINGH, MASTER—

Question *re* treatment of — as a special class prisoner .. 668

MOTOR ACCIDENTS—

Question *re* — near Verka railway phatak .. 706

Question *re* number of — in 1928-29 .. 417

MOTOR CARS—

Question *re* exemption of tax on —, Dalhousie Municipality .. 173-74

MOTOR LORRIES—

Question *re* carrying capacity of — on certain roads 351

MOTOR STAND—

Question *re* shed near — at Simla 277

MUAFI—

Question *re* grant of — in certain villages in Gurgaon district .. 809

MUBARIK ALI SHAH, SAYAD—

Resolution *re* reduction of *abiana* on cotton crops .. 588-89

Resolution *re* waste lands in the Shahpur Colony area .. 882

MUHAMMAD FAKHR-UD-DIN, MIAN—

Oath of office .. 797

MUHAMMAD HAYAT QURESHI, KHAN BAHADUR MIAN—

Bill. Regulation of Accounts Bill, the Punjab .. 918-19

Resolution *re* waste lands in the Shahpur Colony area .. 374, 392, 395.

MUHAMMAD HUSAIN, SAYAD—

Bill. Pure Food Bill, the Punjab .. 700-02

Bill. Regulation of Accounts Bill, the Punjab .. 881, 894-97,
920-21, 940,
954-55, 977-78,
987-88, 993.

✓ Discussion *re* vernacular speeches in Council .. 530

Police grant, supplementary .. 301-302

Resolution *re* opening of an intermediate college in Montgomery .. 544-45

Resolution *re* reduction of *abiana* on cotton crops .. 570-72

Resolution *re* relief measures, Dera Ghazi Khan district .. 862

Resolution *re* waste lands in the Shahpur Colony area .. 888

MUHAMMAD SADIQ, SHAIKH—

Bill. Pure Food Bill, the Punjab .. 622-23, 634,
639, 644, 695-
96, 768.

Bill. Regulation of Accounts Bill, the Punjab .. 842, 901-905

Discussion on the Report of the Punjab Reforms Committee .. 283-88

Police grant, supplementary .. 295-98

Resolution *re* grants-in-aid for indigenous systems of medicine .. 484-85

MUHAMMAD SADIQ, SHAIKH—CONCLD.

Resolution <i>re</i> Viceroy's announcement about constitutional reforms	461-64
--	--------

MUKAND LAL, PURI, LALA—

Bill. Pure Food Bill, the Punjab	628-32, 687-88, 640-47, 672-74, 681, 683-95, 766-67, 770, 774.
Bill. Regulation of Accounts Bill, the Punjab	841-42, 872-73, 888-84, 887-93, 923, 925, 937-38, 944, 966-67, 979-81, 987.
Oath of office	247
Resolution <i>re</i> grants-in-aid for indigenous systems of medicine	492-94

MUNICIPAL COMMISSIONERS—

Question <i>re</i> encroachments on municipal lands by —, Kasur	53, 659
---	---------

MUNICIPAL COMMITTEE—

Question <i>re</i> compromise of a suit, Gobind Ram and others <i>versus</i> Sialkot —	255
Question <i>re</i> establishment of a — at Sheikhpura	706
Question <i>re</i> finances of —, Kasur	62
Question <i>re</i> president, Kasur —, and reduction of posts of terminal tax inspectors	720
Question <i>re</i> president, —, Kasur	720

MUNICIPALITY(IES)—

Question <i>re</i> application of Town Improvement Act to —	555
Question <i>re</i> complaint against — in the matter of dust nuisance	343, 345-46.
Question <i>re</i> conversion of small town committees, Jaranwala and Toba Tek Singh, into —	661
Question <i>re</i> encroachments on municipal lands by Municipal Commissioners, Kasur	659
Question <i>re</i> Engineer, Simla —	2
Question <i>re</i> exemption of house sites within — from the Punjab Land Alienation Act	662
Question <i>re</i> exemption of packing materials from terminal tax in Kasur —	743

MUNICIPALITY(IES)—CONCLD.

Question re exemption of tax on motor cars, Dalhousie —	178-74
Question re first class — employing unqualified engineers	55, 67
Question re grants to —	786
Question re Jandiala Guru —	517
Question re misappropriations, Kasur —	720
Question re — and drinking water supply	807-08
Question re — which have been assisted by Government to frame bye-laws to control sale of vegetable ghi	708
Question re octroi refund, Kasur —	720
Question re relationship of employees of Kasur — to the members of the Municipal Committee	270
Question re Resident Engineer of Simla —	67
Question re separation of Jhang from Maghiana —	51, 615
Question re special increments to employees of Kasur —	269

MUNICIPAL LANDS—

Question re encroachment on — by Municipal Commissioners, Kasur	58
---	----

MUNICIPAL PRIMARY SCHOOL—

Question re allegations against M. Ghulam Hussain, head teacher of the —, Kasur	50
---	----

MUSEUM—

Question re admission to Lahore — with footwear of Indian pattern	667
---	-----

MUSLIMS—

Question re number of — appointed to the Provincial Educational Service in 1929	397
Question re percentage of — appointed to the Subordinate Educational Service (Anglo-Vernacular Section) in 1929	397
Question re representation of — in the Education Department	64

MUSSALMAN—

Question re appointment of a — as Registrar of the Education Department	711
---	-----

MUTWALLIS—

Question re prosecutions, convictions and acquittals of— under the Mussalman Waqf Act	51
Question re statements of accounts submitted by —under the Mussalman Waqf Act	51

MUZAFFAR KHAN, KHAN BAHADUR NAWAB—

Oath of office	601
------------------------	-----

N.

NAHRI LANDS—

Question re cash rental for — in the Punjab .. 278

NAIB-TAHSILDARS—

Question re recruitment for the office of — .. 508

NANAK CHAND, PANDIT—

Bill. Pure Food Bill, the Punjab .. 318-323, 697-99

Bill. Regulation of Accounts Bill .. 775-85, 897-900, 937, 940, 977.

Loans and Advances (Reserved) grant, additional .. 810

Point of order re canvassing during division .. 869

Police grant, supplementary .. 306-07

NARAIN SINGH, SARDAR—

Bill. Regulation of Accounts Bill, the Punjab .. 791

NARENDRA NATH, DIWAN BAHADUR RAJA—

Bill. Pure Food Bill, the Punjab .. 624-25, 651-52, 699, 770-71

Bill. Regulation of Accounts Bill, the Punjab .. 917, 959, 1012-13.

Draft rules under Punjab Land Revenue Act .. 1008-04, 1005

Resolution re reduction or *abiana* on cotton crops .. 581-88

NAZUL LANDS—

Question re possession of — in Amritsar by the Durgiana (temple) authorities .. 52

NEWSPAPERS—

Question re — and Government advertisements .. 267

Question re number of — issued from Qadian .. 175

Question re prosecution of editors, printers and publishers of certain — .. 662

Question re supply of — to Lahore conspiracy case and political prisoners .. 610

NILI BAR—

Question re allotment of land in the — to people of Jhang district .. 338

Question re construction of water-courses in the — .. 338

Question re default in payment of purchase price of lands in the — .. 336

Question re grant in the — to zamindars of Kangra district .. 518

Question re grant of land in the — to zamindars of Kangra and Hoshiarpur .. 2

Question re interest on unpaid price of Government lands in the — .. 335

NILI BAR—CONGLD.

Question re loss to purchasers and grantees in the —
Colony on account of failure of crops, water-supply, etc. 666

Question re scarcity of water-supply in the — .. 387

NON-CO-OPERATION MOVEMENT—

Question re persons convicted in connection with the — 252

NON-OFFICIAL VISITORS—

Question re communication to — of jails of the remarks
of the Inspector-General of Prisons on the reports of — 68

NORMAL CLASSES—

Question re admission to — Government schools, Taunsa
and Dera Ghazi Khan 512

NUR MAHRAM BELOCHES—

Question re reclamation of — 509

NUR MUHAMMAD, KHAN SAHIB SHAIKH—

Question re grant of Deputy Commissioner's pay to — .. 727

O.**OATH OF OFFICE—**

Abdul Ghani, Shaikh 397

Abdul Rahman, Khan Bahadur Khawaja 797

Cowan, Mr. H.M. 549

Emerson, Mr. H.W. 247

Holland, Mr. L.B. 549

Kurshed Muhammad, Khan Bahadur Shaikh 397

Macfarlane, Mr. D. 797

Macnabb, Mr. A.C. 797, 965

Maqbool Shah, Khan Bahadur Sayad 797

Muhammad Fakhar-ud-Din, Mian 797

Mukand Lal, Puri, Lala 247

Muzaffar Khan, Khan Bahadur Nawab 601

Ogilvie, Mr. C.M.G. 885

Ram Lal, Lala 797

Sikandar Hayat Khan, Khan Bahadur Captain Sardar 247

Smith, Mr. J. B. G. 247

OCTROI—

Question re levy of — duty on cycles, etc., when brought
to Lahore for repair, etc. 669

Question re — refund, Kasur Municipality 720

OFFICERS—

Question re confidential reports on — 729

OFFICIAL RECEIVERS—

Question re appointment of — for Jhang district 260

Question re Muslims as — 260

OFFICIALS—

Question re permission to canal — of Islam division to
leave station on Sundays or holidays 500

OGILVIE, Mr. C. M. G. —

Oath of office 885

*OPIUM—

Question re smuggling of — in Hissar district	724
Question re steps to carry out the recommendations of the League of Nations in respect of consumption of —	808

*OUTLETS—

Question re — on the Rajbah Nila No. 1, Lower Chenab Canal	256
--	-----

*OWEN ROBERTS, Mr.—

Bill, Pure Food Bill, the Punjab	617-619, 677-78
Resolution re Viceroy's announcement about constitutional reforms	452-58

P.

PAKPATTAN MAIN CANAL—

Question re obstruction of the natural drainage by the — ..	358
---	-----

PALLA HEAD—

Question re washing away of the — in the Islam division by the floods in the Sutlej	501
---	-----

PANCHAYAT—

Question re execution of decrees of — courts ..	705
---	-----

PANCHOTRA—

Question re persons drawing — from district boards and standing for elections to district board membership ..	68
---	----

PANEL OF CHAIRMEN

328

PARTAP SINGH, SARDAR—

Resolution re compulsory primary education ..	580-81
---	--------

PATHANS—

Question re declaration of — of Jhang district as agricultural tribes under the Punjab Alienation of Land Act ..	262
--	-----

* Question re representations against — of Jhang district being declared agricultural tribes

262

PATIALA STATE—

Question re diversions of Ghaggar stream by the — ..	282
--	-----

PAY—

Question re incremental scale of — for Veterinary Assistants	398
--	-----

Question re minimum and maximum — of Provincial Civil Service officers promoted to superior and inferior listed posts	726
---	-----

Question re special — and allowances to members of the Indian Civil Service and Provincial Civil Service ..	744
---	-----

Question re special — to Mr. E.S. Lewis	728
---	-----

PEASANT GRANTS—

Question re — in chaks Nos. 47 and 48-L/5, Montgomery district	68
--	----

PENAL CODE—

Question *re* persons convicted under sections of the — in connection with Congress activities or non-co-operation movements

252

PENAL INTEREST—

Question *re* — in default of payment of purchase price of lands in the Nili Bar

386

PENALTY—

Question *re* remission of *halla* —

388

PERIODICALS—

Question *re* number of — issued from Qadian

175

PETITION—

See Election Petition.

PETITION-WRITERS—

Question *re* — in Karnal and Rohtak districts and agriculturists among them

57

PIR MAHAL—

Question *re* colonisation of jungle — and grazing rights therein

261

Question *re* waste land in the — jungle

508

POINT OF ORDER—

— *re* amendment being inconsistent with *Context of Bill* ..

647-49

— *re* discussion of the principles of a Bill on motion for its consideration

789

— *re* scope of clause defining extent of application of Bill (Pure Food Bill)

680-82

POLICE—

Additional — force in connection with the Indian National Congress

289-309

Question *re* allegations of misbehaviour of — of Gejra towards the people

500

Question *re* behaviour of — officials towards the public ..

671

Question *re* corruption in the — Department

671

Question *re* direct recruitment of Hindus of the agricultural tribes for posts of Deputy Superintendent or Inspector of Police

610

Question *re* Hindu Jats holding the post of Deputy Superintendent or Inspector of Police or retired in either of these capacities

606

Question *re* — in Hissar

588

Question *re* punishment of the — in Hissar district ..

505

Question *re* recruitment of Assistant Sub-Inspectors of — ..

515

Question *re* recruitment of Inspectors of —

735

Question *re* recruitment of Sub-Inspectors of —

515

Question *re* stationing of — at ferries

420

Question *re* suicide due to — oppression in Rohtak ..

710

POLICE GRANT, EXCESS

812

POLICE GRANT, SUPPLEMENTARY

289-309

POLICE GRANT, TOKEN

310-312

POLICE STATIONS—

Question re charge of city — at Bhiwani and Hissar ..	564
Question re number of — in Hissar district ..	568

POLICY—

Question re complaints against the — of Minister for Education ..	715
---	-----

POLITICAL PRISONERS—

Question re handcuffing of undertrial — ..	610
Question re hunger strike of accused in Lahore conspiracy case as a protest against improper treatment of — ..	248
Question re protest of — against depriving Ghazi Abdur Rahman and Sardar Ajit Singh of special class concessions ..	551
Question re supply of newspapers to Lahore conspiracy case and — ..	610

POPULATION—

Question re growth of — in Qadian ..	175
Question re — on communal basis in Qadian ..	174

PREM SINGH, SARDAR—

Question re — of Intermediate College, Pasrur ..	797
--	-----

PRESIDENT, Mr.—

Re additional days for discussion of the Report of Punjab Reforms Committee ..	184-85
Adjournment of Council on account of tennis match, refused ..	758
Adjournment of Council to facilitate work of drafting committee on Pure Food Bill, refused ..	774
Bill. Regulation of Accounts Bill, motion for recirculation of — ..	785-86
Council. Late sitting of — ..	219-21
Delegation of rule-making power, practice re — ..	872
Discussion re context of a Bill, what it means ..	647, 648-49
Discussion re Punjabi speeches, difficulties in the way of allowing ..	527, 529
Drafting committee on Pure Food Bill ..	778
Draft rules under Bills, consideration, discussion, etc., of by Council, constitutional position of — ..	998-1001
Papers made available to the select committee on Bill should be placed before the House when Bill is discussed ..	877-78
Procedure re amendments proposing new clauses to Bill ..	678-79
Ruling re issues on the motion relating to the discussion of the Report of the Punjab Reforms Committee ..	88

PRESIDENT(S)—

Question re exemption by — of packing materials from terminal tax in Kasur Municipality ..	748
Question re non-official — for local bodies ..	62, 422
Question re — Municipal Committee, Kasur ..	720

PRESIDENT(S)—CONCLD.

Question re — Municipal Committee, Kasur, and reduction of posts of Terminal Tax Inspectors ..	720
Question re removal of official —, small town committees Jaranwala and Toba Tek Singh ..	661

PRESS REPORTERS—

Question re — and the Lahore conspiracy case ..	247
---	-----

PRIMARY EDUCATION—

Question re compulsory — ..	2
Question re concession to children of agriculturists in the matter of — as against children of non-agriculturists ..	264
Question re rural and urban areas and compulsory — ..	474
Resolution re compulsory — ..	464, 520-44
See Education.	

PRIMARY SCHOOL(S)—

Question re allegations against Mr. Ghulam Hussain, Head Teacher, Municipal—, Kasur ..	50
Question re opening of — ..	2
Question re — in Beit area, Jullundur district ..	741

PRINCIPAL—

Question re pay of —, Veterinary College ..	400
Question re —, Punjab Veterinary College ..	401

PRISONER(S)—

Question re civil — Chandar Kishor ..	551
Question re death of an undertrial — in Karnal Jail under suspicious circumstances ..	787
Question re handcuffing undertrial political — ..	610
Question re interview with undertrial —, Lahore conspiracy case ..	389
Question re persons convicted in connection with certain movements and classed as special class — ..	252
Question re — in jails and hunger-strike ..	251
Question re supply of newspapers to political and Lahore conspiracy case — ..	610
See Political Prisoners.	

PROCESSION (S)—

Question re Moharrum and Ramhila — in Kaithal ..	724
Question re obstruction of the Deshbandhu anniversary —, Jhang-Maghiana ..	660

PROFESSOR OF MEDICINE—

Question re work of — done by the Assistant in the Lahore Veterinary College ..	399
---	-----

PROMOTIONS—

Question re — in the clerical establishment of the Irrigation Branch ..	504
Question re — to the Provincial Educational Service and Subordinate Educational Service ..	799

	PAGES.
PROSECUTING INSPECTORS—	
Question re appointment of statutory agriculturists as—..	607
PROSECUTING SUB-INSPECTORS—	
Question re appointment of statutory agriculturists as —	607
PROSECUTIONS—	
Question re — of editors, printers and publishers of certain newspapers	662
PROVINCIAL CIVIL SERVICE—	
Question re appointment of retired members of the — as Superintendents of Jails	731
Question re employment of members of the — by the Government of India	725
Question re listed posts in the judicial and executive sides of the —	732
Question re members of the — in the Extra Assistant Commissioner cadre in the Jail Department	727
Question re pay of — officers promoted to superior and inferior listed posts	725
Question re preferential treatment to certain — officers ..	727
Question re special pay and allowances to members of the —	744
PROVINCIAL EDUCATIONAL SERVICE—	
Question re appointments to the selection grade of the —	797
Question re communal representation in filling up vacancies in the— or special posts carrying Rs. 250 or more	811
Question re number of appointments to the — in 1929 ..	397
Question re number of Muslims appointed to the — in 1929 ..	397
Question re promotion of Lala Harish Chand, Kathpalia, to the —	800
Question re promotions to the —	799
PROVINCIAL ENGINEERING SERVICE—	
Question re promotions from the — to the Indian Engineering Service (Buildings and Roads Branch and Irrigation Branch)	414
PROVINCIAL SERVICES—	
Question re — members of which can rise to Imperial Services	751
PROVINCIAL VETERINARY SERVICE—	
Question re appointment of members of the — to vacancies in the Indian Veterinary Service	400
Question re appointment on the superior scale of pay for members of the —	400
Question re memorials of members of the —	399
PUBLIC ACCOUNTS COMMITTEE—	
Report of — on appropriation accounts, laid on the table..	288
PUBLIC HEALTH GRANT—	
Token	311
PUBLIC SERVICES—	
Question re statement showing communal representation in —	410

	PAGE.
PUBLIC SERVICES COMMISSION—	
Question re creation of a — for the Punjab	725
PUNISHMENTS—	
Question re — of the police in Hissar district ..	505
PUNJAB CENTRAL MIDWIVES BOARD—	
Question re representation of Hindus or Muhammdans on the —	179
PUNJAB CIVIL SERVICE—	
See Provincial Civil Service.	
PUNJAB EDUCATIONAL SERVICE—	
See Provincial Educational Service.	
PUNJAB ENGINEERING SERVICE—	
See Provincial Engineering Service.	
PUNJAB GOVERNMENT—	
Discussion of the memorandum of the — to the Indian Statutory Commission	81-172, 184-246
PUNJAB LAWS ACT—	
Question re object and provisions of section 43 of the —	177
Question re object of rules under the —	177
PUNJAB REFORMS COMMITTEE—	
Discussion of the Report of the —	81-172, 184-246.
PUNJAB VETERINARY SERVICE—	
See Provincial Veterinary Service.	
PURE FOOD BILL, PUNJAB—	
Select committee's report, presented	319
Motion for circulation of —	617-25
Motion for recommitment of —	625-30
Taken into consideration	318, 630
Discussed	630-58, 671- 704, 758-74,
Referred to drafting committee	773-74
Report of drafting committee, considered	812, 1002-09.
Passed into law	1008

Q.

QUESTIONS AND ANSWERS—**AFZAL HAQ, CHAUDHRI—**

Question re band attached to high schools	54
Question re Chandar Kishor	551
Question re external examiners, Punjab Veterinary College	283
Question re Ghaggar stream, diversion of the — ..	282
Question re Ghazi Abdur Rahman and Sardar Ajit Singh ..	550-51

QUESTIONS AND ANSWERS—CONTINUED.**AFZAL HAQ, CHAUDHRI—concluded.**

Question re Gobind Ram and others <i>versus</i> Sialkot Municipal Committee	255
Question re grants-in-aid to local bodies	59
Question re Jail Enquiry Committee (Provincial)	551
Question re Mandi Hydro-Electric Scheme	52-3, 66
Question re motor cars, tax on, Dalhousie Municipality	178
Question re motor tax, exemption from, Dalhousie Municipality	174
Question re Nazul lands in Amritsar	52
Question re non-official visitors to jails, reports of —	68
Question re river flood in the Hoshiarpur District	288
Question re river floods damages by, in Tehsil Dasuya	288
Question re trial of Maulana Zaffar Ali Khan and Sardar Mangal Singh	284
Question re under-trial prisoner, death of an, in Karnal jail	787
Question re Verka railway phatak, accidents near—	706

AHMAD YAB KHAN DAULATANA, MIAN—

Question re acreage rate	728
Question re dust nuisance	848
Question re Forest Advisory Committees	885
Question re land revenue	722, 728
Question re local rate	722
Question re local rates and Sidhnai Canal zamindars	478
Question re Mailsi Canals, water failure in the —	472
Question re Wadh Wattar	471-72
Question re water rate and land revenue on subsidiary crops	472

AKBAR ALI, PIR—

Question re licences for kine slaughter houses and sale of beef	177
Question re Punjab Laws Act and slaughter of kine	177
Question re Punjab Laws Act, Section 48 of the—	177
Question re Qadian, educational institutions	175
Question re Qadian, growth of population	175
Question re Qadian, population on communal basis in—	174
Question re Qadian, proprietors of agricultural land in—	176
Question re Qadian, sale of 'Jhatka' meat in—	175
Question re Qadian, slaughter-house for kine at—	176

BALBIR SINGH, RAO BAHADUR CAPTAIN RAO—

Question re communal representation in service	508
Question re English classes in middle schools	424
Question re Government High Schools in Gurgaon District	424
Question re Gurgaon District Board	504
Question re taccavi loan	425
Question re water rate on <i>chahi</i> land in Gurgaon	425

QUESTIONS AND ANSWERS—CONTINUED.**BALDEO SINGH, CHAUDHRI—**

Question re Bhakhra Dam 466

BODH RAJ, LALA—

Question re acreage rates 612

Question re Adam Wahan Wier 358

Question re Agricultural Conference 401

Question re agriculturists recruitment, of, for the posts of
zilladars 340Question re Allah Ditta, complaint of, re his travelling
allowance 342Question re Awans, etc., of the Lyallpur District described
as agricultural tribes 262

Question re bund from Malakwal to Chachar 512

Question re Bashir Din, Mr., leave of, Clerk, Canal Office,
Islam Division 357

Question re Canal Clerks 659

Question re Canal officials and holidays 500-501

Question re co-operative bank, Jhang Maghiana 611

Question re Deshbandhu anniversary procession 660

Question re diet money lapsed to Government 65-66

Question re Director, Civil Veterinary Department, Punjab
(Mr. T. E. Quirke) 400

Question re District Board, Lyallpur 52

Question re District Health Officer, Jhang, complaint of
Vaccinators against the— 342Question re election petition against election of Sardar
Harbel Singh 357Question re floods in the Jhelum, Chenab and Indus and
relief to sufferers 252

Question re Frontier Crimes Regulations 605

Question re Mr. Ghulam Hussain, Teacher 50

Question re Grey canal, rest-house of the, and Mr.
Nicholson, C.I.E. 58Question re handcuffs and bar fetters on convicts Ghazi
Abdul Rahman and Mr. Ajit Singh 502Question re Hydro-Electric Branch, Public Works Depart-
ment 247Question re Indian National Congress and Xmas Vacation
for Government Departments 501

Question re inspection of schools at Jhang Maghiana 663

Question re Irrigation Branch, Assistant Clerks in— 557

Question re Irrigation Branch, Provincial, clerical estab-
lishment, promotions 504Question re Irrigation Branch, provincial clerical estab-
lishment 557Question re Irrigation Branch, provincial clerical estab-
lishment, revision of grades 559

QUESTIONS AND ANSWERS—CONTINUED.BODH RAJ, LALA—*continued.*

Question re Jagat Ram Pandit, Lahore Conspiracy case prisoner	512
Question re Jails Committee, Punjab	501
Question re Jaranwala and Toba Tek Singh, Small Town Committees	661
Question re Jawali aided school	1
Question re Jhang Municipality, separation of	51, 614
Question re Kasur Municipal Committee, President of —	720
Question re Kasur Municipality, encroachments by Commissioners	659
Question re Kasur Municipality, misappropriations in—	720
Question re Kasur Municipality, Octroi refund	720
Question re Kiran Chandra Dass, Srijut	341
Question re Kot Adu Small Town Committee	659
Question re Lahore Conspiracy Case	248
Question re Lahore Conspiracy Case and hunger strike	248, 251
Question re Lahore Conspiracy Case; interview with undertrial prisoners	399
Question re Lahore Conspiracy Case, press reporters	247
Question re Lahore Conspiracy Case prisoner Sardar Harnam Singh	358
Question re Lahore Conspiracy Case prisoners, concessions to—	610
Question re Land Alienation Act, residential houses in municipal areas and application of the Punjab	662
Question re Multan District Board	618
Question re Municipal Commissioners, encroachments on municipal lands by—	58
Question re normal Classes, Government School, Taunsa and Dera Ghazi Khan	512
Question re Palla Head	501
Question re Pathans of Jhang district declared agricultural tribes	262
Question re police misbehaviour in Gojra	500
Question re press tickets for admission to Legislative Council	502
Question re prisoners in jails and hunger-strike	251
Question re prosecution of editors of certain newspapers	662
Question re settlement papers, Multan Tehsil	288
Question re Shaikh Karam Husain, Manager, Court of Wards, Choti	660
Question re special class prisoners	252
Question re students and Armistice parade, Rawalpindi	71
Question re Sub-Divisional Officer, Lal Sohaura	5
Question re tahsildar, Shorkot	49

QUESTIONS AND ANSWERS—CONTINUED.**BODH RAJ, LALA—concluded.**

Question re teachers, dismissal of certain— ..	611
Question re tenders for attendance registers ..	520
Question re terminal tax on packing materials in Kasur ..	748
Question re terminal tax schedule and vegetable oil ..	612
Question re 'Tufan'	508
Question re Unani and Ayurvedic systems of medicine ..	1-2
Question re undertrial political prisoners, handcuffing of—	610
Question re vacancies in Indian Veterinary Service ..	400
Question re Vedic Kanya Pathshala, Shahpur ..	56
Question re Veterinary College, Punjab, Assistant to the Professor of Medicine	399
Question re Veterinary College, Punjab, Principal ..	401
Question re Veterinary College, salaries of the Director and the Principal, Punjab	400
Question re veterinary department	398
Question re Veterinary Dispensaries, touring ..	398
Question re Veterinary Service, Provincial ..	
Question re Veterinary Service, incremental scale for assistants	398
Question re Veterinary Service, memorials of the members of the—	399
Question re Wakefield Wah in Jhang Maghiana ..	611
Question re samindars in zilladars grade in the Irrigation Department	339
Question re zilladar candidates, supersession among ..	341
Question re zilladarship, departmental candidates for ..	345
CHHOTU RAM, RAI SAHIB CHAUDHRI—	
Question re agricultural insolvents, sale of land, of, Karnal ..	403
Question re agricultural land, alienation of, to satisfy decretal debt	403
Question re Ambala division, Assistant District Inspectors and Anglo-Vernacular Teachers in ..	465
Question re Assistant Sub-Inspectors, recruitment of— ..	515
Question re average price of unginned cotton and wheat ..	351
Question re Bhakra Dam Scheme	402, 605
Question re <i>Chahi</i> rates	410
Question re colony lands by public auction, sale of— ..	349
Question re communal representation in public services ..	410
Question re Sub-Judges, Competitive Examination for— ..	411
Question re District Inspector of Schools, Rohtak ..	465
Question re famine relief	406
Question re famine works	409
Question re famine works, wages of people on— ..	407
Question re high schools in Rohtak	54
Question re firearms, sale-proceeds of—	606
Question re Gulab Singh & Sons, Rai Sahib, Munshi ..	58
Question re Hindu Jats in Police Department ..	606

	PAGE.
QUESTIONS AND ANSWERS—CONTINUED	
CHHOTU RAM, RAI SAHIB CHAUDHRI—concluded.	
Question re Hydro-electric scheme	466
Question re Jahazgarh, cattle fairs at—	736
Question re kharif crops, failure of—	406
Question re land revenue and water rates	409
Question re land revenue, suspension or remission of, in Rohtak District	406
Question re local bodies, grants to—	736
Question re local bodies, official presidents in—	422
Question re notified agriculturists from Karnal, etc., dis- tricts in Police Department	610
Question re Police Inspectors, recruitment of—	735
Question re railway line between Rohtak and Bhiwani	663
Question re railway line between Rohtak and Rewari	663
Question re rainfall, annual, Rohtak District	404
Question re Rohtak District Board, grant to—	351
Question re second division LL.B.'s	411
Question re statutory agriculturists; Hindu, from Rohtak, etc., districts as prosecuting inspectors	607
Question re Sub-Inspectors, recruitment of—	515
Question re Sub-Inspectors	64
Question re Sub-Judges, competitive examination for—	412
Question re Sub-Judge candidates	412
Question re taccavi loans, Rohtak District	407
Question re Vernacular Middle Schools, District Board	57
Question re Vernacular Middle Schools	55
Question re zilladars, recruitment of—	516
DALPAT SINGH, SARDAR BAHADUR CAPTAIN—	
Question re Malikana	80
DAULAT RAM, KALIA, RAI BAHADUR PANDIT—	
Question re Municipal Committee, Kasur	62
DIN MUHAMMAD, MR.—	
Question re appointment of Inspector of Schools, Rawal- pindi	799
Question re appointments to the selection grade of Pro- vincial Educational Service	798
Question re Co-operative Department, Deputy Registrars, etc., of the—	808
Question re Co-operative Department, gazetted officers in the—	808
Question re Co-operative Societies, Sialkot district	801
Question re District Inspectors of Schools, appointment of—	800
Question re District Inspector of Schools, Gujranwala	802
Question re dust nuisance	345
Question re Iqbal Singh S., Assistant Registrar, Co- operative Department	801, 802
Question re Lala Harish Chand, Kathpalia, promotion of, to Provincial Educational Service	800

QUESTIONS AND ANSWERS—CONTINUED.**DIN MUHAMMAD, MR.—concluded.**

Question re promotions to Provincial Education Service and Subordinate Educational Service 799

DULI CHAND, CHAUDHRI—

Question re agriculture as an alternative subject in high classes 552

Question re communal representation among Assistant District Inspectors of Schools in Ambala division .. 748

Question re contingencies, scale of Schools and Boarding House 50

Question re grants-in-aid 359, 552

Question re grants-in-aid in Ambala division .. 721

Question re grants-in-aid to aided high schools, Ambala division 359

Question re high schools in Ambala division, fall in strength of — 721

Question re high schools of backward communities .. 610

Question re military scholarships 360

Question re Panchotra, receipt of, by a district board member 63

Question re petition-writers 57

Question re teachers in district board employ .. 722

Question re transfer from inspecting to teaching branch and vice versa 721

FAIZ MUHAMMAD, SHAIKH—

Question re appointments in Provincial Education Service .. 397

Question re appointments in Subordinate Educational Service (Anglo-Vernacular Section) 397

Question re Boat-bridge material stored at Ghazi Ghat .. 347

Question re Dharma Ram of Chotizerin 556

Question re District Inspectors of Schools, etc. 64

Question re dust nuisance in municipalities 346

Question re Gulab Singh and Sons, Rai Sahib Munshi .. 62

Question re Headmasters and Senior English teachers of Government High Schools in Multan division .. 348

Question re Inspector and Assistant Inspector of Schools Multan division 347

Question re Superintendents of Deputy Commissioners' and Commissioner's Offices in Multan division .. 348

FAZL ALI, KHAN BAHADUR CHAUDHRI—

Question re non-official presidents of local bodies .. 62

FIROZ-U-DIN KHAN, RANA—

Question re locusts, damage to crops by— 553

Question re Lower Bari Doab Canal, gentry grants on the— 554

Question re Nili Bar, default in payment of purchase price of lands in— 336

Question re Nili Bar, interest on unpaid price of Government land in— 335

QUESTIONS AND ANSWERS—CONTINUED.**FIROZ-UD-DIN KHAN, RANA—concluded.**Question *re* Nili Bar, scarcity of water-supply in — .. 887Question *re* Nili Bar water-courses .. 888**GANGA RAM, RAI SAHIB LALA—**Question *re* compulsory education in Ambala District 418Question *re* education in Rupar and Kharar tahsils .. 421Question *re* educational progress in Municipal and District Board Schools .. 418Question *re* Municipal Board High School Abohar .. 284Question *re* primary and secondary education in Ambala district .. 414Question *re* schools in Ambala district .. 412**GHANI, MR. M. A.—**Question *re* Waqf Act .. 51**GOKUL CHAND, NARANG. DR.—**Question *re* Court Clerk, Financial Commissioner's Office 707Question *re* Deputy Court Clerk and Translator Financial Commissioner's Office .. 707Question *re* Stenographers in the Financial Commissioner's Office .. 740Question *re* Vernacular branch of the — Financial Commissioner's Office .. 742Question *re* Insanitary condition of Bhera town .. 858Question *re* Mandi, cost per unit of power at— .. 70Question *re* Mandi Hydro-Electric Project, staff for— .. 70Question *re* Municipal Committee for Sheikhpura .. 706**GOPAL DAS, LALA—**Question *re* primary schools .. 2**HARBAKHSI SINGH, SARDAR—**Question *re* Alijaj minor re-modelling scheme .. 344Question *re* dust nuisance .. 346**HIRA SINGH NARLI, SARDAR—**Question *re* Agricultural Department, misappropriation in the — .. 279Question *re* beggary .. 670Question *re* Bhal, clearing of, from small minors .. 664Question *re* canal water, distribution of— .. 664Question *re* cotton, price of— .. 609Question *re* criminal tribes, members of— .. 325Question *re* desi cotton .. 665Question *re* District Board, Lahore, election wards .. 325Question *re* Kachhahras, use of, by Sikh clerks .. 668Question *re* 'Kirti', prohibition of Government servants from subscribing to — .. 670Question *re* Lahore Museum, admission to— .. 667Question *re* locust pest .. 664-65Question *re* Minors, repairs to banks of— .. 665

QUESTIONS AND ANSWERS—CONTINUED.**HIRA SINGH NARLI, SARDAR—concluded.**

Question re Mota Singh, Master	668
Question re newspapers and Government advertisements	267
Question re Nili Bar Colony	666
Question re octroi on cycles, etc.	669
Question re Pakpattan Canal, closure of—	80
Question re Panchayat Courts, decrees of—	705
Question re police behaviour	671
Question re Police Department, corruption in—	671
Question re Rajbaha Newpal, closure of minors of—	668
Question re road facilities	705
Question re Sub-Inspector of Tarn Taran, allegations against	666
Question re sword, exemption of from the operation of Indian Arms Act.. ..	670
Question re Village Patrol Act	671
Question re visitors to the rooms of officers of Government, admission of —	667
Question re Wars on the Upper Bari Doab Canal	609

JOTI PARSHAD, LALA—

Question re agricultural demonstration farms	709
Question re Ambala Division, teachers and clerks of Government and Board Schools in the —	57
Question re Bar Room, Hissar	601
Question re Bhiwani, chowkidars for night watch at—	564
Question re Bhiwani, Hindu temple at—	601
Question re Bhiwani, supply of fodder to—	602
Question re Brayne (Mr.), Deputy Commissioner money collection by—	563
Question re Civil and Military Gazette payment to, for supply of forms	508
Question re depressed classes	50
Question re famine in Karnal	709
Question re famine relief in Hissar	560
Question re fuel wood, theft of, by constables in Rohtak	710
Question re Girls' High School, Hissar	707
Question re intermediate arts colleges	708
Question re irrigation in Kaithal	709
Question re jagirs in Hissar District, recipients of—	601
Question re Moharram procession, Kaithal	724
Question re Municipal Engineers, Punjab	55
Question re opium, consumption of —	803
Question re opium smuggling	724
Question re Police in Hissar District	505, 563
Question re Police Stations of Bhiwani and Hissar	564
Question re Satta gambling in Rohtak	711
Question re Simla Municipality, Engineer of —	2

QUESTIONS AND ANSWERS—CONTINUED.

JOTI PARSHAD, LALA—concluded.	
Question re Skinner's estate	559-560
Question re Skinner's Estate, kisans of—	708
Question re suicide due to police oppression in Rohtak	711
Question re test famine relief works, Hissar District	709
Question re Vaid and Hakims in local bodies	55, 565
Question re vegetable ghi	708
Question re vernacular teachers in government schools	511
Question re zamindars, notifications re, by Inspectors of Schools, Ambala	49-50
KESHO RAM SEKHRI, LALA—	
Question re bar room, Amritsar, electric charges for the—	556
Question re cheques, inconvenience in delivery and cashing of —	554
Question re Jandiala Guru Municipality	517
Question re law courts, concentration of—	556
Question re stamps, purchase of—	416
Question re Town Improvement Act	555
Question re tuberculosis	555
Question re unemployment committee	555
MAQBOOL MAHMOOD, MIR—	
Question re scarcity conditions in Ambala division	788
MAYA DAS, MR. E.—	
Question re aerated water sellers, Kangra Valley Railway	519
Question re Agricultural College Graduates	355
Question re Agricultural College, Lyallpur, swimming-bath in the —	355
Question re Agriculturists, concession to children of in the matter of primary education	264
Question re alcoholic drinks, books on evils of —	276, 277
Question re artificial fertilisers	421
Question re Bikanir Canal, lining of—	357
Question re bones, export of—	278
Question re Canal water	417
Question re Canal water, charge for by volume	417
Question re Cart-traffic on the Kalka-Simla Road	277
Question re cash rental for <i>barani</i> , <i>chahi</i> and <i>nakri</i> lands	278
Question re cold weather of 1928-29	416
Question re co-operative banks	417
Question re District Board schools, annual increments to teachers of	69
Question re District Boards and Schools	265
Question re drinking water-supply	807-808
Question re education cess	420
Question re Girls' High Schools	278, 419
Question re Girls' High Schools, buildings for —	278
Question re Hydro-Electric Branch staff, hill allowance to the—	279

QUESTIONS AND ANSWERS—CONTINUED.**MAYA DAS, MR. E.—concluded.**

Question re Hydro-Electric works	265
Question re Indian Christians in Government Departments	268
Question re Jogindarnagar, rainfall at—	265
Question re Jogindarnagar, tunnel at—	266
Question re Kasur Municipality, employees of—	270
Question re Kasur Municipality, special increments to employees of—	269
Question re lady District and Assistant District Inspectors of Schools	80
Question re lady Health Visitors	804
Question re local rate and haisiyat tax	268
Question re malaria	419-420
Question re milking cows	421
Question re mixed tennis clubs	273
Question re Model Town at Palampur	269
Question re motor accidents	417
Question re motor stand at Simla, shed near the—	277
Question re Police at ferries, stationing of—	420
Question re rural dispensaries, inspection of, by Civil Surgeons	276
Question re sanatorium for tubercular patients	269
Question re Sikh Kanya Mahavidyalaya, drainage near—	419
Question re stadium at Lahore	269
Question re Uhl river, discharge of the—	266
Question re village roads, encroachments on—	795
Question re voters for Punjab Legislative Council and District Boards	354
Question re water-logged areas	274
Question re water standpost, Pathankot Railway Station	519
Question re wheat seed drill	354

MEHAR CHAND, PANDIT—

Question re Board of Indian Medicine	606
Question re depressed class students, Government High Schools	519
Question re depressed classes, Government owned wells	607
Question re dispensary for Shaina	518
Question re Hargo Lal Girls' School, Ambala	69, 519
Question re road between Shaina and Barnala or Rai Kot	518
Question re School Final Examination	68
Question re Shaina Bazar in Ludhiana District, unhygienic condition of	518

MOHAN LAL, RAI BAHADUR, LALA—

Question re Army Remount Depôt, Special Assistant Commissioners	731
Question re Assistant Commissioners, Punjab	726

QUESTIONS AND ANSWERS—CONTINUED.**MOHAN LAL, RAI BAHADUR, LALA—concluded.**

Question re burglaries and thefts	498
Question re Cantonment Board, Ambala	608
Question re compulsory primary education	474
Question re confidential reports of officers	729
Question re Deputy Commissioner, Criminal Tribes	758
Question re Government servants and Cantonment boards	608
Question re Government servants under Punjab Govern- ment	751
Question re Indian Civil Service appointments	725
Question re Indian Civil Service Officers in Punjab	756
Question re Indian Civil Service officers transferred to Foreign and Political Department	749
Question re Indian Secretaries, etc., to Government	749
Question re Junior Secretary to Financial Commissioners	726
Question re Lewis, Mr. E. S., special pay to —	728
Question re Lincoln, Mr. E. H., promotion of—	727
Question re listed posts in Government service	751
Question re listed posts in Judicial and Executive sides of the Provincial Civil Service	792
Question re literacy certificates	498
Question re Mirka Minor, closure of—	499
Question re Provincial and Imperial Services.. ..	751
Question re Provincial Service Civil Officers, preferential treatment to certain—	727
Question re Provincial Civil Service Officers in the Jail Department	727
Question re Provincial Civil Service and Government of India	725
Question re Provincial Forest Service	607
Question re Public Services Commission for Punjab	725
Question re Punjab Commission	754
Question re recruitment of District and Sessions Judges	782
Question re Secretaries and other officers in the Civil and Public Works Department Secretariats	752
Question re Superintendents of Jails, retired members of the Provincial Civil Service as—	781
Question re special pay to members of the Indian Civil Service and Provincial Civil Service	744
Question re Under-Secretaries and Heads of Departments	724
Question re Under-Secretary to Government, name and emoluments of—	728
Question re Unemployment Committee Report	474
Question re untouchables and public wells	478
Question re vacation Departments of Government	754
MOHINDER SINGH, SARDAR—	
Question re motor lorries and roads	851
Question re prohibition of lorries on certain roads	852

QUESTIONS AND ANSWERS—CONTINUED.**MUBARIK ALI SHAH, SAYAD—**

Question re Ahalkars, etc., in Jhang District	285
Question re 'Bar' people of Lyallpur District, grant of land to —	259
Question re colonization of the Jungle Pir Mahal	261
Question re communal representation in the Public Works Department staff, Lyallpur	509
Question re cotton crops in Jhang District	258
Question re criminal tribes	565
Question re drowning accidents in the Chenab	261
Question re elected element in Jhang district board	257
Question re floods in the Jhelum and Chenab	258
Question re haisiyat tax	509
Question re headworks of the Lower Jhelum Canal	334
Question re Irrigation Department, proportion of muslims in the Sub-Overseer Grade	605
Question re lambardars in Jhang District, grant of land to—	255-56
Question re locust pest	604
Question re Lower Jhelum Canal	602
Question re Magistrate with first class powers for Mian Chinnun and Tolumba	335
Question re Nili Bar, allotment of lands in the, to people of Jhang District	333
Question re official receivers	260
Question re public sarai for Jhang District	510
Question re railway connection between Chiniot town and headquarters of Jhang District	260
Question re Rajbah Nila No. 1, Lower Chenab Canal, outlets on the—	256
Question re reclamation of Nur Mahram and Aqla Hayata Beloches	509
Question re Regulation of Accounts Bill	259
Question re schools affected by floods in Jhang District	510
Question re Senior Sub-Judge, Jhang	334
Question re Tawan on Ab-Zaia	257
Question re waste land in Pir Mahal Jungle	508

MUHAMMAD ABDUL RAHMAN KHAN, CHAUDHRI—

Question re Committees and Commissions	741
Question re failure of crops in Jullundur District	717
Question re flood damages	716
Question re Inspectors of Co-operative Societies and Inspectors of consolidation of holdings	711
Question re locusts, damage by—	715
Question re Minister for Education, policy of the—	715
Question re Muslim Inspectors of Schools in Jullundur District	741
Question re Muslim representation in the English offices of Deputy Commissioners, Jullundur	718

QUESTIONS AND ANSWERS—CONTINUED.**MOHD. ABDUR RAHMAN KHAN, CH AUDHRI—concluded.**

Question re primary schools in the Beit area of the Jullundur District	741
Question re Registrar of the Education Department, appointment of Mussalman	711-12
Question re slaughter-house at Qadian	712
Question re Sub-Registrar, Bunga	719
Question re Sub-Registrar, Nakodar	718
Question re Superintendents of Deputy Commissioner's offices	718
Question re teachers of Government School, Campbellpore, confirmation of certain—	742
Question re water-level in Jullundur District	717

MUHAMMAD HUBAIN, SAYAD—

Question re acreage rates in Dipalpur Canal area	62
Question re breach in the bund and main canal of Suleimanke	352
Question re breach in canal bund near Suleimanke	467
Question re Pakpattan Main Canal	358

MUHAMMAD IQBAL, DR. SIR—

Question re cow-slaughter house at Qadian	326-29, 330
Question re floods in the Dek river, compensation for damages	281

MUHAMMAD JAMAL KHAN, KHAN BAHADUR NAWAB—

Question re Manka Canal	358
-------------------------------	-----

NUR KHAN, RISALDAR BAHADUR—

Question re military services and concession in school fees	557
---	-----

PARTAP SINGH, SARDAR—

Question re Peasant grants	63
----------------------------------	----

RAM SINGH, CHAUDHRI—

Question re Bhiyal area, Reclamation of land in the	333
Question re compensation for damages by floods in the Chakki river	330
Question re compensation for lands washed away by the Chakki river	331
Question re Damtal bund, extension of the—	332
Question re differential treatment by Government to Hindu and Mussalman authors.. ..	469
Question re Durrani, Mr., book on Swami Dayanand by—	468-69
Question re girls, sale of — for marriage	332
Question re hailstorms in Kangra District	705
Question re halla penalty	332-33
Question re grant of land in lieu of that acquired for railway line	470
Question re grant of land in Nili Bar	2
Question re grants of land in Nili Bar to zamindars of Kangra	513

QUESTIONS AND ANSWERS—CONTINUED.**RAM SINGH, CHAUDHRI—concluded.**

Question re grants of land to flood affected inhabitants of Kangra	513
Question re grants of land to zamindars affected by floods	331

SEWAK RAM, RAI BAHADUR LALA—

Question re alienation of land by Christians	64
Question re Bhakra Dam	415
Question re Irrigation Branch, selection of Deputy Collectors in the—	267
Question re metalled road to Shujabad and Jallalpur-Pirwala	181
Question re Midwifery, candidates for diploma in—	179-180
Question re midwifery examination, discrimination between stipend holders and private candidates at the —	180
Question re midwifery, encouragement of the study of—	180
Question re midwifery diploma examination, examiners for—	179
Question re Midwives Board	179
Question re Mandi Hydro-Electric Scheme	178
Question re Matriculation pass percentage and Government High Schools	68
Question re promotion from Provincial to Indian Engineering service, Buildings and Roads Branch	414
Question re promotion from Provincial to Indian Engineering Service, Irrigation Branch	414
Question re Sub-Inspector Abbas Khan	415
Question re water-supply at Dajul, Dera Ghazi Khan District	180
Question re zilladars in Irrigation Department	415

UJJAL SINGH, SARDAR—

Question re municipal election petition at Kamalia	65
Question re Municipal Engineers in the Punjab	67
Question re recognition of schools	57

YASIN KHAN, CHAUDHRI—

Question re Anglo-Vernacular teachers in Ambala division	810
Question re Assistants in the Civil Secretariat	808
Question re communal representation among Assistant District Inspectors of Schools, Ambala division	810
Question re <i>Muafi</i> in the Gurgaon district	809
Question re muslim district inspectors of schools	811, 812
Question re Punjab Health School	785
Question re Subordinate Educational Service, Ambala Division	810, 811
Question re Superintendents of Deputy Commissioner's offices in the Ambala division	802

QUESTIONS AND ANSWERS—CONCLUDED.**ZAFRULLA KHAN, CHAUDHRI—**

Question *re* Government Tannery, Shahdara.. .. 513

Question *re* horse-breeding tenancies 549

QUIRKE, Mr. T. E.—

Question *re* —, Director, Civil Veterinary Department .. 400

R.**RAGHBIR SINGH, HONORARY LIEUTENANT—**

Bill. Regulation of Accounts Bill, the Punjab .. 919-920

RAILWAY(S)—

Question *re* aerated water-sellers on the Kangra Valley .. 519

Question *re*. — connection between Chiniot Town and the headquarters of the Jhang District .. 260

Question *re* connection of Rohtak and Rewari by — .. 663

Question *re* construction of Rohtak-Bhiwani — .. 663

Question *re* water stand post at Pathankot on the Kangra Valley Railway platform 519

See Kangra Valley Railway.

RAILWAY ADVISORY COMMITTEE—

Election to — 520

RAINFALL—

Question *re* annual — in the tahsils of the Rohtak District 404

Question *re* — at Jogindarnagar 265

RAINS—

Question *re* failure of — in Jullundur District and consequent failure of crops 717

RAJBAHA(S)—

Question *re* closure of minors of — Newpal .. 668

Question *re* stoppage of minors of — to provide water at the tail of canals 664

See Lower Chenab Canal.

RAMLILA—

Question *re* — procession in Kaithal 724

RAM SINGH, CHAUDHRI—

Resolution *re* tax on goats and sheep in Kangra District.. 596-97

Resolution *re* waste lands in the Shahpur Colony area .. 380

RATES—

See Acreage rates ; *Chahi* rates ; Local rates ; Water rates.

RATTAN CHAND, RAI BAHADUR LALA—

Bill. Pure Food Bill, the Punjab 700

Bill. Regulation of Accounts Bill, the Punjab— .. 849, 925-26, 942.

RATTAN LAL, RAI SAHIB—

Question *re* appointment of — as Officiating Inspector of Schools, Rawalpindi 799

RECEIVERS—		
Question re appointments of official — in the Jhang District		260
Question re Muslims among official —		260
RECLAMATION—		
Question re — of land in the Bhiyal area		338
Question re — of Nur Mahram and Aqla Hayata Beloches		509
RECONSTRUCTION—		
Question re expenditure on — of works damaged by floods		406
RECRUITMENT—		
Question re — of Asstt. Sub-Inspectors		515
Question re — of District and Sessions Judges		782
Question re — of Police Inspectors		735
Question re — of Sub-Inspectors		515
Question re — of zilladars		516
REFORMS—		
Resolution re Viceroy's announcement about constitutional —		445-64
REFUNDS—		
Question re Octroi —, Kasur Municipality		720
(Reserved) grant, excess		312
(Transferred) grant, excess		313
REGISTRAR—		
Question re appointment of a Mussalman as — of the Education Department		711
REGULATION OF ACCOUNTS BILL, PUNJAB—		
Select Committee's report on — presented		288
Motion for consideration of —	774,	813-83
Motion for re-circulation of —		785-795
Discussed	833-49,	851,
	884,	887-928,
	980-63,	965-
	1002.	
Drafting Committee on—		1002
Report of drafting committee		1007
Passed into law		1007-14
Question re eliciting of public opinion on the —		259
REGULATIONS—		
Question re application of Frontier Crimes — to Hindus of Choti in Dera Ghazi Khan		605
Question re draft — of Ambala Cantonment Board		608
RELIEF MEASURES—		
Question re floods in the Jhelum and Chenab in the Jhang District and — in connection therewith		258
Question re losses caused in the Multan Division by floods in the Jhelum, the Chenab and the Indus and — therefor		252
Resolution re —, Dera Ghazi Khan District		360

	Page.
REMISSIONS—	
Question re suspension or — of land revenue, Rohtak district	406
REPAIRS—	
Question re expenditure on — works damaged by floods	406
Question re — to banks of minors	665
REPORT(S)—	
Punjab Reforms Committee —, discussion on the	81-126, 127-72, 184-246.
Public Accounts Committee — on Appropriation Accounts 1927-28 laid on the table	288
Question re — on the working of Co-operative Societies in the Sialkot District	801
Question re confidential — on officers of Government	729
Question re Punjab Jails Committee—	501
Question re unemployment committee —, action on the Select Committee's — on Punjab Pure Food Bill, presented	474, 818
RESOLUTION(S)—	
Question re action on the — of the Council about the amendment or repeal of the Village Patrol Act	671
Re compulsory primary education	464, 520-44
Re Elections to the Legislative Council	546-48
Re Grant-in-aid for indigenous systems of medicine	426-45
Re Opening of an Intermediate College in Montgomery.. .. .	544-46
Re Reduction of abiana on cotton crops	567-96
Re Relief Measures, Dera Ghazi Khan District	860-874
Re Tax on goats and sheep in Kangra	896-97
Re Viceroy's announcement about constitutional reforms	445-54
Re Waste lands in the Shahpur Colony area.. .. .	874-895
Statement re action taken on — of Council from 1928	614, 615-16
BEST-HOUSE—	
Question re use of — of the Grey Canal for residential purposes of canal officers	53
REVENUE—	
See Land revenue.	
RIVER FLOOD—	
Question re damage to villages in Tahsil Dasuya by —	288
Question re damaged by — in the Hoshiarpur District	288
See Floods.	
ROAD(S)—	
Question re carrying capacity of motor lorries on certain —	351
Question re cart traffic on the Kalka-Simla —	277
Question re encroachments on village —	735
Question re metalled — from Multan to Shujabad and Jallalpur-Pirwala	181
Question re prohibition against running of lorries at nights on certain —	852
Question re — between Shaina and Barnala or Raikot	518
Question re — facilities for carriage of produce to markets	705

BULING(S)--**AMENDMENTS--**

Amendments raising practically the same question may be dealt with in debate on one of them but all will have to be moved except when they are identical .. 838

AMENDMENTS TO BILLS--

Amendment to clause *re* extent of application of Bill need not be confined to area but may cover persons and things .. 632

It is not an amendment to *omit* a clause or a sub-clause .. 674-75

Amendments to draft rules may be proposed and passed in Council and Government may consider them with or without a resolution of Council recommending them .. 1004

Amendment requiring draft rules to be *passed* by Council when rule-making power is delegated to executive, is irregular... 672

Amendment proposing insertion of sub-clause deleted by Select Committee is to be treated as amendment proposing addition of a new sub-clause .. 871

BILLS--

Amendment for recommitment of Bill *with instructions* to Select Committee can only be made by Member in charge .. 626

Council is at liberty not to consider a Bill which was referred to Select Committee by itself .. 789

Constitutional position of consideration, discussion, etc., of draft rules under, by Council .. 998-99

Member in opposing motion for consideration of Bill should not discuss the Bill clause by clause .. 781

Member proposing *re* circulation of Bill should confine himself to stating the purpose of such motion .. 785

Proceedings of Select Committee may be referred to in Council after being presented .. 788

DEBATES--

Debate on ministerial explanations when there is no question before the House, not allowed .. 188

Impersonality is a fundamental principle of parliamentary debating .. 901

Imputation of a bad motive or a motive different from that acknowledged is unparliamentary .. 112

Member speaking on amendment can speak again on the main motion after amendment is disposed of .. 791

Private conversations should not be brought in in a -- .. 289

DIVISION--

Canvassing during -- is not objectionable provided no unfair means are used .. 869

RULINGS—concluded.**MOTIONS—**

Motion to discuss a subject does not preclude — for modification, etc., of the same	125
Re Report of the Punjab Reforms Committee, issues involved in the discussion of,	88-5

UNPARLIAMENTARY EXPRESSIONS—

Use of the word "lie" is unparliamentary.. ..	137
---	-----

WITHDRAWAL—

Conditional — is not allowed	929
Member asking for leave to withdraw resolution cannot make a speech	544

S.**SALE, MR. S. L.—**

Bill. Pure Food Bill, the Punjab	654, 655, 656, 772.
Bill. Regulation of Accounts Bill, the Punjab	835, 843-44, 845, 846, 847, 852, 854, 855, 859-61, 863, 864, 915, 916, 917, 926, 927, 942, 944, 957, 965-66, 975, 996, 997.

Discussion re Amendment inconsistent with context of Bill or clause thereof	649
---	-----

SANATORIUM—

Question re building of a — for tubercular patients in the Punjab	269
---	-----

SANITATION—

Question re insanitary condition of Bhera town	853
Question re unhygienic condition of bazaar of village Shaina	518

SARAI—

Question re building of a public — at the headquarters of the Jhang district	510
--	-----

SATTA GAMBLING—

Question re — in Rohtak	711
-------------------------------	-----

SCARCITY—

Question re — conditions in the Ambala division	733
---	-----

SCHOLARSHIPS—

Question re Military—	360
-----------------------------	-----

SCHOOL(S)—

Question re admission to normal classes of Government —, Taunsa and Dera Ghazi Khan	512
Question re Anglo-Vernacular, Vernacular and Oriental teachers in Government —	511

SCHOOL(S)—concluded.

Question <i>re</i> damage to — by floods in the Jhang District	510
Question <i>re</i> figures of progress of education in municipal and district board schools	418
Question <i>re</i> inability of certain district boards to grant annual increments to teachers of their —	69
Question <i>re</i> inspection of Jawali Aided School	1
Question <i>re</i> inspection of — at Jhang-Maghiana	668
Question <i>re</i> medium of instruction in the Punjab Health —	735
Question <i>re</i> opening of primary —	2
Question <i>re</i> power of District Boards to open or close —	265
Question <i>re</i> primary — in Beit area, Jullundur District	741
Question <i>re</i> recognition of Hargo Lal Girls' —, Ambala	519
Question <i>re</i> recognition of —	57
Question <i>re</i> — in the Ambala District	412
Question <i>re</i> teachers and clerks of Government and board —, Ambala Division, dispensed with and filling up vacancies thereof	57
Question <i>re</i> visit of — by District Inspector of —, Rohtak	465
See High Schools.	
See Middle Schools.	

SCHOOL FEES—

Question <i>re</i> Military services and concession in —	557
--	-----

SCHOOL FINAL EXAMINATION—

Question <i>re</i> delay in declaring the results of the — of 1929	68
--	----

SECONDARY EDUCATION—

See Education.

SECONDARY SCHOOLS—

Question <i>re</i> appointment of Muslims to board — by Inspector of Schools, Ambala Division	811
---	-----

SECRETARIES—

Question <i>re</i> Indian — to Government	749
Question <i>re</i> sanctioned number and tenure of appointment of — to Government	752

SECTION 124-A.—

Question <i>re</i> persons convicted under —	252
--	-----

SERVICES—

Question <i>re</i> communal representation among recruits to certain —	508
Question <i>re</i> Military — and concession in school fees	557
Question <i>re</i> Provincial Forest —, status of and class of railway fares allowed to — when in charge of divisions	607
Question <i>re</i> representation of Ahirs in certain —	508

See Indian Civil Service.

See Provincial Civil Service.

See Provincial Educational Service.

See Subordinate Educational Service.

INDEX.

[Vol. XIV.

PAGE.

SETTLEMENT PAPERS—

Question re —, Multan Tahsil 288

SEWAK RAM, RAI BAHADUR LALA—

Bill, the Punjab 619-620, 625, 626.

Bill. Regulation of Accounts Bill, the Punjab .. 790, 791, 993

Police grant, Supplementary 901

Resolution re Viceroy's announcement about constitutional reforms 458-59

SEWING MACHINES—

Question re octroi duty on — when brought to Lahore for repairs, etc. 669

SHED—

Question re — near motor stand at Simla 277

SHEEP—

Resolution re tax on goats and — in Kangra District .. 596-99

SIDHNAI CANAL—

Question re local rate in the — charged on the combined land revenue and water-rate

SIKANDAR HYAT KHAN, KHAN BAHADUR CAPTAIN SARDAR—

Bill. Pure Food Bill, the Punjab.. .. . 621-22, 637

Bill. Regulation of Accounts Bill, the Punjab .. 884, 851-52, 867, 868, 924, 925, 929, 935, 936, 943, 53, 959, 963.

Discussion re vernacular speeches in Council.. .. 528, 529

Oath of office 247

Resolution re elections to the Legislative Council .. 547

SIKH KANYA MAHAVIDYALAYA—

Question re drainage in the neighbourhood of — .. 419

SKINNER'S ESTATE—

Question re compromise between Colonel Stanley and tenants of — 559

Question re criminal and revenue cases against tenants of —

Question re kisans of — 708

SLAUGHTER-HOUSE—

Question re cow — at Qadian 176, 326-30

Question re licenses for kine — and sale of beef .. 177

Question re — at Qadian 712

SALUGHTER OF KINE—

Question re rules under the Punjab Laws Act and the — 177

SMALL TOWN COMMITTEE(S)—

Question re conversion of — Jaranwala and Toba Tek Singh into municipalities 661

Question re date on which — Qadian began to function .. 175

SMALL TOWN COMMITTEE(S)—CONCLUDED.

Question *re* exemption of house sites within — from Punjab
Land Alienation Act 662

Question *re* resolution of the —, Kot Adu regarding the
death of Shrijut Lala Lajpat Rai 659

SMITH, MR. J. B. G.—

Oath of office 247

Resolution *re* reduction of *abiana* on cotton crops 576-79

Resolution *re* relief measures, Dera Ghazi Khan district 368

SPECIAL ASSISTANT COMMISSIONERS—

Question *re* appointment of —, Army Remount Depot 781

SPECIAL CLASS PRISONERS—

Question *re* persons convicted in connection with certain
movements and classed as — 252

SPECIAL PAY—

Question *re* — and allowances to members of the Indian
Civil Service and Provincial Civil Service 744

SPEECHES—

— in Punjabi, practical difficulties in the way of allowing 527

SRIKRISHAN, Mr.—

Question *re* —, Principal, Intermediate College, Gujrat 797

STADIUM—

Question *re* construction of — at Lahore 269

STAFF—

Question *re* communal representation of the Subordinate —
under the Executive Engineer, Lyallpur 509

Question *re* Engineering — for Mandi Hydro-Electric
Project 70

Question *re* gazetted — employed in the Mandi Hydro-
Electric Scheme 52, 66

STAMPS—

Question *re* inconvenience in the purchase of — in Amritsar
City 416

STATEMENT(S)—

Question *re* — on the scarcity conditions in the Ambala
Division 783

Re action taken on cuts by Council in Demands for grant
from 1928 614, 616

Re action taken on resolutions of Council 614, 615-16

Re floods in the Indus 181

STATUTORY AGRICULTURISTS—

Question *re* number of — among Inspectors and Assistant
Inspectors of Schools, Multan division 347

Question *re* — among headmasters and senior English
teachers in Government High Schools, Multan division 348

STENOGRAPHERS—

Question *re* — in Financial Commissioners' office 740

PAGE.

STOW, THE HONOURABLE MR. A. M.—

Administration of Justice grant (excess)	812
Bill, Land Revenue Amendment, the Punjab	1005, 1006
Bill, Regulation of Accounts Bill, the Punjab	774-75, 846, 865, 929, 956, 1007.

Discussion on the report of the Punjab Reforms Committee
and the memorandum of the Punjab Government to the
Indian Statutory Commission

81-82

Draft Rules under Punjab Land Revenue Act

1008

Jails and Convict Settlement Grants (excess)

812

Miscellaneous (Reserved) grant (excess)

812

Police grant (excess)

812

Police grant (supplementary)

289

Police grant (token)

810

Refunds (Reserved) grant (excess)

812

Refunds (transferred) grant (excess)

813

STUDENTS—

Question re attendance of — at Armistice parade and
saluting of the Union Jack at Rawalpindi

719

Question re Government High Schools and depressed
class —

519

Question re number of — in certain schools in Rupar and
Kharar

422

Question re number of — in Government Girls High
Schools, Hissar

707

SUB-DIVISIONAL OFFICER—

Question re — Lal Sohanra

54

SUB-INSPECTOR(S) (POLICE)—

Question re allegations against — of Tarn Taran

666

Question re number of Hindu and Muslim — in Hissar
District

568

Question re recruitment of —

515

Question re — in the Province

64

SUB-JUDGES—

Question re publication of results of competitive examina-
tion for —

411

Question re second division LL.B.'s and competitive
examination for —

411, 412

Question re Senior — at Jhang

384

Question re — appointed as District and Sessions Judges

792

SUB-JUDGE CANDIDATES—

Question re names requisitioned for being included
among —

412

SUBORDINATE EDUCATIONAL SERVICE—

Question re number of appointments to the — (Anglo-
Vernacular Section) in 1929

997

Question re promotions to various grades in the —

799

Question re vacancies in the —, Ambala Division

810

SUB-OVERSEER—

- Question re proportion of Muslims in the — grade, Irrigation Department 605

SUB-REGISTRAR—

- Question re allegations of illegal gratifications against—
Nakodar 718
Question re —, Bunga 719

SUICIDE—

- Question re — due to police oppression in Rohtak .. 710

SULEIMANKE—

- Question re breach in the bund and main canal of — .. 852

SUPERINTENDENT(S)—

- Question re appointment of retired members of the Provincial Civil Service as — of Jails .. 731
Question re qualifications required of — of Deputy Commissioner's offices 802-03
Question re — in the office of the Deputy Commissioner, Dera Ghazi Khan 348
Question re — of Commissioner's office in the Multan division 348
Question re — of Deputy Commissioner's offices, Ambala division 802
Question re — of Deputy Commissioner's offices, Multan division 348
Question re transfers of — of Deputy Commissioner's offices and extensions of their service after the age of superannuation 718

SUPERSESSIONS—

- Question re — among zilladar candidates 341

SUPPLEMENTARY GRANTS—

- Government's demands for — 288-312

SURGEONS—

See Civil Surgeons.

SURVEY—

- Question re arial — in connection with the Bhakra Scheme 402

SUSPENSIONS—

- Question re — or remission of land revenue, Rohtak District 406

SWIMMING BATH—

- Question re — in the Agricultural College, Lyallpur .. 355

SWORD—

- Question re exemption of — from the operation of the Indian Arms Act 670

T.

TACCAVI LOANS—

Question re amount expected to be given on — ..	406
Question re grant of — for construction of wells in Gurgaon District ..	425
Question re recovery of — in Rohtak district where <i>kharif</i> has failed ..	407

TAHSILDAR(S)—

Question re circulation of the <i>Tufan</i> among patwaris under alleged orders of —, Samundri ..	503
Question re complaints against —, Shorkot ..	499
Question re recruitment for the office of — ..	503

TALIB MEHDI K HAN, MALIK NAWAB MAJOR—

Bill. Regulation of Accounts Bill, the Punjab ..	1009-1012
Resolution re reduction of <i>abiana</i> on cotton crops ..	584-85

TANNERY—

Question re Government — at Shahdara ..	513
---	-----

TAWAN—

Question re — on Ab Zaiai realised from zamindars of Jhang division of the Lower Chenab Canal ..	257
--	-----

TAX—

Question re exemption of packing materials from terminal — in Kasur Municipality ..	743
Question re exemption of — on motor cars, Dalhousie Municipality ..	173, 174
Question re imposition of <i>Haisyat</i> — by Jhang District Board ..	509
Resolution re — on goats and sheep, Kangra District ..	596, 599

TEACHER(S)—

Question re Anglo-Vernacular — in the Ambala division ..	465, 810
Question re Anglo-Vernacular, Vernacular and Oriental — in Government schools ..	511
Question re appointments and dismissals of — in the employ of District Boards ..	721
Question re confirmation of certain — of Government School, Campbellpur ..	742
Question re delegation of power of appointments and dismissals of teachers of District Boards to Inspectors of Schools ..	722
Question re dismissal of certain — ..	611
Question re inability of certain District Boards to grant annual increments to their schools — ..	69
Question re percentage of Anglo-Vernacular Muslim teachers in Government institutions in Rawalpindi and Multan Divisions ..	810
Question re — of English in District Board Vernacular Middle Schools ..	57

TEACHER(S)—CONCLUDED.

Question re — of Government and board schools, Ambala division, dispensed with and the filling up vacancies thereof

57

Question re — of Government Girls' High School, Hissar ..

707

TEMPLE—

Question re alleged sacrilege of the Hindu — at Bhiwani ..

601

TENANCIES—

Question re rules and practices relating to horse-breeding —

549

TENANTS—

Question re compromise between Colonel Stanley and — of Skinner's Estate

559

Question re criminal and revenue cases against — of Skinner's estate

559

TENDERS—

Question re — for the purchase of attendance registers ..

520

TENNIS CLUBS—

Question re mixed — in Gurgaon district

278

TERMINAL TAX—

Question re exemption of packing materials from — in Kasur Municipality

748

Question re sanction to the — Schedule

612

TERMINAL TAX INSPECTORS—

Question re president, Kasur Municipal Committee and reduction of posts of —

720

TEXT BOOKS—

Question re complaint against Rai Sahib Munshi Gulab Singh and Sons about the price of —

58, 62

THEFTS—

Question re burglaries and — in the province

498

Question re — of fuel wood by constables in Rohtak ..

710

TIBBIA COLLEGE—

Increased grant to —

488

TICKETS—

Question re issue of press — for admission to the Legislative Council

502

TOKEN GRANTS—

Government's demands for —

288-312

TOWN IMPROVEMENT ACT—

Question re application of — to any municipality ..

555

TOWNSEND, MR. C. A. H.—

Draft Rules under Punjab Land Revenue Act ..

1004-1005

Lambardars, appointment of and remuneration to — ..

524-525

Resolution re reduction of *abiana* on cotton crops ..

569-70

Resolution re tax on goats and sheep, Kangra District ..

598-599

TRAFFIC—

Question re cart — on the Kalka-Simla road ..

277

TRANSFERS—

- Question *re* — from the inspecting to teaching branch and
vice versa 721

TRANSLATOR—

- Question *re* — of Financial Commissioner's office .. 707 ✓

TRAVELLING ALLOWANCE(S)—

- Question *re* class of railway fare allowed to Provincial
 Forest Service Officers when in charge of Divisions .. 607
 Question *re* complaint of Allah Ditta regarding his — .. 842

TRIBES—

- See* Agricultural tribes ; Criminal Tribes.

TUBERCULAR PATIENTS—

- Question *re* building of a sanatorium for — in the Punjab 269

TUBERCULOSIS—

- Question *re* conference to find out ways and means to
 stamp out — 555

TUFAN, THE—

- Question *re* circulation of — among patwaris under alleged
 orders of Tahsildar, Samundri 508
 Question *re* prosecution of editor, printer and publisher
 of — 662

TUNNEL—

- Question *re* — at Jogindar Nagar 266

U.

UHL RIVER—

- Question *re* discharge of the — 266

UJJAL SINGH, SARDAR—

- Discussion on the report of the Punjab Reforms Committee 211-19
 Resolution *re* Viceroy's announcement about constitu-
 tional reforms 449-50

UNANI—

- Question *re* encouragement to — system of medicine .. 1

UNDER-SECRETARIES—

- Question *re* Indian — to Government 749
 Question *re* name and emoluments of — to Government
 shown in the Civil List 728
 Question *re* sanctioned number and tenure of appointment
 of — to Government 752
 Question *re* styling of Inspector-General of Police and
 Director of Public Instruction as — 724

UNDER-TRIAL PRISONER(S)—

- Question *re* death of an — in Karnal Jail under suspicious
 circumstances 737
 Question *re* interview with —, Lahore Conspiracy Case .. 389

UNEMPLOYMENT—

- Question *re* action on the report of the — Committee .. 474, 555

UNION JACK—

PAGE.

Question re attendance of students at Armistice parade and saluting of the — at Rawalpindi

719

UNPARLIAMENTARY EXPRESSIONS—

"The chair is *annoyed*" etc.— term withdrawn

1000

See Rulings

UNTOUCHABLES—

Question re right of — to use public wells

479

UPPER BARI DOAB CANAL—

Question re *Waris* on the —

609

UTILITY—

Question re principle of — in starting famine works

409

V.

VACANCIES—

Question re — in the Subordinate Educational Service in the Ambala Division

810

VACATION—

Question re Indian National Congress and Christmas — for Government Departments

501

VACATION DEPARTMENTS—

Question re — of Government

754

VACCINATORS—

Question re complaint of — against District Health Officer, Jhang

342

VAIDS—

Question re — and Hakims employed by local bodies

55, 565

VEDIC KANYA PATHSHALA—

Question re grant-in-aid to —, Shahpur

56

VEGETABLE GHI—

Question re bye-laws to control sale of —

708

VEGETABLE OIL—

Question re steps to stop substitution of *ghi* by —

612

VERNACULAR—

Speeches in Punjabi, practical difficulties in the way of allowing

527

VERNACULAR BRANCH—

Question re clerks in the — in the office of Financial Commissioners

742

VERNACULAR MIDDLE SCHOOLS—

Question re teachers of English in District board

57

Question re teaching of English in —

55

Question re visit to — at Kanhanur by the District Inspector of Schools, Rohtak

465

VETERINARY ASSISTANTS—

Question re grant of incremental scale of pay for —

398

Question re travelling allowance of — visiting touring veterinary dispensaries

398

Question re work done by —

898

	Page.
VETERINARY COLLEGE—	
Question re communal representation among external examiners of the Punjab —	282
Question re pay of Principal, —	400
Question re Principal, Punjab—.. .. .	400
Question re work done by Assistant to the Professor of Medicine, Lahore —	399
VETERINARY DEPARTMENT—	
Question re Veterinary work done by Civil Veterinary Assistants in the —	398
VETERINARY DISPENSARIES—	
Question re travelling allowance of Veterinary Assistants visiting touring —	398
VETERINARY EDUCATION—	
Question re sub-committee of the Agricultural Conference on —	401
VETERINARY SERVICES—	
Question re Sub-Committee of Agricultural Conference on —	401
VICEROY'S ANNOUNCEMENT—	
Resolution re — about constitutional reforms	445-64
VILLAGE PATROL ACT—	
Question re amendment or repeal of the —	671
VISITORS—	
Question re admission of — with foot-wear of Indian patterns to rooms of officers of Government	667
VOTERS—	
Question re lists of — for Punjab Legislative Council and District Boards	354
W.	
WADH WATTAR—	
Question re canals on which — is in force	471
WAGES—	
Question re scale of — of people engaged in famine works.. .. .	407
WAKEFIELD WAH—	
Question re — in Jhang-Maghiana	611
WAQF ACTS—	
Question re prosecutions, convictions and acquittals of Mutwallis under the Mussalman —	51
Question re statements of accounts submitted under the Mussalman —	51
WARIS—	
Question re — on the Upper Bari Doab Canal.. .. .	609
WASTE LANDS—	
Question re — in Pir Mahal jungle	508
Resolution re — in the Shahpur Colony area	374

WATER—

Question re failure of — on the Mailai Canal .. 472

WATER-COURSES—

Question re construction of — in the Nili Bar .. 888

WATER LEVEL—

Question re fall in the — in Jullundur District .. 717

WATER-LOGGING—

Question re water-logged areas in the Punjab .. 274

WATER-RATES—

Question re relationship of prices of agricultural produce to amount of land revenue or — .. 409

Question re relationship of variations in the yield of agricultural land to land revenue or — .. 410

Question re remission of land revenue and — in Jhang District on account of damage to cotton crop by disease known as "tela." .. 258

Question re — on *chahi* land in Gurgaon District .. 425

Question re — on subsidiary crops .. 472

WATER STAND POST—

Question — re at Pathankot in the Kangra Valley Railway platform .. 519

WATER-SUPPLY—

Question re municipalities and drinking — .. 807, 808

Question re paucity of — in the Lower Jhelum canal .. 602

Question re scarcity of — in the Nili Bar .. 887

Question re — at Dajul, Dera Ghazi Khan district .. 180

WATER-WORKS—

Question re grants to municipalities for construction of — .. 786

WEATHER—

Question re the winter of 1928-29 .. 266

WELLS—

Question re Government High Schools in which — are open to students of depressed classes .. 519

Question re local rates charged on — in Multan District .. 722

Question re opening of — in Government buildings for use of depressed classes .. 607

Question re right of untouchables to use public — .. 473

Question re *taccavi* loan for construction of — in Gurgaon District .. 425

WHEAT—

Question re average price of — .. 851

WHEAT SEED DRILL—

Question re — .. 854

WILSON, MR. W. R.—

Bill. Land Revenue Amendment Bill, the Punjab .. 1005-1006

Bill. Regulation of Accounts Bill, the Punjab .. 1001

Resolution re relief measures, Dera Ghazi Khan District .. 964

WITHDRAWAL—

Conditional — of amendment is no withdrawal ..	929
--	-----

Y.

YASIN KHAN, CHAUDHRI—

Resolution <i>re</i> compulsory primary education ..	536-40
Resolution <i>re</i> reduction of <i>abiana</i> on cotton crops ..	579

Z.

ZAFAR ALI KHAN, MAULANA—

Question <i>re</i> trial of — and unpleasant remarks against —	284
--	-----

ZAFRULLAH KHAN, CHAUDHRI—

Discussion on the Report of the Punjab Reforms Committee	155-172, 186-210.
--	-------------------

Resolution <i>re</i> Viceroy's announcement about constitutional reforms	445-49
--	--------

ZAILGHAR—

Question <i>re</i> building of a — at the head-quarters of the Jhang District	510
---	-----

ZAMINDARS—

Question <i>re</i> clearance of Bhal by — without wages ..	664
--	-----

Question <i>re</i> definition of —, notification of the Inspector of Schools, Ambala, <i>re</i> —	49
---	----

Question <i>re</i> grants in Nili Bar to — of Kangra District ..	513
--	-----

Question <i>re</i> grant of lands to — affected by floods ..	331
--	-----

Question <i>re</i> <i>tawan</i> on <i>absai</i> realised from — of Jhang division	257
---	-----

Question <i>re</i> — in zilladar grade in the Irrigation Department	339
---	-----

ZILLADAR(S)—

Question <i>re</i> departmental candidates for office of — ..	345
---	-----

Question <i>re</i> recruitment of agriculturists for posts of — ..	340
--	-----

Question <i>re</i> recruitment of —	516
---	-----

Question <i>re</i> supersessions among — candidates ..	341
--	-----

Question <i>re</i> zamindars in the grade of — in the Irrigation Department	339
---	-----

Question <i>re</i> — candidates in the Irrigation Department ..	415
---	-----

Question <i>re</i> — in the Irrigation Department	415
---	-----